

CITY OF DECATUR CITY COUNCIL POLICIES

Amended: August 2023

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A. GENERAL AND LEGISLATIVE POLICIES

1. Use and Purpose of City Council Policies (February 3, 2020)

The Decatur City Council has a broad mandate to provide good government, develop and maintain a safe and viable community, and to supply desirable and/or necessary services to the community. Where enactment of laws are required to achieve the city's mandate, changes to the Decatur Municipal Code are proposed to the governing body. But the operation of government does not always require the force of law to achieve its objectives. In such cases, City Council policy statements serve to guide and determine the conduct of the City and its departments regarding the services they provide so that services are provided consistently over time, and in conformance with the City Council's long-term strategic objectives. Policies are approved and amended from time-to-time by the City Council and maintained by the Office of the City Manager.

City Council policies are published in one notebook (available at City Hall and distributed to the City Council members and Department Heads), and on the City's website, to facilitate ease of access.

City Council policies are adopted, repealed and amended at the discretion of the City Council by simple majority vote of the governing body. They are superseded by and inferior to local ordinances, and State and Federal laws. They are superior to and supersede administrative rules and regulations promulgated by the City Manager and department heads.

2. Communication

Effective communications between the Mayor and City Council, the City Manager and City staff members are crucial to providing sound public policy and high-quality City services. Councilmembers have committed to sharing information with each other and with the City Manager, so the City Council and City Manager have agreed upon certain communications channels and practices intended to accomplish this.

a. Guidelines

Governing all communications, policy development and procedures between the senior staff, the Mayor, City Council and City Manager, is an overarching commitment to:

- *Honesty
- *Courtesy
- *Open mindedness
- *Peer respect
- *Clear speaking
- *Careful listening

*Focus on outcomes

b. Structured Channels for Communications

The City Manager shall arrange for clear, structured channels and methods of communication that respect the City Council's need for timely information about City affairs and the City staff's obligations to perform their daily operational work.

The City Manager has requested that, when the Mayor or Councilmembers have requests for information or wish to forward citizen inquiries, they send these requests through the City Manager. Councilmembers are requested to indicate the urgent, routine or long-term nature of the request in order to help staff members judge the priority of all outstanding requests. All Councilmembers and the City Manager will have access to the same information and the status of requests.

c. Direct Staff Contact

While the Mayor and Councilmembers are always at liberty to speak to any employee of the City, the City Manager has requested that contacts during work hours be limited to seeking ready information; requests for preparation of answers or more extensive information should be channeled through the Administrative Assistant to the City Manager. Further, direct contacts should not be in the nature of directing the work of a City employee or of requesting information that requires an employee to significantly reschedule his/her work to accomplish.

d. Anticipation of Communication Needs

The City Manager, Assistant or Deputy City Manager and department heads will anticipate the nature and timing of information that may be required by the City Council regarding current or growing issues and projects. The challenge is for staff to help the City Council from being surprised by information they receive from others. In the same, manner, the Mayor and City Council may help the City Manager or staff by apprising the City Manager of information they receive. This will aide in anticipating problems and verifying whether certain information is reliable.

e. Confidential Information

In certain cases, information may relate to delicate negotiations with private businesses (especially in the realm of commercial and industrial development). In such cases, the City Manager will be on his/her honor to maintain as confidential only that information that could cause an economic development project to fail if it were released improperly or prematurely. Whenever possible, the City Manager will keep the Mayor apprised of commercial or industrial development progress. The City Manager understands that where such risks of disclosure do not exist, he/she will endeavor to keep City Council informed about the progress of projects and negotiations.

Information relating to the lease or sale of City-controlled property or to pending litigation over development projects may be discussed in closed session of the City Council (among other topics specifically allowed under the Open Meetings Act, 5 ILCS 120/1 *et seq.*). The Mayor and Councilmembers understand that they are on their honor not to disclose any confidential information publicly.

Where the Mayor or a Councilmember wishes to inquire about the performance of a City employee, such an inquiry will be directed only to the City Manager. The City Manager must handle such inquiries mindful of the confidentiality and trust that are inherent in employee personnel records.

3. Meeting Agenda

a. Agenda Items

Items can be brought before the Council for consideration, or reconsideration, upon the recommendation of the Mayor, the City Manager or any four (4) members of Council. An item can be removed from a Council agenda by the same party or parties who requested it be placed thereon. Placement of an item on the agenda for consideration or reconsideration by Council will be requested through the City Manager's Office. By majority vote, the City Council may change the order of, or delete agenda items from, the official agenda at the start of a meeting; but they may not add agenda items in this manner.

b. Closing of Agenda

The City Manager will discuss each agenda first with the Mayor and then publish and distribute the agenda and supporting documents to Councilmembers and staff at the earliest possible date in advance of each City Council meeting. He/she will rely on staff members to present complete supporting information at the earliest time in advance.

In order for City Council and staff members to be prepared and to exchange information effectively, the City Council agenda will be closed at close of business on Monday of the week prior to each Council meeting. After this time, the City staff and Council will not be obligated to act upon an item/issue or provide additional research for the meeting.

Items brought by the public after that date may be accepted by the City Council or may be deferred to a future agenda with sufficient time for preparation. Electronic dissemination of agenda items will be sent to Council.

c. Agenda Preparation and Distribution

The City Clerk's Office shall be responsible for the compilation of the materials and for the timely distribution of written City Council meeting agendas with all available

back-up information which shall be made available to each Councilmember at least by the Thursday preceding the day of a regular meeting absent extenuating circumstances and communicated to Council.

d. Agenda Information

Questions regarding Council meeting agenda items or upcoming issues should be directed to the City Manager. In preparing information and replying to Council members, staff members will take care to present a report that describes both sides of an issue and gives the full picture. City Council will nevertheless be interested to learn the staff's or City Manager's recommendation for action. For Councilmembers convenience in discussing these materials, the staff member's work telephone number should be included with their report and recommendations.

e. Tabling of Agenda Items

City Council and staff members will make every effort to be informed and be prepared to act on agenda items as they reach the City Council agenda. However, during a Council meeting, it may be necessary or preferable to table discussion of an agenda item or issue in order to gain further information or to provide further information for the public. A motion to table should name a date certain and should not then result in premature discussion of that agenda item.

f. Study Sessions

Insofar as possible, all items of a major or controversial nature shall be placed on a study session agenda prior to being placed on the City Council agenda. Study Session Agenda items will be developed and scheduled by the Mayor and City Manager based on periodic consultations with council members.

It shall be the responsibility of all Department Directors to consult with the City Manager before placing a questionable or non-routine topic on the regular City Council agenda.

4. **Meeting Procedures-City Council, Boards, Commissions**

a. Order of Business

The order of business for City Council meetings is set forth in Chapter 6 of the Decatur City Code. The Illinois Open Meetings Act applies to City Council meetings or any meeting of three (3) or more elected officials at which public business is discussed. These Policies are adopted by the City Council for the effective and efficient conduct of City Council meetings as well as meetings of all City Boards, Commissions and Committees.

b. Public Participation Rules and Procedures (February 3, 2020)

It is the policy of the Decatur City Council to encourage meaningful citizen participation in its meetings, comply with all statutory requirements for managing public meetings, and plan for the input of citizen comments where they will be the most useful in the City Council's decision-making and policy development processes, all while maintaining the highest degree of civility and decorum possible in the conduct of city business so that all potential and planned meeting participants will feel free to share their views without risk of intimidation, or threats to their safety.

Section A: During the Citizen Participation section of an agenda, members of the public may speak for up to three (3) minutes {once, per person}, unless City Council by majority vote or consensus grants additional time as provided herein. Action to extend time shall be rare, must be made on a content neutral basis, usually when disruptions or technical equipment issues have interfered, or for first-time speakers unfamiliar with the city's rules and procedures for public comment. Thirty (30) minutes will be allocated for all citizen participation combined. Remarks offered during the citizen participation section should pertain to city services and local public policy matters that may eventually be considered by the City Council. Remarks must be made with decorum and civility and be addressed to the Mayor and City Council from the podium. While the City Council wants to hear public comment from all sides of an issue, in order to maintain civility, the Mayor or Acting Mayor may interrupt or call out-of-order speakers who are profane, make verbal or physical threats, shout, or engage in crude and/or distasteful personal attacks.

Section B: Once all members of the public desiring to speak during the citizen participation section of a meeting have done so, the Mayor will declare the citizen participation section ended and, at the Mayor's or Acting Mayor's discretion, may allow members of the City Council and/or city staff to provide relevant information related to comments offered during citizen participation and/or respond to remarks made during the citizen participation section, but only if they wish to do so. No rebuttals from the audience will follow.

Section C: During the remainder of the agenda (with the exception of public hearings called for the purpose of obtaining citizen comments), discussion will be limited to members of the City Council, city staff, and subject-matter-experts arranged in advance by staff and the Mayor. Members of the public may submit information in writing, in advance to the City Clerk, which can be shared with the entire City Council. On a request from a majority of council members, or the city manager, the Mayor will allow persons submitting documents in advance to speak for up to three (3) minutes, once per meeting, if it pertains to a subject on the agenda, and in conjunction with council's discussion of that agenda item.

Section D: During council study sessions, all citizen comments will be scheduled on the agenda following the announced study session topics so that persons making comments can base their inputs on the actual discussion of the City Council and data presented by staff and/or issue-related discussion experts. Final directions and instructions to staff will follow citizen comments at study sessions.

Section E: Documents submitted by members of the public after commencement of regular meetings and study sessions meeting, and during the citizen participation section, will be accepted and made available to each member of the council if enough copies are provided. Speakers should not approach the dais; the Mayor or Acting Mayor will advise speakers to whom they should hand their printed materials.

Section F: The city will provide guidance to speakers regarding the amount of time they have remaining when they are at the podium giving comments, and when their time has expired through the use of a time display counter, mounted on the City Council dais so it is easily visible from the speaker's podium. The time display counter will also include three (3) lights with the following colors that have the following meanings: green means that more than one (1) minute remains; yellow means that less than one (1) minute remains; and red means that time has expired. Because City Council meetings are recorded for simultaneous or delayed broadcast, and then linked on the city's website for maximum public access, all speakers must come to the speakers' podium before starting their remarks, speak into the microphone provided, and should give their names before speaking.

Section G: Filming and photography by members of the public are permitted, so long as they do not block the views of others, generate disruptive lights or noises, are safe, assure sufficient ingress and egress for all in the room, do not include distractive illumination, and do not disrupt the flow of public and council business.

Section H: The City Council's rules for meeting management and public participation shall be uniformly applied to all board and commissions operating under the authority and appointment of the Decatur City Council.

Section J: There may be situations where these public participation rules and procedures are found to not fit special or particular circumstances, topics or situations, or where additional inputs are desired than may be ordinarily obtained under these rules. When such circumstances occur or arise, the City Council may, by formal majority vote, temporarily suspend or waive these rules as needed, so long as such waivers show no bias to certain types of spoken content, or discriminatory treatment of types of presenters or classes of person (and so long as it complies with the other requirements of this policy, not specifically waived).

c. Preparation for Meetings

City Council, the Mayor, the City Manager and staff will rely on each other to become prepared for an effective meeting. To this end, the following procedures will be followed:

Councilmembers are encouraged to contact the City Manager or the designated staff resource with questions in advance of the Council meeting.

Staff members may also post information about agenda items or other current issues on the website for City Council or others to research.

The City Manager will arrange an advance calendar of meetings with as much information as possible about issues that are proceeding toward certain meeting dates.

Councilmembers are encouraged to share all information they may have with all other members of the City Council.

d. City Council Discussion

Council members will endeavor to be prepared to read material and research items.

Councilmembers will speak according to a structured sequence as the Mayor gives each member the floor. A Councilmember may request of the Mayor leave to interrupt or to respond to a point being made.

Councilmembers will endeavor to defer judgment on agenda items until after the full presentation of information, the Council discussion and any public comment.

Councilmembers recognize an obligation to the public and to their colleagues to articulate their own position on an agenda item prior to voting.

The rotation for voting will be changed by the City Clerk in order not to place the burden of first or last vote on the same Councilmember regularly. The Mayor is always last to vote in the rotation.

A Councilmember who wishes to abstain from a vote on an agenda item shall explain his/her reasons for abstention immediately after the agenda item is placed on the floor for consideration and shall abstain from any discussion and deliberation of the item.

e. Requests for Follow-up

Councilmembers may seek follow-up information or other action from the staff. The Mayor and the City Manager will assure that, before a Council meeting is adjourned, requests for follow-up are clear as to:

- What are the specific expectations for action or additional information?
- When or for what future meeting is the follow-up to be completed?
- Is the follow-up of broad interest to Councilmembers and the public, or is it a matter that may be communicated to a Councilmember directly?
- Does the follow-up require further clarification by a Councilmember to be included in a Council/Staff memo via email?

f. Reading of Titles

It shall be the policy of the City of Decatur to read the titles only of resolutions and ordinances with the titles describing the nature of the matter being considered and other information that will inform the public of the business being conducted.

g. Study Session Items

For Councilmember requested study session items, an initial request shall be made at a regularly scheduled Council meeting under New Business. No discussion shall be had at that time. The request shall be renewed at a subsequent Council meeting under New Business. If four (4) members of Council concur with the request, the item will be placed on a future agenda as a study session item.

h. Closed Session

Councilmembers shall respect the confidentiality of closed sessions and shall not disclose matters discussed. All documents distributed during closed sessions of City Council meetings, including minutes, shall be numbered by the City Clerk and returned to the City Clerk at the close of the closed session initialized by the Councilmember returning the document.

5. Evaluation and Review

a. Strategic Goals and Priorities

Annually or biennially City Council will formulate top priority issues and projects for focused attention by the City Manager and staff. The City Manager will arrange for regular update reports, not less frequent than June 1 and December 1 each year, to the Council and staff on the status and progress of each of those top priorities.

b. City Council Policies

City Council recognizes the need to evaluate the effectiveness of its policies regularly. Therefore, City Council Policies will be scheduled for review whenever two or more members of City Council request that a specific item or items be scheduled for review.

6. Liquor License Availability

When a license in a limited license classification becomes available for issuance, notice of such license availability shall be made at the next formal City Council meeting under "Other Business". The 30-day filing period shall commence following this notification.

It shall be the responsibility of the City Clerk to monitor license availability and cause such notice to be made in accordance with this policy.

7. **Board of Local Improvements**

The membership of the Board of Local Improvements shall consist of the five (5) most senior incumbent Councilmembers. If two or more councilmembers have the same date of initial election, seniority, for the purpose of this policy, shall be determined by the greater vote total at such election.

B. FINANCIAL POLICIES

1. **Budget Policies** (September 3, 2019)

See Attached.

2. **Fund Reserves** (February 3, 2020, Revised June 20, 2022)

It is the policy of the city of Decatur, Illinois to maintain fund reserves sufficient to maintain normal governmental cash flow requirements during the course of the year, provide resiliency against catastrophic loss, buffer for the occurrence of one or more community emergencies, and/or endure a sustained economic downturn. The desire to maintain fund reserves in the General Fund should be tempered by the City Council's obligation to maintain taxes at a rate that is not burdensome. Consistently maintained cash reserves also serve to demonstrate that the city has the capacity to properly manage its finances, and this often contributes directly to lower debt financing costs.

Since the primary function of a restricted cash reserve is to insure uninterrupted operations and municipal service delivery: the city will, over several years, incrementally increase its General Fund cash reserves to equal 90 days (one fourth of the annual General Fund expenditure budget), NOT INCLUDING CAPITAL EXPENDITURES VALUED AT MORE THAN \$100,000. Month-to-month reserves will vary based on expenditure demands and fluctuating revenue patterns, but 90 days of reserve will be the goal.

Fund reserves for funds other than the General Fund may be separately approved from time-to-time by the City Council.

3. **Interfund Transfer**

The City Manager and Director of Financial Management will notify the City Council regarding the transfer of monies from one fund account to a separate fund account and that the same be authorized by the City Council.

4. **Public Contracts** (February 3, 2020)

Public contracts requiring a change or changes in a contract term not specifically provided for in the contract which causes an increase or decrease in either the cost of the contract by

a total of \$10,000 or more or the time of completion by a total of thirty (30) days or more must be authorized in writing by the City Council.

Approval by the City Council will be required for contracts and agreements that require specific approval by their terms, that exceed the monetary limit amount set forth in the City Code for City Manager approval, that waive immunity of the City or that involve the determining or setting of policy within the responsibility of the City Council.

5. Preferences for Minority Business Enterprises in Procurement (August 3, 2020)

For purposes of this City Council Policy, Minority Business Enterprises are defined as those companies owned 51% or more by minority persons, where a majority of the board and leadership of the company are minority persons, and where the primary place of business is located in one of the following Illinois counties: Macon, Dewitt, Sangamon, Piatt, Moultrie, Logan, Christian, Tazewell, Peoria, Woodford, McLean, Champaign, Menard, Mason, Vermilion, Morgan and Shelby.

For procurement and construction expenditures the City Manager is authorized to approve in accordance with Chapter 7 Section 26 and Chapter 10 Section 6 of the City Code, and/or recommend to the City Council, the City Manager or his designee may award contracts or purchase orders to MBEs as defined in Chapter 28 of the City Code where a written proposal or bid has been submitted if the MBE is not more than two percent (2%) higher than the total value of the contract or purchase order or bid of the lowest qualified proposal or bid, if the lowest qualified proposal or bid is not an approved MBE.

For those expenditures and contracts requiring City Council approval, the City Manager or his designee may recommend approval of such with MBEs if the MBE expenditure or contract is not the lowest responsive bid so long as the final MBE bid is within two percent (2%) of the lowest responsive bid.

NOTE: This policy governs purchasing, procurement and contracting where the city of Decatur has a direct contractual relationship with an entity that will provide goods, services, equipment, supplies and/or completed infrastructure to the City; so it is not applicable to sub-contracts.

C. HUMAN RESOURCES POLICIES

1. Labor Negotiations

The City Council shall not become directly involved in labor negotiations nor make public statements regarding negotiations in progress. Nothing contained herein shall be construed to limit the right and ability of City council members to speak publicly about general policy matters related to labor negotiations.

D. PROPERTY AND LAND USE POLICIES

1. Annexations (March 16, 2020)

All owners of property to be annexed as a surrounded area must be notified by mail of such impending City Council action.

When property which is the subject of a water service agreement or other type of annexation agreement becomes contiguous with the City's corporate boundary an action by the City Council for annexation will be initiated no more than 6 months after contiguity is achieved in accordance with the provisions of 65 ILCS 5/11-15.1-1 et. seq.

From and after February 1, 2020, property owners located outside the city limits and requesting to receive water connection, or any other service, will be required to annex into the city as a condition of provision of service (unless specifically waived by the City Council). If the requesting land owner's property is not physically contiguous with the city corporate boundary, the requesting property owner will be required to meet with property owners who would create or permit a contiguous connection in order to become contiguous, and satisfy the city that all reasonable steps have been taken to try and achieve a contiguous connection. If the city agrees that it is not possible to obtain a contiguous connection, the city, at its sole discretion, may elect to decline extension of city service, or will require the execution of an annexation agreement, in accordance with state statutes, or water service agreement, requiring annexation of the subject parcel when it becomes contiguous with the City's corporate boundary. All future annexation agreements and water service agreements will be filed with the Macon County Recorder of Deeds Office.

The Department of Community Development shall be responsible for the notification, of surrounded tracts. The Public Works Department shall be responsible for initiating annexation actions for properties covered by annexation and water service agreements.

The city may elect to pursue group, or neighborhood-wide, annexations via majority petition procedures provided in state statute. To facilitate such petitions, all future annexation agreements and water service agreements shall include provisions stipulating that the property owner agrees, in addition to annexation whenever physical contiguity is achieved, to also execute any lawful group petition for annexation submitted to them by the city.

2. Parking Restrictions

Any individual or group which requests parking restrictions shall be directed to circulate a petition and to contact each residence or business located in the block or blocks where parking restrictions are requested.

The petition shall be submitted to the Public Works Department for consideration by the Traffic and Parking Commission.

3. Sale, Vacation, Disposition of Public Property

a. Appraisal

It is the policy of the City of Decatur that when real estate comes out of the public trust by sale, vacation or other disposition, compensation shall be required based upon an approved recent appraisal at the expense of the petitioner. The City may waive the appraisal requirement where the land value is expected to be less than \$5,000.00. The City may order a second appraisal at the City's expense, where the City deems it is necessary and where it may be deemed to determine compensation paid to the City.

The Department of Community Development is responsible for handling this process.

b. Lake Adjacent Land

The City Council shall deny any requests for disposition of Lake property if there is any possible impact on public access.

c. Vacation of Public Property

All requests for property vacations should be submitted to the Plan Commission for public hearing except for unused, dead-end rights-of-way.

All property owners with land abutting a piece of property which is under consideration for vacation shall be served proper notice before the City Council takes action on the request.

The Department of Community Development shall be responsible for including such requests on Plan Commission agendas and notifications, as required.

d. Approval (February 3, 2020)

All sales of City-owned real estate must be approved by the City Council other than transfers made pursuant to the City's side yard or other real estate transaction policy.

e. Policies Governing Disposition of Surplus Lots (March 16, 2020)

The City Council relies on city management and staff to make prudent and discretionary decisions in carrying out policies governing the sale, trade, or donation of property to which the City has title. This policy serves to provide parameters for disposition of certain surplus properties. The City will work with local organizations and community members to proactively transfer certain properties to private or public organizations, or residents, to be put back into highest and best use. The purpose of this

policy is to provide predictability, uniformity and transparency over the disposition of City property.

The City actively manages surplus property it owns throughout the city. These properties, which are primarily residential, but some of which have or could have commercial uses, are best classified into four categories. The four categories of surplus property which the City will proactively seek to dispose of are as follows: 1.) Side-lots, or adjacent properties; 2.) Critical Mass, or Assemblage Opportunities; 3.) Developable in-fill lots; 4.) Rehab structures and parking lots.

Side lot properties are best understood as properties which have productive use to adjoining property owners that have an interest in acquiring the lot. This is typically going to be a residential homeowner that acquires the lot or lots to expand their side yard. The second category are those areas of the City where there is critical mass of properties already owned by the City where the City could assemble large numbers of adjoining properties. These properties are likely to be full or partial blocks in the urban core available for the right redevelopment project, and that can be held for longer terms. The third category, in-fill lots, is likely to be similar to side-lot properties but not sold to adjoining property owners and sold as sites that will support autonomous developments, primarily residential. The last category are rehab properties which have an existing use or structure on the property worth preserving or investing in. This category is primarily rehab houses but potentially could include parking lots or even commercial buildings. With these four categories, one can better understand the best potential for each individual property as the City considers disposition of the property. Properties may move between different categories with property transfers, changing economic terms and the City's cost of ownership. As with any other property in the City, the City always retains zoning and land use control.

It is the policy of the City of Decatur to dispose of surplus property in a manner that protects the integrity of adjoining land uses balanced with the goals and objectives of the City's zoning and master planning documents, while affording property owners the ability and prerogative to enlarge their land holdings through acquisition of adjacent lots, or to permit the repurposing and/or reuse of property previously used for another purpose or as public right-of-way, including by persons and firms that do not own adjoining tracts.

Disposition of vacant and/or unimproved rights-of-way that connect two active rights-of-way corridors must consider long term plans of the City for future utilities or roadways, pedestrian facilities or any other reasonably contemplated plan of the City and shall be reviewed by City Planning, City Engineering and the City Manager's offices of the City. The City may vacate ROWs but likely will retain full or partial easement rights for the property. The remaining vacant and unimproved ROWs that have no short-term or long-term benefit of the City may be disposed of as a side-lot property. The transfer of ROW property will likely require a survey, and said cost shall be borne by the city or seller(s) as may be negotiated. The City shall retain rights on how such ROWs are subdivided to multiple property owners, if it elects to do so.

The City reserves the right to sell vacant lots to adjoining owners, or place vacant lots in reserve for future use by the city or the assemblage of potential future development sites, or to add them permanently to the city's land inventory. The existence of a vacant and unused lot owned by the City does not and will not obligate the city of Decatur to sell or transfer said lot to an adjoining owner.

The City will strive to sell all properties for fair market value when possible, but recognizes that the City may also sell property for a \$10 nominal fee, as negotiated and determined to be in the best interests of the City. Fair market value will be determined by the assessed valuation from tax bills, or the City may elect to appraise a lot, or use any other reasonable method of determining value. The City may, in its discretion, transfer property to strategic community partners (like the Central Illinois Landbank, local community development corporations or Habitat for Humanity), as determined to be in the best interests of the City. The City anticipates transferring some properties from the rehab and infill lot categories from above to the landbank and local entities after determining if there is interest in these entities taking ownership.

When a vacant parcel owned by the city is offered or proposed for sale, the City will strive to notify adjoining land owners by letter from the city, or through a contact made by a proposed buyer—in which instance the proposed buyer will seek signatures from adjoining owners that they have been made aware of plans to transfer ownership of the subject tract. The City may elect to sell a piece of property to any owner it deems to have the capability to put the property to its highest and best use and is not obligated to subdivide a parcel. Preference may be given to the smallest adjoining property owner to create a larger property more in conformance with minimum zoning requirements. The City will also prefer commercial use when it makes sense and where it may benefit the adjacent neighborhood. No property owner shall have a vested right in being provided the opportunity to acquire adjoining City owned rights-of-way.

In all cases, the buyer of lots covered by this policy shall be responsible for expenses of recording and filing plats and purchase contracts with the Macon County Recorder. The city may charge a reasonable fee for preparation, printing of plat documents, and recordation fees or the buyer may contract for their own preparations of the required documents. All land sales with an appraised value of \$20,000 or more will be approved by simple majority vote of the City Council except as otherwise required by State Law. Sales or transactions of individual properties covered by this Surplus Property Disposition Policy valued less than \$20,000 will be within the authority granted to the City Manager.

f. Decatur Side-Lot Program Requirements and Details (March 16, 2020)

The City of Decatur desires to encourage a robust side-lot program allowing City owned surplus lots to be sold to adjacent property owners. The purchase of a vacant side-lot enables homeowners to expand their yard, increasing the overall value of their property, and giving them space for additional improvements. It is also an efficient way to promote neighborhood stabilization and return these properties to the tax roll to

benefit the entire community. This policy outlines generally the requirements for the disposition of side-lot properties to adjoining owners.

Requirements:

- The applicant must own the property adjoining a side-lot parcel, in such a way that joining the side lot to it creates a compact and buildable site.
- The applicant must not have outstanding code violations or have received any violations in the previous year from the City for their adjoining property and other properties owned in the City.
- The applicant must be current on all real estate taxes and assessments for their adjoining property and must be current on real estate taxes and assessments for other properties he or she owned within the City.
- The applicant must not have any outstanding debts owed to the City, not covered by an agreed upon payment plan.
- The applicant must be able to maintain the lot in accordance with all local building, property maintenance and zoning codes.

The City will provide an application for a person interested in a potential side-lot transfer that includes verification of the above statements. Staff will then verify the information provided in the application and inspect the site. The City will sell the properties through quit claim deed and will not provide any warranty to title of these properties. The applicant will pay for all costs associated with the property transfer and recordation in addition to the agreed upon property sale price.

Rights provided under Zoning Code:

Side lots may be used for gardens, placement of portable sheds, play equipment and other passive uses, and may be fenced without filing revised plats or obtaining a change in land classification. However, it will not allow for construction or installation of permanent structures such as home additions, garages, or inground pools without first consolidating the side-lot with the principal use property.

4. Purchase of Property (February 3, 2020, Amended September 20, 2021)

All purchases of real estate by the City must be approved by the City Council, except tracts, lots and parcels with a purchase price of \$20,000 or less, which may be approved by the City Manager.

The City's Department of Community Development will be chiefly responsible for managing land acquisition of tracts for the City's Neighborhood Revitalization initiatives.

5. Vacation of Public Property

a. Notification

The Department of Community Development shall post one or more signs, depending on the circumstances and legal requirements, on each piece of property subject to a rezoning petition or a petition to the Zoning Board of Appeals for a variance.

In addition to the signs, each occupant of properties located within 200 feet of the area described in a petition shall be notified by mail.

All signs posted as notification of rezoning or variance requests shall be left in place until after the City Council meeting at which the rezoning proposal is considered or after action by the Zoning Board of Appeals.

The Department of Community Development may require the petitioner to supply the names and addresses of properties lying within 200 feet of the property to be rezoned or considered for a variance.

The Department of Community Development shall be responsible for following this notification procedure.

b. Continuance, Tabling

If a rezoning petition is scheduled for Council action and fewer than all Councilmembers are present, the Council will continue, or table, such matter at the request of the petitioner.

6. **Demolition Policy** (March 16, 2020)

As the availability of funds permit, the city will accept applications for voluntary demolition and removal of derelict and unsafe residential structures in the city of Decatur. If an application is approved, the city will arrange for the removal and clearing of a residential building in accordance with the same standards for demolition and site clearing that are used for condemned and involuntarily demolished residential structures. Applications will be made on forms provided by the city, and must include the following:

1. The legal description of the property
2. Proof of ownership (copy of deed)
3. Signed waiver of liability by the owner, releasing the city from any claims arising from a demolition and specifically granting the right to the city to demolish
4. Relocation plan to be completed by the owner in advance of any demolition (if there are residents in the house)

In determining whether to approve an application, the city's evaluation will include, but not be limited to, the following criteria:

1. Availability of funds
2. Whether the proposed demolition advances the objectives of the city's neighborhood revitalization goals, and is located in a distressed neighborhood
3. Whether the city wants to protect a right to acquire the property through foreclosure or purchase of delinquent taxes at a later time
4. Whether the residential structure warrants demolition in the first place
5. Whether or not the city should demolish the structure without the ability to recover costs
6. Whether the applicant has submitted multiple requests for voluntary demolition

The city will consider accepting donations of property, with or without improvements, so long as the lots, tracts and properties are free of liens and other title encumbrances. Property donations will be accepted completely at the city's discretion, and nothing in this policy shall obligate the city to accept transfer/ownership of any property.

Generally, this policy is intended to accelerate the removal of dangerous and unsafe residential structures.

7. Central Business District Parks Use (November 15, 2021)

The use by non-City groups of City-owned parks and open spaces in the Central Business District shall be determined through the use of Administrative Policies and Procedures of the City Manager. The City Manager, in his discretion and in accordance with City ordinances, resolutions and City Council policies, shall be authorized to contract out responsibility for the management of the Transfer House and use of parks located in the Central Business District to the Decatur Area Convention & Visitor's Bureau and other non-profit partner organizations, who shall enforce applicable Administrative Policies and Procedures.

E. INFRASTRUCTURE

1. Decatur Sanitary Sewer Backup Prevention Program (February 1, 2021)

Background

During wet weather conditions, the City's sanitary sewer system can become filled with rainwater and groundwater. This extra water fills the sewer and can cause sewer water to backup into private property such as basements and crawl spaces. As the City takes steps toward removing the extra water in the sewers, a program has been established to assist residents with properties prone to sewer back-ups. This program is known as the overhead sewer backup prevention program; using a backup prevention device and an outfall pipe, the chance of sewer backup is reduced significantly.

It is the policy of the City of Decatur to encourage the use of proven sanitary sewer backup prevention methods to reduce or eliminate the damage to private property caused by wet weather induced sanitary sewer backups. On July 20, 2009, the City Council authorized a City contribution toward the installation of overhead sewer backup prevention systems to provide backup protection for City residences that experience wet weather backups. The authorization provided a 75% City contribution to install an overhead sewer in a private residence to a maximum total cost of \$7,500. The Sanitary District of Decatur informally agreed to reimburse the City for 25% of the total cost.

To encourage greater use of this proven prevention method and provide better access to residents connected to City sewers that experience wet weather induced backups, the City will, from and after the date of this City Council Policy Statement, now offer a 100% contribution to install an overhead sewer in a private residence to a maximum of \$10,000 for each installation. The Sanitary District has agreed to continue its informal offer of 25% reimbursement to the City for each installation.

This policy outlines the general requirements for the approval of City contributions toward overhead sewers in private residences.

Requirements

1. The Public Works Department will prioritize properties residing within areas identified with high inflow and infiltration into the sanitary sewer system.
2. The applicant's house must be connected to the City's sanitary sewer system.
3. The applicant must own the house that will receive the overhead sewer.
4. The applicant must have experienced a wet weather backup or be in an area with excessive wet weather sewer flows.
5. The maximum City contribution will be \$10,000.
6. The applicant must submit to an inspection by a Public Works Department representative to review the typical installation of the system with the applicant and check for possible rainwater or ground water connections to the sanitary sewer system, including sump pumps or down spouts. These connections must be removed prior to system installation.
7. The applicant will acquire 2 estimates for the proposed work. The City's maximum contribution will be at the lowest reasonable estimate up to a maximum of \$10,000.
8. The plumbing contractor will be employed by the applicant and not the City.
9. Upon funding approval by the Public Works Department, the applicant shall contract with a licensed plumbing contractor who shall provide the property owner with a detailed proposal and drawings for the installation of an overhead sewer device in the residence. The work must disconnect all plumbing fixtures lower than the City's upstream manhole rim elevation and connect the fixtures to the proposed overhead sewer device.
10. The applicant's plumbing contractor will obtain all necessary permits required by the City.

11. The Public Works Department must approve the final installation prior to final payment.
12. The City of Decatur does not and will not own, maintain, or warranty the overhead sewer system. It remains under the sole ownership of the applicant.

Funding for this program is appropriated yearly in the Sanitary Sewer Fund as part of the yearly budget approval process. Funding for overhead sewer installation contributions will be allocated until all authorized funding is expended. Approvals will be on a first come first served basis.

2. Decatur Tree Planting Program (March 7, 2022)

Background

The City is benefited by having a robust tree canopy which improves the environment and livability of the City. To encourage the planting and growth of trees, the City has established a cost share program to assist property owners in planting trees on the street side of their residential properties. This will enhance the street appearance of the neighborhood and improve property values.

A robust tree canopy provides environmental benefits including reductions in temperature and energy use; improvement in air quality; reduced noise; reduces storm water runoff; and improved wildlife habitats. The economic and social benefits of a city's tree canopy include an improved appearance; increased property values; and better health.

To encourage an increase in tree planting and improving the overall tree canopy of the City, when sufficient funds are budgeted, the City will, from and after the date of this City Council Policy Statement, offer an 80% contribution, up to a maximum of \$400 to have a tree planted on the street side of residential properties.

This policy outlines the general requirements for the approval of City contributions toward planting trees on private residential properties.

Requirements

1. When the City Council approves funding, the Public Works Department will offer an 80% contribution, to a maximum of \$400, toward the installation of a tree in the street side yard of a residential property.
2. The property must be a single-family residential property.
3. The applicant's property must be within the corporate limits of the City.
4. The applicant must own the property that will receive the new tree.
5. The applicant must apply and be approved for participation in the tree program.

6. After obtaining an approved application from the City, the applicant will contract with an approved tree provider within Macon County to plant a tree of their choice within the street side yard of their residential property.
7. The tree must be a minimum of 2” caliper (diameter).
8. The tree must be provided and planted by the tree provider.
9. The tree must be planted a minimum of 10’ but not more than 30’ off the right of way.
10. Upon receiving an approved application from the property owner, the participating tree provider can invoice the City for its 80% contribution. Alternately, the property owner will purchase the tree and submit the approved application to the City for reimbursement.
11. Upon inspection and approval of the installation, the City will authorize payment to the tree provider or property owner.
12. The tree provider will be employed by the applicant and not the City.
13. The City of Decatur will not own, maintain, or warranty the tree. It remains under the sole ownership and maintenance of the applicant and whatever warranties or guarantees offered by the tree provider.
14. An approved tree provider will have a business located in Macon County. The business will have the documented ability and experience to provide and plant trees.

Funding for this program is appropriated in the general funds allocated the Public Works Department as part of the yearly budget approval process. Funding for private tree contributions will be allocated until all authorized funding is expended. Approvals will be on a first come first served basis.

3. Privately Owned Lead Water Services (January 17, 2023)

Background

The City’s water system contains 532 miles of water mains that distribute potable water throughout the City to nearly every resident. The water system contains 29,368 water services that convey water from the City’s water mains to water users. Approximately 95% of the water services are to residential customers.

Chapter 64 of the City Code contains the following requirements regarding water service lines:

- **Residential water lines on the right of way:** the City shall maintain and keep in repair the water service line from the City main to the discharge side of the curb stop which is normally located at the property line.

- **Residential water lines on private property:** the owner of the property served thereby shall maintain and keep in repair the service line from the discharge side of the curb stop to the intake side of the water meter.
- **Commercial service lines and industrial service lines:** the owner of the property served will maintain the service in its entirety from the tap at the City main to the discharge side of the water meter.

Lead Contaminated Services

Public Act 102-0613 Lead Service Line Replacement and Notification Act was approved by the Governor on August 27, 2021. The Act includes the following requirements pertaining to water service lines in the City:

- The City is to prepare a comprehensive water service line material inventory.
- The City is to prepare a comprehensive lead service line replacement plan. This will include the following:
 - Replace all lead service lines connected to the distribution system
 - Replace all galvanized service lines if ever downstream of a lead service line or “goose neck”.

The City’s 2021 water service line inventory indicates the following with respect to lead service lines:

- There are 29,368 water service lines in the City’s water distribution system.
- There are 6,305 water services that need to be addressed for lead or lead exposure.
- 6,281 water services need to be replaced on the private side of the curb box.
- 4,080 water services need to be replaced on the public side of the curb box.
- Approximately 400 water services are commercial or industrial.

The City has no all lead service lines in its system. The lead contaminated water services in the City’s system are identified as rigid galvanized steel services that were connected at the main by a pliable lead “goose neck.” Lead service lines are located in the older sections of the City and were generally installed prior to 1940. With some exceptions, older areas of the City often have lower property values and a reduced ability to pay for the full cost of replacement. The cost to replace the private side of a residential service is variable depending on the property and can cost between \$2,000 - \$5,000.

Due to the hardship imposed on property owners who need to replace water services with possible lead contamination, it is proposed that the City share in the cost to replace identified services. The cost share to be offered is given in Table 1.

Table 1

Type of Service	Service Location	% Cost Share	Maximum Cost Share	Additional Provisions
Residential	Private property	50%	\$3,000	All work on private property will be completed by a private contractor retained by the property owner.
Commercial	From the main to the building	50%	\$5,000	<ul style="list-style-type: none"> • The City will provide traffic control for street excavation work. • A private contractor, employed by the property owner, will provide all required pavement removal and water service replacement. • The City will complete pavement / sidewalk, curb & gutter restoration.

Residential: The City will pay or reimburse 50% of the costs to a maximum of \$3,000 for all private property water service replacement work. The City owns the portion of the water service located on the right of way and will pay 100% of public property costs.

Commercial: By City Code, these services are wholly owned by the property owner from the main to the building. The City will pay or reimburse 50% of the water service replacement costs to a maximum of \$5,000. In addition, the City will provide traffic control for work being done in the street and the City will provide all pavement, sidewalk, and curb & gutter replacement.

4. Sanitary Sewer Lateral Emergency Program (August 21, 2023)

Background

The Economic and Community Development Department, as part of the Neighborhood Revitalization Division, manages an Emergency Program which provides grants for owner occupied homes to correct life-threatening situations or conditions that threaten health and safety. The Emergency Program, funded through the US Department of Housing and Urban Development (HUD), currently provides up to \$6,000 for various homeowner issues including: hot water heaters, electrical problems, furnace replacement in the winter and medically necessary air conditioning replacements in the summer. The Emergency Program is currently able to accommodate the addition of sanitary sewer lateral repair for owner occupied homes.

City Code Chapter 74 establishes that the sewer lateral from the house to, and including, the connection to the public sewer main is owned and maintained by the property owner. Ownership to the main often means that major repairs will extend into the right of way which can increase repair costs significantly if repairs are necessary

under pavement. The property owner is responsible for all pavement removal and replacement along with necessary traffic control. A typical spot repair can range from \$8,000-\$12,000 or higher if the depth of the City sewer exceeds twelve feet or is located in a busy street.

City Staff receives numerous requests for sanitary sewer lateral repair assistance and currently the City does not offer an assistance program. The proposed addition to the Economic and Community Development Department's Emergency Program will provide up to \$15,000 for sewer lateral repair. This policy outlines the general requirements of the program to receive a City contribution.

Requirements

1. The recipient must meet the existing program requirements as established by the Economic and Community Development Department and Housing and Urban Development (HUD) (owner-occupied only, income eligibility, etc.).
2. The project will be managed by Neighborhood Revitalization Division staff.
3. Routine maintenance related items will not be covered, a statement of emergency need shall be provided by the contractor.
4. Community Development Block Grant (CDBG) funds will cover the first \$6,000 with the remaining cost, up to \$9,000, to a maximum total cost of \$15,000, will be covered by the Sewer Fund until one or both of the allocated funds are expended.
5. The contractor will be required to get the necessary permits for the work. Inspection and approval of the repair will be provided by the Public Works Department.

Funding for this program will be appropriated in the Sewer Fund and CDBG funds as part of the annual budget process.

ALREADY ADOPTED:

CITY OF DECATUR BUDGET POLICY

- 1.0 POLICY STATEMENT:** This policy is established in compliance with 65 ILCS 5/8-2-9.1 et. seq. and Chapter 18.1 of the City Code and sets forth the procedures to be used in the preparation of the annual budget of the City and the administration of the budget during the fiscal period.
- 1.1 The City has adopted the budget method as set forth in the Illinois Municipal Code and Chapter 18.1 of the City Code and will operate as a budget city, with annual budget presentation to and adoption by the City Council before the end of the fiscal year preceding the budget fiscal year period.
 - 1.2 The annual budget shall attempt to align the budget with the priorities set forth by the City Council and measure progress towards those priorities in an effort to obtain the best value for monies expended by the City.
 - 1.3 The annual budget will be presented to the City Council and the City Clerk in sufficient time for public hearing to be held and the budget timely passed.
 - 1.4 The budget officer or his designee shall be responsible for the required public notices required on the dates set forth in Chapter 18.1 of the City Code.
 - 1.5 The approved annual budget shall be balanced such that expenditures cannot exceed revenues plus cash reserves.
- 2.0 PROCEDURES:**
- 2.1 Budget Officer Responsibilities:
 - a. In addition to the duties set forth in Chapter 18.1 of the City Code, the Budget Officer is responsible to prepare the annual budget of the City and present the annual budget to the City Council for approval and adoption before the beginning of the fiscal year to which it applies.
 - b. The Budget Officer will work with the City Council to define and establish City Council goals and objectives prior to the preparation of the annual budget.
 - c. The Budget Officer will prepare the annual budget in accordance with defined goals and objectives as defined by the City Council.

- d. The Budget Officer will present the annual budget to the City Council in sufficient detail defining Departmental and Fund goals and objectives, line item expenditures, and performance metrics for the same.
- e. The Budget Officer will schedule Council Study Sessions, as required, for City Council discussion and review of the budget. Other than the public hearing required pursuant to Chapter 18.1 of the City Code, public discussion will be allowed as per Council policies and discretion.
- f. Council will not act on the ordinance approving the annual budget at the same Council meeting as the public hearing on the proposed budget ordinance as required pursuant to Chapter **18.1** of the City Code unless required **in** order to adopt the annual budget prior to the beginning of the fiscal year to which it applies.
- g. Reports on revenues and expenditures will be prepared monthly and reviewed by the City Council during the fiscal year.
- h. Prior to the end of the fiscal year, a budget reconciliation ordinance will be presented to Council for approval.

2.2 Budget Officer Authority:

- a. In addition to the duties set forth in Chapter 18.1 of the City Code, the Budget Officer shall have the authority to affect expenditures in support of operations as defined in the annual budget as approved and adopted by the City Council.
- b. The Budget Officer may include long range capital expenditures in the budget presented to Council for approval and Council may approve an annual budget containing long range capital expenditures.
- c. The Budget Officer will present an annual budget that attempts to maintain all its assets at a level such that it protects the City's capital investment and minimizes future maintenance and replacement costs.

3.0 RESPONSIBILITY: The City Manager is responsible for the administration of this policy, under the approval authority of the City Council.

- 3.1 This policy is subject to and may be amended only upon action of the City Council.