****

PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, OCTOBER 26, 2015 AT 5:30 O'CLOCK P.M.
JOHN H. MCCABE * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, GOLDEN, DUNN, ORRICK, ABEL, RITCHASON, LUFT, AND MCCABE

ABSENT: NONE

****

The **Pledge of Allegiance** was led by Mayor McCabe. Mayor McCabe introduced the new Chief of Police John V. Dussey who was sworn in earlier in the day.

Roll was called. All members were physically present. A quorum was declared.

AGENDA

Motion by Council Member Luft seconded by Council Member Orrick that the **agenda be approved as presented.** Council Member Golden objected to the agenda description for censure and contented Council Member Orrick did not have authority to act but to recommend to Council. Attorney Dancey gave the opinion that Council Member Orrick acting as Mayor Pro Tem on the investigation of allegations against the Mayor McCabe had indicated what language he wanted on the agenda. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason, and McCabe; Nay, Golden. Motion carried.

MINUTES

Motion by Council Member Luft, seconded by Council Member Ritchason that the **minutes of the Regular City Council Meeting of October 13, 2015 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT

Melinda Figge Executive Director of the Pekin YWCA, Lyn Johnson Social Services Coordinator Salvation Army and Greg Ranney Director United Way all spoke in appreciation of the recommended allocation of the Community Development Block Grant Public Services activities to their agencies and encouraged the Council Members to vote yes for approval.

Jim Mangan spoke in opposition of allocation amendment to the CDBG Action Plan. He reminded Council of the discussion in July of HUD integrating into all neighborhood which jeopardized Pekin homeowners and allows for more crime. Mr. Mangan presented his opposition to the impoundment of vehicles as extortion and against 4^{th} amendment rights.

He felt censure without a penalty was just a word game and a written reprimand was an insult to the public's intelligence.

Ann Witzig encouraged the Council to vote no on Business Items involving HUD dollars. She told Council the airport was mismanaged and that was why the department was in the red each year.

CONSENT AGENDA

Motion by Council Member Golden, seconded by Council Member Abel that the **CONSENT AGENDA be approved as presented.** The following was presented for consideration of the Consent Agenda items by Omnibus Vote. Council Member Golden pointed out typos with in International Alpha Delta Kappa Month document. Mayor McCabe read the proclamation and presented Marge Melchers with the proclamations honoring members of the teachers' sorority.

7.1 Receive and File Monthly Reports and Minutes: Minutes Liquor Commission dated August 27, 2015 and Tourism Committee Minutes dated October 13, 2015.
7.2 Proclamation: "International Alpha Delta Kappa Month" October 2015

On roll call vote all present voted Aye.

UNFINISHED BUSINESS
The unfinished business item tabled July 13, 2015 was presented and motion was made by Council Member Golden, seconded by Council Member Ritchason that the **2015 ACTION PLAN AMENDMENT #1B TO COMMUNITY DEVELOMENT BLOCK GRANT be approved.** Community Development Director Pamela Anderson recommended the reallocation of $294,382.31 CDBG dollars for the 2015 Action Plan tabled July 12, 2015. She informed the Council that since July HUD recommended additional dollars to be allocated to the FY programs. There were no questions or comments from the Council. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason, and McCabe; Nay, Golden. Motion carried.

NEW BUSINESS
Motion by Council Member Dunn, seconded by Council Member Orrick that the **COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICES ACTIVITIES be approved.** Community Development Director Pamela Anderson presented the recommended allocation of 8 activities from 5 Pekin agencies that were submitted. Seven were eligible activities. Request for proposals were sent on August 25, 2015 to not-for-profit social service agencies that serve the City of Pekin with a due date of September 11, 2015. The following were recommended:

- 17% Pekin Salvation Army
- 40% Center for Prevention of Abuse Carol House of Hope
- 23% Pekin YWCA
- 20% Driven Church

Comments were received from Council Members that without CDBG the City did not have funding source nor could some agencies survive. Springfield's cuts also had effected programs. Council Member Golden commented negatively on the amount of HUD funds used for coordinating programs. He stated the City needed to wean itself from federal programs that were able to direct dollar use. On roll call vote Ayes, Orrick, Luft, Dunn, Abel, Ritchason, and McCabe; Nay, Golden. Motion carried

ORDINANCE NO. 2730-15/16 B
AMENDING TITLE 1, CHAPTER 5, SECTION 3A.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING CITY COUNCIL MEETINGS

Motion by Council Member Dunn, seconded by Council Member Abel that Ordinance No.2730-15/16 be adopted. City Manager Darin Girdler informed the Council that the amendment removed Columbus Day as an exception to the language that provided Council meet for its regular scheduled Monday meetings the following Tuesday on a legal holiday. City Hall was open on Columbus Day each year so there was no direct reason that Council could not meet on Monday. On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Dunn that the **IMPROVEMENT AMENDMENT TO EXISTING AIRPORT LEASE be approved.** Airport Manager Clayton Stambaugh requested that Council approve an amendment to the existing Hangar E Lease of Holzwarth-Flexenhar LLC allowing lessee reimbursement through the form of rental fee waiver not to exceed (5) years for approved costs associated with improvements made not to exceed a total of $43,308.17. Council discussed the safety/liability, heating efficiency, financial effectiveness of the improvement associated with the large door system on the hangar which needed replacement. Council Member Golden commented on the door failure and lack of planned maintenance of ageing infrastructure. He questioned Mr. Stambaugh why the door was not noted on the January 2014 renewal lease. On roll call vote Ayes, Orrick, Luft, Dunn, Abel, Ritchason, and McCabe; Nay, Golden. Motion carried.

ORDINANCE NO. 2731-15/16
AMENDING TITLE 6, CHAPTER 2, SECTION 11
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING IMPOUNDMENT OF VEHICLES

Motion by Council Member Abel, seconded by Council Member Luft that Ordinance No.2731-15/16 be adopted. City Manager Darin Girdler advised the Council that the amendment reinstated provision for seizure and impoundment of vehicles for the citation charging violation of offenses including weapons, controlled substance, suspended vehicle license, etc. the last amendment to reinstate the procedure Ordinance No. 2695-13/14 failed to be adopted February 24, 2014. Council Member Dunn felt the Council was not prepared to vote on the matter without input from the new Police Chief. Council Member Orrick suggested language be considered for a maximum storage fee and reimbursement for towing if found innocent. Council Member Golden requested a report of reduced crime statistics when in effect. He felt consideration of a nuisance driving ordinance would be more beneficial for safety. He had requested previously that consideration be given to donating abandoned vehicles from the towing ordinance be given to the needy. Motion by Council Member Luft, seconded by Council Member Orrick that Ordinance No.2731-15/16 be laid over in the Office of the City Clerk until December 14, 2015, the first meeting after the Retreat. On roll call vote all present voted Aye.

ORDINANCE NO. 2732-15/16
AMENDING TITLE 5, CHAPTER 2A SECION 1-5
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING GARBAGE, REFUSE, AND LITTERING

Motion by Council Member Ritchason, seconded by Council Member Abel that Ordinance No.2732-15/16 be adopted. Council was told the language in the amendment removed the $20.00 fee for the City to provide residential garbage collection for oversized items that was established April 14, 2014. Council Member Luft suggested to the public that agencies, churches, organizations such as the Hope Chest be contacted if larger items for pickup were still usable prior to the City solid waste department picking them up for the landfill. On roll call vote all present voted Aye.

Motion by Council Member Orrick, seconded by Council Member Dunn that the **WRITTEN REPRIMAND FOR MAYOR JOHN MCCABE be approved.** Council Member Orrick presented his results of the inquiry of unprofessionalism in making a call to Illinois American Water Company Roger Goodsen to discuss Council Member Mark Luft. As provided in the Council Code of Conduct council Member Orrick as Mayor pro-tem acted with a written reprimand of the Mayor but ask that Council approve his action. Mayor apologized for the call, McCabe and Luft accepted and concurred in the decision and both indicated their desire to put the matter behind and move forward. On roll call vote, Ayes, Orrick, Luft, Golden, Abel, Dunn, Ritchason; Abstaining McCabe. Motion Carried

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Carl Hauk a resident of California Road spoke in opposition to the construction of a structure next to him as a single family home as provided for in the Lakeview Subdivision covenants where he lived. He informed the Council that the request to rezone 8 empty lots from R-1 was withdrawn at the Planning Commission stage after several residents stated their case against a zoning change to the Board and the developer. Mr. Hauk had the perception that the owner was still building a duplex with 2 septic systems and a 4 car garage.

Ann Witzig voiced her disappointment that Council voted to accept an amended lease at the Airport and felt the airport loses were a result of continued poor management. Mrs. Witzig spoke in disfavor of HUD money and questioned Ms. Anderson on amount of allocations that were approved to each agency.

Jim Mangan asked the Council Members how many calls were received by them in favor of the allocated CDBG funds. He accepted that the parties in the censure reprimand were satisfied but asked when the public would be satisfied and receive the reprimand results from the parties' misuse of tourism funds.

Brian Brummitt also addressed the matter of the construction of a home on California Road. He felt there was acceptance of construction by the City if the word "duplex" was not used.

Pamela Anderson confirmed that there was always a plan in the use of HUD dollars and that the Council adopted the 5 Year spending program of CDBG Action Plan funds at t March 2015 meeting.

Council Member Dunn congratulated the sports teams of the Pekin Community High School and wish them well in moving possibly through regionals, sectionals and State events.

Council Member Luft felt the Council needed more public input from those who chose not to attend the meetings and encouraged the public to contact the Council to comment on business of the City by email.

Council Member Orrick presented the following items for the new Police Chief's consideration:

1. Report on pedestrian fatality at the corner of Derby and 7th Streets if anything could have been done to prevent as far as a Traffic Safety matter. 2. Enforcement of cell phone use in vehicles and littering

He praised the upcoming Council Retreat as an opportunity to meet as a team, develop a plan for the City and to move forward.

Council Member Ritchason welcomed the new Police Chief to the City and expressed appreciation to Deputy Chiefs Baxter and Kaminski for their efforts in running the department during the search.

Council Member Golden asked for a copy of the Ameren Franchise Agreement. He warned of the establishment of group homes from the demands of HUD in all neighborhoods. He stated he had received complaints of the noise on Veterans Drive and questioned why a noise barrier wall was not part of the original plan. Council Member Golden welcomed the new chief and asked if the officers while patrolling could identify street light outages which would enhance safety. He noted that Kouri’s parking lot had been paved and expressed appreciation.
McCabe again apologized for his actions and extended his hand to Council Member Luft in solidarity of putting the past behind them.

No further business to come before the Council, motion by Council Member Orrick, seconded by Council Member Luft that Council adjourn. Motion to adjourned carried voice vote.

COUNCIL ADJOURNED AT 7:25 P.M.

Sue E. McMillan
City Clerk