****

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, SEPTEMBER 28, 2015 AT 5:30 O'CLOCK P.M.
JOHN H. MCCABE * MAYOR * PRESIDING
PRESENT: COUNCIL MEMBERS, GOLDEN, ORRICK, ABEL, RITCHASON, LUFT, AND MCCABE
ABSENT: COUNCIL MEMBER DUNN

****

The **Pledge of Allegiance** was led by Mayor McCabe.

Roll was called. All members were physically present except Council Member Dunn. A quorum was declared.

AGENDA
Motion by Council Member Orrick, seconded by Council Member Abel that the **agenda be approved as presented.** On roll call vote all present voted Aye.

MINUTES
Motion by Council Member Orrick, seconded by Council Member Ritchason that the **minutes of the Regular City Council Meeting of September 14, 2015 and the Special Meeting of September 21, 2015 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT
Bob Bramham addressed the Council regarding the possible action of the City Manager Employment Contract. He requested a copy of the law that allowed the Council to discuss the contract in closed session. On annexation topic it was Mr. Bramham's opinion the land should be purchased first before Council's consideration. When speaking on Mr. Girdler's character Attorney Dancey advised that the input was moving toward charges of a city employee and needed to cease. Sally Johnson told the Council that she had submitted additional questions to her list of *What's Going on in Pekin?* She expressed fault with the City Manager. Attorney Dancey warned of the violation of the statements.
Bob Keiser questioned the Council on the motivation of the owner to annex property and expressed concerns that there maybe an agreement in place granting tax abatements, trades or benefits at taxpayer expense.
Tom Blanchard voiced his concerns on the City loan to the hospital. He asked the Council to consider the amount of money the City needed to set aside for the 5 years and to vote no. He stated the taxpayer should not have to fund the Hospital. It was Mr. Blanchard's contention that the contract with the Manager needed to be discussed publicly.
Ann Witzig's comments to Council were not on Business items and was not permitted to continue until the end of the meeting.
Roger Alexander addressed the Council on the terms of the Manager Employment Contract to pay him if terminated. He suggested the Council "put a thumb on him" instead.
Larry Wolfer expressed concern that the City was lending money to the hospital but had requested additional sales tax for revenues. He felt Council needed results from the City Manager's performance.

CONSENT AGENDA
Motion by Council Member Orrick, seconded by Council Member Luft that the **CONSENT AGENDA be approved as presented.** The following was presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports and Minutes: Human Rights Committee Minutes dated August 26, 2015.
7.2 Receive and File Zoning Board of Appeals Minutes dated August 19, 2015.
7.3 Receive and File Pekin Planning Commission Minutes dated September 16, 2015.
7.4 Receive and File: Pekin Planning Commission Recommendations and Hearings: Hearing #04-1894–Recommendation to approve the approval for the Annexation of certain property on Veterans Drive and Zoning assignment verification to B-3 (General Business District).

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

A PUBLIC HEARING was opened at 5:55 p.m. by Mayor McCabe for the purpose of considering and hearing testimony as to the adoption of an ordinance authorizing the annexation to the City of Pekin of a tract of property comprising approximately 36.2 +/- acres of land. The notice was properly published in the Peoria Journal Star on September 2, 2015. Bob Keiser addressed the Council with questions and concerns of the annexation and the agreement with the owners of the farm land. City Manager Darin Girdler responded that there were no tax abatements or situated in a Tax Increment Financing District or had TIF incentives to annex or the City responsible for sewers. The owner REMJ Properties, LLC petitioned the City to be included in City boundaries and simultaneously zone the property as B-3 General Business. Bob Bramham told the Council he did not think the annexation should be passed. It was Mr. Bramham's opinion that the City should not have to foot the hospital bill and that they were sneaking in something to obtain benefits. Tom Blanchard questioned the makeup of the LLC and was informed James M. Miller was Manager of REMJ Properties, LLC. On the terms of the agreement Mr. Blanchard felt the City borrowing the money and then lending the money was illegal. Sally Johnson suggested actions be tabled. Attorney Burt Dancey advised the Council that the documents were completely reviewed by Chapman Cutler Bond Counsel. The agreement provided for a taxable loan that did not violate arbitrage provisions.

No additional comments were received. Mayor McCabe closed the hearing at 6:07 p.m.

NEW BUSINESS

ORDINANCE NO.2726-15/16

AN ORDINANCE APPROVING ANNEXATION AGREEMENT

Motion by Council Member Luft, seconded by Council Member Orrick that Ordinance No.2726-15/16 be adopted. City Manager Girdler advised the Council on the terms of the agreement with Progressive Health Systems for zoning, subdividing, driveway access to farmland. It was confirmed that B-3 zoning followed the Veterans Drive corridor found in the Comprehensive Plan. Council Member Golden raised concern as to a need for survey and Environmental Phase I. The City Engineer informed the Council such needs for consideration would come after receiving a site plan in development and construction phases of the 6.33 +/- acres. There would be no gravel in the hospital's new parking lot. The plat showed gravel entry to the 36.2 acres for the purpose of continuing farming. On roll call vote all present voted Aye.

ORDINANCE NO. 2727-15/16

PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PEKIN PIN 11-11-07-203-003

Motion by Council Member Luft, seconded by Council Member Orrick that Ordinance No.2727-15/16 be adopted. Council was advised that REMJ Properties, LLC petitioned the City to annex 36.2 +/- acres of vacant land used for agricultural proposes and contiguous to the City. A portion of the property at the corner of Griffin and Veterans Drives would be sold to Progressive Health Systems for Pro-Health Primary Care Services medical office building. On roll call vote, all present voted Aye.

ORDINANCE NO. 2728-15/16

AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENT BETWEEN THE CITY OF PEKIN AND PROGRESSIVE HEALTH AND MORTON COMMUNITY BANK

Motion by Council Member Abel, seconded by Council Member Ritchason that Ordinance No.2728-15/16 be adopted. The Manager advised the Council the ordinance and documents effectuated the Council approval on June 22, 2015 for a loan assistance agreement for financing Pekin Hospital project. Council Member Orrick raised several concerns as to the $12,000,000.00 mortgage note at 3.75% and Council discussed. Bob Haley CEO Progressive Health addressed Council's questions regarding amount of reserves falling below$10 million and terms of an increased basis points of ½%. Council Member Golden motioned to table because of discrepancies. Mr. Golden stated he had witnessed too many handshake agreements and would be voting no. Council Members Ritchason spoke of the positive bright spot in City business and that he trusted the proposals. Council Member Abel agreed. Council Member Luft did not find fault in discussing documents, terms, concerns and looking out for the taxpayer but agreed with Council Member Ritchason that the City needed this positive action. He asked that there be less negativity and the need to stay focus on goal to move forward. Golden gave support to the project but felt it was worth getting all documentation correct. On roll call vote Ayes, Orrick, Luft, Abel, Ritchason, McCabe; Absent Dunn; Nay, Golden. Motion Carried.

Motion by Council Member Ritchason, seconded by Council Member Orrick that the **ILLINOIS DEPARTMENT OF NATURAL RESOURCES AGREEMENT LICENSE 6299** be approved. Council was informed the renewal extended an agreement for the City to utilize IDNR property for an additional 5 years at $200 annually. The outlet of a storm sewer goes west on Jane Street through the property of Pekin Lake Conservation Area. On roll call vote all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor McCabe asked that the Public be cautious in expressing allegations and personal attacks against personnel.

The following people commented on other City matters:

Roger Alexander

- Requested law enforcement run stop signs and not driving the speed limit
- Asked why it takes 3 weeks to get mattresses moved
- Questioned who test new road materials
- Questioned why City employees are allowed to keep vehicles running when performing duties

Bob Bramham expressed concern that dollar amounts remaining for Court Street improvements after Veterans Drive completion have changed. He supported termination of the City Manager. If Council returned to open session to take action he asked to be informed of the decision. Mr. Bramham spoke in favor of removing the $20 fee for collection of larger items for disposal by the solid waste drivers.

Steve Rager informed the Council that he did not hear back from them regarding his presentation of petition from the residents of Remington Road asking that the illumination from 19 light posts be sufficient for safety, security of residents and through traffic. He indicated poles were being installed for street lighting. Code Enforcement Officer Ron Sieh informed the Council that they were required to be installed by the developer as provided in the subdivision code. Mr. Rager also inquired about recycling lids for the red bins and price of recycling toters.

Chris Schott stated she would be more positive. She felt those that spoke in public comment represented the taxpayers who were concerned where the money was being spent.

Bob Keiser advised the Council that every new street light in Atlanta is LED. He felt the loan to the hospital should have been tabled when all information was not available.

Tom Blanchard questioned where the $1.46 million from the garbage fee was in City finances. He felt the City should manage money better.

Bill Griffin told the Council that for 52 years he had developed 90% of the eastside. He expressed appreciation to the Council for passing the annexation, agreement, and hospital loan. He suggested to Council that they consider conducting forums for answering questions instead of the public input at Council Meetings.

Jim Mangan asked the Council not to be in a rush to replace the manager but to wait for the efficiency study results for additional information on employees and expenses. He asked that the term used quite often "head of household jobs" be defined for him in how many dollars that represented.

Sally Johnson informed the Council that people are now listening to the public's concerns.

Ann Witzig voiced her concerns with the City Manager. She suggested the Council relieve the Manager and the Attorney.

Council Member Orrick gave direction to the manager to provide:

- How many of the 1200 complaints were the result of the $20 fee implemented for pickup of larger items by solid waste drivers
- Impact of the replacement of traffic signals for stop signs at the intersections of Court Street and 4th and Court Street
- Status $1.3 million downtown project
- Answers to parking problem downtown or not a parking problem downtown

Council Member Abel informed the Council that he was aware of a replacement light program that the City had implemented and asked that Ron Sieh address the Council with more details. Council heard that over the last 4 years LED bulbs had been placed in City buildings. LED lights were placed in new subdivisions. Ameren does not give an LED rating. Metering the light usage would be considered next year.

Council Member Golden made the following comments:

The downtown intersection stop sign trial looked like a bombed construction site. If the intention was to control speeding enforcement should be used instead. The weeds and volunteer trees remain in front of the Riverway Business Park sign on Hanna Drive at 5th Street.

Kouri's non compliant gravel lot was still not address.

Mayor McCabe urged the City to give serious consideration to donating to the United Way campaign for the 16 agencies and 29 programs they fund. Ninety percent of the money remained in Pekin. The Kiwanis Club distributed $120.00 car seats for local children's' safety. The funds remaining after Veterans Drive construction for Court Street Improvement were estimated to be $5.5-$6 million, Letters were written to encourage legislators to assist in the project funding. The Manager drafted a proposal for the efficiency study and costs. Jobs had been posted for the code enforcement department vacancies. The former police chief conducted an extensive study of crime areas and implementation of the landlord ordinance. The provisions were intended to be proactive in helping landlords manage tenants. The Mayor apologized it was a hardship for some. Hiring of a city attorney was a function of the Manager not the Council. The Council made the commitment to the downtown appearance. The intersection stops on Court Street downtown were being studied by the traffic Safety committee because lights were not warranted for the lesser traffic at 4th Street and at Capitol Street.

EXECUTIVE SESSION

Motion by Council Member Golden, seconded by Council Member Orrick, that the Council move to Executive Session at 8:00 p.m. to discuss 65 ILCS 120/2 (c) (1.) THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY, INCLUDING HEARING TESTIMONY ON A COMPLAINT LODGED AGAINST AN EMPLOYEE TO DETERMINE IT VALIDITY. On roll call vote, all present voted Aye.

In open session Mayor announced there was no action to be taken regarding the Manager Contract no motion received. No further business to come before the Council, motion by Council Member Ritchason, seconded by Council Member Orrick that Council adjourn. Motion to adjourned carried voice vote.

COUNCIL ADJOURNED AT 9:15 P.M.

Sue E. McMillan
City Clerk