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**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 22, 2014 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, GILLESPIE, GOLDEN, ORRICK, HENDRICKS, MCCABE AND BARRA

ABSENT: NONE

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

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

AGENDA

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

MINUTES

Motion by Council Member Abel, seconded by Council Member Gillespie that the **minutes of the Regular City Council Meeting of September 8, 2014 be approved as written.**

PUBLIC INPUT ON AGENDA ITEMS

Chad Schmidgall, 2116 Wildwood, told the Council he was present to speak in favor of the ordinance to limit public input to the beginning of the meetings. He stated Council meetings were not the only venue for residents to express concerns and that staff was available throughout the week. He had experienced as a Council Member persons having to wait until the end of a meeting to speak deterred attendance at the meetings.

Jim Mangan, 1200 Parkway Drive, spoke in opposition to a change in public input he felt was deceitful effort to depress and sabotage information.

Carol Monks, 1006 South 10th Street, encouraged the Council to approve a four-way stop at South 10th Street and Oxford Street. She submitted a petition of support signed by residents of the area.

Paul Cargill, 913 Oxford, was not in favor of placing stop sings at the intersection of South 10th Street and Oxford Street. He would be backing from his driveway at the curve into a 4-way intersection stop.

Josh Bonnet, 1004 Oxford, spoke in support of Council's approval to accept the recommendation of the TSC and approve Oxford at 10th Streets stop sign placement for safety reasons. Mr. Bonnet said he had observed the spending of large amounts of taxpayer dollars for the airport. After visiting and receiving an explanation of the expenses and income he began to see sense in the improvements. He asked Council to consider 10 minutes of public input.

Sally Johnson, 1503 N. 13th Street, told the Council that the public has the right to speak and expressed her concern of changing the order of business. She requested that problems with the rebroadcast of the meetings be fixed.

Robert Bramham, 2108 Velde Drive, addressed the Council on the prison's use of the airport and expressed his concern regarding the news of future expansion of a prison. He commented that wastewater change orders should be paid by the party making mistake not the taxpayers. He also expressed concern that public comments were being left out of the Council minutes.

Larry Mayberry, 2106 Vista Del Rio, spoke to the change to the order of business and noted Council powers were not to be used to censor what public had to say. He commented that the change limited opportunity to express concerns.

Ann Witzig, 11501 Antioch Road, Tremont, told Council Members that everyone has the right to express themselves.

Larry Wolfer, 1931 Dane-Kelsey, spoke of his displeasure of the expense of the Waste Water Treatment Plant Improvement Project. The public needed a complete expense analysis. He expressed concern that the City was in violation by allowing raw sewerage discharge into the river that and had not received a variance from the Illinois Environmental Protection Agency.

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

Receive and File Monthly Reports: Traffic Safety Committee Minutes September 5, 2014; Tazewell County Animal Control August Report; Police Department August Report; Liquor Commission Minutes August 28, 2014.

On roll call vote all present voted Aye

NEW BUSINESS

ORDINANCE NO. 1462-A338-14/15
AMENDING TITLE 8, CHAPTER 2, SECTION 9
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING AUTHORIZED STOP SIGNS

Motion by Council Member Golden, seconded by Council Member Orrick that Ordinance No. 1462-A338-14/15 be adopted. Police Chief Greg Nelson advised that neighbors had long complained about the speed and amount of traffic at the intersection that had a significant curve and limited visibility. A recommendation to reduce the speed to 25 mph failed at a previous Council Meeting. Traffic Safety Committee reconsidered and recommended to make S. 10th Street and Oxford a four way stop. Comments were received from Council:
McCabe – stop signs were a step in the right direction. Alarming to witness vehicles going too fast taking kids to Wilson School.
Hendricks – appreciated TSC working with residents to resolve the complaints and work toward the same goals to slow traffic.
Mayor - relatives take 9th Street to avoid the area.
Abel and Orrick – safety was first concern. Also school bus speed a concern.
Gillespie – from police experience, public safety usually does not use stops to slow traffic but understood the odd intersection which could benefit from the change.
Golden – better solution of safety bumps were suggested.
On roll call vote all present voted Aye.

Motion by Council Member Gillespie, seconded by Council Member Abel that **CHANGE ORDER #5 WASTEWATER TREATMENT PLANT PHASE 2B in the amount of $103,485.00** be approved. City Engineer Michael Guerra presented the Change Order that Council had been made aware of at the meeting of August 25, 2014. The 5th change included additions for 3 items and deletion of 1 item needed to complete the construction of the CSO lagoon. Mr. Guerra advised the change would exceed the loan contingency of 3% making $42,603.00 the City's responsibility not incorporated into the low interest loan. Council Member Golden noted he had requested a breakdown of the construction costs of the WWTP projects Phase 1 and 2. He suggested that Council receive all minutes of the treatment plant construction bi-weekly minutes. Council Member Golden discussed with Mr. Guerra the City's policy for proposal/bid process requirements and expressed his concerns that the process was in violation of the law. Attorney Burt Dancey advised that under manager form of government the Council was to set policy and direct staff but to stay out of operational details. It was Attorney Dancey's opinion that change orders met the contingency process which was part of the contract documents to conform with the law. On roll call vote Ayes, Orrick, Gillespie, McCabe, Abel, Hendricks, Barra; Nay, Golden. Motion Carried.

Motion by Council Member Gillespie, seconded by Council Member Orrick that **AGENCY AGREEMENT WITH ILLINOIS DEPARTMENT OF TRANSPORTATION AIRPORT IMPROVEMENT PROGRAM** be approved. City Engineer Michael Guerra advised the Council of the State agency agreement for funding local share for the runway project approved at the August 25, 2014 Council Meeting. He stated the project was to replace the runway sub grade drainage system and install transverse drainage; remove and replace bituminous pavement; and re-mark the runway. The 5% City share was $20,470.00 of a $409,400.00 project. On roll call vote Ayes, Orrick, Gillespie, McCabe, Abel; Nays, Golden, Hendricks. Motion Carried.

ORDINANCE NO. 2708-14/15
AMENDING TITLE 1, CHAPTER 5, SECTION 5
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING ORDER OF BUSINESS

Motion by Council Member Hendricks, seconded by Council Member McCabe that Ordinance No. 2708-14/15 be adopted. The ordinance amended the administration section of the Code for protocols for public comment to facilitate the efficient conduct of business. Corporation Counsel Burt Dancey advised that by comparison to municipalities throughout Illinois, the containment of all Public Comments on any subject to just the 5 minutes at the beginning of the meeting was reasonable, open and liberal as other municipalities compared. He also advised that the Council was not required to debate matters with the public. Discussion followed Council Members voiced their support or expressed their concerns of limiting public comment to the beginning of the meeting. On roll call vote Ayes, Gillespie, McCabe, Abel, Barra; Nays Golden, Orrick. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members, Staff Members, and the public were given the opportunity to express their concerns, make comments or ask questions.

EXECUTIVE SESSION

Motion by Council Member Hendricks, seconded by Council Member Abel that the Council move to Executive Session at 8:00 p.m. to discuss 65 ILCS 120/2 (c) (6.) Lease of Municipally Owned Property and (5.) Purchase of Property. On roll call vote, all present voted Aye.

No further business to come before the Council, motion by Council Member Hendricks seconded by Council Member Orrick that Council adjourn. Motion carried voice vote. Mayor Bara adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:10 P.M.

Sue E. McMillan
City Clerk