
**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 14, 2015 AT 5:30 O'CLOCK P.M.
JOHN H. MCCABE * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, GOLDEN, ORRICK, ABEL, RITCHASON, LUFT, AND DUNN
ABSENT: NONE

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

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

AGENDA

Motion by Council Member Dunn, seconded by Council Member Orrick that the **agenda be approved as presented**. Council Member Golden requested the last Executive Session topic be addressed in open session by adding to the agenda. It was the opinion of Attorney Sue Bosich that there was no motion, no second, no action taken in closed session but consensus given to resolve the matter discussed. On roll call vote, Aye, Orrick, Dunn, Abel, Ritchason, and McCabe; Nays, Golden and Luft. Motion Carried to approve the agenda.

MINUTES

Motion by Council Member Dunn, seconded by Council Member Ritchason that the **minutes of the Regular City Council Meeting of August 24, 2015 and the Special Meeting of August 19, 2015 be approved as written**. Council Member Golden asked that the minutes be corrected as requested by Mr. Mangan that Mr. Mangan did not use the name Dancey in his statement to Council. The Clerk advised the Council that the minutes belonged to the Council not the public to be corrected. The minutes summarized the comments made that indicated Mr. Mangan urged the replacement of the firm of which Corporation Counsel Dancey represented that night. Mayor McCabe felt the minutes accurately reflected the concerns presented to the Council. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason and McCabe; Nay, Golden. Motion carried.

PUBLIC INPUT

Bob Keiser presented comments to the Council-did not support increase in tax rate; suggested increase to levy; questioned if budget cuts were first discussed; questioned job results of Economic Development efforts. Mr. Keiser addressed Mayor McCabe and asked him to resign from his office.
Dr. Timm Schwartz stated how critical it was for development to be successful without a dedicated funding. New development and business would raise the tax base and would result in additional revenues. He felt it would be short sided for Council not to support the increase in sales tax.
Additional comments of opposition to increased sales taxes were received from Jim Mangan, Christine Schott, Sally Johnson, Ann Witzig, and Kathleen Bright.

CONSENT AGENDA

Motion by Council Member Dunn, seconded by Council Member Ritchason 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: Traffic Safety Committee Minutes dated September 4, 2015, Pekin Police Department August Report, Liquor Commission Minutes dated August 27, 2015, Fire Department August Report, Tazewell County Animal Control August Report and Tourism Committee Minutes dated September 8, 2015.

7.2 Proclamations: "Chamber of Commerce Week"	September 14-18, 2015
"Intellectual Disabilities Week"	September 18-20, 2015
"National Thank a Police Officer Day"	September 19, 2015

Mayor McCabe brought attention to the proclaimed weeks and encouraged the community to show their blue in support of police officers and to support the tootsie sale to benefit the charitable work of the Knights of Columbus. On roll call vote all present voted Aye.

NEW BUSINESS

ORDINANCE NO.2725-15/16 AMENDING TITLE 3, CHAPTER 2, SECTIONS 1,2 AND 3 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING MUNICIPAL TAXATION

Motion by Council Member Abel, seconded by Council Member Dunn that Ordinance No.2725-15/16 be adopted. Council was advised that the ordinance amended the Home Rule Municipal Retailers Occupation Tax rate to establish a separate special revenue fund from existing sales tax rate of 1 ¼% to the new rate of 1 ¾% of the gross receipts from sale of tangible personal property. Economic Development Director Leigh Ann Brown present background of the Economic Development Advisory Committee's efforts for a potential revenue stream of 50% to increase Pekin's economy by investing in development projects that would generate return and 50% for infrastructure and road improvements. The tax would not apply to groceries, prescription drugs, and vehicle sales. Council Member Orrick questioned the types of projects the money would be used to fund and Council's approval of the spending. Council Member Orrick spoke in non support unless there was a working policy of Council setting parameters for the use of the tax. He felt an efficiency study needed to be completed before he could make a decision that the tax was needed. A motion was made by Council Member Luft, seconded by Council Member Orrick that Ordinance No.2725-15/16 be tabled until next regular meeting September 28, 2015 and that no less than 3 Special Meetings be held prior to that date. Discussion followed on tabling the ordinance. Council Member Luft stated his concerns of the PEDIF program, a previous economic development funding tool and his concerns of manner in which polices and past practices of money were applied. He stated the taxpayer needed to be fully informed of the tax and there be accountability to the taxpayer. Council Member Abel spoke in support of the additional revenue and percentage to be used for infrastructure/streets. He noting street maintenance was a Council priority. Council Member Golden voiced concern of the language use of third party and was provided explanation. He indicated the City did a poor job of managing money and that other options than taxing needed to be utilized such as collecting debt directed in the BD contract and enforcing distractive driver laws. On roll call vote; Ayes, Golden, Orrick, Luft, Ritchason; Nays, Dunn, Abel, and McCabe. Motion Carried.

ORDINANCE NO. 1462-A342-15/16 AMENDING TITLE 8, CHAPTER 4, SECTION 3 F. OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING HANDICAPPED SPACES

Motion by Council Member Dunn, seconded by Council Member Ritchason that Ordinance No.1462-A342-15/16 be adopted. The Traffic Safety Committee recommended to the Council a handicapped parking space on Vienna Court 10 feet west of the walkway between 1825 and 1827. The ordinance would add a listing in the code of the designated area. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Robert Bramham voiced his concerns that revenues were not being used correctly by the City and that department budget cuts would help the taxpayer.

Bob Keiser expressed appreciation for tabling the Sales Tax Ordinance and encouraged the Council in needed to put an increase in the tax levy.

Alma Christianson expressed appreciation to Council Members Luft and Ritchason for their efforts in getting Illinois American Water Company to cleanup the company's area at the reservoir and water tower.

Jim Mangan addressed the Council with the concerns.

Larry Wolfer expressed need for the accountability by the City. He praised the success of the Marigold Festival.

Christine Shott made the following comments:

Censuring of Mayor McCabe was needed for his actions in regards to the matter with Illinois American Water Company, Council Members Luft's employer.

The expenses from the Tourism Fund matter was illegal and needed to be reimbursed by those individuals at fault.

She asked that the Dancey firm be relieved of their duties with the City for Attorney Dancey's remarks concerning Mr. Mangan.

Ann Witzig called for the resignation of the Mayor, Manager and City Attorney. She expressed her continued concern of HUD and low income housing.

Sally Johnson disseminated to the Council a list of 31 concerns and unanswered questions.

Roger Greer addressed the Council.

City Manager Darin Girdler praised the Marigold Festival for the huge success of the weekend.

The press was given the opportunity to address the Council.

Council Member Dunn stated that the Council had ample time, opportunities and communications to vote on the Sales Tax ordinance in time for the filing date of October 1, 2015. He was prepared to go forward in support and felt the Council should have been. Council Member Abel and Mayor McCabe echoed the support of a vote on the ordinance.

Council Member Golden reported the clumps of weeds on Veterans Drive had been removed. In reference to the attorney speaking out against a member of the public he read from an Ancel, Glink Law Offices Memorandum that there was no such right for participating in council discussions in the manager form of government. He said unsolicited comments had become a pain that he did not appreciate. Council Member Golden was disrupted in being told that the City Attorney had no contract with the City. Council Member Golden then made a motion and it was seconded by Council Member Luft to place on the next regular Council meeting should the City Manager be terminated. Attorney Bosich gave her opinion that the item could be placed in Executive Session. Next comment from Council Member Golden was he heard talk of the snag for Pekin that capturing Big R was to economic development but felt it was a redistribution from Tractor Supply. He responded to a statement that a Council member did not want to cause discomfort to staff in extending the deadline for effective date of a new sales tax. He felt the discomfort of the taxpayer in paying the tax should be what was being considered. Council Member Ritchason delivered kudos to the Chamber of Commerce hosted the great source of pride, the Marigold Festival. He felt the tabling of the sales tax ordinance was the prudent thing to do if members still had questions. He encouraged more of a concerted effort such as Spruce Up Pekin events and to look into areas of where code enforcement of properties was needed to stop the down hill spiral of the visual looks of the community. He commented on the need of the Council to come together to move forward, set vision which was slowed by several distractions.

Council Member Abel expressed complimentary statements regarding the Marigold Festival.

Council Member Orrick stated if a further split of the funding from a sales tax ordinance to help people in the community could be discussed in February he would be willing to consider the impact of an addition sales tax at that time for the effective deadline of June 2016. He felt it was the consensus of the Council in the matter of road block at St Mary and Sabella Street that they were unnecessary and directed the City Manager that they be removed.

Council Member Luft made the following comments:

Thanked Fire Chief Nelson for the efforts and research made on the issue of multiply residents residential housing.

Apologized to Mr. Mangan for not allowing him to speak at the previous.

Asked the Manager for the written statements requested from him indicating that there was no wrong doing of the Manager and Department Heads in the payment to the IHSA for March Madness participation.

Question the status of hiring a police chief. It was confirmed that negotiations were in process with applicant contacted.

Asked for update of setting a retreat. Attorney Bosich confirmed that the availability of a facilitator from the Illinois Municipal League was limited but if Council chose available Saturdays prior to Thanksgiving she would confirm his attendance.

Expressed displeasure that the Council Members were not invited to a meeting the Mayor had set to discuss the Police Pensions with the investor.

Expressed his displeasure with the Mayor's actions on contacting his employer. Mr. Luft was informed that an investigation by September 21, 2015 was in process into the events and asked for his resignation.

Mayor McCabe answered several questions that the public had brought to the Council's attention. He indicated that he would be considering doing away with the \$20.00 sticker charge for pickup of larger item by the Solid Waste Department. The Mayor also responded to the accusations made that he had intimidated and threatened IAWC regarding their employee Council Member Luft.

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

COUNCIL ADJOURNED AT 8:20 P.M.

Sue E. McMillan
City Clerk