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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, AUGUST 24, 2015 AT 5:30 O'CLOCK P.M.
JOHN H. MCCABE * MAYOR * PRESIDING

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

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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 Abel, seconded by Council Member Ritchason that the **agenda be approved as presented.** Council Member Golden expressed concern that the agenda was not restored exactly to the format prior to eliminating public input at the end of the Council meetings. Mayor McCabe advised the Council Member that agendas had taken on several layouts over the years. What was voted by council at the previous meeting was an ordinance to amend the Order of Business in the Code. Mayor McCabe stated that he would allow the public to comment on business items at the beginning of the meeting and at the end to present comments on any other business as intended. Council Member Golden questioned the absence on the agenda of reconvening to address new business after meeting in closed session. On roll call vote, Ayes, Orrick, Abel, Ritchason, Luft, Dunn, McCabe; Nay Golden. Motion Carried.

MINUTES

Motion by Council Member Abel, seconded by Council Member Dunn that the **minutes of the Regular City Council Meeting of August 10, 2015 be approved as written.** It was noted the typo correction of the word single for signal. On roll call vote all present voted Aye.

PUBLIC INPUT

Council heard comments, requests and questions from the following members of the public:
Jim Mangan read from a prepared statement and urged Council to vote no on ordinance to amend the Code regarding the tourism committee. He felt changing the wording of the expenditure proceeds was an insult to the public and only persons that did not understand it were those that didn't follow it.
Ann Witzig asked the following questions:
Who started the request for action to rezone three properties on Court Street. Code Enforcement Officer Ron Sieh informed the Council and public that 2 of the owners of the property made the request. He additional discussed with a third owner in order to make 3 of the properties conform to the proper use uniformly.
Bob Bramham stated he read into the RFCA that the rezoning had to do with making Court Street 2 lanes and asked that Council explain the revamping measures. Mr. Sieh also advised Mr. Bramham upon his request the difference in the zoning classifications of OS-1 and B-3. In regards to the business item for tourism, Mr. Bramham stated any money that came out of Hotel/Motel fund had to be a grant.

CONSENT AGENDA

Motion by Council Member Orrick, 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.

7.0 CONSENT AGENDA
7.1 Receive and File Monthly Reports and Minutes: Traffic Safety Committee Minutes dated August 7, 2015, Tazewell County Animal Control July Report, Human Rights Committee Minutes dated June 24, 2015, Pekin Fire Department July Report, Pekin Police Department July Report.
7.2 Resolution No. 7-15/16 – Mayor's Appointment of Chris Massey to the Mayor's Advisory Committee for Persons with Disabilities to fill a vacancy until the first Monday in May 2018.

7.3 Resolution No. 8-15/16 – Mayor's Appointment of Chris Lang to the Zoning Board of Appeals to fill the unexpired term of Barry McGinnis until May 31, 2017.
7.4 Receive and File: Pekin Planning Commission Minutes dated August 19, 2015.
7.5 Receive and File: Pekin Planning Commission Recommendations and Hearings: Hearing #04-1895–Recommendation to approve the rezoning from OS-1 (Office Service District) to B-3 (General Business District) located at 2301 Court Street (Re-Max Office) in Tazewell County, Illinois. Hearing #04-1896–Recommendation to approve the rezoning from OS-1 (Office Service District) to B-3 (General Business District) located at 2307 Court Street (Old Ponderosa) in Tazewell County, Illinois. Hearing #04-1897–Recommendation to approve the rezoning from B-1 (Local Business District) to B-3 (General Business District) located at 2217 Court Street (Former Fiesta Rancharo) in Tazewell County, Illinois.

A response to a question posed by the Mayor on the fire report of "good intent call" and "false alarm calls" was given by Fire Chief Nelson. On roll call vote Ayes, Orrick, Abel, Ritchason, Luft, Dunn, McCabe; Nay Golden. Motion Carried.

COMMUNICATIONS, PETITIONS, REPORTS

Bill Fleming representing the members of the Economic Development Advisory Committee presented to the Council the Committee's proposal and recommendation of an additional ½% to the City of Pekin Home Rule Sales Tax, with a ¼% allocated to fund economic development and the other ¼% allocated to fund infrastructure and improvements. He advised the Council of the costs and constraints realized after a discussion in June for a potential revenue stream of a Business District. Because the City of Pekin had been unable to fund the Pekin Economic Development Investment Fund (PEDIF) for the past 3 years and the cost of road and infrastructure maintenance and improvements continues to increase at a pace greater than the City 's revenues, the committee asked the Council to adopt the increase by ordinance. The intention of the proposal was to strictly limit the expenditures to economic development and infrastructure, to separate funds and accounting to ensure accountability and transparency by ordinance. He advised annualized, the new tax would generate about $800,000 additional revenue to economic development and infrastructure and roads would likewise receive an estimated $800,000 based on present sales tax numbers. Mr. Fleming encouraged the Council to consider the adoption of an ordinance in September in order to comply with statutes to have paperwork to the State by October1, 2015 for January 1, 2016 implementation.

NEW BUSINESS

The following rezoning ordinances were presented as recommendations of the Planning Commission and questions from the Council were addressed by Code Enforcement Officer Ron Sieh. He advised that the City, on behalf of the property owners asked to rezone the parcels in an appropriate use in a B-3 District. Leaving the zoning in an Office Service District could impede development. As an example Mr. Sieh told Council one of the owners had lost a sale due to non-conforming zoning. Also 2 of the 3 parcels, old Ponderosa and Fiesta Rancharo were considered non-conforming uses due to the approval of liquor licenses obtained for the businesses occupying the structures in the past.

ORDINANCE NO. 1568-A200-15/16
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
2301 COURT STREET
PIN 04-10-01-407-008

Motion by Council Member Orrick, seconded by Council Member Luft that Ordinance No.1568-A200-15/16 be adopted. The ordinance provided for the rezoning of property from OS-1 (Office Service District) to B-3 (General Business District). On roll call vote; Ayes, Orrick, Abel, Ritchason, Luft, Dunn, McCabe; Nay Golden. Motion Carried.

ORDINANCE NO. 1568-A201-15/16
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
2307 COURT STREET
PIN 04-10-01-407-009

Motion by Council Member Ritchason, seconded by Council Member Dunn that Ordinance No.1568-A201-15/16 be adopted. The ordinance provided for the rezoning of property from OS-1 (Office Service District) to B-3 (General Business District).On roll call vote; Ayes, Orrick, Abel, Ritchason, Luft, Dunn, McCabe; Nay Golden. Motion Carried.

ORDINANCE NO. 1568-A202-15/16
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
2217 COURT STREET
PIN 04-10-01-406-018

Motion by Council Member Ritchason, seconded by Council Member Orrick that Ordinance No.1568-A202-15/16 be adopted. The ordinance provided for the rezoning of property from B-1 (Local Business District) to B-3 (General Business District).On roll call vote; Ayes, Orrick, Abel, Ritchason, Luft, Dunn, McCabe; Nay Golden. Motion Carried.

Motion by Council Member Dunn, seconded by Council Member Ritchason that the **RECYCLING GRANT AGREEMENT WITH TAZEWELL COUNTY in the amount of $69,010.00 be approved.** The motion was restated for the corrected figure of $69,010.00. The City Manager informed the Council of the City's uses of the grant monies to support and in connection with the County approved recycling collection program. In response to Council's questions Mr. Girdler stated the funds had been used to purchase recycling toters, solid waste truck, containers in connection with the grade schools collections, recycling drop-off facility, daily dumping fees. Because of the low return on paper products he felt it was not beneficial at this time for the City to implement collection from businesses. A concern of a residence on Derby Street not receiving recycling pickup would be addressed by the Solid Waste Supervisor. On roll call vote all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Abel that the **LOCAL AGENCY AGREEMENT WITH ILLINOIS DEPARTMENT OF TRANSPORTATION** for City share of traffic signal project at Illinois Route 29 at Manito Black Top in the amount of $506.00, be approved. Council was asked to approve the IDOT agreement providing for the 10% or $506.00 share of costs to upgrade the signal controller cabinets on IL 29. He stated that the following resolution appropriated the 125% of the total estimated construction and engineering costs estimated at $270,250.00. On roll call vote all present voted Aye.

RESOLUTION NO. 9-15/16
APPROPRIATING MOTOR FUEL TAX FUNDS 15-00192-88-TL

Motion by Council Member Golden, seconded by Council Member Orrick that Resolution No. 9-15/16 in the amount of $635.00 be adopted. On roll call vote all present voted Aye.

ORDINANCE NO. 2724-15/16
AMENDING TITLE 2, CHAPTER 12, SECTION 5
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING TOURISM, CONVENTION AND VISITORS COMMITTEE

Motion by Council Member Golden, seconded by Council Member Abel that Ordinance No. 2724-15/16 be adopted. Mayor McCabe introduced at the wishes of Council Members to amend the expenditure provisions of the tourism chapter of the Code to provide language that expenditures that exceed $1,500.00 be presented to the Council for approval. Council Member Orrick spoke to the change and felt the consideration should be postponed until an audit of the funds was completed and possibly some addition revisions made. In further discussion it was determined that Council Member Orrick would accept a printout of all expenditures from the Hotel/Motel Tax fund and not an independent audit as requested .It was Council Member Luft opinion that there needed to be further discussion after review of the checks written from the fund. A motion was then made by Council Member Orrick and it was seconded by Council Member Abel that Ordinance No. 2724-15/16 be tabled. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Kurt Morgan owner of Pekin Alignment requested that the City remove barricades placed on St. Mary Street to prevent dumping. He told the Council that the blocked streets were hindering his customers from entering and leaving his place of business. He submitted a petition from his customers for the record.

Bob Bramham spoke in support of the request to remove the barricades. He stated the City should do the job of picking up the garbage and to mow the vacant area. He spoke in opposition to the increased sales tax.

Sally Johnson addressed the Council with the following concerns and questions. She asked if Council had received the copies of previous year minutes of the Tourism Committee, street condition report, response from engineering firm for Court Street alternatives, satisfaction that weeds were taken care of on Veterans Drive, report on group homes, and status of Derby Street project for retention of water.

Mrs. Johnson spoke in opposition to the City considering alcohol sales were fuel was also sold. She felt the City should restrict alcohol sales to cash only. She stated her agreement that Jane Street needed to be top priority and that department heads needed to attend all Council meetings.
Steve Rager representing Remington Road residents submitted a petition requesting the current proposal for the installation of street lights be amended, reducing the required streets lights to one at 14th street and one on the curve for safety. The residents asked that the illumination from 19 light post be sufficient for safety and security of residents and through traffic.
Jim Mangan, in reference to concerns of misappropriation of the Tourism funds, indicated Attorney Dancey's opinion was attempt to cover-up which justified unethical, illegal, actions. He urged Council to instruct the Manager to replace the firm. Further he charged that Mayor McCabe knowingly joined in a conspiracy to hide the truth to illegal misappropriation of funds and should be censured as provided in the City Code of Conduct.
Ann Witzig supported the request of Pekin Alignment to remove barricades in that area for her and her tenants to access her rental property. Mrs. Witzig read an article that supported her concern of HUD communities' obligation to affirmatively further fair housing.
Leigh Ann Brown in answer to a concern of advertizing in Tennessee reported there were not direct expenditures listed. What the visitor reported seeing with Pekin's name may have been the 2012 Today in America infomercial clip or an advertisement produced as part of Pekin's partnership with Peoria.
Darin Girdler congratulated employees Devin Brooks and Steve Lash in completing the wastewater class 1 operators testing. He also announced closings and openings scheduled for Veterans Drive project in the immediate future.
Attorney Burt Dancey advised the Council that as staff members it has become difficult to take at each meeting the unfair attacks and allegations of illegal and unethical actions from the public. Mr. Dancey would respond to Mr. Mangan's charges directly.
Fire Chief Kurt Nelson reported to Council all the facts and information requested by the Council into the history, licensing, regulations regarding group houses in the City of Pekin. The City presently has 22 group housing units that the departments are aware of regulated by the State. The City has no authority to limit the location of the homes. Special permits or zoning was not needed for less than 8 person residences.
Council Member Dunn urged the Council to begin looking a more strategic goals and bigger issues that the administration needs to work toward possibly in the setting of a retreat.
Council Member Luft suggested possibly holding 2 policy meetings a month based on Peoria's process. The Council Member questioned why the motion funding the police and fire pensions removed from the agenda had not been reconsidered for discussion.
Council Member Abel voiced concern about sink holes sitting open in several locations; the list for mowing and weed complaints had not been addressed including problem property at 1027 Mechanic.
Council Member Golden stated his concerns of the weeds at the riverfront City owned properties; clumps of grass in storm structures on Veterans Drive; was cautious of conducting a policy session when a previous Council/Staff session resulted in nothing tangible accomplished; a complaint he received that larger solid waste items were being picked up at an employee residence with out the proper $20 paid fee. The Council Member was advised that a HUD notice of property assignment published in the newspaper was one of several notices the City receives on foreclosure properties and not an indication that HUD was buying up properties in Pekin.
Mayor McCabe advised the Council that the concept of a Retreat was being considered with a facilitator that would guide the Council in frank and meaningful discussions.

EXECUTIVE SESSION
Motion by Council Member Golden, seconded by Council Member Ritchason, that the Council move to Executive Session at 7:45 p.m. to discuss 65 ILCS 120/2 (c) (1.) Personnel. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 9:00 P.M.

Sue E. McMillan
City Clerk