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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 8, 2016 AT 5:30 O'CLOCK P.M.
JOHN MCCABE * MAYOR * PRESIDING

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

ABSENT: NONE

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

Roll was called. All Council Members were physically present. A quorum was declared.

AGENDA

Motion by Council Member Abel, seconded by Council Member Orrick that the **agenda be approved as amended.** Mayor McCabe asked for clarification on the amendment. Motion by Council Member Abel, seconded by Council Member Luft that the Agenda be amended by the addition of 8.2 to the agenda – St Jude Presentation. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member Abel, seconded by Council Member Dunn that the **minutes of the Regular City Council Meeting of July 25, 2016 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT

Bob Kieser stated he came to speak on the rainwater fee **-** No, No, No put the expense in the tax base or use reserves. He told the Council they did not have a revenue problem they had a spending problem. He asked that they focus on asking for department cuts and to reduce expenses.
Bob Bramham asked Council to vote no on stormwater fees. He questioned the Council if any of them had asked why the City needed stormwater. Mr. Bramham encouraged the members to vote no on the study.
Larry Wolfer presented a history of wastewater and stormwater. He stated a fee did not need to be imposed for stormwaterand encouraged the Council to vote no. He asked the members what they would do for the taxpayers that did not have stormwater runoff.
Margaret Witzig's stated a fee should be equal across the board for business and residential alike. She questioned if the $1.28 million would be the final costs to get stormwater up and running. Mrs. Witzig questioned what the 2014 study revealed and was told the stormwater study was available on the City home page. She also questioned if the adjudication implementation would requires 3 new people. In reference to Liquor Commission minutes she recommended enacting gaming and liquor changes be presented to the Council.
John McNish questioned where the stormwater public information meetings would be held; expressed concern that he had not seen the monthly police report for a while; and requested Council Members and staff to speak into the mic when answering questions.
Roger Alexander stated the Council should take up stormwater with God, the only one that could control the issue.

CONSENT AGENDA

Motion by Council Member Abel, 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.

> **7.1 Receive and File Monthly Reports and Minutes:** May and June Building, Inspections, Zoning Reports; and Liquor Commission draft minutes dated July 28, 2016.

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

Draft Adjudication Ordinance: Police Chief John Dossey told the Council in looking to be more efficient and cost effective the adjudication ordinances were brought up to date along with fine structures to bring up to standards and trends.

- Penalty of $750 to $50,000 to mirror state statutes
- Costs added for contest of ticket and failure to pay
- Anticipate including chronic nuisance and distractive driving and Eticketing.
- Proposing fine escalations and court costs to new section as the code pertains to code enforcement
- $10 parking ticket elevated to $50 with a $20 early pay discount
- Creates boot or impound tow
- Recoups costs as they apply to the administration of the program
- No additional personnel
- Costs shifting from taxpayer to violator
- Fines structure equals deterrent

Mayor McCabe advised the members that they had homework to do in reading through the drafted information and researching the comparison municipalities. The Mayor requested all questions be directed to the Chief in advance of presentation for action at a future meeting.

St. Jude Presentation: Brian and Joanna Carroll spoke to the Council on the success of the St. Jude Run event on July 30, 2016 in raising $847,000 over the 15 years. They expressed appreciation to Council Member Abel for sending the Pekin team off on the 33.1 miles and to the fire and police departments for assisting them n a safe passage through the route. Council Members Luft and Orrick noted special gratitude to the fundraisers and the work of St Jude on a personal level for their daughter's and granddaughter's experiences at the hospital.

NEW BUSINESS

Motion by Council Member Abel, seconded by Council Member Dunn that the **AGREEMENT WITH AMEC FOSTER WHEELER FOR STORMWATER UTILITY IMPLEMENTATION PUBLIC EDUCATION AND OUTREACH be approved in an amount not to exceed $11,987.00.** City Engineer Michael Guerra addressed the Council in response to their request that prior to any implementation of an ordinance for stormwater utility fee, public outreach and education needed to occur. He advised them that the education component of the agreement presented at a prior meeting which was tabled, was before them for approval. Amec would assist the City with crafting an outreach plan, facilitate 2 public meetings and accompany the City to 6 key ratepayer meetings to discuss the need for stormwater funding. Those needs, improvements required for aging infrastructure, erosion problems, stromwater flooding, and deferred maintenance required funding. It was noted in April the Council approved the FY17 budget with the provision via resolution for a stormwater utility to be implemented by the fall of 2016. A time and material contract would allow the city to only pay for the time needed for Amec's assistance. The estimated $11,987.00 was not in addition to the $56,000.00 quote of the full agreement of June.

Council Member Abel stated he was not in favor of the agreement. He had heard from the public and additionally would not be voting for a stormwater fee. Council Member Dunn questioned if the agreement allowed for flexibility in alternating public and rate payer group meetings. Council Member Ritchason was informed that some area municipalities had used Amec in education and/or implementation of a stormwater utility. He stated he had received 27 emails with unpopular feedback to a fee. In response he did not see the present need for the utility or value in what the City was getting for the education and outreach. Council Member Orrick said he was ready to vote yes on the requested component for public education but in hearing the members not in favor of the utility why do the study. Council Member Luft spoke in opposition to spending money when a need for a fee had not been presented. Cuts had never been looked at. Council Member Golden voiced concern in spending on a time and material contract having no defined scope of work. He questioned that the project had not been bid. Council Member Golden stated he would not support a stormwater fee as a Council Member or as a taxpayer. Mayor McCabe spoke in support for more education on a volatile issue. As a taxpayer the Mayor expressed concern for the City's need for improved infrastructure. Council Member Luft asked if the request for a stormwater fee would come back to Council and if the matter could be voted down at the meeting. It was the opinion of Attorney Bosich that it would need to be placed on an agenda in advance. On roll call vote for the motion on the floor for the agreement for public education of stromwater utility implementation, Ayes, Dunn and McCabe; Nays, Golden, Orrick, Luft, Abel, Ritchason. Motion Failed.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Roger Alexander addressed the Council and suggested the Council could talked to him ways of saving money.
Bob Bramham thanked the Council for voting no on the stormwater education component.
Bob Kieser encouraged the Council to look at cuts to the budget. He thanked the Council for listening to the people and voting no.
John McNish expressed appreciation to the Council for the no vote. Mr. McNish questioned who in the City was responsible for the saftety of the employees. He noted there 24 recordable safety incident investigations.
Larry Wolfer thanked the Council for voting no on the stormwater utility education agreement. He found it despicable that none of the people pushing for a stormwater fee lived in Pekin.
Ann Witzig appreciated the Council's vote. She told the Council it was their duty to make a motion to provide a definition of Corporation Counsel. The department need to be brought in-house and Mr. Dancey released of the duty. She questioned how far the N. Pekin sewer meeting had progressed and what the status of the Derby Street property was. She suggest the City place the riverfront property in the hands of a commercial realtor to sell. She chastised the City for allowing the weeds at Parkway and Court Streets.
Rick Hilst thanked the Council for a no vote for stormwater. Mr. Hilst read a prepared speech on the impact of homerule on taxpayers.
Tyler Chasco thanked the City for allowing him to continue to clean up the riverfront area. He advised the Council of the continuing flooding problems on Jane Street and questioned if there were plans for corrections of the issues. He also asked for clarification if weeds could be sprayed or not.
Elaine Richey thanked the Council for voting no on stormwater. She noted the riverfront was beautiful when there was a yardcrew. She encouraged the Council to make cuts in the transportation department. She suggested reusing office supplies to cut the budget expenses.

Interim City Manager Sarah Newcomb reminded the Council that their intention was to wait on the matter of a City Attorney until the new manager was available for input on possible changes to a department he will be responsible for. She advised that the RFPs were ready if the Council chose to move forward with receiving proposals. Ms. Newcomb also advised that the set of meetings with North Pekin were moving forward.
City Engineer Michael Guerra informed the Council he would inquire into Wastewater Treatment Plant permits for answers to spraying the weeds in the streets. The staff had discontinued weed-wacking weeds due to increased insurance claims for broken windows or injuries. He advised that bids were out for the building on Derby Street. He clarified the stormwater utility had not been voted down. The motion failed to approve the education component of an agreement with Amec.
Council Member Abel suggested that the public drop hints to local store managers that other cities deliver called in grocery orders to residents.
Council Member Golden noted the revisions he had written to the Code for Corporation Council could be adopted prior to seeking RFPs for an attorney. The Council Member noted he still had not been provided with a request for 2 Farnsworth contracts. He asked for the name of the contact person responsible for the West Campus property. Council Member Golden voiced his continued concerns that the City did not follow procurement and contracting provisions or use competitive bidding procedures. He advised the City Engineer that the draft Transition Plan lacked information on bringing on-street parking into compliance. Public parking should fall under public right of way and be in the plan.
Council Member Luft referred to the safety incident report of 24 employees that Mr. McNish questioned and compared the high number to the 2 1/2 reported by Illinois American Water Company.. He felt the number was an area of concern. He asked that the policy for living outside the City limits be addressed and that there was cause for discussion on the matter of Home Rule.
Council Member Orrick felt it was inexcusable that potholes were not being addresses. He reminded the Council and staff he had requested that the junk vehicles at Derby and Mechanic be addressed.
Mayor McCabe expressed appreciation to the community for their contributions to the St Jude efforts. He reminded the public speakers that the City's Corporation Counsel is a law firm not an individual male attorney. He addressed the concerns mentioned on the riverfront and informed the public that the City has worked with Ameren trying to eliminate the utility poles in order to market the area for more potential buyers.

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

COUNCIL ADJOURNED AT 7:45 P.M.

Sue E. McMillan
City Clerk