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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, JULY 25, 2016 AT 5:30 O'CLOCK P.M.
LLOYD ORRICK * MAYOR PRO TEM * PRESIDING**

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

ABSENT: MAYOR JOHN MCCABE

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Pursuant to Resolution No. 22-07/08, adopted November 26, 2007 and by Resolution No. 1-15/16, Council Member Lloyd Orrick was appointed Mayor Pro Tem.

The **Pledge of Allegiance** was led by Mayor Pro Tem Orrick

Roll was called. Mayor McCabe was absent. All other members were physically present. A quorum was declared.

AGENDA

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

MINUTES

Motion by Council Member Dunn, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of July 11, 2016 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT

Mr, Tom Jenkey was asked to address the Council with a non-agenda item at the end of the meeting.
John McNish questioned if anyone would be speaking to the Council at this meeting that the public was not made aware of first on the agenda.
Ann Witzig addressed the utilization of the Motor Fuel Tax Fund to pay the annual participation agreement with PPUATS. She asked several questions that she was informed would be answered in the presentation of the Request for Council Action and business item.

- What does the study consist of?
- What will it benefit?
- How will money be used?
- Where will it be deposited, general fund?
- Is it earmarked for its use?
- Does Pekin need or want a port?
- What is the non-motorized wayward funding study?
- Can it be used for street repairs?
- Is there documentation showing what the money has been used for the last 2 years?

Mrs. Witzig gave the Interim City Manager the list to be answered in the Post Council Report.

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: Police Department June Report, Tazewell Animal Control June Report and Tourism Committee Minutes dated July 12, 2016.		5
7.2 Receive and File: Resignation Dennis Kief from Economic Advisory Committee.		5

On roll call vote all present voted Aye.

NEW BUSINESS

Motion by Council Member Luft, seconded by Council Member Dunn that the **JOINT AGREEMENT WITH TRI-COUNTY REGIONAL PLANNING COMMISSION be approved.** City Engineer Michael Guerra presented to the Council the annual agreement with participating agencies for Peoria/Pekin Urbanized Area Transportation Study in the amount of $11,729.46. He informed the Council of the benefit to the City in providing an association with a Metropolitan Planning Organization, Tri County Regional Planning Commission. The MPO was necessary in receiving federal study and construction money funneled through the State of Illinois. Mr. Guerra explained to the Council following Mrs. Witzig's public input and Council Member Golden's inquiry that Pekin was a participant in 2 transportation studies in which it had been awarded $37,500 for infrastructure study for a port location and $30,000 for a non-motorized wayward finding study. Mayor Pro Tem Orrick noted historically Pekin had received several million dollars for roadway construction projects with its participation in PPUATS. The City Engineer reported Pekin received an estimated 7 million dollars – Parkway Broadway Intersection $1.7 million, Broadway Widening $3 million, Petri Lane $1.3 million. Council Member Golden addressed several questions to City Engineer Michael Guerra in regards to his familiarity of requirements for sidewalk snow removal by the municipality accepting federal funding. The Council Member questioned if the City had a type of snow removal sidewalk procedure. Mr. Guerra indicated the City could review requirements if necessary and budget for the equipment expenses. Council Member Golden next questioned why a decision could not have been made to just purchase all signs necessary instead of utilizing $30,000 for a study of signs. The Engineer responded that material purchases were not included in the funding and could only be used for the intended purpose. He also advised the Council Member that the Motor Fuel Tax funding was not based on population and that the 2015 allocation from the State, an estimated $803,000 was received and utilized for street maintenance, tree trimming, traffic lights, street patching approved by Council resolution. On roll call vote, Ayes, Dunn, Abel, Ritchason, Luft and Orrick; Nay Golden. Motion Carried. Motion Carried.

<u>RESOLUTION NO. 34-16/17</u>
APPROPRIATION OF MOTOR FUEL TAX
75-00107-20-ES

Motion by Council Member Luft, seconded by Council Member Dunn that Resolution No. 34-16/17 be adopted. City Engineer advised the Council that the resolution authorized the City to utilize MFT Funding in the amount of $11,729.46 for the Peoria/Pekin Urbanized Area Transportation Study annual membership dues, approved by Council in the previous business item. In answer to Council Member Golden's question, Mr. Guerra reported the unspent difference between the appropriated $15,000 and the $11,000 plus remained in the Motor Fuel Tax Fund. On roll call vote, Ayes, Dunn, Abel, Ritchason, Luft and Orrick; Nay Golden. Motion Carried. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Tom Jenkey addressed the Council on earning respect. He stated his displeasure that as a snowbird he was still charged a garbage fee and that he did not know anything about the City electronic payment system. He suggested creating an insentive to the taxpayer for using the system. He expressed dissatisfaction with the Council for contemplating a stormwater fee. Mr. Jenkey commented that a garbage fee was enacted to make-up a $1.6 million deficit and now a stormwater fee to make up this year's deficit instead of to stormwater projects.

John McNish thanked the Police Chief for his exchange of information after the last meeting. Mr. McNish commented, questioned, or voiced concern on the following matters:

- Would anyone be checking the energy dollars savings for the contract awarded to Standard Heating & Air Conditioning for City Building HVAC maintenance.
- Noticed lots of empty houses through the city and curious why
- Derby Street City property full of garbage cans. Would the property be staying or sold
- Why Treasurer Jim Wolf left the Council meeting after Council Member Orrick inquired if he wanted to be annexed into the City.
- Had the City considered looking into the City of Bloomington's recent elimination of sick leave buy-back.
- Reported that his call to the Attorney General Office indicated there was no call from the Corporation Counsel regarding an Open meetings Act violation.
- The deadline for a public question on the November ballot had passed but enough signatures would be obtained for the April election on the question to abolish Home Rule.
- What happened to Sazani's Restaurant.

Ann Witzig stated it was disrespectful of Mr. Guerra to the public to have the gentle man speak at the last meeting on storm water when it was not on the Council agenda. She felt there was no need and a waste of money for a study on a bike trail for Pekin. Mrs. Witzig reprimanded the Council as parents of the City for not saving every dollar.

Interim City Manager Sarah Newcomb expressed appreciation to the public for cleaning up the riverfront area. She clarified that the decision to include at the last meeting the consultant on storm water was not Mike Guerra acting alone. After being scheduled but inadvertently left off the agenda, it was prudent to allow the gentleman to speak after traveling a great distance.

Police Chief Dossey informed the council and public that the first of 7 educational videos for the public component on dealing with heroin addiction was posted on the Department website. Activities in the department also have included the second live video virtual ride-along postings.

Council Member Luft reported that he and other members had viewed areas of brick streets that contained so much grass and weed that the curbs were covered into the streets. He asked if they could be sprayed and was told that the City could no longer spray per EPA regulations of stormwater into the sewer system. Mr. Guerra reported he would check the permit and talked to other municipalities concerning their practices. Council Member Luft asked for some resolve to the issue. He asked that a city limit sign be placed on Audubon. The Council Member commented that the City did need the right leadership in the right spot and that the Council should focus together on moving forward as Council Member Ritchason had pointed out at a previous meeting. He stated things run on routine instead of passion and the need to get out of. There needed change of sense of entitlement to sense of appreciation for community.

Council Member Abel asked that the attachment to the resignation of Denny Kief, the summary of economic development, be given to the new City Manager for review. He informed the staff that he had received concerns of the maintenance of the sidewalks and railings along the 14th Street ditch. The Council Member spoke of the social media postings charging the staff and Council of blackmail and bribery. He asked that the person using the inflammatory words to back off and to come to a Council Meeting for face to face confrontation.

Council Member Ritchason announced a reminder that Saturday, July 30, 2016 was the St. Jude Run and asked that drivers be cautious and extended kudo's to all participants. He encouraged the public to donate a few dollars.

Council Member Golden expressed concern or questioned the following:

- After requesting copies of engineering agreements he noticed the City continues to violate procurement and contracting ordinance and statutes. The City Engineer did not have the authority by delegation of the Council or in the job description to enter into contracts without Council approval. He pointed out that the contracting ordinance was not followed on two Farnsworth Engineering agreements, one Midwest and the "rain tax" consulting agreement. He questioned what was being done to correct this.
- He questioned why the property on Mall Road was only part demolished, floor joint remained, and who did the City pay for the demolition?
- The Council Member pointed out several concerns he had in comparing the 1995 ADA Transition Plan and reviewing the Public Right of Way Accessibility Transition Plan for the City of Pekin 2016. Public comments would be taken on Tuesday, August 9, 2016 at a Public Meeting. He questioned that the new plan did not address public right of way. He questioned if the Engineer understood cost was not a trigger for the technical and feasibility of implementation. Mr. Guerra noted the need to be fiscal responsible. He remarked that he had not received an answer to his question a year ago of how many ramps were completed with HUD money and where the annual City maintenance program was. He went on to questions the number of curbs identified and the $40,000.00 annually proposed from HUD and MFT programs. He stated he could not consider talking about a rain tax when requirements for Federal funds had been mismanaged.
- In regards to the GovHR City Manager search, he requested to see resumes of applicants that had been eliminated and the selection criteria for that action. Council Member Orrick stated he had discussed the topic with the Interim City Manager and had requested applications with personal information redacted. Council Member Abel questioned why the need to review applications at this point. That was why the company was hired or the City could have completed the hiring.
- Calming strips were requested at the bottom of Sierra hill on each side of the golf cart path.

- Requested ordinance for stricter enforcement for violating the use of cell phones. Ms. Newcomb responded that the staff was working on the issue. The violation would be in the new adjudication ordinance and the police department had just completed compliance check in the City. The Council Member suggested those that break the law pay for the maintenance of streets.

Mayor Pro Tem Orrick referring to the annual membership to the PPUATS membership, stated that the City had really gotten the money back with projects such as intersections of 14th Street and Derby; 14th Street and Park Avenue; and 14th Street. He suggested to the staff that on the RFCA engineering fees and if public works projects were bid out be a check box on the form.

No further business to come before the Council, motion by Council Member Luft that Council adjourn. Motion carried voice vote. Mayor Pro Tem Orrick adjourned the meeting.

COUNCIL ADJOURNED AT 6:55 P.M.

Sue E. McMillan
City Clerk