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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
CITY HALL COUNCIL CHAMBERS
111 SOUTH CAPITOL STREET
PEKIN, ILLINOIS 61554
ON MONDAY, JULY 11, 2016 AT 5:30 O'CLOCK P.M.
JOHN MCCABE, MAYOR PRESIDING

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

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Mayor McCabe asked for a moment of silence in respect for the 5 police officers ambushed in Dallas July 7, 2016.

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

Roll was called and all Council Members were present. A quorum was declared.

AGENDA

Motion by Council Member Dunn, seconded by Council Member Ritchason that the agenda be approved as presented. Council Member Golden asked that the Mayor keep the presentations to a 5 minute limit has it was to the public input time.

MINUTES

Motion by Council Member Luft, seconded by Council Member Orrick that the **minutes of the Regular City Council Meeting of June 27, 2016, be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT

John McNisch referred to the May 2016 Police Officer Stats reports and questioned why 2 officers had 61% of the tickets issued and the reason for reporting racial profiling. Police Chief John Dossey responded that the officers were assigned to traffic duty. He responded that every Illinois law enforcement agency was required to submit racial profiling information and data from traffic stops by State Statutes. Mr. McNisch asked the Council to take a closer look at the contract for HVAC of the City owned building, noting that $78.00 per equipment piece was low for maintenance and filter charge.

Ann Witzig made comments on various items contained in the Council packet

- Non supportive of increased wages contained in the Police contract
- Asked for examples of where the funding money went from the CAPER other than administration salaries
- In response to Liquor Commission minutes reporting discussions of limiting gaming establishments, she asked Council to protect the businesses here already established.

Elaine Richey spoke in opposition to increasing expenses by the purchase of wireless communication system for the bus department when the present radio system was sufficient

CONSENT AGENDA

Motion by Council Member Orrick, seconded by Council Member Ritchason that the **CONSENT AGENDA be approved as presented. Council Member Golden asked that item 7.2 Receive and File Petition for annexation be removed and placed under New Business for discussion as 11.8.** The following was read and presented by Mayor McCabe for consideration of the Consent Agenda items by Omnibus Vote.

7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports and Minutes: Police Report for May; Liquor Commission Minutes dated June 23, 2016; and Pekin Public Library Annual Report.		5

7.3 Receive and File: Parkway Drive Drainage Sidewalk Reconstruction Project		3
7.4 Resolution No. 31-16/17 – Illinois Transportation legislative Initiative Resolution of Support to Benefit the Economy & Citizens of Illinois		1

On roll call vote all present voted Aye.

EXECUTIVE SESSION
Motion by Council Member Abel, seconded by Council Member Luft that the Council move to Executive Session at 5:46 p.m. to discuss **5 ILCS 120/2 (c) 2. Collective negotiating matters between the public body and its employees or their representatives, or deliberation concerning salary schedules for one or more classes of employees.** On roll call vote all present voted Aye.

The full Council returned to open session at 6:10 p.m.

Motion by Council Member Abel, seconded by Council Member Ritchason that the **AGREEMENT BETWEEN THE CITY OF PEKIN AND PEKIN POLICE BENEVOLENT LABOR COMMITTEE MAY 1, 2015 – APRIL 30, 2019 be approved.** Interim City Manager Sarah Newcomb presented the history and summary of talks with the union. She reminded the Council that the tentative agreement was signed December 2015, voted down February 2016, after which arbitration process followed and mediator met with the City and Union June 2016. In mediation the Union proposed 2.5% each year and dropped additional longevity, discussed terms and vacation issues. The agreement increased the term to a 4 year contract, Council Member Golden stated he would be voting no, consistent with his vote on the previous Fire Contract. He told Council the jobs paid far more than the average person in Pekin made. The Councilman said he wanted to see any public sector employee say they were just satisfied and not ask for increases. Attorney Patrick Murphey told the Council the negotiations were one of the most challenging of his career. On roll call vote Ayes, Luft, Dunn, Abel, Ritchason, McCabe; Nays Orrick, Golden. Motion carried.

COMMUNICATIONS, PETITIONS, REPORTS
Salvation Army Major Jesse Collins met with the Council to speak more about the Salvation Army's Harold J. Rust Transitional Center. The Major told the Council that the Center opened in 2002 as a shelter for those in need required renovation and was closed for a few months for those improvements to be completed. He spoke of the budget deficit, reduced funding and the decision to only be able to house single women and family units as their primary focus. Council Member Golden questioned the change as a discriminatory act. The Major explained the reduced level of service was a financial issue not an issue of discrimination against single men. A barrier costing $140,000-$200,000 in the shelter to separate the facility for single men would be necessary for safety. The Peoria facility was offered as the option for single men. Council Member Golden argued his opinion with comparisons to race discrimination.

QUARTERLY FINANCIAL REPORT presented by City Treasurer James Wolf.
Mr. Wolf presented documentation for his report for budget performance of the year Ended April 30, 2016 (Pre-Audit) Revenues over Expenses – All City Funds; Major Revenue Sources; Investment Earning
The Treasurer explained to the Council Members and the public his format for presenting a quarterly report. He noted items highlighted in orange received supplemental comments and would be explained. The following were heard by Council:

- Without a source of funding the storm water department continues to draw down on the General fund resources
- The Solid Waste Fund numbers continue the shortfall in revenue resulting in a loss. Since the fund has no reserves it draws on the General Fund to finance it losses
- Restaurant / tavern food and beverage taxes show continued growth over the years

Also included in the handout was a Major Revenue Sources Report comparing fourth quarter results from 4/30/12 – 4/30/16 and a Departmental Budget Verses Actual Report. Mr. Wolf disseminated to the Council a copy of his personal invoice from Waste Management showing a person outside the City pays $36.03 for solid waste compared to $12.00 charge to the City residents. In response to the quarterly report numbers, Council Member Golden suggested eliminating tourism and economic development.

STORM UTILITY
Douglas Noel P.E. a representative from AMEC Foster Wheeler, presented in a powerpoint presentation a Summary of the Tri-County Regional Planning Commission Regional Stormwater Utility Feasibility Study. The outline included the project overview, cost of service, revenue sources for stormwater management. He shared information regarding rate basis of impervious surfaces for enacting a stormwater utility fee. Council Members Orrick and Luft were not supportive of a fee.

UNFINISHED BUSINESS
Motion by Council Member Ritchason, seconded by Council Member Dunn that the **PURCHASE OF CELLULAR PHONE EQUIPMENT BE REMOVED FROM THE TABLE.** On roll call vote, Ayes, Luft, Dunn, Abel, Ritchason, McCabe; Nays, Orrick, Golden. Motion carried.

Motion by Council Member Ritchason, seconded by Council Member Dunn that the **PURCHASE OF CELLULAR PHONE EQUIPMENT on the Verizon Account for push-to-talk service in an amount not to exceed $10,000.00 annually be approved.** Council was advised the action would authorize a onetime budgeted amount of $35,000.00 for push-to-talk kits from AdvanceTec and add to the City Verizon account the push-to-talk service not to exceed $10,000.00. As requested by the Council, complete documentation was provided on the return of the request to purchase the equipment. Discussion followed on the comparison of the continued use of current radios and the $12,000.00 charge to re-install and reprogram to the new busses. Council was also advised that Verizon Wireless held the primary cellular service contract with the State of Illinois joint purchasing agreement which insured the best cost. Other advantages over the current radio system were discussed: exceeded coverage needs and was tested by the bus department employees; improved safety for the students and employees; allowed for multiple conversations; DOT hands-free approved. Council Members Dunn, Abel and Mayor McCabe in support of the purchase spoke of the 4000 plus ridership and the number one concern for children's safety. Council Member Luft addressed several concerns and questions to Ty Whitford Superintendent of Transportation, and John York Assistant in the Bus Department. Council Member Luft asked if they were consultant for Tyler Technologies. Mayor McCabe called the questioning out of order. Council Member Ritchason asked for the floor and addressed the full Council with the desire to move forward in their administration of City business. Council Member Orrick spoke in opposition to investing more money into bussing that the City needed to get out of. Council Member Golden noted he had not heard one complaint from the bus drivers on the radio system from ENS. Council Member Luft agreed not knowing the future of the department he would be voting no. He suggested supplying the traveling buses 6 cell phones to insure communications coverage. On roll call vote, Ayes, Dunn, Abel, Ritchason, McCabe; Nays, Golden, Orrick, Luft. Motion Carried.

NEW BUSINESS
Motion by Council Member Golden, seconded by Council Member Ritchason that the **CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT for Community Development Block Grant Entitlement, May, 1, 2015 – April 30, 2016 be approved.** Community Development Director Pamela Anderson presented the yearly evaluation stating the accomplished goals and performance measurements. The document was on public review from June 20-July 8, 2016 and a public hearing held July 7, 2016. She highlighted information contained in the full document that was available on line for the Council by summarizing the following:

- Funds available $681,511.30 / $296,419.07 expended
- $77,425.80 expended for eligible administrative costs
- Rehabilitated 5 owner occupied housing units
- 4 Not-for- profit agencies completed 8 public service activities benefitting 562 individuals
- Human Rights Committee focused on variety of cultural equity events
- Mayor's Advisory Committee for Persons with Disabilities participated in the Wellness Day at the high school, worked with Citi Link, Tazewell County Emergency Preparedness
- Five Day 1 workshops (95 attended) One Day 2 work shop (49 attended) Bridges Out of Poverty

Council was told Mrs. Witzig's public comment question was answered as to examples of who had benefitted from the expended funds. Ms. Anderson advised that the social services funding to the Salvation Army from the plan was not used as taxpayer money for the shelter as indicated earlier in the meeting. Council Member Abel suggested the funds be considered for relocating the flooding victims residing on Jane Street. Council Member Orrick noted he had attended Day 1 and was looking forward to attending Day 2 Bridges Over Poverty. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason, McCabe; Nay, Golden. Motion carried.

Motion by Council Member Golden, seconded by Council Member Orrick **ALL BIDS OPENED JUNE 28, 2016 FOR THE PARKWAY DRIVE DRAINAGE SIDWALKS RECONSTRUCTION PROJECT** be rejected. City Engineer Michael Guerra advised the Council that the project was to remove and replace the sidewalk bridge across tributary to Brentwood Ditch on Parkway Drive behind Pekin Insurance. Due to lack of bidders, Aupperle & Sons, Inc., Otto Baum Company, Inc., Laverdiere Construction, In. and amount over estimate, he recommended to the Council to reject all bids and to allow the staff to review plans and specifications, for costs savings to the project to rebid. Council Member Golden questioned and was addressed by the City Engineer as to Midwest Engineering Associates, Inc.'s estimate and percentage of design. On roll call vote all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Orrick that the **CONTRACT WITH HOERR CONSTRUCTION, INC.** in the amount of $74,610.00 for the Hecker Court Sanitary Sewer Lining Project be approved. Approval was given by Council for the project to line the 8" sanitary sewer, manhole and service laterals to the edge of right of way for Hecker Court in the amount of $74,610.00 and award the contract to Hoerr Construction Inc. on June 27, 2016. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason, McCabe; Nay, Golden. Motion carried.

Motion by Council Member Dunn, seconded by Council Member Orrick that the **CONTRACT WITH STANDARD HEATING & COOLING for HVAC of City owned properties in the amount of $13,936.00 be approved.** Approval was given by Council for the annual maintenance of the HVAC components on all City owned buildings in the amount of $13,936.00 and the award of the contract was given to Standard Heating & Cooling on June 27, 2016. It was noted that a term and condition on Page11 of the agreement indicated Standard Heating & Cooling was not responsible for the maintenance, cleaning of air passages, grilles, and air balancing of the systems. Further discussion followed on the term length, option extensions and percentage increases. Motion was then made by Council Member Luft, seconded by Council Member Orrick that the Contract be amended by striking D. on page 11. On Roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason, McCabe; Nay, Golden. Motion carried. Council Member Golden indicated he would be voting no on the fact the contracting document was full of mistakes and too sloppy. Roll was called on the motion to approve the contract as amended. Ayes, Orrick, Luft, Dunn, Abel, Ritchason, McCabe; Nay, Golden. Motion carried.

Motion by Council Member Luft, seconded by Council Member Orrick that the **BID FOR CAPITOL STREET TO 5TH STREET ALLEY SEWER LINING PROJECT** in the amount of $355,340.00 be approved and the contract awarded to Hoerr Construction, Inc. Bids opened June 21, 2016 and received and filed June 27, 2016 for lining combination sewer, manhole and service laterals connection for alley between Margaret Street and Court Street from Capitol Street to 5th Street. City Engineer Michael Guerra recommended the approval of the low bid and award the contract to Hoerr construction in the amount of $355,340.00. Mr. Guerra informed the Council that the number of lateral connections played a part in the high costs. Council Member Orrick suggested using TIF dollars for the project. Council Member Golden inquired about the AE Design Firm's retainer agreement. On roll call vote Ayes, Orrick, Luft, Dunn, Abel, Ritchason, McCabe; Nay, Golden. Motion carried.

RESOLUTION NO. 32-16/17

RELATING TO TERMINATION OF PARTICIPATION BY ELECTED OFFICIALS IN THE ILLINOIS MUNICIPAL RETIREMENT FUND

Motion by Council Member Orrick, seconded by Council Member Abel that Resolution No. 32-16/17 be adopted. City Manager Sarah Newcomb advised the Council the City had been in IMRF since 1949 and had adopted 1000 hour standard in 1995. While preparing for an audit with IMRF, the City was asked to confirm the eligibility of the Mayor and Council of "normal hours expected for the positions" and to complete Resolutions of IMRF form 6.64T. It was determined Mayor by Resolution No. 32 and Council Members by Resolution No. 33 did not meet the standard or 1000 hours. On roll call vote all present voted Aye.

RESOLUTION NO. 33-16/17

RELATING TO TERMINATION OF PARTICIPATION BY ELECTED OFFICIALS IN THE ILLINOIS MUNICIPAL RETIREMENT FUND

Motion by Council Member Orrick, seconded by Council Member Abel that Resolution No. 33-16/17 be adopted. On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Ritchason that the **PETITION FOR ANNEXATION BE RECEIVED AND FILED.** Council discussed the location in the request from Nancy M. Moessner for a parcel of land contiguous to her Valley High Drive property in Kriegsman Subdivision. On roll call vote all present voted Aye.

THE PUBLIC WAS GIVEN THE OPPORTUNITY BY THE MAYOR TO BRING FORWARD issues, matters of concern, comments and questions. The following people addressed the Council:
Ann Witzig and Elaine Richey.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Manager Sarah Newcomb reported to the Council that she and the City Engineer were finalizing figures and the process they would pursue in the matter of North Pekin waste water billing as requested by Council. Council Member Golden also requested that copies of all billings from Corporation Counsel's law firm be provided. He expressed his opinion that the provisions in the agreement should be followed in regards to arbitration.
Council Member Abel noted the weeds at the west corner of Parkway and Court needed attention by the owner.

No further business to come before the Council, motion by Council Member Golden that Council adjourn. Motion carried viva voce. Mayor McCabe adjourned the meeting.

COUNCIL ADJOURNED AT 10:20 P.M.

Sue E. McMillan
City Clerk