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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 S. CAPITOL ST
ON MONDAY JUNE 12, 2017 AT 5:30 O'CLOCK P.M.
JOHN MCCABE *MAYOR * PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was let by Mayor McCabe.

ROLL CALL

All members were present. A quorum was declared.

Attendee Name	Title	Status	Arrived
James A Schramm	Council Member	Present	5:14 PM
Michael Garrison	Councilman	Present	5:13 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:14 PM
John p Abel	Council Member	Present	4:57 PM
Michael Ritchason	Council Member	Present	5:13 PM
Mark Luft	Council Member	Present	5:23 PM
John McCabe	Mayor	Present	5:22 PM

APPROVE AGENDA

3.1. Motion to: **Approve Agenda**

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Schramm, Orrick, Abel, Ritchason, Luft, McCabe
AWAY:	Michael Garrison

APPROVAL OF MINUTES

4.1. **City Council - Regular Meeting - May 22, 2017 5:30 PM**

4.2. Motion to: **Approval of Minutes**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Michael Ritchason, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

COMMUNICATIONS, PETITIONS, REPORTS

5.1. **Business Analyst Presentation**

Kathryn Shackelford was asked by City Manager Tony Carson to give more information on the Business Analyst presentation and the advantages it gave the City in attracting new businesses. Ms. Shackelford informed the Council that based on previous discussions and public comments that the City had found economic development to be a priority. Work had begun with ESRI Business Analyst, a tool to understand local market conditions, to respond to developer's inquiries, and to focus on attracting and retaining new business. Bushiness

Analyst would allow the City to perform work internally at a fraction of the cost would be to utilize a consultant. Ms. Schackelford introduced Dan Newcomb to demonstrate the product from a vendor the City used for GIS. He advised the software would help the City zero in on best locations, for an example restaurants or retail, and focus on what might best be suited for our community environment by using data collections. Mr. Carson advised the Council that the subscription was $500 compared to a company such a Buxton. The program is able to be used for future work in partnership with developers and business to continue to have the City of Pekin name out there because of the skilled staff the City employs.

5.2. Destination Imagination
Mayor McCabe recognized the achievements of Destination Imagination and asked that the communication item be postponed until someone from the team was available to attend a Council Meeting. He next asked Fire Chief Kurt Nelson to inform the Council and public of the exceptional services awards received by three firefights. A Life Saving award from the State of Illinois was received by Trent Reese and Josh Graham. (clerk note: not Terry Tatum as announced) Patrick Finn was honored with Firefighter of the Year Award. Appreciation for their efforts was extended and they were asked to attend a future Council meeting for proper recognition.

PUBLIC INPUT

Jim Mangan told the Council he appreciated Council Member Luft's efforts to get employee residency topic on the agenda. He suggested a first amendment to the matter would be to have a written legal plan in to eliminate deviations. He next suggested the Council approve that nonresidents pay the current tax rate of the City if unable to move into the City until attrition would take over and all employees would be required to live in the City.

Steve Schroeder President of Labors Local 231 and delegate to Midwest Building Trades, ask Council for their unanimous support for Resolution No. 52-17/18 Annual Prevail Wage Resolution to protect wages of workers.

Rick Hilst spoke to New Business item 8.6 regarding visitors' grants. He questioned if the $12,021 was from the expenses eligible for reimbursement or also contained expenses submitted for consideration.

Elaine Richie stated Mr. Mangan had a good point on suggesting nonresident pay an estimate of City real estate taxes but questioned how would the public ever know in the amounts were paid by the employee.

John McNish spoke in support of Council Member Luft bringing residency to Council's attention. He felt the City had to start getting people back into the community.

CONSENT AGENDA

7.1. Police Department Stats April 2017

7.2. Resolution No. 53-17/18

7.3. Motion to: **Approve Consent Agenda**
Approval of the appointment of Mark A. Rothert as the Alternate to the PPUATS Policy Committee and Police Department Stats April 2017 were read and presented for consideration of the Consent Agenda by Mayor McCabe and approved by Omnibus Vote.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Council Member
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

NEW BUSINESS

8.1. ANNUAL PREVAILING WAGE RESOLUTION NO. 52-17/18

City Manager Tony Carson advised the Council that the City complies annually with requirement of the Prevailing Wage Act to pay labors employed on Public Works projects no less than similar wages for work in the county where performed. During the month of June the City accepts the IDOL rates for Tazewell County by resolution. Modifications were made this year to include language of participation in apprenticeship and training programs for construction contracts in excess of $100,000.00.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Michael Garrison, Councilman
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.2. 2017 Ledgestone Insurance Open

Council was asked to consider a $10,000 sponsorship for the Ledgestone Disc Golf Event at 9 local golf course, 2 of which were in Pekin in August. Nate Heinold and Seth Friedrich addressed the Council and answering questions the members had regarding hotel stays tracking and obtain exact figures and benefits received by the City by sponsoring the events in addition to last year's PACVB's captured analysis of $5 million dollar impact. Council Members Ritchason and Abel spoke in support of the event and the contribution.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mark Luft, Council Member
SECONDER:	James A Schramm, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.3. First Amendment to Site Lease Agreement No. 371069 GTP Acquisition Partners II, LLC PIN 11-11-07-103-022

Mr. Carson advised the Council that he had negotiated two existing leases of cell towers located at East Side Fire Station and at the Wastewater Treatment Plant both scheduled to expire November 30, 2019. The first lease presented contained terms for 4 additional 5 year renewals and in consideration of signing a onetime payment of $50,000. December 1, 2017 the monthly rent would increase to $1,620.65 with a 4% increase each year. He told the Council the City would receive additional payments for other carriers renting space on either tower at the rate of 25%, 33%, and 50% first, second, and third additional carrier respectfully.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.4. First Amendment to Site Lease Agreement No. 371068 GTP Acquisition Partners II, LLC PIN 04-04-34-436-010

Mr. Carson next advised the Council of the second negotiated existing leases of cell towers located at the Wastewater Treatment Plant scheduled to expire November 30, 2019. The second lease presented contained terms for 5 additional 5 year renewals and in consideration of signing a onetime payment of $60,000. December 1, 2017 the monthly rent would increase to $1,620.65 with a 4% increase each year. He told the Council the City would also receive additional payments for other carriers renting space on either tower at the rate of 25%, 33%, and 50% first, second, and third additional carrier respectfully.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.5. Ordinance No. 1462-A351-17/18 Amending the Traffic Code of the City of Pekin Chapter 4 - Stopping, Standing & Parking Section 8-4-1: No Parking Places D. Restricted Parking

Recomendation of the Traffic Safety Committee was requested from citizens at the May 5, 2017 TSC meeting regarding no parking signs that had been in place from the '90s on 13th Street. It was decided no parking was not necessary with the large parking lots the hospital offered. Council was asked to eliminate the signs in concern Park Avenue to Martha Street and to remove the provision in the Traffic Schedule in the Code. Chairman Kurt Nelson responded to Council's question that the Ordinance did not change the parking references in the Code for Center Street.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mark Luft, Council Member
SECONDER:	James A Schramm, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.6. Request to Finance ASA Overnight Visitors Grants

Kathryn Shackelford, City Planner, recommended approval of the Council for 3 separate Overnight Visitors Grants in the amounts of #3,846.67, $4,344.67, and $3,830.00 to the Amateur Softball Association of Illinois pursuant to the grant award guidelines that took place in January and February. The tournaments brought a total of over 3750 out of town residents and occupied 660 Pekin area hotel rooms.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John P Abel, Council Member
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.7. Ordinance No. 2766-17/18 Amending the Code of the City of Pekin Title 3 Chapter 3 - Basset Training

Request was made by the Police Chief Dossey for the Council to amend the Liquor Code to include Beverage Alcohol Sellers and Servers Education Training (BASSET), a program for liquor servers and sellers mandated by the State of Illinois effective July 1, 2017. The training teaches responsibilities to servers and sellers as it applies to serving alcoholic beverages to the public. Deputy Chief

Don Baxter advised the Council that officers had been trained for the City to provide initial training to Pekin liquor establishments to be in compliance.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Orrick, Abel, Ritchason, Luft, McCabe
NAYS:	Michael Garrison

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

9.1. Discussion Residency

At the request of Council the City Manager began the discussion of residency requirements of employees of the City. Mr. Carson told the Council that residency was a prerogative of the Council and policies could remain the same of be changed except for union employees already bargained for through the terms of the agreements. He indicated in hiring the most qualified applicants are sought and notices always include the City's residency requirement of 12 months to establish residency. Presently nonunion employees have a 10 miles radius of the corporate limits and in addition positions of City Manager, Assistant City Manager, Public Works Director, Operations Supervisor for Public Works, Superintendent of Transportation, Police Chief and Fire Chief are required to live within the corporate limits. Each Council Member was given the opportunity to address the matter. Comments received:

Council Member Luft

Questioned if there existed any employee where the policy was not enforced and was told there was no one who did not abide by the policy. The member stated it was important that anyone having decision making responsibilities to live within the community. What was important on the topic was not comparisons to other communities but what was best for our community. He requested that names of employees be placed on the flow chart department descriptions.

Council Member Abel

Questioned if it was legal to require an employee to pay their share of taxes that did not live in the City as suggested by the public. It was Attorney Burt Dancey's opinion without further research it may not be legal to change a policy for existing employees but moving forward with a changed policy to require a payment for non residency could be implemented. Council Member Abel was told that there were over 300 City employees and that the discussion of residency only affected 8-10 non union positions.

Council Member Orrick

Spoke in support of a policy that all department heads live within the City and should hire those that want to be part of our community. He asked that the flow charge of positions reflect the present employee departments.

Council Member Ritchason

Questioned why the matter was addressed 6 years ago listing specific positions required to live in the City and was told the policy was updated to bring inline with the 10 mile radius to mirror the union contracts for residency. He agreed that through attrition that all employees live within the corporate limits.

Mayor McCabe

Reiterated that the Council makes the actual final decisions on such things as fees, taxes, code changes. Using their judgements, the departments suggest and/or recommend financial decisions. He recommended more discussion and review before acting on a new policy.

9.2. Discussion for Permit Fees

City Manager Carson thanked the Council for bringing forward the discussion issue in order to make the public aware of fees. He indicated residents had asked what recourse they had through the City when they had issues with roofers' who prey on the elderly. As of May 1, 2017 the Inspections Department began enforcement of the International Building Code policy for permitting roofing by charging exiting permit fee schedule in the City Code. All roofers were properly notified in advanced and some had voiced appreciation for the actions taken in helping to keep non licensed companies from doing the work. Mayor McCabe voiced his opinion that the Council had asked on numerous occasions complaints received that code enforcement had not been consistently applied in the past. The actions taken were of benefit to the community. Council Member Orrick disputed that the fee was actually a tax that should have come through the Council with public input for approval. It was Attorney Dancey's opinion that the Council's prior approval of BOCA gave the power and the authority to enforce the Code based on the prior approval of the fee schedule. Council Member Orrick stated he was not against protecting the community but felt the way the actions took place were wrong.

The public was given the opportunity to address the Council with concerns or comments.

Randy Price voiced opposition to reducing investigators positions. He felt the continued Heroin Initiative was good but did nothing for the sellers of drugs.

Steve Peterson, Business Manager Roofers Local 69, told the Council of the "storm chaser" complaints he receives and thanked the Council for enforcing the roof permits.

Jim Mangan distributed 5 pages of an issue to the Council regarding Mr. Schramm's qualification to serve on the Council. He voiced concern that the Liquor Commissioner, City Clerk, Attorney, and Council failed to do their job in receiving proper documentation of his release of his liquor establishment. He asked Mayor pro-tem Orrick to start proceedings for censure of the Mayor.

Rick Hilst stated his concern that his questions were no longer accepted by the Manager to be answered. He requested to be placed on the next Council Agenda under Communications and Reports to address his issues on the Efficiency Study, Transparency Site, Budget Detail and miscellaneous item.

John McNish commented on several concerns listed as a "black cloud" over City Hall.

PACVB member allowed to vote instead of abstaining on a $25,000 membership.

Residency in Employee Handbook changed in 2011 by the Human Resources Department resulting in HR Director no longer required to live in City.

ADA ramps matter in Sunset Hills that had been brought before the Council was performed by a landscape company.

Voiced support for Mr. Mangan's comments on Council Member Schramm and the Mayor's censure.

Requested that Attorney Dancey quit walking through the grass in front of City Hall to enter the building.

Ann Witzig comment that all department heads should live in the City. Council should write ordinances that are clear. Opposed reducing police to hire new employees. State riverfront could be beautiful. Comment that the City needed true true management people.

Elaine Richie Questioned if her family member needed a permit if putting a roof on her house. Voiced concern for that requirement if we don't charge HUD for the roofing projects on 14th Street. Felt their was concern that employees were told there would be consequences if they talked to Council Members.

City Manager Carson told the Council that there was need to get the positives of Pekin out to the community. In that effort he told the Council of the private investment dollars recently made in the Industrial Park, 72 new jobs, 7 new businesses in the City.

Attorney Dancey advised the Council that Mr. Mangan was distorted and wrong in his interpretation of the laws and Code regarding Mr. Schramm's ability to serve on the Council. Council Member Schramm was elected by the public. There were procedures established by the State Board of Elections in disqualifying a candidate for office done by the public.

Council Member Ritchason requested the Council begin a Strategic Plan to discuss what the Council wants this City to become. He ask that setting that time be a priority. Council Member Orrick agreed and made a motion to set the date by agenda item at the next meeting of the Council. Council Member Luft seconded the motion. Short discussion followed on who should attend the meeting. It was suggested by Council Member Luft to possible include committee members and members of the public that attend Council Meeting frequently because of their interest.

Council Member asked and City Manager responded to a matter in the newspaper of City busses being washed in the summer by drivers at a cost of $188,000.00. council Member Abel also asked that incorrect comments made at Council Meetings be addressed at the meetings as the example Attorney Dancey did on comments made by Mr. Mangan regarding Council Member Schramm's ability to serve.

Council Member Luft asked that the photos and drapes be returned to the Chambers and possibly some means of blocking the sun from the Council Members' seats.

Mayor McCabe responded to the remarks made on reduced personnel. He encouraged the public to complete applications to be on the City Committees and Boards. The Mayor questioned and was told the Lease payments for the cell towers are placed in the General Fund.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

10.1. Motion to: **Move to Executive Session to discuss 5 ILCS 120/2 (c) 6. the setting of a price for sale or lease of property**

The Council moved to Executive Session at 8:23 p.m. with no anticipated action after.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

ADJOURN

The meeting was adjourned at 9:05 P.M. in open session. Motion carried viva voce.

11.1. Motion to: **Adjourn**