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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 TUESDAY, MAY 28, 2013, AT 5:00 O'CLOCK P.M.
LAURIE L. BARRA * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, MCCABE, HENDRICKS, GILLESPIE, GOLDEN, ORRICK, AND BARRA

ABSENT: NONE

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

Roll was called. All members were physically present. A quorum was present.

AGENDA

Motion by Council Member Gillespie, seconded by Council Member McCabe, that **the agenda be amended** by moving the Firefighter Presentation following the approval of the agenda. On roll call vote all present voted Aye. Motion by Council Member Gillespie, seconded by Council Member Abel, that **the agenda be approved as amended**. On roll call vote all present voted Aye.

Recognition was given to Pekin Fire Department Retirees Assistant Chief Steve Tibbs for 36 years of service and to Assistant Chief Sam Cretaro for 30 years of service.

Assistant Fire Chief Brian Cox introduced and recognized the achievements of Firefighters Matthew Rademaker and Steven Amstutz who had earned the Firefighter of the Year Awards.

MINUTES

Motion by Council Member Gillespie, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of May 13, 2013 be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Chuck McKeown, owner of Golf Green addressed the Council on the matter of the Lawn Maintenance Service Proposals. He told the Council he was in the lawn care business for 37 years and asked the members to consider when awarding a contract to a new business their ability to take on a large project.

Brandon Dentino, 2675 Allentown Road, spoke in support of his bid to be awarded the Lawn Maintenance Agreement. Mr. Dentino commented that the areas to be mowed and sprayed were not clearly marked on the map but was willing to submit his original numbers for the work. He stated he had adequate equipment and could save the City money as low bidder.

Jeanie Rattrig,701 Fisher Creve Coeur, spoke of her disappointment with the City in not having Veterans Memorial Cemetery mowed prior to her, a Velde Ford employee, and Brandon Dentino cutting the grass.

Employee Jeanie Barnes, 802 James, South Pekin, Il, addressed the Council regarding her opposition to contract out the lawn maintenance. She stated that the City Yard Crew who were also Bus Drivers had mowed for years. Because of their busing constraints this Spring there was a delay in cutting since the City only sent the top 5 workers out. Ms. Barnes also addressed the utilization of the crew to move offices, hang flags, perform snow removal. She asked Council keep the mowing service in-house.

Keith Gleason, President of the Teamsters, representing the union members of the Yard Crew spoke in opposition to the proposed action. He voiced concern if the decision was in response to anticipated cost associated with the healthcare act in reducing their hours. He indicated the employees of the group affected were single mothers.

CONSENT AGENDA
Motion by Council Member Gillespie, seconded by Council Member Hendricks, that the **CONSENT AGENDA be approved as presented.** Mayor Barra presented the following for consideration of the Consent Agenda items by Omnibus Vote.

7.0 CONSENT AGENDA
7.1 Receive and File Monthly Reports: Traffic Safety Committee Minutes dated May 3, 2013 and Police Department April Report.
7.2 Receive and File Planning Commission Minutes dated May 8, 2013.
7.3 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #05-1864-recommends approval of the Site Plan for the New Life Fellowship Church to relocate to 1010 Derby Street with a legal description of Lots 21, 22, 23 and 24 of Block 19 Pekin Gardens Addn. b. Hearing #05-1865-recommends approval of the Special Use for the New Life Fellowship Church to relocate to 1010 Derby Street with a legal description of Lots 21, 22, 23 and 24 of Block 19 Pekin Gardens Addn.
7.4 Receive and File Pekin Lawn Maintenance Service Proposals opened April 26, 2013.

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS
RULES AND REGULATIONS FOR THE RESIDENTIAL OVERNIGHT PARKING PROGRAM.
Police Chief Greg Nelson presented a Residential Parking Program evaluated at the Traffic Safety Committee level. He explained to Council the program would allow homeowners to park two vehicles on the street at a cost of $10.00 per permit. The fee would pay City costs for decals and administration of the program. He advised the plan was in response to complaints on crowded and narrow streets following the repeal of the light law based on state statutes requiring vehicles to have parking lights on. Council was told Pekin's enforcement morphed into the flashing yellow light in the back window. Traffic Safety felt the program would aid in the control of crime, navigation of large City vehicles, and ability to detect abandon vehicles.

Council Member Orrick had reservations about the proposal without having a map of proposed street. He expressed concern regarding the hardship that may be placed on older neighborhoods. Other Council Members questioned the amount of complaints received and if there were samples of other communities parking programs.

No action was taken.

NEW BUSINESS
Motion by Council Member Abel, seconded by Council Member Hendricks, that the **PROPOSAL FOR LAWN MAINTENANCE SERVICE be approved and the contract awarded to Dentino Lawn Designs.** Recommendation of the City Manager was present to approve mowing services of City owned properties including disposal of litter prior to mowing and removal of cutting debris after and award of the contract to Dentino Lawn Designs. Mr. Wuellner stated in response to examining ways to reduce costs staff had found that contracting out the mowing service could save the City $40,000-$60,000 per year. Contracting out the major mowing areas would allow the existing bus driver/yard crew personnel to be utilized on tasks of maintaining the riverfront, alleys, lift stations and smaller planting areas through town. Each Council Member was given the opportunity to speak to the matter. The Manager addressed concerns voiced by the Council regarding bidders work experience and history, purchase of proper equipment, time constraints in the Spring and Fall, and insurance costs. Council Member Hendricks spoke in support of the cost savings and getting the job done in a timely manner. Council Member Orrick noted the contract was for one year. The City would learn more about Affordable Health Care in the future. Council Member Golden questioned the time frame in the proposal and a breakout of employee costs missing to compare figures. He suggested a recommendation be resubmitted next year. On roll call vote, Ayes, Orrick, Hendricks, Barra; Nays, Golden Gillespie, McCabe, Abel. Motion Failed.

Motion by Council Member Abel, seconded by Council Member Gillespie, that the **SITE PLAN FOR THE NEW LIFE FELLOWSHIP CHURCH AT 1010 Derby Street** be approved. Recommendation of the Pekin Planning Commission was given for both Site Plan and Special Use to approve the layout to relocate a church on Lots 21, 22, 23 and 24 of Block 19 Pekin Gardens Addition. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Orrick, that the **SPECIAL USE FOR THE NEW LIFE FELLOWSHIP CHURCH AT 1010 Derby Street** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2680-13/14
AMENDING TITLE 1, CHAPTER 10, SECTION 2C
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING THE ENTERPRISE ZONE

Motion by Council Member Hendricks, seconded by Council Member Abel, that **Ordinance No. 2680-13/14 be adopted.** Leigh Ann Matthews Economic Development Director advise the Council the ordinance amends the term of the Pekin Area EZ in accordance with the State Enterprise Act 20 ILCS 655 by removing the specific date of May 31, 2016 from the language in the City Code. On roll call vote all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member McCabe, that the **TIF FAÇADE PROGRAM GRANT FOR CJ's at 404 Court Street be approved in the amount of $2,275.00.** Economic Development Director Leigh Ann Matthews presented the recommendation by the Pekin Main Street Design Committee to approve the eligible expense of $2,275.00 to the owners of the café building, Mary and Mike Smith, under the downtown revitalization program for replacing upper story windows. Council Member Hendricks questioned the application "to focus on operational costs" as being the goal of the façade program. Council Member Golden stated vinyl replacement windows did not meet his belief that the intent of the program was to preserve the architecture of a building. On roll call vote, Ayes, Orrick, Gillespie, McCabe, Abel, Barra; Nays, Golden and Hendricks.

Council Member Gillespie left the meeting at 6:15 p.m.

Two following agreements were presented to the Council for renewal approval.
Motion by Council Member Orrick, seconded by Council Member Abel that the **VEHICLE MAINTENANCE AGREEMENT WITH TAZEWELL COUNTY GOVERNMENT, approved.** On roll call vote, all present voted Aye.

Motion by Council Member Orrick, seconded by Council Member Abel that the **VEHICLE MAINTENANCE AGREEMENT WITH TAZEWELL-WOODFORD HEAD START approved.** On roll call vote, all present voted Aye.

ORDINANCE NO. 2681-13/14
APPROVING EAST COURT VILLAGE BORROWING

Motion by Council Member McCabe, seconded by Council Member Hendricks that **Ordinance No. 2681-13/14 be considered.** Assistant City Manager Darin Girdler explained that the ordinance provided Pekin Community Bank Council's authorization to obtain funds through loans to the City by the Bank. The Council had already approved the authorization to enter into an agreement with East Court Village, LLC for $2,000,000 for improvements to Bergners and additional capital upgrades to the Mall on December 10, 2012. Council Member McCabe expressed concerns in the original agreement that use of local contractors and union workers was not written into the contract. Council was advised the action before them was not the matter of the agreement but was to effectuate the City loan from the bank. On roll call to adopt the Ordinance, Ayes, Orrick, Abel, Hendricks, Barra; Nay, McCabe; Abstaining, Golden. Motion Carried.

<u>RESOLUTION NO. 71-13/14</u>
ILLINOIS DEPARTMENT OF TRANSPORTATION
FOR MAINTENANCE OF STREETS AND HIGHWAYS
11-00000-01-GM Supplemental MFT Resolution No. 93-10/11 April 25, 2011
Total Allocation General Street Maintenance $623,402.75

Motion by Council Member McCabe, seconded by Council Member Abel that **Resolution No. 71-13/14 appropriating additional $3,402.75 Motor Fuel Tax be adopted.** On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 72-13/14</u>
ILLINOIS DEPARTMENT OF TRANSPORTATION
FOR IMPROVEMENT BY MUNICIPALITY
96-00158-00-SP Supplemental MFT Resolution No. 293 December 22, 1997
Intersection Broadway Road and 14th Street

Motion by Council Member McCabe, seconded by Council Member Abel that **Resolution No. 72-13/14 appropriating additional $50,240.94 Motor Fuel Tax be adopted.** On roll call vote, all present voted Aye.

Motion by Council Member Golden, seconded by Council Member McCabe that **CHANGE ORDER NO. 2 WASTEWATER TREATMENT PLANT PHASES 2B in the amount of $91,296.00 be considered.** City Engineer Mike Guerra submitted for approval of the change which included 6 items and deductions for 2 items due to changes required once construction started and knowledge of existing conditions and purchases were verified. He explained the largest order for the packet was repair of Front Street due to installation of new sanitary sewer lines. Patrik Sheridan, Engineer Manager Farnsworth Group, Inc. was available to address questions of Council on the Wastewater Treatment Plant project. Mr. Sheridan answered Council Member Golden's concerns. Mr. Sheridan was asked to return with response to the question of recourse for errors and omissions. On Roll Call to approve the Change Order**,** all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Hendricks asked Mr. Wuellner to relay to the public the response he had given Council to the question of having audits done of the business licenses with the City. He reported that Treasurer Jim Wolf advised that the time needed to perform on site audit of hotel records and business licenses would require a contracted auditor. He felt the submittal of state tax forms along with City 2% payments forms on Food and Beverage and Package Liquor were sufficient.

City Manager Joseph Wuellner advised the Council and the public to reduce time and save costs he would present a change to the wastewater collection fees of quarterly billing for their approval to change the Code.

Council Member McCabe congratulated employees and the retired firefighters. On a personal note he also announced his retirement from Pekin High School District 303.

Council Member Abel questioned if there was a delay in VFW Road project bidding due to property acquisition at VFW and Towerline Road, than why not start on the other end. Mr. Wuellner explained IDOT would not start a project until all negotiated property was settled. IDOT and Ameren were working out the easement or purchase conflict.

Attorney Dancey responded to Council Member Orrick's question if prevailing wage had to be paid by contractors on government funded loans. It was Mr. Dancey's opinion that the loan did not carry with it the obligation to pay prevailing wage.

Council Member Golden questioned if the City was responsible for mowing alleys, if not and the yard crew had been performing the task, the City could realize a cost savings by discontinuing the practice. Mr. Wuellner responded that he would look into the matter.

Mayor Barra thanked the community for participation in the Memorial Day ceremonies. She also recognized the fire department on their efforts at the ICP fire and near explosion. She announced the first of two Goal Setting Sessions would be Tuesday, June 4, 2013 at 5:00 p.m.

City Engineer Mike Guerra announced that Sheridan Road would be closed for construction of Veterans Drive north and to watch for details of times.

Mr. Wuellner informed the public of the lane closures at 11th and Broadway. In response to a concern at the previous meeting, Mr. Wuellner confirmed all permits were entered into the system and work passed inspections for all code applicable to the Fire Department Training Center project.

Fire Chief Kurt Nelson thanked Adventine Renewable Energy, the Air National Guard, and City personnel among others that quickly aided the Fire Department in preventing a near explosion when lightning struck at Illinois Corn Processing plant during the week.

Police Chief Greg Nelson thanked Kroger for allowing the police to conduct their campaign to raise funds for Special Olympics "Cops On Top." The event raised $1,476.00.

Melida Heien, Pekin Main Street Director, spoke in support of Council's approval of the Façade grant to CJ's. She explained the organization's Design Committee's goal to preserve, restore and revitalize the downtown area through the TIF program whose funds are to be used for that purpose. Applicants are encouraged to use local contractors.

EXECUTIVE SESSION

Motion by Council Member Abel, seconded by Council Member McCabe, that the Council move to Executive Session at 7:25 p.m. to discuss 65 ILCS 120/2 (c) (11) Litigation, and 65 ILCS 120/2 (c) (6.) Acquisition of Property. On roll call vote all present voted Aye.

Council returned to open session. No further business to come before the Council, motion by Council Member Orrick, seconded by Council Member McCabe to adjourn. Unanimously approved by voice vote. Mayor Barra adjourned the meeting.

COUNCIL ADJOURNED AT 8:00 P.M.

Sue E. McMillan
City Clerk