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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, MARCH 14, 2016 AT 5:30 O'CLOCK P.M.
JOHN MCCABE, MAYOR PRESIDING**

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

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

The Mayor announced that it was brought to his attention there were some disturbances at the meetings and asked that everyone be respectful to each other if they agree or not with what others had to say.

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

**AGENDA**
Motion by Council Member Ritchason, seconded by Council Member Abel that the agenda be approved as presented. Council Member Golden pointed out that the agenda did not contain a business item that was legally motioned by himself and seconded by Council Member Luft to discuss revising the ordinance for duties of the Corporation Counsel. He indicated he would not be able to vote to approve the agenda. On roll call vote, Ayes, Orrick, Dunn, Abel, Ritchason, McCabe; Nays, Golden, Luft. Motion Carried.

**MINUTES**
Motion by Council Member Ritchason, seconded by Council Member Orrick that the **minutes of the Regular City Council Meeting of February 22, 2016 and the Special City Council Meeting of February 18, 2016 be approved as written.** On roll call vote all present voted Aye.

**PUBLIC INPUT**
Bob Bramham questioned if the attorney had a contract. Mayor McCabe stated that public input was for agenda items only at this point. He voiced his displeasure with the Council on the procedure issue for a call for the question or a vote at the last meeting for sponsoring the disc golf tournament. Mr. Bramham spoke in opposition to Council's consideration of $10,000.00 from the Hotel/Motel Tax Fund under Unfinished Business.

Michael Lutz spoke in support of the Community Development Block Grant Program as a means of removing lead paint and making homes compliant with building codes. As Re-hab Coordinator of the program since 2008, he informed the Council of 68 lower income households benefited from projects completed with CDBG dollars. Without approval of the 2016 Action Plan Pekin would lose a good source of income to assist residents with necessary home repairs.

Ann Witzig expressed her displeasure that CDBG dollars were allocated for Golden Arms sewer lines, storage sheds for Broadway Apartments. She felt the administrative salary expense was deplorable. Mrs. Witzig requested names for the contractors used for the re-hap projects. She was displeased that the discussion for an in-house attorney was not on the agenda; that the Liquor Commission Minutes for the February 11, 2016 meeting were not on the website; that CDBG dollars were not used for the flooding on the Southside as a disaster; and the Council understanding of what they were voting for at the last meeting in regards to stopping a Council Member from speaking or grant for disc golf tournament.

**CONSENT AGENDA**

Motion by Council Member Orrick, seconded by Council Member Dunn that the **CONSENT AGENDA be approved as presented.** The following was read and presented by Mayor McCabe for consideration of the Consent Agenda items by Omnibus Vote.

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| **7.1 Receive and File Monthly Reports and Minutes:** Draft Liquor Commission Minutes dated February 25, 2016; Police Department February Report; Traffic Safety Committee Minutes dated March 4, 2016; Tazewell County Animal Control February Report. |
| **7.2 Proclamation: "**Young Authors Week" Week of March 14, 2016 |
| **7.3 Resolution No. 17-15/16 –** Zoning Map of the City of Pekin |
| **7.4 Receive and File** Notice of Assignment of Agreement iTV3 Franchise Agreement to CountryWide Broadband LLC |

Mayor McCabe read noteworthy portions of the Proclamation "Young Authors Week." On roll call vote all present voted Aye.

**COMMUNICATIONS, PETITIONS, REPORTS**

**PRESENTATIONS**

**BAKER TILLY FOR EFFICIENCY STUDY FOR THE CITY OF PEKIN**

Representatives of Baker Tilly Virchow Krause, LLP, Caitlin Humrickhouse and Russ Hissom were asked by the Council to discuss at a meeting the proposal received by the City Manager before moving forward with a choice of providers of an evaluation of the overall efficiency and effectiveness of City operations in order to identify strengths and improvement opportunities related to organization, staffing, and management of City departments and offices. The company promoted their skills in providing clients an analysis to realize both improvements in service quality and significant savings in operational costs.

The following was presented in powerpoint form:

**Scope of Work and Work Plan Schedule**

- Work under the direction of a city's steering committee/project manager
- Phase 1 - Planning Information Gathering - Assess current state from available data provided
- Phase 2 – Analysis - recommendations, costs, risk levels to implement
- Phase 3 – Report Development and presentation

**Questions and discussion with Council**

- Employees could be surveyed
- 4 months to complete
- Steering Committee would be critical to the results. Request made for a member of the Council to sit on the Steering Committee
- The Council's visioning, goals, strategic plan would be needed to assess current state's effectiveness
- Deliverable for the study would be a report that identified improvements that could be implemented
- Gathered information written policies, budget documents, reports, bench marking, survey internal service departments, anything measurable,
- Baker Tilly has procurement/purchasing expert to analysis instances of fraud
- Initial findings in 2 months complete 4 months
- Project could include pension fund accounting process
- Company looks for root cause in sensitive personnel issues

**SEWER USER RATES**

For discussion of sewer user rates in relation to the Wastewater Treatment Plant, City Engineer Michael Guerra presented in a powerpoint outline for the following

1. Rates
2. Improvements
3. Finances
4. Recommendations
5. Consideration

He began by briefing the Council on the history of the rates that had been implemented and addressed in the City Code as debt service charge, user rate, capital improvement charge, winter averaging rate changes. He brought to Council's attention neighboring communities of Morton, Washington, East Peoria's fees as comparables. He told Council improvements to the WWTP and a LTCP for combinations sewers were required due to settlement with the Illinoi Environmental Protection Agency in 2009. He summarized the Plant's improvements, nutrient reduction for the permit, capacity, completed phases and the utilization of low interest EPA loans. Additional Combined Sewer Outfall reduction and phase 3 were explained. Charts indicating the financial status of the debt repayment, operating expenses and revenues and reserves needed were distributed for Council's options on recommendations for increased user fees, revised winter averaging, administrative fees, reduced billing cycles, consideration of North Pekin agreement, and/or penalties.

Several questions, comments and discussions followed:

Council Member Golden

- 2 vehicle at the plant (ATV). Off site locations vehicle needed N. Pekin plant, State Street lift station, prison facility
- Duties of the Utility Billing Supervisor for generating billings, collections, disconnects and the cost of the Chicago processing contract
- Review of rates and operations contained in the Sewerage Fund Financial Statements prepared by Jim
- Warning of comments projecting continued decreases in cash unless fees were increased and/or operating costs were reduced.
- No sustainable plan for maintenance

Council Member Abel

- Suggested elimination the $14,800 contract to Chicago company be eliminated
- North Pekin pay up on share of improvements per agreement

Council Member Orrick

- Questions on number of employees (5) and how personnel if reflected in the budgets for street employees working sewer projects
- If consideration was given the sewers under 4th Street before start of proposed street maintenance project
- Renters not entitled to winter averaging

Council Member Luft

- Questioned if research was done on incentives for senior discount

Council Member Dunn

- Felt it would take several of the options to accomplish the shortage projected.

**UNFINISHED BUSINESS**

Motion by Council Member Dunn, seconded by Council Member Orrick that the amount of $10,000.00 from the Hotel/Motel Tax Fund for **LEDGESTONE INSURANCE OPEN DISC GOLF TOURNAMENT** be approved. Administrative decision to issue a check from Hotel/Motel Tax Fund in the amount of $10,000.00 to sponsor the 6th annual tournament in the Greater Peoria Region with 2 courses of the tournament in Pekin including players' check-in location, host of dinner and festival. Mayor McCabe indicated due to procedural matters of a Council vote at the Regular Council meeting of February 22, 2016 roll would be called to confirm the approval of the $10,000.00 expenditure. On roll call vote, Ayes, Orrick, Luft, Dunn, Abel, Ritchason and McCabe; Abstain, Golden. Motion Carried.

**NEW BUSINESS**

**ORDINANCE NO. 2739-15/16**
**AMENDING CHAPTER 10 OF THE CITY OF PEKIN CODE**
**REGARDING A NEW ENTERPRISE ZONE**

Motion by Council Member Abel, seconded by Council Member Dunn that Ordinance No. 2739-15/16 be adopted. It was explained to the Council that the Enterprise Zone previously designated in the Code had expired. The amendment provided for the definitions, governance and administration requirements for the Southern Tazewell County Enterprise Zone. Council Member Golden referenced an editorial from the newspaper and indicated he would be voting no. He felt the creation of enterprise zones and the abatement of taxes were another gimmick for businesses to take advantage of the government. On roll call vote Ayes, Orrick, Luft, Dunn, Abel, Ritchason and McCabe; Nay, Golden. Motion Carried.

**RESOLUTION NO. 18-15/16**

**A RESOLUTION DECLARING A NEW ENTERPRISE ZONE**

Motion by Council Member Abel, seconded by Council Member Orrick that Resolution No. 18-15/16 be adopted. Pursuant to the requirements of the certified Intergovernmental Agreement for Southern Tazewell County Enterprise Zone, Leigh Ann Brown was appointed the City's Representative for the Administrative Board. The appointment would take effect with the Council's approval. On roll call vote Ayes, Orrick, Dunn, Abel, Ritchason and McCabe; Nay, Golden, Luft. Motion Carried.

Motion by Council Member Golden, seconded by Council Member Dunn that the **2016 ACTION PLAN COMMUNITY DEVELOPMENT BLOCK GRANT** be approved. Pamela Anderson, Community Development Director informed the Council that HUD required an Action Plan every year stating the needs, priorities, and plans for the upcoming fiscal year and performance measurements based from the Five Year Consolidated Plan. She stated public hearings were held regarding the projects and allocations and that no additional comments were received other than those received and recorded at the Council Meeting hearing on February 22, 2016. Questions were answered regarding the closing for the Salvation Army transitional center for building improvements. Council Member Luft stated that we live in a world of entitlements and felt a needed effort of the community to help out in some way. Council Member Golden commented that the administrative salary package being at $122,000 compared to the $425,000 to receive seemed to be a self-sustaining effort on the director's part. He questioned if the City had worked with local trades for homeowner improvements. He inquired about an effort to bring Habitat for Humanity into projects for the construction of homes. He felt there far too much dependency on the government. On roll call vote Ayes, Orrick, Luft, Dunn, Abel, Ritchason and McCabe; Nay, Golden. Motion Carried.

**ORDINANCE NO. 2740-15/16**

**APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES AND RELATED MATTERS**

Motion by Council Member Golden, seconded by Council Member Orrick that Ordinance No. 2740-15/16 be adopted. An ordinance authorizing the transfer of the City of Pekin's Volume Cap in connection with Private Activity Bond Issues and the Assist Program first time homebuyer program. Pamela Anderson advised that the City participated in the homebuyers program administered by Stern Brothers in Aurora, IL for 20 years. Council Member Orrick remarked that in 2015 there were 25 first time homebuyers that utilized the program. He spoke in support of the program's value to the City homebuyers. On roll call vote, all present vote Aye.

Motion by Council Member Orrick seconded by Council Member Abel that the **LAWN MAINTENANCE CONTRACT WITH GOLF GREEN** be approved. Interim City Manager Sarah Newcomb briefed the Council on a lawn maintenance contract. In March 2014 the City requested bids from outside vendors. The bid was awarded to Golf Green by the Council at the March 24, 2014 meeting. It was recommended to accept the current proposal from Golf Green for at least the fast approaching upcoming season for estimated cost of $120,000. It was felt with additional regulations on spraying and requirements for certifications for application, it would be more feasible for the City to use an outside vendor Acceptance of the proposal from Golf Green for the same pricing levels as the 2014 bid with an opt-out at any time. Advantages and disadvantages of accepting the contract were discussed.

City owned properties mowed in a timely manner

Golf Green ready to start – in-house after school bus season

Financial impact $124,934.04 vs an unknown of employee salaries/benefits procurement of lawn care equipment.

Council requested a copy of the auctioned equipment sold after the yard crew duties of the Bus Department teamster employees were not reassigned.in 2014.

Council Member Abel stated he had received numerous complaints on the appearance of City property and requested that the service be brought back in-house. Council Member Golden felt the City needed to seek additional proposals and review the expenses for reestablishing in-house. The Council next discussed including a clause in the agreement for the City to be able to opt-out of the contract at any time. Motion by Council Member Orrick seconded by Council Member Dunn that the **LAWN MAINTENANCE CONTRACT WITH GOLF GREEN** be amended. On roll call vote all present voted Aye.

Mayor McCabe asked that the vote be called on the motion to approve the amended contract. On roll call vote Ayes, Orrick, Dunn, Abel, Ritchason, McCabe; Nays, Golden, Luft. Motion carried.

**ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL**

Public Comments

Elaine Richey told the Council she worked for the City for 35 years before retiring. In referring to Pekin Complaint Department internet postings she stated employees were entitled to a cost of living raise. She voiced her displeasure that some of the Council Members had not returned her phone messages which she left with her concerns that an employee had misused the City credit card for a personal transaction. Mayor McCabe warned her to be cautious of speaking on personnel issues of individual's names and identity.

Jonni McDaniel told the Council that she worked for the City for 15 years and in her employee handbook it stated bullying would not be tolerated yet she had reported to Human Resources instances by her department head that were not handled. Mayor McCabe told Ms. McDaniel that it was his understanding the matter was dealt with and the person was held accountable.

Ann Witzig voiced her displeasure that the City paid $270,000 in legal fees; $14,800 to the Chicago company for wastewater bill processing, and a contracted amount to B & D for collections. She asked that the managers of the departments be held accountable for expenses. It was Mrs. Witzig's opinion that the money for 2 people for administering the CDBG program was too much. She requested Council to hire an in-house attorney and that the present attorney not be given a contract.

John McNeish requested the treatment plant's maintenance schedule. He questioned why the Chicago billing company would print return enveloped with the City's address for the return to sender area. He supported an efficiency study being completed and cost cuts.

Council Member Luft voiced his displeasure with the Interim City Manager. He questioned when the following issues were going to be addressed, gaming machines, budgets, policy meetings, camera and replay system for Council meetings to be understood by the public, more motions for layovers of agenda items until all information was given the Council to make knowledgeable decisions. Council Member Luft made motions and they were seconded by Council Member Golden that there be a quarterly budget meeting of the Council and one policy meeting of the Council a month.

Council Member Orrick requested that the policy be change only the Mayor making a recommendation to fill a vacant seat on the Council. He requested that the Liquor Commission minutes contain the premises addresses of delinquent liquor license holders. Council Member Orrick the code needed to be changed if that was what was needed to clean up the horrible looking property at Derby and Mechanics Streets. He supported the City issuing fines over filing liens against property to collect delinquent fees.

Council Member Abel brought to the attention of o the Council that Peoria was utilizing a State program IHDA in their efforts to stabilize neighborhoods by demolition of condemned properties. He encouraged the public to get out and vote.

Council Member Ritchason supported review of limiting video gaming establishments in the City. He asked for the status of the City Manager search.

Council Member Golden thanked the public for noticing that the vote at the last meeting was to stifle a Council Member from speaking. He asked how much the City paid in attorney fees. He recommended a bona fide in house City Attorney be hired. He felt inconsistencies in the City Code would be updated. He requested again that the discussion of the City Attorney be on the next agenda. In regards to the city manager search, Council Member Golden felt it was not moving in the right direction by not reaching out nationwide. He suggested advertisement be placed in Construction Specifications Institute and Americans Architect Institute publications. He requested a copy of the signed Pekin Hospital Agreement. He also requested the status of the pricing for new camera equipment for the A/V room.

**EXECUTIVE SESSION**

Motion by Council Member Dunn, seconded by Council Member Abel that the Council move to Executive Session at 9:15 p.m. to discuss **5 ILCS 120/2 (c) 2.** Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. On roll call vote, all present voted Aye.

The full Council reconvened in open session.

Motion by Council Member Orrick, seconded by Council Member Abel that the **TENTATIVE AGREEMENT WITH THE POLICE BENEVOLENT LABOR COMMITTEE** be approved. On roll call vote, all present voted Nay. Motion Failed.

No further business to come before the Council motion by Council Member Dunn, seconded by Council Member Orrick to adjourn. Motion carried viva voce. Mayor McCabe adjourned the meeting in open session.

**COUNCIL ADJOURNED AT 9:40 P.M.**

Sue E. McMillan
City Clerk