
**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, FEBRUARY 10, 2014 AT 5:30 O'CLOCK P.M.

LAURIE L. BARRA * MAYOR * PRESIDING

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

ABSENT: NONE

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 Hendricks that the **agenda be approved as presented**. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member Gillespie, seconded by Council Member Orrick that the **minutes of the Regular City Council Meeting of January 27, 2014 and the Special Council Meeting of January 30, 2014 be approved as written**. On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Robert Bramham, 2108 Velde Drive, stated that what he said at the previous Council meeting was not written in the Council minutes. Nothing was recorded other than Council comments.

CONSENT AGENDA

Motion by Council Member Gillespie, seconded by Council Member Abel 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: Building Department October, November, December, 2013 Reports.

7.2 Receive and File Proclamation: "Young Authors Week" Week of March 10, 2014 "Robot Days" February 27, 2014-March 1, 2014

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

**PRESENTATION CITY OF PEKIN ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED APRIL 30, 2013**

JAMES WARNING, WILLOCK WARNING & CO., PC spoke to the Council regarding the review of the completed audit. He presented a 7 page summary of his condensed remarks on the following:

Assets, Liabilities, Fund Balances

Cash & Investment Balances

Revenue and Expenditure Items

Schedule of Activities FY 2009-2013 of Core Governmental Services

Schedule of Personnel Costs for Health Insurance FY 2009-2013

Debt Service Schedule for Long-Term Debt and G.O. Bonds Annual Debt Service Requirements

Comparison of Various Tax Revenues for 8 month totals

In conclusion Mr. Warning advised the Council that revenue sources were down. The City could no longer rely on sales tax increases. Mr. Warning anticipated a down year. It was his opinion that the upcoming budget would be challenging for the Council.

Council Members were given the opportunity to ask question and make comments. Council Member Orrick noted the cost of personnel being a large expense and was told much of that figure was contractual with union contracts. Council Member Golden referred to a 1995 Transitional Plan that indicated \$40,000 would be budgeted for ADA sidewalk improvements. He questioned where in an audit it would be reported that it was spent. Council Member Golden noted tourism cost had increased. The Council Member commented that it appeared the program was not paying off. He suggested a feasibility study to see if the City could be profitable by offering a complete garbage service to people in the unincorporated areas in town.

NEW BUSINESS

ORDINANCE NO 2694-13/14 AMENDING TITLE 4, CHAPTER 4C, SECTION 2., SUBSECTION 2 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWER USER CHARGES

Motion by Council Member Golden, seconded by Council Member Orrick that **Ordinance No. 2694-13/14** be adopted. City Manager Joseph Wuellner presented the revisions to the code for wastewater measurement of flow charges. He explained the change was recommended to address concerns of longer summer water usage. The change would alter the winter averaging period from the current 7 month schedule to a sixth month, November through April calculation. Council was informed that installation of additional water meters to distinguish water usage entering the sewer system and usage for the purpose of lawn watering, swimming pools, etc. was deleted from the billing provisions. The action would have a negative effect on the sewer fund balance. Council Member Golden asked if it would make sense to offer a level payment plan option, similar to what Ameren does. On roll call vote, all present voted Aye.

RESOLUTION NO 88-13/14 AUTHORIZATION EXECUTION OF AN AGREEMENT BETWEEN CITY OF PEKIN AND CHICAGO SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

Motion by Council Member Golden, seconded by Council Member Abel that **Resolution No. 88-13/14** be adopted. Assistant City Manager Darin Girdler reported that the City had been contacted by Verizon for a project utilizing the City owned streetlight poles for the installation of “small cell” infrastructure. The miniature cellular connections are used to improve signal and coverage areas served by primary towers. Council was told the master lease agreement had a 25 year term with initial 5 year period and 4 automatic 5 year renewals. The City would receive \$250.00 per location per month. Council Member Orrick expressed some concern to the 25 years of the agreement. Council Member Golden questioned if the electrical contractor’s (who replaces street light lamps) insurance would cover damage to Verizon’s equipment in the event the electrical contractor damaged Verizon’s equipment. On roll call vote, all present voted Aye.

Motion by Council Member Orrick, seconded by Council Member Gillespie that the City of Pekin **CONCURS WITH THE STATE TO AWARD ILLINOIS CIVIL CONTRACTORS INC.** the bid for Sheridan Bridge Project in the amount of \$642,195.00. Mr. Wuellner recommended concurrence with the State award. The favorable bid was less than the programmed costs of \$750,000.00. Council Members discussed that the bridge would be out of service from early June through August to avoid school classes and bus traffic. Fire and Police response and neighborhood concerns were addressed. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Abel that the **AGREEMENT WITH MAURER-STUTZ TO PROVIDE CONSTRUCTION ENGINEERING SERVICES** for Sheridan Road Bridge Replacement over Lick Creek in the amount of \$101,772.00. Council was advised that federal bridge funding was being used for the project. The contract would provide the oversight and material testing required for following IDOT construction standards. Council Member Golden asked if the “neighborhood concern” impact should include if the project wasn’t completed on time and about any potential police and fire concerns. On roll call vote, all present voted Aye.

RESOLUTION NO 89-13/14 ILLINOIS DEPARTMENT OF TRANSPORTATION RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS FOR MUNICIPALITY

Motion by Council Member Hendricks, seconded by Council Member Orrick that **Resolution No. 89-13/14 appropriating Motor Fuel Tax Funds in the amount of \$105,000.00 for Sheridan Road Bridge Project** be adopted. The MFT funds would be utilized to cover the expenditure for the construction engineering services agreement. On roll call vote, all present voted Aye.

Motion by Council Member McCabe, seconded by Council Member Abel that the **EXPENDITURE FOR THE TIF FAÇADE GRANT PROGRAM FOR MAQUET INC. AT 219 AND 221 COURT STREET in the amount of \$23,879.50** be approved. Council was told the action was for a recommendation of the Pekin Main Street Design Committee to approve the terms of a resubmitted application from Dustin Maquet property in the 200 Block Court Street Development. The eligible project costs for exterior expenses included an outdoor patio, signs, lighting and electrical. Patio concrete and cover replaced a front awning and reduced the grant amount slightly. Council Member Golden indicated that he could not tell that the current TIF submittal had replaced the previous TIF request since there was no documentation the original TIF request wasn't initiated or executed in any way. He also indicated that he saw no incentives for completing work associated with the TIF grant as the closer it gets to 5 years, then the money doesn't need to be paid back. He also pointed out that the Empire State Building was constructed in 13 months and the buildings on 200 Court Street had been going on for years, just to "stabile" the structures. Council Member Orrick requested that the Façade Program be reviewed to impose a prevailing wage requirement of the contractors used. Council Members Golden and Orrick expressed their concerns that the 200 block project was not a sound investment. Other Council Members spoke in support of this individual project to open a restaurant/bar business. On roll call vote, Ayes, Hendricks, Abel, Gillespie, McCabe, and Barra; Nays, Orrick and Golden.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Economic Development Director Leigh Ann Matthews and Assistant City Manager Darin Girdler, addressed the Council regarding regulation changes to the Enterprise Zone. Council was advised the Enterprise Zone, a development incentive tool for abating taxes for 5 years, would expire in 2016. In order to have a chance to be reconsidered under the Act, Pekin would be joining forces with Morton, Tazewell County, Tremont to qualify. The group would consider the use of a consultant to establish new boundaries and manage the application process. It was estimated the City's share of the consultant would be \$20,000.00 with costs proportionate to square miles of the Enterprise Zone.

The City Manager next advised the community that every effort was made to inform the public of the snow ban enacted prior to the last snow storm. The notice was posted on the City Web page, on the government channel, social media posting, emails sent notifying all news media of the Public Announcement. It was suggested that the public familiarize themselves with the provisions of the code in regards to snow ban and snow routes, and to be prepared when a forecast of any amount of snow is predicted.

Council Member Golden thanked those that cleared sidewalks during snow events. In referring to an article in the Pekin Daily Times of the inspection of a tornado damaged house, Council Member Golden indicated that, given the City inspector's public comments regarding a home that was inspected when it was known that there was attorney retained by the homeowner, why was that different than the scenarios and why won't the inspector visit Mr. Bramham's home.

Council recognized the efforts of the Street Department employees and staff for the good job for snow removal during an unusual accumulation year.

Mayor Barra expressed the City's condolences to the family of retired Firefighter Morris G. Dupont 80, who died the previous week.

Robert Bramham, 2108 Velde Drive, asked the Council how he could get a building inspector of the City to inspect his property. Mr. Bramham was advised by Mayor Barra and Corporation Counsel Burt Dancey that he had consistently been told that a Council Meeting was not appropriate for discussing builder complaints. Mayor Barra warned that comments would not be permitted on the possible litigation matter.

The following persons also addressed the Council:

Janet Nelms, 1604 Memorial Drive - citizens could not afford \$6 million for improvements to the Library,
Carrie Stout, 1407 Camden Lane - citizens could not afford \$6 million for improvements to the Library, spoke in support of Council Members Golden and Orrick as great representatives.

Sally Johnson, 1503 N. 13th Street, stated she would not build a house in Pekin following the problems Mr. Bramham faced.

John Stout, 1407 Camden Lane – voiced his opinion that everyone should be treated the same when offering discussions at the end of each meeting.

EXECUTIVE SESSION

Motion by Council Member Abel, seconded by Council Member Hendricks that the Council move to Executive Session at 7:35 p.m. to discuss 65 ILCS 120/2 (c) (1.) Personnel and (11.) Litigation. On roll call vote, all present voted Aye.

No further business to come before the Council, motion by Council Member Abel, seconded by Council Member Orrick that Council adjourn. Motion carried voice vote. Mayor Barra adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:00 P.M.

Sue E. McMillan
City Clerk