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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 MONDAY, NOVEMBER 23, 2015 AT 5:30 O'CLOCK P.M.
JOHN H. MCCABE * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, GOLDEN, DUNN, ORRICK, ABEL, RITCHASON, LUFT, AND MCCABE

ABSENT: NONE

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

Roll was called. All 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 asked that 7.1 and 7.7 under Consent Agenda be placed under New Business for discussion and to include Personnel to the Executive Session discussion. On roll call vote to approve the agenda as amended, all present voted Aye.

MINUTES

Motion by Council Member Ritchason, seconded by Council Member Luft that the **minutes of the Regular City Council Meeting of November 9, 2015 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT

Jim Mangan questioned if there would be additional audits to those provided in the consent agenda to Receive and File. He noted Mr. Warning had provided the City Financial Statements through April 30, 2015 and in the past was available at the Council meeting to answer questions. He told Council he would like to have that format at a later date. He asked that the sentence at the beginning of the financial reports "do not report fairly the position of the City" be explained. Mr. Managan expressed concern that the City jumped on the bidding for Lisa Court Sewer Project yet it was two years ago Cambridge residents were promised a search for relief of storm water and flooding.
He encouraged someone to take up the cause to have the agenda order move Public Input to the beginning of the meeting.

Ann Witzig emphasized the need to explain the audits phase "do not report fairly the position of the City. Mrs. Witzig asked if the use of parenthesis indicated a figure over or under budget. She felt there was need for a true audit and efficiency study to show the public where the truth lies.

CONSENT AGENDA

Motion by Council Member Orrick, seconded by Council Member Luft that the **CONSENT AGENDA be approved as amended removing 7.1 and 7.7. and placing under New Business as item 9.4 and 9.5.**
The following was presented for consideration of the Consent Agenda items by Omnibus Vote.

7.2 Receive and File: Pekin Planning Commission Minutes dated November 12, 2015.
7.3 Receive and File: Pekin Planning Commission Recommendations and Hearings: Hearing #04-1898–Recommendation to approve the site plan for the Griffin Medical Office building located at the NW corner of Griffin Avenue and Veterans Drive.
7.4 Receive and File: Bids for Lisa Court Storm Sewer Repairs opened November 17, 2015 at 10:00 a.m.
7.5 Resolution No. 10-15/16 – Mayor's appointment of Robert Burress to the Police Pension Board until the 2nd Tuesday in May 2017 (Hal Watkins resignation).
7.6 Proclamation: "Small Business Saturday" November 28, 2015.

On roll call vote all present voted Aye.

NEW BUSINESS
Motion by Council Member Orrick, seconded by Council Member Ritchason that the **SITE PLAN FOR PROHEALTH MEDICAL office building located at NW corner of Griffin Avenue and Veterans Drive, be approved.** City Manager Darin Golden presented the recommendation of the Pekin Planning Commission to approve the plan submitted by Pro Health Medical Group for a 3 story 60,000 sq. ft. Medical Office Building. The site showed the orientation of the structure on the lot, traffic patterns, the retention basin and parking. Council Member Orrick questioned how parking spaces were determined. Code Enforcement Officer Ron Sieh advised that parking was designed for 142 spaces but only 100 were needed as provided in the City Code for calculations of employee/patient of professional offices of doctors. Parking would contain 11 ADA spaces. Council Member Golden stated the Plan Checklist was incomplete without the signoff of the Fire Chief. Code Enforcement Officer Ron Sieh said that the checklist was not available to sign when the Chief reviewed the drawing. Chief Nelson advised the Council that the site plan was accepted by the fire department after their onsite inspection. City Engineer Mike Guerra indicated he preferred the construction of 5 ft. width sidewalks. Council Member Golden pointed out that the check sheet indicated a preferred 5 ft. sidewalk width and questioned if the hospital would comply when only 4 ft. was required. On roll call vote, Ayes, Orrick, Ritchason, Dunn, Abel, Luft and McCabe; Nay, Golden. Motion carried**.**

Motion by Council Member Abel, seconded by Council Member Dunn that the **LEASE BETWEEN MIDWEST TRANSIT EQUIPMENT AND THE CITY OF PEKIN for bus equipment, be approved.** Superintendent of Transportation Ty Whitford presented to the Council a lease for 5 years in the amount of $778,383.00. He advised the Council that the lease program with Midwest had been successful for 4 years with excellent service and that the $4 million dollar budget of the department supported the lease. The 40 year old department had remained profitable with the removal of maintenance and the advantage of newer and safer buses. Mr. Whitford estimated savings up to $300,000.00 a year. Profits from the bus department had been transferred for administrative services of the City in the past to the general fund. The difference in the dollar amount of the new lease was the increase of 11 units from 66 busses to accommodate Rankin, South Pekin and TCRC transportation needs. There was discussion to answer the public's question on the annual profit. Amounts were built into the contracts due to extra sporting, extracurricular activities and field trips. Mr. Whitford had looked into alternatives to leasing such as bonding. Council Member Abel noted insurance for the bus department included in the City coverage was $77,000.00 per year. Council Member Orrick expressed his concern that Mr. Whitford would not release Rankin School District bid to him. There were concerns raised that seat belt requirements in buses could be implemented and that high school students were having to be seated 3 to a bench. Council Member Orrick was concerned that financial decisions negotiating pricing and low cost provider were being set by staff. He believed Council should be the body setting policy of the department to protect profit margin. Council Member Luft felt there were disturbing question not answered. He stated department heads should have their ducks in a row before coming to Council to ask for major expenses. Council Member Luft initiated discussion with Mr. Whitford on the efficiency of operational matters including number of supervisors in the department and the personnel cleaning of busses.

Council Member Golden questioned Midwest as the sole source for the lease proposal and was told that Bluebird could not match the pricing. Council Member Golden expressed his opinions that the school district had money in reserves. The school should be running bus service. There was no proof or accurate figure of profit margin. The City should get out of the bus business.

Council Member Dunn commented that there were 3,500 eligible students to bus. Leasing saved the school districts money. He would be voting yes on what he felt was a partnership of a critical service. The City's involvement was a larger policy question for discussion.

On roll call vote Nays, Golden, Orrick, and Luft; Ayes, Dunn Abel, Ritchason and McCabe. Motion carried.

Motion by Council Member Luft, seconded by Council Member Orrick that the **BID FOR LISA COURT STORM SEWER REPAIRS be approved in the amount of $41,682.00 and the contract be awarded to Otto Baum Company, Inc.** City Engineer Mike Guerra presented the bids to replace a corroded storm sewer pipe and for ditch repairs resulting in erosion from a storm sewer outlet. Mr. Guerra explained the award to Otto Baum Company, Inc. the second low bidder. The apparent low bidder had an error on their bid form for the seven unit price bids for the project when checked by staff. He advised the project would be completed in the next few months pending the weather. Mr. Guerra addressed the questions of Council regarding the completion and substantially complete language missing from the documents and replacement of the landscape of the 3 residential properties contained in the repairs. Council Member Golden was advised that the contractor would be responsible for restoration of the grass in the spring if not completed per IDOT specifications. On the matter of Cambridge Court water issue, options were reviewed and bids would be sought in January. On roll call vote all present voted Aye.

Motion by Council Member Orrick, seconded by Council Member Luft that the **MONTHLY REPORTS AND MINUTES** Monthly Building Department Reports - Inspections & Zoning May-October, 2015; Pekin Visitors Bureau -Tourism Committee Meeting Minutes dated November 10, 2015; Traffic Safety Committee Minutes dated November 6, 2015; Tazewell County Animal Control October Report; and Fire Department October Report, **be received and filed.** Council Member Golden requested that the monthly reports and minutes be placed under New Business for discussion as New Business 9.4. the following questions and comments were made were addressed:

Tourism minutes

City responsibility for $25,000 to bring Wind Symphony to Pekin – beginning discussions for an opportunity for possible fund raising effort.

How diversity grants were related to tourism – events held brought in other than residents to the City of Pekin.

Concern for liability issue if brackets for display banners on the downtown buildings were not properly hung.

Question how Griffin Bike Trail received a top rating if the trail had not been constructed yet.

On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Ritchason that City of Pekin Financial Statements prepared by Willow Waning and Co., P.C. April 30, 2015

Sewerage Fund
Solid Waste Fund
Tazewell/Pekin Consolidated Communications Center
Tax Increment Financing-Central Business District Fund

be received and filed as 9.5.

Regarding T/PCCC Audit, questions were asked regarding a current lease of the property with the City. Referring to the Treasurers report, Council Member Golden questioned costs for contractors and a payout for a previous City employee. Council Member Orrick requested if the County, City of North Pekin and School Districts are billed wastewater. On roll call vote all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Manager Darin Girdler distributed to the Council Members the aerial view of the Derby Street diagonal parking and advised that the Traffic Safety Committee would be reviewing safety issue after the first of the year. Mr. Girdler also distributed draft numbers for the levy comparing dollar amounts and rates of 0% increase and 4.9% increase.

Police Chief Dossey reported back to the Council his findings on the questions raised as to giving impounded vehicles to the needy. Liability issues and constraints on drug asset forfeiture vehicles prevent their release by statutes.

Council Member Golden:

Commented that the Derby Street City owned property was being used for storage and not looking like a good investment when it was intended for the Cambridge water retention issue. Informed the Council that Peoria was making use of the Local Debt Recovery Program offered through the state comptroller's office. He questioned why the program was not recommended in place of B-D Lawyers Group Agreement for collection of unpaid amounts owed the City. He suggested the City utilize the state program. Attorney Burt Dancey advised that the 30% fee was not a City expense in the B-D agreement but an addition allowably pursuant to statute to be added to the collected amount.

Reported neighbors on California Road expressed concern to him that 2 septic tanks were unloaded at the construction site discussed at a previous meeting as being single family. Code Enforcement Officer Ron Sieh advised there could be multiple types of septic tanks used for one location and suggested the neighbors contract Tazewell County Health Department to confirm number of permits issued. City Engineer reported that the design report for Veterans Drive /VFW Road contained noise study. It indicated noise barriers were not cost efficient and were not recommended for the project. The Council Member expressed concern regarding the sign at the entrance to Griffin Avenue. He questioned if the size exceed the code provisions and required Council approval. City Manager Girdler reported he would work with the hospital if getting the temporary constructions sign moved but a survey had not been completed for distance to measure if it was on right of way.

Mayor McCabe commented on matters being raised from phone calls from employees and social media references. He advised the City had a written grievance course of action to follow regarding personnel matters. He urged the public to support Shop Small Business, a promotion to utilize small businesses the Saturday following Black Friday. The Mayor advised the public regarding the continued question of the March Madness expense, that the Council met in executive session and consensus was gathered in regards to the responsible person. The personnel matter is closed.

Council Member Luft raised the question of the distance behind the lights and the stop signs that will be placed once all issues were addressed, intersections of Court Street and south Capitol Street and south Fourth Street would be removed and the stop signs to become permanent, the ordinance would come back before the Council. Member Orrick distributed a news article regarding Morton tourism funding of grants from hotel/motel tax. He also asked for explanation of why the police department towed a veteran’s vehicle on Veterans Day.

EXECUTIVE SESSION

Motion by Council Member Golden, seconded by Council Member Abel, that the Council move to Executive Session at 8:45 p.m. to discuss 5 ILCS 120/2 (c) (11.) Pending Litigation and (1.) Personnel. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 9:45 P.M.

Sue E. McMillan
City Clerk