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

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

ABSENT: ABEL

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The **Pledge of Allegiance** was led by Mayor John McCabe. The Mayor expressed the City's sympathy on the death of long time Planning Commission Member and City Council Member James E. Jones.

Roll was called. All Council Members were physically present except Council Member Abel. A quorum was declared.

AGENDA

Motion by Council Member Ritchason, seconded by Council Member Luft that the agenda be approved as presented. On roll call vote, all present voted Aye.

MINUTES

Motion by Council Member Luft, seconded by Council Member Orrick that the **Minutes of the Regular City Council Meeting of October 24, 2016, the Special Meeting of November 1, 2016, the Budget Work Session of October 27, 2016 and the Budget Work Session of November 3, 2016 be approved as written.** On roll call vote Orrick, Luft, Dunn, Ritchason, McCabe. During the roll call vote Council Member Golden stated he did not attend the Budget Work Sessions and did not know if the minutes were correct or not. He would abstain. Motion Carried.

PUBLIC INPUT

John McNish spoke to consent agenda item 7.3 and advised the Council not to vote on the Police Pension Fund Year End Compliance Report without looking into the issues that the Police Pension Board has. Mr. McNish expresses concern that adopting another collection agreement was a duplicate expenditure of snother City job.

Ann Witzig addressed the Council on agenda item 7.1 Liquor Commission Minutes. She expressed concern that since February, the minutes had reflected the attorney's and members' review of video gaming provisions without being recommended to the Council. She felt the Council should make a decision based on what was best for Pekin in restricting gaming establishments and not look at other municipalities as compatibles.
Mrs. Witzig addressed item 8.1 Sidewalk Snow Removal. She felt the provisions caused a great burden on businesses with large parking lots; was concerned of how the City would enforced businesses to clear sidewalks; would be implemented as a slush fund; did not expect to see snow and ice around the sidewalks of City Hall.

CONSENT AGENDA

Motion by Council Member Luft, seconded by Council Member Orrick that the Consent Agenda be approve as presented. Mayor McCabe clarified for the public that the Council was receiving the Police Pension Fund. The Council was not approving the Pension Fund investment.

.1 Receive and File Monthly Reports and Minutes: Draft Liquor Commission Minutes dated October 27, 2016; Tazewell County Animal Control October Report; and Traffic Safety Minutes dated November 4, 2016.
7.2 Proclamations: "North American Indian Heritage Month" November 2016 "Small Business Saturday" November 26, 2016
7.3 Receive and File: City of Pekin Police Pension Fund House Bill 5088 – Municipal Compliance Report for Fiscal Year Ended April 30, 2016

7.4 Resolution No. 37-16/17 –Mayor's appointment of Bernard Riley as the City of Pekin Representative to the Central Illinois Agency on Aging for an indefinite term is hereby approved.

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

UNFINISHED BUSINESS

Motion by Council Member Dunn, seconded by Council Member Orrick that Ordinance No. 2749-16/17 postponed at the October 24, 2016 Council Meeting **be removed from the table.** On roll call vote all present voted Aye.

ORDINANCE NO. 2749-16/17
AMENDING TITLE 4, CHAPTER 2, SECTION 10
OF THE CODE OF THE CITY OF PEKIN 1995
SIDEWALK SNOW REMOVAL POLICY

Motion by Council Member Dunn, seconded by Council Member Orrick that Ordinance No. 2749-16/17 be adopted. City Engineer Mike Guerra responded to the question from the public that a press release, announcement on channel 22 and information on the City and Police websites would inform businesses of the their responsibilities for sidewalk snow removal. He advised the Council that the amendments expressed by the Council at the previous meeting were made to the language. Discussion followed on the requirement for commercial property owners to remove snow and ice from the sidewalk to provide access for people with disabilities and general public to an accessible path. Council Member Golden stated all the corrections suggested were not addressed. He felt the ordinance unnecessary when snow removal was covered in ADA Title 3. Council Member Luft noted most businesses clear the City sidewalks already. He expressed some concern for a fine of $250. He felt there were gray areas in the language that needed to be sharpened. On roll call vote, Ayes, Orrick, Dunn, Ritchason and McCabe; Nays Golden and Luft. Motion Carried.

NEW BUSINESS

ORDINANCE NO. 2750-16/17
AUTHORIZING THE EXCUTION OF THE IMLRMA MINIMUM/MAXIMUM CONTRIBUTION AGREMENT

Motion by Council Member Ritchason, seconded by Council Member Luft that Ordinance No. 2750-16/17 be adopted. Assistant Finance Director Angie Evans told the Council the ordinance authorized the Illinois Municipal League Risk Management Association agreement of premiums for work comp, liability, and property insurance. Rates were based on claim history of a pool of municipalities rather than individual claims. The option allowed the City to pay a lower premium as long as costs stayed below the minimum amount. Council heard that 2 companies asked to submit proposals which were given the members. Council discussed the comparisons, the school bus operations, safety incentive programs offered by IMLRMA and were answered questions on charges being prorated over the departments and the coverage of the airport property. Council Member Golden noted the misspelled word "apprised". Council requested the Ordinance be amended also to include as an Exhibit the IMLRMA Minimum/Maximum Contribution Agreement. Motion by Council Member Orrick, seconded by Council Member Golden that Ordinance No. 2750-16/17 be amended. On roll call vote all present voted Aye. Mayor McCabe called for the vote on Ordinance 2750-16/17 as amended. On roll call vote, Ayes, Orrick, Luft, Dunn, Ritchason and McCabe; Nay, Golden. Motion Carried.

ORDINANCE NO. 2751-16/17
ADOPTING A COLLECTION SERVICES AGREEMENT

Motion by Council Member Golden, seconded by Council Member Orrick that Ordinance No. 2751-16/17 be adopted. Police Chief Dossey presented the 3 following Ordinances to complete the Adjudication process. Council was advised that the Agreement with Municipal Collections of America, Inc. (MCA) would be utilized for collection of unpaid parking and local ordinance tickets. The agreement shifts the burden of enforcement costs to the violator from the tax payer. The company would work with the State Comptroller's debt recovery program that would attach to income tax returns to reclaim debts previously not collected. Council's questions regarding revoking the old collection agreement, other competitive bids, and the remaining 2 years on the B & D Collection Agreement were answered. Council discussed that the City would receive the full amount

of the ticket collected because Municipal Collections of America Inc. (MCA) charges 35% above the amount for their fees. Council Member Golden expressed his hesitancy in approving the ordinances. He felt more information was needed on his question of dollar amounts collected by B & D, an agreement the City already had in place for collections. He questioned the duties of Corporation Counsel in the collection of unpaid debts and it's inclusion in the attorney retainer fee. Council Member Ritchason requested that the Council be provided monthly collection reports. On roll call vote, Ayes, Orrick, Luft, Dunn, Ritchason and McCabe; Nay, Golden. Motion Carried

ORDINANCE NO. 2752-16/17
AMENDING TITLE 8, CHAPTER 10, SECTION 15 TRAFFIC CODE
OF THE CITY OF PEKIN 1995
REGARDING DEBT TO CITY

Motion by Council Member Golden, seconded by Council Member Orrick that Ordinance No. 2752-16/17 be adopted. Chief Dossey next explained the ordinance would update the adjudication ordinance adding language necessary to shift the costs of collection to the violator. The provisions allow the costs by MCA to be added on the fine amount prior to being sent to collection through the IDROP program. On roll call vote, Ayes, Orrick, Luft, Dunn, Ritchason and McCabe; Nay, Golden. Motion Carried

ORDINANCE NO. 2753-16/17
AMENDING TITLE 1, CHAPTER 12, SECTION 9
ADMINISTRATIVE ADJUDICATION OF VIOLATIONS
OF THE CODE OF THE CITY OF PEKIN 1995
TO AMEND JUDGEMENT AND COLLECTION

Motion by Council Member Orrick, seconded by Council Member Ritchason that Ordinance No. 2753-16/17 be adopted. Chief Dossey advised the third ordinance in the process would amend the Adjudication Ordinance as it pertains to non-vehicular code violations. The ordinance in Title 1 also allows the costs by MCA to be added on the fine amount prior to being sent to collection through the IDOP program. On roll call vote, Ayes, Orrick, Luft, Dunn, Ritchason and McCabe; Nay, Golden. Motion Carried

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

The following people presented questions and expressed concerns and comments to the Council: Ann Witzig - Council's enforcement of duties of the Corporation Counsel in settling N. Pekin Agreement. John McNish - City safety numbers and request to be invited to budget sessions to show how to make cuts.

Staff members:
Sarah Newcomb expressed parting words of appreciation on her final Council Meeting as Interim City Manager to the Council, to the citizens and to staff members for their support. She encouraged the public to be courteous to the new City Manager and to give him a chance before judging him unfairly. She encouraged the Council Members to come into the office and discuss issues and concerns with him.
Angie Evans answered Council Member Luft's previous question on where City stands in regards to work comp claims and rate of accidents through IMLRML in the pool of cities. Council was advised that OSHA formula used for a Class E member the work comp average claims were 13.39 and the City of Pekin 13.34. On non-work related rate average 14.9 and 9.93 for City of Pekin.
Council Members expressed their appreciation to Sarah Newcomb. Council Member Golden presented a Tazewell County GIS map. The Council Member questioned a possible encroachment on City property purchased for the Derby Street retention project. City Engineer Mike Guerra stated there was no encroachment on the purchase of sale.

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

COUNCIL ADJOURNED AT 7:30 P.M.

Sue E. McMillan