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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 12, 2012 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, SCHMIDGALL, HENDRICKS, BLANCHARD, MCCABE, MASSAGLIA, AND BARRA

ABSENT: NONE

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The **Pledge of Allegiance** was led by Kathy Bastean. The mother of fallen Marine Lance Cpl. Jordan Bastean thanked the community for the support and love for Jordan on his homecoming a year ago. As appreciation she presented the City with an American flag that she had flown over the Capitol Building in Washington D.C.

Mayor Barra acknowledged that Council Member Massaglia was participating by electronic means and he identified himself by name.

Council Member Massaglia had personally given notice at the member's earliest opportunity on Sunday, November 11, 2012 that he would be attending the meeting by electronic means. He was not physically able to attend because of absence from the corporate limits of the City due to personal illness.

Roll was called and all Council Members were physically present except Council Member Massaglia attending by electronic means. A quorum was present.

AGENDA

Motion by Council Member Blanchard, 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 Schmidgall, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of October 22, 2012, be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Jim Mangan, 1200 North Parkway Drive, spoke in opposition to salary increases of the City Manager and Assistant City Manager. Mr. Mangan asked the Council to not vote to loan money to East Court Village to assist Petco in locating in Pekin. He said granting a loan to a large real estate company discriminates again self-reliant local businesses.

Charles Davis, 646 South 11th Street, spoke in opposition of helping to bring a national pet shop chain. He introduced himself as previous owner of Charlie's Aquarium. He felt new sales tax revenues would not be realized but Petco would only attract pet owners who shop at existing number of local, smaller pet stores. Mr. Davis asked that Council not use taxpayer money to help.

Steve Tibbs, Rt 9, spoke against the loan to assist an additional pet store.

Rachael Lloyd, Armington, introduced herself as present owner of Charlie's Aquarium. She asked the Council not to vote yes regarding Petco.

Scott Jackson, 1410 Del Ray, publicly thanked Randy Price for hope in saving West Campus.

(not an agenda item) Frank Bar, 1517 Summer Street, spoke regarding the area of the new Pekin Park facility and the safety issue of not having sidewalks along the entrances on Koch Street. Because the City has 9 ft variance into the Park, staff was asked to look into the possibility of a sidewalk project.

Josh Haflinger, 210 Indian Creek, representing Merle Huff owner of the West campus property, stated it would be impossible for a closing on the proposed transfer of property to the City by November 16th as the agreement called for.

Mike Norbutas, 2020 West Memorial, chief Financial Officer Cullinan Properties stated the goal of the East Court Village project was to attract traffic and other retail for a greater shopping experience for citizens as well as bringing in tax revenues.

Valarie Moehle Umholtz, 910 Washington, spoke in support of the West Campus proposal.

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

7.1 Receive and File Monthly Reports: Draft Minutes of the Special Liquor Commission Meeting dated November 1, 2012.
7.2 Receive and File Tax Increment Financing – Central Business District Fund Financial Statements April 30, 2012 prepared by Willock Warning & Co., P.C.

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS
PEKIN MUNICIPAL AIRPORT BOARD
Ric Woldow presented in a PowerPoint an update of the airport operations. He advised the Council of the role and responsibilities of the City and the Commission; the benefits to the community; and the vision of the transportation system. Council questioned Mr. Woldow regarding financial matters of a break even operation from fuel, hanger rental. The need for a fixed base operator was discussed.

NEW BUSINESS

ORDINANCE NO. 2671-12/13
AUTHORIZING THE EXECUTION OF THE IMLRMA MINIMUM/MAXIMUM CONTRIBUTION AGREEMENT

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that **Ordinance No. 2671-12/13 be adopted.** Assistant City Manager Darin Girdler recommended the authorization for Illinois Municipal League Risk Management Association agreement of premiums for work comp, liability, and property insurance based on claim history of a pool of municipalities rather than individual claims. He told Council the City chose the option to pay a lower premium as long as costs stay below the minimum amount. On roll call vote, all present voted Aye.

ORDINANCE NO. 2672-12/13
ACCEPTING A PROPOSAL ANTICIPATING THE ACQUISITION OF REAL ESTATE AND THEN AUTHORIZING THE SALE OF SAID MUNICIPALLY OWNED REAL PROPERTY WITHIN THE CITY OF PEKIN, ILLINOIS

Motion by Council Member Abel, seconded by Council Member Hendricks that **Ordinance No.2672-12/13 be adopted.** Darin Girdler presented to Council the ordinance that would authorize the transfer of the West Campus property to Reminisce, Inc. Discussion followed on the transfer of the property from current owner, Merle Huff to the City as a not-for-profit free and clear of any liens other than those of the City. Intended owner, Randy Price addressed the Council regarding his passed experience in structure improvements, his research into the demolition debris left on the sight, and his proposal for phase one to secure the building. Council spoke generally in favor of something being done. On roll call vote, all present voted Ayes, Abel Schmidgall, McCabe, Hendricks, Massaglia, and Barra; Nay Blanchard. Motion carried.

Council Member Massaglia excused himself from the meeting at 6:40 p.m.

Motion by Council Member Abel, seconded by Council Member Blanchard that the **LOAN AGREEMENT WITH EAST COURT VILLAGE, LLC be approved.** Assistant City Manager Darin Girdler advised the Council that Cullinan Properties had been working with a national tenant Petco for their shopping center. The corporation was requesting assistance for attraction and development of the new retail business. The motion was to authorize the execution of a new loan agreement in the amount of $675,000 for 20 years amortization at 3.5% with balloon payment at the end of year seven. East Court Village planned to make a $1.2 million dollar investment in the project as well.

Motion by Council Member Hendricks, seconded by Council Member McCabe that the Loan Agreement with East Court Village, LLC **be tabled.** On roll call vote Ayes, McCabe and Hendricks; Nays, Blanchard, Abel, Schmidgall, and Barra; Absent Massaglia. Motion Failed. Discussion followed. Mike Norbutas addressed the Council of the need for a bridge loan that would be guaranteed by Cullinan companies, LLC Diane Cullinan-Oberhelman. Each Council Member commented individually. Council Members Blanchard, Schmidgall, McCabe, and Abel expressed concern of lending money and the proposed project. Council Member Hendricks indicated he would abstain from voting on the motion on the table for lack of enough information. On roll call vote Aye, Barra; Nays, Blanchard, Abel, Schmidgall, McCabe; Abstain, Hendricks; Absent Massaglia. Motion Failed.

Motion by Council Member Hendricks, seconded by Council Member Blanchard that the **TIF EXPENDITURE IN THE AMOUNT OF $12,468.00 WITH SEAN LEONE OWNER OF HAWAIIAN SUN be approved.** Tax Increment Finance Administrator Leigh Ann Matthews presented the recommendation of the Pekin Main Street Design Committee for the Commercial Retail & Upper Story Housing Loan Program grant for a 5 year forgivable loan structure. Council was told the eligible interior improvements of the property at 357 Court Street in cluded new doors, flooring, expansion of entry, and enhanced lighting. On roll call vote Ayes, Blanchard, Abel, Schmidgall, McCabe, Hendricks, and Barra; Absent, Massaglia. Motion carried.

RESOLUTION NO. 58

ESTABLISHING THE SALARY ADJUSTMENT FOR THE CITY MANAGER

Motion by Council Member McCabe, seconded by Council Member Abel that Resolution no. 58-12/13 be adopted. Mayor Barra requested Council consider City Manager Joseph W. Wuellner's terms of his original contract for compensation adjustments to his annual salary based on performance and evaluation. The resolution provided for an adjustment of 2% of $117,000.00 for the term of July 1, 2012 to June 30, 2013. Council Members Blanchard and Hendricks expressed concerns of raises being given at this time. On roll call vote, Ayes, Abel, Schmidgall, McCabe, and Barra; Nays, Blanchard and Hendricks; Absent, Massaglia. Motion Carried.

Motion by Council Member McCabe, seconded by Council Member Schmidgall that the **EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PEKIN AND DARIN W. GIRDLER be approved.** Mayor Barra presented the contract offered for the Assistant City Manager after one-year of employment with the City. She stated the language solidified the commitment of both parties for the continued employment of Mr. Girdler. Council commented on Mr. Girdler's performance. Council Member Blanchard questioned the Council's, and not the Manager's role, to approve a contract to an employee other than the Clerk and Treasurer. It was Attorney Burt Dancey's opinion that Council had to approve contracts extending more than 2 years. Council Member Clanchard spoke in opposition of the agreement stating that he did not originally support the hiring of an assistant to the manager. On roll call vote, Ayes, Abel, Schmidgall, McCabe, and Barra; Nays, Blanchard and Hendricks; Absent, Massaglia. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Scott Jackson announced Pekin Main Street and Artistic Theatre Dinner Theatre production of the Dickens' classic "A Christmas Carol" on Saturday, December 1, 2012 at the Knights of Columbus Hall.

EXECUTIVE SESSION

Motion by Council Member Hendricks, seconded by Council Member Blanchard, that the Council move to Executive Session at 7:20 p.m. to discuss 65 ILCS 120/2 (c) (6) Sale of Municipally Owned Property and 65 ILCS 120/2 (c) (11) Litigation. 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 Hendricks, seconded by Council Member Schmidgall to adjourn. Unanimously approved by voice vote.

COUNCIL ADJOURNED AT 7:50 P.M.

Sue E. McMillan
City Clerk