

CITY OF PERU REGULAR COUNCIL MEETING DECEMBER 23, 2019

A regular meeting of the Peru City Council was called to order by Mayor Scott J. Harl in the Peru City Council Chambers on Monday, December 23, 2019 at 7:00 p.m.

City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo present; Alderman Payton absent; Mayor Harl present.

All joined in the Pledge of Allegiance to the Flag of the United States of America.

PUBLIC COMMENT

PRESENTATION

SWEARING IN

Police Chief Doug Bernabei introduced new patrolman Brendan Sheedy to the council and read the following statement. Brendan Sheedy is 24 years old and was born and raised right here in Peru. His parents are Greg and Lynn Sheedy of Peru. Brendan is married to Sierra who was also born and raised here locally. Brendan graduated from LaSalle-Peru High School in 2013 and then went to IVCC graduating in 2015 with an associate degree. He then went on to Illinois State University and in 2017 he received his bachelor’s degree in Criminal Justice. While attending ISU Brendan did a full semester internship with the Peru Police Department. Since 2017 he has worked as a juvenile detention officer for the McClean County Juvenile detention center in Bloomington, Illinois. Last Friday Brendan graduated along with 86 fellow recruits from the Suburban Law Enforcement Academy at the College of DuPage in Glen Ellen, Illinois. It was the largest graduating academy class in the 25-year history of SLEA. The 14-week academy encompassed 560 hours of classroom and hands on training. Today, Brendan began his field training under the supervision and guidance of Peru Police officers who are certified as field training officers. This training will last 16 additional weeks so after these 30 weeks per 1200 hours of training Brendan will be released to solo patrol duties. The expectation for Brendan is very high as he arguably now is a member of the finest police agency anywhere.

Mayor Harl then swore in Patrolman Sheedy.

MINUTES

Mayor Harl presented the minutes of the Regular Meeting of December 23, 2019. Alderman Waldorf made a motion that the minutes be received and placed on file. Alderman Buffo seconded the motion; motion carried.

FINANCIAL REPORTS

Mayor Harl presented the Treasurer’s Report for November 2019; City Clerk’s Report of Cash Received for November 2019; Sales, Home Rule, Use and Telecommunication Tax Receipts for September 2019 and Peru Recreation Fund Cash Accounts Summary for November 2019. Alderman Radtke made a motion the reports be received and placed on file.

ACTIVITY REPORTS

FINANCE AND SAFETY COMMITTEE

Alderman Buffo presented the following disbursements for payment on December 23, 2019:

<u>FUND NAME</u>	<u>TOTAL EXPENSES</u>
General Fund	\$1,197,942.41
Insurance Fund	9,087.50
Garbage Fund	33,008.40
Utility Fund	1,674,600.55

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Airport Fund	1,846.99
Total	\$2,916,485.85

Alderman Buffo made a motion that the report be received, placed on file and the bills be paid in the usual manner. Alderman Radtke seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Sapienza made a motion to approve \$100.00 donation to LP Cavalettes for Peru Hometown Christmas. Alderman Buffo seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Radtke made a motion to reinvest \$250,000 of Utility Fund-Operating Reserve with Raymond James Bank for 30mos at 1.7%. Alderman Buffo seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Buffo made a motion to reinvest \$250,000 of Utility Fund-Operating Reserve with Wells Fargo for 36mos at 1.85%. Alderman Sapienza seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried

PUBLIC SERVICES COMMITTEE

Alderman Ballard made a motion to approve the purchase and setup of a temporary pilot plant at the EWWTP in accordance with the IEPA Phosphorous Compliance requirements; in the amount of \$31,956.00. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried

Alderman Lukosus made a motion to seek bids for 3 reels (approx. 2500'/spools) 4 Aught Wire Okonite only. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Lukosus made a motion to seek bids for 1 truckload of 4" Schedule 40 PVC conduit, 20' lengths with bell. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

REPORT OF CITY ATTORNEY/ORDINANCES AND RESOLUTIONS

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6450

AN ORDINANCE AMENDING CHAPTER 58-LAW ENFORCEMENT, ARTICLE II-POLICE DEPARTMENT, OF THE CITY OF PERU CODE OF ORDINANCES TO PROVIDE FOR PART-TIME POLICE OFFICERS

Alderman Radtke made a motion the ordinance be adopted as written and read. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6451

AN ORDINANCE AMENDING CHAPTER 2-ADMINISTRATION, ARTICLE III-OFFICERS AND EMPLOYEES, SECTION 2-63- HIRING PROCEDURE POLICY OF THE CITY OF PERU CODE OF ORDINANCES

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Alderman Lukosus made a motion the ordinance be adopted as written and read. Alderman Ballard seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6452

AN ORDINANCE AMENDING ORDINANCE NO. 5004, ENTITLED: "AN ORDINANCE FIXING WAGES FOR THE EMPLOYEES OF THE CITY OF PERU, IL"

Alderman Buffo made a motion the ordinance be adopted as written and read. Alderman Radtke seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

PROCLAMATIONS

UNFINISHED BUSINESS

Alderman Waldorf made a motion to seek applicants for laborer position in the Public Works Department to be located at the Cemetery. Alderman Lukosus seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Radtke made a motion to seek applications for staff accountant position in the Finance Department. Alderman Lukosus seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Lukosus complimented the Electric Department on the Christmas decorations on Water Street.

Mayor Harl initiated a conversation regarding an example of a resident some months ago stating at an open meeting that more than 300 calls were received by him regarding the Downtown TIF. Mayor Harl stated that after some exchange it was determined the claim was not at all accurate and the Mayor, City Clerk nor the City Engineer received any inquiries.

Mayor Harl read a correspondence received by Finance Officer Justin Miller:

"Hello Justin. I was informed over the weekend that Vissering Construction has announced they with be constructing the new Peru Police Station in 2020. They also announced they have the plans and are ready to start this spring. They also said the project is just under 15 million dollars. I confused, you said no numbers or financing were available at the time. Please explain how the city has no information and Vissering has the plans. cost, and start time"

Mayor Harl stated the email stated an announcement was made by Vissering Construction had been given the plans, a spring start-date, a price tag of \$15 million and building the project. Mayor Harl then turned the floor over to City Engineer Eric Carls.

City Engineer Eric Carls addressed the council and reviewed the process to date:

- On behalf of all of us at the City of Peru, I would like to send our condolences to the family of Rick Mattioda. Rick was a key leader in the Leopardo company, and he began this journey of the proposed PD facility very early on in the process. Rick was a homegrown professional from the Illinois Valley because he has worked on thousands of similar projects but because he was working on this specific project in his hometown area 35+ years into his career at Leopardo. I truthfully believed and saw firsthand the importance to Rick in developing a successful project like this locally, and the pride he would have had in doing so. Unfortunately, Rick left us last Monday after a hard-fought battle with cancer. He is already dearly missed by our project team for his enthusiasm for design and construction of these facilities, his vast

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industry knowledge and experiences, and most importantly the passion he still had for his hometown communities in the Illinois Valley,

- I was and am hopeful that that same passion will carry over into all aspects of this project and for the most part it already has.
- Before I address the concerns of my department, as a result of the correspondence the Mayor just read, I would like to re-cap the process and re-iterate our plan moving forward.
- The City began discussions in early 2017 for the possibility of a new improved facility for the Peru Police Department. We then contracted with Studio K architects from Princeton, IL to develop a building assessment report of the existing police department.
- In the summer of 2017, we set out to find an architecture firm to help us develop plans for a new police station. We did so through a very transparent and commonly used process across all forms of government called Qualification Based Selection or QBS. That process wrapped up in the late Fall of 2017 with the selection and approval of BCA and MWL.
- The City then explored an alternate option of shared services, which lasted from early 2018 to early 2019.
- After that time period the City of Peru then re-started the planning of a proposed Peru Police Department building. The Phase I portion of the project began with a project team of BCA, MWL, Peru PD command staff and officers, the mayor, alderman Payton, and alderman Lukosus, and myself.
- During the Phase I process we completed very detailed needs assessments of the police department in order to develop accurate plans for their operations. During this phase we also explored options for site locations and ultimately settled on the most desirable site at the southwest corner of Midtown Road and N. Peoria Street. After the site was settled on and initial planning documents completed, we shared conceptual plans with local media groups as well as at a public meeting before the mayor and city council.
- Near the conclusion of Phase I, I had recommended we seek proposals to bring a design-build firm on the project team, in order to solidify our planning process and truly complete our project team.
- Submittals for a design-build firm were received in late August 2019. The selection committee, again through QBS, recommended and the City Council approved the addition of Leopardo Construction to the project team, as the design-builder.
- I with the assistance of attorney Lance Malina of Klein Thorpe and Jenkins then successful negotiated a contract with Leopardo Construction for design-build services. One of the most important highlights of that contract was the emphasis on local involvement.
- Once Leopardo was brought on board we continued visiting various police departments across the state. The site visits have proven to be very beneficial in the planning stages and have helped us understand what other departments may have done differently. It has also given us a true vision of the facility.
- After the needs assessments and site visits we began a series of detailed planning sessions in order to develop the preliminary plans for the building.
- We are currently finalizing this stage and continuing to work towards budgeting and ultimately a guaranteed maximum price to deliver the project. Final design will begin in the upcoming weeks and we anticipate the guaranteed maximum price presentation sometime in the Spring of 2020.
- If the council is agreeable to the guaranteed maximum price, we will then begin the bid procurement process and start to bring contractors on board to build the facility.
- I also want to add that with all our capital improvements, Justin and I continue to work closely as we start to understand the project budgeting and financial planning. I will emphasis that we have been tasked by the

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Mayor and Council with developing these improvements without proposing any additional tax increases to the taxpayer. Justin will be able to provide more detailed plans from the finance standpoint later, since we are still working with draft designs and moving towards final design and budgeting.

- That is the basic summary of the history and direction for this particular project. Now I want to address what I believe is a very serious and concerning correspondence the Mayor just read to you all. First the City in no way has released official bid documents, project budgets, scheduled any start dates, or awarded any contracts. All plans and specifications associated with this project are in draft format and remain working documents as we try to develop a final design for council to consider.
- I am addressing this today because of the potential serious allegation that the City is withholding information and that we in fact have contracts, prices, and start dates in place with Vissering Construction. Please note Vissering is not currently part of the project team and they have not been awarded a contract as of today. I will tell you correspondence like this is serious, whether that is understood or not. These types of claims present the perception of collusion or bid rigging, and this is unacceptable, and I certainly am not going to jeopardize my own professional credibility over it.
- The same evening the email was received and forwarded to my office I addressed it with both the sender and Vissering. It has placed me in a position to investigate the claim and debate whether or not we should disqualify a very large local contractor, arguably with the best reputation for building facilities like this. Mr. Wiesbrock was very concerned with this claim and immediately addressed this with the top individuals at Vissering.
- I can assure you the City has done nothing wrong and this claim is false. I quite frankly am unsure why it continues within our City. We continue to plan and successfully complete millions of capital improvements around the City. The past construction season, every single project my department oversees at one time had false information spread via social media. It is my belief that there are very small groups that want to inflict damage and undermine the City's capital improvement projects and quite frankly in this case stop the construction of a much-needed facility. I am not sure of the motives behind it or if it's just simply the day we live in with social media and there's such a want or desire to "break the story", be the first to know and tell, or say "I told you so".
- I have and will continue to fill FOIA requests with information available. Sometimes this isn't always believed by those who submit FOIA's and the fallout is typically the spreading of inaccurate information. So, to be even more transparent with this project, the City has created an icon on the City's website for the Police Department Project. Under this icon we will be posting important project documents that are available under FOIA.
- I have spoken with our representatives at Leopardo and the rest of the consultant project team and they confirmed with me that as of Thursday evening they had not spoken with Vissering as it relates to the project budgets, final bid documents, or contracts. If you recall during Leopardo's presentation, at the initial meeting with the Mayor and Council, both they and I explained how we want to incorporate as much local involvement as possible and how we will lean on local contractors to help understand true costing of unique items within this project. However, here we are just beginning this phase of the process and I am faced with this concerning claim.
- I am going to ask Mr. Wiesbrock to add any comments on behalf of Vissering, but before he does that, I want to reiterate one last time to be clear.
- The project team, comprised of many professionals and most importantly many individuals from the Police Department, who will be working in this facility, continuing to provide community service and protection, have been instrumental in developing this project. I have been grateful for all I have learned from the members of our Police Department regarding their processes and needs. It is amazing to me how they have effectively done their job for so long in the facility they are currently in, without incident. It has been my sole goal, as the project leader, to manage all of the project team members and the various steps of the process in a very calculated and accurate manner. I want to present factual evidence as it becomes available during the planning process and not float hypothetical or draft concepts. This is a legacy project for most of

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us and is a facility that is intended to be multi-generational for our community. I cannot stress to you how important it is to me and our project team that we get this right, we only get one shot at it. So, I am hopeful that any future claims or allegations are not costly to the City and the project, to the point it becomes detrimental.

- Lastly, and I think you can all agree, it is the responsibility of your hired professionals, like Justin and I to provide you with unbiased professional opinions as they relate to the capital improvements in the City. We continue to pride ourselves in developing programs and plans to resolve aging infrastructure needs, while balancing the needs to grow our City. We don't always offer the most popular opinion, but I can tell you they are thoroughly thought out and always in the best interest of the City. In my short time here, I have worked with three new aldermen in Aldermen Payton, Ballard and Buffo and I can assure you Justin and I are providing them with the same professional guidance as their predecessors as well as the Mayor and other members of Council.

Mr. Greg Wiesbrock of Vissering Construction then addressed the council to discuss the following:

- The company has 44 years of experience
- The reputation and integrity should speak for itself
- Agreed with City Engineer Eric Carl's statement completely
- Largest General Contractor in the area
 - 100-200 employed laborers
 - 367 W-2's filed in 2019
 - 100 local laborers in the Illinois Valley

Alderman Sapienza stated he takes this allegation seriously and is offended by the attempt to hurt Peru.

Alderman Buffo asked what is going on up in the area now (North Peoria/Midtown Road). City Engineer Eric Carls reported there is ongoing subsurface work and mass grading of the proposed site that has been possible and necessary based on inconsistent subsurface material and good working weather.

PETITIONS AND COMMUNICATIONS

Clerk Bartley presented a communication from Mike Judge of 712 Main, LLC regarding offer and purchase agreement for former CVS site. Alderman Radtke made a motion the petition be received and placed on file. Alderman Waldorf seconded the motion; motion carried.

Clerk Bartley presented a communication from property located at 2702 May Road seeking variances and waivers. Alderman Lukosus made a motion the communication be received, placed on file and referred to the Planning/Zoning Commission for review and recommendation. Alderman Buffo seconded the motion; motion carried.

Clerk Bartley presented a communication from LaSalle Peru Township High School requesting volunteers/contribution for their upcoming Challenge Day.

PUBLIC COMMENT

CLOSED SESSION

ADJOURNMENT

Alderman Ferrari made a motion that the meeting be adjourned. Alderman Buffo seconded the motion and motion carried. Meeting adjourned 7: p.m.