****

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, OCTOBER 22, 2007 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, JONES, KORTKAMP, STRAND, AND DUNN

ABSENT: NONE

****

The **Pledge of Allegiance** was led by Eagle Scout Troop #635.

Roll was called and all Council Members were present.

Agenda

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

Motion by Council Member Strand, seconded by Council Member Jones, that the **minutes of the Regular City Council Meeting of October 9, 2007, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda

Motion by Council Member Jones, seconded by Council Member Dunn, that the Consent Agenda be approved as presented.

Mayor Tebben read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Monthly Reports and Minutes: Traffic Safety Minutes Dated October 5, 2007, Mayor's Advisory Committee for Persons with Disabilities Minutes August 9, 2007 and September 13, 2007, and Building Report.**

2. **Charitable Solicitation: Pekin Kiwanis Club Peanut Day Friday, November 2, 2007**
   Donation Cans for Ryan Richardson United States Army

3. **Receive and File Financial Statements April 30, 2007 prepared by Willock Warning & Co., P.C.**
   Tazewell/Pekin Consolidated Communications Center T/PCCC
   Tax Increment Financing – Central Business District Fund

4. **Receive and File Resignation of Ralph Brower from the Pekin Planning Commission**

5. **Receive and File Planning Commission Minutes Dated October 10, 2007**

6. **Receive and File Pekin Planning Commission Hearings and Recommendations:**
   a. Hearing #07-1751 recommends to approve the Site Plan for Custom Car Shop Glory to Glory Custom Cars 228 Margaret Street from Linda and Lester P. Chasteen PIN # 04-04-34-432-019 Original Town Blk 37 Lots 6, 7 and part of 9

   b. Hearing #07-1752 – recommends to approve the Special Use Request for Custom Car Shop Glory to Glory Custom Cars 228 Margaret Street from Linda and Lester P. Chasteen PIN # 04-04-34-432-019 Original Town Blk 37 Lots 6, 7 and part of 9

Mayor Tebben noted the resignation received from Planning Commission member Ralph Brower and his 30 years of servicing the City with distinction. He informed the Council Member of his invitation to Dick Cohenour to fill the unexpired term with the Council's approval.

On roll call vote, all present voted Aye.

Communications, Petitions, Reports
ILLINOIS RIVER ROAD NATIONAL SCENIC BYWAY
Community Development Director Pam Anderson introduced Anaise Berry. The Director of the Byway presented in Power Point format, the partnership program of the Economic Development Council of Central Illinois. Ms. Berry highlighted the designation as a National Scenic Byway, the route and impact as a visitor /tourism based market for 7 Gateway Communities. She spoke of the federal grant received, the implementation of collaborative marketing plan, the education of the area eco-system, and the multiple source funding. A request was made for a co-operative sponsorship of $7,200.00 from the City of Pekin.

STORM WATER UTILITY FEE
Public Works Director Joseph Wuellner made Council aware of the mandated requirements to comply with the National Pollutant Discharge Elimination System (NPDES) in March 2003. In a Power Point presentation he reviewed the process of implementing the created Stormwater and Erosion Control Ordinance and the remaining requirement of the Act to maintain and monitor the stormwater system. In order to accomplish sweeping, catch basin repairs, ditch cleaning, monitoring illicit connections and dumping issues, etc., a department would need to be established with dedicated staff and equipment. Mr. Wuellner informed Council to cover the cost a recommendation was being made to implement a Stormwater Utility Fee. He explained the fee proposed was based on the amount of impervious surface of lots. He asked for direction on issues yet to be resolved:

- Breakdown of non-residential areas into categories
- Determine the monthly charge per ERU
- Extent of responsibilities between the Stormwater and Street Departments

An ordinance would be presented to Council for action at the meeting of December 10, 2007. Council Member provided comments and input and their questions were addressed.

PARKING
The Chairman of the Traffic Safety Committee Timothy Gillespie and City Manager Dennis Kief informed Council that the committee met for a special work session on August 17, 2007 to physically toured the streets to assess the safety issues of the areas on the preliminary list. The committee provided Council with a list of locations regarding recommended restricted parking. Council was asked to provide TSC with suggestions in order to draft the ordinance for action at a future Council meeting.

PUBLIC HEARING
Mayor Tebben opened a Public Hearing at 6:12 p.m. for the purpose of considering the adoption of an ordinance authorizing execution of an Agreement for Exchange of Property with Amelia Sangalli. City Clerk Sue McMillan confirmed that the notice to the public was properly published in the *Pekin Daily Times* on October 3, 2007. City Manager Dennis Kief informed Council that the property was part of the proposed development and annexation agreements at Broadway and Sheridan Roads. The City had purchased 6.6 acre tract of real estate from Veterans Drive Investments, which would be deeded to Sangalli in exchange for a similar amount of property for Veterans Drive Right-Of-Way and the road's expansion. There were no comments received from the public. Mayor Tebben closed the hearing at 6:16 p.m.

New Business

<u>ORDINANCE NO. 2534-07/08</u>
AUTHORIZING THE EXCHANGE OF REAL ESTATE AND AUTHORIZING EXECUTION OF AGREEMENT FOR EXCHANGE

Motion by Council Member Jones, seconded by Council Member Kortkamp, that Ordinance No. 2534-07/08 be adopted. City Manager Dennis Kief told Council that at the September 24, 2007 City Council meeting the City acquired 6.6 acres of real estate from Veterans Drive Investments, Inc. The agreement before them was to exchange that property for approximately 8.70 acres with the Sangallis to be used as Veterans Drive and Sheridan Road Right-Of –Way. On roll call vote, all present voted Aye.

ORDINANCE NO. 2535-07/08
AUTHORIZING EXECUTION OF IMLRMA MINIMUM / MAXIMUM CONTRIBUTION AGREEMENT

Motion by Council Member Blanchard, seconded by Council Member Strand, that Ordinance No. 2535-07/08 be adopted. City Manager Dennis Kief told Council that the City had been a member of a "pool" of communities in the Illinois Municipal League Risk Management Association insurance program. He recommended the "economy of scale" and early payment savings of the Min/Max agreement in the amount of $567,754.18. He complimented the City's Safety Committee for the success of the safety record. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Abel, that the Recommendation of the Pekin Planning Commission be accepted and the **SITE PLAN FROM LINDA AND LESTER CHASTEEN FOR A CUSTOM CAR SHOP AT 228 MARGARET STREET** be approved. Public Works Director Joe Wuellner informed the Council that Glory to Glory business would utilize at-risk individuals as a training program at the car shop. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Blanchard, that the Recommendation of the Pekin Planning Commission be accepted and the **SPECIAL USE REQUEST FROM LINDA AND LESTER CHASTEEN FOR A CUSTOM CAR SHOP AT 228 MARGARET STREET** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Strand, that the City concur with the conditions for upgrading traffic signals on IL 9 and IL 29 in the **LETTER OF INTENT FROM THE ILLINOIS DEPARTMENT OF TRANSPORTATION AND THAT THE AGREEMENT TO PARTICIPATE** be approved. Council received explanation that the agreement was a commitment to participate with IDOT for improvement of controllers, cabinets, and grounding facilities. The cost estimate for the work was $21,274.48 from FY 09 MFT funding. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A265-07/08
AMENDING TITLE 8, CHAPTER 3, SECTION 4 C
OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO "U" TURN

Motion by Council Member Kortkamp, seconded by Council Member Abel, that Ordinance No. 1462-A265-07/08 be adopted. Police Chief Timothy Gillespie told Council that he had received complaints and had observed vehicles making 360-degree turns in the 200-600 blocks of Court Street. The Traffic Safety Committee reviewed the safety issue. The Chief recommended being pro-active though there had been no accidents. It was noted also that it was presently illegal to make a U-Turn within 100 ft. of all intersections. Mayor Tebben questioned the need for additional sign clutter and spoke in opposition of the amendment. On roll call vote, Ayes, Strand, Blanchard, Kortkamp, Abel; Nays Jones, Dunn, Tebben. Motion Carried.

ORDINANCE NO. 1462-A266-07/08
AMENDING TITLE 8, CHAPTER 3, SECTION 3 F
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SPEED LIMITS PARKWAY DRIVE

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that Ordinance No. 1462-A266-07/08 be adopted. A recommendation was made by the Traffic Safety Committee to restrict the speed of vehicles on Parkway to 30 mph in the area of Coal Miners Park. Comments were received from Council:

- Reducing speed was a start to addressing safety issue at pedestrian crossing.
- Traffic signal light needed.
- Light needed "on demand" to stop traffic
- Speed enforcement needed to be stepped-up.
- Need to educate drivers to slow down with visibility of speed indicator trailer.
- Suggestion made to jointly with the Park District and School District to pursue other options such as overpass, tunnel, street alignment.

On roll call vote, all present voted Aye.

RESOLUTION NO. 17-07/08
AUTHORIZING EXECUTION OF ILLINOIS DEPARTMENT OF TRANSPORTATION DOWNSTATE PUBLIC TRANSPORTATION OPERATING ASSISTANCE AGREEMENT CONTRACT (#3633) OP (07-9)-IL) ***Correct # 3671 OP-08-09-IL see 1/14/08***

Motion by Council Member Dunn, seconded by Council Member Kortkamp, that Resolution No. 17-07/08 be adopted. Director of Transportation Greg Ranney advised Council that the resolution authorized him to execute a grant application and an agreement to accept funds in the amount of $262,803.00 for the operation of the Municipal Bus Service. The IDOT grant would be the last filed for the municipal bus service. The money would be part of the contracted service to City/Link for transportation service. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Blanchard, that the **RECYCLING PROCESSING CONTRACT WITH MIDLAND DAVIS RECYCLING** be approved. Council was informed about the 5-year recycling material contract at a rate of $4.00 per cubic yard. They were advised that the agreement contained an optional 5-year contract at $4.25. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members made individual announcements for upcoming events.

City Manager Dennis Kief informed Council that there had been questions concerning wastewater bill increases showing on the October water bills. He then explained that 4 years ago the City enacted winter averaging of the billing to compensate for the months of waters used on warmer weather activities that do not end up in the sewer system. The average was based on May through September. People were billed for actual October usage. He indicated that the installers of lawn irrigation systems need to inform the homeowner that a separate meter should be installed.

Council was presented with the Illinois Municipal League Risk Management award for Loss Prevention Safety. The award was for outstanding accident prevention record in 2006.

Juan Rios, 228 Margaret Street thank Council for their consideration of the approval of the site plan and special use for their custom car shop. Mr. Rios spoke of the benefit of utilizing at-risk individuals as learning and training experiences.

Reporters from the media, the *Pekin Daily Time*, and *Peoria Journal Star* were given the opportunity to ask questions.

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Council move to Executive Session at 7:06 P.M. to discuss the setting of price for the sale and/or lease of municipally owned property 5 ILCS 120/2 (c.) 6. and litigation, when an action against, affecting or on behalf of the particular public body finds that an action is probable or imminent 5 ILCS 120/2 (c) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, in open session, the Mayor called the meeting closed.

COUNCIL ADJOURNED AT 7:15 P.M.

Sue E. McMillan
City Clerk