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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 THE CITY HALL
ON MONDAY, OCTOBER 22, 2001 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, MASSAGLIA, ORRICK, AND RICHMOND

ABSENT: NONE

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

Roll was called and all commissioners were present.

Agenda
Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Agenda**, **be approved as presented.** On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **Minutes of the Regular City Council Meeting of October 8, 2001, be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda
Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **Consent Agenda be approved as presented.**

1. Receive and File Monthly Reports: Wastewater Treatment
2. Receive and File Minutes of the Pekin Tourism Commission dated October 15, 2001
3. Receive and File Minutes of the Pekin Planning Commission dated October 10, 2001
4. Receive and File Planning Commission Recommendations and Hearings:
   #1513 – recommends that Section 9-1-2, Chapter 1, Section 9-10-15, Chapter 10 and Section 9-10-8-F Regarding Garage Sale Signs and Contractor Signs be amended

On roll call vote all present voted Aye.

Communications, Petitions, Reports
A Public Hearing was opened at 5:30 p.m. by Mayor Tebben to consider an Ordinance authorizing the vacation of a certain portion of the alley located between Court, Eighth, Broadway and Ninth Street. All interested parties were notified by publication notice in the *Pekin Daily Times* on October 2, 2001. Corporation Counsel Patrick Oberle explained that the Pekin Public School District No. 108 had requested the City to vacate the 18-foot wide alley in Colt's Addition regarding the land over James Field. By resolution in April, the Board approved an agreement where by the City was to receive a deed for the existing right-of-way along Court Street and Eighth Street for more efficient traffic flow in exchange. No additional comments or objections were received. The hearing was closed at 5:37 p.m.

New Business

<u>ORDINANCE NO. 2267-OA</u>
AMENDING TITLE 9 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING GARAGE SALES AND CONTRACTOR SIGNS

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Ordinance No. 2267-OA be adopted. Com'r. Richmond felt the City did not need the clutter of additional signage and offered an amendment to further reduce the limit of signs advertising a Garage Sale in residential districts from 5 to 3. He also suggested eliminating the permitted use of contractor signs. Discussion followed on the equal treatment of advertising signs for contractors performing visible exterior modifications on property as opposed to interior contractors or even sale contracts. Council further discussed consideration of enforcement.

Motion by Com’r. Richmond, seconded by Com'r. Barra, that Ordinance No. 2267-OA be amended by removing section 5 Contractor Signs and substituting 3 signs for 5 signs under F. 4 (e). On roll call vote, Ayes, Barra, Richmond, and Tebben; Nays, Orrick and Massaglia. Motion carried.
Motion by Com’r. Orrick, seconded by Com'r. Barra, that Ordinance No. 2267-OA as amended be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2268
VACATING THE 18 FOOT WIDE ALLEY IN COLTS ADDITION LOCATED BETWEEN COURT STREET, EIGHTH STREET, BROADWAY STREET AND NINTH STREET, IN THE CITY OF PEKIN

Motion by Com’r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2268 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A189
AMENDING TITLE 8, CHAPTER 2, SECTION 9 AND SECTION 11 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING AUTHORIZED STOP SIGNS AND THROUGH STREETS / LAKESHORE AND EASTER

Motion by Com’r. Massaglia, seconded by Com'r. Richmond, that Ordinance No. 1462-A189 be adopted. Com’r. Richmond explained the Traffic Safety Committee’s recommendation to place appropriate signage in the new section of Holiday Hills subdivision from Parrish to Parkway Drive. A stop sign on Lakeshore at Brenkman Drive was included in the ordinance. On roll call vote, all present voted Aye.

ORDINANCE NO. 2269
AMENDING TITLE 6 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING DEFINITION OF FIREARMS /PAINT BALL WEAPON

Motion by Com’r. Massaglia , seconded by Com'r. Orrick, that Ordinance No. 2269 be adopted. It was explained that the ordinance amends the definition of firearm to not apply to the possession of a paint ball gun at a recreational facility. The firing of such weapons is only permitted by resolution approval for specified uses such as Park District archery range or new paint ball area as questioned by Council. On roll call vote, all present voted Aye.

ORDINANCE NO. 2270
ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY WITHIN THE CITY OF PEKIN / 101 BROADWAY

Motion by Com’r. Massaglia , seconded by Com'r. Barra, that Ordinance No. 2270 be adopted. Council was told the real estate was part of the redevelopment of the riverfront plan in the TIF district and appraised at the $40,000.00 sale price. On roll call vote, all present voted Aye.

Motion by Com’r. Massaglia, seconded by Com'r. Barra, that the **CHANGE ORDER WITH SVENDSEN CONSTRUCTION FOR SEWAGE TREATMENT PLANT BUILDING REMODELING** in the amount of $960.00 be approved. Code Enforcement Officer Jack Kluever reported that Architects Jost/Becker/Jost has been asked to add to the project the removal of plywood from 4 metal louver openings at Plant No. 2, attach styrofoam and reapply plywood. Improvement was recommended. On roll call vote, all present voted Aye.

Motion by Com’r. Massaglia, seconded by Com'r. Barra, that the **CITY CONCUR WITH THE STATE OF ILLINOIS c**ontract unit price per ton of $29.86 for 2001-2002 Rock Salt Joint Purchase. Public Works Director Dennis Kief discussed recommendation, 3000 tons quantity and customary quotes and past purchases. On roll call vote, all present voted Aye.

Motion by Com’r. Richmond, seconded by Com'r. Orrick, that the **5 YEAR STREET MAINTENANCE PROGRAM (2202-2006)** be approved. Public Works Director Dennis Kief noted that with favorable unit prices and base repair work completed by the Street Department, it was anticipated that the first 7-year seal coating cycle of residential streets would be completed within a 5-year period of time. Included in this year’s program were the first steps in implementation of the Brick Street Project. Bids would be let in the next 30 days. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **INTERGOVERNMENTAL AGREEMENT WITH TAZEWELL COUNTY FOR ANIMAL & RABIES CONTROL SERVICES**, in the amount of $40, 965.00 be approved. City Manager Hierstein told Council that the renewal was for the same pricing as last year's agreement. Questions were asked of why the City pays additional money for services provided by county government. Mr. Hierstein was asked to obtain revenue figures from Tazewell County to compare charges per capita of area municipalities. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **EMPLOYMENT AGREEMENT WITH RICHARD HIERSTEIN** be approved. A summary of the contract was given: two year term beginning May 2002, reinstatement of contributions to IMRF and ICMA-RC pension plans, and 3 1/2% annual salary increases provided. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **PEORIA AREA CONVENTION & VISITORS BUREAU COOPERATIVE MARKETING CAMPAIGN** in the amount of $30,000.00 be approved. Director of Planning and Development Kim Uhlig discussed with Council the recommendation of the Tourism Commission to participate in the PACVB's campaign to promote the area as "Illinois River County". Metropolitan areas such as Chicago, St. Louis, and Indianapolis will be targeted. Questions were further discussed concerning the level of commitment by other area entities and the extent of the benefit from investing hotel/motel tax dollar in such a project. Com'r. Massaglia questioned activities that would specifically promote Pekin. Mayor Tebben emphasized that this area's qualities need to be marketed and Pekin's story needs to be told. Com'r Orrick requested a report be given in later November of the partners and levels of participation. On roll call vote, Ayes, Orrick, Barra, Richmond, Tebben; Nay, Massaglia.

RESOLUTION NO. 141

AUTHORIZING AN ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE PROGRAM LOAN EDFAP TO PEKIN PAINTBALL, INC.

Motion by Com'r. Massaglia , seconded by Com'r. Barra, that Ordinance No. 2270 be adopted. Assistant Planning and Development Director Jill Ellestad requested Counsel's opinion to amend ordinance to include authorization for the business to operate a facility for the discharge of weapons. Chair din not consider the request in order. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **TIF DOWNTOWN FAÇADE REVITALIZATION GRANT** per Application of Greg Ranney, 215 Court Street, be approved in the amount of $472.00. Jill Ellestad presented the request for replacement of 6 windows in the back of the building and the bids submitted. She reported the Main Street Design Committee discussed several options and recommended the reimbursement with the contingency that the windows in front of the rental property be replaced by October 22, 2002. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **TIF DOWNTOWN FAÇADE REVITALIZATION GRANT** per Application of Home Health Care Plus, Inc., 514 Court Street, be approved in the amount of $1,229.00. Jill Ellestad presented the improvements for reimbursement and bids submitted for the project. The Design Committee recommended 1/3 of the lowest bid or $850.00. Debbie and Dennis Davison addressed Council with their request to be reimbursed for the higher bidder sighting that the contractor could tuck point the entire left wall. Council members questioned the eligibility for maintenance items such as tuckpointing, caulking and sealant as well as the discrepancy in the bid figures and the visibility of the project improvements. Discussion followed. On roll call vote, all present voted Aye. The Chair emphasized that it was the consensus of this Council that the City is not in a tax supported maintenance business. He issued instructions to the Main Street Design Committee through their representative, Ms. Ellestad, to 1. get definition of eligible items for the established program and that they be presented consistently as visible improvements. 2. that the committee come prepared with presentation and with figures that are consistent and supportive of the request.

The **ANNUAL RETREAT** was set for Monday, November 5 @ Noon at Pekin Estates .

Other Business

Nancy Phillips, 346 ½ Caroline Street stated her concerns as a rider on the municipal bus. She requested that the buses run on weekends, that the waiting benches be covered, discounts for frequent riders and that the buses stay on schedule. Mayor Tebben directed Greg Ranney Director of Public Properties to respond to Ms. Phillips requests.

Greg Ranney shared the success of Spruce Up Pekin with Council and reported 105 ton of waste at 6 locations. Com'r. Orrick asked why the amounts collected were increasing each year and questioned if drop-offs were being made from outside the City.

Kim Uhlig announced that the Tourism Committee information was now on line at Tourism.com with links to other helpful sites.

Com'r. Barra praised the Fire Department for their hospitality and informative tour/open house that they provided to the public.

Mayor Tebben announced that there will be a Veterans Day Memorial on Sunday, November 11 @ 11:00 a.m. in Veterans Cemetery N. 8th Street. He also asked that the community be on heighten awareness this Halloween for safety. He did not set dates or times for Trick 0r Treating but felt the City should use common sense.

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

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Council move to **Executive Session** at 7:00 p.m. to discuss Acquisition of Real Estate and Pending Litigation On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Barra, seconded by Com'r. Orrick, that Council adjourn until Tuesday, November 13, 2001. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:30 P.M.

Sue E. McMillan
City Clerk