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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 TUESDAY, OCTOBER 15, 2013, AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, HENDRICKS, MCCABE, GILLESPIE, GOLDEN, BARRA, AND ORRICK

ABSENT: NONE

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

Roll was called. All members were physically present. A quorum was present.

EXECUTIVE SESSION
Motion by Council Member Orrick, seconded by Council Member Gillespie, that the Council move to Executive Session at 5:31 p.m. to discuss 65 ILCS 120/2 (c) (5) Acquisition of Property and (6) Sale/Donation of Property. On roll call vote all present voted Aye.

Motion by Council Member Gillespie, seconded by Council Member Abel that Council return to open session. On roll call vote all present voted Aye.

All Council Member were present in open session.

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

MINUTES
Motion by Council Member McCabe, seconded by Council Member Gillespie, that the **minutes of the Regular City Council Meeting of September 23, 2013 be approved as written.** On roll call vote all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS
Melida Heien, 2 Joan Court, addressed the Council regarding West Campus. She stated as Director of Main Street she was not speaking as in the past on the historic preservation of the building but that the intended purchase and donation agreement needed to include the developer’s project plan.

Bill Fleming, Director of the Pekin Chamber of Commerce asked Council to approve the Midwest Engineering Agreement for Veterans Drive project from Sheridan Road to Fisher Road. He referred to the recent groundbreaking event for Veterans Drive south and encouraged the Council to keep the momentum going as each section of the corridor moves forward to completion of the highway.

Ron Simpson, 21 Cape Court voiced concern that a developer was not disclosed and the vision for the West Campus property remained without answers.

CONSENT AGENDA
Motion by Council Member McCabe, seconded by Council Member Hendricks, that the **CONSENT AGENDA be approved as presented.** The following was presented for consideration of the Consent Agenda items by Omnibus Vote. Mayor Barra presented the Proclamation “International Alpha Delta Kappa Month” to Marge Melchers.

7.0 CONSENT AGENDA
7.1 Receive and File Monthly Reports: Fire Department August Report; Human Rights Committee Minutes August 28, 2013; Liquor Commission draft Minutes September 26, 2013; Tazewell County Animal Control September Report; Traffic Safety Committee Minutes October 4, 2013.
7.2 Proclamations: "International Alpha Delta Kappa Month"
7.3 Receive and File Bids for Roofing Project 272 Derby Street and 1000 N. 14th Street
7.4 Receive and File Zoning Board of Appeals Minutes dated September 11, 2013
7.5 Receive and File Pekin Planning Commission Minutes dated September 11, 2013
7.6 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #09-1870 & 1871-recommends approval of the Special Use and Site Plan for a New Pharmacy Drive-Thru for Kroger Store J923.

On roll call vote all present voted Aye.

NEW BUSINESS

ORDINANCE NO. 2689-13/14
AN ORDINANCE ACCEPTING A CONTRACT FOR SALE OF REAL ESTATE AUTHORIZING THE SALE OF MUNICIPALLY OWNED REAL PROPERTY WITHIN THE CITY OF PEKIN, ILLINOIS
PIN: 04-04-35-363-001, 04-04-35-363-002, 04-04-35-364-001

Motion by Council Member Orrick, seconded by Council Member Gillespie that Ordinance No.2689-13/14 be adopted. City Manager Joseph Wuellner spoke to Council on the history and proposal of the West Campus property. He informed the Council and public of the 14 years plus deterioration, little interest in development of the building from owner Merl Huff or purchasers, safety and liability concerns initiated with the demolition group DEG, and plans of entrepreneur Randy Price once Marl Huff was willing to donate to a not-for-profit. He advised the Council this was the opportunity to address years of concerns and not invest City tax dollars but one agreement would not work without the other. Each Council Member was given the opportunity to speak. Council Member Golden spoke in opposition to the agreements stating his disapproval of an unknown owner, no appraisal on the value of the real estate, legalities of the form of the deed used, the release of payment of liens. He suggested review of the proposed real estate transactions by another attorney and that the City retain the property once donated by the owner for the City to market and have control of the property. Council Members McCabe, Gillespie, Abel, Orrick, Hendricks, and Mayor Barra spoke in support of the proposals. On roll call vote, Ayes, Abel, Gillespie, McCabe, Hendricks, Orrick, Barra; Nay Golden. Motion carried.

ORDINANCE NO. 2690-13/14
AN ORDINANCE ACCEPTING DONATION AGREEMENT OF REAL PROPERTY 207, 209 AND 211 N. 9TH STREET

Motion by Council Member Orrick, seconded by Council Member Abel that Ordinance No.2690-13/14 be adopted. Council was advised of the terms and conditions of the transfer of property from Merl Huff to the City who in turn would sell to a purchaser who did not want to be disclosed. The transfer to the Trust would assure the demolition of the remaining buildings, debris hauled away and the property graded. The agreement would protect the City from liability in connection with the campus. Discussion followed. On roll call vote, Ayes, Abel, Gillespie, McCabe, Hendricks, Orrick, Barra; Nay Golden. Motion carried.

Motion by Council Member Hendricks, seconded by Council Member McCabe that the **SITE PLAN FOR 1607 BROADWAY ROAD** be approved. The recommendation of the Pekin Planning Commission to approve the site plan from Kroger Store J923 for a new pharmacy drive-thru was presented. The City Manager advised the Council that the plan met requirements for the special use and that the drive-thru would have minimal impact on the Kroger site. He addressed questions of Council that the handicapped spaces had been moved, were sufficient, and van assessable. The fire lane was appropriate and traffic flow was of no concern because there was no new movement. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Gillespie that the **SPECIAL USE FOR 1607 BROADWAY ROAD** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member McCabe that the bids for the Roof Replacement Project 272 Derby Street be received and the contract be awarded to Kreiling Roofing Company in the amount of $66,390.00. Council Member McCabe agreed for two motions on roof replacement be combined: that the bids for the Roof Replacement Project 1000 N. 14th Street be received and the contract be awarded to Kreiling Roofing Company in the amount of $49,548.00. City Manager Joseph Wuellner advised the Council that the roofs on the Northside and Southside fire stations had exceeded the normal lifetime expectancy for a built-up roof and both had shown signs of leakage. The projects were funded as part of the FY2013 Capital Bond Project. Council Member Gillespie questioned if it would be more advantageous to patch the roofs and anticipate a new structure in a few years. On roll call vote all present vote Aye.

<u>ORDINANCE NO. 1462-A327-13/14</u>
AMENDING TITLE 8, CHAPTER 4, SECTION 1.D.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING NO PARKING SCHEDULE – KOCH STREET.

Motion by Council Member Golden, seconded by Council Member Hendricks that Ordinance No. 1462-A327-13/14 be adopted. Police Chief Nelson presented the recommendation of the Traffic Safety Committee to restrict parking on Koch Street, north side and allow parking on the south side in front of the Pekin Park District Sports Complex except 30' on each side of each entrance. He indicated that the change was an incremental approach to solve longer term traffic patterns and parking concerns around the sports fields. Council Member Orrick asked that the Traffic Safety Committee communicate with park district representative who may have solutions to some of the concerns such as rescheduling of events. Council Member Golden suggested another lot off 5th Street but was advised that the 5th and Koch Street parcel had donor restrictions associated to it and that the Park Board had no remaining funds from the bond for constructing an additional parking lot. On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Orrick that the **MIDWEST ENGINEERING ASSOCIATES AGREEMENT FOR VETERANS DRIVE SHERIDAN ROAD TO FISHER ROAD,** be approved in an amount not to exceed $600,000.00. City Engineer Michael Guerra presented an agreement for the designed phase of Veterans Drive, Sheridan Road to Fisher Road. The completion of the design phase would allow for right-of-way plats to be established. On roll call vote, all present voted Aye.

Motion by Council Member Gillespie, seconded by Council Member Orrick that the **CHANGE ORDER #3 WASTE WATER TREATMENT PLANT PHASE 2 B agreement** in the amount of $172,593.00 be approved. City Engineer Michael Guerra recommended the Change Orders for each of the phases of the Treatment Plant and explained that this amendment included additions for 9 items due to changes that were required once construction started and knowledge of existing conditions and purchased materials were verified. Larges change in Change Order #3 was the adjustment to interior roadway grades to match the existing toe of the CSO Lagoon. After the change the remaining contingency would be $130,009.00 Patrik Sheridan, Farnsworth Engineer answered questions and concerns from Council Member Golden on the specifics of each of the Change Orders presented. On roll call vote, all present voted Aye.

Motion by Council Member Gillespie, seconded by Council Member Orrick that the **CHANGE ORDER #6 WASTE WATER TREATMENT PLANT PHASE 2 A agreement** in the amount of $63,069.86 be approved. Council was informed that Change Order #6 included changes for 8 additional items and the deduction for 1. the largest change was to add supplemental support for coil up doors located at the residuals drying beds. The amendment to the contract will leave $10,814.14 remaining in the original 3% contingency. Mr. Sheridan addressed all questions of the Council. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS BEFORE THE COUNCIL

City Engineer Mike Guerra alerted the Council to the fact that utility conflicts with the water and gas lines may delay the closure of Front Street and the work scheduled. The City Manager next advised the Council of the pre-construction meeting for Veterans south and that work should start shortly at the end near Route 29. Plans were to start there and on the culvert for Lost Creek near the VFW Hall.

Assistant City Manager Darin Girdler informed the Council that the Tax Levy would be presented at the November 25, 2013 Council Meeting and consideration of the Levy Ordinance on December 9, 2013. A reminder was given that the Levy must be filed with Peoria and Tazewell Counties by the last Tuesday in December.

City Attorney Burt Dancey thanked the Council for their decision on the long process for the West Campus. He had hoped all of the questions and concerns had been addressed.

Council Member Gillespie asked that some type of warning, flashing light or street lights be installed at the point on the new Veterans Drive section that abruptly stops at Sheridan Road.

Council Member Orrick suggested that a decision be made to revert South Capitol Street to two way traffic. He indicated that positioning of entrances and traffic flow could play a part in the Library renovation project. Police Chief Nelson stated that the Traffic Safety Committee had recommended both Capitol Street and 4th Street be two-way streets in their entirety.

Council was informed upon Council Member Golden's question that the retention pond adjacent to Hanna Drive functioned properly after the addition of the French drain. No added expense was incurred.

Melida Heine, Director Pekin Main Street extended an invitation to the public for an open house co-hosted with Driven Church at the Fusion Building on Thursday, October 24, 2013 from 4:00-6:00 p.m.

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

COUNCIL ADJOURNED AT 7:15 P.M.

Sue E. McMillan
City Clerk