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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 14, 2008 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

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

ABSENT: NONE

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

Roll was called and all Council Members were present for roll call. Council Member Jones asked to be excused from the meeting at 6:10. p.m.

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

Motion by Council Member Blanchard, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of S September 22, 2008 and Special Budget Work Session of October 7, 2008, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda
Motion by Council Member Blanchard, 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. **Receive and File Monthly Reports and Minutes:** Liquor Commission Minutes dated July 24, 2008, Traffic Safety Committee Minutes Dated October 3, 2008, and September Building Report

2. **Proclamation:** "International Alpha Delta Kappa Month" October 2008
"YWCA Week Without Violence" October 19–25, 2008
"National Fire Prevention Month" October 2008

3. **Receive and File** Resignation of Angel Gibson from the Pekin Planning Commission

4. **Resolution No. 57-08/09 –** Mayor's Appointment Scott Plotner to the Planning Commission to fill the unexpired term of Angel Gibson until May 15, 2011

5. **Receive and File** Illinois Department of Transportation Audit MFT Report #65 year 1999

6. **Receive and File** Illinois Department of Transportation Audit MFT Report #66 year 2000

On roll call vote, all present voted Aye.
Mayor Tebben presented the document proclaiming International Alpha Delta Kappa Month to Marge Melchers. Mrs. Melchers addressed Council and extended appreciation for the honoring of the teachers sorority.

COMMUNICATIONS, PETITIONS, REPORTS
Jim Wolf Treasurer in his **Financial Report Update** gave a general explanation of revenues, expenditures, and fund balances. He began with the Investment Earnings to which he added figures for Actual Difference and Actual Compared to Budget columns. Since his last July 31 report he indicated interest rates had not improved citing the money market in Springfield 1 year differential from 4.75% to 1.1%. In reporting 5 months ended September 30, he indicated revenues were cautiously hanging in

there and that the report showed a smoothing as the City gets into the fiscal year. He advised that MFT funds would be down as people drive less based on gas prices, grants were not coming in that were budgeted for Veterans Drive, yet sales tax show a pocket of prosperity.

PUBLIC HEARING was opened by Mayor Tebben at 5:48 p.m. for the purpose of discussing an ordinance authorizing the vacation of Front Street from St. Mary to Cynthiana Street. The notice was properly published for comments from interested parties in the *Pekin Daily Times* on September 27, 2008. City Manager Dennis Kief asked Council to consider vacating the public Right of Way in order for the recommended portion to become part of the overall City owned property for river front development. He indicated that there was no immanent developer plans and that the City street would continue to operate. The Hearing was closed at 5:58 p.m.

NEW BUSINESS

ORDINANCE NO. 2567-08/09

ORDINANCE TO VACATE ALL OF THAT PART OF FRONT STREET LYING BETWEEN ST. MARY STREET AND CYNTHIANA STREET

Motion by Council Member Abel, seconded by Council Member Strand, that Ordinance No. 2567-08/09 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Kortkamp, that the **SEWER CONNECTION FEE AGREEMENT WITH MIDWEST HOLDINGS** be approved. City Manager Kief advised Council that the agreement set the developer's sewer tap-on fee for the assisted living structure developing on the east side of South Fourteenth Street. The agreement provided a compromise for money owed by the City on a participation of Windstar Lane and the payment due for increased fees. The preliminary plans had straddled the time-frame of the new provisions for increased fees. On roll call vote, all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that the **TRANSFER OF PROPERTY TO JOSEPH AND CAROLE BUSSONE** in exchange for right-of-way needed for Broadway Widening Project, be approved. The action provided for the exchange of legal documentation for property and right-of-way in acquisition process. The request was accommodated through work with the County. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Abel, that the **AMENDMENT WITH STS / AECOM FOR THE PARKWAY DRAINAGE IMPROVEMENT PROJECT** in the amount of $9,400.00, be approved. Council was informed that the conditions had changed from the time of designing the original improvement to reduce flooding during heavy rains. When an individual easement could not be obtained, the alignment had to be shifted to avoid the play area of the adjoining church. It was suggested in the future that scope of work language include contingencies for far less "change order" dollars spent. On roll call vote, all present voted Aye.

FARM LEASES

Motion by Council Member Strand, seconded by Council Member Blanchard, that the following farm leases be approved:
Michael Hoefft for Riverway Business Park 2nd Addition at 5th and Koch Street in the amount of $25,024.00; and Mark Weyhrich for Municipal Airport property in the amount of $6,110.00; and Mark Berg for Riverway Business Park 3rd Addition South 5th Street in the amount of $24,875.25.

Contracts for farmed acres of municipally owned property on S. 5th Street and Koch, 150 acres on South 5th Street, and the original Riverway Business Park
On roll call vote, all present voted Aye.

Council Member Jones left the meeting.

ORDINANCE NO. 2568-08/09
AMENDING TITLE 3, CHAPTER 2 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING MOTOR FUEL TAX AND CHAPTER 2, ARTICLE 3 REGARDING HOTEL MOTEL TAX

Motion by Council Member Kortkamp, seconded by Council Member Dunn, that Ordinance No. 2568-08/09 be adopted. Corporation Counsel advised that the language provided "teeth" to the provisions of collection and enforceability of paying the tax. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A283-08/09
AMENDING TITLE 8, CHAPTER 4, SECTION 1 D OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO PARKING SCHEDULE EAST SIDE SOUTH 10TH STREET FROM OXFORD STREET TO CHARLES STREET

Motion by Council Member Blanchard, seconded by Council Member Strand, that Ordinance No. 1462-A283-08/09 be adopted. Recommendation of the Traffic Safety Committee to improve safety Committee to improve safety concerns on the curved residential section of South 10th Street. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A284-08/09
AMENDING TITLE 8, CHAPTER 2, SECTION 9 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING AUTHORIZED STOP SIGNS ON ANN ELIZA AT NORTH 12TH STREET

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Ordinance No. 1462-A284-08/09 be adopted. Recommendation of the Traffic Safety Committee for safety precautions at the T-intersection. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Blanchard asked that staff review the ordinance regarding seizure and impoundment of vehicles for flaws and the ramifications in that it takes the police officer's discretion out of the arrest.

Council Member Abel congratulated the Fire Department for a successful Open House at the East Side Fire Station.

Council Member Strand encouraged attendance in the YWCA Week Without Violence activities.

Mayor Tebben encouraged citizens to exercise their right to vote and to consider the early vote option. He also indicated he and the Manager had productive discussions with Advanced Medical Transport (AMT) representatives in furthering a possible franchise.

Motion by Council Member Abel, seconded by Council Member Dunn, that **Council move to Executive Session** at 6:25 P.M. to discuss 5 ILCS 120/2 (c.) 2. Collective negotiation matters between the Public Body and it employees or their representatives, or deliberation concerning salary schedules for one or more classes of employees. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 6:40 P.M.

Sue E. McMillan
City Clerk