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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 12, 2010 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, BARRA, KORTKAMP, SCHMIDGALL, AND DUNN
ABSENT: STRAND

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

Roll was called and all Council Members were present except Council Member Strand.

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

Mayor Dunn requested, if there were no objections, that Public Input other than business items be moved from the end of the meeting to the beginning to allow for the large attendance in the chambers to be able to address the Council.

MINUTES
Motion by Council Member Kortkamp, **seconded by Council Member Abel** that the **minutes of the Regular City Council Meeting of September 27, 2010 be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT – PLACE ON PRINCE
Mayor Dunn asked the City Manager Dennis Kief to brief Council on the chronology regarding the structure at 601 South 7th Street. He advised that the facility as a nursing home was shut down by the Health Department for state and federal violations. The building was vacated in 2006 until an auction took place in April 2010. The change in use triggered new owner requirements, mandated by the state code and enforced by the Fire Marshall, for installation of a sprinkler system. Roger Greer, successful bidder and owner moved in boarders. The City's Code Enforcement Officer informed the Greer's that the gentlemen could not occupy the premises until sprinklers were installed. Statements were presented by Corporation Counsel Burt Dancey and Fire Chief Kurt Nelson regarding the International Fire Code, Life Safety Code, requirements of elevators, boiler, sprinkler, and alarm systems.

Roger Greer, 601 Prince, addressed the Council regarding his plan to house low income veterans through the Veteran's Commission Assistance Program. He stated his position on the safety of the 42 room building and petitioned that Council grant a waiver to provisions, amendment to code, or grandfather in the use in exchange for the beneficial service he would be providing the community. Attorney Dancey advised that it was not up to Council to relax any codes that fall under the jurisdiction of the State Fire Marshall.

The following persons gave testimony in support of the project:
Ed Schwinn 1009 South Capitol Street
Glen Ferguson East Peoria
Marilyn Orrick 699 Oxford
Roxy Greer 601 Prince
Jerry Witzig 11501 Antioch Tremont
Scott Lauss 317 Catherine
Kay Lock 709 South 3rd Street

CONSENT AGENDA

Motion by Council Member Kortkamp, seconded by Council Member Barra, that the Consent Agenda be approved as presented.

Mayor Dunn presented the following for consideration of the Consent Agenda items by Omnibus Vote. Proclamations were so noted and the ADK document presented to Marg Melchers.

1. **Receive and File Monthly Reports and Minutes:** Traffic Safety Committee Minutes October 1, 2010, Tazewell County Animal Control Report for September, Inspections and Zoning Department Monthly Reports July and August, and Building Reports July and August.

2. **Proclamations**: "YWCA Week Without Violence" October 23-29, 2010
"International Alpha Delta Kappa Month" October 2010

On roll call vote, all present voted Ayes.

COMMUNICATIONS, PRESENTATION, REPORTS

Bob Marx President and CEO and Cheryl West Board Member Peoria Area Convention & Visitors Bureau briefed Council on the organization's efforts in attracting visitors to an 8 county area. He asked for Pekin's financial support and partnership in the role PACVB plays to promote, sell, advocate usage, and in driving an economic impact for Pekin. He suggested two ways; direct contribution from Tourism Fund or 1% increase to the hotel/motel sales tax.

NEW BUSINESS

Motion by Council Member Abel, seconded by Council Member Kortkamp, that the **PROPOSAL FROM P.J. HOERR SUBMITTED AS OPTION #2 FOR BRICK REPAIR TO THE EASTSIDE FIRE STATION in an amount not to exceed $291,088.00**, **be approved.** Public Properties Director Greg Ranney presented the scope of the work to replace brick, tuck point, apply membrane or DOW AllGuard paint along with breakdown of pricing. He recommended Option 2 that included framing of metal siding. Discussion followed with Council as to life expectancy of the products, future locations/plans for fire stations, financial investment. Kirk Anderson, Vice President P.J. Hoerr and Phil Watkins, Summit Masonry & Stoneworks answered questions of the Council. Council Members Schmidgall and Blanchard spoke to a preference of the less expensive option #1. On roll call vote, Ayes, Kortkamp, Barra, Abel, and Dunn; Nays, Schmidgall and Blanchard. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Barra, that the **PURCHASE OF A PICKUP TRUCK FOR THE FIRE DEPARTMENT in the amount of $23,532.10**, **be approved.** Fire Chief Kurt Nelson requested the approval of the purchase of a 1-ton pickup truck to replace a 1997 vehicle that has not been able to be used in the multiple ways needed for the department's operations in towing specialty rescue trailers and confined space operations. The funds were budgeted in the FY 2011 budget. The Chief suggested the replaced truck could be utilized by another department in plowing alleys. Council Member Blanchard questioned if a trade off from another department would be possible to avoid the expenditure. On roll call vote, Ayes, Schmidgall, Kortkamp, Barra, Abel, and Dunn; Nay, Blanchard. Motion Carried.

Motion by Council Member Barra, seconded by Council Member Kortkamp, that the **LICENSE AGREEMENT NO. 6299 AT PEKIN LAKE CONSERVATION AREA WITH THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES in the amount of $1,000.00 for a 5 year term, be approved.** Council was advised that the agreement with IDNR was a continuation from 1980s to enter the premises to operate and maintain a 420inch storm sewer and outfall structure as part of the Jane Street drainage correction. On roll call vote, all present voted Aye.

ORDINANCE NO. 2628-10/11

AMENDING TITLE 6, CHAPTER 2 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING GRAFFITI

Motion by Council Member Schmidgall, seconded by Council Member Kortkamp, that Ordinance No. 2628-10/11, **be adopted.** Police Chief Ted Miller recommended to the Council the ability to deal with accumulated graffiti around the City. The addition to prosecuting under state statute would allow utilization of a broader range of enforcement actions for violators and would allow removal of graffiti from private property when needed. On roll call vote, all present voted Aye.

ORDINANCE NO. 2629-10/11

AMENDING TITLE 6, CHAPTER 2, SECTION 12 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES/MISDEAMEANORS, CITATIONS CHARGING VIOLATION OF CERTAIN ORDINANCES AND SETTLEMENT BY PAYMENT OF FINES

Motion by Council Member Schmidgall, seconded by Council Member Abel, that Ordinance No. 2629-10/11, **be adopted.** Police Chief Miller advised the Council on the addition of graffiti, animal violations, false alarms and presence at riverfront to list of minor violations that can be paid over the counter rather than appear in OV court. On roll call vote, all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Blanchard, that the EDAC recommendation of the Pekin Economic Development Investment Funds for the City to guaranty a portion of the loan to **CENTURY RAILROAD BUILDERS, INC., in the amount of $17,700.00, be approved** and that the Mayor and City Clerk by authorized to execute any necessary documents. Information was provided the Council regarding the Economic Development Advisory Committee's recommendation to bridge a financial gap of F & M Bank financed SBA loan to Jim and Barbara Chambliss with a commercial guaranty secured with a lien on business investor Tim Hancher's account. Century Railroad business plan for railroad track maintenance business at 703 S. 2nd Street would create household jobs, making it a good fit for the purpose of the PEDIF. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Jim Chambliss 13561 Windfield thanked the Council for the approval of the funds for Century Railroad Builders.

Council Member Blanchard encouraged residents to sign petition objecting to a rehearing for increased rates for delivery of electrical power by AmerenCILCO to Illinois Commerce Commission.

Fire Chief Kurt Nelson expressed appreciation to all that participated in a successful Fire Prevention Event at the Park District this year.

EXECUTIVE SESSION

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the Council move to Executive Session at 7:50 P.M. to discuss: 5 ILCS 120/2 (c) 11. Pending Litigation and (6) Sale of Property. On roll call vote all present voted Aye.

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

COUNCIL ADJOURNED AT 8:00P.M.

Sue E. McMillan
City Clerk