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PROCEEDINGS OF THE RESCHEDULED 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 11, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, MCCABE, ABEL, BLANCHARD, SCHMIDGALL. HENDRICKS, MASSAGLIA, AND BARRA

ABSENT: NONE

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

Roll was called and all Council Members were physically present. A quorum was present.

AGENDA

Motion by Council Member McCabe, seconded by Council Member Hendricks 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 Abel, that the **minutes of the Regular City Council Meeting of Monday, September 26, 2011 and the Special Work Session Meeting of September 27, 2011, be approved as written.** On roll call vote, all present voted Aye.

CONSENT AGENDA

Motion by Council Member Blanchard, seconded by Council Member Massaglia, that the **CONSENT AGENDA be approved as presented.** Mayor Barra presented the following for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Proclamation: International Alpha Delta Kappa Month October 2011.		
7.2 Resolution No. 17-11/12 – Appointment of five member Board of Appeals International Fire Code.		
7.3 Receive and File Tazewell Health Department County Grant for approved recycling collection program in the amount of $67,000.		

On roll call vote all present voted Aye.

NEW BUSINESS

<u>RESOLUTION N0. 16-11/12</u>
FINAL PLAT DEERFIELD ESTATES SECTION 6B SUBDIVISION

Motion by Council Member Blanchard, seconded by Council Member Massaglia that Resolution No. 16-11/12 be adopted. Code Enforcement Officer Ron Sieh recommended the approval of the final plat having 16 new single family residential lots with all required infrastructure and the beginning of a new alignment with Petri Lane in the subdivision south of Koch Street and east of South 5th Street. On roll call vote, all present voted Aye.

<u>ORDINANCE N0. 2645-11/12</u>
AMENDING TITLE 4, CHAPTER 4C, ARTICLE C OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWER USER CHARGES

Motion by Council Member Abel, seconded by Council Member Blanchard that Ordinance No. 2645-11/12 be adopted. Finance Director Angie Evans presented a proposal to the wastewater provisions to state the calculation used to average accounts with less than seven months usage between October and April. Council was informed the provision was mainly a housekeeping issue to define how new or part time residents' usage was determined. The average was based on an estimate of 2500 gallons usage per person, per household. She stated in cases were the water was shut off during winter, the resident would be charged the $3.00 base. On roll call vote, all present voted Aye.

Motion by Council Member Massaglia, seconded by Council Member Hendricks that the **AMENDED AGREEMENT WITH MIDLAND DAVIS FOR PAYMENT OF RECYCLED MATERIALS**, be approved. City Manager Joe Wuellner advised the Council the City currently contracts with Midland Davis who accepts recycling and takes care of the McDonalds drop-off location. Council's approval would amend the agreement that the City pays the company per cubic yard of materials delivered to the City receiving payment of $80 per ton for comingled paper, plastic, tin, and aluminum from our operation of home pick-up recyclables. Council questioned why the fee was paid in the past and discussed the advantages of residents using the red recycling bins. On roll call vote, all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that the **AGREEMENT WITH PANHANDLE EASTERN PIPE LINE FOR RELOCATION OF THE GAS LINE AT SHERIDAN ROAD IN THE AMOUNT OF $1,302,818.00** be approved. The City Manager next advised the Council of the agreement presented to relocate a 22" high pressure natural gas transmission line within Panhandle owned easement and right-of-way at Sheridan Road to make way for construction of Veterans Drive. The cost would be eligible for coverage under the project grant. Previously the Council approved the design portion of the agreement with Panhandle Eastern Pipe Line. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Blanchard that the **SUBORDINATION AGREEMENT TO HERGET BANK OF MORTGAGE EXECUTED BY FIRST ASSEMBLY OF GOD FOR THE FUSION TIF COMMERCIAL / UPPER HOUSING LOAN PROGRAM**, be approved. Economic Development Director Leigh Ann Matthews addressed the Council on the request to subordinate the City's first lien position to Herget Bank for the Fusion building, 335 Sabella Street, loan program. She advised that the First Assembly of God applied for $150,000.00 loan at the bank to complete life safety and code compliant improvements they originally applied for in a recorded mortgage of $48,447.00. Some Council Members expressed concern as to the original forgivable loan being made and tax exempt status for City's return on investment. Other Council Members spoke as to why the project should move forward. On roll call vote, Ayes, Abel, Schmidgall, Hendricks, Barra; Nays, Massaglia, Blanchard, McCabe. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Schmidgall read a prepared statement from last year in which he addressed the issue of the owners and supporters of the Place On Prince using Service Veterans to coerce the City into exempting the housing facility from building codes. He felt Mr. Greer was conspiring once again using the homeless as the leverage in not complying with fire code provisions.

Council Member Blanchard requested arrangements be made for the Council and owners of the properties in the 200 Block of Court Street being rehabilitated meet for a status update of the work completed.

Mayor Barra urged the residents of Pekin not to rake leafs in to the street to prevent sewer overflow and additional street department sweeping hours.

City Manager Joseph Wuellner updated the Council on the progress of construction of improvements at the Wastewater Treatment Plant He advised the City received notice of the approval of the Illinois Environmental Protection Agency Phase II funding. Phase I was under roof and would be operational by January 1, 2012.

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Dale Kuntz, 5 Fox Point, distributed his poem in reference to "cultural decade" on Court Street. He offered assistance in cleaning up unappealing weeds and rubbish on the main corridor of the City.

Roxy Greer, 601 Prince Street, questioned the Council on the fact that the homeless people staying at building at 601 Prince would be evacuated on Friday. Attorney Burt Dancey advised that the issue was in litigation and should not be discussed. Mrs. Greer stated she did not see value to extending Veterans Drive. She also requested to see the provisions of the Code in black and white that states a structure had to be brought up to code if there was a change in use.

Jim Walter, 601 Prince Street, stated there was need for safe housing in Pekin and volunteered to get needed work done on the structure at 601 Prince Street

Freeta Greer, 208 South Main Street Mackinaw, addressed the Council regarding 601 Prince Street.

Jason Cooper, 601, Prince, state he was living at Place on Prince while on parole and requested the Council to extend the deadline for compliance.

Brenda Morris, 601 Prince Street, pleaded for the Council to show compassion for the homeless living at 601 Prince Street.

Joetta Barber, 601 Prince Street, urged Council to vote to let the Greers stay at 601 Prince Street.

Angela Braun, 601 Prince Street, read from a prepared statement her request for Council not to take home away from the people living at 601 Prince.

Jamie Harold, 601 Prince Street, told of the Greer's supportive character and urged the Council to let residents of 601 Prince Street to remain a family.

Roger Greer, 601 Prince Street, distributed copies of provisions of the state fire code found on the Illinois Fire Marshal's web site. He read those provisions. He questioned what he felt was contradictory to the actions of the City in evacuating the structure that an existing use had to be brought up to code.

George Ohnemus, 1417 Willow Street, voiced his opinion that the Greers were using the homeless as a ploy. He felt the City and taxpayers had a liability issue if the people staying at the 601 Prince Street address remained.

EXECUTIVE SESSION
Motion by Council Member Hendricks, seconded by Council Member Blanchard, that the Council move to Executive Session at 6:50 P.M. to discuss 65 ILCS 120/2 (c) (6). Sale of Municipally Owned Real Estate and 65 ILCS 120/2 (c.) (1) Personnel. On roll call vote all present voted Aye.

No further business to come before the Council, Mayor Barra adjourned the meeting in open session.

COUNCIL ADJOURNED AT 7:35 P.M.

Sue E. McMillan
City Clerk