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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, SEPTEMBER 11, 2000, AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, JONES, 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

Commissioner Orrick requested that item 6 Resolution No. 80 – Authorizing the City of Pekin Finance Director/Treasurer to Establish An Additional Fund Depository, be moved to New Business for discussion. Motion by Com'r. Barra, seconded by Com'r. Richmond, that the **Agenda**, **be approved as presented.** On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **Minutes of the Regular City Council Meeting of August 28, 2000, and the Special Council Meeting for Planning Session of August 28, 2000, be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the C**onsent Agenda be approved as amended.**

1. Receive and File Monthly Reports: Fire, Police, Tazewell County Animal Control Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC), Traffic Safety

2. Proclamation: Lawsuit Abuse Awareness Week September 18-23, 2000

3. Receive and File Veterans Drive Update

4. Receive and File Petition from Residents of Howard Court

5. Receive and File Financial Statements Prepared by Willock Warning & Co., P.C.
   Fiscal Year Ended April 30, 2000 Annual Audits
   - Sewerage Fund with Annual Review of Sewer User and Debt Service Rates
   - Tax Increment Financing TIF Funds I and II Central Business District and Route 29
6. *removed to New Business

On roll call vote all present voted Aye.

Public Hearing

A Public Hearing was opened at 5:35 p.m. to contemplate the adoption of an Ordinance Authorizing Annexation. The Clerk confirmed the Legal Notice was properly published in the *Pekin Times* on August 26, 2000. Mr. Hierstein stated the 53.5 acres tract was contiguous with the boundary of the City, adjacent to the Lutticken Subdivision and known as Dawn on the Lake Subdivision. The question of zoning was confirmed to be Residential Estate R-E zoning. No other objections, issues, or concerns were received. The hearing was closed at 5:37 p.m.

New Business

ORDINANCE NO. 2207
ANNEXATION ORDINANCE
DAWN ON THE LAKE

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 2207 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A177

AMENDING TITLE 8, CHAPTER 4, SECTION 1
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING NO-PARKING PLACES/DERBY STREET

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 1462-A177 be adopted. Fire Chief Hamann explained the additional length of no parking area was needed for the new ladder truck to exit Southside fire station. On roll call vote, all present voted Aye.

RESOLUTION NO. 81
ILLINOIS DEPARTMENT OF TRANSPORTATION APPLICATION FOR CAPITAL IMPROVEMENT GRANT 4-BAY BUS GARAGE

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Resolution No. 81, be adopted. Public Properties Director Greg Ranney explained to Council that the application was 20% of monies for an 80/20 federal and state split of funding. The bus garage would be completed next spring. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **RETAINER AGREEMENT WITH EDWARD D. MCNAMARA, & EVANS,** be approved. The attorneys will provide legal counsel and services for proceedings before the Illinois Commerce Commission that relate to the potential takeover of Illinois-American Water Company. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **AGREEMENT WITH LEISURE AND RECREATION CONCEPTS, INC. FOR WATER THEME PARK FEASIBILITY STUDY,** be approved. Questions from Council regarding the scope of the work to be performed by LARC were answered by Director of Planning and Development Kim Uhlig. If approved the Council was not entering into the water park business, but agreeing to Element I for only the determination of market, utilization and financial viability of the project. Funding from the Hotel/Motel reserves which were earmarked to attract visitors would be used for the unanticipated study. Commissioner Jones questioned the seasonal operation/income of such a project, the distance from an interstate for travelers, and if the Chamber of Commerce and the Park District were aware of the undertaking. Commissioner Orrick commented that the study would identify strengths and weakness for other development in our community even if Council were not in agreement on entering into Element II, placement and development of the project. On roll call vote; Ayes, Orrick, Barra, Richmond, Tebben; Nay, Jones. Motion carried.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **DIGITAL MAPPING REIMBURSEMENT AGREEMENT,** be approved. The agreements allows for the City and Marquette Heights to jointly engage Merrick & Company for providing the mapping service for reimbursement of $15,889.53. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **SETTLEMENT AGREEMENT AND RELEASE WITH VANGUARD CONTRACTORS, INC.,** be approved. Public Works Director Dennis Kief told Council the City was releasing $17,070.00 to bring the contract to a close for the Wastewater Treatment Plant Improvement of the Federal Bureau of Prisons Facility project. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **SITE AT CAPITAL AND SABELLA STREETS FOR CONSTRUCTION OF CITY HALL,** be approved. Mayor Tebben reminded the commissioners that the City site selection was totally independent of the decisions to be made on the following item of business regarding a Letter of Understanding with the County on the acquisition of City blocks for construction of a jail. Commissioner Orrick stated he could not support construction of a new facility when Council has encouraged downtown business owners to revitalize their current locations. On roll call vote; Ayes, Barra, Jones, Richmond, Tebben; Nay, Orrick. Motion carried.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **RETENTION OF PHILLIPS SWAGER ASSOCIATES AS ARCHITECT FOR THE CITY HALL PROJECT** be approved and the Standard Agreement be approved subject to final approval of the contract documents by the City Manager and Corporation Counsel. Ron Budzinski of PSA was available to answer questions of Council.

On roll call vote; Ayes, Barra, Jones, Richmond, Tebben; Nay, Orrick. Motion carried.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **LETTER OF UNDERSTANDING WITH TAZEWELL COUNTY REGARDING ACQUISITION OF CITY BLOCKS** be approved. Mayor Tebben noted the letter outlined the principal terms of an agreement for the purchase of property for the site of the county jail in the north block of Elizabeth, Capitol, Sabella and Third Streets. Final document would come back before Council after the funding is secured. On roll call vote, all present voted Aye.

Mayor Tebben introduced **RESOLUTION NO. 80 AUTHORIZING THE CITY OF PEKIN FINANCE DIRECTOR/TREASURER TO ESTABLISH AN ADDITIONAL FUND DEPOSITORY** that had been placed on the table from Consent Agenda. Discussion followed. Bob Reis was directed to provide additional information. No motion was received. Action was deferred to another meeting.

Other Business
Mayor Tebben displayed an award presented to the City from the Garden Club for winning the Marigold Festival garden contest.

Mayor Tebben announced the City of Pekin Community Update on Thursday, September 28, 2000 beginning with morning meeting session, afternoon golf and dinner at Pekin Insurance Lodge.

Margaret Thomas, 1705 Willow Street, addressed Council. From a prepared statement she read her concerns and opposition to inconsistencies in the City's provisions for not allowing the sale of vehicles from a resident's front yard. Discussion followed regarding enforcement of the section of the Code. The Manager felt the City did not want to allow parking of vehicles on the grass in any front yards for any reasons. Mr. Hierstein was directed to report back to Council on what could be done to allow the sale of autos on private property.

Dale Kuntz, 5 Fox Point, requested Council's help in eliminating a water problems on his property he felt was the result of construction of a house on the adjacent property. He had talked to the building department and the owner and presented the drawings of the drainage swale that was constructed. Mr. Hierstein was asked to discuss the issue with Mr. Kluever and report back on the matter.

Dennis Behrends, 1518 Mechanic Street, addressed Council on the safety of children walking to Wilson School in the street because of there are no sidewalks. Riding a school bus is not an option because of the proximity from home to school. He asked if there was potential that the City provide sidewalks along Koch Street. The Mayor noted the City was not responsible for sidewalks on that portion of Koch Street. Mr. Behrends would also be addressing the school board regarding the sidewalk and busing matters.

James Kelly, 2743 Village Court, brought to Council's attention the fact that property owners on his street do not receive garbage collection or snow removal. After discussion Mr. Kelly was informed that those City services are not provided on private drives. It was suggested that he should have been aware in the protective covenants of the association at time of purchase. The City does provide fire and police protection as part of the residents tax payments. There was no solution to Mr. Kelly's request for the City to rectify that his street was designated a private drive by approval of the plat with the developer.

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. Richmond, seconded by Com'r. Orrick, that Council move to **Executive Session to discuss threatened litigation and sale of real estate** at 6:50 p.m. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Richmond, seconded by Com'r. Jones, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:30 P.M.

Sue E. McMillan
City Clerk