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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 MONDAY, AUGUST 25, 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.

Agenda

Motion by Council Member Blanchard, 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 Strand, that the **minutes of the Regular City Council Meeting of August 11, 2008, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda

Motion by Council Member Abel, seconded by Council Member Blanchard, 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. He noted that the amendment to the Personnel Policy followed statutes as to smoking in public places. Also noted for the record, the Planning Commission's review of the Conceptual Layout of Winston Farms was "receive and file" and the layout itself did not require Council approval.

1. **Receive and File Monthly Reports and Minutes:**

2. **Solicitations:** Sandy Morgan Benefit, Saturday, September 27, 2008
   Randy Dudley Celebration of Life/Benefit, September 6, 2008

3. **Resolution No. 52-08/09 –** Amending the Personnel Policy Employees Handbook of the City of Pekin – Second Amendment Smoking Policy

4. **Receive and File** Planning Commission Minutes dated August 13th, 2008

5. **Receive and File Pekin Planning Commission Hearings and Recommendations**:
   a. Hearing #08-1767-recommends to approve the Conceptual Layout of Winston Farms Subdivision to Pekin City Council

On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

A **PUBLIC HEARING** was opened at 5:34 p.m. by Mayor Tebben for Council to contemplate the adoption of an Ordinance Authorizing the Purchase and Sale of Municipally Owned Real Estate and consider an agreement for the exchange of these parcels with the First Church of the Nazarene. The notice was properly published in the *Pekin Daily Times* on August 9, 2008. Public Works Director Joe Wuellner reported the Church approached the City in their desire to sell back a portion of right-of-way, .25 acres on Broadway and to purchase 1.22 acres on Veterans Drive, needed for entrance to the facility. It was felt there was no need for the real estate to be sold and the right-of way to be obtained could be beneficial to the City in a later expansion of Broadway Road. There were no additional comments received from the public and the Mayor called the hearing closed at 5:37 p.m.

CONCEPTUAL LAYERING OF WINSTON FARM SUBDIVISION – A preliminary layout of property bounded by Broadway Road on the north and California Road on the east was presented. The proposed development consisted of single family, duplex, and office/rental areas and received Pekin Planning Commission acceptance. City Manager Dennis Kief told Council the staff and developer was looking for response as to any red flags. Council Member Jones thought there might be a safety concern if streets did not lineup with adjacent development. Questions of street width and number of apartments were asked. Mayor Tebben remarked that the layout was zones not details of how many structures. Procedurally, the Council would need to approve a preliminary plat recommended by the Planning Commission. Council expressed appreciation in viewing early vision of the subdivision in advance. Thomas Harrington III and Shawn Luesse, Devonshire Randolph engineering were in attendance for questions.

FIRST QUARTER PRELIMINARY FINANCIAL REPORT a general explanation of revenues, expenditures, and fund balances was presented to Council from Angie Evans Assistants Finance Director and Treasurer James Wolf. Ms. Evans indicated at the end of one-quarter of the fiscal year no departments were over budget. Caution should be noted in that there were major expenses such as storm cleanup, Broadway Road patching and St. Clair storm sewer repair, with outstanding invoices to expend. The future did not look good.

Treasurer Jim Wolf spoke to Council on the investment side of City funds. He indicated that investments earnings for the first quarter were significantly less than projected. The interest rate dropped from 5.27 July a year ago to 3.01 July this year. Capitol projects would diminish the amounts to invest as the fiscal year progresses. Other revenues that drive the investment budget, sales tax revenue, was skewed in this quarter by federal stimulus checks. Distributed on time property taxes from the County also distorted the figures for comparison to last year's first quarter. Motor fuel tax revenues were down.

Mayor Tebben asked that a new report be given next month to evaluate the sales tax revenue. He also advised that Council needed to meet to look at corrections to the present budget.

NEW BUSINESS

ORDINANCE NO. 2561-08/09

ORDINANCE AUTHORIZING THE PURCHASE AND SALE OF MUNICIPALLY OWNED REAL ESTATE AND AGREEMENT – PEKIN FIRST CHURCH OF THE NAZARENE

Motion by Council Member Abel, seconded by Council Member Dunn, that Ordinance No. 2561-08/09 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Blanchard, that the **INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE STATE HIGHWAYS** be approved. David Pagliaro Superintendent of Streets introduced the annual 12-month extension of a 15-year contract with IDOT for the reimbursement to the City for maintenance provided by the Street Department on State Highways. The computation for the period of July 1, 2008 to June 30, 2009 was $70,152.86 and was an increase from FY 2008 of 2.5% totaling $1,899.97. Discussion followed on the small percentage received of the actual man-hours, increased gasoline, salt, and asphalt costs for snow removal, sweeping, and patching of Routes 9 and 29 through the City. Mayor Tebben disputed the calculation of mile lanes and expressed concern that the City was losing $60,000. Implications if the contract was voted down were argued. The response of IDOT to plowing Court Street as opposed to Interstate 74 and 474 was questioned. On roll call vote, Ayes, Strand, Kortkamp, Jones, Blanchard, and Abel; Nays, Dunn and Tebben. Motion Carried.

Motion by Council Member Dunn, seconded by Council Member Abel, that the quote for the **INSPECTION OF FUEL TANKS AT THE PEKIN MUNICIPAL AIRPORT** in the amount of $5,900.00 be approved and the contract be awarded to BEI Pipeline & Tank Maintenance. Director of Public Property Gregory Ranney recommended the Contract with BEI Pipeline & Tank Maintenance for the internal inspection of 2 fuel tanks, labor, equipment, and materials and all permits filed for compliance. The certification was required by the State of Illinois every 10 years on the fuel tanks. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Kortkamp, that the City Manager be authorized to seek quotes for the upgrade of **SECURITY SYSTEM IN CITY HALL.** Council was informed that installation for improved security of outlying buildings was installed at the Street Department and Fire Stations. Cost of intergrading the City Hall system, which needed upgrades was recommended. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Blanchard, that the **AGREEMENT WITH TAZEWELL COUNTY RESOURCE CENTER** for transportation in the amount of $165.00 per day per bus for contract year July 1, 2008 – June 30, 2009, be approved. Director of Transportation Gregory Ranney reported that the annual contract provided busing to the facility at 21310 Illinois Route 9 Tremont. Rate for the two buses designated was increased from $140 to $165 per day to compensate for the increase fuel costs. On roll call vote, all present voted Aye

Motion by Council Member Kortkamp, seconded by Council Member Strand, that the agreement with **TAZEWELL COUNTY FOR RECYCLING PROGRAM GRANT** in the amount of $67,000.00 be approved. Director of Solid Waste Gregory Ranney reported all funds were to be used in support and connection of the County Recycling Program. On roll call vote, all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Abel, that the low **BID FOR PARKWAY DRIVE DRAINAGE IMPROVEMENTS** in the amount of $238,400.00 be approved and the contract be awarded to PIPCO. Public Works Director Joseph advised Council that bids were opened on August 15th for the construction of storm sewer to Brentwood Ditch to relieve the flooding that occurs at Parkway and Knollwood. STS prepared the specification. Recommendation was for the acceptance of the low bid, which was significantly less than the estimate of $296,242.00. Completion would be within 90 days as required by the specs. On roll call vote, all present voted Aye.

RESOLUTION NO. 53-08/09
RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS STATE HIGHWAY CODE
SECTION 07-00173-00-WR CONTRACT NO. 89347 PROJECT C-94-068-04 ROUTE FAU 6761

Motion by Council Member Kortkamp, seconded by Council Member Jones, that Resolution No. 53-08/09, appropriating MFT funding in the City share of $400,000.00 for engineering and construction costs of Broadway Widening Project, be adopted. Public Works Director Joseph report that the City 's funding was participation with a County initiative of improvements to the road. On roll call vote, all present voted Aye.

RESOLUTION NO. 54-08/09
RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS STATE HIGHWAY CODE
SECTION 07-00164-00-SP CONTRACT NO. 89318 JOB NO. C-94-115-01 ROUTE 6761 / 6711

Motion by Council Member Strand, seconded by Council Member Dunn, that Resolution No. 54-08/09 appropriating $520,000 Motor Fuel Tax for construction costs for Parkway @ Broadway Intersection Project be adopted. Public Works Director Joseph Wuellner informed Council that the project started over 9 years ago as a safety project using STU Funding but the project grew. Council Member Jones expressed concern and requested Traffic Safety Committee review the configuration of markings for turn lane west onto Broadway. On roll call vote, all present voted Aye.

ORDINANCE NO. 2562-08/09
AMENDING TITLE 6, CHAPTER 2, SECTION 9, SUBSECTION 6 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES/MISDEMEANORS, UNDERAGE PERSONS GATHERING IN RESIDENCE, VEHICLE OR HOTEL ROOM

Motion by Council Member Strand, seconded by Council Member Abel, that Ordinance No. 2562-08/09 be adopted. Attorney Burt Dancey addressed the provisions for inclusion of language in the Code to hold responsible and fine adults for remaining on premises or allowing minors to be in possession or consume alcohol. Police Chief Timothy Gillespie reported the ordinance was in response to reduce numerous police callouts and deter under age drinking. On roll call vote, all present voted Aye.

Motion by Council Member Strand, seconded by Council Member Kortkamp for purpose of discussion, that the **ANNUAL CONTRIBUTION OF $5,000.00 TO THE 2008 HEARTLAND WATER RESOURCES COUNCIL** for dues be approved. City Manager Dennis recommended to remain financially involved in the public and private partnership, spearheaded in Illinois River Restoration efforts, as "regional support." Council Member Jones questioned the benefits to Pekin. Council Members Abel and Blanchard reported they had attended some of Heartland meetings and not to be active for down river projects. Mayor Tebben expressed the need in the opportunity to reduce expenditures. On roll call vote, all present voted Nay. Motion failed.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Dunn spoke of the upcoming Marigold festival parade down Broadway, the improvements taking place at James Field and in direct opposition, the comments received on the unsightliness of the West Campus building. Request was made for staff to get aggressive in the matter of code enforcement and safety issues of the structure.

Director of Solid Waste Greg Ranney announced that the acceptance of glass in the recycling collection began as of this morning. He also announced garbage collection would be a day late due to the holiday.

Pastor Lloyd Brock, First Church of the Nazarene expressed appreciation for Council's consideration of selling a needed parcel of property to the church.

EXECUTIVE SESSION

Motion by Council Member Dunn, seconded by Council Member Blanchard, that **Council move to Executive Session** at 6:50 P.M. to discuss 5 ILCS 120/2 (c.) 6. The setting of a price for sale or lease of Municipally Owned Property. 5 ILCS 120/2 (c.) 5. The purchase or lease of real property for the use of the public body. 5 ILCS 120/2 (c.) 11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent. 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 7:05 P.M.

Sue E. McMillan
City Clerk