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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 22, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING

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

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 Schmidgall, seconded by Council Member Abel that **the agenda be approved as presented**. On roll call vote all present voted Aye.

MINUTES
Motion by Council Member Abel, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of Monday, August 8, 2011 be approved as written.** On roll call vote, all present voted Aye.

CONSENT AGENDA
Motion by Council Member Abel, seconded by Council Member Hendricks 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 Receive and File Monthly Reports and Minutes: Building and Inspections Departments June and July Reports, Traffic Safety Committee Minutes August 5, 2011, and Fire Department July Report.
	7.2 Receive and File Bids for Annual Street Seal Coat Project opened August 11, 2011 at 2:00 p.m.
	7.3 Receive and File Bids for 320 Court Street Parking Lot Rehabilitation Project opened August 9, 2011 at 10:00 a.m.
	7.4 Proclamation Joining the Nation Moment of Remembrance 10th Anniversary of September 11th
*	**7.5 Resolution No. 11-11/12 –** Appointment of Dennis R. Kief to the TIF Joint Review Board as at-large representative

Motion by Council Member Blanchard, seconded by Council Member Schmidgall to remove from Consent item 7.5 the appointment of Dennis Kief to the Tax Increment Finance (TIF) Joint Review Board (JRB). On roll call vote all present voted Aye. Mayor Barra noted the item would move to the end of New Business for discuss. Vote was taken to approve amended Consent Agenda. On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

BUDGET/REVENUES REPORT
City Treasurer James Wolf distributed Major Revenue Sources Twelve Months Ended April 30, 2011, Investment Earnings, and Revenues Over Expenses – All City Funds (Pre-Audit) Reports. He highlighted for Council note worry comparisons of budget figures to actual expenses items in key departments. Revenues indicated taxes were up and the economy was slowly improving. Interest income on bank investments dropped from 1.56% to 1.03%. He reported the State was still 4 months behind in payments. To answer Council Member Abel's question, the figures as of the June 30 did not reflect the effect rescinding the Impound Ordinance would have on the budget.

NEW BUSINESS
Motion by Council Member Massaglia, seconded by Council Member Schmidgall, that the **BID FOR THE ANNUAL STREET SEAL COAT PROJECT** in the amount of $258,386.00 be approved and the contract awarded to R.A. Cullinan and Son, Inc. City Engineer Michael Guerra advised Council the project was to seal coat 5.64 miles of streets west of the river to 5th Street from Sheridan Road to Willow Street and 5th Street from Koch Street to Petri Lane/Hanna Drive. Council Member Neumann expressed concern that the work would be taking place at the beginning of the school year. Council Member Abel asked that the public be made aware of the location on Channel 22. Mr. Guerra noted the entire program was being revamped for streets in need of immediate attention to receive the funding rather than an annual rotation of areas of the City. On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 11-11/12</u>
ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT)
RESOLUTION FOR STREETS AND HIGHWAYS
11-00000-01-GM

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that Resolution No.11-11/12 appropriating Motor Fuel Tax Funds for a portion of the Annual Street Seal Coat Project in the amount of $175,000.00, be adopted. City Engineer Michael Guerra requested approval of the MFT appropriation for the payment of the contract. Community Development Block Grant (CDBG) dollars would also be utilized. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Abel, that the **BID FOR 320 COURT STREET PARKING LOT REHABILITATION PROJECT** in the amount of $346,355.00 be approved and the contract awarded to P.A. Atherton Construction, Inc. The City Engineer next reported to Council on the project to rehabilitate the existing city owned parking lot to excavate, fill, grade and place aggregate base 3" HMA surface. The work would include removal of unacceptable fill that was placed when the buildings were demolished. Council Member Neumann offered a substitute motion that all bids be refused, seconded by Council Member Blanchard. On roll call vote, all present voted Aye. Discussion followed on the high cost to improve a lot used for the adjacent Department of Family Services employees owned by Tim Tobin. Council expressed concern for the amount of responsibility and liability of the City. Motion by Council Member Neumann, seconded by Council Member Massaglia, that the 320 Court Street Parking Lot Rehabilitation Project be rebid. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Schmidgall, that the **INTERGOVERNMENTAL AGREEMENT WITH TAZEWELL COUNTY FOR THE GRANT RECYCLING PROGRAM** in the amount of $67,000.00 be approved and accepted. The agreement provides for terms to receive the annual funds to be used in support and connection with the County program. On roll call vote, all present voted Aye.

<u>ORDINANCE NO. 1462-A310-11/12</u>
AMENDING TITLE 8, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SPEED CONTROL
HANNA DRIVE

Motion by Council Member Hendricks, seconded by Council Member Blanchard, that Ordinance No.1462-A310-11/12 be adopted. Police Chief Greg Nelson informed Council that the present speed of the new section of roadway was the statutory urban speed of 30 mph. It was recommended by the Traffic Safety Committee to set the speed limit to a safe and appropriate speed of 40 mph from the railroad tracks to South 5th Street. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Schmidgall, that the **SERVICE AGREEMENT WITH GOOD ENERGY, L.P.** to perform electricity consultant and procurement services be approved. City Manager Joseph Wuellner provided Council with background information regarding legislation passed allowing communities, residential and small commercial to take advantage of bulk purchasing power at reduced rates. Council discussed a referendum that would be needed to setup opting out with residential approval. The service agreement provided consultant to educate, answer questions, and broker the price for electricity. Phillip Carr, representative of Good Energy addressed questions from the Council.

Council expressed concern that without research other companies made be able to offer a better deal. Motion by Council Member Hendricks, seconded by Council Member Massaglia that item 9.6 be tabled and Request for Qualifications (RFQ) be sent out. Ayes, Blanchard, Abel, Schmidgall, Neumann, Hendricks, Massaglia; Nay, Barra. Motion carried.

Motion by Council Member Neumann, seconded by Council Member Blanchard, that the **FRANCHISE AGREEMENT AMENDMENT WITH BITWISE COMMUNICATIONS, INC. dba OMNILEC** (the Company) to include iTV-3 as an entity doing business in the City of Pekin, be approved. Provision of the amendment included parties agreeing to addition of a dba to the original terms of the October 2009 franchise. On roll call vote, all present voted Aye.

Motion by Council Member Neumann, seconded by Council Member Massaglia that a **SPECIAL MEETING OF THE COUNCIL** to consider bids for the Wastewater Treatment Plant WWTP Phase II be set for Tuesday, August 30, 2011 @ 5:30 p.m. On roll call vote, all present voted Aye.

RESOLUTION NO. 12-11/12 *(corrected duplicate number)*

Motion by Council Member Blanchard, seconded by Council Member Massaglia that the appointment of Dennis R. Kief to the TIF Joint Review Board as at-large representative be adopted. Council Member Blanchard felt there was conflict of interest to appoint a former employee of the City. Other Members spoke of Mr. Kief's knowledge of the TIF Programs and was considered as an at-large member. It was the opinion of Attorney Dancey that Mr. Kief would not be able to control the decisions of voting members of a board and that there was no conflict in the appointment. On roll call vote, Ayes, Abel, Schmidgall, Neumann, Hendricks, Massaglia, Barra; Nay, Blanchard. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Hendricks encouraged the community to visit the Genealogic Society facility.

Council Member Abel asked staff if progress had been made in addressing the residents of Cambridge Court waster issue. It was reported that with personnel available, camera equipment was used and sewers cleaned but there was not sufficient funds in the budget line item to replace the lines.

Economic Development Director Leigh Ann Matthews informed the Council of the half marathon Rapid Running event to take place on the streets of Pekin on Sunday, August 28, 2011. She advised that route maps were available and urged citizens to use caution.

George Ohnemus 1417 Willow addressed the Council regarding the money spent by the City and several other repeated concerns to him.

Dale Kuntz 5 Fox Point, distributed photos of unappealing and sometimes unreadable banners in all areas of the City that needed to be addressed.

EXECUTIVE SESSION

Motion by Council Member Blanchard, seconded by Council Member Hendricks, that the Council move to Executive Session at 7:20 P.M. to discuss 5 ILCS 120/2 (c) (11). Threatened or pending litigation. 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