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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 13, 2012 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, SCHMIDGALL, MASSAGLIA, HENDRICKS, BLANCHARD, MCCABE, 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 Blanchard, seconded by Council Member Massaglia that **the agenda be approved as presented**. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member Blanchard, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of July 23, 2012, 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.

7.0 CONSENT AGENDA
7.1 Receive and File Monthly Reports Minutes: Police Department June Report and Liquor Commission Minutes dated July 5, 2012.
7.2 Receive and File Bids for the Pekin Municipal Airport's fuel dispensing update project opened July 25, 2012 @ 2:00 p.m.
7.3 Receive and File letter from Council Member Massaglia publicly disclosing ownership in property with in the proposed TIF boundaries.
7.4 Receive and File the Pekin Planning Commission Recommendation, Hearing, partial meeting minutes: a. Hearing #08-1859 - #08-1859 - recommends approval of the Site Plan for a Drive-Thru, Lots 14, 15, 16 and W. portion of 13 (City owned) Original Town PIN #04-04-34-433-007, 011, 012, 301-321 Court Street.

On roll call vote all present voted Aye.

NEW BUSINESS

RESOLUTION NO. 48-12/13

ESTABLISHING A TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER A TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT FOR THE PROPOSED INDUSTRIAL PARK CONSERVATION AREA

Motion by Council Member Abel, seconded by Council Member Hendricks that Resolution No. 48-12/13 be adopted. Assistant City Manager Darin Girdler advised the Council that the resolution was the next actions to the scheduled process to satisfy statutory requirements for adopting the new TIF area. The public hearing to consider the proposed area and received comments would be set for Monday, October 1, 2012 at 5:30 p.m. in the City Hall Council Chambers. On roll call vote, Ayes, Blanchard, Abel, Schmidgall, McCabe, Hendricks, and Barra; Massaglia, present. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Hendricks that the **RECYCLING GRANT AGREEMENT WITH TAZEWELL COUNTY** be approved. Council was told by City Manager Joseph Wuellner that the motion accepts the terms for use of the annual Recycling Grant Agreement from Tazewell County in the amount of $67,000 in support of the City's recycling efforts. Those activities included the costs of recycling bins, which are now free to residents. On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 49-12/13</u>

ACCEPTING THE SINGLE FAMILY OWNER OCCUPIED REHABILITATION PROGRAM GRANT AGREEMENT FROM ILLINOIS HOUSING DEVELOPMENT AUTHORITY

Motion by Council Member Hendricks, seconded by Council Member Abel that Resolution No. 49-12/13 be adopted. Council was presented the terms of a 2- year $210,000.00 grant from the Illinois Housing Development Authority's Single Family Owner Occupied Rehabilitation Program of low to moderate income households. The program requires a house to be brought up to code and addresses lead. Council questioned the application process and how award of the money was determined. On roll call vote, all present voted Aye.

Motion by Council Member McCabe, seconded by Council Member Massaglia that the **SITE PLAN FOR STRAIGHT SHOT COFFEE HOUSE AT 301-321 COURT STREET** be approved. Recommendation of the Planning Commission to approve the drive thru site plan of property owner Dallas Pettingill for the construction of a new coffee shop in the downtown. On roll call vote, all present voted Aye.

Motion by Council Member McCabe, seconded by Council Member Blanchard that the **SPECIAL USE PERMIT FOR STRAIGHT SHOT COFFEE HOUSE AT 301-321 COURT STREET** be approved. Recommendation of the Planning Commission to approve the special use request from property owner Dallas Pettingill for a drive-thru at the location for the construction of a new coffee shop in the downtown. Council extended their wishes for much success to Mr. Pettingill for his new business. On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 50-12/13</u>

AUTHORIZATION FOR DEBT FINANCING CAPITAL ITEMS

Motion by Council Member McCabe, seconded by Council Member Abel that Resolution No. 50-12/13 be adopted. Mayor Barra introduced the resolution as a means of moving forward with financing that Council had previously approved $2,305,000.00 for various capital equipment items. Each of the 13 listed items or projects, their estimated amounts to acquire, and a brief explanation were presented. Council Members were given the opportunity to question staff and speak in support or opposition to each item after which a straw poll was taken. Consensus was gathered for all items except a tar kettle was removed. The restated amount was $2,275,000.00. Members Schmidgall, Blanchard, Hendricks questioned why the proposed items were not included in previous budgets. It was stated that in the budget the items were listed as a $2.3 million dollar loan. Some projects in capital plans were taken out or moved to out years to reduce budgets and keep taxes down. Council Member Blanchard stated he was not in favor of putting the City in debt and felt the Council needed to conduct budget sessions. Council Member Massaglia felt it was an opportune time to finance the equipment and budget repayment through the departments. On roll call vote, Ayes, Abel, McCabe, Hendricks, Massaglia, and Barra; Nays, Blanchard and Schmidgall. Motion Carried.

Motion by Council Member Schmidgall, seconded by Council Member Massaglia that the **BID FOR THE AIRPORT FUEL FARM UPDATE PROJECT be approved in the amount of $169,494.00 and the contract awarded to Seneca Companies, Inc.** City Engineer Mike Guerra informed the Council the project would replacement of the 100 LL and Jet A fueling dispensing systems along with electrical equipment. He also explained the evaluation of the bids and the acceptable range for award. The project, programmed through the State Airport Improvement Program, would be reimbursed at 90%. On roll call vote, Ayes, Abel, Schmidgall, McCabe, Hendricks, Massaglia, and Barra; Nay, Blanchard. Motion Carried.

Motion by Council Member Schmidgall, seconded by Council Member Abel that the **CITY BE AUTHORIZED TO ENTER INTO A DEVELOPER AGREEMENT WITH AVANTI'S DOME, LLC TO LEND $1.1 MILLION FOR A TERM NOT TO EXCEED TWENTY (20) YEARS FOR GRIFFIN DRIVE EXTENSION CONSTRUCTION.**

Assistant City Manager Darin Girdler presented the basics of a drafted developer agreement as an alternative to the City constructing the extension of the road to Veterans Drive. He asked Council's consideration of the financing through Avanti's Dome, LLC repayment of a $500,000 2010 loan, construction costs reimbursement to Avanti's Dome, LLC of through the Tourism Fund, and local financing of approximately $600,000. Discussion followed. Council Members Blanchard and Schmidgall did not support placing the City in dept from borrowing. Council Member Hendricks indicated he was not previously in favor of the road but would support the proposed financing. On roll call vote, Ayes, Abel, McCabe, Hendricks, Massaglia, and Barra; Nays, Blanchard and Schmidgall. Motion Carried.

RESOLUTION NO. 51-12/13
IMRF OUT-OF-STATE CREDIT AUTHORIZATION

Motion by Council Member Massaglia, seconded by Council Member Schmidgall that Resolution No. 51-12/13 be adopted. Human Resources Director Sarah Newcomb requested an Illinois Municipal Retirement Fund required resolution form to allow a current full time employee to purchase past service time from an eligible state transportation department be authorized by the Council. A full time employee would purchase 5 months of service toward pension from Kansas Department of Transportation costing the City in IMRF adjustment of $14.88. On roll call vote, all present voted Aye.

ORDINANCE NO. 2663-12/13
AMENDING TITLE 4, CHAPTER 4C OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWER USER CHARGES

Motion by Council Member Massaglia, seconded by Council Member Schmidgall that Ordinance No. 2663-12/13 be adopted. City Manager Joseph Wuellner recommended the codified revisions to the Sewer User Charges to reflect changes to the billing process due Illinois-American's notification that they would no longer process monthly wastewater billings. The revisions were necessary to include language to process billing, bill collection, and handling of delinquent payments. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

The Manager informed the Council and the public that Illinois American Water Company would be advising in their next bill run that they will be eliminating the City's wastewater charge from their billing system. The City would be initially be processing the data on line September 17, 2012.

Council Member McCabe expressed appreciation to the Traffic Safety Committee for allowing through a special hearing meeting for the public to comment on the recommendation of the TSC to change Capitol and Fourth Streets to two-way traffic. The members would be presenting their final recommendation to the Council the last meeting in September.

Mayor Barra encouraged the community to participate in the up coming 10th Annual YWCA Paint the Town Red campaign August 25, 2012.

No further business to come before the Council, motion was made by Council Member Massaglia, seconded by Council Member Blanchard to adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 7:12 P.M.

Sue E. McMillan
City Clerk