
**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF THE CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, AUGUST 9, 2004 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, MADDOX, RICHMOND, JONES, AND MASSAGLIA

ABSENT: NONE

The **Pledge of Allegiance** was led by Executive Director Chamber of Commerce Bill Fleming.

Mayor Howard indicated he had received several comments on the improvement to taping of the Council Meetings. Tom Schaub and Dave Hess, City computer techs were acknowledged for their work.

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Jones, seconded by Com'r. Massaglia, that the **agenda be approved as presented**.
On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **Minutes of the Regular City Council Meeting of July 26, 2004 be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

City Clerk Sue McMillan read the items under consent Agenda. Motion was then made by Com'r. Jones, seconded by Com'r. Richmond, that the Consent Agenda **be approved as presented**.

1. Receive and File Monthly Reports: Police, Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC), Tazewell County Animal Control, Finance June Revenues and Cash, Project Status Report, LADD Minutes July 22 and July 27, 2004, Inspections Minutes August 4, 2004
2. Charitable Solicitation: Pekin Union Mission Basketball Tag Days October 29, 30, 31, 2004
3. Receive and File Resignation of Richard R. Elkins from the Pekin Planning Commission
4. 3RD Transportation Symposium Results

On roll call vote all present voted Aye.

Communications, Petitions, Reports

Solid Waste Collection Update

Director of Public Property Greg Ranney updated council on the City's readiness to begin solid waste collection on September 1st. He informed the members that the department is in the process of leasing or selling the toters that could be used and would be delivered the week of August 23rd. Toters are not mandatory until 2006. Commissioner Jones questioned if an accounting system was in place and was assured by the City Manager that he was meeting with the department and finance to review how the collection was in place. The Mayor informed the audience that a video of information on sizes, pricing and most asked questions regarding the toters was being produced for Channel 22 showing.

The City Clerk informed Council that the status of animal control would be presented as the last item of business.

Unfinished Business

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **AGREEMENT FOR THE TREATMENT OF LEACHATE AND GROUNDWATER RUNOFF** be removed from the table. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **AGREEMENT FOR THE TREATMENT OF LEACHATE AND GROUNDWATER RUNOFF** be amended by changing PDC, Inc. to Tazewell County Landfill, Inc.. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **AGREEMENT FOR THE TREATMENT OF LEACHATE AND GROUNDWATER RUNOFF** be approved as amended subject to the receipt of the referenced IEPA permit. City Manager, Dennis Kief addressed the agreement to accept landfill gas condensate for treatment at the wastewater treatment plant from Tazewell County landfill, Inc. The previously presented agreement was worded Peoria Disposal Company, Inc. Council was told the company would pay for testing of material to assure it meets IEPA standard and the transfer of liquids will not start until PDC is awarded a certificate from IEPA. Ron Edwards and Chris Coulter were available for questions. On roll call vote, all present voted Aye.

New Business

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **AGREEMENT WITH PEKIN AREA CHAMBER OF COMMERCE FOR PROMOTIONAL BANNERS** be approved. Executive Director of the Pekin Area Chamber of Commerce presented a Power point slides detailing a contract to allow the Chamber to use City owned poles for banners to market their campaign "Pekin, What a Pleasant Surprise". In exchange for use and installation the Chamber will provide access to short videos and web links. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **AGREEMENT WITH ILLINOIS DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF MUNICIPAL STREETS** to cover the 12-month period beginning July 1, 2004 be approved. City Manager, Dennis Kief explained the annual option to extend IDOT's contract for terms of compensation for maintenance and operation of streets. Commissioner Richmond questioned if the \$28,896.54 sufficiently covered the state highways maintains. Commissioner Massaglia questioned Mr. Kief when the condition of Parkway would be improved. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **CITY MANAGER BE AUTHORIZED TO PREPARE A REQUEST FOR PROPOSALS** for prospective bidders of the City's Wastewater Treatment Facilities and also compile the City's costs for the same services. Mr. Kief officially requested to begin the process of reviewing proposals for the operation of the treatment facilities. He indicated the 10-year contract with JMM now United Water would expire after the 2-year extension that was approved last year. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **FAÇADE GRANT APPLICATION FROM SMITH & WEER ATTORNEY AT LAW** for 410 Elizabeth Street be approved in the amount of \$8,050.00. Community Development Director Pamela Anderson explained the Designed Committee's approval to grant Smith & Weer P.C. \$8,050.00 toward the improvements of the attorney offices located at 410 Elizabeth Street. On roll call vote, all present voted Aye.

Status of Animal Control

Mayor Howard introduced Sue Bosich of Elliff Keyser & Oberle Law firm. Ms. Bosich informed Council that she had been requested to examine the City's present code in light of recent dog attacks to tighten violations of the animal ordinance. County impoundment costs and City reclamation fines were discussed. The attorney stated she would continue working with representatives of the postal letter carriers to draft new ordinances that will better protect residents and door-to-door workers from vicious animal attacks.

Other Business

Mayor Howard introduced Sue Bosich of Elliff Keyser & Oberle Law firm. Ms. Bosich informed Council that she had been requested to examine the City's present code in light of recent dog attacks to tighten violations of the animal ordinance. County impoundment costs and City reclamation fines were discussed. The attorney stated she would continue working with representatives of the postal letter carriers to draft new ordinances that will better protect residents and door-to-door workers from vicious animal attacks.

Diana Williams, a letter carrier distributed photos of several wounds she received when a dog attacked her on her route. Ms. Williams indicated present ordinances do not give animal control authority to seize an animal once returned to owner's property.

Jason Juchems, 3007 Broadway, addressed Council as owner of exotic animals. He expressed concern of how a new ordinance would affect him. He voiced the opinion if fines are too high owners might tend to abandon the animals.

Greg Ranney announced the success of Night Out Against Crime and thanked citizens for their participation.

Reporters from the *Peoria Journal Star*, *Pekin Daily Time* were given the opportunity to ask questions.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that Council move to **Executive Session** at 6:15 P.M. to discuss Threatened Litigation ILCS 120/2 (c) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Massaglia, seconded by Com'r. Maddox that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 6:30 P.M.

Sue E. McMillan
City Clerk