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PROCEEDINGS OF THE REGULAR SCHEDULED MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF THE CITY HALL
ON MONDAY, AUGUST 9, 1999, AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, ORRICK, BARRA , JONES, 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
Motion by Com'r. Jones, seconded by Com'r. Richmond, 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 Council Meeting of July 26, 1999, be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda
Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **Consent Agenda be approved** as presented.

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

2. Receive and File Safety Committee Minutes Dated July 13, 1999

3. Receive and File Bids for Purchase of one (1) two-ton cab and chassis

Bob Grimm Chevrolet	$28,995.00	Ays

4. Receive and File Bids for Salt Storage Building Improvement at 1130 Koch Street

No bids received

5. Receive and File Bids for the Demolition of 209, 211, and 213 Court Street

River City Demolition	$25,105.00	60 days
N.E. Finch Company	No bid	
Joe Shallenberger Exc. Company	$23,700.00	60 days
Estimate of Jack Kluever	$26,500.00	

On roll call vote all present voted Aye.

Communications, Petitions, and Reports
Mayor Tebben shared with Council and the community the recognition Pekin received by being recipients of a second place plaque for the **GOVERNORS HOME TOWN AWARD**. The specific project involved the school district, library, city and other organizations which had jointed together to create Global Connection 2000, a computer network linking homes to schools and various community resources. The technology network was developed and supported with the help of volunteers and made possible through assistance from area businesses. As director of public properties, Greg Ranney was asked to showcase the plaque in City Hall.

New Business
Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **1999 WATER STUDY TASK FORCE SUMMARY REPORT**, be received and filed. On roll call vote, all present voted Aye.

ORDINANCE NO. 2173

AMENDING TITLE 7, CHAPTER 1D, SECTION 6-1 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING THE ELECTRICAL CODE

Motion by Com'r. Richmond, seconded by Com'r. Barra, that Ordinance No. 2173 be adopted. An issue was raised about the restrictive nature of the City Code as compared to the BOCA National Electric Code in relation to provisions for wiring within conduit. The ordinance amendment presented was designed to render the code no more restrictive than the national standard. Council discussed the issue with Code Enforcement Officer Jack Kluever and Fire Chief John Hamann. Discussion topics included developers concerns of additional expense in the absence of a variance from the code, justification as to why the restriction was originally added in 1965, and life safety issues pertaining to requirements of conduit, sprinklers and alarms. It was noted the Electrical Commission recommended not changing the code at this time. It was determined there was no measurable compromise to public safety in deleting the provision for conduit. On roll call vote, all present voted Aye.

ORDINANCE NO. 2174-OA
AMENDING TITLE 9 AND TITLE 10 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING ZONING AND SUBDIVISION FEES

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that Ordinance No. 2174-OA be laid over in the Office of the City Clerk until September 13, 1999. (clerk's note: the date will be 9/27/99) Director of Planning and Development Ed Basch informed Council that even minor changes to the zoning ordinance required a public hearing, which had not been completed at the time the amendment was placed on the agenda. The subdivision code was silent to the amendment but he advised holding a hearing to provide the developers an opportunity to comment on the substantial increases after 30 years. Com'r. Orrick asked that Council consider amending the final ordinance to become effective at the first of the year. Council questioned the motivation for increased fees and the comparison of fees to other cities. On roll call vote, all present voted Aye.

ORDINANCE NO. 2175
AMENDING TITLE 4, CHAPTER 4A AND 4B OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWERS

Motion by Com'r. Richmond, seconded by Com'r. Barra, that Ordinance No. 2175 be adopted. Staff informed Council of the justification in increasing the fees. A discussion followed on the City's new position of sewer maintenance in public right-of-way requiring resident's financial participation of $500.00 and the fees for sewer hookup in restaurants. Council expressed concern that the language in the ordinance written as only deleting and adding sections was unclear and requested an executive summary of ordinances drafted in that manner. The Commissioners were advised by the Chair that if additional input was needed, that a public hearing was also in order for receiving comments, or that lengthening the time before fees became effective was necessary, Council had the alternative to table the motion on the floor to adopt the ordinance. Motion by Com'r. Jones, seconded by Com'r. Barra, that Ordinance No. 2175 be tabled. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **BID OF BOB GRIMM CHEVROLET INC. FOR ONE (1) TWO-TON CAB AND CHASSIS**, be approved in the amount of $28,995.00. On roll call vote, all present voted Aye.

The Chair announced that no bids were received for the **SALT STORAGE BUILDING IMPROVEMENT** at 1130 Koch Street, no action was in order, and he would dispense of item six on the agenda.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **BID OF JOE SHALLENBERGER EXCAVATING COMPANY FOR THE DEMOLITION OF THE BUILDINGS AT 209, 211, AND 213 COURT STREET**, be approved in the amount of $23,700.00. Com'r. Orrick made a general comment that the older buildings downtown were in a state of disrepair and could not be justified to put money into. He hoped throught the Main Street Program other buildings would be preserved and restored. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **LEASE AGREEMENT WITH METROSITE MANAGEMENT, L.L.C. FOR A TELECOMMUNICATION SITE AT THE CITY**

IMPOUND LOT, be approved subject to obtaining appropriate building permits. Council discussed the length of the lease and the location of the tower in respect to the plans for Riverfront development. Mr. Hierstein stated the agreement was presented as a means of generating income of surplus property and meeting Council's defined objectives of limiting the number of tower sites and accommodating multiple companies through an already approved plan with MetroSite. Details of the structures would be limited by ordinance and would be approved through the building permit process. Mr. Basch reminded Council that the "unreasonable" restriction of the telecommunication trade was prohibited the Federal Communications Commission. He added that cellular towers had to be permitted somewhere in the community and could not be prohibited. If opposed for esthetics reasons a location providing for equal service area would have to be found. On roll call vote: Aye, Orrick; Nays, Barra, Jones, Richmond, Tebben. Motion failed.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **ILLINOIS DEPARTMENT OF TRANSPORTATION LOCAL AGENCY FUNDING AGREEMENT** for Federal participation for **14TH STREET WIDENING FROM EL CAMINO DRIVE TO VFW ROAD,** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 21
FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Resolution No. 21 be adopted and the Mayor and City Clerk be authorized to execute and file with the Department f Transportation the resolution for improvement by municipality Under the Illinois Highway Code appropriating MFT Funds for 14th Street Widening and all documentation required. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **WASTEWATER FACILITIES PLAN SCOPE OF WORK AND COST OF SERVICES AGREEMENT WITH ENVIRONMENTAL SCIENCE AND ENGINEERING, INC.** in an amount not to exceed $149,285.00 be approved. Project Manager Gary Davis of ESE was in attendance to answer questions from Council. Mr. Davis felt the development of a new plan would be a 5-6 month effort between the City of Pekin, Illinois EPA and United Water. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **DEVELOPMENT PROPOSAL FOR LOT 5 AND 40 FEET OF LOT 4 IN BLOCK 90 OF ORIGINAL TOWN** be received and filed. On roll call vote, all present voted Aye.

Other Business

Com'r. Richmond informed Council the Traffic Safety Committee recommended removing stop signs on St. Clair at Oakwood and on Schramm at Hemlock. They also recommended making 14th and VFW Road and 10th at Washington 4-way stop intersections. The county will be asked to evaluate signage at 5th and VFW Road. Ordinances would be presented to Council at a future meeting.

Com'r. Orrick thanked those involved in the preparation and activities for the Terquasquicentennial celebration.

Chairman Ralph Brower of the 1999 Water Study Task Force Committee summarized the scope of the work contained in the report presented to Council at the meeting. The purpose of the committee was to objectively review the feasibility of purchasing Illinois American Water Pekin facility. The Report explained methods and findings of the committee and its unanimous recommendation for the City Council to pursue the purchase of the water company. Mr. Brower felt any questions needed to be addressed to full committee rather than be answered with his individual opinion. A special Council meeting would be set at a later time. Council requested that the report be made available on the Internet, in the Office of the City Clerk and in the Pekin Public Library.

Dennis Crotty, 1913 State Street, addressed Council on several topics. Questions were in regards to the water company purchase, time frame for completion of the intersection improvement with traffic signals at 14th and Broadway, the condition of the docks at the riverfront.

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. Orrick, seconded by Com'r. Barra, that the Council move to Executive Session to discuss Pending Litigation and Acquisition of Real Estate at 7:00 P.M. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded Com'r. Barra, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:30 P.M.

Sue E. McMillan
City Clerk