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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 THE CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY JULY 24, 2006 AT 5:30 O'CLOCK P.M.
FRANK H. MACKAMAN * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, BLANCHARD, JONES, MADDOX AND DAGIT

ABSENT: NONE

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The **Pledge of Allegiance** was led by Mayor Mackaman.

Roll was called and all commissioners were present.

Agenda

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

Minutes

Mayor Mackaman noted a small error was corrected in the July 10th minutes in regards to an event that had not taken place as of that date. Motion was then made by Com'r. Jones, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of July 10, 2006 be approved as written.** On roll call vote, all present voted Aye.

Public Input on Agenda Items

There were no comments received.

Consent Agenda

Mayor Mackaman presented and read the following items under Consent Agenda.

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

1. **Receive and File Reports and Minutes:** Police, T/PCCC, Airport, and Building
2. **Proclamation: "Mentally Handicapped Week" Knights of Columbus September 11-17, 2006**
3. **Charitable Solicitation: Knights of Columbus Tootsie Roll Drive September 15-17, 2006**
4. **Receive and File Open Space Lands Acquisition and Development Grant Financial Reports Prepared by Willock Warning & Co., P.C. Dated June 30, 2006**
5. **Receive and File Petition for Annexation from Robert Orr as TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 15, 2002 AND KNOWN AS ORR FAMILY TRUST**
6. **Receive and File the Pekin Planning Commission Minutes Dated July 12, 2006**
7. **Receive and File Planning Commission Hearings and Recommendations:**
    a. Hearing #1719 – approval of Special Use for Outdoor Sales/Storage with the legal description as described in Exhibit "A" (Tractor Supply Co Lot 3 East Court Village)
    b. Hearing #1720 – approval of Site Plan for Outdoor Sales/Storage with the legal description as described in Exhibit "A" (Tractor Supply Co Lot 3 East Court Village)
    c. Hearing #1721 – approval re-zoning from AG (Agricultural) to PUD - Business Park (Planned Unit Development) for Lot 3 in Riverway Business Park, 2nd Addition with legal description as described in Exhibit "B"
    d. Hearing #1722 – approval of assignment of zoning classification pending annexation from AG (Agricultural District) to PUD – Business Park (Planned Unit Development) for property with legal description as described in Exhibit "A"

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

FINANCE REPORT PRELIMINARY FISCAL YEAR 2006 AND JUNE REPORT

City Manager Dennis Kief presented a Finance Report in the absence of City Treasurer Charles Renner. The Manager indicated Council was provided figures and observations of the City Treasurer regarding the first two months (16.67%) of the fiscal 2007 City Budget. Preliminary Fiscal Year 2006 Expenditures and Income Report was pre-audited numbers.

Mr. Kief recapped the FY 2006 figures and reported expenditures were below budgeted funds while actual revenues exceeded what was budgeted. The figures were good news but the year was light for major capital improvements.

Council was given a memo of the Manager's comments on FY 2007. Revenue sources were in line with the exception of the Telecommunications Tax. Those declining revenues and reduced income from wastewater service fee, a result of "Winter Averaging," would be closely monitored.

The following 4 expenditures would be watched closely:

- Personnel
- Gasoline
- Electricity prices
- Insurance premiums

The Manager briefly recapped line items in the red and gave reasons why. He noted the City had taken proactive steps towards GASB compliance including more formalized reconciliation protocols. He read from the prepared memo to Council his comments regarding discrepancy of approximately $550,000 during reconciliation of the City's bank statements. Council was also informed that the City received a number of good applications for the Finance Director position. In conclusion, Mr. Kief reported the City's financial situation was good in FY 2006 and should be relatively good in FY 2007.

Commissioner Blanchard requested that the Manager explain the telecommunications decline. Referring to the increase in investments he felt it was a wise move in hiring the Treasurer. The Commissioner remarked that personnel increases in the 2007 budget were dictated by union contracts, but questioned if the Manager intended to increase non-union employee payroll by a merit raise system.

Com'r. Jones suggested the Manager request that the Treasurer prepare a bond report listings amounts outstanding and term remaining to help monitor finances.

New Business

ORDINANCE NO. 2485-06/07

PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PEKIN

Orr Family Trust 160 Acres

Motion by Com'r. Dagit, seconded by Com'r. Jones, that Ordinance No. 2485-06/07 be adopted. Council was briefed that authorization to purchase the property was approved at the previous meeting and would close in September. The owner Robert Orr, voluntarily petitioned to annex the property directly south of the Riverway Business park 2nd Addition west of 5th Street. The property would expand the business park and allow for extending Hanna Drive. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568 - A164-06/07

PROVIDING FOR THE ASSIGNMENT OF A ZONING CLASSIFICATION TO CERTAIN REAL PROPERTY

RIVERWAY BUSINESS PARK 3RD ADDITION PARK TO PUD

Motion by Com'r. Dagit, seconded by Com'r. Jones, that Ordinance No. 1568-A164-06/07 providing for the assignment of a zoning classification of Planned Unit Development to annexed property, be adopted. The zoning was recommended by the Pekin Planning Commission pending annexation of the parcels.

On roll call vote, all present voted Aye.

ORDINANCE NO. 1568 - A165-06/07
PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY
RIVERWAY BUSINESS PARK 2ND ADDITION PUD

Motion by Com'r. Dagit, seconded by Com'r. Jones, that Ordinance No. 1568-A165-06/07 providing for the rezoning of property in Riverway Business Park from Agricultural to Planned Unit Development, be adopted. Com'r. Jones noted the PUD zoning classification was unique to the business park since typically other business parks are zoned industrial. On roll call vote, all present voted Aye.

Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that the **SPECIAL USE REQUEST FOR OUTDOOR SALES/STORAGE FROM TRACTOR SUPPLY COMPANY LOCATED AT EAST COURT VILLAGE**, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that the **SITE PLAN FOR OUTDOOR SALES/STORAGE FROM TRACTOR SUPPLY COMPANY LOCATED AT EAST COURT VILLAGE**, be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462 – A255-06/07
AMENDING TITLE 8, CHAPTER 4, SECTION 1 D
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING NO PARKING SCHEDULE

Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that Ordinance No. 1462-A255-06/07. On recommendation of the Traffic Safety Committee, Council was presented an ordinance to amend the traffic code restricting parking an additional parking stall length on South 4th Street at Court Street and to increase the length of restricted parking 82' back from the southwest corner on Washington west of Capitol Street. Both were efforts to correct visibility concerns. Com'r. Blanchard spoke in support of the TSC's recommendation to restrict parking on Washington. He had received calls and guided the concerned citizens to the committee for resolution. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Blanchard, that the **AGREEMENT WITH TAZEWELL COUNTY FOR VEHICLE MAINTENANCE,** be approved. The agreement provided for the renewal of the Intergovernmental Agreement to maintain approximately 70 vehicles for the Sheriff's Department, Probation, Health and Animal Control. Services were contracted at $50.00 per hour and parts at cost plus 25%. Com'r. Maddox recognized the contract as an excellent example of intergovernmental cooperation. Com'r. Blanchard questioned if the terms would cover expenses and was informed by the Manager that that the terms were the same as last year but would be evaluated yearly. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Blanchard, that the **AGREEMENT WITH TAZEWELL COUNTY HEADSTART FOR VEHICLE MAINTENANCE,** be approved. The intergovernmental cooperation agreement for maintaining approximately 5 buses for the County Program provided for $50.00 per hour terms with parts billed at cost plus 25%. On roll call vote, all present voted Aye.

Motion by Com'r. Dagit, seconded by Com'r. Blanchard, that the **CITY MANAGER BE AUTHORIZED TO NEGOTIATE A DRAFT FRANCHISE AGREEMENT WITH ILLINOIS-AMERICAN WATER COMPANY FOR FUTURE CONSIDERATION OF CITY COUNCIL**. Council discussed with the City Manager Dennis Kief the concept of a franchise. It was suggested the City keep options open for a buyout through the agreement.

Commissioner Dagit spoke in support of exploration of the option of a franchise. He clarified his position regarding a franchise with IAWC that had been written in the Pekin Daily Times. He felt since the Conceptual Plan indicated the Council had a low priority in going forward with the purchase of the water company, negotiating a franchise agreement could be a win win for the City and IAWC.

Commissioner Blanchard expressed support for entering into an agreement. He indicated it should have been completed long ago.

Commissioner Maddox noted negotiations would be beneficial for Council to consider options, but questioned if RWE would negotiate in "good faith".

Commissioner Jones noted the City had tried since 1994 to negotiate an agreement but IAWC has refused. He questioned the company's interest at this point. He hoped that Council and citizens have read the Raftilis Report. Com'r. Jones indicated it would be necessary to retain attorneys specializing in utility agreements. He suggested the Manager explore a franchise, but allow the next Council to decide if that is the best decision for citizens.

Mayor Mackaman agreed for the Manager to negotiate the concept of a franchise for Council consideration. Manager Kief to present a draft at the 2nd meeting in August.

On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Com'r. Jones expressed concern of talk of building another fire station. He suggested a map be made indicating the density areas of calls and that the long range plans be based on facts. He also acknowledged the 36th Robert Monge Best Ball Golf Tournament.

Com'r. Maddox informed Council that during a hard rain on Friday the City was able to monitor the flooding of Parkway at Knollwood swale in order to justify rerouting the water to the Willow Street ditch. Public Works Director Joe Wuellner told Council the plans would now be put out for bid and would be a two-year project.

Com'r. Blanchard requested everyone's prayers for Janson Kedzior's safe return from Iraq. Com'r. Blanchard also acknowledged the double benefit of the Street Maintenance Project. Although residents complain about the oil and rock, citizens are provided improved streets and the sweepings are recycled for use.

Announcement was made that East Court Village Shopping Center has plans to open an apparel retailer, Steve & Barry's in the old Penny Building in addition to the Tractor Supply Company.

Ralph Warner 2201 Parkway Drive addressed Council with his concerns of truck traffic on the extension of Velde Drive. He was told the street was intended for increase of passenger and residential traffic east to west and was not designed to relieve truck traffic on Court

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

No further business to come before the Council, Mayor Mackaman called the meeting closed.

COUNCIL ADJOURNED AT 6:27 P.M.

Sue E. McMillan
City Clerk