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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 TUESDAY, MAY 27, 2008 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, JONES, KORTKAMP, STRAND, AND DUNN

ABSENT: NONE

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The **Pledge of Allegiance** was led by Mayor R. David Tebben.

Roll was called and all Council Members were present.

Agenda
Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that **the Agenda be amended** by removing item 2. under New Business Resolution No. 44-08/09 – Final Plat Deerfield Estates Subdivision No. 5. Public Works Director Joseph Wuellner explained, due to inclement weather acceptable infrastructure was not to a point of accepting the final plat. On roll call vote, all present voted Aye.

Motion by Council Member, Kortkamp, seconded by Council Member Dunn, that the **agenda be approved as amended.** On roll call vote, all present voted Aye.

Motion by Council Member Strand, seconded by Council Member, Kortkamp that the **minutes of the Regular City Council Meeting of May 12, 2008, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda
Motion by Council Member Strand, seconded by Council Member Kortkamp, that the Consent Agenda be approved as presented.
Mayor Tebben read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Receive and File Monthly Reports and Minutes:** Fire April Report, Building Report April, Airport Minutes Dated April 9, 2008 and May 14, 2008, Mayor's Advisory Committee for Persons with Disabilities Minutes Dated February 14, 2008 and March 13, 2008.

2. **Charitable Solicitation:** Save James Field Tag Days May 25-26, 2008

3. Receive and File **Zoning Board of Appeals Minutes** Dated May 14, 2008

4. Receive and File **Planning Commission Minutes** Dated May 14, 2008

5. Receive and File Pekin **Planning Commission Hearings and Recommendations:**
    a. Hearing #08-1763 – recommends to approve the Final Draft of Title 10 Subdivision Codes with the amendment as follows: 10-4-2 D to replace the words "is required" with "shall be considered"
    b. Hearing #08-1766 – recommends to approve the Re-zoning of property located off of Route 98 from AG (Agricultural District) to I-1 (Light Industrial District)

On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

Hearing no objections from the Council in varying from the agenda, Mayor Tebben allowed Police Chief Tim Gillespie the floor. The Chief announced that Lieutenant Gary Lowe after serving the City of Pekin for 25 years accepted the position of Chief of Police in Haynes Alaska. The officer was presented a watching in honor of his retirement and dedication to the City of Pekin.

YEAR END PRELIMINARY FINANCIAL REPORT

Assistant Finance Director Angie Evans presented in a PowerPoint a general explanation of revenues, expenditures and fund balances. The unaudited fiscal year ended April 30, 2008 revenues were compared to 2007 and explanation of some negative differences as being large capital projects completions delayed. It was noted that reserves were down. Treasurer James Wolf next presented the Investment Earnings Report. He indicated that interest rates were going down and the earnings received in 2007 would not be duplicated in 2008. A general discussion followed as to the effects of the significant drops in rates, revenues, and reserves as the City moved forward.

BONDING PROJECT WITH TAZWOOD

Michael Polson, CEO Tazwood Mental Health Center, Inc. addressed Council to give a general explanation of the City's participation in a financial project for refinancing purposes. Corporation Counsel Burt Dancey advised that the City as proposed issuer of a maximum bond amount of $1,800,000.00 would assist Tazwood in the proposed project. The City was a conduit in the transaction that would help the community. The revenue bonds were solely paid by the borrower and the City's credit would not be involved.

NEW BUSINESS

ORDINANCE NO. 1568-A-174-08/09
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY

Motion by Council Member Abel, seconded by Council Member Strand, that Ordinance No.1568-A-174-08/09 be adopted. Public Works Director Joseph Wuellner advised the Council of the Pekin Planning Commission's recommendation to assign the zoning of I-1 Industrial from AG Agricultural to property owned by William Landrith that fronts Rt 98. Council Member Jones questioned why rezoning was recommended verses special use for the site of the construction of a billboard. Mr. Wuellner indicated the zoning class fit with the long time plan for industrial use. Mayor Tebben was told that other use indicated was for storage units. The area was in a flood plan, which limited the use. On roll call vote, all present voted Aye.

ORDINANCE NO. 2555 OA-08/09
AMENDING TITLE 10, OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SUBDIVISIONS

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that Ordinance No. 2555 OA-08/09 be adopted. Council was presented changes to the provisions of the Subdivision Code that addressed their previous concerns regarding the issues of number of access locations required in the development of new subdivisions. Council Member Strand spoke in support of the flexibility given in the language to allow one point of access if second location were not reasonably possible or practical. Manager Kief and Attorney Dancey emphasized the importance of other revisions to standard street and wide of way widths, review fees, and required maintenance period for all new subdivisions. General questions of Council Members were answered. On roll call vote, all present voted Aye.

AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT 2008 ACTION PLAN

Motion by Council Member Blanchard, seconded by Council Member Abel, that Amendment to the 2008 Action Plan for Reallocation of Community Development Block Grant funds be approved. Community Development Director Pam Anderson presented background information and the financial impact of the allocation of $1.1million dollars. Council was advised that the City was documented by HUD as "untimely" in the use of the grant funds and reduced the grant amount for fiscal year 2008 to $183,506.00. Also HUD notified the City that an additional $871,859.00 needed to be expended for fiscal years 2005-2007. A total of $1,100,365.00 was reallocated by amendment. A general discussion followed of the programs amended and the stewardship of the funds in the timeliness issue. On roll call vote, all present voted Aye.

ORDINANCE NO. 2556 OA-08/09
AMENDING TITLE 6, CHAPTER 2, SECTION 11
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING OFFENSES/MISDEMEANORS IMPOUNDING VEHICLES

Motion by Council Member Jones, seconded by Council Member Blanchard, that Ordinance No. 2556 OA-08/09 be adopted. Police Chief Timothy Gillespie and Attorney Burt Dancey informed Council that in working with the recent implementation of the "towing ordinance" it was necessary to change the provision for a preliminary hearing from 24 hours to 72 hours in order to practically retain the hearing officer. Council Member Blanchard suggested additional review and tweaking to include provisions for stolen vehicles. On roll call vote, all present voted Aye.

Mayor Tebben next called for the lat item of New Business at which point he indicated that initially it was though Council would move to executive session to discuss Personnel.

Motion by Council Member Jones, seconded by Council Member Strand, that the **EMPLOYMENT AGREEMENT** with City Manager Dennis Kief be approved. Discussion followed on the amended term, salary increase, mileage allowance, and health insurance participation amount. Council Members spoke favorably on the performance of Mr. Kief. Council Member Blanchard spoke to the conditions of termination of service. Attorney Dancey gave legal opinion that the contract was through 2012 with conditions of severance. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Jones suggested the following information additions in monthly minutes/reports of Boards, committees, Commissions, Departments:

- list members voting Aye and Nay and indicate the recording secretary's name
- monthly Fire Department Report list addresses of structural fires

Council Member Dunn reminded Council and the public to be cautious of increased bicycle usage due to the nice weather and higher gas prices.

Council Member Blanchard expressed concern regarding the synchronizing of the traffic signals at 14th Street and Park Avenue intersection. It was also brought to the Public Works Director's attention of the delay in turning off Veterans Drive onto Court Street. It was indicated that the Illinois Department of Transportation had tweaked the signaled intersection but Court Street has priority as a state highway. Mr. Wuellner then reported that the improvements to the Parkway / Broadway intersection and widening project were delayed the previous 2 weeks as a result of the weather but completion remained scheduled for July.

Police Chief Gillespie reported that creation of a code providing for acceptance of over the counter fines was progressing and that printing of *Notice to Appear* tickets were being quoted.

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

EXECUTIVE SESSION
Motion by Council Member Dunn, seconded by Council Member Blanchard, that Council move to Executive Session at 6:45 P.M. to discuss 5 ILCS 120/2 (c.) 1. The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees of the Public Body,
5 ILCS 120/2 (c.) 6. The setting of a price for sale or lease of Municipally Owned Property, and 5 ILCS 120/2 (c.) 11. Pending, probable or imminent litigation. On roll call vote, all present voted Aye.

No further business to come before the Council, the Mayor called the meeting closed in open session.

COUNCIL ADJOURNED AT 7:12 P.M.

Sue E. McMillan
City Clerk