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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, MAY 23, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, SCHMIDGALL, BLANCHARD, NEUMANN, HENDRICKS
MASSAGLIA PRESENT FOR NEW BUSINESS AS COUNCIL MEMBER

ABSENT: NONE

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The **Pledge of Allegiance** was led by Second Grader Makala Blanch.

Roll was called and all Council Members were present.

Mayor Barra informed the Council that there was some housekeeping to be done to the documents for the Agreement with Big "R" and asked Council's concurrence in removing it's consideration at this meeting from the agenda.

AGENDA
Motion by Council Member Hendricks, seconded by Council Member Blanchard, that **the agenda be amended by removing New Business item 7. Agreement with Big "R".** On roll call vote all present voted Aye.

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

MINUTES
Motion by Council Member Hendricks, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of Monday, May 9, 2011, the Regular second Meeting of May 9, 2011, and the Special Council Meetings of May 11, 12, 13, 2011 be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS
Jerry Gibbs representing Big "R" Stores introduced himself and other company members to the Council. He extended appreciation of Council's support in locating the new business in Pekin and the insight to use the vacated Sears structure for development. Pekin's demographics fit the store concept felt good fit for this area The Council was assured the business would be an asset because of its uniqueness that would bring shoppers to Pekin. Mr. Gibbs advised Big "R" was taking applications for 50 local employees for plans to open in July.

CONSENT AGENDA
Motion by Council Member Hendricks, seconded by Council Member Blanchard, that the **CONSENT AGENDA be approved as presented.** Mayor Barra presented the following for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports and Minutes: Fire Department April Report, Traffic Safety Committee Minutes dated May 6, 2011, Airport May Minutes.		5
7.2 Proclamation: Public Works Week May 15-21, 2011.		3
7.3 Receive and File Pekin Planning Commission Minutes Dated May 11, 2011.		5

7.4 Receive and File Pekin Planning Commission Recommendations/Hearings: a. Hearing #11-1832 Recommends approval of the Site Plan for Outdoor Sales & Storage located at 3315 Court Street. b. Hearing #11-1833 Recommends approval of the Special Use for Outdoor Sales & Storage located at 3315 Court Street. c. Hearing #11-1834 Recommends approval of the Site Plan for Auto Repair & Sales located at 201 N. Capitol Street. d. Hearing #11-1835 Recommends approval of the Special Use for Auto Repair & Sales located at 201 N. Capitol Street.	RS	1

On roll call vote, all present voted Aye.

NEW BUSINESS

<u>RESOLUTION NO. 2-11/12</u>
APPOINTMENT OF COUNCIL MEMBER

Mayor Barra explained how she arrived at her selection to fill her vacated seat as a Council Member. From Statements of Interest submitted she removed names of those that never ran for election, those that ran but did not win which narrowed it down to applicants with experience.

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that Resolution No. 2-11/12 be adopted. Pursuant to 65 ILCS 5/5-2-12 (g.) and 1-5-1 of the Code of the City of Pekin Fred Massaglia is hereby appointed to fill the vacancy in the position of Council Member effective May 23, 2011 until May 2013, be adopted.

On roll call vote, all present voted Aye.

OATH OF OFFICE

City Clerk Sue E. McMillan administered the Oath of Office to Council Member Fred Massaglia.

Motion by Council Member Schmidgall, seconded by Council Member Abel that the **SPECIAL USE OF AFFORDABLE AUTO REPAIR for automotive repair business and vehicle sales be approved.** Council considered the recommendation of the Pekin Planning Commission to approve the use and the site plan for the business to relocate from their outgrown location at 1408 Broadway to 201 N. Capitol Street. Council Member Blanchard read from the PPC minutes the record of concerns addressed at the Hearing as to disregard for fulfilling striping and hard surface. Council Member Blanchard noted he would be in favor of the new use and site but with reservations based on complaints from the public of the Broadway location. Council Member Neumann questioned number of allowed unlicensed vehicles permitted on the lot. Code Enforcement Officer Ron Sieh addressed the concerns expressed by Council and noted future office rental of the building would require a return to the Commission for a Special Use and revised site plan. Sara Tracy, 2025 Windsor, owner of the business, responded to the concerns and felt that the larger location was the solution to the problems noted. Council Member Abel congratulated the owner for being able to expand a business in the community. Council Member Blanchard stated he was not belittling the business by his questioning. On roll call vote all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that the **SITE PLAN OF AFFORDABLE AUTO REPAIR for automotive repair business and vehicle sales at 201N. Capitol Street, be approved.** On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Massaglia that the **SPECIAL USE OF BIG "R" STORES for outdoor sales and storage area be approved.** The Code Enforcement Officer also presented the recommendation of the Pekin Planning Commission and the request to approve the Special Use for outdoor sales and storage area in former Sears Store 3315 Court Street parking lot. On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Massaglia that the **SITE PLAN OF BIG "R" STORES for outdoor sales and storage area at 3315 Court Street, be approved.**
On roll call vote all present voted Aye.

ORDINANCE NO. 2639-11/12
AMENDING TITLE 6, CHAPTER 2, SECTION 12
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING OFFENSES / MISDEMEANORS
CITATIONS CHARGING VIOLATION OF CERTAIN ORDINANCES AND
SETTLEMENT BY PAYMENT OF FINES

Motion by Council Member Blanchard, seconded by Council Member Schmidgall that Ordinance No. 2639-11/12 be adopted. Police Chief Greg Nelson presented additional municipal offenses available for pre-court settlement. The defendant would be given the option to settle and avoid court costs by making over the counter payment to the police department for the following:

(1) Failure to Inoculate an Animal 6-3-12 $150.00 and

(2) Truck off Truck Route 8-1-9 $150.00

On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A305 – 11/12
AMENDING TITLE 8, CHAPTER 4, SECTION 1.D. OF THE TRAFFIC CODE
OF THE CITY OF PEKIN 1995
REGARDING NO PARKING SCHEDULE
TURN LANES INTERSECTIONS

Motion by Council Member Blanchard, seconded by Council Member Schmidgall that Ordinance No. 1462-A305-11/12 be adopted. The ordinance, a recommendation of the Traffic Safety Committee would increase the length of restricted parking in the turn lanes to 200'at the intersections of Willow @ Parkway, Sheridan @ Parkway, Willow @ 14^{th}, and Sheridan @ 14^{th} Street. Questions were directed to Police Chief Greg Nelson regarding the initial intersection of concern, 14^{th} and Willow Streets and the consistency in restricting the other 3. Council Member Neumann suggested the intersections of 14^{th} @ Derby Streets and 14^{th} and Parkway also be reviewed. Council suggested the surrounding residents be notified of the restricted parking changes approve in the ordinance. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Hendricks, that the **SECOND AMENDMENT TO THE MUNICIPAL COLLECTIONS SYSTEMS AGREEMENT be approved.** Police Chief Greg Nelson advised the Council that the amendment pertained to the Department's Parking Enforcement Division's existing agreement with MCSI for collection of unpaid parking tickets. The City would receive a larger percentage from 50% to 65% of receipts. On roll call vote all present voted Aye.

Motion by Council Member Neumann seconded by Council Member Massaglia, that the **PROPOSAL FOR SANITARY SEWER REPAIR PROJECT FOR VALLE VISTA in an amount not to exceed $29,000.00, be approved and the contract awarded to ILLINOIS CIVIL CONTRACTORS, INC.** Public Works Director Joe Wuellner recommended the repair of short section of sanitary sewer line in the 1700 block that had been damaged and experiences continued problems with flow and settlement of the street. Proposals were requested from 4 contractors. Council questioned the disparity in the bids and was told that the low bidder, ICCI, proposed a different strategy for digging into the road. They were also advised that typically project of this nature were not bid out. Because of the non emergency, time was taken to seek bids. On roll call vote all present voted Aye.

Motion by Council Member Neumann, seconded by Council Member Hendricks, that the **VEHICLE MAINTENANCE AGREEMENT WITH TAZEWELL COUNTY GOVERNMENT be approved.** Public Works Director Joe Wuellner, requested Council to consider the renewal of an agreement with Tazewell County to maintain their vehicles. The agreement would be extended by two-years with the hourly mechanic rate held at $65 per hour; parts at cost plus 28% and fuel at cost plus $0.05/gallon. Council Member Massaglia stated that he was opposed to competing with private business. On roll call vote Ayes, Blanchard, Neumann, Schmidgall, Abel, Hendricks, Barra; Nay, Massaglia. Motion Carried.

Motion by Council Member Neumann, seconded by Council Member Hendricks, that the **VEHICLE MAINTENANCE AGREEMENT WITH TAZEWELL-WOODFORD HEAD START be approved.** The Public Works Director advised that the agreement offered mechanical services at the City's Koch Street facility to maintain the program's busses. The new contract terms, extended by two-years, held the hourly mechanic rate at $65 per hour; parts to cost plus 28%, and fuel at cost plus $0.05/gallon. On roll call vote Ayes, Blanchard, Neumann, Schmidgall, Abel, Hendricks, Barra; Nay, Massaglia. Motion Carried.

RESOLUTION NO. 3 – 11/12
ANNUAL APPOINTMENTS

Motion by Council Member Massaglia, seconded by Council Member Abel that Resolution No. 3-11/12 be adopted. The Mayor's appointments and re-appointments with Council's consent, to several committees, boards and commission that have expired terms. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Schmidgall stated that he had discussed alternatives with staff for the flooding concern that the residents of Cambridge Court brought to the attention of Council at the last meeting.

Council Member Neumann suggested that the present policy for sending and receiving electronic information for staff and council members be reviewed and modifications be made to include a monitoring report policy.

Council Member Hendricks congratulated his fellow classmates, the administration, and 2011 graduates of Pekin Community High School.

Council Member Blanchard noted for the general public that issues involving flooding and storm sewer are funded from a limited General Fund budget whereas the expenditure approved for the Valle Vista sewer project was funded from the sewer maintenance line item.

Treasurer Jim Wolf shared with Council the latest information regarding State legislators' proposal to use State collected local government revenues to bailout the State budget deficit. The City of Pekin could see reduction to $800,000 state income tax revenues. He noted the State is up to 4 months behind in LGDF payments.

EXECUTIVE SESSION

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that the Council move to Executive Session at 6:35 P.M. to discuss 5 ILCS 120/2 (c) (3). The selection of a person to fill a public office and 5 ILCS 120/2 (c) 2. Collective Bargaining. On roll call vote all present voted Aye.

No further business to come before the Council, Mayor Barra adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:25 P.M.

Sue E. McMillan
City Clerk