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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, APRIL 28, 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 Jones, that the **agenda be approved as presented.** On roll call vote, all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Jones, that the **minutes of the Regular City Council Meeting of April 14, 2008, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda
Motion by Council Member Kortkamp, seconded by Council Member Jones, 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 Department Report April and Liquor Commission Minutes dated February 28, 2008.

2. **Approve Proclamation:** "YWCA National Day of Commitment to Eliminate Racism" April 28, 2008
"AMBUCS Week" April 28-May 2, 2008
"Motorcycle Awareness Month" May 2008
"Supportive Living Week" April 28-May 2, 2008

3. **Receive and File West Nile Virus Grant Application to Tazewell County Health Dept**

4. **Receive and File Planning Commission Minutes dated April 9, 2008**

5. **Receive and File Pekin Planning Commission Hearings and Recommendations:**
    a. Hearing #08-1764 – recommends to approve Site Plan for Special Use for Drive-Thru for Convenient/Liquor Sales for Beck Oil located at 317 Derby Street

    b. Hearing #08-1765 - recommends to approve Special Use for Drive-Thru for Convenient/Liquor Sales for Beck Oil located at 317 Derby Street

On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

RETIREMENT PRESENTATION
Director of Transportation Greg Ranney presented employee Sandy Davis with recognition, plaque, and retirement watch for her 33 years of service for the City of Pekin. He acknowledged her interest in the bus operations and transporting children as a bus driver.

RECOGNITION
Bruce Alkire, Chairman of the Board of the Economic Development Council for Central Illinois commended the City of Pekin and the staff for the efforts conducted as a team player for the region economic development. He noted the staff's pursuit in assisting the EDC in retaining the technology start-up company, I-Repair, that was being courted by two other states to remain in the area. With the involvement of a Pekin Bank branch, Morton headquarters, regional investors, and potential Pekin supplier, job opportunities would increase.

ANNOUNCEMENT
Bill Fleming, Director of the Pekin Area Chamber of Commerce, spoke to Council regarding activities for the Marigold Festival. He indicated the festival committee was promoting Pekin as the marigold capitol of the world and encouraged the community to plant as many as possible for the theme "grow the gold."

NEW BUSINESS
Motion by Council Member Dunn, seconded by Council Member Abel, that the **SIDE LETTER WITH RAIL SPLITTER ENERGY LLC AND TAZEWELL COUNTY REGARDING ENTERPRISE ZONE FOR HORIZON WIND ENERGY.** City Manager Dennis Kief advised Council last meeting's approval of the amendment to the enterprise zone and the intergovernmental agreement in order to provide for the development of a wind farm. He indicated that the Side Letter specified the equally shared $300,000.00 Certification Fee for allowing the addition of the project to the Enterprise Zone, the reduction on the EZ form 0.7336 to 0.1744 square miles after completion, and the provision eliminating expanded area if project did not happen. On roll call vote, all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Abel, that the **TOURISM GRANT TO DRAGON'S DOME FOR NSA GIRLS QUALIFIER SOFTBALL TOURNAMENT** be approved in the amount of $1,833.00. Council Member Blanchard questioned the formula used in the Grant Guidelines as to not for profit being followed. Motion was made by Council Member Blanchard to amend the approval to an amount of $500.00. The motion received no second. On roll call vote, Ayes, Strand, Kortkamp, Jones, Dunn, Abel, Tebben; Blanchard Nay. Motion Carried.

ORDINANCE NO. 2552-07/08
AMENDING TITLE 6, CHAPTER 2, OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES/MISDEMEANORS

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that Ordinance No.2552-07/08 be adopted. Police Chief Gillespie recommended the ordinance providing for impoundment fee recovery when motor vehicles were involved in certain criminal offenses such as possession of drugs, DUI, revocation of license, It was indicated by Mayor Tebben that in response to a police community survey the proposal was an aggressive means of DUI enforcement. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **SITE PLAN FOR DRIVE-THRU CONVENIENT/LIQUOR SALES AT BECK OIL** be approved. Public Works Director Joe Wuellner explained the recommendation of the Pekin Planning Commission was part of an upgrade to an existing business located at 317 Derby Street and would meet set back and landscape requirements when constructed. On roll call vote, Ayes, Kortkamp, Jones, Blanchard, Dunn, Abel, Tebben; Nay, Strand. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Dunn, that the **SPECIAL USE FOR DRIVE-THRU CONVENIENT/LIQUOR SALES AT BECK OIL,** be approved. Council Members applauded the efforts of the business for improvements. On roll call vote, Ayes, Kortkamp, Jones, Blanchard, Dunn, Abel, Tebben; Nay, Strand. Motion Carried.

<u>RESOLUTION NO. 41-07/08</u>

DOWNSTATE PUBLIC TRANSPORTATION OPERATING ASSISTANCE AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION-GRANT #3671 OP-08-09-IL

Motion by Council Member Strand, seconded by Council Member Kortkamp, that Resolution No. 41-07/08 be adopted. Director of Transportation Greg Ranney explained the $310,584.00 agreement with IDOT was a replacement contract to receive funding increase from 55% to 65% as a result of HB 0656 passage for the municipal bus service contracted to City Link. On roll call vote, all present voted Aye.

Motion by Council Member Strand, seconded by Council Member Abel, that the **CITY CONCUR WITH THE RECOMMENDATION OF THE TAZEWELL COUNTY HIGHWAY DEPARTMENT TO AWARD THE CONTRACT FOR THE BROADWAY ROAD WIDENING PROJECT TO THE LOW BIDDER R A CULLINAN AND SON, INC.** Mr. Wuellner reported that IDOT opened bids for Tazewell County as lead agency in the project. The bid was higher than estimated but the parties did not want to want to risk rebidding in May. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Strand, that the **DESIGN AND CONSTRUCTION ENGINEERING AGREEMENT WITH FARNSWORTH GROUP, INC. FOR PHASE I WASTEWATER TREATMENT PLANT IMPROVEMENTS BE AMENDED BY THE AMOUNT NOT TO EXCEED $61,665.00 FOR DESIGN AND BIDDING SERVICES AND $20,000 FOR CONSTRUCTION OBSERVATION,** be approved. Mr. Wuellner advised Council of the changes in the scope of the project when it was found to be advantageous to raise the equipment seeing that the plant was down 4-6 weeks during the 1985 flood and that next year's permit would greatly limit CSO's allowed. On roll call vote, all present voted Aye.

RESOLUTION NO. 42-07/08

ACCEPTING A GRANT FROM THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S SINGLE FAMILY OWNER-OCCUPIED REHABILITATION PROGRAM HO-2841

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that Resolution No. 42-07/08 be adopted. Community Development Director Pam Anderson presented the approval to accept the $168,000.00 SFOOR grant approved in January. CDBG dollars are allocated for additional funding of the IHDA program. Discussion followed on the requirements that houses be brought up to code and lead be addressed. Ms. Anderson indicated that there was a list of applications and that the $168,000 would addressed 4 houses. On roll call vote, all present voted Aye.

ORDINANCE NO. 2553-07/08

AMEND TITLE 3, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING THE LIQUOR COMMISSION

Motion by Council Member Jones, seconded by Council Member Dunn, that Ordinance No. 2553-07/08 be adopted. Liquor Commissioner Tebben informed Council that the ordinance reorganized the structure of the commission and removed the function to submit findings regarding the existence and nature of violations. Council Member Blanchard expressed his concerns to changes to the commission. On roll call vote, Ayes, Strand, Kortkamp, Jones, Dunn, Abel, Tebben; Nay Blanchard. Motion Carried.

ORDINANCE NO. 2554-07/08

AMEND TITLE 3, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING THE LIQUOR COMMISSIONER

Motion by Council Member Jones, seconded by Council Member Abel, that Ordinance No. 2554-07/08 be adopted. Liquor Commissioner Tebben stated the ordinance provided for the appointment of persons to serve as deputy local liquor commissioners in an effort to give greater access in entering establishments and to perform duties in the Commissioner's absence. The authority and function of the deputy was discussed with Council. Council Member Blanchard stated his concerns. On roll call vote, Ayes, Strand, Kortkamp, Jones, Dunn, Abel, Tebben; Nay Blanchard. Motion Carried.

RESOLUTION NO. 43-07/08
ANNUAL APPOINTMENTS

Motion by Council Member Jones, seconded by Council Member Kortkamp, that Resolution No. 43-07/08 be adopted. On roll call vote, Ayes, Strand, Kortkamp, Jones, Dunn, Abel, Tebben; Nay Blanchard. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Strand received answers to her question regarding a City Open House. The details of the combination Fire Days and City Hall being open for tours on May 16 from 5 p.m. to 9:00 p.m. were announced. Council Member Jones expressed appreciation for the Library Open House celebrated on May 1 and commended the efforts and success of the 12^{th} year event.

Council Member Blanchard wished all mothers a Happy Mother's Day on May 11.

Mayor Tebben indicated that the Tazewell County tax bills had been mailed and asked that Manager Denny Kief explain the breakdown. He presented a sample bill and indicated the breakdown included schools, townships, and only 14% was the municipality. He advised that rates had declined but EAV was up and the City of Pekin increase was minimal.

Greg Ranney announced that Spruce Up Pekin would be Saturday, May 3 for cleanup throughout the City. He advised that recycle would soon start the process of collecting all colored glass at the curb. He requested that the McDonald's location for recycling not be used for garbage drop-off.

Mr. Ranney also reported that the surveillance camera had been installed on the west side of the river and expressed appreciation for the donation of two poles from the phone company for installation.

Shirley Faichmey 320 State Street addressed Council and expressed opposition and concerns on the following:

- Increases in taxes
- Spending $2 million dollars on extending Veterans Drive
- Expansion of the City boundaries. Caparison made that as a town grows the taxes increase.

EXECUTIVE SESSION

Council Member Abel, seconded by Council Member Blanchard, that Council move to Executive Session at 7:00 P.M. to discuss 5ILCS 120/2 (c.) 1. The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees of the Public Body
5 ILCS 120/2 (c.) 11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent.

On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 8:05 P.M.

Sue E. McMillan
City Clerk