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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 9, 2012 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, SCHMIDGALL, HENDRICKS, MASSAGLIA, MCCABE, AND BARRA

ABSENT: NONE

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

Roll was called and all Council Members were physically present. A quorum was present.

AGENDA

Motion by Council Member Abel, seconded by Council Member Massaglia that **the agenda be amended by removing New Business Items 9.1 and 9.4 (**clerk note - Ordinance No. 2657-11/12 Vacating Alleys, corresponding public hearing, and 2658-OA-11/12 Storage Buildings in RWBP Code Amendment) **and approve as presented**. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member Abel, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of March 26, 2012, be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT None.

CONSENT AGENDA

Motion by Council Member Schmidgall, seconded by Council Member McCabe, that the **CONSENT AGENDA be approved as presented.** The following were presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports and Minutes: Liquor Commission Minutes February 15, 2012 and March 22, 2012.		5

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

Public Hearing – Mayor Barra opened the Public Hearing at 5:34 p.m. City Clerk Sue McMillan confirmed the announcement of 2 informational meeting dates were published in the Pekin Daily Times on March 31, and April 7, 2012. Assistant City Manager Darin Girdler informed the public of the Plan and Governance of Municipal Electricity Aggregation as outlined in the Illinois Power Agency Act. He explained the following two business items were to implement the procedures, and his role in negotiating a lesser rate through commodity supply bidding. Questions were answered on “opt out” provisions of the program and letters received from, Ameren as an alternate energy supplier and billing concerns. Opportunity was given for anyone to ask questions or comment. The Hearing was closed at 5:45 p.m.

NEW BUSINESS

**<u>RESOLUTION NO. 34-11/12</u>
APPROVING THE CITY OF PEKIN ELECTRICITY AGGREGATION
PROGRAM PLAN OF OPERATION AND GOVERNANCE**

Motion by Council Member Schmidgall, seconded by Council Member Abel that Resolution No. 34-11/12 be adopted. On roll call vote all present voted Aye.

RESOLUTION NO. 35-11/12

AUTHORIZING EXECUTION OF A SERVICE AGREEMENT WITH THE LOWEST RESPONSIBLE BIDDER FOR THE SUPPLY IF ELECTRICITY FOR RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO DO NOT OPT OUT OF SUCH A PROGRAM

Motion by Council Member Schmidgall, seconded by Council Member McCabe that Resolution No. 35-11/12 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Blanchard that the City of Pekin **will support a corridor route for the Eastern By- Pass that is most advantageous to the cities affected.** Mayor Barra indicated that after review of the potential locations and the unsure advantage of its use by Pekin residents in the distant construction phase, she suggested lending support for the choice made by closest surrounding cities. Council Member Schmidgall expressed concern that the motion varied from the agenda motion. Discussion followed. Motion by Council Member McCabe, seconded by Council Member Massaglia that the motion for the recommendation be tabled. On roll call vote, Nays, Blanchard, Abel, Schmidgall, Hendricks, Massaglia, Barra; Aye, McCabe. Motion failed. Council Member Hendricks re-read the original motion. Further discussion was heard.

Council Member Massaglia called the question and roll call was taken on the original motion to recommend support of a corridor route most advantageous to the affected cities. On roll call vote, Ayes, Blanchard, Abel, Hendricks, Massaglia, Barra; Nays, Schmidgall and McCabe. Motion carried.

Motion by Council Member Hendricks, seconded by Council Member Blanchard that the **INTERGOVERNMENTAL AGREEMENT WITH PEKIN PARK DISTRICT AND THE PEKIN FIRE DEPARTMENT** be approved. Fire Chief Kurt Nelson recommended the terms of the agreement for shared use of the old “bath house” structure as a training facility for the department. The central location to conduct classes had adequate parking of the vehicles. It was estimated inside improvements expense would be $5,000.00 for the Fire 2% Fund. Discussion followed on the existence and use of the Fire 2% Insurance Fund from the State of Illinois exclusive for use by fire departments. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Blanchard that the **AGREEMENT FOR STORM SEWER AND ACCESS EASEMENTS BETWEEN THE CITY OF PEKIN AND JAMES W. FARRELL,** be approved. City Manager Joseph Wuellner advised the easement gave access to property owner James Farrell for the purpose of maintaining a stormwater line. The easement would allow the City to finish a drainage project to correct eroding property from St. Clair Drive. On roll call vote, all present voted Aye.

RESOLUTION NO 36-11/12

APPROPRIATING MOTOR FUEL TAX FUNDS FOR PETRI LANE CONSTRUCTION

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that Resolution No. 36-11/12 be adopted. City Engineer Mike Guerra explained the resolution approved the expenditure of MFT money for the City 30% share of the project in the amount of $375,000.00. The City received funds for 70% of the costs not to exceed $962,000.00. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Massaglia, that the **ILLINOIS DEPARTMENT OF TRANSPORTATION ANNUAL STATE ROUTES MAINTENANCE AGREEMENT,** be approved. The agreement is an annual 12 month increment of a contract with IDOT for the reimbursement for the maintenance provided by the Street department on State Highways. The computation for the period of July 1, 2012 to June 30, 2013 is $86,204.54, an increase of $2,521.52 over last year. On roll call vote, all present voted Aye.

Motion by Council Member Massaglia, seconded by Council Member McCabe, that the **ILLINOIS DEPARTMENT OF TRANSPORTATION PARTICIPATION AGREEMENT FOR VETERANS DRIVE FROM BROADWAY TO SHERIDAN ROAD,** be approved. The agreement is for the local 20% share of the $4 million received in 2006 for the construction of Veterans Drive. The City share of capitol funds is $939,400.00. On roll call vote, Ayes, Abel, Schmidgall, McCabe, Hendricks, Massaglia, Barra; Nay Blanchard. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL
Council Member Schmidgall stated he had not seen a business plan since the Council received the proposal to purchase the West Campus. Without unknown resources he was not in favor of obligating the City.

Council Member Blanchard encouraged the public to be aware of children playing out in the nice weather.

Council Member Massaglia stated he agreed with Council Members Schmidgall's comments regarding West Campus proposal. He also indicated the Police Department t-shirt he was wearing was a promise to the winning team of the fundraiser of the Police/Fire basketball game Police Chief Greg Nelson announced the event raised over $1,300 for Special Olympics.

City Engineer Mike Guerra also encouraged the general public to be aware workers during the nice weather in the areas where construction and road work are taking place.

Dale Kuntz, 5 Fox Point, listed ways for the City to "Get the Job Done" in his repeated request for the cleanup of Court Street.

Council heard from Valarie Umholtz representing the group to save West Campus. She proposed the following for the City steps necessary:

- Establishing the Civic Center Authority Board for accountability and bonding as the tax exempt entity that the owner was willing to sell the structure to.
- Enter into an agreement with the owner for a moratorium on the demolition.
- Provide a 0% interest loan to purchase and stabilize the property.
- Commit to:
  - Police protection
  - Support of PCCA
  - Insure building and zoning codes are flexible
  - Extension of TIF and Enterprise Zones and allocation of those funds, CDBG funding, and Tourism
  - Loan funds for maintenance if fundraising falls short

The Council spoke in non-support of the original limited request to only extend the TIF District to a request for funding up to approximately $343,600 in City funds for stabilizing and maintaining the property.

Council indicated that West Campus should not be made the City's problem, the taxpayers should not be responsible and it was suggested to approach the school board for funding.

EXECUTIVE SESSION
Motion by Council Member McCabe, seconded by Council Member Abel, that the Council move to Executive Session at 6:50 p.m. to discuss 5 ILCS 120/2 (c) (2) Collective Bargaining. On roll call vote all present voted Aye.

Council returned to open session. No further business to come before the Council, motion by Council Member Blanchard, seconded by Council Member Massaglia to adjourn. Unanimously approved by voice vote.

COUNCIL ADJOURNED AT7:7:25 P.M.

Sue E. McMillan
City Clerk