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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, MARCH 27, 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. Blanchard seconded by Com'r. Maddox, that the **agenda be approved as presented**. On roll call vote, all present voted Aye

Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of March 13, 2006, the Special Meeting of March 7, 2006 and the Special Meeting of March 20, 2006 be approved as written.** On roll call vote all present voted Aye.

Public Input on Agenda Items

Bill Gilroy 1312 S. 11th Street, spoke in opposition to approving a special use and site plan for the sale of motor fuel at Kroger's on Broadway. He stated that the company's original request a few years ago was met with concerns. The plan provided for 50' street off 14th and assurance that 17th Street would not be open to traffic entering and exiting. Mr. Gilroy had concerns that the plans were never addressed.

Consent Agenda

Motion by Com'r. Blanchard seconded by Com'r. Maddox, that the Consent Agenda be approved as presented. Motion by Com'r. Dagit, seconded by Com'r. Maddox to amend the Consent Agenda by moving item 3. Receive and File Bids for Annual Street Maintenance to New Business. Mayor Mackaman explained that the award of the project was to be considered at a later meeting. Com'r. Dagit withdrew the motion and Com'r. Maddox concurred.

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

1. **Receive and File Reports and Minutes:** Airport Commission, Tourism 2/15/06, Building

2. **Receive and File Global Towers Amendment to Site Lease Agreement**
   Amendment to existing lease agreement regarding ground space

3. **Receive and File Bids for Annual Street Maintenance**

R A Cullinan & Son	Johnson Trucking Inc.	City Estimate
$819,847.81	$752,206.88	$797,712.60

4. **Receive and File Consent to Vacation of Right of Way from Central Illinois Light Company dba Ameren/CILCO**
   Action under New Business

5. **Resolution No. 144-05/06 - Mayor's Appointment of Joseph Berardi as Citizen Representative to the Traffic Safety Committee effective immediately and subsequently for a one-year term ending the first Monday in May 2007**

6. **Receive and File Planning Commission Minutes Dated March 8, 2006**

7. **Receive and File Planning Commission Hearings and Recommendations:**
   a. Hearing #1701 – to approve Special Use request for sale of motor fuel at Kroger's parking lot located at 1607 Broadway

b. Hearing #1702 – to approve Site Plan for sale of motor fuel at Kroger's parking lot located at 1607 Broadway
c. Hearing #1703 – to approve Special Use request for drive through for Sonic Restaurant located at 3601 Court Street
d. Hearing #1704 – to approve Site Plan for drive through for Sonic Restaurant located at 3601 Court Street

On roll call vote, all present voted Aye.

Communications, Petitions, Reports
Monthly Financial Report
Finance Director Robert Reis gave a report of the financial condition of the City for the month of February. He reported that ten months into the FY 2006, the City continued to improve its financial position. Revenue had outperformed budget estimates and expenditures ran below budgeted amounts but the numbers may have been misleading because of extra pay period and unanticipated invoice of $620,000 to the State for Veterans Drive work completed.

Public Haring was open by the Mayor at 6:44 p.m. to consider and hear testimony relative to the adoption of the Budget for Fiscal Year May 1, 2006 - April 30, 2007. Notice of the Hearing was published in the Pekin Daily Times on March 15, 2006. Interested parties were given the opportunity to be heard. Mayor Mackaman invited the City Manager to address the Budget presented. Mr. Kief explained areas that rose in the $38.2 million proposal. He planned several steps to fill the Budget deficit, ¼% sales tax increase, $2.50 real estate sales fee and reallocation of tourism funding. The following people spoke and the Mayor, Manager and Finance Director addressed questions and concerns:
Blake Libbi 1312 Illinois Street
Jerry Jackson 1114 South 6th Street
Ralph Warner 2201 Parkway Drive
John McCabe 1407 Glendale
Denny Vaughn 2102 Marigold Drive had questioned the justification for enacting a sales tax increase to balance the budget.
Members of the Council made comments on the Budget presented.
Com'r. Jones felt the Budget had not been debated by members of the Council. He expressed concern that 14 employees had been added to payroll. He questioned how pensions and health insurance would be paid and hoped reserves were not used. Com'r. Dagit expressed concern that salaries and benefits were increased by 12.5 percent. City Manager Dennis Kief explained some increase in personnel costs was the result of employing previously contractual wastewater operations, computer technical service, and tourism. Com'r. Dagit asked for clarification to the differences in the deficit numbers from the original dollar amounts and an explanation of $500,000.00 difference. He asked that the Budget be postponed to closer scrutinize areas and address the concerns. Mayor Mackaman stated there were legitimate questions but each member had the opportunity for several months to have questions answered. Com'r. Blanchard felt that vehicle expenditures in the fire department would be better budgeted for manpower in police, street and fire areas. Bill Gilroy requested management evaluate the need for trucks running around town.
Com'r Dagit then told the Mayor and Commissioners that the Budget was the only means for Council control of what the citizens of the City wanted. He expected a better process next year.

The Hearing was closed at 6:33 p.m.

New Business

<u>RESOLUTION NO. 145-05/06</u>
FISCAL YEAR BUDGET MAY 1, 2006- APRIL 30, 2007
Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that Resolution No. 145-05/06 be adopted. On roll call vote, Ayes, Maddox, Blanchard, Mackaman; Nays, Jones, Dagit. Motion carried.

<u>ORDINANCE NO. 2465</u>
AMENDING TITLE 3, CHAPTER 2, SECTIONS 1, 2 AND 3 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING MUNICIPAL TAXATION - SALES TAX ¼% INCREASE
Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that Ordinance No. 2465 be adopted. City Manager Dennis Kief read from a memo to Council from City Treasurer Chic Renner, an explanation for increasing the Home Rule Sales Tax from 1.0 to 1.25 per cent. Recognizing the anticipated budget would

use over $1 million of cash reserves, the generation of $750,000 would mitigate erosion of the surplus. It was noted:

- HMST did not apply to groceries, prescription drugs, or vehicles sales
- Doesn't affect items where majority of residents income is spent, house payment car, utilities
- Restaurants, clothing, alcohol would be affected but fall in a discretionary category
- The total 8% tax puts Pekin at no competitive disadvantage

Each Com'r. was given the opportunity to comment. Com'r. Dagit spoke in opposition of an increase to citizens already burden. Other Commissioners felt the tax was more fair than real estate tax and that new revenue sources would improve needed reserve fund. On roll call vote, Ayes, Jones, Maddox, Blanchard, Mackaman; Nay, Dagit. Motion carried.

Motion by Com'r. Jones, seconded by Com'r. Maddox, that the **SPECIAL USE REQUEST FROM KROGER'S FOR SALE OF MOTOR FUEL** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Dagit, that the **SITE PLAN FOR SALE OF MOTOR FUEL IN KROGER'S PARKING LOT** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Dagit, that the **SPECIAL USE REQUEST FOR DRIVE THROUGH FOR SONIC RESTAURANT** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Dagit, that the **SITE PLAN FOR DRIVE THROUGH FOR SONIC RESTAURANT LOCATED AT 3601 COURT STREET** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2466
AMENDING TITLE 3 LIQUOR CODE REGARDING EVENT MEADOW

Motion by Com'r. Maddox, seconded by Com'r. Dagit, that Ordinance No. 2466 be adopted. Com'r. Blanchard spoke in opposition of placing an additional area for alcohol at the riverfront. Com'r. Maddox recommended approval of the amendment once the Liquor Commission reviewed the change. On roll call vote, Ayes, Jones, Maddox, Dagit, Mackaman; Nay, Blanchard. Motion carried.

ORDINANCE NO. 2467
AMENDING TITLE 2 OF THE CODE REGARDING BOARD OF TRUSTEES FIREMEN'S PENSION FUND

Motion by Com'r. Maddox, seconded by Com'r. Dagit, that Ordinance No. 2467 be adopted. The ordinance provided for the new legislation regarding composition of Fire Pension Board members. On roll call vote, all present voted Aye.

ORDINANCE NO. 2468
VACATE FRONT STREET

Motion by Com'r. Maddox, seconded by Com'r. Blanchard, that Ordinance No. 2468 be adopted. The area vacated was a portion of Front and Elizabeth Streets that surrounded the Ameren/CILCO substation. This location were vacated to allow for the construction of the Riverfront Park. Along with the Vacating ordinance was an agreement with Ameren/CILCO for the City to retain the property for the part with the understanding that they will have access to their facilities without restrictions. On roll call vote, all present voted Aye.

Motion by Com'r. Dagit, seconded by Com'r. Jones, that the **ENGINEERING AGREEMENT WITH FARNSWORTH GROUP IN THE AMOUNT OF $7,575.00** be approved. Council was advised that the agreement provided for engineering services to comply with mandated requirements of Wastewater Treatment Plant NPDES permit. On roll call vote, all present voted Aye.

Motion by Com'r. Dagit, seconded by Com'r. Jones, that the **REGULAR COUNCIL MEETING OF APRIL 10, 2006 BE CANCELED AND A SPECIAL MEETING BE SET FOR MONDAY, APRIL 3, 2006 @5:30 P.M.**. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL
Com'r. Dagit asked that consideration be given to persons having only a small sack of garbage for pickup in lieu of mandating that a toter be purchased.

Com'r. Jones stated he appreciated the work that was done in completing the budget.

Com'r. Blanchard commented that he would like to see next year without a deficit and to be presented a balanced budget.

Mayor Mackaman informed the public that Director of Solid Waste Greg Ranney would make a presentation regarding the provision of the Litter Container ordinance adopted in 2004 and would articulate the established pricing and toter conformance at a later meeting.

Police Chief Gillespie expressed appreciation to Joshua Peters for his honesty and value in returning the Chief's lost cell phone.

Jo Wuellner Director of Public Works, cautioned the public that pre-construction had begun on the intersection improvement project at 14th Street and Park Avenue. The 7 to 10 week widening of turn lane project was scheduled to begin April 17.

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

Motion by Com'r. Dagit, seconded by Com'r. Jones that Council move to **Executive Session** at 7:22 P.M. to discuss Employment of a specific Employee of the Public Body 5 ILCS 120/2 (c) 1. On roll call vote, all present voted Aye. The Council returned to open session.

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

COUNCIL ADJOURNED AT 8:15 P.M.

Sue E. McMillan
City Clerk