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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, FEBRUARY 22, 2010 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, BARRA, KORTKAMP, SCHMIDGALL, STRAND AND DUNN
ABSENT: NONE

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

Roll was called and all Council Members were present.

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

MINUTES
Motion by Council Member Strand, **seconded by Council Member Abel,** that the **minutes of the Regular City Council Meeting of February 8, 2010 and the Budget Work Session of February 8, 2010, be approved as written.** Council Member Blanchard asked that the vote regarding the minutes be split. On roll call vote of the minute of the regular meeting, all present voted Aye. On roll call vote of the minutes of the Budget Work Session, Ayes, Schmidgall, Strand, Kortkamp, Barra, Abel, Dunn; Nay, Blanchard. Motion Carried.

PUBLIC INPUT ON AGENDA ITEMS
Representatives of the American Red Cross Central Illinois Chapter updated the Council on the Red Cross drive for disaster relief in Haiti. They expressed appreciation to the Pekin Fire Department and the school districts for their contribution to health education. Mayor Dunn read and presented the proclamation to the highly performing chapter.

CONSENT AGENDA
Motion by Council Member Blanchard, seconded by Council Member Strand, that the Consent Agenda be approved as presented.
Mayor Dunn 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 January 2010 and December 2009 Reports, Electrical Commission Minutes February 4, 2010, Traffic Safety Committee Minutes February 5, 2010, and Mayor's Advisory Committee for Persons with Disabilities Minutes January 14, 2010.

2. **Proclamation:** Red Cross Month - March, 2010

3. **Receive and File -** Zoning Board of Appeals Minutes dated February 10, 2010.

On roll call vote, all present voted Aye.

COMMUNICATIONS PRESENTATION
Treasurer Jim Wolf reported to Council on the Quarterly Finances. In PowerPoint slides, Mr. Wolf gave a general overview of major revenue sources for nine months ending January 31, 2010. He indicated actual funds received were falling behind, some due to major drops in state income and replacement taxes. Without the implementation of the 2% food & beverage tax the City would be in trouble. In comparison of previous year, investment earnings continue to decrease as a result of drop in interest rates. In summary, he felt the City was in better position compared to other municipalities.

A Public Hearing was opened by Mayor Dunn at 6:00 p.m. for the purpose of considering and hearing testimony as to the adoption of an ordinance authorizing the abandonment and vacation of right-of-way in exchange for right-of-way on like property. City Manager Dennis Kief advised Council that the ordinance authorized the trade of a 24 foot wide parcel of City right-of-way easement to Velde-Sauers Land Trust for utilization by Velde Truck Center on Route 29. The City would be dedicated alternate right-of-way to the City in exchange for a possible access location to a City 43 acre site for potential development. There were no adverse effects to the City and the trade was in the best interest of the City. There were no questions or concerns heard. The hearing was closed at 6:04 p.m.

NEW BUSINESS

ORDINANCE NO. 2608-09/10
ABANDONING AND VACATING A RIGHT-OF-WAY IN EXCHANGE FOR A RIGHT-OF-WAY ON LIKE PROPERTY

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **Ordinance No. 2608-09/10, be adopted.** On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Kortkamp, that the **INTERGOVERNMENTAL AGREEMENT FOR TRANSIT SERVICES, be approved.** Council was told that Peoria Mass Transit District (GPMTD) offered a 3 year contract with two one-year options for the operation of Pekin's city bus service after the expiration of the existing contract. John Stokoski of CityLink spoke to Council of the on-going relationship with the City. Greg Ranney, Director of Public Property, advised that the terms included a third bus to improve the transportation of ADA riders and expanded hours of operation. The cost would increase from $62,000.00 to $85,348.00 local shared amount for one year. The Council requested that staff get the word out to the public of the new benefits. On roll call vote all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that the **INTERGOVERNMENTAL AGREEMENT WITH NORTH PEKIN be approved.** Council was informed that in 2007 the Village had taken action to add parcels lying between the City and North Pekin. The City challenged those actions but discussed and negotiated a reasonable settlement. City Manager Kief indicated on a color coded parcel map, the mutually agreed upon areas that would be annexed to Pekin and North Pekin respectively. Attorney Burt Dancey advised that North Pekin Board would be taking the same action that evening by approving the stipulated order and settlement agreement. On roll call vote all present voted Aye.

ORDINANCE NO. 2609-09/10
PROVIDING FOR EXECUTION OF AN AGREEMENT TO PURCHASE AND THE PURCHASE OF REAL PROPERTY BY THE CITY OF PEKIN DAVID AND AMY AYERS 201 BROADWAY ROAD
PIN 04-04-34-460-001

Motion by Council Member Strand, seconded by Council Member Kortkamp, that the **Ordinance No. 2609-09/10, be adopted.** The acquisition of property at 201 Broadway was recommended by City Manager Kief to the Council. He indicated that the seller was responsible for the demolition of the structure on the auto dealer lot. The parcel was intended for the business expansion of the Downtown/Riverfront and would be funded through the Tax District line item in an amount not to exceed $50,000.00. Council Member Blanchard indicated he was normally not in favor of taking property off the tax rolls but would vote yes with the intention of vacating Cynthiana and opening up Broadway and 2nd Street traffic flow. On roll call vote all present voted Aye.

ORDINANCE NO. 2610-09/10
AMENDING VELDE DRIVE STREET CONSTRUCTION AND COST SHARING AGREEMENT

Motion by Council Member Barra, seconded by Council Member Kortkamp, that the **Ordinance No. 2610-09/10, be adopted.** Background information was given on an agreement made in 2006 with Heartland Contractors for lots sold fronting Velde Drive. Council was advised by Mr. Kief that delay occurred in payment of the obligations from Mike Hadden but the parties wished to implement a new re-payment schedule with lump sum in 2014. The City would receive $10,000 in interest money up front. On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Barra, that the **AGREEMENT WITH THE FARNSWORTH GROUP FOR PROFESSIONAL ENGINEERING SERVICES,** be approved. Public Works Director Joe Wuellner recommended an annual agreement for the company's professional services. Terms and conditions between the parties would be spelled out in one encompassing document. The agreement provided, as projects needs were identified throughout the year, a task order, scope letter, and cost estimate would be sent for City approval. Council Member Blanchard requested plans and costs of the Sewer Treatment Plant Upgrade project. On roll call vote, Ayes, Schmidgall, Strand, Kortkamp, Barra, Abel, Dunn; Nay, Blanchard. Motion Carried.

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **AGREEMENT WITH THE FARNSWORTH GROUP FOR FIRST FLUSH TASK ORDER in the amount of $16,574.00**, be approved. It was explained that the task order, first specific estimate of work to perform under the new Fransworth Group Annual Agreement, approved the agreement to cover the cost for Farnsworth to compile data, create charts and tables showing flow and contaminants and write report to the IEPA. On roll call vote all present voted Aye.

CITY POLICY NO. 16-09/10

PAID COMMISSION ON SALE OF CITY OWNED PROPERTY

Motion by Council Member Kortkamp, seconded by Council Member Barra, that the **City Policy No. 16-09/10,** be adopted. Economic Development Coordinator Steve Brown introduced a policy that was considered in September 2009 to create incentives to local real estate agents to sell City owned property. Council Member Schmidgall questioned if the 10% commission would only be paid for a sale in the original Riverway Business Park. Discussion followed on the intent to encourage sales of all properties owned. A motion was then made by Council Member Schmidgall, second by Council Member Blanchard, that City Policy No. 16-09/10 be amended by omitting references to Riverway Business Park. On roll call vote all present voted Aye to amend. On roll call vote to adopt the amended Policy, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Blanchard extended condolences from the City to the family of Bill Gilroy in the loss of his wife.

Council Member Blanchard read from a prepared statement his discussion and intent at a Budget Work Session. He indicated he did not appreciate the Pekin Daily Times report as advocating a storm water fee.

Mayor Dunn informed the Council that a draft of the Code of Conduct for Council Member would be available for review early next week for presentation at the Council Meeting of March 22, 2010. He also announced that the March 8, 2010 Council session would be abbreviated to allow for representation of members and staff to attend the 24th Annual Heart of Illinois Legislative Reception.

Council Member Strand spoke of the death of Rosaline Murphy and her contribution to the community.

EXECUTIVE SESSION

Motion by Council Member Blanchard, seconded by Council Member Strand, that the Council move to Executive Session at 7:00 P.M. to discuss **5 ILCS 120/2 (c) 2. Collective Bargaining and 5 ILCS 120/2 (c) 5. Acquisition of Property.** On roll call vote all present voted Aye.

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

COUNCIL ADJOURNED AT 7:20 P.M.

Sue E. McMillan
City Clerk