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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
ON MONDAY, JANUARY 14, 2002 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, MASSAGLIA, ORRICK, AND RICHMOND

ABSENT: NONE

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

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Agenda**, **be amended by deleting under New Business item 14. Intergovernmental Agreement with Pekin Community High School District 303.** On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Agenda**, **be approved as amended.** On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Minutes of the Regular City Council Meeting of December 10, 2001 and the Special Council Meeting of January 7, 2002, be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Consent Agenda be approved as presented.**

1. Receive and File Monthly Reports: Fire, Police Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC) Tazewell Animal Control, Waste Water Treatment November and December, Tourism, Traffic Safety December and January

2. Proclamation: Dr. Martin Luther King Jr. Day January 21, 2002

3. Charitable Solicitation: Teen Challenge

4. Resolution No. 156 - Reappointment Robert Small to Pekin Housing Board for a 5-Yr Term Ending January 14, 2007

5. Resolution No. 157 – In support of 4-lane highway between Peoria and Macomb through Fulton County

6. Receive and File Quarterly Investment Report F/Y 2002 2nd Quarter

7. Receive and File Correspondence U.S. Department of Housing and Urban Development (HUD) F/Y 2002 Allocations for Community Development Block Grant (CDBG)

8. Receive and File Peoria/Pekin Urban Area Transportation Study TIP Project submittals:
   Pekin Riverfront Walking Bicycle Trails
   Pekin Riverfront Parking Lot

9. Receive and File Pekin Zoning Board of Appeals Minutes Dated December 12, 2001

10. Receive and File Pekin Planning Commission Minutes Dated December 12, 2001

11. Receive and File Planning Commission Recommendations and Hearings:
    a. #1515 – recommends that the property at 1332 Center Street, lot 39 and part of lot 40, Orchard Grove Subdivision, be rezoned to OS-1 and be approved
    b. #1516 – recommends that the Special Use request for a Barber shop at 1332 Center Street, in an OS-1 Zone, be approved

c. #1517 – recommends that the Site Plan for a Barber Shop at 1332 Center Street, be approved
d. #1518 – recommends that Lot 2, Block 16, Pekin Original Town, be rezoned to B-3, and be approved
e. #1519 – recommends that Special Use for a Pick-Up Window at LaGondola Spaghetti House, 2926 Court Street, be approved
f. #1520 – recommends that Site Plan for a Pick-Up Window at LaGondola Spaghetti House, 2926 Court Street, be approved

12. Receive and File Pekin Zoning Board of Appeals Hearing:
Hearing 1 – Sharon Becker, owner of 127 Sapp, I-1 Zone Request to re-instate non-conforming use to rebuild a single-family home damaged by fire

13. Receive and File Quotes and Bids for the following:
LANDSCAPE PLANTINGS AT NEW CITY HALL

CONTRACTOR	**BASE BID**
GOLF GREEN LAWN CARE	$47,789.00
FOUR SEASONS LANDSCAPE	$49,955.75
OLD HERITAGE LANDSCAPING, INC.	$53,933.80
D.A. HOERR & SONS, INC.	$51,863.00
CREATIVE LANDSCAPE	$73,691.00
CLARK ENGINEER ESTIMATE	$46,755.00

DEMOLITION OF ADM GRAIN ELEVATOR AT 101 ST MARY STREET

CONTRACTOR	**QUOTE WITH RAILROAD INTERRUPTION**	**QUOTE WITHOUT INTERRUPTION**
RIVER CITY DEMOLITION	$236,976.00	$209,616.00
CLEVELAND WRECKING	$273,320.00	
N.E. FINCH CO.	$478,000.00	$400,000.00
MILLENNIUM WRECKING	$184,500.00	$164,500.00

DEMOLITION OF SIX HOUSES RIVERFRONT

BACHMAN EXCAVATING	$59,321.00
SHALLENBERGER EXCAVATING	$31,200.00
HOERR CONSTRUCTION	$54,200.00
MILLENIUM WRECKING	$28,450.00*
N.E. FINCH CO.	$48,750.00
RIVER CITY DEMOLITION	NO BID
ESTIMATE JACK KLUEVER	$38,950.00

*Late Bid

On roll call vote all present voted Aye.

Communications, Petitions, Reports

Roy Williams reported on the efforts to sell benches with commemorative plaques to be placed in the downtown. He is committed to selling 20 and 7 have been sold. Cost is $1,200.00 and viewable at 405 Court Street Mayor Tebben present Mr. Williams with a Certificate of Recognition for his public service, leadership, and dedication to the community.

Unfinished Business

Motion by Com'r. Barra, seconded by Com'r. Richmond, that the **SAFETY AWARD PROGRAM** be removed from the table. On roll call vote, all present voted Aye. Motion by Com'r. Barra, seconded by Com'r. Richmond, that the **SAFETY AWARD PROGRAM** be approved as presented. City Manager Hierstein reported the safety committee addressed Council's concerns of the original incentive program. The program was amended to reflect an 18-month review as basis of reward and set a 3-year termination to reevaluate its value in encouraging safety. Com'r. Orrick questioned the necessity of rewarding employees for safety activities that should be part of their work. The Chair restated that the motion implied to adopt the Safety Award Program with the presented corrections. On roll call vote, Ayes, Barra, Massaglia, Richmond, Tebben; Nay, Orrick. Motion carried.

New Business

ORDINANCE NO. 1568-A123
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
1332 CENTER STREET / BARGAR

Motion by Com'r. Barra , seconded by Com'r. Orrick, that Ordinance No. 1568-A123 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **SPECIAL USE REQUEST FOR A BARBER SHOP** at 1332 Center Street in an OS-1 Zone be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **SITE PLAN FOR A BARBER SHOP AT 1332 CENTER STREET** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A124
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
506 ST. JULIAN STREET / RIVORD

Motion by Com'r. Barra , seconded by Com'r. Orrick, that Ordinance No. 1568-A124 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **SPECIAL USE REQUEST FOR A PICK-UP WINDOW** at La Gondola Spaghetti House, 2926 Court Street be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SITE PLAN FOR A PICK-UP WINDOW AT LAGONDOLA SPAGHETTI HOUSE, 2926 COURT STREET** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2276
AMENDING TITLE 6, CHAPTER 8 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING BURNING LEAVES

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 2276 be adopted. Fire Chief John Janssen advised Council that the ordinance was specific to burning leaves. Past practices for other fired would be allowed if procedures are followed and there are no complaints. Com'r. Massaglia stated he had received calls from citizens opposed to burning because of breathing problems and that 61 false responses by the fire department influenced his vote in support of the ordinance. Mayor Tebben advised burning was unnecessary when the City provides yard waste pickup weekly. On roll call vote, all present voted Aye.

ORDINANCE NO. 2277
AMENDING TITLE 8, CHAPTER 2, SECTION 7 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NOISE

Motion by Com'r. Richmond, seconded by Com'r. Barra, that Ordinance No. 2277 be adopted. Mayor Tebben explained that the exemption was drafted to allow construction noise after sunset in order for the City to be able to complete demolition work in the riverfront area. The work could not interfere with the daytime schedules of the railroad. The Chair suggested the ordinance be changed back after work was completed. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A191
AMENDING TITLE 8, CHAPTER 3, SECTION 8A OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING ONE-WAY STREETS

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1462-A191 be adopted. Public Works Director Dennis Kief explained that Front Street was originally posted as one-way when the State reconfigured State routes at the bridge entry and to accommodate grain trucks to the elevators. With plans for demolition of the elevators, it would be in the City's best interest for redevelopment to revert Front Street to a two-way street on December 31, 2002 to facilitate traffic going back over the bridge. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that the **CHANGE ORDER WITH HITCHCOCK MECHANICAL, INC. FOR WASTEWATER PUMP STATION IMPROVEMENTS** in the amount of $4,838.30 be approved. Mayor Tebben questioned if hardwiring had been considered in place of the radio technology that requires a 50' telemetry antenna pole. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that the bid in the amount of $31,200.00 for **DEMOLITION OF SIX HOUSES FOR THE RIVERFRONT DEVELOPMENT PROJECT** be accepted and the contract be awarded to Shallenberger Excavating. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Barra, that the bid in the amount of $47,789.00 and $4,245.00 for the alternate for **NEW CITY HALL LANDSCAPE PLANTINGS** be accepted and the contract be awarded to Golf Green Lawn Care. On roll call vote, all present voted Aye.

RESOLUTION NO. 158

ACCEPTANCE OF QUOTE IN THE AMOUNT OF $184,500.00 TO DEMOLISH THE GRAIN ELEVATOR AT 101 ST MARY STREET

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 158 be adopted and authorization for the City to enter into a contract satisfactory to the City Manager and Corporation Counsel. On roll call vote, all present voted Aye.

Other Business

Motion by Com'r. Richmond, seconded by Mayor Tebben that the **CHANGE ORDER** to transform Denny Kief into a very old 50 year old on January 19th subject to him becoming a Braves fan, be approved. Happy 50th Birthday wishes were extended to Public Works Director Dennis Kief. The Chair directed that the motion be spread across the minutes to show that along with the work the City does there are some lighter times.

Garnet Meischner 1401 Janssen expressed his appreciation to Council for banning the burning of leaves. He stated additional concerns of smoking at gas station pumps.

Mayor Tebben reported that money donated for the funeral of Katy Learned cleared her expenses. The $700.00 remaining was donated to the Salvation Army Christmas efforts in her name.

Reporters from the *Peoria Journal Star, the Pekin Daily Times* and news media stations were given the opportunity to ask questions.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Council move to **Executive Session** at 6:20 p.m. to discuss Sale of Real Estate, Acquisition of Real Estate, Pending Litigation, and Collective Bargaining. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Massaglia, seconded by Com'r. Orrick, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:05 P.M.

Sue E. McMillan
City Clerk