**********

**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, JANUARY 13, 2003 AT 5:30 O'CLOCK P.M.**
**R. DAVID TEBBEN * MAYOR * PRESIDING**

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

**ABSENT: COMMISSIONER RICHMOND**

**********

The **Pledge of Allegiance** was led by Scout Troop #181

**Roll** was called and all commissioners were present except Commissioner Richmond.

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

**Public Input on Agenda Items**
Amy Newell Warner, 335 Buena Vista, addressed Council regarding the amendment to the Traffic Safety Code. She asked Council not to vote on the change at this meeting but instead to review the dangerous situations before consideration. She felt a change in no parking in front of the YWCA only would cause greater unsafe conditions for children being dropped off for daycare, impact bus pickup at Washington School and traffic flow Buena Vista @ Broadway. She submitted her written comments, observations and photos in seeking postponement in order to review the entire area.

Christine Law, 1423 Matilda, representing the YWCA, stated that there was only support for those changes to the Buena Vista parking reviewed with the Traffic Safety Committee. The Y felt the safety issues needed to be resolved now.

Point of order, the Chair entertained a motion to approve the minutes. Motion by Com'r. Barra, seconded by Com'r. Massaglia, that the **Minutes of the Regular City Council Meeting of December 23, 2002 be approved as written**. On roll call vote, all present voted Aye.

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

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

2. Charitable Solicitation: Domestic Violence Shelter

3. Receive and File NPDES Phase II Storm Water Regulations

4. Receive and File NPDES Wastewater Treatment Plant Permit (Renewal) Application

5. Resolution No. 210 – Regarding Minutes of Executive Session Meetings

6. Resolution No. 211 - Reappointment of Ann J. Trumpy to the Pekin Housing Authority Board

On roll call vote all present voted Aye.

**Communications, Petitions, Reports**
Dan Kent, Illinois Department of Transportation Division of Traffic Safety told Council 14,000 people died in auto accidents in Illinois. Fifty percent of those fatalities were the result of impaired drivers and could have been prevented. Mr. Kent presented awards to police officers James Guerra and Mae Hsen in recognition of their high number of DUI arrests in 2001. The officers made 46 and 28 arrests respectively.

City Manager Dick Hierstein informed Council that Excalibur Seasoning would be exercising their Option to Purchase an additional 3 acres as written in an original Developer Agreement. The company planned to expand their business in Riverway Business Park.

**Unfinished Business**

To bring the agenda item to the table for discussion motion was made by Com'r. Massaglia, seconded by Com'r. Orrick, that the **AGREEMENT WITH TAZEWELL COUNTY ANIMAL CONTROL** be approved. The Chair noted that Council had approved the annual contract in November for three months until questions were answered regarding how the County arrives at the charge to the different cities in the county. Com'r. Massaglia felt he was still lacking information. Com'r. Orrick felt Pekin was being charged for calls in unincorporated areas. He requested that Mr. Hierstein research other city's use of inhouse employees and to compare billing before Council consideres extending the agreement the remaining 9 months to October 31, 2003. Motion by Com'r. Barra, seconded by Com'r. Massaglia that the **AGREEMENT WITH TAZEWELL COUNTY ANIMAL CONTROL** be laid over until the next regular meeting. On roll call vote, all present voted Aye.

**ORDINANCE NO. 1462-A202**

**AMENDING TITLE 8, CHAPTER 4 AND CHAPTER 2 OF THE CODE OF THE CITY OF PEKIN REGARDING NO PARKING**

Motion by Com'r. Orrick, seconded by Com'r. Barra that Ordinance No. 1462-A202 be adopted. Com'r. Orrick asked that he be permitted to amend the original motion to exclude changes to Buena Vista as requested from public input. Motion by Com'r. Orrick, that Ordinance No. 1462-A202 be amended as follows:

| Control | Time | On Street | At or From | To | Direction | Side |
|---|---|---|---|---|---|---|
| ***Parking*** | ***2 hours*** | ***Buena Vista*** | ***Broadway Road*** | ***South 200 feet*** | ***North-South*** | ***B*** |

deleting under #2 the following:

| Control | Time | On Street | At or From | To | Direction | Side |
|---|---|---|---|---|---|---|
| ***Parking*** | ***15 min.*** | ***S. Sixth Street*** | ***Broadway Road*** | ***South 400'*** | ***South*** | ***W*** |

deleting under #3 the following:

| Control | On Street | At or From | To | Direction | Side |
|---|---|---|---|---|---|
| ***No Parking*** | ***Buena Vista Street*** | ***Broadway Road*** | ***South 560'*** | ***North*** | ***E*** |

adding as #4 the following:

4. That Title 8, Chapter 2, Section 11. be amended by adding the following through street:

| Control | On Street | At or From | To |
|---|---|---|---|
| Through | Vista Grande Drive | Fourteenth Street | East End |

No second was received on the motion to amend. Motion by Com'r. Massaglia, seconded by Com'r. Orrick that Ordinance No. 1462-A202 be tabled to the next meeting. After consideration that the Traffic Safety Committee would not meet again until February 7 Com'r. Massaglia withdrew his motion and moved that Ordinance No. 1462-A202 be laid over until the first meeting in February. On roll call vote; Ayes, Comr's. Orrick and Massaglia and Mayor Tebben; Nay, Com'r. Barra.

**New Business**

No motion was received on Ordinance No. 1462-A203 – Amending Title 8, Chapter 4 of the Code of the City of Pekin Regarding No Parking Schedule.

**ORDINANCE NO. 2317**

**AMENDING TITLE 4, CHAPTER 4 OF THE CODE OF THE CITY OF PEKIN REGARDING SEWER USER CHARGES**

Motion by Com'r. Orrick, seconded by Com'r. Massaglia, that Ordinance No. 2317 be adopted. It was noted that as a result of the agreement for joint billing with Illinois American Water Company the Code needed to reflect monthly instead of quarterly charges. Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 2317 be amended in 4-4C-2-3 B. by changing quarter to month. Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 2317 be adopted as amended. On roll call vote, all present voted Aye.

**ORDINANCE NO. 2318**

**AMENDING TITLE 4, CHAPTER 4 B. OF THE CODE OF THE CITY OF PEKIN**

Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 2318 be adopted. The change provided for sewer tap fee increase for condominium or apartments from $300.00 to $400.00. On roll call vote, all present voted Aye.

**Other Business**

Public Properties Director Greg Ranney announced that this would be the final week for Christmas tree pickup on regular garbage day until the Yard Waste Program begins again on its regular schedule April 1.

Com'r. Orrick thanked the Street Department employees for giving their time on the Christmas Eve holiday so that the City streets would be clear of snow and would be safe. He also commended the Police and Fire Departments for their efforts at the 14th street emergency fire/Meth Lab explosion. Mayor Tebben in that regards solicited the help of the community in the police's aggressive efforts to stop all such illegal and dangerous manufacture of drugs.

No questions were heard from reporters from the *Peoria Journal Star, Pekin Daily Times* and news media stations.

Motion was made by Com'r. Orrick, seconded by Com'r. Massaglia at 6:40 p.m. that Council move to **Executive Session** to discuss Collective Bargaining and Litigation. On roll call vote, all present voted Aye.

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

**COUNCIL ADJOURNED AT 7:05 P.M.**

Sue E. McMillan
City Clerk