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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, DECEMBER 10, 2001 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, ORRICK, MASSAGLIA, 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. Richmond, seconded by Com'r. Massaglia that the **Agenda**, **be amended** by adding under New Business item 10 Resolution No. 154. On roll call vote, all present voted Aye. Motion by Com'r. Richmond, seconded by Com'r. Orrick that the **Agenda**, **be approved as amended.** On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **Minutes of the Regular City Council Meeting of November 26, 2001 and the Special Budget Work Session Meeting of December 3, 2001, be approved as written**. On roll call vote, all present voted Aye.

Public Input On Agenda Items

Randy West Operations Superintendent of Illinois American Water Company addressed Council from a prepared statement regarding the agenda item to consider a Resolution authorizing an Advisory Referendum. He stated that the company was in support of submitting the question of acquiring the local waterworks to the voter in order to receive public input and get information to the community. He additionally said the most important matter to the water ownership was the quality of local service to the community. The company did not anticipate any changes in service of personnel. He stated an expanded agreement with the city would accomplish both parties goals and the company was willing to explore such a venture if interested, He spoke of the parent company RWE's background ownership.

Consent Agenda

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

1. Receive and File Monthly Reports: Fire, Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC) Tazewell Animal Control

2. Receive and File Groundwater Guardian Program Notice of Award 7th Year

3. Receive and File Bids for Landscape Plantings at New City Hall/Police Department

D.A. Hoerr & Sons	$50,984.00 alternate $6,628.00
Four Seasons	$53,974.00 alternate $6,336.00

4. Resolution no. 150 – Mayor's Reappointment of Harry Emerson to the Loan Review Committee

On roll call vote all present voted Aye.

Communications, Petitions, Reports

Firefighters representatives Chuck Lauss, John Janssen and Kevin Cone told Council of the volunteer effort of 43 local firefighters who traveled to N.Y. City to help in the aftermath of September 11th terrorist attack on the Twin Towers by participating in memorials and support at Ground Zero. They presented the City with a piece of a banner of appreciation from a rescue center.

A Public Hearing was opened at 5:45 p.m. by Mayor Tebben for the purpose of contemplating the adopting of an ordinance authorizing the lease of a portion of the real estate commonly known as 1130 Koch Street. The Clerk verified proper notice was published in the *Pekin Daily Times* on November 20, 2001. The City Manager Dick Hierstein reported the potential lease was presented originally in July represented an amended 5 year lease with Tazewell Pekin Consolidated Communications Center T/PCCC to include monthly rent of $855.00 for City investment in the Koch Street property. No additional comments or objections were received. The hearing was closed at 5:47 p.m.

A Public Hearing was opened at 5:47 p.m. by Mayor Tebben for the purpose of considering and hearing testimony relative to the adoption of the budget for the City of Pekin for fiscal year May 1, 2002 through April 30, 2003. The clerk verified the hearing was properly published and the budget available for inspection on November 26, 2001. A public work session for discussion of the expenditures was held on December 3, 2001 at which time recommendations were given, questions were proposed, and revisions made. No comments or objections were received from the public at this time. The hearing was closed at 5:58 p.m.

The following announcement was made by Director of Public Works Dennis Kief:

PUBLIC INFORMATIONAL MEETING
PROPOSED RECONSTRUCTION
BROADWAY @ PARKWAY DRIVE INTERSECTION
THURSDAY, JANUARY 10, 2002
5:00 P.M. – 7:00 P.M.
COUNCIL CHAMBERS

The meeting would be an opportunity to view the conceptual project made to the intersection in 2003. Federal dollars were received for the safety improvement for turn lanes at less than 90 degrees.

Unfinished Business

Commissioners agreed, at the Chair's request, that Ordinance No. 2273 be considered as the first order of business in anticipation of changes to the Budget Resolution.

ORDINANCE NO. 2273
ANNUAL LEVY ORDINANCE

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2273 (laid over from November 26, 2001) be adopted. Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2273 be amended as follows: The levy for the Library and the total levy for the City of Pekin be reduced by $6,873 to $613,187 for the Library and $3,538,687 for the City of Pekin. Questions were answered and comments received in regards to amending the proposed Levy for the request of the Library in the amount of $18,000.00. Mayor Tebben was not supportive of the Library's 3% increase and stressed that the City had frozen its levy. There was no increase to offset lack of increase in revenues for the budget; capital projects were deferred; departments would delay hiring two new employees; contingency was held minimal. On roll call vote, all present voted Aye. The Chair reaffirmed the motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2273 be adopted as amended. On roll call vote, Ayes, Orrick, Barra, Massaglia, Richmond; Nay, Tebben.

RESOLUTION NO. 143
ADOPTING THE FISCAL YEAR MAY 1, 2002 THROUGH APRIL 30, 2003
BUDGET FOR THE CITY OF PEKIN

Resolution No. 143 was removed from the table and motion made by Com'r. Orrick, seconded by Com'r. Barra that Resolution No. 143 be adopted. Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Resolution No. 143 be amended as follows:

#100-000-4-871.00 Transfer from TIF #2 be reduced $6,873 to $203,402;
#100-990-5-999.99 Contingency be reduced $6,873 to $63,271;
#224-024-4-101.00 Real Estate Tax be reduced $6,873 to $613,187;
#224-024-4-871.00 Transfer from TIF #2 be increased $6,873 to $6,873;
#271-271-5-410.00 Transfer to General Fund be reduced $6,873 to $203,402;
#271-271-5-424.00 Transfer to Library be increased $6,873 to $6,873

Budget changes were made based upon the TIF 2 rebate used to lower the Library's levy.

Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Resolution No. 143 be amended as follows:

#501-501-5-116.00 Salaries be reduced $40,879 to $437,255
#501-501-5-170.00 OASDI be reduced $2,984 to $27,311
#501-501-5-170.01 Medicare be reduced $698 to $6,387
#501-501-5-174.01 IMRF be reduced $1,418 to $12,980
#501-501-5-183.00 Workers Comp be reduced $1 to $1,250

Changes made to the school bus fund due to incorrect number of weeks of operation originally used in calculating the estimated salaries and benefits.
The Chair noted the Council was ready to vote on the motion by Com'r. Orrick, seconded by Com'r. Barra that Resolution No. 143 be adopted as amended twice. On roll call vote, all present voted Aye.

RESOLUTION NO. 144
ABATEMENT OF ORDINANCE NO. 1889

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that Resolution No. 144 be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 145
ABATEMENT OF ORDINANCE NO. 1867

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Resolution No. 145 be adopted. On roll call vote, all present voted Aye.

New Business

ORDINANCE NO. 2275
AUTHORIZING THE LEASE OF MUNICIPALLY OWNED REAL PROPERTY
1130 KOCH STREET

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 2275 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A190
AMENDING TITLE 8, CHAPTER 2, SECTION 2 G OF THE CODE OF THE CITY OF PEKIN REGARDING TRAFFIC CONTROL SIGNAL LEGEND

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 1462-A190 be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 152
ACCEPTING DEDICATION OF RIGHT-OF-WAY CILCO / VETERANS

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Resolution No. 152 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that the City support the **REPLACEMENT OF TRAFFIC SIGNAL HEADS WITH LED TECHNOLOGY**. Public Works Director Dennis Kief presented a breakdown of Pekin's proportionate share of traffic signal responsibility. In an effort to reduce cost he said he had been working with IDOT on installation for the more efficient and lower maintenance traffic signals. The Chair stated the City would go on record and concur to proceed with the estimate of savings and the State letting of a project next in the next fiscal year. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Clark Engineers, Inc. **CHANGE ORDER WITH LENSCO CONSTRUCTION, INC. FOR UPGRADE PAINTING SYSTEM ON THE PIER PROJECT**, in the amount of $1,518.00, be approved. Com'r. Richmond explained the change from latex to epoxy paint that should have been in specs for the project. On roll call vote, all present voted Aye.

RESOLUTION NO. 148
AUTHORIZING SUBORDINATION AND ASSUMPTION BAIRD MACHINE

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Resolution No. 148 be adopted. Jill Ellestad Assistant Director of Planning and Development, presented background on agreement of Lester P. Nelson to purchase the assets of Baird' Precision Machining Inc. and assume dept of the City's Build Illinois and EDFAP loans. Council discussed the note secured by a mortgage in favor of Morton Community Bank in the amount of $266,000.00 and the City's new position. She stated the recommendation of the Loan Review Committee was not unanimous and was with conditions to Baird's personal guarantee. On roll call vote, all present voted Nay. Motion failed.

<u>RESOLUTION NO. 149</u>
AUTHORIZING SUBORDINATION FOR PLACE ON PRINCE

Motion by Com'r. Massaglia, seconded by Com'r. Barra, that Resolution No. 149 be adopted. Ms. Ellestad also presented facts and figures regarding subordination to consolidate debt of an EDFAP loan to Robert and Diane Baccheschi. Council commented on not securing conventional financing and the increased value of the real estate as security. On roll call vote; Nays, Orrick, Barra, Richmond, Tebben; Aye, Massaglia. Motion failed.

<u>RESOLUTION NO. 153</u>
SETTING A PUBLIC HEARING REGARDING THE EXPANSION OF THE BOUNDARY OF TIF I

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 153 be adopted. Com'r. Orrick requested notification be sent to all taxing bodies for the February 11, 2002 hearing. On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 151</u>
AUTHORIZING AN ADVISORY REFERENDUM TO BE SUBMITTED TO THE VOTERS ON THE QUESTION OF ACQUIRING THE LOCAL WATERWORKS

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 151 be adopted. Council noted the City made fair offer to purchase Illinois American Water Company. It was further noted the offer was refused, stating the company was not for sale yet it was sold to a German Company. Com'r. Massaglia said he was originally opposed to a forced buyout of a private company but circumstances have changed opinions toward City ownership. The authorization would now allow Council to go to the voters on how to proceed. On roll call vote, all present voted Aye.

<u>RESOLUTION NO. 154</u>
ILLINOIS DEPARTMENT OF TRANSPORTATION MFT FUNDS FOR COST OF MAINTENANCE OPERATIONS

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 154 be adopted and the Mayor and City Clerk be authorized to execute and file all documentation required with the Illinois Department of Transportation, the resolution for Improvement by Municipality Under the Illinois Highway Code, appropriating MFT Funds for cost of maintenance operation of streets in the amount of $600,000.00. Dennis Kief told Council the resolution was an opportunity to reimburse the General Fund out of Motor Fuel Tax Funds for specific equipment effective for the first of the year. MFT funds have been utilized for three years for expenditures such as salt, traffic signals, and streetlights. He estimated the use of $100,000 for street sweepers. On roll call vote, all present voted Aye.

Other Business

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. Orrick, that Council move to **Executive Session** at 6:50 p.m. to discuss Sale of Real Estate and Acquisition of Real Estate. 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. Barra, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk