****

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, DECEMBER 8, 2008 AT 5:30 O'CLOCK P.M.
JAMES E. "JIM" JONES * MAYOR PRO-TEM* PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, STRAND, JONES, KORTKAMP, AND DUNN

ABSENT: MAYOR TEBBEN

****

The **Pledge of Allegiance** was led by Mayor Pro Tem Jones.

Roll was called and all Council Members were present except Mayor Tebben.

Agenda

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that **the Council temporarily suspend the Order of Business as Provided in Title 1-5-5 of the Code and move Ordinance No. 2573 Levying and Assessing Municipal Taxes to New Business.** Council Member Blanchard requested the agenda item listed as Unfinished Business be moved. He noted the agenda did not follow Roberts Rules of Order. Following discussion and opinion of Counsel with respect to the City Code superceding the order of placement on the agenda by 2/3-vote roll was called. On roll call vote, Aye, Blanchard; Nays, Jones, Strand, Kortkamp, Abel, and Dunn. Motion Failed.

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

Motion by Council Member Blanchard, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of November 24, 2008, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda

Point of Order by Council Member Blanchard to remove item 6. from Consent and place Receive and Reject all Bids for the Improvement Pekin Fire Department Eastside Station #1 removal and replacement concrete 85' x 75' under New Business for discussion.

Motion by Council Member Dunn, seconded by Council Member Abel, **that the Consent Agenda be approved as presented with 5 items.**

Council Member Dunn read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Receive and File Monthly Reports and Minutes:** Committee for Persons with Disabilities Minutes September 11, 2008

2. **Resolution No. 66-08/09 – A**ppointment of Roy Davis to the Mayor's Advisory for Persons with Disabilities to fill the unexpired term of Frank Metcalf until the first Monday in May 2010.

3. **Receive and File Financial Statements April 30th, 2008 prepared by Willock & Warning Co., P.C**. – Pekin Public Library

4. **Receive and File EDA Project No. 06-01-05146 Authorization to Bid Hanna Drive.**

5. **Receive and File Bids for Construction of Hanna Drive Extension.**

On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS
Gary Twist, Tazewell County Supervisor of Assessments, presented the **ASSESSMENT AND FULL TAX BODY PROCESS** for municipal taxation and levy procedure for distribution of County funds. Mr. Twist made available *The Illinois Property Tax System Guide* from Illinois Department of Revenue.

NEW BUSINESS
City Clerk Sue McMillan presented a general explanation of the request for approval from Council to authorize that taxes not be levied as provided in four of the City's outstanding Bond Issues. The language within each of the bonds makes the assumption that the Levy would be necessary to provide funding for the payment of principal and interest on said bonds. However she informed Council that the City had sufficient sources of funds from other revenue sources to make said bond payments. Therefore the levy of taxes was not necessary, needed to be abated, documented to the Counties by the following resolutions:

RESOLUTION NO. 62-08/09
ABATEMENT OF TAXES ORDINANCE NO. 2324 $1,040.00
REFUNDING 1991 CORPORATE PURPOSE BOND

Motion by Council Member Strand, seconded by Council Member Kortkamp, that Resolution No. 62-08/09, be adopted. Authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $118,380.00 provided in bond ordinance issued for Public Works Projects to pay the principal and interest. On roll call vote, all present voted Aye.

RESOLUTION NO. 63-08/09
ABATEMENT OF TAXES ORDINANCE NO. 2386 SERIES 2004 $2,950,000 BOND

Motion by Council Member Strand, seconded by Council Member Blanchard, that Resolution No. 63-08/09, be adopted. Authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $426,186.50 provided in bond ordinance issued for vehicles and the Riverfront Project through Herget Bank to pay the principal and interest. On roll call vote, all present voted Aye.

RESOLUTION NO. 64-08/09
ABATEMENT OF TAXES ORDINANCE NO. 2387 SERIES 2004 $1,410,000 BOND

Motion by Council Member Kortkamp, seconded by Council Member Strand, that Resolution No. 64-08/09, be adopted. Authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $205,447.50 provided in bond ordinance issued for TIF Downtown Business District through Bernardi Securities, Inc to pay the principal and interest. On roll call vote, all present voted Aye.

RESOLUTION NO. 65-08/09
ABATEMENT OF TAXES ORDINANCE NO. 2415 SERIES 2005 $1,120,000 BOND

Motion by Council Member Kortkamp, seconded by Council Member Dunn, the Resolution No. 65-08/09, be adopted. Authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $152,180.00 provided in bond ordinance issued for Riverway Business Park Industrial Park Land Expansion to pay the principal and interest. On roll call vote, all present voted Aye.

UNFINISHED BUSINESS

ORDINANCE NO. 2573-08/09
MAKING, LEVYING AND ASSESSING MUNICIPAL TAXES

Motion by Council Member Abel, seconded by Council Member Dunn, that Ordinance No. 2573-08/09, be adopted. Motion by Council Member Blanchard, seconded by Council Member Dunn, that Ordinance No. 2573-08/09 be amended. Council Member Blanchard proposed figures altering levy amount from the original $5,837,452 and 8.84% percentage, cutting general fund's share and library portion. He offered pension levy dollar amounts for fire and police unchanged. On roll call vote, Ayes, Blanchard, Abel, Dunn, and Strand; Nays, Jones, and Kortkamp. Motion carried. Discussion followed.

Attorney Burt Dancey, Council Members, and City Manager Dennis Kief debated Council Member Blanchard's prerogative to amend figures, his contention that his message had been to reduce all expenses, and the fact that Council and staff were blindsided at such sensitive timing for deadline to file documents.

Council Member Strand spoke in support of 5% increase as more palatable than 8.84% yet was not in agreement on the manner at which it was presented by Council Member Blanchard.

The City Manager presented slides of graphs showing levy comparisons of other years and the breakdown of Library, Police Protection, Fire Protection Police Pension, and Fire Pension levied funds.

Motion by Council Member Abel, seconded by Council Member Dunn, that Ordinance No. 2573-08/09 as amended, be adopted. On roll call vote, Ayes, Blanchard and Abel; Nays, Jones, Strand, Kortkamp, and Dunn. Motion failed.

Council Members and staff were uncertain on the calculation of the proposed amendment but direction was heard for staff to reduce the levy increase closer to 5% for a special meeting if a new hearing was required or for the December 22, 2008 regular meeting of Council.

NEW BUSINESS

Motion by Council Member Abel, seconded by Council Member Kortkamp, that **THE AGREEMENT FOR PROFESSIONAL SERVICES WITH FARNSWORTH GROUP for preparation of the IEPA permit for the compost facility in the amount of $4,500.00,** be adopted. Greg Ranney requested Council approve the services in order to obtain operating (Permit No. 1990-098-DE/OP) which expires March 31, 2009 and submission required 90 days in advance. Mr. Ranney to advise Council the dollar amount of previous laboratory fees that were billed directly to the City. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Abel, that the **AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES WITH FARNSWORTH GROUP in the amount of $247,770.10** be approved. Public Works Director Joe Wuellner informed Council of revising the agreement for the design of Phase I upgrades to the wastewater treatment plant. Changes were requested to insure facility would be out of flood zone. Council Member Blanchard questioned the $15 million dollar increase to the project. On roll call vote, Ayes, Strand, Kortkamp, Abel, Dunn, and Jones; Nay Blanchard. Motion Carried.

Motion by Council Member Kortkamp, seconded by Council Member Abel, that the **BID IN THE AMOUNT OF $1,662,698.59 FOR THE HANNA DRIVE EXTENSION BE APPROVED AND THE CONTRACT BE AWARDED TO OTTO BAUM, INC.** be adopted. Public Works Director Joe Wuellner advised Council that the bids were opened on December 5, 2008 for the construction of the road to open up Riverway Business Park to highway connection. Excellent bids were received below estimate. On roll call vote, all present voted Aye.

Motion by Council Member Strand, seconded by Council Member Kortkamp, that the **BID FOR THE IMPROVEMENT – PEKIN FIRE DEPARTMENT EASTSIDE STATION #1 REMOVAL AND REPLACEMENT OF CONCRETE BE RECEIVE AND FILED AND THAT ALL BIDS BE REJECTED.** Council Member Blanchard as Point of Order in placing the consent item in New Business questioned why the bids were rejected. The Council was told that there was a wide range of bid irregularities as to documents required or missing. The project would be re-bid in the Spring. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Director of Solid Waste Greg Ranney informed the public of the collection times of garbage for Christmas holidays. The information would be posted on the Web and Channel 22 government access station.

Council Member Blanchard encouraged the public to donate to area food pantries for Christmas.

Council Member Kortkamp urged Council Members to meet with the Manager on the levy rate figures acceptable to them so that the figures were of not surprise in the ordinance drafted for levying taxes.

Council Members extended their thoughts and prayers for Mayor Tebben’s recovery.

EXECUTIVE SESSION
Motion by Council Member Dunn, seconded by Council Member Blanchard, that **Council move to Executive Session** at 6:47 P.M. to discuss 5 ILCS 120/2 (c.) 6. The setting of a price for sale or lease of Municipally Owned Property and 5 ILCS 120/2 (c.) 5 ILCS 120/2 (c.) 5. The purchase or lease of real property for the use of the public body. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 6:55 P.M.

Sue E. McMillan
City Clerk