
**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, DECEMBER 8, 2003 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, MADDOX, RICHMOND, JONES, AND MASSAGLIA

ABSENT: NONE

The **Pledge of Allegiance** was led by students from Pekin Community High School American Government Class.

Roll was called and all commissioners were present.

Agenda

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

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of November 24, 2003 and the Special City Council Meeting of December 1, 2003 be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

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

1. Receive and File Monthly Reports: Police, Fire, Inspections Department, Tazewell County Animal Control, Safety, and Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC)
2. Receive and File Tazewell County \$50,000 FY 2004 participation in the funding of Veterans Drive

On roll call vote all present voted Aye.

Communications, Petitions, Reports

A **PUBLIC HEARING** was opened at 5:30 p.m. by Mayor Howard for the purpose of discussing the sale to James P. Johnson and Rillia J. Johnson of property commonly known as 1818 and 1820 Riverway Drive. No persons having an interest appeared to be heard and no comments were filed concerning the proposed sale or option to purchase this property. Sue McMillan City Clerk confirmed that the notice was properly published in the *Times* on November 21, 2003. The hearing was closed at 5:31 p.m.

Mayor Howard opened the **TRUTH IN TAXATION HEARING** to approve a proposed property tax levy increase for 2003 at 5:31 p.m. The statutory requirements for publication of the notice appeared in the *Pekin Times* on November 28, 2003. Mayor Howard asked that City Manager Dennis Kief review his presentation of numbers and graphs from the previous Council meeting at which he explained the background for the proposed estimated property tax to be levied at \$4,636,900.00. Using his own tax bill records he presented the numbers that indicated even with a 28.9% increase the dollar amount allocated to the City was 30% less than 9 years ago. The total levy translated to a Property Tax Rate of \$1.295 / \$100 EAV.

Mayor Howard allowed residents in attendance to speak to the issue as called for in the taxation law. The following persons spoke in opposition to the increase stating it was unaffordable to homeowners or that the 28.9% increase was unreasonable:

Abbie Roberts 1706 12th Street

Ms. Roberts asked Council to consider that homeowners could not afford the tax

Donna Henderson 1120 N. 16th Street

Questioned the Mayor on his findings for reducing the tax bill for disabled persons. Mayor Howard informed Mrs. Henderson that his call was not returned from the State Representative.

Dean Bacon #2 Oakwood Court

Mr. Bacon stated he was not opposed to tax increase because he had seen the need to provide for services as a member of School District 108. He did feel the 28% plus increase put a hardship on citizen's ability to pay.

Jack Gay 1000 Lincoln Street

Mr. Gay implored the Council to fund the fire and police pensions

John McCabe 1407 Glendale

Mr. McCabe question Mr. Kief if the figures were the same as presented at the previous meeting. He also asked what cuts had been made. Mr. Kief explained the 1.3 million dollars that had been eliminated to arrive at the levy figure.

Lyle Conway 216 Schramm Drive asked that the Council not waste taxpayer money

The hearing was closed at 6:07 p.m.

New Business

ORDINANCE NO. 2350

AUTHORIZING THE SALE OF MUNICIPALLY OWNED REAL PROPERTY AND THE EXECUTION OF A DEVELOPER AGREEMENT AND OPTION AGREEMENT WITH JAMES P. JOHNSON AND RILLA J. JOHNSON

Motion by Com'r. Richmond, seconded by Com'r. Maddox that Ordinance No. 2350 be adopted.

Director of Planning and Development Kim Uhlig told Council that the sale was for the owners of Tour Ice to expand the company in a 10,000 sq ft building on the 1.87 acres. The purchase price for the real estate in the Riverway Business Park was \$18,700.00. The agreement provided for the option to purchase an additional 1.51 acres for \$10,510.00. On roll call vote, all present voted Aye.

ORDINANCE NO. 2351

ACCEPTING AN AMENDMENT TO AN AGREEMENT TO PURCHASE REAL PROPERTY WITHIN THE CITY OF PEKIN / ART VALLI

Motion by Com'r. Jones, seconded by Com'r. Maddox that Ordinance No. 2351 be adopted. Kim Uhlig told Council that Mr. Valli had difficulties clearing out of the purchased property at 119 Sabella Street that was part of the Riverfront Redevelopment Project Area. The negotiated sales contract accepted by Ordinance 2332 required that the transaction to close, take place before December 31, 2003. The purchaser asked for six-month extension. On roll call vote, all present voted Aye.

ORDINANCE NO. 2352

MAKING, LEVYING AND ASSESSING MUNICIPAL TAXES IN THE CITY OF PEKIN FOR FY MAY 1, 2003 TO APRIL 30, 2004

Motion by Com'r. Jones, seconded by Com'r. Richmond that Ordinance No. 2352 be adopted. On roll call vote, Ayes, Jones, Richmond, Maddox and Howard; Nay, Massaglia. Motion carried.

RESOLUTION NO. 31 – 03/04

ABATEMENT OF GENERAL OBLIGATION REFUNDING BONDS SERIES 2003

Motion by Com'r. Jones, seconded by Com'r. Richmond that Resolution No. 31-03/04 be adopted.

Finance Director Robert Reis explained that the two resolutions were standard process each year to abate the amount that would otherwise be taxed. On roll call vote, all present voted Aye.

RESOLUTION NO. 32-03/04

ABATEMENT OF GENERAL OBLIGATION CORPORATE PURPOSE REFUNDING BONDS SERIES 1993-A

Motion by Com'r. Jones, seconded by Com'r. Massaglia that Resolution No. 32-03/04 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2353

AMENDING TITLE 4, CHAPTER 4B, SECTION 10 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING THE PLUMBING CODE SEWER CONNECTION LOCATION

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that Ordinance No. 2353 be adopted. City Engineer Joe Wuellner told Council the amendment was intended to help prevent sewer backups by requiring elevation at point where sewer comes into a building. It was noted in response to Com'r. Massaglia's question that the ordinance becomes effective January 1, 2004 after notification to the plumbing contractors. Those in the process of construction would be grandfathered. On roll call vote, all present voted Aye.

ORDINANCE NO. 2354
**AMENDING TITLE 4, CHAPTER 4B, SECTION 11-1 OF THE CODE OF THE CITY
OF PEKIN 1995 REGARDING THE PLUMBING CODE INTERCEPTORS; SEPARATORS
AND BACKWATER VALVES**

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that Ordinance No. 2354 be adopted. Mr. Wuellner recommended the amendment in an effort to reduce sewer backups. The section provide for grease trap maintenance program. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that the **BID IN THE AMOUNT OF \$8,190.00 FOR WASTEWATER TREATMENT PLANT ROOF REPAIR** be accepted and the contract be awarded to Svendsen Construction. Mr. Kief confirmed that the quotes were for minor repairs to the Sewer Treatment Plant. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that **STAFF BE AUTHORIZED TO BID THE GARBAGE CONTRACT**. Public Property Director Greg Ranney presented a history of the City's collection for solid waste agreements, Yard Waste, Garbage, Recycling. He indicated that the charge for garbage collection had only increased \$35,000 in the last 10 years. He expressed concern that access to landfill was driving the costs. If authorized he would prepare specs, have a pre-bid meeting on January 5, bid opening on January 19 and present the quotes to Council at the meeting of January 26, 2004. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that **STAFF BE AUTHORIZED TO BID THE PURCHASE OF GARBAGE TRUCKS**. Purchase would be contingent on the results of the garbage bids verses in-house collection. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that the **EMPLOYEE AGREEMENT WITH DENNIS KIEF CITY MANAGER** be approved. Mayor Howard explained the terms of a one-year contract with the Public Works Director. The Mayor felt the contract confirmed to the public and the employees that Dennis Kief is the manager of the City while the search process proceeds. On roll call vote, all present voted Aye.

Other Business

Joe Lamberson of the Pekin Youth Council announced a general meeting of the group on Wednesday, December 10 in the Council Chambers.

Mayor William Waldmeier congratulated Council and staff on the good job they were doing on the levy and budget process.

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

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that Council move to **Executive Session** at 6:40 P.M. to discuss Sale of Real Estate, Collective Bargaining and Personnel (ILCS 120/2. (C.) 6, 2., 1. 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. Richmond that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:20 P.M.

Sue E. McMillan
City Clerk