
**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, NOVEMBER 26, 2001 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING**

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

ABSENT: NONE

PCHS American Government class of senior students were in attendance and teacher John McCabe led the **Pledge of Allegiance**

Roll was called and all commissioners were present.

Agenda

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

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **Minutes of the Regular City Council Meeting , held on a special day of November 13, 2001, 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: Pekin Main Street Dated November 14, 2001 and Pekin Tourism Commission Dated November 19, 2001
2. Charitable Solicitation: St. Joseph Catholic Youth Ministry Food Drive
December 1 and December 16, 2001
3. Resolution No. 147 – Mayor's Reappointment of Richard Hierstein the Riverway Business Park Review Committee for a Three Year Term Ending November 23, 2004
4. Receive and File Resignation of Bob Moore from TIF Commission
5. Receive and File Municipal Bus Fund Financial Statements June 30, 2001
Municipal Bus Fund Service Annual Report FTA June 30, 2001
6. Receive and File Pekin Municipal Bus Service Cost Allocation Plan
7. Receive and File Minutes of the Pekin Planning Commission dated November 14, 2001
8. Receive and File Planning Commission Recommendations and Hearings:
#1514 – recommends that Zoning Assignment of B-3 for lots 1, 2, 3, & 4, Normandale, a subdivision in Tazewell County, recently annexed into the City of Pekin be approved

On roll call vote all present voted Aye.

New Business

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SEWER BILLING AGREEMENT WITH ILLINOIS-AMERICAN WATER COMPANY** be approved. Mr. Hierstein gave direction on the discussions with Illinois-American Water Company for the potential to do water billing jointly to economize for customers. After 6-8 months of talks representatives arrived at agreement beneficial to both sides that would necessitate changes also. Billing for wastewater and water would be coordinated monthly, billed by IAWC based on meter readings, office collections by the City. Advantages for the City included cash flow from monthly collection and decreased delinquency rate from leverage to turn off water. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that the **SAFETY AWARD PROGRAM RECOMMENDED BY THE SAFETY COMMITTEE** be approved. Council discussed the advantages and disadvantages of instituting monetary incentives to employees based on cost savings realized by good safety records from previous year's loss experience. Mayor Tebben and Com'r. Orrick were not opposed to rewards on individual basis but expressed concerns with the execution and being locked in too rigid a program in down years. Com'r. Massaglia spoke in support of incentives for safe work habits. Motion by Com'r. Richmond, seconded by Com'r. Massaglia that the Safety Award Program be tabled. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A122
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
S. 2ND STREET NORMANDALE HIATT

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 1568-A122 be adopted. Com'r. Massaglia asked if there were any conditions or installation of sewers to the rezoning of the property. Corporation Counsel Patrick Oberle stated a rezoning ordinance was presented before them in relationship to recent annexed property. There was no development agreement as part of that annexation. On roll call vote, all present voted Aye.

ORDINANCE NO. 2274
AMENDING TITLE 6, CHAPTERS 2 AND 8 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING OPEN BURNING

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 2274 be adopted. The Chair stated the ordinance as proposed would band all open burning except for barbeque grills. Com'r. Richmond felt he was not ready to take action on the ordinance as presented. Motion by Com'r. Richmond, seconded by Com'r. Massaglia that Ordinance No. 2274 be tabled. On roll call vote, Ayes, Barra, Massaglia, Richmond and Tebben; Nay, Orrick. Motion carried. Com'r. Massaglia requested the Chair's consent to explain his vote. He had received comments from the public supporting the burning of leaves because of the volumes they would have to bag. Comments were also received from the public opposed to open burning because of breathing problems. Chief of Operations of the Fire Department John Janssen was asked to look at exceptions.

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

Motion by Com'r. Barra, seconded by Com'r. Richmond, that Resolution No. 143 be adopted. Com'r. Orrick requested that more time be designated for questions and asked that a work session be scheduled. Motion by Com'r. Barra, seconded by Com'r. Orrick that Resolution No. 143 be tabled. On roll call vote, all present voted Aye.

ORDINANCE NO. 2273
ANNUAL LEVY ORDINANCE

Motion by Com'r. Massaglia, seconded by Com'r. Barra, that Ordinance No. 2273 be laid over in the office of the City Clerk until December 10, 2001. On roll call vote, all present voted Aye.

RESOLUTION NO. 144
ABATEMENT OF ORDINANCE NO. 1889

Motion by Com'r. Massaglia, seconded by Com'r. Richmond that Resolution No. 144 be laid over in the office of the City Clerk until December 10, 2001. On roll call vote, all present voted Aye.

RESOLUTION NO. 145
ABATEMENT OF ORDINANCE NO. 1867

Motion by Com'r. Massaglia, seconded by Com'r. Richmond that Resolution No. 145 be laid over in the office of the City Clerk until December 10, 2001. On roll call vote, all present voted Aye.

RESOLUTION NO. 146
APPROVING SETTLEMENT OF WORKERS' COMPENSATION CASE

Motion by Com'r. Massaglia, seconded by Com'r. Richmond that Resolution No. 146 be adopted. The resolution authorized settlement in the amount of \$26,489.20 representing 25% loss of the left arm in the case of Michael Guy. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **AGREEMENT WITH TRI-COUNTY REGIONAL PLANNING COMMISSION FOR THE (VETERAN'S DRIVE) TRAFFIC MITIGATION STUDY** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **ONE YEAR EXTENSION AGREEMENT WITH XCELL MECHANICAL SYSTEMS HVAC CITY HALL** be approved. Director of Public Property Greg Ranney confirmed terms were from month to month and contract could be voided at time of vacating building for new City Hall. On roll call vote, all present voted Aye.

Other Business

John McCabe questioned if the work session for budget discussion constituted a meeting under the Open Meets Act. It was confirmed that the presence of members of Council would be a majority quorum and the meeting would be posted as such to the public.

Mayor Tebben announced the establishment of a fund to help defray the unpaid last expenses of Katy Learned who unselfishly gave to the community. Ms. Learned was well known in Pekin for delivery to City Hall of cookies and upside down cakes and for her tradition of collecting and giving food baskets to the less fortunate during the holidays.

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. Orrick seconded by Com'r. Richmond, that Council move to **Executive Session** at 6:05 p.m. to discuss Sale of Real Estate 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. Orrick, seconded by Com'r. Barra, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:15 P.M.

Sue E. McMillan
City Clerk