PROCEEDINGS OF THE REGULAR SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS, HELD IN THE COUNCIL CHAMBERS OF THE CITY HALL ON MONDAY, NOVEMBER 22, 1999, AT 5:30 O'CLOCK P.M. R. DAVID TEBBEN * MAYOR * PRESIDING

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

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

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **Minutes of the Regular City Council Meeting of November 8, 1999 and the Special Meetings of November 17, 1999 be approved as written**. On roll call vote, all present voted Aye.

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

1. Receive and File Monthly Reports: Wastewater Treatment and Traffic Safety

2. Resolution No. ~~28~~ 31 – Approving Mayor's Appointment of Everett Reed to the Electrical Commission to fill the unexpired term of Oliver Ghelardini for a term ending the first Monday in May, 2000

3. Receive and File Pekin Planning Commission Meeting Minutes Dated November 10, 1999

4. Receive and File the Pekin Planning Commission Hearing
   a. #1369 - recommends approval of the Special Use request for a drive-thru window at Taco John's, 2135 Court Street
   b. #1370 - recommends approval of the Site Plan for a drive-thru window at Taco John's, 2135 Court Street
   c. #1371 - recommends approval of the Special Use request of William Vandusen for Used Car Sales at 400 Derby Street
   d. #1372 - recommends approval of the Site Plan submitted by William VanDusen for Used Car Sales at 400 Derby Street
   e. #1373 - recommends approval of the Preliminary Plat, Marigold # 9, submitted by Con Iber
   f. #1374 – tabled the request to increase the Subdivision Fees until the December meeting

On roll call vote all present voted Aye.

Communications, Petitions, Reports
Mayor Tebben read a proclamation commemorating the service to the City of its former clerk, Jim Kautz and presented the post mortem tribute to his daughter Theresa. Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **PROCLAMATION DESIGNATING "WEEK OF THANKSGIVING FOR THE LIFE AND SERVICE OF JAMES F. KAUTZ"** be adopted. On roll call vote, all present voted Aye. Mayor Tebben requested the resolution be made part of the permanent record as follows:

Office of the Mayor

Proclamation

WHEREAS, the City of Pekin wishes to commemorate the life and service of its former city clerk, James F. Kautz, and

WHEREAS, Jim devoted thirty-two years of his life in public service to the citizens of Pekin by recording the actions of the city council, its commissions, and committees, and maintained those records as a reference and history for Pekin's posterity, and

WHEREAS, Jim's life and career touched this community through his religious convictions, his love of family, fellow employees, and the Chicago Bulls, and

WHEREAS, Jim's sense of humor still echoes through city offices and council chambers, and

WHEREAS the staff, management, and leadership of our city wish to acknowledge Jim's impact on our lives as individuals and as public servants,

NOW THEREFORE, BE IT RESOLVED that I, R. David Tebben, Mayor of the City of Pekin, do hereby proclaim and designate that the week of November 11 through November 18, 1999, shall be a

"WEEK OF THANKSGIVING FOR THE LIFE AND SERVICE OF JAMES F. KAUTZ"

in the City of Pekin, Tazewell County, Illinois.

AND, the Mayor, Council, and City Employees hereby extend our sympathy to Jim's family, and acknowledge our appreciation for the life of James F. Kautz and his sharing or same with us and our community.

ADOPTED, this 11th day of November, in the Year of Our Lord, Nineteen Hundred and Ninety-nine.

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R. David Tebben, Mayor

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Laurie Lowman Barra. Commissioner

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Harvey Richmond, Commissioner

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James E. Jones, Commissioner

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Lloyd A. Orrick, Commissioner

ATTEST:

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Sue McMillan, City Clerk

Planning and Development Director Ed Basch informed Council that he would complete an **ILLINOIS DEPARTMENT OF TRANSPORTATION ENHANCEMENT PROGRAM (ISEA) GRANT APPLICATION** for the Pekin Pier/Overlook Project before his departure from city employment on December 1, 1999. He explained the key to the success of the $305,200 funding was to get the elevated steel walkway request and costs submitted and that details such as preferred lighting could be determined at a later date. Only the gangway and landscaping portion of the Pier/bike trail were eligible for funding, as an intermodal link to enhance transportation or recreational facilities required by IDOT. Noification of funding would take place in April with construction possible late in the construction season 2000.

Unfinished Business

ORDINANCE NO. 2181
AN ORDINANCE MAKING LEVYING AND ASSESSING MUNICIPAL TAXES IN THE CITY OF PEKIN TAZEWELL AND PEORIA COUNTIES ILLINOIS FOR THE FISCAL YEAR FROM MAY 1, 1999 TO APRIL 30, 2000 AND KNOWN AS THE ANNUAL LEVY ORDINANCE

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the revised Ordinance No. 2181 be adopted. It was noted though it may not be feasible to expect another reduction in the future, the ordinance reflected a 2.06% from last year's levy. On roll call vote, all present voted Aye.

RESOLUTION NO. 25
A RESOLUTION ADOPTING THE FISCAL YEAR MAY 1, 2000 THROUGH APRIL 30, 2001 BUDGET

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Resolution No. 25 be adopted. A Public Hearing was opened at 5:45 P.M. Finance Director Bob Reis indicated the figures had been fined tuned from suggestions made at the special meeting work session on November 17th. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **SPECIAL USE FOR A DRIVE-THRU WINDOW AT 2135 COURT STREET, (Taco John's) SUBMITTED BY RER ENTERPRISES L.L.C.** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **SITE PLAN FOR A DRIVE-THRU WINDOW AT 2135 COURT STREET, SUBMITTED BY RER ENTERPRISES L.L.C.**, be approved subject to curb cut approval from the Illinois Department of Transportation IDOT. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **SPECIAL USE FOR USED CAR SALES AT 400 DERBY STREET, SUBMITTED BY WILLIAM VANDUSEN**, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **SITE PLAN FOR USED CAR SALES AT 400 DERBY STREET, SUBMITTED BY WILLIAM VANDUSEN**, be approved.

Motion by Com'r. Jones, seconded by Com'r. Barra, that the motion to approve the **SITE PLAN FOR USED CAR SALES AT 400 DERBY STREET, SUBMITTED BY WILLIAM VANDUSEN**, be amended by requiring the following as conditions for issuance of an occupancy permit:

1) roll-about beside building for trash disposal in lieu of dumpster
2) privacy slats in existing fence
3) parking blocks to keep cars off sidewalks and to permanently block 2 entrances closest to the intersection of Derby and Fourth Streets
4) setback in compliance with 25 foot visibility triangle on corner for traffic safety
5) hard surface of lot at location of removed gas tanks

Com'r. Orrick expressed concern that there needed to be some permanency to the condition of blocking entrances. He suggested removal of curb cuts, reconstruction of curb, and referred to a policy Council would consider later in the meeting for a 50/50-percentage participation in such Public Works projects. The Chair reminded Council that the amended motion before them could not be additional amended. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the amended motion to approve the **SITE PLAN FOR USED CAR SALES AT 400 DERBY STREET, SUBMITTED BY WILLIAM VANDUSEN**, be amended by adding curbs to areas presently shown by parking blocks on the Site Plan. Public Works Director Dennis Kief stated that the submittal was an approved site plan as presented. The committee had asked owner to voluntarily close curb cuts and he complied. Attorney Oberle gave an opinion that the curb cuts were grandfathered. Motion by Com'r. Orrick, seconded by Com'r. Richmond that the motion be withdrawn. Com'r. Orrick suggested that the restriction of access be accomplished through staff working with the owner.

The original motion that the **SITE PLAN FOR USED CAR SALES AS AMENDED WITH CONDITIONS FOR ISSURANCE OF OCCUPANCY PERMIT** was restated. On roll call vote, all present voted Aye.

RESOLUTION NO. 28
PRELIMINARY PLAT MARIGOLD ESTATED PHASE NINE, SUBMITTED BY CON IBER

Motion by Com'r. Richmond, seconded by Com'r. Barra, that Resolution No. 28 be adopted. On roll call vote, all present voted Aye.

CITY OF PEKIN POLICY NO. 6
PUBLIC WORKS POLICY FOR CURB IMPROVEMENTS

Motion by Com'r. Jones, seconded by Com'r. Orrick, that Policy No. 6 be adopted. Mayor Tebben expressed concern that the policy was not clearly written as to the intent of the City in assessing cost of improvements. A general discussion followed. It was the consensus of the Council that the Public Works Director would clarify interpretation of the policy by revising the language. Motion by Com'r. Richmond, seconded by Com'r. Jones, that Policy No. 6 be tabled to the next meeting. The Chair explained the motion was to postpone to a certain time, which would be the next regularly scheduled December meeting. On roll call vote, all present voted Aye.

ORDINANCE NO. 2183
AMENDING TITLE 4, CHAPTER 4A, SECTION 8E OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWER USE

Motion by Com'r. Jones, seconded by Com'r. Barra, that Ordinance No. 2183 be adopted. Public Works Director Dennis Kief explained the new subsections to the amount of inflow in the sanitary sewer system were needed to codify City practices already in place for the Environmental Protection Agency standards. On roll call vote, all present voted Aye.

SALT STORAGE BUILDING PAD AND ACCESS ROAD QUOTE				
Freesen, Inc.	R.A. Cullinan & Son, Inc.	Aupperle & Sons, Inc.	Otto Baum Company, Inc.	
$53,300.00	$72,621.50	$79,800.00	$77,400.00	Concrete
$32,740.00 **($41,040.00)**	$42,139.00			Asphalt
$ 4,700.00				Access Road

Motion by Com'r. Jones, seconded by Com'r. Orrick, that the **QUOTE FROM FREESEN, INC, IN THE AMOUNT OF $45,740.00 FOR AN ASPHALT DRIVEWAY AND PAD FOR THE NEW SALT STORAGE BUILDING,** be accepted. Concerns were addressed regarding the additional amount to complete the hard surface access to the pad not in the original recommendation from the Public Works Director. On roll call vote, all present voted Aye.

RESOLUTION NO. 29
TAX ABATEMENT $173,000.00 OF ORDINANCE NO. 1867 SERIES 1992

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Resolution No. 29 be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 30
TAX ABATEMENT $272,912.50 OF ORDINANCE NO. 1889 SERIES 1993-A

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Resolution No. 30 be adopted. On roll call vote, all present voted Aye.

City Manager Hierstein informed Council he had received two valuation firms submitted statements of qualifications to assist the City in the feasibility of purchasing the water company. Discussion followed on the **SELECTION OF WATER VALUATION CONSULTANT. C**ommissioners Jones and Orrick reviewed the proposals and along with Commissioner Richmond gave support to Raftelis Financial Consulting. The firm's qualifications were sited for two reasons. They had performed studies in numerous states and had done studies on systems owned by American Water. Hartman & Associates experience had been confined to the state of Florida.   Council authorized the manager to negotiate an agreement with Raftelis Financial Consulting of Charlotte N.C.

Other Business

Waste Professionals of Illinois Inc. Representative Tim McAnarney addressed Council regarding the proposed landfill host agreement before the Tazewell County Board. He stated it was a County decision but concerned this Council's constituents. He discussed the safety of modern landfills and the financial impact of the project. Bill Hart representing Families Opposed to the Contaminating Use of Soil and Water Inc. FOCUS-W spoke on the need for a proper site. The group felt that placing the project adjacent to the closed Pekin Metro Landfill off Towerline Road complicated possible leakage and contamination problems.

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. Barra, that Council move to **Executive Session** at 6:30 p.m. to discuss Personnel, Purchase of Real Estate and Sale 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. 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