****

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, SEPTEMBER 27, 2004 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING

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

****

The **Pledge of Allegiance** was led by Mayor Howard.

Roll was called and all commissioners were present except Commissioner Massaglia.

Agenda
Motion by Com'r. Richmond, seconded by Com'r. Maddox, 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 September 13, 2004 be approved as written.** On roll call vote, all present voted Aye.

Public Input on Agenda Items
The following addressed Council with concerns in regards to Bridgeway, Inc. assumption and purchase of residential housing classified as community living or group homes for the developmental disabled:

- Kevin McMillan, 2703 Persimmon Drive stated no problem with handicapped residents, but worried about the safety of his family in proximity to registered sex offenders.
- Sue Cockerill, read from prepared statement that she was a mother of a mentally disabled son and worked in a community home. She took offense to statements being made in regards to residents.
- Barb Arrowsmith, spoke of her physically challenged son and her displeasure of classifying residents of such homes as violent and sex offenders.
- Gary Allen, felt the discussion should never have been at a public forum level. Mr. Allen requested the City inspect the height of the fence that was being constructed to shield the resident at 2703 Persimmon Drive from the adjacent community housing.
- Ken Hobson, 19 Cardinal Crest, spoke in support of Mr. McMillan's concerns. He told Council that a posted sex offender was a resident (house) on his street.

Consent Agenda
Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the Consent Agenda b**e approved as presented.** City Clerk Sue McMillan presented the following items under consent Agenda.

1. Receive and File Monthly Reports: Wastewater Treatment Plant, Airport, LADD, Project Status Report

2. Charitable Solicitation: Pekin Lions Club Candy Day October 8 and 9, 2004

3. Receive and File Pekin Lake Report

4. Receive and File Pekin Planning Commission Minutes Dated September 8, 2004

5. Receive and File Planning Commission Hearings and Recommendations:
    a. #1637 - recommends Rezoning In Lutticken's Cove from R-1 to RT be denied with attachment that the prior buyers be afforded some protection for their investment and there is property available for RT but not R-1
    b. #1638 - recommends Rezoning 1828 and 1830 Mitchell from RM-1 and R-1 to R-3 be approved contingent upon annexation
    c. #1639 - recommends Special Use for 2 Drive-Ups one ATM and one possible food service B-3 be approved
    d. #16~~3~~40 - recommends Site Plan for 2 Drive-Ups one ATM and one possible food service B-3 be approved with the attachment that landscaping meets the required code by City Council

The Clerk noted PPC Recommendation #1640 contained a typeo.
On roll call vote, all present voted Aye.

Communications, Petitions, Reports
James Starnes, CEO of **BRIDGEWAY, INC**. reported to Council the facts of the company's services, employment, real estate and make up of clients. He and Marsha Blonk distributed pertinent information regarding property values, land use discrimination, opposition and support articles.

Mayor Howard presented a **SAFETY AWARD** plaque given to the City by Illinois Municipal League Risk Management Association at the League Conference. City Manager, Dennis Kief extended recognition to the Safety Committee for their efforts in attaining the honor due to outstanding accident prevention record.

Commissioner Richmond reported on the work of a committee composed of him, Pat Pollock, Greg Ranney, Sue McMillan and Steve Thompson directed to find a means of honoring long-term service years of employees. Three **LONGEVITY AWARD** plaques to be mounted in the foyer of City Hall were presented and each name was read under the appropriate 20, 25, and 30 years of service.

Public Property Director Greg Ranney presented a **RETIREMENT AWARD TO EMPLOYEE BILL PHILLIPS** in recognition of his years of service.

Public Hearing
Mayor Howard opened a **PUBLIC HEARING** at 6:02 p.m. to contemplate the adoption of an ordinance authorizing execution of an Agreement to Sell and **EXCHANGE OF REAL ESTATE WITH RICK EVANS** for the development and sale of lots in Greenbrier Section Two. An exact legal description of real estate to be determined by survey. The City Clerk confirmed the publication of the Legal Notice was printed in the *Pekin Daily Times* on September 11, 2004. City Manager Dennis Kief explained the City would exchange the unneeded parcel on Parkway Drive south of Sheridan for equal square footage of property could possibly be used for expansion of the Public Property or Street Departments off of Koch Street. Commissioner Richmond questioned if the two acres on Parkway Drive was conducive for the construction of a fire station and was told no. Persons having an interest were given the opportunity. There were no additional comments. Mayor Howard closed the hearing at 6:06 p.m.

New Business
Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **SPECIAL USE REQUEST FROM JPG COMMERCIAL** for Drive Up Windows in Outlot E East Court Village be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **SITE PLAN FROM JPG COMMERCIAL** for Drive Up Windows in Out Lot E East Court Village be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Jones, that the **RECOMMENDATION OF THE PEKIN PLANNING COMMISSION TO DENY REZONING IN LUTTICKEN'S COVE FROM R-1 TO RT** be accepted. City Engineer Joe Wuellner told Council Ric Krupps (partner Tripp O'Connor asked that parcels in the development be rezoned from One Family Residential to Two Family Residential. Concerns of traffic, depreciated home values and density were expressed by adjacent residents of the Subdivision at the Planning Commission. Members also had expressed the view that reconstruction of Sheridan Road needed to be addressed. Council asked for clarification on how the motion was presented. It was recommended that motions be presented in the affirmative wording in order to be clear on intending to deny the action. On roll call vote, all present voted Aye to accept the recommendation of the Planning Commission thereby denying new two family zoning.

ORDINANCE NO. 2386

AN ORDINANCE PROVIDING FOR THE ISSUE OF GENERAL OBLIGATION REFUNDING BOND SERIES 2004 IN THE AMOUNT OF $2,950,000 (HERGET BANK)

Motion by Com'r. Maddox, seconded by Com'r. Richmond that Ordinance No. 2386 be adopted.

Motion by Com’r. Maddox, seconded by Com'r. Richmond that Ordinance No. 2386 be amended by deleting in Section 5 in the first sentence the word “not” and by deleting in Section 10 the year 2012 and replacing it with the year 2011. City Manager Dennis Kief explained that the word “not” was removed because the intent of the bond was to have the ability to prepay. Com’r. Jones informed the Council that he would be voting no on the issuance of the bond because he felt this was not the time to borrow money to teardown the grain elevators. Com’r. Maddox spoke in support of the issue. On roll call vote, all present voted Aye.

Motion by Com’r. Maddox, seconded by Com'r. Richmond that Ordinance No. 2386 be adopted as amended. On roll call vote, all present voted Aye. * (clerk’s note – Com’r. Jones indicated he would vote no – vote was yes.)

Motion by Com’r. Jones, seconded by Com'r. Richmond that the **AMENDMENT TO THE AGREEMENT WITH UNITED WATER** be approved. City Manager Dennis Kief explained that the contracted company for the Wastewater Treatment Plant requested additional costs resulting from the new mandated Dissolved Oxygen DO requirements of the NPDES permit. On roll call vote, all present voted Aye.

Motion by Com’r. Jones, seconded by Com'r. Richmond that the **SALES AGREEMENT WITH ALEXIS FIRE EQUIPMENT COMPANY FOR THE PURCHASE OF FIRE APPARATUS** in the amount of $291,318.00 be approved. Fire Chief Chuck Lauss requested Council approve the purchase of a new fire truck as recommended by the department’s Apparatus Committee. He explained the low bid did not meet minimum requirements stipulated by the committee. The City would take delivery in 11 months. Com’r. Jones questioned the plans for the 1993 Pierce that would be taken out of service. On roll call vote, all present voted Aye. *(clerk’s note – the actual price was reduced to $290,518,000)

RESOLUTION NO. 77-04/05
ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

Motion by Com’r. Jones, seconded by Com'r. Richmond that Resolution No. 77-04/05 be adopted. Chief Lauss then addressed the benefits of the NIMS a unified command management system. On roll call vote, all present voted Aye.

Other Business

John Reed 1112 South 18th Street questioned how the City could justify additional spending for projects that was borrowed for in the bond when infrastructure had not been corrected in the 18th Street area. Mr. Reed told Council that t the sewer, drainage and water problems that Council was informed of months ago had not been addressed. The City Manager agreed to have a report to present at the next Council Meeting.

Com’r. Jones advised Council and City Manager that a large bond payment would be due in 2005 and that expense had not been budgeted.

Mayor Howard announced The City of Pekin Annual Update on Thursday, September 30 at Pekin Insurance Lodge and encouraged the community to attend. There was also the announcement that the community was invited to listen to options of dredging and restoration regarding the Pekin Lake Conservation Area Project on Wednesday, September 29.

It was noted by the Mayor and City Manager that the 2004 Street Maintenance Program came in significantly under budget ($300,000) as a result of the supervision and additional work performed in-house by the Street Department. Recognition was given to David Pagliaro Street Superintendent.

Reporters from the *Peoria Journal Star* and *Pekin Daily Time* were given the opportunity to ask questions.

Motion by Com’r. Jones, seconded by Com’r. Richmond that Council move to **Executive Session** at 6:35 P.M. to discuss Litigation ILCS 120/2 (c) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com’r. Jones, seconded by Com’r. Richmond that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 6:50 P.M.

Sue E. McMillan
City Clerk