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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, SEPTEMBER 23, 2002 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

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

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

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **Minutes of the Regular City Council Meeting of September 9, 2002 be approved as written**. On roll call vote, all present voted Aye.

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

1. Receive and File Monthly Reports: Fire, Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC), Waste Water Treatment, Traffic Safety

2. Proclamation: Chamber of Commerce Week September 22-28, 2002

3. Receive and File Financial Statement Tazewell/Pekin Consolidated Communications Center Dated April 30, 2002 prepared by Willock Warning & Co.,P.C.

4. Receive and File Pekin Planning Commission Minutes Dated September 11, 2002

5. Receive and File Pekin Planning Commission Recommendations and Hearings:
   #1543 - recommends that the Special Use Request for branch bank drive-up window at 2012 Court Street be approved
   #1544 – recommends Site Plan submitted by Russell Waldschmidt for branch bank drive-up window at 2012 Court Street be approved
   #1545 - recommends Rezoning Request from R-4 to OS-1, submitted by Rudy Wacker for property at 1912 Court Street for insurance office be approved
   #1546 – recommends Rezoning Request from RE to RT , submitted by Everett Reed, for Lot 9 Hickory Hills be approved
   #1547 – recommends amendment to Title 9, Chapter 10, Section 3 of the Code regarding accessory buildings be approved
   #1548 – recommends amendment to Title 9, Chapter 12, Section 1-2-B-3 of the Code regarding Zoning Board of Appeals authorization and guidelines be approved
   #1549 – recommends amendment to Title 9, Chapter 9, Section 1 of the Code regarding yard setbacks and lot coverage in R-4 zones be approved
   #1550 – recommends the Preliminary Plat of Lot 1B, Block 1, RWBP be approved

On roll call vote all present voted Aye.

Communications, Petitions, Reports
Mayor Tebben opened a **PUBLIC HEARING** at 5:34 p.m. for the purpose of considering and hearing testimony as to an ordinance authorizing the annexation to the City of Pekin. The Clerk confirmed that notice was properly given in the *Pekin Times* on September 4, 2002. Corporation Counsel Patrick Oberle stated that the 50-acre tract of real estate, Shade Park, was a voluntary annexation to receive fire and police services from the City. There were no electors and the territory was contiguous with Hickory Hills subdivision. Persons having an interest were given the opportunity to be heard. No additional comments were received. The hearing was closed at 5:35 p.m.

Jim Ash President of the Pekin Public Library Board presented a **LIBRARY UPDATE** on the Dirksen Congressional Leadership Center acquisition. He explained the Board's approach was to review the Library's current financial situation, the Dirksen acquisition purchase facts and the levy implications, which were contained in a handout. In summarily the Library had half the funds needed of the $620,000 agreed purchase price and would like the City to allocate $60,000 each year in the 5 Year Capital Plans. The Board would need the City's help and a tax levy increase to make the purchase work for future Library expansion. No comments were received or questions asked on the proposal to Council.

New Business

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **SPECIAL USE REQUEST SUBMITTED BY RUSSELL WALDSCHMIDT FOR BRANCH BANK DRIVE-UP WINDOW AT 2012 COURT STREET,** be approved. Jack Kluever addressed Council's questions on traffic flow and lower elevation than adjacent business. He stated property had been dedicated for a right turn if needed and that retention area was in place at time of construction of Walgreens. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **SITE PLAN SUBMITTED BY RUSSELL WALDSCHMIDT FOR BRANCH BANK DRIVE-UP WINDOW AT 2012 COURT STREET** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A130
PROVIDING FOR ZONING OF CERTAIN PROPERTY / 1912 COURT STREET FROM R-4 TO OS-1

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Ordinance No. 1568-A130 be adopted. Mr. Kluever explained Randy Wacker was proposing a low volume traffic insurance business in an area already zoned B-3. Residents had discussed concerns with Pekin Planning Commission but there were no objections. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A131
PROVIDING FOR ZONING OF CERTAIN PROPERTY / LOT 9 HICKORY HILLS FROM RE TO RT

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Ordinance No. 1568-A131 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2300-OA
AMENDING TITE 9 OF THE CODE OF THE CITY OF PEKIN REGARDING R-T ACCESSORY BUILDINGS

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Ordinance No. 2300-OA be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2301-OA
AMENDING TITE 9 OF THE CODE OF THE CITY OF PEKIN REGARDING R-4 ZONING VARIANCES

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Ordinance No. 2301-OA be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2302-OA
AMENDING TITE 9 OF THE CODE OF THE CITY OF PEKIN REGARDING R-4 ZONING SETBACKS

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that Ordinance No. 2302-OA be adopted. The Chair expressed gratitude to the Planning Commission and complimented the nice work in revising the R-4 zoning, which enables residents to upgrade their properties in older residential neighborhoods. On roll call vote, all present voted Aye.

RESOLUTION NO. 200
PRELIMINARY AND FINAL PLAT LOT 1B, BLOCK 1, RIVERWAY BUSINESS PARK

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that Resolution No. 200 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2303

PROVIDING FOR ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PEKIN / SHADE PEKIN MEMORIAL YOURTH CAMP

Motion by Com'r. Barra, seconded by Com'r. Richmond, that Ordinance No. 2303 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Richmond, that the **POWER OF ATTORNEY IN CONNECTION WITH FARM SERVICE AGENCY** be laid over until the next regular meeting. Signatures had not yet been obtained on the document from the farmer of City owned property to act on the City's behalf. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that the **INTERGOVERNMENTAL AGREEMENT FOR POLICE PROTECTION SERVICES WITH PEKIN HOUSING AUTHORITY** be extended through October 31, 2002. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that the **OFFER IN THE AMOUNT OF $35,000.00 FOR PURCHAE OF THE BUILDING AT 401 COURT STREET FROM DICK L. WILLIAMS** be received, filed, and rejected. Since the City paid $79,716.00 on September 30, 1991 and invested improvements including a new roof, City Manager Dick Hierstein recommended that the offer be rejected. Council members concurred. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **CITY PARTICIPATION OF 60% IN THE APPROVED GRANT FOR CABLE TELEVISION MARKETING WITH THE STATE OF ILLINOIS TOURISM AGENCY** be approved. Director of Planning and Development Kim Uhlig told Council that due to State of Illinois budget constraints the new maximum allowed was 40%. Council members spoke in non-support of the requested increase. On roll call vote, all present voted Nay. Motion Failed.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **AGREEMENT FOR COORDINATOR OF TOURISM** be approved. The Agreement allows for the position of Mary Jo Lewellen as replacement for Brock Nissen. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A198

AMENDING TITLE 8, CHAPTER 3, SECTION 3 OF THE CODE OF THE CITY OF PEKIN REGARDING SPEED LIMITS ON SOUTH FIFTH STREET

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1462-A198 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A199

AMENDING TITLE 8, CHAPTER 4, SECTION 1 OF THE CODE OF THE CITY OF PEKIN REGARDING NO PARKING PLACES ON PARK AVENUE

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1462-A199 be adopted. On roll call vote, all present voted Aye

Other Business

Bob Burress, 1409. N. 5th Street addressed the Council. He first asked questions regarding finances of several topics, New City Hall Building construction, taxes and Channel 16 recording systems. He requested that City representatives meet again to discuss health insurance issues and premiums. He asked that the meetings be televised so there would be no mis-interpretation of discussed matters.

Com'r. Orrick requested that Traffic Safety Committee consider the placement of crosswalk signs at Bike Trail intervals.

Mayor Tebben noted that this would be the last Council Meeting held in the Old City Hall. He stated the City had come full cycle in the past 51 years with the move to the new facility this weekend. He referred to records of the proceedings of September 24, 1951.

Mayor Waldmeier recounted his experiences as Commissioner and Mayor in the City Hall Building.

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

Motion was made by Com'r. Richmond, seconded by Com'r. Orrick at 6:50 p.m., that Council move to **Executive Session** to discuss, Acquisition of Real Estate, 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. Richmond seconded by Com'r. Massaglia that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:30 P.M.

Sue E. McMillan
City Clerk