
**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 22, 2003 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

**PRESENT: COMMISSIONERS, MADDOX, RICHMOND, JONES, AND MASSAGLIA
ABSENT: NONE**

Mayor Howard thanked WHOI News for their coverage of the 9-11 Remembrance & Recognition Event.

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

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that the **agenda be amended by moving New Business item #6. Ordinance No. 2340 to be presented as item #3 in order of business.** On roll call vote, all present voted Aye.

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

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **Minutes of the Regular City Council Meeting of September 8, 2003, and the Special City Council Meeting of September 17, 2003 be approved as written.** On roll call vote, all present voted Aye.

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

1. Receive and File Monthly Reports: Police, Fire, Traffic Safety Committee, Zoning and Inspections (Building, Code Enforcement, Sewer & Plumbing, Electrical, HVAC), and Wastewater Treatment
2. Proclamation: "Pekin JFL Day" September 26, 2003
 "Family Life Week" November 23-29, 2003
3. Receive and File Financial Statements April 30, 2003 prepared by Willock Warning & Co. P.C.
 Pekin Public Library
 Tazewell/Pekin Consolidated Communications Center
 Tax Increment Financing – Central Business District Fund TIF I
 Tax Increment Financing – Route 29 Fund TIF II
4. Resolution No. 21-03/04 – Appointment of James Wallinger to the Fire & Police Commission to fill the unexpired term of Robert Moore ending first Monday in May 2004
5. Pekin Planning Commission Minutes Dated September 10, 2003
6. Pekin Planning Commission Hearings and Recommendations:
 #1588 – denial of Special Use Request for Mini-storage at 304 N. 4th Street submitted by Best Automotive
 #1589 – approval of the Site Plan submitted by Best Automotive, 304 N. 4th Street
 #1590 – approval of the Special Use Request for a drive-up window for Culver's Restaurant to be located at 3504 Court Street
 #1591 – approval of the Site Plan for a drive-up window for Culver's Restaurant to be located at 3504 Court Street
 #1592 – approval of the Preliminary Plat Sunset #32 submitted by Monge Property Management. This is a re-sub of lots 7,8, &9 Sunset #28, Zoning District of Rm-2
 #1593 – approval of the change to the Pekin Zoning Ordinance by removing 9-6C-3-H (mini-storage as a special use in the B-3 Zoning District)

On roll call vote, all present voted Aye.

Mayor Howard read and presented the Proclamation approved in recognition of Junior Football League JFL Day. Rod Henderson encouraged all citizens to show support for the Coaches Association and their commitment to the community and youth by attending "Pekin Football Festival Pier Party" on September 26, 2003.

Fire Chief John Janssen was honored on his retirement after 30 years of service. Deputy Fire Chief Chuck Lauss presented Chief Janssen with his mounted ax and spoke of his service to the community, his leadership to the department, and his friendship with the guys.

Communications, Petitions, Reports

Public Works Director Dennis Kief updated Council on investigations of the sewer issues at various areas of town. By means of a PowerPoint presentation he recapped the events of 3" and 5" rains on July 9 and 21, the problems that resulted from storm water and wastewater sewer backups, and some findings in televising the sewers. Possible solutions proposed were to address, root growth, inverted sewer lines, low spots, and accumulation of sediment restricting flow. Mayor Howard suggested that anyone experiencing sewer problems contact the public works department.

Unfinished Business

ORDINANCE NO. 2339 AMENDING TITLE 3, CHAPTER 3, SECTION 1 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING LIQUOR LICENSES / BEER GARDENS

Motion by Com'r. Maddox, seconded by Com'r. Richmond that Ordinance No. 2339 be removed from the table. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, second by Com'r. Massaglia, that Ordinance No. 2339 as amended by the ordinance presented to Council at tonight's meeting be adopted. Corporation Counsel Sue Bosich recommended changes to the liquor code. As a result of recent confusion regarding the precise area within premises used for consumption of alcohol, it was necessary to redefine "licensed premises." It was also necessary to more restrictively describe permanent structures as part of the modified definition of beer gardens to avoid potential abuse. The ordinance removes previous restrictions on maximum size, beverages to be served and seasonal limitations. On roll call vote, all present voted Aye.

New Business

Com'r. Massaglia excused himself from the Council Chambers at 6:00 p.m.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the recommendation of the Pekin Planning Commission be accepted and the **SPECIAL USE REQUEST FOR MINI-STORAGE AT 304 N. 4TH STREET SUBMITTED BY BEST AUTOMOTIVE** be denied. On roll call vote, Ayes, Maddox, Jones, Richmond, and Howard; Absent Massaglia.

Mayor Howard indicated the Council would not need to consider the site plan for mini-storage at 304 N. 4th Street because the motion for a special use was denied.

ORDINANCE NO. 2340-OA AMENDING ARTICLE 9, BEING THE ZONING CODE REGARDING MINI-STORAGE

Motion by Com'r. Richmond, seconded by Com'r. Maddox that Ordinance No. 2340 be adopted. City Engineer Joe Wuellner explained to Council that a special use of storage garage or mini-warehouses in a B-3 district would be eliminated and those uses removed as permissible special use in a B-3 district. On roll call vote, Ayes, Maddox, Jones, Richmond, and Howard; Absent Massaglia.

Com'r. Massaglia returned to the Council Chambers at 6:02 p.m.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **SPECIAL USE REQUEST FOR DRIVE-UP WINDOW FOR CULVER'S RESTAURANT TO BE LOCATED AT 3504 COURT STREET** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **SITE PLAN FOR DRIVE-UP WINDOW FOR CULVER'S RESTAURANT TO BE LOCATED AT 3504 COURT STREET** be approved. Com'r. Jones noted that the record should reflect a correct address of 3504 Court Street. On roll call vote, all present voted Aye.

Com'r. Jones directed that the record reflect a correct address of "3504" Court Street.

RESOLUTION NO. 22-03/04

PRELIMINARY PLAT SUNSET HILLS EXTENSION 32

Motion by Com'r. Jones, seconded by Com'r. Richmond that Resolution No. 22-03/04 be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 23-03/04

FINAL PLAT EAST COURT VILLAGE LOT 1

Motion by Com'r. Richmond, seconded by Com'r. Massaglia that Resolution No. 23-03/04 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **INTERGOVERNMENTAL AGREEMENT WITH IDOT FOR TRAFFIC SIGNALS** be approved. Public Works Director Dennis Kief told Council the Project Support Letter of Understanding was the City concurrence of improvements by the Department of Transportation for modernizing traffic signals at intersections by installing a battery backup system and retro-filling LED signal faces. Upon completion the state and city will continue their respective maintenance. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **TIF DOWNTOWN FAÇADE REVITALIZATION GRANT PER APPLICATION OF SMITH & WEER, P.C. ATTORNEY AT LAW 410 ELIZABETH STREET** be approved in the amount of \$3,496.71. Pamela Anderson Community Development Coordinator told Council the Design Committee recommended approval of the funding. Com'r Jones questioned if windows were an approved project in the guidelines. Council members also questioned if the installers, Lowe's, pay prevailing wage. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **AGREEMENT WITH PEARL TECHNOLOGY FOR COMPREHENSIVE SERVICE SUPPORT** be approved. Dennis Kief explained that by accepting the terms of 200 hours of service for \$10,000 the City would be saving \$2,000 on network support, hardware repair, consulting services. On roll call vote, all present voted Aye.

ORDINANCE NO. 2341

**AMENDING TITLE 1, CHAPTER 8E OF THE CODE OF THE CITY OF PEKIN
REGARDING PUBLIC WORKS/ASSISTANT CITY MANAGER**

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that Ordinance No. 2341 be adopted. The ordinance provides for the creation of Assistant City Manager as a dual position with the office of Director of Public Works. The assistant will serve as Acting City Manager in the absence of the City Manager. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that a **SPECIAL COUNCIL MEETING TO TOUR THE WASTEWATER TREATMENT PLANT** be set for Monday, October 6, 2003 @ 4:30 p.m. On roll call vote, all present voted Aye.

Other Business

Com'r. Richmond announced that the public was invited to Traffic Safety Committee meetings held on the first Friday of each month. This is an opportunity to voice traffic concerns.

Mark and Amy Werner thanked the Council and the public for the success of the 4th annual Illinois River Sweep.

Joe Lamberson reported on the participation of the student government group and the Chamber of Commerce in the Leadership Academy.

Greg Ranney thanked the Council for an impressive 911 Remembrance event. He also announced Spruce-Up Pekin would be held Saturday October 4.

It was announced by the Public Works Director and the City Engineer that Veterans Drive would be open to traffic, Monday, September 29. The signal at the intersection of Broadway Road and Veterans Drive would be activated in a flash mode. Traffic from California Road onto Broadway would have to stop. Traffic on Broadway will not stop.

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

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

COUNCIL ADJOURNED AT 6:30 P.M.

Sue E. McMillan
City Clerk