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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 CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, JULY 27, 2009 AT 5:30 O'CLOCK P.M.
BARBARA STRAND MAYOR PRO TEM PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, KORTKAMP, BARRA, STRAND, AND SCHMIDGALL

ABSENT: MAYOR DUNN

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Pursuant to Resolution No. 22-07/08 for Mayor Pro tem Procedure adopted November 26, 2007, Council Member Barb Strand by appointment of Resolution No. 4-09/10 led the meeting in the Mayor's absence.

The **Pledge of Allegiance** was led by Mayor Pro Tem Strand.

Roll was called and all Council Members were present except Mayor Dunn.

AGENDA

Motion by Council Member Abel, seconded by Council Member Kortkamp, that the **agenda be approved as presented.** Council Member Blanchard asked for Point of Order to question the Hoyle Bus Assets Purchase Agreement being an item on the New Business Agenda. Attorney Burt Dancey explained that the adoption of the ordinance would complete the purchase as directed by Council at the last meeting for not only the authorization to negotiation an agreement but to enter into a contract. On roll call vote, all present voted Aye.

MINUTES

Motion by Council Member Barra, seconded by Council Member Blanchard, that the **minutes of the Regular City Council Meeting of July 13, 2009 be approved as written.** On roll call vote, all present voted Aye.

CONSENT AGENDA

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that **the Consent Agenda be approved as presented.** Council Member Blanchard then motioned to move item 3. Receive and File **Letter Supporting High Speed Rail Development to New Business** for discussion and Council Member Kortkamp seconded the motion. On roll call vote, all present voted Aye.

Mayor Pro Tem Strand read presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Receive and File Monthly Reports and Minutes:** Traffic Safety Committee Minutes dated July 2, 2009, Liquor Commission Minutes dated June 11, 2009.

2. **Charitable Solicitation:** "Bike Run Benefit for Dyllon" September 12, 2009
" Benefit for Bradley Alexander Van Lift Fund" Aug. 8, 2009

(moved to New Business **3. Receive and File** Letter Supporting High Speed Rail Development to Governor Quinn

4. **Receive and File** Pekin Public Library 2008-2009 Illinois Public Library Annual Report (IPLAR)

5. **Receive and File** Pekin Zoning Board of Appeals Minutes Dated July 8, 2009

6. **Receive and File** Pekin Planning Commission Minutes Dated July 8, 2009

7. **Receive and File Pekin Planning Commission Hearings and Recommendations:**
   a. Hearing #08-1778-recommends to approve Rezoning of property from B-1 (Local Business District) to B-# (General Business District) on Broadway.

   b. Hearing #08-1779-recommends to approve Special Use for a Veterinary Clinic with outdoor runs for the property on Broadway.

   c. Hearing #08-1780-recommends to approve Site Plan for Veterinary Clinic with Kennels inside for the property on Broadway.

   d. Hearing #08-1781-recommends to approve the following changes to the Code for Signs in a B-2 Zone:
   9-10-8-G adding paragraph 5) Signs, awnings or canopies, only within a B-2 Central Business District. Provided further that the bottoms of signs and valances of any awning or canopy are no less than eight feet (8') above immediate grade and project no closer than two feet (2') from the nearest curb or pavement edge. 9-10-9-B adding paragraph 1) String lights used in connection with business premises for commercial purposes, must be installed and maintained in compliance to the most current adopted building and electrical codes.

   On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS
Pekin Police Department Retirement-
Police Chief Ted Miller presented Lieutenant Carl Powell a City of Pekin watch in recognition of his 29 years of service to the City. Lieutenant Powell's association with law enforcement began as an Explorer in 1971 through Serving in the Auxiliary Police in 1975, to being sworn in as a police officer in 1980. Carl was also active in several community organizations. Best wishes were extended to him in his new position a Chief Deputy Coroner.

Department Report – Pekin Public Library
In a Power Point presentation, Jeff Brooks Director of the Pekin Public Library compared the increased usage of materials checked out, patron door count, and computer usage over the last six months with 2008. He then displayed photos and provided details of the lobby renovation project.

NEW BUSINESS

Public Works Director Joe Wuellner addressed the next three items of business that were interrelated in regards to the request of property owner William Leman Trustee LeTrout Land Trust for rezoning, site plan and special use of property intended as a veterinary clinic. Pekin Planning Commission recommended from hearings the approval of rezoning property east of Veterans Drive on Broadway Road from B-1 (Local Business District) to B-3 General Business District). The clinic would care for cats and dogs and contain inside kennels. Council was informed that the special use was a requirement of having approximately 6 out runs for short term times to clean the inner structure kennels.

ORDINANCE NO. 1568-A177-09/10
PROVIDING FOR THE REZONING CERTAIN PROPERTY
PART OF PIN #05-05-32-400-010
BROADWAY ROAD

Motion by Council Member Kortkamp, seconded by Council Member Barra, that **Ordinance No. 1568-A177-09/10** be adopted. Recommendation of the Pekin Planning Commission to approve the Rezoning Property East of Veterans Drive and North of Broadway Road from B-1 (Local Business District) to B-3 (General Business District). On roll call vote, all present voted Aye

Motion by Council Member Schmidgall, seconded by Council Member Kortkamp, that the **SITE PLAN FOR VETERINARY CLINIC WITH KENNELS INSIDE FOR PROPERTY ON BROADWAY ROAD EAST OF VETERANS DRIVE,** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Barra, that the **SPECIAL USE FOR VETERINARY CLINIC WITH KENNELS OUTSIDE FOR PROPERTY ON BROADWAY ROAD EAST OF VETERANS DRIVE,** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2590-OA-09/10
AMENDING TITLE 9, CHAPTER 10, SECTION 8 G. AND 9-10-9 B.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SIGNS AND EXTERIOR LIGHTING

Motion by Council Member Barra, seconded by Council Member Abel, that Ordinance No. 2590-OA-09/10 be adopted. Council Members heard from Public Works Director Joe Wuellner that the change to the Code was a recommendation of the Pekin Planning Commission for restrictions of signs, awnings, canopies in a B-2 Central Business District and string lights use in connection with business premises for commercial purposes. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Abel, that **ANNUAL PPUATS JOINT FUNDING AGREEMENT FY 2010** in the amount of $11,421.97 be approved. City Manager Dennis Kief strongly recommended the agreement with participating agencies and Tri-County Regional Planning Commission for Peoria/Pekin Urbanized Area Transportation Study annual dues. Mr. Kief indicated there was a long history of lobbying and receiving millions of dollars for State and Federal funding through the association. He named 10 projects from 1986-2009, including Broadway Widening that was worth the membership fee. On roll call vote, all present voted Aye.

RESOLUTION NO. 13-08/09
AN ILLINOIS DEPARTMENT OF TRANSPORTATION RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that Resolution No. 13-08/09 appropriating MFT Funds in the amount of $11,421.97 for the PPUATS FY 2010 Agreement be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Kortkamp, that **2008 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT,** be approved. Community Development Director Pam Anderson reported to Council in a PowerPoint presentation the CAPER and the Action Plan Amendment. She indicated that HUD required a yearly evaluation stating the accomplished goals for the past fiscal year. She explained each of the programs that accomplished goals of decent housing, suitable living environment, and expanded economic opportunities. She also explained the amendments through the year to the Action Plan as a result of the reduction of allocated funds, the reallocation of dollars, and the compliance with stimulus funding. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Barra, that **AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT 2009 ACTION PLAN** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2591-09/10
ACCEPTING AN ASSET PURCHASE AGREEMENT FOR SCHOOL BUSES

Motion by Council Member Barra, seconded by Council Member Abel, that Ordinance No. 2591-09/10 be adopted. Director of Transportation Greg Ranney recommended the expansion of the school bus transportation operation by acquiring the Hoyle School Bus Transportation Company in the amount of $300,000. The City would provide service while keeping the cost down substantially for both school districts and taxpayers. Council Members directed questions to Mr. Ranney, the City Attorney and the Manager regarding the scope of the project, the number, value and age of the buses. Council was informed that there were 47 buses, the City was not purchasing inventory or property, but were assuming the remainder of the school districts contracts beginning with the 2010 school year. Hoyle presently has 40 drivers, 15 monitors and the City employees would be transporting approximately 600 additional students. Startup costs would include assistant for the department, mechanics, and building to maintain vehicles.

Motion by Council Member Blanchard, seconded by Council Member Schmidgall to discuss Letter of Support of high speed passenger rail transportation. On roll call vote, all present voted Aye. City Manager Dennis Kief explained that area Mayors had forwarded a letter to Governor Patrick Quinn as an expression of regional support for the immediate revitalization of the existing Chicago-St. Louis passenger line via Normal and Springfield to 110 mph standards.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL
Council Member Abel made note of the success of the weekend Cruise-In sponsored by Pekin Main Street.

Council Member Blanchard:

- expressed concern that the chemicals used from the crop dusting were blowing into residential areas of 5th Street. He asked that staff check into the issue and report back.
- again referred to the amount of robberies in the Southside this summer and requested that Police Chief Ted Miller get more information out to the public on ways to make their home safer when away.
- encouraged the public to contribute to food panties in the community.
- requested that staff listen to the proposal that Steve Hymbaugh had for the purchase of the Dragon's Dome

Council Member Kortkamp announced the details for the appearance of the Wind Symphony Orchestra to the Pekin Riverfront for a free concert on Friday, August 14. Bus shuttled would be provided from the sunken parking lot of Mineral Springs Park.

Council Member Schmidgall:

- in reference to the maze of cone-barricades on Court Street, encouraged the public to add time to their drive due to the State street maintenance project.
- Encouraged staff and Council to work with the Dome proposal.
- Agreed with the request to check into the crop dusting issue.

Public Works Director Joe Wuellner informed the Council and Public that Illinois Department of Transportation reports location of work areas, travel delays, and changes each morning on the radio.

Mayor Pro Tem Strand made an announcement that the City was accepting applications to serve on a new Public Transportation subcommittee of the Mayor's Advisory Committee for Persons with Disabilities. She also shared with Council that she attended an event at Lakeview Museum at which Scott Altman was the speaker.

Jim Mangan, 1200 N. Parkway Drive, read and submitted for filing a prepared statement on Towing / Impound Ordinance. It was Mr. Mangan's opinion that the Ordinance for Seizure of Vehicles was not a deterrent but rather an increase in City revenues. He requested a public referendum on the ordinance question be put on a ballot to the voters.

Steve Hymbaugh, owner of Towerline Speedway, addressed Council on his proposal to merge the speedway activities with the purchase of the Dragon's Dome. His proposal for five million dollars from the City included upgrades to the facility. He petitioned the staff and Council to hear his offer that he originally brought to their attention in May. It was suggested to Mr. Hymbaugh that if he had a business proposal that it should be channeled through staff for presentation to the Council.

Daniel DeHoog, 619 South 12th Street, voiced his concerns that the Ordinance for Seizure and Impoundment of Vehicles was not being rescinded if it did not deter DUIs. Attorney Burt Dancey rebutted Mr. DeHoog's assumption that the police would retaliate if citizens spoke in opposition to the ordinance.

Sherry Vogel, employee of Towerline Speedway urged the Council to consider the purchase proposal of Steve Hymbaugh for the Dragon's Dome.

Pam Hymbaugh, owner of Towerline Speedway indicated that thousands attend the entertainment facility a year. For Council not to consider the loan / purchase proposal would be turning away tourism dollars, necessitating the Dome and the Speedway businesses to close.

No closed session needed.

No further business to come before the Council, Mayor Pro Tem Strand called for a motion to adjourn the meeting. Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that **Council adjourn.** On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 7:10 P.M.

Sue E. McMillan
City Clerk