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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, JULY 23, 2001, AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, MASSAGLIA, ORRICK AND RICHMOND

ABSENT: NONE

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The Pledge of Allegiance was led by Amy Hasty, daughter of Commissioner Orrick.

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Orrick, seconded by Com'r. Barra, 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 July 9, 2001, and the Special Meeting of July 11, 2001, be approved as written.** On roll call vote, all present voted Aye.

Public Input On Agenda Items

Assistant States Attorney Bill Adkins addressed the New Business item regarding Children's Advocacy Centers. He stated his office represented the establishment of the facility required by the County to provide a means of caring for child crime victims. He requested the ordinance be passed as proposed allowing for the existing center in a residential multi-family zone. It was felt that something that resembled a home in a residential setting was less intrusive for an abused child and was needed to avoid further traumatizing. The Chair noted that the business before Council for action was for a definition change in the zoning code only and that the existing center would still be required to request and be approved for the special use. Barbara Welch, 420 Washington expressed concerns of the changing character of the neighborhood, that already several agencies were eroding the residential area, and that codes are changed after the fact to accommodate instead of plan for development. She asked that the zoning change then be broaden to single family R-1 zoning. Amy Werner 315 Buena Vista also voiced concerns for the operation of the Center located next-door to her occupying without authority and without input from the immediate neighbors nor in conjunction with the planning of downtown development.

Consent Agenda

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

1. Receive and File Monthly Reports: Fire. Police, Traffic Safety, Animal Control and Wastewater Treatment

2. Proclamations: "St. Jude Week" July 30, 2001

3. Receive and File Financials Statements prepared by Willock Warning & Co., P.C. April 30, 2001
   Tazewell/Pekin Consolidated Communications Center TPCCC
   Pekin Public Library Fund

4. Receive and File Application for Illinois Tomorrow Grant – Airport Road Extension

5. Receive and File Bids for Disposal Service for the Pekin City Hall and Police Facility Project Opened July 16, 2001 @10:00 a.m.

CONTRACTOR	20/25 YARDS	30 YARDS
CAPTAIN HOOK INC.	$285.00	$385.00
PDC SERVICES, INC.	$292.50	$292.50
WASTE MANAGEMENT	$285.00	$285.00

6. Receive and File Bids for Portable Sanitary Service for the Pekin City Hall and Police Facility Project opened July 16, 2001 @ 10:00 a.m.

SIMMONS SANITATION SERVICE INC.	$95.25 MONTH $25 PER CLEANING

7. Receive and File Bids for Sidewalk and Curb & Gutter Improvements Various Locations Opened July 9, 2001 @10:00 a.m. no bids – addendum July 16, 2001 @ 2:00 p.m.

CONTRACTOR	**TOTAL BID (SEE UNIT PRICING**
WISEMAN CONCRETE	$32,239.65
R A CULLINAN & SON INC	$78,517.80

8. Receive and File Bids for Parking Lots (Park District Arena and City) Maintenance Opened July 23, 2001 @10:00 a.m.

R A CULLINAN & SON INC	$203,200.60
ENGINEERS ESTIMATE	$219,198.90

9. Receive and File Bids for School Area Handicap Ramps opened July 18, 2001 @ 2:00 p.m. – no bids

10. Receive and File Minutes of the Pekin Planning Commission Meeting Dated July 11, 2001

11. Receive and File Planning Commission Recommendations and Hearings:
    (* - #1497 – tabled subdivision ordinance)
    #1498 – approve Special Use Request for Liquor Sales in a B-3 Zone, for Pepperoni's, 509 Parkway Drive
    #1499 – approve Site Plan for Pepperoni's, 509 Parkway Drive
    #1500 – approve Special Use for Liquor Sales in a B-3 Zone, for 21st Century Entertainment
    #1501 – approve Site Plan for 21st Century Entertainment
    #1502 – approve Zoning Ordinance amendment with a new definition for Child Advocacy Center
    #1503 – approve Subdivision Ordinance amendment with new specifications
    #1504 – approve adoption of 2001 Comprehensive Plan

On roll call vote all present voted Aye.

Com'r. Orrick read and presented the proclamation St. Jude Week to ambassador Todd Hasty. They spoke in support of the efforts of the St. Jude Family in raising funds through the Peoria to Memphis Run. The money goes to research and care of children with catastrophic diseases.

Communications, Petitions, Reports

A Public Hearing was opened at 5:40 p.m. for the purpose of discussing a Revised Comprehensive Plan and Official Map of the City of Pekin. Dennis Kief gave a follow-up to the meeting and hearings spent re-evaluating the 1995 Plan and thanked the Pekin Planning Commission and those persons in the community that contributed to its completion. He showed a PowerPoint presentation of the topics that are covered in the document and the attachments that are additions to the 2001 Revised Plan including specific areas of development. The Plan would be available on compact disc, hard copy and on the Web Page. Comments and reactions were solicited from the Council, staff, and those in attendance. The hearing was closed at 6:05 p.m.

New Business

Motion by Com'r. Orrick, seconded by Com'r. Massaglia, that the **SPECIAL USE REQUEST SUBMITTED BY PEPPERONI'S, FOR LIQUOR SALES AT 509 PARKWAY DRIVE** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Barra, that the **SITE PLAN SUBMITTED BY JOE SANDERS**, **PEPPERONI'S, FOR LIQUOR SALES AT 509 PARKWAY DRIVE** be approved. Code Enforcement Officer Jack Kluever confirmed that there were sufficient parking spaces for the business. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that the **SPECIAL USE REQUEST SUBMITTED BY DARRIN SWENDSEN 21ST CENTURY ENTERTAINMENT FOR LIQUOR SALES AT 1412 N 8TH STREET** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **SITE PLAN SUBMITTED BY DARRIN SWENDSEN 21ST CENTURY ENTERTAINMENT FOR LIQUOR SALES AT 1412 N 8TH STREET** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2252-OA
AMENDING TITLE 9 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING CHILDREN'S ADVOCACY CENTERS

Motion by Com'r. Barra, seconded by Com'r. Massaglia, that Ordinance No. 2252-OA be adopted. The Planning Commission recommendation called for a definition change in zoning to allow a child advocacy center in a multi-family district. Council expressed concern that the Center had been open for over a year at residentially zoned, 341 Buena Vista before they were informed of the non conforming use. Discussion followed on the placement or appropriateness of non-residential development in R-1 and Multi-family zoning districts. Mayor Tebben repeated his desire for the enforcement of occupancy permits which are provided for in the code as a means to avoid similar situations. Motion by Com'r. Orrick, seconded by Com'r. Massaglia, that Ordinance No. 2252-OA be amended to include R-1 single-family residences. City Manager Dick Hierstein felt such an amendment was too broad an expansion of the zoning code without a public hearing. The Chair asked that Mr. Kluever report back on the further discussion that the Planning Commission had recommending RM and not R-1 to R-4 because of parking requirements. On roll call vote all present voted Nay. Motion Failed. Roll was called for on original motion to adopt as presented. On roll call vote, all present voted Aye.

ORDINANCE NO. 2253
ADOPTING A REVISED COMPREHENSIVE PLAN AND OFFICIAL MAP FOR THE CITY OF PEKIN

Motion by Com'r. Barra, seconded by Com'r. Orrick, that Ordinance No. 2253 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2254
ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY WITHIN THE CITY OF PEKIN ILLINOIS
211 SABELLA STREET - SOURS

Motion by Com'r. Barra, seconded by Com'r. Richmond, that Ordinance No. 2254 be adopted. City Manager Hierstein stated the authorizations to purchase real estate were for future downtown expansion that will tie into the riverfront development. Com'r. Massaglia indicated he was unable to vote on the two ordinances without having received a report he had requested on the total estimated costs to acquire property in the riverfront development and the origin of the expenditures. Director of Planning and Development Kim Uhlig agreed to provide the report by Friday. Com'r. Barra felt that a suggestion to postpone action on the sale was not appropriate since seller had contracted and acted in good faith to close by August 1. On roll call vote; Ayes, Orrick, Barra, Richmond and Tebben; Nay, Massaglia. Motion carried.

ORDINANCE NO. 2255
ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY WITHIN THE CITY OF PEKIN ILLINOIS
219 SABELLA STREET - KLEIBER

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that Ordinance No. 2255 be adopted. On roll call vote; Ayes, Orrick, Barra, Richmond and Tebben; Nay, Massaglia. Motion carried.

ORDINANCE NO. 2256
AUTHORIZING AMENDMENT TO REAL ESTATE CONTRACT NTS SERVICE CORP.

Motion by Com'r. Massaglia, seconded by Com'r. Barra, that Ordinance No. 2256 be adopted. Director of Planning and Development Kim Uhlig told Council that the business owner had experience personal problems during his plans to move to Riverway Business Park. The amendment would extend construction for 6 months. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A185
AMENDING TITLE 8, CHAPTER 4, SECTION 1 OF THE CODE OF THE CITY OF PEKIN REGARDING NO PARKING
14 TH STREET AND BUS LOADING/RESTRICTED PARKING COURT STREET

Motion by Com'r. Massaglia, seconded by Com'r. Barra, that Ordinance No. 1462-A185 be adopted. Traffic Safety Committee recommended the restriction to no parking the length of 14th Street from VFW Road to Sheridan because of it's increased traffic and plans for expansion with turn lanes. Discussion followed on the need for parking on the north side for C. B. Smith School children pickup and traffic moving faster with no cars parked on 14th Street. Motion by Com'r. Massaglia, seconded by Com'r. Barra, that Ordinance No. 1462-A185 be amended to remove no parking north of Court Street. On roll call vote; Ayes, Orrick, Barra, Massaglia, Tebben; Nay Richmond. Discussion was heard on the concern no parking would place on businesses affected by the new zone. Vote was call on the Ordinance as amended. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that the **AGREEMENT FOR ENGINEERING SERVICES WITH FARNSWORTH GROUP, INC.** for Wastewater Pump Station Improvements, not to exceed $76,907.00, be approved. Public Works Director Dennis Kief recommended providing the construction supervision, 6% of the significant project to the treatment plant, for the technical expertise needed in the improvements. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that the **CHANGE ORDER WITH WIEGAND & STORRRER -** Decreased $3,463.27 to eliminate 15" Storm Sewer at New City Hall, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the City enter into a contract with **WISEMAN CONCRETE TO CONSTRUCT SIDEWALK AND CURB & GUTTER IMPROVEMENTS** at various locations at the unit prices submitted in their July 16, 2001 proposal, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **BID FOR PARKING LOTS (PARK DISTRICT ARENA AND CITY) MAINTENANCE** at Various Locations, in the amount of $203,200.60 be accepted and the work be authorized to R A Cullinan & Son, Inc., City portion approximately $95,626.21 and School portion approximately $107,579.39. On roll call vote, all present voted Aye.

Other Business
Com'r. Richmond asked that everyone tour the riverfront and observe the cleanup that has taken place and the completed downtown Court House lighting project.

Com'r Orrick expressed condolences in the loss of Robert Clevenger, an attorney, volunteer, and community leader. He requested that citizens obey the parking signs on streets in areas that are being repaired indicating it would help keep costs down when the contractors do not have to start, stop their projects to accommodate for or have parked vehicles towed. He also requested Traffic Safety Committee review the safety issue of walkers not using sidewalks but rather walking in the streets. Happy Birthday was wished to Taylor Hasty, the Commissioner's 5-year-old granddaughter.

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. Massaglia, seconded by Com'r. Orrick, that Council move to **Executive Session** at 7:10 p.m. to discuss Acquisition 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. Richmond, seconded by Com'r. Massaglia, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT: 7:15 P.M.

Sue E. McMillan
City Clerk