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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, JUNE 28, 1999, AT 5:30 O'CLOCK P.M.
LAURIE LOWMAN BARRA * MAYOR PRO TEM * PRESIDING

PRESENT: COMMISSIONERS, ORRICK, BARRA, JONES AND RICHMOND
ABSENT: MAYOR R. DAVID TEBBEN

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

Roll was called. Mayor Tebben and Commissioner Orrick were absent. A quorum was present and as provided by Resolution No. 237, establishing the procedure for appointing a mayor pro tem, Com'r. Barra was selected by alphabetical rotation to preside at this meeting.

Agenda

Motion by Com’r. Richmond, seconded by Com’r. Jones, that the **Agenda be approved as presented.** On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Jones, that the **Minutes of the Regular Rescheduled Council Meeting of June 15, 1999, be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

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

1. Receive and File Monthly Reports: Police
2. Receive and File Illinois Department of Transportation Route 9 Bridge Repaving Project Information Letter
3. Resolution No. 14 - Regarding Minutes of Executive Session Meetings of the City Council of the City of Pekin, Illinois
4. Pekin Planning Commission Minutes Dated June 9, 1999
5. Receive and File Pekin Planning Commission Recommendations:
   a. #1335 - approval of the preliminary Plat submitted by Dr. Clark for the subdivision to be named Parkridge Estates
   b. #1336 - approval of the Special use request, submitted by Jill's Family Restaurant, 3010 Court Street for liquor Sales, subject to the restaurant being open al all times liquor is being served
   c. #1337 - approval of the Site plan, submitted by Jill's Family Restaurant, 3010 Court Street
   d. #1338 - approval of the Special use, submitted by Robbie Bass, 317 Court Street, for liquor sales in a B-2 Zone
   e. #1339 - approval of the Site plan submitted by Robbie Bass, 317 Court Street, subject to a 2nd door being added
   f. #1340 - approval of the Special Use request submitted by Beck's, 317 Derby Street for Liquor Sales and Drive-in Window Liquor Sales
   g. #1341 - approval of the Site Plan submitted by Beck's 317 Derby Street
   h. #1342 - approval of the Amendment to the existing Tower Ordinance
   i. #1343 - approval of the Special Use request submitted by Alltel Communications for an extension of an existing tower in a R-1 Zone at 141 Stadium Drive
   j. #1344 - approval of the Site Plan submitted by Alltel for a tower extension at 141 Stadium Dr

On roll call vote all present voted Aye.

New Business

RESOLUTION NO. 15
PRELIMINARY AND FINAL PLAT OF PARK RIDGE ESTATES

Motion by Com'r. Richmond, seconded by Com'r. Jones, that Resolution No. 15 be adopted. Staff explained to Council the one curb cut on Broadway on the southwest corner of the property that would be shared with the property to the west. On roll call vote, all present voted Aye.
Motion by Com'r. Richmond, seconded by Com'r. Jones, that the **SPECIAL USE REQUEST**

SUBMITTED BY JILL'S FAMILY RESTAURANT, 3010 Court Street for Liquor Sales, subject to the restaurant being open at all times liquor is being served, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Jones, that the **SITE PLAN SUBMITTED BY JILL'S FAMILY RESTAURANT,** 3010 Court Street, be approved. On roll call vote, all present voted Aye.

Commissioner Orrick entered the meeting at 5:35 p.m.

Motion by Com'r. Richmond, seconded by Com'r. Jones, that the **SPECIAL USE REQUEST SUBMITTED BY ROBBIE BASS,** 317 Court Street for Liquor Sales in a B-2 Zone, be approved. Planning and Development Director Ed Basch addressed Council regarding this party's second request for a liquor sales special use. He reminded Council that the request to open a tavern in the 400 block of Court Street was denied previously because of use density. It was suggested an area with out a liquor establishment next door would be an appropriate location. Mayor Barra stated that she had voted in favor of the first request but felt the Planning Commission was inconsistent in their recommendations when there are several locations that serve liquor within a block of the proposal. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **SITE PLAN SUBMITTED BY ROBBIE BASS,** 317 Court Street, subject to a 2nd door being added, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **SPECIAL USE REQUEST SUBMITTED BY BECK'S,** 317 Derby Street for Liquor Sales, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **SPECIAL USE REQUEST SUBMITTED BY BECK'S,** 317 Derby Street for Drive-in Window Liquor Sales, be approved. Mr. Basch explained that the oil company had closed the gas business and sold cigarettes and soda only. They were intending to demolish the structure and construct a new building with a drive-up window. Commissioner Orrick stated that he was not in favor of drive-up window sales because the purchaser of liquor cannot be properly assessed for legal age or sobriety. Discussion followed on restricting the use by amending the Code and that denial would need to show that the existence of a drive-up would have a detrimental effect on the surrounding land use. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **SITE PLAN SUBMITTED BY BECK'S,** 317 Court Street, be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2166-OA
AMENDING TITLE 9, CHAPTER 13, OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING CONSTRUCTION AND MAINTENANCE OF ANTENNAE AND SUPPORTING TOWERS

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2166-OA be adopted. Mr. Basch was asked to address the amendment. He stated that presently existing towers could not be structurally altered. The ordinance would allow for up to 175' height enlargement under satisfied conditions. The change was proposed to apply to the two exiting towers located in the park, which the Planning Commission felt were not intrusions to the residential neighborhood. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **SPECIAL USE REQUEST SUBMITTED BY ALLTEL COMMUNICATIONS** for an extension of an existing tower in an R-1 Zone at 141 Stadium Drive, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that the **SITE PLAN SUBMITTED BY ALLTEL COMMUNICATIONS** for a tower extension at 141 Stadium Drive, be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2167
REVISING AND AMENDING ARTICLE 6, CHAPTER 2 OF THE PEKIN CITY CODE

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2167 be adopted. Attorney Oberle advised that the ordinance amended the misdemeanor code to give City police the authority to take action against those possessing drug paraphernalia under the city code instead of state statue. On roll call vote, all present voted Aye.

ORDINANCE NO. 2168
PROVIDING FOR EXECUTION OF AN AGREEMENT TO PURCHASE AND THE PURCHASE OF REAL PROPERTY WITHIN THE CITY OF PEKIN, ILLINOIS

Motion by Com'r. Orrick, seconded by Com'r. Richmond, that Ordinance No. 2168 be adopted. The agreement provides for the purchase of property in the 200 block of Court Street owned by Louis Ertmoed. The City Manager would return with a request to demolish the building because of the deteriorated condition of the property. Council discussed the availability of TIF funds for the work. On roll call vote, all present voted Aye.

RESOLUTION NO. 16
TRANSFER OF CONTROL FROM MEDIAONE OF ILLINOIS, INC. TO AT&T

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Resolution No. 16 be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 17
AUTHORIZING SUBMITTAL OF PIER PROJECT DNR GRANT PROPOSAL

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Resolution No. 17 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Orrick, that the **AGREEMENT WITH CLARK ENGINEERS MW, INC.** for Veterans Drive Extension Phase I Study, in the amount not to exceed $135,000, be approved. Ken Coulter, Transportation Engineer, was present to answer questions regarding the scope of the project for extension of the Veterans Drive from Court to Broadway. Public Works Director Dennis Kief explained that IDOT and the Federal Highway Administration were convinced to limit the project from I-474 to the scope of the construction project ending at Broadway. An overall study could have involved environmental issues and delayed the immediate interest of Phase I for several years. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Orrick, that the **AGREEMENT WITH LINCOLN OFFICE** for Space Analysis Feasibility Study, in the amount of $3,825 plus miscellaneous expenses billed at a 1.1 ratio, be approved. Mr. Hierstein felt the City's space need's were currently not being met especially the Police Department after the planned partnership for a shared facility failed. The study would determine if offices should be rearranged, renovated or moved to another location. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Orrick, that the City Manager be authorized **TO SOLICIT PROPOSALS FOR SALE OF CITY OWNED PARKING LOT** on the south side in the 500 block of Margaret Street, be approved. Mr. Hierstein stated that the City had been approached by the new owners of the Jones Brothers property to sell the lot behind the building to develop a rear entrance and rejuvenate the parking lot. He advised that the City would give notice to the public and other businesses and entertain proposals. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Orrick, that the City Manager be authorized **TO SOLICIT PROPOSALS FOR SALE OF CITY OWNED PARKING LOT** on the north side in the 300 block of Elizabeth Street, be approved. Mr. Hierstein informed Council that he had been approached by two downtown businesses interested in purchasing the unimproved lot. Council requested that the sale contain a developer's agreement containing language in regards to conformity to TIF standards and restrictions to development other than parking. On roll call vote, all present voted Aye.

Other Business

Mr. Hierstein explained that an Executive Session of Council to discuss collective bargaining was not necessary due to the fact that the Firefighters Union Local 524 and the City of Pekin had come to terms on a contract agreement. Council expressed their pleasure that an agreement had been reached.

Mr. Hierstein briefed Council on the status of the sewer project for Lutticken's Cove. The City would pursue two alternatives to the preferred proposal for a sanitary sewer through McNaughton Park. Staff would investigate the feasibility of running a line north from the new subdivision to Illinois Route 98 to the treatment plant. They would also look at placing a wastewater treatment plant on the Lutticken property. He also advised that the Department of Natural Resources had been contacted for an environmental study but responded that they did not have the resources for an on-site inspection.

COUNCIL ADJOURNED AT 6:20 P.M.

Sue E. McMillan
City Clerk