
**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, MAY 24, 2004 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, MADDOX, RICHMOND, JONES, AND MASSAGLIA

ABSENT: NONE

The **Pledge of Allegiance** was led by Firefighters of the Pekin Fire Department.

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **agenda be approved as presented**.
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 May 10, 2004 be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

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

1. Receive and File Monthly Reports: Fire, Traffic Safety, Electrical Commission, Project Status Report, Airport Commission, Inspections
2. Proclamation: "National Military Appreciation Month" May-June, 2004
3. Charitable Solicitation: Heart of Illinois Skating Club Tag Days July 2 -3, 2004
4. Resolution No. 60-04/05 – Mayor's Appointments to the Human Relations Commission
5. Receive and File Pekin Planning Commission Minutes Dated May 12, 2004
6. Receive and File Pekin Planning Commission Hearings and Recommendations:
 - a. #1626 - that the Special Use Request for Drive-Thru Window for an ice cream business, B-3 at 1800 Court Street be approved
 - b. #1627 – that the Site Plan for a Drive-Thru Window at 1800 Court Street be approved
 - c. #1628 – the Commission has no recommendation for the Special Use for Liquor Sales at 251 Derby Street as it was removed from the agenda
 - d. #1629 – that the Site Plan for 251 Derby Street be approved, conditioned upon it meeting all of the landscaping requirements

On roll call vote all present voted Aye.

Communications, Petitions, Reports

Fire Chief Chuck Lauss presented renewed **MEDAL OF HONOR AND MEDALS VALOR**. He explained each symbolic aspect and it's representation in the newly designed medals. The Medal of Honor was accepted by Firefighters John Able and Rod Scovil which they had originally been awarded in 2002. Captain Joseph Stubbs was not present to accept his redesigned Medal of Honor which he was awarded in 1993.

Mayor Howard acknowledged retiring Firefighter Dan Shipman in attendance. He applauded the fireman's 27 years of service to the department and the City.

Pamela Anderson presented to the Council the annual One Imperative Award given to the City of Pekin. Ms. Anderson reported that she and Mayor Howard accepted the award on behalf of the City at the Y's Women's Recognition Day luncheon. The YWCA has given the special award to individual, business or

organization demonstrating significant dedication to achieving the goal of the Young Women's Christian Association: "Trust its collective power toward the elimination of racism wherever it exists and by any means necessary." The City was rewarded for their dedication to relieve perceived racism in the community through Pekin Coalition for Equality. The City has assisted in finding grant funding from the federal Government to support the activities and projects of the coalition.

Unfinished Business

ORDINANCE NO. 2275

AMENDING TITLE 2, CHAPTER 12 OF THE CODE OF THE CITY OF PEKIN REGARDING PEKIN AREA CONVENTION AND VISITORS COMMITTEE

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Ordinance No. 2375 **BE REMOVED FROM THE TABLE**. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Ordinance No. 2375 **BE AMENDED BY ATTACHING AN AMENDED EXHIBIT A**. Com'r. Maddox explained that the changes now addressed the concerns of Council regarding jurisdiction under Mayor and not the City Manager, parameter instead of "perimeter", appointment of members. Com'r. Richmond asked to further amend changes. Com'r. Maddox felt the presented Exhibit needed to be voted on first. On Attorney Dancey's opinion, the Chair called for a vote on the amendment. On roll call vote, all present voted Aye.

Motion was then made by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 2375 **BE AMENDED BY CHANGING CAP OF \$3,000 TO \$2500 IN EXHIBIT A**. Discussion followed. Com'r. Jones expressed concern that even by reducing the committee's authorization to approve grants for the lesser amount, the Council would still not hear of significant awards or applicants. It was the opinion of the Chair that the concern was addressed by appointing a representative from the Council to the committee as a voting member. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Ordinance No. 2375 **BE ADOPTED AS AMENDED**. On roll call vote, all present voted Aye.

New Business

RESOLUTION NO. 61-04/05

APPOINTMENTS TO THE PEKIN AREA CONVENTION AND VISITORS COMMITTEE

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that Resolution No. 61-04/05 **BE ADOPTED**.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that Resolution No. 61-04/05 **BE AMENDED TO INCLUDE THE FOLLOWING NAMED APPOINTMENTS:**
DIRECTOR OF PLANNING AND DEVELOPMENT – KIM UHLIG
PEORIA AREA CONVENTION & VISITORS BUREAU – RICK JAMESON
PEKIN MAIN STREET – EMILY LAMBE
SOUTHSIDE BUSINESS ASSOCIATION – LINDA MILLER
On roll call vote, all present voted Aye

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 61-04/05 **AS AMENDED BE ADOPTED**. Mayor Howard explained that he was advised by Counsel that provisions in the Code required designated department, organization, or business non-voting members required a named appointment. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **SPECIAL USE FOR A DRIVE-THRU WINDOW AT 1800 COURT STREET FOR ICE CREAM BUSINESS** be approved. City Engineer Joe Wuellner addressed Council's questions on lighting and traffic flow. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **SITE PLAN FOR A DRIVE-THRU WINDOW AT 1800 COURT STREET FOR ICE CREAM BUSINESS** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond seconded by Com'r. Massaglia, that the **SITE PLAN SUBMITTED BY STEVE SCHROEDER FOR LIQUOR SALES AT 251 DERBY STREET** be approved **SUBJECT TO MEETING ALL LANDSCAPE REQUIREMENTS**. Special Use for liquor sales was not necessary because the original special use attached to the property. It was Attorney Dancy's opinion that it was appropriate to consider a recommendation from the Planning Commission for the site plan. An occupancy permit would be issued after landscaping requirements were met. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A222

AMENDING TRAFFIC CODE TITLE 8, CHAPTER 3, SECTION 8 OF THE CODE OF THE CITY OF PEKIN REGARDING FRONT STREET AS A ONE-WAY STREET

Motion by Com'r. Richmond, seconded by Com'r. Jones, that Ordinance No.1462-A222 be adopted. Com'r. Richmond explained each of the following Traffic Safety Recommendations were related to clean up of the Code for listing through streets in new subdivisions, new traffic signal for Super Wal Mart development area, and Front Street as a one-way that no longer existed. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A223

AMENDING TRAFFIC CODE TITLE 8, CHAPTER 2, SECTION 11 OF THE CODE OF THE CITY OF PEKIN REGARDING THROUGH STREETS

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1462-A223 be adopted.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1462-A223 **BE AMENDED TO INCLUDE THE FOLLOWING:**
THROUGH CONTROL ON DANE-KELSEY FROM KENNEDY DRIVE TO SUSAN HOPE.
On roll call vote, all present voted Aye.

- Clerks note: Motion was not made to adopt Ordinance 1462-A223 as amended. The changes to that Ordinance were reaffirmed in Ordinance 1462-A225

ORDINANCE NO. 1462-A224

AMENDING TRAFFIC CODE TITLE 8, CHAPTER 2, SECTION 2 G. OF THE CODE OF THE CITY OF PEKIN REGARDING TRAFFIC SIGNAL AT COMMERCIAL DRIVE

Motion by Com'r. Jones, seconded by Com'r. Maddox, that Ordinance No.1462-A224 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Jones seconded by Com'r. Massaglia, that the **INTERGOVERNMENTAL AGREEMENT WITH PEKIN PARK DISTRICT FOR THE RIVERFRONT DEVELOPMENT** be approved. City Manager Dennis Kief focused on the revisions contained in the agreement for development, ownership, operation and maintenance of the joint project. Concerns of Council members regarding mower reference and City ownership were addressed in the presented document. On roll call vote, all present voted Aye.

Motion by Com'r. Jones seconded by Com'r. Richmond, that the **CITY COUNCIL MEET IN OPEN SESSION ON MAY 26, 2004 AT 4:00 P.M. FOR A SPECIAL MEETING** be approved. The agenda for the meeting stated a tentative date of June 2. Mr. Kief stated the intention of moving up the meeting was to take advantage of the construction season for street maintenance award. On roll call vote, all present voted Aye.

Other Business

Com'r. Jones commented that he had received his property tax bill and that the City portion had increased. Mr. Kief distributed an example comparison of yearly percent of City portion of a total tax bill and reported this year was the first increase since in 10 years. He had given this explanation to the taxpayers who had called concerned about their bills.

Reporters from the *Peoria Journal Star*, *Pekin Daily Time* and Media were given the opportunity to ask questions.

Mayor Howard announced the Dedication of the Landmark Clock would take place on June 14 @ 6:00 p.m. in front of City Hall

Com'r. Massaglia acknowledged successful events sponsored in the community over the last week, Derby Days, Main Street Pier Party and Jim Timke Jazz Fest.

Motion by Com'r. Jones, seconded by Com'r. Richmond that Council move to **Executive Session** at 6:16 P.M. to discuss Employment of Specific Employee of the Public Body ILCS 120/2 (c.) 1. and Litigation ILCS 120/2 (c) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, Council returned to open session and a motion was made by Com'r. Jones, seconded by Com'r. Richmond that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk