
**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 23, 2005 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, BLANCHARD, MADDOX, DAGIT, AND JONES

ABSENT: NONE

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

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Maddox, seconded by Com'r. Blanchard, that the **agenda be amended by removing the following items: from Consent 7. Liquor Commission Recommendations from New Business 6. Approval of Liquor at 2307 Court Street and 7. Approval of Liquor at 3321 Griffin.** On roll call vote, all present voted Aye.

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

Motion by Com'r. Blanchard, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of May 9, 2005 be approved as written.** On roll call vote, all present voted Aye.

Public Input on Agenda Items

Dennis Vaughn – Dome objection to serving alcohol request vote no
Commissioner Blanchard Congratulations Class of 2005
Mike Dever Zoning Ordinance

Consent Agenda

City Clerk Sue McMillan presented the following items under consent Agenda.

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

1. Receive and File Monthly Reports: Police, Fire, Wastewater Treatment, Liquor Commission 5/12/05
2. Solicitation: American Legion Post 44 Poppy Days May 26-28, 2005
Davy Fitzgerald Benefit October 8, 2005
3. Proclamation: American Legion Poppy Days May 26-28, 2005
4. Receive and File Bids CDBG Sidewalks and Handicapped Ramps Project II
5. Resolution No. 105-05/06 – Authorizing Additional Fund Depository Busey Bank
6. Resolution No. 106-05/06 - Annual Appointments
8. Receive and File Zoning Board of Appeals Minutes Dated May 11, 2005
9. Receive and File Pekin Planning Commission Minutes Dated May 11, 2005
10. Receive and File Pekin Planning Commission Hearings and Recommendations:
 - a. #1668 – Recommends approval rezoning property in the North ½ of Pekin Edgewater, Sec 3 on Lakeshore Drive from B-1 to OS-1 for Mike Dever, Owner
 - b. #1669 – Recommends approval of rezoning of Part D in East Willow Addition and Lots 248 & 246 in Greenbrier Sec #3 from B-1 to RM-3 for William J. Leman, Owner

- c. #1670 – Recommend approval of the amendment of Chapter 6 of the Zoning Code of the City of Pekin Article A, B-1 (Local Business District), 9-6A-2, Principal Uses Permitted to include Restaurants that serve liquor/alcohol

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

Police Chief Gillespie presented a Life Safety award to Mike Ward for his effort on 12/22/04 overdose.

Dustin Salmon Officer of the Year

Sam Cretaro Firefighter of the year

Mitsubishi Purchase Agreement

New Business

ORDINANCE NO. 1568-A-155

PROVIDING FOR THE REZONING OF CERTAIN PROPERTY

DEVER/ LOT 32 EDGEWATER PARK B-1 TO OS-1

PIN PART OF 04-04-23-401-021

Motion by Com'r. Jones seconded by Com'r. Maddox, that Ordinance No 1568-A 155 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A-156

PROVIDING FOR THE REZONING OF CERTAIN PROPERTY

LEMAN/ LOTS 248 AND 246 GREENBRIER SECTION 3 B-1 TO RM-3

PIN 04-04-36-111-010 (PART D) 04-04-36-103-021 AND 04-04-36-103-038

Motion by Com'r. Jones seconded by Com'r. Dagit, that Ordinance No 1568-A 156 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2329-OA

AMENDING THE ZONING CODE OF THE CITY OF PEKIN 1995

TITLE 9, CHAPTER 6A, SECTION 2

REGARDING RESTAURANTS THAT SERVE LIQUOR

Motion by Com'r. Maddox seconded by Com'r. Dagit, that Ordinance No 2329-OA be adopted.

Motion by Com'r. Maddox

The motion amending Title 9, Chapters 7A, Section 3 be amended by deleting the words:

“then said use shall be permitted, subject to the review and approval of the site plan and the use by the City Council, after a hearing and recommendation is received from the Liquor Commission for each use, and after recommendation is received from Staff as to the site plan.”

With the words:

“then said use may be permitted, subject to the review and approval of the site plan and the use by the City Council after:

(A) a recommendation is made by staff to the Liquor Commission; and

(B) A hearing and recommendation is received from the Liquor Commission as to the use.

the motion amending Title 9, Chapters 6A, Section 3 be amended by deleting the words:

“such use may be permitted, subject to the review and approval of the site plan and the use by the City Council, after a hearing and recommendation is received from the Liquor Commission for each use, and after recommendation is received from Staff as to the site plan.”

With the words:

“such use may be permitted, subject to the review and approval of the site plan and the use by the City Council after:

(C) a recommendation is made by staff to the Liquor Commission; and

(D) A hearing and recommendation is received from the Liquor Commission as to the use.

the motion amending Title 9, Chapters 6B, Section 3 be amended by deleting the following words:

“such use may be permitted, subject to the review and approval of the site plan and the use by the City Council, after a hearing and recommendation is received from the Liquor Commission for each use, and after recommendation is received from Staff as to the site plan.”

With the words:

“such use may be permitted, subject to the review and approval of the site plan and the use by the City Council after:

(E) A recommendation is made by staff to the Liquor Commission; and

(F) A hearing and recommendation is received from the Liquor Commission as to the use.

Ordinance No. 2030-OA be amended by deleting all of 9-6C-3 and inserting in its place the following wording:

SPECIAL USES: With the exception of (J), the following uses may be permitted, subject to the review and approval of the site plan and use by the City Council after a hearing and recommendation is received from the Planning Commission for each use, and subject further, to such conditions imposed by the City Council and the conditions herein imposed for such use: as to (J), such use may be permitted, subject to review and approval of the site plan and the use by the City Council after:

(A) A recommendation is made by staff to the Liquor Commission; and

(B) A hearing and recommendation is received from the Liquor Commission as to the use

On roll call vote, all present voted Aye.

ORDINANCE NO. 2330-OA
AMENDING THE ZONING CODE OF THE CITY OF PEKIN 1995
TITLE 9, CHAPTER 6 AND 7
REGARDING SITE PLAN OF SPECIAL USE LIQUOR SALES

Motion by Com'r. Maddox seconded by Com'r. Dagit, that Ordinance No 2330-OA be adopted. On roll call vote, all present voted Aye.

The motion amending Title 9, Chapters 6 and 7 of the Code of the City of Pekin 1995 regarding special use be amended by deleting all of 9-6C3 and inserting in its place the following wording:

SPECIAL USES: With the exception of (J), the following uses may be permitted, subject to the review and approval of the site plan and use by the City Council after a hearing and recommendation is received from the Planning Commission for each use, and subject further, to such conditions imposed by the City Council and the conditions herein imposed for such use: as to (J), such use may be permitted, subject to review and approval of the site plan and the use by the City Council after:

(C) A recommendation is made by staff to the Liquor Commission; and

(D) A hearing and recommendation is received from the Liquor Commission as to the use

ORDINANCE NO. 2331
AMENDING THE LIQUOR CODE OF THE CITY OF PEKIN 1995
TITLE 3, CHAPTER 3
REGARDING REVIEW OF SITE PLAN BY STAFF

Motion by Com'r. Maddox seconded by Com'r. Blanchard, that Ordinance No 2331 be adopted. On roll call vote, all present voted Aye.

The motion amending Title 3, Chapters 3 of the Code of the City of Pekin 1995 regarding Liquor Control be amended by deleting all of 3-3-4-11: Special uses, and inserting in its place the following wording:

SPECIAL USES: Special uses for liquor licenses and licensed premises may be permitted subject to the review and approval of the site plan and use by the City Council after;
A recommendation is made by staff to the Liquor Commission; and
A hearing and recommendation is received from the Liquor Commission as to the use.

ORDINANCE NO. 2332
AMENDING THE LIQUOR CODE OF THE CITY OF PEKIN 1995
TITLE 6, CHAPTER 3
REGARDING ANIMALS

Motion by Com'r. Maddox seconded by Com'r. Dagit that Ordinance No. 2332 be adopted. Motion by Com'r. Maddox, seconded by Com'r. Dagit that the amendment to Title 6, Chapter 3 of the Code of the City of Pekin 1995 on Animals be amended by Inserting in Section 10 (l) before the words any animal, the words, "The owner of", In section 11 by re-naming 10 (r) to 11 (r) and inserting before the words "any animal, the words "The owner of." On roll call vote, all present voted Aye.

ORDINANCE NO. 2333
AMENDING THE CODE OF THE CITY OF PEKIN 1995
TITLE 1, CHAPTER 5 ADMINISTRATION
REGARDING COUNCIL ORDER OF BUSINESS

Motion by Com'r. Maddox seconded by Com'r. Blanchard, that Ordinance No 2333 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A-233
AMENDING THE TRAFFIC CODE OF THE CITY OF PEKIN 1995
TITLE 8, CHAPTER 2 SECTIONS 10 AND 11
REGARDING LAKE STREET AREA YIELD SIGNS

Motion by Com'r. Blanchard seconded by Com'r. Maddox, that Ordinance No 1462-A233 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Maddox that the acceptance of the bids for CDBG Sidewalks and Handicapped Ramps Project be tabled. On roll call vote, all present voted Aye.

Motion by Com'r. Dagit, seconded by Com'r. Maddox that the **EMPLOYEE AGREEMENT WITH PEARL TECHNOLOGY** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Blanchard, seconded by Com'r. Maddox that the **INTERGOVERNMENTAL AGREEMENT WITH CITY OF PEORIA FOR HEARTER SCARIFY** of streets, not to exceed \$31,525.00 be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 107-05/06

Motion by Com'r. Jones, seconded by Com'r. Dagit that the Mayor and City Clerk be authorized to execute and file with the Department of Transportation, **RESOLUTION NO. 107-05/06**, Appropriating \$600,000 MFT Funds for Maintenance of Streets and Highways By Municipality Under the Illinois Highway Code and all documentation required.

Motion by Com'r. Dagit, seconded by Com'r. Maddox that the **AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE 105, May 1, 2003-April 30, 2007** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 108-05/06

MAYOR'S APPOINTMENT OF COMMITTEE FOR TREASURER SEARCH

Motion by Com'r. Dagit, seconded by Com'r. Maddox. On roll call vote, all present vote, all present voted Aye.

RESOLUTION NO. 109-05/06

**MAYOR'S APPOINTMENT OF COUNCIL MEMBERS AS LIAISON TO COMMISSIONS.
COMMITTEE AND BOARDS**

Motion by Com'r. Dagit, seconded by Com'r. Maddox. On roll call vote, all present vote, all present voted Aye.

Other Business

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

Motion by Com'r. Dagit, seconded by Com'r. Maddox that Council move to **Executive Session** at 6:45 P.M. to discuss Pending Litigation ILCS 120/2 (c) 11. On roll call vote, all present voted Aye. Executive Session began at 6.25 p.m.

No further business to come before the Council, a motion was made by Com'r. Maddox seconded by Com'r. Jones that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk