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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
111 SOUTH CAPITOL STREET
ON MONDAY, FEBRUARY 28, 2005 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, RICHMOND, MASSAGLIA, AND JONES

ABSENT: COMMISSIONER MADDOX

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

The Mayor informed Council that Commissioner Maddox had made him aware by a copy of a letter that he would be unable to attend the meeting due to his agreement to serve on Loucks-Edison Strategic Planning Committee.

Roll was called and all commissioners were present except Com’r. Maddox.

Agenda

Motion by Com’r. Jones, seconded by Com’r. Massaglia, that the **agenda be amended** by removing under Communications, Petitions, Reports, Retirement Presentation and under Consent Agenda remove item 6. Resolution No. 94-04-05 to New Business as 8 (a). On roll call vote, all present voted Aye.

Motion by Com’r. Jones, seconded by Com’r. Massaglia, that the **agenda be approved as amended**. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com’r. Massaglia, that the **Minutes of the Regular City Council Meeting of February 14, 2005 and the Special Council Meeting February 17, 2005 be approved as written.** On roll call vote, all present voted Aye.

Public Input

Michael Goetz Executive Director of Laborers’ Home Development Corp. informed Council of the proposed construction of an assisted senior living facility. Visual presentation of the building plan and finished $8 million dollar facility were displayed. The project would be contingent upon the approval of the Illinois Department of Human Services. An environmental Impact study showed the home would work well in the area and a study showed there was need for additional supportive living. George Dingus President Development Services Group, Inc. reported that the corporation was assisting in the financial plan. The Laborers’ Home Development Corp. had built a facility in Decatur last year. Council was requested to approve rezoning ordinance from B-3 to RM-3 Multiple Family Residential District of Lots 5,6,8 & 9 in Gingoteague Section Four owned by Paul Cross.

Consent Agenda

City Clerk Sue McMillan presented the following items under consent Agenda.
Motion by Com'r. Jones, seconded by Com'r. Massaglia, that the Consent Agenda b**e approved as amended.**

1. Receive and File Monthly Reports: Project Status, Building Reports and LADD

2. Charitable Solicitation: Pekin Girls American Youth Basketball Tour April 8 and 9

3. Receive and File Illinois Environmental Protection Agency Storm Sewer Coverage

4. Policy No. 10 – Vehicle Maintenance

5. Resolution No. 93-04/05 - Final Plat Lake Whitehurst Cliffs Section Three

6. * moved to New Business

7. Receive and File Zoning Board of Appeals Minutes Dated February 9, 2005

8. Receive and File Pekin Planning Commission Minutes Dated February 9, 2005

9. Receive and File Pekin Planning Commission Hearings and Recommendations:
    a. #1650 – Recommends Approval Rezoning Laborers' Home Development Corp. Lots 5,6,8 & 9 Gingoteague Section Four
    b. #1651 – Recommends Approval Special Use for Used Car Lot from Mike Holcomb located at 1800 Court Street
    c. #1652 – Recommends Approval Site Plan 1800 Court Street as Used Car Lot

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

Dan Kent Law Enforcement Liaison for Illinois Department of Transportation awarded the following five Pekin Police Officers DUI Enforcement Certificates for their efforts in helping to combat drunk driving:

Matt Dameron	29	James Guerra	53
Dennis Franks	30	May Pulliam	69
Dustin Salmon	43		

Police Chief Tim Gillespie extended appreciation for the officers' work.

New Business

ORDINANCE NO. 1568-A151
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY IN GINGOTEAGUE SECTION 4 SUBDIVISION
PIN 10-10-11-412-001, 002, 004 & 005

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 1568-A151 be adopted. Public Works Director Joe Wuellner reported the Planning Commission recommended approval of rezoning to multifamily. The Zoning was appropriate fit in the area. Com'r. Jones questioned if the non-profit group was exempt from property tax. It was confirmed that the Group will pay property tax. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond that the **SPECIAL USE REQUEST FOR USED CAR LOT** located at 1800 Court Street by Mike Holcomb**,** be approved. Com'r. Richmond questioned if staff agreed with the site as a used car lot. Discussion followed. Motion by Com'r. Richmond, seconded by Com'r. Massaglia that the **SPECIAL USE REQUEST FOR USED CAR LOT** located at 1800 Court Street by Mike Holcomb**,** be tabled. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia seconded by Com'r. Richmond that the **SITE PLAN FOR USED CAR LOT** located at 1800 Court Street by Mike Holcomb**,** be approved. Motion by Com'r. Massaglia seconded by Com'r. Richmond that the **SITE PLAN FOR USED CAR LOT** located at 1800 Court Street by Mike Holcomb**,** be tabled. On roll call vote, all present voted Aye.

RESOLUTION NO. 95-04/05
RESPECTING CODE EXCEPTIONS FOR DRAGON'S DOME

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Resolution No. 95-04/05 be adopted. Public Works Director Joe Wuellner explained that President Bob Adams requested an extension to the existing "temporary" Occupancy Permit because the fire suppression system had not been installed to date. Randy West Illinois American Water addressed questions regarding the completion of the water line upgrades. The extension to May 1, 2005 would require adoption of the resolution of intent, Planning Commission hearing and ordinance change. Mr. Wuellner recommended there be no further extensions, that if capacity is over 300 people or a non-sporting event, the Dome be required to hire the Fire Department to stand fire watch, and that if the system is not operational by May 1 the dome be closed. On roll call vote, all present voted Aye.

ORDINANCE NO. 2412
AMENDING TITLE 1, CHAPTER 5, SECTION 3 OF THE CODE OF THE CITY OF PEKIN REGARDING ELECTRONIC ATTENDANCE AT PUBLIC MEETINGS

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that Ordinance No. 2412 be adopted. Com'r. Jones asked for additional information and questioned the origin of the idea to implement the procedure. Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 2412 be tabled. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond that the **LETTER OF UNDERSTANDING WITH ILLINOIS DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNALS** be approved. City Manager Dennis Kief told Council that IDOT planned to modernize traffic signals at 5 intersections in the City of Pekin. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **LEASE AGREEMENT WITH ILLINOIS DEPARTMENT OF NATURAL RESOURCES** for Rt. 29 Signage be approved. Director of Public Property Greg Ranney explained to Council that the renewal of the lease, which involved no money, was for the area the Welcome sign was on. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Jones that a **PUBLIC HEARING FOR ANNEXATION AGREEMENTS BE SET FOR MARCH 28, 2005 AT 5:30 P.M.** On roll call vote, all present voted Aye.

ORDINANCE NO. 2413
AMENDING TITLE 3, CHAPTER 3, SECTION 3 OF THE CODE OF THE CITY OF PEKIN REGARDING LIQUOR CODE

Motion by Com'r. Richmond, seconded by Com'r. Jones, that Ordinance No. 2413 be adopted. Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 2413 be amended by removing Exhibit A and replacing with the following new Exhibit:

3-3-3 LOCAL LIQUOR COMMISSION

(a) A local liquor commission is created consisting of seven (7) members, including the Chief of Police and the Fire Chief, appointed by the Local Liquor Commissioner, subject to the advice and consent of the City Council, for the following terms: one (1) member shall be appointed for a term ending one year from date of appointment; one (2) member shall be appointed for a term ending two years from date of appointment; and one (2) member shall be appointed for a term ending three years from date of appointment. All appointments thereafter shall be for a term of three (3) years each. Members shall hold office for their designated terms and until their successors have been appointed. No license holder shall be appointed to the commission.

Council members spoke in support of a compromise to having the fire chief and police chief as voting members if the commission consisted of a total of 7 members. On roll call vote, all present voted Aye. On roll call vote, all present voted Aye on Ordinance 2413 as amended.

RESOLUTION NO. 94-04/05
APPOINTMENTS TO THE LIQUOR COMMISSION

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Resolution No. 94-04/05 be adopted. Motion by Com'r. Richmond, seconded by Com'r. Jones, that Resolution No. 94-04/05 be amended by removing all persons and Staff Advisory and inserting in its place the following:

DON NELL
913 TRUMAN
346-2175... TERM ENDS FEBRUARY, 2008

DAVID L. EITENMILLER
1518 SOUTH 5TH STREET
346-3015 .... TERM ENDS FEBRUARY, 2008

GARY ALLEN
213 GUNION
346-5583 .... TERM ENDS FEBRUARY, 2007

JOHN MCCABE
1407 GLENDALE
346-8303 .... TERM ENDS FEBRUARY, 2007

ROY BOCKLER
2226 AUTUMN
346-5808 .... TERM ENDS FEBRUARY, 2006

CHIEF OF POLICE .... INDEFINITE TERM

FIRE CHIEF ..……......................... INDEFINITE TERM

On roll call vote, all present voted Aye. On roll call vote, all present voted Aye on Ordinance 2413 as amended.

Public Questions

Bill Gilroy told Council that his cars were covered with concrete dust as a result of the demolition project of the grain bins. Public Works Director Joe Wuellner explained that a decision was made the day referred to not to keep the project watered because of the temperature and the direction of the wind into the equipment operator's eyes. Mayor Howard asked the City Manager to assess the monetary reconcilement Mr. Gilroy was seeking.

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

Executive Session was cancelled and there being no further business to come before the Council, a motion was made by Com'r. Richmond, seconded by Com'r. Jones that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 6:15 P.M.

Sue E. McMillan
City Clerk