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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 27, 2006 AT 5:30 O'CLOCK P.M.
FRANK H. MACKAMAN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BLANCHARD, JONES, MADDOX AND DAGIT

ABSENT: NONE

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

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Blanchard seconded by Com'r. Maddox, that the **agenda be approved as presented**. 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 February 13, 2006 be approved as written.** A motion was made by Commissioner Blanchard and seconded by Commissioner Maddox to amend the minutes of the February 13th meeting related to Commissioner Blanchard and Commissioner Dagit's opposition to the motion to spend $20,000 for a Feasibility Study of Water Utility Acquisition. The motion to amend the minutes was defeated on roll call vote; Ayes. Blanchard and Dagit, Nays, Jones, Maddox, Mackaman. Mayor Mackaman asked that the roll be called on the original motion to approve the minutes as written. On roll call vote; Ayes, Maddox, Jones, Dagit, Mackaman, Nay, Blanchard. Motion Carried.

Public Input on Agenda Items

Jeff Todd 13584 E. Manito Road addressed Council in regards to the Special Use and Site Plan for a Quad Track under New Business. He expressed concern that the four wheelers surround his home and produce a large amount of dust and dirt that invades his property.

Blake Libby 1312 Illinois Street questioned the Council on which channels were being added regarding the correspondence received from Insight Communications under the Consent Agenda. Council and Manager were unable to answer the question and Mr. Libby was advised to contact the cable company.

Mr. Owens 102 South Second Street spoke regarding the Quad Track.

Freda Williams 1303 Arthur stated that Mr. Todd did not live in the property that he spoke of in opposing the Quad Track expansion site.

Shawn Ray 111South 4th Street supported the Quad Track and stated that the drivers do not raise dust in the unloading area because of driving slowly for safety reasons.

Consent Agenda

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

Mayor Mackaman presented and read the following items under Consent Agenda.

1. **Receive and File Reports and Minutes:** Airport Commission Minutes Dated January 11, 2006

2. **Approve Proclamation:** **"Young Author's Week"** **April 3, 2006**
   "Motorcycle Awareness Month" **May 2006**

3. **Receive and File Insight Communications Notice of relocation of 2 channels and addition of 1 channel**

4. **Receive and File Planning Commission Minutes Dated February 8, 2006**

5. **Receive and File Planning Commission Hearings and Recommendations:**
    a. Hearing #1698 - Special Use to amend Quad Track Expansion be denied
    b. Hearing #1699 – Amended Site Plan for Quad Track Expansion be denied
    c. Hearing #1700 – Preliminary Plat Marigold Estates Phase 12 and
       Rezone Marigold Estates Phase 12 from AG to R-2 be approved

On roll call vote, all present voted Aye.

Communications, Petitions, Reports
Monthly Financial Report
Finance Director Bob Reis summarized the City's finances as of January 31, 2006. The City continued to improve it's financial position with net income for General Operations increasing $133,000 in January and $318,000 for General Operations Plus. Using a pie-chart he explained revenues and expenditures percentages and explained to Council the difference in funds of the General Operations Plus category. Council discussed the TIF sales tax decline caused by the evolution of downtown from retail to service oriented. Mr. Reis advised that Council should be aware that the decline would make property tax the major funding source for future TIF revenues. The TIF fund would support the bond indebtedness.

New Business
Motion by Com'r. Maddox, seconded by Com'r. Blanchard that the **SPECIAL USE REQUEST FROM CHARLES WILLIAMS TO AMEND THE SITE PLAN FOR QUAD TRACK EXPANSION** on the Manito Blacktop be denied. Commissioner Maddox spoke in support of allowing Mr. Williams the time to rectify the list and timetable for compliance on the original approval of the special use that he had just become aware of earlier in the day. Commissioner Maddox then made a motion the motion was seconded by Commissioner Dagit that the **SPECIAL USE REQUEST FROM CHARLES WILLIAMS TO AMEND THE SITE PLAN FOR QUAD TRACK EXPANSION** on the Manito Blacktop be tabled. On roll call vote, all present voted Aye.

Commissioner Maddox stated for consistency he would make the following motions on the matter of the Quad Track:

Motion by Com'r. Maddox, seconded by Com'r. Blanchard that the **SITE PLAN FROM CHARLES WILLIAMS TO AMEND THE SITE PLAN FOR QUAD TRACK EXPANSION** on the Manito Blacktop be denied.

Motion by Com'r. Maddox, seconded by Com'r. Dagit that the **SITE PLAN FROM CHARLES WILLIAMS TO AMEND THE SITE PLAN FOR QUAD TRACK EXPANSION** on the Manito Blacktop be tabled. On roll call vote, all present voted Aye.

RESOLUTION NO. 140-05/06
PRELIMINARY PLAT MARIGOLD ESTATES PHASE 12
Motion by Com'r. Jones, seconded by Com'r. Dagit, that Resolution No. 140-05/06 be adopted. The plat met all the requirements and the Planning Commission recommended that the plat be accepted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A161
REZONING MARIGOLD ESTATES PHASE 12 AG TO R-2
Motion by Com'r. Jones, seconded by Com'r. Dagit, that Ordinance No. 1561-A161be adopted. Public Works Director Joe Wuellner advised Council that the Planning Commission reviewed the plat for Marigold Phase 12 and found that the requested zoning classification complied with the comprehensive plan and fit the surrounding zoning. Recommendation came form the Planning Commission. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Dagit that the AGREEMENT WITH CINCINNATI TOWNSHIP FOR EXCHANGE OF MANPOWER be adopted. Superintendent of Streets David Pagliaro explained to Council that The Township agrees to do some snow control for the City of Pekin in outlying areas, South 5th Street and VFW Road in exchange for the City cleaning the Township's wet wells in various locations in Shafferville and South Pekin. He advised that there is no payments between the parties.

On roll call vote, all present voted Aye.

RESOLUTION NO. 141-05/06
AUTHORIZING 2006 STREET MAINTENANCE MFT FUNDING

Motion by Com'r. Dagit, seconded by Com'r. Jones, that Resolution No. 141-05/06 be adopted. Superintendent of Streets David Pagliaro recommended the resolution authorizing the use of Motor Fuel Funds in the amount of $725,000 and CDBG Funds in the amount of $100,000 for the 2006 Street Maintenance Program. The 30 miles of street improvement would be bid through Illinois Department of Transportation. No brick streets were included in the 2006 project. On roll call vote, all present voted Aye.

ORDINANCE NO. 2461
AMENDING THE CODE OF THE CITY OF PEKIN 1995
REGARDING THE LIQUOR CODE

Motion by Com'r. Maddox, seconded by Com'r. Dagit, that Ordinance No. 2461 be adopted. Attorney Sue Bosich advised Council the amendments were a result of the continuing process of the Commission to review, correct, and make adjustments to the Liquor Code adopted one year ago. She summarized the key changes that included beer garden, conditional grant, and event meadow. She congratulated the Commission for the efforts in their work. Com'r. Maddox stated the definition of Event Meadow was not complete at the time of the Commission's vote on recommending revisions and felt it necessary for that portion of the ordinance be removed. A motion was then made by Com'r. Maddox, seconded by Com'r. Blanchard, that Ordinance No. 2461 be amended under Section 3-3-1, the definition of Event Meadow be removed. On roll call vote, all present voted Aye. The Chair called for the vote on Ordinance No. 2461 as amended. On roll call vote, all present voted Aye.

ORDINANCE NO. 2459
AMENDING THE CODE OF THE CITY OF PEKIN 1995
REGARDING E-85 MOTOR FUEL

Motion by Com'r. Maddox, seconded by Com'r. Dagit, that Ordinance No. 2459 be adopted. City Manager Dennis Kief recommended to eliminate the $0.04/gallon gas tax on E-85 fuel for the purpose of supporting local producers and benefiting air quality. Commissioner Maddox suggested that there be a sunset clause to reevaluate the advantages and disadvantages of the benefit. Motion by Com'r. Maddox, seconded by Com'r. Blanchard, that Ordinance No. 2459 be amended by adding the following language: until December 31, 2009 in Title 3, Chapter 2, Section 5 C. (i) at the end of the first sentence. On roll call vote, all present voted Aye. The Chair called for the vote on the ordinance as amended. On roll call vote; Ayes, Blanchard, Jones, Dagit, Maddox, Nay, Mackaman. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Mackaman announced that there were two openings on the Fire Pension Board and encouraged interested parties in serving to complete an application available at City Hall or on the Internet. He updated Council on the application process. He would identify openings as terms were ending on the different committees.

Council discussed scheduling for presentation of the Budget. Commissioners Jones and Blanchard requested separate meeting other than a regular Council meeting. Conflicts with Spring Break vacations were a problem and no time was set until calendars could be coordinated.

Commissioner Jones questioned the City Manager on the status of Economic Development Director. Economic Development would be a topic of Conceptual Planning discussion.

Commissioner Dagit requested that the conservative revenue figures be addressed.

Commissioner Blanchard extended Birthday wishes to his daughter Cora.

Director of Public Properties Greg Ranney informed the public that the mandatory terms of the Solid Waste ordinance required toters at each residence by September 1, 2006. Toters of 95-gallon size could be purchased at the Koch Street City Building for $50.00. Flyers regarding the complete Solid Waste Programs were being distributed to each residence.

Representatives from Uselton Oil were in attendance and expressed appreciation for the adoption of the E-85 Ordinance. Ron Uselton of Morrisview Road questioned and was informed the effective date of the ordinance was 10 days after passage.

Marge Melcher 1821 Highwood expressed disillusion on behalf of the signers of a petition in opposition to the construction of a new residential development on Sunset Hills Executive 9 golf course. Opponents felt they were told the matter would be brought back to Council., that the dams were not up to code and that there were traffic safety concerns at the point of the access road.

Dennis Vaughn 2102 Marigold expressed his disappointment that the public was not permitted to reenter the discussion of new business items.

Ron Faichney 320 State Street requested Council not to consider raising taxes until December 31, 2009 if revenues were sufficient to allow the elimination of motor fuel tax for E-85 users/suppliers.

Christal Dagit 1413 Charlotte addressed Council regarding a new location for the "Tazewell County Historic Places Society – Tazewell County Museum and her request to utilize a portion of the of the brick building at the riverfront. She informed Council of the organizations attempt to secure grants and other funding sources for a county museum.

Daniel DeHoog 619 South 12th Street requested Council not raise taxes to cure a deficit. Mr. DeHoog also expressed disappointment that there was still a "light law" referring to an ordinance requiring lights in vehicles from 1:30 a.m. – 4:00 a.m. when parked on the street.

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. Jones that Council move to **Executive Session** at 6:50 P.M. to discuss Acquisition of Real Estate 5 ILCS 120/2 (c) 7 and Sale of Property 5 ILCS 120/2 (c) 6. On roll call vote, all present voted Aye.   The Council returned to open session.

No further business to come before the Council, Mayor Mackaman called the meeting closed.

COUNCIL ADJOURNED AT 7:10 P.M.

Sue E. McMillan
City Clerk