
**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY FEBRUARY 26, 2007 AT 5:30 O'CLOCK P.M.
FRANK H. MACKAMAN * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, BLANCHARD, JONES, MADDOX AND DAGIT

ABSENT: NONE

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

Roll was called and all Council Members were present.

Mayor Mackaman thanked Council Member Dagit for his role at the last Council Meeting as Mayor Pro Tem.

Agenda

The Chair requested that New Business item 9. Agreement with Pekin Grade School District 108 be moved to item 2. on the agenda in order that the Director of Public Works Greg Ranney be able to attend District 108 Board Meeting.

Motion by Council Member Maddox, seconded by Council Member Blanchard, that the **agenda be approved as presented**. On roll call vote, all present voted Aye.

Minutes

A motion by Council Member Maddox, seconded by Council Member Blanchard, that the **Minutes of the Regular City Council Meeting of February 12, 2007 be approved as written**. On roll call vote, all present voted Aye.

Public Input

Garnet Meischner 1401 Janssen Street spoke in support of Ordinance No. 1462-A259 to amend the Traffic Code by deleting the requirement of lights on parked vehicles from 1:30-4:00 a.m.. Mr. Meischner stated the provision should be repealed.

Keith Gleason President of Teamsters Union 627 addressed Council regarding the School District bus contract. He requested Council disregard concerns that they may have heard regarding liability. He justified his position with the fact that there had never been a serious bus accident from the beginning of the agreement to transport students. Mr. Gleason assured the safety record of the bus drivers that he represented by acknowledging the training and safety classes they attend.

Daniel DeHoog 619 South 12th Street encouraged Council Members to vote for the majority of the public and approve the ordinance to delete the restriction of parking without a lighted vehicle at night on City streets. He felt the law targeted people who least have the money.

Jerry Pemberton 1821 North Shore Drive spoke in support of passage of the amendment to the Traffic Code supporting his opinion with the statement that vehicles were still hit and stolen with lights flashing.

John McCabe 1407 Glendale addressed Council on his opinion that the unique provision of restricting parking on City streets unless lighted and the safety matters justifying the requirement had been an issue for a long time. He felt the public should know the financial impact or loss of income charged for violation of the ordinance.

Consent Agenda

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

Motion by Council Member Maddox, seconded by Council Member Blanchard, that the Consent Agenda be approved as presented.

1. **Proclamation:** Young Author Week March 26, 2007
2. **Pekin Zoning Board of Appeals Minutes dated February 14, 2007**
3. **Pekin Planning Commission Minutes dated February 14, 2007**
4. **Pekin Planning Commission Hearings and Recommendations:**
 - a. Hearing # 07-1735 – Approval of the Special Use for a Drive-Thru Window at 1400 Broadway from property owner David Milam PIN # 04-10-02-214-001, 04-10-02-214-003, and 04-10-02-217-001
 - b. Hearing #07-1736 – Approval of the Site Plan for a Drive-Thru Window at 1400 Broadway from property owner David Milam PIN # 04-10-02-214-001, 04-10-02-214-003, and 04-10-02-217-001
 - c. Hearing # 07-1737 – Approval of the Special Request to allow a hair salon in OS-1 (Office Service District) 2506 Court Street Briggs Heights PIN # 04-10-01-416-028
 - d. Hearing #07-1738 – Approval of the Site Plan Request for special use to allow a hair salon in OS-1 (Office Service District) 2506 Court Street Briggs Heights PIN # 04-10-01-416-028

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

FINANCIAL REPORT AND TREASURER REPORT

Assistance Finance Director Angie Evans presented the monthly finance report for which she briefed Council on the percentages of revenues and expenditure balances $\frac{3}{4}$ into the Fiscal Year. Treasurer Chic Renner advised Council that interest earnings would be declining because of the drop in the rates. He confirmed that the present rate of return was 5.2-5.25%.

PUBLIC HEARING

A Public Hearing was opened at 6:01 p.m. by Mayor Mackaman to receive input on an ordinance authorizing the vacation of that portion of three alleys and a portion of Sara Ann Street. Proper Notice was published in the *Pekin Times* on February 14, 2007. City Manager Dennis Kief explained to Council that several alleys that were not being used at the riverfront needed to be vacated to clean-up for marketing to make one parcel.

There was also identified a business that sat on an alley and the street Sara Ann that did not exist. There were no additional comments received. The Hearing was closed at 6:05 p.m.

RETIREMENT RECOGNITION

Municipal Bus Driver Mary Lou Wyman was recognized for 32 years of service to the City of Pekin. Director of Transportation Greg Ranney read from a plaque honoring her efforts and presented a watch to her. As a retirement gift.

New Business

ORDINANCE NO. 2517-06/07

VACATING MUNICIPALLY OWNED ALLEYS AND STREET WITHIN THE CITY OF PEKIN SARA ANN STREET AND VARIOUS ALLEYS AT FRONT STREET IN ORIGINAL TOWN PIN # 04-04-34-458-001

Motion by Council Member Maddox, seconded by Council Member Blanchard, that Ordinance No. 2517-06/07 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Dagit, seconded by Council Member Jones, that the **AGREEMENT WITH PEKIN SCHOOL DISTRICT 108 FOR SCHOOL BUS SERVICE** be approved. City Manager Dennis Kief and Director of Transportation Greg Ranney presented to Council background information and terms of an agreement to enter into a three-year contract to provide school busing with first year costs of \$1,067,433.70. Mr. Ranney indicated that the City had been providing bus service since 1947 and transportation for School District 108 since 1970. It was stated that the next lowest bid was over \$350,000 higher, which cost would be passed on to the taxpayers.

Council Member Dagit asked that the presenters address the concerns that were voice in respect to liability. He questioned Corporation Counsel Burt Dancey on the financial magnitude of a major catastrophe. He indicated that Illinois Municipal League Risk Management felt that the 8 million dollar cap per occurrence was sufficient. It was reported that the City had been receptive to the underwriters need when advised to discontinue charter busing because of the high exposure.

Council Member Blanchard spoke in support of the contract expressing confidence in the highly trained drivers and the savings to the taxpayers. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SPECIAL USE REQUEST FOR DRIVE-THROUGH AT 1400 BROADWAY FROM DAVE MILAM** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SITE PLAN SUBMITTED FOR DRIVE-THROUGH AT 1400 BROADWAY FROM DAVE MILAM** be approved. Council Member Blanchard questioned the reason for the drive-through to the present owners of Creative Landscaping and the name of the purchaser for who the drive-through was intended. Council was advised that the information was not to be publicly revealed. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SPECIAL USE REQUEST TO ALLOW A HAIR SALON AT 2506 COURT STREET** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SITE PLAN SUBMITTED TO ALLOW A HAIR SALON IN OS-1 AT 2506 COURT STREET** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 186-06/07

YEAR 2007 STREET MAINTENANCE AND MFT FUNDING RESOLUTION

Motion by Council Member Blanchard, seconded by Council Member Maddox, that Resolution No. 186-06/07 be adopted. David Pagliaro Superintendent of Streets presented the request to the Council to authorize the use of Motor Fuel Tax Funds in the amount of \$147,200.00 for the heat and scarify portion of the 2007 project. He explained to Council the specialized scarify process that is contracted with the City of Peoria and the cost comparables to overlaying the streets. On roll call vote, all present voted Aye.

RESOLUTION NO. 187-06/07

YEAR 2007 STREET MAINTENANCE AND MFT FUNDING RESOLUTION

Motion by Council Member Blanchard, seconded by Council Member Maddox, that Resolution No. 187-06/07 be adopted. Superintendent Pagliaro recommended the use of Motor Fuel Tax Funds in the amount of \$652,800.00 for the seal-coating portion of the 2007 improvement project. On roll call vote, all present voted Aye.

ORDINANCE NO. 2518-06/07

AMENDING TITLE 3, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN REGARDING PENALTIES FOR LIQUOR LICENSE VIOLATIONS & NOTICE OF HEARING DISPOSITIONS
Motion by Council Member Blanchard, seconded by Council Member Maddox, that Ordinance No. 2518-06/07 be adopted. Council was informed that the action would amend the penalty section of the Liquor Code to increase the fines the maximum allowed and would correct the days required to give notice on hearing dispositions to licensees. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A-259
AMENDING THE CITY OF PEKIN TRAFFIC CODE
REGARDING LIGHTS ON PARKED VEHICLES

Motion by Council Member Dagit, seconded by Council Member Jones, that Ordinance No. 1462-A-259 be adopted.

Council Members debated the advantages and disadvantages of the provision of the traffic code that required a light be visible 100 ft in front and behind a vehicle parked on a City street between the hours of 1:30-4:30am. Council Member Maddox spoke in opposition to the ordinance presented to eliminate the requirement. He stated the following 5 concerns:

- 1) Streets would become parking lots
- 2) Hit and run accidents rate up
- 3) More complaints if alternative of limiting
- 4) Restricted parking presently State law at \$75 for violation-City option \$10
- 5) Cost to poor not a burden

Council Member Blanchard expressed his opinion that it was time lights on parked vehicles law should go. He felt officers had better things to do, lighting on streets was better than the intention of the original law, the cost was a burden to those who could least afford it, and that he should listen to the public's concerns to vote to repeal the ordinance.

Council Member Dagit next addressed the issue. He spoke in support of deleting the provision from the code. The councilman read a prepared letter submitted by the Traffic Safety Committee to the Council, stating that they did not object to elimination of the lights if Council would approve restricting parking on City streets that were of substandard width. Council Member Dagit noted the argument for safety was an issue during the day light hours not just 1:30-4:30am.

Council Member Jones felt the requirement should be eliminated, but not without an alternative plan recommended by the Traffic Safety Committee.

Police Chief Timothy Gillespie asked that Council not base their vote on hearing from the vocal minority, but rather consider the experience of the police department in knowing the streets would be cluttered with vehicles. David Pagliaro, Superintendent of Streets read from a prepared statement 3 reasons elimination of restricted parking would affect the Street Department with respect to sewer maintenance sweeping leaves and snow removal.

There were rebuttals to the arguments presented for and against by Council Members.

On roll call vote, Nays, Jones and Maddox; Ayes, Blanchard, Dagit, and Mackaman. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Mackaman reminded the public of the Municipal Primary Elections on Tuesday, February 17, 2007 and challenge citizens to vote. The Mayor also announced candidates' orientation where he would set aside time for those remaining in the General Election to ask questions one on one.

He informed the public that there were two expiring terms on the Liquor Commission. Applications were available for the 2 openings.

Council agreed to the Mayor's request to begin the Council Meeting of March 12th at 4:30 p.m. in order for Council Member to attend the Heart of Illinois Legislative Reception from 5:00 – 7:00 p.m.

Council Member Blanchard offered condolences to the family of Larry and Shawn Black who lost their lives in a recent fire.

City Manager Dennis Kief briefed Council on the status of the landlord registration draft amendment. He urged Council Members to comment on the registration component and discuss any concerns for final action with Public Works Director Joe Wuellner.

Council Member Maddox encouraged the younger generation to vote on Election Day. Council Member Jones reminded the public that you did not have to declare a party in this municipal non-party election. The City Manager emphasized voting could make a difference.

Daniel DeHoog and Garnet Meischner made last comments regarding the vote to remove the requirement for lights in parked vehicles.

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

COUNCIL ADJOURNED AT 7:44 P.M.

Sue E. McMillan
City Clerk