
**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 25, 2013 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

**PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, SCHMIDGALL, HENDRICKS,
MCCABE, AND BARRA**

ABSENT: COUNCIL MEMBER MASSAGLIA

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

Roll was called and all Council Members were physically present except Council Member Massaglia. A quorum was present.

AGENDA

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

MINUTES

Motion by Council Member Abel, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of January 11, 2013, be approved as written**. It was noted that the minutes document recorded the meeting of February 11, 2013 but the agenda and motion listed the word January. Additional corrections were made to the word "State" in line one and the addition of the word "Nays" to the roll call vote on Hanson Agreement by Blanchard and Hendricks. On roll call vote, all present voted Aye to approve the **corrected minutes of February 11, 2013**.

CONSENT AGENDA

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **CONSENT AGENDA be approved as presented**. Mayor Barra presented the following for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports: Police January Report, Fire January Report, Mayors Advisory Committee For Persons with Disabilities Minutes dated December 13, 2012, Traffic Safety Committee Minutes dated February 1, 2013, Building and Inspections Department January Reports.		
7.2 Receive and File: Comcast Annual Report and Correspondence.		
7.3 Receive and File: Pekin Planning Commission Minutes dated February 13, 2013.		
7.4 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #02-1861-recommends approval of rezoning from B-1 (Local Business District) to RM-3 (Multi-Family Residential District) Lots 1 and 2 empty lots in Pekin Edgewater Park. b. Hearing #02-1862-recommends approval of the rezoning from OS-1 (Office Service District) to Rm-3 (Multi-Family Residential District) Lot 3 empty lot in Pekin Edgewater Park. c. Hearing #02-1863-recommends approval of the rezoning of a portion of property from PUD (Planned Unit Development District) to I-1 (Light Industrial District) consisting of 10.91 acres in Riverway Business Park Block 1.		

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

Mayor Barra called the Public Hearing open at 5:35 p.m. to discuss the **TRANSFER OF 2012 COMMUNITY DEVELOPMENT BLOCK GRANT DOLLARS**. Community Development Director Pamela Anderson spoke to the proposed substantial change of dollars from the 2012 HUD Fiscal Year Public Services Activities as per the CDBG Citizen Participation Plan located within the Five Year Consolidated Plan. The amendment would allocate \$6,200.00 from life skills coordinator activity to the formally titled “United Way” activities. Comments were accepted for 10 days beginning February 15, 2013 to February 25, 2013. No public comments were received. Mayor Barra called the hearing closed at 5:37 p.m.

NEW BUSINESS

Motion by Council Member Hendricks, seconded by Council Member McCabe that **AMENDMENT #1 TO THE 2012 HUD FY CDBG PUBLIC SERVICES ACTIVITIES in the amount of \$6,200.00** be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A321-12/13

AMENDING TITLE 8, CHAPTER 3, SECTION 8 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING ONE-WAY ALLEYS

Motion by Council Member McCabe, seconded by Council Member Hendricks that Ordinance No. 1462-A321-12/13 be adopted. Police Chief Greg Nelson explained the recommendation of the Traffic Safety Committee to consider all alleys be two-way unless designated on a case-by-case basis by installation of official traffic control sign. Currently the downtown area alleys were all designated one-way but two-way traffic patterns had been established. Council Member Blanchard questioned the authority of the TSC to make sign changes without Council approval. A motion was made by Council Member Blanchard, seconded by Council Member Schmidgall to **amend the Code to read if any alley ways are determined by the Traffic Safety Committee to be one way, they will be in the form of a recommendation by the Traffic Safety Committee to the City Council for final decision**. On roll call vote to adopt the ordinance with amended language, all present voted Aye.

ORDINANCE NO. 1462-A322-12/13

AMENDING TITLE 8, CHAPTER 4, SECTION 1.D. OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO PARKING SCHEDULE ST. JOSEPH PLACE @ HAINES AVENUE

Motion by Council Member Blanchard, seconded by Council Member Abel that Ordinance No. 1462-A322-12/13 be adopted. Police Chief Greg Nelson presented the recommendation of the Traffic Safety Committee to designate no parking on the SW corner of St. Joseph Place at Haines Avenue to accommodate school bus traffic. Discussion followed regarding bus loading and “No Parking Here to Corner on School Days” signage. Council Member Blanchard felt the restricted parking would be a hardship for residents. On roll call vote, Ayes, Abel and Barra; Nays, Blanchard, Schmidgall, McCabe, Hendricks; Absent, Massaglia. Motion Failed. Traffic Safety Committee was asked to further review the matter at the next TSC meeting.

ORDINANCE NO. 1462-A323-12/13

AMENDING TITLE 8, CHAPTER 4, SECTION 1, SUBSECTION B. OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO PARKING PLACES

Motion by Council Member Abel, seconded by Council Member Schmidgall that Ordinance No. 1462-A323-12/13 be adopted. Police Chief Greg Nelson introduced the recommendation of the Traffic Safety Committee to consider prohibiting parking 15 feet either side of residential mailboxes on delivery days. He presented complaints reviewed by the TSC of United States Postal System USPS mail delivery being blocked by parked vehicles in neighborhoods with curbside mail delivery. Discussion followed regarding question of notifying residents, approximate number affected, and flexibility of mail times. Chief Nelson indicated enforcement would be on a complaint basis and the department would be generous with warnings. Council Member Blanchard made a motion to table the ordinance, seconded by Council Member Schmidgall. Council Member Blanchard asked to withdraw his motion to table. On roll call vote to adopt the Ordinance, Ayes, Abel, Schmidgall, McCabe, Hendricks, Barra; Nay, Blanchard; Absent, Massaglia. Motion Carried.

ORDINANCE NO. 1568-A194-12/13
ZONING OF CERTAIN PROPERTY
LOT 1 EDGEWATER PARK

B-1 (LOCAL BUSINESS) DISTRICT TO RM-3 (MULTI-FAMILY RESIDENTIAL) DISTRICT
PIN # 04-04-23-401-002

Motion by Council Member Schmidgall, seconded by Council Member Abel that Ordinance No.1568-A194-12/13 be adopted. Code Enforcement Officer Ron Sieh introduced three recommendations of the Pekin Planning Commission to re-zone properties to RM-3 of Lots 1, 2, and 3 in Pekin Edgewater Park Section One. He indicated each lot was being presented in a separate ordinance to distinguish lots from their current different zonings to RM-3 (Multi Family Residential). Discussion followed regarding opposition heard from 2 North Pekin residents; the petitioner and developer Eddie Rice's permit from IDOT for duplexes with one egress; and the re-zoning history of the properties. Council Member Schmidgall made a motion to table for more investigation, and seconded by Council Member McCabe. On roll call vote, Ayes, Schmidgall, McCabe; Nays, Abel, Hendricks, Blanchard, Barra; Absent, Massaglia. Motion Failed. On roll call vote to adopt the ordinance, Ayes, Abel, Hendricks, Blanchard, Barra; Nays Schmidgall and McCabe; Absent Massaglia. Motion Carried.

ORDINANCE NO. 1568-A195-12/13
ZONING OF CERTAIN PROPERTY
LOT 2 EDGEWATER PARK

B-1 (LOCAL BUSINESS) DISTRICT TO RM-3 (MULTI-FAMILY RESIDENTIAL) DISTRICT
PIN # 04-04-23-401-003

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that Ordinance No.1568-A195-12/13 be adopted. On roll call vote, Ayes, Abel, Hendricks, Blanchard, Barra; Nays Schmidgall and McCabe; Absent Massaglia. Motion Carried.

ORDINANCE NO. 1568-A196-12/13
ZONING OF CERTAIN PROPERTY
LOT 3 EDGEWATER PARK

OS-1 (OFFICE SERVICE) DISTRICT TO RM-3 (MULTI-FAMILY RESIDENTIAL) DISTRICT
PIN # 04-04-23-401-004

Motion by Council Member Hendricks, seconded by Council Member Abel that Ordinance No.1568-A196-12/13 be adopted. On roll call vote Ayes, Abel, Hendricks, Blanchard, Barra; Nays Schmidgall and McCabe; Absent Massaglia. Motion Carried.

ORDINANCE NO. 1568-A197-12/13
ZONING OF CERTAIN PROPERTY
BLOCK 1 RIVERWAY BUSINESS PARK

PUD (PLANNED UNIT DEVELOPMENT) DISTRICT TO I-1 (LIGHT INDUSTRIAL) DISTRICT
PIN # 10-10-10-100-035

Motion by Council Member McCabe, seconded by Council Member Schmidgall that Ordinance No.1568-A197-12/13 be adopted. Code Enforcement Officer Ron Sieh presented the recommendation of the Pekin Planning Commission to rezone the remaining undeveloped 10 acres in Riverway Business Park. Illinois American Water purchased property to construct a water tower and the I-1 designation would make it similar to the other businesses in the business park. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Hendricks that the **THIRD AMENDMENT TO THE POWERTON CONTRACT FOR FIRE PROTECTION AND EMERGENCY SERVICES** be approved. City Manager Joseph Wuellner explained to Council that the current agreement would expire in March and the company requested an additional 10 year contract. Questions followed regarding the previous amendment containing a \$5,000 change, the placement of the dollars into the General Fund, and the CPI adjustment provisions. On roll call vote, all present vote Aye.

Motion by Council Member Abel, seconded by Council Member Schmidgall that the **INTERGOVERNMENTAL AGREEMENT BETWEEN THE POLICE DEPARTMENT AND THE PEKIN HOUSING AUTHORITY** be approved. Police Chief Greg Nelson advised the Council that the contract was the annual renewal of a long standing agreement that had been a very successful arrangement. Council Member Blanchard suggested the contract be written for a multiple year arrangement. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member McCabe commented on Imagination Destination Program and that several Pekin teams moved on to the State Competition. Council Member Schmidgall asked for the Budget numbers. He also requested the status of a resolution regarding contract negotiations he had wanted to present to Council for consideration. Mr. Wuellner stated that the police contract was in arbitration and then all of the other contracts open immediately following. Council Member Schmidgall asks about the construction of the road near Avanti's Dome and was informed that Cullinan & Son Inc. was waiting for weather to clear. The Council Member also asked about code violations in Sunset Hills. Wuellner stated those issues become Notices to Appear to the City's hearing officer and they had been addressed. He questioned if the Code Department looked into the sample sustainability code he provided. He questioned if the City had a formal policy on recycling and materials that could be picked up. Mr. Wuellner reported the ICC just sent the recommended code and that Council would see it. Assistant City Manager Darin Girdler responded to Council Member Schmidgall inquiries into the status of Bergners that the agreement with Cullinan and Bergners was completed last week. In response to discussion of West Campus, Council Member Schmidgall stated the owner has responsibility to keep the site orderly. He would like to see activity there. He felt the area was a worse hazard now than before. Council Member Blanchard asked if the City had done anything about the bond bid information and the auditor's reference to an arbitrage issue. It had been confirmed there was no arbitrage violation on municipal bonding. The remainder of the costs were fees. Mr. Girdler advised the City did not actually bond \$2.2 million dollars. It was Attorney Dancey's opinion there never was a problem.

Assistant City Manager Girdler gave Council their budget packets and announced the budget work Sessions were scheduled for March 4th and 18th at 5:00 p.m. Mayor Barra urged Council to contact Mr. Girdler with any questions. Council Member Hendricks asked if the budget could be available online. Mr. Girdler said he will look into placing the budget draft numbers on the City website. City Manager Wuellner discussed the solid waste collection bids and stated he would provide a hard copy of the summary.

Brandon Dentino, 2675 Allentown Road, requested a copy of the budget. He spoke in opposition to giving money for the west campus project but would consider a loan to get the eyesore dealt with. He questioned if Council Member Massaglia had moved out of state. Mayor Barra stated he had not moved.

Dale Kuntz, 5 Fox Point, reported to Council that Court Street plowing was good but property owners had not cleared sidewalks.

Tim Golden, 2104 Alhambra Court, questioned the word "either" being used in the recommendation of no parking on either side of mail boxes. He also requested a copy of the budget.

No further business to come before the Council, motion by Council Member Blanchard, seconded by Council Member Schmidgall to adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 6:15 P.M.

Recorded by
Sarah Newcomb
Deputy Clerk

Respectfully submitted
Sue E. McMillan
City Clerk