****

PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON MONDAY JANUARY 28, 2019 AT 5:30 O'CLOCK P.M.
JOHN MCCABE * CHAIR * PRESIDING

****

PLEDGE OF ALLEGIANCE

The Clerk confirmed all members were logged in and physically present except Council Member Ritchason. A quorum was declared by Mayor McCabe.

Attendee Name	Title	Status	Arrived
James A Schramm	Council Member	Present	5:27 PM
Michael Garrison	Councilman	Present	4:59 PM
Lloyd Orrick	Mayor Pro-Tem	Present	4:55 PM
John P Abel	Council Member	Present	4:57 PM
Michael Ritchason	Council Member	Absent	
Mark Luft	Council Member	Present	5:25 PM
John McCabe	Mayor	Present	4:57 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James A Schramm, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

APPROVAL OF MINUTES

4.1. Motion to: **Approval of Minutes**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James A Schramm, Council Member
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

4.2. **City Council - Regular Meeting - Jan 14, 2019 5:30 PM**
Mayor McCabe requested that Mr. and Mrs. Karl Kaebel join him at the optimum and read and presented to the parents of Butch Kaebel a proclamation in honor of their son's contribution to the sport of hockey and the community in being inducted as Pekin's first Hall of Fame member of the Peoria Riverman.

PUBLIC INPUT

Jim Mangan recommended to the Council that they vote no on New Business item 8.1 to sponsor the March Madness. It was his opinion that it wasted the tourism funds since no proof had been given of the money brought into the City of Pekin directly. Mr. Mangan spoke in opposition of the Council approving Business item 8.2, voicing that payment was illegal and misappropriation of public funds in that an agreement had not been approved by the

Council. He also addressed New Business item 8.8 noting the authorization given to the manager would open the door to potential abuse.

CONSENT AGENDA

Mayor McCabe presented the 3 items under Consent Agenda. The items were approved by omnibus vote of the Council.

6.1. Pekin Plan Commission Minutes December 12, 2018 Meeting

6.2. December 2018 Building Report

6.3. Proclamation for Butch Kaebel Week

6.4. Motion to: **Motion to Approve Consent Agenda**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mark Luft, Council Member
SECONDER:	Michael Garrison, Councilman
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

PRESENTATION MARCH MADNESS EXPERIENCE

A short presentation was given by Rae McDonald to the Council for the Illinois High School Association on the details of the March Madness Experience in Peoria at the Civic Center.

NEW BUSINESS

8.1. Support for IHSA Basketball Tournament in the amount of $5,000
City Manager Mark Rothert requested Council's approval of the Resolution authorizing sponsorship of the 2019 Illinois High School Basketball Tournament. He stated as a regional partner Pekin had the opportunity to reinvest hotel/motel tax dollars to provide potential traffic from attendees.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mark Luft, Council Member
SECONDER:	Michael Garrison, Councilman
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.2. Resolution 137-18/19 for the Utilization of Tax Increment Financing for the Resurfacing of the 400 Block Alley Between Elizabeth Street and Saint Mary Street.
Mr. Rothert explained to the Council Members the request for payment of the City's share for the improved infrastructure at a reduced cost in the amount of $13,983.00. The work was done in conjunction with Tazewell County's paving of their 400 block parking lot between Elizabeth and St. Mary Streets adjacent to the alley to ensure all surfaces matched. Located in the Central Business TIF District made the expense eligible to utilize TIF funding.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	Mark Luft, Council Member
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, McCabe
NAYS:	Mark Luft
ABSENT:	Michael Ritchason

8.3. Request for Special Use Authorization for Metal Fabrication Use at 716 Court Street

Council considered the recommendation of the Pekin Planning Commission to allow a use for the establishment of the commercial business submitted by Semmco Inc. in a B-3 District. Council discussed the conditions that were required to be followed regarding prohibited outdoor storage of parts and vehicles awaiting repair.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.4. Request for Special Use Authorization for establishment of a commercial burial monument sales use, with the exterior display of burial monuments at 3302 Court Street

Council considered the unanimous recommendation of the Pekin Planning Commission to approve the request from Peoria Monument Co. for establishing the monument sales business special use of exterior displays in a B-1 District. the business was a relocate of McAvoy Monuments 431 Henrietta Street.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.5. Ordinance No. 1568-A208-18/19 Petition for a Zoning Map Amendment to Re-Zone the Properties Located at 416 & 422 Catherine Street from RM-3, Multiple Family Residential to P-1, Vehicular Parking District

Request to rezone properties was heard by the Council as recommended unanimously by the Pekin Planning Commission. Preston-Hanley Funeral Homes and Crematory submitted application to reclassify RM-3 Multiple Family Residential purchased homes to P-1 vehicular Parking District to construct additional spaces for the funeral home. The request met conditions of compatibility with adjacent land uses and zoning classifications. Council Member Abel he would abstain from voting on a request for the use by his employer.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Mark Luft, Council Member
AYES:	Schramm, Garrison, Orrick, Luft, McCabe
ABSTAIN:	John P Abel
ABSENT:	Michael Ritchason

8.6. Motion to: **Motion to send 8.7 back to the Planning Commission for further review**

The second motion was heard from Council Member Abel, seconded by Council Member Garrison. Discussion followed on options for consideration regarding a 3 to 3 tied vote of the Pekin Planning Commission recommendation for a special use. A petition was submitted by Wendy McCready to establish a community residence on property located at 1120 South Capitol Street.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Council Member
SECONDER:	Michael Garrison, Councilman
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.7. Sober Living Community Residence Use at 1120 S. Capitol St.

8.8. Ordinance No. 2812-18/19 An Ordinance Amending Title 3, Chapter 2 of the Code of the City of Pekin Regarding Payment and Collection of Municipal Taxes

Finance Director Bruce Marston asked the Council to adopt changes to the finance chapter of the code to clarify language, provide equitable treatment across retailers and service providers, provide a uniform structure in the layout of the provisions for taxes imposed and their penalties and collection for non-payment.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.9. Ordinance No. 2813-18/19 & Policy No. 21-18/19 City of Pekin Procurement Policy and Amending the Code of the City of Pekin 1995 relating to Contracting for Public Improvements; Duties of the Manager; and rescinding the Local Bidders Policy

Mr. Marston next presented for Council consideration a Procurement Policy in order to exercise financial control over the purchasing process and to incorporate within one document provisions for Contracts for Public Improvements, Local Bidders Policy and authority of the manager in approving contracts. Before the vote had been finalized by the Mayor, the City Manager asked the Council if they were assured that they understood they were voting to approve a $25,000 threshold of the manager's authority in contracting without Council approval. Council Members further discussed the provisions of the ordinance.

RESULT:	**ADOPTED [4 TO 2]**
MOVER:	Michael Garrison, Councilman
SECONDER:	John P Abel, Council Member
AYES:	Michael Garrison, John P Abel, Mark Luft, John McCabe
NAYS:	James A Schramm, Lloyd Orrick
ABSENT:	Michael Ritchason

8.10. Motion to: **Motion to reconsider and amend 8.9 to $15,000 down from $25,000**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mark Luft, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.11. Ordinance No. 1462-A358-18/19 An Ordinance Amending Title 8, Chapter 1, Section 9 of the Code of the City of Pekin 1995 Regarding Designated Truck Routes

Council was informed the changes to various streets was needed due to the jurisdictional transfer of Court Street to the City and VFW Road to Illinois Department of Transportation. The inclusion of Court Street as a City street would police to enforce the ordinance for trucks not following the designated routes as required.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Garrison, Councilman
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Luft, McCabe
ABSENT:	Michael Ritchason

8.12. Ordinance No. 2814-18/19 Amending Title 6, Chapter 2, Sections 5 and 6 of the Code of the City of Pekin 1995 Regarding Use of Electronic Smoking Devices in Public Places and Sale and Delivery to Minors

As presented the ordinance would regulate the sale and use of products to 21 years of age. Some Council Members voiced concern of government regulating 18 or 21 year old definition of adult.

RESULT:	**FAILED [3 TO 3]**
MOVER:	John P Abel, Council Member
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Lloyd Orrick, John P Abel, John McCabe
NAYS:	James A Schramm, Michael Garrison, Mark Luft
ABSENT:	Michael Ritchason

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Dave Nutter addressed the Council on questions, comments and concerns on the following topics: vaping, procurement and purchasing, the year end audit completion date.

Elaine Ritchie thanked the Council for voting no on the ordinance to raise the age to 21 for the sale of tobacco products.

Jim Mangan again requested that the Council consider using the 8 million dollars given the City for Veterans Drive construction to fix the Vista Granda residents stormwater issues. Mr.

Mangan also suggested use of the Hotel/Motel tax fund to repair Court Street.

Andrew Vickers spoke regarding the sober living residence. He questioned why the Planning Commission did not adhere to the code and requirements set by the Illinois Department of Human Services. He felt the issue should not go to hearing if the requirements set by the state had not been met

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

No further business to come before the Council motion was made by Council Member Luft, seconded by Council Member Abel that Council adjourned. Motion carried viva voce. Mayor McCabe adjourned the meeting at 7:12 P.M.