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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
ON MONDAY, JANUARY 28, 2002 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, ORRICK, AND RICHMOND

ABSENT: COMMISSIONER MASSAGLIA

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

Roll was called and all commissioners were present.

Agenda
Motion by Com'r. Barra, seconded by Com'r. Orrick, that the **Agenda**, **be approved as presented.** On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Richmond, that the **Minutes of the Regular City Council Meeting of January 14, 2002, be approved as written**. On roll call vote, all present voted Aye.

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

1. Receive and File Monthly Reports: Inspections Department and Tourism Commission

2. Resolution No. 159 - Regarding Minutes of Executive Session Meetings of the City Council

3. Receive and File Pekin Planning Commission Minutes Dated January 9, 2002

4. Receive and File Planning Commission Recommendations and Hearings:
   a. #1521 – recommends that the rezoning request of B-1, submitted by Italo Rossi for the property at 412 Broadway Street be approved
   b. #1522 – recommends that the rezoning request of B-3, submitted by Vaughn Bottomly for property at 1103 N. 8th Street be approved
   c. #1523 – recommends that the rezoning request of B-3, submitted by Jim McKenzie for the property at 1101 N. 8th Street be approved
   d. #1524 – recommends that the amendment to the Zoning Ordinance regarding 0-lot line/Row Houses, be approved, subject to removing the phase "nor shall any variance be permitted" found in 9-4D-1-C
   e. #1525 – recommends that the amendment to the Subdivision ordinance regarding curb-cuts, be approved

On roll call vote all present voted Aye.

Communications, Petitions, Reports
Mayor Tebben opened a public hearing at 5:32 p.m. for the purpose of discussing the sale of real estate commencing at the southeast corner of Lot 98 in Greenbrier Subdivision. Proper notice was published in the *Pekin Times* on January 12, 2002 as noted by the City Clerk. The Chair received input from staff in regards to the issue. Public Works Director Dennis Kief told Council that the City had acquired the 2-½ acre parcel in a lawsuit. There were remnants of a storm sewer through the middle that evolved into a drainage ditch. Larry Underwood made an offered to purchase that lot adjacent to his house at Sheridan and Parkway Drive. Mr. Underwood was in attendance. No questions or additional comments were received. The hearing was closed at 5:33 p.m.

New Business

ORDINANCE NO. 1568-A125
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
412 BROADWAY / ROSSI

Motion by Com'r. Barra , seconded by Com'r. Orrick, that Ordinance No. 1568-A125 be adopted. Com'r. Orrick noted as recommended in the Pekin Planning Commission minutes that the property had been vacant for some time. The intension of the owner to request rezoning to B-1 for the purpose of an establishment for catering, takeout and delivery of Italian food was the best use of the vacated gasoline station to surrounding area. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A126
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
1103 N. 8TH STREET / BOTTOMLY

Motion by Com'r. Barra , seconded by Com'r. Orrick, that Ordinance No. 1568-A126 be adopted. The Mayor stated that the next two rezoning ordinances also were presented after review as recommendations of the Pekin Planning Commission. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A127
PROVIDING FOR THE REZONING OF CERTAIN PROPERTY
1101 N. 8TH STREET / MCKENZIE

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Ordinance No. 1568-A127 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2278-OA
MENDING TITLE 9 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING ROWHOUSES

Motion by Com'r. Orrick , seconded by Com'r. Barra, that Ordinance No. 2278-OA be adopted.

Com'r. Orrick stated that there were two types of units considered in the amendment language, multifamily and R-T Zoning utilized for townhouses. He had discussed modifying R-T zoning to 48 ft. with Jack Kluever.

The Chair questioned if the commissioner was reading from the ordinance changes at 9-4D-1 special regulations in paragraph D. The Chair stated he had received a motion to amend and asked for a second to the motion in order to proceed with discussion. As the ordinance read you could have a wall right on the lot line for exterior. The Chair clarified the intent of the ordinance and Com'r. Orrick's proposed change to preserve an 8 ft. side lot line from either end of a rowhouse.

Motion by Com'r. Orrick , seconded by Com'r. Barra, that Ordinance No. 2278-OA be amended in 9-4D-1 Special Regulations paragraph D after the word "and" insert, 48' for all exterior lots with a R-T zoning. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick , seconded by Com'r. Barra, that Ordinance No. 2278-OA be adopted as amended. On roll call vote, all present voted Aye.

ORDINANCE NO. 2279
AMENDING TITLE 10 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SUBDIVISIONS

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Ordinance No. 2279 be adopted. Council received comments from staff member City Engineer Joe Wuellner regarding revisions to driveways portion of subdivision ordinance. The intention was to impose regulation that persons who open the curb make repairs. On roll call vote, all present voted Aye.

ORDINANCE NO. 2280
AUTHORIZING THE SALE AND TRANSFER OF MUNICIPALLY OWNED REAL PROPERTY WITHIN THE CITY OF PEKIN, ILLINOIS / UNDERWOOD

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Ordinance No. 2280 be adopted. The Chair presented the authorizing ordinance that was a matter of the earlier public hearing and requested that the sale price of $2,785.60 be stated for the record. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A192

AMENDING TITLE 8, CHAPTER 4, SECTION 1 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO-PARKING PLACES / KOCH @ SUMMER STREETS

Motion by Com'r. Orrick, seconded by Com'r. Barra, that Ordinance No. 1462-A192 be adopted. Dennis Kief Public Works Director addressed Council's questions in regards to Traffic Safety's committee's recommendation to establish no parking area's to correct visibility problems in turning on to Koch Street. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **CHANGE ORDER WITH MILLENNIUM WRECKING FOR DEMOLITION OF THE GRAIN** in the amount of $3,400.00 be approved. John Hamann reported to Council that the contracted company discovered an abandoned tank would need to be removed in order to support the weight of the wrecking crane at the project site. On roll call vote, all present voted Aye.

RESOLUTION NO. 160

EVIDENCING THE INTENTION TO ISSUE SINGLE FAMILY MORTGAGE REVENUE BONDS

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that Resolution No. 160 be adopted. Assistant Planning and Development Director Jill Ellestad requested Council's commitment to funding the mortgage project through Stern Brothers and presented figures on the success of previous four years lending programs for first time homebuyers. Council members echoed the benefits to the community and improved quality of life derived from this increased opportunity for affordable home ownership. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Orrick, that the **INTERGOVERNMENTAL AGREEMENT WITH PEKIN COMMUNITY HIGH SCHOOL DISTRICT 303 FOR A POLICE OFFICER** be approved. Police Chief Tim Gillespie stated the agreement was to formalizing the already existing police presence at high school functions. The Chair instructed the Chief and the City Clerk to set diary for stated 1 year renewal found in content of the document. On roll call vote, all present voted Aye.

Other Business

Greg Ranney Public Properties Director reported $12,35.00 was collected at a chili luncheon held for the purpose of raising funds to help in the payment of doctor bills for a City bus driver employee.

Com'r. Barra addressed Council and the public regarding her observations of Illinois American Water Company advertising and telemarketers survey regarding the City's purchase of the water company.

Mayor Tebben noted the absence of Com'r. Massaglia. He stated he had been in contact with him, and congratulated him on his wedding anniversary.

Reporters from the *Peoria Journal Star, the Pekin Daily Times* and news media stations were given the opportunity to ask questions.

Motion by Com'r. Richmond seconded by Com'r. Orrick, that Council move to **Executive Session** at 6:00 p.m. to discuss Acquisition of Real Estate and Collective Bargaining. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Richmond, seconded by Com'r. Orrick, that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 6:50 P.M.

Sue E. McMillan
City Clerk