
**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, JANUARY 24, 2005 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, MADDOX, RICHMOND, MASSAGLIA, AND JONES

ABSENT: NONE

The **Pledge of Allegiance** was led by Police Chief Timothy Gillespie
The Chief extended appreciation to Mary Zimmerman for 33 years of service to the City's Police Department and TPCCC.

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **agenda be approved as presented**.
On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of January 10, 2005 and the Special Council Informational Meeting by Liquor Advisory Committee be approved as written**. On roll call vote, all present voted Aye.

Public Input

Lynn Brady, Administrator Hallmark House Nursing Center gave short presentation of the desire to rezone property on Allentown Road for intention to extend facilities for the elderly. She requested Council's approval of Ordinance No. 1568-A149.

Consent Agenda

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the Consent Agenda **be approved as presented**. City Clerk Sue McMillan presented the following items under consent Agenda.

1. Receive and File Monthly Reports: Airport, Traffic Safety, Building Permits, Inspections
2. Charitable Solicitation: Lupus Foundation Tag Day Fundraiser Friday, October 7, 2005
3. Receive and File Resignation of Stephen A. Huey from the Pekin Planning Commission
4. Receive and File NPDES FY2004 Report
5. Receive and File Street Sweep for Homeless
6. Receive and File Bids and Bid Tabulations Pekin Riverfront Park opened January 18, 2005
7. Receive and File Zoning Board of Appeals Minutes Dated January 12, 2005
8. Receive and File Pekin Planning Commission Minutes Dated January 12, 2005
9. Receive and File Pekin Planning Commission Hearings and Recommendations:
 - a. #1648 – Recommends Approval of Hallmark House Nursing Center, Rezoning of property with Tax I.D. #04-10-01-407-018 located at 2501 Allentown Road from RM-1 to RM-3.
 - b. #1649 – Recommends Approval of Matthew and Ivy Grashoff, Rezoning of property with Tax I.D. #04-10-02-300-021 located at 1226 S. 5th Street from B-3 to R-4

On roll call vote, all present voted Aye.

Pamela Anderson, Community Development Coordinator informed Council the Continuum of Care was recruiting people for the 2005 Street Sweep. The City and County count of homeless would indicate the severity of the problem. She encouraged participation.

Mayor Howard made note of the resignation received in Consent Agenda and thanked Steve Huey for his dedication serving on the Pekin Planning Commission.

Communications, Petitions, Reports

Mayor Howard opened a Public Hearing at 5:37pm for the purpose of receiving comments on the Proposed Tax Increment Financing Redevelopment Plan and Project-Industrial Park Conservation Area. Mike Weber, consultant from PGAV was introduced. Mr. Weber told Council the hearing was being held pursuant to statutory requirements of the Act. The Plan had been on file with the City Clerk since October 22, 2004 and available for anyone to review the basis for eligibility. Notices and/or copies of the plan were properly sent to taxing bodies, newspapers and property owners in TIF area. Mr. Weber briefly summarized eligibility of the area and the purpose and goals of the proposed Plan.

The following people requested to be heard and spoke in opposition to the establishment of TIF 3 or posed questions in regards to the Plan:

Ed Burrell – owner of farmland presented questions regarding:

- Net acres
- Core samples
- Build up of flood plain/levy
- Zoning input from property owners of AG within 1 ½ mile
- Cameron Lane annexation and maintenance responsibilities

Chris Lofton

- opposed to taking farmland out of production for industrial use. Felt development would have little effect on unemployment.

Val Umholtz -representing LaMarsh Drainage District whose body does not tax, but levies

- asked for confirmation that the district would not be effected by TIF.
- questioned if annexation would take place prior to adoption of plan.
- questioned accuracy of EAV Trends in findings when no special calculations were used for farmland

Bill Beach - Limestone School District Superintendent

- Stated position of Board with deficit budget District could not afford additional lost revenues

Dennis Beckman - Hollis Township Street Superintendent

- Stated concerns of loss of revenues to maintain roads

James Bailey - Hollis Township Supervisor

- Voiced pollution concern
- No control over zoning

Ray Colson - Hollis Township resident

- Felt industrial zoning better suited for Pekin Riverway Business Park

Brad Janson, Secretary, Fire Protection District

- Questioned how Pekin Police and Fire Departments could protect the additional boundaries without increasing man power.

No one else wished to be heard and Mayor Howard closed the hearing at 6:34pm.

Unfinished Business

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Ordinance No. 2400 be removed from the table. On roll call vote, all present voted Aye.

Com'r. Maddox explained that an original motion to adopt the ordinance was now on the floor and called the questions. On roll call vote, all presented voted Nay. Motion failed.

It was explained by the Council that the animal code amendment in it's presented form from a previous meeting was not acceptable. Several revisions had been made as explained after the public input meeting. For housekeeping purposes Ordinance No. 2400 was denied and a new ordinance and exhibit would be presented to Council for adoption at the February 14th meeting.

New Business

Public Works Director Joe Wuellner reported to Council that the Planning Commission was recommending the rezoning of the two-presented parcels. Allentown Road to RM-3 was for the Nursing Center's additional care facility for the elderly. The second was a request of a homeowner on the 5th Street property, three parcels back from Derby Street, was better suited residential than present business zoning.

ORDINANCE NO. 1568-A149

REZONING OF CERTAIN PROPERTY

2501 ALLENTOWN ROAD/HALLMARK HOUSE

Motion by Com'r. Massaglia, seconded by Com'r. Jones, that Ordinance No. 1568-A149 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A150

REZONING OF CERTAIN PROPERTY

1226 SOUTH 5TH STREET / GRASHOFF

Motion by Com'r. Jones, seconded by Com'r. Massaglia, that Ordinance No. 1568-A150 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2406-OA

AMENDING ZONING CODE

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 2406-OA be adopted. Mr. Wuellner presented Planning Commissions recommendation to limit small vendors stands throughout the City by placing the allowable use only in the zoning of AG. Commissioner Massaglia questioned if the amendment was just a means of sidestepping the issue of Kiosk not covered in the Code and in particular the request of Mountain Mud to locate in County Market parking lot. Discussion followed. On roll call vote, Maddox, Jones, Massaglia and Richmond, Nay. Howard, Aye. Motion Failed.

Director of Planning and Development Kim Uhlig told Council the following 2 Ordinances authorized the purchases of property for the riverfront development and would be paid out of TIF funding. The agreement for 102 Cynthiana was amended language for demolition cost from the previous meeting at which it was denied.

ORDINANCE NO. 2407

ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY / 104 SUSANNAH - CALLAWAY PIN 04-04-34-455-004

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 2407 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2408

ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY / 102 CYNTHIANA – SMITH PIN 04-04-34-459-001

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 2408 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **AGREEMENT WITH ILLINOIS DEPARTMENT OF TRANSPORTATION FOR PARKWAY @ COURT TRAFFIC SIGNAL IMPROVEMENTS** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 90-04/05

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that Resolution No. 90-04/05 be adopted and the Mayor and City Clerk be authorized to execute and file all documentation required with the Illinois Department of Transportation, the resolution appropriating MFT Funds for cost of Traffic Signal Improvement Parkway @ Court in the amount of \$7,500.00. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **CITY OF PEKIN AGREES TO PARTICIPATE IN AN AMOUNT NOT TO EXCEED \$5,000.00 FOR THE COURT STREET PHASE II TRAFFIC STUDY**. On roll call vote, all present voted Aye.

RESOLUTION NO. 91-04/05

Motion by Com'r. Richmond, seconded by Com'r. Jones, that Resolution No. 91-04/05 be adopted and the Mayor and City Clerk be authorized to execute and file all documentation required with the Illinois Department of Transportation, the resolution appropriating MFT Funds for participation cost of Court Street Phase II Traffic Study in the amount of \$5,000.00. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that the **INTERGOVERNMENTAL AGREEMENT WITH PEKIN HOUSING AUTHORITY FOR POLICE PROTECTION SERVICES**, be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that a **SPECIAL COUNCIL MEETING BE SET FOR WEDNESDAY, FEBRUARY 2, 2005 AT 5:30 P.M. TO AWARD THE RIVERFRONT PARK CONTRACT**. The Chair confirmed that only one item of business would be presented at the meeting. On roll call vote, Maddox, Massaglia, Richmond, and Howard Aye; Jones, present.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that a **SPECIAL INFORMATIONAL MEETING BE SET FOR WEDNESDAY, FEBRUARY 2, 2005 AT 4:30 P.M. TO DISCUSS THE JOINT COOPERATION AND USE BETWEEN THE PEKIN PARK DISTRICT AND THE CITY OF PEKIN OF THE PEKIN RIVERFRONT PARK**. On roll call vote, Maddox, Massaglia, Richmond, and Howard Aye; Jones, present.

Other Business

Commissioner Jones informed Council that Tri-County Regional Planning provides contract work for the county zoning department in which their expertise it utilized for land use opinions. He recommended the Planning Department use the same tool to assist the City staff. He requested the City Manager contact TCRPC to begin the process of an agreement for services and present information at the regular Council meeting of February 14th, 2005.

Mike Branchfield announced that the Masons would be celebrating 150 years of existence on September 27th and invited Council to attend.

Reporters from the *Peoria Journal Star* and *Pekin Daily Time* were given the opportunity to ask questions.

No further business to come before the Council, a motion was made by Com'r. Maddox, seconded by Com'r. Massaglia that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 7:10 P.M.

Sue E. McMillan
City Clerk