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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
111 SOUTH CAPITOL STREET
ON MONDAY, JANUARY 10, 2005 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, MADDOX, RICHMOND, MASSAGLIA, AND JONES
ABSENT: NONE

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

Roll was called and all commissioners were present.

Agenda

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

Motion by Com'r. Richmond, seconded by Com'r. Maddox, that the **Minutes of the Regular City Council Meeting of December 13, 2004, Special Animal Control Public Input January 6, 2005, Special Informational Meeting West Campus Development December 6, 2004 and Special Budget Work Session December 1, 2004, be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda

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

1. Receive and File Monthly Reports: Police, Tazewell County Animal Control, Finance, LADD, Inspections, Airport, Wastewater Treatment, Traffic Safety, Building Permits, and Projects Status
2. Proclamation: "Martin Luther King Jr. Day" January 17, 2005
3. Charitable Solicitation: Shade Memorial Youth Camp Tag Days April 15-17, 2005
4. Receive and File Insight Communications Price Adjustment and Programming Changes
5. Resolution No. 87-04/05 - Mayor's Appointment of Shirley Moore to the Pekin Housing Authority Board for a Five Year Term until January 14, 2010
6. Resolution No. 88-04/05 - Appointment of Gregory Ranney to the Regional Mass Transit Plan Steering Committee
7. Receive and File $67,000.00 Recycling Grant
8. Receive and File Bids for Demolition and Removal of Two Grain Elevators opened 12/15/04
9. Receive and File Pekin Planning Commission Special Meeting Minutes Dated January 5, 2005
10. Receive and File Pekin Planning Commission Hearings and Recommendations:
    a. #1646 – Recommends Approval of Special Use to obtain a Liquor license for the Dragon's Dome, LLC and Building Only located at 3401 Griffin Avenue, B-3 Zoning District.
    b. #1647 – Recommends Approval of the Site Plan for the Dragon's Dome, LLC located at 3401 Griffin Avenue, B-3 Zoning District

On roll call vote, all present voted Aye.

Pamela Anderson read the Proclamation in tribute to Martin Luther King Jr. Details of the 12th Annual King Breakfast for Equality were announced for Saturday, January 15, 2005.

Tazewell County Board Chairman Jim Unsinker presented a $67,000.00 check as the City's share of the Recycling Grant. Greg Ranney Solid Waste Director spoke of the benefits of the funds in its use to reduce recycling costs as well as recycling education.

Communications, Petitions, Reports

PEKIN POLICE FOUNDATION PRESENTATION was given by Dave Tebben by first introducing persons who were the original incorporators of an organization formed in September 2004. He explained that Officer Rob McAtee was instrumental in posing the concept to leaders of the community *to provide resources and programs that help the Pekin Police Department perform at their highest level of service to support and enhance our community*. From resources such as grants from collector 501c3 organizations, corporate and individual donations, the group presented to Council and the City of Pekin a speedtrak radar trailer and new McGruff costume donated by Pekin Insurance and Pekin Kiwanis Club.

PUBLIC HEARING PPUATS LONG RANGE TRANSPORTATION PLAN

The Hearing was opened by Mayor Howard at 6:00 p.m. Joshua Barbee explained as the Peoria/Pekin Urbanized Area's Metropolitan Planning Organization (MPO), the Tri-County Regional Planning Commission was opening the Fiscal Year 2005-2030 Plan for public review and comments. The wide-range plan represents all modes of surface transportation and is developed to promote, build, and maintain a safe and efficient multi-modal transportation system. City Manager Dennis Kief commented that the Study has been a mechanism that has helped the city get state and federal funds for projects such as Veterans Drive. The plan lists six Pekin projects slated for funds. Pekin Park District Director Bob Blackwell requested that the bike trail project be listed as a funding priority. PCHS teacher John McCabe suggested a safer exit off Stadium Drive onto Parkway Drive. Mr. Barbee directed that the City prepare plans for the projects now to get priority in allocations from upcoming enhancements. The hearing was closed by the Mayor without further comments.

REPORT ON ANIMAL CONTROL PUBLIC INPUT MEETING

Attorney Sue Bosich briefed Council and the Public on the input that was received at the Special Meeting of January 6, 2005. She stated she was discussing the appropriate revisions with each Council member before preparing the final ordinance amendment for presentation and adoption.

New Business

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SPECIAL USE TO OBTAIN A LIQUOR LICENSE FOR THE DRAGON'S DOME, LLC and Building Only located at 3401 Griffin Avenue, B-3 Zoning District** be approved. Com'r. Richmond expressed concerns regarding the sale of alcohol and consumption at sporting events when children are present at the new facility. Discussion followed among members and developer Bill Griffin as to ASA rules disallowing alcohol sales at tournaments. On roll call vote, Maddox, Jones, Massaglia, and Howard, Aye; Richmond, Nay. Motion Carried.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SITE PLAN FOR THE DRAGON'S DOME, LLC located at 3401 Griffin Avenue, B-3 Zoning District** be approved. It was noted by Public Works Director Joe Wuellner that the request for the special use and site plan were for one address being the dome and entry. Sale of liquor at outside ball fields and concessions would require a separate request. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **BID FOR DEMOLITION AND REMOVAL OF TWO GRAIN ELEVATORS in the amount of $529,000.00 be accepted and the contract be awarded to DEM/EX**. Mr. Wuellner explained that the debris from the demolition would be used as fill at the riverfront after it is crushed. On roll call vote, all present voted Aye.

ORDINANCE NO. 2404

AUTHORIZING A LEASE TO TOBIN BROTHERS DEVELOPMENT CORP

Motion by Com'r. Jones, seconded by Com'r. Massaglia, that Ordinance No. 2404 be adopted. City Manager told Council that the details of the lease were available at a public hearing regarding the City owned parking lot at 324 Court Street held on December 13, 2004. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **AGREEMENT WITH FANHDERS LAND TRUST NO. ONE for dedication of property in the amount of $24,486.00** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Massaglia, that the **CITY CONCUR WITH THE CALCULATED AMOUNT OF THE CONTRACTUAL INCREASE OF $16,800.00 IN AMENDMENT #6 TO THE AGREEMENT FOR CONTRACT OPERATION AND MAINTENANCE OF CITY OF PEKIN WASTEWATER TREATMENT PLANTS AND LIFT STATIONS WITH UNITED WATER SERVICES, INC.** City Manager Kief explained to Council that the 2003 2-year extension authorized the financial terms of the wage agreement, therefore increasing the annual contract to $823,430. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **2005 MUNICIPAL EXPENDITURE STATEMENT OF MAINTENANCE OPERATIONS** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 89-04/05
APPROPRIATING MOTOR FUEL FUNDS

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Resolution No. 89-04/05 be adopted and the Mayor and City Clerk be authorized to execute and file with the Department of Transportation, the resolution appropriating MFT Funds in the amount of $775,000.00 for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code and all documentation required. On roll call vote, all present voted Aye.
voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Richmond, that the **RETIREMENT AGREEMENT WITH DAN J. BONNETTE in the amount of $26,235.30** be approved. Personnel Director Patricia Pollock was asked to explain the agreement on the retirement of the deputy fire chief on December 31, 2004. Discussion followed on the presidents of paying a 100% of the value of accumulated sick time to be used for payment of group health premiums. Com'r. Massaglia expressed his concerns for the payout and what would stop every employee from requesting a retirement benefit by setting this policy. On roll call vote, Jones, Maddox, Richmond, and Howard, Aye: Massaglia Nay. Motion Carried.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **TWO OPTION YEARS OF THE 2003 CONTRACT FOR STUDENT TRANSPORTATION SERVICE WITH PEKIN SCHOOL DISTRICT 108** be approved. Greg Ranney Director of Transportation, told Council that the District was exercising their option to extend services until 2007 figured at 2.5% min and 5% max increase based on CPI numbers. On roll call vote, Jones, Maddox, Richmond, and Howard, Aye; Massaglia, Nay. Motion Carried.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **City's participation in the PEORIA AREA CONVENTION AND VISITORS BUREAU'S REGIONAL COOPERATIVE ILLINOIS RIVER COUNTRY MARKETING CAMPAIGN** in the amount of $7,500.00 be approved. Kim Uhlig told Council that this was the fourth year to participate and felt it important in bringing awareness to the new Dragon's Dome and riverfront development. It was confirmed for Com'r. Jones that Hotel/Motel Tax funded the expenditure. On roll call vote, all present voted Aye.

ORDINANCE NO. 2405
ACCEPTING AN AGREEMENT TO PURCHASE AND AUTHORIZING THE PURCHASE OF REAL PROPERTY WITHIN THE CITY OF PEKIN
102 CYNTHIANA

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that Ordinance No. 2405 be adopted. Questions were asked of the Planning and Development Director Kim Uhlig regarding the price offered to Lawrence Smith for the property considered for demolition in the Riverfront Development Plan. Discussion followed on the appraised value, assessed value and comparable prices of purchases the City has made. Com'r Richmond expressed concerned of a changed sale price other than the document in the packet. Com'r. Jones Stated it was too much to pay for the property as presented with a 2002 appraisal of $15,000.00. On roll call vote, Maddox and Massaglia, Aye; Jones, Richmond, and Howard, Nay. Motion Failed.

Other Business

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

Motion by Com'r. Massaglia, seconded by Com'r. Jones that Council move to **Executive Session** at 7:05 P.M. to discuss 120/2 (c) 7, Purchase of Real Estate. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 7:25 P.M.

Sue E. McMillan
City Clerk