****

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, DECEMBER 14, 2009 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, BARRA, KORTKAMP, SCHMIDGALL, STRAND AND DUNN

****

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

Roll was called and all Council Members were present.

AGENDA

Motion by Council Member Kortkamp, seconded by Council Member Abel, that **the agenda be presented.** On roll call vote, all present voted Aye.

MINUTES

Motion by Council Member Blanchard, seconded by Council Member Strand, that the **minutes of the Regular City Council Meeting of November 23, 2009 and the Special Council Meeting of November 30, 2009, be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Bill Gilroy, 1312 South 11th Street expressed his disappointment in trying to view graphs and reports when during the televised Council Meetings on Channel 22. He also voiced his support in obtaining right-of-way from the developer in the proposed lending agreement.

Garnet Meischner, 1401 Janssen, suggested Council table the Dome agreement in order for the Council to obtain background information on the purchasers before lending money.

Steve Moore, 2010 Westgate felt it was in the best interest of the residents of Pekin that the Council get information out on who the purchasers of the Dome were.

Shirley Faichney, 320 State Street, addressed Council on two matters. She voiced her displeasure that the side streets were not being cleared of snow or ice. Public Works Director Joe Wuellner explained the new snow policy in which the Street Department would work normal hours to clear snow when the depth was 4-6 inches. It would be possible to navigate 3-4 blocks to a main cleared street. She felt that the City did not need to invest money into the Dome but to use the money for the elderly.

Allen Tucker, 303 South Broadway, Denver CO, and representative of the Central Illinois Sports Alliance, LLC, owner of the property known as the Dragon's Dome, addressed the authorization of funds from the City to the Developer. The loan agreement contained terms under which the project would be utilized and a loan made. He advised Council of his experience in management of buildings and sports facilities. He felt the Dome complex was economically viable project and that private ownership was a win/win partnership with the City.

Robert Laurent4805 Sevier Drive, Springfield IL, spoke of his passion for youth sports, his connections to sporting opportunities, and his background in coordinating sports programs.

CONSENT AGENDA

Motion by Council Member Barra, seconded by Council Member Blanchard, that **the Consent Agenda be approved as presented.** Mayor Dunn read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

Council Member Blanchard noted the incorrect year listed on the agenda and the listing of scheduled Council meetings for 2010.

1. **Receive and File Monthly Reports and Minutes:** Police Department November Report, Traffic Safety Committee Minutes dated December 4, 2009, Mayor's Advisory Committee for Persons with Disabilities Minutes dated October 8, 2009, and Animal Control November report.

2. **Charitable Solicitation:** "Donation cans for David Pollard".

3. **Resolution No. 27-09/10 -** Mayor's Appointment of Steven Martin to the Economic Development Advisory Committee to fill the unexpired term of Bob Sidell for a term until the first Monday in May, 2010.

4. **Resolution No. 28-09/10 –** Mayor's Appointment of Michel Walker to the Zoning Board of Appeals to fill the vacant term to May 31, 2012.

5. **Receive and File –** Meeting Schedule for the Pekin City Council for ~~2009~~ 2010 and the Meetings of Official Bodies of the City of Pekin, Illinois.

6. **Receive and File** The Pekin Planning Commission Minutes Dated, November 18, 2009.

7. **Receive and File** Pekin Planning Commission Hearings and Recommendations:
   a. Hearing #09-1787– approval of the Site for a Drive thru for dry cleaning and coffee orders located at 312 Derby Street in Tazewell County, Illinois.
   b. Hearing #09-1788 – approval of the Special Use Request for dry cleaning and coffee orders located at 312 Derby Street in Tazewell County, Illinois.
   c. Hearing #09-1791 – approval of the Site Plan for Display and Sales of Portable Wood Sheds and Small buildings with the stipulation of a display limit of eight sheds and/or buildings at any one time and a setback requirement of 10' behind the sidewalk located at 425 Ann Eliza along with an updated Site Plan for the request to the Council.
   d. Hearing #09-1792 – approval of the Special Use Request for Display and Sales of Portable Wood Sheds and Small buildings with the stipulation of a display limit of eight sheds and/or buildings at any one time and a setback requirement of 10' behind the sidewalk located at 425 Ann Eliza.
   e. Hearing #09-1793 -& 09-1794 – made no recommendation for the Site Plan and Special Use for an AT&T Cell Tower located at 3000 Court Street due to the request by the Applicant to remove the item from the Agenda.
   f. Informal Hearing – recommends for the City Council to hold Moratoriums regarding New Billboard. Illuminated Signs, etc. requests until the Sign Ordinance can be updated.

On roll call vote, all present voted Aye.

NEW BUSINESS

ORDINANCE NO. 2604-09/10

AUTHORIZING A LOAN AGREEMENT TO CENTRAL ILLINOIS SPORTS ALLIANCE, LLC

Motion by Council Member Abel, seconded by Council Member Barra, that **Ordinance No. 2604-09/10 be adopted.** Each member of Council spoke to the matter of the Dragons Dome. Mayor Dunn summarized how the City had considered its purchase and how they then arrived at private ownership. The $500,000 loan would come from the Tourism Fund and repayment credited by increases in Hotel Motel Tax Fund driven by the facility's use. Council Members Strand and Schmidgall, originally opposed to City ownership, spoke in support of the better option and City risk mitigated. Council Members Kortkamp, Barra, and Abel stated they were proponents of the Dome and spoke in support of the project as a viable way of keeping the facility open for the community and an appropriate use of tourism money not residents' tax dollars. Council Member Blanchard expressed concerns that enough information had not been received and enough time given reviewing the background of the purchasers. He questioned the source of financing the loan. Council Member Blanchard made a motion and it was seconded by Council Member Schmidgall that $500,000 from Economic Development Fund be used. Discussion followed on the appropriate use of the PEDIF money as outlined in the creation of that economic tool to attract industrial or big box businesses. On roll call vote, Ayes, Blanchard; Nays, Schmidgall, Strand, Kortkamp, Barra, Abel, and Dunn. Motion Fails. Motion by Council Member Strand to call the question. Vote was taken on the original motion to adopt the ordinance. On roll call vote, Ayes, Schmidgall, Strand, Kortkamp, Barra, Abel, and Dunn, Nay, Blanchard. Motion Carried.

RESOLUTION NO. 29-09/10

ILLINOIS MUNICIPAL RETIREMENT FUND BENEFIT PROTECTION LEAVE

Motion by Council Member Schmidgall, seconded by Council Member Kortkamp, that **the Illinois Municipal Retirement Fund Benefit Protection Leave Form 6.32, be adopted.** Personnel Director Patricia Pollock advised that the IMRF required form authorized one employee to receive the service credit for 7 months of service time as a result of no earnings of being on Worker Compensation. On roll call vote, all present voted Aye.

City Clerk Sue McMillan explained to Council that the following 4 resolutions authorized that taxes not be levied against taxable real property in the City in amounts provided in the bond ordinances issued for projects such as the riverfront, vehicles, business park land expansions, and public works projects.

RESOLUTION NO. 22-09/10

ABATEMENT OF TAXES ORDINANCE NO. 2324 $1,040,000 GENERAL OBLIGATION REFUNDING BONDS SERIES 2003 (REFUND 1991 CORPORATE PURPOSE)

Motion by Council Member Strand, seconded by Council Member Abel, that Resolution No. 22-09/10 **be adopted.** On roll call vote, all presented voted Aye.

RESOLUTION NO. 23-09/10

ABATEMENT OF TAXES ORDINANCE NO. 2386 SERIES 2004 $2,950,000

Motion by Council Member Strand, seconded by Council Member Kortkamp, that Resolution No. 23-09/10 **be adopted.** On roll call vote, all present voted Aye.

RESOLUTION NO. 24-09/10

ABATEMENT OF TAXES ORDINANCE NO. 2387 SERIES 2004 $1,410,000

Motion by Council Member Strand, seconded by Council Member Schmidgall, that Resolution No. 24-09/10 **be adopted.** On roll call vote, all present voted Aye.

RESOLUTION NO. 25-09/10

ABATEMENT OF TAXES ORDINANCE NO. 2415 $1,120,000

Motion by Council Member Strand, seconded by Council Member Schmidgall, that Resolution No. 25-09/10 **be adopted.** On roll call vote, all present voted Aye.

Public Works Director Joe Wuellner presented as recommended by the Pekin Planning Commission the following special use request and site plan approvals:

Motion by Council Member Blanchard, seconded by Council Member Abel, that the **SITE PLAN FOR A DRIVE THRU FOR DRY CLEANING AND COFFEE ORDERS LOCATED AT 312 DERBY STREET, be approved.** On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that the **SPECIAL USE FOR A DRIVE THRU FOR DRY CLEANING AND COFFEE ORDERS LOCATED AT 312 DERBY, be approved.** On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Barra, that the **SITE PLAN FOR DISPLAY AND SALES OF PORTABLE WOOD SHEDS AND SMALL BUILDINGS with the stipulation of a display limit of eight sheds and/or buildings at any one time and a setback requirement of 10' behind the sidewalk located at 425 Ann Eliza along with updated Site Plan for the request to Council, be approved.** On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Barra, that the **SPECIAL USE FOR DISPLAY AND SALES OF PORTABLE WOOD SHEDS AND SMALL BUILDINGS with the stipulation of a display limit of eight sheds and/or buildings at any one time and a setback requirement of 10' behind the sidewalk located at 425 Ann Eliza along with updated Site Plan for the request to Council, be approved.** On roll call vote, all present voted Aye.

RESOLUTION NO. 30-09/10
APPROVAL OF FINAL PLAT ESTATES AT LAKEVIEW

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that Resolution No. 30-09/10, **be adopted.** Mr. Wuellner advised that any changes would need to come back for approval of the layout of 14 residential lots and 2 commercial lots in the new subdivision that was annexed on November 30, 2009. On roll call vote, all present voted Aye.

Motion by Council Member Barra, seconded by Council Member Abel, that the **AGREEMENT WITH J. BRIAN HELLER TO CONDUCT ADMINISTRATIVE ADJUDICATORY HEARINGS OF ORDINANCE VIOLATIONS OR THE CITY OF PEKIN AS HEARING OFFICERS be approved.** Council was informed of the mutual covenants of the agreement to conduct administrative adjudicatory hearings of ordinance violations for the City. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A194-09/10
AMENDING TITLE 8, CHAPTER 4, SECTION 1. D. OF THE CODE OF THE CITY OF PEKIN REGARDING NO PARKING SCHEDULE
7TH STREET

Motion by Council Member Schmidgall, seconded by Council Member Strand, that Ordinance No. 1462-A194-09/10**, be adopted.** Traffic Safety Chairman Joe Wuellner presented the ordinance recommended by the committee to restrict parking in the 900 block of South 7th Street south of Park Avenue in order to address safety concerns entering and exiting an office building parking lot. On roll call vote, all present voted Aye.

ORDINANCE NO. 2605-09/10
ESTABLISHING A MORATORIUM ON THE ISSUANCE OF OFF-PREMISES SIGN PERMITS

Motion by Council Member Barra, seconded by Council Member Blanchard, **that Ordinance No. 2605-09/10 be adopted.** Council was informed of the recommendation of the Planning Commission to suspend all sign activity on electronic/LED signs and bill boards until the Code was reviewed for necessary changes. The suspension would last until June. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members and Staff extended best wishes to all for the holidays and peace and prosperity in the New Year.

City Manager Dennis Kief informed Council that he had sent a draft of the FY2011 Budget and advised members to call with questions.

Director of Solid Waste Collection Greg Ranney announced that each of the holidays fallen on Friday would necessitate moving garbage collection to Saturday for two weeks.

No further business to come before the Council Mayor Dunn adjourned the meeting.

COUNCIL ADJOURNED AT 7:20P.M.

Sue E. McMillan
City Clerk