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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, NOVEMBER 25, 2002 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COMMISSIONERS, BARRA, ORRICK, MASSAGLIA, AND RICHMOND
ABSENT: NONE

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

Motion by Com'r. Richmond, seconded by Com'r. Barra, that the **Minutes of the Regular City Council Meeting of November 12, 2002 and the Special Budget Work Session of November 18, 2002 be approved as written**. On roll call vote, all present voted Aye.

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

1. Receive and File Monthly Reports: Waste Water Treatment

2. Charitable Solicitation: Terry Hodgson Benefit

3. Receive and File Foreign Fire Insurance Tax 2% Fund

4. Receive and File Pekin Planning Commission Minutes Dated November 13, 2002

5. Receive and File Pekin Planning Commission Recommendations and Hearings:
   #1553 - recommends that the Special Use Request for a Day Care at 1808 Victoria Street submitted by Denise Allen be approved.
   #1554 – recommends that the Site Plan for a Day Care at 1808 Victoria Street submitted by Denise Allen be approved
   #1555 - that the zoning assignment of City AG for the property at 301 Reuter Lane be approved
   #1556 – that the zoning assignment of I-1 for the property at 1128 Koch Street be approved
   #1557 – that the 30' strip on the east side of Wilson School property that abuts the property on the west side of the 1128 Koch Street property, rezoned from R-4 to I-1, and be approved
   #1558 – that the amended site plan to remove the median strip for the property at 2012 Court Street, submitted by Russell Waldschmidt be approved

6. Receive and File Annexation Petition Super Wal-Mart

On roll call vote all present voted Aye.

Communications, Petitions, Reports
A **PUBLIC HEARING** regarding a plan by the Issuer to issue Special Facility Revenue Bonds, Series 2002 (Everett McKinley Dirksen Endowment Fund Project) in an aggregated principal amount not to exceed $1,500,000 Bonds was opened at 5:34 p.m. The Chair asked that Corporation Counsel address the matter. Attorney Patrick Oberle confirmed notice to the public was properly published in the *Pekin Daily Times* on October 28, 2002 setting out place and time for interested persons to be given the opportunity to express their views for or against the proposed plan of financing. He explained the proceeds of the Bonds would be used to finance a portion of the costs of the construction of an approximately 5,300 sq ft building and improvements owned and operated by the Dirksen Center as a facility for education and research. The Mayor noted the plan was a favorable tax treatment to the Center with no financial responsibility of the City and no risk. Frank Mackaman Director of the Dirksen Center presented renderings of the structure on the site at Hickory Hills. No additional oral or written comments were received. The hearings were closed at 5:40 p.m.

New Business

Motion by Com'r. Richmond, seconded by Com'r. Barra that the **SPECIAL USE REQUEST FOR A DAY CARE AT 1808 VICTORIA STREET** submitted by Denise Allen be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick that the **SITE PLAN FOR A DAY CARE AT 1808 VICTORIA STREET** submitted by Denise Allen be approved. As stated in the Pekin Planning Commission Minutes and confirmed by Engineer Joe Wuellner to Council, neighbors had been contacted regarding the proposed site and no negative comments were received. On roll call vote, all present voted Aye.

Motion by Com'r. Barra, seconded by Com'r. Orrick that the **AMENDED SITE PLAN AT 2012 COURT STREET** submitted by Russell Waldschmodt be approved. Engineer Joe Wuellner explained that the amendment regarded removal of a barrier island. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A132

APROVIDING FOR THE ZONING OF CERTAIN PROPERTY / 301 REUTER SHADE MEMORIAL YOUTH CAMP

Motion by Com'r. Barra, seconded by Com'r. Orrick that Ordinance No. 1568-A132 be adopted. The property was recently annexed by adoption of Ordinance No. 2303 September 23, 2002 to receive City services. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A133

APROVIDING FOR THE ZONING OF CERTAIN PROPERTY / 30' STRIP WILSON SCHOOL RICHARD EVANS

Motion by Com'r. Barra, seconded by Com'r. Orrick that Ordinance No. 1568-A133 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2309

SPECIAL FACILITY REVENUE BONDS, SERIES 2002

EVERETT MCKINLEY DIRKSEN ENDOWMENT FUND PROJECT

Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 2309 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 2310

AMENDING TITLE 1, CHAPTER 10, SECTION 6

OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING ENTERPRISE ZONE

Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 2310 be adopted. Corporation Counsel explained that the amendment was simply to bring the Code into compliance with change in State Statute in regards to qualified sales tax exemption of purchased materials boundary expanded from Enterprise Zone to entire state of Illinois. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A201

AMENDING TITLE 8, CHAPTER 4, SECTION 1 AND SECTION 3

OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO PARKING AND HANDICAPPED AREAS ON PARK AVENUE

Motion by Com'r. Orrick, seconded by Com'r. Massaglia that Ordinance No. 1462-A201 be adopted. Com'r. Richmond told Council the Traffic Safety Committee recommended the 15-minute parking on request of the Pekin Hospital for drop off location for services. On roll call vote, all present voted Aye.

Motion by Com'r. Orrick, seconded by Com'r. Massaglia, that the **AGREEMENTS FOR ACCESS ROAD EASEMENT AND DRIVEWAY EASEMENT WITH MARY D. LUTTICKEN** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that the **2003 ESTIMATE OF STREET MAINTENANCE COSTS** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 206
FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITIES UNDER THE ILLINOIS HIGHWAY CODE APPROIATING $750,000.00 MFT FUNDING FOR MUNICIPAL ESTIMATE OF MAINTENANCE COSTS

Motion by Com'r. Massaglia, seconded by Com'r. Orrick that Resolution No. 206 be adopted. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Orrick, that the **LETTER OF AGREEMENT WITH FIREFIGHTERS LOCAL I.A.F.F. #524 REGARDING HEALTH INSURANCE** be approved. Com'r. Massaglia said the agreement to be attached to the Union contract clarified some misinterpretation of family/dependent in the health provision language. Com'r. Barra stated if she did vote for the terms of the agreement it would be with extreme reluctance because she felt the contract was ratified by the fire members and adopted by Council. City Manager Hierstein said the situation was unusual but the understanding now of the premium and a four-year contract was good for everyone. On roll call vote, Ayes, Orrick, Massaglia, Richmond and Tebben; Nay, Barra. Motion Carried.

Motion by Com'r. Massaglia, seconded by Com'r. Richmond, that a **PUBLIC HEARING BE SET FOR ANNEXATION FOR SUPER WAL-MART FOR DECEMBER 23, 2002 @ 5:30 P.M.** On roll call vote, all present voted Aye.

Other Business

Mr. Hierstein reported that as of December 1, 2002 customers would receive one bill for Illinois American Water consumption and wastewater charge on one bill. Eventually there will be one drop-off box across from the Post Office.

Happy Thanksgiving Holidays was extended to all.

Motion was made by Com'r. Massaglia, seconded by Com'r. Barra at 6:20 p.m., that Council move to **Executive Session** to discuss Litigation. 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. Orrick that Council adjourn. Motion carried by voice vote.

COUNCIL ADJOURNED AT 7:15 P.M.

Sue E. McMillan
City Clerk