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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 24, 2003 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING

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

ABSENT: NONE

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The **Pledge of Allegiance** was led by PCHS State Sectional Girls Swim Team Members.

Roll was called and all commissioners were present.

Agenda

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

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the **Minutes of the Regular City Council Meeting of November 10, 2003 and the Special Budget Work Session of November 17, 2003 be approved as written**. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that the C**onsent Agenda be approved as presented.**

1. Receive and File Monthly Reports: Inspections, Wastewater Treatment Plant, Traffic Safety Committee
2. Proclamation: "PCHS Girls Swim Team Day" November 24, 2003
3. Receive and File Library Long-Range Planning Team Meeting #2 Minutes
4. Receive and File 2% Fire Department Tax on Foreign Fire Insurance Companies
5. Resolution No. 28-03/04 - Supporting that the Air National Guard Unit Remain Housed At the Peoria Regional Airport
6. Pekin Planning Commission Minutes Dated November 12, 2003
7. Pekin Planning Commission Hearings and Recommendations:
    a. #1595 – approval of Preliminary Plat for Hickory Hills Section #4, subject to, the requested zoning for this plat being approved by the Pekin City Council
    b. #1597 – approval of rezoning request for Hickory Hills #4 submitted by the Pekin City Council. The lots will be zoned as follows: Lots 47 thru 50, 57 thru 62 and lots 66 & 67 will all be rezoned from RE (residential estates) to R-2 (single family residential) and lots 51, 55 &56 will be zoned from RE (residential estates) to RM-2 (multi-family residential).
    c. #1598 – approval for the zoning assignment of R-2 to the parcel recently annexed into the City of Pekin to be known as Deerfield Estates, Section #3
    d. #1599 – approval for the Preliminary Plat for a thirty lot subdivision, submitted by Gary Allen for Deerfield Estates, Section #3
    e. #1600 – approval for the rezoning to the northern half of lot 101 Cincinnati Addn., commonly known as 402 S 3rd Street from RM-2 (multi-family residential) to OS-1 (office service), to allow for a small employee parking lot to be constructed.
    f. #1601 – approval for the special use for liquor sales in a B-3 Zone at 3506 Court
    g. #1602 – approval for the site plan submitted by Camille's for inside liquor sales.
    h. #1603 approval for the amended site plan submitted by Darrel Becker, Agent for the apartments to be located at Lakeshore and Edgewater Drive.

On roll call vote, all present voted Aye.

Mayor Howard read and presented the proclamation "PCHS Girls Swim Team Day" to team members Emma Benjamin, Katie Baird, and Amy Kief, daughter of Interim City Manager Dennis Kief. The girls accepted the document, which proclaimed the success of this year's team in an undefeated dual season and first time in school history IHSA Sectional State Championship.

Communications, Petitions, Reports
A Public Hearing was opened at 5:34 p.m. by Mayor Howard for the purpose of contemplating the adoption of an ordinance authorizing the annexation to the City of Pekin, of a tract of property containing approximately 13.84 acres contiguous with the boundary of the City known as Deerfield Estates Section 3. Notice of public hearing was published in the *Pekin Times* on November 6, 2003. There were no comments received on the request to annex the part of PIN 10-10-11-105-009. The hearing was closed at 5:35 p.m.

New Business

ORDINANCE NO. 2349
PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTY
REUTER/ALLEN – DEERFIELD ESTATES SECTION 3

Motion by Com'r. Maddox, seconded by Com'r. Massaglia, that Ordinance No. 2349 be adopted. Attorney Patrick Oberle was called on to explain the petition of Jess G. Tucker Jr. Under Reuter Charitable Remainder Unitrust and Gary L. Allen. The additional tract would be established as part of Deerfield Estates. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A138
PROVIDING FOR ZONING TO R-2 OF DEERFIELD ESTATES SECTION 3

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that Ordinance No. 1568-A138 be adopted. Code Enforcement Officer Ron Sieh explained to Council that the developer was expanding the subdivision and had requested the R-2 zoning. The Planning Commission recommended the mix of lots whereas the previous two sections were R-1. On roll call vote, all present voted Aye.

RESOLUTION NO. 29-03/04
PRELIMINARY PLAT DEERFIELD ESTATES SECTION 3

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that Resolution No. 29-03/04 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A139
PROVIDING FOR REZONING TO R-2 OF HICKORY HILLS #4

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that Ordinance No. 1568-A139 be adopted. Mr. Sieh told Council that the developer had requested three additional multi family lots and a change to R-2 in place of RE. Originally the developer wished to maintain RE for the remaining portion of land but the PPC asked that White Pine not be split. Mr. Sieh confirmed Council's question that curb and Gutter would be required in R-2 zoning. On roll call vote, all present voted Aye.

RESOLUTION NO. 30-03/04
PRELIMINARY PLAT HICKORY HILLS SECTION 4

Motion by Com'r. Massaglia, seconded by Com'r. Maddox that Resolution No. 30-03/04 be adopted. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A140
PROVIDING FOR REZONING TO OS-1 402 SOUTH 3RD STREET / HOYLE

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that Ordinance No. 1568-A140 be adopted. Mr. Sieh recommended the request from Hoyle Transportation that would be a step toward providing off-street parking for employees at the corner of 3rd Street and Fayette. Mr. Sieh confirmed the lot would be hard surfaced. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SPECIAL USE REQUEST FOR LIQUOR SALES IN A B-3 ZONE AT 3506 COURT STREET CAMILLE'S** be approved. Mr. Sieh explained that there was concern of the drawing showing outside tables but the Planning Commission clarified at their meeting there would not be outside sale of liquor. Owners of the new restaurant did not wish to enclose the front of the establishment with a five-foot high wall. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **SITE PLAN FOR INSIDE LIQUOR SALES AT 3606 COURT STREET SUBMITTED BY CAMILLE'S** be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Richmond, seconded by Com'r. Massaglia, that the **AMENDED SITE PLAN SUBMITTED BY DARREL BECKER, AGENT FOR THE APARTMENTS TO BE LOCATED AT LAKESHORE AND EDGEWATER DRIVE** be approved. The request was a revision to the plat approved in October. Due to changes by the owner during the sale, the lot became smaller requiring new owner to reduce the number of units he intended to build. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A216

AMENDING THE CODE OF THE CITY OF PEKIN 1995 TITLE 8, CHAPTER 4, SECTION 1 REGARDING NO PARKING SCHEDULE HIGHWOOD AT SUNSET HILLS SCHOOL ON SCHOOL DAYS

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 1462-A216 be adopted. Public Works Director/Interim City Manager Dennis Kief told Council that the principal of the school requested the time limit zone 8:15 a.m. to 8:45 a.m. and 2:45 p.m. to 3:15 p.m. for the safety of children in the morning and at dismissal of school. On roll call vote, all present voted Aye.

Motion by Com'r' Jones, seconded by Com'r. Richmond, that the **CITY COUNCIL MEET IN EXECUTIVE SESSION ON MONDAY, DECEMBER 1, 2003 AT 5:00 P.M. TO DISCUSS THE SEARCH FOR A PERMANENT CITY MANAGER.** Com'r. Jones asked that the City do the job that Council was elected to do for this manager form of government and begin the process of interviewing for the City Manager position. Mayor Howard voiced his opinion that that when the Council appointed Mr. Kief he had all powers that went with the position. Assumptions that there was no City Manager in place were incorrect and that there was no law requiring one be hired. Mayor Howard spoke in support of Mr. Kief remaining in the position as long as he did the job. Commissioner Massaglia concurred with the great job that Mr. Kief was doing. Com'r. Massaglia opposed paying $170,000 expenditure for a new City Manager in this budget year. On roll call vote: Ayes Jones, Richmond, Maddox, Howard; Nay, Massaglia. Motion carried.

Other Business

Com'r. Jones indicated that the Council meetings were not being seen on Channel 22. He asked that if there were computer problems with the recording and airing of the meetings that the problems be addressed.

Public Input

Residents in the area of Derby and 7th Streets voiced their concerns to Council about raw sewage backing up in their basements they indicated was caused by grease plugging the sewer lines. Individuals demanded action from Council. Council members stated they would investigate the source and uphold the code if the accused Ernie's restaurant was in violation.

Residents also expressed concern over trucks that unload supplies for Ernie's they say block the street and driveways, making it difficult for emergency vehicles to enter the area on calls. Council directed the Traffic Safety Committee to review the traffic issue. For the record:
Walter Myers 1230 South 7th Street
Carol Heflin 1209 S 7th Street
Joy Kranz

Garnet Meischner 1401 Janssen spoke generally to the Council on a variety of topics. He gave his opinion on forms of government, tax increase, revenues.

Reporters from the *Peoria Journal Star, Pekin Daily Times* Johnathan Ahl, WCBU were given the opportunity to ask questions. Mr. Ahl questioned a motion to meet in executive session and how the search for a city manager applied to exemptions under the Open Meetings Act. Council discussed with Attorney Oberle if the motion could be withdrawn. Com'r. Jones then made a motion that the **CITY COUNCIL MEET ON MONDAY, DECEMBER 1, 2003 AT 5:00 P.M. TO DISCUSS THE SEARCH PROCESS FOR A PERMANENT CITY MANAGER.** On roll call vote: Ayes Jones, Richmond, Maddox, Howard; Nay, Massaglia. Motion carried.

Greg Ranney Director of Public Property informed Council and the general public of holiday garbage pickup changes. Yard Waste collection would be discontinued on January 15th until spring.

Com'r. Jones questioned Mr. Kief on the preparations for snow and was told that the Street Department has prepared snow routes and has ordered 45 hundred ton of salt.

Mayor Howard welcomed the Youth Council members back to attendance of the meeting.

Motion by Com'r. Jones, seconded by Com'r. Richmond that Council move to **Executive Session** at 6:30 P.M. to discuss Sale of Real Estate, Collective Bargaining, and Litigation ILCS 120/2 (c.) 6, 2, 11. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk