
**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 22, 2004 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 Mr. William Gilroy.

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. Massaglia that the **Minutes of the Regular City Council Meeting of November 8, 2004 and the Budget Work Session of November 15, 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 be **approved as presented**. City Clerk Sue McMillan presented the following items under consent Agenda.

1. Receive and File Monthly Reports: Fire, Airport, Inspections, Wastewater Treatment
2. Receive and File Financial Statements April 30, 2004 Willock Warning & Co, P.C.
3. Receive and File Foreign Fire Insurance Tax
4. Receive and File IDOT Amendment to Agreement for Maintenance of Municipal Streets
5. Receive and File Storm Water Video
6. Receive and File Zoning Board of Appeals Minutes Dated November 10, 2004
7. Receive and File Pekin Planning Commission Minutes Dated November 10, 2004
8. Receive and File Planning Commission Hearings and Recommendations:
#1644 – recommends Special Use Request Drive Thru for new Steak N Shake on Court Street,
submitted by Joseph A. Schudt & Assoc. be approved
#1645 – recommends the Site Plan for Drive Thru for new Steak N Shake on Court Street,
submitted by Joseph A. Schudt & Assoc. be approved

On roll call vote, all present voted Aye.

New Business

Motion by Com'r. Jones, seconded by Com'r. Massaglia, that the **SPECIAL USE REQUEST FOR A DRIVE THRU FOR NEW STEAK N SHAKE ON COURT STREET** submitted by Joseph A. Schudt & Association be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Richmond, that the **SITE PLAN FOR A DRIVE THRU FOR NEW STEAK N SHAKE ON COURT STREET** submitted by Joseph A. Schudt & Association be approved. On roll call vote, all present voted Aye.

ORDINANCE NO. 2398

**AMENDING TITLE 3, CHAPTER 2, SECTION 6B OF THE CODE OF THE CITY OF PEKIN
1995 REGARDING HOTEL MOTEL USE TAX**

Motion by Com'r. Jones, seconded by Com'r. Richmond, that Ordinance No. 2398 be adopted. On roll

call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **AGREEMENT WITH D. J. MAHONEY, INC. dba PEKIN RECYCLING** beginning September 1, 2005 be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Massaglia, seconded by Com'r. Maddox, that the **AMENDMENT TO THE AGREEMENT WITH POWERTON FIRE PROTECTION DISTRICT** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 82-04/05

SETTING A PUBLIC HEARING REGARDING THE ESTABLISHMENT OF TIF III

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that Resolution No. 82-04/05 be adopted. On roll call vote, all present voted Aye.

Other Business

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

Motion by Com'r. Maddox, seconded by Com'r. Massaglia that Council move to **Executive Session** at 6:15 P.M. to discuss 120/2 (c) 11 and 8 and 7 – Litigation and 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. Maddox, seconded by Com'r. Massaglia that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk