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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 CITY HALL
111 S. CAPITOL ST
ON MONDAY OCTOBER 28, 2019 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mark Luft. The Clerk confirmed all Council Members were present. A quorum was declared by Mayor Luft.

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Michael Garrison | Councilman | Present | 4:17 PM |
| Rick Hilst | Councilman | Present | 4:14 PM |
| Karen Hohimer | Councilwoman | Present | 4:09 PM |
| Dave Nutter | Councilman | Present | 4:15 PM |
| Lloyd Orrick | Mayor Pro-Tem | Present | 4:11 PM |
| John P Abel | Councilman | Present | 4:10 PM |
| Mark Luft | Mayor | Present | 4:12 PM |

## APPROVE AGENDA

**3.1.** Motion to: **Motion to Remove 8.1, 8.3, & 8.6 from the Current Agenda**
Council Member Hilst asked that before he made a motion regarding the agenda he be allowed to make comments on why he would be making the motion. He stated the council had been approving agenda items for months with expenses without having received the true financial condition of the City, and referred to the 2018 Audit not being completed. He would not throw blame but voiced concern that it was time for Council to take a stronger stance on the issue. Council Member Hilst then motioned to remove New Business items 8.1, 8.3, and 8.6 from the Agenda, seconded by Council Member Nutter.

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| **RESULT:** | **DEFEATED [2 TO 5]** |
| **MOVER:** | Rick Hilst, Councilman |
| **SECONDER:** | Dave Nutter, Councilman |
| **AYES:** | Rick Hilst, Dave Nutter |
| **NAYS:** | Garrison, Hohimer, Orrick, Abel, Luft |

**3.2.** Motion to: **Approve agenda**
Councilmember Dave Nutter questioned the Finance Director with regards to an update on the audit.

Finance Director, Mr. Bruce Marston, explained to the Council that he also is frustrated but the Council is dealing with current year revenue and expenditures and the funds are doing better than projected. Mr. Marston received correspondence from the auditors on October 7, 2019 indicating that they need an additional 4 weeks as they communicate that they are not able to allocate the time necessary to finish the report. Mr. Marston gave Council alternatives to looking at the budget by looking at the investment report every month and budget reports and it was added that there is nothing in the current year operations that is negative with regard to budget expenditures and the ability to meet those. Council continued to discuss the cost and the penalties associated each day the report is late. Mr. Marston applied for an extension for fiscal year 29 audit as we cannot start the FY19 audit until the FY18 audit is complete. Finally Council discussed the options to not engage this firm in the next years audit if we are unhappy with their performance. Mr. Marston recommended not engaging them again. City Manager, Mr. Mark Rothert, pointed out that he has emailed the auditors to notify them that we are getting fined. Mr. Marston added that a managing partner is assigned to each audit and if that partner is failing you can go above them. Councilmember Abel requested that someone from the firm attend the next Council meeting to answer questions.

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| **RESULT:** | **ADOPTED [6 TO 1]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | John P Abel, Councilman |
| **AYES:** | Garrison, Hohimer, Nutter, Orrick, Abel, Luft |
| **NAYS:** | Rick Hilst |

## APPROVAL OF MINUTES

**4.1.** Motion to: **Approval of Minutes**

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Dave Nutter, Councilman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

**4.2. City Council - Regular Meeting - Oct 14, 2019 5:30 PM**

## PUBLIC INPUT

No public input was given.

## CONSENT AGENDA

Mayor Luft read through the 5 Consent Agenda Items. All items were approved by Omnibus vote of the Council.

**6.1. September 11, 2019 Minutes of the Pekin Plan Commission**

**6.2. September 2019 Building Report**

**6.3. Resolution No. 30-19/20 Mayor's Appointment of Gary Brienen to the Pekin Public Library Board of Trustees to fill an unexpired term of Elise Albers until June 30, 2020 is approved.**

**6.4. National American Indian Heritage Month**

**6.5. Accounts Payable Bill Run through 10-18-19 and General Fund Revenue vs Expense Detail Period and Non General Fund Revenue vs Expense Detail Period through August 2019 Period 4**

**6.6.** Motion to: **Motion to Approve Consent Agenda**

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | Karen Hohimer, Councilwoman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

## PRESENTATION

**7.1. Proposed 2020 Street Maintenance Plan Presentation**

City Manager, Mr. Mark Rothert, introduced the City Engineer, Mr. Michael Guerra to give a presentation on the Proposed 2020 Street Maintenance Plan.

City Engineer, Michael Guerra, began the presentation and explained that the goal is to create a five year capitol plan. Mr. Guerra then introduced the Assistant City Engineer, Ms. Josie Esker, to explain the initial draft plan which included an overview of the types of street maintenance and last years' projects. Overall, $662,523 was invested in last years' street maintenance utilizing MFT funding. Ms. Esker continued the slide show with next year's projects with the exception of Court Street, Derby Street, Broadway between 8th and Parkway between Willow and Sheridan. Presented were the potential 2020 maintenance and mill and overlay projects that included 14th Street from Koch to El Camino, Willow between Parkway and Schramm, another two sections of Willow and Parkway heading North from Sheridan into the City limits, 10th Street, Broadway and 5th from Washington to Derby. Ms. Esker continued with proposed chip seal projects that included Central Original Town Subdivision, Pekin Heights, Sunset Hills, miscellaneous street, Koch from Route 29 to 14th Street, and Greenbrier and Parkway Manor Subdivisions. The proposed budget includes the increase of MFT allocations estimated to be $1.5M and the funds that came under budget for last years' projects, for a total of $2.02M. therefore, the engineering departments recommendations are 14th Street from Koch and El Camino for mill and overlay, and a split asphalt section from Koch to Veterans, ADA Sidewalk Ramps on Parkway from Willow to city limits and on Willow from Parkway to Schramm and all listed streets for chip seal. Ms. Esker informed Council of the survey in their packet and the next steps is for Council to provide responses to the engineering department by November 16, 2019 to present the final selection at the 2nd meeting in November.

Council presented Ms. Esker with questions regarding other ADA Ramp projects, daily traffic count, paid invoices for last years' projects and other projects requested by the public.

## NEW BUSINESS

### 8.1. Greater Peoria Economic Development Council Annual Sponsorship

The Council was asked to approve a request from the Greater Peoria Economic Development Council (GPEDC) with a 2019 investment dues of $25,000.00. Council was advised the money was used to build economic growth through targeted business assistance and attraction, workforce development and regional marketing. The City of Pekin had collaborated with the Greater Peoria EDC for 10+ years and continued to collaborate on sharing data, regional marketing, and project and business assistance. Pekin benefited from business attraction efforts with leads generated from site selectors, conferences and trade shows/summit's focused on manufacturing and healthcare industries. The GPEDC also had streamlined responses for site search requests adding regional data and resources available to development projects when a Pekin site was submitted.

Council Member Garrison made a motion to table the approval. No second was received.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | Dave Nutter, Councilman |
| **SECONDER:** | Michael Garrison, Councilman |
| **AYES:** | Garrison, Hohimer, Orrick, Abel, Luft |
| **NAYS:** | Dave Nutter |
| **ABSTAIN:** | Rick Hilst |

**8.2. Resolution No. 29-19/20 Directing the Planning and Zoning Commission to Hold a Hearing to Consider an amendment to the Zoning Code of the City of Pekin to Place Limitations on Cannabis Business Establishments Within the City of Pekin**

City Manager, Mr. Mark Rothert, presented Resolution No. 29 – 19/20 to direct the Pekin Planning Commission to hold a public hearing and render a recommendation on zoning changes. A sample zoning code amendment prepared by the City Attorney is attached. It shows how cannabis sales would be regulated in the City if the City Council voted to allow dispensaries in the community.

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| **RESULT:** | **APPROVED [6 TO 0]** |
| **MOVER:** | John P Abel, Councilman |
| **SECONDER:** | Karen Hohimer, Councilwoman |
| **AYES:** | Hilst, Hohimer, Nutter, Orrick, Abel, Luft |
| **ABSTAIN:** | Michael Garrison |

**8.3. Resolution No. 28-19/20 for the Demolition of Abandoned Properties at 410 South Street and 1118 Woodlawn Ct. Utilizing CDBG Funds**

No discussion was held.

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| **RESULT:** | **APPROVED [6 TO 0]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Lloyd Orrick, Mayor Pro-Tem |
| **AYES:** | Garrison, Hohimer, Nutter, Orrick, Abel, Luft |
| **ABSTAIN:** | Rick Hilst |

**8.4. Site Plan for Addition to Johnson Mechanical at 1818 Riverway Drive**

City Manager, Mr. Mark Rothert, presented a request to Council made by Johnson Mechanical Company for Site Plan Review for the construction of a 6,000 square foot addition onto the rear of the existing building at 1818 Riverway Drive. The proposed addition will be constructed directly to the rear of the existing building and will be connected with a 500 square foot, fire-rated corridor to the rear of the existing building. The proposed addition will be utilized as a warehouse, which constitutes a permitted use in the PUD District.

Building Inspector, Mr. John Lebegue, described the parking requirement for warehouse and wholesale establishments, yard setbacks, lot coverage and FAR. Mr. Lebegue concluded that staff found that the site plan is in compliance with City development and zoning requirements and standards. Therefore, upon consideration, the Plan Commission found the addition compliant with City requirements and voted unanimously to recommend approval to Council.

Approval of the proposed expansion will also have to subsequently go before the Riverway Business Park Committee to ensure the proposed project plans conform to the protective covenants of the Riverway Business Park.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Rick Hilst, Councilman |
| **SECONDER:** | John P Abel, Councilman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

**8.5. Agreement for Construction and Maintenance with Tazewell and Peoria Railroad for a Railroad Crossing for the entrance to CHS Grain Elevator and Dock.**

City Engineer, Mr. Michael Guerra asked that Council to approve an agreement for the design and construction for a railroad crossing for the entrance to the CHS grain elevator and dock along Front Street. The cost for the design for this railroad extension and the construction was included in the Front Street funding the City received as part of the construction for the improvements. This agreement outlined the responsibilities of the City and the railroad as it related to the removal and replacement of the rail crossing.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Dave Nutter, Councilman |
| **SECONDER:** | Michael Garrison, Councilman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

**8.6. 2020 Tazewell County Animal Control Intergovernmental Agreement**

Council was presented with the annual renewal for the agreement between the Tazewell County Animal Control and the City of Pekin providing animal and rabies control services to the City of Pekin. Council was advised the cost did not increase in the past several years and would remain the same cost as previous years. Tazewell County also issues local ordinance tickets on the City’s behalf to those violators they encounter. Some of these costs are recouped through the Adjudication Process. The annual cost remained at $45,045.96.

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| **RESULT:** | **APPROVED [6 TO 0]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | Karen Hohimer, Councilwoman |
| **AYES:** | Garrison, Hohimer, Nutter, Orrick, Abel, Luft |
| **ABSTAIN:** | Rick Hilst |

## ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Elaine Ritchie and Anita Justice approached the podium and spoke against the motorized bicycles in the city. Mayor Luft informed the public that the issue is being discussed and a new ordinance will be presented in the new year.

John McNish questioned Council on the upcoming demolitions on Orchard and requested a list of those properties. Mr. McNish also addressed removing the garbage fee from wastewater, and update on the audit and Court Street. Mayor Luft addressed his concerns.

City Manager gave an update on City Council goals with updates on progress including expanding capital improvement items, and approved reorganization.

City Engineer, Mr. Michael Guerra, announced road closure and project updates.

Mayor Luft and Council members each gave their announcements.

## EXECUTIVE SESSION 5 ILCS 120/2 (C)

## ADJOURN

The motion was made by Councilmember Orrick to adjourn, seconded by Councilmember Garrison. There being no further action to come before Council, Mayor Luft adjourned the meeting 7:09 PM.