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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 26, 2020 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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THIS WILL BE A REMOTE MEETING HELD VIA "ZOOM MEETINGS". THE PUBLIC CAN ONLY ATTEND THIS MEETING REMOTELY; DUE TO THE GOVERNOR'S EXECUTIVE ORDER REGARDING COVID-19 AND THE RELAXING OF THE OPEN MEETING ACT REQUIREMENTS, THIS MEETING WILL BE HELD REMOTELY VIA ZOOM MEETINGS WITHOUT AN IN-PERSON MEETING LOCATION FOR THE PUBLIC TO ATTEND. YOU WILL BE ABLE TO LISTEN TO THE MEETING AND SUBMIT COMMENTS DURING THE TIME FOR PUBLIC COMMENTS BY SENDING A DIRECT MESSAGE TO THE MEETING HOST USING ZOOM MEETINGS

TO JOIN IN THE MEETING FOLLOW THIS LINK: HTTPS://ZOOM.US/J/6898035689. BY PHONE, DIAL IN AND LISTEN TO THE MEETING AS FOLLOWS: 1-312-626-6799; THEN ENTER MEETING ID 689 803 5689. PRIOR TO THE MEETING, YOU CAN ALSO SUBMIT A PUBLIC COMMENT REMOTELY BY EMAIL, BY 3 PM THE DAY OF THE MEETING, BY SENDING AN EMAIL TO THE CITY CLERK AT SMCMILLAN@CI.PEKIN.IL.US AND INSERTING IN THE SUBJECT LINE FOR THE EMAIL "PUBLIC COMMENT FOR MEETING ON OCTOBER 26, 2020".

TO VIEW MEETING ONLINE GO TO: HTTP://PEKINIL.IQM2.COM (CLICK BANNER AT THE TOP THAT STATES "VIEW LIVE MEETING") OR CHANNEL 22

PLEDGE OF ALLEGIANCE

Due to the Governor's Executive Order regarding COVID-19 and the relaxing of the Open Meetings Act requirements, this meeting was held remotely via Zoom Meetings without an in person meeting location for the public to attend. Therefore, the provisions of the City Code regarding electronic attendance did not apply. The Pledge of Allegiance was led by Councilmember Orrick.

The Clerk confirmed by roll call vote, that all Council Members were physically present except Councilmember Garrison, who was absent.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Absent	5:39 PM
Rick Hilst	Councilman	Present	5:39 PM
Karen Hohimer	Councilwoman	Present	5:39 PM
Dave Nutter	Councilman	Present	5:39 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:39 PM

John P Abel	Councilman	Present	5:39 PM
Mark Luft	Mayor	Present	5:39 PM

APPROVE AGENDA

Motion to: **Amend Agenda to remove agenda items 9.2, 9.3, 9.4**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

3.1. Motion to: **Approve Agenda as Amended**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Oct 12, 2020 5:30 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

PUBLIC INPUT

Jim Mangan spoke regarding agenda item 7.6 TIF Incentive Request to Support Craft Grow Operator. He felt the item should go to the Joint Review Board and the funds should be paid back from the Central District TIF. Mr. Mangan also questioned what Council considered living wages.

Michelle Teheux commented to Council regarding the community and St. Joseph's Church. She felt the City and the community's actions prove that residents and businesses do matter.

City Clerk, Sue McMillan, stated that Amy McCoy would be speaking during the second public comment.

CONSENT AGENDA

6.1. Proclamation National American Indian Heritage Month

6.2. Ordinance No. 2912 - 20/21 A Request to Consider a Special Use for Property Located at 921 S. Second Street

6.3. Ordinance No. 2913-20/21 Front Yard Variance Request Regarding 1015 Buff Street

6.4. Ordinance No. 2914-20/21 Front Yard Variance Request Regarding 103 Matilda Street

6.5. Police Department Stats - September 2020

6.6. Accounts Payable To Be Paid Proof List Thru October 02, 2020

6.7. Accounts Payable to be Paid Proof List thru October 16, 2020

6.8. Financial Reports August FY21

6.9. Comparison of State Distributions October 2020

Motion to: **Approve Consent Agenda**

Mayor Luft read through the 9 items listed on the Consent Agenda.

Councilmember Hilst questioned whether any building permits were issued regarding consent agenda items 6.3 and 6.4.

Mr. Matt Fick, Planning and Zoning Manager, did not know if permits were issued but stated that the inspector did look at the property.

City Manager, Mr. Mark Rothert, stated that if a permit was not issued the city would charge double.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

NEW BUSINESS

7.1. Ordinance No. 2915-20/21 Approving A Special Use and Street Vacation for St. Joseph's Church

City Manager, Mr. Mark Rothert, presented the request to Council to adopt and approve Ordinance No. 2915-20/21 Approving A Special Use and Street Vacation for St. Joseph's Church.

Planning and Zoning Manager, Mr. Matt Fick, complimented everyone for working together.

Mayor Luft spoke in favor of the agenda item and shared the communities appreciation and support for involving the neighborhood.

Councilmembers Orrick and Hohimer also spoke in favor of the agenda item.

Councilmember Nutter expressed his concern regarding the vacated area and whether the church is responsible for any activity on the street such as snow or accidents.

Mr. Rothert added that Council could make the vacated street contingent on a permit being issued but then after that it would be the City’s responsibility.

City Attorney, Ms. Katherine Swise, pointed out that two ordinances were in the packet and made it clear that the site plan was not part of the vote. The vote would go towards the special use and the vacation. Should the completion not be finished in 5 years the vacation would then be void. The final approval of the site plan would be later down the road.

Councilmember Hilst questioned whether the City was going to allow combined sewers and felt that the two empty lots should be given to the City and sold to increase values and taxes.

Councilmember Nutter agreed with Councilmember Hilts’ comments.

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

Motion to: **Amend 7.2 Ordinance No. 2916-20/21 Amending Title 9, Chapter 10 of the City Code Regarding Off-Premises Signs to Remove Permit Fee Until Second Meeting in November**

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

7.2. 2347 : Ordinance No. 2916-20/21 Amending Title 9, Chapter 10 of City Code Regarding Off-Premises Signs as Amended

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Ordinance No. 2916-20/21 Amending Title 9, Chapter 10 of City Code Regarding Off- Premises Signs. Mr. Rothert read the request to Council.

Councilmembers expressed concern about pushing competition and content restrictions.

City Attorney Ms. Katherine Swise stated that it would be difficult to regulate what is displayed on each sign. Any existing sign that is legal under existing guidelines will retain legal nonconforming status until the sign is taken down, moved or renovated to a substantial reconstruction.

Mr. Rothert added that this opens up electronic billboard signage to provide a more digital experience.

Council also discussed the cost of the annual fee for a permit as whether the fee was too low or if the price should be based on square footage.

Mr. Rothert suggested that with digital electronic billboards each advertisement rotates 15 seconds and each advertiser could pay a fee.

Council did not feel it was an income generated purpose for the City.

Mr. Rothert suggested to approve the ordinance with a contingency of coming back to Council with a fee schedule.

Council expressed consensus to Mr. Rothert’s suggestion.

Councilmember Hilst motioned to amend agenda item 7.2 Regarding Off-Premises Signs to remove the permit fee until the second meeting in November, seconded by Councilmember Nutter. On Roll Call vote all present voted Aye.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

7.3. Resolution No. 178-20/21 Granicus - MinuteTraq Maintenance Renewal

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 178-20/21 Granicus - MinuteTraq Maintenance Renewal. Mr. Rothert read the request to Council.

Council discussed that the fee was the same as last year.

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

7.4. Resolution No. 179-20/21 Extending Mayor's Executive Order Regarding Outdoor Sales Areas

City Manager, Mr. Mark Rothert presented the agenda item to Council to approve and adopt Resolution No. 179-20/21 Extending Mayor's Executive Order Regarding Outdoor Sales Areas.

City Attorney, Ms. Katherine Swise, added that the additional contingency with the Fire Chief was to not allow ay open flame heating sources.

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

7.5. Discussion - Adoption of Business Licensing or Registration

A motion was made by Councilmember Hohimer seconded by Councilmember Abel for Discussion of the Adoption of Business Licensing or Registration.

City Manager, Mr. Mark Rothert, read the discussion item to Council.

Mayor Luft spoke in favor of business licensing as it helps keep the community safe and who is in our City doing business.

Councilmember Hilst spoke in favor of business registration more than licensing.

City Attorney, Ms. Katherine Swise, stated that depending on the violation there are already tools in place in the code to close down a business. Also ordinances to specific businesses have tools in the code like bodyworks or liquor licensing. Anything that would not fall in chronic nuisance or an already regulated license would be far and few between. The examples in the request could be modified by the Council.

Mr. Rothert stated that a simple system exists online called Neighborly that is utilized for business grants that could be used to register businesses or provide licensing done annually with no fee. Mr. Rothert suggested a grace period to sign up with no penalty starting January 1st.

Ms. Swise added that non-profits' fees might be waived but required to register. Fee exemptions include charitable or religious organization and home businesses.

Mr. Rothert stated that a recommendation and draft to Council would be forthcoming.

RESULT:	**PRESENTED**

7.6. Discussion - TIF Incentive Request to Support Craft Grow Operator

A motion was made by Councilmember Hohimer seconded by Councilmember Abel for a Discussion on TIF Incentive Request to Support Craft Grower Operator.

City Manager, Mr. Mark Rothert, introduced Ms. Claire O'Hearn and Mr. Bill Blackburn from Riverway Craft Labs to give a powerpoint presentation with a background of the company via Zoom Meetings.

Ms. O'Hearn began the presentation and gave a brief overview of the State cannabis industry and if approved for a license a set of company standards. Ms. O'Hearn also gave a background of her position with the company, community economic impact if approved, estimated project cost of $12M, reviewed site plan, project schedule, and performa. Ms. O'Hearn requested that the building permit fees be waived. She also stated that the project schedule is behind due to the State delaying permits to due COVID.

Mayor Luft repeated questions that came up through written public input which included the hiring process and whether Pekin residents will be a priority. Mayor Luft also stated that another question that was asked was how this goes back into the system through the TIF program. It was answered that an estimated cost of $223K which helps rebuild the TIF quickly.

Ms. O'Hearn replied that the company would love to have the community members work for them.

Mayor Luft spoke in favor of the agenda item and felt it was fair to help stimulate growth.

Councilmember Hilst inquired about when the state would issue licenses and that there was a possibility they would not receive one.

Mr. Rothert added that a redevelopment agreement would be contingent with licensing through the State. Deciding to do this before a license was granted helps create a relationship and cements their interest to do a craft grow in Pekin as opposed to another community.

Councilmember questioned if this was the same operation in Delavan.

Ms. O'Hearn explained that their company is only growing cannabis flower not extracting or using any edible or topicals.

Councilmembers also discussed that the company would begin construction as soon as they receive a license as they only have 6 months to break ground.

RESULT:	**PRESENTED**

7.7. Bid Openings Regarding Sale of Excess City Property

City Clerk, Ms. Sue McMillan, read the sole bid for PIN 04-04-34-419-001 corner of Ann Eliza and 2nd Street from Tyler Evans Stratus Network of Peoria Heights in the amount of $6,500.

Second bid received for PIN 04-04-35-327-016 from Tyler Evans Stratus Networks out of Peoria Heights at Ann Eliza and N. 4th Street parking lot in the amount of $17,500.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 5. PURCHASE OF PROPERTY (C) 6. SETTING PRICE FOR SALE OF PROPERTY (C) 11. PROBABLE OR IMMINENT LITIGATION

8.1. Motion to: **Move into Executive Session**

A motion was made by Councilmember Hohimer seconded by Councilmember Abel to move into Executive Session to discuss 5 ILCS 120/2 (c) 5. Purchase of Property (c) 6. Setting Price for Sale of Property (c) 11. Probable or Imminent Litigation at 7:08 PM.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

NEW BUSINESS

Council returned to Open Session at ____ PM.

9.1. Ordinance No. 2917-20/21 Agreement for Purchase and Sale of Real Property - 04-04-35-327-016

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

9.2. Ordinance No. 2918-20/21 Agreement for Purchase and Sale of Real Property - 10-10-10-400-006

RESULT:	**REMOVED**

9.3. Ordinance No. 2919-20/21 Agreement for Purchase and Sale of Real Property - 10-10-10-100-045

RESULT:	**REMOVED**

9.4. Ordinance No. 2920-20/21 Agreement for Purchase and Sale of Real Property - 10-10-10-200-005

RESULT:	**REMOVED**

9.5. Ordinance No. 2921-20/21 Agreement for Purchase and Sale of Real Property - 04-04-34-419-001

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Orrick, Abel, Luft
ABSENT:	Michael Garrison

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Amy McCoy thanked Pekin residents for all their support.

Mr. Jim Mangan requested a status update on the Seiko parking lot and questioned whether the Council had met in the last 8 weeks to approve any exceptions to the Council's residency policy.

City Manager, Mr. Mark Rothert, stated there will be new development with the Secio parking lot in the next couple of meetings and that no formal action from Council had been taken on the resident requirement.

Mr. Rothert also announced that the distribution of the CDBG grants was finished and he would get that information to Council.

Councilmember Abel commented on the semi's going up and down Schramm Drive.

Councilmember Orrick commented that trick or treating had been successfully completed and requested striping on 14th Street out to Veteran's Drive.

Councilmember Nutter thanked Mr. Brett Olson and the Street Department for working on 2nd Street and for the progress on Margaret regarding the sink hole repair.

Councilmember Hilst questioned whether the yellow caution tape near the front doors of City Hall was a lability to the City.

City Attorney Ms. Katherine Swise indicated that it could be.

Chief Dossey stated that he was aware of the trucks on Schramm and it was being addressed.

Mayor Luft read a comment from Tim Golden regarding the minutes not being corrected with the error between the names of Tim Golden and Ted Golden.

ADJOURN

There being no further business coming to Council, a motion was made by Council Member Orrick to adjourn seconded by Council Member Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:40 P.M.