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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 14, 2019 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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PLEDGE OF ALLEGIANCE

The City Clerk confirmed with the Mayor that all Member were physically present except Council Member Karen Hohimer who was listed as absent for the meeting. Mayor Luft expressed the City's condolences to Council Member Hohimer and family upon hearing of the death of her mother.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	4:21 PM
Rick Hilst	Councilman	Present	4:18 PM
Karen Hohimer	Councilwoman	Absent	4:14 PM
Dave Nutter	Councilman	Present	4:19 PM
Lloyd Orrick	Mayor Pro-Tem	Present	4:16 PM
John P Abel	Councilman	Present	4:13 PM
Mark Luft	Mayor	Present	4:17 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

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

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

4.2. City Council - Regular Meeting - Sep 23, 2019 5:30 PM

PUBLIC INPUT

Bayle Gambetti representing Pekin Main Street spoke in support for Council approval of the TIF Redevelopment agreement with Brian Battles. She felt the addition of a restaurant would also promote growth and revitalization in the Downtown Business District.

CONSENT AGENDA

6.1. Police Department Monthly Stats September 2019

6.2. Accounts Payable Bill Run through 10-4-19

6.3. Tazewell County Animal Control Billing September 2019

6.4. Motion to: **Motion to Approve Consent Agenda**
Mayor Luft presented 3 items for consideration of the Council. The reports and billings were approved by omnibus vote of the Members.

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

NEW BUSINESS

EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. PENDING LITIGATION

7.2. Motion to: **Move to Executive Session to discuss 5 ILCS 120/2 (c.) 11. Pending Litigation**
Mayor Luft asked to suspend the agenda order of business to accommodate the schedule of an attorney assigned to a litigation matter. The motion was made and approved at 5:37 p.m.

Council returned to open session at 6:05 p.m. All members were present except Council Member Hohimer who was absent.

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

7.3. Ordinance No. 2850 - 19/20 An Ordinance Amending Title 3 Chapter 4 to Regulate Video Gaming Within the City of Pekin
The Council was advised that City regulations pertaining to video gaming allowed by the State are charged under Amusements in Title 3, Chapter 4B of the City Code. To update and bring fees up to comparable rates, the Ordinance would create a new section Chapter 4F to allow for a separate State Video Gaming License required in establishments wishing to obtain gaming terminals. Council Member Orrick questioned and was told that fees would be assessed to the owner of each video gaming terminal, not the business where located. The ordinance also provided for an annual fee of $1,000 per machine with revenues generated to the public safety pension funds being split 60% to Fire Pension Fund and 40% to the Police Pension Fund.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Michael Garrison, Councilman
AYES:	Garrison, Hilst, Nutter, Orrick, Luft
NAYS:	John P Abel
ABSENT:	Karen Hohimer

7.4. Ordinance No. 2851 - 19/20 An Ordinance Amending Title 3 Chapter 3 to Require Supplementary License for Video Gaming Within the City of Pekin

Council was advised, additionally to bring fees up to comparable rates and to regulate the operation of video gaming establishments, the ordinance presented created a supplementary rider (VG Rider) under Title 3 of the Liquor Code. The license would apply to establishments holding a Class A license. Licensed fraternal organizations, licensed veterans organizations and licensed truck stops would be able to obtain a VG Rider license without first obtaining a Class A license. Each establishment applying for such license would pay a fee in the amount of $250 per license per year.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Michael Garrison, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Garrison, Hilst, Nutter, Orrick, Luft
NAYS:	John P Abel
ABSENT:	Karen Hohimer

7.5. Ordinance No. 2848 - 19/20 Amending Title 6, Chapter 2 of the Code of The City of Pekin Regarding Possession of Tobacco Products and Electronic Smoking Devices by Persons Under 21 Years of Age.

Council Member were informed that when the Tobacco 21 Ordinance was initially passed there were questions about possession not part of the new provisions. At the time the City mirrored the State of Illinois. Since that ordinance was passed staff had on going communication with the local school districts regarding the issues still present pertaining to possession. The request came to the City to insert the possession of tobacco products and electronic smoking devices as being unlawful by minors under the age of 21. Police Chief Dossey told the Council that the action presented was largely to address the issues the schools face with vaping on school grounds and the public health concerns seen in the news that vaping has caused great injury and even death.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Hilst, Nutter, Orrick, Abel, Luft
NAYS:	Michael Garrison
ABSENT:	Karen Hohimer

7.6. Ordinance No. 2849-19/20 Amending the City Code Regarding Penalties for Property and Building Code Violations and Service of Violation Notices

To address existing inconsistencies in the City Code for fines and penalties assessed for violations of property maintenance and building code violations, staff proposed an amending ordinance to the Council. The amendments would implement uniform penalties and collection procedures and would establish a uniform minimum fine of $100.00 and a maximum fine of $750.00 for all violations. Council was also told that in review it was discovered the required means of service for violation notices of the Code and the Administrative Adjudication process certified, registered and first class regular mail exceeded requirements of State Statutes. It was requested to amend the costly and time consuming process by eliminating registered mail and giving the option for certified mail only if necessary.

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

7.7. Resolution No. 27 - 19/20 Approving the Waiving of Competitive Bidding for the Purchase of Rock Salt for Fiscal Year 2020 and Adjusting the FY20 Budget

Council was asked to approve a resolution to allow staff to purchase the needed salt for FY20. It was explained to the Members that the City did not submit a timely request for the State bid and therefore needed to purchase independently. Council discussed adjusting the MFT funding source, budgetary transfers for purchase via the General Funds, and waiving the competitive bidding requirements to allow staff to seek prices from local supplier that would be within comparable range of the State contract bid. Council further discussed number of times salt was used in the prior years, how many streets were plowed in a snow event, the use of salt in the deterioration of streets, and the loading and storage in the salt barn.

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

7.8. Ordinance No. 2852 - 19/20 an Ordinance Approving and Authorizing the Execution of a TIF Redevelopment Agreement between the City of Pekin and Brian Battles of BC BBQ

Matt Fick presented an agreement for the owner Brian Battles of BC BBQ to relocate his restaurant to property at 227 Court Street. Mr. Battles requested assistance of $50,000.00 for land assembly, site prep, rehabilitation and renovation through the City's Central Business District TIF Incentive Program. Total estimated projects costs for renovations including ADA compliant restrooms and seating for 40 were $100,000.00. Council discussed terms and conditions of the 5-year forgivable TIF loan agreement.

- 3% interest one-fifth of loan forgiven every twelve months
- Security by personal guarantee
- Developer to meet performance metric of sales tax target of $10,000 each year or pay penalty

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

7.9. Resolution No. 24 - 19/20 A Resolution Approving the 2019-2021 Goals of the City of Pekin

After a goal setting retreat on July 29, 2019 and establishing priorities of the City, Council was presented with the top Priority Goals

1. Create a five-year Capital Improvement Plan (CIP)

2. Enhance code enforcement services
3. Enhance image of the City of Pekin as a “business friendly” municipality
4. Continually and systematically evaluate all municipal operations to ensure that efficiency and effectiveness are being maximized
5. Develop a plan for addressing the City’s unfunded fire and police employee pension obligation by 2040
6. Encourage all full-time employees who participate in a city funded pension program to reside within the corporate limits of the City of Pekin

It was explained by City Manager Rothert that the original #6 goal required all employees live in the City. After feedback from Members and attorney as to the difficulty and cost to the City given collective bargaining agreements the goal was revised. Additionally an Alternate Option was presented that focused solely on non-union employees. Council Member Nutter questioned how Council and staff would meet timelines in goal 4. in evaluating operations for efficiency. It was suggested the manager report on the progress of goals as part of each agenda. Council Member Hilst expressed concerns that the facilitator should be present for input on the goals. He spoke in nonsupport of items added since the goal setting meeting at the library and was not in favor of the revised Goal 6.

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

7.10. Motion to: **Motion to Approve Alternate 6A**
The motion was made and vote approved the Alternate Goal 6. Council adopted the resolution approving the 2019-2021 Goals of the City as amended.

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

7.11. Resolution No. 25 - 19/20 A Resolution Approving the Reorganization of Code Enforcement Under the Police Department
After Council identifying enhanced code enforcement as a top priority goal, City Manager Rothert reviewed current operations and recommended reorganizing enforcement function under the auspices of the Police Department. He noted the department had the command, support staff and DACRA technology for ticketing and adjudication to support the transition. The resolution authorized the formal change through the City Code with codification in the near future to align with actual operations and practice. Mr. Rothert addressed questions from Council on the staffing of inspectors that a retirement and the change in enforcement would bring.

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

7.12. Resolution No. 26 - 19/20 A Resolution Approving the Use of Tax Increment Financing Funds and State Motor Fuel Taxes to Locally Match Grants and Fund the Front Street Reconstruction Project

Staff recommended with the resolution a shared funding of the local match for Front Street Project Improvements between 50% TIF Funds and 50% MFT Funds. Council was told total construction cost of $6,400,000 were being paid through the following:

Illinois Competitive Freight funding Grant

IDOT Economic Development Program Grant

IDOT Truck Access Route Program (TARP) Grant

Local match not known until completion estimated remaining $452,000

Council Member Hilst spoke in disagreement with the use of the funds.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	John P Abel, Councilman
AYES:	Garrison, Nutter, Orrick, Abel, Luft
NAYS:	Rick Hilst
ABSENT:	Karen Hohimer

7.13. Resolution 23-19/20 the Assignment and Assumption of a Lease for a Private Hangar at the Pekin Municipal Airport

Council was asked to approve the assignment of a lease for a private hangar at the Pekin Municipal Airport. The City had a 2014 executed lease with Carol Lindstrom and Mark Reecy for a period of 16 years with an option of five (5) one year extensions. Mr. Reecy requested that the lease be assigned and Bryan Desutter assume requirements. Approval was recommended by staff for the probability that Mr. Desutter would utilize the airport more frequently.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Hilst asked for update on the status of Allentown Road Project. It was reported that there was need for purchase of right-of-way to proceed. The design had been completed.

Council Member Orrick thanked Finance Director Bruce Marston for his investment reports and investing when possible to earn more than being paid at the City's bank. Council Member Abel asked the status of the demolition of 410 South Street and was informed that all notifications were done and bids received. The Mayor expressed appreciation to the IT department for taking care of his computer; to the High School for the invitation to the Homecoming Parade; and for good conversation at Pekin Insurance Cook Out event.

ADJOURN

There being no other business to come before the Council, a motion was made by Council Member Orrick, seconded by Council Member Abel for Council to adjourn. Mayor Luft adjourned the meeting at 8:10 p.m.