CITY OF Pekin ILLINOIS

****

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 11, 2021 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

****

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Orrick. City Clerk Sue E. McMillan confirmed all members were presented and logged on for electronic voting. A quorum was declared Mayor Luft.

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:07 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:18 PM
Dave Nutter	City of Pekin	Councilman	Present	5:07 PM
Becky Cloyd	City of Pekin	Councilwoman	Present	5:08 PM
Lloyd Orrick	City of Pekin	Mayor Pro-Tem	Present	5:19 PM
John P Abel	City of Pekin	Councilman	Present	5:17 PM
Mark Luft	City of Pekin	Mayor	Present	5:09 PM

APPROVE AGENDA

Motion to: **Remove New Business 7.1 and 7.4**

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

3.1. Motion to: **Approve agenda as amended**

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

APPROVAL OF MINUTES

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

4.2. **City Council - Regular Meeting - Sep 27, 2021 5:30 PM**

4.3. **City Council - Special Meeting - Sep 8, 2021 5:30 PM**

PUBLIC INPUT

5.1. **Public Hearing - CDBG 2020-2024 Consolidated Plan and 2021 Annual Action Plan Amendments**

A Public Hearing was opened by Mayor Luft at 5:35 p.m. for the purpose of public comments on the Community Development Block Grant 202-2024 Consolidated Plan Amendment and the 2021 Annual Action Plan Amendment.

Community Development Block Grant Program Manager David Bess addressed the Council with a summary of each. He told members the City receives an allocation of Community Development Block Grant (CDBG) funding from the US Department of Housing and Urban Development (HUD) on an annual basis. As part of its participation in the CDBG program, the City is required to produce a five-year strategic plan as well as an annual plan which outlines how the City intends to utilize funds provided by HUD during the specified timeframe.

The adopted Consolidated Plan provides a broad roadmap for the City's use of CDBG funds during the specified five-year period. City staff proposes the amendment of the City's Consolidated Plan to primarily shift funding from Fire Response and Prevention to Public Facilities and Infrastructure. The change was identified in conjunction with staff's recommendation to utilize HUD's Section 108 Loan Guarantee Program to undertake fire-related activities instead of expending annual entitlement funds. While the primary changes and information regarding the Section 108 Loan Guarantee Program is contained within the 2021 Annual Action Plan amendment, HUD requires consistency between that document and the associated Consolidated Plan document hence the need for the amendment.

Mr. Bess further advised that the Annual Action Plan breaks down the associated Consolidated Plan into a more focused description of how the City intends to utilize CDBG funds during the specific program year covered by the annual plan document. As previously described, this amendment is primarily being proposed to include the use of HUD's Section 108 Loan Guarantee Program to finance fire-related purchases and to preserve the use of the CDBG funds allocated to that project category for Public Facilities and Infrastructure expenditures.

As part of the annual plan amendment, an application for the use of HUD's Section 108 Loan Guarantee Program is also attached for review and comment. As a CDBG entitlement community, the City gains access to the Section 108 Loan Guarantee Program which allows a community to request a loan guarantee from HUD to secure (up to) 20-year financing in the amount of five times the City's annual CDBG allocation ($2,284,570 maximum for 2021). Annual loan payments are made using a portion of the City's annual CDBG allocation and the interest rate is based on the three-month Treasury Auction Bill rate plus 0.35%. Per the most recent three-month Treasury Auction Bill rate, the anticipated interest rate for this loan would be fixed at 0.385%.

Should the proposed amendments be approved during the next City Council meeting that specify the use of Section 108 funding for fire-related purchases and improvements, City staff will submit an application to request a 20-year loan in the amount of $700,000 to finance the purchase of a fire apparatus to primarily provide services in City fire districts largely benefitting low- to moderate-income households. An additional use of the Section 108 funding mechanism is also included in the proposed plan amendments to assist in funding the design and/or construction of fire facilities servicing low- to moderate-income areas, however, that application has not yet been completed and approval of the amendments to the specified plans does not obligate the City to pursue the referenced loan for those expenses. City staff will provide a separate opportunity for City Council consideration and public comment prior to the submission of any application for financing the design and/or construction of fire facilities.

After explaining each amendment in detail to the public and to the Council, Mr. Bess addressed questions from Council Members regarding the low rate of

3.85%, that the loan was a fixed rate for 20 years, and that the fire apparatus would last 20 years.

No additional comments were heard. The Public Hearing was closed at 5:46 p.m.

CONSENT AGENDA

Motion to: **Approve Consent Agenda**

Mayor Luft presented 3 items for consideration of the Consent Agenda. The Consent Agenda was approved by Omnibus Vote.

6.1. Accounts Payable To Be Paid Proof List thru October 1, 2021

6.2. Proclamation National American Indian Heritage Month - November

6.3. Receive and File Bids Fire Dept Storage Building

NEW BUSINESS

Resolution No. 324-21/22 Lease Agreement with Chuck Barth and Woldow Services, LLC at Pekin Municipal Airport

RESULT:	**REMOVED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Becky Cloyd, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

7.1. Resolution No. 326-21/22 Annual Support for Greater Peoria Economic Development Council

City Manager Rothert told the Council that the request was for the City of Pekin's continued collaboration with the Greater Peoria Economic Development Council (GPEDC) to build economic growth through targeted business assistance and attraction, workforce development and regional marketing. The requested amount was the same as last year. Mr. Rothert advised the members that the City of Pekin had collaborated with the Greater Peoria EDC for 10+ years and continues to collaborate on sharing data, regional marketing, and project and business assistance. Pekin benefits from business attraction efforts with leads generated from site selectors, conferences and trade shows/summit's focused on manufacturing and healthcare industries. Council Member Abel spoke in support of the value shown from the efforts of GPEDC. Regional marketing of Pekin was evident the organization's reports the last couple years. Council Member Nutter asked to be placed on their mail and email lists.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Becky Cloyd, Councilwoman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
NAYS:	Rick Hilst

7.2. Resolution No. 327-21/22 Agreement with Schwartz Electric for Underground Locating Services

Staff recommended to the Council an agreement with Schwartz Electric to assist with locating of underground electrical lines for City owned street lights as required for incoming JULIE requests. The Council was advised the City had been performing this task in the past but with a recent increase in activity and a reassignment of City personnel, there existed a need to outsource the required activity. The City selected Schwartz Electric for the service as the company had provided on-call electrical locating services to the City and are familiar with the

City owned street lights. Schwartz Electric would receive the JULIE locate emails, if determined to be necessary, Schwartz Electric would charge $105 an hour to conduct the utility locating. Council was told there were approximately 100 Julie call-ins a week.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Becky Cloyd, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

Resolution No. 328-21/22 Award Fire Station Storage Building Project

RESULT:	**REMOVED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Becky Cloyd, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

7.3. Ordinance No. 3021-21/22 Amending Code Chapter, Article, Division Increase the numbers of Beautification Committee members

Staff presented to the Council an amendment to the City Code to add two (2) additional members to the Beautification Committee. Manager Rothert advised that on June 14, 2021, the City enacted Ordinance No. 2979-21/22 creating the City of Pekin Beautification Committee. At the time of its creation, the Beautification Committee was established with five (5) voting members. At a recent meeting of the Committee, it was recommended that the committee's members be increased to seven (7) to allow for more interested community members to participate.

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

7.4. Ordinance No. 3022-21/22 An Ordinance of the City of Pekin, Tazewell County, Illinois, Providing for the Regulation of and Application for Small Wireless Facilities Amending Chapter 5, Article IV, Division 8 of the Pekin City Code

The Council was informed that small wireless facilities were being placed in public rights-of-way by cell phone companies to support 5G cell service and were provided with background information on an amendment for consideration regarding small wireless facilities provision of the City Code. Members were advised by Corporation Counsel, Attorney Kate Swise that the Illinois General Assembly enacted Public Act 100-585 creating the Small Wireless Facilities Deployment Act (the "Act"), which became effective June 1, 2018. Attorney Swise further explained that the Act limits the manner in which municipalities, including home rule municipalities, may regulate small wireless facilities and accessories in municipal rights-of-way. On July 9, 2018, the City passed Ordinance 2795-18/19 titled "An Ordinance of the City of Pekin, Tazewell County, Illinois, Providing for the Regulation of and Application for Small Wireless Facilities" which adopted regulations for the siting, design, and construction of small wireless facilities and accessories throughout the City in compliance with the Act. Shortly thereafter, on September 26, 2018, the Federal Communications Commission issued its Declaratory Ruling and Third Report and Order ("FCC Rulings") which further limits how municipalities may regulate small wireless facilities, including placing limitations on fees that may be charged for use of the rights-of-way and creating timelines for approval or denial of applications for the location of a small wireless facility in the right-of-way. On the advice of Counsel, the Ordinance would bring the City Code up to date with the FCC regulations regarding small wireless facilities, as well as with recent amendments to the Act.

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

CITY COUNCIL OR STAFF REPORTS

City Engineer Josie Esker reported that Court Street Improvement project was moving ahead with concrete work to outside lanes. Completion of the phase Veterans to Hill Top was anticipated in late November. Public Works Department was also waiting for Illinois Department of Transportation's approval for the next phase of Court Street for the City to begin acquiring right of way. Council was told construction was anticipated to begin in Spring of 2023. Council Member Nutter commented that he hoped there were no delays by Ameren or Century Link in moving the utility poles. Discussion followed regarding the plantings in the medians. Council was informed that Ms. Esker was confident that the planting design by the architect was low maintenance, salt resistant annuals that would not block the view of traffic.

Fire Chief Trent Reeise reported that the department had been awarded a $1000 check from Illinois American for purchase of a chainsaw.

Public Works Director Justin Reese announced the City's Bulk Waste Drop Off day was November 13, 2021 with locations at the Street Department 1209 Koch Street and on 2nd Street near the T-Shirt House. For better planning, it was felt the change at Peoria Disposal Company (PDC) required the City to extend the date from October 16, 2021. Council Member Orrick spoke of the positives of the Beautification Committee and noted the Halloween/Fall additions to the Downtown.

Council Member Abel brought to the Council's attention a call from a lady in the Sunset area that voiced concern that the Solid Waste driver did not pickup cardboard that she had set out for collection. Finance Director Bruce Marston responded to the Council Member's inquiry that North Pekin was current with their annual wastewater payment.

Council Member Hilst asked for clarification regarding weeds and trees in alleyways and letters that had been received by homeowners that it was their responsibility to maintain. Chief Dossey stated the goal of Code Enforcement was compliance not the fines. Public Works Director Justin Reeise reported the department was working through the drainage issues in the alleyway complaints. Council Member Nutter requested that alley vacation or maintenance and snow route policy clarification be moved up on the list for discussion on Future Agenda Item List. Discussion next followed on Phase 2 of Court Street and street improvement project on Parkway Drive. The City Engineer spoke of the challenges faced for ADA compliance and advantages or disadvantages of east or west side of roadway for sidewalks. It was also reported to the Council Member that demolition of 112 Orchard was in process.

Mayor Luft expressed appreciation to the staff for the additional efforts made in Court Street improvement to extend to Veterans Drive.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 5. PURCHASE OF PROPERTY; 11. LITIGATION; AND 2. COLLECTIVE NEGOTIATING MATTERS

9.1. Motion to: **Move into Executive Session 6:35 p.m.**

Motion was made by Council Member Nutter, seconded by Council Member Cloyd to discuss 5 ILCS 120/2 (c) 5. Purchase of Property; 11. Litigation; and Collective Negotiating Matters. Motion approved by voice vote. Mayor Luft announced that no action would be taken after the Closed Session.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Becky Cloyd, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

ADJOURN

The Council returned to open session and without further action to come, a motion was made by Council Member Orrick, seconded by Council Member Abel to adjourn. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:25 p.m.