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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 SEPTEMBER 12, 2022 AT 5:30 O'CLOCK P.M.
MAYOR MARK LUFT PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Abel.

CALL TO ORDER

City Clerk, Ms. Sue McMillan, confirmed by roll call that all Councilmembers were physically present. Mayor Luft declared a quorum and opened the meeting at 5:30 PM.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:01 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:08 PM
Dave Nutter	City of Pekin	Councilman	Present	5:06 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:05 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:02 PM
John P Abel	City of Pekin	Councilman	Present	5:07 PM
Mark Luft	City of Pekin	Mayor	Present	5:06 PM

MOTION TO REMOVE NEW BUSINESS ITEM 7.9 ELIMINATION OF THE PUBLIC INFRASTRUCTURE IMPROVEMENTS SUBCOMMITTE AND APPROVE AGENDA AS AMENDED

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

APPROVAL OF MINUTES

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

4.1. City Council - Regular Meeting - Aug 22, 2022 5:30 PM

PUBLIC INPUT

Jim Mangan spoke to the Council regarding the snow and ice removal policy stating that he felt the policy was incomplete. Mr. Mangan also stated that he had contacted the Illinois Comptroller's Office and was told that the City had not sent financial reports to them since 2019. Additionally, Mr. Mangan spoke about New Business Item 7.1 regarding the

Intergovernmental Personnel Benefit Cooperative and against Item 7.3 regarding the Firefighters Local 524.

John McNish spoke regarding Agenda Item 7.9 regarding the elimination of the Public Infrastructure Improvements Committee, Consent Agenda Item 6.7 regarding the appointment of the Ethics Commission, and New Business Item 7.8 regarding landscaping on Court Street. Mr. McNish also spoke about the video gaming ordinance, that live streams for Council meetings were down, attorney fees, financial audits, sidewalk contract with ICCI, the ADA lawsuit, FOIA regarding consensus of Council to waive residency requirement of employees.

Rich Kriegsman spoke in favor of agenda item 7.4 regarding the Honorary Street Designation for Carol A. Shields.

Mayor Luft stated that if Council chose not to waive the application fee then he would pay for the fee personally.

CONSENT AGENDA

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

6.1. Accounts Payable To Be Paid Proof List thru September 2, 2022

6.2. Financial Reports June 2022 FY23

6.3. Financial Reports May 2022 FY23

6.4. Police Department Stats - July 2022

6.5. Police Department Stats - August 2022

6.6. Fire Department Incidents August 2022

6.7. Resolution No. 476-22/23 Mayor's Reappointment of Joseph Privett to the Ethics Commission

6.8. Proclamation Knights of Columbus "Intellectual Disabilities Week" Week of September 11, 2022

6.9. Receive and File Bids for Traffic Signal Detection Upgrades

6.10. Receive and File Bids for 2022 Sidewalk Improvement Project - Group 2

6.11. Receive and File Bids for Riverway Drive Patching & Resurfacing

NEW BUSINESS

7.1. Ordinance No. 4011-22/23 Membership Authorization to the Intergovernmental Personnel Benefit Cooperative

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt an ordinance regarding the membership authorization to the Intergovernmental Personnel Benefit Cooperative. Mr. Rothert explained that the current agreement for health insurance regarding spousal carve out had some consequences as it was not applied throughout the organization. Mr. Rothert felt that the new ordinance would help with recruitment of new employees and allow for promotions within the organization. A representative from IPBC, Executive Director Mr. Dave Cook, was available for questions. Mr. Rothert continued stating that the financial impact of the proposal was a cost savings of 7%.

Council discussed the spousal carve out difference and it was explained that the claims were unavailable to know but it would only effect less than 20 employees. Mr. Rothert also answered to Council that the new agreement would open up the network and allow for employees to seek healthcare from either OSF, UnityPoint or the Springfield Clinic.

Council also discussed the claim transition period to be finalized and that there was no requirement for an Request for Proposal to be issued.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Rick Hilst, Dave Nutter

7.2. Resolution No. 477-22/23 IMLRMA 2022 Min - Max Billing

Finance Director, Mr. Bruce Marston, presented the request to Council regarding the IMLRMA 2022 Min – Max Billing. Mr. Marston explained that the program had been a net loss to the City and that the savings recognized each year by paying a reduced annual premium provided a loss of $46K over the term. Mr. Marston stated that the City was on track to owe additional amounts with a more than likely increase of a fair amount. Therefore, Mr. Marston, recommended not participating in the program.

Council discussed how the City did meet with the organization annually and discussed claims but did not know what was to be owed until claims were finalized.

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

7.3. Resolution No. 478-22/23 Memorandum of Understanding & Agreement Between International Association of Firefighters Local 524 and the City of Pekin

Fire Chief Trent Reeise, presented the request to Council to enter into a Memorandum of Understanding and Agreement between the International Association of Firefighters Local 524 and the City of Pekin. Chief Reeise explained the request and provided the Fire Department history. Chief Reeise stated that the language was changed in the current law that basically stated a company officer could be a company officer of multiple company officers. A short opportunity was given to accept or appeal. Chief conducted research on the definition of the titles and how those titles and positions were used in the City of Pekin. The roll of Battalion Chief was more likely a company officer than a supervisor. Control at the management level was of a concern. Only one of the two Deputy Chief positions were filled. Chief Reeise explained the appeal process and believed the City would retain the ability to function and operate if those positions were members of the bargaining unit. The local agreement would define the working conditions of the Battalion Chiefs, benefits, pay, and responsibilities.

Councilmember Cloyd discussed the organization of the fire department and confirmed that the supervisor roll would fall on the Deputy Chief.

Council discussed the new legislation and how the positions would strengthen recruitment for the City and the Department.

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

Motion to: **Motion to Waive All Fees Associated with the Application for an Honorary Street Designation for Carol A. Shields**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

7.4. 3196 : Resolution No. 479-22/23 Application for Honorary Street Designation as Amended

City Manager, Mr. Mark Rothert, read the request to Council to approve and adopt a resolution regarding the application for an Honorary Street Designation for Carol A. Shields. Mr. Rothert explained that there was a question on whether the Council wanted to waive the fee as they had paid a fee the previous year. The ordinance stated that the application would need to be renewed annually and a fee of $400 for each sign would be charged each year.

Mayor Luft agreed that waiving the fee was for the betterment and improvement of the community and there was no one more involved than Carol A. Shields.

Councilmember Abel, Councilmember Nutter and Councilmember Orrick all spoke in favor of waiving the fee and approving the application.

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

7.5. Resolution No. 480-22/23 Award Traffic Signal Detection Upgrade Project to Laser Electric

City Manager, Mr. Mark Rothert, read the request to Council to approve and adopt a resolution to award a traffic signal detection upgrade project to Laser Electric due to outdated systems.

City Engineer, Ms. Josie Esker, clarified that there were a couple of things on Court Street that could be reused once upgrades are made to the signals.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
NAYS:	Rick Hilst

7.6. Resolution No. 481-22/23 Award Sidewalk Improvement Project Group 2 to Illinois Civil Contractors Inc.

City Manager, Mr. Mark Rothert, presented the agenda item to Council to award the 2022 Sidewalk Improvement Project Group 2 to Illinois Civil Contractors Inc. (ICCI) to remove and replace sidewalks, ADA Ramps, and associated curb at various locations within the City. Mr. Rothert explained that 3 bids were received with the low bid at 23% above the Engineer’s estimate. Staff recommended approval.

Council discussed the variation of the square footage of sidewalks and ramps. Councilmember Cloyd and Councilmember Hilst questioned why Council would approve a bid that was 23% higher than the Engineer’s estimate. Ms. Esker explained that there were not a lot of good options for rebidding as there were either areas required based on accessibility requests and requirements in the consent decree. Ms. Esker stated that the City would probably not receive any additional bidders.

Council continued the discussion and suggested utilizing CDBG funds should they be budgeted. Mr. Rothert pointed out that a substantial amount of funds was budgeted toward sewer lining projects.

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

7.7. Resolution No. 482-22/23 Award Riverway Drive Patching & Resurfacing to Illinois Civil Contractors Inc.

City Manager, Mr. Mark Rothert, presented the request to Council to award the Riverway Drive patching and resurfacing to Illinois Civil Contractors Inc. (ICCI) to patch damaged pavement, replace damaged curb and gutter and laying new asphalt. The City received 2 bids with the low bid being 15% above the Engineer’s estimate. Staff recommended rejecting the bid.

Councilmember Nutter asked if Alto had been paid and Ms. Esker confirmed they had.

Ms. Esker explained that it would be prudent to rebid the project and to separate the concrete work as asphalt prices were at $180.

RESULT:	**FAILED [2 TO 5]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Rick Hilst, Becky Cloyd
NAYS:	Hohimer, Nutter, Orrick, Abel, Luft

7.8. Resolution No. 483-22/23 Approve Spending Authority for Landscaping on Court Street

City Manager, Mr. Mark Rothert, presented the agenda item to approve and adopt a resolution to approve spending authority for landscaping on Court Street to remove all weeds, refresh mulch and replace some of the Karl Forester grasses with shorter Creeping Lilyturf grasses in the medians on Court Street from Valle Vista to Veterans. The City did not receive any bids for the project. CJL Landscaping was contacted and agreed to replace key grasses in the fall as they are available if the City were to offer traffic control. Staff recommended approve to grant the City Engineer up to $20,000 in spending authority to work with CJL Landscaping.

Councilmembers Cloyd, Nutter, Abel spoke in favor of the agenda item.

Councilmember confirmed that there was a line of site problem in certain sections. Ms. Esker confirmed and stated that the first 3 medians would provide consistency with appearance.

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

7.9. Resolution No. 484-22/23 Elimination of the Infrastructure Improvements Subcommittee

7.10. Resolution No. 485-22/23 Approve Empower Health Services LLC Biometric Screening Agreement for Annual Health Fair

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt a resolution approving Empower Health Services LLC Biometric Screening Agreement for the annual health fair for employees, retirees and councilmembers as part of the City's wellness program. The health fair would be held on October 18, 2022 and October 19, 2022 at the City's Bus Department training room. Participants would be required to register for the event and information would be distributed. The expense was a proactive approach to managing health insurance costs and staff recommended approval.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Rick Hilst

7.11. Ordinance No. 4012-22/23 Amending Chapter 5, Article 2, Section 4 of the City of Pekin Liquor Code

City Attorney, Ms. Kate Swise, presented the agenda item to approve and adopt an ordinance amending the liquor code to eliminate the requirement that licensees and managers be residents of the City and eliminate the general prohibition on issuing licenses to establishments whose primary purpose was the sale of products and services not related to the sale of alcohol. Ms. Swise explained that the amendment arose from a request by a local theater for a liquor license, which was prohibited under the current liquor code. Ms. Swise stated that the ordinance would amend the provision to prohibit the issuance of a liquor license only to businesses that sell and dispense gasoline directly into motor vehicles. The Liquor Commission considered and recommended approval of the proposed amendments.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

7.12. Ordinance No. 4013-22/23 Amend Chapter 5 Article I Division 4 Sec. 5-1-4-6-4 Regarding Video Gaming

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt an ordinance regarding video gaming terminal fees. Mr. Rothert explained that Council at its March 21, 2022 meeting passed a resolution to defer the collection of video gaming terminal fees for at most until October 30, 2022. Mr. Rothert reminded the Council that due to state laws the had changed last year, 50% of the terminal fees must be paid by any establishment owner where the terminals are located. The deferral was allowed for the City to put forth an amended fee structure from the one that currently in place charging $1,000 per video gaming terminal. The resolution proposed established a new fee structure that created a fairer system to assess fees that would no disproportionately impact establishment owners. Mr. Rothert proposed a quarterly fee of 2.5% of net revenues from the preceding quarter. Mr. Rothert continued to explain that the proposed model estimated generating approximately $210,000 annually which was a slight decrease of 4.5% from the budgeted $220,000 anticipated revenue. Revenues generated through video gaming terminal fees go toward offsetting costs for police and fire pensions each year.

Councilmember Orrick stated that he was not comfortable voting until he had been given more time to review the spreadsheet.

RESULT:	**LAYED OVER [UNANIMOUS]** **Next: 9/26/2022 5:30 PM**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Rick Hilst, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Fire Chief Trent Reeise gave a shout out to first responder agencies and police and fire for a successful weekend participating in cutting edge CPR. The National average for a person who is brought back to life is about 6% and Pekin is at 18%.

Councilmember Orrick stated that he had a few calls about the lift station in Hickory Hills not functioning again and questioned Phase 1 for Court Street.

Ms. Esker stated that the State had come back and asked for small random things and small clarifications but was still waiting patiently.

Councilmember Cloyd requested a list of volunteers to help with snow removal. Mr. Rothert confirmed that it was on the list of things to do and providing a list of sidewalks that the City would be managing. Ms. Esker added that an RFP would be going out to clear sidewalks with snow and ice.

Councilmember Abel stated that a lot of grass and weed citations had been written this year and that electronic recycling would be held on October 1, 2022 in Peoria on Washington. Councilmember Abel also questioned the lateral repair on 14th Street and the sinkhole on Jefferson. Ms. Esker explained that Jefferson would cost in excess of $20K and explained why it was imperative to line sewers. That cost of lining the sewer would have been $5K.

Councilmembers Cloyd, Hohimer, Abel and Mayor Luft all spoke regarding a successful Marigold Festival.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

Mayor Luft announced that the Council would not be moving to go into Executive Session.

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Nutter to adjourn the meeting. Motion carried voice vote. Mayor Luft adjourned the meeting at 7:20 PM.