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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 AUGUST 12, 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 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	4:24 PM
Karen Hohimer	Councilwoman	Present	5:07 PM
Dave Nutter	Councilman	Present	4:24 PM
Lloyd Orrick	Mayor Pro-Tem	Present	4:19 PM
John P Abel	Councilman	Present	4:29 PM
Mark Luft	Mayor	Present	4:27 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**
On roll call vote by the Clerk the motion was approved.

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

APPROVAL OF MINUTES

4.1. Motion to: **Approval of Minutes**
On roll call vote by the Clerk the motion was approved.

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

4.2. City Council - Work Session - Jul 29, 2019 5:30 PM

4.3. City Council - Regular Meeting - Jul 22, 2019 5:30 PM

PUBLIC INPUT

Charity Gullett addressed the Council on New Business item of possible consideration to make the Zoning Board of Appeals an advisory body only. She expressed concern of delaying residents' request if a recommendation from the Zoning Board had to proceed the action of a Council meeting for decisions on variances.

Rich Root spoke in opposition to amending the Zoning Board of Appeals function as advisory commission only and felt the action would negate the purpose of the board. He suggested the board retain the authority given to them but to amend the provisions to allow people that were denied an appeal process through the Council.

CONSENT AGENDA

Mayor Luft presented the following:

Tazewell County Animal Control July Billing

Accounts Payable Bill Runs 7-26-29 and 8-9-19. The Consent Agenda was approved by Omnibus vote of the Council.

6.1. Tazewell County Animal Control Billing - July 2019

6.2. Accounts Payable Bill Run through 07-26-19

6.3. Accounts Payable Bill Run through 08-09-19

MOTION TO APPROVE CONSENT AGENDA

NEW BUSINESS

7.1. Resolution No. 16-19/20 Directing the Planning Commission to hold a Public Hearing to amend the Zoning Code of the City of Pekin to allow parking of watercraft and watercraft trailers in residential districts

City Manager Mark Rothert stated at the July 22, 2019 meeting the members discussed the issue of amending the Code of the City to allow parking of boats and other watercraft and their trailers on a residential driveway in residential zoning districts. Council was advised the potential amendment would need to be heard at Planning Commission for a recommendation to change the zoning code prohibiting the use in 9-10B-1-1, (B), (3), (b).

On roll call vote by the Clerk the motion was adopted.

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

7.2. Resolution No. 17-19/20 Directing the Planning Commission to hold a Public Hearing to consider an Amendment to the Zoning Code of the City of Pekin to make the Zoning Board of Appeals an Advisory Body

Because the matter had the potential to amend the Zoning Code it would need to be recommended by the Pekin Planning Commission to consider the ZBA as advisory body for final decisions on variances and zoning exceptions be made by the City Council. Mayor Luft encouraged the members to do their due diligence on the advantages and disadvantages of the duties of the ZBA and attend the meeting where a public hearing would take place to hear from citizens regarding consideration to amend the Zoning Code to make the Board of Appeals an advisory body only.

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

7.3. Resolution No. 15-19/20 to Direct Plan Commission to Conduct a Public Hearing and Make a Recommendation in Regard to the Rezoning of City Owned Property Adjacent to Hanna Drive

City Manager, Mr. Mark Rothert presented the item to direct the Plan Commission to conduct a public hearing and make a recommendation in regard to rezoning of City owned property adjacent to Hanna drive. Mr. Rothert explained that two large parcels that are City owned are asking to be rezoned by the Plan Commission to enhance marketability of the vacant parcels. They have been used as farmland in its entire history, to use the land more effectively and sell to potential developers the Plan Commission is requesting to a public hearing to conduct the rezoning of these properties.

Councilmember Orrick questioned whether it was just City properties or the others as well. City Manager, Mr. Rothert explained they will be notified through a public hearing.

Council Member Hilst questioned if any residents had any issues with rezoning of these properties. Mr. Rothert explained that as of now, no. The goal is to have effective communication with the residents so they are fully aware. The Park Board will also be notified.

Building Inspection Supervisor, Mr. Lebegue explained the next meeting will be September 11, 2019.

Councilmember Orrick asked if there will be a public hearing at the council meeting. Mr. Rothert explained that it was not necessary but allowable.

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

7.4. Agreement for Construction and Maintenance with Tazewell and Peoria Railroad for the Front Street Grade Crossings

City Manager, Mr. Mark Rothert introduced the item.

City Engineer, Mr. Michael Guerra, gave background of the project and explained the agreement. He added that the agreement is in draft form and needs to be submitted to IDOT. Normally, the railroad prepares the agreements and the City is reimbursed, but due to the timeline, the City is drafting the agreement. Mr. Guerra explained that 80% will be reimbursed and the City will be able have control of the phases of construction. The cost is up in the air, the City does not have the costs right now due to the timing. The Agreement outlines responsibilities between the City and railroad right. The City will pay out right and the railroad will just approve the construction.

Mayor Luft asked about the competitor freight funding. Mr. Guerra explained that it is funds we receive, CSO Phase 3 project, we need to remove these tracks and replace them, working these two projects in conjunction. Funds we receive from the state is 80% of a $6M dollar cost. Programed for certain years and if the City does not hit those timelines we don’t receive funding. The City is in line to hit those timelines. It is also planned to raise those tracks up to get them out of the flood line. Roads have been shut down 3 times this year. Traffic then has to be re-routed. If they are raised 6-8 inches the roadway will not have to be shut down during high river levels. Mr. Guerra explained that the IL Economic Development Assistance Program does not provide as much funding, about 20%.

Council Member Hilst asked why the cost replacement was not included in the initial project and if the loan for CSO Phase 3 project has been approved. Mr. Guerra, explained at Council, yes, but not through the IEPA. Mr. Guerra explained that the City is guaranteed a spot to get a loan but the question is where does it fit in the funding.

Councilmember Orrick questioned which railroads. Mr. Guerra explained it goes back to who owns the rights to the tracks.

Councilmember Nutter asked the timeframe on the funding. Mr. Guerra explained that the moment it goes to award with IDOT it is locked in. The City has TARP and IL Economic Development Assistance Program that have already been awarded. With IEPA we are getting a loan and can always ask for increases. Usually awarded fairly quick throughout.

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

7.5. Amendment to the Professional Services Agreement with Hanson Professional Services Inc. for the Runway Lighting Project

City Manager, Mr. Mark Rothert introduced the item to approve the amendment to the Professional Services Agreement with Hanson Professional Services, Inc. In that amount 5% is the City's to pay. The overall construction project was extended several weeks due to the beacon pole. The project did come in under budget, it is yet to be determined whether it has been paid.

Mr. Guerra, the construction was completed, IDOT has reviewed and justified. The final bid was $670,760.06 and the overall is $663,535.76. Anticipating no additional cost out of pocket for this project other than the $1,244.30.

We did all the lighting along the runway. The beacon pole, the bid last November and awarded in December, once the contractor placed the order they were told 3 months, extended 9 months. This blows up the construction schedule, they moved forward with what they could then waited for the pole, had to call crews back out to install it and IDOT required additional documentation and with this being an electrical project a lot of components need reviewed.

Councilmember Abel thanked the airport manager, Mr. Todd Dugan. A lot has been done and were turning it around. Credit goes to City in general and Todd specifically.

Councilmember Hilst asked if this did not get approved, since work is already finalized. MR. Guerra explained that it would not get paid and open to lawsuit.

Councilmember Nutter FY18's budget.

Mayor Luft mirrored Councilmember Abel. This is an exciting time for the airport encourage you to drive out. Well overdue, excited about the future of the airport.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Michael Garrison, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Garrison, Hohimer, Nutter, Orrick, Abel, Luft
NAYS:	Rick Hilst

7.6. Resolution No. 18-19/20 to approve the Joint PPUATS Funding Agreement for FY2020

City Manager, Mr. Mark Rothert introduced the item to approve the Joint PPUATS Funding Agreement to prioritize and distribute federal funding. Pekin has been a long standing member of PPUATS, the amount of our share is $13,021 based on a per capita basis based on the money they receive every year. The City has been successful for receiving funding. FY22 funding went towards Parkway Drive.

Mayor Luft discussed the PPUATS last meeting and was impressed. Mayor Luft watched a program that shot over the City and lit up every crack in the city with heat monitors.

Mr. Rothert added that this resolution is also related to Agenda Item 7.7.

Mr. Guerra explained the past funding for being members of PPUATS.

Councilmember Hilst asked if we received funding for Allentown road. Mr. Guerra, explained that that was through a direct application to the State.

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

7.7. Resolution No. 19-19/20 Motor Fuel Tax for Joint PPUATS Funding Agreement FY2020

City Manager, Mr. Mark Rothert introduced the item that is related to item 7.6. No comments or questions from Council were heard.

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

7.8. City of Pekin Policy No. 22-19/20 Policy for Placing Items on the Agenda for Meetings of the City Council

City Manager, Mr. Mark Rothert, introduced the item to create a policy for placing items on the agenda for meetings of the City Council.

Councilmember Nutter stated that he feels this is a good policy that needs to be started.

Mayor Luft agreed that he received some input and Councilmember Nutter asked if we need to amend it.

Mayor Luft states the area of concern is the part that it is still up to the Mayor to bring the action forward. By the term action that it was ready to be brought forward as an agenda item as a vote, not that the Mayor would determine if it is put on the agenda or not.

City Attorney, Ms. Katherine Swise, added that the Mayor's discretion is when to bring it for discussion. Language was added that the Mayor would add items to the agenda as quickly as possible.

Councilmember Nutter explained that it is a new process and possibly could be amended or adjusted in the near future.

Councilmembers continued with a short discussion.

On roll call vote by the Clerk the motion was adopted.

7.9. Motion to: **adopt City of Pekin Policy No. 22-19/20**

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Elaine Ritchie approached the podium regarding adopting policies and feels steps need to be taken regarding the residency requirements.

Richard Root addressed the Council and referred to policy and goals and how it talks about Pekin's goals. He adds that our infrastructure continues to be an issue and understand it is a financial issue. He discussed how Route 9 has a lot to be desired. When Veteran's drive was the alternative people hollered about the expense, made sense to keep them off of Court Street. But they are still on Court street doing damaged. A lot of streets that are being looked at, that street hasn't been addressed in 20 years. It's a brick street. No return phone calls, recorded message.

Mr. Rothert announced that due to all the high weeds, he has instructed the Street Department to spray in time for Marigold Festival.

Mr. Rothert continued and gave an update on goals and how he is working with Mr. Peterson on a draft possibly ready at the next meeting.

Fire Chief Kurt Nelson, added that we are under a severe thunderstorm threat between 8-10 pm with possible tornadoes.

Councilmember Hilst announced that people have been complaining about Derby and 5th and how it is washed out. He was at the post office, and a man could not cross the lane where people have to cross because there is no handicapped access. Councilmember Hilst added that Best Ball was last weekend, 51 years. They do it all without asking for sponsorship fees. Congrats to Ethan for the scholarship.

Councilmember Hohimer reminded everyone that school is about to start and to be mindful.

Councilmember Abel asked Mr. Lebegue about house abandoned on South Street. Mr. Lebegue answered that with CDBG money it will be coming down in the next month. Remember when we go to staff member go to the correct person, the City Clerk. We have a liberal open door policy most aren't like that. Be thankful.

Councilmember Orrick stated that the Marigold Festival is coming up and the Mayor will be participating.

Mayor Luft announced that he did request through the City Clerk a list of properties to take a look at. Whether donated to a contractor to build a house for that neighborhood, or homeowner wanting a lot next to them, programs through Habitat for Humanity etc., helps us, less to maintain and has the capability of generating property tax. Maybe we could get some aerials of the list color coded with zoning.

Mayor Luft added that the Ledgestone gold disc tournament started this morning. Gerry Anderson has done a great job out there. Women play this weekend. Personally thank staff for their hard work. Also thanked taxpayers for paying attention enough to bring forward your issues.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

No further business to come before the Council, motion made by Council Member Garrison, seconded by Council Member Abel to adjourn. Motion carried viva voce.

Mayor Luft adjourned the meeting at 7:07 p.m.