CITY OF Pekin ILLINOIS

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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 JULY 25, 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 Hilst.

CALL TO ORDER

City Clerk, Ms. Sue McMillan, confirmed that all Councilmembers were physically present. Mayor Luft declared a quorum and called the meeting to order at 5:30 PM.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:30 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:30 PM
Dave Nutter	City of Pekin	Councilman	Present	5:30 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:30 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:30 PM
John P Abel	City of Pekin	Councilman	Present	5:30 PM
Mark Luft	City of Pekin	Mayor	Present	5:30 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

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

4.1. City Council - Regular Meeting - Jul 11, 2022 5:30 PM

PUBLIC INPUT

Public Input on Snow Removal Policy:

City Manager, Mr. Mark Rothert, read the request regarding Agenda Item 8.6 Discussion–Funding Options for Sidewalk Snow Removal before the public was given an opportunity to speak. Mr. Rothert explained that his request was not the best route as it would require the City to bid it out. The reliability of private contractors was a concern. Mr. Rothert provided the cost for the City to conduct the project in house totaling $2.9M. Mr. Rothert referred to a handout provided to Council prior to the meeting and provided the handout to some of the audience outlining specifics on how the total cost was calculated. Mr. Rothert continued to explain that in April the Council passed the FY23 budget without anticipating this maintenance cost. MR. Rother concluded his comments by stating that any of the options proposed could be combined together for Year 1 however there would have to be a new funding stream each year around $800K. It would not be financially stable to dip into reserves each year.

Mayor Luft encouraged the community to speak and stated that he did not want to see a tax, fee or derailing of any projects. Mayor Luft suggested assistance from a youth program or the school providing community services. Mayor Luft questioned Police Chief Dossey asking how often tickets were issued for 2 inches of snow or more. Chief Dossey stated that it only happens a handful of times.

Mr. Mark Matthews urged the Council to contract snow removal on sidewalks with the private sector and suggested creating an app. Mr. Matthews volunteered to sit on any committee formulated to manage sidewalk snow removal.

Mr. Tom West felt that the burden of sidewalk snow removal should the responsibility of the property owner and volunteered to help shovel for those that were disabled or elderly.

Mr. Keith Dunkelbarger suggested that a survey should have been provided to residents to find out how many needed their sidewalks cleared or if they were willing to do it themselves.

Baylee Gambetti voiced her opinion to rescind the decision regarding the snow removal policy and suggested using those funds towards parking projects in the downtown.

James Getz, owner of Liberations Software downtown, requested Council to reconsider the snow removal policy and felt it should be the property owners responsibility.

Amy McCoy, Executive Director of the Pekin Chamber of Commerce, also encouraged Council to rescind the snow removal policy on behalf of chamber businesses. Ms. McCoy stated that TIF and BDD dollars should be spent on what they were intended for.

Bob Jaskiewicz, a member of the Rotary Club, thought that the Council should reconsider the snow removal policy and suggested residents could apply for an exemption and only charge residents who would not qualify for an exemption but refuse to do it. Mr. Jaskiewicz felt the majority of property owners would remove snow from their sidewalks.

Councilmember Orrick agreed with Mr. Dunkelbarger that a survey should be conducted via the City's wastewater billing.

After Councilmember Hilst questioned the change to the ordinance deriving out of the consent decree or ADA requirements, City Attorney, Ms. Kate Swise, explained that it was due to ADA requirements and that the consent decree did not require that a snow removal ordinance be passed but required that the city maintain sidewalks and defined that with the inclusion of snow removal but failed to explain how the City was supposed to accomplish that.

Discussions were held regarding the sidewalks needed to be maintained, whether there should be a fine in the ordinance for failure to remove snow on sidewalks and what would be considered reasonable snowfall before it would need to be removed.

Discussion continued and Ms. Swise stated that the court had accepted the consent decree to trigger notice requirements to members of the class. After the 90 period to file an objection to the consent decree a hearing had been set for November 1, 2022 as to a final decision on the consent decree. At that point the City would have 18 months to complete an updated transition plan.

Mayor Luft stated that a survey should go out in September. Mr. Rothert stated that the City would not have results back until October then and would look into the City providing snow removal where there would be no place to deposit the snow other than the sidewalk.

Other Public Input:

Mr. Keith Dunkelbarger gave a presentation regarding Pekin entrepreneurship programs for the youth.

Mr. Jim Mangan spoke of his concerns regarding the police locker room remodel and stated his FOIA request was denied due to security concerns.

Public Works Director, Mr. Justin Reeise, explained that there had been no violations regarding the police locker room remodel project and was procured in accordance with policy. Mr. Reeise continued to explain that the project was currently in the design phase and that no construction had begun other than it was determined that there were additional plumbing issues that needed corrected.

Mr. Mangan stated that according the RFP the total job was to finished by May 20, 2022.

Ms. Ann Witzig spoke on the snow removal policy and questioned if the Ethics Advisor was a paid position. Mayor Luft answered that it was not a paid position.

Ms. Elaine Ritchey spoke regarding the Ethics Commission and the purpose of the ordinance.

Mr. Rothert clarified that the staff and Council was not prepared to answer questions for which there were some exceptions but Council and staff were there to listen and take input from citizens but it was not to be an ongoing dialogue. Staff and Council would follow up with a response to questions at a later time.

5.1. Public Hearing - CDBG 2022 Annual Action Plan
Mayor Luft opened the public hearing at 7:45 PM.

CDBG Program Manager, Mr. David Bess, provided Council with a brief summary of the revision to the previous plan with final figures and some corrections that included rehabilitation of one property. HUD gave the recommendation to revise the plan and hold another hearing. Public comment period continued until July 31, 2022 at 5PM.

Mayor Luft closed the hearing at 7:48 PM.

CONSENT AGENDA

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

6.1. Financial Reports April 2022

6.2. Accounts Payable To Be Paid Proof List thru July 22, 2022

6.3. Tazewell County Animal Control Billing - June 2022

6.4. Resolution No. 458-22/23 The Mayor's Appointment of Ann R. Pieper as Ethics Advisor

UNFINISHED BUSINESS

Motion to: **Amend Ordinance No. 4002-22/23 to Include the Yellow highlighted Revisions provided to Council and to Add Designee after City Manager.**

Ms. Swise clarified and listed the changes to the ordinance that included highlighted changes made in the ordinance circulated prior to the meeting and adding designee after City Manager in Section 4-3-8-8-2.

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

7.1. 3143 : Ordinance No. 4002-22/23
Amending the Code of the City of Pekin Chapter 4, Article III, Division 8, Section 8
Regarding Signs as Amended

City Attorney, Ms. Kate Swise, explained that staff had received some comments from one Councilmember regarding the sign ordinance. Ms. Swise stated that the ordinance in the packet was the same ordinance that was layed over but provided to staff and Council the changes in which input was received. The highlighted changes included Section 4-8-8-4 provided for the Tourism Committee to designate signs or murals as historic and the request was made to be changed that the Tourism Committee be a recommend body only and that the Council issue a written certificate of historical status, corrected a spelling error in Section 4-3-8-8-5 (f) and (k) was changed that the removal be assessed to the owner of the property and not the owner of the sign pertaining to cost removal of the sign in the public-right-of way, Section 4-3-8-8-7 (b) be changed to allow free standing attention getting devices occur more frequently at every 15 feet of street frontage, and the deletion of Section 4-3-8-8-7 (g)(8) which prohibited scrolling messages on electronic signs.

Mr. Rothert suggested changing the language to add designee after City Manager.

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

NEW BUSINESS

8.1. Resolution No. 459-22/23 Pekin Marigold Festival Committee Sponsorship

City Manager, Mr. Mark Rothert, presented the agenda item for the annual support of the Pekin Marigold Festival Committee in the amount of $7,500.

Councilmember Orrick thanked all the volunteers of the committee and expressed his support for the agenda item.

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

8.2. Resolution No. 460-22/23 Engagement of Martin Hood, LLC to Provide Accounting Services to a Maximum Cost of $40,000.00

Finance Director Mr. Bruce Marston presented the agenda item regarding the engagement of Martin Hood, LLC to provide accounting services. Mr. Marston stated that the request sought expenditure authority to procure short-term assistance from a professional accounting firm to help get financial reconciliations up to date for auditing purposes. Mr. Marston continued stating that in October of 2021, the payroll coordinator from the Human Resources Department left service of the city and payroll processing was immediately transferred to the Finance Department. In March of 2022, a payroll coordinator was hired who also left service that April and that position was not filled again until July of 2022. As a result, the department was unable to complete the daily duties previously assigned. Martin Hood, LLC was recommended after the Finance Director reached out to close to 10 firms regarding qualifications and availability. A formal RFP process was not required as it was a procurement of professional services.

Councilmember Nutter questioned the amount of time it would take for the firm to do the 24 reconciliations. Mr. Marston answered that he was hopeful that it would take about 3 months for FY21 but that the audit was held up for 2022. Councilmember Nutter also questioned how long it would take to complete the 16 corrections from fY20 to start the audit. Mr. Marston explained that it should be finalized this week and was seeking assistance for Fy21 for an October 31st or later date for audit completion.

Councilmember Cloyd requested updates in the City Manager's weekly update emails.

Councilmember Nutter pointed out that in two years 192 reconciliations were completed. Mr. Marston commented that there were mainly 3 funds and that the city had 11 bank accounts.

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

8.3. Resolution No. 461-22/23 Approving Agreement with District No. 303 for a School Resource Officer at the Pekin High School During the 2022-2023 School Year

City Manager, Mr. Mark Rothert, presented the request to Council to approve an agreement with District No. 303 for a School Resource Officer at the Pekin High School for the 2022-2023 school year. Mr. Rothert stated that the annual agreement had no changes with the high school. The School District would pay 50% of the officers salary.

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

8.4. Ordinance No. 4003-22/23 Revised Purchase of Sheridan Road Property and Sale of 14th Street Property

City Attorney, Ms. Kate Swise, presented the agenda item to council regarding the ordinance to revise the purchase of the Sheridan Road property and the sale of the 14th Street property. Ms. Swise explained that Council had previously approved parcels on Sheridan as a site for one of the new fire stations. Further discussion with the seller and the sellers attorney led to restructuring the purchase. Ms. Kate continued to explain that initially what was approved was for the city to pay $475K in cash and transfer title to the current fire station property at 14th and Willow. That transaction contemplated the 14th and Willow to be transferred at the same time and then lease the 14th Street property back from the seller until decommissioned. Ms. Swise stated that the seller of the Sheridan Road property did not need or want to be the city's landlord for the next few years and that the value needed to appropriated. The purchase price remained the same but would be split into two transactions with the first transaction to be the purchase of Sheridan Road parcels for $475K as a deferred payment. The second transaction would be the sale by the city of 14th and Willow to the same individual with the closing taking place after the property id decommissioned or the city no longer requires it. The deferred payment would be satisfied by a later date by transferring the Willow Street property. No actual money would be exchanged when the city closes on the 14th and Willow property because the city would still owe $200K and the buyer would still owe $200K. Ms. Swise added that the city would swap a deed for a release.

Council held a discussion regarding the details of the transaction.

Ms. Swise confirmed that the amount in the ordinance should be $675K.

Council continued the discussion regarding the purchase price of the property and how Mr. Milan would have the option as to whether he wanted to purchase the property.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
NAYS:	Rick Hilst

8.5. Discussion - Comprehensive & Strategic Planning

City Manager, Mr. Mark Rothert, led the discussion regarding the Comprehensive and Strategic Plan. Mr. Rothert explained that the plan was a land use document created in 1966 and updated in 1996 and 2008. Mr. Rothert stated that the plan was out of date. On the list of goals was to create a new comprehensive plan for community growth and drive. Subsequent to that plan was the strategic plan setting goals the city would want to pursue. Mr. Rothert explained that he wanted to begin a discussion about the cost factor of hiring a facilitator. An RFP was completed but Council chose not to proceed. Cost of hiring a facilitator was estimated at $40K-$60K with the comprehensive plan costing around the same. These plans would create good community feedback for Council.

Mayor Luft expressed concern that the city could be in a situation in which new elected officials could possibly ignore the plan created by the current Council and community.

Councilmember Cloyd added that it was important to have community buy and vile to have a third-party facilitator.

Councilmember Hilst stated that it was his opinion to involve the EDAC committee and to conduct a few public hearings rather than spend thousands of dollars on an RFP.

Councilmember Orrick and Councilmember Nutter spoke in favor of the strategic plan.

Council gave consensus to proceed with and RFP for both the Comprehensive Plan and the Strategic Plan.

8.6. Discussion - Funding Options for Sidewalk Snow Removal

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Manager, Mr. Mark Rothert, stated that he sent out his weekly update that listed new staff member that included a new HR Director with a start date of August 8, 2022 and a new airport Manager. River front cleanup was slated for this week as well.

Public Works Director, Mr. Justin Reeise, announced that a couple of the solid waste trucks were in the shop so crew was running behind on yard waste pickup.

City Engineer, Ms. Josie Esker, announced that Derby Street open meeting at the library was tomorrow night.

Councilmember Cloyd gave shout out to Dana Sails for always picking up trash.

Mr. Rothert announced that this weekend was Bike Night and Super Cruise in the downtown.

Councilmember Nutter gave a shout out to Police Chief Dossey on Edge Street and to Ms. Josie Esker for the help completing pocket park.

Mayor Luft stated that he enjoyed seeing everyone at the Ashers Bar & Grill ribbon cutting this past weekend.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 2. COLLECTIVE NEGOTIATING MATTERS

Mayor Luft announced that no action would be taken after Executive Session.

A motion was made by Councilmember Orrick seconded by Councilmember Nutter to move into Executive Session to discuss 5 ILCS 120/2 (c) 2. Collective Negotiating Matters at 8:59 PM. Motion carried viva voce vote.

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick and seconded by Councilmember Cloyd to adjourn the meeting. Motion carried voice vote. Mayor Luft adjourned the meeting at 9:35 PM.