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 11, 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

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:03 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	5:04 PM
John P Abel	City of Pekin	Councilman	Present	5:08 PM
Mark Luft	City of Pekin	Mayor	Present	5:29 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

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

4.1. City Council - Regular Meeting - Jun 27, 2022 5:30 PM

CONSENT AGENDA

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

5.1. Pekin Public Library Annual Report

5.2. Police Department Monthly Stats - June 2022

5.3. Accounts Payable To Be Paid Proof List thru July 8, 2022

5.4. **Resolution No. 448-22/23 Proposed Pekin East Residential Tax Increment Financing (TIF) District Heidi Edwards Redevelopment Project Inducement Resolution**

PUBLIC INPUT

Resident spoke regarding complained that the city right of way near Goodwill on Court Street has not been mowed in weeks.

Jim Mangan spoke regarding revenue dollars listed in the budget and felt management was hiding the information. Therefore, recommended an appropriation budget system. Mr. Mangan also spoke against Agenda Item 8.9 Resolution No. 457-22/23 Reclassification of Positions in Departments.

Tim Golden stated that he felt the budget mentioned by Mr. Mangan remained secret because of the ADA lawsuit. Mr. Golden also spoke against Agenda Item 7.1 Ordinance No. 3080-22/23 Amending Section 5-4-2-1 -7 and his opinions on the ADA lawsuit and how the City should respond to concerns.

Ann Witzig spoke regarding the illegal weed growth on Court Street near Menards, spoke against the snow removal policy and how management did not have its priorities in shape.

Matthew Johnson spoke regarding the proposed snow removal policy and questioned the list referred to in the ordinance.

John McNish spoke and complimented the flowers between the fire station and Planet Fitness and questioned when Derby Street construction was going to begin. Mr. McNish spoke regarding agenda item 8.5 Resolution No. 453-22/23 Support for Special Transportation Studies Grant Application – Master Bicycle and Pedestrian Plan stating that he felt it was a good idea but questioned the timing and suggested focusing on fixing streets first. Mr. McNish also spoke against agenda items 8.7 Resolution No. 455-22/23 School Bus Driver Pay Rate Adjustment and 8.8 Resolution No. 456-22/23 School Bus Driver Retention and Recruitment Incentive but agreed with the pay increase for bus drivers and questioned how the City was to show there would be any cost savings. Additionally, Mr. McNish also spoke regarding the cost of the Police Locker Room remodel and the bump on Court Street near the car wash. Lastly, Mr. McNish commented on the deterioration of the City in the last 8 years and requested a motion and vote by Council to change the form of government.

Elaine Ritchey spoke about and praised the former bus supervisor, Mr. Greg Ranney. Ms. Ritchey also spoke against the proposed snow removal policy.

UNFINISHED BUSINESS

7.1. **Ordinance No. 3080-22/23 Amending Chapter 5, Article IV, Division 2, Section 1-7 of the Pekin City Code Regarding the Sidewalk Snow Removal Policy**

City Manager, Mr. Mark Rothert, presented the agenda item regarding Ordinance No. 3080-22/23 amending the city code regarding the sidewalk snow removal policy. Mr. Rothert described the revisions that included the addition to the ordinance residential properties with sidewalks to allow those residents with disability to travel more safely on city sidewalks. Letters would be sent out to those residents once the ordinance was approved that would include a list of contractors available in the area to perform snow removal services. Staff also recommended the purchase of at least one piece of equipment for snow removal on sidewalks so that sidewalks on major corridors like Court Street and Parkway, where the sidewalk is at the back of the curb, could be removed by City Staff. Mr. Rothert clarified that a list would be created of city plowed sidewalks where sidewalks are at the back of the curb where there would be a piling up of snow, that list would be created at a later date. Mr. Rothert stated that a communication was provided to Council via email with a list of questions and reviewed those questions and answers provided by the City Attorney, City Manager and Public Works Director of how the city can require sidewalk snow removal by residents. Mr. Rothert continued with another alternative in which the city would remove snow on sidewalks in house. Mr. Rothert provided Council with a memo listing the total cost estimate of taking on in house sidewalk snow removal that included an initial outlay of capital for equipment and storage, estimated at a cost of $1.4M. Personnel cost would amount to an annual amount of $750,000. The first-year cost would amount to $2.2M to effectively have an operational snow removal service. Mr. Rothert also included in that memo a list of other municipalities in Illinois that require residents to remove snow and ice from the sidewalks adjacent to their property, that included areas such as Bloomington, East Peoria, Champaign, Springfield, Urbana, Peru and Ottawa.

City Attorney, Ms. Kate Swise, informed Council of a change to the ordinance that did not make it in the packet, that would require homeowners to remove snow accumulation in excess of 2 inches and to remove any amount of ice build-up on the sidewalk.

Councilmember Cloyd highlighted her emails expressing concerns from residents, discussed the elderly/disabled, possible lawsuits and code enforcement management.

Councilmember Orrick discussed with the City Attorney how the proposed ordinance should not have any liability to homeowners and felt that it should be the City's responsibility to remove snow and ice from all sidewalks by using funds from the cities two biggest departments.

City Manager clarified that this was not a penalty or penance but was something that all municipalities were faced with addressing maintenance and snow removal on their sidewalks. Other communities have passed an ordinance requiring the responsibility to be on the property owner. Mr. Rothert added that using funds from Police and Fire would result in a reduction of manpower.

Council continued discussing the cost of the snow sidewalk removal by the City and discussed having an ordinance that was not enforced. City Attorney Ms. Swise stated that it would leave it open to question whether it was reasonable effort by the City to maintain the sidewalks under ADA. Ms. Swise added that it was explicitly in the consent decree that is pending approval in front of the court that not only will the City maintain the sidewalks but that specifically the city will enforce its current snow removal policy.

Council again discussed whether the city should remove snow and ice from residential properties or if that requirement should fall on the homeowner.

RESULT:	**FAILED [2 TO 5]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Karen Hohimer, Becky Cloyd
NAYS:	Hilst, Nutter, Orrick, Abel, Luft

NEW BUSINESS

8.1. Resolution No. 449-22/23 Sponsorship to the American Junior Golf Association for the 2022 D.A. Points Junior Golf Championship Pekin Tournament in the amount of $2,500 from Tourism (Hotel/Motel Tax) Fund.

City Manager, Mr. Mark Rothert, presented the request to approve a resolution awarding a grant in the amount of $2,500 to the American Junior Golf Association D. A. Points Junior Golf Championship. Mr. Rothert stated that the tournament generated 210 room nights and brough in 78 players from 14 different states and 5 different countries. The original funding request was for $7,500, which was recommended for denial by the Tourism Committee and instead recommended a one-time grant for $2,500. The Committee also recommended that the event organizers find a way to include other golf courses located within the Pekin's municipal boundaries should they request future funding.

Council discussed the event location and timing of the request.

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

8.2. Resolution No. 450-22/23 Support for 2022 Bike Night & Downtown Super Cruise

City Manager, Mr. Mark Rothert, presented the request to approve a resolution providing financial support for the 2022 Bike Night and Downtown Super Cruise in an amount not to exceed $4,000 that will be utilized for band entertainment, marketing, portable restrooms and stage and sound. Staff and The Tourism committee both recommended support.

Mr. Steve Bresnahan spoke about the event and generated tax dollars.

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

8.3. Resolution No. 451-22/23 Agreement with Axon for Expansion and Records Integration

Police Chief Dossey presented the request to Council to approve a resolution expanding Axon solutions and records integration as budgeted for FY23. Chief Dossey advised Council that on page 3 of the statement of work item number 2.2.3 was changed to agency crash system. The current crash reporting system was going defunct and this language covers what the new system will be. Council approved the main contract with Axon on September 14, 2020 and since then the laws have expanded to require bodycams on not just patrol officers but for investigators and administration. Other programs were researched and Axon would provide many of the mandates that the City was struggling with. Axon was the only vendor to meet the City's police department needs. The requested amount was $227,994.68, an increase from $166,031.92.

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

8.4. Resolution No. 452-22/23 Enterprise Lease Agreement Police Squad Cars

Police Chief John Dossey presented the request to approve the second request of the leasing of the remaining police squad cars with Enterprise. Chief Dossey explained that in June of 2020 the city entered into an agreement with Enterprise Leasing as a cost-effective alternative to purchase squad cars, that agreement was expanded in November of 2021 for additional investigations and administrative vehicles. The program has proven to be cost effective by reducing the costs that pertain to maintenance and eliminating the need for replacement parts as the vehicles are new and under warranty. Staff requested to replace 10 vehicles, bringing all police department fleet under the leasing program with the exception of speciated SWAT vehicles and asset forfeiture seizures. The ordering window would begin July 15, 2022 and is only open for a short period of time with a 24-to-30-week lead time. The cost of the vehicles has not been released by the manufacturer, but Enterprise provided a conservative percentage increase (+25%) based on past history. The request was not to exceed $100,000. Funds gained from the sale of the old vehicles would be applied to the cost of leasing.

Council discussed regular maintenance of the vehicles to be serviced at Uftring.

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

8.5. Resolution No. 453-22/23 Support for Special Transportation Studies Grant Application -Master Bicycle and Pedestrian Plan

City Manager, Mr. Mark Rothert, presented the request to approve a resolution for the support for a Special Transportation Studies Grant Application to improve bicycle and pedestrian travel throughout the city. The application would be submitted to the Tri-County Regional Planning Commission with an estimated budget for the plan of $60,000. Staff requested $10,000 in local match with a scope of work that would include public engagement, identification of future roadway bicycle accommodations, locations of future bicycle and pedestrian signage and key stakeholder interviews. Final deliverables would include the plan document as well as relevant GIS mapping data. Local match from the Engineering Department's budget was not required but would make the application more competitive. Should the project be selected, Tri-County Regional Planning Commission would handle any procurement and work with the city staff to choose a qualified consultant that would complete the work by December 31, 2023.

RESULT:	**ADOPTED [4 TO 3]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Karen Hohimer, Becky Cloyd, John P Abel, Mark Luft
NAYS:	Rick Hilst, Dave Nutter, Lloyd Orrick

8.6. Resolution No. 454-22/23 Change Order with CAD Construction of Police Department Locker Room Remodel Project

Public Works Director, Mr. Justin Reeise, presented the request to Council to approve a resolution allowing for a change order with CAD Construction for the police department locker room remodel project. Mr. Reeise explained that Council had awarded the project in February 2022 in the amount of $426,300 to expand the current locker rooms to meet the Police Department operational needs, while creating a better use of space for report writing and a break room. Through the course of developing the final project layout, it became apparent that the scope of the project be expanded to address concerns with the layout requiring additional demo, framing, plumbing and HVAC work. It was also discovered that some plumbing in the locker room facility was in worse condition that anticipated. Mr. Reeise continued to explain that the major benefits would include an addition of an egress door from report writing room for emergency response, compatible electrical upgrades for the lockers, and a revised layout to accommodate full ADA compliance in the bathrooms. The proposed improvements were critical to the project.

Mr. Rothert added that the financial impact would partly come out of contingency based on additional revenues not anticipated by shifting some costs the Police Chief designated as costs shifted over from other projects that were not going to be completed this year, project costs from the CBD TIF from alley/sewers budgeted at $600,000 and siphoning off around $26,000, as well as savings from the police records office project of around $9600.

Council discussed the number of lockers and the reasons behind the significant cost increase.

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

8.7. Resolution No. 455-22/23 School Bus Driver Pay Rate Adjustment

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution to increase the pay rate for school bus drivers to a rate that was competitive with other area school district departments at $20 per hour. The City of Pekin has been greatly affected by turnover and challenges recruiting school bus drives in the previous and current fiscal year. Discussion with the Teamsters union had been favorable to the change and would be memorialized through any side letter to the collective bargaining agreement. The area school districts contracted with the City for busing had also indicated a willingness to support the rate adjustment for drivers. Mr. Rothert added that the next agenda item related to bus retention and sign on bonuses to provide tools necessary to attract new drivers.

Mayor Luft spoke in favor of the agenda item.

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

8.8. Resolution No. 456-22/23 School Bus Driver Retention and Recruitment Incentive

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve a resolution approving a sign on bonus of $500 and retention incentive of $500. Mr. Rothert explained that this would be a tool used to retain and attract bus drivers. The recruitment bonus would be for newly hired bus drivers who are duly trained and certified upon the approval of the Recruitment and Retention Incentive program that would be eligible to receive a $250 sign on bonus payable on their first full paycheck after training certification and having transported students with the remaining $250 paid approximately 180 days thereafter or the first pay period in May, whichever came first. The retention bonus would be for school bus drivers that return for the 2022-2023 school year and have been in consecutive employment with the bus department to be eligible to receive a $500 Retention Bonus with $250 payable in the second pay period in September 2022 and the remaining $250 paid the first pay period in January 2023. The bud department is fully staffed at 85 school bus drivers and needed 10 plus drivers to meet the personnel requirement. Teamsters union and the school districts have indicated a favorable agreement and staff recommended approval.

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

8.9. Resolution No. 457-22/23 Reclassification of Positions in Departments

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution reclassifying positions in the Human Resources Department and the Bus Department. Mr. Rothert explained that the request was to better align positions within operational needs in various departments. Mr. Rothert explained that the Human Resources Department constituted a multitude of sub-disciplines that included employee attraction, retention and engagement, various insurance coverages for the city, risk management and safety, and employee benefits. The department with three budgeted employees needed to work flexibly in an y sub-discipline area. Mr. Rothert proposed to reclassify both the Employee Benefits Coordinator position and the Risk Manager position to a Human Resources Coordinator position. Those two positions would essentially be able to work in any area of Human Resources. The bus department proposal consisted of hiring a new administrative assistant instead of an Assistant Bus Director. Much of the work done at the bus department is done at an administrative level creating the second administrative assistant in that department. Mr. Rother further explained that he proposed to not fill the assistant bus director position as outlined in the contract with the school districts, but to hire a administrative assistant. The schools were agreeable to look at amendments to the contract and open to modernizing and updating current bussing contracts that need to reflect current times, current costs, current pay rates and current staffing as the contract was 10 years old. Lastly, Mr. Rothert proposed reclassifying a utility locator to a street maintenance worker. JULIE locates had been outsourced and a utility locator position was approved by Council last year. In discussions with the union, it was determined that the utility locator specialist would take the location duties from existing street maintenance workers who locate sewer lines and determined it was not feasible. Hiring a street maintenance worker would allow them to also do electrical locates in the City's right of way while also getting the benefit of having another street maintenance worker to work in the field as needed. The additional cost to the City was $31,854 for an additional street maintenance worker.

Council discussed how the City was only working with half the employees in the street department based on our city size.

Councilmember Nutter announced that he would be abstaining from the vote.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Dave Nutter

8.10. 3143 Ordinance No. 4002-22/23 Amending Section 4-3-8-8 Regulating Signs
A motion was made by Councilmember Hohimer seconded by Councilmember Cloyd to approve and adopt Ordinance No. 4002-22/23 Amending the Code of the City of Pekin Chapter 4, Article III, Division 8, Section 8 Regarding Signs.

City Attorney, Ms. Kate Swise, presented the request to Council to approve and adopt an ordinance amending Section 4-3-8-8 Regulating Signs. Ms. Swise explained that updating the City's sign code had been a topic of discussion among staff and the Zoning Board of Appeals to improve clarity and consistency among the regulations as well as to update the code to better address things like billboards, monument signs, and murals. Ms. Swise provided a list of revisions provided for in the request. The ZBA held a public hearing on the proposed sign code at its June 8, 2022 meeting and recommended approval.

Zoning Supervisor, Mr. Dave Bess, gave some examples as to how the code was difficult to follow when doing sign variances and illuminated signs. Mr. Bess explained that the revisions would only pertain to new signage.

Councilmember Orrick stated that he had a lot of questions and felt the agenda item should be layed over until the Council meeting on July 25, 2022.

RESULT:	**LAYED OVER [UNANIMOUS]** **Next: 7/25/2022 5:30 PM**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Dave Nutter, Councilman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Rick Hilst

COUNCIL AND STAFF REPORTS

City Engineer, Ms. Josie Esker, clarified the construction project timelines and that those timelines included construction on Court Street, Derby Street, and a big downtown project, all next year. Ms. Esker explained why the projects take so long and provided a handout to Council created by IDOT.

City Manager, Mr. Mark Rothert, announced that Panda Express was likely to break ground soon as they had pulled permits. Murals were put up downtown by area high school students at the pocket park, Court Street and 5th and Margaret. Strategic Planning possible date would be August 29, 2022.

Ms. Esker added that a contractor was scheduled to do sidewalk in the pocket park. A Derby Street Public Meeting had been scheduled for July 26, 2022 from 4:30 pm – 6:30 pm at the Pekin Public Library.

Councilmember Abel stated that residents called to compliment code enforcement regarding properties in the City.

Councilmember Nutter addressed a citizen's complaint regarding overgrown grass across the street from Cusack dentists' office. Councilmember Nutter also complimented Eric Benson on the work done on the gold star veteran banners, Fire Chief Trent Reeise and Justin Reeise at the Street Department.

Councilmember Cloyd questioned whether there had been an increased amount of residents that are not getting their trash picked up.

Public Works Director, Mr. Justin Reeise, answered that the Street Department was down two garbage trucks but had not seen an increased number of issues at the Solid Waste Department, only delays.

Ms. Esker addressed Councilmember Cloyd's questions stating that the City was waiting for approval of Phase I on Court Street and in Phase I of Derby Street.

Councilmember Hilst reminded everyone that the Council is supposed to review Executive Session meeting minutes once a year and has not been done. Councilmember Hilst also spoke about not maintaining city property and addressed the accounts payable round up purchase.

Mr. Reeise stated that at least two years ago Council approved a contract with Golf Green that spray specific areas.

Ms. Esker updated Main Street tree removal that the City received approval from the Railroad, but has not been scheduled yet.

Councilmember Orrick requested the number of call-ins on firework violations and the number of arrests that were made.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 1. PERSONNEL AND 6. SETTING PRICE FOR SALE OR LEASE OF PROPERTY AND 2. COLLECTIVE NEGOTIATING MATTERS

A motion was made by Councilmember Hohimer seconded by Councilmember Cloyd to move into Executive Session to discuss 5 ILCS 120/2 (c) 1. Personnel and 6. Setting Price for Sale or Lease of Property and 2. Collective Negotiating Matters at 8:35 PM. On roll call vote all present voted Aye. Motion carried.

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

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

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Hohimer and seconded by Councilmember Cloyd to adjourn the meeting. Motion carried voice vote. Mayor Luft adjourned the meeting at 9:15 PM.