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 JUNE 27, 2022 AT 5:30 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD 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 members were present for roll call except Mayor Mark Luft. Mayor Pro Tem called the meeting to order at 5:30 PM.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	
Karen Hohimer	City of Pekin	Councilwoman	Present	6:18 PM
Dave Nutter	City of Pekin	Councilman	Present	
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	
Lloyd Orrick	City of Pekin	Council Member	Present	
John P Abel	City of Pekin	Councilman	Present	
Mark Luft	City of Pekin	Mayor	Absent	

APPROVE AGENDA

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

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Jun 13, 2022 5:30 PM

PUBLIC INPUT

Jim Mangan addressed the Council regarding a recent FOIA request he submitted requesting documentation of revenue dollars or percentage of Federal, State and Local Funds for FY23. Mr. Mangan, stated that the Clerk's Office responded to his request stating no documents were found. Mr. Mangan continued, stating that he found in the budget slightly over $88M of funds received were from those sources. He then stated he had emailed the Clerk that he could not find the information and requested that the Finance Director provide status updates. Mr. Mangan also requested that Council explain bypassing the bid procedure regarding Agenda Item 7.1 Resolution No. 442-22/23 Authorizing Expenditure for Fence Upgrades at City Facility on Koch St.

Ann Witzig spoke to the Council about ethics and respect, the City Manager's comment about adding a fee to the wastewater bill, Court Street construction plants, illegal weeds throughout the City and how public hearings should be on a separate night than the vote.

Tim Golden provided Council and staff with a handout in which he read regarding the ADA lawsuit and whose responsibility of shoveling snow on sidewalks belonged to.

John McNish suggested changing the pictures on the website, controlling the City's high costs, the City Attorney to be removed from the Ethics Committee, flooding issues on 2nd Street, Court Street Construction road hump, the impound fee balance, censuring the mayor for missed meetings, and status update on the City Manager's consulting business.

CONSENT AGENDA

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

6.1. Tazewell County Animal Control Billing - May 2022

6.2. Financial Reports March FY22

6.3. Resolution No. 441-22/23 CDBG 2021 Consolidated Annual Performance and Evaluation Report (CAPER)

6.4. Accounts Payable To Be Paid Proof List thru June 24, 2022

6.5. Ordinance No. 4001-22/23 Map Amendment Request for 141 S. Veterans Drive (Case PPR 2022-01)

NEW BUSINESS

7.1. Resolution No. 442-22/23 Authorizing Expenditure for Fence Upgrades at City Facility on Koch St.

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt a resolution authorizing the expenditure for fence upgrades at the city facility on Koch Street to Hohulin Fence. Mr. Rothert explained that the expenditure of funds was for the repair and upgrade of a fence that included maintenance of the front gate and installation of a new security fence along the south side of the bus parking lot. Staff requested up to $39,280 in spending authority. Mr. Rothert added that the item was of importance due to the surge in catalytic convertor theft and that the fence would have barbed wire.

Public Works Director, Mr. Justin Reeise, explained that the location of the barb wire was on the fence but not on the front of the property and he anticipated it being several weeks before getting it installed.

Councilmember Hilst spoke against the agenda item stating that he did not agree it was an emergency and felt it should have gone out for bid. Councilmember Hilst read the paragraph in the procurement policy regarding the City's obligation to grant opportunities for all interested parties.

Councilmember Orrick questioned the cost of going out to bid and how many catalytic convertors had been stolen.

Mr. Rothert stated that there was a risk of theft and that the bus department in other regions had stolen catalytic convertors. Mr. Rothert also stated that going out for bid would delay the approval of any fencing by another month to only gain maybe a 10% advantage. The threat of people coming on to the property was greater than ever. No catalytic convertors had yet been stolen at the bus department.

Councilmember Abel spoke about some of the vandals that came on to the property. Chief Dossey assured Council that the security cameras were working.

Councilmember Hohimer questioned the cost of having a catalytic convertor replaced and pointed out that the cost of replacement exceeded the cost savings of an RFP.

Chief Dossey stated that Peoria's bus department got hit for over $20,000 worth of catalytic convertors.

Councilmember Hilst agreed that the property needed protected but should have been a security issue a year ago.

Mr. Rothert stated that the gate and fence was looked at for a cost of $100,000 initially but was cut from the budget due to competing interests on other projects taking precedence. The action now was scaled down to fix the gate and lower the cost by narrowing the area of the fence.

Councilmember Hohimer suggested adding motion sensor lights. Chief Dossey stated that it had been mentioned but he did not know the cost.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Becky Cloyd, John P Abel
NAYS:	Rick Hilst, Lloyd Orrick
ABSENT:	Mark Luft

7.2. Resolution No. 443-22/23 Approve MFT Resolution for the PPUATS Funding Agreement FY23

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt a MFT resolution for the PPUATS funding agreement FY23. Mr. Rothert explained that the resolution was needed to allocate Motor Fuel Tax funds to pay for the City's share for the Joint Peoria-Pekin Urbanized Area Transportation Study Funding Agreement. The City's portion for the local match was $15,398, which was slightly above what was budgeted in the Motor Fuel Tax Fund for the FY23 budget. Mr. Rothert added that the City had been a member of PPUATS for a long time and netted sizeable amounts for projects. He was looking forward to receiving additional grant funding.

Councilmember Orrick discussed previous awards for other projects and felt that the money from PPUATS allowed the City to do most of the projects that took place.

Ms. Jose Esker stated that funding allocation was controlled by Council.

Councilmember Abel stated that there was not a better example of any budget to see the City's money go farther for what was gained in return and felt it was a no brainer to support the agenda item.

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

7.3. Resolution No. 444-22/23 Approve Spending Authority for ADA Repair Requests

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution to give the City Engineer additional spending authority for sidewalk repair projects brought about by ADA accessibility requests. There were times in which certain contractors were already doing concrete work in Pekin where the City could get reasonable prices for small projects. Some situations could be more cost effective than bidding out the project. Mr. Rothert continued to explain that the proposed method would make staff more efficient and also speed up the repair process after staff receives the accessibility request. Up to $25,000 of spending authority was requested per project, not to exceed a cumulative total of $100,000 for projects not directly approved by Council. Each ADA accessibility request would be treated as a separate project, which was the exception to the City's Procurement Policy. Mr. Rothert added that the spending authority would be contingent upon two approvals from the City Manager and either the Public Works Director or Finance Director. Staff would also notify Council of the projects through regular reporting.

City Engineer, Ms. Josie Esker stated that the line item 445-041-534900 was the sidewalk renovations in the capital budget but the request was budgeted under construction. The funds stated in the request were correct. Ms. Esker explained that staff did most of the sidewalk and ADA designs unless it was big project like Court Street or Derby Street, so staff would be doing the design work to put the projects out to bid. Ms. Josie addressed a comment from the public clarifying that per the City's Consent Decree a third party, ADM, was required to look at all the work to make sure it was completed correctly. ADM would be coming up with a plan for the City on how to fix all the sidewalks.

Councilmember Cloyd questioned the checks and balances of Ms. Esker's spending authority. Ms. Esker stated that she had $10,000 in spending authority but that money went fast with concrete work that would allow one or two projects a year.

Councilmember Orrick questioned if Ms. Esker was going to be contacting the areas listed in the lawsuit for input and how the regular reports were going to provided. Ms. Esker explained that the Consent Decree did not provide contact information for who requested those areas but a list of areas requested were provided and most would be addressed this year. Ms. Esker also stated that staff puts together weekly reports that are sent to Council and she would provide a line item.

Councilmember Nutter questioned why the projects would not be grouped and bid out. Ms. Esker explained that bidding as a packet presented higher prices.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst
ABSENT:	Mark Luft

7.4. Resolution No. 445-22/23 Approve Mark Weyhrich Tenant Farm Lease Agreement Pekin Municipal Airport

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution regarding the farm lease agreement at the Pekin Municipal Airport with Mark Weyhrich for the next three years at a rate of $140/acre. Mr. Wehyrich farmed the 121.7 tillable acres at the airport. The lease was put out for RFP in 2018, with Mr. Wehyrich being the sole bidder. Staff recommended approval.

Councilmember Orrick spoke in favor of the agenda item stating that it was a good price for cash rent. Mr. Rothert stated that it was an increase over previous years' rent and that all the credit was due to mostly Todd Dugan, the Airport Manager, who negotiated the lease agreement.

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

7.5. Resolution No. 446-22/23 Approve Cruce Aviation LLC Lease Renewal Pekin Municipal Airport

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution to execute a lease for a private hangar with Cruce Aviation LLC. The lease was originally executed with Murray Brian in 1992 and assigned to Cruce Aviation on May 29, 2018. The current lease expired on September 30, 2022 and Cruce Aviation wished to enter into a lease extension with the City of Pekin. Mr. Rothert explained that Cruce Aviation had been a good tenant and was the largest purchaser of fuel on the airfield. The new lease would bring rates up to date with an annual 2% increase with the current rate at $400 per year, year 1 of the agreement will be for $1,085.89. Mr. Rothert added that the City owned the dirt under the hangar and that the lease was for leasing that dirt.

Councilmember Abel spoke in favor of the agenda item praising record fuel sales.

Mr. Rothert stated that the tenant was in the crop-dusting industry and that was why they used so much fuel.

Councilmember Nutter also spoke in favor of the agenda item describing the different parts of there business.

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

7.6. Resolution No. 447-22/23 Award Bid for Demolition of 307 Fairlane to Wayne Litwiller Excavating, Inc.

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution awarding a bid for demolition of 307 Fairlane to Wayne Litwiller Excavating. Mr. Rothert explained that the current owner had met with staff regarding the potential site, and took no action to bring the residence into compliance. The Chief Building Official had conducted an inspection and determined that the cost exceeded the value of the home. The residence contained no electricity or plumbing and had numerous break-ins, contrary to it being boarded up. Only Wayne Litwiller Excavating submitted a bid in the amount of $13,525. Staff conducted an asbestos inspection with a mitigation cost of less than $5,000. The cost for demolition came from the CDBG line item and the cost of mitigation came out of the Code Enforcement Property Cleanup line item. Staff recommended approval.

City Attorney, Ms. Kate Swise, stated that the City would attach a lien on the property.

Councilmember Orrick questioned if the lien would be removed if the property went into a tax sale. Ms. Swise stated that the demo lien would probably not be removed in a tax sale and that the property tax code procedures requires reimbursement to a municipality for funds expended so the demo lien would have to be reimbursed when at a tax sale.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Councilmember Abel announced that he was on the new fire station committee and that they met every Monday. The interior and exterior colors were chosen and the preliminary view was coming along. Councilmember Abel also reminded residents to go out and vote as tomorrow was the primary.

Councilmember Nutter reminded residents about election day and that the fire works would be at the stadium on the Fourth of July. Councilmember Nutter also stated that it may be time to do an update to the Procurement Policy.

Councilmember Orrick wished everyone a happy 4th of July and thanked city employees who were working on the holiday and anyone that ever served in the Armed Forces.

Councilmember Hilst asked staff to comment on Mr. Mangan’s FOIA response stating that no documents were found regarding his request for total revenues from Federal, State and local funds. City Clerk and Deputy City Clerk responded that a link to the FY23 Budget was provided as Mr. Mangan’s response.

Councilmember Hilst also spoke about impounds in the monthly report and requested that the fire department also be included on the monthly report.

Councilmember Hilst questioned Mr. David Bess on how the City participated in the unsheltered homeless. Mr. Bess explained the connection with HUD and the collaboration of different entities in the region, and how each a year a count of homeless individuals was reported back to HUD that would impact funding back to continuity of care.

Councilmember Hilst also discussed overgrown weeds in the city, the striping of 14th Street, the SEICO property, the new fire station property, airport furniture and questioned why the Chamber of Commerce was closed.

Mr. Justin Reeise explained that the County had agreed to do striping for the city but no timeline had been set.

Councilmember Abel, Councilmember Hohimer and Mayor Pro Tem Cloyd all praised Todd Dugan, the Airport Manager, for a job well done and announced that his last day with the City would be on Thursday.

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

A motion was made by Councilmember Nutter seconded by Councilmember Orrick to move into Executive Session to discuss 5 ILCS 120/2 (c) 2. Collective Bargaining at 6:57 PM. On roll call vote all present voted Aye. Motion carried.

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

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Hilst to adjourn the meeting. Motion carried voice vote. Mayor Pro Tem Cloyd adjourned the meeting at 7:45 PM.