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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 14, 2021 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 Councilmember Orrick. The City Clerk confirmed all members were present and logged on. A quorum was declared by Mayor Mark Luft.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:08 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:17 PM
Dave Nutter	City of Pekin	Councilman	Present	5:10 PM
Becky Cloyd	City of Pekin	Councilwoman	Present	5:11 PM
Lloyd Orrick	City of Pekin	Mayor Pro-Tem	Present	5:17 PM
John P Abel	City of Pekin	Councilman	Present	5:15 PM
Mark Luft	City of Pekin	Mayor	Present	5:13 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

4.1. **City Council - Regular Meeting - May 24, 2021 5:30 PM**

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

4.2. **City Council - Special Meeting - Jun 7, 2021 5:30 PM**

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

EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. LITIGATION

5.1. Motion to: **Move to Executive Session**

A motion was made by Councilmember Hohimer seconded by Councilmember Orrick to move into Executive Session to discuss 5 ILCS 120/2 (c) 11. Litigation at 5:36 P.M. On roll call vote all present voted Aye. Motion carried. Council returned to Open Session at 6:35 P.M.

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

PUBLIC INPUT

CONSENT AGENDA

7.1. Accounts Payable To Be Paid Proof List thru June 01, 2021

7.2. Accounts Payable To Be Paid Proof List thru June 11, 2021

7.3. Police Department Monthly Stats - May 2021

7.4. Tazewell County Animal Control Billing - April 2021

7.5. Ordinance No. 2975-21/22 Amending Number of Fire Personnel

7.6. Motion to: **Approve Consent Agenda**

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

NEW BUSINESS

8.1. Resolution No. 267-21/22 Approving Quotes for Material Request 2021

City Manager, Mr. Mark Rothert, presented the request to Council to approve and Adopt Resolution No. 267-21/22 Approving Quotes for Material Request 2021. Mr. Rothert read the request stating that the request was to approve the quote received for street maintenance materials in order to utilize Motor Fuel Tax funds to purchase the material needed. Mr. Rothert added that approving both quotes gave the Street Department more flexibility should asphalt not be available for certain days from one of the plants.

Mayor Luft pointed out that there was an increase on the order compared with last year. City Engineer, Ms. Josie Esker, confirmed that it was a significant increase and that she was expected to have more staff from the Street Department to be able to do more.

Mayor Luft questioned if there was a cost increase for the material. Ms. Esker confirmed that there was not a significant increase.

Councilmember Hilst stated that the requested amount was $60,000 but to approve both would double the amount. Ms. Esker explained that an Motor Fuel Tax Resolution was in place and could not go above $60,000.

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

8.2. Resolution No. 268-21/22 Approve Engineering Reimbursement Agreement with Tazewell & Peoria Railroad

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 268-21/22 Approve Engineering Reimbursement Agreement with Tazewell & Peoria Railroad. Mr. Rothert read the request stating that the Railroad had lined up a consulting engineering firm to review the City's plans for

the Combined Sewer Overflow Project (Phase 3B) with respect to the sewer pipe that would run parallel and close to the Railroad's existing tracks. The agreement was necessary in order to receive occupancy permits for working in Railroad property during the construction and to explore cost saving project design changes.

Councilmember Orrick questioned what controls the City had with the Railroad. City Engineer, Ms. Josie Esker, stated that the agreement was for an hourly rate basis based on ours the firm put into the project. Ms. Esker assured Council that she works very closely with the firm and believed that they do great work.

Councilmember Nutter questioned if the consulting was for the next phase of the CSO. Ms. Esker explained that it was and that the total project had been split into several phases and that the project would not succeed without the agreement.

Councilmember Nutter questioned the fund number. Finance Director, Mr. Bruce Marston, explained each section of the account numbers and how they relate to the Revenue and Expenditure reports and the Balance Sheets.

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

8.3. Resolution No. 269-21/22 Approve and Award the Purchase of Two Tandem Dump Trucks

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 269-21/22 awarding the purchase of two tandem dump trucks. Mr. Rothert explained that the City had issued request for proposals and received three responses. Truck Centers (Morton, IL) was the lowest responsible bidder. Mr. Rothert explained that Sourcewell was not utilized due to the long lead time receiving trucks.

Councilmember Orrick questioned if the purchase was for two additional trucks and if the Street Department planned on hiring. Street Department Supervisor, Mr. Brett Olson, confirmed that it was two trucks and that the spare was a 2001 truck. Mr. Olson further explained that the only time a split shit was done was if there was a big storm. Mr. Olson assured Council that the department utilizes all the trucks.

Councilmember Nutter questioned the delivery time, the date of the bids and the dollar amount. Mr. Olson stated that the truck should arrive early December due to the company purchasing trucks ahead of time. Mr. Olson confirmed that all the bids were received in June.

Councilmember Hilst questioned the estimate in cost savings. Councilmember Hohimer stated that the last time it was a cost saving of $3,000. Councilmember Able felt that it did cost the City in the past to wait to purchase trucks.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Hilst, Hohimer, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Dave Nutter

8.4. Resolution No. 270-21/22 Authorizing the Purchase of a Solid Waste Truck from EJ Equipment

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 270-21/22 Authorizing the Purchase of a Solid Waste Truck from EJ Equipment. Mr. Rothert stated that the Solid Waste Division of Public Works had an operational need to purchase a more dependable solid waste collection vehicle. Mr. Rothert explained that the City needed to find $20,000 in the fund and planned on bring the amendment to the budget within the next one or two Council meetings to adjust for various expenses over the last month.

Mayor Luft questioned what would happen if not approved. Mr. Rothert explained that Mr. Olson would have to make a contract with the dealer to capture that same price.

Councilmember Abel questioned whether it would cost the City $20,000 more if not approved. Mayor Luft agreed that the expense and timeline would move up. Mr. Rothert added that the dealer was gracious to Mr. Olson honoring the price.

Mayor Luft pointed out that the RFP for garbage collection was to be considered as well. Mr. Rothert stated that if approved the truck would be an asset to the City and would need consideration if award a bid on garbage collection.

Councilmember Nutter questioned the Council that the truck was ordered two weeks ago at a Council meeting. Councilmember Orrick explained that the requested was defeated.

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

8.5. Resolution No. 271-21/22 New Roof for Fire Station 1

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 271-21/22 New Roof for Fire Station 1. Mr. Rothert stated that the request was to award a partial roof replacement to Five Star Roofing. Mr. Rothert explained that the existing roof membrane was leaking over the living quarters and office spacing and that the project would replace it with a 5 layer rubberized roof coating that had a 20 year warranty. Mr. Rothert continued to explain that the existing roof was replaced 4 years ago and that the original installer only had a two year workmanship warranty.

Property Manager, Mr. Jayson Briennen, explained that it would take 3 weeks before the project would begin with a two day process and 20 year guarantee.

Councilmember Cloyd questioned why the roof was leaking if replaced only 4 years ago. Mr. Briennen explained that roof had been leaking since the replacement four years ago and had been a recurring issue. Mr. Briennen also explained that this was one of three different roofs on the building but the others were holding up well.

Councilmember Hilst questioned whether the City went out for a Request for Proposal. Mr. Briennen explained that it was under the threshold to do so and that different companies were contacted to give a quote.

Councilmember Hilst pointed out that only one bid was uploaded to the packet.

Councilmember Nutter questioned whether the new roof was a major purchase and should have went out for an Request for Proposal.

Finance Director, Mr. Bruce Marston, pointed out that there was a section in the procurement policy that stipulates formal requests for approval and a formal Request for Proposal not required unless over $25,000.

Mr. Rothert explained that it was presented to Council because it was over $15,000.

Councilmember Nutter asked to have the request include the Request for Proposal policy.

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

8.6. Resolution No. 272-21/22 Procurement Procedure for Public Facility Improvements

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 72-21/22 Procurement Procedure for Public Facility Improvements. Mr. Rothert explained that the City had budgeted in its FY22 fiscal year budget certain capital expenditures related to facility improvements. Each planned and budgeted facility improvement would normally require a lengthy procurement process and would potentially cause expenditure increases. Mr. Rothert continued to explain that staff went through a similar process with the new roof for the fire station. Mr. Briennen had to seek contractors for city facilities and bring forth a recommendation for those most prudent to do the job and eliminate the month long process. This request was for an attempt to speed up the process, while still allowing Council to approve the projects, by bypassing the RFP process for public facility improvement projects.

Councilmember Nutter stated that he had read in the City Manager's weekly report that the City had done some of the work on projects like the wastewater concrete work.

Mr. Brienned clarified that the amount for the concrete was around $3,900. Mr. Brienned stated that some of the projects were just to try and compile bids to get ahead and determine if an RFP was even required.

Councilmember Nutter continued to discuss other projects and the budgeted amounts for those listed on Exhibit A in the request, some of which were over $25,000.

Mr. Briennen explained that the numbers were based on the capital budget and some of the projects listed were not completed.

Councilmember Cloyd questioned if all the projects were done internally.

Mr. Briennen explained that the projects were contracted out.

Councilmember Hilst spoke against the agenda item and stated that there was a procurement policy in place and agreed that the City should allow fair and equal opportunity from all suppliers, to provide for increased public confidence and felt that the request would not aim to do so.

Mr. Rothert added that the public confidence would still be maintained in the requested amendment. Mr. Briennen would continue to seek out multiple bids to bring to Council that would be up to public debate and would be done transparently.

Councilmember Abel spoke in favor of the agenda item and felt it was one of the reasons Mr. Briennen was hired.

Mayor Luft announced that Councilmember Nutter voted NO on the agenda item.

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Becky Cloyd, Councilwoman
AYES:	Hohimer, Cloyd, Orrick, Abel, Luft
NAYS:	Rick Hilst, Dave Nutter

8.7. Resolution No. 273-21/22 Intergovernmental Agreement with CityLink for Transportation Services

City Manager, Mr. Mark Rothert, read the request to Council to approve Resolution No. 273-21/22 Intergovernmental Agreement with CityLink for Transportation Services. Mr. Rothert explained that the City of Pekin and Greater Peoria Mass Transit District annually enter into an intergovernmental agreement for GPMTD to provide public transportation via fixed routes and ADA complimentary paratransit service. Mr. Rothert described many of the riders as elderly, disabled, economically disadvantaged or without primary transportation. The agreement was based on terms of the last agreement and the annual payment to GPMTD for services was $210,000.

Mayor Luft questioned the cost of weekend service.

Mr. Rothert stated that a few years ago the cost was probably near $40,000 and guessed it had since increased to around $50,000.

Mayor Luft extrapolated the cost to 50% of the annual cost for during the week service. Mayor Luft welcomed suggestions where a reroute could be extended or drive by where someone should stop to CityLink.

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

8.8. Ordinance No. 2976-21/22 Amending Sidewalk Use Permit and Special Event Permit Requirements

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Ordinance No. 2976-21/22 Amending Sidewalk Use Permit and Special Event Permit Requirements.

City Attorney, Ms. Kate Swise, explained that the ordinance was to codify changes in the last year to facilitate use for sidewalks for outdoor dining with permanent changes to make it easier to use outdoor spaces. Sidewalk Use Permits were previously only allowed in B-2, the proposed ordinance expanded

the district to B-1, B-3 and I-1 to utilize space in front of an establishment. Ms. Swise continued to explain that the ordinance also made changes to special event permits to allow the use of tents and outdoor heat sources. Live music would be allowed on Friday and Saturday evenings from 6pm-11pm or as otherwise permitted by a special event permit. Ms. Swise advised that allowing live music did not change the noise ordinances but opened up live music for cafes that are using sidewalks. The proposed ordinance also reduced the amount of advanced notice for special events from 40 days to 30 days.

Councilmember Hilst questioned whether outdoor bands would conflict with other ordinances. Ms. Swise explained that noise ordinances would still apply and that sidewalk uses are only allowed in the business districts and light industrial and would still be subject to noise and nuisance ordinance. Ms. Swise added that it was the reason it was limited to 11 pm near residential neighborhood.

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

8.9. Ordinance No. 2977-21/22 Amending Liquor Code regarding Outdoor Sales Areas and Permit Renewals

City Attorney, Ms. Kate Swise, presented the request to Council regarding amending the liquor code regarding outdoor sales areas and permit renewals. Ms. Swise explained that the proposed ordinance made permanent the provisions of previous resolutions of outdoor sales areas during the pandemic. Ms. Swise felt that outdoor dining was likely to stay to support local taverns and that the liquor commissioner recommended making those areas permanent. The ordinance would remove the requirement of enclosed beer gardens to favor outdoor sales areas directly adjacent to the licensed premises. Establishments would be required to obtain a Sidewalk Use Permit to serve alcohol, provide a temporary or permanent barrier, pedestrian walkway, follow fire safety and be allowed the use of tents. The ordinance would allow live music in those areas from 6-11pm and would remove the beer garden fee. Additionally, Ms. Swise explained that the ordinance would remove Class C license for a one day permit contained in an outdoor sales area to allow an expansion of the establishments premises without additional permits or fees. A one day permit would still be required for the sale of liquor off premises. Lastly, the ordinance modified the enforcement provisions allowing for a $500 late fee for renewal applications submitted after the April 30th deadline.

Mayor Luft thanked everyone involved in the proposed ordinance change and thanked the Liquor Commission.

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

8.10. Ordinance No. 2978-21/22 Amend Code Regarding Tourism Committee

City Manager, Mr. Mark Rothert, presented the request to Council to amend the code regarding the Tourism Committee in tandem with the next item. The ordinance would split the Tourism and Beautification Committee apart to create greater efficiency. Mr. Rothert explained that the next agenda item would create

a new Beautification Committee. The code would be updated to reflect the changes by taking out the word beautification in the title, appointing a committee and reduce the voting members to 10.

Mayor Luft thanked both committees and spoke in favor of the two committees.

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

8.11. Ordinance No. 2979-21/22 Amend Code to Establish a Beautification Committee

City Manager, Mr. Mark Rothert, presented the request to Council regarding the establishment of a Beautification Committee. The ordinance limited the spending limit to $1,500, not $5,000 as stated in the request.

Mayor Luft stated that he wanted to make sure that the process was created before changing or altering city property.

Councilmember Nutter asked to clarify that the committee was listed under land improvement under Tourism. Mr. Rothert explained that it was the line item that said Beautification but took the liberty to say that land improvement was close. Mr. Rothert added that the same members would remain on the committee.

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

8.12. Resolution No. 274-21/22 Professional Services Agreement with the Pekin Area Chamber of Commerce for Tourism & Marketing Services

City Manager, Mr. Mark Rothert, presented the request to Council to approve a resolution for a professional services agreement with the Pekin Area Chamber of Commerce for tourism and marketing services. Mr. Rothert explained that due to limited resources, the City had done a minimal job in years past to effectively communicate or implement a tourism plan with events that generated interest and excitement in the community on a consistent basis. The agreement would allow the Chamber to work to support the City's Tourism Committee and provide services including but not limited to, managing and updating the City's website, accounts on social media, Channel 22, email distribution lists, creating a monthly newsletter, issuing press releases, creating content regarding city news, projects, programs, events and issues. The Chamber would provide up to 910 hours of marketing services. Mr. Rothert envisioned a staff person at the Chamber to be paid on an hourly basis with up to $30,000 being paid out of the Tourism fund. Mr. Rothert added that there may be an extra cost for marketing the community with regards to printing and logo design.

Mayor Luft spoke in favor of the agenda item stating that this would add some quality of life to Pekin residents.

Councilmember Orrick also spoke in favor of the agenda item and spoke highly of the current chair of the chamber.

Councilmember Cloyd also spoke in favor of the agenda item and felt that the City's website needed toned.

Councilmember Nutter expressed concern that not enough hours or funds were allocated.

Ms. Amy McCoy, chairperson for the Chamber, advised that a new staff person was hired and the agreement would allow for a third person.

Councilmember Hilst questioned the Revize contract for the website.

Mr. Rothert explained that the contract was up April 30th for the website and that the City was owed a revision. Mr. Rothert continued to explain that in order to do that Revise would need to continue hosting the website.

Councilmember Hilst questioned the budgeted numbers in the packet compared to the copy of the budget in his possession.

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

8.13. Ordinance No. 2980-21/22 Provide for BDD and Hotel/Motel Taxes into Municipal Taxation Code

City Manager, Mr. Mark Rothert, presented the request to Council regarding an ordinance that would provide for BDD and Hotel/Motel taxes in the Municipal Taxation Code. Mr. Rothert reminded Council that last December the Council approved the BDD and tax of 1% that takes effect July 1. Mr. Rothert explained that the city's taxation code needed updated to reflect that tax.

Councilmember Nutter questioned the total amount of taxes to be 2 and ¾'s with the hotel/motel tax. Mr. Rothert confirmed that it would increase from 1 and ¾'s to 2 and ¾'s.

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

CITY COUNCIL OR STAFF REPORTS

City Engineer, Ms. Josie Esker, informed Council that a Special Council Meeting was needed on July 1 or 2nd to approve bids for a concrete and ADA ramp project that had seen some general delays.

Police Chief John Dossey congratulated the three graduates who had received prestigious awards for a 10 week project that raised $21K for the community for a child that had cancer and raised funds for a Champaign officer that lost his wife.

City Manager, Mr. Mark Rothert, updated the Council on the draft of the RFP on Solid Waste Collection and that it had been sent to the City Attorney for review.

Councilmember Hohimer reminded residents of the upcoming event on Saturday featuring the band Stone Cold Cowboys.

Councilmember Nutter inquired about an expense on the Accounts Payable bill run for tree removal on Allentown Road. Ms. Esker explained that the expense was related to the Allentown Road project and needed trees to be removed with the timeline for the Habitat of the Department of Natural Resources. It was not an eligible expense as the project was paid with MFT funds.

Councilmember Nutter questioned whether the Street Department was fully staffed. Street Department Supervisor, Mr. Brett Olson, stated that two employees have started but they had to hire back someone in the solid waste department and another put in their two week notice.

Mr. Briennen added that yard crew had 7 employees and had increased watering for the flowering locations.

Councilmember Hilst questioned whether the front doors to City Hall were unlocked. Mr. Rothert confirmed that they were unlocked.

Mayor Luft thanked Mr. Rothert and staff for their hard work and congratulated Mr. Bess on his speech at the Chamber's breakfast last Friday morning. Mayor Luft also welcomed ideas for getting information out to the residents and the thought of utilizing the wastewater billing to spread information.

Ms. Esker also stated that the City received a grant to do a sidewalk along Stadium Drive.

ADJOURN

There being no further business to come before the Council a motion was made by Council Member Cloyd, to adjourn, seconded by Council Member Hohimer. Motion carried viva voce.

Mayor Luft adjourned the meeting at 8:21 P.M.