CITY OF Pekin ILLINOIS

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PROCEEDINGS OF THE RESCHEDULED/CHANGED
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON TUESDAY MAY 26, 2020 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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THIS WILL BE A REMOTE MEETING HELD VIA "ZOOM MEETINGS". THE PUBLIC CAN ONLY ATTEND THIS MEETING REMOTELY; DUE TO THE GOVERNOR'S EXECUTIVE ORDER REGARDING COVID-19 AND THE RELAXING OF THE OPEN MEETING ACT REQUIREMENTS, THIS MEETING WILL BE HELD REMOTELY VIA ZOOM MEETINGS WITHOUT AN IN-PERSON MEETING LOCATION FOR THE PUBLIC TO ATTEND. YOU WILL BE ABLE TO LISTEN TO THE MEETING AND SUBMIT COMMENTS DURING THE TIME FOR PUBLIC COMMENTS BY SENDING A DIRECT MESSAGE TO THE MEETING HOST USING ZOOM MEETINGS

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TO VIEW MEETING ONLINE GO TO: HTTP://PEKINIL.IQM2.COM (CLICK BANNER AT THE TOP THAT STATES "VIEW LIVE MEETING") OR CHANNEL 22

PLEDGE OF ALLEGIANCE

Due to the Governor's Executive Order regarding COVID-19 and the relaxing of the Open Meeting Act requirements, this meeting was held remotely via Zoom Meetings without an in person meeting location for the public to attend. Therefore, the provisions of the City Code regarding electronic attendance did not apply. The Pledge of Allegiance was led by Mayor Mark Luft. The Clerk confirmed all members of the Council were present via remote electronic attendance by roll call vote with the exception of Mayor Mark Luft who was physically present.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Remote	
Rick Hilst	Councilman	Remote	
Karen Hohimer	Councilwoman	Remote	
Dave Nutter	Councilman	Remote	
Lloyd Orrick	Mayor Pro-Tem	Remote	

John P Abel	Councilman	Remote	
Mark Luft	Mayor	Present	

APPROVE AGENDA

3.1. Motion to: **Approve Agenda**

Councilmember Nutter inquired as to why the employee handbook was placed on the agenda when it had already been postponed. Councilmember Nutter expressed concern that the item violated Robert's Rules. Mayor Luft clarified that the employee handbook was removed from the agenda in a previous Council meeting and the previous motion to postpone had been withdrawn.

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

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - May 11, 2020 5:30 PM

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

PUBLIC INPUT

Sue McMillan, City Clerk, stated that no public comment was received via email.

Mayor Luft announced that he had received a public comment from Tom Veatch, President of Local Firefighters 524 expressing his gratitude to the City Manager and to the City Council that assisted businesses to keep them on their feet. He also gave congrats to the Class of 2020. Local Firefighters 524 are available for assistance if needed.

Mayor Luft also announced that the City was awarded a $20M grant for Court Street.

CONSENT AGENDA

Motion to: **Approve Consent Agenda**

6.1. Bids for 14th Street & Willow Street Sidewalk Maintenance

6.2. Financial Reports March 2020

6.3. Comparison of State Distributions

6.4. Accounts Payable To Be Paid Proof List thru May 15, 2020

6.5. Tazewell County Animal Control Billing - April 2020

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

Mayor Luft read through the six items on the consent agenda.

Finance Director, Mr. Bruce Marston, discussed in detail Consent Agenda Item 6.4 Comparison of State Distributions. Mr. Marston explained the difference between the two reports, one for MFT distributions and the other for State distributions for taxes. As of May 2020, COVID-19 had not had an impact on distributions, anticipate seeing an impact in June and July 2020. Mr. Marston continued to explain that taxes were greater by 3% in May of 2020 compared to

May of 2019. These reports will be presented at the second Council meeting each month.

Council discussed the unknown explanation of the decrease in telecom and excise tax.

Councilmember Hilst requested that agenda item 6.1 Ordinance No. 2887-20/21 Extending Mayoral Declaration of Local State of Emergency be removed from the Consent Agenda and placed in New Business.

Mayor Luft acknowledged that Consent Agenda item 6.1 is now New Business item 7.8.

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

NEW BUSINESS

7.1. Resolution No. 105-20/21 Awarding Contract for Tree Removal

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 105-20/21 Awarding Contract for Tree Removal. Mr. Rothert summarized the request stating that the City has used private contractors for tree and stump removal in the past. Employees are not trained to do many of the removals that require special equipment. One company, Topless tree service responded to the Request for Proposal and was recommended to approve their contract for 3 years.

Council discussed the issue of dead trees in the City and the impact on the budgeted amount.

Street Supervisor, Mr. Brett Olson, was available remotely to answer Council questions.

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

Motion to: **Remove Kalman Engineering from the Authorized Grant List**

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

7.2. Resolution No. 106-20/21 Authorizing COVID-19 Small Business Assistance Grants Round Two

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 106-20/21 Authorizing COVID-19 Small Business Assistance Grants Round Two. Mr. Rothert described the grant program for small businesses with a second round of applications. Those businesses approved to receive the grant were listed in Exhibit A of the request. Mr. Rothert added that these funds would be available beginning June 1, 2020 if it was approved by Council.

CDBG Program Manager, Mr. David Bess, provided Council with an update on the 143 businesses assisted and the amount of the awards totaling $477K out of $1M. Mr. Bess explained that the biggest issue for applicants is obtaining the number to be assigned.

Council discussed the business owned by Kalman Engineering located at a hangar at the airport. Mr. Rothert pointed out that leasing a space may not be a substantial reason to provide this type of business with funding as there are no actual working employees at this facility.

Council requested staff verify the employee status with Kalman Engineering at the hangar in the Pekin Airport.

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

Motion to: **Postpone 7.3 Adoption of the Employee Handbook Revision 2020 until the Council Meets In Person**

Mayor Luft questioned Council as to why this item had to be passed face to face. Councilmembers explained that they felt that the employee handbook was too involved without going through it page by page and that more information was needed from surrounding cities for comparisons.

Mayor Luft explained that the longer this item was put off the longer items in the handbook can't be followed that is good for the city.

Councilmember Abel spoke in favor of passing the handbook during an electronic remote meeting just as the budget was passed.

Mayor Luft spoke against postponing the employee handbook.

City Attorney, Ms. Katherine Swise, clarified that if Council does not have a date certain a motion could be made to remove it from the agenda.

Council discussed the purpose of the motion to postpone.

Councilwoman Hohimer spoke in favor of passing the employee handbook.

Mayor Luft added that he had watched this item for a long time and expressed that Councilmembers should put their differences on the handbook aside and look at the bigger picture so that the city could move forward.

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

7.3. Resolution No. 107-20/21 Adoption of the Employee Handbook Revision 2020 of the City of Pekin

City Manager, Mr. Rothert, presented the agenda item to Council to approve and adopt Resolution No. 107-20/21 Adoption of the Employee Handbook Revision 2020 of the City of Pekin. Mr. Rothert reminded Council that the employee handbook was originally presented on March 9, 2020 reflecting regulatory changes in law and many edits.

Human Resources Director, Ms. Sarah Newcomb, described some of the edits made to the handbook, including resident requirements for employees, local hiring processes, sick pay, and sick time balance at retirement. Ms. Newcomb explained that residency requirements have to be in writing by the City Manager and approved at Council.

Council discussed edits regarding employee positions, residency requirements compared to other cities, and the safety manual.

Councilmember Orrick motioned to amend Section 5.3 of the Employee Handbook that effective May 1 of each year, the City shall provide salary increases based on social security guidelines and that the City Manager by April 1 of each year reports the amount of the increase and what it is based on. Councilmember Orrick added that a 3% pay raise for non-union employees shall not be approved through the budget but approved separately.

Council and the City Manager discussed addressing this issue as a separate policy that Council adopts rather than in the employee handbook. Councilmember Orrick expressed that he was not in favor and requested that it be done by ordinance each year.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Michael Garrison, Karen Hohimer, John P Abel, Mark Luft
NAYS:	Rick Hilst, Dave Nutter, Lloyd Orrick

7.4. Resolution No. 108-20/21 Award and Execute Contract for 20-00000-00-GM 14th Street & Willow Street Sidewalk Maintenance to M.E.R.C. Construction

City Manager, Mr. Mark Rothert, presented the request to Council to Resolution No. 108-20/21 Award and Execute Contract for 20-00000-00-GM 14th Street & Willow Street Sidewalk Maintenance to M.E.R.C. Construction. Mr. Rothert explained that bids went out earlier this year and the project was included in the 2020 Maintenance Plan approved by resolution.

City Engineer, Ms. Josie Esker, confirmed that the line item budgeted was the Motor Fuel Tax Fund.

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

7.5. Resolution No. 109-20/21 Appropriating Motor Fuel Tax Funds in the Amount of $75,000 for Construction Engineering Services for Front Street

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 109-20/21 Appropriating Motor Fuel Tax Funds in the Amount of $75,000 for Construction Engineering Services for Front Street. Mr. Rothert pointed out that agenda item 7.5 and agenda item 7.6 were related providing construction engineering. Mr. Rothert explained that requested was to use MFT Funds to provide up to $75K of assistance through MFT. The construction engineering requested is a sizeable project with an abundance of paperwork. Mr. Rothert reminded Council that construction engineering funds about 10% of the project and the reason the requested amount is so low is because in house staff is providing assistance as well.

Councilmember Nutter questioned Hanson Engineering's ability to provide construction engineering.

City Engineer, Ms. Josie Esker explained that Hanson was not interested in doing construction engineering.

Councilmember Hilst questioned why the bids were not in the agenda packet and felt Council would not be able to determine the better firm. Also expressed was the previous employment of the City Engineer with this firm.

Mr. Rothert advised that staff only submits the firm being recommended for request for qualifications, but requests for proposals are submitted in the packet. Mr. Rothert added that Ms. Esker is the City Engineer and the City has a level of trust for her to make the selection based on her qualifications. Mr. Rothert continued to explain that in government work a revolving door policy exists, where you cannot do work with a former employer for a specified number of years. Mr. Rothert felt that since it had been three years since Ms. Esker was employed with this firm that enough time had passed for her to work with them.

Council continued to discuss the work being done in the contract and how the work load is interchangeable between Ms. Esker and the firm. Also discussed by Council was the inspection by Hanson Engineering.

Council also discussed adding request for qualifications in the packet and whether Council would be able to understand the details within them. Mr. Rothert offered to provide qualification in the packet moving forward.

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

7.6. Resolution No. 110-20/21 Approving an Agreement with Maurer-Stutz for Construction Engineering Services on Front Street

Council provided no comments or questions.

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

7.7. Resolution No. 111-20/21 Approving Professional Services Agreement for Planning, Zoning & Economic Development

City Manager, Mr. Mark Rothert, presented the agenda item to approve and adopt Resolution No. 111-20/21 Approving Professional Services Agreement for Planning, Zoning & Economic Development. Mr. Rothert explained that last year the city contracted with Mr. Fick on a part-time basis and that contract has now expired. Mr. Fick has taken on additional duties, particularly in the zoning and planning functions. Mr. Fick has extensive experience in this area, but will continue to work on economic development and the Tourism Committee. Mr. Rothert felt that these were vital services needed to move forward during the COVID-19 pandemic.

Mayor Luft spoke in favor of Mr. Fick and felt he had a great network that benefits the City. Mayor Luft added that Mr. Fick had been very instrumental in some negotiations up until COVID-19 hit.

Councilmember Orrick agreed with Mayor Luft's statement and felt Mr. Fick will do well for economic development and has earned that position.

Mr. Rothert explained that the City contracted with Retail Strategies and they are in their second year of the contract that will have to go to a third year due to the pandemic. That amount had been modified in the budget and will have to find a funding source as it was taken out of the budget to save money.

Councilmember Hilst expressed confusion as to why Council approved outsourcing the Building and Inspections Department to Safebuilt and Mr. Fick's name was never brought up. Councilmember Hilst questioned why Mr. Fick had duties outside the scope of his contract and showed concern that Mr. Fick did not have an inspections license.

Mr. Rothert explained that development reaches in different areas and it is not a far stretch for Mr. Fick to provide those duties as well. The contract with Safebuilt had three functions: planning and zoning, building inspections and code enforcement. Building and inspections went to Safebuilt and the planning and zoning function was placed with Mr. Fick. Mr. Rothert assured Council that Mr. Fick would not be performing any inspections outside of zoning regulations.

Council discussed the efficiency of the hours Mr. Fick would be working and how the expenses of his position effect line items of the budget, along with Mr. Fick's pay schedule.

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

7.8. Ordinance No. 2887-20/21 Extending Mayoral Declaration of Local State of Emergency

Councilmember Hilst presented the request to Council to approve and adopt Ordinance No. Ordinance No. 2887-20/21 Extending Mayoral Declaration of Local State of Emergency. Councilmember Hilst felt the agenda item should be moved to New Business as it was originally to give the opportunity for Council to vote one way or another as a separate item.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Garrison, Hohimer, Nutter, Orrick, Abel, Luft
NAYS:	Rick Hilst

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Luft confirmed that no public input was submitted to the City Clerk.

City Manager, Mr. Mark Rothert, assured Council that city staff is currently working on the rules and guidelines on restaurants opening.

Councilmember Hohimer thanked Ms. Newcomb for the hard work updating the handbook.

Councilmember Nutter requested to place on the agenda how Council will handle the leftover funds from the small business grants. Councilmember Nutter also felt Council should refocus on their priority goals.

Councilmember Abel spoke regarding the small business grants.

Councilmember Hilst pointed out that several locations in the city are in need of attention with regards to grass and weeds. Councilmember Hilst also commented on employee cell phone reimbursements.

Councilmember Orrick requested updates to the code enforcement section of the code.

Mayor Luft reminded Council of the $20M grant received for Court Street and in addition the city was notified of a $300K expansion of the ICC Campus and Center for Prevention Abuse. Mayor Luft added that a bit more information is needed before Council can discuss reallocating funds for Derby Street.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

There being no further business coming to Council, a motion was made by Councilmember Nutter to adjourn, seconded by Councilmember Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 7:33 PM.