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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 MAY 9, 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 Nutter.

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:07 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:04 PM
Dave Nutter	City of Pekin	Councilman	Present	5:05 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:06 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:08 PM
John P Abel	City of Pekin	Councilman	Present	5:04 PM
Mark Luft	City of Pekin	Mayor	Present	5:05 PM

APPROVE AGENDA

Mayor Luft presented and read the Proclamation for Motorcycle Awareness Month to the Motorcycle Club.

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

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

A motion was made by Councilmember Cloyd seconded by Councilmember Abel to move into Executive Session to discuss Executive Session 5 ILCS 120/2 (c) 11. Litigation at 5:37 PM. On roll call vote all present voted Aye. Motion passed. Council returned to open session at 6:28 PM.

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:	Karen Hohimer, Councilwoman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

5.1. City Council - Regular Meeting - Apr 25, 2022 5:30 PM

PUBLIC INPUT

Bonnie Dancey spoke regarding the removal of bricks on her street by the water company and how the city ordinance stated that brick streets shall be repaired back to their original condition. She stated that the section was replaced by concrete in which kids ran their bicycles through while it was still wet and needed to be replaced.

City Engineer, Ms. Josie Esker, explained that the City ordered the water company to replaced the bricks with concrete as Bacon Street was not in good condition.

Public Works Director, Mr. Justin Reeise, also explained that the city took into consideration other patches on that road and how it would create maintenance issues in the future, all of those things are taken into account.

Mayor Luft stated that there would be Council discussion regarding the replacement of the brick.

Lillian Wilt spoke regarding the snow removal policy.

John McNish spoke regarding the agenda items that were removed 8.1, 8.2 and 8.3 and stated that those items should not have been put on the agenda. Mr. McNish also spoke regarding Agenda Item 8.10 Resolution No. 421-22/23 City of Pekin , Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Kevin Bresnahan Redevelopment Project and Agenda Item 8.12 Resolution No. 423-22/23 Accept the Asphalt Joint from the Court Street Construction Project. Lastly, Mr. McNish stated that the City Manger's business should be approved by Council as stated in his contract.

Roger Brotherton, Marilyn Orrick, Scott Shipp and Mark McMann all spoke regarding the homelessness, garbage, tents, fires and vagrants located at the riverfront and pleaded to Council that it gets addressed. Mr. Brotherton stated that two national events pulled out due to the homelessness issue at the riverfront.

Roger Brotherton stated that their were promotions on Facebook and Craig's list to bring tents, tarps and mattresses to the Pekin Riverfront.

Councilmember Hilst requested an update on the trees being cleared at the riverfront. Public Works Director, Justin Reeise, stated that the contractor had suffered a fire and projects had been delayed. Councilmember Hilst questioned whether the area needed to be cleared of the garbage first. Mr. Reeise stated that the City had done some cleanup but it was not working as there was too much and therefore a contractor would be hired immediately before the tree clearing.

Kevin Bresnahan spoke stated that the homeless people at the riverfront have scared him as they talk to themselves and requested the garbage and the people down there get fixed.

CONSENT AGENDA

Mayor Luft presented the Consent Agenda and read the 8 items listed.

Councilmember Hilst requested that Consent Agenda Item 7.8 Resolution No. 412-22/23 Annual Appointments Boards, Commissions, Committees be moved to New Business Item No. 8.13.

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

7.1. Recognition of Police Memorial Week and Peace Officers Memorial Day

7.2. Proclamations Public Service and Public Works, and Municipal Clerks Week

7.3. Proclamation Motorcycle Awareness Month

7.4. Accounts Payable To Be Paid Proof List thru April 29, 2022

7.5. Financial Reports February 2022

7.6. PD Stats - April 2022

7.7. Receive and File Requests For Qualifications for Right-of-Way Transition Plan for ADA Compliance

NEW BUSINESS

Motion to: **Move 8.1 Resolution No. 413-22/23, 8.2 Resolution No. 414-22/23, and 8.3 Ordinance No. 3080-22-23 until the next meeting**

Mayor Luft announced that Agenda Items 8.1 Resolution No. 413-22/23 Approve Class Action Consent Decree, 8.2 Resolution No. 414-22/23 Approve Engineering Agreement with Thouvenot, Wade & Moerchen, Inc. and 8.3 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 would be moved to the next Council meeting.

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

8.1. Resolution No. 413-22/23 Approve Class Action Consent Decree

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

8.2. Resolution No. 414-22/23 Approve Engineering Agreement with Thouvenot, Wade & Moerchen, Inc.

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

8.3. 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

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

8.4. Resolution No. 415-22/23 Authorizing Lease of New Pelican Street Sweeper from Key Equipment

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 415-21/23 Authorizing Lease of New Pelican Street Sweeper from Key Equipment. Mr. Rothert explained that the lease was a four year lease of anew Elgin Pelican NP Street Sweeper purchased through Sourcewell. The purchase was to replace the City's Pelican mechanical sweeper that had started to become unreliable. The dealer had given a trade-in offer of $35,000 for the street sweeper and after the trade-in value the annual lease payment for the new sweeper would be $31,064.88 for a four year term, in addition to a balloon payment of $108,000. Staff recommended entering into the maintenance agreement with Key Equipment for the four year term of the lease at a cost of $4,000/year. The annual payment amount of $35,064.88 would be made from the sewer fund. Staff recommended approval.

Council discussed whether the item was in stock. Public Works Director, Justin Reeise, stated that the City potentially could receive the item in weeks or months. Mr. Reeise confirmed with Council that the sweeper was a three wheeled sweeper with a brush and vacuum.

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

8.5. Resolution No. 416-22/23 Authorizing Purchase of Crack Fill Machine for Street Department from Sherwin Industries

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 416-22/23 Authorizing Purchase of Crack Fill Machine for Street Department from Sherwin Industries. Mr. Rothert explained that the resolution allowed for the purchase of a new Crafco Supershot 125 crack fill machine purchased through Sourcewell. The machine allowed the Department of Public Works Street Division to expand the maintenance operations that were completed in house leading to a cost savings for the City. The cost of the equipment including freight was $64,831.44.

Councilmember Orrick commented that the equipment was once removed from the budget years ago and questioned how many hours it would be used.

Public Works Director, Justin Reeise, stated that the operation could happen earlier in the year and later in the year, and was anticipated to be used frequently throughout the summer.

Mayor Luft spoke in favor of the agenda item and recalled streets in the city where the use of this equipment prolonged the life of the street.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Hohimer, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Dave Nutter

8.6. Resolution No. 417-22/23 Approving Quotes for Material Request 2022 Tazewell County Asphalt Co and Group Materials

City Manager, Mr. Mark Rothert presented the agenda item to adopt and approve Resolution No. 417-22/23 Approving Quotes for Material Request 2022 Tazewell County Asphalt Co and Group Materials. Mr. Rothert explained that the resolution was to approve quotes from Group Materials and Tazewell County Asphalt Company that the City received for street maintenance materials.

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

8.7. Resolution No. 418-22/23 Approve Road Repair Agreement with Alto Pekin LLC

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 418-22/23 Approve Road Repair Agreement with Alto Pekin LLC. Mr. Rothert explained that during the re-construction of Front Street and Distillery Road, Turner Grain, Alto's grain analysis contractor, relocated to Riverway Drive. Due to trucks being re-routed onto Riverway Drive, the road had suffered significant damage. Alto Pekin LLC agreed to pay $261,000 to the City of Pein to complete curb replacement, full depth patching and road resurfacing. Their contribution would have paid for all full depth patching necessary as well as resurfacing half of the road, as they only traveled on half of the road width. The agreement would relieve Alto of any liability regarding the road damage.

Council confirmed that the city engineers would be doing the bidding and overseeing the work.

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

8.8. Resolution No. 419-22/23 Authorizing Airport Manager to make Bulk Fuel Purchases

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 419-22/23 Authorizing Airport Manager to make Bulk Fuel Purchases. Mr. Rothert explained that the request was to grant the Airport Manager the authority to make replacement bulk fuel purchases at the Airport. The resolution clarified the purchase process to allow the Airport Manager to continue to act quickly to make bulk fuel purchases when tank levels, conditions and mark pricing were favorable. Staff recommended approval. Mr. Rothert added that the resolution allowed for the authority to be permanent until revoked and not annual.

City Attorney, Ms. Kate Swise, informed Council that the resolution did not need to be amended but was something that could be amended for consistency.

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

8.9. Resolution No. 420-22/23 Bulk Fuel Purchase Authority for Fleet Division of Public Works

City Manager, Mr. Rothert, explained that the request regarding Resolution No. 420-22/23 Bulk Fuel Purchase Authority for Fleet Division of Public Works, would allow for the Fleet Division of Public Works to permanently make fuel purchases until revoked.

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

8.10. Resolution No. 421-22/23 City of Pekin , Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Kevin Bresnahan Redevelopment Project

Economic Development Director, Mr. Matt Fick, presented the request to Council to approve Resolution No. 421-22/23 City of Pekin , Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Kevin Bresnahan Redevelopment Project. Mr. Fick explained that Mr. Bresnahan had approached him regarding the property on Veterans and Broadway Road. Mr. Bresnahan was contemplating that the project would include dirt work and construction of one or two structures. The property was in the proposed TIF and the item would return to Zoning Board of Appeals and Council should a special use be needed.

Mr. Bresnahan explained to Council that the property had not yet been purchased but had a contract pending to be completed sometime in August. Mr. Fick had some preliminary drawings. Mr. Bresnahan added that one of the buildings would be for inside RV storage, and 7.7 acres would be a used car lot.

Council discussed whether there were plans to create a hard surface around the area and questioned how far back the setting of the buildings were.

Mr. Bresnahan stated that he though the buildings would be 100 feet from the property line and that gravel would be laid around the area.

Mr. Rothert informed Mr. Bresnahan that a special use would be required to lay gravel and would have to go in front of the Zoning Board of Appeals.

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

8.11. Resolution No. 422-22/23 City of Pekin , Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Force Masonry Construction, Inc. Redevelopment Project

City Manager, Mr. Mark Rothert, explained to Council that the agreement had already been approved but the company had contacted Mr. Matt Fick to negotiate reimbursement for other eligible costs. They are limited to what could be reimbursed, such as site work and architectural plans. The developers had requested the Inducement Resolution for a point in time to start tracking costs.

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

8.12. Resolution No. 423-22/23 Accept the Asphalt Joint from the Court Street Construction Project

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 423-22/23 to Accept the Asphalt Joint on Court Street. Mr. Rothert explained that the asphalt work had been completed by R. A. Cullinan, but there was a small lip at the asphalt seam between lanes that was almost ½ inch in the worst area in the curve near Jimmy Johns. The Engineering Department had checked that the lip was less than ¼ inch through the crosswalk and there were no ADA issues with the work. Mr. Rothert continued to explain that the seam was noticeable to the general public but did not hold water and was not a structural issue. There was a chance that if a snow plow were to damage the lip it would need repaired. The seam was mostly aesthetic and did not significantly change the expected life of the joint. Grinding or patching the lip would decrease the life of the pavement. R.A. Cullinan agreed to grind and seal the lip but would not provide any cost deduction or do any more than repair with grinding or patching. The City Engineer recommended that no corrective action be taken.

Mayor Luft, Councilmember Nutter and Councilmember Orrick spoke in favor of the agenda item and trusted Ms. Esker and Mr. Reeise's opinion.

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

8.13. Resolution No. 412-22/23 Annual Appointments Boards, Commissions, Committees

Councilmember Hilst questioned the fulfillment of positions on the Economic Development Advisory Committee and the removal of Mr. Keith Dunkelbarger.

Mayor Luft had explained that Mr. Dunkelbarger was not removed but that his term had expired.

Councilmember Hilst stated that Mr. Dunkelbarger made no decision to quit. Mayor Luft stated that there were recommendations that some members wanted to move around.

Councilmember Hilst spoke against not reappointing Mr. Dunkelbarger and felt he was a huge asset to the City.

Mayor Luft stated that Mr. Dunkelbarger's service was appreciated.

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

STAFF AND COUNCIL REPORTS

Councilmember Cloyd commended Christie Shirtz, a bus driver, that went above and beyond for helping a special needs student that was being bullied.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 1. PERSONNEL

RESULT:	**APPROVED [UNANIMOUS]**
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

10.1. Motion to: **Move Into Executive Session to discuss 5 ILCS 120/2 (c) 1. Personnel**

A motion was made by Councilmember Nutter seconded by Councilmember Cloyd to move into Executive Session to discuss 5 ILCS (c) Personnel at 7:59 PM. Motion passed by viva voce.

Council returned to open session at 8:25 PM.

ADJOURN

Seeing no further action of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Hohimer to adjourn at 8:25 PM.