



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 APRIL 26, 2021 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS WILL BE HELD ON MONDAY, APRIL 26, 2021 AT 5:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS, 111 SOUTH CAPITOL STREET, PEKIN, ILLINOIS 61554. THE PUBLIC MAY ATTEND WITH PROPER SOCIAL DISTANCING.

TO JOIN IN THE MEETING FOLLOW THIS LINK:

HTTPS://ZOOM.US/J/6898035689. BY PHONE, DIAL IN AND LISTEN TO THE MEETING AS FOLLOWS: 1-312-626-6799; THEN ENTER MEETING ID 689 803 5689. PRIOR TO THE MEETING, YOU CAN ALSO SUBMIT A PUBLIC COMMENT REMOTELY BY EMAIL, BY 3 PM THE DAY OF THE MEETING, BY SENDING AN EMAIL TO THE CITY CLERK AT SMC MILLAN@CI.PE KIN.IL.US AND INSERTING IN THE SUBJECT LINE FOR THE EMAIL "PUBLIC COMMENT FOR MEETING ON APRIL 26, 2021".

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 Meetings Act requirements, this meeting was held remotely via Zoom Meetings with the option of an in person meeting at Council Chambers for the public to attend with proper social distancing. Therefore, the provisions of the City Code regarding electronic attendance did not apply.

The Pledge of Allegiance was led by Council Member Orrick. The Clerk confirmed by roll call vote, that all Councilmembers were physically present.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	5:05 PM
Rick Hilst	Councilman	Present	5:08 PM
Karen Hohimer	Councilwoman	Present	5:07 PM
Dave Nutter	Councilman	Present	5:05 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:07 PM
John P Abel	Councilman	Present	5:07 PM
Mark Luft	Mayor	Present	5:07 PM

APPROVE AGENDA

3.1. Motion to: Approve agenda

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

APPROVAL OF MINUTES

Motion to: **Approval of Minutes**

4.1. City Council - Regular Meeting - Apr 12, 2021 5:30 PM

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

PUBLIC INPUT

Mr. Tom Veatch, President of Pekin Firefighters Local 524, spoke in support of Agenda Item 9.8 the approval of the contract between IAFF Local 524 and the City of Pekin. Mr. Veatch publicly thanked City Manager, Mr. Mark Rothert and his team, Fire Chief Trent Reeise, Assistant Fire Chief Tony Rendleman, Ron Hawkins, Steve Tennent, Sarah Newcomb, Jennifer Carrol and City Attorney, Mr. Josh Herman for providing a professional negotiating process. The Local 524 membership ratified the contract on April 7, 2021 overwhelmingly and hoped that Council would do the same.

CONSENT AGENDA

Mayor Luft read through the 6 items on the Consent Agenda for omnibus vote.

Motion to: **Approve Consent Agenda**

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

- 6.1. Tazewell County Animal Control Billing - March 2021**
- 6.2. Accounts Payable To Be Paid Proof List thru April 16, 2021**
- 6.3. Financial Reports February FY2021**
- 6.4. Receive and File Bid High Point Lane Storm Sewer Outfall Repairs**
- 6.5. Ordinance No. 2964-20/21 Special Use Wilson Auto Sales 805-611 Derby Street**
- 6.6. Ordinance No. 2965-20/21 Variance Request 2323 Lakeshore Drive**

PUBLIC HEARING

7.1. Public Hearing - CDBG 2021 Annual Action Plan

Mayor Luft opened the hearing at 5:37 P.M.

CDBG Program Manager, Mr. David Bess, gave a summary of the previous CDBG program year details to assist low to moderate income residents. The hearing covered the 2021-2022 Annual Action Plan that was required in order to receive CDBG funding from HUD. The City solicited feedback from residents to be included in the published action plan. The public comment period began April 9th and interested residents or organizations would then have until May 10th to

comment or provide feedback. The last year the city utilized CDBG Funding to provide financial assistance to businesses and provided direct utility assistance to residents during the pandemic. The City was selected to receive additional funding from HUD and DCEO to assist with corona virus related programs resulted in a significant surplus. In the next program year, the draft annual action plan will include a new category of spending for fire prevention and response. Mr. Bess described each of the spending categories and how they correlated in the budget. Mr. Bess added that the City had an option to receive a Section 108 loan line of credit due to receiving CDBG funding. Mr. Bess was still working out the details but would require the City to submit a pre-application and amend the annual action plan prompting another public hearing which will be discussed further. Mr. Bess ended by stating that this was a very brief summary and those interested in how funding is used can visit website for more information.

Mayor Luft closed the hearing at 5:44 P.M.

UNFINISHED BUSINESS

Motion to: **Amend Agenda Item 8.1 under Section 3-1-2-2 (b) of the Code to add language to proceed with Council approval & amend under 3-1-2-6 of the code to change "days" to "events"**

Councilmember Orrick motioned to make an amendment to delete under Section 3-1-2-2(b), the monthly fee for garbage pickup outside of the city and to change "days" to "events" under Section 3-1-2-6 regarding semi-annual cleanup, seconded by Councilmember Nutter.

Mayor Luft confirmed the motion to delete the outside garbage pickup fee and to change "days" to "events".

Mr. Rothert stated that if a plan is all that was desired than staff would create a plan for Council.

Mayor Luft suggested that instead of deleting the fee that it should be added that a plan would be approved by Council.

Attorney Ms. Swise advised if the intent was not to permanently delete it but to ensure staff was to provide feedback than a plan would make sense.

Councilmember Orrick rescinded his previous motion.

Councilmember Orrick motioned to amend and add, under Section 3-1-2-2(b) regarding the 150% fee for garbage pickup outside of the City, with Council approval and to change "days" to "events" under Section 3-1-2-6 regarding semi-annual cleanup, seconded by Councilmember Nutter.

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

Motion to: **Amend Agenda Item 8.1 City Code Section 3-1-2-1(1) Beginning May 1, 2021 reduce monthly garbage fee to \$20**

Councilmember Orrick motioned to reduce the monthly garbage fee to \$20 beginning May 1, 2021 under the City Code Section 3-1-2-2(1) seconded by Councilmember Nutter.

Councilmember Hohimer stated that with the new fee the additional Solid Waste Driver was denied.

Councilmember Nutter commented that the budget could be adjusted as it had not been approved and that last year only \$350K had been transferred from the Solid Waste Fund to the General Fund.

Mr. Rothert informed Council that the proposed budget available to the public, on the website and included in the packet provided for a Solid Waste Driver position. Mr. Rothert reminded Council of Newton's Law and how it applied, every action has a reaction. The Budget was s a balancing act.

RESULT:	DEFEATED [3 TO 4]
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Dave Nutter, Councilman
AYES:	Rick Hilst, Dave Nutter, Lloyd Orrick
NAYS:	Michael Garrison, Karen Hohimer, John P Abel, Mark Luft

8.1. Ordinance No. 2966-20/21

Amending Solid Waste Collection Provisions of the City Code as Amended

Unfinished Business item Ordinance No. 2966-20/21 was brought forward by a motion from Council Member Hohimer and seconded by Council Member Orrick. Council had previously discussed changes to solid waste collection at Council meetings on February 22, 2021, March 8, 2021, March 22, 2021, and April 12, 2021. Ordinance No. 2960-20/21 was adopted at the April 12, 2021 Council meeting updating solid waste collection language. An additional version of the originally amended ordinance was presented which included clarification of services, provided standards for collection and the appropriate usage of carts, clarification of bulk items, and redirecting bulk services to clean up events. The ordinance presented also reduced the fee of Solid Waste collection set to increase to \$23 on May 1, 2021 to \$21, specifically spelled out that residents 65 years of age or older or with disabilities may opt to have a walk up collection with an additional fee of \$8 per month. Lastly, the ordinance provided that a two week notice for bulk item pickup be given in advance with a fee of \$10 per bulk item and provided clarification of collection standards for yard waste. Staff recommended approval along with input from Council.

Mayor Luft questioned whether the \$10 fee for bulk pickup had been practiced in the past.

Street Supervisor Mr. Brett Olson clarified that the code states \$20 but had not been enforced in the last few years.

Mayor Luft advised that there was a perception in the community that there was a small lessening of the service and that there was a surplus of solid waste as well. Mayor Luft stated he was not comfortable increasing the monthly fee.

Mr. Rothert added that the budget included an increase of solid waste collection staff person of 1. The solid waste budget was balanced with an anticipated monthly fee of \$21 therefore if Council was not amendable the budget would need to be amended to remove the additional staff person.

Councilmember Orrick informed Council that the current budget to be voted on removed \$750K from the Enterprise Fund of Solid Waste to the General Fund. Councilmember Orrick concluded that there would be a surplus and that the City was charging too much for garbage collection. Councilmember Orrick stated that his amendments include that the solid waste fee remain at \$20 per month and that the monthly fee equaling 150% of the collection fee be deleted in its entirety. Council member Orrick requested that a complete plan offering garbage pickup

outside of the City be presented that included billing and profit. Councilmember Orrick additionally requested flexibility to semi-clean up days and provide the code clarify that it was an “event” rather than using the term “days”.

Mr. Rothert clarified that Section 3-1-2-2 Section B was not recommended to be amended.

Councilmember Nutter questioned if residents that do not have the proper yard waste cans would be grandfathered in and questioned how residents obtain a yard waste sticker.

Mr. Rothert referred to Section 3-1-2-3(c)-2 on Page 192 of the code and stated that the language described that yard waste could be disposed of in paper waste bags or in carts not exceeding 35 gallons except that yard waste could be disposed of in carts up to 96 gallons as long as it has a lift bar.

City Attorney Ms. Kate Swise stated that residents could still use a yard waste can less than 35 gallons but a larger can would need a lift bar.

Mr. Olson advised that there was no charge for yard waste stickers and that they could be obtained at City Hall or at the Street Department in a mailbox outside the door.

Councilmember Nutter continued to address questions he received from the public. Councilmember Nutter expressed disagreement with the \$10 bulk item fee added on to the monthly bill. He felt there were problems with billing and how the payment was applied. Councilmember Nutter concurred with Councilmember Orrick and Mayor Luft with regards to the \$1 increase on the solid waste monthly bill. Lastly, Councilmember Orrick advised Council that he received phone calls from businesses with large bulk items being dumped in their dumpsters and questioned how to expedite any of the penalties to those that get caught.

Mr. Rothert advised that an ordinance violation could be issued.

Chief Dossey explained that it would be an ordinance ticket and would go through the adjudication process. Chief also brought up concern with the riverfront as well.

Councilmember Hohimer commented on the addition of the employees of the street department, police, and fire department. The Solid Waste department had not added an employee in 16 years even with the addition of 6 subdivisions and felt help was needed in the Solid Waste Department. Councilmember Hohimer advised that she was not fond of the \$1 increase but if it was needed she would vote for it. She advised that essentially it was \$7 per service, and that \$21 was still a good deal.

Mr. Rothert clarified that the fee increase was frozen due to COVID and would have increased on May 1, 2020 to \$22 and increased on May 1, 2021 to \$23.

Councilmember Garrison concurred with Councilmember Hohimer.

Councilmember Hilst questioned how the decision was made that garbage cans weigh more than 50 lbs.

Mr. Olson explained that it was determined by the solid waste drivers.

Councilmember Hilst also advised that he did not agree that plastic bags were not allowed but paper bags that rip are allowed and not cleaned up.

Mr. Olson advised that plastic bags were not allowed per the code.

Councilmember Hilst continued with questions regarding the penalty section determination.

Attorney Ms. Swise answered that the fine was determined by the hearing officer through the adjudication process.

Councilmember Hilst advised that walk up garbage should be offered to all residents regardless of age or disabilities and requested how many people are being billed \$8 a month.

Councilmember Abel discussed fund transfers, the increase in solid waste fees and why no one had been hired if it was needed if there was an excess in the fund.

Mr. Rothert informed Council that transfers were to reimburse the General Fund for several different costs that included overhead, road impact assessments, and costs attributable to the Solid Waste Fund.

Councilmember Orrick questioned if next year \$750K would be transferred from Solid Waste and that 80% of the General fund was for police and fire operations.

Mr. Rothert advised that the Council could create a special fund for street maintenance the funds would then be transferred to that special fund.

Councilmember Orrick discussed that a surplus would still exist if a lower transfer was conducted to the General Fund. Councilmember Orrick advised that route pickup should be examined with an efficiency study.

Mr. Rothert explained that the difference in transfers would still need to be made up. The transfers help subsidize the General Fund costs which lowers the property tax rates and helps to keep taxes low. Property taxes were lowered and if not as much was transferred from the Solid Waste Fund to the General Fund there would be a deficiency. Mr. Rothert discussed every other week in recycling would be seen as a reduction in services. An efficiency routing study may or may not make routes more efficient, the drivers intuitively know what is the best way to run their routes, but the study would not hurt.

Mr. Olson explained that bi-weekly recycling would not be feasible without going into overtime or an additional employee. Mr. Olson stated that around 3,000 households recycle. The street department has 5 routes 4 days out of the week. Their utility driver is a route driver 4 days out of the week and he helps out on Fridays. The drivers know that they are done efficiently and designed to finish in 8 hours. Mr. Olson explained that if an employee takes a day off it effects the entire week, two employees cannot take a day off at the same time, hence the push for another person.

Council continued to discuss the route efficiency study and driver input on the routes.

Mayor Luft agreed that driver input was beneficial but felt a study would also be beneficial and would then verify the efficiency.

Mr. Rothert added that a route study was budgeted in the FY22 Budget.

Mayor Luft requested Councilmember Orrick to make a motion for amendments.

Councilmember Hohimer questioned if the solid waste fee was amended from \$21 to \$20 if a driver would be lost.

Mr. Rothert informed Council that if the fee was reduced to \$20 there would be a \$150K gap in the budget that deficit would need to be made up or lose the additional person.

Council continued to discuss the surplus and the amount to transfer.

Mr. Rothert informed Council that the Solid Waste Fund owes the General Fund on a regular basis and any surplus is paid back to the General Fund.

Finance Director, Mr. Marston, advised Council that the Solid Waste Fund was subsidized by the General Fund for a number of years that created a negative balance in the Solid Waste Fund close to \$3M. Mr. Marston explained that the Solid Waste Fund transfers were a year behind on accounts payable, cost allocation and payroll reimbursements since the Solid Waste Fund became into existence.

Councilmember Orrick advised that he did not agree with the philosophy that it was owed back.

Mr. Rothert advised that accounting principles were being followed.

Mayor Luft reminded Council that a lot of issues have been resolved but more work is needed.

Councilmember Garrison questioned how much money was expended out of the General Fund for the procurement of three garbage trucks purchased.

Mr. Marston advised that the three garbage trucks came out of the Solid Waste Fund.

Mr. Rothert added that another garbage truck was being budgeted as well.

Councilmember Hilst motioned to amend Agenda Item 8.1 under the City Code Section 3-1-2-2(c) to remove 65 years of age or older and those with disabilities and to add that all residents may request walk-up collection of solid waste, recycling or yard waste at an additional fee of \$8.00 per month.

Mr. Olson informed Council that the department has approximately 23 walk-up collections and to open it up to all resident would require an additional 500-700 stops per truck. Mr. Olson added that the walk-up service was not mandatory but only an option.

Councilmember Hilst stated that he would pay \$8.00 per month to have walk-up collection so that he would not have to wheel it down the alley.

The motion died due to lack of a second.

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

NEW BUSINESS

9.1. Resolution No. 242-20/21 Award the High Point Lane Storm Sewer Repair Contract to Stark Excavating

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 242-20/21 Award the High Point Lane Storm Sewer Repair Contract to Stark Excavating. Mr. Rothert informed Council that the resolution

was to award the High Point Lane Storm Sewer Repair project to Stark Excavating. The project was to repair storm sewer outfalls, where significant erosion had occurred, by installing drop manhole structures and replacing damaged storm sewer pipe. This project was off of High Point Lane near the property of the Pekin Housing Authority. Mr. Rothert advised that the area was a hazard to children playing at the playground, and the erosion damage must be repaired before it caused damage to the playground itself. The City received 1 bid for the project of \$184,194.90. The Midwest Engineering's estimate was \$259,300.00, and city staff estimated \$200,000.00. Mr. Rothert and Staff recommend the bid be awarded to Stark Excavating.

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

- 9.2. Resolution No. 243-20/21 Approve Joint Agreement with IDOT**
City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 243-20/21 to Approve a Joint Agreement with IDOT to for the purpose of installing a new traffic signal controller at the intersection of Court Street and 14th Street. Per the agreement, IDOT would pay 80% of the cost of the project leaving the City with the remainder cost of 20%. Mr. Rothert advised that it was staff's recommendation to approve the agreement as there had been continual issues with the controller at that intersection.

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

- 9.3. Resolution No. 244-20/21 Renewal of Professional Services Agreement with City Solutions, LLC**
City Manager, Mr. Mark Rothert, presented to Council the request for Resolution No. 244-20/21 Renewal of Professional Services Agreement with CitySolutions, LLC. Mr. Rothert advised that the next 4 agenda items related to service agreements. Mr. Rothert summarized the request to Council explaining that Mr. Matt Fick provided the City with planning and zoning advisory services for the last several years. The agreement provided in request had been slightly modified to reduce some of the administrative duties that included typing minutes and sending out notification letters as it related to planning and zoning functions. Those duties will be outsourced to a third party to allow Mr. Fick to focus more on economic development activities. Mr. Rothert advised that Mr. Fick would be responsible for staffing the Planning and Zoning Commission, Zoning Board of Appeals, the Economic Development Advisory Committee and serving as the City liaison/board member for Pekin Main Street. Mr. Fick's hourly rate is \$80/hour, which was the current so no increase was being requested. Mr. Fick was slated for 1,200 hours. Mr. Rothert added that the City has a vital need for someone to run such efforts and they tie nicely together because they are all about zoning and community development as a whole. Funding came from various line items such as TIF, BDD and Tourism.

Councilmember Orrick spoke in favor of Mr. Fick's position and agreed that certain committee duties should be outsourced. Councilmember Orrick questioned who would take over the duties such as minute taking.

Mr. Rothert advised that the City will need to look at options as the Peace Corps fellow was unsuccessful, but money was budgeted.

Councilmember Nutter questioned why there were no dollars allocated for Economic Development and Planning and Zoning in the budget, but a large amount in Tourism.

Mr. Rothert concluded that it was an oversight and that \$30K was budgeted in that contractual line item and that Tourism Funds could be used for whatever Council desired.

Councilmember Nutter also requested a monthly or quarterly report on Economic Development and Planning and Zoning.

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

9.4. Resolution No. 245-20/21 Renewal and Amendment of Professional Services Agreement with SAFEbuilt Illinois LLC

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 245-20/21 Renewal and Amendment of Professional Services Agreement with SAFEbuilt Illinois LLC. Mr. Rothert reminded Council that the City had outsourced its building inspection operations and entered into a 1-year professional agreement with SAFEbuilt Illinois, LLC. Mr. Rothert advised that the company brought a high level of customer service, technical tools, and a professional culture in providing building inspections and plan review services. Highlighted services include provided by SAFEbuilt included:

- ☐ Performs services in accordance with adopted building codes and ordinances adopted by the City.
- ☐ Provides a dedicated building official and permit technician; all plan review; and inspection coverage.
- ☐ Qualified professionals are employed with current certifications, certificates, licenses as required for services that are provided to the City. ☐ Use their own vehicles, tools, hardware and standard computer software package in providing its services.

Mr. Rothert advised that SAFEbuilt has realized savings in the Building Inspections Department and provided a valuable service to the public. Staff recommended to continue to use the company to perform its building inspection operations. The contract provided in the packet would extend services for another 12 months and incorporated changes such as allowing SAFEbuilt to perform plumbing inspections and other building inspection related work, such as contractor licensing and renewals that were not originally anticipated.

Councilmember Hohimer questioned whether the City paid for SAFEbuilt's administrative work.

Mr. Rothert explained that contractor licensing was not currently part of their job and that City staff was doing the work but working with SAFEbuilt to take on those duties. Mr. Rothert advised that SAFEbuilt was flexible, good to work

with, accommodating to contractors and saw good things moving forward to make Pekin more business friendly.

Mayor Luft commented that the company had come during a very difficult time at the City and it was a learning process but was glad to have them aboard.

Councilmember Hilst questioned whether plumbing inspections would be included in SAFEbuilt's base fee.

Mr. Rothert explained inspection revenue was generated from permits in which the company receives a fee. SAFEbuilt would receive 85% of the contractor licensing and 100% of the plumbing inspection fees.

Councilmember Orrick spoke in favor of the agenda item and stated that he supported SAFEbuilt 100%.

Councilmember Nutter requested a monthly or quarterly report regarding SAFEbuilt and questioned possible changes to the contract if necessary.

Mr. Rothert agreed that a report would be forthcoming and felt that the contract would need to be gone over formally.

Mayor Luft added that a quick email to Jackie Clucas or SAFEbuilt could be done for any changes to make things easier.

Councilmember Orrick stated that the previous building department had raised the roofing permit to \$500-\$600 and now with SAFEbuilt it is back down to \$50 as the code stated.

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

9.5. Resolution No. 246-20/21 Contract Renewal with Tyler Technologies for Versatrans Bus Routing Software

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 246-20/21 Contract Renewal with Tyler Technologies for Versatrans BusRouting Software. Mr. Rothert informed Council that Tyler Technologies was a provider of services and software for the public sector and that their Routing and Planning software had been the used by the Pekin Bus Department and Pekin school districts since 2014. Their system is the core of the Tyler products and used to manage and plan school bus and student data. Information such as vehicles, student data, bus routes, school boundaries are all used to efficiently coordinate information with schools and parents. The system is also used to plan all busing routes for the beginning of the school year and used all year long to manage changes. School administrators access this information via the web and are able to easily communicate up to date and accurate information to parents. Each school bus is equipped with hardware that provides live telemetrics for each vehicle that reports back through the Verstrans system. It also reports engine diagnostics and other useful information from the vehicle. This hardware enables the Bus Department to monitor vehicles and also use recorded data to ensure that routes are being done as planned. Mr. Rothert added that software used for field trips by all districts can request trips via web and the Bus Department plans those trips as requested. In summary the software is a vital tool for bus department and they have no major issues with it. Staff recommended approval.

Councilmember Nutter questioned city attorney, Ms. Kate Swise, whether the contract date needed to be modified.

Ms. Swise explained that it was just a continuation renewal of the contract.

Councilmember Hilst questioned the increased price of \$12K.

Mr. Rothert explained that there was an increase for additional buses.

Fleet Manager, Mr. Dan Jost, added that they have some live telemetry video that was part of the additional cost.

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

9.6. Resolution No. 247-20/21 Amendment to DACRA Computer System and Software Agreement

Police Chief, John Dossey, informed Council that back in October of 2016 the City updated its adjudication ordinances and at the same time purchased a ticketing software system called DACRA that handled all processes through the moment the ticket was written to the Illinois Controller's Office collection. Chief Dossey explained that the company had since changed their name to DACRA Tech which contract expires April 30, 2021. The contract was similar with an increase of 4.5% or \$1,260 for a total of \$29,120. Staff recommended approval and the contract was reviewed by the City Attorney, Ms. Kate Swise.

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

9.7. Resolution No. 248-20/21 Amending Policy No. 20-10/11 - Fund Balance Reserves Policy

City Manager, Mr. Mark Rothert, presented the request to Council to amend the City's Fund Balance Reserve Policy. Mr. Rothert informed Council that Resolution No. 248-20/21 was provided in the packet with such policy to further define the amount of fund balance and cash reserve limits the City determined was necessary to have on hand. Mr. Rothert continued by explaining that the fund balance was a combination of liquor and illiquid assets. The current policy only address the fund balance limit and did not identify how much of that fund balance was made up of liquor cash and investments. Mr. Rothert explained that was essential that the City maintain adequate levels of fund balance and cash reserves to mitigate financial risk that could occur from unforeseen revenue fluctuations, unanticipated expenditures in the case of a natural or man-made disaster, global pandemic or economic downturn. Cash reserves provide cash flow liquidity for the City's general operations. Mr. Rothert explained the major amendments to the General Fund Reserves Policy that included:

1. The title of the policy was changed to reflect that it addressed both Fund Balance and Cash Reserves.
2. Cash Reserves were defined as a subset of the Fund Balance.
3. A benchmark for Fund Balance was identified by the Government Finance Officers Association.

4. Guidance was provided that a 25% fund balance shall be maintained for the General Fund and the Cash Reserve portion of the General Fund Balance shall be equal to at least 10% of the annual operating expenditures of the General Fund.
5. Any excess cash over 10%, may be used at the discretion of the City Council for various public purposes listed in the policy.
6. The City shall also strive to establish similar Fund Balances and Cash Reserve limits for its enterprise and special revenue funds.
7. In the event that the Fund Balance or Cash Reserves was determined to be less than the policy anticipated, the City shall plan to adjust budget resources in the subsequent fiscal years to restore the fund balance and cash balance.
8. The Finance Director would annually report the status of Fund Balance and Cash Reserves to the City Council.

Mr. Rothert further stated that Finance Director, Mr. Marston, provided an analysis of the fund balance current position in the packet and that staff recommended approval.

Councilmember Nutter praised Mr. Marston for updating the policy.

Councilmember Orrick questioned if there was a date set for the enterprise fund policy to be updated.

Mr. Rothert stated as soon as possible but realistically could take years to build up a balance in those funds. Mr. Rothert advised that the City should be run like a business except when it comes to raising rates and that the City needed to be cognizant but it may take time.

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

9.8. Resolution No. 249-20/21 Collective Bargaining Agreement with IAFF Local 524 May 1, 2021-April 30, 2026

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 249-20/21 Collective Bargaining Agreement with IAFF Local 524 May 1, 2021-April 30, 2026. Mr. Rothert expressed his appreciation and echoed Local 524 President Veatch's comments during public input. Mr. Rothert felt that it was a good collaborative session and appreciated the efforts on both sides. The agreement was ratified by the union on April 7, 2021 and the some of the major revisions included changes to dues as it relates to Fair Share Law, clarification on substance abuse policies, changes to hours and overtime, holidays, and uniform allowance. Mr. Rothert informed Council that a detailed list of all changes was included in the Council request and the agreement had been explained several times during Executive Session meetings. Mr. Rothert added that he felt it was a fair agreement for both sides.

Mayor Luft and Councilmember Orrick both agreed that this contract was well done and applauded the effort on both sides.

Councilmember Hilst informed Council that he would be abstaining from the vote because he was told he would have two weeks to review the contract and it had been less than a week.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Garrison, Hohimer, Nutter, Orrick, Abel, Luft
ABSTAIN:	Rick Hilst

9.9. Ordinance No. 2967-20/21 Amending the City Code to Provide for Additional Police and Fire Staff

City Manager, Mr. Mark Rothert, presented the request to Council to adopt Ordinance No. 2967-20/21 Amending the City Code to Provide for Additional Police and Fire Staff. Mr. Rothert informed Council that the request addressed the next agenda item and that the current code listed the number of police and fire staff. An increase was requested by police and fire in the budget and the amendment to the code was necessary to allow the code to be congruent with the budget as proposed.

Councilmember Hohimer questioned whether any study was conducted.

Mr. Rothert confirmed that the only study was the Efficiency Study in 2016.

Mayor Luft discussed the recommended safety standards put in place by IAFF and how that effected safe levels of staff on hand. Mayor Luft also discussed the overtime within the Fire Department and how even adding two members was a cost savings.

Councilmember Hohimer expressed her struggle of adding staff in other departments when other departments were not receiving additional staff.

Mayor Luft discussed the staffing of the street department compared to other municipalities and the complaints received from residents.

Mr. Rothert clarified that staff did not want to pass the amendment without amending the code.

Councilmember Hilst questioned the language in the code mandating number of staff members.

Mr. Rothert stated that those numbers are up a certain amount of staff not mandating that number.

Councilmember Orrick informed Council that the maximum limits of staffing did not have to be met if funds were not budgeted.

Fire Chief Trent Reeise informed Council that staffing issues were COVID related in conjunction with 3 positions not filled in the last year. Chief Reeise explained the staffing issues, injuries, training and increased calls. Increased hours on firefighters increase the chance of injuries and accidents, commitment at home, and how overworking an employee effects each firefighter individually.

Councilmember Orrick discussed the type of calls and how it related to injuries.

Chief Reeise explained that the fire department was all hazards of the department in the community.

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

9.10. Ordinance No. 2968-20/21 Adoption of Fiscal Year 2021-2022 Budget

City Manager, Mr. Mark Rothert, presented the City's Fiscal Year 2021-2022 Budget with the adoption of Ordinance No. 2968-20/21. Mr. Rothert noted that the \$70M budget had been created together with department heads, himself and Council. The budget consisted of a \$29M General Fund Budget and a sizeable \$37M Capital Fund Budget. Mr. Rothert felt the budget was ambitious with several capital projects planned in which staff intended to work very hard with road improvements, sewer infrastructure, sidewalks and building public facilities. Mr. Rothert advised Council that staff was available for questions.

Councilmember Orrick informed Council and the public that he was not in support of the FY22 Budget with the \$750K transfer from the Solid Waste Fund to the General Fund as most he believed would be used for police and fire.

Councilmember Orrick stated that the budget was reckless with the addition of new employees and population reduction. Councilmember Orrick forecasted an increase in taxes and the retirement fund.

Mayor Luft advised that back in 2015 the city was short staffed and the personnel that was there experienced a larger workload and was unhappy therefore losing good employees. Added employees does not mean more revenue. Mayor Luft stated it was not any easy process.

Councilmember Garrison reminded Council that the budget was not etched in stone and would have to be adjusted through the year. Councilmember Garrison spoke on the current state of the economy.

Councilmember Nutter advised that the previous budget as of the weekend had 70 plus line items that were revenue or expenses not included in the budget and questioned some of them. Councilmember Nutter questioned City Code Section 7-1-8 of the Municipal Cannabis Retailer's Occupation Tax Section (c) that stated 60% of revenue for fire and 40% of revenue for the police department, and how it was not in the budget. Councilmember Nutter also requested that the pension fund changes at the State level needs to be addressed and that the budget did show the transfer of funds for the pension fund.

Mr. Rothert pointed out that Employee Pension Reduction was the employee's share. All the revenue is deposited into the Pension Fund. The video gaming fees are deposited into the pension fund but the cannabis revenue was not in the budget as of yet to be conservative.

Councilmember Nutter stated he was not completely in support of the FY22 Budget.

Mayor Luft advised that once a few months of revenue was generated from the cannabis tax it could be added into the budget amendment.

Councilmember Nutter expressed concern with transfers that had not been made.

Councilmember Hilst questioned the line item under Streets for IDOT and whether the City was still collecting those funds.

City Engineer, Ms. Josie Esker, confirmed that it was an error in the budget and the amount should be zero.

Councilmember Hilst also questioned the report from last FY18 on the allocation of TIF money for personnel costs for employees. The audit report stated that the City no longer allocated payroll expenditures to TIF Funds.

Mr. Rothert clarified that direct time spent on TIF was allowed.

Mr. Marston also clarified that no documented evidence was shown to support those hours but it was perfectly fine to charge funds to TIF Funds for those working on TIF. It was not done in FY18 because there were no supporting documents.

Councilmember Hilst continued and stated that he had been asking for Accounts Receivable reports and was told he would not receive them as they would be incomplete. Another audit report would not be available for review before the passing of the budget. Councilmember Hilst read a statement from an efficiency study from four and a half years ago with regards to a comprehensive finance report and felt he could not support the budget.

Councilmember Nutter pointed out that the allocations that were sent by Mr. Rothert did not add up. Councilmember Nutter also disagreed with transferring funds out of the BDD to the General Fund.

RESULT:	ADOPTED [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

CITY COUNCIL OR STAFF REPORTS

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

Councilmember Hohimer announced that she was for the police and fire receiving additional employees.

Councilmember Abel reminded the public of the upcoming Farmer's Market at the Miller Center from 3:30PM to 6:30PM. Councilmember Abel also applauded the cleanup area at Lake Whitehurst and questioned the status of the parking lot - sidewalk study. A letter was received from Pekin Main Street with recommendations and with speaking to a realtor downtown they were concerned with the parking for potential businesses. Councilmember Abel requested that the parking lot area be updated and put on a future Council agenda.

Mr. Rothert advised that Council was provided the funding options and design via email several weeks ago and discussion would take place at a future meeting.

Councilmember Orrick assured the public that his predictions with the economy and the budget were not always right and wished the best for the City.

Councilmember Hilst questioned whether or not IDOT had been contacted regarding the bridge construction detour near 2nd Street.

City Engineer, Ms. Josie Esker, confirmed that IDOT had been contacted and she planned to follow up with them on-site tomorrow.

Street Supervisor, Mr. Brett Olson, also spoke to IDOT and wanted to give it a week and if not better they would move the barricades back to Caroline. Mr. Olson requested a detour sign as well. Mr. Olson would follow up with IDOT tomorrow or Wednesday.

Ms. Esker explained that the City had no control over the project.

Councilmember Nutter requested verification of a study done behind Hamm's Furniture and 353 and whether an RFP would go out regarding the Solid Waste ordinance.

Councilmember Nutter also announced that it was Councilmember Garrison's last meeting and thanked him for his service for the City.

Councilmember Garrison expressed his appreciation and enjoyed working with Council.

Mayor Luft also expressed appreciation for all the hard work done on the budget during a difficult year with COVID and the election. Mayor Luft assured the public and Council that the City would continue to grow.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 6. SETTING A PRICE FOR SALE OR LEASE OF PROPERTY AND 5. PURCHASE OF PROPERTY

A motion was made by Councilmember Abel, seconded by Councilmember Orrick to move into Executive Session to discuss 5 ILCS 120/2 (c) 6. Setting a Price for Sale or Lease of Property and 5. Purchase of Property at 8:05 P.M. On roll call vote all presented voted Aye. Motion carried.

Council returned to Open Session at 8:40 P.M.

ADJOURN

There being no further business coming to Council, a motion was made by Council Member Orrick to adjourn seconded by Council Member Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:40 P.M.