



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 12, 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 12, 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 12, 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	5:03 PM
Rick Hilst	Councilman	Present	5:04 PM
Karen Hohimer	Councilwoman	Present	5:06 PM
Dave Nutter	Councilman	Present	5:04 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:05 PM
John P Abel	Councilman	Present	5:06 PM
Mark Luft	Mayor	Present	5:05 PM

APPROVE AGENDA

3.1. Motion to: Approve agenda

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

APPROVAL OF MINUTES

4.1. Motion to: Approval of Minutes

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

4.2. City Council - Regular Meeting - Mar 22, 2021 5:30 PM

4.3. City Council - Special Meeting - Mar 29, 2021 5:30 PM

4.4. City Council - Special Meeting - Apr 5, 2021 5:30 PM

PUBLIC INPUT

Mr. Mangan addressed the Council by phone and indicated he had read in the newspaper an article regarding Americans with Disabilities (ADA) Class Action Lawsuit. He questioned that he saw nothing on line in researching the City of Pekin website for budgeted dollars set aside for claims and attorney fees. He referenced page 55 and page 62 of the posted draft FY22 budget in Capital and Motor Fuel Tax (MFT) line items \$1.5 million described as sidewalk renovation and engineering fees. He asked if those funds budgeted were a result of the lawsuit.

No other public comments were received.

CONSENT AGENDA

Mayor Luft presented and read the Consent Agenda items for omnibus vote.

6.1. Tazewell County Animal Control Billing - February 2021

6.2. Accounts Payable To Be Paid Proof List thru April 02, 2021

Motion to: Approve Consent Agenda

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

PUBLIC HEARING

7.1. Public Hearing on FY22 Budget

Mayor Luft opened a Public Hearing at 5:35 p.m. for the purpose of considering and hearing testimony relative to the adoption of the budget for the City of Pekin for fiscal year May 1, 2021 through April 30, 2022, which notice had been properly published in the Pekin Daily Times on April 1, 2021 and that the Budget was available for the public inspection at the Office of the City Clerk at 111 S. Capitol Street, Pekin, Illinois, during regular business hours. The public was further notified that the proposed budget could further be revised after the public hearing before final action was taken. Mayor Luft gave the opportunity to the public to speak. No comments were received from the Public.

City Manager Mark Rothert noted the budget was available on the website for the public. He presented the \$29 million dollar General Fund FY22 Budget and the Capital Budget both totaling \$70 million dollars. Mr. Rothert advised the Council that it was sizeable and that staff had been working on the numbers for a few months. The balanced budget would be presented for adoption at the Council Meeting on April 26, 2021.

Council Member Nutter requested that Mr. Mangan's inquiry related to sidewalk budget figures be addressed. Mr. Rothert explained expenditures in the MFT and money to be programed into the Street Department budget for sidewalks was not necessarily related to the ADA lawsuit but was to go to help the City meet responsibilities of walkable and transversable sidewalks in the city.

Attorney Katherine Swise addressed the question of funds being budgeted for the lawsuit and advised that claims would be paid by the City of Pekin insurance carrier and would not appear on the City budget.

Council Member Orrick asked how the proposed budget compared to the current budget year. Mr. Rothert reported the higher amount over the \$22.8 million dollar FY 21 was a result of shifting revenues to be directed to pensions.

Council Member Hilst questioned a transfer of \$750,000 from the Solid Waste Enterprise Fund to the General Fund. Mr. Rothert explained there was a policy used as a guide in transferring funds. Transfer of balances was the discretion of the Council. He advised justification of the transfer to the General Fund was to offset costs to maintain streets. Council Member Nutter questioned if the reliance of the Enterprise Funds was to balance the budget. The Council Member spoke of his hesitancy to approve the budget without the Audit being complete. Finance Director/Treasurer Bruce Marston stated Sikich advised his department that a draft of the FY19 audit would be completed on April 26, 2021 for the City's review. Council Member Hilst questioned is a CAFER would be completed and was told no.

The Public Hearing was closed at 5:52 p.m. by Mayor Luft.

UNFINISHED BUSINESS

Unfinished Business item Ordinance No. 2960-20/21 was brought forward by a motion from Council Member Orrick and seconded by Council Member Abel. Council had previously discussed changes to solid waste collection at Council meetings on February 22, 2021, March 8, 2021 and March 22, 2021. An alternative version of the originally amended ordinance was presented which included updated language and additional edits after re-review from staff and input from Council.

Mr. Rothert advised that revisions to the code included clarity to standards for collection, appropriate use of carts, redirecting bulk pickup services to annual clean up events, extending out the scheduling of fees. Revisions were recommended to limitless bulky item pickup to reduce wear and tear on trucks, reduce growing landfill costs, and reduce workers compensation claims from injuries. A general discussion followed with Council expressing their concerns and questions. Staff addressed issues and answered questions of limiting the definition of "approved containers" with lids and lift bar, carts, bundled waste and yard waste bags. Discussion also included the City's right to refuse collection of any items placed in violation of the ordinance and the suggestion for the City to alternatively provide a bulk item clean up event(s) during the year. From public input received by Council Member Abel, he recommended upgrading the routes taken by the solid waste drivers. Council Member Orrick expressed concern of permitted paper sack being taken away next and strongly urged that

bulk item clean up events be written in the Code. Mayor Luft spoke of the refusal of non-acceptable items, notices being sent to landlords, and the backlash calls received from the taxpayers. Council Member Hohimer spoke about the importance of educating the public on proper standard for solid waste collection and especially non-acceptable construction materials. Suggestions were made for using flyers and notices in utility billing mailings. Solid Waste and Streets Superintendent Brett Olson explained that the increased tonnage was directly related to the previous COVID year construction home projects, stimulus check purchases and increase in mattresses disposal. Council member Nutter suggested an alternative of every other week pick-up. Council Member Hilst voiced his concern that restricting picked up items would create a huge problem in the community of dumping along roadside or vacant lots. He did not support reinstating a cost to the citizens. Council Member Hilst questioned the collection of the grade school and YWCA recycles, walkup fee collection and policy not provided in the Code, and collection of garbage in alleys.

Discussion continued as Brett Olson, Superintendent of Solid Waste/Street Department described in a PowerPoint presentation the Solid Waste FY22 Budget Request. The department current personnel, vehicles, responsibilities, and request were further explained. Council spoke of optimizing routes, every other week recycling, leasing vehicles and an efficiency study.

Council Member Hohimer spoke of the large amounts of bulky items, mattresses, couches, and construction materials that were placed at the curb and the weight of materials in the cans. She expressed concern that the City service was not meant for that purpose but for the collection of residential garbage and dumpsters from private companies should be leased for such purpose. The following prohibited materials were further discussed.

(c) Prohibited materials. The following materials will not be accepted for collection pursuant to this Division:

- (1) Building or construction materials, provided that carpet will be accepted if it is rolled up in bundles of not more than 4 feet in length and not more than 50 pounds in weight.
- (2) Bulk items, which shall be defined as items too large to fit inside a 96-gallon cart, including, but not limited to, furniture and mattresses.
- (3) Household appliances and electronics.
- (4) Animal remains, and animal waste unless placed within a separate bag or container prior to being placed in the disposal cart.
- (5) Hazardous waste, batteries, motor oil, and other materials that cannot be disposed of at the disposal facility.
- (6) Paint cans, unless the paint is completely dried out prior to being placed for disposal.

It was suggested to begin amending the solid waste collection provisions of the code by approving prohibited materials and revisit the remaining provision to discuss charges at a later date.

A motion was made by Council Member Orrick and seconded by Council Member Hohimer to accept proposed revisions to the presented ordinance Sec. 3-1-2-4. Prohibited acts. The motion was clarified by Attorney Swise that the remainder of the ordinance would be laid over to the next Council meeting and needed a motion to adopt the ordinance containing only the amended section. Ms. Swise also clarified effective date and that the 10 day statute for

penalty did not apply to prohibited materials section adoption. It was decided not to pickup prohibited items beginning the following Monday, April 19, 2021.

8.1. Ordinance No. 2960-20/21 Amending Solid Waste Collection Provisions of the City Code

RESULT:	ADOPTED AS AMENDED [5 TO 1]
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	John P Abel, Councilman
AYES:	Garrison, Hohimer, Nutter, Orrick, Abel
NAYS:	Rick Hilst
ABSTAIN:	Mark Luft

Motion to: Accept Proposed Revisions to Prohibited Acts and Materials Section 3.1.2.4(c) and Reserve Action on Other Proposed Ammendments Until April 26th

RESULT:	ADOPTED [5 TO 1]
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Garrison, Hohimer, Nutter, Orrick, Abel
NAYS:	Rick Hilst
ABSTAIN:	Mark Luft

NEW BUSINESS

9.1. Resolution No. 240-20/21 PY 2020 Community Development Block Grant (CDBG) Public Services Funding

Mr. Rothert presented the City's Community Development Block Grant Public Services Funding request to the Council in the absence of the CDBG Program Manager David Bess. He informed the Council the grant provided by the US Department of Housing and Urban Development (HUD) could be used to provide funding to local non-profit organizations operating in the community. Those expenditures, referred to in regulations as Public Services expenditures, could not exceed 15% of the City's annual allocation per grant year. Historically, the City had provided funding to both the Center for Prevention of Abuse and The Salvation Army to continue and expand services for individuals and families experiencing or at high-risk of experiencing homelessness.

Mr. Rothert further advised that the Program Manager was recommending approval of continued funding for these organizations to reimburse them for expenses incurred during the program year while carrying out eligible Public Services activities. The amount recommended for approval was the total amount of funding requested by each organization to provide for the continued administration of the following programs: The Center for Prevention of Abuse's Carol House of Hope, a domestic violence shelter that provides housing, essential items, counseling, medical advocacy, and legal assistance. To continue these services, assistance from the City was requested in the amount of \$16,600. The Salvation Army's Rust Center, a transitional shelter that provides a variety of services through their Pathway of Hope initiative. In addition to providing shelter, the Rust Center also offers ongoing case management to help clients identify the root causes of why they have experienced homelessness and assist them in taking steps to overcome situations that prevent housing stability. To continue and expand these services, assistance from the City was requested in the amount of \$20,184.26.

Mayor Luft told of his personal experience of a call to him for help and that the Salvation Army took the lead in finding shelter for the individual.

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

9.2. Resolution No. 241-20/21 Approve Inter-governmental Grant Agreement with the State of Illinois, Department of Commerce and Economic Opportunity

City Engineer Josie Esker requested Council's approval of an Intergovernmental Agreement with the State of Illinois. The grant agreement was with the Department of Commerce and Economic Opportunity (DCEO) for a Rebuild Illinois Fast Track grant for \$2,000,000.00 that the City was awarded for Court Street from Veterans to Valle Vista.

Ms. Esker advised the project costs were estimated at \$2.8 million, and the City would be responsible for the initial funding for the entire project. Staff would request reimbursement of funds from DCEO as payments were made, but would likely not receive reimbursement until after the project was completed.

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

9.3. Capital Budget (Part 2) Presentation

Capital Budget Part 2 began with City Engineer Josie Esker giving an overview of Infrastructure FY22. In a slide presentation she informed the Council of Roadway, Sidewalk, Sanitary Sewer, Storm sewer projects proposed in the budget. She advised the Council that the 2021 MFT Street and Sidewalk Maintenance Plan with total cost of \$2,529,000.00 had already been presented to the Council. Ms. Esker further discussed the larger street projects including Front Street, Allentown Road Curve, Court Street sections, Derby Street and Downtown. Costs figures for sidewalk engineering, ramps and 50/50 program were presented. The importance of camera results and lining projects and repairs to sanitary sewer was discussed to reduce the emergency repairs that Council had been seeing. Council also received information on storm sewer erosion projects scheduled including Broadway Farms, Tharp Street, Brookview Terrace, and High Point Lane at Pekin Housing location. Storm sewer larger projects proposed were Lake Kennedy Trash and Silt Collection and Court Street Drainage Improvements. Council further discussed the Court Street Drainage estimate \$2.5 to \$3.5 million. Questions were asked by the Council concerning use of the sewer fund reserves, the timing to coordinate with construction of Court Street - Stadium to Valle Vista and the necessity of the options recommended in the study if the water pooling on Court only remains for a short period of time during heavy rains. After further discussion it was Council's consensus to remove Court Street Drainage Improvements from the budgeted figures.

Capital Budget Part 2 presentation of the Street Department request continued. Superintendent Brett Olson informed the Council in his slide presentation of the current personnel operations, the vehicles and equipment currently in the

department, the infrastructure responsibilities of lane miles, sanitary, storm and combined sewers, manholes, inlets, catch basins and lift stations. He charted a comparison of other municipalities workers for street and sewer maintenance miles. Discussion followed on the department's request for 3 full-time workers and proper additional trucks. Mr. Olson stated his reasoning for the request of full time over part-time summer help.

CITY COUNCIL OR STAFF REPORTS

City Manager Rothert reported that with Outlook down that he had a list of items to respond to Council's inquiries of questions and status of projects. Council Member Nutter questioned the procedure for the public to get a pothole fixed. Mr. Olson advised that the public call the Street Department to make that request and give location. Council Member Hilst asked how the department responds and was informed that potholes were fixed from call-in list first. Regarding the discussion on summer help, City Manager Rothert advised the Council that temporary workers was a negotiated union contract item. The Council was also informed by the Manager the reason that the City's Outlook program continued to be down. Council Member Hilst asked for update on properties. He brought to the Manager's attention that the sold property on Elizabeth Street still housed equipment in the locked fence area. Mr. Rothert advised that title work was still being clarified for completion with the cell tower company. On the question of 228 Margaret Street purchase, the Council was advised that a contract was not signed and the City will not purchase or own the property. The question was asked if the yardcrew would be mowing State island properties. Response was given that the Manager did not intend to but would check if there was a contractual agreement. Council Member Hilst also asked the status of the supplemental information on personnel salaries and percentages of increases. Mr. Rothert advised the report was on his list to provide the Council. He also reported that the status of publishing an RFP for solid waste collect was contingent on Council's action on the ordinance presented previously at this meeting.

Mayor Luft welcomed newly elected Council Member Becky Cloyd in attendance in the Chamber. The Mayor also acknowledge the attendance of Charity Gullett, Tourism and Beatification Committee Member, and previous attendees to the opened Council Chambers and Infrastructure Committee meetings, Mr. and Mrs. Glenn Johnson.

EXECUTIVE SESSION 5 ILCS 120/2 (C) IF APPLICABLE

ADJOURN

There being no further business to come before the Council, a motion was made by Council Member Garrison, seconded by Council Member Orrick to adjourn the meeting. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:30 p.m.