City of Pekin

REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 11, 2022
5:30 PM

1.	**Pledge of Allegiance**	
2.	**Call to Order**	
3.	**Approve Agenda**	
4.	**Minutes Approval**	
	4.1.	City Council - Regular Meeting - Mar 28, 2022 5:30 PM
	4.2.	City Council - Work Session - Mar 7, 2022 5:30 PM
	4.3.	City Council - Special Meeting - Mar 21, 2022 9:30 AM
5.	**Public Input**	
6.	**Consent Agenda**	
	6.1.	Proclamation "National Public Safety Telecommunicators Week" April 10th Thru April 16th 2022
	6.2.	Police Department Stats - March 2022
	6.3.	Resolution No. 401-21/22 Financial Support for Derby Street Rehabilitation Project **ACTION REQUESTED:** Approve and Adopt the Resolution.
	6.4.	Resolution No. 402-21/22 Inducement for Residential Development at 27 Osprey Court **ACTION REQUESTED:** Approve and Adopt the Resolution.
7.	**New Business**	
	7.1.	Resolution No. 403-21/22 2022 Community Development Block Grant Annual Action Plan **ACTION REQUESTED:** Approve and Adopt the Resolution.
	7.2.	Resolution No. 404-21/22 Contract Renewal with Tyler Technologies for Traversa Bus Routing Software

		ACTION REQUESTED: Approve and Adopt the Resolution.
	7.3.	Resolution No. 405-21/22 Purchase of Police Locker Room Lockers **ACTION REQUESTED:** Approve and Adopt the Resolution.
	7.4.	Resolution No. 406-21/22 Renewal of Professional Services Agreement with City Solutions, LLC **ACTION REQUESTED:** Approve and Adopt the Resolution.
	7.5.	Resolution No. 407-21/22 Professional Services Agreement with the Pekin Area Chamber of Commerce for Tourism & Marketing Services **ACTION REQUESTED:** Approve and Adopt the Resolution.
	7.6.	Ordinance No. 3069-21/22 Amending Wastewater Charges in Section 3-2-4-2 of the City Code **ACTION REQUESTED:** Approve and Adopt the Ordinance.
8.	**Any Other Business To Come Before The Council**	
9.	**Executive Session 5 ILCS 120/2 (c)**	
10.	**Adjourn**	

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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 MARCH 28, 2022 AT 5:30 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Hilst.

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:03 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:06 PM
Dave Nutter	City of Pekin	Councilman	Present	5:04 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:03 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:01 PM
John P Abel	City of Pekin	Councilman	Present	5:05 PM
Mark Luft	City of Pekin	Mayor	Absent	

APPROVE AGENDA

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

APPROVAL OF MINUTES

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel
ABSENT:	Mark Luft

4.1. City Council - Regular Meeting - Mar 14, 2022 5:30 PM

PUBLIC INPUT

Matthew Goolsby spoke to request Council to help with the removal of trees located on the City's property at 309 N. 9th Street so he can finish the work on his driveway.

Matthew Johnson, a resident on Highwood, spoke to question whether the levies were moving forward for construction and stated that the hole in the dam did fair well over the winter. Mr. Johnson proceeded to speak about agenda item 9.2 discussion regarding amending the code in regards to registration of vacant and foreclosed properties, and suggested that the discussion should look at unimproved lots that do not have tax bills associated with some that do not maintain the property.

Elaine Ritchey announced to Council that she had received a water bill for $299 and was told by American Water that she had a leak. Ms. Ritchey explained that her wastewater bill was $702. She had a plumber examine the property twice and it was determined that there were no leaks. Ms. Ritchey contacted American Water and they agreed to investigate the issue since a new water meter was just installed on her property. Mr. Ritchey was asking Council if the City could waive any fees until it could be sorted out, she could not have her water shut off as she had a handicapped person living with her.

Mr. John McNish spoke regarding agenda item 7.1 Lift Assistance, spoke in favor of agenda item 8.2 funding to the Pekin Area Chamber of Commerce marketing, spoke in favor of agenda item 8.4 approving the overage for contract with Otto Baum Co. on Front Street/Distillery Road project. Mr. McNish suggested that agenda item 8.7 amending the code regarding the make-up of the Ethics Commission, should include excluding neighbors and friends from the commission. Mr. McNish continued to speak in favor of agenda item 9.2 amending the code in regards to a registration of vacant and foreclosed properties, as well as requesting to remove the City Manager from the Ethics Commission, questioning the City Manager's mentioned side job consulting, and pointing out that attorney expenditures were high. Lastly, Mr. McNish reporting the City bus that had been backing out onto Koch Street and questioned where the 3% revenue would originate from in order to increase salaries of non-union employees.

Mayor Pro Tem Cloyd presented the proclamation to Lisa Dutton regarding Pekin Donate Life Month. Ms. Dutton spoke on increasing the awareness regarding National Donate Life Month and asked that during the campaign to place a purple lightbulb in your yard and tag a picture to post to show support.

CONSENT AGENDA

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

6.1. Ordinance No. 3067-21/22 Approval of Overhead Signage in City Right-of-Way at Distillery Road

6.2. Accounts Payable To Be Paid Proof List thru March 18, 2022

6.3. Police Department Stats - February 2022

6.4. Financial Reports January 2022

6.5. Proclamation "City of Pekin Donate Life Month"

OLD BUSINESS

Motion to: **Amend to strike assisted living facilities from the ordinance 3056-21/22 and make it applicable only to nursing facilities**

A motion was made by Councilmember Nutter, seconded by Councilmember Orrick, to amend Ordinance No. 3056-21/22 Amending Pekin City Code Chapter 3, Article V and Creating Division 3 Lift Assistance to Care Facilities, to amend the definitions by removing the assisted living definition of the ordinance under Sec. 3-5-3-1, to strike assisted living facilities from the first sentence under Sec. 3-5-3-2 and to strike assisted living facilities under Sec. 3-5-3-4 and to make it applicable to only assisted care facilities. On electronic vote. All present voted Aye. The motion carried.

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

7.1. 2968 : Ordinance No. 3056-21/22
Amending Pekin City Code Chapter 3, Article V and Creating Division 3 Lift Assistance to Care Facilities as Amended

Discussion took place regarding the consideration of the ordinance amending the City Code regarding lift assistance to care facilities. Council had previously requested that Fire Chief Reeise conduct some research in Peoria to see how well the program was working there. The proposed ordinance would charge $800 each time a lift assist was performed. Fire Chief reported that Peoria had had a few hick-ups with the billing in that some of the facilities were charging the residents. It was also reported that running lift assists to nursing homes was not an issue and only had 11 assists since 2014 the City of Pekin, with a total of 36 that included assisted living centers and nursing homes.

Councilmember Abel requested that the lift assists to nursing homes be excluded from the ordinance.

Council discussion continued regarding the lift assists and how those calls instead turn into a medical call.

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

7.2. Resolution No. 394-21/22 Creation of the Infrastructure Improvements Subcommittee of the City Council

City Manager, Mr. Mark Rothert, led the discussion regarding the creation of the Infrastructure Improvements Subcommittee that had been formed as an ad hoc subcommittee of the Council in or around 2018 in order to consider proposed and necessary improvements to the public infrastructure within the City and to make recommendations to the Council as a whole as to projects which should be given priority. Members are appointed on an annual basis by the Mayor with the advice of Council. All members of the Committee are sitting Councilmembers.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Dave Nutter, Councilman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst
ABSENT:	Mark Luft

NEW BUSINESS

8.1. Resolution No. 395-21/22 City of Pekin, Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Todd Erwin Redevelopment Project Inducement Resolution

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt a resolution regarding the proposed Pekin East Residential Tax Increment Financing District Todd Erwin Redevelopment Project Inducement. Mr. Rothert explained that the inducement resolution was aimed at attracting the development of a new residential structure on Lot 30, Grand Lake Court, which was located in the Grandview Estates Subdivision in the proposed East Residential Tax Increment Financing District. Mr. Todd Erwin, the purchaser, was seeking the inducement resolution in order to participate in the City's proposed lot purchase price reimbursement program that allowed buyers to recoup a minimum of $30,000 with no limit on the value of the home and up to $70,000 for a home that was valued at $400,000 or more. The property was zoned R-1 Single Family Residential and met the criteria for participation in the program. Staff recommended approval.

Council discussed the timeline with the attorneys, Jacob & Klein, and how the map was in the process of being finalized. Council would enter into a formal redevelopment agreement with Mr. Erwin to make it official, this was the first step. The program was predicated on taxes the owner would pay in the future and the TIF increment would be rebated back to the owner, but the owner would have to create that value to receive a rebate.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst
ABSENT:	Mark Luft

8.2. Resolution No. 396-21/22 Award Request for Funding to the Pekin Area Chamber of Commerce for City of Pekin Marketing Campaign in the Amount of $30,000

Pekin Chamber of Commerce Director, Mrs. Amy McCoy, spoke regarding the resolution to award a request for funding to the Pekin Area Chamber of Commerce for the City of Pekin Marketing Campaign in the amount of $30,000. Ms. McCoy made the clarification that the request was recommended by the Tourism Committee to be utilized for invoiced deliverables and updating the City of Pekin website, Facebook ads and radio ads for the downtown street series. The Chamber was looking to develop a newspaper type of product to share good news with all entities of the City. The Discover Pekin update to the Enjoy Pekin website has been growing. All invoiced items would be documented and the Chamber would receive no benefit from the funds. Mr. Rothert added that the funds were budgeted this fiscal year under Sponsorships but the budget for next year would fall under Contractual Services.

Councilmember Hilst felt the vast majority of funding was going toward the Chamber and the economic development salary and felt the funding could be better used towards fixing the streets, as streets were the number one complaint.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst
ABSENT:	Mark Luft

8.3. Resolution No. 397-21/22 Award Sponsorship for the Pekin Pride Soccer Tournament in the Amount of $2,500

City Manager, Mr. Mark Rothert, presented the request to award a sponsorship for the Pekin Pride Soccer Tournament in the amount of $2,500. Mr. Troy Tarter, on behalf o the Pekin Pride Soccer Tournament, was requesting the City of Pekin provide a sponsorship for this years' soccer tournament to be held May 22-29, 2022. The event was expected to bring in more than 71 teams that played in last years' event. The event has brought in several families to the city who stay in city hotels, eat at local restaurants and spend money shopping locally. The tourism dollars, funded by the hotel/motel tax, would be the source of the sponsorship dollars. The request was recommended by the Pekin Tourism Committee at their March 7, 2022 meeting and would be paid out of the FY23 budget. The request aligned with the City's mission to increase tourism and to increase sales tax receipts and therefore was recommended by staff.

Councilmember Abel spoke in favor of the agenda item.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst
ABSENT:	Mark Luft

8.4. Resolution No. 398-21/22 Approve Overage for Contract with Otto Baum Co. on the Front Street / Distillery Road Rehabilitation Project

City Engineer, Ms. Josie Esker, explained that due to delays on front Street the rehabilitation project was not able to be completed by 2021 as planned. IDOT had approved the extension but Otto Baums' costs had increased due to the economy. The contractor's summary of extra costs amounted to $34,050.87. Staff felt the costs were fair, on track and under budget. Staff and IDOT preferred to pay the overage outside the contract due to staff time and paperwork. The project was projected to be completed by May. The project was budgeted out of the South Side TIF District with the option of the project to be paid out of MFT if the project with through the State contract, but much simpler to pay out of TIF.

Councilmember Hilst expressed concern that the budget showed a deficit of $400,000 in the South Side TIF District. Ms. Esker explained that she would be subtracting more money than she would be adding. Any costs over the grant amount, the State would pass along. The total cost would still end up under budget.

Mr. Rothert explained that there was $400,000 in in cash reserves in the Capital budget to be used towards various projects that included the Front Street local share and the Riverway Drive mill and overlay.

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

8.5. Resolution No. 399-21/22 Support for Court Street Rehabilitation Project from Stadium Drive to 8th Street

City Manager, Mr. Mark Rothert, explained that the last Council meeting it was approved to have Hanson work on a phased grant and the requested letter of support for that grant application was attached.

Ms. Josie Esker explained that the resolution of financial support had no dollar amount tied to it and was operating under the assumption that the State Capitol Bill grant would not cover the cost.

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

8.6. Resolution No. 400-21/22 Award Dewberry Phase II Fire Station Design Services

City Manager, Mr. Mark Rothert, explained that the request was to award the Phase 2 architectural and engineering design services to Dewberry for the design of two new Fire Stations on Ironwood Drive and Sheridan Road. Following the award, Dewberry would begin final programming of the station models, which would include focus groups with the fire department staff. The focus groups would help finalize the overall design of the facilities. Dewberry would prepare engineering and architectural designs, prepare final contract documents for the two new stations included in this phase and provide bidding services. Both of the stations within Phase 2 would be designed and competitively bid on one bid package. It was anticipated that the design schedule would progress to allow construction to begin in Spring of 2023. Through the Phase 2 design process, Dewberry would make considerations for a three bay Fire Station located with the SW quadrant of the Fire Protection map. The final design of the third station would still need to be awarded through a future Council resolution once the site selection was finalized, however, this would accomplish the intended design continuity through the three new stations. The total cost was $527,000.

Councilmember Hilst agreed that the fire station on Derby and 14th and the fire station on Willow needed to be replaced, but did not agree that the City needed a 4th fire station and therefore could not support the agenda item.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Becky Cloyd, John P Abel
NAYS:	Rick Hilst, Lloyd Orrick
ABSENT:	Mark Luft

8.7. Ordinance No. 3068-21/22 Amend the City Code Article VI Division 3 Section 2-6-3-1 Regarding the Make-up of the Ethics Commission

City Manager, Mr. Mark Rothert, presented the request to Council to amend the City Code regarding the make-up of the Ethics Commission. The goal was to provide some clear boundaries as it results to roles, to take the City Manager out when dealing with any proceeding related to any Councilmembers.

Council discussed the adjudication option for complaints and was informed by the City Attorney, Ms. Kate Swise, that the hearing officer had recently submitted his resignation and would hope to have a new officer by June.

Councilmember Hilst felt that other changes to the ordinance needed to be made. Mr. Rothert reminded Council that feedback was supposed to have come forward but Councilmember Hilst was the only Councilmember that provided any feedback, and therefore had no consensus from Council.

The City Attorney, Ms. Kate Swise, was appointed by the Mayor and Council because she was an attorney abided by an ethics policy, had an overall knowledge of the code.

Councilmember Orrick questioned why there was no court reporter hired during ethics hearings. Ms. Swise explained that court reporters were expensive and that most trials to not have a court reporter but an audio to turn over if the ruling was challenged.

Councilmember Nutter spoke in favor of the agenda item and felt it was a step in the right direction, but pointed out that attorney fees were also expensive.

Mr. Rothert provided the consideration to Council as to whether they preferred the adjudication process in place of a commission.

Feedback to the City Manager was requested.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Abel
NAYS:	Lloyd Orrick
ABSENT:	Mark Luft

DISCUSSION

9.1. Storm Sewer Code

City Engineer, Ms. Josie Esker, led the discussion regarding the Storm Sewer Code. Staff fielded calls regarding engineering calculations for storm water retention and explained that very few non-engineers would be able to complete those calculations. Ms. Esker felt that the City could provide a simple formula for business owners so they could meet requirements for retention but not do calculations. The calculation would not require a code change but the item was planned to come in front of Council.

Councilmembers Hilst, Nutter, Orrick and Abel all had no issues with the item coming forward.

Ms. Esker continued explaining that the weather was changing, storms were getting worse and the terminology of a 25 year storm event was no longer valid as the City witnesses a 25 year storm event every year or two years. Ms. Esker requested feedback from Council if it would make sense to change the code sooner rather than later to start designing for bigger storms so that increase flooding would not take place, as it increases costs from a developer perspective.

Council discussed the average cost of a detention pond costing $100,000 for a 50 acre site. Mr. Rothert felt that with funding availability being an issue it would be difficult to offset those costs but the City would try to help as the City tries to be business friendly.

Councilmember Nutter questioned who was contacting Ms. Esker. Ms. Esker explained that it was only commercial calls and not residential and there were no residential requirements for one person. Small business owners were the majority that were interested in expanding. Engineering costs could be several thousand with instances very small, but did not want to allow businesses to expand and not help with flooding problems created. Ms. Esker requested direction from Council.

9.2. Amending Code in regards to a Registration of Vacant and Foreclosed Properties

City Manager, Mr. Mark Rothert, explained that there were a number of commercial and residential properties that were vacant, foreclosed, or pending foreclosure with the City of Pekin that were unaccounted for. Amending the code to register these properties would be a way to address blighted properties and code enforcement issues. Other communities such as East Peoria, hires a third-party to administer their program.

It was estimated that there were 30 properties as they are identified by code enforcement but the biggest complication was due to multiple owners which made it difficult to identify those owners and have them served pertaining to condemning or demolishing a property. These properties are normally complaint driven.

Discussion continued with regards to lots with no structures and why they are not taxed or if there was a taxable value to result in a tax based on what the Assessor does.

Hard copies of the ordinance would be printed off for Council to review.

9.3. Employee Handbook Updates - 2022

Human Resources Director, Ms. Sarah Newcomb, led the discussion explaining that the City regularly reviews the handbook and that Benefits Coordinator, Ms. Shannon Geiman had met with the police union to review and discuss changes. Those changes included Section 7.8 regarding the employee assistance program and administrative leave. Teamsters were met with along with the fire union. Ms. Newcomb went through the highlighted proposed changes in the packet that included but were not limited to Section 2.5 employee process, Section 2.1 residency as it applied to full time employees, Section 3.1 and how it related to Section 4.9 and 10 that defined a retiree, Section 3.2 regarding Illinois Public Records Review Act. Other changes included Sections 4.2 and 3.4 with regards to employee benefits program and Section 3.8 with regards to vacations and requiring employees of the finance department and department heads take five consecutive days off of vacation.

Council discussed the purpose of having a residency requirement, that the policy needed to be reviewed and possibly offering an incentive program.

Councilmember Cloyd questioned why the City was not closed on President's Day. Ms. Newcomb explained that the City traded Presidents Day for Christmas Eve. Councilmember Cloyed felt Christmas Eve was usually a half day.

Council continued the discussion pertaining to corporate credit cards and sick time after May 1, 2020.

9.4. Discussion -- FY23 Budget (non public safety or public works)
Councilmember Cloyd requested to layover the discussion regarding the Fy23 budget (non-public safety or public works).

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

It was announced that the Business Registration License Portal was open. Business owners received a card on how to login although there was a lot of confusion over mincing words of license or registration. City Attorney, Ms. Swise, stated that all businesses need to register if they do business in the City of Pekin. Ms. Swise clarified that the definition of "physically" means doing any physical business in Pekin regardless of the location of the business. Ms. Swise offered Council's requests to change the language if they felt there was any ambiguity. Councilmember Hohimer requested clarification of the language. Councilmember Cloyd felt the language was very stringent and came across as an over reach. Councilmember Hohimer did not feel that home based business should be involved in the registration process. Councilmember Orrick stated that the objective was to pull licenses. Finance Director, Mr. Bruce Marston, felt if a business owed any taxes in the city they needed to be registered.

Councilmember Hilst questioned if the City was still paying money to Reditus for COVID testing. Mr. Rothert stated that the City was no longer required to do testing as explained in the City Manager's weekly update.

Councilmember Hilst announced that a fence downtown near the Tobin building was on the ground across the sidewalk and asked that it get addressed. Councilmember Hilst also spoke about the Economic Development Committee put together five goals and strategies to be turned into for consideration to the Council for the new Comprehensive Plan. Councilmember Hilst requested that they be distributed to Council.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 5. PURCHASE OF PROPERTY

A motion was made by Councilmember Hohimer, seconded by Councilmember Abel to move into Executive Session to discuss 5 ILCS 120/2 (c) 5. Purchase of Property at 8:26 P.M. On roll call vote all present voted Aye. Motion carried.

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

ADJOURN

There being no further business of the Council, a motion was made by Councilmember

Hohimer seconded by Councilmember Nutter to adjourn the meeting. Motion carried viva voce. Mayor Pro Tem Cloyd adjourned the meeting at 9:10 PM.

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PROCEEDINGS OF THE WORK SESSION
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON MONDAY MARCH 7, 2022 AT 5:30 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD PRESIDING

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PLEDGE OF ALLEGIANCE

Notice of a Council meeting was properly posted and received by Council. The purpose of the meeting was to conduct a Work Session to discuss the Capital Improvements Draft Budget FY23.

Mayor Pro Tem Cloyd called the meeting to order at 5:34 P.M.

The Pledge of Allegiance was led by Councilmember Hilst.

CALL TO ORDER

City Clerk Sue McMillan determined all Councilmembers were present with the exception of Mayor Luft, who was absent.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	
Karen Hohimer	City of Pekin	Councilwoman	Present	
Dave Nutter	City of Pekin	Councilman	Present	
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	
Lloyd Orrick	City of Pekin	Council Member	Present	
John P Abel	City of Pekin	Councilman	Present	
Mark Luft	City of Pekin	Mayor	Absent	

APPROVE AGENDA

Mayor Pro Tem Cloyd requested a change to the order of business by moving Public Input after Communications, moving the Public Meeting for Siting Study on new Fire Station Locations to 4.1 Communications and moving the Draft Budget FY23 Capital Improvements to Agenda Item 4.2.

A motion was made by Councilmember Abel, seconded by Councilmember Hohimer to approve the agenda as amended. On viva voce vote all present voted Aye. Motion carried.

COMMUNICATIONS

PUBLIC MEETING FOR SITING STUDY ON NEW FIRE STATION LOCATIONS

Fire Chief Trent Reeise and Deputy Fire Chief Tony Rendelman presented a power point presentation on the siting study for the new fire station locations. The fire department ran over 6400 calls for service in 2022 compared to 3700 calls in 2007. Those calls included service for firefighting, EMS, technical rescue, hazmat and public service.

The three fire stations were all built in the 1960's and 1970's and a discussion of each was led throughout the presentation. Fire Station #1 was first occupied in 1976 and currently lacks modern technologies that help keep firefighters safe and free of contaminants. Station 1 staffs 3 personnel daily that includes a fire chief, an admin, fire prevention and a battalion chief. Ladder #1 is housed as the admin building after the former Central Station or House closed.

The main concern expressed was that after a full assessment of each fire station, it was determined that the condition of each as it related to public property was in poor condition and that there were concerns about the operations and mapping of each. Renovations to Ladder #1 included repairs to the fire alarm system, storage building, and requires a future analysis of structural issues, but suitable to bring up to standards and was in a good location within the City.

Fire Station #2 covered mostly residential areas that included the North side of the City to the East that was further than 1.5 road miles from the station. Ladder #2 was built in 1962 and lacked proper insulation, inadequate living quarters, apparatus size exceeded the capacity of the station, and lacked features of a modern fire station. Turnout gear was exposed to sunlight and not property ventilated with no decontamination area. The bunk rooms were open directly into the garage space. Major issues of disrepair were addressed along with HVAC upgrades.

Fire Station #3, also known as the South Side Fire Station, was built in 1962. This fire station mirrored Fire Station #2 with inadequate areas, a flat roof with holes, no insulation, structural deficiencies that presented long- term issues. Road circulation at this location was not ideal with coverage road miles beyond the preferred 1.5 miles.

In 2006, City Council identified that the fire station presented a problem for the future and was recommended that something be done to rectify the problem by building a new fire station to allow for growth in the area.

Discussion continued about industry standards, response times, and other metrics used other than the 1.5 road miles or 4 minute response time. A map of the City was presented with a division of four quadrants that would place much of the City within the 1.5 road miles. The proposed Station #4 location at the corner of Broadway and Ironwood was selected to provide as much coverage as possible and would provide additional coverage in areas not yet developed. It was also discussed how Broadway was the best road in the City to travel to other locations quickly. The proposed quadrant would carve out existing areas of Fire Station #1 and #2, with the potential new location of Fire Station #2 centrally located in the Northwest quadrant; the location would still need to be determined. The proposed Fire Station #3 was selected to build for administration for future hope to have a training facility.

Council discussed the lack of training facilities located within the City and how that impacted the departments ratings.

Public Property Manager, Mr. Jayson Brienen explained that a 7 person committee was formed to conduct interviews with architectural firms with Dewberry ultimately being selected to lay the groundwork for floor plans and the needs of the department.

Benefits of the proposed quadrants and fire stations would provide a safer working environment for employees, increased coverage of the City's residential areas and future growth cells. Off-loading inefficient facilities with high maintenance costs and providing a capacity for the future. A perfect model would proposed 5 fire stations to adequately cover the needs of the City.

4.1. Draft Budget FY23 Capital Improvements

City Manager, Mr. Mark Rothert, led the discussion regarding the FY23 Capital Improvements Budget by providing a proposed budget handout to Council. Mr. Rothert went through each line item with Council.

Discussion continued with Council regarding wastewater fee increases used to pay off the debt of the Wastewater Treatment Plant and how those numbers did not reflect the cost of a new storm sewer system. Wastewater fees had not increased since 2018. Raising the wastewater fee $1.00 would allow for $1M in revenue. Discussion continued about removing the $4.00 charge and creating a usage charge.

Also discussed was the maintenance needed on the splash pad near the Riverfront, other street maintenance projects, the salt barn, airport and the Kholson Building.

Councilmember Hilst expressed his disappointment that there were not more street projects budgeted. City Engineer, Ms. Josie Esker, explained that a shortfall existed but would be willing to meet with Councilmembers by two for suggestions on road projects.

Mr. Rothert announced that the budget would be on the agenda for adoption the second Council meeting in April.

PUBLIC INPUT

Keith Dunkelbarger reminded Council to consider the cost of building new fire stations and spoke about the declining population of the City. A handout was provided to Council.

Larry Moreland questioned the type of service calls to the fire department and how many proposed fire stations were considered. Fire Chief Trent Reeise explained that 73-76% of service calls were medical and that 3 fire stations were considered in the beginning but prosed a coverage issue on East Broadway.

Ron Hawkins, Vice President of the Local 524 advocated for the fire department to add an additional man per shift.

ADJOURN

Councilmember Hohimer left the meeting at 6:25 P.M.

Seeing no other business of the Council, a motion was made by Councilmember Abel seconded by Councilmember Nutter to adjourn. Mayor Pro Tem Cloyd adjourned the meeting at 8:40 P.M. Motion carried viva voice vote.

CITY OF Pekin ILLINOIS

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PROCEEDINGS OF THE SPECIAL 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 MARCH 21, 2022 AT 9:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

****
****

LIFESAVING RECOGNITION DEPARTMENTS

Lifesaving Recognition Awards were given to fire fighters and police officers who actively helped in the rescue of a 4 year old child who fell through the ice. Those recognized included: Officer Wesley Washburn, Officer Nicholas Appell, Officer Caleb Boyer and Fireman Deputy Chief Tony Rendelman, Fireman Pat Rademaker, Fireman Josh Rademaker and Fireman Ron Hawkins.

PLEDGE OF ALLEGIANCE

Notice of a Special City Council Meeting was properly posted and received by the Council. The purpose of the meeting was to conduct a Work Session to discuss Draft Budget FY23 Fire Department and Police Department and to discuss New Business.

The Pledge of Allegiance was led by Councilmember Abel.

CALL TO ORDER

All Councilmembers were present except for Councilmember Hohimer, who was absent. Mayor Luft called the meeting to order at 9:56 A.M.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	9:36 AM
Karen Hohimer	City of Pekin	Councilwoman	Absent	9:34 AM
Dave Nutter	City of Pekin	Councilman	Present	9:35 AM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	9:36 AM
Lloyd Orrick	City of Pekin	Council Member	Present	9:37 AM
John P Abel	City of Pekin	Councilman	Present	9:35 AM
Mark Luft	City of Pekin	Mayor	Present	9:36 AM

APPROVE THE AGENDA

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

PUBLIC INPUT

No public input was received.

COMMUNICATIONS AND REPORTS

5.1. Draft Budget FY23 Fire Department and Police Department

A balanced budget was presented to Council with the addition of one additional police officer. The proposed budget included a replacement boat, capital purchases, pay raises for union employees and cutting two command vehicles. The admin position in the Fire Department was not filled last year and 3 additional personnel, one per shift, was also budgeted.

Councilmember Orrick discussion the Powerton and Brush Hill and how personnel costs had increased 35% since FY21. It was stated that the contract with Brush Hill was for 20 years.

Councilmember Hilst spoke against using any reserves for command vehicles and rescue boats and requested that the payments received from the Brush Hill and Powerton contract be deposited into the Fire and Police Pension Fund.

Proposes salary increases of 2.5% was discussed for all union employees along with the rising cost of fuel up 30%.

Discussion continued regarding the fire department medical expense line item, automotive expenses and overtime. The fire department was down 3 positions and a lot of young fire fighters in school.

Police Chief Dossey have an overview and reminder that discussion was had on getting police back up to 56 police officers with the issues regarding the House Bill. With retiring police officers, the focus had been getting new hires into the police academy to prevent impact on the streets. Enterprise vehicles were also budgeted. Also discussed was the residency policy for police officers having to live within 20 miles of 14th and Broadway.

City Attorney, Kate Swise, explained the process for demolitions and timeline involved based on updated language January 1.

Councilmember Hilst discussed the workers compensation not being budgeted. Mr. Marston explained that those amounts come from the workers compensation company and those figures go into the patrol line.

5.2. Discussion Regarding License, Permit, and Violation Fee Restructuring

City Manager, Mr. Mark Rothert, explained that an extensive analysis was taking place to review all the City's charges by department for all fees and licenses.

Mr. David Bess explained that he was analyzing the code line by line to either propose to eliminate or update fees. A comparison of surrounding communities would be given but many were situational.

Mayor Luft suggested consolidating some fees and proposing to provide these fees on the city website.

Council feedback was requested.

NEW BUSINESS

6.1. Resolution No. 391-21/22 Cost of Living Adjustment for Non-union Employees in FY23 Budget

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt a resolution regarding a cost of living adjustment for Non-union employees for FY23 Budget. The item was presented to Council by the request of Council each year for consideration as it related to non-union employees. A comparison worksheet was provided in the packet showing different consumer price index values. Also included was the Social Security COLA. With inflation at 8% and the

CPI running high, a proposed 3% increase in salary was proposed for non-union employees. Mr. Rothert also made reference to the news article in the packet from a survey of private businesses increasing their rate of pay by 3.5%.

Council discussed the need for annual reviews and the additional step increase of .5% by the approval of administration. Discussion led to whether department heads were receiving comparable steps or any cost of living adjustments throughout the year. Mr. Rothert explained that it was situational, but market rate adjustments had been made for some employees in the past to retain them.

Councilmember Nutter spoke against the 3% increase but would support what the union employees would receive at 2.5%.

Councilmember Orrick spoke in favor of the 3% increase and questioned when the pay scales were adopted. Human Resources Manager, Ms. Sarah Newcomb, answered that it was adopted before her time at the City, but there was a built in plan for COLA every other year and an updated study was budgeted.

Council continued the discussion on personnel costs and how they were allocated across several departments. Mr. Rothert noted that there were less than 40 non-union employees. Mr. Marston added that cost allocation was not based on where the money was but where time was spent based on a time study conducted a few years ago.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Becky Cloyd, Lloyd Orrick, John P Abel, Mark Luft
NAYS:	Rick Hilst, Dave Nutter
ABSENT:	Karen Hohimer

6.2. Resolution No. 392-21/22 Deferral of Video Gaming Terminal Fees

City Manager, Mr. Mark Rothert, presented the request to approve and adopt a resolution that would defer the collection of video gaming terminal fees for until October 30, 2022 while the City worked to gather input and put forth an amended fee structure. The current fee is $1,000 for each video gaming terminal and due to state law changes, 50% of that fee must be now paid by an establishment owner where the terminals are located. The deferral was proposed to review the impact on this change and to establish a new fee structure that created a fairer system to assess such fees that would not disproportionately impact establishment owners.

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

6.3. Resolution No. 393-21/22 Approve Task Order for Hanson to Prepare RAISE Grant Application

City Engineer, Ms. Josie Esker, presented the request to Council approve a resolution and task order for Hanson to prepare a 2022 RAISE grant application for Court Street between 8th and W. Shore Drive. Ms. Esker explained that the application would require a few hours of prep time and requested funds in the amount not to exceed $30,000. Ms. Esker estimated that the City had a 25%

chance of being granted the funds with Court Street scoring the highest compared to other roads. Ms. Esker reminded Council that there would be no construction on Court Street this year.

Council discussed the comments received from the State regarding Phase I of Court Street. Hanson should have them back to the State by the end of the month.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

ADJOURN

Mr. Rothert presented an updated Capital Improvement budget highlighted in yellow with a new project.

City Engineer, Ms. Josie Esker, announced that she had some meetings regarding the road maintenance plan with Broadway being a hot topic. It was suggested to do a mill and overlay using reserves. Mr. Rothert added that in order to budget for Broadway things in the budget had to be moved around hence the yellow highlighted items.

Councilmember Abel suggested 7th Street but do let the church decide if they wanted to close the road and take ownership.

Councilmember Hilst and Councilmember Orrick spoke in favor of keeping 7th Street open.

Councilmember Nutter supported redoing 7th Street but leaving it open.

There being no further business to come before the Council, a motion was made by Councilmember Hilst seconded by Councilmember Abel to adjourn. Motion carried by voice vote. Mayor Luft adjourned the meeting at 11:47 A.M.

REQUEST FOR COUNCIL ACTION

CITY OF Pekin ILLINOIS

Agenda Date:	**April 11, 2022**
To:	**Council Members**
From:	**John Dossey, Police Chief**

AGENDA ITEM: National Public Safety Telecommunicators Week

DESCRIPTION: Recently, several telecommunicators within the past few weeks stood in this very council chamber where they were recognized for their efforts resulting in the life of a four year boy being saved.

So fittingly, today we are recognizing all telecommunicators who serve the citizens of Tazewell County, and the City of Pekin on a daily basis. They are the first line of first responders many of us have our first contact with. Telecommunicators are seldom recognized because they are not readily visible to our public, but they hold one of the most important jobs in our community. They control the chaos. They answer our 911 calls and they send the help requested in an orderly fashion.

Today, and this week, staff would like to celebrate those men and women who provide the voice of calm when our first responders are in the midst of chaos. We would like to recognize all of our telecommunicators during National Public Safety Telecommunicators Week, which is observed from April 10th thru the 16th 2022.

Staff would request that the attached proclamation be read into record and presented to a representative of TC3 to show our appreciation for the job well done.

FINANCIAL IMPACT: N/A

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED: Recognition of all Telecommunicators for their dedication and service to our community.

IMPACT IF DENIED: N/A

ALTERNATIVES:

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness
	Police & Fire Pension Obligation. To meet the 90% funding level by the year 2040 it is

	essential the City plan carefully and maintain financial discipline to meet its $63 million dollar obligation.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES
Finance Department (Certification of Availability of Funds)**:** Date:
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/7/2022 Date:

Office of the Mayor

Pekin
ILLINOIS

Proclamation

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the TC3 emergency communications center; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of the TC3 have contributed substantially to the apprehension of criminals, suppression of fires, treatment of patients, and saving of lives; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, **THEREFORE**, I, Mark A. Luft, Mayor of the City of Pekin, Illinois, do hereby proclaim, April 10-16, 2022 as:

"NATIONAL PUBLIC SAFETY TELELCOMMUNICATORS WEEK"

in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

ADOPTED, this 11th day of April, in the Year of Our Lord, Two Thousand and Twenty-Two.

____
Mark A. Luft, Mayor

Attest:

____
Sue E. McMillan, City Clerk

	REQUEST FOR COUNCIL ACTION **Agenda Date:** April 11, 2022 **To:** Council Members **From:** Lee Wrhel, Police & Fire Secretary
AGENDA ITEM:	PD Stats - March 2022
REQUIRED SIGNATURES	
Finance Department (Certification of Availability of Funds)**:** Date:	
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/6/2022 Date:	

March 2022 WEEKLY STATS	Mar 6 - 12	Mar 13 -19	Mar 20 -26	Mar 27 - Apr 2	TOTAL
PATROL					
Calls for service	637	622	599	572	2430
Buisness / Bar checks	93	102	85	103	383
Traffic stops	72	55	40	36	203
Phone calls & station information	23	28	80	28	159
Reports	58	64	72	53	247
Supplements	28	34	27	21	110
Impounds	5	9	5	3	22
Arrests	70	62	64	57	253
Citations	42	45	22	39	148
Written warnings	43	36	31	26	136
Cell phone	2	4	0	2	8
Truck route	0	0	0	0	0
Low-speed gas bicycle	0	2	1	1	4
Pedestrian stops	0	0	0	0	0
DUI	0	1	1	0	2
Crashes	12	12	16	15	55
Field contact	0	0	0	0	0
Parking tickets - Parking Enforce	6	5	6	3	20
Parking tickets - Patrol	5	1	3	1	10
Animal controls tickets - AC	0	0	0	0	0
Animal - Patrol	0	0	0	1	1
NOT COUNTED (those listed below)					
Julie notifications	0	0	0	0	0
Repossessions	0	0	0	0	0
Incident created in error	0	0	0	0	0
Law test nature code	1	0	0	0	1
RECORDS					
Notice to Appears	0	0	0	0	0
Citations	0	0	0	0	0
Warnings	0	0	0	0	0
Freedom of Information / Pages	16 / 174 pgs	19 / 451 pgs	14 / 103 pgs	17 / 152 pgs	65/ 934 pgs
CD/DVD'S FOR FOI OR SUB (Redacted)	0	0	0	0	0
SEX Offender Registration	14	12	14	4	44
Impounds processed	5	9	5	3	22
Impound fees collected	$4,000.00	$ 3,000.00	$ 1,500.00	$ 1,500.00	$10,000.00
Fines collected	$8,080.00	$ 2,305.00	$ 5,825.00	$216.68	$16,426.68
Reports	0	3	2	0	5
Supplemental reports	0	0	1	0	1
Fingerprints processed	3	0	2	0	5
Court case files	0	25	12	0	37
DVD/CD for court	162	163	224	243	792
Reports Processed	77	82	82	71	312
Pieces of logged evidence	64	34	41	109	248
Pieces of evidence to Lab	3	3	13	6	25
Pill Bin weight	9 lbs	14 lbs	20.8 lbs	18 lbs	61.8 lbs
Backgrounds for other LAW/GOVT. Agen	32	29	8	3	72
False alarm letters	0	2	0	0	2
Certificate of Purchase	4	6	4	5	19
Certificate of Purchase Final Letters	2	3	0	0	5
Evidence Pulled to be destroyed	20	5	13	52	90
Subpoena / Pages	001 s / 106 pgs	000s / 000 pgs	000s / 000pgs	000s / 000 pgs	0 [illegible]
AVRS Crash Report Sales / $	14 / $70	17 / $85	17 / $85	18 / $90	66/ $330

Attachment: PD Stats March 2022 (3032 : PD Stats - March 2022)

REQUEST FOR COUNCIL ACTION

CITY OF Pekin ILLINOIS

Agenda Date: April 11, 2022
To: Council Members
From: Josie Esker, City Engineer

AGENDA ITEM: Resolution No. 401-21/22 Financial Support for Derby Street Rehabilitation Project

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION: This resolution is to ensure that the City will provide the necessary financial support to the Derby Street Rehabilitation project for the total cost exceeding the granted amount.

FINANCIAL IMPACT:

Requested Amount:	$4 million
Line Item:	N/A
Budgeted Amount:	N/A – Grant funding is programmed for FY25 & FY26
Remaining Funds:	N/A

IMPACT IF APPROVED: Staff will apply for an STBG Grant

IMPACT IF DENIED: Staff will not apply for an STBG Grant

ALTERNATIVES: N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

X	**5 Year CIP.** The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds)**:**
Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager 4/7/2022

Date:

Resolution No. 401-21/22 Financial Support for Derby Street Rehabilitation Project

WHEREAS, the Surface Transportation Block Grant (STBG) is a grant program that is available for transportation projects through the Tri-County Regional Planning Commission; and

WHEREAS, the City desires to apply for STBG funds for the Derby Street Rehabilitation Project; and

WHEREAS, the City Council of the City of Pekin finds it is in the best interests of the City and its residents to apply for funds to assist in completing this project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The above recitals are found to be true and correct and are adopted herein.

Section 2. The Council of the City of Pekin is committed to and wholeheartedly supports the Derby Street Rehabilitation Project.

Section 3. The City Manager and/or the City Engineer are authorized and directed to submit a STBG application and to execute any documents or agreements required to complete the application and accept any award.

Section 4. In the event the City is awarded the STBG grant, the City Council agrees to fund the local match portion of the project.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

____________________________, 20_____.

____
MAYOR

ATTEST:

____
CITY CLERK

REQUEST FOR COUNCIL ACTION

Agenda Date:	**April 11, 2022**
To:	**Council Members**
From:	**Mark Rothert, City Manager**

AGENDA ITEM:	Resolution No. 402-21/22 Inducement for Residential Development at 27 Osprey Court
ACTION REQUESTED:	Approve and Adopt the Resolution.

DESCRIPTION: The attached inducement resolution is aimed at attracting the development of a new residential structure on 27 Osprey Court, which is located in the proposed East Residential Tax Increment Financing District. The purchaser of the lot, Mr. Nick Duda, is seeking the inducement resolution in order to participate in the City's proposed lot purchase price reimbursement program that allows buyers to recoup a minimum of $30,000 with no limit on the value of the home and up to $70,000 for a home that is valued at $400,000 or more. This property is zoned R-1 Single Family Residential and meets the criteria for participation in the program.

Because this project aligns with the City's goal for residential growth, staff recommends approval.

FINANCIAL IMPACT: TBD based on home value established by the development

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED:	Land acquisition costs would be an eligible TIF reimbursement cost, if and when the Residential TIF District is established
IMPACT IF DENIED:	Land acquisition costs would not be an eligible TIF reimbursement cost, if and when the Residential TIF District is established
ALTERNATIVES:	N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES
Finance Department (Certification of Availability of Funds)**:** Date:
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/5/2022 Date:

Resolution No. 402-21/22 Inducement for Residential Development at 27 Osprey Court

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of

__________________________, 20____.

____
MAYOR

ATTEST:

____
CITY CLERK

CITY OF PEKIN, ILLINOIS
PROPOSED PEKIN EAST RESIDENTIAL TAX INCREMENT FINANCING (TIF) DISTRICT
NICK DUDA REDEVELOPMENT PROJECT

RESOLUTION NO. ____________

INDUCEMENT RESOLUTION

WHEREAS, the City of Pekin, Tazewell County, Illinois, an Illinois Home Rule Municipality (the "City"), has the authority to promote the health, safety and welfare of the City and its citizens, and to prevent the spread of blight and deterioration by promoting the development of private investment in property, thereby increasing the real estate tax base of the City and providing employment for its citizens; and

WHEREAS, Illinois statute (65 ILCS 5/8-1-2.5) allows a municipality to appropriate and expend funds for economic development purposes, including without limitation, the making of grants for commercial enterprises that are deemed necessary or desirable for the promotion of economic development within the community; and

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 *et seq.,* as amended (the "Act"), the City has the authority to provide incentives to owners or prospective owners of real property to develop, redevelop, rehabilitate, market and/or upgrade such property by reimbursing the owner for certain costs from resulting increases in real estate tax revenues ("Tax Increment") or from other City revenues; and

WHEREAS, the City is considering a request for tax increment financing assistance from Nick Duda (the "Developer"), who proposes to redevelop certain property located in the City of Pekin at 27 Osprey Court (PIN 05-05-32-108-001) (the "Property") for the purpose of undertaking a residential redevelopment project located thereon (the "Project"); and

WHEREAS, said proposed Project is to be located on land for which the City has been requested to include within the proposed Pekin East Residential TIF District Redevelopment Project Area (the "Area"); and

WHEREAS, based on the Developer's request and information provided to date, the Mayor and City Council for the City of Pekin find that the above-mentioned development cannot be developed without the assistance of Tax Increment Financing; and

WHEREAS, the City is authorized under the Act to make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plans and projects and to finance redevelopment project costs provided such project costs are eligible under the Act; and

WHEREAS, the Project proposed by **Nick Duda** to be undertaken within the proposed Area will:

- Complement the City's design and implementation of both short-term and long-term municipal plans to achieve desired land use and community and economic development objectives; and

- Address blighted conditions to stimulate redevelopment to effectively eradicate and institute conservation measures that will remove and alleviate adverse conditions and encourage private investment as well as enhance the tax base of taxing districts within the Area; and

- Encourage new residential development within the City; and

- Provide the citizens of the City with employment opportunities.

WHEREAS, redevelopment of the Property within the Area will require the Developer to incur expenditures of substantial time, effort and money and, but for the assistance of tax increment financing, the proposed Project is not financially feasible; and

WHEREAS, the Project is to be undertaken within the Area to be established by the City to assist in financing of eligible public and private redevelopment project costs per the Act and as incurred after the date of this Resolution; and

WHEREAS, this Resolution is intended to induce **Nick Duda** or its successor or assignee to proceed with the Project and to seek reimbursement from incremental real estate tax revenue or the proceeds of debt incurred by the City or from other sources as may be agreed to between the City and the Developer which are necessary to accomplish the goals of the proposed TIF District Redevelopment Plan, Area and Projects (collectively the "TIF Plan") as may be established by the City; and

WHEREAS, this Resolution is also intended to serve as an "official declaration of intent" on behalf of the City pursuant to Treas. Reg. §1.150.2; and

WHEREAS, the City Council has examined the proposed Area and believes that expenditures of redevelopment costs in furtherance of the potential TIF Plan should be allowable project costs under the TIF Plan, provided that this Resolution is not a guarantee of the amount of project costs that will be allowable, if any, but rather is an indication of the intent and sense of the City at this time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Pekin, Tazewell County, Illinois, as follows:

1. That the intentions of the City of Pekin regarding this Project as expressed in the recitals herein are hereby approved; provided however, that neither such intentions, affirmations, authorizations nor such recitals are binding upon the City nor may the same be relied upon to any entity=s or person=s detriment by such entity or person in the event that the aforementioned agreements or plans are not mutually attainable.

2. That the City Council of the City of Pekin is in favor of the proposed Project.

3. The City shall proceed and use its best efforts to establish a Tax Increment Financing Redevelopment Plan, Project and Area to include the Developer's Property and Projects. Upon the City's successful establishment of the proposed TIF District which will include the Developer's Property, the City and the Developer shall use their best efforts to enter into a Redevelopment Agreement whereby the City will reimburse the Developer from Tax Increment generated by the Project in the Proposed TIF District for the Developer's TIF Eligible Project Costs incurred in connection with the Project from the date of this Resolution.

4. The provisions of this Resolution shall be effective commencing with its adoption as provided by law.

PASSED, APPROVED AND ADOPTED by the Mayor and City Council of the City of Pekin, Tazewell County, Illinois, on the 11th day of April 2022, and deposited and filed in the Office of the City Clerk of said City of Pekin on that date.

MAYOR AND ALDERMAN	AYE VOTE	NAY VOTE	ABSTAIN	ABSENT
John Abel				
Becky Cloyd				
Lloyd Orrick				
Dave Nutter				
Rick Hilst				
Karen Hohimer				
Mark Luft, Mayor				
TOTAL VOTES:				

APPROVED: ______________________________________, Date ____/ ____ / 2022
Mayor, City of Pekin

ATTEST: ______________________________________, Date: ____/ ____ / 2022
City Clerk, City of Pekin

REQUEST FOR COUNCIL ACTION

Agenda Date: **April 11, 2022**
To: **Council Members**
From: **David Bess, CDBG Program Manager**

AGENDA ITEM: Resolution No. 403-21/22 2022 CDBG Annual Action Plan

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION: Each year, the City of Pekin is required to adopt an Annual Action Plan to receive its allocation of Community Development Block Grants (CDBG) from the US Department of Housing and Urban Development. The plan is used to specify the types of activities to be undertaken during the associated program year and is intended to be consistent with the goals and projects indicated in the adopted 5-year Consolidated Plan which covers the City's CDBG program from FY21 through FY25.

In total, the City's anticipated CDBG budget is $1,111,642 taking into account anticipated program income as well as an assumption that the FY23 allocation will be consistent with FY22 funding levels. In addition to this budget, the proposed plan also includes utilization of HUD's Section 108 Loan Guarantee Program. The Section 108 program will allow the City to utilize low-cost loans guaranteed by HUD for up to $1,584,570 which can assist with the construction of fire stations that largely service low- to moderate-income portions of the City. Section 108 funds specified in the plan are not required to be utilized and do not have an expiration; the inclusion of these funds only ensures the City's ability to utilize the Section 108 program during this fiscal year.

Feedback from the City's March 14th public hearing held regarding this plan has been included in the updated draft version of the document in preparation for submission to HUD. No additional feedback was received during the public comment period.

Address Blighted Property Issues (Demolition)	CDBG: $150,000
Sustain or Expand Services and Direct Assistance (Grants to Non-Profit Organizations)	CDBG-CV: $153,813
Improve Facility, Utility, and Amenity Access (Infrastructure Improvements)	CDBG: $667,557
Improve Fire Safety (Fire Station Construction)	Section 108 Loan: $1,584,570
Administration	CDBG: $53,473; CDBG-CV: $50,223

FINANCIAL IMPACT: N/A

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED: The CDBG Program Manager will submit the plan to HUD, including any public feedback received at the meeting during which it is being considered for approval.

IMPACT IF DENIED: The CDBG Program Manager will not submit the plan to HUD.

ALTERNATIVES:

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds)**:**
Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager 4/7/2022

Date:

Resolution No. 403-21/22 2022 Community Development Block Grant Annual Action Plan

WHEREAS, the City of Pekin is required to adopt an Annual Action Plan to receive its allocation of Community Development Block Grants (CDBG) from the US Department of Housing and Urban Development; and

WHEREAS, the Annual Action Plan is used to specify the types of activities to be undertaken during the associated program year and is intended to be consistent with the goals and projects indicated in the adopted 5-year Consolidated Plan which covers the City's CDBG program from FY21 through FY25; and

WHEREAS¸ a public hearing was held on a proposed Annual Action Plan on March 14, 2022, feedback from which is included in the final Annual Action Plan attached as Exhibit A hereto; and

WHEREAS, the City Council finds it is in the best interest of the City and its residents to adopt the attached Annual Action Plan.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The above recitals are found to be true and correct and are incorporated herein.

Section 2. The Annual Action Plan for FY 2023 attached hereto as Exhibit A is adopted as presented.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of

___________________________, 20____.

____
MAYOR

ATTEST:

____
CITY CLERK

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Pekin receives an annual allocation of Community Development Block Grant (CDBG) funds from the US Department of Housing and Urban Development (HUD). The purpose of the CDBG program is to enable local governments, such as the City of Pekin, to develop viable urban communities for individuals with low and moderate income by providing decent housing, a suitable living environment, and expanding economic opportunities. As a requirement of receiving CDBG funding, the City is required to develop an annual plan that describes the intended projects and activities for the associated program year.

In addition to the annual plan, the City also develops a five-year plan called the Consolidated Plan. The Consolidated Plan identifies known needs in the community and sets goals for the covered five-year period, which ultimately guide the spending strategies from year-to-year. At the conclusion of each program year, the City records its spending, accomplishments, and progress towards the aforementioned goals by producing the Consolidated Annual Performance and Evaluation Report (CAPER) and filing that report with HUD.

When considering what types of activities to undertake during the program year, the City must determine that a proposed activity meets one of three national objectives:

- Benefit to low- and moderate-income (LMI) persons;
- Aid in the prevention or elimination of slums or blight; or
- Meet a need having a particular urgency.

In addition to meeting an overall national objective, each project must also qualify as an allowable activity described in Title 24 of the Code of Federal Regulations (CFR). Many of the allowable activities are listed in 24 CFR § 570.201. Additionally, 24 CFR § 570.207 contains a list of specifically ineligible activities further restricting the variety of allowable projects.

Both the Consolidated Plan and this annual plan may be amended during the performance period to reflect additional identified needs, changing conditions, and shifting priorities. While no substantial amendments are anticipated at the time of adoption, such changes may be introduced through the amendment process outlined in the City's Citizen Participation Plan (CPP).

2. Summarize the objectives and outcomes identified in the Plan

During the two preceding program years, the City committed CDBG and funding from other grant sources to undertake various programs aimed at supporting residents and businesses within the community during the coronavirus pandemic. While the City intends to continue utilizing CDBG CARES Act funding to facilitate programs carried out by non-profit organizations, the City also recognizes the additional pre-existing needs that exist which can be addressed to some degree using CDBG entitlement funds.

While the City intends to address community needs not specifically associated with pandemic response during this program year, the City continues to remain vigilant in proactively tackling pandemic-related concerns to ensure the stability and continued economic recovery of area households and businesses. Based on a thorough review of the available data as described in this plan as well as the associated Consolidated Plan, the expertise of City staff, and feedback from the community, the City has identified the following objectives to be prioritized using CDBG funds during the program year:

1. Reduce the number of abandoned properties within the City to promote the health and safety of residents, stabilize land values and reduce the likelihood of delinquency;
2. Ensure reliable and effective fire safety services are available;
3. Improve the longevity and efficiency of City-owned infrastructure; and
4. Preserve and expand programs carried out by community organizations through the provisioning of grant funds thereby leveraging their specialized experience to support residents.

3. Evaluation of past performance

Economic Development: In response to the economic impacts of the coronavirus pandemic, the City undertook economic development activities in the form of grants to local businesses using CDBG entitlement funding, CARES Act funding, and additional funding received from the State of Illinois' Department of Commerce and Economic Opportunity. During the 2020 and 2021 program years, the City was able to support a total of 143 businesses and self-employed individuals.

Public Services: During the 2021 program year, The City solicited applications for the first time using its online application portal which allowed local community organizations the opportunity to apply online for CDBG-funded grants of up to $30,000 for coronavirus response/recovery-related programs. In total, the City awarded $55,000 to two organizations which provide shelter and other critical services to some of the community's most vulnerable populations.

Clearance and Demolition: As discussed in the previous Annual Action Plan, the City intended to undertake limited demolition activities during the 2021 program year to prioritize the improvement of internal procedures to improve efficiency and ensure the preservation of property owners' rights. During the program year, City staff have collaborated with the City's legal team to establish standardized workflows and templates associated with the City's demolition activities. As part of this process, the CDBG Program Manager and Police Department staff have cooperated to create a standardized bidding packet which will be used for all CDBG-funded demolition projects. During the program year, three abandoned structures were demolished using CDBG funds.

4. Summary of Citizen Participation Process and consultation process

As required by the City's Citizen Participation Plan, the City undertook a 30-day comment period which occurred from March 7, 2022 through April 6, 2022. A legal notice was posted in the local newspaper and a summary and draft version of the proposed plan was posted on the City's website for public review. Additionally, the City also held a public hearing as part of the development of the final version of the proposed Annual Action Plan on March 14, 2022 during a regular meeting of the Pekin City Council. During the public hearing, the City's CDBG Program Manager provided a summary of the proposed plan and provided opportunity for public comment.

5. Summary of public comments

Resident John McNish inquired as to what qualifies a resident as low- to moderate-income (LMI) to which the City's CDBG Program Manager responded that the term was defined by HUD and located under the Section 8 income limits available online. Further, Mr. McNish commented that he feels a posting in the newspaper is not the best way to reach LMI residents and suggested that the City work on undertaking better ways of reaching out to those residents for their input.

Mr. McNish stated that he did not feel the proposed fire station locations would largely service LMI neighborhoods. Mr. McNish also inquired if the plan includes any salary increases for the City's CDBG department and opined that expanding programs for the homeless, if implemented internally, would result in more property and staffing costs.

No additional public comments were received during the public hearing nor during the public comment period.

6. Summary of comments or views not accepted and the reasons for not accepting them

No public comments were rejected during the public comment period or the public hearing.

7. Summary

As required by the City's Citizen Participation Plan, the City undertook a 30-day comment period which occurred from March 7, 2022 through April 6, 2022. A legal notice was posted in the local newspaper and a summary and draft version of the proposed plan was posted on the City's website for public review. Additionally, the City also held a public hearing as part of the development of the final version of the proposed Annual Action Plan on March 14, 2022 during a regular meeting of the Pekin City Council. During the public hearing, the City's CDBG Program Manager provided a summary of the proposed plan and provided opportunity for public comment.

One resident, John McNish, provided feedback to the City on the proposed plan and asked several questions about the plan document and the CDBG program as a whole. During the public hearing, the CDBG Program Manager provided responses to his questions where possible and followed up with Mr. McNish the following day via e-mail to provide him with information regarding the LMI income thresholds since the figures were not readily available at the public hearing.

No additional public comments were received during the public hearing nor the public comment period.

OMB Control No: 2506-0117 (exp. 09/30/2021)

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	PEKIN	City of Pekin

Table 1 – Responsible Agencies

Narrative (optional)

The lead agency responsible for overseeing the development of the Annual Action Plan and administering programs covered by the Plan is the City of Pekin, a municipality in the State of Illinois. Pekin is not a member of a consortium utilizing HUD funds.

Consolidated Plan Public Contact Information

For more information about the City's CDBG programs and plans, please contact the City's CDBG Program Manager via e-mail at dhbess@ci.pekin.il.us or by phone at (309) 478-5356.

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Pekin has adopted a Citizen Participation Plan, which provides the City's CDBG department with policies and procedures associated with the participation of the public in CDBG-related planning activities. During the development of any CDBG-related plan and the year-end CAPER, the City undertakes at least one public comment period and one public hearing. In the event that substantial amendments are deemed necessary to either the Annual Action Plan or Consolidated Plan, then a public comment period and public hearing will again be held to discuss the changes being made to the previously adopted plan(s).

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Pekin has a good working relationship with the Pekin Housing Authority (PHA) and maintains open communication with that agency. In addition to the PHA, the CDBG Program Manager is an active member of the Home for All Continuum of Care, which provides open communication with health, mental health, and social service organizations/agencies operating in the region.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City's CDBG Program Manager is a non-voting, governing board member for the Home for All Continuum of Care. This continuum of care organization acts as an open line of communication for City consultation with a variety of health, mental health, and social service providers. Further, this participation provides an ongoing source of information on initiatives occurring within the region.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City of Pekin does not receive ESG dollars. However, the City's participation in the Home for All Continuum of Care, which does contribute to outcomes of community initiatives recorded in HMIS.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Pekin Housing Authority
	Agency/Group/Organization Type	Housing PHA Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was contacted by e-mail and received input on public housing needs, plans, goals and programs.
2	**Agency/Group/Organization**	City of Pekin
	Agency/Group/Organization Type	Service-Fair Housing Other government - Local Planning organization Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Pekin is the grantee for the Consolidated Plan and Annual Action Plans. As such, it is the consulting body that is seeking to coordinate and consult to improve anticipated outcomes from the use of CDBG funding.

Identify any Agency Types not consulted and provide rationale for not consulting

Significant efforts were made during the development of the Consolidated Plan including direct solicitation of feedback from local community organizations to assist in determining the needs and priorities of the plan. Information is continually gathered during the course of carrying out the Consolidated Plan through the City's participation in the Home for All Continuum of Care and contact with community organizations including the Pekin Housing Authority.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Home For All Continuum of Care	The goals of the Continuum of Care is to support low- and moderate-income individuals, particularly those experiencing homelessness. The City's goals mirror these concerns in ensuring sustainability of a safe community.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/efforts made to broaden citizen participation: Summarize citizen participation process and how it impacted goal-setting

The City's Citizen Participation Plan governs the public information and feedback process to ensure HUD requirements are met and the public is provided sufficient opportunity to review and comment on proposed CDBG plans and reports. During the development process of the Consolidated Plan, the City conducted a resident and community organization survey to assist CDBG staff in determining the appropriate priority needs and goals during the five-year period. A public comment period along with two public hearings were held during the development of the Consolidated Plan.

Prior to the adoption of this Annual Action Plan, the City held a public comment period as well as a public hearing to inform and solicit feedback from the public. The determinations made during the development of the Consolidated Plan were considered in the creation of this Annual Action Plan along with any new information acquired during the performance of the 2021 program year. Ultimately, the Consolidated Plan associated with the program year is intended to guide the projects and activities undertaken to accomplish the goals set forth in that Consolidated Plan document.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community	Solicited feedback on draft Annual Action Plan. No responses received.	None.	All comments were accepted.	
2	Internet Outreach	Non-targeted/broad community	Request for comments and draft Annual Action Plan posted on the City's website.	None.	All comments were accepted.	http://www.ci.pekin.il.us/departments/community_development/
3	Public Hearing	Non-targeted/broad community	Held during meeting of City Council, access available in-person and via online video while also being televised.	One resident provided feedback on the proposed plan as well as the City's CDBG Program.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Pekin will receives an annual allocation for the CDBG program. For the 2022 program year, the City anticipates an annual allocation in the amount of $456,914. This allocation is similar to that of the previous program year and the original Consolidated Plan associated with this program year was adopted using an anticipated annual allocation consistent with the 2021 allocation amount. Should the 2020-2024 Consolidated Plan be amended during the course of the plan, the CDBG department will also amend the anticipated resources to reflect the actual 2022 allocation amount.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	456,914	10,000	440,692	907,606	466,914	Total amount with current-year carryover for the remaining period in the Consolidated Plan and CDBG-CV funding is projected to be $1,578,556. Projection of annual allocation is based on the 2021 program year entitlement allocation.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
Other	public - federal	Public Services Other	0	0	204,036	204,036	0	To prevent, prepare for and respond to the Coronavirus.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

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If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City does not anticipate using City-owned property to accomplish the projects or activities identified in this plan. In the event that City-owned property is deemed appropriate for use in accomplishing the goals or addressing the needs identified in this or the Consolidated Plan, the City may utilize such property in association with CDBG projects or activities at its discretion.

Discussion

No further discussion.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Address Blighted Property Issues	2020	2024	Non-Housing Community Development	City of Pekin	Demolition of Dangerous and Abandoned Structures	CDBG: $150,000	Buildings Demolished: 8 Buildings
2	Sustain or Expand Services and Direct Assistance	2020	2024	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development	City of Pekin	Public Services Funding	CDBG-CV: $153,813	Public service activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted
3	Improve Facility, Utility, and Amenity Access	2020	2024	Non-Housing Community Development	City of Pekin	Public Facilities and Infrastructure Fire Response and Prevention	CDBG: $667,557	People: 300 Persons Assisted
4	Improve Fire Safety	2020	2024	Non-Housing Community Development	City of Pekin	Fire Response and Prevention	Section 108 Loan: $1,584,570	Other: 1 Other

OMB Control No: 2506-0117 (exp. 09/30/2021)

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
7	Administration	2020	2024	Planning	City of Pekin	Residential Rehabilitation Public Services Funding Public Facilities and Infrastructure Demolition of Dangerous and Abandoned Structures Fire Response and Prevention Economic Development	CDBG: $53,473 CDBG-CV: $50,223	Other: 1 Other

Table 6 – Goals Summary

OMB Control No: 2506-0117 (exp. 09/30/2021)

Goal Descriptions

1	**Goal Name**	Address Blighted Property Issues
	Goal Description	Acquisition, demolition, and/or clearance of abandoned structures that pose a risk to public safety, promote delinquency and/or are considered to threaten neighborhood stability.
2	**Goal Name**	Sustain or Expand Services and Direct Assistance
	Goal Description	Identifying and soliciting opportunities to support non-profit and faith-based agencies that are willing and capable of providing new or expanded social services to benefit residents of the City. The City may accept applications from organizations during a specified application period or through direct solicitation to address specific needs. To further support residents, the City may undertake emergency assistance payments either utilizing City department staff or through non-profit and faith-based agencies.
3	**Goal Name**	Improve Facility, Utility, and Amenity Access
	Goal Description	Improving or rehabilitating structures, land parcels, or utilities owned by the City or non-profit organizations in support of a suitable living environment.
4	**Goal Name**	Improve Fire Safety
	Goal Description	Conducting activities that increase fire safety for all residents that may include land acquisition, facility improvements, apparatus/equipment purchase and/or prevention programs that benefit individual households or identified geographic areas.
5	**Goal Name**	Administration
	Goal Description	Costs associated with administering the City's CDBG program including staff hours, office-related expenses, IT-related expenses or other costs not pertaining to a specific activity that may be considered an activity delivery expense.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Projects

AP-35 Projects – 91.220(d)

Introduction

This section of the Annual Action Plan identifies broad project types that will be undertaken during the associated program year. The City retains the discretion to determine what types of activities will be undertaken during the program year that fall under the projects specified in both the Consolidated and Annual Action Plans. Further, the Consolidated Plan provides the framework for projects anticipated to occur during the entire five-year period covered by the plan, which may result in significant differences and variances in the types of projects undertaken from year-to-year. Substantial deviations from either plan as described in the Citizen Participation Plan mandate the adoption of a substantial amendment following the applicable public participation requirements.

Projects

#	Project Name
1	Address Blighted Property Issues
2	Sustain or Expand Services and Direct Assistance
3	Improve Facility, Utility, and Amenity Access
4	Improve Fire Safety
5	Administration
6	Administration - CV

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City considered the findings described in the applicable Consolidated Plan and needs identified by City Staff since the approval of the Consolidated Plan. During the 2022 program year, it is anticipated that fire department-related needs, public service needs, and demolition needs will be considered priority items in need of being addressed. City staff does not anticipate roadblocks in utilizing CDBG funding to address the specified concerns.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	Address Blighted Property Issues
	Target Area	City of Pekin
	Goals Supported	Address Blighted Property Issues
	Needs Addressed	Demolition of Dangerous and Abandoned Structures
	Funding	CDBG: $150,000
	Description	Demolition of deteriorated structures on a spot blight basis.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Buildings Demolished: 8 Buildings
	Location Description	City of Pekin
	Planned Activities	Demolition of 8 buildings.
2	**Project Name**	Sustain or Expand Services and Direct Assistance
	Target Area	City of Pekin
	Goals Supported	Sustain or Expand Services and Direct Assistance
	Needs Addressed	Public Services Funding
	Funding	CDBG-CV: $153,813

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Description	Providing funding to community organizations to sustain or expand services to low- to moderate-income residents to preserve stability, reduce infection rates, and speed recovery from the coronavirus pandemic.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Public service activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted
	Location Description	City of Pekin
	Planned Activities	Grants to community organizations to fund Public Services activities with coronavirus tieback.
3	**Project Name**	Improve Facility, Utility, and Amenity Access
	Target Area	City of Pekin
	Goals Supported	Improve Facility, Utility, and Amenity Access
	Needs Addressed	Public Facilities and Infrastructure
	Funding	CDBG: $667,557
	Description	Improvements of City-owned facilities and infrastructure to ensure access and improve efficiency of services to residents.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	People: 300 Assisted
	Location Description	City of Pekin
	Planned Activities	At least 1 public facilities or infrastructure project largely benefitting low- and moderate-income patrons or residents.
4	**Project Name**	Improve Fire Safety

	Target Area	City of Pekin
	Goals Supported	Improve Fire Safety
	Needs Addressed	Fire Response and Prevention
	Funding	Section 108 Loan: $1,584,570
	Description	Assist in the construction of a new fire station facility or facilities supporting fire response functions.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Other: 1 Other
	Location Description	City of Pekin
	Planned Activities	Partial funding for design and construction of a fire station which largely services low- and moderate-income households within its fire district.
5	**Project Name**	Administration
	Target Area	City of Pekin
	Goals Supported	Administration
	Needs Addressed	Administration
	Funding	CDBG: $53,473
	Description	General administration and program planning costs not necessarily associated with specific activity delivery.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Other: 1 Other

	Location Description	City of Pekin
	Planned Activities	General administration and program planning costs not necessarily associated with specific activity delivery.
6	**Project Name**	Administration - CV
	Target Area	City of Pekin
	Goals Supported	Administration - CV
	Needs Addressed	Administration - CV
	Funding	CDBG: $50,223
	Description	General administration and program planning costs not necessarily associated with specific activity delivery. Regulations associated with CDBG-CV funding allow for the use of up to 20% of the total grant award for administrative purposes.
	Target Date	04/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Other: 1 Other
	Location Description	City of Pekin
	Planned Activities	General administration and program planning costs not necessarily associated with specific activity delivery.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

There were no specific geographic areas identified during the development of the Consolidated Plan that would suggest a need to prioritize the allocation of CDBG funding to a particular geographic location. While the City does have census tracts at or above the LMI population threshold established by HUD to be considered low- to moderate-income areas (LMA), these areas were not exceptionally higher in LMI or poverty rates as compared to other areas in the City.

Geographic Distribution

Target Area	Percentage of Funds
City of Pekin	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The allocation priorities were based on the data compiled and presented in the 2020-2024 Consolidated Plan.

Discussion

CDBG investments may be made on a citywide basis to address the needs of residents throughout the municipality and within the CDBG Target Area listed in the above section. Most of the City's anticipated activities are not isolated to a particular area or region of the City beyond activities which qualify as a national objective based on area of effect (LMA).

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	200
Non-Homeless	0
Special-Needs	0
Total	200

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	0

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

To support affordable housing goals, the City will primarily be undertaking activities which provide support to the community such as funding community organizations, removing dangerous and abandoned structures, improving infrastructure and improving public facilities. City staff will work to identify alternative funding sources and agency partners to facilitate the improvement of privately-owned residences as has been undertaken historically using CDBG funding.

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-60 Public Housing – 91.220(h)

Introduction

As discussed in the City Consolidated Plan, the Pekin Housing Authority (PHA) provides housing assistance through the administration of several complexes that provide quality housing to individuals and families that qualify under their income requirements. PHA currently provides housing to 407 individuals in 191 households through their public housing facilities, including 97 families with at least one household member reporting a disability and 31 with at least one household member over the age of 62. The total number of units available is 196 with occupancy at 97.5%.

Actions planned during the next year to address the needs to public housing

The Housing Authority uses its capital funds to maintain the properties based upon an Annual and Five-Year Plan developed by their organization. The Phase II Exterior Door Replacement Project for 22 apartments at the Broadway Apartment Complex is expected to be completed in the spring of 2022. Renovation of the Community Center at the Broadway Complex has been delayed in order to fund higher than expected construction costs of the door project. Future projects include replacement of the boilers at the six story hi-rise, Golden Arms Apartments, completion of the next phase of kitchen upgrades at the Broadway Apartment Complex and renovation of the community center if funds allow.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The PHA has one resident serving on the Board of Commissioners and a Resident Advisory Council that reviews and makes recommendations regarding PHA policies and Capital Plan. The PHA holds numerous resident engagement events. Some notable resident events include Back to School Pool Party, Celebrating Generations Event, Gardening at PHA, PHA Annual Easter Egg Party and Hunt and the PHA School and Supply Registration Event. Besides the website, the Resident Services Coordinator maintains the PHA Facebook page allowing the PHA to communicate with the residents and other interested parties. The PHA also has a “One Call Now” system to send messages to the residents via phone, text or e-mail.

The PHA has a full-time Resident Services Coordinator who assists our residents with a variety of needs. That person arranges events, meets with new residents soon after they move in to make sure they have what they need and understand their relationship with the Housing Authority. PHA also works with the school systems on behalf of our residents.

The PHA completes an annual PHA Plan similar to this document, which outlines their methods of engaging residents. Additionally, the Pekin Housing Authority’s resident services coordinator maintains close contact with the residents to understand their specific needs. Transportation needs are addressed with bus passes. Employment opportunities in the community are shared with the residents.

Occasionally, they are able to advocate for those seeking outside benefits, which will improve their living conditions.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Pekin Housing Authority is not considered a troubled public housing provider.

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Numerous facilities offer a variety of homeless services in the region. A substantial portion of regionally available resources and programs are directed towards chronically homeless individuals, homeless families, and veterans. Services that are dedicated to assisting unaccompanied youth are limited but providers serving that population frequently collaborate with the State of Illinois Department of Child and Family Services. While the City benefits from the regionally available assistance, there are few organizations operating within the City that provide residents with locally based services.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Involvement will continue with the Home for All Continuum of Care and where possible with additional groups that are interested in reaching out to homeless persons and providing support for their needs. The City is a non-voting member of the Home for All Continuum of Care governing board and utilizes this membership to collaborate with community organizations and service providers throughout the region.

Addressing the emergency shelter and transitional housing needs of homeless persons

Involvement will continue with the Home for All Continuum of Care and additional groups that are interested in emergency shelter and transitional housing needs of homeless persons. The City intends to fund community organizations using CDBG funds, which may include outreach to individuals experiencing homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

There are a limited number of facilities that offer emergency or transitional housing services within the City. The CDBG Program Manager participates in the Home for All Continuum of Care as a governing board member to connect and cooperate with area organizations that may be in a position to enhance the availability of services within the City. Some of the agencies currently offering supportive services within the City include the Center for Prevention of Abuse, Salvation Army Rust Center, Pekin Outreach Initiative and Pekin Housing Authority.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The State of Illinois requires that discharge and safety plans ensure suitable housing for patients before discharge. There are regional and local community organizations that offer intermediate and transitional care facilities and housing assistance to prevent homelessness after discharge from medical and mental health institutions.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Tax and building code instruments have the potential to influence the likelihood of residential investment and neighborhood affordability. The City has no specific taxing policies that would negatively impact residential investment or affordability. Housing taxes are based solely on the assessed value of the property. Building code requirements and fees are applied similarly to all types of residential structures and present no unique barriers to development or improvement.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

There are no City policies or fees that are anticipated to diminish the potential return on residential investment.

Discussion:

AP-85 Other Actions – 91.220(k)

Introduction:

The recent events surrounding coronavirus resulted in a need to shift the focus of CDBG funding during the previous program year towards pandemic-related response activities such as economic development, public facilities, and public services activities. During this program year, the City continues to weather the impacts of coronavirus and associated social distancing restrictions but anticipates returning annual entitlement funding back towards more traditional CDBG-funded activities not associated with coronavirus response while reserving CDBG-CV funding for continued community recovery services. Since the coronavirus pandemic is an ongoing concern, the City may opt to amend this plan to address newly identified needs should such action be deemed necessary.

Actions planned to address obstacles to meeting underserved needs

To improve the situations and living conditions within the community, the City intends to utilize CDBG funding to fund social services activities, remove abandoned and dangerous structures, and rehabilitate sewer linings in low- to moderate-income areas. Additionally, the City intends to utilize HUD Section 108 Loan Guarantees to improve fire response capabilities to better protect residents from fire hazards.

Actions planned to foster and maintain affordable housing

The funding of community organizations may include services related to affordable housing and combatting homelessness. Demolition of abandoned structures not only protects the public from potentially dangerous situation but also improves the overall condition of neighborhoods allowing homeowners improved access to home equity to finance improvement and maintenance costs. Improved public infrastructure in low- to moderate-income neighborhoods ensures efficient and dependable utility services.

Actions planned to reduce lead-based paint hazards

While the City does not intend to utilize CDBG funding to perform direct residential rehabilitation services, City staff is seeking out alternative funding methods and potential partnerships as to establish more efficient rehabilitation programs within the community. It is anticipated that any proposed programs in the future will include mitigation of lead-based paint and other hazards.

Actions planned to reduce the number of poverty-level families

As discussed in the Consolidated Plan, the City will reduce the number of families living poverty through multiple programs including community organization grants, demolition, infrastructure improvements and fire-response improvements. Additionally the City is working on additional grant opportunities and partnerships to introduce an expanded residential rehabilitation program to further support families.

Actions planned to develop institutional structure

The City will continue to collaborate with the Home for All Continuum of Care, Pekin Housing Authority, and other community organizations that provide support to low- and moderate-income households. Through this involvement, the CDBG Program Manager develops networks with regional service providers which in turn allow the City to better refer individuals to appropriate and available resources and foster potential programmatic partnerships.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to collaborate with the Home for All Continuum of Care, Pekin Housing Authority, and other community organizations that provide support to low- and moderate-income households.

Discussion:

OMB Control No: 2506-0117 (exp. 09/30/2021)

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

The City will attempt to use any income that qualifies as program income prior to drawing entitlement funds. Beginning in PY 2020, the City transitioned to a three-year calculation of the overall 70% LMI benefit occurring from PY 2020 through PY 2022. This means that over the period three-year period, at least 70% of CDBG entitlement funds will meet the national objective of benefitting LMI individuals (not including administrative expenditures).

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	$1,584,570
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**$10,000**

Other CDBG Requirements

1. The amount of urgent need activities	$150,000
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	70.00% (2020, 2021, 2023)

OMB Control No: 2506-0117 (exp. 09/30/2021)

REQUEST FOR COUNCIL ACTION

Agenda Date: **April 11, 2022**
To: **Council Members**
From: **Jon York, Operations Manager - School Bus**

AGENDA ITEM:	Resolution No. 404-21/22 Contract Renewal Tyler Technologies for Versatrans Bus Routing Software
ACTION REQUESTED:	Approve and Adopt the Resolution.

DESCRIPTION:

Tyler Technologies is a provider of services and software for the public sector. Tyler's Traversa Routing and Planning software has been the system used by the Pekin Bus Department and Pekin school districts since 2014. This 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 telematics for each vehicle that reports back through the Traversa 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. City staff are also able to quickly answer any concerns from parents, administrators and the general public. Parents are able to use this information to track buses for their own students.

Tyler software is also used in the planning of athletic and field trips for all of the school districts served by the bus department. Schools are able to request trips via the web and the bus department approves and plans vehicles and drivers for these requests. This software is also used by the bus department and the VMF department to manage and track all maintenance for the school buses. (And all city vehicles.)

FINANCIAL IMPACT:

Requested Amount:	$38,665	(FY23 Budget)
Line Item:	501-501-599801	(FY23 Budget)
Budgeted Amount:	$80,000	(FY23 Budget)
Remaining Funds:	$41,335	(FY23 Budget)

IMPACT IF APPROVED:	Bus Department can continue to operate using Traversa
IMPACT IF DENIED:	Bus Department would have to find an alternative routing system at an unknown cost.
ALTERNATIVES:	None identified

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.

	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds)**:**
Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager 4/6/2022

Date:

Resolution No. 404-21/22 Contract Renewal with Tyler Technologies for Traversa Bus Routing Software

WHEREAS, the City entered into a contract with Tyler Technologies, Inc., dated December 15, 2011, ("Agreement") for provision of the Traversa Routing and Planning software for purposes of managing and planning school bus routes and student data related to the City's provision of school bus services to various public school district in and around the City; and

WHEREAS, the Traversa Routing and Planning software is a valuable tool in providing school bus services to the school districts; and

WHEREAS, by its terms, the Agreement may be renewed on an annual basis at the option of the City; and

WHEREAS, the City Council finds it is in the best interests of the City to renew the Agreement for another one-year period to have the Traversa Routing and Planning Software available for the 2022 – 2023 school year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The above recitals are found to be true and correct and are adopted herein.

Section 2. The renewal of the Agreement with Tyler Technologies, Inc., for an additional one-year term, upon terms set forth in the Exhibit A attached hereto, is approved. The Mayor or City Manager is authorized to execute such document or provide such notices as may be necessary to effectuate said renewal.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

___________________________, 20____.

____
MAYOR

ATTEST:

____
CITY CLERK

Tyler Technologies

Quote for Traversa Migration, Add ERS, County Maps

Investment Summary

Exhibit 1c: Software Migration Investment Summary for Pekin City School

prices are valid until December 30 2021

Software as a Service	Quantity	Price	Extended	This Year	Year 2	Year 3	
Versatrans Routing and Planning Migrating to Traversa provided as SaaS for up to 100 vehicles	1	$10,129.00	$10,129.00	$10,129.00	$10,635.45	$11,167.22	USD
Versatrans Routing and Planning Migration to Traversa Advanced Routing provided as SaaS for up to 100 vehicles	1	inc.	inc.	inc.	inc.	inc.	USD
Versatrans Onscreen Migration to Traversa Advanced AVL provided as SaaS for up to 100 vehicles	1	$5,230.00	$5,230.00	$5,230.00	$5,491.50	$5,766.08	USD
Versatran Triptracker Migration to Traversa Advanced Activity Trips provided as SaaS for up to 100 vehicles	1	$2,387.00	$2,387.00	$2,387.00	$2,506.35	$2,631.67	USD
Versatrans e-Link migration to Traversa Ride 360 provided as SaaS for up to 100 vehicles	1	$2,709.00	$2,709.00	$2,709.00	$2,844.45	$2,986.67	USD
Versatrans My Stop migration to Traversa Ride 360 Parent App provided as SaaS for up to 100 vehicles	1	$0.00	$0.00	$0.00	$0.00	$0.00	USD
Subtotal: Software as a Service Fees			**$20,455.00**	**$20,455.00**	**$21,477.75**	**$22,551.64**	**USD**

Services	Quantity	Price	Extended	Total	Year 2	Year 3	
Traversa Migration Implementation (Traversa Migration Tool)	1	$2,800.00	$2,800.00	$2,800.00			USD
Traversa Core Base Training	1	$1,760.00	$1,760.00	$1,760.00			USD
Existing base map will be migrated to Traversa	1	inc.	inc.	inc.			USD
Additional Maps: (none are included with this quote)							
Training hours which can be used for (1),(2) :	26	$175.00	$4,550.00	$4,550.00			USD
Project Management	4	$175.00	$700.00	$700.00			USD
Subtotal: Application Services			**$9,810.00**	**$9,810.00**	**$0.00**	**$0.00**	**USD**

Total One-Time Fees:	**$30,265.00**			**USD**
Total Recurring Fees **:		**$21,477.75**	**$22,551.64**	**USD**

** Subject to annual increase after Year 3

[1] Travel expenses for trainer and/or project manager to visit the user's site are not included and will be billed at actual costs

[2] Training Classes are limited to 5 persons and are delivered in 2 hour increments

Tyler Technologies

Quote for Traversa Migration, Add ERS, County Maps

Investment Summary

Exhibit 1a: Software Investment Summary for Pekin City School

prices are valid until December 30 2021

Software as a Service	Quantity	Price	Extended	This Year Total	Year 2	Year 3	
Traversa Electronic Rollout Sheet provided as SaaS for up to 100 vehicles	1	$3,550.00	$3,550.00	$3,550.00	$3,550.00	$3,727.50	USD
Traversa Reporting Tool provided as SaaS for up to 100 vehicles	1	inc.	inc.	inc.	inc.	inc.	USD
Subtotal: Application Software Maintenance Fees			**$3,550.00**	**$3,550.00**	**$3,550.00**	**$3,727.50**	**USD**

Services	Quantity	Price	Extended	Total	Year 2	Year 3	
Fulton, Woodford Maps, Source: local GIS	2	$2,250.00	$4,500.00	$4,500.00			USD
Additional training hours which can be used for (1),(2) : Additional Traversa Core Training Traversa Electronic Rollout Sheet Training	2	$175.00	$350.00	$350.00			USD
Subtotal: Application Services			**$4,850.00**	**$4,850.00**	**$0.00**	**$0.00**	**USD**

	This Year Total	Year 2	Year 3	
Total One-Time Fees:	**$8,400.00**			**USD**
Total Recurring Fees **:		**$3,550.00**	**$3,727.50**	**USD**

** Subject to annual increase after Year 3

Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software accessible to the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the agreement, with renewals invoiced annually thereafter in accord with the Agreement.

[1] Travel expenses for trainer and/or project manager to visit the user's site are not included and will be billed at actual costs

[2] Online Training Classes are limited to 5 persons and are delivered in 2 hour increments. Onsite Training Classes are limited to 5 persons and are delivered in 8 hour increments

	This Year Total	Year 2	Year 3	
Total One-Time Fees Migration and Add On:	**$38,665.00**			**USD**
Total Recurring Fees Migration and Add On:		**$25,027.75**	**$26,279.14**	**USD**

REQUEST FOR COUNCIL ACTION

Agenda Date:	**April 11, 2022**
To:	**Council Members**
From:	**Jayson Brienen, Public Property Supervisor**

AGENDA ITEM: Resolution No. 405-21/22 Purchase of Police Locker Room Lockers

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION: This request is to purchase the lockers for the soon to be remodeled Police Department locker rooms. This purchase will be made through Bradford Systems utilizing Equalis Group. This purchase will be made under the State bidding program similar to Sourcewell, through a vendor called Equalis that has not placed a surcharge on steel at this time, as other vendors have. The purchase through the Equalis State bid will thus result in a savings for the City.

This purchase works in conjunction with the locker room remodel project which was recently approved. The lockers were designed to fit the new space (layout is attached). We made the decision to buy the lockers separately from the locker room remodel project to save the price mark-up from the general contractor, which was estimated at 10%.

The purchase price for the lockers is $95,949.22 which includes 42 lockers for the men's locker room and 10 lockers for the women's locker room. These numbers were based on available space and information provided by the Police Department regarding personnel needs.

Total project budget for the locker room remodel project (including new lockers) was $516,667 and with the purchase of these lockers the final project costs will be $522,249.22, which is $5,582.22 (1%) over budget. Staff recommends the purchase.

FINANCIAL IMPACT:

Requested Amount:	$95,949.22
Line Item:	277-277-584009
Budgeted Amount:	$516,667.00
Remaining Funds:	$280,404.51

IMPACT IF APPROVED: Lockers will be purchased

IMPACT IF DENIED: Lockers will not be purchased

ALTERNATIVES: N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES
Finance Department (Certification of Availability of Funds)**:** Date:
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/7/2022 Date:

Resolution No. 405-21/22 Purchase of Police Locker Room Lockers

WHEREAS, the City Council has previously approved a project to remodel the locker rooms in the Police Department; and

WHEREAS, part of that remodel includes the purchase of new lockers designed to fit the new locker room space; and

WHEREAS, staff has recommended that lockers be purchased from Bradford Systems through vendor Equalis; and

WHEREAS, Equalis is an approved vendor under the State of Illinois bidding program, which will result in cost savings for the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The above recitals are found to be true and correct and are incorporated herein.

Section 2. The purchase of 52 lockers from Bradford System, pursuant to the terms set forth on the proposal attached hereto as Exhibit A, is approved.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

______________________________, 20_____.

____
MAYOR

ATTEST:

____
CITY CLERK

BRADFORD SYSTEMS

Pekin Police Department

Prepared for:
Jayson Brienen

Pekin Police Department
111 South Capitol Street
Pekin, IL 61554

Submitted by:
Gary Lowery
309-437-1552
glowery@bradfordsystems.com

March 23, 2022
BSC Project #38381

Bradford Systems Corporation is a qualified Equalis Group provider and is proposing the following Spacesaver equipment and related services through:
Contract # EQ-052920-01I

Corporate Headquarters	Indiana Office	Central Illinois	Wisconsin Office	Missouri Office
945 North Oaklawn Ave Elmhurst, IL 60126	6231 Coffman Rd Indianapolis, IN 46268	125 Thunderbird Lane East Peoria, IL 61611	8032 22nd Ave PMB 4005 Kenosha, WI 53143	10979 Lin Valle Drive Saint Louis, MO 63123
630.350.3453 office **630.350.3454** fax	**317.895.0670** office **317.895.0672** fax	**636.343.1515** office **636.343.3588** fax	**630.350.3453** office **630.350.3454** fax	**636.343.1515** office **636.343.3588** fax

March 23, 2022

Jayson Brienen
Pekin Police Department
111 South Capitol Street
Pekin, IL 61554

Dear Jayson,

On behalf of Bradford Systems Corporation, I would like to thank you for the opportunity to present this proposal. The following solution has been designed and tailored to meet your storage needs.

We value the opportunity to present our unique capabilities, and look forward to showing you why thousands of clients over the last 54 years have chosen Bradford Systems Corporation to help them solve their most challenging storage dilemmas.

If you have any questions regarding this proposal or if we can make any changes to better accommodate your needs or requirements, please call me at 309-437-1552.

Again, thank you for your consideration.

Sincerely,

Gary M Lowery

Gary Lowery
Storage Planner

Bradford Systems Corporation
945 North Oaklawn Ave
Elmhurst, IL 60126
309-437-1552
glowery@bradfordsystems.com

BRADFORD SYSTEMS

Pekin Police Department

Project #38381

Men's Locker Room—Personnel Lockers:

- 42 Lockers with double doors, 18" W x 24" D x 84" H
  - Each locker includes:
    - Shelf with integral garment hanger
    - Body Armor drying rack, 18" W
    - Sloped Top
    - Combination lock
    - Lock box
    - Number tag installed on front door
    - 1 End panel, 12" W x 18" H
    - 1 End panel, 24" W x 84" H
    - Plug-n-play electrical-one duplex receptacle per locker

Women's Locker Room—Personnel Lockers:

- 10 Lockers with double doors, 18" W x 24" D x 84" H
  - Each locker includes:
    - Shelf with integral garment hanger
    - Body Armor drying rack, 18" W
    - Sloped Top
    - Combination lock
    - Lock box
    - Number tag installed on front door
    - 3 End panels, 12" W x 18" H
    - 3 End panels, 24" W x 84" H
    - Plug-n-play electrical-one duplex receptacle per locker

Project Investment:

Storage Materials List	$131,407.48	
Less Storage Discount (48.9%)	-$64,258.26	
Storage Materials Net		$67,149.22
Installation		$26,810.00
Freight		$1,990.00
Total		**$95,949.22**

Notes:

1. ***Sales tax will be charged unless Bradford Systems is provided with a tax exempt or resale certificate.***
2. *The above quote is based on the drawings.*
3. *A non-refundable down payment of one-third (1/3) of the contract, is due upon order. A payment of 1/3 is due upon shipment and 1/3 payment upon completion.*
4. *This agreement is based on a normal eight hour working day Monday through Friday and no provisions have been made for overtime or shift premium pay. If overtime is required, additional costs will be incurred.*
5. ***Pricing valid for 30 days.***

Pekin Police Department

Project #38381

1. Purchase orders should be made out to the following:
   Bradford Systems Corporation
   945 North Oaklawn Ave
   Elmhurst, IL 60126

2. Purchase orders may be sent via:
   - Email: purchaseorders@bradfordsystems.com
   - USPS: 945 North Oaklawn Ave, Elmhurst, IL 60126
   - Facsimile: (630) 350-3454

3. Please send the following in conjunction with your purchase order:
   - Reference BSC project # 38381 on your purchase order
   - Project Information Sheet
   - Signed copy of the proposal and project drawings

BRADFORD SYSTEMS

Pekin Police Department
Project Implementation Information
Project #38381

Purchase Order Information:

P.O. #: ______________________________

Approved by: ______________________________

Project Selections:

Locker Color: ____________________ (See 10 Standard Textured Finishes)

Delivery Information:

Delivery Address: ______________________________

____

Delivery Contact Name: ______________________________

Contact Phone Number: ______________________________

Truck or Delivery Time Restrictions: ______________________________

Delivery Dock: ☐ Yes ☐ No ____________________

Freight Elevator: ☐ Yes ☐ No ____________________

Order Acknowledgement/Billing Information:

Order Acknowledgement Required? ☐ Yes ☐ No ____________________

Billing Address: ______________________________

____

Billing Contact Name: ______________________________

Contact Phone Number: ______________________________

Contact Email Address: ______________________________

Installation Information:

Installation Address: ______________________________

____

Floor/Room: ______________________________

Requested Installation Date: ______________________________

Move Date: ______________________________

Construction Schedule Available: ☐ Yes ☐ No ____________________

Client Provided Dumpster Available: ☐ Yes ☐ No ____________________

Are There Security Requirements: ☐ Yes ☐ No ____________________

Parking: Permission/Permits: ☐ Yes ☐ No ____________________

Certificate of Insurance Required: ☐ Yes ☐ No ____________________

General Contractor Name/Phone: ☐ Yes ☐ No ____________________

STANDARD TERMS AND CONDITIONS

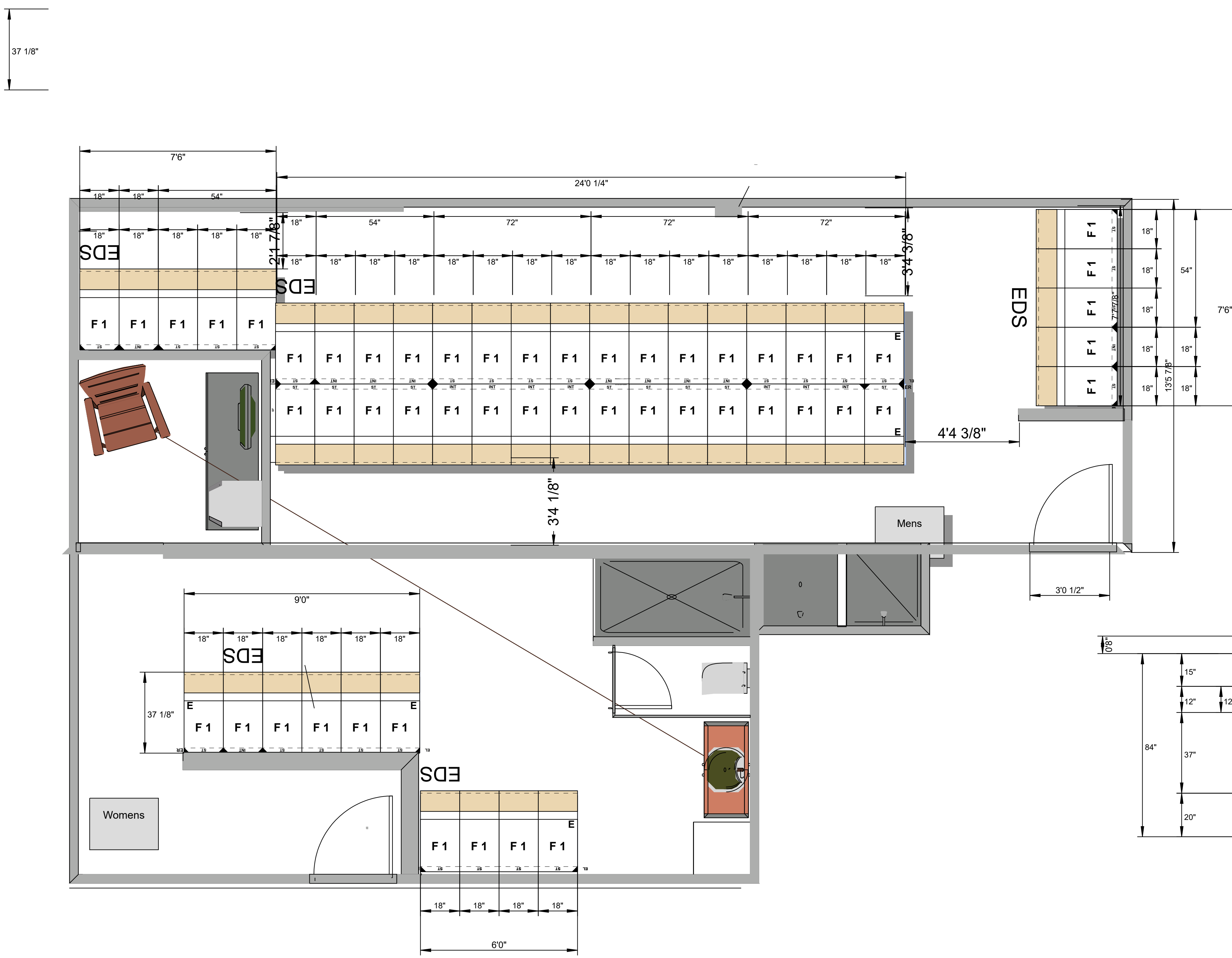
1. GENERAL: These terms and conditions shall apply to sales from Bradford Systems Corporation to Buyer and to any quotation by Bradford Systems Corporation for sales. These terms and conditions shall not be superseded by any terms and conditions in Buyer's order except as otherwise specifically agreed in writing executed by all parties to this agreement. The paragraph headings contained herein are for purposes of reference only and are not to be considered in the interpretation of any clauses contained herein. This agreement may be executed in counterpart and a copy of this agreement shall be as binding as is the original.
2. ENGINEERING: The proposal drawings and/or specifications of any quotation are confidential engineering data, and represent Bradford Systems Corporation investment in engineering skill and development, and remain the property of Bradford Systems Corporation. Such are submitted with the understanding that the information will not be disclosed or used in any manner detrimental to Bradford Systems Corporation. All specifications and dimensions of proposal drawings are approximate, and are subject to changes during detailed engineering.
3. SURVEYS, PERMITS AND REGULATIONS: Buyer shall procure and pay for all permits and/or inspections required by any governmental authority for any part of the work performed by Bradford Systems Corporation, except as otherwise stated.
4. PAYMENT: This system has been specially designed and will be specially manufactured for the Buyers unique requirements. A non-refundable down payment of one-third (1/3) of the contract is due upon order. A payment of 1/3 is due upon shipment and 1/3 payment upon completion. One and one-half (1-1/2) percent interest per month will be charged on any unpaid balance after thirty (30) days. If the installation is not entirely complete upon final invoicing, a holdback of reasonable value is allowed without incurring interest charges. A 4% convenience fee will be applied to all orders paid with a credit card.
5. TAXES: All applicable sales taxes, as required by law, will be billed, unless Bradford Systems Corporation has a current Tax Exempt Letter or Resale Certificate on file.
6. EXPIRATION DATE: Pricing is valid for thirty (30) days. After thirty days, a new proposal and revised pricing may be required.
7. CANCELLATION: On all canceled orders, Buyer shall compensate Bradford Systems Corporation for its performance, commitments and damage as follows; Buyer shall pay Bradford Systems Corporation a cancellation fee not to exceed the original purchase price.
8. CHANGE ORDERS: Should the Buyer order changes or additions to the work, such orders and adjustments shall be made in writing to Bradford Systems Corporation utilizing Bradford's formal change order document. The contract price and installation/delivery fees shall be adjusted according to the changes in the work specified in the change order.
9. INSURANCE: Bradford Systems Corporation's employees who enter Buyer's premises will have Workmen's Compensation coverage in statutory limits and Bradford Systems Corporation's automobiles will be covered by Public Liability and Property Damage Insurance.
10. DELIVERY: Installation or delivery date is approximate. Bradford Systems Corporation shall not be liable for delays in or failures of delivery due to changes requested by Buyer, or causes beyond its control. If shipment is delayed at the request of Buyer, payment shall be made by Buyer as though shipment had been made as specified and for any expenses incurred by Bradford due to Buyer's request in delaying shipment.
11. STORAGE: If product is stored for more than thirty (30) days at Bradford Systems Corporation due to delays in delivery caused by buyer, Bradford will charge buyer at the rate of 1% of buyer's invoice per month pro-rated daily.
12. DAMAGE: After product arrival at site, any loss or damage by weather, other trades, fire or other elements, shall be the responsibility of the Buyer. The Buyer agrees to hold Bradford System Corporation harmless for loss for such reasons.
13. BUYER RECEIVING: If the Buyer receives product for any reason, the Buyer is responsible for checking the product during off-load and noting on the packing slip any damage or possible damage and notifying Bradford Systems Corporation immediately. If Bradford does not receive a written notice and copy of the packing slip within twenty-four (24) hours, the Buyer agrees to pay any additional replacement product and delivery costs if a freight claim cannot be awarded.
14. SITE CONDITIONS: Buyer shall provide Bradford Systems Corporation with a free and clear construction site. Buyer shall remove all material and/or construction from the area. Buyer will furnish Bradford with adequate electrical power to operate tools required for the installation.
15. UNLOADING, SPOTTING AND STORAGE: Buyer shall provide Bradford Systems Corporation with adequate unloading facilities and sufficient access to same to insure Bradford's efficient unloading procedure. Adequate aisles shall be provided by the Buyer to provide efficient handling of the materials from the unloading of storage area to construction site.
16. COMMENCEMENT OF INSTALLATION: Bradford Systems Corporation will not be obligated to commence work at job site until receipt of written notice from Buyer that Buyer's building is ready for use and necessary utilities and equipment are supplied thereto.

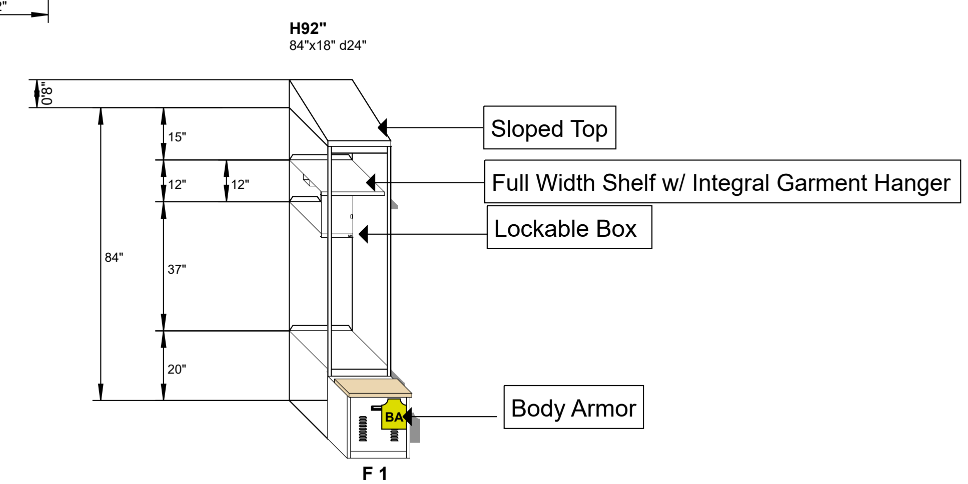
17. COMPLETION: Installation shall be deemed completed upon acceptance or use of any equipment by Buyer.
18. OVERTIME: This agreement is based on a normal eight hour working day Monday through Friday and no provisions have been made for overtime or shift premium pay. If overtime is required, additional costs will be incurred.
19. TESTING: All material and equipment for testing the installation shall be provided at Buyer's expense. At the time when Bradford Systems Corporation states to the Buyer that the work is complete, the Buyer will inspect the work and if the work is in conformity with the terms and provisions of the proposal, the Buyer shall accept the same and deliver to Bradford a signed statement of acceptance. If the Buyer declines to sign such a statement, then the Buyer shall immediately inform Bradford in writing of the reasons for such declination. If the Buyer fails to so notify Bradford of if the Buyer fails to make such inspection the work shall be conclusively deemed to have been accepted by the Buyer.

PROJECT TERMS AND CONDITIONS

1. FLOOR COVERING: If Bradford Systems Corporation is not the contractor for the installation of the floor covering, Buyer's floor covering contractor is responsible for coordinating floor covering installation after Bradford installs system rail and floor.
2. FLOOR LOADING: Buyer is responsible for the load bearing capacity of the floor upon which the proposed installation shall be constructed. Floor load data that applies to the project is subject to interpretation by a certified structural engineer. BSC is providing reference data for determining load and distribution conditions. Floor load and considerations are to be reviewed and evaluated by a qualified engineer. It is the responsibility of client to have this system approved for the floor loading if needed. If media weight is unknown; we recommend a sample weight be verified in the field.
3. FLOOR DRILLING: Buyer is responsible to notify Bradford Systems Corporation of any electrical or other obstructions located in the floor and Buyer is responsible for relocating said obstructions at Buyer's expense. Anchoring and/or hammer drilling may be required to which it is the Buyers responsibility to notify Bradford if there are any building restrictions on when this work may be performed.
4. SEISMIC: Buyer is responsible for determining if a seismic evaluation is necessary at which Bradford Systems Corporation will provide all equipment information for a seismic evaluation by an engineer if applicable.
5. FIRE CODE: Fire code typically requires an 18" minimum clearance between installed height of shelving system and any sprinkler system. It is the Buyer's responsibility to verify that the proposed shelving system height meets this requirement prior to the placement of purchase order.
6. SPACESAVER WARRANTY: A 5-year standard warranty and 1-year scheduled maintenance are included with your installation. Extended warranty and maintenance agreements are available upon request.
7. SPACESAVER SYSTEM TRAINING & ORIENTATION: Bradford Systems Corporation offers training to all potential users to insure safe and efficient system operation upon the Buyer's request.

Client Signature Title Date





Project Name: Pekin Police Department

Salesperson: LOWERY,GARY

Scale: 1:55

Rev level:

Project #: 38381

Drawn by: CE

Date Printed: 03/23/2022

APPROVAL
This drawing Approvec

Dated

BRADFORD SYSTEMS
Smart. Storage. Solutions.

Attachment: Bradford Layout Pekin PD Lockers 38381C (3028 : Resolution No. 405-21/22 Purchase of Police Locker Room Lockers)

REQUEST FOR COUNCIL ACTION

Agenda Date: **April 11, 2022**
To: **Council Members**
From: **Mark Rothert, City Manager**

AGENDA ITEM:	Resolution No. 406-21/22 Renewal of Professional Services Agreement with City Solutions, LLC
ACTION REQUESTED:	Approve and Adopt the Resolution.

DESCRIPTION: Attached to this Request for Council Action is a is a professional service agreement with City Solutions, LLC (Matt Fick) to provide the City with Economic Development advisory services for FY 2022-2023. The agreement mirrors the current contract that is in place but has been slightly modified to focus more of Mr. Fick's time and responsibilities on economic development activity of the city.

Mr. Fick will still be responsible for staffing the Economic Development Advisory Committee and serve as the City liaison to the Pekin Area Chamber of Commerce and Pekin Main Street. The hourly rate for this contract is $80/hour, which is the current rate so no increase is being requested. The maximum number of hours worked in the contract are 1,200, which is the same total in the existing contract.

Staff recommends approval.

FINANCIAL IMPACT:

Requested Amount:	Up to $92,500
Line Item:	208-208-560500
Budgeted Amount:	$172,500 (FY23 Budget, not yet adopted)
Remaining Funds:	$172,500 (FY23 Budget, not yet adopted)

IMPACT IF APPROVED:	City of Pekin continues its existing contractual agreement and working relationship with Mr. Fick.
IMPACT IF DENIED:	City of Pekin seeks alternative solutions to their planning, zoning and economic development needs.
ALTERNATIVES:	N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES
Finance Department (Certification of Availability of Funds)**:** Date:
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/5/2022 Mark A. Rothert Mark A. Rothert, City Manager 4/6/2022 Date:

Resolution No. 406-21/22 Renewal of Professional Services Agreement with City Solutions, LLC

WHEREAS, the City previously entered into a professional service agreement with City Solutions, LLC (Matt Fick) to provide Economic Development services; and

WHEREAS, the City desires to renew said professional agreement for Fiscal Year 2022-2023, with such modifications as set forth in Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The recitals set forth above are found to be true and correct and are adopted herein.

Section 2. The professional services agreement with City Solutions, LLC, is approved in substantially the form attached hereto as Exhibit A, with such changes as the Mayor deems necessary and appropriate. The Mayor is authorized and directed to execute, and the City Clerk is directed to attest, said agreement.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

____________________________, 20_____.

____
MAYOR

ATTEST:

____
CITY CLERK

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement (the "Agreement") is made between the City of Pekin, an Illinois municipal corporation located at 111 South Capitol Street, Pekin, IL 61554 (the "City") and City Solutions, LLC located at 59 Hickory Ridge Drive, Morton, IL 61550 (the "Contractor").

WHEREAS, the City requests Contractor to perform services for it; and

WHEREAS, the City and Contractor desire to enter into an agreement, which will define respective rights and duties as to all services to be performed;

NOW, THEREFORE, in consideration of covenants and agreements contained herein, the parties hereto agree as follows:

1. The City shall retain Contractor and Contactor shall provide City with the following services:

a. **Economic Development Services.** The City shall retain Contractor to provide the City with economic development services that may include but are not limited to the following:

- BUSINESS ATTRACTION
  - Business attraction prospect lead generation
  - Sales and Marketing of the City and prospective development sites
  - Incentive packaging/deal structuring
  - Deal closure
- BUSINESS EXPANSION AND RETENTION (BRE)
  - BRE visits and business check-in's to Pekin businesses
  - Providing technical assistance, information or resources to Pekin businesses
- BUSINESS DEVELOPMENT
  - Recruitment startups or entrepreneurs to Pekin
  - Assistance with site location and financial packaging for business growth
- MISCELLANEOUS
  - Tourism development
  - Coordination of economic development assets (sites, infrastructure, TIF Districts, Enterprise Zone, Opportunity Zone, Downtown, riverfront, commercial corridors, etc.)
  - Federal and State grant procurement

- o Identification of workforce development opportunities, trainings or partnerships
- o Participation in regional economic development efforts
- o Coordinated communications with other city staff
- o Monthly reporting of activities and projects.

2. Term and Work Hours.

a. Term of Agreement. The term of this Agreement shall commence May 1, 2022 and end April 30, 2023, unless otherwise terminated sooner via Section 11 of this Agreement. At any time, the parties may choose to extend this Agreement for any desired time period, upon mutual written agreement.

b. Work Hours. Unless otherwise amended and approved by the City through its City Manager, Contractor shall set his own work schedule and generally work a total of up to 24 hours per week or a maximum total of 1,200 during the term of the agreement.

3. Compensation.

a. Hourly Compensation. In consideration for the services to be performed by the Contractor listed in Section 1, City agrees to pay to Contractor the sum of $80 per hour for work performed. Invoices shall be issued to City by Contractor bi-weekly after performance of any work performed. City shall reimburse Contractor within fifteen (15) days upon receipt of a request for reimbursement from the Contractor. The Contractor shall provide City with documentation supporting all expenses related to hourly compensation and at City's request, provide such information within 5 days.

4. Related Expenses and Access to City Property.

a. Related Expenses. The City shall reimburse Contractor for all pre-approved, reasonable and necessary expenses incurred in connection with the services provided, such as mileage.

b. Use of City Offices and Equipment. If needed to conduct business on behalf of the City, City may provide Contractor the use of the following:

- Office space
- Computer or laptop
- Telephone
- Fax machine
- Copier
- Office supplies
- Mailing system
- The Contractor shall also have access to a City email account and the City's network.

5. Taxes.

a. City shall not be responsible for federal, state and local taxes derived from the Contractor's net income or for the withholding and/or payment of any federal, state and local income and other payroll taxes, worker's compensation, disability benefits or other legal requirements applicable to Contractor. Contractor shall be exclusively responsible for the payment of all taxes, withholding payments, contributions to insurance (including Illinois unemployment insurance should such payments be applicable), contributions to pensions or other deferred compensation plans, Workers' Compensation obligations and FICA (Social Security and Medicare related taxes) obligations and the filing of all necessary documents, forms and returns pertinent to the foregoing.

b. Contractor and City agree to promptly notify each other and mutually cooperate in any investigation or proceeding regarding Contractor's independent contractor status. Contractor shall defend and hold harmless the City against any and all claims that the City is responsible for the payment or filing of the foregoing payments, withholdings, contributions, taxes and documents and returns, including, but not limited to FICA taxes, FUTA taxes, state employment security obligations, and Federal and state employer income tax withholding obligations, interest and penalties.

c. It is expressly understood that the City will issue the required Internal Revenue Service Form 1099 to Contractor. Contractor will be responsible for his own tax obligations. Contractor specifically acknowledges that he is not entitled to unemployment insurance benefits at the end of this agreement. Any effort by Contractor to involve the City in benefit disputes beyond the scope of this Agreement will entitle the City to recover its attorneys' fees when defending itself from damages caused by Contractor's improper conduct.

6. Changes.

a. Change Orders. The City, without invalidating this Agreement, may order changes in the work within the general scope of the Agreement consisting of additions, deletions, or other revisions.

b. Change Order Requirements. All change orders shall be a written order signed by the City and shall specify the elements of the Services to be changed, and the impact, if any, that the requested change will have on (A) the compensation, (B) time for performance or (C) any other terms or conditions of this Agreement.

c. Adjustments to Compensation. In the event that any such changes materially impact the cost to the Contractor of performing the Services or the time required for such performance, the parties shall negotiate in good faith a reasonable and equitable adjustment in the fees and schedule, as applicable.

7. Independent Contractor Status.

a. Status. Contractor is an independent contractor of City. Nothing contained in this Agreement shall be construed to create the relationship of employer and employee, principal and agent, partnership or joint venture, or any other fiduciary relationship.

b. No Authority. Contractor shall have no authority to act as agent for, or on behalf of, City, or to represent City, or bind City in any manner.

c. No Employee Benefits. Contractor shall not be entitled to worker's compensation, retirement, insurance or other benefits afforded to employees of City.

8. Representations and Warranties. The City and the Contractor respectively represents and warrants to each other that each respectively is fully authorized and empowered to enter into the

Agreement and that their entering into the Agreement and to each parties' knowledge the performance of their respective obligations under the Agreement will not violate any agreement between the City or the Contractor respectively and any other person, firm or organization or any law or governmental regulation.

9. **Confidential Information**. Contractor and its employees shall not, during the time of rendering services to the City or thereafter, disclose to anyone other than authorized employees of the City (or persons designated by such duly authorized employees of the City) or use for the benefit of Contractor and its employees or for any entity other than the City, any information of a confidential nature, including but not limited to, information relating to: any such materials or intellectual property; any of the City projects or programs; the technical, commercial or any other affairs of the City; or, any confidential information which the City has received from a third party.

10. **Intellectual Property.**
    a. Work Product. During the course of performing Economic development services, Contractor and its directors, officers, employees, or other representatives may, independently or in conjunction with City, develop information, produce work product, or achieve other results for City in connection with the Economic development services it performs for City.

    b. Ownership. Contractor agrees that such information, work product, and other results, systems and information developed by Contractor and/ or City in connection with such Economic development services (hereinafter referred to collectively as the "Work Product") shall, to the extent by law, be a "work made for hire" within the definition of Section 101 of the Copyright Act (17 U.S. C. 101), and shall remain the sole and exclusive property of City.

    c. Assignment of Interest. To the extent any Work Product is not deemed to be a work made for hire within the definition of the Copyright Act, Contractor with effect from creation of any and all Work Product, hereby assigns, and agrees to assign, to City all right, title and interest in and to such Work Product, including but not limited to copyright, all rights subsumed thereunder, and all other intellectual property rights, including all extensions and renewals thereof.

    d. Moral Rights. Contractor also agrees to waive any and all moral rights relating to the Work Product, including but not limited to, any and all rights of identification of authorship and any and all rights of approval, restriction or limitation on use, and subsequent modifications.

    e. Assistance. Contractor further agrees to provide all assistance reasonably requested by City, both during and subsequent to the Term of this Agreement, in the establishment, preservation and enforcement of City's rights in the Work Product.

11. **Termination.**
    a. Notice of Termination. This Agreement may be terminated by either the City or the Contractor at any time for any reason, with or without cause, by giving fourteen (14) days from written notice of termination. The City may terminate this agreement immediately upon written notice in the event Contractor engages in gross or willful misconduct which causes material damage to the City.

    b. Payment Upon Termination. The City will pay Contractor for all Services performed by

Contractor through the date of termination.

12. General Provisions.

a. Entire Agreement. This Agreement constitutes the entire agreement between the parties, and supersedes all prior agreements, representations and understandings of the parties, written or oral.

b. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

c. Amendment. This Agreement may be amended only by written agreement of the parties.

d. Notices. All notices permitted or required under this Agreement shall be in writing and shall be delivered in person or mailed by first class, registered or certified mail, postage prepaid, to the address of the party specified in this Agreement or such other address as either party may specify in writing. Such notice shall be deemed to have been given upon receipt.

e. Assignment. This Agreement shall not be assigned by either party without the consent of the other party.

f. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to its conflict of laws rules.

g. No Waiver of Rights. A failure or delay in exercising any right, power or privilege in respect of this Agreement will not be presumed to operate as a waiver, and a single or partial exercise of any right, power or privilege will not be presumed to preclude any subsequent or further exercise, of that right, power or privilege or the exercise of any other right, power or privilege.

IN WITNESS WHEREOF, the City and the Contractor have each executed and delivered this Agreement as of the Effective Date.

CITY OF PEKIN, ILLINOIS

By:______________________________

Mark A. Luft, Mayor

Attest:___________________________

Sue McMillan, City Clerk

MATT FICK

By:______________________________

Matt Fick, Owner/Manager
City Solutions, LLC

REQUEST FOR COUNCIL ACTION

Agenda Date: **April 11, 2022**
To: **Council Members**
From: **Mark Rothert, City Manager**

AGENDA ITEM:	Resolution No. 407-21/22 Professional Services Agreement with Pekin Chamber for Tourism & Marketing
ACTION REQUESTED:	Approve and Adopt the Resolution.

DESCRIPTION:

Community marketing, tourism and events are all vital to establishing a brand and identity for Pekin. Messaging is equally important to communicate with the public on city related news, projects, programs, events, and issues. Due to limited resources, the City has done a minimal job in years past to effectively communicate or implement a tourism plan with events that generated interest and excitement in the community on a consistent basis. Recent discussions between City and the Pekin Area Chamber of Commerce explored how we could collectively remedy this situation and resulted in the attached professional services agreement that envisions the Chamber helping to market the city and create a tourism plan with events. Additionally, the Chamber would work to support the City's Tourism Committee. Below are highlights of the agreement and what services the City would receive:

SERVICES

Marketing Services**.** The Chamber shall provide the City with up to 910 hours (1/2 time employee for 10.5 months) of marketing services that may include the following services:

1. Managing and updating the City's website
2. Managing and updating the City's accounts on social media platforms;
3. Creating and distributing a monthly newsletter; and
4. Creating content across all communication platforms regarding city news, projects, programs, events, and issues.

Event and Tourism Management Services**.** The Chamber shall provide City with event and tourism management services that would include:

1. Administrative support to the City's Tourism Committee – attend meetings; prepare meeting notices, record meeting minutes and communicate with City staff and committee members as necessary;

2. Processing of funding requests – liaison with funding requesters; present information and requests before the City's Tourism Committee and/or City Council, along with requester. Submit invoices to the City for funding of approved events.

3. Creation of a Tourism Plan - Develop and promote a brand for tourism in the City of Pekin; collaborate with stakeholders in the community and Greater Peoria region on all matters of tourism; explore options for additional financial and creative support, and build relationships and partnerships; increase the opportunity for private funding of quality-of-life events to match and supplement city funding.

4. Event Creation & Management – Work with the City Tourism Committee and volunteers to create and have direct oversight of four (4) events sponsored by the City of Pekin during the term of the agreement in Pekin's downtown, riverfront, Central Business District or other suitable area of the community; secure sponsorships to financially support such events; produce and distribute advertising to attract residents and

visitors to special events; and work with private events to cross promote the city's brand.

TERM

The term of this Agreement shall commence June 15, 2022 and end April 30, 2023.

COMPENSATION

Marketing Services. The Chamber would hire a marketing professional and provide the City with up to 910 hours of work during the term at a cost not to exceed $17,500.

Event and Tourism Management Services. City shall provide the Chamber a stipend of $2,500 for each event managed, up to four (4) events, and $2,500 for administratively managing tourism related matters throughout the year, all totaling $12,500 for the term.

RELATED EXPENSES AND ACCESS TO CITY PROPERTY

As funds allow and are approved, the Chamber may request additional Tourism Funds for marketing materials and related expenses that benefit the City. By way of example, such expenses may include but are not limited to advertising, printing and mailing costs, logo design, etc.

FINANCIAL IMPACT:	
Requested Amount:	Up to $30,000
Line Item:	208-208-560500
Budgeted Amount:	$170,000
Remaining Funds:	$170,000
IMPACT IF APPROVED:	City enters into marketing and tourism agreement with Chamber
IMPACT IF DENIED:	City does not enter into marketing and tourism agreement with Chamber
ALTERNATIVES:	N/A
RELATED TO THE 2019-2021 CITY COUNCIL GOALS:	
	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.
REQUIRED SIGNATURES	
Finance Department (Certification of Availability of Funds)**:** Date:	
City Manager:	

Mark A. Rothert

Mark A. Rothert, City Manager 4/5/2022

Mark A. Rothert

Mark A. Rothert, City Manager 4/6/2022

Date:

Resolution No. 407-21/22 Professional Services Agreement with the Pekin Area Chamber of Commerce for Tourism & Marketing Services

WHEREAS, City staff has negotiated an agreement with the Pekin Area Chamber of Commerce for the Chamber to provide marketing and other professional services to the City to develop and implement a tourism plan pursuant to the professional services agreement attached hereto as Exhibit A; and

WHEREAS, the City Council finds it is in the best interest of the City, its residents, and its businesses to enter into a professional services agreement with the Pekin Area Chamber of Commerce for purposes of developing and implementing the City's tourism plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The above recitals are found to be true and correct and are incorporated herein.

Section 2. The Mayor and/or City Manager is authorized to enter into, and the Clerk is directed to attest, a professional services agreement with the Pekin Area Chamber of Commerce in substantially the form set forth in Exhibit A, with such changes as the Mayor or City Manager deems appropriate.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

____________________________, 20_____.

____
MAYOR

ATTEST:

____
CITY CLERK

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (the "Agreement") is made between the City of Pekin, an Illinois municipal corporation located at 111 South Capitol Street, Pekin, IL 61554 (the "City") and the Pekin Area Chamber of Commerce, 501(c)6 tax exempt nonprofit organization, located at 402 Court Street, Pekin, IL 61554 (the "Contractor").

WHEREAS, the City requests Contractor to perform services for it; and

WHEREAS, the City and Contractor desire to enter into an agreement, which will define respective rights and duties as to all services to be performed;

NOW, THEREFORE, in consideration of covenants and agreements contained herein, the parties hereto agree as follows:

1. SCOPE OF SERVICES

a. Marketing Services**.** The Chamber shall provide the City with up to 910 hours (1/2 time employee for 10.5 months) of marketing services that would include, but is not limited to:
   1. Assisting with updates to the City's website;
   2. Managing and updating the City's accounts on social media platforms;
   3. Creating and distributing a monthly newsletter; and
   4. Creating content across all communication platforms regarding city news, projects, programs, events, and issues.
   5. Other marketing related services deemed appropriate by the City Manager.

b. Event and Tourism Management Services**.** The Contactor shall provide City with event and tourism development services. Such event and tourism development services may include but are not limited to the following:

   i. Administrative support to the City's Tourism Committee – attend meetings; prepare meeting notices, record meeting minutes and communicate with City staff and committee members as necessary;

   ii. Processing of funding requests – liaison with funding requesters; present information and requests before the City's Tourism Committee or City Council along with requester. Submit invoices to the City for funding of approved events.

   iii. Creation of a Tourism Plan - Develop and promote a brand for tourism in the City of Pekin; collaborate with stakeholders in the community and Greater Peoria region on all matters of tourism; explore options for additional financial and creative support, and build relationships and partnerships; increase the opportunity for private funding of quality-of-life events to match and supplement city funding.

   iv. Event Creation & Management – Work with city staff, the City Tourism Committee, and volunteers to create and have direct oversight of four (4) events for the City of Pekin during the term of the agreement in Pekin's downtown, riverfront, Central Business District or other suitable area of the community; secure sponsorships to financially support such events; produce and distribute advertising to attract residents and visitors to special events; work with private events to cross promote the city's brand.

2. TERM

a. Term of Agreement. The term of this Agreement shall commence June 15, 2022 and end April 30, 2023, unless otherwise terminated sooner via Section 12 of this Agreement. At any time, the parties may choose to extend this Agreement for any desired time period, upon mutual written agreement.

3. COMPENSATION

a. Marketing Services. Contractor shall provide the City with up to 910 hours of work during the term at a cost not to exceed $17,500.

b. Event and Tourism Management Services. City shall provide the Contractor a stipend of $2,500 for each event managed, up to four (4) events, and $2,500 for managing tourism related matters throughout the year for the City, all totaling $12,500 for the term.

4. RELATED EXPENSES AND ACCESS TO CITY PROPERTY

As funds allow as determined by the City Manager, the Contractor may request additional funds for marketing materials and related expenses that benefit the City. By way of example, such expenses may include but are not limited to advertising, printing and mailing costs, logo design, etc.

5. INVOICE & PAYMENT STRUCTURE

Contractor will invoice the City on a bi-weekly basis for hours worked on marketing or tourism related activities and provide all necessary supporting documentation such as timesheet records. All payments are due to Contractor within 30 days of Contractor's invoice date.

6. CONTRACTOR'S PERSONNEL

Contractor shall employ experienced and knowledgeable employees to perform Services in a timely and effective manner. Contractor shall determine appropriate staffing levels and shall promptly inform the City of any reasonably anticipated or known employment-related actions which may affect the performance of Services.

7. CHANGES

a. Change Orders. The City, without invalidating this Agreement, may order changes in the work within the general scope of the Agreement consisting of additions, deletions, or other revisions.

b. Change Order Requirements. All change orders shall be a written order signed by the City and shall specify:

i. the elements of the Services to be changed, and

ii. the impact, if any, that the requested change will have on (A) the compensation, (B) time for performance or (C) any other terms or conditions of this Agreement.

c. Adjustments to Compensation. In the event that any such changes materially impact the cost to the Contractor of performing the Services or the time required for such performance, the parties shall negotiate in good faith a reasonable and equitable adjustment in the fees and schedule, as applicable.

8. INDEPENDENT CONTRACTOR STATUS

a. Status. Contractor is an independent contractor of City. Nothing contained in this Agreement shall be construed to create the relationship of employer and employee, principal and agent, partnership or joint venture, or any other fiduciary relationship.

b. No Authority. Contractor shall have no authority to act as agent for, or on behalf of, City, or to represent City, or bind City in any manner.

9. REPRESENTATIONS AND WARRANTIES

The City and the Contractor respectively represents and warrants to each other that each respectively is fully authorized and empowered to enter into the Agreement and that their entering into the Agreement and to each parties' knowledge the performance of their respective obligations under the Agreement will not violate any agreement between the City or the Contractor respectively and any other person, firm or organization or any law or governmental regulation.

10. CONFIDENTIAL INFORMATION

Contractor and its employees shall not, during the time of rendering services to the City or thereafter, disclose to anyone other than authorized employees of the City (or persons designated by such duly authorized employees of the City) or use for the benefit of Contractor and its employees or for any entity other than the City, any information of a confidential nature, including but not limited to, information relating to: any such materials or intellectual property; any of the City projects or programs; the technical, commercial or any other affairs of the City; or, any confidential information which the City has received from a third party.

11. INTELLECTUAL PROPERTY

a. Work Product & Ownership. During the course of performing its services, Contractor and its directors, officers, employees, or other representatives may, independently or in conjunction with City, develop information, produce work product, or achieve other results for City in connection with the services it performs for City. Contractor agrees that such information, work product, and other results, systems and information developed by Contractor and/ or City in connection with such services (hereinafter referred to collectively as the "Work Product") shall, to the extent by law, be a "work made for hire" within the definition of Section 101 of the Copyright Act (17 U.S. C. 101), and shall remain the sole and exclusive property of City.

b. Assignment of Interest. To the extent any Work Product is not deemed to be a work made for hire within the definition of the Copyright Act, Contractor with effect from creation of any and all Work Product, hereby assigns, and agrees to assign, to City all right, title and interest in and to such Work Product, including but not limited to copyright, all rights subsumed thereunder, and all other intellectual property rights, including all extensions and renewals thereof.

c. Moral Rights. Contractor also agrees to waive any and all moral rights relating to the Work Product, including but not limited to, any and all rights of identification of authorship and any and all rights of approval, restriction or limitation on use, and subsequent modifications.

d. Assistance. Contractor further agrees to provide all assistance reasonably requested by City, both during and subsequent to the Term of this Agreement, in the establishment, preservation and enforcement of City's rights in the Work Product.

12. TERMINATION

a. Notice of Termination. This Agreement may be terminated by either the City or the Contractor at any time for any reason, with or without cause, by giving fourteen (14) days from written notice of termination. The City may terminate this agreement immediately upon written notice in the event Contractor engages in gross or willful misconduct which causes material damage to the City.

b. Payment Upon Termination. The City will pay Contractor for all Services performed by Contractor through the date of termination.

13. INDEMNIFICATION

To the fullest extent permitted by law, Contractor shall defend, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City, from and against any and all third-party claims, demands, suits, costs (including reasonable legal costs), expenses, and liabilities ("Claims") alleging personal injury, including bodily injury or death, and/or property damage, but only to the extent that any such Claims are caused by the negligence of or material breach of any obligation under this Agreement by Contractor or any officer, employee, representative, or agent of Contractor. Contractor shall have no obligations under this Section to the extent that any Claim arises as a result of Contractor's compliance with local, state or federal laws, ordinances, rules, regulations, resolution, executive orders or other instructions received from the City.

To the fullest extent permitted by law and without waiver of sovereign or statutory immunity, the City shall defend, indemnify, and hold harmless Contractor, its officers, employees, representatives, and agents, from and against any and all Claims alleging personal injury, including bodily injury or death, and/or property damage, but only to the extent that such Claims are caused by (a) the negligence of, or material breach of any obligation under this Agreement by, the City or any officer, employee, representative, or agent of Municipality or (b) Contractor's compliance with local, state, or federal laws, ordinances, rules, regulations, resolutions, executive orders or other instructions received from the City. If either Party becomes aware of any incident likely to give rise to a Claim under the above indemnities, it shall notify the other and both Parties shall cooperate fully in investigating the incident.

14. INSURANCE

Contractor shall procure and maintain and shall cause any subcontractor of Contractor to procure and maintain, the following minimum insurance coverage listed below throughout the term of this Agreement:

> Commercial general liability insurance with minimum combined single limits of one million dollars ($1,000,000) each occurrence and two million dollars ($2,000,000) general aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, and independent Contractors. The policy shall contain a severability of interest provision and shall be endorsed to include the City and the City's officers, employees, and Contractors as additional insureds.

Prior to commencement of Services, Contractor shall submit certificates of insurance acceptable to the City.

15. DISCRIMINATION & ADA COMPLIANCE

Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, disability, national origin or any other category protected by applicable federal or state law. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices required by any state or federal agency, setting forth the provisions of state or federal Equal Opportunity laws. Contractor shall comply with the appropriate provisions of the Americans with Disabilities Act (the "ADA"), as enacted and as from time to time amended, and any other applicable federal regulations. A signed certificate confirming compliance with the ADA may be requested by Municipality at any time during the term of this Agreement.

16. GENERAL PROVISIONS

a. <u>Entire Agreement</u>. This Agreement constitutes the entire agreement between the parties, and supersedes all prior agreements, representations and understandings of the parties, written or oral.

b. <u>Counterparts</u>. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

c. Amendment. This Agreement may be amended only by written agreement of the parties.

d. Notices. All notices permitted or required under this Agreement shall be in writing and shall be delivered in person or mailed by first class, registered or certified mail, postage prepaid, to the address of the party specified in this Agreement or such other address as either party may specify in writing. Such notice shall be deemed to have been given upon receipt.

e. Assignment. This Agreement shall not be assigned by either party without the consent of the other party.

f. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to its conflict of laws rules.

g. No Waiver of Rights. A failure or delay in exercising any right, power or privilege in respect of this Agreement will not be presumed to operate as a waiver, and a single or partial exercise of any right, power or privilege will not be presumed to preclude any subsequent or further exercise, of that right, power or privilege or the exercise of any other right, power or privilege.

h. Notice. Any notice under this Agreement shall be in writing and shall be deemed sufficient when presented in person, or deposited for mailing, pre-paid, first class United States Mail, or sent by electronic mail to the following addresses:

If to Municipality:
Mark Rothert, City Manager
City of Pekin
111 South Capitol Street
Pekin, Illinois 61554

If to Contractor:
Amy McCoy, Executive Director
Pekin Area Chamber of Commerce
402 Court Street
Pekin, Illinois 615554

i. Force Majeure. Any delay or nonperformance of any provision of this Agreement by either Party (with the exception of payment obligations) which is caused by events beyond the reasonable control of such party, shall not constitute a breach of this Agreement, and the time for performance of such provision, if any, shall be deemed to be extended for a period equal to the duration of the conditions preventing such performance.

j. Dispute Resolution. In the event a dispute arises out of or relates to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, Parties agree first to try in good faith to settle the dispute by mediation, before resorting to arbitration, litigation, or some other dispute resolution procedure. The cost thereof shall be borne equally by each Party.

[Signature Page to Follow]

IN WITNESS WHEREOF, the City and the Contractor have each executed and delivered this Agreement as of the Effective Date.

CITY OF PEKIN, ILLINOIS	**PEKIN AREA CHAMBER OF COMMERCE**
By:______________________________	By:______________________________
Mark A. Luft, Mayor	Baylee Gambetti, Board President
Attest:___________________________	By:______________________________
Sue McMillan, City Clerk	Amy Whiting-McCoy, Executive Director

REQUEST FOR COUNCIL ACTION

Agenda Date:	**April 11, 2022**
To:	**Council Members**
From:	**Justin Reeise, Public Works Director**

AGENDA ITEM:	Ordinance No. 3069-21/22 Amending Wastewater Charges in Section 3-2-4-2 of the City Code
ACTION REQUESTED:	Approve and Adopt the Ordinance.

DESCRIPTION:

Currently Section 3-2-4-2(e) of the City Code establishes a volumetric wastewater rate of $7.66 per 1,000 gallons of metered water consumption for the use of and for service supplied by the wastewater facilities of the City of Pekin. This volumetric rate has remained unchanged since 2018 and with pending capital improvement project needing funding, a rate increase is being recommended. The attached ordinance amends the volumetric rate to $9.90 per 1,000 gallons of metered water consumption.

The ordinance also establishes an annual rate adjustment based on the Consumer Price Index-All Urban Areas (CPI-U). This annual adjustment will be calculated based on the percentage change when comparing the February CPI-U for the current year to the February CPI-U for the previous year. The maximum annual adjustment will be limited to the calculated CPI rate change or 3%, whichever is lowest, with the minimum increase being set at 0% in instances of negative CPI changes.

The attached ordinance amends the Code with this new volumetric rate, starting May 1, 2022 with the annual adjustment to be effective annually each May 1st after.

Staff recommends approval.

FINANCIAL IMPACT: A rate increase is projected to produce approximately $1.9 million in additional revenue that will be utilized to address capital improvement and maintenance needs of the sewer and storm sewer systems of the City.

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED:	Volumetric rate is increased
IMPACT IF DENIED:	Volumetric rate is not increased
ALTERNATIVES:	N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.

	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness
	Police & Fire Pension Obligation. To meet the 90% funding level by the year 2040 it is essential the City plan carefully and maintain financial discipline to meet its $63 million dollar obligation.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES
Finance Department (Certification of Availability of Funds)**:** Date:
City Manager: Mark A. Rothert Mark A. Rothert, City Manager 4/7/2022 Date:

Ordinance No. 3069-21/22 Amending Wastewater Charges in Section 3-2-4-2 of the City Code

WHEREAS, Section 3-2-4-1(e) of the Pekin City Code establishes the volumetric rate for the use of and the for service supplied by the wastewater facilities; and

WHEREAS, the volumetric rate is currently established at $7.66 per 1,000 gallons of metered water consumption; and

WHEREAS, due to the ongoing need for capital improvements in both sewer and storm sewer systems of the City, the City Council finds it necessary and appropriate to amend the volumetric rate to $9.90 per 1,000 gallons of metered water consumption; and

WHEREAS, the City Council finds it is also necessary and appropriate to include an annual rate adjustment based on the Consumer Price Index-All Urban Areas (CPI-U). This annual adjustment will be calculated based on the percentage change when comparing the February CPI-U for the current year to the February CPI-U for the previous year.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. The recitals set forth above are found to be true and correct and are adopted herein.

Section 2. Chapter 3, Article II, Division 4, Section 2(e) of the City of Pekin, Illinois, Municipal Code is hereby amended as follows (additions indicated by underline, deletions by ~~strikethrough~~):

(e) *Volumetric rate*. There shall be and there is hereby established a volumetric rate for the use of and for service supplied by the wastewater facilities of the City. A volumetric rate of ~~$7.66 for~~$9.90 per 1,000 gallons of metered water consumption shall be applied to all users of the wastewater facilities of the City ~~May 1, 2018~~. On May 1st of each year, commencing May 1, 2023, the volumetric rate shall be adjusted by the lower of (i) the percentage change between the February CPI-U for the current year and the February CPI-U for the previous year or (ii) 3%; provided, however, that in the event of a negative CPI-U change, the rate adjustment shall be 0%.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect on May 1, 2022.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this ______ day of

____________________________, 20_____.

____
MAYOR

ATTEST:

____
CITY CLERK