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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 APRIL 8, 2019 AT 5:30 O'CLOCK P.M.
JOHN MCCABE * CHAIR * PRESIDING

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## PLEDGE OF ALLEGIANCE

Mayor McCabe recognized the German students from Pekin High School. He asked them to lead the Pledge of Allegiance. Mr. Dan Holzer, German teacher at the high school, announced that the students are members of the GAP program from Southwestern Germany.

Deputy City Clerk, Nicole Stewart confirmed that all Council Members were logged in and present except for Council Member Luft. Mayor McCabe declared a quorum was present for the meeting.

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| James A Schramm | Council Member | Present | 5:26 PM |
| Michael Garrison | Councilman | Present | 4:32 PM |
| Lloyd Orrick | Mayor Pro-Tem | Present | 4:30 PM |
| John P Abel | Council Member | Present | 4:32 PM |
| Michael Ritchason | Council Member | Present | 5:27 PM |
| Mark Luft | Council Member | Absent | |
| John McCabe | Mayor | Present | 4:30 PM |

## APPROVE AGENDA

**3.1.** Motion to: **Approve agenda**

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | John P Abel, Council Member |
| **SECONDER:** | Lloyd Orrick, Mayor Pro-Tem |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

## APPROVAL OF MINUTES

**4.1.** Motion to: **Approval of Minutes**

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**4.2.** **City Council - Regular Meeting - Mar 25, 2019 5:30 PM**

**4.3.** **City Council - Work Session - Mar 25, 2019 6:30 PM**

## PUBLIC INPUT

Dave Nutter approached Council with questions regarding the Treasurer securing a bond. He also inquired about the rewording of the MFT tax and its funding account and asked for an explanation of the enterprise fund. Lastly Mr. Nutter commented on allocating money for projects when the budget has not been approved.

## CONSENT AGENDA

**6.1. Accounts Payable Check Run April 5, 2019**

**6.2. Receive and File 2 proposals in response to RFP Physical Access Control Upgrade**

**6.3. Receive and File Proposals for Geographic Information System (GIS) Services to Provide Technical Support and Maintenance for the City's GIS Network**

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

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

## COMMUNICATIONS, PETITIONS, REPORTS

**7.1. Public Hearing Relative to the Fiscal Year May 1, 2019 Through April 30, 2020 Budget**

Mayor McCabe declared the open of the Budget hearing at 5:40 PM.

Dave Nutter approached the podium and stated that this budget is the best he's seen prepared. He noted that the allocation process does not add up and he knows multiple line items need to be corrected. He inquired if the resolution was passed if the budget would be changed. Mr. Nutter also made other line item comments regarding the budget.

Mayor McCabe declared the public hearing closed at 5:44 PM.

Council Member Orrick asked City Manager, Mr. Mark Rothert, if all departments has signed off with regards to the budget. Mr. Rothert explained that they have not physically signed off.

Council Member Orrick asked Council for their opinion on removing the dumpsters at the riverfront and using that money to help clean up the City. Mayor McCabe announced that a discussion on the issue will come back to Council in two weeks. Council Member Garrison, Abel, and Schramm all agree to remove the dumpsters.

**7.2. Presentation of Funding Options for Capital Improvements and Other Unfunded Obligations**

City Manager, Mr. Mark Rothert, presented a power point presentation regarding funding options. He discussed how to address the City's infrastructure needs and unfunded pension obligations. He discussed existing revenue sources and creating a utility tax as a designated funding source. Mr. Rothert presented amortization schedules and provided handouts to Council.

Mayor McCabe mentioned that other communities taking these steps and Bloomington increasing their gas tax by 4 cents now making it 8 cents.

Mr. Rothert expressed that this was something Council needs to decide and asked if there is a desire to have a meeting with the public or at the library.

Council Member Orrick stated that the City competes with Morton and Washington for residents, but will people move here. He would like to hear from the public.

Mr. Rothert explained that it would take a half year to develop half the money, the impact would build over the years. Large employers are considering the tax but only a few have gotten back to him.

Council Members agreed that there should be a public meeting.

## NEW BUSINESS

**8.1. Update to Local Motor Fuel Tax (Local Gas Tax) Ordinance**

City Manager, Mr. Mark Rothert, presented the item. He explained that the proposed amendment changes the name to distinguish from funds the City received from the State and to clarify where the local MFT funds are deposited.

Council Members discussed a 4 cent gallon increase, and using that money strictly for roads.

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| **RESULT:** | **ADOPTED [5 TO 1]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Garrison, Abel, Ritchason, McCabe |
| **NAYS:** | Lloyd Orrick |
| **ABSENT:** | Mark Luft |

**8.2. Ordinance No. 2824-18/19 An Ordinance Discontinuing the Office of Treasurer and Transferring the Duties of the Treasurer to the City Finance Director Amending the Code Title 1, Chapter 6B and Title 1, Chapter 8A**

City Manager, Mr. Mark Rothert, presented the item. Mr. Rothert explained that the monies left in the treasurer budget needs to be separated out. City Attorney, Ms. Swise, has advised that a bond is required of the finance director so it extends to the Treasurer if it’s the same employee.

Council Member Orrick inquired as to how many hours the Treasurer would work. Finance Director, Mr. Bruce Marston, explained that there are a number of responsibilities that are weekly, monthly and annual, depending on the time of year. He would need to dedicate at least 10-15 hours per week. Council Member Orrick confirmed that if something were to show up wrong it would be caught in the audit.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | Michael Garrison, Councilman |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.3. Ordinance No. 2826-18/19 Enterprise Fund Transfer Policy**

City Manager, Mr. Mark Rothert, presented the item. The Ordinance establishes an enterprise fund transfer policy that shall guide transfers between such funds. Annually, the City shall determine the maximum annual transfer amount from the Enterprise Funds to the General Fund based upon an allocation methodology, the components of which consist of one or all of the following (as further described in the policy): (1) Cost of Service; (2) Operational Franchise Fee Equivalent; (3) Street Maintenance Impact Fee; or (4) Transfers for Capital Expenditures. He added that if enterprise funds were privately owned, we would charge a franchise fee like we charge the telephone company or internet service provider. All charges on the enterprise fund would come back to the City Manager for approval.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Ritchason, Council Member |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.4. Ordinance No. 2821-18/19 An Ordinance Amending Title 4, Chapter 4 of the Code of the City of Pekin To Include City Storm Sewers in the City Sewer System**

City Manager, Mr. Mark Rothert, The ordinance moves the storm sewer fund to the Sewer Fund to allow the City to plan for and implement a unified approach to sewer and storm water management that meets constituent concerns and any state and federal requirements.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Ritchason, Council Member |
| **SECONDER:** | Lloyd Orrick, Mayor Pro-Tem |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.5. Amendment to 2018 IDOT Maintenance Rates**

City Engineer, Mr. Michael Guerra, presented the item. He reminded Council that the item has been tabled back in February. Mr. Guerra explained that this is a notification from Illinois Department of Transportation originally Received and Filed February 25, 2019 for an adjustment to the compensation the City of Pekin received for the maintenance of State highways located in the City. Previously the City was compensated at quarterly rates of $25,736.35 for a yearly total of $103,053.40 for maintaining Court Street (IL9) and IL 29. However with the jurisdictional transfer of IL 9 from Court Street to VFW, the compensation has been reduced to include only portions of IL 29 through the City. The compensation therefore has been reduced to a quarterly rate of $10,984.14 for a yearly total of $43,936.56.

Council Member Orrick spoke against the item. Mr. Guerra added that any structural improvement is the function of the State to repair, the City would be doing the surface maintenance.

The Council continued the discussion on which repairs regarding Court Street was the State's responsibility or the City's.

Mr. Guerra explained that if we remove ourselves from the agreement we are still going to be responsible so we would be receiving some compensation as opposed to none.

The Council discussed that 13.9 miles would become the State's responsibility for removing snow.

Mayor McCabe clarified that if Council votes in favor operations would stay as they presently and the City would continue the operational agreement with IDOT.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | James A Schramm, Council Member |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Garrison, Abel, Ritchason, McCabe |
| **NAYS:** | Lloyd Orrick |
| **ABSENT:** | Mark Luft |

**8.6. Resolution No. 147-18/19 A resolution for the City to provide a $10,000 sponsorship in support of the 2019 Ledgestone Insurance Disc Golf Open**

City Manager, Mr. Mark Rothert, presented the item. He explained that the Ledgestone Insurance Open is a disc golf event that takes place annually and will be held in June this year. Event organizers are requesting funding assistance from the City of Pekin in the amount of $10,000 from the City's tourism fund. The event attracts players from almost every state and six different countries. Tournament players use 6 courses in Central Illinois, with two of the showcase courses being in Pekin. Professional players will play four rounds over four days of competition, while amateur players will play three rounds over three days of competition. Mr. Rothert continued to explain that this year's event will have the ability to host more than 1000 players, with more than 90% of those players traveling from more than 2 hours away. The 2015 event had more than 1000 booked hotel room nights, while the 2016 and 2017 events had nearly 1500 booked hotel room nights. 2018 had record attendance, and we saw similar bookings in 2018. Event organizers estimate that about 10% of registrants stayed in a Pekin hotel last year. Based on the number of bookings we expect over 1600 booked hotel room nights in the area. The Peoria Area Convention and Visitor's Bureau estimates the economic impact of this event is over $1,000,000. Between

30% and 40% of their activities take place in Pekin.

Mayor McCabe explained that the request is a sponsorship and not a grant.

Council Member Abel spoke in favor of the item.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | James A Schramm, Council Member |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Orrick, Abel, Ritchason, McCabe |
| **NAYS:** | Michael Garrison |
| **ABSENT:** | Mark Luft |

**8.7. Resolution No. 148-18/19 A resolution for the City to provide a $5,000 sponsorship in support of the 2019 Ledgestone Insurance PDGA Pro World Championships**

City Manager, Mr. Mark Rothert, presented the item. Mr. Rothert explained that this is the 37th World Championship and the first time that the Pro World Championships will be held in Illinois. Ledgestone is asking for a $5,000 grant to help cover costs associated with the 2019 PDGA Pro World Championship, which also has Infinite Discs as the title sponsor. Ledgestone will have production companies from California, Texas, Wisconsin, Minnesota, etc. and every round at Sunset will have live coverage from SmashboxxTV. The women's finale will take place at Sunset Hills on August 17th, and the World Champion will be crowned there. Room blocks for this event have already been setup at the Holiday Inn and the Motel 6. There will be 300 players, over 5,000 spectators and millions of event views and impressions across their social media platforms. Expected to attend are players from 15 countries and nearly every US state.

Council Member Orrick confirmed that the motel/hotel tax has money to cover these using next fiscal years' budget. Mr. Rothert explained that this item is contingent on next years' budget being approved.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | John P Abel, Council Member |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Orrick, Abel, Ritchason, McCabe |
| **NAYS:** | Michael Garrison |
| **ABSENT:** | Mark Luft |

**8.8. Peoria Area Convention and Visitors Bureau Annual Membership Dues**

City Manager, Mark Rothert presented the item. The Peoria Area Convention and Visitors Bureau works hand in hand with communities in its eight county service area to create economic growth through sales and marketing efforts to bring more sporting events, meetings, conventions and leisure tourists to our area. They are requesting membership dues in the amount of $25,000.

Council Member Orrick pointed out that the PACV would help the Avanti's Dome with their continuation.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | John P Abel, Council Member |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Orrick, Abel, Ritchason, McCabe |
| **NAYS:** | Michael Garrison |
| **ABSENT:** | Mark Luft |

**8.9. Physical Access Control Upgrade Proposal Award**

City Manager, Mark Rothert, presented the item. Mr. Rothert explained that the staff pick is SEICO. They would replace all of the door access at City Hall with updated technology. Mr. Rothert continued to explain that what the City currently has in place is out dated and is in need of replacement. There exists a lot of important data, particularly in the police department. Proposals came in at $55K, but we are asking not to exceed the amount of $60K.

Mayor McCabe inquired about the contract stating that the City Manager would sign and normally it is the Mayor who signs all contracts. Mr. Rothert referred to legal counsel. City Attorney, Katherine Swise, explained that the Council can direct who signs the contract.

Council Member Orrick questioned if the cost was in this budget year. Mr. Rothert confirmed it was. Council Member Orrick also discussed the TIF and public property breakdown by percentage.

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| **RESULT:** | **APPROVED [5 TO 1]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Orrick, Abel, Ritchason, McCabe |
| **NAYS:** | Michael Garrison |
| **ABSENT:** | Mark Luft |

**8.10. Amendment to the Engineering Agreement with Farnsworth Group, Inc. for Long Term Control Plan Phase 3 and 4**

City Engineer, Michael Guerra, presented the item. Mr. Guerra explained that this was an amendment to adjust the agreement with Farnsworth group and introduced Pat Sheridan from Farnsworth to speak.

Pat Sheridan approached the podium and explained that in Phase 2 portion the bulk of the upgrades were completed. He continued to give background on the wastewater infrastructure and overflow. Mr. Sheridan explained the frustration the company had with the railroad and pointed out that Mr. Guerra was patient and after two years got an easement. So now there is just one piece remaining on State Street. A pump station would be added with a 30 inch pipe that would remove much more water out of that spot. If the river comes up it back up will be through a much bigger pipe. The Court Street pipe would be removed and the overflow would be combined to Caroline.

Mr. Guerra added that the original plan was broken out over 4 phases. Permits have expired and they are having to re-step through this process and has increased the overall engineering agreement by $9K.

Council Member Garrison inquired about phase 3 and phase 4 being held up by the railroad and the cost increase due to that. Mr. Sheridan responded that the market is competitive and also consider inflation, and putting a lot on the contractor added $600K to the contract.

Council Member Orrick questioned the best case timeline of when construction would start. Mr. Sheridan explained that the paperwork could probably be finalized by the end of the month and then there would be a wait on the EPA to get authorization. They could bid in June for 45 days, then 90 days once it gets to the agency and they would be in the ground in November if the street project happens at the same time Front Street.

Mr. Guerra added that the goal is to get this completed and phase the two projects together to coordinate shut downs so that there is minimal impact on businesses.

Mr. Sheridan corrected himself and clarified that they want the sewer project to go fast first and they do not want to get behind Front Street.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.11. Ordinance No. 2825-18/19 Authorizing Loan Agreement for the Long Term Control Plan Phase 3 & 4**

City Manager, Mark Rothert, introduced the item. Mr. Rothert explained that the loan would increase the City's capacity to do these projects.

Mr. Guerra added that this would increase the loan cap authorization. Originally had passed Ordinance 2701 - 14/15 over $3M dollar gap. We are seeking a loan up to $17M to provide a buffer if bids don't come back. Mr. Guerra explained that the City is trying to get their ducks in a row due to the IEPA having low staff.

Mr. Sheridan from Farnsworth, added that the loan authorizing this ordinance is not an intent to spend money. The goal is to get out fast and keep the cost down, the ordinance is one of the major items needed for the loan application.

Mr. Guerra added that bidding is pretty competitive and hopefully comes in lower.

Mr. Sheridan added that the $600K was for contingency and everything else is inflation. The estimate was not redone, they just updated the numbers.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Garrison, Councilman |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.12. Ordinance No. 2823-18/19 An Ordinance Amending Title 3, Chapter 3, Section 4, Subsection 4V. of the Code of the City of Pekin Regarding Restrictions on Issuance of License**

Mayor McCabe introduced the item. The Mayor explained that the Liquor Commission pointed out that the code needed some clarification and cleaning up to prevent places like Ace Hardware coming in and applying for a liquor license.

City Attorney, Katherine Swise, explained that when the code was amended it eliminated the requirement that grocery stores have a separate area. Section V prohibits the sale of alcohol, etc. In order to clarify who is excluded under Section B it is rewritten eliminating the requirement that sale of alcoholic liquor on premises be physically separated from other portions of premises that sells produce, grocery, meat or drug products. When previously passed the ordinance had the unintended result of eliminating grocery stores from eligibility in 3-3-4-4 where grocery stores primary purpose is the sale of products not related to the sale of liquor.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | John P Abel, Council Member |
| **SECONDER:** | Michael Garrison, Councilman |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.13. Ordinance No. 2822-18/19 An Ordinance Amending Title 3, Chapter 3 of the Code of the City of Pekin With Regard to Voting Power of Local Liquor Commissioner**

Mayor McCabe presented the item. The Mayor explained that the liquor commission has been looking at this for some time. The code describes members, consisting of 6 people, but never had a real good clarification on who is actually voting. The Liquor Commission is an advisory board to the Liquor Commissioner and City Council. They have decided that the Deputy Liquor Commissioner would be the fifth voting member and the Liquor Commissioner would only vote in the Deputy Liquor Commissioners absence.

City Attorney, Katherine Swise, added that the ordinance does clarify the quorum.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Ritchason, Council Member |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.14.** Motion to: **Motion to Move to Exec Session**
A motion was made by Council Member Ritchason and seconded by Council Member Abel to move into Executive Session for the purpose of real estate and pending litigation.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | Michael Ritchason, Council Member |
| **SECONDER:** | John P Abel, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

**8.15. Ordinance No. 2820-18/19 Purchase of Right-Of-Way and Settlement of Claims**
A motion was made by Council Member Schramm and seconded by Council Member Ritchason to adopt the ordinance.

City Manager, Mark Rothert, advised to Council that there was a need to go into executive session before voting on the item.

A motion was made by Council Member Schramm to withdraw the motion to adopt the ordinance, seconded by Council Member Ritchason. The motion was withdrawn.

The Council returned to open session at 8:07 PM.

A motion was made by Council Member Schramm and seconded by Council Member Ritchason to adopt the ordinance.

City Manager, Mark Rothert, explained that this was the purchase of 17 square feet for $300 to settle a lawsuit with the City.

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| **RESULT:** | **ADOPTED [UNANIMOUS]** |
| **MOVER:** | James A Schramm, Council Member |
| **SECONDER:** | Michael Ritchason, Council Member |
| **AYES:** | Schramm, Garrison, Orrick, Abel, Ritchason, McCabe |
| **ABSENT:** | Mark Luft |

## ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Glenn Johnson addressed the Council regarding his attendance to the Potawatomi Trail Races as a spectator. He explained that it was the 20th outing at McNaughton Park. A lot of people attended for many days and hotels were used in town. He wanted to compliment the

Park District and The City. Mr. Johnson added that they could use a lot more participants but are limited on parking. He just wanted to say thanks for 20 years.

Mayor McCabe added that we already appreciate the work done by the Park District, they are one of the best in the state.

Rick Hilst approached Council regarding item 8.9 for the security doors. He questioned why the airport was not included. Mr. Hilst also questioned why we are not charging private company garbage companies fees.

Charity Gullett commended Mr. Rothert on the presentation for capital improvements. She suggested that Council offer a solution in lieu of the one being presented to guide the public with solutions to problems.

Airport Manager, Todd Dugan, responded to Mr. Hilsts' question and responded that the airport is different, the terminal has 24 hour access. There is however a SEIKO camera system and 24/7 access for pilots.

Mr. Rothert added that the franchise fee is an area to focus on how to implement fairly across the board. Council Member Orrick stated that his understanding is that the franchise has exclusive rights. Mr. Rothert added that it will have to be looked into.

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

## ADJOURN

No further action to come before Council. A motion was made by Council Member Ritchason to adjourn, seconded by Council Member Abel. Mayor McCabe adjourned the meeting at 8:16 PM.