CITY OF Pekin ILLINOIS

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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 23, 2020 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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PLEDGE OF ALLEGIANCE

Due to the Governor's Executive Order regarding COVID-19 and the relaxing of the Open Meeting Act requirements, this meeting was held remotely via Zoom Meetings without an in-person meeting location for the public to attend. Therefore, the provisions of the City Code regarding electronic attendance did not apply.

Mayor Luft announced that the Council was practicing social distancing and complying with the 10 person limit due to COVID-19 and the Governor's Executive Order.

The Pledge of Allegiance was led by Mayor Mark Luft. The Clerk confirmed all members of the Council were present via remote electronic attendance by roll call vote. Mayor Luft was physically present.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Remote	5:30 PM
Rick Hilst	Councilman	Remote	5:30 PM
Karen Hohimer	Councilwoman	Remote	5:30 PM
Dave Nutter	Councilman	Remote	5:30 PM
Lloyd Orrick	Mayor Pro-Tem	Remote	5:30 PM
John P Abel	Councilman	Remote	5:30 PM
Mark Luft	Mayor	Present	4:06 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

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

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

4.2. **City Council - Special Meeting - Mar 16, 2020 5:00 PM**

4.3. **City Council - Work Session - Mar 9, 2020 6:30 PM**

4.4. **City Council - Regular Meeting - Mar 9, 2020 5:30 PM**

PUBLIC INPUT

No public input was given.

CONSENT AGENDA

6.1. Accounts Payable to be Paid Proof List thru 03-20-20

6.2. General Fund Revenue vs Expense Pd 9 January FY20 and Non General Fund Revenue vs Expense Pd 9 January FY20

6.3. Police Department Monthly Stats - February 2020

6.4. February 2020 Building Report

6.5. February 6, 2020 Minutes of the Pekin Plan Commission

Motion to: **Approve Consent Agenda**

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

NEW BUSINESS

7.1. Ordinance No. 2876-19/20 An Ordinance Renewing Declaration of Local Emergency Within The City of Pekin in Response to the COVID-19 Pandemic and Granting Emergency Powers to the Mayor and City Manager

City Manager, Mr. Mark Rothert, announced to Council that in light of current developments related to the COVID-19 outbreak, the City Council adopted emergency powers for the Mayor and the City Manager pursuant to Ordinance No. 2874-19/20 on March 16, 2020. On March 18, 2020, the Mayor declared a Local State of Emergency, pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6), Section 11 of the Illinois Emergency Management Agency Act (20 ILCS 3305/11), and Section 1-5A-3 of the City Code. Mr. Rothert explained that the action before the City Council is for the City Council, as a whole, to declare a Local State of Emergency and to extend that Local State of Emergency until the next meeting of a quorum of the City Council, at which time it may be continued or extended by further actions of the City Council.

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

7.2. Resolution No. 73-19/20 Resolution Adopting the Employee Handbook Revision 2020 of the City of Pekin

A motion was made by Councilmember Orrick, seconded by Councimember Garrison to postpone agenda item 7.3 Resolution 73-19/20 adopting the Employee Handbook revision 2020 of the City of Pekin.

On roll call vote, all present voted Aye. Motion adopted.

RESULT:	**POSTPONED [UNANIMOUS]** **Next: 4/13/2020 5:30 PM**
MOVER:	Lloyd Orrick, Mayor Pro-Tem
SECONDER:	Michael Garrison, Councilman
AYES:	Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft

7.3. Resolution No. 70-19/20 Approving Professional Services Agreement with Azavar Government Solutions Regarding the Audit of City's Revenues

City Manager, Mr. Mark Rothert, presented to Council agenda item 7.3 Resolution No. 70 -19/20 approving a professional service agreement with Azavar Government Solutions regarding the audit of City Revenues. Mr. Rothert reminded Council that last month the Council passed a resolution authorizing the city to enter into negotiations with Azavar. That agreement has been developed to enter into a professional services agreement that includes the review of numerous taxes. Mr. Rothert recommended approval to begin process.

Council discussed specifics of the contract with the City Manager.

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

7.4. Resolution No. 69-19/20 Intervene in PTAB Board of Review Kroger Limited Partnership

City Manager, Mr. Mark Rothert, requested Council approve and adopt Resolution No. 69-19/20 to authorize the City Attorney to obtain an appraisal for the Kroger Limited Partnership property and petition for leave to intervene in the complaint filed with the Tazewell Board of Review for the purpose of challenging the assessed value of the owner of PIN 04-04-35-456-004. Mr. Rothert explained that the resolution
is in the best interests of the City to intervene in the proceedings currently pending before the Illinois Property Tax Appeal Board.

City Attorney, Ms. Katherine Swise, added that the firm represents all three taxing bodies, the City and the two school districts.

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

7.5. Resolution No. 72-19/20 Bid Award Midwest Transit Equipment for 10 Handicapped Leased School Buses

Fleet Manager, Mr. Dan Jost, requested Council approve and adopt Resolution No. 72-19/20 to award a bid for 10 handicapped leased school buses to Midwest Transit Equipment for 5 years and to authorize the Mayor to enter into a lease agreement. Mr. Jost described the specs of each of the busses and status of each bus.

City Manager, Mr. Mark Rothert, added that an alternative option of a 3 year agreement is available. Mr. Rothert described the cost difference and clarified that only one bid was received.

Council discussed the City not possessing a rider. School districts are very happy with the City's service. The contract aligns with the school district contract.

Mr. Rothert pointed out that with the Coronavirus pandemic, there is a risk if school is no longer in session and therefore no need for bussing.

Mr. Jost explained that we do not have a lot of time for to the busses fitted before they are delivered and suggests not waiting too long.

Ms. Swise voiced that she will proceed with negotiating a rider and a force majeure clause in the contract. Ms. Swise explained that a force majeure clause is a standard contract provision and excludes parties of uncontrollable circumstances such as war, acts of God, things that make it impossible to move forward as written.

Mr. Jost added that the contract itself is not between the City and Midwest Transit, it is actually through the bank.

Council continued discussion of switching out the buses.

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

7.6. Agreement with Hanson Professional Services for Assistance for Acquisition of Right of Way on Allentown Roadway

City Engineer, Mr. Michael Guerra, requested Council approve an agreement with Hanson Professional Services for assistance for acquisition of right of way on Allentown Roadway. Mr. Guerra explained that agreement is to negotiate the purchase of right of way needed for the Allentown Roadway improvements. Mr. Guerra added that the City staff has tried to purchase the necessary property needed for the past several to improve the curve to make it a safer roadway. Due to stalled negotiations, locating owners, and other City priorities, City staff has not been able to complete the purchase of ROW needed for this project. If the Council wishes not to approve this agreement, it would be recommend to cancel this project and forfeit the funding the City received for this project. IDOT would like to see the project be completed.

Council discussed the numerous near fatal accidents and injuries that have occurred in this location. The road extends a bit in Elk Grove Township but the project will not change the jurisdiction of the road.

City Manager, Mr. Mark Rothert, requested that Council give staff further direction or to give the funds back to IDOT and giving up on a half a million dollar road project.

Council directed the City Manager and staff to move forward with the implementation of the grant.

RESULT:	**FAILED [2 TO 5]**
MOVER:	Michael Garrison, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Michael Garrison, Lloyd Orrick
NAYS:	Hilst, Hohimer, Nutter, Abel, Luft

7.7. Resolution No. 71-19/20 Peoria/Pekin Urbanized Area Transportation (PPUATS) Call for Projects

City Manager, Mr. Mark Rothert, requested Council approve and adopt Resolution No. 71-19/20 Peoria/Pekin Urbanzied Area Transportation (PPUATS) issued call for project for FY22-23 and FY23-24.

City Engineer, Mr. Michael Guerra, explained that the first project would be an improvement of Derby Street from 14th to 7th Street. This would be reconstruction of the intersection with 14th and then improvements along Derby that were suggested in the Derby Street Corridor study to 7th Street. The estimated construction cost for this project was $3.15 million in which 70% would be funded with PPUATS if selected.

Mr. Guerra continued to explain the second project consisted of an improvement on Court Street from Parkway Drive to Stadium Drive. This improvement would consist of reconstructing the intersection of Parkway and Court Street, the installation of signals at Stadium Drive and improvements to the section of Court Street between those two intersections. The estimated cost for construction was $2.7 Million in which 70% would be funded with PPUATS.

Mr. Guerra added that the infrastructure committee voted to prioritize these locations to submit to PPUATS.

Council discussed the application process and past and future projects.

Councilmember Garrison spoke against putting up a stoplight on Stadium Drive.

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

7.8. Resolution No. 68-19/20 Appropriating Motor Fuel Tax in the Amount of $2,574,000 2020 Street Maintenance Plan 20-00000-00-GM

City Manager, Mr. Mark Rothert, requested Council approve and adopt Resolution No. 68-19/20 appropriating motor fuel tax in the amount of $2,574,000 for the 2020 Street Maintenance Plan. The 2020 Street Maintenance Program that was approved on November 25, 2019 by the City Council utilizes the anticipated Motor Fuel Tax Funds that will be received in Fiscal Year 2021 and uses a portion of the existing reserves in the MFT Fund. The streets that were selected for this year's plan were mill & overlay on 14th Street from Koch to El Camino, mill & overlay on Willow Street from Parkway to Schramm, and chip seal on various streets, for a total of $2,188,000. Additionally, $240,000 had been budgeted for salt; $11,000 had been budgeted for electricity for traffic signal lights and $$135,000 had been budgeted for electricity for streetlights. In total, this resolution will allocate $2,574,000 of Motor Fuel Tax (MFT) Funds to be used next fiscal year. Mr. Rothert, added that the Illinois Department of Transportation (IDOT) requires the adoption of the resolution prior to the projects being approved for bid. This resolution will allow the City to submit the street maintenance projects to IDOT for review and approval now, which will allow the first project to be bid and begin expending funds on May 1st. Ultimately, the schedule is dependent on the timeframe of IDOT's review process.

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

7.9. 2092 : Ordinance No. 2875-19/20 Amending Title 9 and Title 10 Regarding Driveway Regulations as Amended

City Manager, Mr. Mark Rothert, requested Council approve and adopt Ordinance No. 2875-19/20 amending Title 9 and Title 10 of the City Code regarding driveway regulations. City staff felt that the current driveway regulations relative to allowed width, number of driveway approaches and design criteria, were outdated and required amendment. The current width limit of 24 feet at the City right-of-way had been found to be insufficient for properties with a lot width in excess of 100 feet that possessed new homes designed with an attached 3-car garage. Furthermore, there existed no specific code language limiting the number of driveway approaches a residential property could have or language prohibiting the installation of circular driveways on residential properties. Lastly, design standards and criteria was missing in the regulations and modern design standards were being added to bring the City's standards in full compliance with Federal ADA standards. Mr. Rothert added that the Planning Commission recommended approval.

Council discussed circular of half circular driveways that are in existence now.

Councilmember Orrick spoke in support of the item only if Section D regarding circular drives was removed.

Councilmember Orrick made a motion to amend Ordinance No. 2875-19/20, the last sentence in Section D, under no circumstances shall a circular drive be permitted on a single family residential lot, be removed. The motion was seconded by Councilmember Abel. On roll call vote, all present voted Aye. Motion carred.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

No public input was given.

Councilmember Abel reminded folks to keep restaurants in business and has received questions on how to pay wastewater bills.

Councilmember Orrick made a statement regarding the upcoming budget and pensions.

Councilmember Garrison requested citizens call their U.S. Representative and U.S. Senator to push for a relief package for the citizens of Pekin and the state of Illinois.

Councilmember Hilst also spoke in favor of keeping local businesses alive and also spoke regarding the upcoming budget.

Mayor Luft gave thank you's to the Police and Fire Chiefs.

City Manager thanked public service personnel searching for PPE and local stores for donating equipment.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

There being no further business to come before Council, a motion was made by Councilmember Orrick, seconded by Councilmember Abel to adjourn. The meeting was adjourned by Mayor Luft viva voce at 7:10 P.M.