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 FEBRUARY 8, 2021 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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NOTICE IS HEREBY GIVEN THAT THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS WILL BE HELD ON MONDAY, FEBRUARY 8, 2021 AT 5:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS, 111 SOUTH CAPITOL STREET, PEKIN, ILLINOIS 61554

TO JOIN IN THE MEETING FOLLOW THIS LINK: HTTPS://ZOOM.US/J/6898035689. BY PHONE, DIAL IN AND LISTEN TO THE MEETING AS FOLLOWS: 1-312-626-6799; THEN ENTER MEETING ID 689 803 5689. PRIOR TO THE MEETING, YOU CAN ALSO SUBMIT A PUBLIC COMMENT REMOTELY BY EMAIL, BY 3 PM THE DAY OF THE MEETING, BY SENDING AN EMAIL TO THE CITY CLERK AT SMCMILLAN@CI.PEKIN.IL.US AND INSERTING IN THE SUBJECT LINE FOR THE EMAIL "PUBLIC COMMENT FOR MEETING ON FEBRUARY 8, 2021".

TO VIEW MEETING ONLINE GO TO: HTTP://PEKINIL.IQM2.COM (CLICK BANNER AT THE TOP THAT STATES "VIEW LIVE MEETING") OR CHANNEL 22

PLEDGE OF ALLEGIANCE

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	5:30 PM
Rick Hilst	Councilman	Present	5:30 PM
Karen Hohimer	Councilwoman	Present	5:32 PM
Dave Nutter	Councilman	Present	5:32 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:32 PM
John P Abel	Councilman	Present	5:32 PM
Mark Luft	Mayor	Present	5:32 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Jan 25, 2021 5:30 PM

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

PUBLIC INPUT

Mayor Mark Luft stated that Public Input would move before the Consent Agenda.

Mr. Jim Mangan spoke against agenda items 8.1 and 8.2 stating that the utility assistance program was unnecessary and a waste of CDBG dollars intended to help other needy residents in other situations. Mr. Mangan then spoke against agenda item 8.3 stating that it was unlikely that hiring a person from the Peace Corps would bring any knowledge to the department and questioned the justification of such hiring. Mr. Mangan also spoke regarding agenda item 8.7 questioning lack of support of work comp claims, weekly bulk item pickup, vehicle repair cost, and toter protocol. Mr. Mangan stated that the proposed new code penalty language had been changed from using the term “convicted” to “out of compliance” and felt it was tricky language. Mr. Mangan also felt that the garbage pickup rules should be decided by Council and not the Street Department Supervisor. Lastly, Mr. Mangan reminded Council of the past questions he had asked that had not been answered regarding the Whitehurst Addition payment of $100K for the sale of the property, the sewer line issues similar to Susan Drive, and the leasee in the Sud’s building on the 3rd floor.

CONSENT AGENDA

6.1. Proclamation National African American History Month

6.2. Police Department Stats - January 2021

6.3. Tazewell County Animal Control Billing - November 2020, December 2020

6.4. Financial Reports November 2020

6.5. Financial Reports December 2020

6.6. Accounts Payable To Be Paid Proof List thru February 5, 2021

Motion to: **Approve Consent Agenda**

Councilmember Garrison read the 6 items listed on the Consent Agenda.

Mr. Marvin Hightower, President of NAACP Peoria Branch, spoke regarding the proclamation on National African American History month.

Mayor Mark Luft read the proclamation for National African American History month.

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

PUBLIC HEARINGS

7.1. Public Hearing: CDBG 2019 Annual Action Plan

Mayor Luft opened the public hearing at 5:50 P.M.

CDBG Program Manager, Mr. David Bess, explained that the City received its annual allocation of CDBG funds from HUD recently and Council gave consensus to move forward with the utility assistance program. HUD had advised to modify the use and account for allocation from the CARES Act and to amend the original Action Plan.

Mr. Jim Mangan stated that he gave his comments during public input and had not understand that he would have another time to speak.

Mayor Luft concluded the hearing at 5:54 P.M.

7.2. Public Hearing: CDBG 2020-2024 Consolidated Plan

Mayor Luft opened the hearing at 5:54 P.M.

CDBG Program Manager, Mr. David Bess, explained that the proposed changes to the consolidated plan from 2020-2024 echoed the changes to the 2019 Action Plan and provided changes to alternative uses for the Cares Act funding, implementation of the utility assistance program, and modification of long term goals.

Mr. Bess addressed Mr. Mangan's concerns about the proposed plan and delinquent city payments prior to the virus. Mr. Bess confirmed that the program was a virus related issue and was satisfied with HUD. Mr. Bess stated that as of yet, there has been no application period or households selected to receive any benefits.

Councilmember Orrick questioned whether the applicants names and amount of funding received would be made public.

Mr. Bess stated that it was the decision of Council. The City of Peoria provided the first and last name of the individuals selected.

Councilmember Orrick also stated that he felt Mr. Bess was doing an outstanding job with the CDBG funds.

Mayor Luft closed the hearing at 6:03 PM.

NEW BUSINESS

8.1. Resolution No. 212-20/21 Adopting the 2019 CDBG Annual Action Plan, as Amended

City Manager, Mr. Mark Rothert, introduced the agenda item to Council to approve and adopt Resolution No. 212-20/21 Adopting the 2019 CDBG Annual Action Plan, as Amended.

CDBG Program Manager, Mr. David Bess, explained that the biggest thing to understand was that the plan was to undertake the utility assistance programs and the requirement from HUD that there was a plan. Along with shifting funds from economic development to the public services category.

Councilmember Orrick stated that there was only $241K for utility assistance and that the majority of the funds came under the 2020-2024 consolidated plan.

Councilmember Nutter questioned whether the advertisement for the program would be on the wastewater bill.

Mr. Bess felt that it would be better reached to residents if a separate mailer was send out that would include details, eligibility requirements and how to apply.

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

8.2. Resolution No. 213-20/21 Adopting the 2020-2024 CDBG Consolidated Plan, as Amended

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 213-20/21 Adopting the 2020-2024 CDBG Consolidated Plan, as Amended. Mr. Rothert explained that the item was the second part of the amendment seeking to amend the consolidated plan for the CDBG program.

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

8.3. Resolution No. 214-20/21 To make application for hosting a Peace Corps Fellow to assist with CDBG, Zoning, & Economic Development

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 214-20/21 To make application for hosting a Peace Corps Fellow to assist with CDBG, Zoning, & Economic Development. Mr. Rothert explained that the City's Planning and Zoning Department was the only area of the City that did not have any employees to manage the workload from residential and commercial development. Mr. Matt Fick, the City's part-time contracted Economic Development Manager covered both economic development and planning duties. Mr. Rothert explained that with the new business development district and tax increment finance district, it was anticipated that the economic development activity would be picking up. Mr. Rothert recommended that the City look to supplement staffing in those areas. Mr. Rothert stated that one opportunity that presented itself was through the Illinois State University's Stevenson Center for Community and Economic Development. The center recruits returned Peace Corps volunteers for graduate studies in their Peace Corps Fellowship program. The program is a 2-year graduate fellowship program with an emphasis on providing technical assistance to communities. Mr. Rothert also explained that the programs selection process was competitive and a match was not guaranteed. Fellows generally work 35 hours a week for 11 months with a total cost of $29,030. Mr. Rothert added that a supplement was presented to Council and that the application deadline was today. The program was allowing the city to submit the application tomorrow if approved by Council.

Mayor Luft spoke in favor of the agenda item stating that it was a way to entice and bring back kids who leave the area to go to college and come back.

Councilmember Hohimer also spoke in favor of the agenda item.

Councilmember Abel questioned whether the city had a plan b.

Mr. Rothert said that the city could look into that as the workload is not going away.

Councilmember Nutter spoke in favor of the agenda item but felt that Mr. Fick did not have time to train only working 24 hours a week.

Mr. Rothert stated that Mr. Fick was doing a great job in his position. Mr. Fick receives calls each day that need fielded, his workload has been increasing, showing positive signs of growth and development in the community. Mr. Fick is only part-time Monday, Wednesday, and Friday and the Peace Corps could help process requests. Mr. Rothert explained that Mr. Fick was available via email and telephone for communication. The hired person would be working with Mr. Rothert and Mr. Bess and on miscellaneous projects.

Councilmember Nutter suggested looking into hiring a veteran.

Councilmember Orrick felt that Mr. Fick gets more done than the 3 or 4 economic employees combined the city has had in the past.

Councilmember Abel also spoke highly of Mr. Fick's progress.

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

Motion to: **Amend Resolution 215-20/21 to Authorize the Purchase of two Pre-owned F-150's and the one F-350 for the Fire Department Vehicle**

A motion was made by Councilmember Orrick, seconded by Councilmember Nutter to amend Resolution No. 215-20/21 Authorization to purchase four vehicles for various departments and to amend the resolution to only allow for the purchase of two preowned 2019 F-150's and the F-350 for the fire department.

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

8.4. 2479 : Resolution No. 215-20/21 Authorization to buy four vehicles for various departments as amended

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 215-20/21 Authorization to purchase four vehicles for various departments. Mr. Rothert explained that the City had a need to equip its staff with adequate vehicles to perform their duties. This included four vehicles needed for Police and Fire command staff, Public Works Director, and Engineering Technician. Staff recommended the purchase of two pre-owned 2019 Ford F-150 work trucks to accommodate the transportation needs for the Public Works Director and Engineering Technician. Mr. Rothert presented an option from Velde Ford at a cost of $24,199 available immediately with a remaining warranty. Mr. Rothert also presented an option for the police department from Bob Ridings Fleet Sales in Taylorville for $28,388 per the State bid or from Velde for $34,339. Each of those two choices provided for different vehicles at each location. Mr. Rothert added that those purchases for the police department would result in the same make and model for the two code enforcement vehicles. Mr. Rothert continued with another option for the fire department to purchase a 2021 Ford F350 from Bob Ridings Fleet Sales in Taylorville in the amount of $41,087 per the State bid. An additional cost to outfit the vehicle would not exceed $55,000 to accommodate fire equipment and supplies. The Fire Department could then repurpose one of its trailer pull vehicles to the Street Department and the Street Department would transfer one of its F150 trucks to the City Engineer.

Council discussed with Fleet Manager, Mr. Dan Jost, the different options available, the order delivery time of each, and policy regarding vehicle decals identifying departments and positions.

Mr. Rothert stated that the fire department requested funding for vehicles, funds were reallocated to CDBG, funds were reallocated to the fire department for vehicles, and other vehicle costs were from vacant positions and savings from personnel costs.

Mr. Jost added that when vehicles are out of service the city swaps vehicles and marking them would not be beneficial. Mr. Jost also stated that there have been supply issues with Ford, Chevy and GM. The City often cycles vehicles down to cycle in new vehicles.

Councilmember Hilst pointed out that the vehicles for the engineering tech and code enforcement officer were of highest priority, since the City did not yet have a Public Works Director.

City Engineer, Ms. Josie Esker, stated that the City hired another engineering tech in lieu of an assistant engineer, making three positions that all need vehicles. Ms. Esker informed Council that she had been using her own personal vehicle due to the shortage.

Mayor Luft felt that the savings should be utilized now because next budget the funds may not be there.

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

8.5. Resolution No. 216-20/21 Authorization to repair sinkhole at 1712 Valle Vista caused by damaged sewer line

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 216-20/21 Authorization to repair sinkhole at 1712 Valle Vista caused by damaged sewer line. Mr. Rothert explained that an 8 inch sanitary sewer line was installed in 1961 between 1712 and 1714 Valle Vista. There was now a sinkhole in the yards of the properties due to a partial collapse of the line. The street department was unable to camera the sewer line, so the extent of the damage to the sewer line was unknown. With an unknown scope, the project would be very difficult to bid accurately. Therefore, staff was recommending to first have Hoerr Construction attempt to clear the sewer and install a spot sewer line repair at a cost estimated at $30,000. Mr. Rothert explained that if Hoerr was unable to remove the obstruction in the pipe then the City would excavate and repair the pipe with traditional methods dramatically increasing the cost of the project due to the close proximity of the sewer line to residences. Mr. Rothert added that with the unknown damage to the pipe staff recommended spending authority up to $100K to resolve the issue.

City Engineer, Ms. Josie Esker, explained that the sewer main ran between two houses on Valle Vista and that the sewer was constructed before the houses were built. Ms. Esker also stated that allowing Hoerr Construction to blow out the obstruction and do an immediate spot repair would be the cheapest solution as it would eliminate the need to dig a large hole through residents' yards. Should that not work Plan B would quickly need implemented requiring a second contract for excavation. Ms. Esker added that a meeting with homeowners would happen prior to any work being performed.

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

8.6. Resolution No. 217-20/21 Continued Late Fee Forgiveness for City Services and Food and Beverage Tax

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 217-20/21 Continued Late Fee Forgiveness for City Services and Food and Beverage Tax. Mr. Rothert explained that at the outset of the COVID-19 pandemic, the City of Pekin took the initiative to eliminate late fee penalties for any customer of the City's sewer or solid waste collection services from February 2020 through the expiration of the Mayor's declaration of local emergency on July 13, 2020. The Mayor had also issued an executive order allowing certain restaurants and bars to defer payment of food and beverage taxes due in the months of June, July, August, September, and October 2020, and to repay the deferred taxes in four equal installments commencing October 20, 2020. In November of 2020, the City of Pekin extended the waiver of late fees on wastewater bills to January 31, 2021 and extended the deferment of Food & Beverage and Liquor taxes through February 2021. Mr. Rothert stated that staff recommended to waive late fees of City Services and extend the deferment of Food & Beverage and Liquor taxes through the end of the City's fiscal year, April 30, 2021 to further assist citizens and businesses negatively impacted by COVID-19.

Council discussed with Finance Director, Mr. Bruce Marston, the lack of businesses utilizing the deferment of food & beverage tax and liquor tax. Mr. Marston added that there had been a large residential increase in outstanding wastewater bills. Mr. Marston clarified that the intention to waive wastewater fees would extend through the April 30, 2021 service that would then be due in June.

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

8.7. Discussion: Container Use Standards for Solid Waste Collection

City Manager, Mr. Mark Rothert, led the discussion regarding Container Use Standards for Solid Waste Collection. Mr. Rothert stated that a draft ordinance was provided in the packet that provided certain revisions to the code to clarify standards as it relates to solid waste collection and use of carts. The ordinance also redirects bulk services toward an annual event to help reduce wear and tear on solid waste trucks and to reduce landfill costs, workman's comp claims derived from heavy lifting. Mr. Rothert continued to describe the major recommended changes to the code that included limiting the definition of "approved containers" to carts, bundled yard waste and yard waste bags so that carts must have a lid and lift bar, and that the lids on carts must be closed with no waste piled on top. Other changes included prohibited items that listed bulk items, appliances, hazardous waste, and animal waste that was not in a separate bag and added a provision reserving the City's right to refuse collection of any items placed in violation of the ordinance. Mr. Rothert also stated that a provision was added for the City to alternatively provide a bulk item clean up event during the year and that the penalty section language had been cleaned up.

Council discussed with Street Department Supervisor, Mr. Brett Olson, garbage can size limits and utilizing garbage cans only with a bar to help cut down on work comp claims.

Council also discussed large amounts of tipping or land fill fees, bulk item pickup that included building materials, workman comp claims and outsider garbage.

Route Supervisor for the Street Department, Mr. Doug Arrowsmith, stated that the City picks up a lot of extra bulk items that included waste from remodeling and construction materials. Mr. Arrowsmith said that PDC and the surrounding cities do not take those extra items.

Mr. Rothert requested Council to provide feedback to him and the item would come back to Council in two weeks.

8.8. Discussion: Codification of the City's Code

City Manager, Mr. Mark Rothert, led the discussion with Council regarding codification of the City's Code. Mr. Rothert stated that the final proof of the city code book of ordinances provided by Municode could be accessed via the link in the packet. Mr. Rothert explained that the code had been edited and reorganized into chapters, articles, divisions and subdivisions. The reorganization reflected changes that had been made in the organization of city departments and improved readability by creating a simpler and more logical organization of code provisions. Mr. Rothert continued stating that the purpose of the codification was not to substantively overhaul the City Code, but to reorganize and update it, and get it published and on a regular schedule for supplementation. Mr. Rothert noted that the new Code Book only incorporated those ordinances that were passed by the Council as of November 25, 2019. All ordinances passed since then had been provided to Municode and would be added to the Code Book via a quarterly supplement. Per its agreement with the City, Municode will update a web version of the Code within 2-3 weeks from receiving new ordinances, and the printed Code Book will be supplemented on a quarterly basis. The code is planned to presented at the February 22nd meeting. Mr. Rothert added that this was a long collaborative effort by the City Clerk, Deputy City Clerk, City Attorney, department heads and himself.

Councilmember Orrick stated that he would like to amend parts of the code and questioned when he was able to do that.

Mr. Rothert suggested that if there were no major conflicts to go ahead and adopt it and further modifications could be brought back as a separate item.

City Attorney, Ms. Kate Swise, stated that the city has been updated the new code all along doing as much as we could as the process took too long trying to do too much at once.

Councilmember Nutter inquired whether we had an open ended contract with Municode.

City Clerk, Ms. Sue McMillan, explained that the contract would continue with quarterly updates at a cost to the City.

Ms. Swise stated that the purpose was for Municode to provide regular updates and supplements and hosting in an online location that is easily accessible. Municode will get updates online in just a few weeks but the book itself would only be updated on a quarterly basis.

Councilmember Orrick mentioned that there would be no more departments but only divisions and that he did not see a fee schedule or costs associated with permits.

Mr. Rothert stated that he would look into the fee schedule.

Ms. McMillan announced that the printed copy is on her desk for viewing.

Mr. Rothert requested Council to let him know of any issues or conflicts they may have with the new proposed code before it comes back to Council at the next meeting.

CITY COUNCIL OR STAFF REPORTS

City Manager, Mr. Mark Rothert, addressed Mr. Mangan's questions regarding Lake Whitehurst development and whether the city has the same short sewer lines and how many there were. Mr. Rothert stated that it is yet to be determined. Mr. Mangan also questioned the sale of the property and the $100K being owed to the City. Mr. Rothert stated that he was not sure what that was in reference to but the City did have an agreement and a payment had been received that it was due to the City from Whitehurst based on a prior redevelopment agreement arrangement dating back to 2000 with amendments in 2017 and 2018, but it was being paid. Mr. Rothert also answered Mr. Mangan's question regarding the Sud building and stated that he had reached out to the family and is waiting on a response.

Councilmember Nutter felt that there were some thing to look at in regards to the wastewater billings stating that residents were being billed large dollar amounts.

Finance Director, Mr. Bruce Marston, clarified that there had been an increase in residential amounts since July 2020 with balances over 60 days.

Councilmember Hohimer stated that it would have been her late husband's 64^{th} birthday and worked in the solid waste department and understand what those employees do.

Councilmember Orrick commended the Mayor for some of the discussion on many issues.

Councilmember Abel spoke about grant money and how there is a growing list of houses beyond rehab. He also spoke about the ribbon cutting at the Pekin Outreach Center.

Mayor Luft concurred that the Pekin Outreach Center had a ribbon cutting today and was able to see a new branch of the community grow. A group of volunteers offering legal counseling are some of the things they offer as well as providing individuals with sanitary needs.

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

EXECUTIVE SESSION 5 ILCS 120/2 (C) (2) COLLECTIVE NEGOTIATING MATTERS

10.1. Motion to: **Move into Executive Session**
A motion was made by Councilmember Orrick seconded by Councilmember Abel to move into Executive Session to discuss 5 ILCS 120/2 (c) (2) Collective Negotiating Matters at 8:25 P.M. On roll call vote all present voted Aye. Motion carried.

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

ADJOURN

There being no further business coming to Council, a motion was made by Council Member Orrick to adjourn seconded by Council Member Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:45 P.M.