CITY OF Pekin ILLINOIS

****

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 JANUARY 25, 2021 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

****

NOTICE IS HEREBY GIVEN THAT THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS WILL BE HELD ON MONDAY, JANUARY 25, 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 JANUARY 25, 2021".

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

PLEDGE OF ALLEGIANCE

Due to the Governor's Executive Order regarding COVID-19 and the relaxing of the Open Meetings Act requirements, this meeting was held remotely via Zoom Meetings without an in person meeting location for the public to attend. Therefore, the provisions of the City Code regarding electronic attendance did not apply. The Pledge of Allegiance was led by Councilmember Orrick. The Clerk confirmed by roll call vote, that all Council Members were physically present.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	5:16 PM
Rick Hilst	Councilman	Present	5:21 PM
Karen Hohimer	Councilwoman	Present	5:16 PM
Dave Nutter	Councilman	Present	5:16 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:16 PM
John P Abel	Councilman	Present	5:16 PM
Mark Luft	Mayor	Present	5:16 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Jan 11, 2021 5:30 PM

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

PUBLIC INPUT

Mayor Mark Luft announced that public input was received from Mr. Ross Gould, the Chair of the GSLS Board. Mayor Luft read the objection written by Mr. Gould of the proposed cannabis distribution center on Court Street on behalf of Good Sheppard Lutheran School. Mr. Gould felt the proposed location was too close of proximity to the adjacent school.

Mr. Jim Mangan spoke via electronic communication requesting the City Manager's weekly report from last week. Mr. Mangan also spoke regarding Consent Agenda items 6.3 and 6.4 and asked that they be moved to the regular agenda for discussion. Mr. Mangan urged Council to reject the Broadway property proposal and to condemn the building on Broadway for real economic development plans or appropriate neighborhood uses as required by the code. Mr. Mangan continued to speak regarding New Business Item 7.4 urging the Council to approve dues to the Greater Peoria Economic Development Council and give serious thought to consider the abolishment of the failed Pekin economic development project. Mr. Mangan also spoke against New Business item 7.5 regarding utility assistance and spoke in favor of New Business item 7.8 regarding the emergency plan. Lastly, Mr. Mangan spoke regarding New Business item 7.10 and suggested that the Mayor's salary be donated to the street department.

CONSENT AGENDA

6.1. Accounts Payable to be Paid Proof List thru January 22, 2021

6.2. Ordinance No. 2955-21/22 Parking Variance Request 17 S 2nd Street

Motion to: **Approve Consent Agenda**

Councilmember Nutter requested Consent Agenda items 6.2, 6.3 and 6.4 be moved to the end of the agenda for discussion.

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

NEW BUSINESS

7.1. Ordinance No. 2956-20/21 Clarification of 2020 Property Tax Levy

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Ordinance No. 2956-20/21 Clarification of 2020 Property Tax Levy. Mr. Rothert explained that the Tazewell County Clerk's Office asked the City to clarify the property tax levy related to the Pekin Public Library and the Pekin Library Bond. At the December 14, 2020 Council meeting Council adopted the Property Tax Levy with the Library and Library Bond in one line item. The

County had requested the City adopt a clarifying ordinance so that the Pekin Library Levy and the Pekin Library Bond were separate line items. Mr. Rothert assured Council that the dollar amounts stayed the same.

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

7.2. Ordinance No. 2957-20/21 Authorizing Purchase of Real Estate at 3224 Court

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Ordinance No. 2957-20/21 Authorizing Purchase of Real Estate at 3224 Court. Mr. Rothert explained that the City had an interest to purchase the property to create more usable storage space for the Pekin Fire Department for $25,000. The City planned to eventually use the site to build a facility to house equipment and vehicles for the Fire Department.

Mayor Luft stated the disadvantages of not purchasing the property and how the City would incur a higher expense purchasing another property later.

Council discussed the cost of equipment repairs and the convenient location of the property next door to the fire department with ability to expand.

Councilmembers Orrick, Nutter and Hilst felt the purchase price was too high.

Assistant Fire Chief Trent Reeise stated that the current use of the Coulson building downtown was in poor shape and the department had lost one fire truck due the heating element going out in the building. The current owner had purchased it as a tree farm.

Mr. Rothert added that the expense did not have to be incurred out of the capitol budget as it was in the new TIF district, BDD district or could be utilize CDBG Funding. Reimbursements could be made from the capitol fund or other funding streams later as an option.

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Abel, Luft
NAYS:	Michael Garrison, Lloyd Orrick

7.3. Ordinance No. 2958-20/21 An Ordinance Creating a General Business License for the City of Pekin Illinois

Councilmember Abel made a motion to layover agenda item 7.3 Ordinance No. 2958-20/21 An Ordinance Creating a General Business License for the City of Pekin Illinois to June the 1st, seconded by Councilmember Orrick. On roll call vote all present voted Aye. Motion Carried.

RESULT:	**POSTPONED [UNANIMOUS]** **Next: 6/14/2021 12:00 AM**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft

7.4. Resolution No. 205-20/21 Annual Investment to Greater Peoria Economic Development Council

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 205-20/21 Annual Investment to Greater Peoria Economic Development Council. Mr. Rothert explained that the request was for the City's continued collaboration with the GPEDC investment dues to help continue to build economic growth through targeted business assistance and attraction, workforce development and regional marketing. Mr. Rothert continued stating that the City had collaborated with the GPEDC for over ten years and that the City had benefited from business attraction efforts with generated leads. The GPEDC also has streamlined responses for site search requests, that added regional data and resources available to development projects when a Pekin site was submitted. Most recently the GPEDC had worked to develop video marketing materials for the City's airport and Riverway Business Park by using aerial drone videography. Mr. Rothert added that the request was a reduction of $5,000 budgeted through the Tourism Fund.

Mayor Luft spoke in favor of the organization and the timing of such, including the accomplishments through the pandemic and meeting with businesses.

Mr. Chris Setti, a representative of the GPEDC, spoke about the power of regional economic entity, incentive roles, information gathering and dissemination. Mr. Setti summarized the information outreach for Pekin that included, issuing bulletins, issuing information about Pekin and the Riverway Business Park and future endeavors with ICC for grant upgrades at the Pekin facility. Mr. Setti added that the organization was working on a video at the Riverway Business Park and running a career night for every 8th graders in the region that included 148 8th graders from Pekin that would launch tomorrow and be available the next three months.

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

7.5. Resolution No. 206-20/21 Authorization to Proceed with Utility Assistance Program Through CDBG Funding

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 206-20/21 Authorization to Proceed with Utility Assistance Program Through CDBG Funding. Mr. Rothert explained that in April of 2020 the City repurposed a portion of its CDBG allocation to provide grant assistance to small businesses with the City to help alleviate the impacts of COVID-19. Subsequently the City amended its resolution due to an unexpected allocation of funds from the State thereby preserving the majority of CDBG and CARES Act Funds for use in other activities benefitting the community. City staff and members of the Council had discussed utilizing CDBG Funding for a program to assist the high need of low-to-moderate income households with overdue or delinquent utility bills. Mr. Rothert continued to state that the need outweighed the total amount of funding available and the number of applicants would exceed the administrative capacity within the CDBG department. Staff recommended allocating the CDBG funding between utility assistance awards or reallocation to alternative eligible activities during the next program year and hiring one staff member to assist in responding to applicants, review applications and process awards. If approved, City staff would also move to hire one staff member to assist in the programs implementation, establish an application portal and draft formal CDBG-related amendments and legal notices to reallocate funding. Mr. Rothert concluded that the resolution was only to direct staff to begin preparing for the utility assistance program and did not serve as a formal amendment to the CDBG action plans. Prior to any awards, a public hearing would be held, along with a plan amendment to be brought before Council. Mr. Rothert stated that the hearing would be the scheduled for the first meeting in February. A one page explanation of what the plan looked like was presented to Council.

CDBG Program Manager, Mr. David Bess, explained to Council that the program was aimed at helping aid the community due to the large amount of delinquent wastewater and water service accounts. Mr. Bess explained that there was a tight timeline and a timeliness requirement by HUD. Mr. Bess anticipated 500 applicants and capping a $1,000 limit to households with a possible lottery system that would randomly assign numbers. Should there not be enough funding it may be beneficial to receive other funding, donations or additional allocation of CDBG Funds.

Mr. Rothert added that Council had chosen to assist businesses and this would have been another avenue for residents struggling during the pandemic. Additional funding would have to be found for other utilities. The census survey revealed that 40% were considered low to moderate income. The City would need assistance managing calls and going through applications.

Council discussed prioritizing wastewater bills, spot checking applications, income verification, timeframe, and number of staff members.

Councilmember Hilst spoke in favor of helping people but disapproved of the lottery system and suggested eliminating wastewater late fees or penalties instead.

Council discussed qualifications and income verification of applicants.

Mr. Bess stated that he has drafted an initial template for self-certification.

Councilmember Orrick also suggested waiving late fees on wastewater.

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

7.6. Resolution No. 207-20/21 Release of Liability for Ameren Use of City Property for Gas Utility Project

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 207-20/21 Release of Liability for Ameren Use of City Property for Gas Utility Project. Mr. Rothert summarized the request stating that in April 2019, the City had previously leased to Ameren approximately 19 acres of City property in the Riverway Business Park off Hanna Drive for the use of material storage and project staging for the utility's gas transmission line project. Mr. Rothert explained that the lease was originally for 9 months but was extended in January 2020 to expire 10 months later. Ameren had completed their project upgrade and was asking the City to sign a release form waiving any liability for property damage. Mr. Rothert added that the City Engineer had determined that the City property was substantially in similar condition prior to the material storage lease with Ameren.

Mayor Luft discussed that the property was next to Envirosafe and that the next agenda item was for the same property.

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

7.7. Resolution No. 208-20/21 Short Term Lease Agreement with Garnett Wood Products for Materials Storage

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 208-20/21 Short Term Lease Agreement with Garnett Wood Products for Materials Storage. Mr. Rothert explained that Garnet Wood Products leased construction mat materials to the Ameren subcontractor on utility improvements made over the last year. Ameren and Garnett Wood Products leased and stored materials on city property along Hanna Drive. That work had been completed and Garnett expressed interest in a month to month lease, for up to 6 months, of approximately 11 acres in that location, to temporarily store its construction mats. Mr. Rothert stated that the lease would commence February 1, 2021 and expire August 31, 2021 at a fixed rate of $500 per month. Mr. Rothert added that they were waiting for their next job to line up before relocating.

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

7.8. Resolution No. 209-20/21 City of Pekin Emergency Operations Plan

City Manager, Mr. Mark Rothert, presented the request to Council to approve Resolution No. 209-20/21 City of Pekin Emergency Operations Plan. Mr. Rothert explained that the Fire Department had taken the lead to update the City's Emergency Operations Plan as a resource guide for the City in the event of a disaster or emergency. Mr. Rothert announced that Captain Tony Rendelman was available on the line for questions.

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

7.9. Resolution No. 210-20/21 Emergency Repair for Damaged Electrical Box For Street Signal

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 210-20/21 Emergency Repair for Damaged Electrical Box

For Street Signal. Mr. Rothert summarized the request by stating that the electrical box that serviced the signal lighting at the intersection of 11th and Broadway was damaged by an unknown vehicle on the afternoon of January 21, 2021. The signal lights at that intersection were working but emergency repair of the electrical box was needed to prevent further damage by other vehicles or inclement weather. Mr. Rothert explained that staff proceeded to hire a contractor to fix the electrical box with a cost estimate of $12,000 to $15,000. Other unforeseen repairs could exist and additional time and materials could be a cost factor. Mr. Rothert stated that additional spending authorization was being sought for the repair not to exceed $20,000.

Council discussed the hit and run incident and whether it was covered under the City's insurance policy.

Mr. Rothert stated that he would have to check with the insurance company.

Street Supervisor, Mr. Brett Olson, stated that a quote was received for $11,000 but time and materials needed to be assessed as the cabinet alone was $11,000.

Mayor Luft requested the City Manager include the status of the incident being covered under the insurance in his next update to Council.

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

7.10. Resolution No. 211-20/21 Reallocation of Mayor's Salary to Other Public Purpose

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 211-20/21 Reallocation of Mayor's Salary to Other Public Purpose. Mr. Rothert stated that Article IV, Section 2 of the Illinois Constitution prohibited any member of the General Assembly from receiving compensation "as a public officer or employee from any other governmental entity for the time during which he is in attendance as a member of the General Assembly." The Illinois Attorney General had interpreted this to mean only those times during which the General Assembly was in session and not in recess. However, Mayor Luft had determined that he would not take any salary from the City for his service as Mayor while he was also serving in the General Assembly, even where the Constitution would otherwise permit it. He had instead recommended that the City Council redirect the funds designated for payment of his salary to the Human Rights Committee for use in its activities. This resolution did not propose or authorize a reduction in the salary of the Mayor, as previously established by ordinance. It simply recognized that the current Mayor had elected to forgo his salary while he was simultaneously serving in the General Assembly, and redirected the funds that would otherwise be used to pay that salary to another City department. The resolution would be in effect only so long as the Mayor was serving simultaneously as Mayor of the City and Member of the General Assembly.

Mayor Luft stated that he felt it was the right thing to do while holding two positions. After speaking to several people he felt it was best to reallocate his salary to the Human Rights Committee in order to see them come back to life. Mayor Luft stated that the committee had no funding of its own from the City and it was much needed. Mayor Luft requested Council to stand by his wishes and allow the Human Rights Committee to utilize those funds.

City Attorney, Ms. Kate Swise, clarified that the resolution was not to donate the Mayor's salary but to forgo the Mayor's salary and was Council's decision what to do with those funds.

Council discussed whether the committee needed approval from the Mayor to expend any funds they would receive and the logistics of the reallocation.

Mr. Rothert explained that any money expended would follow the procurement policy and some of the members of the committee were City staff.

Councilmember Hohimer felt it was incredibly generous to forgo the Mayor's salary for the committee.

Ms. Swise added that it was still the Mayor's salary but it just would not be paid to the Mayor.

Council expressed consensus that the Mayor's salary would be paid monthly to the Human Rights Committee.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Garrison, Hilst, Hohimer, Nutter, Orrick, Abel
ABSTAIN:	Mark Luft

7.11. Ordinance No. 2952-21/22 Special Use Request by NuMed East Peoria, LLC for an Adult-Use Dispensing Organization located at 3249 and 3261 Court Street

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Ordinance No. 2952-21/22 Special Use Request by NuMed East Peoria, LLC for an Adult- Use Dispensing Organization located at 3249 and 3261 Court Street. Mr. Rothert read the request to Council describing the request for a special use to be allowed to establish an adult-use cannabis dispensing organization in a space adjacent to Planet Fitness. Mr. Rothert stated that per the City's ordinance, no more than 3 organizations for adult-use cannabis could receive a special use. Only two special uses were available after the issuance for Riverway Craft Growers. The Planning Commission met on January 18, 2021 and heard the Petitioner's request. The Petitioner stated that the industry was highly regulated with strict security standards and no other existing operations had been negatively impacted on the surrounding businesses. Mr. Ross Gould from the Good Sheppard Lutheran School voiced concerns over the location and did not feel that the requested use was compatible with the school. Mr. Alan White also voiced concerned and stated that a more appropriate location could be found. Mr. Rothert added that the Zoning Board of Appeals recommended approval.

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

7.12. Ordinance No. 2953-21/22 Site Plan Approval for 1111 Broadway Street

A motion was made by Councilmember Abel, seconded by Councilmember Hohimer to approve and adopt Ordinance No. 2953-21/22 Site Plan Approval for 1111 Broadway Street.

City Manager, Mr. Mark Rothert, presented the agenda item to Council. Mr. Rothert explained that the next two items were related. Mr. Rothert stated Storage Five Pekin, LLC and Goldstein Land Trust and Broadway Village, LLC, were requesting site plan approval for a 1.24 acre parcel zoned B-3 General Business District to be developed with commercial mini-storage units. Storage Five Pekin, LLC had a contract to purchase the former Cohen's furniture warehouse and associated parking lot on Broadway to convert it to a climate controlled storage and ministorage units in the parking lot. Mr. Rothert continued to explain that the units had been set back 10 feet from the property line which met code requirements, but the code did not address parking requirements for that use. A parking variance was approved by the Zoning Board of Appeals to allow for a reduction in parking requirements from 41 to 13 spaces based on the interpretation that mini storage was similar to warehousing. Mr. Rothert said the Petitioner stated that the company who would own the site also owns multiple storage facilities throughout the country and they redevelop them to a high standard providing on site management.

Two emails were received by neighboring residents expressing their concerns over this project, mostly based on the use of the property and a desire to not see storage units when they look out the window of their homes and the anticipated negative impact the development might have on their property values. Two members of the public also spoke against the project and expressed multiple concerns over traffic safety and the impact on the surrounding residential neighborhood. A concern was also expressed about traffic entering the site off of Broadway and how it might cause issues with people trying to use the drive through ATM machines. The Commission discussed the retaining wall, landscaping and a desire to see more greenspace incorporated into the design but agreed the plan as submitted met City code requirements. The Petitioner indicated he would be investing over $4M into the property and making substantial upgrades to the building and parking lot that would make it much more visually appealing. He also stated the property would be well-lit and there would be a touch pad security gate off of 11th and 12th streets to gain access to the interior of the site, which would add another layer of security. The Planning Commission voted 7-0 to recommend approval of the site plan as submitted.

Mayor Luft expressed desire to have that corner cleaned up.

Councilmember Orrick spoke against the agenda item stating that storage sheds were not addressed in the code and therefore did not belong in B-3 surrounded by residential but in Industrial. Councilmember Orrick suggested changing the code to address storage sheds.

Councilmember Garrison also spoke against the agenda item stating that he was not in favor of storage units inside of residential areas.

Councilmember Nutter questioned whether the developers looked at any other properties.

Chris Katonia, a representative from Storage Five Pekin, LLC, answered that they had looked at other areas but this area fit perfectly in his plan and was surrounded by residential like most are as it is beneficial to customers to have facilities close by. The property is under contract pending site plan approval.

Councilmember Nutter stated that he did not believe that all departments signed off including the fire department. He stated he was not in favor of it being in a residential area and not following through with the site plan.

Mr. Jack, attorney for the project, discussed the past use of the building that was used for commercial retail and how it had declined over the last few decades. The building was not usable for most uses anymore as it was two stories and no boxed retailers were likely to choose that property without other retail developments. Mr. Jack explained that traffic would be 1/10 or less than other retailers as it happened to be a quiet use. The property would be cleaned up with extensive landscaping, blocked view into the lot, secured and gated. The building had environmental issues and a small part would need to be demolished.

Mr. Rothert added that the fire department review was not required for site plan approval but was required for blueprint approval for construction.

Mayor Luft stated that the building had been sitting there for decades because it was dilapidated and eventually would need demolished, giving up property taxes. The only other offer for the property was for subsidized housing in the last 35 years.

City Attorney, Ms. Kate Swise, advised Council that the request before them was not for a special use but for site plan review. Ms. Swise stated that the property was zoned B-3 and did allow for warehousing and storage. Storage was not named in the code anywhere or addressed at all but what was addressed was warehousing and cold storage. Therefore it was permitted in that zone and was not a question as to whether they could put up mini storage there.

Council continued to discuss the property value assessment and cold storage options.

Mr. Katonia stated that they had been working on the predevelopment phase of the project for 7 months and had spent thousands of dollars. They approached the City and had clarified with them that it was an approved use.

Mr. Rothert, interjected and stated that Councilmember Nutter was correct, the code did require fire department review, but historically that had not been done.

Mayor Luft suggested sending the neighborhood a picture of the site in hopes that it was not what they envisioned and postponing the item to the next meeting.

Mr. Jack explained that it was two parcels and would have no problem having an agreement with the City to build the entire project as the intent was to come back to the city with an overall development of the building and parking lot.

Councilmember Orrick stated that the company came to Council to rezone from B-1 to B-3 not knowing the plan was to put mini sheds there.

Mr. Jack stated that when they looked at zoning it was not zoned properly and was basically illegal.

Councilmember Nutter made a motion to layover agenda items 7.12 and 7.13 to the February 22, 2021 Council meeting, seconded by Councilmember Abel. On roll call vote, all present voted Aye. Motion carried.

RESULT:	**POSTPONED [UNANIMOUS]** **Next: 2/22/2021 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft

7.13. Ordinance No. 2954-21/22 Parking Variance Request 1111 Broadway Street

RESULT:	**POSTPONED [UNANIMOUS]** **Next: 2/22/2021 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft

CITY COUNCIL OR STAFF REPORTS

City Manager, Mr. Mark Rothert, pointed out that the accusations that the City did not shop locally but online were false. Mr. Rothert discussed the procurement policy, budgeted commodities, and the percentage of purchases online and locally.

Councilmember Abel stated that he had heard from some employees working on Hanna Drive that semi's stacked up was dangerous and that he would like to see zoning and planning minutes in the Council packet. He also questioned the last payment to Sikich and whether they were wrapping up the audit.

Councilmember Orrick requested that the City expedite the addressing of cold storage in the code and mini storage. Councilmember Orrick also announced that Carol Shields passed away. She had contributed to the City of Pekin.

Councilmember Hohimer thanked the Mayor for forgoing his salary.

Councilmember Hilst questioned the attorney as to whether the city was required to maintain right-of-ways and the trees there.

City Attorney, Ms. Kate Swise, stated that if it was a public right-of-way that had not been vacated the City should maintain the alley. If branches hung in the alleyway the City could remove them and charge the homeowner. If stump was in the right of way it could be removed by the City.

Councilmember Hilst stated that he received an email stating that city staff did some modifications to the Maurer-Stutz study. He questioned why it had not been brought back to Council. Councilmember Hilst questioned if any employee tested positive for COVID-19 were they getting paid out of work comp.

Ms. Swise stated that additional family paid medical leave act authorized through CARES Act was separate from work comp.

Mr. Rothert asked Councilmember Hilst send him his question to get an answer.

Councilmember Hilst questioned the street department supervisor as to whether the city still had equipment that was listed on the website for snow removal including the salt spreader for alleys and cul-de-sacs.

Mr. Olson stated he had a one ton salt spreader but would not get down many alleys.

Councilmember Hilst wanted to clarify that he did not ask for special treatment and stated that now the street department said we had no equipment to fit down the alley. He stated he would be sending out pictures of our icy alley when it ices over again.

Ms. Swise stated that there were circumstances where people would get compensated through work comp. A more complete answer could be given.

Mayor Luft announced that no action would be taken after executive session.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 1. PERSONNEL

A motion was made by Councilmember Nutter, seconded by Councilmember Abel, to move into Executive Session to discuss ILCS 120/2 (c) 1. Personnel. On roll call vote all present voted Aye. Motion carried.

Mayor Luft announced that no action would be taken at the conclusion of Executive Session.

ADJOURNMENT

The meeting was closed at 8:35 PM