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 JANUARY 13, 2020 AT 5:30 O'CLOCK P.M.
MARK LUFT * CHAIR * PRESIDING

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## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mark Luft. The Clerk confirmed all Council Members were present. A quorum was declared by Mayor Luft.

Mayor Luft recognized Emma Michael, a junior high student, for her achievements with the Girl Scouts and her extensive volunteer work in the community.

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Michael Garrison | Councilman | Present | 4:23 PM |
| Rick Hilst | Councilman | Present | 4:25 PM |
| Karen Hohimer | Councilwoman | Present | 4:06 PM |
| Dave Nutter | Councilman | Present | 4:24 PM |
| Lloyd Orrick | Mayor Pro-Tem | Present | 4:27 PM |
| John P Abel | Councilman | Present | 4:06 PM |
| Mark Luft | Mayor | Present | 4:26 PM |

## APPROVE AGENDA

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

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| **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 - Dec 9, 2019 5:30 PM**

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

## PUBLIC INPUT

No one from the public spoke.

## CONSENT AGENDA

**6.1. Accounts Payable Bill Run through 01-10-20**

**6.2. General Fund Revenue and Expense Reports December 2019**

**6.3. November 2019 and December 2019 Building Reports**

**6.4. Police Department Stats - December 2019**

**6.5.** **Resolution No. 48-19/20 Mayor's Appointment of Dennis Short to the Economic Development Advisory Committee to fill the unexpired term of Gregg Ratliff until the first Monday in May, 2021**

**6.6.** **Resolution No. 46-19/20 Mayor's Reappointment of Sharon Church to the Pekin Housing Authority Board for a 5 year term until January 14, 2025**

**6.7.** **2020 Meetings of Committees, Boards, Commissions**

**6.8.** **Resolution No. 42-19/20 Parking Lease Agreement with SEICO**

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| **RESULT:** | **TABLED [UNANIMOUS]**<br><br>**Next: 1/27/2020 5:30 PM** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | John P Abel, Councilman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

**6.9.** Motion to: **Motion to Approve Consent Agenda**
Mayor Luft read through the 8 items on the Consent Agenda.

Councilmember Hilst inquired about Consent Agenda item 6.8 regarding Resolution No. 42-19/20 Parking Lease Agreement with SEICO as to whether staff found proof that SEICO had make payments and whether the reason to table was due to not having a survey available.

City Manager, Mr. Mark Rothert, explained that a copy of the survey was requested and the item was tabled for the next meeting.

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

## PRESENTATION AMERICAN JUNIOR GOLF ASSOCIATION

Mr. Scott Fagley, from the American Golf Association, gave a short presentation that included a video that was played for Council and briefly spoke asking for the City to sponsor their yearly tournament in the amount of $7,500. Mr. Fagley suggested that it was a way for the City to get involved.

## NEW BUSINESS

**8.1.** **Resolution No. 47-19/20 to provide Sponsorship to the American Junior Golf Association for the 2020 D.A. Points Junior Golf Championship Pekin Tournament in the amount of $7,500 from Tourism (Hotel/Motel Tax) Fund.**
City Manager, Mr. Rothert, presented the item to approve Resolution No. 47-19/20 to provide sponsorship to the American Junior Golf Association for the 2020 D.A. Points Junior Golf Championship Pekin Tournament in the amount of $7,500 from the Tourism Fund. Mr. Rothert added that the funds would come out of next year’s budget. Essentially he was asking Council to make a pledge to sponsor the tournament at budget passing time.

Council discussed alternative uses such as putting the money into the City’s streets. Some Councilmembers disagreed and felt it was an opportunity for kids to get involved in something other than drugs and alcohol.

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| **RESULT:** | **APPROVED [6 TO 1]** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | John P Abel, Councilman |
| **AYES:** | Garrison, Hohimer, Nutter, Orrick, Abel, Luft |
| **NAYS:** | Rick Hilst |

**8.2. Discussion Airport Expansion Plans**

City Manager, Mr. Mark Rothert, introduced Airport Manager, Mr. Todd Dugan.

Airport Manager, Mr. Todd Dugan, approached the podium to begin a discussion regarding the airport expansion plans. Mr. Dugan stated that it was his mission to improve the airport, increase operations, and bring the airport to revenue neutral. Mr. Dugan gave a background of the airports goals since he was hired. The airport has seen over $4M in infrastructure improvements of which the City has only had to pay 5%. The new runway just won the Illinois Aviation Construction Project of the year. Mr. Dugan is proposing revenue generating projects that include a new set of storage hangers, T-hangers and an addition on the maintenance shop which will be utilized of a lot. The City would pay for the project upfront with reimbursements from Entitlement money. Mr. Dugan explained that the Entitlement Grant is a safe source of money. Mr. Dugan explained that after speaking with Finance Director, Mr. Bruce Marston, the best way to finance the expansion is through financing. The estimate for the project is $1.5M to $2M with 12 years to pay off the project utilizing the Entitlement Program. The airport currently has rental income from T-hangers and the maintenance shop that were constructed in 1964. This income is expected another 20-25 years. The rental revenue can be used to pay down the expansion project. Mr. Dugan continued to explain that the expansion would add an additional 10 T-hangers on the west side of the airport that will increase operations and fuel sales. Mr. Dugan proposed moving the back hanger to another spot on the airfield and then constructing a 100 x 119 foot building in its place. The State of Illinois did an economic impact study in 2012 and determined that the Pekin Airport provides $3.1M in economic output for the community. The state is currently doing another economic impact study and Mr. Dugan expects it rise considerably. Mr. Dugan explained that today was just a discussion but hopes to come back to Council in a few weeks to start approvals with Council.

Mayor Mark Luft praised Mr. Dugan for his contribution to the airport and discussed the Latvia plane agreement.

Mr. Dugan explained the exclusive USA sole dealership agreement the City has with a plane based out of Latvia which is a high performance carbon fiber aircraft called Tarragon.

Mayor Luft again praised Mr. Dugan and Nick for their outstanding work.

Councilmembers continued a brief discussion of the airport.

**8.3. Authorization of the City Manager to purchase and report to the City Council on the acquisition of two new Ford Transit Connect vans from the Illinois Government Bid through Morrow Brothers Ford Inc.**

City Manager, Mr. Mark Rothert, presented the agenda item authorizing the City Manager to purchase and report to the City Council on the acquisition of two Ford Transit Connect vans from the Illinois Government Bid through Morrow Brothers Ford, Inc. Mr. Rothert explained that students need transported to Bloomington and Peoria. The City works with school districts for new routes and the need has been indicated by the school district. The City has an aging fleet of vans and suggest replacing one van due to mileage and purchasing one new van. Both vans are 2020 models. Mr. Rothert added that the City reached out to Velde to see if they had a similar proposal, but they could not meet the state proposal. Velde offered 2019 red model vehicles. The City would normally purchase white colored vehicles. The school district pays for special routes to be taken and over the life of the vehicles the City will recoup the cost in year 1 or 2.

Bus Department Supervisor, Mr. Bob Henderson, added that he is not sure how soon they will begin the routes as the district pushed the date to February 1st.

Council discussed the situation of the current vans and asked that quotes be sought from other manufacturers and dealerships.

Mayor Luft explained that purchasing older models would increase the total cost due to the extended warranty that would be added.

Fleet Manager, Mr. Dan Jost, added that the radios in the vans are funded by Verizon and that the cameras are not extremely expensive either.

Mayor Luft clarified that used vehicles would not be purchased and to seek quotes for vans no older than 2019.

Councilmember Orrick made a motion to table the agenda item to the January 27, 2020 regular meeting, seconded by Councilmember Abel.

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| **RESULT:** | **TABLED [UNANIMOUS]**<br><br>**Next: 1/27/2020 5:30 PM** |
| **MOVER:** | Lloyd Orrick, Mayor Pro-Tem |
| **SECONDER:** | John P Abel, Councilman |
| **AYES:** | Garrison, Hilst, Hohimer, Nutter, Orrick, Abel, Luft |

**8.4.** Motion to: **Motion to table purchase of two vans until 2nd meeting in January**

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

**8.5. Illinois Environmental Protection Agency Tax Compliance Certificate and Agreement**

City Manager, Mr. Mark Rothert, presented the agenda item to approve an agreement with Illinois Environmental Protection Agency Tax Compliance Certificate. Mr. Rothert explained that this agreement is a requirement for the Illinois Environmental Protection Agency (IEPA) State Revolving Fund (SRF) Loan the City is seeking for the Combination Sewer Outfall (CSO) Phase III construction. The IEPA requests the agreement to be included with the loan application as the agreement outlines the requirements for SRF loans. Previously the City received SRF loans for the second and fourth phases of the improvements to the wastewater treatment plants and CSO basin construction. This loan will be for the construction of the CSO overflow interceptor sewer along the Illinois River to complete the required improvements for compliance with the City's consent agreement.

City Engineer, Mr. Michael Guerra, added that the certificate outlines requirements of the fund loan and to be aware of the requirements.

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

**8.6. Resolution No. 45-19/20 A Resolution Regarding Authorization of Demolition of 1201 Coolidge Avenue**

Director of Building Inspections, Mr. John Lebegue, presented the item to adopt Resolution No. 45-19/20 regarding authorization of demolition of 1201 Coolidge Avenue. Mr. Lebegue explained that this is the first of the next phase of CDBG demolitions. The property experienced a devastating fire in 2018. The owners are deceased and the family has not stepped forward to demolish or repair the property. The City also has a credit at the dump and the cost of the disposal will be reimbursed by HUD. Mr. Lebegue added that this is a dangerous property and the damage inside is extensive. Individuals have been breaking in.

Councilmembers quested the bid package not including the debris removal.

Mr. Lebegue explained that initially the cost was going to be taken out of the general fund, but now will be taken out of CDBG funds. The City receives a more competitive rate through the landfill than the contractors do, saving the City on disposal costs.

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

**8.7. Ordinance No. 2859-19/20 An Agreement for Purchase and Sale of Real Property at 228 Margaret Street**

City Manager, Mr. Mark Rothert, presented the agenda item to adopt Ordinance No. 2859-19/20 an agreement for purchase and sale of real property at 228 Margaret Street. Mr. Rothert explained that he spoke about this several meetings in the past to tear down the building and turn it into a parking lot for downtown businesses. The purchase price is $99,000 with a lease agreement for 90 days so the property owner can utilize the business for storage of another business project in the downtown area. The City would conduct phase 1 of environmental assessment. The resolution is up to $100K to cover all costs in Phase 1 and the lease agreements.

Council discussed the cost of the environmental study, the purchase price, and the monthly price of the lease.

Mr. Rothert added that cross estimates for demolition is around $30-$40K, but may cost more than the average demolition. The cost of the parking lot is around $50K and engineering would probably be done internally. CDBG funds or TIF funds would be utilized.

Mayor Luft added that the current owner never had a problem with the railroad.

Mr. Rothert would take into consideration the value of the bricks when the building comes down.

Councilmember Nutter questioned how the TIF funding would work.

Mr. Rothert answered that the TIF account has to be spent down by December 31, 2022 and the City can utilize that money even though it is not budgeted.

Councilmember Nutter suggested using this money to do all the parking lots. Councilmember Nutter also voiced concern that the City should have something in writing regarding the RR and that the City should look at concrete for the parking lot.

City Engineer, Mr. Guerra, added that a permit may be needed but should only take about 3 months to obtain from the Railroad.

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

**8.8. Resolution No. 49-19/20 Planning and Zoning Commission Directive for Special Meeting**

City Manager, Mr. Mark Rothert, presented the agenda item adopt Resolution No. 49-19/20 directing the Planning and Zoning Commission to hold a special meeting to consider an amendment to the zoning code to authorize Cannabis business establishments in PUD Zoning Districts and to consider an application for Special Use for cannabis craft growing facility. Mr. Rothert continued to explain that the City had previously adopted Ordinance No. 1568-A212-19/20, to regulate the time, place, manner, and number of adult-use and medical cannabis business establishments within the City. A local business had recently expressed interest in establishing an adult-use cannabis craft grower and dispensary in the Riverway Business Park in the City of Pekin, which is located in a PUD zoning district. Applications for craft grower licenses may be filed with the State of Illinois beginning on February 14, 2020. In anticipation of this date, it would be in the best interests of the City for the Planning and Zoning Commission of the City of Pekin to hold a public hearing to consider whether the Zoning Code for the City of Pekin should be amended to specifically permit and regulate adult-use cannabis business establishments within the PUD zoning districts within the City.

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

## ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Alan White approached the podium to inform Council that he was representing the neighborhood regarding 904 10th Street where the sober house is located. Mr. White informed Council that Councilmember Nutter forwarded emails from the city attorney and based on those emails Mr. White determined that it was the City's position that zoning would allow for a sober house to be placed.

Mayor Luft informed Mr. White that it was brought to his attention that attorneys had been hired and therefore he could not directly answer questions without permission from legal.

Mr. White continued to explain why he feels nothing will be done to address the situation.

Jay McNish questioned Council about the audit, commented on another demolition property but pointed out that Orchid St. property still stands. Mr. McNish also stated that the wastewater billing has not been put on the agenda and that the construction of Pizza Peel is impeding the sidewalk. He then inquired about the plan for Court Street and the bus department.

Mayor Luft commented that the City has been waiting for an answer from the State for the $25M due, but we have no control over when. Mayor Luft assured Mr. McNish that the City is working on it.

Alan White approached the podium once more to inquire about the concern with wastewater billing.

Mayor Luft explained that the billing information the City receives comes from a different entity and it may not always be correct.

Mr. White continued to question Council regarding the audits and wastewater billing liens.

City Manager, Mr. Mark Rothert, announced that a committee is being put together to dive into the waste water billing issue.

Finance Director, Mr. Bruce Marston, updated Council on the final stages of the audit that is expected to be finalized soon.

Building Inspections Supervisor, Mr. John Lebegue, confirmed that the Orchid Street project is at the top of his list for the next phase of demolitions.

City Manager, Mr. Mark Rothert, added that he will check on the construction of Pizza Peel. Mr. Rothert added that ICC voted to proceed with the purchase of property with the City at the Industrial Park. The City will also be looking at diagonal striping with the street department on recommendation from the Pekin Main Street group to increase parking between the RR and Capitol Street.

Councilmember Nutter addressed Mr. White and explained that the waste water billing was a simple issue in the beginning and has grown into a monster.

Mr. White responded that paying for someone else's delinquencies when purchasing property is wrong and charging for garbage on vacant property is also wrong.

Councilmember Hilst addressed Mr. Marston and inquired as to whether or not the salt purchase had been moved and if we are taking money out of the General Fund to move to the Motor Fuel Tax Fund to compensate. Mr. Hilst also reminded everyone that yard waste pickup was extended to Friday.

Mr. Marston stated that he could not answer Councilmember Hilst's question right now.

Councilmember Hilst questioned Mr. Marston regarding reimbursements for fire insurance trust fund.

Mr. Marston explained that the City is required to make $200 dollar payments to individuals for contractual payments.

Councilmember Hohimer stated that the parking of commercial vehicles in front of people's homes needs to be revisited.

## EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. LITIGATION AND 5. PURCHASE OF PROPERTY

**10.1.** Motion to: **Motion to Move to Executive Session**
Councilmember Abel motioned to move into executive session to discuss 5 ILCS 120/2(c)11. Litigation and 5. Purchase of Property, seconded by Councilmember Hohimer at 7:09 p.m.

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

## ADJOURN

A motion was made by Councilmember Orrick to adjourn, seconded by Councilmember Abel. There being no further action to come before Council, Mayor Luft adjourned the meeting at 7:50 P.M.