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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 NOVEMBER 26, 2018 AT 5:30 O'CLOCK P.M.
JOHN MCCABE * CHAIR * PRESIDING

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PLEDGE OF ALLEGIANCE

Mayor McCabe led the Pledge of allegiance.

All Council Members were present. A quorum was declared by Mayor McCabe.

Attendee Name	Title	Status	Arrived
James A Schramm	Council Member	Present	5:14 PM
Michael Garrison	Councilman	Present	4:45 PM
Lloyd Orrick	Mayor Pro-Tem	Present	4:45 PM
John P Abel	Council Member	Present	4:45 PM
Michael Ritchason	Council Member	Present	5:12 PM
Mark Luft	Council Member	Present	5:13 PM
John McCabe	Mayor	Present	4:45 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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

APPROVAL OF MINUTES

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James A Schramm, Council Member
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

4.2. **City Council - Regular Meeting - Nov 13, 2018 5:30 PM**

PUBLIC INPUT

Jim Mangan spoke against 8.4 regarding the Professional Services Agreement for retail attraction services. Mr. Mangan felt it would be better spent on streets and infrastructure to build new business. Also reminded members of questions sent to Council on 10.7.

Elaine Ritchie addressed 7.1 the Employees Handbook. Ms. Ritchie stressed that staff should live within the city limits.

Dave Nutter thanked the police, fire and street department for their work during the bad weather. Mr. Nutter addressed 8.1, the IMLRMA Contribution Agreement and asked Council if the 1% discount was applied or if it had been extended. He also questioned why the contract did not coincide with the fiscal year. He also spoke against item 8.4, the Professional Agreement for Retail Attraction and asked for restrictions to be set in the contract.

Wendy McCreaty, co-founder of Fight the Fight and operator of Allen's House, approached the podium to speak in favor of the Sober Living House. She described in detail all the hard work her organization has contributed toward providing resources and treatment options for patients. Ms. McCreaty asked for the Sober Living House to be reconsidered based on updated improvements to the house.

Sheila Gunzinheizer also addressed the Council in favor of the Sober Living House.

Judy Hale spoke in favor of the Sober Living House but feels it needs to be located in the proper facility.

Joni Schafer also explained her personal reasons for being in favor of the Sober Living House.

David Castle, a realtor, approached the podium to explain to Council the difficulty in finding proper real estate that provides a location that benefits those participating in the Sober Living House and spoke in favor of the same.

Courtney Bass, owner of 912 Broadway, spoke in favor of the Sober Living House and the need in Pekin for such a facility.

Paul Hawke, a member of a philanthropic organization, spoke in favor of the Sober Living House.

Corey Campbell, board member of Fight the Fight Against Addiction, spoke in favor of the Sober Living House and explained the process they went through to apply for a Special Use Permit and the rules of the program that addresses the parking issue.

John Lee also spoke in favor of the Sober Living House and pointed out key number 4 on the agenda, a high quality of life for Pekin's residents.

Jordan Ellis, spoke in favor of Sober Living Houses, but expressed his concern with increased vandalism, property value and congestion in the area.

Dale Loshier spoke against the location of the Sober Living House.

Sammie Williams and Rob Zurwurtz addressed the Council regarding her concerns with the Sober Living House.

CONSENT AGENDA

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

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

6.2. October 2018 Building Report

6.3. September 12, 2018 Minutes of Pekin Plan Commission

6.4. PD STATS - OCTOBER 2018

6.5. Receive and File Tazewell County Animal Control October Report

6.6. Receive and file bids for the 18th Street Culvert Repair Project

6.7. Receive and file bids for the Thrush Ave. Creek Erosion Repair Project

6.8. Receive and File Bids Ironwood Creek Erosion

UNFINISHED BUSINESS

7.1. Resolution No. 87-17/18 A Resolution Adopting the Employee Handbook Revision 2018 of the City of Pekin

RESULT:	**FAILED [0 TO 0]**
MOVER:	Michael Ritchason, Council Member
SECONDER:	John P Abel, Council Member
AWAY:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

7.2. Motion to: **Motion to remove Resolution Adopting Employee Handbook 2018 from the table**

Motion was made by Council Member Ritchason and seconded by Council Member Abel to remove Resolution Adopting Employee Handbook 2018 from the Table.

Council Member Ritchason expressed concern as to Council Member Abel's motion to second.

Mayor McCabe asked if Council Member Abel would like to withdraw his second. Council Member Abel withdrew his second.

Council Member Ritchason made a motion to remove from the table Resolution No. 87-17/18.

The motion died due to lack of a second.

NEW BUSINESS

8.1. ORDINANCE NO. 2807-18/19 Authorizing the Execution of the IMLRMA Minimum/Maximum Contribution Agreement

Interim City Manager, Mark Rothert, introduced the item to the Council. Human Resource Manager, Sarah Newcomb, explained that Mr. Clausen was present with questions from IMLRMA. Ms. Newcomb continued to explain that the 1% discount was extended through tonight's meeting as we were waiting for a second quote from a different insurance company that had not arrived. The compared deductibles, premiums, and current loss history were taken into consideration and made a decision with staff that IMLRMA would be the better option due to the lower deductibles, the City's history, and the current state of the insurance fund.

Council Member Orrick directed questions to Mr. Jim Clausen from IMLRMA regarding the 75% minimum and the 127% maximum. Mr. Clausen explained that the packets provided to Council breaks it down year by year. IML Risk Management basically gives a 10 or 11% discount off the standard contribution each year they set a loss fund, if it exceeds in paid claims a possible billing would be brought to the City. Mr. Clausen answered the questions from the public asked during public input regarding the discount and billings aligning with the fiscal year. He discussed the longevity with the City and the savings by the City. He explained that there are several things the City has in place including a safety committee, training with the bus department, public works training and flagger training are considered internal controls to help with risk management.

Ms. Newcomb announced that one other quote was received from the Chicagoland area.

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

8.2. Amendment to CDBG 2015-2019 Consolidated Plan to include Demolition program

HUD Administrator, Pamela Anderson, explained the 30-day comment period has ended with no comments received. It was triggered to be a substantial amendment to amend the five-year plan because the demolition was a new plan.

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

8.3. CDBG Citizen Participation Plan

Interim City Manager, Mark Rothert, introduced the item. Hud Administrator, Pamela Anderson, explained that this is the end of the public comment period and no comments were received during the comment period or the hearing.

Council Member Orrick inquired when the budget period ends. Ms. Anderson explained that it ends on April 30, 2019. Staff would have to make a decision to carry over or reallocate the funds budgeted if not used by the end of the fiscal year.

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

8.4. Approval of Professional Services Agreement for Retail Attraction

Interim City Manager, Mark Rothert, introduced the item. He explained the proposal to hire Retail Strategies, LLC to bring development to Pekin. Staff is recommending approval.

Council Member Luft expressed his concerns and suggested the City wait until elections are over since the City has some other projects in economic development currently.

Council Member Orrick agreed with Council Member Luft.

Mayor McCabe quested Mr. Rothert on the difference between Retail Strategies and Mr. Matt Fick. Mr. Rothert explained that Mr. Fick will not be primarily working on retail attraction but more toward head of household jobs. Mr. Fick will be working with existing businesses, entrepreneurs, and business attraction leads, etc.

Council Member Abel expressed that the combination of Retail Strategies and Mr. Fick is good for the City.

On roll call all voted aye except Council Member Luft, Council Member Orrick and Council Member Garrison.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Mark Luft, Council Member
SECONDER:	John P Abel, Council Member
AYES:	James A Schramm, John P Abel, Michael Ritchason, John McCabe
NAYS:	Michael Garrison, Lloyd Orrick, Mark Luft

8.5. 1566 : Deny Request for Special Use Authorization to Establish a Community Residence Use at 912 Broadway Street

Building Inspector, Mr. John Lebegue, explained the Special use request for a drug or alcohol shelter or rehabilitation. It is a community residence used for the purpose of housing persons for drug or alcohol shelter or rehabilitation constitutes a special use. Other community residences such as for developmentally handicapped do not require a special use, but a site plan and review of the use from a home occupation aspect. Mr. Lebegue explained the seven standards that the planning commission utilized. The planning commission voted to deny the recommendation for a Special Use Authorization to establish sober living community residence.

Council Member Luft expressed his appreciation of the public coming to the meeting to give their opinion and offered his help to push the item forward.

Council Member Abel spoke in support of a sober living residence.

Mayor McCabe spoke about sober living residences and pointed out that there is not one located in Tazewell County.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Michael Garrison, Councilman
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Ritchason, Luft, McCabe
NAYS:	John P Abel

8.6. Request for Special Use Authorization for Open Front Storage at 2909 Court Street

Building Inspector, Mr. John Lebegue, presented the item. The request is to utilize the former K-mart property. They will have a small retail component and also an outdoor storage and display of rental trucks, trailers, and other equipment. The third aspect is conditioned interior storage. When evaluated the outdoor storage aspect meets all the requirements of the City's code. Upon consideration the members of the planning commission recommends approving the request. No special alteration will need to be made to the property.

Council Member Orrick questioned yearly approval of the outdoor storage. Mr. Lebegue explained that U-Haul would pay a yearly renewal but would not have to return for approval each year.

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

8.7. 1563 : Recommend Request for Special Use Authorization for Construction of a Solar Farm on Koch Street

Interim City Manager, Mark Rothert, presented the item. Mr. Rothert explained that this item is a proposed solar farm project on Koch St. A solar ordinance at the last meeting was passed. This project will conform to that ordinance. The City was aware that these projects were coming to Council soon due to the solar renewable energy credits coming on line through the State of Illinois during the first quarter of next year. Mr. Rothert deferred to Mr. John Lebegue.

Building Inspector, Mr. John Lebegue, added that at the time of the application there was no specific zoning classification in the code for this, but now there is. This type of use will continue to be a special use under the proposed and approved ordinance. This request is to install a 2-megawatt solar farm on a vacant parcel of land on Koch St. The nature of the use is to allow power generation in the area. The applicant did an outstanding job describing how their particular use meets the standards for a special use. It would produce enough electricity for 450 households that would have the ability to purchase that electricity.

The Council discussed the size of the property, any noise produced by the panels, the submittal of plans to the planning commission, and the establishment of an escrow account along with the decommission fund.

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

8.8. Intergovernmental Agreement with Tazewell County Recycling Grant 2019

Interim City Manager, Mr. Mark Rothert, presented the item. Mr. Rothert explained the costs associated with recycling and how the recommendation will help defer the cost.

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

8.9. 2019 Pekin Municipal Airport Farm Lease

Interim City Manager, Mr. Mark Rothert presented the item. A request for proposal was offered on the farm lease and the City received one proposal from the current farmer. Staff recommends re-entering into the annual lease with the current farmer with a monthly rate increase of $5 more per acre than last year. Mr. Rothert, deferred to the City Engineer, Mr. Guerra and the Airport Manager, Mr. Dugan.

Council raised questions to the staff regarding the land. Mr. Dugan explained that it is the same land as the solar farmland and provisions have been written to account for that if construction begins next year. Mr. Rothert added that the farmer would receive compensation by the solar farm company, not the City.

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

8.10. Resolution 126-18/19 recommendation by City Council Sub Committee on Storm Water for projects and engineering

Council Member Orrick, Chair of the stormwater committee, introduced the item. Council Member Orrick deferred to City Engineer, Mr. Michael Guerra.

Mr. Guerra spoke in detail regarding the resolution. He explained that at the last meeting they felt lumping several projects into one resolution to be awarded at one time with one allocation of $250,000 of the impound fees dedicated to the Capital Fund to be in compliance with the code was appropriate. Projects were prioritized to be performed by city crews, contractors and engineering work. The committee has been tracking the costs as they have been occurring. Mr. Guerra described each of the three projects in detail as outlined in the agenda packet. The recommendation includes construction projects for award on the 18th Street/Westshore culvert repair, Thrush Ave repair and Ironwood/Pine St. repair. The recommendation also includes the assignment of engineering task orders on Vista Grande, Tharp Ave., Jane Street and Koch St and Riverway.

Mayor McCabe questioned Mr. Guerra regarding the drainage issue on Derby Street. Mr. Guerra explained that the City alleviated the flooding in that area and the retention pond has been performing well.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James A Schramm, Council Member
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Orrick, Abel, Ritchason, Luft, McCabe

8.11. City Manager Employment Agreement

Mayor McCabe introduced the item. Interim City Manager, Mr. Mark Rothert, announced his appreciation for the opportunity.

Council Member Orrick stated that the process has been flawed from the beginning and that the contract has been rushed to a judgment on the most important position in the City's government. The candidate has never prepared a complete City budget and Council Member Orrick feels he does not want to participate.

Council Member Ritchason stated that his frustration was the process and his concern is that moving forward everyone has the same information and take due diligence that everything is corrected on all on board before we proceed.

Council Member Abel also expressed the rush to this decision. Mr. Abel stated that he is in favor of approving the contract.

Council Member Luft commented that he did not agree with the process. Mr. Luft agrees that the line of communication has improved and everyone needs a chance. Also, Mr. Luft stated that Mr. Rothert has a great network and it would be hard to believe he would not come in to shine.

RESULT:	**APPROVED [5 TO 2]**
MOVER:	James A Schramm, Council Member
SECONDER:	John P Abel, Council Member
AYES:	Schramm, Garrison, Abel, Luft, McCabe
NAYS:	Lloyd Orrick, Michael Ritchason

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Dave Nutter approached the podium to express his concern regarding IMLRMA contract, Robert's Rules, and the excavator payment.

Jim Mangan discussed the last opportunity to add to the agenda the repeal of Home Rule. Mr. Mangan also discussed changing the current plan of budget officer to the appropriation type budget that is used by most government bodies. Lastly, he asked that Council explain the employment contract with Mr. Rothert as the details were not disclosed.

Interim City Manager, Mr. Mark Rothert, announced appreciation to dedicated staff for securing the roads last night. He also stated that the levy process is approaching and will be speaking to Council so that it can be adopted at the December 10th meeting.

Corporate Council, Mr. Burt Dancey, added that in the last five years, twice there have been efforts by the citizen rate to put the home rule question on the ballot and each time there lacked enough signatures to do it themselves.

Mayor McCabe reminded everyone to shop local for the upcoming holidays. Mayor McCabe also announced upcoming events including Christmas on Court.

Council Member Orrick along with the other Council Members discussed some of the details of the City Manager contract and announced that it will be available online.

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ADJOURN

No further action to come before Council, motion was made by Council Member Ritchason, seconded by Council Member Orrick that Council adjourn. Motion carried viva voce. Mayor McCabe adjourned the meeting in open session at 8:15 P.M.