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

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THIS WILL BE A REMOTE MEETING HELD VIA "ZOOM MEETINGS". THE PUBLIC CAN ONLY ATTEND THIS MEETING REMOTELY; DUE TO THE GOVERNOR'S EXECUTIVE ORDER REGARDING COVID-19 AND THE RELAXING OF THE OPEN MEETING ACT REQUIREMENTS, THIS MEETING WILL BE HELD REMOTELY VIA ZOOM MEETINGS WITHOUT AN IN-PERSON MEETING LOCATION FOR THE PUBLIC TO ATTEND. YOU WILL BE ABLE TO LISTEN TO THE MEETING AND SUBMIT COMMENTS DURING THE TIME FOR PUBLIC COMMENTS BY SENDING A DIRECT MESSAGE TO THE MEETING HOST USING ZOOM MEETINGS

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 NOVEMBER 23, 2020".

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 electronically present via Zoom Meetings.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	5:35 PM
Rick Hilst	Councilman	Present	5:35 PM
Karen Hohimer	Councilwoman	Present	5:23 PM
Dave Nutter	Councilman	Present	5:35 PM

Lloyd Orrick	Mayor Pro-Tem	Present	5:35 PM
John P Abel	Councilman	Present	5:23 PM
Mark Luft	Mayor	Present	5:23 PM

APPROVE AGENDA

Motion to: **Remove 7.1, 8.9, 8.10 from Agenda**

A motion was made by Councilmember Abel and seconded by Councilmember Hohimer to remove agenda item 7.1, 8.9, and 8.10 from the agenda and to add an executive session to discuss personnel ILCS 5/120/2 (c) 1. On roll call vote all present voted Aye. Motion carried.

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

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

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

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Nov 9, 2020 5:30 PM

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

PUBLIC INPUT

City Clerk, Ms. Sue McMillan, announced that Mr. McNish and Mr. Mangan wished to be heard during public input via electronic attendance.

Mr. Mangan thanked the Council for altering public input time. Mr. Mangan also spoke regarding occupancy permits, neighbor concerns, lighting, and parking at 602 N. 5th Street. Mr. Mangan also addressed the Council regarding Council conduct code violations and missing the account payable report for the current meeting.

Mayor Luft read comments submitted from Mr. McNish addressing Home Field Energy aggregation and questioned why residents have to opt out and then opt in.

City Manager, Mr. Mark Rothert, explained that in accordance with State law the City passed a resolution asking the public for authority to create an opt out program. Owners then approved that referendum by a margin of 56%. Mr. Rothert continued to explain that residents who do not wish to have electricity from that supplier, largely Home Field Energy, have to opt out which had been the case since 2012 as created by the State of Illinois and the Illinois Assembly. The opt in aggregation program was not approved by the voters. The City receives an administrative fee equated for that program.

Mr. McNish also questioned the status on the Orchard Street demolition.

Mr. Rothert stated that the inspection report had been completed and the environmental had been finalized. The City was working with a contractor's schedule to get the property demolished, weather permitting.

Mr. McNish aslo addressed whether the street sweeper had a schedule and questioned when the south side streets would be swept.

Street Supervisor, Mr. Brett Olson had explained that the south side was considered South of Court Street; everything South of Court was completed by November 12th. The second round of sweeping is on the North side and then the sweeper works its way South. Only one pass had been done of the South side but the second round was being worked on.

CONSENT AGENDA

6.1. Financial Reports September 2020

6.2. Tazewell County Animal Control Billing - October 2020

6.3. Resolution No. 186-20/21 Mayor's Appointment of Caitlin Campbell to the Economic Development Advisory Committee to fill the unexpired 3-year term of Glayn Worrell until May 2023

Motion to: **Approve Consent Agenda**

Mayor Mark Luft read through the four items on the Consent Agenda.

Councilmember Nutter questioned whether Hollybrook Phase 2 was presented to the commission or if it was only presented to the commission for clarification on a signature to the commission. Councilmember Nutter also questioned if the number of units was changed from 25 to 20 and if doing so required a meeting before a special use was permitted.

City Manager, Mr. Mark Rothert, deferred to Mr. Matt Fick, the Planning and Zoning Administrator.

City Clerk, Ms. Sue McMillan, interjected to explain that the proper use of the Consent Agenda was for one vote, therefore, any discussion or decisions should be to remove the item to be placed under New Business.

Councilmember Nutter requested to move Consent Agenda item 6.4 Ordinance No. 2924-20/21 An Ordinance Approving a Special Use for the Villas of Holly Brook – Phase 2 to New Business.

Mayor Luft confirmed that Consent Agenda item 6.4 was now moved to item 8.2 under New Business.

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

NEW BUSINESS

7.1. Resolution No. 192-20/21 Reject Bids Related to Court Street Rehabilitation Project

City Manager Mr. Mark Rothert read the request for action to Council to approve and adopt the Resolution. Mr. Rothert explained that the request was to reject the bid from R.A. Cullinan and Son as the State required the City to rebid the project to incorporate certain grant requirements in light of receiving a $2M Fast Track Public Infrastructure Grant from the State of Illinois. The City would then rebid the project over winter with a start date for construction in Spring 2021.

There were no questions or comments from Council.

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

7.2. Ordinance No. 2924-20/21 An Ordinance Approving a Special Use for the Villas of Holly Brook - Phase 2

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt the Ordinance. Mr. Rothert explained that the Planning Commission and City Council approved Phase 1 of the project due to the fact there were no immediate plans for Phase 2 improvements. Mr. Rothert continued to explain that the City was approached to begin construction on Phase 2 which was essentially the same as what was proposed in 2015, only the unit count had been reduced from 25 to 20 units.

Planning and Zoning Administrator Mr. Matt Fick explained that the agenda item went through the planning and zoning process, was published in the newspaper and adjacent owners were notified. Input was received from owners. After approved through the commission, Counsel noticed the wrong entity was on the application and the item was brought back to the commission with no attendance. The Planning Commission unanimously approved the request on November 18, 2020.

Councilmember Nutter questioned the dates of approval through the commission.

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

7.3. Resolution No. 189-20/21 Annual Support of Peoria Area Convention and Visitors Bureau

City Manager, Mr. Mark Rothert, read the request to Council to approve and adopt the resolution. Mr. Rothert explained that the Peoria Area Convention and Visitors Bureau works hand in hand with communities in its eight county service area to create economic growth through sales and marketing efforts to bring more sporting events, meetings, conventions and leisure tourists to our area. Mr. Rothert added that the resolution authorized the City of Pekin’s continued annual support to the organization to maintain their marketing and support of tourism in the area. Funds would come from the Tourism Fund. Mr. Rothert introduced J.D. Delfanso holding on the line.

Mr. Delfanso gave a brief overview of the PACVB’s purpose and how the pandemic affected the local hotels, restaurants and businesses. Mr. Delfanso also touched on the upcoming pandemic friendly events.

Mayor Mark Luft spoke in favor of the agenda item and praised Mr. Delfanso for his strong efforts through this difficult time.

RESULT:	**ADOPTED [4 TO 3]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Mayor Pro-Tem
AYES:	Karen Hohimer, Lloyd Orrick, John P Abel, Mark Luft
NAYS:	Michael Garrison, Rick Hilst, Dave Nutter

7.4. Resolution No. 190-20/21 Funding Support for Pekin Chamber of Commerce Christmas on Court Event

City Manager, Mr. Mark Rothert, presented the agenda item to Council by summarizing the request to Council action. Mr. Rothert explained that the Pekin Area Chamber of Commerce, in partnership with the Peoria Area Convention and Visitor's Bureau was planning to re-envision Pekin's Christmas on Court event this year with an immersive reverse-parade, designed to engage the community. Mr. Rothert stated that the Chamber asked all community members to stay in their vehicles and mask-up during car window interactions. Mr. Rothert added that the Chamber was seeking sponsorship support in the amount of $2,000.

Mayor Luft, Councilmember Orrick, Councilmember Hohimer and Councilmember Abel all spoke in favor of the agenda item and encouraged Council support.

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

7.5. Resolution No. 187-20/21 Award Bus Department Lighting Project

City Manager, Mr. Mark Rothert, read the request for action to Council approve and adopt the resolution. Mr. Rothert explained that in the past year the City of Pekin Bus Department facilities had substantial roof sealing failure that caused many components of the building to be damaged. The City was able to leverage Ameren Energy Efficiency Grants to allow the City to replace the lighting at a reduced price due to the low efficiency of the current lighting. Electric was recommended as the lowest bidder.

No comments or questions were presented from Council.

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

7.6. Resolution No. 188-20/21 Tazewell-Woodford Head Start Vehicle Maintenance Agreement

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt the resolution. Mr. Rothert explained that the City and Tazewell-Woodford Head Start has had a long standing joint effort towards the repair and maintenance of Tazewell-Woodford Head Start's busses as well as fuel supply. Mr. Rothert continued to explain that Tazewell-Woodford Head Start was charged a rate of $65 per hour of labor, including an additional 28% markup on parts to cover procurement costs, as well as a $25 shop-supply fee on repairs. The terms of the agreement is for approximately two calendar years.

Councilmember Hilst questioned the calculation for the cost of fuel and where the City profited.

Fleet Manager Mr. Dan Jost confirmed that there was a 5 cent markup and that the City profited on just the labor of the vehicles.

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

7.7. Ordinance No. 1568-A216-20/21 Rezoning Parking Lot at 1111 Broadway

A motion was made by Councilmember Nutter seconded by Councilmember Hohimer to approve and adopt Ordinance No. 1568-A216-20/21 Rezoning Parking Lot at 1111 Broadway.

City Manager Mr. Mark Rothert summarized the request and explained that the request by PNC Bank was to change the zoning of a parking lot as the building was already zoned B-3 General Business. The parcel located at 1111 Broadway is a 1.24 acre parking lot that serves the building located at 1101 Broadway. The applicant was seeking to have the parking lot and adjacent building both zoned B-3 to assist in attracting future tenants. The Planning Commission met on November 18, 2020 and voted unanimously to recommend approval.

Mayor Luft and Councilmember Hohimer spoke in favor of the agenda item.

Councilmembers Hohimer and Abel questioned if the parking lot would be fixed.

Councilmember Orrick questioned whether the entire parking lot was requested to be rezoned to B-3 and how there could be a business without any parking. Councilmember Orrick felt the property should be zoned a parking lot.

Mr. Rothert explained that the goal was to create conformity and that there was no change to the zoning of the building on the lot. Mr. Rothert pointed out that the Kroger parking lot and building was zoned B-1 and was private, not public, but argued that it made sense to make the entire parcel one zoning classification.

Councilmember Orrick stated he didn’t have a problem with the rezoning, it was just a difference on how it was viewed. Councilmember Orrick felt the key was having site plan approval if needed in the future.

Councilmember Hilst stated that the item was recommended from the Planning Commission but no agenda had been posted online or minutes provided. Councilmember Hilst asked to make a motion to table the item until the minutes were available from the Planning Commission, seconded by Councilmember Nutter.

Mayor Luft confirmed a motion was made by Councilmember Hilst seconded by Councilmember Nutter to postpone the agenda item. Mayor Luft expressed concerns with any issues on the lot moving forward.

Planning and Zoning Administrator, Mr. Matt Fick, stated that the owner was still contemplating the use, therefore did not believe there would be any issues to postpone. In terms of the minutes, they had not been approved and would not be available until the next planning commission meeting on December 9th.

Councilmember Hilst agreed the item would be postponed until the first regular Council meeting on December 14th.

RESULT:	**POSTPONED [5 TO 2]** **Next: 12/14/2020 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Garrison, Hilst, Nutter, Orrick, Luft
NAYS:	Karen Hohimer, John P Abel

7.8. Ordinance No. 2925-20/21 An Ordinance Establishing a Fee Schedule for Signs Requiring a Permit Pursuant to Title 9, Chapter 10 of the Pekin City Code

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt the ordinance. Mr. Rothert explained that the Council passed Ordinance No. 2916-20/21 on October 26, 2020 to regulate off-premise signs but the approval of the fee schedule for signs requiring a permit was delayed. Mr. Rothert described the fee proposed fee schedule.

Council discussed the annual due date running with the fiscal year and how the fees would be passed on to the owner of the sign not the landowner. Council also stated that the request came from a private advertising company to provide more electronic board signage.

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

7.9. Resolution No. 191-20/21 FCI Excavating to Install Sewer Lateral at 2106 Susan Hope

City Manager, Mr. Mark Rothert, summarized the request to Council to approve and adopt the resolution. Mr. Rothert explained that the request was for FCI Excavating to extend a sewer lateral from the sewer main to the edge of City right-of-way in order to connect a new home to the sewer system. The sewer system was originally constructed in the 1990's by R.A. Cullinan as part of the Whitehurst development. Mr. Rothert continued to explain that recently the contractor, FCI Excavating, attempted to locate the sewer lateral behind the curb at 2106 Susan Hope but were unable to do so. A company was called in to camera the sewer and it was discovered that the sewer lateral was only extended 5 feet away from the main instead of 55 feet as the original construction plans showed. FCI Excavating requested that they be paid for their time already spent on the project because it was unnecessarily used looking for the lateral. They agreed to extend the sewer lateral and provided an estimate of costs.

Council discussed the street blocking in the subdivision. City Engineer, Ms. Josie Esker, confirmed that road was blocked and once approved work would begin right away. Ms. Esker also stated that due to the holidays the road would not be reopened until the following week.

Council discussed with Ms. Esker that FCI was not technically authorized to dig up the road. Ms. Esker explained that FCI was not aware that a camera was needed to view the sewer lateral and they hired another company to come out to determine the length of the lateral who had such capability. Ms. Esker continued to explain that the City did not have a lateral launch camera and the contractor was under the impression we were taking care of that cost.

Councilmember Hilst stated that the original construction plans showed the contractor was supposed to expand the lateral to a certain amount of feet and questioned why they were not being held accountable.

Ms. Esker answered that the City was responsible for the construction oversight and the warranty was good for a year. The work in question was completed in the 90's.

City Attorney, Ms. Kate Swise, stated that if there were a breach of contract it would depend on the statute of limitations.

City Manager, Mr. Mark Rothert, stated that it was a mystery as to why Whitehurst did not sign the redevelopment agreement, but would look into it.

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

7.10. 2021 Street Maintenance Plan Presentation & Discussion

City Engineer, Ms. Josie Esker, presented Council with a powerpoint presentation on the 2021 Street Maintenance Plan which included her recommendation. Ms. Esker went over the different types of road maintenance and the cost associated with each. Ms. Esker continued to go through the different projects finalized this year and the projects that were not touched. Ms. Esker went through the choices for next fiscal year, the proposed budget and MFT reserves. Ms. Esker stated she would email Council with a survey regarding what road projects to support. Responses were due by December 2nd with final selection at the December 14th Council meeting.

Councilmember Orrick requested an engineering study for Derby Street next fiscal year. He also requested discussion regarding an ordinance establishing 50% of the money from the BDD going to infrastructure.

Ms. Esker stated that she agreed with designating a funding source for infrastructure and starting on engineering and right of way acquisition.

Councilmember Abel spoke against chip and seal for downtown.

Councilmember Hilst discussed whether funds spent included sidewalk and curb ramps.

Ms. Esker confirmed that it did and any funds saved would roll over to MFT reserves.

Ms. Esker ended her presentation by stating that 4 foot maps were available for viewing at City Hall.

CITY COUNCIL OR STAFF REPORTS

City Manager, Mr. Mark Rothert, advised if the Council could meet for a special meeting on December 7th to largely deal with the BDD, property tax levy, and other pending agenda items.

Mr. Rothert also announced he had staff contact with the owner and neighbors at 602 N. 5th Street and have been working with those issues and would provide an update tomorrow pertaining to the special use requirements.

Mr. Rothert explained that the Accounts Payable report was assigned to a different meeting by error and would be put on the next meeting, probably on the 7th of December.

Councilmember Abel reminded citizens to shop locally to those that pay taxes in lieu of Google, Amazon and Wayfair. Councilmember Abel also inquired as to why Tazewell County was running radar on 14th Street.

Councilmember Hohimer addressed the Council to consider getting questions answered prior to the meeting to save time.

Councilmember Nutter apologized for his technical difficulties. Councilmember Nutter also questioned a status update on postponing the IDOT street maintenance.

Mr. Rothert stated that IDOT indicated they would be doing the plowing this winter, confirmed by Ms. Esker.

Councilmember Hilst mentioned the street sweeping starting in the CSO areas.

Street Supervisor, Mr. Olson stated that was the plan but they try to make the sweeping as smooth as possible in their route.

Councilmember Hilst requested a map of the street sweeping.

Councilmember Hilst also questioned the completion date of the SEICO physical access door upgrade.

Mr. Rothert commented that photos of employees for I.D. cards with appropriate access to building needed to be completed. Mr. Rothert added that the deadline was a work in progress but would inquire.

Councilmember Hilst also questioned the flags and poles that were removed on the riverfront.

Mayor Luft stated that damage was done to the poles and the cost of replacing those was phenomenal.

Mr. Olson explained that damage was done to the poles and the street department removed them. They were looking for an easier way to raise and lower them. Mr. Olson did not feel they were properly installed.

Mayor Luft announced that Council would be moving into Executive Session and no action would be taken after.

Mayor Luft also thanked everyone for their patience with electronic attendance.

Mr. Rothert excused himself from Executive Session.

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

Councilmember Abel motioned to move into executive session to discuss 5 ILCS 120/2 (c) 1. Personnel seconded by Councilmember Hohimer at 8:10 P.M. Mayor Luft announced no action would be taken after Executive Session. On roll call vote all present voted Aye. Motion carried.

There being no further business coming to Council, a motion was made by Council Member Garrison to adjourn seconded by Council Member Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 8:30 P.M

ADJOURNMENT

The meeting was closed at 8:30 PM