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 NOVEMBER 9, 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 9, 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 physically present

except Councilmember Hohimer, who was electronically present via Zoom Meetings.

Attendee Name	Title	Status	Arrived
Michael Garrison	Councilman	Present	5:30 PM
Rick Hilst	Councilman	Present	5:30 PM
Karen Hohimer	Councilwoman	Remote	5:30 PM

Dave Nutter	Councilman	Present	5:30 PM
Lloyd Orrick	Mayor Pro-Tem	Present	5:30 PM
John P Abel	Councilman	Present	5:30 PM
Mark Luft	Mayor	Present	5:30 PM

APPROVE AGENDA

3.1. Motion to: **Approve agenda**

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 - Oct 26, 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, and Mayor Mark Luft, both confirmed no public comment was received via email or Zoom Chat.

CONSENT AGENDA

6.1. Resolution No. 180-20/21 Mayor's Appointment of Sharon Collins to the Human Rights Committee to fill the unexpired 2 year term of Mark Foglio until May 2022

6.2. Proclamation "National Apprenticeship Week" November 8, 2020 through November 14, 2020

6.3. Police Department Stats - October 2020

6.4. Accounts Payable to be Paid Proof List thru October 30, 2020

Motion to: **Approve Consent Agenda**

Mayor Luft read through the 4 items on the Consent Agenda.

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

NEW BUSINESS

7.1. Ordinance No. 2922-20/21 TIF Redevelopment Agreement with Riverway Property Management, LLC

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Ordinance No. 2922-20/21 TIF Redevelopment Agreement with Riverway Property Management, LLC. Mr. Rothert explained that a reimbursement of 50% would be issued after property taxes had been paid, continuing each year until the $500K limit was reached.

Council discussed the number of full-time positions, Ag Development Limited that works with Jacob and Klein, and the tracking of the paid property tax bill.

Mr. Rothert explained that the TIF Administrators would track the real estate taxes paid and when they were due.

Council also discussed that the contract did not state that the developer could not file an appeal of their taxes to the Board of Review. City Attorney, Ms. Katherine Swise, explained that the language in the contract was not referring to the Developer's appeal but addressed any other tax objection filed that would affect the overall tax increment, then the City could withhold the developer's share of any refund until that tax objection was cured.

Councilmembers continued the discussion that included the fact the developer chose to use prevailing wage even though he did not have to, reimbursable costs and pointed out a clerical error regarding treasurer language that would need revised.

Council also questioned the special account set up for the TIF funds, keeping track of the reimbursements, and how the contract was contingent on the developer getting approved for a license.

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

7.2. Ordinance No. 2923-20/21 Amending Title 1, Chapter 6 of the City Code Regarding the Conducting of Business of the City Council

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Ordinance No. 2923-20/21 Amending Title 1, Chapter 6 of the City Code Regarding the Conducting of Business of the City Council. Mr. Rothert touched on minor changes contained in the request including Section 7 regarding presentations, Section 10 City Council and Staff reports, and adding New Business following executive session if applicable. Additional amendments included Section 1.5.5 regarding Public Input, City Manager's rights to participate in Council meeting deliberations, Press Time, public comment rules and requesting permission from the Mayor to speak.

Council discussed consolidating public input at the beginning of the meeting to provide more efficiency allowing the public to discuss any topic at one time to accommodate peoples schedules.

Councilmember Hilst spoke against the item stating that questions are formulating during the meeting and having an opportunity to speak at the end of a meeting was ideal as opposed to waiting another two weeks to speak at the following meeting.

Councilmember Hohimer spoke in favor of the agenda item and felt it was a great idea to only provide public input at the beginning of the meeting so that citizens did not have to wait.

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

7.3. Resolution No. 181-20/21 Accepting Donation of Property at 514 Margaret Street

City Manager, Mr. Mark Rothert, presented the agenda item to approve and adopt Resolution No. 181-20/21 Accepting Donation of Property at 514 Margaret Street.

Councilmember Orrick confirmed that the City would obtain title insurance on the deed.

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

7.4. Resolution No. 182-20/21 Beautification Funding and Awards Program Creation

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 182-20/21 Beautification Funding and Awards Program Creation. Mr. Rothert introduced Ms. Charity Gullett to follow with a powerpoint presentation.

Ms. Gullett proceeded through a powerpoint presentation explaining the meaning behind beautifying the neighborhood and how it affects the way people interact, leads to economic development, and provides a more inclusive community. Ms. Gullett continued the presentation describing the nominations for the beautification awards and discussed the committee's Rocktober event.

Councilmembers spoke positively about the committee's efforts.

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

7.5. Resolution No. 184-20/21 2020 Property Tax Levy Determination Per Truth in Taxation Act

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 184-20/21 2020 Property Tax Levy Determination Per Truth in Taxation Act. Mr. Rothert confirmed that the estimate did not exceed 105% of last years' tax levy. The goal was to provide a reduction of 10% after passing the Business Development District. Final adoption of the tax levy will be on December 14, 2020 at the City Council meeting.

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

7.6. Resolution No. 185-20/21 Continued Late Fee Forgiveness for City Services and Food and Beverage Tax

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt Resolution No. 185-20/21 Continued Late Fee Forgiveness for City Services and Food and Beverage Tax.

Mayor Luft reiterated that this had been a difficult road for the entire community and this step backward had been limited to bars and restaurants that have had the biggest struggle. The City has worked hard to help them through grants and this was another way to help alleviate the struggle by removing some fees and taxes.

Councilmember Orrick spoke in favor of the request.

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

7.7. **Resolution No. 183-20/21 Use of Vacation by Exempt Employees**

City Manager, Mr. Mark Rothert, presented the request to Council to approve and adopt Resolution No. 183-20/21 Use of Vacation by Exempt Employees.

Council discussed the employees option to not partake and all who were eligible.

Councilmember Hilst raised concerns that the City Employee Handbook only allowed to pay 50% of vacation time and did not feel Council had authority to override that to allow for a 100% payout.

Mr. Rothert explained that he was not asking for an amendment or alteration of the employee handbook, only approval to pay out up to $57K of vacation time.

City Attorney, Ms. Katherine Swise, advised that Council had legislative options to its policy of the Council and if Council wanted to increase that on a one time basis, it had authority to do so. Ms. Swise added that the handbook set rules for staff to follow, if Council wished to change those rules, it could.

Mr. Rothert explained to Council that the anticipated payout date would hopefully be by the end of the year and employees still had the option per the handbook to carry those hours over to the next calendar year to use within 90 days. The bank of vacation hours resets on January 1, not at the fiscal year. Mr. Rothert also stated that employees would be emailed requesting their plans by the last payroll of the year.

Mayor Luft and Councilmember Abel spoke in favor of the request.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Luft announced that no action would be taken after Executive Session and that no public input was received.

City Manager, Mr. Mark Rothert, stated the Business Development District would be coming to Council for consideration at or before the December Council Meeting as it had been reported in the newspaper it was to be voted on during this meeting.

Councilmember Orrick reminded everyone of the upcoming Veteran’s Day, thanked those currently serving in the Armed Forces, thanked all Veterans for their service and for having the freedoms we have today.

Councilmember Abel reminded everyone that the Governor penalized restaurants and bars throughout the state and that Pekin needs to support them to survive.

Councilmember Nutter requested an update on the audit.

Finance Director, Mr. Bruce Marston, stated that the auditors were working on the FY19 audit and hoping to finish in the new few weeks in order to start on the FY20 audit.

Mayor Luft acknowledged all Veteran’s for their service and thanked polltakers having dealt with difficult circumstances.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. PROBABLE LITIGATION

9.1. Motion to: **Motion to move to Executive Session**

A motion was made by Councilmember Orrick seconded by Councilmember Garrison to move into Executive Session to discuss 5 ILCS 120/2 (c) 11. Probable Litigation at 6:48 P.M. Mayor Luft announced that no action would be taken after executive session.

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

ADJOURN

There being no further business coming to Council, a motion was made by Council Member Orrick to adjourn seconded by Council Member Abel. Motion carried viva voce. Mayor Luft adjourned the meeting at 7:30 P.M