City of Pekin

**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 27, 2023 AT 5:30 PM
MAYOR MARY J. BURRESS PRESIDING**

Pledge of Allegiance Led by Deputy Police Chief Willmert, Lieutenant Bush, Sergeant Schulke

Mayor Burress called the meeting to order at 5:35 p.m. and invited officers Willmert, Bush and Schulke forward to lead in the reciting of the Pledge of Allegiance. Police Chief Seth Ranney introduced a change to the procedures of the past by swearing in the group of officers officially at a Council meeting to each of their deserving promoted ranks. Chief Ranney spoke of their incredible hard work and intelligence that would take them to the next level in making good decisions to lead their shifts to serve the citizens of Pekin in the best way possible. City Clerk Sue McMillan administered the Oath of Office to Deputy Chief Brian Willmert, Lieutenant Joshua Bush, and Sergeant Nicholas Schulke.

Call to Order

City Clerk Sue McMillan called the Roll. All Council Members were physically present and logged in. A quorum was present. City Clerk, Ms. Sue McMillan, confirmed all Council Members were physically present and logged in.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Council Member	Present	5:30 PM
Karen Hohimer	City of Pekin	Council Member	Present	5:30 PM
Dave Nutter	City of Pekin	Mayor Pro Tem	Present	5:30 PM
Mary Burress	City of Pekin	Mayor	Present	5:30 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:30 PM
John P Abel	City of Pekin	Council Member	Present	5:30 PM

Approve Agenda

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro-Tem Dave Nutter
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

Approval of Minutes

Motion was made by Council Member Orrick to approve minutes of the regular meeting of November 13, 2023 at 5:30p.m. with noted corrections that the word crisis has been corrected and the attendee Becky Cloyd is listed as absent and they are changed on the website in the new system.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro-Tem Dave Nutter
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council

	Member Hilst, Council Member Orrick, Council Member Hohimer

4.1. City Council - Regular Meeting - November 13, 2023 5:30 PM

Public Input

No Public Input was heard or comments received.

Consent Agenda

Council Member Orrick read the three items presented on the Consent Agenda.
Council noted that Committee Member Jim Ruth had served on the Board of Appeals/Planning Commission since 2012.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro-Tem Dave Nutter
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

6.1. Accounts Payable To Be Paid Proof List thru October 27, 2023

6.2. Financial Reports October 2023

6.3. Receive and File the Resignation of James Ruth from the Zoning Board of Appeals and Acknowledge His Service

Unfinished Business

7.1. Ordinance No. 4125-23/24 Amending Chapter 4, Article II, Section 7 thru Section 18 of the Pekin Liquor Code to Allow for Limited On-Premises Consumption in Package Liquor Stores

Questions were raised regarding the reason for tabling the motion, and Council Member Hoheimer explained that she wanted to conduct research by visiting a similar establishment before making a decision. Another Council member expressed agreement with the need for further research.

RESULT:	**TABLED TO DECEMBER 11, 2023 (UNANIMOUS)**
MOVER:	Council Member Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Orrick, Council Member Hohimer

New Business

8.1. Resolution No. 82-23/24 Approving the Intergovernmental Agreement with Tazewell County for Animal and Rabies Control Services

This resolution outlines the proposed continuation of an intergovernmental agreement between the City of Pekin and Tazewell County Animal Control to provide all of the animal-related services by the County to the City as outlined in numbers 1-21 of the attached Intergovernmental Agreement document. The county also provided documentation of their cost per city based upon the number of calls (titled Cost Analysis in attachments section) and a document titled Proposal A in the attachments, which details their proposed cost increases for each city during the 2024-2027 calendar years.

Council members raised several questions and concerns during the discussion. Council Member Nutter inquired about the inclusion of unincorporated areas like Schafferville and whether their calls were accounted for. The response indicated that calls within city limits were verified through a GIS system.
Mr. O'Rourke pointed out the duration of the agreement and clarified that it was for the calendar year 2024. The proposed increases for future years would be brought back to the council annually.
Other questions revolved around the use of microchips, proof of payment for municipal reclamation fees, and the fate of impounded animals. The director of Tazewell County Animal Control, Libby, addressed these queries, explaining the procedures and policies in place.
The discussion also touched on the number of calls, animals, and the live release rate for animals put up for adoption.
The Council sought clarification on the total dollar amount for 2024, which was confirmed to be $55,680.601.
Council Member Hilst emphasized the need to plan for the future years, and it was clarified that the proposed increases would be revisited annually.

RESULT:	**PASSED (5 TO 1)**
MOVER:	1st Alternate Mayor Pro Tem John Abel
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Hohimer
NAYS:	Council Member Orrick

8.2. Resolution No. 83-23/24 Approving Employee Leasing Agreement with GovTempUSA, LLC for Human Resource Services

Staff is asking Council to approve this agreement with GovTempUSA for HR services. Currently, GovTempUSA provides their service for an interim HR Director. The agreement is expiring. Staff anticipates hiring a new HR director in the very near future and has asked GovTemp to draft an agreement that allows us flexibility for this. This agreement before council runs from November 25th to December 29th. The City can provide a 14 day notice to terminate the agreement if we have a new HR director hired and in place. The agreement would auto renew on a bi-weekly basis after the 29th of December, which provides staff flexibility of retaining the temporary HR Director for training and transition if needed. The costs of the agreement remains the same as the other agreements. Staff recommends approval.
The City has had ongoing interviews for the HR Director position, and the process was progressing well.
Council Member Hilst raised a question about the required presence of the individual, inquiring whether there are stipulations on the number of days the temporary HR Director needed to be at City Hall versus working from home. The response indicated a hybrid approach, with the director typically coming into the office one to two days a week, depending on workload and needs. Additionally, it was mentioned that an offer for an HR Director position was expected to be extended in the coming week.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	1st Alternate Mayor Pro Tem John Abel
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

8.3. Ordinance No. 4132-23/24 Approving Purchase of Real Estate at 301 Broadway (Woolsey Building)

Staff led a discussion of the proposed acquisition of the Woolsey Building at 301 Broadway. The City had a unique opportunity to purchase the property for $550,000, a figure significantly below the initial and reduced asking prices of $750,000. Staff presented the contract to the Council, highlighting several redlining changes aimed at aligning it with standard terms of sales in Illinois. Notable adjustments included transitioning from a special warranty deed to a warranty deed for added title protection and incorporating a phase I environmental review due to the building's previous use as a mortuary. The Council extensively deliberated on the matter, with Council Member Nutter expressing concerns about the impact on the Equalized Assessed Value and prioritizing road maintenance.Council Member Abel and Mayor Burress advocated for the forward-thinking acquisition, emphasizing its strategic significance for future expansion.Council Member Hilst raised questions about the flexibility of the site plan and the absence of a storm shelter. Council Members also considered potential uses of the property, including needs such as parking and storage, and long-term planning for City Hall growth.Mr. Grogan assured Council that sufficient unspent funds were available in the Capital Projects Fund for the current fiscal year.Council Members highlighted the need for foresight and the unique opportunity for growth, with considerations for the potential benefits of vacating the adjacent road. Despite the concerns raised by some Council Members regarding costs and competing priorities, the majority expressed support for the acquisition, emphasizing its strategic importance and long-term benefits. The public disclosure of estimated costs for remodeling and build out remained a point of contention, with Council Member Hilst advocating for transparency and the public's right to know. City Manager, Mr. Dossey, clarified that while discussions on the estimated costs occurred in Executive Session, public bids and quotes would be sought, ensuring transparency in the subsequent stages of the project.

RESULT:	**PASSED (4 TO 2)**
MOVER:	Council Member Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hohimer
NAYS:	Council Member Hilst, Council Member Orrick

8.4. Ordinance No. 4133-23/24 Amending Chapter 5, Article II, Division 4, Section 6-3 of the City Code to Limit the Number of Establishments Licensed to Operate Video Gaming Terminals

A motion was made by Council Member Hohimer seconded by Council Member Abel to approve Ordinance No. 4311-23/24 Amending Chapter 5, Article II, Division 4, SEction 6-3 of the City Code to Limit the Number of Establishments Licensed to Operate Video Gaming Terminals.

Council expressed concerns about the potential impact of the ordinance on existing businesses and was suggested that the item be tabled to the December 11th Council meeting until further investigation was conducted.

During the discussion, a question was raised about whether each establishment with video gaming machines was required to acquire a Class A liquor license and to whether there was a limit on the number of Class A licenses issued in the City, in which there was not.

Council Member Nutter sought clarification on the relationship between video gaming licenses and Class A liquor licenses.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Mayor Pro-Tem Dave Nutter
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

8.5. Ordinance No. 4134-23/24 Adopting Paid Leave Policy for City Employees

The Paid Leave for All Workers Act (P.A. 102-1143) requires all employers to provide paid leave to most employees beginning January 1, 2024. Specifically, the Act requires that employees accrue 1 hour of paid leave for every 40 hours worked, up to a minimum of 40 hours of paid leave per year. The leave accrued under the Act may be used by employees for any reason or no reason. The City currently provides 80 hours of paid vacation to full-time employees after their first year of completed service, with an increase in annual paid vacation time after completing 5, 10, and 15 years of service. Full-time employees also accrue paid sick leave at a rate of 1 sick day per month worked. Full-time employees also receive 3 personal days annually. Part-time employees are not guaranteed any paid vacation or sick leave. The Act would require that the City provide paid time off to part-time employees at the statutory rate of 1 hour earned for every 40 hours worked. The Act does not apply to any employer that is covered by a municipal or county ordinance in effect prior to January 1, 2024, that requires employers to give any form of paid leave to their employees. The proposed Ordinance thus provides that paid leave shall be provided only in accordance with current City ordinances, personnel policies, applicable collective bargaining agreements, or other
acts of the City Council. In order to comply with the Act's policy of providing paid leave to all workers, the Ordinance further provides that all City employees shall receive at least 1 day of paid leave. Staff recommends approval.

City Attorney, Ms. Kate Swise, presented the agenda item to Council elaborating on the new law regarding Paid Leave for All Workers Act, emphasizing its requirement for employers to provide paid leave to most employees, accruing at a rate of one hour for every 40 hours worked, with a minimum of 40 hours per year. The City already complies with this for full-time employees who receive 80 hours of paid vacation after their first year. However, to ensure compliance for non-full-time workers, the proposed ordinance establishes guidelines aligned with current city ordinances, personnel policies, and applicable collective bargaining agreements.

Discussion began with Council Member Orrick seeking clarification on whether employees could take leave in two hour increments, and Ms. Swise confirmed that the state law allowed for such flexibility.

Council Member Hilst raised concerns about the exemption status for home rule municipalities, with Ms. Swise clarifying the act does not preempt home rule power, allowing the city to legally implement the proposed ordinance. Council Member Hilst expressed reservations about providing the least amount of paid time off to part-time workers, citing the act's intent to provide workers with the greatest amount of paid time off.

Finance Director, Mr. Robert Grogan, highlighted a cost-saving perspective, presenting calculations indicating potential financial implications for the city if the act were to take effect without the proposed limitations.

The discussion further delved into the financial considerations and benefits granted to full-time employees, with contrasting opinions on the proposed limitations for part-time workers.

RESULT:	**PASSED (4 TO 2)**
MOVER:	Mayor Pro-Tem Dave Nutter
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hohimer
NAYS:	Council Member Hilst, Council Member Orrick

8.6. Ordinance No. 4135-23/24 Making, Levying and Assessing Municipal Taxes in the City of Pekin, Tazewell and Peoria Counties, Illinois, for the Fiscal Year from May 1, 2023 to April 30, 2024 and Known as the Annual Levy Ordinance

Finance Director Robert Grogan advised the Council that each year the City must approve and certify a property tax levy to the County Clerk by the last Tuesday in December. Approval of the 2023 Levy would provide for the collection of$6,613,423 in property taxes

in 2024 for the fiscal year ending April 30, 2025. A breakdown of this levy amount, City of Pekin (Corporate), Pekin Public Library, Pekin Public Library Bonds was presented. The request went on to state though the City was not limited to CPI, the Illinois Department of Revenue had issued a memo listing CPI at 6.5% for the relevant period. The Library portion of the levy was a 3.65% increase over the prior year levy. The entire City of Pekin (Corporate) levy was directed towards public safety pensions was a 4.99% increase over the prior year. The recommended contributions for the Police and Fire Pensions are $2,357,814 and $4,491,994, respectively (totaling $6,849,808). The minimum contributions for Police and Fire Pensions are $1,902,916 and $3,755,433, respectively (totaling $5,658,349). The levy did not cover the City's recommended or minimum pension contributions, meaning that the City will have to fund between $1,915,478 and $724,016 from other sources of funds. The 4.99% increase would generate an additional $234,520 of Real Estate Tax Revenue over the previous year. From a historical perspective, if the 4.99% increase is passed the non-library portion of the levy would be lower than it was in 2013. From 1992 thru last year's City (non-Library) levy was up only +16.33%. Over the same period the Library's levy was up +433.17% and CPI is up +117.46%. The City's corporate levy had been flat the prior three years. The proposed levy increases for an owner occupied home, assuming a steady city-wide EAV and individual assessment, would mean an estimated tax increase for the year. Staff recommends a 4.99% increase for the City corporate levy and a 3.65% increase for the Library levy.
Finance Director Mr. Robert Grogran provided a detailed overview of the proposed annual levy ordinance, stressing the city's obligation to approve and certify a property tax levy to the County Clerk by the last Tuesday in December. The proposed levy amounted to $6,613,423, with allocations for the City of Pekin corporate, Pekin public library, and Pekin library bonds. Notably, the library portion saw a 3.65% increase over the previous year, while the entire City of Pekin corporate levy, dedicated to public safety pensions, showed a 4.99% increase. Mr. Dossey outlined recommended contributions for the police and fire pensions, highlighting a shortfall that necessitated funding from other sources.
Discussion continued regarding revenue shortfalls, with questions raised about the impact of the video gaming tax and marijuana dispensary funds. Mr. Grogan expressed concerns about the proposed tax increase, emphasizing the city's median income, poverty rate, and the need to assess residents' ability to pay. Various Council Members shared their opinions on the matter, with Council Member Abel questioning the flat levy in prior years and others commenting on the impact of personal property replacement tax fluctuations.

RESULT:	**PASSED (4 TO 2)**
MOVER:	Council Member Rick Hilst
SECONDER:	Council Member John Abel
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hohimer
NAYS:	Council Member Hilst, Council Member Orrick

8.7. Ordinance No. 4136-23/24 Abatement of Taxes On Waste Water Treatment Plant Bonding of $4,385,000 (Ordinance No. 2870-19/20)

In previous years, the possible taxes that would be levied to cover the payment for the Waste Water Treatment Plant Bond have been abated. The Sewerage Fund currently has the capacity to pay for bond principal and interest from the collection of usage fees. Therefore, it does not require funding from taxpayers via the levy.
Staff recommends that the City Council abate the tax levy for the WWTP bond this year.
Clarification was provided to Council that the bond and interest payments for the wastewater treatment plant would be for the next fiscal year. The sewer fund currently has the capacity to cover these payments for the years 2024 and 2025, and the recommendation is to abate the taxes, ensuring that the burden is borne by the ratepayers rather than the taxpayers. It was emphasized that the sewer fund relies on ratepayers, and there is capacity with the rates to cover the bond payments. The

discussion touched on the unique nature of sewer funds being supported by users rather than property taxes. The motion to adopt the ordinance for tax abatement was explained as a routine practice to avoid placing the burden on property taxpayers.
Further clarification was provided about the bond being a general obligation bond, and the importance of abating the taxes to prevent them from automatically appearing on real estate tax bills. The Council discussed the necessity of this abatement and the consequences of not following the proper procedures.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Rick Hilst
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

Any Other Business To Come Before The Council

Public Works Director, Mr. Dean Schneider stated that yard waste pickup would end on December 18 and be reinstated in April and the continuation of Christmas tree pickup after the holidays. Snow plow season was emphasized, urging residents to be mindful of parking during snow events and to check social media.
Mr. Mangan's inquiry about the Broadway building and its capacity was addressed, with considerations for 120 plus staff and council.
Questions were raised to the city attorney on the stipulations and regulations regarding whether a city employee is eligible to be appointed as a city council member.
Council Member Hilst raised concerns about technical issues during meetings and inquired about who residents should contact for assistance.
Council Member Abel warned residents of the new security feature on iphones and to be mindful of turning contact sharing off.
Infrastructure updates were provided by Josie and Dean, detailing the progress on Broadway, Parkway, Derby, and Court Street. Council Member Nutter highlighted the upcoming Christmas on Court event and expressed concern about the city's revenue challenges, urging creative solutions.
Council Member Orrick verified the room capacity across the street and emphasized the importance of supporting local businesses. He also suggested exploring potential revenue sources and cost-cutting measures.
Mayor Burress commended the winter wonderland and echoed the sentiment of supporting small businesses. Mayor Burress thanked Chief Ranney for promotions within the police department and acknowledged the progress made in street infrastructure projects.

Executive Session 5 ILCS 120/2 (c) 11. Pending Litigation and 6. The Setting of a Price for Sale or Lease of Property Owned by the Public Body

A motion was made by Council Member Hilst seconded by Council Member Orrick to move into Executive Session to discuss 5 ILCS 122 (c) 11 Pending Litigation and 6. The Setting of a price for sale or lease of property owned by the public body. All presented voted Aye. Motion carried.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Rick Hilst
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer

Adjourn

There being no further business to come to the Council a motion was made by Council Member Orrick seconded by Council Member Hohimer to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 8:20 PM.