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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 SEPTEMBER 26, 2022 AT 5:30 O'CLOCK P.M.
MAYOR MARK LUFT PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Orrick.

CALL TO ORDER

City Clerk, Ms. Sue McMillan, confirmed all Councilmembers were physically present except for Councilmember Hohimer who was absent. Mayor Luft declared a quorum and opened the meeting at 5:30 PM.

City Manager, Mr. Mark Rothert, introduced the City's new Bus Department Director Ryan Giles and Assistant Director Courtney Saskia.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:10 PM
Karen Hohimer	City of Pekin	Councilwoman	Absent	5:15 PM
Dave Nutter	City of Pekin	Councilman	Present	5:09 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:12 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:11 PM
John P Abel	City of Pekin	Councilman	Present	5:08 PM
Mark Luft	City of Pekin	Mayor	Present	5:09 PM

APPROVE AGENDA WITH THE ADDITION OF A DISCUSSION ITEM REGARDING THE RFP FOR AMBULANCE SERVICE

A motion was made by Councilmember Hilst seconded by Councilmember Abel to approve the agenda.

A motion was made by Councilmember Cloyd seconded by Councilmember Nutter to add discussion item 9.2 under New Business to discuss the RFP Ambulance Service. On roll call vote all present voted Aye. Motion carried. The agenda was approved as Amended.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

APPROVAL OF MINUTES

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

4.1. City Council - Regular Meeting - Sep 12, 2022 5:30 PM

PUBLIC INPUT

John Burns requested confirmation of the agenda amendment.

John McNish spoke regarding the school bus backing down 7th Street and questioned whether the city was putting out a bid regarding the RFP for Ambulance Service.

Terry Tatum questioned how an agenda item could be added without being posted in advance.

APPROVE CONSENT AGENDA AS AMENDED

A motion was made by Councilmember Nutter seconded by Councilmember to move Consent Agenda Item 6.3 to New Business Item 8.2 regarding Resolution No. 486-22/23 A Resolution Regarding Minutes of Executive Session Meetings of the City Council of the City of Pekin, Illinois. On roll call vote all present voted Aye. Motion carried.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

6.1. Tazewell County Animal Control Billing - July 2022

6.2. Accounts Payable To Be Paid Proof List thru September 16, 2022

6.3. Item 6.3 was moved to New Business Item 8.2

6.4. Ordinance No. 4014-22/23 Special Use Request at 2331 Lakecrest Drive (Case SU 2022-04)

6.5. Ordinance No. 4015-22/23 Variance Request at 607 S 2nd Street (Case V 2022-10)

6.6. Ordinance No. 4016-22/23 Variance Request at 1515 Augusta Street (Case V 2022-09)

6.7. Ordinance No. 4017-22/23 Variance Request at 223 Sapp Street (Case V 2022-07)

UNFINISHED BUSINESS

7.1. Ordinance No. 4013-22/23 Amend Chapter 5 Article I Division 4 Sec. 5-1-4-6-4 Regarding Video Gaming

A motion was made by Councilmember Orrick seconded by Councilmember Nutter to approve and adopt Ordinance No. 4013-22/23 Amend Chapter 5 Article I Division 4 Sec. 5-1-4-6-4 Regarding Video Gaming.

City Manager, Mr. Mark Rothert, presented the request to Council explaining that the return of the ordinance in which a 2.5% fee was to be established instead of the current $1,000 per video gaming machine would be assessed based on ability to pay based on revenues generated at each gaming terminal. Mr. Rothert stated that it was a fair model that was created to be in line with earning of gaming terminals based on activity.

Councilmember Orrick expressed concerns that the State and City already received 1/3 of the gaming revenue. Councilmember Orrick stated that the proposed fee presented stated that it was based on net revenue but Councilmember Orrick clarified that it was in reality gross revenue. Councilmember Orrick would only support the ordinance if the action was delayed until next budget year.

Mr. Rothert added additional context stating that there was $8M in profit every year to establishments in which profit has grown over the last 10 years. The fee would continue to fund the police and fire pension and if there was no support for the ordinance that revenue would have to filled from somewhere else for police and fire pensions.

Mayor Luft spoke in favor of the ordinance and stated that eliminating the fee was not the right answer.

Council continued the discussion focusing on pension costs per every new employee and the previous cost of the gaming terminal machines.

A motion was made by Councilmember Nutter to layover Ordinance No. 4013-22/23 Amend Chapter 5 Article I Division 4 Sec. 5-1-4-6-4 Regarding Video Gaming to the Council Meeting scheduled for October 10, 2022. The motion was seconded by Councilmember Orrick. On roll call vote, all present voted Aye. Motion carried.

RESULT:	**LAYED OVER [UNANIMOUS]** **Next: 10/10/2022 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

NEW BUSINESS

8.1. Ordinance No. 4018-22/23 Approving and Authorizing Execution of a TIF District Redevelopment Agreement By and Between the City of Pekin and Rich Curto Pekin Court Street Tax Increment Financing District

City Manager, Mr. Mark Rothert, presented the agenda item to Council to approve and adopt an ordinance approving and authorizing the execution of TIF District Redevelopment Agreement By and Between the City of Pekin and Rich Curto Pekin Court Street Tax Increment Financing District. Mr. Rothert explained that the redevelopment agreement was in line with the TIF program passed last year but the request is for an agreement in an existing TIF District, so therefore, could go straight to a redevelopment agreement. Part of that agreement was for a reimbursement for a purchase of a lot of up to $30K should Mr. Curto build a home up to a certain value, in which he had agreed to do.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

8.2. Resolution No. 486-22/23 A Resolution Regarding Minutes of Executive Session Meetings of the City Council of the City of Pekin, Illinois

A motion was made by Councilmember Nutter seconded by Councilmember Abel to approve and adopt Resolution No. 486-22/23 A Resolution Regarding Minutes of Executive Session Meetings of the City Council of the City of Pekin, Illinois.

City Attorney, Ms. Kate Swise, explained that there had been no consensus from Council as to which executive session minutes were to be released.

A motion was made by Councilmember Nutter seconded by Councilmember Hilst that Resolution No. 486-22/23 A Resolution Regarding Minutes of Executive Session Meetings of the City Council of the City of Pekin, Illinois by layed over to the October 10, 2022 Council Meeting to be placed on the agenda under Executive Session. On roll call vote, all present voted Aye. Motion carried.

RESULT:	**LAYED OVER [UNANIMOUS]** **Next: 10/10/2022 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	Rick Hilst, Councilman
AYES:	Hilst, Nutter, Cloyd, Orrick, Abel, Luft
ABSENT:	Karen Hohimer

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

9.1. Discussion Semi Annual City Clean Up

Public Works Director, Mr. Justin Reeise, led the discussion with Council regarding Semi-Annual City Clean Up. Mr. Reeise explained that City staff had been working with GFL (successor to PDC) to set up an October bulk waste collection event. GFL informed the City that they would no longer be open on Saturdays. Mr. Reeise provided Council with alternatives to pursue that included:

1. Making a formal appeal to GFL to open on Saturday and schedule the October 29th event.
2. To not hold a drop off and allow residents to pick-up 1-3 bulk item stickers at no expense.
3. Schedule the event with no access to landfill and utilize dumpsters to collect drop off items that may require a late-start on the following Monday's solid waste pick-up due to having to dump garbage trucks at the landfill that morning.

Mr. Reeise continued to explain that utilizing garbage trucks and dumpsters would require several weeks of overtime and was looking for direction from Council on how to proceed. Mr. Reeise added that he had reached out to Waste Management transfer station in East Peoria offered a fee, but they also had no staffing on Saturday.

Councilmember Hilst spoke against the bulk item sticker option.

Council continued the discussion on the cost of holding the event as planned and/or stock piling and paying significant overtime for a few 100 hours.

Mayor Luft, Councilmember Abel and Councilmember Cloyd spoke in favor of continuing with the event on October 29th and stockpiling until items could be dumped.

Mr. Reeise stated he would disburse a flyer with info.

9.2. Discussion RFP with Fire Department and Ambulance

Councilmember Becky Cloyd led the discussion regarding the RFP for Ambulance Service questioning whether or not the Mayor and staff requested AMT to come to a Council Meeting. Councilmember Cloyd continued by questioning response time calculations, AMT audits, and the AMT contract. Councilmember Cloyd requested that the City Manager, Mr. Mark Rothert, extend a formal invitation to AMT to speak at the October 10, 2022 Council Meeting. Councilmember Cloyd stated that she had met with AMT on her own and had concerns about the upcoming election.

Mayor Luft announced that the City would make an attempt to invite AMT for a public hearing.

City Attorney, Ms. Kate Swise, explained that the AMT contract had an automatic renewal date and the City stopped that automatic renewal and terminated the contract.

Council continued discussion regarding AMT's breach of contract and AMT not providing audit reports until recently for the last several years. Council also discussed the City submitting a bid for ambulance service.

Ms. Swise warned that any discussions with AMT could only be about the current contractor because they potentially could be a bidder. There could be no discussion regarding the RFP.

Mayor Luft and Councilmember Nutter did not support having a public hearing and inviting AMT to the next Council Meeting. Councilmembers Abel, Cloyd, Hilst and Orrick supported the public hearing and invitation to AMT.

Mayor Luft announced that the City would publicly invite AMT to the next Council Meeting.

Councilmember Cloyed asked Fire Chief Reeise to show documentation as to when the City reached out to AMT.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. PENDING LITIGATION AND 5. PURCHASE OF REAL PROPERTY FOR USE OF THE PUBLIC BODY

A motion was made by Councilmember Cloyd seconded by Councilmember Abel to move into Executive Session to discuss 5 ILCS 120/2 (c) 11. Pending Litigation and 21. Discussion of Minutes Lawfully Closed Under the OMA at 7:51 PM. Motion carried viva voce vote.

Mayor Luft announced no action would be taken after Executive Session.

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Cloyd to adjourn the meeting. Motion carried voice vote. Mayor Luft adjourned the meeting at 8:45 PM.