



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 11, 2023 AT 5:30 O'CLOCK P.M.
MAYOR MARY BURRESS PRESIDING

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Burress.

CALL TO ORDER

City Clerk, Ms. Sue McMillan, confirmed all Council Members were physically present. On roll call vote all present voted Aye, except Council Member Orrick who was absent.

Mayor Burress declared a quorum and opened the meeting at 5:34 PM.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:15 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:13 PM
Dave Nutter	City of Pekin	Councilman	Present	5:12 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:20 PM
Mary Burress	City of Pekin	Mayor	Present	5:12 PM
Lloyd Orrick	City of Pekin	Council Member	Absent	5:30 PM
John P Abel	City of Pekin	Councilman	Present	5:14 PM

APPROVE AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

APPROVAL OF MINUTES

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

4.1. City Council - Regular Meeting - Aug 28, 2023 5:30 PM

PUBLIC INPUT

Mr. Matthew Johnson, a resident from Highwood Street, addressed the Council regarding concerns about Sunset Hills Lake #2. Mr. Johnson expressed respect for those residing near the lake and the lake's developers, emphasizing that he was sharing his own personal

opinion. He pointed out that the lake was in a state of decline, attributing this deterioration to several factors, including long-term neglect and inadequate care, as well as past poor decisions. He highlighted a key issue dating back to 1972 subdivision rules, noting that it specified the establishment of a temporary fund for maintenance and improvements and the formation of a lake association once 50% of lots were sold. However, he remarked that a lake association had never been formed, and this failure to enforce the rule had led to the accumulation of excessive silt in the lake.

Mr. Johnson further discussed an overflow outlet that had been removed in the past and expressed concern about the lake's water levels, mentioning that he had observed the golf course pumping water out of it. He alluded to historical legal battles over water supply and highlighted his own inability to remove silt from the lake, even though he regularly conducted clean-up efforts. He also mentioned specific erosion events on Gale Court and Thrush Avenue, acknowledging that the city had addressed the erosion but had not addressed the silt issue. Mr. Johnson requested a response from the Council within two weeks regarding whether he would need to address these concerns at his own expense, emphasizing the need for a discussion on the matter.

Mr. John McNish raised several points of concern. First, he noted the placement of half-inch steel plates in strategic locations throughout the city and sought clarification on their purpose. Additionally, he referred to a previous meeting where Council Member Abel mentioned the Council's approval of an ordinance with a 5-2 voter for new fire stations, emphasizing the importance of following through on this decision.

Mr. McNish also drew attention to the city's financial challenges and suggested that the cost of the city attorney's services could be a significant factor affecting the budget. He recommended reducing phone calls to the attorney as a cost-saving measure to allocate funds toward fire stations. He mentioned the extensive time spent by certain individuals on tasks like photographing properties in need of demolition and attending department head meetings, which he considered costly. Furthermore, Mr. McNish suggested that limiting the involvement of certain individuals in running council meetings could also contribute to budgetary savings. Finally, he proposed posting the city paralegal job that had been approved by the council as a step toward addressing the funding needs of fire stations.

Ms. Mary Ann Ladendorf wanted to thank the council for the consideration given for the residential TIF.

CONSENT AGENDA

Deborah Dant and Jackie Padesky from the Daughters of the American Revolution were invited to speak. Ms. Dant mentioned that Constitution Week is approaching and expressed her excitement about it. Following her, Ms. Padesky also expressed happiness regarding the city's support for Constitution Week. She noted that Constitution Week would take place from September 17th to 23rd and highlighted the enthusiasm of the Peoria chapter's many members to collaborate with the city on this occasion.

Mayor Burress read a proclamation related to Constitution Week, acknowledging and supporting this significant event.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

6.1. Proclamation Constitution Week September 17, 2023

- 6.2. Accounts Payable To Be Paid Proof List thru August 18, 2023**
- 6.3. Pekin Fire Department Monthly Incidents Report August 2023**
- 6.4. Receive and File Bids for Brentwood Ditch Stabilization Project**
- 6.5. Receive and File Bids for Derby Street Sewer Lining Project from Summer Street to 2nd Street**

DISCUSSION

7.1. Video Gaming Fees

Interim City Manager and Police Chief John Dossey led the discussion topic of Video Gaming Fees. Mr. Dossey began by noting that everyone had received a spreadsheet showing the differences in fees that would come to as the ordinance had reverted back from the percentage to the flat fee of \$1,000 per terminal machine. The question arose about whether to go back and collect those amounts for FY23, as staff believed it would be unfair to let some establishments pay nothing. The proposal was to credit FY23 to FY24, and guidance was sought from the council on how to proceed.

Council Member Abel expressed support for giving retroactive credit to those who had already paid. He emphasized that the lawsuit wasn't the fault of the establishments and that they shouldn't be penalized.

Council Member Cloyd asked for a refresh on the history of this issue.

City Attorney, Ms. Kate Swise, provided some context, explaining that the original fee was \$50, which was later raised to \$1,000 per machine. Initially, the city ordinance required collection from the Terminal Operator. However, state law changed, requiring the fee to be split equally between the Terminal Operator and the establishment. This coincided with the state eliminating the municipality's right to impose a push tax. In March 2022, the city placed a moratorium on fee collections for six months to gather information. In October 2022, the city passed an ordinance making the license fee a percentage of gaming revenue from the machines. She discussed the history of these fees and how they evolved.

Council Member Cloyd expressed the view that those who generated revenue should pay the fee. Mayor Burress suggested they should pay for FY23 and FY24.

Council Member Hilst sought clarification on the billing dates, and Ms. Swise explained that they had billed for three quarters.

Council Member Nutter and Bob Grogan from Finance, briefly discussed video gaming fees in terms of general operations and state taxes on video machines. The conversation continued with Council Member Hohimer expressing concern about Pekin being known as the "video gaming capital."

Council Member Hilst brought up a concern related to the dollar amount of the fee being charged to the Terminal Operator when it was initially implemented, and how the state's requirement for establishments to pay half came after that decision was made by the council.

Council discussed invoicing for the \$1,000 per machine for FY23 and FY24 quarterly until caught up.

7.2. Approving the Redevelopment Plans and Projects for the Pekin East Residential TIF District and Pekin South Residential TIF

During the council meeting discussing the approval of the Redevelopment Plans and Projects for the Pekin East Residential TIF District and Pekin South Residential TIF, Interim City Manager and Police Chief Mr. John Dossey introduced Nic Nelson, the TIF Attorney from Jacob & Klein, to answer questions. Mr. Dossey mentioned they had received emails with questions regarding the estimated percentage of total EAVs (Equalized Assessed Values) and estimated revenue, as well as the number of current properties on the tax roles for each district.

Mr. Nelson addressed these questions, acknowledging that many of these details were unknown. Typically, the increment in the first year is minimal, but there might be differences due to certain inducement resolutions. Projected revenues were challenging to predict, assessments fluctuated with property value changes, and information regarding the number of parcels was available in the plan documents. The total property EAV would need certification by the county once the TIFs were established, and they could estimate it based on the previous year.

Council Member Hohimer raised a question regarding a resident who was reassessed and received a tax bill mentioning both "Pekin Corp" and "Court Street TIF." Mr. Nelson clarified that the tax itself doesn't increase; rather, it means that the value of the property has gone up. Removing the Court Street TIF would remove the line item on the tax bill, but other taxing bodies' percentages would increase. The state requires this line item to show the portion of taxes allocated to the TIF fund.

City Engineer, Ms. Josie Esker, inquired if there was a way to show the public the math behind this. Mr. Nelson explained that it involved multiplying the value of the house by the tax rate, and depending on who was asking, they could show the Equalized Assessed Value of the house and the percentage of tax to illustrate where the money goes.

Council Member Nutter questioned the mathematics, which Mr. Nelson confirmed was based on the most recent valuations.

Council Member Hilst discussed incentives for empty lots, specifically reimbursement of property taxes. Mr. Nelson explained that generally, developers couldn't be reimbursed for costs incurred before the TIF was established. However, certain inducement resolutions allowed for reimbursements on a specific developer basis, subject to negotiations once the TIF was established. Pay-as-you-go reimbursements were recommended, and he clarified that new vertical construction costs were typically not reimbursable.

Council Member Hilst inquired about the city determining reimbursement for things like a new roof. Mr. Nelson explained that the date of the TIF's establishment was crucial, and anything done after that date could be reimbursed.

Council Member Cloyd asked if someone who doesn't pay property taxes is eligible for reimbursement. Mr. Nelson explained that it's up to the city, as it's an incentive program, but the cost must be eligible and within the TIF district to be reimbursed.

Council Member Hohimer discussed the potential benefits of residential development, suggesting that if someone built a smaller house and sold their current one, it could generate more taxes for the community. Mr. Nelson noted

that residential development can be expensive, and infrastructure can be a challenge unless it's already in place.

NEW BUSINESS

8.1. Resolution No. 58-23/24 City of Pekin, Illinois Proposed Pekin East Residential Tax Increment Financing (TIF) District Brad Gregurich As Trustee of the Gregurich Trust #8297 Redevelopment Project Inducement Resolution

Interim City Manager and Police Chief Mr. John Dossey, presented the agenda item to council to approve the resolution aimed at attracting the development of new residential structure on Lot 26 in Grandview Estates Subdivision located in the proposed East Residential Tax Increment Financing District. Owners would be eligible for TIF reimbursement.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	John P Abel, Councilman
AYES:	Hohimer, Nutter, Cloyd, Burress, Abel
NAYS:	Rick Hilst
ABSENT:	Lloyd Orrick

8.2. Resolution No. 59-23/24 Proposed Pekin East Residential Tax Increment Financing (TIF) District Alina Barnes Kramer Redevelopment Project Inducement Resolution

Interim City Manager and Police Chief Mr. John Dossey, presented to Council the request to approve an inducement resolution for reimbursable expenses aimed at attracting the development of new residential structure on Lot 35 in Grandview Estates Subdivision located in the proposed East Residential Tax Increment Financing District.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Dave Nutter, Councilman
AYES:	Hohimer, Nutter, Cloyd, Burress, Abel
NAYS:	Rick Hilst
ABSENT:	Lloyd Orrick

8.3. Resolution No. 60-23/24 Award Brentwood Ditch Stabilization Project at Tharp Street to Miller & Son Construction Company

Interim City Manager and Police Chief Mr. John Dossey, presented the request to Council to approve a resolution awarding Brentwood Ditch Stabilization Project at Tharp Street to Miller & Son Construction Company. Chief Dossey explained that the project was to install a new storm sewer outfall, perform bank stabilization and rip rap around the outfall to reduce erosion. Four bids were received ranging from \$410,762 to \$747,517.19 with the Engineer's Estimate at \$320,000. However, due to the significant variance from the estimate and the fact that many contractors are busy, the staff recommended not awarding the project and instead rebidding it during the winter months to potentially receive more favorable bids.

Council Member Hohimer questioned the duration of the ongoing issue.

City Engineer, Ms. Josie Esker, noted that it had been a concern for years but hasn't been a high priority. It was typical to bid such projects during the winter months when contractors were more inclined to take on additional work.

Council Member Cloyd expressed concerns about waiting, especially given the challenging terrain of the site. Ms. Esker clarified that the project pertained only to the Brentwood Ditch, which is deep and requires maintenance, but it did not extend far beyond that area as the city was not responsible.

Council Member Hilst voiced support for moving the project forward.

Mayor Burress agreed and suggested that the City inquire about starting the project only when it was safe for bats as it might affect their migration. Ms. Esker assured that managing the bats would not be an issue since there were not many trees in that area.

Council Member Nutter inquired about the funding source. Mr. Dossey explained that the \$280,000 was already budgeted, and the additional amount required could likely be found in some storm sewer line items, making the project feasible within the budget of the \$380,000 allocated.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

8.4. Resolution No. 61-23/24 Award Derby Street Sewer Lining Project from Summer Street to 2nd Street to Hoerr Construction

Interim City Manager and Police Chief Mr. John Dossey, presented the agenda item to pass a resolution and award the Derby Street Sewer Lining project from Summer to 2nd Street to Hoerr Construction. The project included lining the sanitary sewer along section of Derby Street and the sewers feeding into Derby Street. The City received two bids with Hoerr Construction being the lowest bidder. Staff recommended approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

8.5. Resolution No. 62-23/24 Support for 2023 Bike Night & Downtown Super Cruise

Interim City Manager and Police Chief John Dossey, introduced the agenda item to pass a resolution supporting the 2023 Bike Night & Downtown Super Cruise in the amount of \$4,000 that took place on July 28th & July 29th. Staff recommended approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Hilst, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

8.6. Resolution No. 63-23/24 Employee Leasing Agreement with GOVTEMPUSA, LLC

Interim City Manager and Police Chief Mr. John Dossey, presented the agenda item to Council to pass a resolution regarding the employee leasing agreement

with GOVTEMPUSA, LLC for Finance Consultant, Mr. Robert Grogan. Chief Dossey explained that the agreement would extend the current contract.

City Attorney, Ms. Kate Swise, answered questions from Council stating that the contract could be terminated at anytime with a 14 day notice allowing the option for auto renewal.

Council Member Hilst spoke in favor of the item expressing his gratitude for the amount of knowledge he has learned from Mr. Grogan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Hilst, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burrese, Abel
ABSENT:	Lloyd Orrick

- 8.7. **Resolution No. 64-23/24 Amendment 2023 CDBG Annual Action Plan**
CDBG Program Manager, Ms. Tina Huak, presented the agenda item to pass a resolution amending the 2023 CDBG Annual Action Plan. An approval of the amendment was discussed during the public hearing to decrease the debt load. Final approval is needed in order for HUD to sign off.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Hilst, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burrese, Abel
ABSENT:	Lloyd Orrick

- 8.8. **Resolution No. 65-23/24 Rescinding Resolution No. 15-23/24 Implementing a Hiring Freeze for Heads of Departments or Divisions within the City**
City Attorney, Ms. Kate Swise, explained to the council that the resolution was to rescind the hiring freeze for department heads or divisions within the city. Council had appointed a city manager at the last Council meeting but that the appointment was not permanent until November. The resolution would allow for the Interim City Manager to make appointments.

Council Member Hohimer stated that the purpose of the original resolution was to let the new City Manager form his own team and not walk in there having a team waiting for him.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burrese, Abel
ABSENT:	Lloyd Orrick

- 8.9. **Ordinance No. 4107-23/24 Amending Chapter 2, Article II, Division I of the Pekin City Code Regarding the Appointment and Powers of the Mayor Pro Tem**

City Attorney, Ms. Kate Swise, presented Ordinance No. 4107-23/24, which aimed to amend Chapter 2, Article II, Division I of the Pekin City Code concerning the appointment and powers of the Mayor Pro Tem. Ms. Swise read the request, explaining that the purpose was to clarify and codify the appointment process for the Mayor Pro Tem, ensuring consistency in the city code. It was emphasized that the proposed changes did not alter how the Mayor Pro Tem

was appointed. Under the new ordinance, they would be appointed based on the advice of both the city council and the mayor, and they would serve until someone else was appointed. The Mayor Pro Tem would assume all duties of the mayor in the mayor's absence. However, if a vacancy occurred in the mayor's position, a new mayor would need to be appointed, making it a distinct process from the Mayor Pro Tem appointment. Ms. Swise requested input from the council, highlighting that different cities had variations in how they handled the Mayor Pro Tem, with some serving only in the mayor's absence and others being appointed in case of a vacancy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

CITY COUNCIL AND STAFF REPORTS

Chief Building Official, Mr. Nic Maquet, gave an update on the Pekin Township building demolition stating that he was not sure at this time if the rest of the building needed to also be demolished. A meeting was scheduled Friday with the Township for further discussion.

Fire Chief Trent Reeise reported back on the trip to Appleton, Wisconsin to view the new fire engine that was ordered in December 2021.

Interim City Manager and Police Chief, thanked the Fire Department and particularly, Deputy Fire Chief Tony Rendleman for doing the calculations on the South wall collapse.

Council Member Hilst requested an update on the city wide comprehensive plan grant.

Ms. Jose Esker answered that the City was not selected.

Council Member Hohimer announced that the Taste of Pekin was a success last Thursday.

9.1. Recycling Costs Savings

Public Works Director, Mr. Dean Schneider, and City Engineer, Ms. Josie Esker, presented a power point presentation regarding recycling cost savings. The presentation focused on solid waste operations and grant funds.

Council Member Hilst pointed out that the City does not charge a fee to the school districts for picking up recycling.

EXECUTIVE SESSION 5 ILCS 120/2 (C)2. COLLECTIVE NEGOTIATING MATTERS BETWEEN THE PUBLIC BODY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES, OR DELIBERATIONS CONCERNING SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES AND 11. LITIGATION, WHEN AN ACTION AGAINST, AFFECTING OR ON BEHALF OF THE PARTICULAR PUBLIC BODY HAS BEEN FILED AND IS PENDING BEFORE A COURT OR ADMINISTRATIVE TRIBUNAL, OR WHEN THE PUBLIC BODY FINDS THAT AN ACTION IS PROBABLE OR IMMINENT

A motion was made by Council Member Hohimer, seconded by Council Member Cloyd, to move into Executive Session to discuss 5 ILCS 120/2 (c)2. Collective Negotiating Matters Between the Public Body and Its Employees or Their Representatives, or Deliberations Concerning Salary Schedules for One or More Classes of Employees and 11. Litigation,

When an Action Against, Affecting or on Behalf of the Particular Public Body has Been Filed and is Pending Before a Court or Administrative Tribunal, or When the Public Body Finds That an Action is Probable or Imminent at 7:55 PM. On roll call vote all present voted Aye. Motion Carried.

Mayor Burress announced that no action would be taken after returning to open session.

Council returned to open session at 9:25 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Abel
ABSENT:	Lloyd Orrick

ADJOURN

Seeing no further business of the Council, a motion was made by Council Member Cloyd seconded by Council Member Nutter to adjourn the meeting. Motion carried viva voice. Mayor Burress adjourned the meeting at 9:25 PM.