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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 AUGUST 28, 2023 AT 5:30 O'CLOCK P.M.
MAYOR MARY BURRESS PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Miss Marigold 2023 Zoe Nizzia.

Ms. Nizzia addressed the Council with a positive uplifting speech.

Miss Marigold 2023 Zoe Nizzia

CALL TO ORDER

City Clerk, Ms. Sue McMillan, confirmed all Councilmembers were present. Mayor Burress called the meeting to order.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:21 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:17 PM
Dave Nutter	City of Pekin	Councilman	Present	5:21 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:24 PM
Mary Burress	City of Pekin	Mayor	Present	5:24 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:23 PM
John P Abel	City of Pekin	Councilman	Present	5:16 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

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

4.1. City Council - Special Meeting - Aug 14, 2023 5:00 PM

4.2. City Council - Regular Meeting - Aug 14, 2023 5:30 PM

4.3. City Council - Special Meeting - Aug 18, 2023 3:00 PM

PUBLIC INPUT

Mr. Jim Mangan expressed his reservations regarding the appointment of the City Manager, referencing Resolution No. 43-23/24. He raised concerns about the transparency of the process, pointing out missing information and potential violations of the Open Meetings Act (OMA) and the Freedom of Information Act (FOIA). Mr. Mangan stressed the importance of open government and urged the council to postpone the issue until the public had sufficient notice to review the contract and identify the City Manager.

Ms. Elaine Ritchey took a moment to express her gratitude to the Mayor and Council for inviting Miss Marigold to an event.

Ms. Ann Witzig raised concerns related to the Sikich management letter from 2018, particularly concerning the fire pension funds' investment values and inconsistencies in reporting to various entities. She also emphasized the importance of adhering to Roberts Rules of Order and urged the council to improve transparency, ethics, and financial planning.

Ms. Mary Ann Ladendorf commended Diane Cullinan and Cullinan Properties for their significant contributions to Pekin's development over the past 25 years. She highlighted the positive impact of their investments on the city and encouraged the council to vote in favor of further development.

Mr. Chris Setti, representing PACVB, expressed support for the redevelopment agreement with Cullinan and emphasized the significance of investing in the community to attract businesses and foster growth.

Ms. Amy McCoy, Executive Director of the Pekin Area Chamber of Commerce, thanked city staff for recent events and promoted the upcoming Marigold Festival. She also voiced support for the East Court Village agreement and TIF agreements, emphasizing the importance of supporting local businesses.

Mr. Jacob Brisbin, Chairman of the Pekin Beautification Committee, praised Chief Dossey's leadership and the positive changes in the police department. He also expressed gratitude to Diane Cullinan for her community engagement and supported the Cullinan properties agenda item. Mr. Brisbin emphasized the economic benefits and positive direction of the city.

Finally, Ms. Heather Robertson encouraged the council to prioritize moving forward and embracing new opportunities for growth and development. She highlighted the potential for economic growth, job opportunities, and the importance of envisioning a prosperous future for Pekin.

CONSENT AGENDA

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

6.1. Financial Reports July 2023

6.2. Accounts Payable To Be Paid Proof List thru August 04, 2023

6.3. Receive and File Resignation of Jared L. Olar and Christina Olar Historic Preservation Commission

UNFINISHED BUSINESS

Motion to: **Motion to Layover Resolution No. 43-23/24 Appoiting City Manager and Approving Employment Agreement until the Council Meeting of September 11, 2023**

RESULT:	**DEFEATED [3 TO 4]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Rick Hilst, Councilman
AYES:	Rick Hilst, Becky Cloyd, Lloyd Orrick
NAYS:	Karen Hohimer, Dave Nutter, Mary Burress, John P Abel

7.1. Resolution No. 43-23/24 Appointing City Manager and Approving Employment Agreement

Council Member Orrick and Council Member Hohimer raised concerns about the process. Council Member Orrick requested that a motion be made to include the draft employment agreement as an exhibit. Indicating a desire for transparency and clarity in the appointment process.

Council Member Cloyd expressed concerns about transparency, specifically regarding whether the public had been properly informed about the proceedings. Ms. Swise clarified that the agenda had been published as required.

Council Member Hilst questioned the timing of Chief Dossey's appointment, given that he couldn't officially assume the City Manager role until November 6th. Council Member Hilst also raised concerns about the transparency of the process, particularly the delayed posting of the employment agreement.

Mayor Burress defended the appointment's timing, emphasizing Chief Dossey's excellent work as the Interim City Manager and the need to move the city forward. The Mayor highlighted Chief Dossey's role in uplifting morale and the importance of filling key department head positions promptly.

Council also discussed the availability of other resumes and candidates.

Council Member Nutter expressed frustration with the last-minute nature of the contract discussion and suggested separating the appointment and contract approval.

After the vote, Chief Dossey expressed gratitude for the appointment, recognizing the challenges ahead. He emphasized the importance of teamwork and community involvement in his new role as City Manager.

RESULT:	**ADOPTED [4 TO 2]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Karen Hohimer, Dave Nutter, Mary Burress, John P Abel
NAYS:	Becky Cloyd, Lloyd Orrick
ABSTAIN:	Rick Hilst

7.2. Resolution No. 49-23/24 Mayor's Appointment of David B. Nutter as Mayor Pro Tem to the City Council for a term until April 30, 2024 and John P. Abel as 1st Alternate Mayor Pro Tem to the City Council for a term until April 30, 2024

Mayor Burress thanked both candidates for stepping forward.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Orrick, Abel

NEW BUSINESS

8.1. Resolution No. 50-23/24 Approve the Purchase of a Fire Department Rescue Boat from AAD Welding, Inc.

Resolution No. 50-23/24 approval of the purchase of a Fire Department Rescue Boat from AAD Welding, Inc., was presented to the Council by Fire Chief Trent Reeise and Deputy Fire Chief Tony Rendleman.

Chief Trent Reeise began by explaining the need for the boat's replacement. He mentioned that in the previous year, it had been removed from the budget, and the allocated funds were redirected towards replacing a cardiac monitor. However, in the current year's budget, provisions were made for the boat's replacement. He discussed how they gathered pricing information by attending trade shows and consulting with local boat makers familiar with Illinois river conditions. They also collaborated with fishermen who regularly operate on the river to determine the boat's specifications. Chief Reeise reported that they received two quotes, with one significantly lower, which aligned with the local preference. He expressed gratitude to Alto Ingredients for generously offering to cover half of the boat's cost. The boat was intended for hazmat response, and Chief Reeise noted a lead time of 15-16 months.

Council Member Cloyd inquired about the storage plans for the new boat, suggesting the Colson building, to which Chief Reeise confirmed that the Colson building was indeed the planned storage location.

Council Member Orrick asked about the possibility of using a building on the east side but was informed that the preference was to keep it closer to the river.

Council Member Orrick also inquired about the plans for the old boat. Chief Reeise explained that they would either sell it on GovDeals or, if deemed necessary for Lake Arlan, they would consider an alternative approach.

Council Member Nutter questioned whether a down payment was required for the purchase, to which Chief Reeise responded that it would be 50%, and the discussion turned to the timing of payments, with further details to be worked out with the finance department.

Council Member Hilst expressed his support for the proposal and requested that the remaining funds be transferred to the Fire Pension Fund. City Attorney, Ms. Kate Swise, advised that this transfer would need to be addressed on a different agenda.

The Mayor expressed appreciation for the hard work put into the proposal.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Orrick, Abel

8.2. Ordinance. 4095-23/24 Approval of the Second Amendment to the Redevelopment Agreement with East Court Village (ECV) and East Court Village II (ECVII)

City Manager, Mr. John Dossey, presented the agenda item regarding Ordinance No. 4095-23/24 approving the second amendment to the redevelopment agreement with East Court Village and East Court Village II. Mr. Dossey began the discussion by addressing the importance of the agreement. He mentioned that Cullinan had approached them several weeks ago about further development on these properties, which had raised many questions. Mr. Dossey pointed out that TIF Attorney, Mr. Nic Nelson and Mr. Matt Radaman, a Cullinan representative, were available to answer questions. Mr. Dossey discussed the summary of bullet points that were outlined in the Request for Council Action. Key details of the agreement included staff recommendation for the city to provide a $5 million loan to Cullinan. The loan was contingent on Cullinan delivering on specific milestones, including executing three leases on the properties by December 31. If these conditions were not met, the agreement would become null and void. Additionally, these leases had to pertain to properties of 5,000 square feet or more. Importantly, Mr. Dossey clarified that no budget amendment was required for this agreement. He explained that the budgeted expenses had been delayed coming out of the Business Development District (BDD), and the money would not be released until expenses for the project were submitted. A portion of the loan, specifically $2.5 million, was contingent on 25% of construction costs being incurred, with disbursement not occurring before May 2024.

Interest on the loans was mentioned, with a rate of 5%, which was in line with market rates at the time. The city stood to gain 20% of municipal rule and home rule taxes as part of the agreement. Mr. Dossey highlighted that all new incentives would apply to new option projects and stressed the importance of development accountability to meet timelines. Loan proceeds were directed to an escrow account with a corporate guaranty, and there were no prepayment penalties attached to the loan. Staff expected that as interest rates dropped, there would be an incentive for early loan repayment. Additionally, rebates for ten option projects were discussed, potentially contributing an estimated $80 million annually in tax revenue to the city. Mr. Dossey also mentioned that the developer would include the council in discussions to keep them informed about development plans. He concluded by stating that discussions with relevant parties were ongoing and that staff was excited about the opportunities presented by this agreement.

Mr. Matt Radaman, representing Cullinan, provided additional details about the agreement. He mentioned specific requirements, such as all buildings needing permits by June 2024 and aiming for a 20% project completion milestone by March 2025. He discussed the timeline and the monthly meetings that would become bi-weekly if certain conditions were not met.

Mayor Burress thanked Council Member Dossey for his efforts in building a team and acknowledged the valuable input provided.

Council Member Cloyd raised questions about the Business Development District (BDD). She wanted to understand how the funds generated from the BDD were being allocated and expressed concern about businesses paying into it without receiving benefits. Mr. Nic Nelson, the TIF attorney, explained that BDD revenues go toward eligible costs, and businesses must incur expenses to be reimbursed. He clarified that this was a common practice, and businesses generating sales and supporting BDD contributed to its funding.

Mr. Bob Grogan, Finance Department, chimed in to explain that when the budget was initially created, it was based on optimistic timelines for project expenses. However, due to delays in construction projects, not all the budgeted amounts would be spent in this fiscal year. He noted that the $2.5 million dollars allocated for this project was based on the average delays incurred due to construction projects, and there would be enough money to pay for the Court Street project next year.

Council Member Orrick expressed concern that other potential developers in the area, including the County and Enviro-Safe, were being treated the same as Cullinan and had a difficult time being convinced that the only incentive for residents was providing only a place to shop.

Council Member Cloyd sought clarification on Tax Increment Financing (TIF) incentives and how they related to property values and loans. The discussion delved into how TIF revenue contributed to the loan repayment and the specifics of this revenue source.

Ms. Josie Esker, the City Engineer, provided insight into the budget and how funds were allocated. She explained that there were significant delays with the Court Street project but that they had managed to shift budgeted funds for Derby Street without issues. Her explanation centered on ensuring that eligible expenses would not exceed line item costs.

Council Member Hilst expressed concern about the agreement. He raised questions about changes in the rebate structure for sales tax revenues and how this might impact the city's finances. He also mentioned concerns about pension obligations and the city's levy. Council Member Hilst pointed out that the majority of the money generated might end up being used to pay back the loan.

Mr. Dossey addressed Council Member Hilst's concerns, emphasizing that this agreement would bring jobs to the city along with the potential for growth.

The discussion continued with Council Member Nutter, Council Member Hohimer and Council Member Abel expressing their support for the agreement.

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	John P Abel, Councilman
AYES:	Hohimer, Nutter, Cloyd, Burress, Abel
NAYS:	Rick Hilst, Lloyd Orrick

Motion to: **Move to take an Omnibus vote for Agenda Items 8.3-8.12**

A motion was made by Council Member Nutter seconded by Council Member Hohimer to take an Omnibus vote for combined Agenda Items 8.3 thru 8.12 encompassing each TIF agreement.

City Attorney, Ms. Kate Swise, read each agenda item to be included in the omnibus vote as follows:

8.3 Ordinance No. 4096-23/24 TIF Redevelopment Agreement with Ian Dawson Property/Kountry Nook

8.4 Ordinance No. 4097-23/24 TIF Redevelopment Agreement with Fletcher's Hitting Center

8.5 Ordinance No. 4098-23/24 TIF Redevelopment Agreement with Kelly Madden

8.6 Ordinance No. 4099-23/24 TIF Redevelopment Agreement with BMD, AN LLC

8.7 Ordinance No. 4100-23/24 TIF Redevelopment Agreement with Jeff Turner (D.B.A. Turner Door)

8.8 Ordinance No. 4101-23/24 TIF Redevelopment Agreement with Padmavati Patel (D.B.A. Go Vino Bar & Grill)

8.9 Ordinance No. 4102-23/24 TIF Redevelopment Agreement with Alexanders Tax Service, LLC

8.10 Ordinance No. 4103-23/24 TIF Redevelopment Agreement with Terry and Baylee Gambetti

8.11 Ordinance No. 4104-23/24 TIF Redevelopment Agreement with William Leman as Trustee of the Monge Property Management Trust No. 77-6035-008

8.12 Ordinance No. 4105-23/24 TIF Redevelopment Agreement with SPWT, LLC

On roll call vote all present voted Aye. Motion carried.

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

Motion to: **Approve Omnibus Vote for Agenda Items 8.3-8.12**

City Engineer, Ms. Josie Esker, clarified that Agenda Item 8.12 Ordinance No. 4105-23/24 TIF Redevelopment Agreement with SPWT, LLC, had two different applications. One application included the parking lot behind Maquet’s Rail House and the other was an agreement to include the lot behind Maquet’s Rail House and the Mission parking lot. Council previously approved an award for $150K for the parking lot project but it was not clarified what lots the project would include.

Mr. Dustin Maquet, owner of SPWT, LLC and Maquet’s Rail House, addressed the Council stating that he had offered to do both lots as one project but had not offered to pay for any flat work. He discussed the engineering aspects of the lots and expressed concerns about how the project might look with some elements being updated and others not.

TIF Attorney, Mr. Nic Nelson, clarified that Dustin Maquet could be reimbursed whether he leased or owned the property, depending on the project's eligibility. It would be up to the council to determine if he would receive the entire $150,000.

Council Member Nutter expressed uncertainty about the future of the lot after the Mission building is demolished and emphasized the need to address the alleys.

Ms. Esker mentioned plans to bid the project quickly and the possibility of completing it in the current fiscal year.

Council Member Hohimer expressed a desire to see at least Mr. Maquet’s part of the project completed.

Dustin Maquet stated that nothing would happen to the Mission lot if he leased it.

Council Member Nutter discussed the budgetary considerations.

Dustin Maquet indicated his willingness to contribute $50,000 to the project.

Ms. Esker provided the total project cost, deducting the $50,000 contribution.

Council Member Hohimer asked if Mr. Maquet could make another application.

Ms. Esker confirmed that this was possible.

Council Member Cloyd inquired about the plans for the Mission property, and Chief Building official, Mr. Nic Maquet mentioned that there were no solid plans yet.

Mayor Burress urged the need to move forward with the omnibus vote.

Council Member Orrick commended the innovative approach taken by Maquet in addressing the city's needs.

Mr. Maquet expressed a desire to complete the project within the year, as long as it could be made to work.

Council Member Orrick raised concerns about the involvement of LLCs and inquired about the possibility of personal guarantees. The discussion concluded with some uncertainty about personal guarantees in reimbursement grants.

On roll call vote, all present voted Aye except for Council Member Hilst, who voted No.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.3. Ordinance No. 4096-23/24 TIF Redevelopment Agreement with Ian Dawson Property/Kountry Nook

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.4. Ordinance No. 4097-23/24 TIF Redevelopment Agreement with Fletcher's Hitting Center

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.5. Ordinance No. 4098-23/24 TIF Redevelopment Agreement with Kelly Madden

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.6. Ordinance No. 4099-23/24 TIF Redevelopment Agreement with BMD, AN LLC

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.7. Ordinance No. 4100-23/24 TIF Redevelopment Agreement with Jeff Turner (D.B.A. Turner Door)

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.8. Ordinance No. 4101-23/24 TIF Redevelopment Agreement with Padmavati Patel (D.B.A. Go Vino Bar & Grill)

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.9. Ordinance No. 4102-23/24 TIF Redevelopment Agreement with Alexanders Tax Service,LLC

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.10. Ordinance No. 4103-23/24 TIF Redevelopment Agreement with Terry and Baylee Gambetti

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.11. Ordinance No. 4104-23/24 TIF Redevelopment Agreement with William Leman as Trustee of the Monge Property Management Trust No. 77-6035-008

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.12. Ordinance No. 4105-23/24 TIF Redevelopment Agreement with SPWT, LLC

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Burress, Orrick, Abel
NAYS:	Rick Hilst

8.13. Ordinance No. 4106-23/24 Accepting Assignment of Certificate of Sale from Morton Community Bank for Real Estate Located at 827 Catherine Street

City Manager, Mr. John Dossey, presented the agenda item to Council to accept an assignment of Certificate of Sale from Morton Community Bank for real estate located at 827 Catherine Street. Mr. Dossey raised concerns about property owners breaking into their own homes.

City Attorney, Ms. Kate Swise, addressing this issue, mentioned that the city had informally initiated the process of sending notices. Morton Community Bank, which had successfully completed foreclosures, was in possession of a court order and had assigned the property to the city. Importantly, there were no past due taxes, and the property should come to the city free and clear. Ms. Swise recommended obtaining the assignment from Morton Community Bank, noting that they had likely already prepared the deed.

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

8.14. Resolution No. 51-23/24 Approve Funding Agreement with Tri-County Regional Planning Commission

During the City Council meeting, Resolution No. 51-23/24 was discussed, which pertained to approving a funding agreement with the Tri-County Regional Planning Commission.

City Engineer, Ms. Josie Esker, highlighted the allocation of motor fuel tax, previously under PPUATS. She mentioned that the city's portion for this year's local match was uncertain until they received the invoice.

Council Member Orrick questioned the TCRPC funding, to Ms. Esker explained that being a member of this organization allowed the city to apply for grants that they would otherwise be ineligible for. She mentioned specific funding amounts, including the $1.8 million for a section of the Court Street project and $3 million for the next section. Ms. Esker also noted a planning grant for a pedestrian and bicycle master plan and emphasized the benefits of the city's participation in this organization.

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

8.15. Resolution No. 52-23/24 Approve Court Street Agreement with Illinois American Water

City Engineer, Ms. Josie Esker, presented Resolution No. 52-23/24 which involved approving the Court Street Agreement with Illinois American Water. Ms. Esker read the Request for Council Action.

Council Member Orrick inquired about the entity responsible for the work and whether Illinois American Water was contributing anything extra to the project.

Ms. Esker clarified that Illinois American Water was not providing additional funds under this agreement. They were covering the expenses related to the work they were conducting. Ms. Esker emphasized the advantages of coordinating projects, making it more convenient for the public to bear the impact at one time. She also mentioned that Illinois American Water hired their own engineer to oversee their part of the work and that she coordinated on every Illinois American Water project.

Council Member Nutter raised a question regarding the extension of the contract to West Shore and whether this would be the stopping point for Illinois American Water.

Ms. Esker explained that the contract extended just slightly to the east of West Shore, noting that most of the proposed project had been replaced within the last decade. She pointed out that there were many patches on Court Street due to water main projects, and Illinois American Water only needed to extend a portion of it.

Council Member Nutter sought clarification on whether it should be East Shore or West Shore, and Ms. Esker mentioned she could verify that, stating that their project ended between those two points, so it was essentially the same ending spot regardless.

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

8.16. Resolution No. 53-23/24 Approving Agreement Hanson for Construction Oversight of Hangar Project at Airport

City Manager, Mr. John Dossey, presented the request to Council to approve Resolution No. 53-23/24 approving an agreement with Hanson for construction oversight of the hangar project at the airport.

Council Member Hilst questioned whether the budget needed amending stating that the cost was not considered an expenditure.

Ms. Esker explained that the cost was through the Enterprise Fund and expenditures of that nature are not considered expenditures to appear in the budget. She reassured that it was correctly accounted for in the budget, even though it might not be explicitly budgeted for.

Council Member Hilst further inquired about what happens at the end of the fiscal year when they tally up the finances.

Mr. Bob Grogan, Finance Department, clarified that it would not be categorized as an expense. Instead, it would be included in the capital budget. He emphasized that it doesn't become an expense until it's depreciated over time.

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

8.17. Resolution No. 54-23/24 Authorize the Purchase of 14 Replacement Data Terminals for Police Squad Cars

City Manager, Mr. John Dossey, presented the agenda item to Council to approve Resolution No. 54-23/24 authorizing the purchase of 14 replacement data terminals for the police squad cars.

Council Member Orrick pointed out that he did not have the SHI bid.

Network Administrator, Mr. Dave Hess, explained that it must not have been attached.

Mr. Hess continued by explaining that the SHI bid was $357 below the Supreme radio bid as Supreme Radio charges for freight on their orders.

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

8.18. Resolution No. 55-23/24 Authorize Reimbursement of Expenses Holzwarth-Flexsenhaur

City Manager, Mr. John Dossey, read the Request for Council Action to approve Resolution No. 55-23/24 authorizing the reimbursement of expenses to Holzwarth-Flexsenhaur. Mr. Dossey explained that Council Member Hilst had brought up the discussion of paying off the door instead of having credits go back and forth. The authorization would allow the City to payoff the outstanding balance of $32,227.49.

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

8.19. Resolution No. 56-23/24 Approve Airport Lease Agreement with Holzwarth-Flexsenhar LLC

City Manager, Mr. John Dossey, presented the agenda item regarding Resolution No. 56-23/24, which concerned the approval of an Airport Lease Agreement with Holzwarth-Flexsenhar LLC. Mr. Dossey provided information about the lease, noting that it was a 5-year lease with built-in rent increases during that period. He also mentioned concerns regarding utilities, specifically the allocation of individual utilities for new hangars, which seemed to be hit or miss. Mr. Dossey suggested that if the Council wished to address this issue later, they might need to consider metering the units for a more equitable distribution of utility costs.

Council Member Hilst expressed concerns about the rising utility costs at the airport, noting that they had doubled. Additionally, he spoke about the lease payments, pointing out that the current agreement stated that the monthly lease increased by $25 each year. However, he observed that in 2018, the lease payments had increased by $100. This decrease in the annual lease increase was unusual, especially considering that tenants were also responsible for paying utilities on top of their lease payments.

Public Works Director, Mr. Dean Schneider, explained that tenants paid up to $200 for utilities based on the square footage price of $0.23 cents. He mentioned that market surveys in other states had influenced these numbers.

Council Member Nutter inquired whether this was budgeted for, and Mr. Grogan clarified that this, along with the previous item approved, the payment for the door, was not part of the budget. Mr. Grogan also highlighted that floating a loan to a tenant was not a good practice.

Council Member Orrick had several questions. First, he asked about the need for written approval from the airport manager for upgrades and inquired about the frequency of fire department inspections for hangars.

Fire Chief Trent Reeise explained that they typically conducted a tour once a year but had temporarily stopped due to COVID, resuming the inspections during the summer.

Council Member Orrick suggested more frequent, possibly every six months, fire department inspections and inquired about garbage pickup at the airport. He questioned why the leasee didn't pay a fee for garbage pickup and asked about the specific rules mentioned in the lease.

Mr. Schneider clarified that there were written rules in place established by the Airport Commission.

Council Member Orrick also brought up the topic of the right of entry and mentioned that FAA inspections should be riders on the insurance.

Mr. Schneider noted that Holzwarth had submitted an insurance policy rider to the City of Pekin for $1 million.

Council Member Orrick proposed the idea of transitioning to a triple net lease, where the tenant would cover all expenses, including maintenance, as a potential solution to address some of the concerns raised during the discussion.

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Hohimer, Nutter, Cloyd, Burress, Abel
NAYS:	Rick Hilst, Lloyd Orrick

8.20. Resolution No. 57-23/24 Adopting a Policy Regarding Access to Programs and Services for Individuals with Limited English Proficiency

City Attorney, Ms. Kate Swise, presented Resolution No. 57-23/2, which aimed to adopt a policy regarding access to programs and services for individuals with limited English proficiency. Ms. Swise provided an explanation of the policy, mentioning that it was developed in response to requirements related to the VHS grant. She noted that the policy was based on guidance from the Department of Homeland Security (DHS) and the Department of Justice, who had originally established the guidelines. The policy took into account factors such as the percentage of non-native English speakers in the area. Ms. Swise also explained that staff had conducted research on how to locate translators or telephone translation services, considering that there were very few people in Tazewell County who met the definition of limited English proficiency. Given the relative scarcity of such individuals, it was determined that it was not necessary to translate documents but instead to use monitoring to adjust the policy as needed.

Council Member Orrick expressed some concerns, suggesting that it seemed more like a procedure. Ms. Swise responded, explaining that the city would bear the cost of interpreters and that they could obtain a list of interpreters from the courthouse.

Council Member Cloyd brought up the issue of individuals who are deaf.

Ms. Swise clarified that the policy primarily addressed individuals with limited English proficiency and mentioned that different accommodations, such as TTY for those with hearing impairments, were more related to ADA (Americans with Disabilities Act) issues.

Council Member Hilst inquired about the purpose and amount of the grant.

Deputy Fire Chief Tony Rendleman explained that it was a FEMA grant used to purchase airpacks.

Council Member Hilst expressed concern about the financial burden on taxpayers for interpreter services for individuals who don't speak English.

Ms. Swise explained that not abiding by the policies of the grant application could be considered discrimination, as mandated by the Department of Justice and Executive Order, particularly under the Civil Rights Act Title 6.

Mr. Grogan suggested that this policy could also pertain to eligibility for Community Development Block Grants (CDBG), which are associated with HUD grants.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Orrick, Abel

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Hilst inquired about the status of electronic voting. City Clerk, Ms. Sue McMillan provided an update, mentioning that training had been underway, and they anticipated going online with electronic voting at the end of October.

Council Member Abel brought up the issue of fixing the Dome and proposed a meeting with Mr. Zander to discuss plans. He also raised concerns about the delay in building two fire stations that were approved several months ago, suggesting that the city should take action on this matter.

Mayor Burress mentioned agreement with Council Member Abel's concerns about the fire stations, indicating that it had been discussed during the tenure of the interim city manager.

Council Member Hohimer congratulated Mr. Dossey on being appointed City Manager.

Council Member Nutter expressed satisfaction with a success of the Twisted Cat event and proposed the idea of a coin flip for each football game. He also noted the importance of the discussions on airport policies and inquired about the status of the airport manager.

Council Member Orrick shared his opinion regarding the city's decline in population and the need to address this issue during an upcoming retreat.

Council Member Cloyd suggested placing an item on the next agenda regarding the removal of the hiring freeze.

Mayor Burress extended condolences to Mayor Luft, who recently lost his father, and expressed gratitude to various individuals for their efforts, including Mr. Grogan and staff for implementing positive pay, Ms. McCoy for a successful downtown concert, and Elaine Ritchey for bringing positivity to the city. The Mayor also thanked Mr. Dossey for his contributions.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 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 Cloyd seconded by Council Member Nutter to move into Executive Session to discuss 5 ILCS 120/2 (c) 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 8:51 PM. On roll call vote all present voted Aye. Motion carried.

Mayor Burress announced that no action would be taken after closed session.

Council returned to open session at 9:25 PM.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burress, Orrick, Abel

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Nutter to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 9:25 PM.