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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 14, 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 Football Coach Doug Nutter and team.

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:08 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:03 PM
Dave Nutter	City of Pekin	Councilman	Present	5:01 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:00 PM
Mary Burress	City of Pekin	Mayor	Present	5:37 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:00 PM
John P Abel	City of Pekin	Councilman	Present	5:03 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

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

4.1. City Council - Special Meeting - Jul 24, 2023 5:00 PM

4.2. City Council - Regular Meeting - Jul 24, 2023 5:30 PM

4.3. City Council - Special Meeting - Jul 31, 2023 4:00 PM

PUBLIC INPUT

Mayor Burress began by acknowledging the presence of Pekin's head football coach Doug Nutter and his team. The Mayor expressed gratitude for Coach Nutter's contributions to the community, highlighting his leadership and the team's involvement in community service, which involved cleaning up litter and weeds in various areas. Mayor Burress then presented a declaration to Coach Nutter and the football team, recognizing their efforts in promoting leadership values and community pride. The declaration praised their commitment to the city and awarded them the title of "Good Citizens." The Mayor also gave them a city coin as a token of appreciation.

Coach Doug Nutter responded by emphasizing the importance of pride in the community and the reciprocal support between the football team and the city. He expressed gratitude for the community's support in the past season and the ongoing season.

Following this, Mayor Burress introduced Steven Saal and commended his extensive contributions. She recounted Mr. Saal's service in the United States Marine Corps, his role as supervisor of Veterans Affairs, his involvement in various community organizations, and his significant time as commander of the American Legion Post 44. The Mayor presented Mr. Saal with a declaration that declared him an "Exemplary Citizen" and acknowledged his character and commitment to the community. She also gave him a Mayor's Pekin coin as a token of appreciation for his service.

During the council meeting, Deborah Montgomery addressed the council to discuss her removal from the Historic Preservation Committee. She began by questioning the legality of her removal, pointing out the absence of any ordinance or city code that grants the Mayor the authority to remove her from the commission. Ms. Montgomery cited specific ordinances, to support her argument against the Mayor's unilateral removal power. She raised concerns about the process and delivery of the Mayor's removal letter, stating that only the city manager, not the Mayor, has the authority to direct the city clerk. Ms. Montgomery shared copies of information used by the Mayor in her removal attempt and highlighted the Historic Preservation Commission's ability to involve outside experts. She referenced a meeting with an authority regarding the Arcade building's potential historic status and presented evidence of its eligibility for national registration. Ms. Montgomery acknowledged an error in voting on sending building information to the State, indicating that they should have sent it without a vote according to the Open Meetings Act (OMA). She recounted a scheduling incident, where a meeting agenda wasn't properly posted due to an internet outage. She expressed a desire for the same courtesy the public received and shared an email exchange with the City Clerk, Ms. Sue McMillan. Ms. Montgomery questioned why the City Clerk sought information from another employee instead of directly from her or her co-chair, emphasizing that her inquiry was not accusatory or unprofessional. Ms. Montgomery detailed an unexpected visit from the City Clerk, who delivered a letter from the Mayor removing her from the Historic Preservation Commission. She referred to her previous points as the basis for her removal. She mentioned her attempt to arrange a meeting with the Mayor to explain her side of the issue and shared the Mayor's response, declining the meeting. Ms. Montgomery expressed her dismay that the letter, which she claimed was factually incorrect, was posted on the city website. She also mentioned disparaging remarks made on social media. She believed that her removal was intentional due to her efforts to save downtown buildings and criticized the Mayor for not fulfilling her campaign promise to save buildings. Ms. Montgomery concluded by asserting her commitment to preserving history, regardless of city support.

Mr. Roger Alexander then spoke briefly, expressing their intention to stay in the city despite challenges and addressing perceived indifference towards their community's concerns.

Mr. John McNish expressed his gratitude to Council Member Hohimer for addressing a safety concern involving a telephone pole near Washington. He then brought up concerns regarding solar panel companies and their increasing presence in the city. Mr. McNish mentioned receiving responses to an email he had sent and acknowledged the city's efforts in addressing the issue, specifically mentioning a company named eEquals (formerly C.R.) that sells solar panels. He indicated that Nic Maquet, Chief Building Official, was working on the matter. Mr. McNish's main points centered on the influx of solar panel companies that were approaching residents, raising questions about the permit requirements, the number of permits issued this year, associated costs, on-site inspections, the need for engineer drawings, and the availability of qualified inspectors. He highlighted the importance of adhering to electrical and structural code requirements, particularly with regards to the weight of panels and snow load support. Mr. McNish referred to the International Residential Code (IRC) of 2015 and the NFPA 70 requirements, discussing the need for compliance and checking of roof access requirements by the fire department and inspections department. He expressed concerns about the potential risks posed by solar panels, including the possibility of fires and hazardous materials being released. Mr. McNish also questioned the city's readiness to handle such incidents, mentioning the lack of a safety program and the potential impact on firefighter safety. He highlighted the need for thorough review and understanding of the regulations, referring to the city's ordinance on a solar farm from 2018 and suggesting revisiting the regulations in light of current developments. Mr. McNish concluded by urging caution and a thoughtful approach to the solar panel situation.

Ms. Lonnie Howard expressed her support for Deborah Montgomery, describing her as caring and kind person. She highlighted the efforts of the Save Pekin History Committee to preserve historic buildings, specifically the Arcade and Tobin buildings. Ms. Howard urged the council to prioritize the preservation of local history and expressed her backing for Ms. Montgomery.

Mr. Steve Bresnahan, organizer of the Pekin Downtown Super Cruise, addressed the Council. He provided an overview of the recent event and expressed satisfaction with the turnout. However, he raised a concern regarding the presence of illegal drug paraphernalia vendors at the event. Mr. Bresnahan described how he discovered these vendors and their unsanctioned presence at the event. He emphasized that they were selling items that could be used for illegal drugs, and that they lacked permission from him as the event organizer or the city. Mr. Bresnahan expressed frustration and disappointment that these vendors were allowed at the event without proper authorization. He pointed out that this situation reflects poorly on both him as the event coordinator and the city itself. He referred to a state statute that regulates drug paraphernalia and outlined the potential legal consequences for those selling such items. Mr. Bresnahan recounted his interaction with the vendors and the fact that they eventually left the event when the police were called. He questioned whether the city supports the sale of drug paraphernalia at its events and whether business owners or property owners can permit vendors without the event organizer's consent. Mr. Bresnahan suggested that the city's special event application process might need to be updated to prevent such occurrences in the future. He asked the city police department, city attorney, and compliance division to investigate the legal aspects of the issue and report back to him. Mr. Bresnahan expressed his concern for maintaining the family-friendly nature of city events and his hope that this situation would not repeat itself in the future.

5.1. Public Hearing to consider the proposed Pekin East Residential TIF District Redevelopment Project Area, Plan and Projects

TIF Attorney Nic Nelson commenced a public hearing at 6:20 PM for two separate Tax Increment Financing (TIF) Districts – East Pekin Residential TIF and South Residential TIF. He explained that the purpose of the public meeting was to discuss the TIF districts, their qualifications, and the city's intentions. He outlined the process undertaken, including a public meeting previously held and meetings with taxing bodies to vote on TIF Act requirements, which had unanimous support. The current public hearing was convened to delve into the TIF plan details, the blighting characteristics of the areas, and to welcome public comments. Mr. Nelson provided a comprehensive overview of the timeline, highlighting key dates in the establishment of the interested parties registry, public meeting, submission of TIF plan drafts, taxing body meetings, and notice publications. He outlined the blighting characteristics for improved and vacant parcels, elaborating on elements such as deterioration, inadequate utilities, and equalized assessed value trends. He emphasized that over 80% of both improved and vacant parcels qualified, exceeding the required 50%. The TIF plan encompassed public and private projects, with specified costs for infrastructure improvements and various types of residential and commercial developments. Mr. Nelson clarified common misconceptions related to property taxation within TIF districts, assuring residents that TIF doesn't increase property assessments or taxes. He addressed concerns about diverting money from taxing bodies, explaining that TIF encourages development that otherwise wouldn't occur. He also responded to inquiries about existing TIF districts and their impacts on property values and taxes. Citizens expressed concerns about rising taxes, to which Mr. Nelson clarified that TIF doesn't influence property assessments or taxes. He reiterated that TIF's goal is to spur development and improve the overall economic landscape of the area.

John Johnson spoke against both proposed TIF districts.

Judith Miller inquired about the specifics of the new development planned within the TIF districts, expressing concern about potential changes to the city's character. Attorney Nelson responded that developers were already working on various projects, with most early development being single-family homes. He emphasized that vacant residential lots were potential targets for development, and the TIF incentives would be applied to encourage growth. Ms. Miller further questioned whether the Broadway and Veterans areas were included, to which Mr. Nelson confirmed their involvement.

Ms. Miller expressed concerns about losing the city's nature and farmland due to development, highlighting the value of maintaining a small-town feel and low crime rate. She worried about increased taxes and the impact of growth on the city's identity.

Mr. Nelson acknowledged her concerns and clarified the mechanisms by which TIF encourages development without directly impacting taxes. The discussion then shifted to the concept of leveraging TIF for existing property renewal, with another resident suggesting that revitalizing older buildings should be a focus rather than prioritizing new construction. Mr. Nelson acknowledged the importance of balancing both aspects and explained how TIF was designed to address both rehabilitating older areas and fostering new development. The conversation continued with residents expressing varying opinions about TIF's impact on taxes and growth.

Mary Anne Ladendorf defended TIF as a means to attract new residents and developers, addressing misconceptions and highlighting its potential benefits for the local economy. She emphasized the need for more housing options to accommodate different buyer segments and urged residents to view TIF as a way to move the city forward without detriment to its residents. The mayor also chimed in to support the positive impacts of TIF on housing and growth.

The public hearing ended at 6:50 PM.

5.2. Public Hearing to consider the proposed Pekin South Residential TIF District Redevelopment Project Area, Plan and Projects

The public hearing was opened at 6:50 PM.

Residents posed questions and expressed concerns related to the proposed Tax Increment Financing (TIF) districts.

James Bowen raised an issue about a previous TIF district that included rental properties exempt from property taxes due to their status as Section 8 housing. He sought clarification on whether the proposed TIF district would involve a similar situation, to which Attorney Nic Nelson explained that Section 8 housing doesn't generate TIF revenue. Mr. Nelson and Mr. Bowen discussed the location of the previous TIF district, and Mr. Bowen sought to understand the purpose of the current TIF district's boundary lines. Mr. Nelson explained that the TIF district's intention was not related to Section 8 housing.

The discussion transitioned to the TIF district timeline and its procedures. Mr. Nelson provided a comprehensive timeline of the TIF district's establishment and informed attendees about the processes involved, such as the interested parties registry, public meetings, submission of the draft plan, and review by the Joint Review Board. The conversation then turned to the characteristics of the properties within the TIF district. Specific qualifying and non-qualifying attributes of parcels were discussed, including blight, vacant lots, and flooding characteristics.

Matthew Johnson, another attendee, raised multiple questions, starting with the disposal site and its associated EPA issues within the proposed TIF district. He inquired about the nature of the disposal activities and asked for clarification about the flooding characteristics of certain parcels. Mr. Nelson clarified that the flooding characteristic was identified through engineer's assessments and might involve properties within the TIF district that contribute to flooding issues.

Matthew Johnson expressed curiosity about the plan's details, specifically related to commercial projects listed in the plan. He sought information about commercial renovation projects, retail developments, and restaurant projects within the TIF district. Mr. Nelson explained that the plan encompassed a range of potential projects that could occur over the 23-year timeline, which included various types of commercial improvements.

Council Members also posed questions. Council Member Hilst raised concerns about the extension of TIF districts and whether the City Council's approval was necessary for such extensions. Mr. Nelson clarified the process, explaining that an extension request required a unanimous vote from the Joint Review Board members, and each entity had to provide a letter of support for the extension, including the City.

Council Member Orrick inquired about the legal implications if the Council turned down an intergovernmental agreement after approving the TIF district. Mr. Nelson clarified that the approval of the TIF district and the intergovernmental agreement were separate matters.

5.3. Public Hearing - Amendment to 2023 CDBG Action Plan

The public hearing commenced at 7:04 PM as the Mayor officially opened the session. The CDBG Program Manager, Ms. Tina Huak, began the presentation by addressing the proposed changes to the funding allocation of the previously presented budget that had been brought before the Council on May 8th. Within this revised budget, a new funding category of $277,721 was introduced, specifically designated to pay down the Hart Section 108 loan, which had been utilized to finance the new fire truck for Station Number 3. Tina explained that the HUD Section one highway loan was applied for in 2021, gaining HUD approval in 2022 for a sum of $700,000. A portion of this amount, $114,000, was allocated towards the fire truck and associated HUD fees, leaving an unused balance. The loan's terms span 20 years, with a variable interest rate based on the three-month T-bill. Quarterly payments, inclusive of interest, totaled approximately $39,000, thus equating to around $155,000 per annum. The primary objective was to reduce the debt burden, consequently releasing additional entitlement funds in the future. Public commentary, following the regulations, began on August 11th and would continue until August 24th. Ms. Hauk then welcomed questions from the audience.

Council Member Orrick inquired about the proposal's intention, confirming whether the proposed $277,000 was meant to pay off the fire truck debt. Ms. Hauk confirmed this to be accurate.

Council Member Orrick further inquired about the remaining debt on the fire truck after this payment, factoring in prior payments. Ms. Hauk clarified that this payment would not entirely clear the debt, estimating a remaining balance of around $400,000, though she suggested verifying this precise amount. Orrick expressed gratitude for the information.

Council Member Nutter sought clarification on the necessity of amending the budget for this purpose, to which Tina responded that the amendment would be made to the action plan budget.

Council Member Orrick interjected with a broader question, referencing page 240 of the plan concerning homelessness, where Ms. Hauk had noted continued involvement with the Home for All Continuum of Care. He informed Ms. Hauk of the gathering by Phoenix community's actions in aiding the homeless, including their purchase of the old Methodist Nursing home school in Peoria with state funding for conversion into apartments with healthcare services. Ms. Hauk acknowledged awareness of community organizations but was not aware of the recent acquisition details. Council Member Orrick continued, elaborating on the Phoenix Community's proactive approach to assist the homeless population, collaborating with apartment owners and highlighting Stone Burner's participation. Ms. Hauk thanked him for sharing this information.

Mayor Burress closed the public hearing at 7:16 PM, as there were no further comments.

CONSENT AGENDA

Council Member Orrick requested to move Consent Agenda Item 6.13 Mayor's Report to Council of Dismissal of Commission Member to New Business Item 7.4.1 and/or 7.5.

Council Member Hilst requested to move Consent Agenda 6.14 Resolution No. 49-23/24 Mayor Appointment David B. Nutter Item to New Business Item 7.6.

Council Member Abel made an announcement regarding a proclamation for Dean Preston. Council Member Abel expressed that although the proclamation had not been read that night, it had received significant media attention, being featured in a prominent article on the front page of the morning's paper. Council Member Abel shared a personal connection spanning 60 years with Mr. Preston, who had worked alongside him at Preston Hanley. He highlighted Mr. Preston's forthcoming 99th birthday in November and the fact that he would be receiving the highest award from the French government for a non-French individual. The award ceremony, scheduled for August 22nd at 1:30 PM, would take place at the Preston Hanley funeral home, and Council Member Abel expressed the importance of acknowledging Mr. Preston's achievements with a proclamation from the city. He mentioned that various other proclamations were being presented by Congress, state representatives, and others.

Council Member Abel praised Mr. Preston's accomplishments, similarly to Mr. Steve Saal, and emphasized the uniqueness of this recognition, which must be received during one's lifetime and cannot be given posthumously. He noted that the proclamation would be read by the Mayor during the ceremony, which was expected to draw around 300 attendees due to limited room capacity. Council Member Abel also highlighted the presence of representatives from the French government at the event and clarified that while the president wouldn't be attending, a proclamation from the president would be delivered. He concluded by emphasizing the rarity of individuals in Mr. Preston's age group and the need to honor their contributions.

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

6.1. Recognition PCHS Dragons Football Team

6.2. Honoring Steven Saal Exemplary Citizen

6.3. Proclamation Dean A. Preston

6.4. Ordinance No. 4094-23/24 Illinois Mutual Aid Box Alarm System (MABAS) Master Agreement

6.5. Pekin Fire Monthly Incidents Report July 2023

6.6. Financial Reports May 2023

6.7. Financial Reports June 2023

6.8. Accounts Payable To Be Paid Proof List thru July 21, 2023

6.9. Receive and File Advanced Medical Transport, Inc. Response Time Report for the Year Ended December 31, 2022

6.10. Receive and File Bids CDBG Demolition of Residential Structure(s) Garage and the Removal of Dangerous Trees 312 Woodland Street

6.11. Resolution No. 41-23/24 Mayor's Appointment of Cindy Galyean to fill the vacancy on the Tourism Committee as member from the Hotel Industry for a 2-year term until first Monday in May, 2025

6.12. Resolution No. 42-23/24 Mayor's Appointment of Katey Thomas to the Historic Preservation Commission for a term until first Monday in May 2024

NEW BUSINESS

7.1. Resolution No. 44-23/24 Accept and Award Bid for the CDBG Demolition of Residential Structure (s) garage and the Removal of Dangerous Trees at 312 Woodland Street to Wayne Litwiller Excavating, Inc in the amount of $23,150.00

Police Chief John Dossey and Interim City Manager presented the request to Council to demolish a residential structure at 312 Woodland Street and to award the bid to Litwiller. Chief Dossey confessed to an oversight in misunderstanding the nature of the funding, stating that the matter at hand was not related to Community Development Block Grant (CDBG) money, but rather earmarked an emergency demolition due to hazardous property conditions. The code enforcement team had determined that the state of the houses posed safety risks, preventing the completion of necessary environmental reviews and other prerequisites. Although the process initially mirrored that of CDBG-funded demolitions, it was clarified that the project would be covered by a separate budget allocation designated for property cleanup and demolitions rather than CDBG funds.

Council Member Orrick raised a question about the budget discrepancy, noting that while the initial budget was $150,000 and the expenditure was projected at $23,000, it was unclear how $135,000 remained. In response, Chief Dossey explained that expenses had already been drawn from the initial allocation, factoring in additional expenses from other property cleanup initiatives. The adjusted available amount after these deductions was identified as $135,460.17.

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

7.2. Resolution No. 45-23/24 Purchase of Additional Garbage and Recycle Carts from Cascade Engineering

Public Works Director Dean Schneider addressed the need for new toters and recycling bins. He mentioned that the current stock is running low, and there is a requirement for replenishment. He informed the council members that it takes approximately 3 to 4 months for the production and delivery of these items, which explained the urgency for the purchase. Council Member Orrick inquired about the sale of these items, specifically the garbage toters which are sold for $60 each, while costing $50 to acquire. He also mentioned the recycling toters, for which the city pays $46 each in the current contract, but sells for $40, resulting in a net loss for recycling toters.

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

7.3. Resolution No. 46-23/24 Agreement With Enterprise to Lease Two Trucks for Public Works

Chief of Police and Interim City Manager John Dossey presented the agenda item to enter into an agreement with Enterprise to lease two vehicles for Public Works. He reported that Public Works had ongoing vehicle issues due to extensive mileage, and Enterprise had offered two Chevy Silverado vehicles.

Council Member Orrick inquired about vehicle assignments, whether they would be assigned to individuals or part of a motor pool.

Chief Dossey explained that one vehicle was designated for Dean Schneider, while the other's recipient was under discussion.

Council Member Hilst expressed concerns about the vehicles' budget allocation and past instances where vehicles were assigned differently than initially approved.

Mayor Burress added that personal vehicles used for city work could pose liability issues. Public Works Director, Mr. Dean Schneider clarified that the budget for vehicles was initially allocated but removed from the budget by the previous City Manager, Mr. Marston.

Council Member Nutter supported aligning the vehicles with their designated departments.

Mayor Burress also shared her perspective on vehicle use and wear.

Council Member Orrick calculated the monthly costs, revealing that the annual expenses for the vehicles would likely be around $31,000 due to a partial first year. Chief Dossey confirmed the pro-rated calculation and explained the fiscal year considerations. The discussion revolved around budget concerns, vehicle assignments, and allocation within departments.

The discussion concluded with the understanding of the financial implications and considerations for future vehicle acquisitions.

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

7.4. Resolution No. 47-23/24 Recommend to Award Court Street Rehabilitation Project to R.A. Cullinan, a div of UCM, Inc.

City Engineer Ms. Josie Esker provided information to the Council about the Court Street Rehabilitation project, which was slightly over budget due to federal funding considerations. The project was bid through the IDOT Transportation Bulletin, and staff was recommending awarding the project to R.A. Cullinan. The project involved federal funds, and the city had already entered into an agreement with IDOT. However, since the project was over budget, Council approval was sought for recommending the award. A contingency of $200,000 was requested to address any unforeseen issues during the project without causing delays.

Council Member Orrick inquired about the pace of Illinois American Water's work on Derby Street, expressing concerns about potential delays.

City Engineer Ms. Josie Esker explained the complexities of water main work and the ongoing communication with the contractor.

Council Member Hilst raised concerns about the previous phase of the project and suggested considering another bidder. However, Ms. Esker explained that federal funding projects generally favored the lowest bidder and that changing the contractor might not be feasible.

Council Member Nutter asked about the location of the PPUATS grant in the budget, and Ms. Esker clarified that the funds wouldn't come directly to the city but would be deducted from the project's overall cost. The project's budget and the request for a $200,000 contingency were explained.

Council Member Nutter also inquired about contracts with Illinois American Water and Ameren. Ms. Esker provided details about these contracts and the already approved costs.

Council Member Hilst discussed concerns about budget allocation and contract terms.

Council Member Abel asked about the status of the contract with Illinois American Water, and Ms. Esker explained that it was forthcoming.

Council Member Hilst made a motion to amend the resolution, seconded by Council Member Cloyd to award the bid to Ottobaum, but later rescinded it when it became clear that the council's options were limited.

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

7.5. Mayor's Report to Council of Dismissal of Commission Member

Council discussed agenda items 7.4.1 and/or 7.5, which pertained to the removal of Deborah Montgomery from the Historic Preservation Commission.

City Attorney Kate Swise clarified that no action needed to be taken on that item as it was for filing and notification purposes.

Council Member Orrick then asked about the mayor's power to remove someone from their position according to the State Code.

City Attorney Ms. Swise explained that the Illinois Municipal Code provides a procedure for the mayor to remove an appointed officer based on written charges, with the possibility of reinstatement through a two-thirds council vote.

Mayor Burress further explained that when Ms. Montgomery requested a private discussion with only herself, she could not comply due to the nature of the matter.

Council Member Cloyd asked if the discussion about the incident would occur at that moment, and City Attorney Ms. Swise clarified that the discussion could take place either during that agenda item or the subsequent one.

Ms. Swise also mentioned that the statute did not strictly require filing the report, but it was included in the packet for procedural reasons.

Council Member Cloyd and the Mayor agreed to move on to agenda item 7.5, which dealt with the discussion surrounding the incident and the removal of the appointed officer. It was clarified that the report had been provided and discussed, meeting the requirements of the statute, and the decision whether to vote to file the report was up to the council. The discussion indicated a procedural understanding of the legal requirements and the council's options regarding the matter. No vote was taken.

7.6. Resolution No. 48-23/24 Approving the Reinstatement of Deborah Montgomery to the Historic Preservation Commission

A motion was made by Council Member Cloyd to approve Resolution No. 48-23/24, which involved the reinstatement of Deborah Montgomery to the Historic Preservation Commission. Council Member Orrick seconded the motion. Council Member Cloyd then expressed her thoughts on the matter, emphasizing the importance of abiding by the spirit and letter of the law, particularly when dealing with volunteers and citizens who contribute to the community. She mentioned examples of citizens being honored for their contributions and urged the council to consider reinstating Ms. Montgomery.

Mayor Burress called for any other discussion on the matter.

Council Member Nutter provided his perspective, mentioning that he had read the points mentioned in the bulletins and that he believed Ms. Montgomery did not follow the proper protocol and challenged the City Clerk's authority. He referred to the actions of the Historic Preservation Commission and his interactions with them. He stated that he could not support reinstating Ms. Montgomery based on his observations.

Council Member Cloyd responded, discussing the training provided to different committees and the need for consistent training and support. She highlighted the flaws in the training process and the potential negative consequences for citizens who are not adequately supported. She expressed concerns about the reputation of citizens like Ms. Montgomery and the need for the council to think outside the box and address these issues.

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

Motion to: **Remove New Business Item 7.7 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 from the Agenda**

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Nutter, Cloyd, Burress, Orrick, Abel
ABSTAIN:	Karen Hohimer

7.7. 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

A motion was made by Council Member Hilst seconded by Council Member Orrick to adopt the Mayor’s appointment of David B. Nutter as Mayor Pro Tem to the City Council for a term until April 30, 2024 and John Abel as First Alternate Mayor Pro Tem to the City Council for a term until April 30, 2024.

Council Member Hilst expressed his reason for pulling the item off of the Consent Agenda, clarifying that his concern wasn't related to the names involved in the appointments but rather the process. He mentioned that the item had been added to the agenda on short notice, contrary to the policy that requires a ten-day notice for new agenda items.

Council Member Hilst motioned to have the item removed from that night's agenda based on the violation of the policy.

The Mayor asked for legal clarification from the City Attorney, Ms. Kate Swise, who confirmed the existence of the policy that requires ten-day notice for agenda items and that typically staff or the City Manager could add items more last-minute. She noted that appointments often go into the consent agenda without much staff discussion.

The Mayor acknowledged the situation and expressed her intention to bring everyone together, while also admitting to not being well-informed on the matter.

Council Member Hilst reiterated that his concern was about policy adherence and its importance as an example for the public.

Council Member Nutter seconded the motion to have the item removed, emphasizing the need to adhere to policies.

The Mayor accepted the decision, acknowledging that if an item is pulled, no action is taken on it. She also encouraged better communication among council members and a collaborative approach.

RESULT:	**REMOVED [6 TO 0]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Nutter, Cloyd, Burress, Orrick, Abel
ABSTAIN:	Karen Hohimer

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Attorney, Ms. Kate Swise, announced that she had located the ordinance approving the extension to the Central Business District TIF by Ordinance No. 3044-21/22 Approving and Adopting an Extension to the Redevelopment Plan Projects, Redevelopment Project Area and Tax Increment Financing for the Pekin Central Business District TIF approved by the Council January 24, 2022.

Interim City Manager and Police Chief John Dossey provided an update on recent communications. He mentioned that Mr. Bresnahan had contacted him after the Downtown Super Cruise event, discussing an issue related to "Gro Up." He acknowledged that he hadn't had much time to delve into it due to his busy schedule. He elaborated that Mr. Bresnahan had tried to reach him earlier in the day but had been engaged in a meeting. He admitted not having had the chance to return the call or to investigate the local law issues connected to the matter. While he wasn't fully aware of the specifics of the pipes and regulations mentioned by Mr. Bresnahan, Chief believed that some legal changes might impact the situation. He acknowledged that the laws in question might result in nothing more than potential notices to appear. However, he emphasized that he couldn't provide a definitive assessment without examining the details firsthand. He assured the Council that he would connect with Mr. Bresnahan to gain a clearer understanding of the issue. Chief Dossey continued his update and shared information regarding outreach from Mr. McNish regarding solar-related matters. He mentioned that, Mr. Paul Belcher from Code Enforcement, had reached out on a Saturday and had made inquiries to certain solicitors. To clarify the city's stance, he emphasized that the city had not entered into any partnerships with solar companies. He acknowledged that Mr. McNish likely had a range of questions, many of which pertained to inspections and enforcement. Although these aspects were covered during inspections, Chief Dossey reassured the Council that he and his team would endeavor to provide comprehensive answers.

Additionally, Mr. Dossey expanded on the city's approach to background checks for solicitors. He clarified that the city conducts background checks on solicitors and requires them to possess a city-issued identification as part of the licensing process. However, he underscored that this identification doesn't indicate city support or partnership with the solicitors; it is merely a form of identification that they should possess. He emphasized that the identification should prominently display a marigold that says “City of Pekin”. In cases where solicitors lack this valid identification, they should not be engaging in solicitation activities. Mr. Dossey encouraged the public to be vigilant and exercise due diligence when interacting with solicitors, especially during storm seasons or instances of property damage. He suggested utilizing resources such as the Better Business Bureau, the Attorney General's Office, and reaching out to the city's authorities. In order to make informed decisions, Mr. Dossey* advocated for taking the time to research, not rushing into agreements, and being cautious of high-pressure tactics. He emphasized that hastily signing agreements could potentially relinquish certain rights without full understanding. Mr. Dossey urged citizens to be wary if solicitors are pressuring them to sign immediately and advised that such situations should trigger further investigation. He encouraged individuals to contact the police department if they suspect unlicensed solicitation, assuring that appropriate action would be taken in such cases.

Council Member Hilst took a moment to acknowledge the passing of Bill Stallings, a former employee of the fire department. Mr. Stallings had served in the fire department for an impressive 33 years and retired in 2006. Regrettably, he passed away on August 7th. Council Member Hilst offered his sincere condolences to Mr. Stallings' family during this difficult time.

Council Member Abel shared insights from a recent meeting about a CO2 pipeline that could affect the community. Expressing concern, he noted the lack of regulations preventing a pipeline from being placed near residential areas. He mentioned ongoing efforts to establish a moratorium on the pipeline in Sangamon county and upcoming discussions with Tazewell County. He emphasized the financial impact of the project, indicating taxpayers would bear the cost of $85 per ton. Council Member Able also recognized Nikki Chiarello for her exceptional work on the riverfront, praising her efforts to enhance the area's appearance and encouraging others to follow suit.

Council Member Hohimer took the opportunity to remind everyone that the school year is about to commence. She emphasized the importance of being familiar with school bus laws and cautioned against passing a school bus when its stop sign is out. She encouraged vigilance in ensuring the safety of children as they travel to and from school.

Council Member Nutter announced an upcoming event, the downtown street party scheduled for the 26th of August. He shared that the event would feature a performance by the well-regarded band Revel in Red and would be held on the 300 block of Court Street. The event was set to begin at 5:00 PM, and he expressed anticipation for what he believed would be a successful and enjoyable occasion.

Council Member Orrick extended his gratitude to the Chamber, the Marigold Committee, and all the volunteers involved in making the successful Marigold Festival possible. He also mentioned the recent crowning of Miss Marigold. Shifting his focus, he addressed a growing concern related to the homeless situation in the downtown area. He acknowledged that downtown businesses were facing challenges due to this issue and expressed his desire for a comprehensive plan to address it. He emphasized that the plan shouldn't necessarily involve hiring additional personnel, but rather could involve the redeployment of existing staff. Council Member Orrick spoke of the potential need for new ordinances to effectively tackle the issue and stated his willingness to support such measures. He cited instances of homeless individuals moving to different parts of the city, even to the Far East Side, and mentioned reports of panhandling near Wal-Mart. He firmly believed that a well-structured plan, developed by Chief Dossey and the city staff, was essential to address the matter effectively. He concluded by highlighting that positive outcomes often arise from well-executed plans, echoing Council Member Nutter’s sentiment, and expressed hope for the council's concurrence on this issue.

Mayor Burress began by acknowledging that Wednesday marked the completion of the first hundred days in office, clarifying that the accomplishments discussed were a collective effort involving the council and staff. She shared that she had reached out to the interim city manager and department heads to compile a list of achievements within this period. Starting with updates from the City Engineer, Ms. Josie Esker, it was highlighted that the Derby Street construction between 8th Street and 14th Street was underway. The Court Street Project, spanning from Stadium Drive to Valle Vista, was also in progress. In addition, a concrete parking lot behind the 300 block of Asher’s had being developed. The engineering department had achieved a milestone by being fully staffed. Shifting focus to other accomplishments, the Mayor discussed her correspondence with the Interim City Manager, Mr. John Dossey. They had appointed an interim city manager, conducted interviews, and were continuing the selection process. The code enforcement officer situation was addressed, with efforts being made to hire a second officer. Moreover, the city was in the process of offering a social worker position and working on the TIF agreements. Collaboration with department heads and efforts to ensure the city's protection while attracting business were highlighted. The Mayor stressed that the city wasn't giving itself away but was carefully fostering growth. The Mayor expressed that the city was working on the CO2 pipeline issue and the residential TIF’s. She noted the completion of the 2020 audit and a significant advancement in the second year audit within six months, mentioning Mr. Grogan's involvement. The Mayor also mentioned the dedication of the Costley-Legins Memorial at the Park. She acknowledged the recent opening of La Fiesta and Whiskey Taco, with a catfish tournament called Twisted Cat bringing revenue-generating opportunities to town. Various events were scheduled, including a downtown street party and the appearance of the band Revel in Red. The Mayor concluded by expressing her pride in the collective progress achieved in the first hundred days of her term.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

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