



City of Pekin

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON MONDAY, FEBRUARY 12, 2024 AT 5:30 PM
MAYOR MARY J. BURRESS PRESIDING**

Pledge of Allegiance led by Saskia Courtney School Bus Department Director

The Pledge of Allegiance was led by Saskia Courtney.

Mayor Burress presented the proclamation for Love the Bus Month to Ms. Courtney and her staff.

Call to Order

Deputy City Clerk, Ms. Nicole Stewart, confirmed all Council Members were physically present and logged in. City Clerk, Ms. Sue McMillan, was absent.

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

Approve Agenda

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

Approval of Minutes

4.1. City Council - Regular Meeting - January 22, 2024 5:30 PM

RESULT: PASSED (UNANIMOUS)

MOVER:	Council Member Chris Onken
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer, Council Member Onken

Public Input

Elaine Ritchey expressed her gratitude for the acknowledgment of bus drivers, highlighting their often overlooked role in ensuring the safety of children during transportation. Drawing from her 35 years of experience as a bus driver, she commended the city for recognizing the importance of their work and emphasized the responsibility they hold for the well-being of young passengers.

Ann Witzig echoed the sentiment of appreciation for bus drivers and shared her experiences, albeit with a tone reflecting dissatisfaction with certain recent events. She recounted an incident where she felt unfairly treated by law enforcement for an expired driver's license issue and expressed disappointment regarding a perceived lack of respect shown during a public meeting, particularly towards the city manager. Ms. Witzig highlighted instances of what she perceived as breaches of protocol and professionalism, indicating a need for adherence to established procedures such as Robert's Rules of Order and proper pronunciation of Pekin pertaining to closed captioning.

Mayor Burress announced the closure of public input at 5:58 PM.

Consent Agenda

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

- 6.1. Proclamation Month of February "Love The Bus Month"**
- 6.2. Accounts Payable To Be Paid Proof List thru January 12, 2024**
- 6.3. Pekin Fire Department Monthly Incident Report January 2024**
- 6.4. Tazewell County Animal Control Billing January 2024 to April 2024**
- 6.5. Resolution No. 95-23/24 Mayor's Appointments to the Riverway Business Park Committee**
- 6.6. Building Department Permit Report January 2024**

Public Hearing

7.1. Public Hearing on Two Amendments to HUD

During the public hearing on two proposed amendments to HUD documents, CDBG Program Manager Ms. Tina Hauk provided an overview of the amendments, which included adjustments to the 2023 Action Plan and the allocation of Community Development Block Grant (CDBG) Coronavirus funds. The first amendment pertained to administrative changes necessary to facilitate the allocation and loaning of funds for a fire truck, while the second addressed the reallocation of CDBG Coronavirus funds to support fire safety and emergency personnel in response to the COVID-19 pandemic. Ms. Hauk explained that these funds would be used to purchase equipment and assist in respiratory emergencies. The public comment period for these amendments was announced to be open from February 7 to March 8, 2024. Council Member Orrick inquired about the amount allocated for equipment, which Ms. Hauk clarified to be \$120,165, with projected expenditures nearing \$95,000.

Additionally, Council Member Orrick sought information on the expected lifespan of the equipment, to which Fire Chief Trent Reeise responded that it was anticipated to last over 10 years.

Mayor Burress concluded the hearing at 6:07 PM.

New Business

8.1. Resolution No. 96-23/24 Authorizing Default Notice with Enviro-Safe Refrigerants, Inc. Under the Private Development Agreement

RESULT:	PASSED (5 TO 2)
MOVER:	Mayor Pro-Tem Dave Nutter
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hohimer, Council Member Onken
NAYS:	Council Member Hilst, Council Member Orrick

Police Chief Seth Ranney presented Resolution No. 96-23/24 regarding the authorization of a default notice with Enviro-Safe Refrigerants, Inc. under the Private Development Agreement. Police Chief Seth Ranney provided context, stating that in Spring of 2020, an agreement was entered into, and on February 8th, Julie Price contacted the city, informing them that Enviro-Safe had no plans to develop the property. It was noted that if approved, the attorney would issue a letter to the president regarding the agreement, acknowledging certain obligations and rights concerning the gymnasium and community center. The developer purchased the property from the city on

March 29, 2023. The proposed letter would serve as formal notice of default under the agreement, citing the developer's failure to submit plans and commence construction within nine months. It was emphasized that if timelines were not met, the city could repurchase the property. The agreement stipulates that the developer shall cooperate with the city to complete the transaction.

8.2. Resolution No. 97-23/24 Repealing City of Pekin Policy No. 12 Regarding City of Pekin Economic Development Advisory Committee Charter

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

Chief Seth Ranney presented Resolution No. 97-23/34 concerning the repeal of City of Pekin Policy No. 12 regarding the City of Pekin Economic Development Advisory Committee Charter. Chief Ranney read the request, prompting Council Member Orrick to inquire about any differences in the proposed repeal. Economic Development Director Josh Wray clarified that the differences were previously approved by the council in the last meeting, which involved reducing the number of committee members from 12 or 13 to 7 to maintain a quorum. He emphasized that there would be no additional or less authority than before.

Council Member Abel expressed satisfaction that the committee was staying intact, reminiscing about being one of the first members on the committee and highlighting the productive outcomes achieved during the initial year with the involvement of taxpayers.

8.3. Resolution No. 98-23/24 Rescinding Resolution No. 394-21/22 Creation of the Infrastructure Improvements Subcommittee of the City of Pekin

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

Police Chief Seth Ranney presented Resolution No. 98-23/24, which pertains to the rescinding of Resolution No. 394-21/22 regarding the creation of the Infrastructure Improvements Subcommittee of the City of Pekin.

City Engineer Ms. Josie Esker provided background information, stating that the committee was formed back in 2018 and primarily focused on addressing issues related to stormwater and streets. It was noted that the committee had been productive during that time. However, it was now deemed unnecessary

to have multiple meetings with both the committee and the council, as a consensus among most members concluded that the committee was not currently serving a useful purpose. As a result, the resolution was proposed to rescind the creation of the Infrastructure Improvements subcommittee.

8.4. Ordinance No. 4152-23/24 Repealing Enterprise Fund Transfer Policy

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

Police Chief Seth Ranney presented Ordinance No. 4152-23/24, which involved the repealing of the Enterprise Fund Transfer Policy, highlighting the background regarding the Enterprise Transfer Policy passed by the City Council in April 2019. It was noted that the policy, as previously adopted, aimed to distribute the financial burden among the city's enterprise funds but faced challenges in uniform implementation and adherence to accounting principles and best practices. Therefore, staff recommended repealing the previously adopted policy. Council Member Orrick inquired about the absence of a replacement policy.

Finance Consultant, Mr. Bob Grogan responded, stating that the issue was raised by Council Member Hilst, and upon examination, it was determined that repairs to the building would be allocated according to standard procedures, such as invoicing the respective business departments for building expenses. He explained that the allocation process is based on assessing factors like the amount of time departments spend on specific tasks, although it's not an exact science.

Council Member Orrick further inquired whether the City Manager would be included in this allocation process, to which Mr. Grogan affirmed, noting that a significant portion of the City Manager's expenses remains in the general fund.

The discussion continued with Council Member Orrick mentioning the forthcoming budget presentation, which would provide percentages for clarity, to which Mr. Grogan agreed.

Council Member Nutter expressed gratitude to Council Member Hilst for raising the issue, acknowledging past discussions aimed at resolving such matters.

8.5. Ordinance No. 4153-23/24 Amending the City Code, Chapter 5, Article I, Division 2 Business Registration License Regarding Application Requirements

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

Police Chief Seth Ranney presented Ordinance No. 4153-23/24, which pertained to amending the City Code regarding application requirements for business registration licenses. The proposed ordinance addressed communication challenges and streamlined the licensing process by requiring additional information on the application to address the type of business.

Council Member Orrick inquired about the presence of a fee for this license, to which Economic Development Director Mr. Josh Wray responded in the negative, indicating that there wasn't a fee associated with it. Council Member Orrick also raised the possibility of revoking licenses, to which Mr. Wray affirmed. Chief Building Official Mr. Nic Maquet intervened to clarify that revocation hadn't occurred yet. Council Member Orrick emphasized the necessity of displaying the license, which Mr. Wray confirmed.

Council Member Nutter inquired about the software used for this purpose and its effectiveness. Mr. Wray explained that while they currently use old software, staff has identified a much better software solution, which they are working on implementing by April 1st. Deputy Clerk Ms. Nicole Stewart mentioned the requirement for a 60-day notice of termination regarding the old software.

8.6. Ordinance No. 4154-23/24 Amending City Code Chapter 5, Article 10, Division 5, Subdivision 1, Section 1 Regarding No Parking Places

RESULT:	PASSED (6 TO 1)
MOVER:	Council Member Lloyd Orrick
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Orrick, Council Member Hohimer, Council Member Onken
NAYS:	Council Member Hilst

Police Chief Seth Ranney presented Ordinance No. 4154-23/24, which proposes an amendment to City Code Chapter 5, Article 10, Division 5, Subdivision 1, Section 1 concerning parking regulations near driveways. The amendment seeks to prohibit parking within 6 feet of a commercial or residential driveway, as opposed to the current allowance which permits parking up to the edge of a driveway. This amendment was prompted by a request from a concerned resident who experiences difficulty exiting their driveway safely when vehicles are parked too close. The Traffic Safety Committee supports this proposed change.

Discussion continued regarding enforcement responsibilities, with Council Member Orrick and City Attorney Ms. Kate Swise addressing the issue of penalties, suggesting a minimum fine of \$25 for violations. Council Member Abel inquired about similar regulations in other communities, to which Chief Ranney responded affirmatively, mentioning variations in standard fees for parking violations.

The discussion also touched upon the rationale behind the 6-foot distance requirement, with Council Member Hohimer expressing agreement based on personal observations and photo documentation.

8.7. Ordinance No. 5155-23/24 Amending the City Code, Chapter 7, Section 7-1-4 thru Section 7-1-7, Regarding Taxation and Filing of Tax Returns

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

Police Chief Ranney introduced Ordinance No. 5155-23/24, which proposes amendments to the City Code related to taxation and filing of tax returns. Currently, businesses subject to the local food and beverage tax are required to file tax returns monthly, irrespective of their filing frequency with the State for regular sales tax. The proposed change seeks to align the filing frequency of food and beverage tax returns with State filings, reducing the number of filings for staff to process, streamlining the process for businesses, and facilitating staff oversight by referencing accompanying State sales tax returns. Additionally, the ordinance aims to ensure consistency across local tax regulations and empower the Finance Department to establish uniform filing procedures. It also introduces a provision allowing local taxes to be paid on the first business day after the normal due date if the due date falls on a weekend or holiday.

Council Member Orrick sought clarification on the filing date, which was explained as being after the end of the month, with filings due by the 20th of the following month. Discussion ensued regarding reporting amounts in cents and the rationale behind not pursuing amounts less than \$1.00.

Council Members expressed appreciation for the efficiency and business-friendly approach of the proposed changes.

8.8. Resolution No. 99-23/24 Approve Agreement with IDOT for Stadium Drive Multi-Use Path

RESULT:	PASSED (UNANIMOUS)
MOVER:	1st Alternate Mayor Pro Tem John Abel

SECONDER: Council Member Karen Hohimer

AYES: 1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Onken

Police Chief Seth Ranney presented Resolution No. 99-23/24, which pertains to approving an agreement with the Illinois Department of Transportation (IDOT) for the Stadium Drive Multi-Use Path project. Chief Ranney outlined the details, stating that the project secured \$600,000.00 in funding from the Illinois Transportation Enhancement Program (ITEP) grant. The project aims to construct a ten-foot-wide concrete path along Stadium Drive, connecting Court Street to the football stadium, high school, and an existing bike path north of the high school. Approval of the agreement would commit the city to providing the remaining funds after utilizing the grant, with the total project cost estimated at \$700,000. The city's portion, projected at \$100,000, will be budgeted for the FY25 budget. Council Member Abel expressed gratitude to the city engineer for her work on the project.

Council Member Orrick inquired about financial contributions from the high school or park district, to which City Engineer, Ms. Josie Esker responded that while the park district donated property, the high school has agreed to contribute up to \$60,000. However, details regarding the agreement with the high school were still being finalized.

Council Member Nutter raised concerns about the timeline for city reimbursement and clarified the funding process, noting that this project differs from others as it involves state rather than federal funding.

Council Member Hilst sought clarification on the city's responsibilities regarding construction and engineering costs, which Ms. Esker confirmed that the City was planning on doing all the engineering in house.

8.9. Resolution No. 100-23/24 Approving CDBG Grant Agreement to Pekin Outreach Initiative

RESULT: PASSED (UNANIMOUS)

MOVER: 1st Alternate Mayor Pro Tem John Abel

SECONDER: Council Member Karen Hohimer

AYES: 1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro-Tem Nutter, Council Member Hilst, Council Member Orrick, Council Member Hohimer, Council Member Onken

Police Chief Seth Ranney presented Resolution No. 100-23/24, which pertains to approving a Community Development Block Grant (CDBG) agreement to support the Pekin Outreach Initiative. Chief Ranney explained that the initiative sought assistance from the City of Pekin to convert a portion of the Salvation Army Building on 243 Derby Street into an ADA-accessible day shelter for the homeless. The city conducted a public hearing on the reallocation and submitted the request to the Department of Housing and Urban Development (HUD), which was approved on January 26, 2024.

Subsequently, the city initiated work on the grant agreement with the Pekin Outreach Initiative, and staff recommended approval of this agreement.

During the discussion, Council Member Hohimer sought clarification on the purpose of the day shelter, to which Greg Ranney responded, explaining that it would serve as a facility for Heartland Healthcare and Goodwill to consolidate their operations, providing a comprehensive service hub akin to a one-stop shop.

Council Member Nutter inquired about the relocation of processing activities to the Salvation Army building, which Greg Ranney confirmed, specifying that administrative functions, meetings, and storage would be centralized downtown, while the Derby Street location would primarily serve as a day shelter with no homeless activity during daytime hours.

Any Other Business To Come Before The Council

9.1. Budget Presentations: Economic Development, Tax Increment Financing Districts (TIF), Business Development District (BDD), Motor Fuel Tax (MFT), Public Works, Street, Public Property, Housing Urban Development (HUD), and Capital Projects

Various budget presentations were made covering Economic Development, Tax Increment Financing Districts (TIF), Business Development District (BDD), Motor Fuel Tax (MFT), Public Works, Street, Public Property, Housing Urban Development (HUD), and Capital Projects.

Economic Development Director Mr. Josh Wray presented on the Economic Development budget, outlining the allocation of funds for loan payments, incentives, marketing campaigns, and special events. He discussed plans for a systematic approach to spending in Tax Increment Financing (TIF) funds and introduced a high-impact program aimed at fostering community growth.

Dean Schneider, Public Works Director and City Engineer Josie Esker presented the Public Works and Street Department Budget presentation. He emphasized the need for increased manpower and equipment to effectively address road repairs and maintenance, particularly in light of ongoing capital projects. Mr. Schneider also provided updates on restroom facilities along the riverfront, addressing concerns regarding vandalism and outlining security measures to mitigate risks.

Ms. Hauk presented the Housing Urban Development (HUD) and Community Development Block Grants (CDBG) budget discussing HUD funding and community development block grants, highlighting projects such as park enhancements and downtown community space improvements. She outlined the process for allocating funds and addressed questions regarding the utilization of block grants for various community needs.

Throughout the presentations, Council Members engaged in discussions and raised various questions and concerns. Council Member Orrick inquired about the potential extension of TIF districts, while Council Member Nutter commended staff efforts and sought updates on ongoing projects. Concerns about vandalism in public facilities prompted discussions on security measures, with Council Member Hohimer questioning the effectiveness of locks and materials used in the facilities. The meeting also provided an opportunity for new council members, such as Council Member Onken, to express gratitude for the warm welcome and to engage with the budget discussions.

Mayor Burress emphasized the importance of safety and commended city staff for their dedication and responsiveness to community needs.

Executive Session 5 ILCS 120/2 (c)

Adjourn

There being no further business to come to the Council a motion was made by Council Member Abel seconded by Council Member Hohimer to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 7:50 PM.