



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, MARCH 11, 2024 AT 5:30 PM
MAYOR MARY J. BURRESS PRESIDING**

Pledge of Allegiance - Led by Greg Ranney - Pekin Outreach Initiative

The Pledge of Allegiance was led by Greg Ranney from the Pekin Outreach Initiative (POI). Mayor Burress then presented a check for \$75,000 to the POI, which was received with gratitude. Mr. Greg Ranney, representing the POI, expressed thanks to the Mayor, Council Members, and staff, particularly acknowledging Ms. Tina Hauk, CDBG Program Manager. He outlined the initiative's plans to utilize the funds to aid the homeless population in the city, including renovating spaces previously used for childcare into transitional centers. These centers will offer a 90-day program aimed at helping individuals regain stability and transition back into society. Mr. Ranney concluded by extending appreciation once more to Ms. Tina Hauk for her support.

Call to Order

City Clerk, Ms. Sue McMillan, confirmed all Council Members were physically present and logged in.

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:	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

Approval of Minutes

4.1. City Council - Regular Meeting - February 26, 2024 5:30 PM

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

Public Input

Mr. Brian Cox raised concerns about code enforcement actions taken against him, citing issues with trailers parked in his yard for eight years. He mentioned receiving citations despite having active registrations for the trailers and expressed dissatisfaction with the process, noting that it prompted him to consider moving. Mr. Cox further explained his interactions with code enforcement, including promises of citation changes to warnings and difficulties in communication. City Manager, Mr. John Dossey acknowledged the ongoing issue and emphasized the importance of compliance. Mr. Tom Blanchard echoed similar sentiments regarding vague ordinances and shared experiences of code enforcement actions in his neighborhood. He highlighted perceived inconsistencies in enforcement and suggested updating ordinances for clarity. Concerns were raised about the legitimacy of notices and the arbitrary enforcement of rules regarding garbage cans visible from the street.

Mr. Dossey reassured Mr. Blanchard and Mr. Cox about receiving these notices and committed to follow up. The discussion extended to other residents facing similar situations.

Council Member Abel mentioned a recent fine issued on Willow Street.

Mr. Dossey reiterated the focus on compliance and clarified the process regarding fines.

Consent Agenda

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

Council Member Abel read the three items on the Cosent Agenda.

6.1. Accounts Payable To Be Paid Proof List thru February 11th, 2024

6.2. Building Department Permit Report February 2024

6.3. Resolution No. 109-23/24 Publication of the Zoning Map as of December 31, 2023

New Business

7.1. Ordinance No. 4162-4170-23/24 Approving a Tax Increment Financing (TIF) Redevelopment Agreement with Gary and Crista Flynn for the Properties at 525 and 527 Court Street as Amended **REVISED ORDINANCE NUMBER**

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

Economic Development Director, Mr. Joshua Wray, presented Ordinance No. 4162-23/24, which concerned the approval of a Tax Increment Financing (TIF) Redevelopment Agreement with Gary and Crista Flynn for properties at 525 and 527 Court Street. Mr. Wray provided a detailed summary of the request, highlighting the significant TIF-eligible expenses incurred by the Flynn's and their plans for renovation. The staff recommended approval of \$150,000 in TIF assistance spread over three fiscal years, considering the scope of work and the potential long-term impact of the project.

Council Member Orrick proposed an amendment, stipulating that the businesses established in the properties must remain open for at least five years, or else the incentives paid under the agreement would revert to the city or the properties would be transferred back to the city free of liens. The motion was seconded by Council Member Nutter.

After clarification from Council Member Hilst, Crista Flynn shared her vision for revitalizing the 30 year-old vacant buildings, expressing her commitment to opening a dog boutique and retail store by August. Council Member Nutter sought reassurance that the amendment aligned with previous agreements, which was confirmed by City Attorney, Ms. Kate Swise. The amendment passed unanimously, as did the original motion as amended.

Motion to Amend the agreement to add a provision requiring any business to remain open for at least 5 years after opening or else all incentives paid under the agreement shall be due back to the City or the 525 and 527 properties shall be legally transferred to the city free of liens

RESULT:	PASSED (UNANIMOUS)
MOVER:	Council Member Lloyd Orrick
SECONDER:	Council Member Dave Nutter
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

7.2. Ordinance No. 41634171-23/24 Amending Chapter 2, Article II, Division II, Section 1-3 of the Pekin City Code Regarding Time for Public Comment **REVISED ORDINANCE NUMBER**

RESULT:	PASSED (5 TO 2)
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 Hohimer, Council Member Onken
NAYS:	Council Member Hilst, Council Member Orrick

Mr. John Dossey, the City Manager, presented the staff's findings regarding the time limit for public comment, as outlined in Ordinance No. 4171-23/24. He indicated that most municipalities in the region had shorter time limits for public comment, suggesting that Pekin aligned its policy with these standards to improve efficiency.

Council Member Orrick expressed opposition to changing the current 10-minute time limit, arguing that it had been in place for as long as he could remember and that council members were paid to listen to constituents.

Mayor Burress acknowledged the cost implications of longer meetings and emphasized the need to be mindful of taxpayer dollars, noting that Pekin's current time limit was set by the previous administration.

Council Member Nutter inquired about the average length of public comments, with Mr. Dossey estimated around 7 or 8 minutes but noted variations.

Council Member Hilst shared concerns about the optics of a 10-minute time limit, preferring public comment and the beginning and end of a meeting and

emphasizing that the length of meetings was influenced by various factors beyond public input.

Mayor Burress suggested that most places had a 3-minute time limit for public comments.

Council Member Hohimer highlighted the importance of concise communication, drawing from her college experience in speech class.

Council Member Abel supported aligning Pekin's policy with other municipalities and saw no issue with reducing the time limit.

Council Member Onken raised concerns about potential criticism on social media and sought clarification on parameters for extending time limits.

Mayor Burress assured that individuals would not be cut off and that extensions would be at the discretion of the Council.

City Attorney Ms. Kate Swise clarified the voting process for extending time limits, indicating that it required a majority vote of the council.

The Mayor emphasized the importance of running orderly meetings, clarifying that the time limit applied only to public input, not presentations.

7.3. Ordinance No. 41644172-23/24 Amending Chapter 2, Article VII, Section 3 of the Pekin City Code Regarding the Sale or Lease of City-Owned Real Estate **REVISED ORDINANCE NUMBER**

RESULT:	PASSED (5 TO 2)
MOVER:	Council Member Rick Hilst
SECONDER:	Mayor Pro-Tem Dave Nutter
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

City Manager, Mr. John Dossey read the request for Ordinance No. 4172-23/24, which aimed to amend Chapter 2, Article VII, Section 3 of the Pekin City Code regarding the sale or lease of city-owned real estate.

Council Member Orrick questioned the duration of the requirement for a super majority vote to sell property, wondering if it had been in effect for 30 or 50 years.

Mayor Burress explained that the change to requiring a super majority vote occurred when the city changed to home rule in the 1970s.

Council Member Orrick expressed his opposition to amending the code, arguing that the requirement for a super majority vote had worked well for years in protecting residents' interests.

Mayor Burress raised concerns about the potential delay in property sales if a super majority vote was required, highlighting instances where time-sensitive deals could be jeopardized.

Economic Development Director, Mr. Joshua Wray emphasized the importance of expediency, especially in situations like selling property in the Riverway Business Park.

Council Member Orrick countered by stating that delays rarely occurred, and waiting for a super majority vote had not caused issues in the past.

Mayor Burress mentioned instances where delays had cost the city business opportunities, stressing the need for efficiency in decision-making.

Council Member Orrick suggested that meetings could be scheduled within 48 hours if time was of the essence.

The ordinance passed with a 5-2 vote.

7.4. Resolution No. 110-23/24 Adopting Policy No. 27 Residential Real Estate Disposition Policy

RESULT:	PASSED (6 TO 1)
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 Orrick, Council Member Hohimer, Council Member Onken
NAYS:	Council Member Hilst

Resolution No. 110-23/24, adopting Policy No. 27 Residential Real Estate Disposition Policy, was discussed with Economic Development Director, Mr. Wray, presenting the request. The policy aimed to outline internal procedures for disposing of residential properties acquired by the City for various reasons such as foreclosure or abandonment. Mr. Wray emphasized that the Council would retain final approval over any property transactions outlined in the policy. Options for disposition included selling at fair market value, selling to nonprofits for housing development, selling to the highest bidder, negotiating with adjacent property owners, or holding the property in inventory.

Council Member Orrick inquired about the availability of a list of properties,

suggesting collaboration with the high school for potential refurbishment projects.

Mr. Wray mentioned outreach efforts to the high school, Habitat for Humanity, and the school district, but did not have a specific list available. Mr. Wray noted that the list was accessible on the city's website and mentioned that there would also be a commercial aspect to the policy.

The resolution passed with a vote of 6-1.

7.5. Resolution No. 111-23/24 Awarding Contract for Code Enforcement Mowing and Brush Cleaning Actions and Abatements to Gutters by Tunyuck

RESULT:	PASSED (UNANIMOUS)
MOVER:	Mayor Pro-Tem Dave Nutter
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

Resolution No. 111-23/24, concerning the awarding of a contract for Code Enforcement Mowing and Brush Cleaning Actions and Abatements to Gutters by Tunyuck, was presented by the City Manager, Mr. John Dossey. The request outlined the process of seeking services for code enforcement violations, with only one bid received from Gutters by Tunyuck. Mr. Dossey recommended that the City Council accept the bid and approve the use of Gutters by Tunyuck for the specified period. The financial impact was detailed, with the requested amount to be determined based on activity, and the budgeted amount for FY25 set at \$135,000, pending approval by the City Council.

During the discussion, Council Member Nutter expressed gratitude to Police Chief Seth Ranney for addressing his questions regarding Gutters by Tunyuck. He acknowledged the challenges of having only one bid but noted the contractor's satisfactory performance in recent years.

Council Member Orrick inquired about the current contract status with the contractor, to which Chief Ranney confirmed that Gutters by Tunyuck held the current contract.

Council Member Orrick also sought information on the budget spent in 2023 for similar services, with Chief Ranney reporting approximately \$40,000 for mowing and an additional \$3,000 to \$4,000 for yard cleanup and larger projects.

7.6. Resolution No. 112-23/24 Awarding Contract for Dangerous Building Services to Gutters by Tunyuck

RESULT:	PASSED (UNANIMOUS)
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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

Resolution No. 112-23/24 regarding the awarding of a contract for Dangerous Building Services to Gutters by Tunyuck was discussed during the council meeting. City Manager, Mr. John Dossey presented the request, noting that the City had posted a notice seeking bids for board-ups and other services related to dangerous buildings, with only one bid received from Gutters by Tunyuck. He highlighted the contractor's responsiveness in mitigating dangerous buildings over the past year, recommending the acceptance of the bid and approval of Gutters by Tunyuck for the specified period.

Council Member Orrick inquired about the current contract status with the contractor, to which Chief Ranney confirmed that Gutters by Tunyuck held the current contract. Council Member Orrick also sought information on the budget spent in 2023 for similar services, with Chief Ranney reporting approximately \$19,000 for board-ups and \$4,000 so far in the current year.

Council Member Hilst raised concerns about the hourly rates and additional costs associated with second-story work. Chief Ranney clarified the rates and explained changes made to reduce costs, such as keeping plywood inventory on hand to avoid purchasing fees. Despite acknowledging the quality of work done by Gutters by Tunyuck, Council Member Hilst expressed reservations due to the lack of competitive bids.

Chief Ranney addressed concerns about after-hour rates and emphasized efforts to minimize emergency board-ups through proactive measures like using snow fencing.

Council Member Nutter inquired about the inventory of plywood, which Chief Ranney confirmed was kept on hand at the contractor's facility, with usage tracked by code enforcement.

Council Member Orrick asked about the storage location of materials, to which Chief Ranney explained that the wood was stored at the contractor's facility, with usage monitored by city code enforcement.

7.7. Resolution No. 113-23/24 Approving Contract for Hanson Professional Services for the Design of a New Fuel Tank System

RESULT:	PASSED (UNANIMOUS)
MOVER:	Council Member Chris Onken
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
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Resolution No. 113-23/24, regarding the approval of a contract for Hanson Professional Services for the design of a new fuel tank system, was discussed during the council meeting. City Manager, Mr. John Dossey presented the request, emphasizing the need for replacing the existing fuel system, which is at the end of its life, to prevent leakage. He stated that 90% of the costs would be reimbursed by IDOT Aeronautics, including estimated construction costs.

Council Member Hilst inquired about the decision regarding the end-of-life status of the fuel tank system. Public Works Director, Mr. Dean Schneider, explained that the Federal Aviation Administration (FAA) conducts annual inspections, and based on their regulations, if a tank is red-tagged at its final inspection, it must be replaced.

Council Member Hilst questioned the higher cost of the contract, to which City Engineer, Ms. Esker, clarified that it included multiple phases of engineering, and the estimate is based on the cumulative rate for design and construction phases. Mr. Schneider added that the complexity of the project, involving various government entities and compliance requirements, contributes to the estimated cost.

Council Member Orrick recalled past regulations requiring double-walled underground tanks and inquired about current standards. Mr. Schneider explained that FAA regulations differ from those for gas stations, and he couldn't comment on federal government requirements.

Council Member Nutter raised concerns about the project's timeline and budget, questioning if Hanson had already conducted any engineering work. Mr. Schneider confirmed that Hanson had done preliminary work under a long-term agreement and explained that the reimbursement from the State was already approved in the previous budget.

Council Member Nutter further inquired about the Transition Plan if fuel sales were discontinued, to which Mr. Schneider mentioned considering options but leaning toward not selling fuel. Regarding the project timeline, Mr. Schneider estimated it could take three to four months, but the exact duration was uncertain.

Council Member Hilst sought clarification on whether Hanson would commence engineering work before construction phase approval. Mr. Schneider confirmed that no work would start until the construction phase was approved.

Any Other Business To Come Before The Council

City Manager, Mr. John Dossey informed the Council that all budget presentations had been completed and expressed his intention to have an initial draft ready for the next council meeting, incorporating feedback from the Council Members.

Public Works Director, Mr. Dean Schneider, reported on a lighting issue on Hanna Drive due to a lightning strike, while Chief Building Official, Mr. Nic Maquet mentioned that downtown lights were back on.

Mr. Dossey shared a personal note about another individual named Maquet in the neighborhood and that Mr. Nic Maquet was now a grandfather.

City Engineer, Ms. Josie Esker, provided an update on the Stadium Drive Multi-Use Path Project, indicating that it had been out for bid and received favorable results slightly under \$600K. She mentioned that the project was previously approved and would not require further Council approval.

Council Member Hilst inquired about the timeframe for the full draft budget review, to which Finance Consultant, Mr. Bob Grogan, responded that the goal was to distribute it by the next meeting, with the budget hearing scheduled for the first meeting in April.

Council Member Abel reminded everyone of the upcoming Election Day, scheduled for the following week.

Council Member Nutter asked Mr. Schneider if the yard waste pickup had been publicly announced, to which Mr. Schneider confirmed that it would begin on April 15th, coinciding with Tax Day.

Mr. Grogan provided an update on the audit process, stating that they were still working with auditors to finalize the draft statement for 2021 and tentatively aiming to start the 2022 audit in May.

Council Member Onken shared about the 2nd Annual Red and White Baseball games at the High School Diamond and encouraged people to check the schedule online and attend Pekin baseball games.

Mayor Burress concluded the meeting by expressing gratitude to the staff and highlighting improvements at the baseball diamond, inviting everyone to come and watch the games.

Executive Session 5 ILCS 120/2 (c) 6. The Setting of a Price for Sale or Lease of Property Owned by the Public Body

RESULT: PASSED (UNANIMOUS)

MOVER:	Council Member Chris Onken
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

A motion was made by Council Member Onken seconded by Council Member Orrick to move into Executive Session to discuss 5 ILCS 120/2 (c) 6. The Setting of a Price for Sale or Lease of Property Owned by the Public Body at 6:56 PM. On roll call vote all present voted Aye. Motion passed. Mayor Burress announced that no action would be taken after Executive Session.

Adjourn

RESULT:	PASSED (UNANIMOUS)
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro-Tem Dave Nutter
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

There being no further business to come to the Council a motion was made by Council Member Orrick seconded by Mayor Pro-Tem Nutter to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 7:32 PM.