



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 MAY 22, 2023 AT 5:30 O'CLOCK P.M.
MAYOR MARY BURRESS PRESIDING

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Hohimer.

The Council expressed words of appreciation and great leadership to Police Chief John Dossey and Fire Chief Trent Reeise for holding the department and community together.

Police Chief John Dossey read a prepared statement announcing the death of Police Officer Daniel Graber.

Councilmember Cloyd led the room in prayer.

CALL TO ORDER

City Clerk, Ms. Sue McMillan, called the roll and confirmed all Councilmembers were present.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	4:53 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	4:50 PM
Dave Nutter	City of Pekin	Councilman	Present	4:50 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:16 PM
Mary Burress	City of Pekin	Mayor	Present	5:02 PM
Lloyd Orrick	City of Pekin	Council Member	Present	4:49 PM
John P Abel	City of Pekin	Councilman	Present	4:52 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

Councilmember Hohimer informed the City Clerk that the minutes of April 17, 2023 needed to correct the time of the meeting in the heading from 9:00 PM to 9:00 AM.

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

4.1. City Council - Special Meeting - Apr 17, 2023 9:00 AM

4.2. City Council - Regular Meeting - May 8, 2023 5:30 PM

4.3. City Council - Special Meeting - May 15, 2023 4:00 PM

PUBLIC INPUT

Jared Olar, Vice Chair, and Deborah Montgomery, Chair, of the Historic Preservation Commission, both spoke regarding Unfinished Business Item 8.3 Ordinance No. 4050-22/23 Amend Code Chapter 2 and Chapter 4 Creating Historic Preservation Code giving a recap of what code changes were agreed upon by the members during the Historic Preservation Commission meeting.

Mary Ann Ladendorf requested Council give consideration to vote in favor of the Residential TIF and Business TIF implementation.

Brent Glassey spoke regarding TIF grant applications and provided a stack of his own applications to City Engineer, Ms. Josie Esker.

Ann Witzig expressed her concern with the audits not yet being completed and questioned the purchase of a \$4K mower by the Fire Department. Ms. Witzig also stated that it was unfair to ask Police Chief John Dossey to take the role of Interim City Manager and that she was having trouble getting her emails to send to the City Clerk. Lastly, Ms. Witzig stated that Council needed to act as the Ethics Code stated.

Michael Sherrard spoke to Council requesting that golf carts be allowed on all city streets.

CONSENT AGENDA

Councilmember Hohimer requested that Consent Agenda Item 6.5 Ordinance No. 4057-23/24 Variance Request at 320, 324, 326, 328 and 330 Court Street (Case V 2023-06) be moved to New Business Item 9.17 and Consent Agenda Item 6.6 Ordinance No. 4058-23/24 Special Use Request at 320, 324, 326, 328 and 330 Court Street (Case SU 2023-01) be moved to New Business as items 9.18.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Burrese, Orrick, Abel

6.1. Accounts Payable To Be Paid Proof List thru April 28, 2023

6.2. Receive and File Agenda and Meetings Management Software Proposals

6.3. Tree Removal Public Property City of Pekin

6.4. Ordinance No. 4056-23/24 Rezoning Request at 230 Court (Case RZ 2023-02)

6.7. Ordinance No. 4059-23/24 Variance Request at 1303 N 8th Street (Case V 2023-05)

6.8. Ordinance No. 4060-23/24 Variance Request at 1521 Henrietta Street (Case V 2022-08)

6.9. Ordinance No. 4061-23/24 Variance Request at 1813 Parkfield Drive (Case V 2023-04)

ANNOUNCEMENT

7.1. Proposed East Residential & South Residential TIF Districts Public Meeting and Timeline

Acting Interim City Manager, Deputy Chief Seth Ranney, announced that a representative from Jacob & Klein, Mr. Nick Nelson, was present to speak and answer questions.

Mr. Nelson explained that the first step in the process to approve the residential TIF District was to approve the notice for the public hearing and registry. The next step in the process would be to schedule a meeting with the Joint Review Board and send out notices. The last steps would include a public hearing and then hopefully adoption by the City Council in August.

Councilmember Hohimer questioned whether the taxpayers would be cheated by creating the residential TIF district.

Mr. Nelson explained that the current properties would remain and that anytime there was growth, tax revenue would contribute to that growth. That revenue would go into a TIF Fund and provide incentive for development. It was a reallocation of what taxing bodies pay; a function of value times the tax rate. Tax revenue would not come until Year 3. The properties included in the proposed TIF was mainly zoned residential but could include commercial. Any development would have to comply with the zoning already in place.

Council continued the discussion with Mr. Nelson answering questions regarding the applications and length of the TIF being 23 years with possible extensions of 12 years.

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

7.2. Discussion of TIF Applications

City Engineer, Ms. Josie Esker, led the discussion regarding the 13 applications received requesting TIF funds and provided Council with the top 3 scores which included the parking lot behind Maquet's Rail House and a new wine bar. Ms. Esker explained that one-half million dollars was generated beyond what was budgeted.

Councilmember Orrick suggested that next year the funds be used on infrastructure.

Councilmember Nutter questioned how the applications were scored and suggested relying on EDAC to help.

UNFINISHED BUSINESS

8.1. Ordinance No. 4048-22/23 An Ordinance Authorizing The Establishment of A Tax Increment Financing "Interested Parties Registry" for Proposed Pekin East Residential Tax Increment Financing (TIF) District

Ordinance No. No. 4048-22/23 An Ordinance Authorizing the Establishment of a Tax Increment Financing "Interested Parties Registry" for Proposed Pekin East Residential Tax Increment Financing (TIF) District was tabled at the April 24, 2023 City Council meeting.

Councilmember Hilst and Councilmember Cloyd spoke against the map boundaries stating that it was geared toward higher end neighborhoods and not zero low to mod income areas.

Mr. Nelson explained that the process would not be impacted if Council chose to adjust the TIF Map boundaries. Mr. Nelson also stated that new construction cost and vertical construction was not included. Items such as land acquisition and utility cost were included. It was the recommendation of the attorneys to go larger on TIF to utilize money on new and old. TIF descriptions needed to remain contiguous at least 300 feet wide according to case law and in order to share TIF districts.

City Engineer, Ms. Josie Esker, explained to Council that TIF was a money generator for the City. In certain low development areas, the City loses money due to street and sewer maintenance. Overall, the City receives a larger percentage when development fills out.

Councilmember Hilst questioned the school districts. Mr. Nelsons stated that the school districts were the largest shareholder on the tax bill and half of municipalities choose to work with school districts.

Mr. Nelson added that the anyone can register to be put on the Registry and that it would take 3 to 4 months to set up the TIF.

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

8.2. Ordinance No. 4049-22/23 An Ordinance Authorizing The Establishment of A Tax Increment Financing "Interested Parties Registry" for Proposed Pekin South Residential Tax Increment Financing (TIF) District

The agenda item was to approve and adopt an ordinance authorizing the establishment of a tax increment financing "Interested Parties Registry" for the proposed Pekin South Residential Tax Increment Financing (TIF) District.

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

Motion to: Amend Language in Ordinance No. 4050-23/24 Regarding the Historic Preservation Code

A motion was made by Councilmember Cloyd seconded by Councilmember Orrick to amend Section 2-6-7-3 Qualifications removing to remove the word "training" and to provide only that those qualifications would be given preference, amend Section 4-1-14-4-2, changing the application fee from \$100 to \$50 dollars, and amending Section 4-1-14-5 by removing the prohibition on designations for structurally unsound buildings and making it only a consideration.

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

- 8.3. 3474 : Ordinance No. 4050-22/23
Amend Code Chapter 2 and Chapter 4
Creating Historic Preservation Code as amended**
Councilmember Cloyd requested an amendment to the ordinance amending the code creating a Historic Preservation Code.
- Pekin Historian, Jared Olar, was called to the podium by Councilmember Cloyd to discuss the changes to the ordinance.
- Council continued the discussion regarding the interpretation of the language in the ordinance.

RESULT:	ADOPTED AS AMENDED [4 TO 3]
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Rick Hilst, Dave Nutter, Becky Cloyd, Lloyd Orrick
NAYS:	Karen Hohimer, Mary Burress, John P Abel

- 8.4. Ordinance No. 4051-22/23 Amending the Code Chapter 2, Article VI and Article VIII Regarding Ethics Commission**
Interim City Manager, Deputy Chief Seth Ranney, presented the request to Council to approve and adopt an ordinance amending the Code regarding the Ethics Commission.
- Councilmember Cloyd led the discussion stating that the Ethics Commission had been abused and wrongly implemented that created division among the Council which was not her intent. It was to bring fairness, judgement and doing the right thing. Councilmember Cloyd continued stating that she would like to see that the Council remove the commission not because they had not done a good job but because it had been abused.
- Council discussed how the commission could be policed and how to implement training.
- Councilmember Cloyd announced that at the June 12, 2023 Council meeting there would be a discussion about the development of the plan. Councilmember Nutter agreed.
- City Attorney, Ms. Kate Swise, added that the ordinance presented to the Council would eliminate the Ethics Commission and change the city code to remove references to the Ethics Commission.

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

8.5. Motion to: Remove Resolution No. 580-22/23 Update City Code of Ethics & Conduct from the Agenda

A motion was made by Councilmember Nutter seconded by Councilmember Hohimer to remove Resolution No. 580-22/23 Update City Code of Ethics & Conduct from the agenda. 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

8.6. Resolution No. 580-22/23 Update City Code of Ethics & Conduct

Interim City Manager, Deputy Chief Seth Ranney, presented the request to Council to approve and adopt a resolution updating the city code of ethics and conduct.

City Attorney, Ms. Kate Swise, stated that Council had already adopted a code of ethics and conduct and that the resolution was to eliminate the Ethics Commission. Ms. Swise added that since the previous agenda item failed removing the Ethics Commission, the resolution only would remove references to the Ethics Commission, essentially making the resolution seem moot.

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

NEW BUSINESS

9.1. Moved to 7.2 Discussion of TIF Applications

Motion to: Amend Resolution No. 6-23/24 Appointing an Acting or Interim City Manager by Adding an Expiration Date of July 25, 2023

Councilmember Orrick requested that a timeline be agreed upon to move forward with hiring a City Manager and recommended two months.

City Attorney, Ms. Kate Swise, stated that the resolution already stated the expiration of the Interim City Manager was until Council removed the appointed person or until a new City Manager was hired, whichever came first.

Council appointed Police Chief John Dossey as Interim City Manager.

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

9.2. 3521 : Resolution No. 6-23/24 Appointing an Acting or Interim City Manager as Amended

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

Motion to: **Amend Ordinance No. 4062-23/24 Vacation of Elizabeth Street to be Contingent on Site Plan Approval by Council**

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

**9.3. 3532 : Ordinance No. 4062-23/24
Vacation of Elizabeth Street as Amended**

Interim City Manager, Police Chief John Dossey, presented the agenda item to Council to approve and adopt an ordinance vacating Elizabeth Street for a future criminal justice center.

Mike Deluhery, Tazewell County Administrator, spoke regarding the County's plans to adjoin their current property to new criminal justice center providing for a secure walkway and also giving the opportunity for an architect to design a secure building.

City Engineer, Ms. Josie Esker, stated that Elizabeth terminates at 3rd Street and there was no real purpose of the road other than to utilize entrances along that block only used by the County. Ms. Esker added that the vacation would help eliminate the liability of the city when it comes to infrastructure.

Councilmember Orrick spoke against the item stating that a site plan was not submitted and that the Fire Department had not weighed in on how it would impact the city.

Mr. Deluhery stated that he wanted some confirmation from the Council before using taxpayer funds to do a site plan.

Ms. Esker added that she had spoken to the Fire Department and there were no safety issues.

Councilmember Orrick was concerned of a train derailment and how that would interfere with the safety of the city.

Fire Chief Trent Reeise assured Councilmember Orrick that there were other streets that could be utilized.

City Attorney, Ms. Kate Swise, stated that the vacation would need to be passed by a two-third's vote and that the site plan did not have to come before Council as the city code only stated that it was to be approved by the city.

Councilmember Hilst also expressed his concern of not approving a site plan.

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

- 9.4. **Resolution No. 7-23/24 Adopt CDBG 2023 Annual Action Plan**
Interim City Manager, Police Chief John Dossey, presented the request to Council to approve and adopt a resolution adopting the CDBG 2023 Annual Action Plan as required by HUD in order to receive its allocation of Community Development Block Grants. This years' allocation was expected to address blighted property issues for demolition, infrastructure improvements, debt service on Section 108 loan and administration.

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

- 9.5. **Resolution No. 8-23/24 Adoption of 2020-2025 Consolidated Plan and Citizen Participation Plan as Amended**
Interim City Manager, Police Chief John Dossey, presented the request to Council to approve and adopt a resolution adopting the 2020-2025 Consolidated Plan and Citizen Participation Plan as amended in order to receive CDBG funding. The Consolidated Plan outlines the needs in the community and identifies proposed goals to be undertaken in the next 5 years.

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

- 9.6. **Resolution No. 9-23/24 Approving Agreement with CivicPlus for Agenda and Meetings Management Software**
Interim City Manager, Police Chief Dossey, presented the agenda item to Council to approve a resolution approving an agreement with CivicPlus for agenda and meetings management software. The City issued a Request for Proposal and received four qualified bids in addition to one bid that was submitted after the deadline. The Contract term was for three years. Staff recommended approval.

Mayor Burress stated that the software will move the city forward with electronic voting.

City Clerk, Ms. Sue McMillan, thanked Deputy City Clerk, Ms. Nicole Stewart, on the time, work and effort with the RFP and selection process.

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

- 9.7. **Resolution No. 10-23/24 Approve Tree Removal Proposal for Public Property**
Interim City Manager, Police Chief Dossey, presented the request to Council to approve and adopt a resolution approving a three-year contract with Topless

Tree Service for professional tree removal services. An RFP was issued in May of 2023 for professional services on an as needed basis.

Councilmember Abel stated that he had received a phone call from a gentleman that an Ameren subcontractor removed a tree from the neighbor's yard and it fell into his yard.

City Engineer, Ms. Josie Esker, stated that they could reach out to her.

Deputy Police Chief Seth Ranney stated that he had met with the gentlemen and remedied the issue.

Public Works Director, Mr. Dean Schneider, stated that he could have a note put on the city website encouraging the residents to contact the City about trees and limbs.

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

9.8. Resolution No. 11-23/24 Intergovernmental Agreement with Greater Peoria Mass Transit District for 2023-2024 Transit Service in Pekin

The agenda item was to approve a resolution approving an intergovernmental agreement with Greater Peoria Mass Transit District (GPMTD) to provide public transportation via fixed routes and ADA complimentary paratransit service. The agreement is for 2023 thru 2024.

Councilmember Orrick questioned if it was possible to find out how much the City was receiving. Public Works Director, Mr. Dean Schneider, answered that he would find out how much the City contributed.

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

9.9. Resolution No. 12-23/24 Approve Renewal Agreement with Heart Technologies, Inc.

Interim City Manager, Police Chief Dossey, presented the request to Council to approve a renewal agreement with Heart Technologies, Inc. for the City's telephone provider. The agreement was for another 60 months at a lower rate than previously. The phone system would also receive an update to the infrastructure.

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

9.10. Resolution No. 13-23/24 Authorize Spending Authority for Sewer Installation on S. 10th

Interim City Manager, Police Chief John Dossey, presented the agenda item to approve and adopt a resolution authorizing the spending authority for a sewer installation on the 800 Block of South 10th Street. The sewer lateral collapsed and it was unable to be repaired due to it running below the neighbor's garage and house of the homeowner. No sewer main exists along the street between Park

and Winter. Staff recommended installing a new sewer main along the street and to perform the work with a contractor as an emergency situation without a formal bid. Staff requested \$300,000 of emergency spending.

City Engineer, Ms. Josie Esker, discussed with the Council that she was hoping to keep the cost under \$200K.

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

9.11. Resolution No. 14-23/24 Covenant not to Sue and Partial Release of Seico Related to Elizabeth Street Property

Interim City Manager, Police Chief John Dossey, presented the request to Council to approve and adopt a resolution approving a covenant not to sue and partial release of Seico related to Elizabeth Street property. Seico's president, Mr. Bradley Juergens, requested that the City release him from liability for the encroachment onto City property and covenant not to require the removal of the building from the Elizabeth Street right of way. The agreement would allow the building to remain so long as it was not expanded or altered. If the building were to be destroyed, demolished or damaged to the point where repair would constitute a substantial reconstruction, the building would not be able to be rebuilt in the right of way. Additionally, the City would receive the right to require removal of the building if necessary to access, maintain, construct or reconstruct any utilities or Elizabeth Street.

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

9.12. Resolution No. 15-23/24 Implementing a Hiring Freeze for Heads of Departments or Divisions within the City

The agenda item request was to approve and adopt a resolution implementing a hiring freeze for department heads or divisions within the City in order to remove the responsibility of the Interim City Manager hiring department heads.

Councilmembers discussed the need for department heads.

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

9.13. Ordinance No. 4063-22/23 Amending Chapter 3, Article I, Division 3, Section 13 Regarding the Screening of Dumpsters

Interim City Manager, Police Chief John Dossey, presented the agenda item to approve and adopt an ordinance amending the city code regarding the screening of dumpsters. The code amendment would exempt all residential dumpster enclosures from the requirement of having gates.

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

- 9.14. Ordinance No. 4064-23/24 Approve Easement for 2412 Court Street**
Interim City Manager, Police Chief Dossey, presented the request to Council to approve an ordinance approving an easement for 2412 Court Street in order for the property owner to keep a brick wall that was on their property and on the City right of way. The City was to purchase a strip of land for the Court Rehabilitation project and the property owner was only willing to sell that strip if the easement was granted.

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

- 9.15. Ordinance No. 4065-23/24 Approve Purchase of Property at 2102-2108 Court Street**
Interim City Manager, Police Chief Dossey, presented the agenda item to Council to approve and adopt an ordinance approving the purchase of property at 2102-2108 Court Street at Casey's in order to construct wider sidewalks along the corridor. The strip of land appraised for \$11,300 as was the purchase price.

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

- 9.16. Ordinance No. 4066-23/24 Approve Purchase of Property at 2004 Sunset Drive**
The agenda item presented to Council was to approve and adopt an ordinance approving the purchase of property at 2004 Sunset Drive for a strip of land required to construct sidewalks along Sunset Drive.

Council spoke against the agenda item stating that the property price was too high.

Councilmember Cloyd felt that agreeing to the purchase price would set a precedent and questioned the process for eminent domain.

City Attorney, Ms. Kate Swise, explained that it was not a short process and involved a hearing on the property and whether the City had made efforts to come to an agreement with the buyer.

City Engineer, Ms. Josie Esker, stated that there was a 60-day notice after negotiations and once attorneys were involved it could delay the project for up to two years. Additionally, the attorneys' fees could exceed the cost of the property.

Sale of property requires a three-fourths affirmative vote. On roll call, all present voted Aye, except Councilmembers Orrick, Hilst and Cloyd who voted No. Motion failed.

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

9.17. Ordinance No. 4057-23/24 Variance Request at 320, 324, 326, 328 and 330 Court Street (Case V 2023-06)

City Engineer, Ms. Josie Esker, explained that the ordinance to approve a variance request by Enviro-Safe was for the construction of a 12,000 square foot gymnasium and community center at 320, 324, 326, 328, and 330 Court Street. Ms. Esker explained that the property was zoned B-2 Central Business District and provided for second floor residential living consisting of one apartment. The city code required all new construction to provide parking based on the use of the property. The owner, Mr. Randy Price, requested that a variance be granted that would remove the requirements of providing onsite parking for all uses within the structure. The Zoning Board of Appeals recommended approval to waive onsite parking requirements.

Mr. Randy Price stated that his son was going to be the tenant in the second-floor apartment.

RESULT:	ADOPTED [6 TO 0]
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Hohimer, Nutter, Burress, Orrick, Abel
ABSTAIN:	Becky Cloyd

9.18. Ordinance No. 4058-23/24 Special Use Request at 320, 324, 326, 328 and 330 Court Street (Case SU 2023-01)

City Engineer, Ms. Josie Esker, presented the request to Council to approve and adopt an ordinance for a special use request at 320, 324, 326, 328 and 330 Court Street for the construction of a fully sprinkled 12,000 square foot gymnasium and community center. A gymnasium and community center are not listed in the zoning code under B-2 and upper residential living was only allowed with the B-2 District for the sole use of the property owner. The Zoning Board of Appeals recommended approval of the Special Use permit to allow the construction in B-2 and provide that the upper floor residential living would not be occupied by the property owner.

Mr. Price explained that the second floor living was only one apartment just above the restrooms.

RESULT:	ADOPTED [6 TO 0]
MOVER:	John P Abel, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hilst, Hohimer, Nutter, Burress, Orrick, Abel
ABSTAIN:	Becky Cloyd

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Engineer, Ms. Josie Esker, announced that construction warnings were posted on Facebook.

Interim City Manager, Police Chief John Dossey, addressed Ms. Witzig's question during Public Input that the Fire Stations were not part of the mowing contract for the year and that the lawnmowers for use at Fire Station 1 and was utilized for snow removal.

Fire Chief Trent Reeise announced that the Fire Engine ordered in 2021 has officially been started.

Councilmember Abel announced the opening of Jonah's restaurant in the OSF property in Peoria and the article stated to let the owners know if your area would like Jonah's to open near you.

Councilmember Orrick commemorated Memorial Day.

Councilmember Cloyd requested that the next agenda appoint Historic Preservation Commission members Diane Lee and Vicki Barker.

Mayor Burress spoke about the funeral for Daniel Graber. Mayor Burress also announced that she would like to vote Councilmember Hohimer as Mayor Pro Tem.

EXECUTIVE SESSION 5 ILCS 120/2 (C) 11. PENDING LITIGATION

A motion was made by Councilmember Abel seconded by Councilmember Hohimer to move into Executive Session to discuss 5 ILCS 120/2 (c) 11. Pending Litigation at 9:00 PM. On roll call vote all present voted Aye. Motion carried.

Mayor Burress announced that no action would be taken after Executive Session.

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

- 11.1. Motion to: Move into Executive Session to Discuss 5 ILCS 120/2 (c) 11. Pending Litigation**

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Cloyd, that the meeting be adjourned. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 9:18 PM.