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 25, 2024 AT 5:30 PM
MAYOR MARY J. BURRESS PRESIDING

Pledge of Allegiance - Led by Steve Thompson and Bill Craig Zoning Board of Appeals

The Pledge of Allegiance was led by Steven Thompson and Bill Craig, commissioners of the Zoning Board of Appeals.
Mayor Burress publicly thanked each of them for their service on the Zoning Board of Appeals. Mr. Thompson had served 15 years while Mr. Craig served 35 years with the time served at 911 as well.

Call to Order

City Clerk, Ms. Sue McMillan, confirmed all Council Members were physically present and logged in. Mayor Burressd declared a quorum.

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 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

Approval of Minutes

4.1. City Council - Regular Meeting - March 11, 2024 - 5:30 PM

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
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

No public input was received.

Consent Agenda

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

Council Member Hilst read the six items on the Consent Agenda.

6.1. Accounts Payable To Be Paid Proof List thru February 22, 2024

6.2. Financial Reports February 2024

6.3. Pekin Fire Department Monthly Incidents February 2024

6.4. Ordinance No. 4173-23/24 A Special Use request for E3 Collision, LLC for the operation of an autobody repair business with short-term vehicle storage for wrecked vehicles at 215 3rd Street (Case SU 2024-04)

6.5. Ordinance No. 4174-23/24 Site Plan Approval for E3 Collision, LLC for the construction of an autobody repair business with short-term vehicle storage for wrecked vehicles at 215 3rd Street (Case SPR 2024-01)

6.6. Ordinance No. 4175-23/24 A Special Use request submitted by Redeemed Auto Services, LLC for the operation of an auto repair business at 2410 North 8th Street (Case SU 2024-05)

Public Hearing

7.1. Public Hearing to consider vacation of the alley between Elizabeth and Court Streets, from Capitol Street to 3rd Street

Mayor Burress opened the public hearing at 5:36 PM.

Tazewell County Administrator, Mr. Mike Duluhery, expressed gratitude for the support received last month and emphasized the benefits of vacating the alley for future development plans.

Council Member Hohimer presented a letter from property owner Mr. Ricky Woith, strongly opposing the alley's vacation due to its role in accessing the rear of his building, dating back to the 19th century. Mr. Duluhery mentioned the possibility of constructing a parking lot there. Council Member Hohimer suggested collaboration to find a solution, which Mr. Duluhery agreed.

Council Member Orrick sought legal clarification on the impact of vacating the alley on property values. City Attorney Ms. Swise affirmed the council's authority to consider such factors and discussed potential limitations on the extent of the vacation.

Council Member Nutter inquired about the proximity of the alley to Mr. Woith's property. City Engineer, Ms. Josie Esker, explained the possibility of including access easements in the plan. Options for reworking the plat to accommodate different scenarios, including partial vacation or easement provisions were discussed.

Council Member Hilst highlighted previous issues with easements and expressed concerns about potential encroachments on existing rights of access.

New Business

8.1. Ordinance No. 4176-23/24 Moratorium on Electronic Off-Premise Signs and Billboards

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

Motion to Amend the Moratorium to 6 months.

RESULT:	**AMENDMENT 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

City Manager, Mr. John Dossey, presented the request regarding a moratorium on electronic off-premise signs and billboards until the Zoning Board of Appeals (ZBA) could review the code and make necessary changes to regulate aspects such as message duration, transition time, brightness, spacing and location. The initiative stemmed from the increasing use of electronic LED screens, prompting the need for updated regulations to ensure safety and community standards.

Zoning Board Administrator, Mr. Nic Maquet, supported the proposal, indicating the three or four different companies were involved, and it was prudent to pause for a thorough review before approving any new signage.

Mayor Burress and Council confirmed that all sign activity would be suspended until the ZBA review.

Council Member Orrick inquired about the duration of the moratorium. Mr. Dossey suggested a six-month period to allow sufficient time for drafting or updating the ordinance.

Council Member Orrick motioned to amend the moratorium to six months, seconded by Council Member Nutter. On roll call vote all present voted Aye. Motion carried.

Council Member Hilst raised concerns about previously approved projects, but Ms. Swise clarified that the moratorium would only apply to new applications and the moratorium could not be applied retroactively to those already approved.

Mr. Dossey further explained that certain projects already approved might face challenges due to proximity to traffic devices.

8.2. Ordinance No. 4177-23/24 Approving a Tax Increment Financing Redevelopment Agreement with Barry and Beverly Waters

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

City Manager, Mr. John Dossey, presented the request to Council to approve an ordinance pertaining to a Tax Increment Financing Redevelopment Agreement with Barry and Beverly Waters. The proposal outlined the construction of a new single-family home in the Court Street TIF District at 2037 Dane Kelsey, with an estimated total investment of $500,000, $60,000 of which were eligible expenses. Under the existing incentive policy, the agreement allowed for up to $60,000 in property tax increment rebates over a maximum period of 10 years. The actual incentive amount would be determined based on eligible expenses and the new property assessment post-project completion. Staff recommended approval of the ordinance.

Council Member Nutter raised a discrepancy between the project description and financial details, noting that the description cited $60,000, and the financial impact mentioned $40,000. Economic Development Director, Mr. Josh Wray clarified that the correct amount was $60,000.

8.3. Resolution No. 114-23/24 Authorizing the Execution of a Professional Services Agreement with Pekin Area Chamber of Commerce for Tourism Marketing and Event Services in the Amount of $30,000

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

City Manager, Mr. John Dossey, presented the request to Council to approve a resolution authorizing the Professional Services Agreement with the Pekin Area Chamber of Commerce for Tourism Marketing Event Services, with a budget of $30,000. The agreement, continued from the previous year, aimed to facilitate event management and staffing for tourism activities. The agreement maintained the same terms for an additional year, with Ms. Amy McCoy, the Executive Director, is responsible for coordinating activities closely with City staff.

Council Member Orrick inquired about the ownership of Discoverpekin.com, to which was clarified by Economic Development Director, Mr. Josh WRay that the City manages the website, having acquired the domain from Discover Peoria the previous year. The liability aspect was raised by Council Member Orrick, questioning whether it lay with the Chamber or the City, with Ms.

McCoy explaining that the Chamber carried liability insurance for their work, while city-sponsored events are covered by the City.

Council Member Nutter praised the events but also expressed concerns regarding timely payment of invoices. Ms. McCoy indicated that efforts had been made to ensure invoices were paid more promptly.

Approve 8.4, 8.5, 8.6, 8.7, and 8.8 by Omnibus Vote

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

Council Member Nutter raised a concern regarding Behr Lawn's bid for Agenda Item 8.8, emphasizing that the preference was for Behr Lawn over Classy Grass as the item stated.

Council Member Orrick questioned why property owners were not maintaining certain areas. Public Works Director, Mr. Dean Schneider, responded that he would look into it as those properties have been mowed since the City did their own mowing. Mr. Schneider further discussed which areas were mowed.

City Attorney, Ms. Kate Swise, stated that the City can treat nonresidential properties the same as commercial, regarding the area between the sidewalk and street.

Councl Member Orrick further questioned the billing process for mowing services. Mr. Schneider explained the eight billing cycles.

Council Member Orrick then asked about the termination of contracts, with Mr. Schneider explaining a slight shortfall and contract change.

Council Member Orrick also questioned the frequency of mowing at the airport and why it needed mowed every week. Mr. Schneider stated he would have to investigate that further.

Council Member Nutter requested Mr. Schneider's assurance that if there were changes that it would go back on the contractor for a credit.

8.4. Resolution No. 115-23/24 Approving Contract for Mowing Request For Proposal District 1 to Classy Grass of Central Illinois LLC.

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

8.5. Resolution No. 116-23/24 Approving Contract for Mowing Request For Proposal District 2 to Carmody Lawn Services Inc.

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

8.6. Resolution No. 117-23/24 Approving Contract for Mowing Request For Proposal District 3,7,8 to J.W. Lawn Service LLC

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

8.7. Resolution No. 118-23/24 Approving Contract for Mowing Request For Proposal District 5 to Easier Grounds Management LLC

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

8.8. Resolution No. 119-23/24 Approving Contract for Mowing Request For Proposal District 4, District 6 and Park Avenue to Classy Grass

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

A motion was made by Council Member Nutter, seconded by Council Member

Hohimer to approve Resolution No. 119-23/24 Approving Contract for Mowing Request for Proposal District 4, District 6 and Park Avenue to Behr Lawn.

8.9. Resolution No. 120-23/24 Award 300 Margaret Street Parking Lot Rehab to Miller & Son Construction

RESULT:	**TABLED TO MAY 13, 2024 (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Council Member Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Orrick, Council Member Hohimer, Council Member Onken
NAYS:	Council Member Hilst and Council Member Nutter

A motion was made by Council Member Nutter seconded by Council Member Abel to approve Resolution No. 120-23/24 Award 300 Margaret Street Parking Lot Rehab to Miller & Son Construction.

City Manager, Mr. John Dossey, recommended that the item be tabled until budget discussions took place in April.

A motion was made by Council Member Orrick seconded by Council Member Hohimer to table Resolution No. 120-23/24 Award 300 Margaret Street Parking Lot Rehab to Miller & Son Construction to the May 13, 2024 Council Meeting.

Council Member Nutter expressed concerns about the budget shortfall, questioning why there wasn't enough allocated funds despite prior allocations for projects like the alley behind Maquet's Railhouse. Finance Consultant, Mr. Bob Grogan, clarified that the rehabilitation wouldn't be complete within the current fiscal year's budget and would instead be included in next year's budget, which involved critical decisions on spending priorities. Mr. Grogan emphasized that the budget was much tighter today than two months ago and the capitol that was agreed to for major road projects and the funding for those was not existent.

Council Member Nutter pointed out previous approvals of projects, indicating a discrepancy in the logic behind current budget constraints and could not support tabling the item. Mr. Grogan explained that the tighter budget constraints were due to the ongoing budget preparation process, revealing commitments too relative to our actual resources.

8.10. Resolution No. 121-23/24 Adopting Community Development Block Grant (CDBG) 2020-2024 Consolidated Plan Amendment

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

CDBG Program Manager, Ms. Tina Hauk, provided a recap of the proposed amendment to the 2024 Consolidated Plan, which included reallocating funds to address coronavirus-related needs, specifically shifting funds from community services to fire safety. The proposed amendment underwent a public hearing in February, followed by a 30-day public comment period, during which several comments were received. The comments primarily sought clarification on the reallocation process and the specific activities from which funds were reallocated, as well as the timeline for the expenditure of CDBG funds.

8.11. Resolution No. 122-23/24 Adopting Community Development Block Grant (CDBG) 2023 Annual Action Plan Amendment

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

CDBG Program Manager, Ms. Tina Hauk, presented the agenda item adopting the Community Development Block Grant (CDBG) 2023 Annual Action Plan Amendment. Ms. Hauk provided clarification stating that it was the second amendment brought before the Council on February 1, 2024. Ms. Hauk explained that the amendment was an administrative one aimed at balancing funds. Ms. Hauk noted a 30 day public comment period and public hearing was conducted, alongside other amendments. Public comments mainly expressed confusion regarding the specifics of the amendment, particularly concerning the allocation of funds and repayment of Section 108. Ms. Hauk mentioned that no comments were rejected and two Freedom of Information Act requests were received and duly responded to by the FOIA Officer.

Any Other Business To Come Before The Council

City Manager, Mr. John Dossey, reported on the progress of the Bergner's building demolition. Mr. Dossey mentioned attending the grand opening of Runnings and highlighted Economic Development's proactive approach. Mr. Dossey also mentioned plans to provide the initial draft budget to the Council, with a request for individual meetings this week and subsequent public distribution.

Council Member Abel suggested hope for progress with Habitat house construction with city hall contracts with mowing.

Council Member Hohimer commended Tyler Chasco for assisting a citizen with yard issues, as reported on social media.

Council Member Onken shared insights on the evolution of mowing practices dating back to when he was hired by the city in college.

Council Member Orrick raised questions about reporting procedures, specifically regarding calls made to nursing homes and liability concerns.

Mayor Burress thanked the staff for their efforts in advancing the city and addressed concerns about negative social media comments, particularly regarding rumors about illegal immigrants. Mayor Burress shared a positive story about an immigrant musician who became a legal citizen and successful business owner.

Executive Session 5 ILCS 120/2 (c) 6. The Setting of a Price for Sale or Lease of Property Owned by the Public Body and 11. Litigation

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Karen Hohimer
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

City Attorney, Ms. Kate Swise, clarified that the closed session was pending litigation.

Adjourn

RESULT:	**(UNANIMOUS)**
MOVER:	Mayor Mary Burress
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 Council Member Nutter to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 7:50 PM.