CITY OF Pekin ILLINOIS

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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON MONDAY APRIL 24, 2023 AT 5:30 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD PRESIDING

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PLEDGE OF ALLEGIANCE

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	4:46 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	4:45 PM
Dave Nutter	City of Pekin	Councilman	Present	4:46 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	4:46 PM
Lloyd Orrick	City of Pekin	Council Member	Present	4:47 PM
John P Abel	City of Pekin	Councilman	Present	4:46 PM

APPROVE AGENDA AS AMENDED

RESULT:	**APPROVED AS AMENDED [4 TO 2]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

Motion to: **Table New Business Items 8.1 thru 8.6 until first meeting in May 2023**

APPROVAL OF MINUTES

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

4.1. City Council - Special Meeting - Mar 30, 2023 12:30 PM

4.2. City Council - Regular Meeting - Apr 10, 2023 5:30 PM

PUBLIC INPUT

Kelly Madden and Amanda Waltemyer addressed Agenda Item 8.13 Resolution No. 587-22/23 Approving Agreement with Hanson for Phase II Design Engineering for Derby Street requesting Council amend the resolution to allow for a mill and overlay of the road to save the taxpayers money and to leave the sidewalk intact.

Frank Barr addressed the pavement near the bridge stating that it was full of potholes.

Wes Brookes announced that it was the National Day of Prayer and extended an invitation for the first Thursday of May to have a day of prayer at the Tazewell County Courthouse.

Jim Mangan stated that the City Manager had failed to address the issue regarding fees being utilized for salaries. Mr. Mangan read part of the U.S. Constitution regarding fees. Mr. Mangan also requested Council to postpone the COLA allowances for non-union employees until salaries were provided in dollars.

Jay McNish spoke about the bid opening for the Derby Street project, Highwood sweeping, potholes at the Riverfront and a missing flag pole.

CONSENT AGENDA AS AMENDED

Councilmember Hohimer requested that Consent Agenda Item 6.9 Resolution No. 578-22/23 Mayor Pro Tem's Appointment of Keith J. Dunkelbarger to the Economic Development Advisory Committee be pulled from the Consent Agenda. Mayor Pro Tem Cloyd announced that the item would fall under New Business Item 8.16.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Dave Nutter, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel

6.1. Proclamation "Day of Prayer" May 4, 2023

6.2. Financial Reports January 2023 FY23

6.3. Accounts Payable To Be Paid Proof List thru March 31, 2023

6.4. Police Department Statistics March 2023

6.5. Receive and File Bids for Dangerous and Vacant Building/Structure Services

6.6. Receive and File Bids for Code Enforcement Mowing and Brush Clearing Actions and Abatements

6.7. Receive and File Bids Airport Main Hangar and Terminal Repainting

6.8. Ordinance No. 4047-22/23 Rezoning and Variance Request at 408 Amanda Street & 1307 N 5th Street (Case RZ 2022-07)

6.9. Consent Agenda Item 6.9 was moved to New Business Agenda Item 8.16

ANNOUNCEMENT

7.1. Proposed East Residential & South Residential TIF Districts Public Meeting Announcement

Interim City Manager, Mr. Bruce Marston, announced that there would be a public meeting for the Proposed City of Pekin East Residential & South Residential TIF Districts on Monday, May 22, 2023 at 5:00 PM at the Pekin City Hall. The purpose of the public meeting was to enable the City to advise the public, taxing districts having real property in the redevelopment project areas, and residents in the areas as to the City's possible intent to prepare Redevelopment Plans and designate a Redevelopment Project Areas for the proposed East Residential and South Residential TIF Districts and

to receive public comment.

NEW 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

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

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

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

8.3. Ordinance No. 4050-22/23 Amend Code Chapter 2, Article VI, Division 7 Regarding Historic Preservation Commission

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

8.4. Resolution No. 579-22/23 Mayor Pro Tem's Appointments of Vikki Barker and Diana J. Lee to the Historic Preservation Commission

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

8.5. Ordinance No. 4051-22/23 Amending the Code Chapter 2, Article VI and Article VIII Regarding Ethics Commission

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

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

RESULT:	**TABLED [4 TO 2]** **Next: 5/22/2023 5:30 PM**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, Dave Nutter, Lloyd Orrick, John P Abel
NAYS:	Rick Hilst, Becky Cloyd

8.7. Resolution No. 581-22/23 Annual Renewal of Environmental Systems Research Institute, Inc. (ESRI) GIS Software

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve and adopt Resolution No. 581-22/23 Annual Renewal of Environmental Systems Research Institute, Inc. (ESRI) GIS Software that was set to expire on May 14, 2023. The ESRI GIS software is utilized by most departments within the City. Staff recommended approval.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel

Motion to: **Amend Resolution No. 582-22/23 to Reduce the Pay Increase for Non-union Employees to 2.5% from 3.5%**

RESULT:	**DEFEATED [3 TO 3]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Rick Hilst, Dave Nutter, Becky Cloyd
NAYS:	Karen Hohimer, Lloyd Orrick, John P Abel

8.8. Resolution No. 582-22/23 Cost of Living Adjustment for Non-union Employees in FY24 Budget

Interim City Manager, Mr. Bruce Marston, presented the agenda item to approve and adopt a resolution approving a cost of living adjustment for non-union employees of 3.5%. Mr. Marston explained that the 3.5% increase was approved by Council in the FY24 Budget and that the total amount added up to approximately $100K.

Councilmember Hilst stated that union workers were only receiving a 2.5% increase in pay.

Mr. Marston explained that the negotiations with the Teamsters included an increase in salary due to the rising costs and inflation.

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

8.9. Resolution No. 583-22/23 Awarding Contract for Dangerous and Vacant Building/Structure Services to Gutters by Tunyuck

Interim City Manager, Mr. Bruce Marston, presented the agenda item to approve and adopt a resolution awarding a contract for dangerous building services to Gutters by Tunyuck. The City received only the one bid. Staff had utilized other contractors in the past who charged substantially higher rates than the proposed bid submitted.

Police Chief John Dossey answered questions from Council stating that Gutters by Tunyuck was the cheaper option and explained how the services need for board ups were inconsistent.

City Attorney, Ms. Kate Swise, stated that the contract period was for one year.

Councilmember Hilst expressed his concerns on the material and labor costs.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst

8.10. Resolution No. 584-22/23 Awarding Contract for Code Enforcement Mowing and Brush Clearing Actions and Abatements to Gutters by Tunyuck

Interim City Manager, Mr. Bruce Marston presented the agenda item to award a contract for code enforcement mowing and brush clearing actions and abatements to Gutters by Tunyuck. Two bids were received in which both were similarly priced. However, Premier Landscaping failed to submit all required documents.

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

8.11. Resolution No. 585-22/23 Awarding Airport Terminal Painting Project to Wright and Sons Painting

Interim City Manager, Mr. Bruce Marston, presented the agenda item to award the Airport Terminal painting project to Wright and Sons Painting in the amount of $55,000. The City received two bids for the project and it was staffs recommendation to award the contract to Wright and Sons Painting as the low bidder.

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

8.12. Resolution No. 586-22/23 Approving Managed GIS Service Agreement with Cloudpoint

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve and agreement with Cloudpoint Geographics, Inc. for GIS services for the City of Pekin. Services were needed to maintain the City's GIS system to ensure the continued operation of the programs that utilize the information. Cloudpoint has been utilized by the City for the past four years. The contract was to ensure the system was running properly, that critical upgrades were installed along with additional GIS services provided. The agreement was for two years expiring April 30, 2025.

City Engineer, Ms. Josie Esker, explained that Matt Junker was employed by Cloudpoint and he comes to the City to work on various maps a few days a week.

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

8.13. Resolution No. 587-22/23 Approving Agreement with Hanson for Phase II Design Engineering for Derby Street

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve a resolution approving an agreement with Hanson for Phase II Design Engineering for Derby Street between 2nd and 14th Street. The City had previously entered into an agreement with Hanson for phase one of the Derby Street corridor. The agreement was for final design and plan preparation in addition to land acquisition services.

Councilmember Hilst questioned whether the City was required to do ADA ramps when performing a mill and overlay.

City Engineer, Ms. Josie Esker, stated that the City was required to provide ADA ramps when a mill and overlay was done and recommended ADA sidewalks due to the high pedestrian activity. Ms. Esker also explained that Council was presented with a study from 2017 or 2018 before any investigation was conducted of pavement. Ms. Esker stated that she had looked into doing a mill and overlay but the road was in very bad condition.

Councilmember Abel spoke in favor of the agenda item and stated he was against a thin covering of the pavement.

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

8.14. Resolution No. 588-22/23 Approving Local Public Agency Agreement with IDOT for Court Street Construction (20-00196-00-RS)

Interim City Manager, Mr. Bruce Marston presented the agenda item to approve a resolution approving a Local Public Agency agreement with IDOT for Court Street Construction. The project was awarding federal Surface Transportation Program-Urban (STU) grant funding the amount of $1,719,900 for rehabilitation. The City would be required to provide the remainder of the funding after the grant amount was utilized. The final cost to the City will be determined at the conclusion of the project but was currently estimated at $7.4M.

City Engineer, Ms. Josie Esker, answered questions from Council explaining that the grant received was through PPUATS and would be utilized from Stadium Drive to just shy of Valle Vista. Ms. Esker stated that the City also applied for funding from Stadium Drive to 8th Street but that had not yet been awarded. Land acquisition was not anticipated to be finalized by the June letting.

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

8.15. Resolution No. 589-22/23 Approving Agreement with Millennia for Construction Engineering

Interim City Manager, Mr. Bruce Marston, presented the agenda item to approve an resolution approving an agreement with Millennia for construction engineering professional services for the Court Street Rehabilitation project from Valle Vista to Stadium Drive. Due to the project utilizing federal funds, additional administrative time was required.

Ms. Esker stated that it was a two year project and that Millenia would be overseeing the project.

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

Motion to: **Table Resolution No. 578-22/23 Mayor Pro Tem Appointment of Keith Dunkelbarger to EDAC**

RESULT:	**DEFEATED [2 TO 4]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Karen Hohimer, John P Abel
NAYS:	Rick Hilst, Dave Nutter, Becky Cloyd, Lloyd Orrick

8.16. Resolution No. 578-22/23 Mayor Pro Tem's Appointment of Keith J. Dunkelbarger to the Economic Development Advisory Committee

Council discussed the EDAC appointment of Keith Dunkelbarger to replace an individual who had resigned. The appointment term would expire in 2025.

Mayor Pro Tem and Councilmember Orrick spoke in favor of the appointment to EDAC.

City Attorney, Ms. Kate Swise, explained that the committee does not say how members could be removed other than they could. Ms. Swise added that four vacancies were expiring in May of this year and those would be appointed annually by the Mayor.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, John P Abel
AYES:	Rick Hilst, Dave Nutter, Becky Cloyd, Lloyd Orrick
NAYS:	Karen Hohimer, John P Abel

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Fire Chief Trent Reeise explained that the siren sounded last Thursday afternoon from the ethanol plant for a planned drill.

City Attorney, Ms. Kate Swise, clarified that Mr. Jim Mangan dismissed the most pertinent part of his Constitutional provision reading during Public Input regarding fee revenue utilized for salaries. Ms. Swise stated that opinions from the Illinois Supreme Court and Illinois

Attorney General confirm that Section 9a of Article VII of the Constitution prohibits salaries and office expenses being paid directly from fees collected. It was intended to address was something known in previous years a fee office wherein the office collecting the fees would keep those fees and then distribute them as that office saw fit. The second sentence of that Constitutional provision was so important because it directs all offices who collects fees to deposit them with the Treasurer so that they are not completely controlled by the office who collects them. Ms. Swise continued stating that those fees have oversight by the Treasurer and the Council to determine how those fees are distributed. The idea that they cannot be used to pay the cost of office of whose fees they are supporting is not correct.

Public Works Director, Mr. Dean Schneider, congratulated City Engineer Ms. Josie Esker on the upcoming presentation of her award on May 3rd for Project of the Year regarding the Front Street Project.

Councilmember Hohimer stated that she supports the 3.5% salary increase for non-union employees and added that that percentage was still low.

Councilmember Abel thanked the City Clerk for working late last Friday to get the Council packet finalized.

Councilmember Nutter questioned what the update was on electric aggregation.

Mr. Schneider explained that he was still waiting for communications from Constellation.

Councilmember Hilst questioned items on the Accounts Payable report regarding Constellation Energy. Mr. Marston explained that it was not related to electric aggregation.

Councilmember Orrick reminded everyone that the Battle of First Responders Blood Drive was approaching and hoped to see the cracks on Hope Street filled.

EXECUTIVE SESSION 5 ILCS 120/2 (C)

ADJOURN

There being no further business to come before the Council motion was made by Council

Member Orrick, second by Council Member Nutter that the meeting be adjourned. Motion carried viva voce.

Mayor Pro Tem Cloyd adjourned the meeting at 7:49 PM.