****
****

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 27, 2023 AT 5:30 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD PRESIDING

****
****

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member John Abel.

Roll was call by City Clerk Sue McMillan and all Council Members were present. A quorum was declared.

CALL TO ORDER

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:06 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:08 PM
Dave Nutter	City of Pekin	Councilman	Present	5:07 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:07 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:06 PM
John P Abel	City of Pekin	Councilman	Present	5:08 PM

APPROVE AGENDA

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

APPROVAL OF MINUTES

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

4.1. City Council - Regular Meeting - Mar 13, 2023 5:30 PM

PUBLIC INPUT

Before moving into Public Input Mayor Pro Tem Cloyd noted from the attendance in the Council Chambers, that it was encouraging to see citizen involvement. She reminded the public of the protocol for addressing the Council, 10-minute time allowed, and cards for submitting questions for later date answers.

Deb Montgomery addressed the Council regarding historic preservation of the buildings in the City of Pekin. She asked that Council to strongly consider the appointments before them to the Historic Preservation Commission.

Keith Dunkelbarger read from a prepared statement his thoughts on definition of accountability and how accountability applied to the members of the Council and to Tazewell County Government. He went on to give examples of how brainstorming works and the opportunity to join forces with the County to complete the downtown. Mr. Dunkelbarger spoke of County expansion, parking deck, saving the Arcade and Tobin Buildings and restoring with retail businesses on the first floors and upscale apartments above. He encouraged all to get involved and vote at the municipal elections.

Jim Mangan distributed handouts in relation to his comments that compensation was not to be paid from fees. He referenced a chart of fees from the Code prepared by the City and questioned the Council as to where the fees were going to. Mr. Mangan asked Mayor Pro Tem Cloyd and Attorney Katherine Swise to request the State's Attorney to investigate fraud for the miss appropriation of municipal funds.

Matthew Johnson noted a conceptual drawing of a multigovernmental property plan that he had made to show that Tazewell County had room for their expansion project without demolition of historic buildings. Mr. Johnson also spoke to the intersection of 14th and Derby Street and asked that the center turn lanes be striped out and outer turn lane be finished with the Derby Street Project. Mr. Johnson also stated that the second phase of the Court Street Project could be started without waiting for the property purchases needed to widen the sidewalks. He suggested the center lane improvements be completed and once all necessary easement were obtained the contractor could come back and complete the outer lanes.

EXECUTIVE SESSION 5 ILCS 120/2 (C) (2) COLLECTIVE NEGOGIATING MATTERS

6.1. Motion to: **Move to Executive Session 5 ILCS 120.2 (c) (2) Collective Negotiation Matters nd (11) Pending Litigation.**
Council Members moved to closed session in the Chambers at 5:55 PM.

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

CONSENT AGENDA

Members returned to Open Session at 6:47 PM. Mayor Pro Tem Cloyd confirmed that all members were present. Council Member Hilst motioned and received a second from Council Member Orrick, that item 7.2 Ordinance No 4045-22/23 Variance Request at 317 Court Street be moved from the Consent Agenda for discussion to New Business as item 8.10. On roll call vote all present voted Aye. Motion Carried.

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

7.1. Accounts Payable To Be Paid Proof List thru March 03, 2023

7.3. Resolution No. 563-22/23 Add an Accessible Parking Sign at 335 Court Street

7.4. Receive and File Bids for Demolition of 2201, 2211, and 2213 Court Street

NEW BUSINESS

8.1. Resolution No. 564-22/23 A Resolution Authorizing Mayor Pro Tem to Make Appointments to Committees

Interim City Manager Bruce Marston informed the Council that there were currently several vacant positions on various commissions and committees of the City and due to the vacancy in the office of the Mayor, those vacancies remained unfilled even though there were qualified candidates who had expressed interest in serving on those commissions and committees. In order to satisfy the best interest of the City and ensure continued operation and effectiveness of those committees and commissions, it was recommended that Mayor Pro Tem Becky Cloyd be authorized to make appointments to the committees.

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

8.2. Resolution No. 565-22/23 Appointments to the Historic Preservation Committee for Three Year Terms

Council was advised by Interim City Manager Bruce Marston that Chapter 2, Article 6, Division 7 of the Pekin City Code established a Historic Preservation Commission made up of seven voting members, appointed by the Mayor and approved by the City Council and that no members had been appointed to the Commission since approximately 2012. The City Council desired to revive the Historic Preservation Commission. The Mayor Pro Tem, by authority granted in the previous Resolution No. 564-22/23 appointed the following members to the Historic Preservation Commission, effective immediately, for an initial three-year term to the first Monday in May, Deborah L. Montgomery, Louis Howard, Jared Olar, Christina Olar, and Tyler Chasco. It was noted that Louis Howard had withdrawn and Council Member Nutter stated there were other interested applicants to complete the 7-member Commission.

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

8.3. Resolution No. 566-22/23 Approve Agreement with Flock Safety for 54 Additional Flock License Plate Reader Cameras

Police Chief John Dossey presented to the Council his request and recommendation for the agreement with Flock Safety. He advised that the Pekin Police Department had been utilizing four Flock brand License Plate Reader (LPR) cameras for the past year to assist with the investigation of violent crimes, stolen vehicles, stolen license plates, missing persons, Amber Alerts, along with several other important notifications. The evidence gained from the existing cameras had proven to be invaluable over the past year with numerous investigations including an attempted murder shooting, stalking, and the recovery of numerous stolen vehicles. Recently, the police department became aware of a grant opportunity being offered by the State of Illinois that would provide funding for additional Flock LPR Cameras. The police department completed the grant request paperwork for 52 LPR cameras and two mobile LPR’s. Chief

Dossey further told the Council the cameras would be placed at the entrances/exits into Pekin along with most of the major intersections. The department was notified last week that the department's request was preliminarily approved and final approval expected in the middle of March. The funds would be dispersed in April 2023. The total amount for the cameras and installation of $159,800 would be completely funded by the grant. The term of the contract would be 12 months with a 60-day cancellation opt out with no cost. Deputy Chief Seth Ranney presented a slide show giving more detail of the system. Questions were answered in regards to recognition of the plate only not facial recognitions; information obtained by the cameras was deleted in 30 days; warranties and maintenance of the equipment. The Chief was hopeful the grant could be received after the initial year.

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

8.4. Resolution No. 567-22/23 Approve Purchase of Ammunition for the Police Department from Conway Shield

Police Chief Dossey also presented a request to move forward with the Department's annual purchase of ammunition. Council was advised the purchase was an annual purchase that was typically made near the end of the City's fiscal year. The purchase would cover duty ammunition as well as the ammunition utilized for practice and training. Police Department staff obtained three bids. Conway Shield out of Wisconsin was the lowest bid submitted for a total of $17,625.00. Staff recommended to council to approve this purchase so the order could be placed and received during this current fiscal cycle.

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

8.5. Resolution No. 568-22/23 Approve Purchase Fire Department Self Contained Breathing Apparatus

Deputy Fire Chief Tony Rendleman advised Members that the Pekin Fire Department received a FEMA Assistance to Firefighters Grant for replacement of self-contained breathing apparatus (SCBA) for our Technical Rescue and Hazardous Materials teams. The grant approval provided $81,818.18 in Federal funding for the replacement project which had a total cost of $92,220.00. The match in local funding of $10,401.82 would come out of the Fire Department's equipment line item. The grant was approved for the replacement of 12 SCBAs (air packs), 24 1-hour air bottles, and 12 SCBA masks. The current 1-hour bottles are past their service life and the current air packs are based on the 1997 NFPA standard. The Deputy Chief went on to inform that the Pekin Fire Department utilizes these 1-hour air packs and bottles for hazardous materials response. Due to the large amount of industrial business within the City of Pekin hazardous materials readiness had been a priority of the department for many years. In addition to covering the City of Pekin, the Pekin Fire Department was also the Tazewell County (MABAS 42) response team. The Fire Department utilized Scott brand SCBA and is requesting purchase as a sole source acquisition to maintain the same brand and compatibility with existing equipment in service. Scott air packs were only sold by regional vendors. MES is the regional vendor for our area.

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

8.6. Resolution No. 569-22/23 Approve Purchase of Tandem Dump Truck from Truck Centers Inc.

Interim City Manger Marston presented the request and referred questions to City Engineer Josie Esker in the Public Works Director's absence. The resolution was for the purchase of a new 47X Western Star Tandem Dump Truck / Snow Plow. The Council was told the City issued a request for proposals (RFP) in March for a tandem dump truck fully equipped with plow, wing plow and salt spreaders. The City received one bid back from Truck Centers Inc. for $250,584.00. Truck Centers Inc. was a local company out of Morton, and the City of Pekin had purchased vehicles from them in the past. Truck Centers Inc. had one vehicle in stock that would be ready in late April or early May which would be set aside for Pekin if the RFP were approved. Council then questioned how many trucks were need in the Street Department, if issued to each employee and the condition of vehicles in service. Council Member Nutter stated he would abstain from the vote having a relative in the department.

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	John P Abel, Councilman
SECONDER:	Dave Nutter, Councilman
AYES:	Rick Hilst, Karen Hohimer, Becky Cloyd, John P Abel
NAYS:	Lloyd Orrick
ABSTAIN:	Dave Nutter

8.7. Resolution No. 570-22/23 Approving Agreement with Maurer-Stutz for Construction Phase Engineering on Derby Street & Downtown

City Engineer Josie Esker recommended to the Council to approve the agreement with Maurer Stutz to perform construction engineering oversight on the Derby Street project and the Downtown Mill & Overlay + ADA Ramps project. She stated the City did not currently have sufficient staffing levels to manage these projects without assistance from an outside engineering firm. She would still oversee the project and the consultant engineer, but she would not be out on site at all times.

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

8.8. Resolution No. 571-22/23 Award Demolition of 2201, 2211, & 2213 Court Street to Jimax

Council was reminded that the City recently acquired the properties at 2201, 2211, & 2213 Court Street with the intention of removing the buildings in order to widen sidewalks for the Court Street Rehabilitation Project. Demolition of the existing buildings was the next step in the process. Ms Esker, City Engineer advised the Council that the City received three responses to the RFP that was issued. The low bidder was CMT at $75,000.00. The second low bidder was JIMAX at $76,771.83. The City had used Jimax on previous projects and had no issues. However, the City had issued numerous ordinance violations to CMT for improper work. The resolution would award the demolition of 2201, 2211, 2213 Court Street to Jimax in the amount of $76,771.83. This project included all demolition of the buildings, removal of the footings, and backfill to existing grade.

Council asked and was given clarity on the matter of improper work and not using CMT. Council Member Nutter asked that the owner be contacted and be given an explanation.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Lloyd Orrick, Council Member
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel
NAYS:	Rick Hilst

8.9. Resolution No. 572-22/23 Authorization to Enter into Opioids Settlement Participation Agreement

The recommendation was read by Police Chief Dossey to the Council. He informed the Members that he City of Pekin was participating in multiple national lawsuits against opioid manufacturers, distributors, and pharmacies and the City previously opted into a nationwide settlement of claims against the three largest pharmaceutical distributors: McKesson, Cardinal Health, AmerisourceBergen, and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson. The City had received payments from this settlement, which went toward efforts to abate the effects of the opioid epidemic within the City of Pekin. A nationwide settlement had recently been reached with several more opioid manufacturers and pharmacies, including Teva, Allergan, CVS, Walmart, and Walgreens. The City was a direct participant in the suit against Teva and Allergan and was thus eligible to receive direct funds from those settlements, because the City was a prior litigating subdivision with regard to the previous settlement claims, it would be further eligible to receive funds from the Walmart, Walgreens, and CVS settlements. The Chief advised if the City desired to participate in these recent settlements, it must take affirmative steps to “opt in” by April 18, 2023.

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

8.10. Ordinance No. 4045-22/23 Variance Request at 317 Court Street

Case 2023-03 was presented to the Council regarding a variance request by Brent Glassey to allow video gaming at a property in a B-2 Central Business District zoning when not ancillary to a restaurant, tavern, club or fraternal organization. Said property was located at 319 (317) Court St and zoned B-2 Central Business District. Council questioned and discussed the zoning board of appeals hearing of the request at their March 8, 2023 meeting. Staff told the Council that because the property had continuous ownership and the nonconforming use was lost due to no fault of the applicant, the board recommended approval by a 5-2 vote. Steve Reeves, representing the property owner addressed the Council regarding the variance request. Council Member Hilst voiced concern that the homeless were misusing the facilities as shelter and loitering. Chief Dossey to check if there have been extra calls to the establishments.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Interim City Manager Bruce Marston requested Council set a Special Budget Work Session because there was not adequate time at the meeting with the addition of a Closed Session to continue the discussion of the Public Works Department Budget. The Council agreed to meet on Thursday, March 30, 2023 at 12:30 PM.

Council Member Abel asked if correct that the City had just received 4 million dollars from Darin LaHood for engineering of the last section of Veterans Drive to 474. He was told the farm land that Council had discussed for the completion had sold to another purchaser for lack of response from the City. Mr. Marston corrected and clarified that the City was promised that property and had first right of refusal but was sold from under the City before the appraisal had come back. The City Engineer advised the project could move forward without the acquired land.

Council Member Nutter noted Yard Waste Collection would begin the first week in April. Information was available on the website.

Council Member Orrick thanked City Engineer Josie Esker for her outstanding work for the City.

ADJOURN

There being no further business to come before the Council motion was made by Council Member Orrick, second by Council Member Hohimer that the meeting be adjourned. Motion carried viva voce.

Mayor Pro Tem Cloyd adjourned the meeting at 8:30 PM.