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 13, 2024 AT 5:30 PM
MAYOR MARY J. BURRESS PRESIDING

Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Nutter.

Call to Order

City Clerk, Ms. Sue McMillan, confirmed all Council Members were physically present and logged in. Mayor Burress 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 Onken
SECONDER:	Council Member Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken

Approval of Minutes

Council Member Hilst noted Ted Golden addressed the Council at the April 22, 2024 meeting but was not recorded in the minutes. Council Member Hilst asked that the minutes reflect his concerns under Public Input and the written minutes be brought back to the Council.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Chris Onken
SECONDER:	Council Member Karen Hohimer
AYES:	Council Member Orrick, Council Member Hohimer, Council Member Onken, Council Member Hilst, Mayor Pro Tem Nutter, 1st Alternate Mayor Pro Tem Abel, Mayor Burress

4.1. City Council - Regular Meeting - April 22, 2024 5:30 PM

Public Input

J. McNish submitted the following public input:
Tonight there will be a discussion on if the City should place on the November 2024 ballot if the City of Pekin should repeal home rule.
The only answer to this is “YES”, why? Let the residents of Pekin decide how this community will move forward, our elected officials including past and present have taken full advantage of our community by increasing fees, taxes, the size of government, and has fallen behind on several audits, its time the adults to come to the table and hand some accountability.
Some will say being a home rule community means we don't have to follow state laws and regulations and protects Pekin from State over-site, the answer to that is, who is protecting Pekin Residents from rouge elected officials?
Conrad Ozog told the Council he was a retired teacher that became more interested in local government after hearing comments in the community regarding City finances. He requested to learn more through the budget how Council handles revenues and expenses. Manager Dossey advised Mr. Ozog that monthly financial reports were available in meeting packets on the website and that staff would arrange time for him to come to City Hall to discuss the Budget.
Rex Pogioli raised concerns of longstanding drainage and erosion issues to his 18 unit property on Williamsburg Court. He asked Council for relief to storm sewer problems in the areas. City Engineer Josie Esker commented staff was aware of the concerns and were working on some resolve to the matter.
Alan White encouraged the Council Members to vote yes to earmarking the utility tax revenues to infrastructure and ADA related repairs and an affirmative vote to a Public Question Referendum to have the same opportunity to vote on the issue regarding Home Rule. He continued by acknowleging the outstanding work of the Street Department receptionist Brinda Cheek in relaying messages. Mr. White noted revenues of over 30 million dollars in the FY21 Annual Financial Report and told Council he would like to see that the money be used properly.

Presentation Lauterbach & Amen, LLP 2021 Audit

Finance Director Bob Grogan reported a combination of factors contributed to the delay in previous year audits. Local audit companies discontinued services and larger companies could not keep up with demand during Covid -19 years from lack of employees, the City finance department was not staffed correctly. Lauterbach & Amen

LLP would be presenting the company's completion of the 2021 Annual Financial Reports. Mr. Grogan also advised the company was already starting the 2022 audit would be working on 21/2 audits a year, and that 2023 could possibly be completed before the end of 2024. Mr. Grogan introduced Representative Josh Laudont attending by zoom phone call. Mr. Laudont had provided the Financial Statements, the Status Letter and the Management Letter for FY 2021. Representative Laudont addressed figures on several pages in the AFR to the Council. Council Member Hilst questioned the OPEB figure on page 25 and the School Bus department figure transferred from an enterprise fund. Mr. Grogan advised a Transfer Policy was now in place and the matter should not happen again.

Consent Agenda

Council Member Hilst questioned a 2 1/2 million dollar expense to Miller, Hall & Triggs in the Accounts Payable Proof List. Mr. Grogan explained that the City funds an escrow account with MH&T for the release of funds for the Cullinan loan. Council Member Orrick asked the charge for the escrow and was told that it would come out of Cullinan expenses. Council Member Nutter next questioned TIF reimbursements to School Districts 108 and 303 in the Accounts Payable Proof List instead of coming back to Council for approval as he had seen through the Southern Industrial TIF. Economic Development Director Josh Wray explained that provisions in the Southern Industrial TIF Ordinance were followed for surplus to the school districts. Council Member Nutter felt there needed to be consistency. Mr. Grogan stated he would check with Jacob & Klein and come back to Council with a policy

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Chris Onken
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Hohimer, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Nutter, Council Member Onken, Mayor Mary Burress

7.1. Accounts Payable To Be Paid Proof List March 29 thru April 12th 2024

7.2. Building Department Permit Report for April 2024

7.3. Pekin Fire Department Monthly Incidents April 2024

7.4. Proclamation Safe Boating Week May 18-24, 2024

7.5. Ordinance No. 4189-24/25 A Variance Request Submitted by Benjamin and Manda Brown for the Property Located at 1435 California Road to Construct a 36-foot Driveway Approach (Case V 2024-09)

7.6. Resolution No. 132-24/25 Approving and placing on file the FY21 Annual

Financial Report (AFR)

7.7. Resolution No. 133-24/25 Annual Committees, Boards, Commissions, Members Appointments

New Business

8.1. Ordinance No. 4190-24/25 Approving First Amendment to the FY25 Annual Budget

Manager Dossey read from the prepared Request for Council Action that after the FY25 Annual Budget was approved on the April 22, 2024 meeting, Councilmember Hilst made a motion to place on the next meeting agenda an item to earmark the new utility tax revenue for existing infrastructure or ADA-related repairs and upgrades. The motion was seconded by Council Member Orrick. Finance Director Grogan explained the utility tax was passed in order to address the structural issues in the overall budget. To ensure that money is only spent on a certain type of expense, a special revenue fund must be created. Thus, the Utility Tax Special Revenue Fund would be created with the budget amendment as presented He advised the Council that removing the estimated $4 million of revenue from the General Fund creates a **$4,787,800** projected deficit in the General Fund for FY25. The General Fund beginning FY25 cash balance is approximately **$14.5m**. Standard methods for a cash reserves policy would be calculated using the current year anticipated expenditures. The City's FY25 General Fund budget is **$53m**. If you took out extraordinary items, it could be argued that $38m should be used. Pekin's current policy is 10% cash reserves. Mr. Grogan emphasized that reliance on the 10% level is not advised. The best practice for General Fund reserves ranges from 25% to 50%. This amendment would project a FY25 ending cash balance of approximately **$9,700,000**. Discussion followed with the Council. Council Member Hilst spoke in support of earmarking the funds so that money was designated for what the people wanted to fix the streets. He reiterated that he had requested several times that a survey be sent to the citizens requesting the response for issues and concerns.

RESULT:	**FAILED (3 TO 4)**
MOVER:	Mayor Pro Tem Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	Council Member Nutter, Council Member Hilst, Council Member Orrick
NAYS:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Mayor Pro Tem Hohimer, Council Member Onken

8.2. Ordinance No. 4191-24/25 Approving Purchase of Property 1024 Court Street

City Engineer Josie Esker spoke to the resolution to approve the purchase of property at 1024 Court Street. She advised the Counci lthat the City needed a strip of land along Court Street in order to construct wider sidewalks along this corridor. The property was very close to the existing sidewalks and restricted the sight distance when turning from Washington Street to Court Street; therefore, this property was proposed for demolition. The City obtained an appraisal, which was included in the packet, stating that the value of this land was $114,000. The City offered $114,000 for the land, and the owner counter offered at $114,500. Ms. Esker also advised that if the City purchased the property, the City would need to pay relocation costs for the current tenant in addition to the purchase price. The relocation costs would be approximately $43,100, which brought the total purchase cost to the City to $157,600. It was noted that demolition costs were not figured into this cost and would likely add approximately $50,000. This land purchase was coming before council because it exceeded the spending authority of the City Engineer for land purchases on this project. Council Hilst and Council Member Nutter both stated they did not support buying the property. Council Member Hohimer questioned paying the tenant $40,000 in expenses to move his business. Discussion followed on an alternative of trimming the shrubs back if view for traffic was the issue. Mayor Burress stated her neighbor owned the property and that she would be abstaining to avoid any questions of her vote.

RESULT:	**FAILED (0 TO 6)**
MOVER:	Mayor Pro Tem Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	None
NAYS:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken
ABSTAIN	Mayor Burress

8.3. Resolution No. 134-24/25 Approving Court Street Upgrades for Ameren

Council was informed the resolution was to approve paying for aesthetic upgrades on Court Street so that the overhead power and communication lines no longer cross the road. There would still be above ground power lines on each side of the road, but all crossings would be moved underground. City Engineer Josie Esker explained that currently three power and communication providers had above ground cables: Ameren Electric, Comcast, and Brightspeed (formerly known as Century Link and Lumen). She had not yet received quotes from Comcast or Brightspeed; however, a decision needs to be made for Ameren to be able to move their facilities in time for the road project. City Council chose to pay Ameren to move most of their crossings underground on the previous road project section. On the upcoming section, Ameren's upgrade costs were approximately $400,000.00.

RESULT:	**FAILED (UNANIMOUS)**
MOVER:	Mayor Pro Tem Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
NAYS	Mayor Pro Tem Hohimer, 1st Alternate Mayor Pro Tem Abel,

	Council Member Nutter, Council Member Orrick, Council Member Onken, Council Member Hilst, Mayor Burress

8.4. Resolution No. 135-24/25 Approving contract with Fire Truck Unlimited for refurbishment of 2000 Pierce Tower/Ladder

Fire Chief Trent Reeise presented that the Pekin Fire Department was seeking approval for a down payment for refurbishment of an aerial apparatus. Fire Trucks Unlimited was a vendor that worked solely on fire and emergency service vehicles, providing comprehensive refurbishment services. The contract for refurbishment was a sole source contract using Sourcewell pricing as these services were unique and Fire Trucks Unlimited was the only vendor known to provide all-encompassing services of this nature. The refurbishment process included upgrading, repairing, and refinishing components of fire apparatus to transform it into a like-new condition. Fire Trucks Unlimited expects a full second life for an apparatus after refurbishment. The proposed work was quoted at $727,000. Chief Reeise explained that due to the extensive nature of the work, staff requested spending authority up to $800,000 to account for any unknown issues found in the process. The expected completion time of work was approximately 6 months after work began. A previous deposit of $10,000 had already been paid in FY24 to reserve the City's place in line after it was approved by the City Council. Fire Trucks Unlimited was expecting to schedule the department's apparatus work beginning September 2024. Discussion followed on the price, the life of a refurbished apparatus, warranty, and the City's qualified mechanic, Rryan Mason.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	1st Alternate Mayor Pro Tem John Abel
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken, Mayor Burress

8.5. Resolution No. 136-24/25 Approving a Three-Year Contract with Rock Valley Health for Firefighter Physicals

Council was advised that In February 2024, the Pekin Fire Department released an RFP for a comprehensive and competitive quote for firefighter physicals. National Fire Protection Association (NFPA) 1582 was the standard that outlines an occupational medical program that would reduce risks and provide the health, safety, and effectiveness of firefighters operating to protect life and property. Fire Chief Reeise explained the testing was required by NFPA 1582 consisting of Physical Exam, Blood Analysis,Urinalysis, Pulmonary Function Test, Chest X-Ray (Due Every 3-5 Years), EKG, Infectious Disease Screening, Cancer Screening, Audiometric Exam, Vision Testing. The RFP yielded one response. Rock Valley Health's response to the RFP met all requirements of NFPA 1582 as well as all portions of the RFP. Due to the cost, a multi-year plan was needed to accomplish all necessary testing for all members of the department. To reflect the multi-year implementation plan, a 3-year agreement was presented.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	1st Alternate Mayor Pro Tem John Abel
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken, Mayor Burress

8.6. Resolution No. 137-24/25 Approving the FY2025 Tourism Event Sponsorships

RESULT:	**PASSED (6 TO 1 AS AMENDED)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken
NAYS:	Council Member Hilst

Mr. Wray explained to the Council that in prior years, the City Council approved tourism sponsorships of annual community events on a rolling basis. In an effort to be more efficient, the Tourism Committee and staff recommend the Council approve the sponsorships for all these annual events at the beginning of the fiscal year, and staff could then process the invoices as they come in without delay. Mr. Wray further informed that these sponsorships differ from the regular tourism grants in that the City was not necessarily reimbursing the event for particular expenses; rather, the City was supporting the overall event. Tourism grants for one-off events would still be taken to the Tourism Committee, and to the Council if over $1,500, on a rolling basis. The Tourism Committee was actively working on updating and simplifying that application and process. Council Member Orrick questioned a few of the listed funded events, beautification, disk golf locations, and AGA Golf. He supported the process of funding these sponsorships at the beginning of the fiscal year.

Council Member Nutter spoke in support of the process to fund the sponsorship at the beginning of the fiscal year but disagreed funding from the Economic Development Fund. Council Member Nutter made a motion to increase Tourism disbursement $5,000.00, seconded by Council Member Orrick.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken

8.7. **Resolution No. 138-24/25 Approving Agreement for Engineering and Construction Costs for the Airport T-Hangar Pavement with Hanson Engineering**

The Resolution pertained to the award to Hanson Engineering for Design and Construction costs for the new pavement and access road for the new T-Hangar at the Pekin Municipal Airport. Design costs are $4,812.30 of fixed costs and total costs not to exceed 38,000.00. Construction costs are $8,078.26 of fixed costs and total costs not to exceed $70,000.00. Public Works Director Dean Schneider explained once approved and current paper work is sent in, Hanson would send NOSA an intergovernmental agreement. The City state and local share was $94759.50 which included Hanson's agreement and pavement costs. This improvement would let the City start the leasing process of the new hangers once the pavement was completed.

RESULT:	**PASSED (6 TO 1)**
MOVER:	Council Member Lloyd Orrick
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken,
NAYS:	Council Member Hilst

8.8. **Resolution No. 139-24/25 Approving Agreement for Airport Pavement for T-Hangars with UCM**

This resolution was presented to concur with the State award of the pavement contract to UCM for the T-hangar new pavement and roadway at Pekin Municipal Airport. During the bidding process there was only one bidder. The state approved a single bid award for this project. Engineer's estimates came in at around $1,050,000.00. UCM bid was $ 839,345.02. Public Works Director Dean Schneider explained the reimbursement was different in the fact that the State would pay the contractor and send the City a payment for Hanson's services with the 10% local pay. UCM start date was anticipated for the first of September.

RESULT:	**PASSED (6 TO 1)**
MOVER:	Council Member Dave Nutter
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken, Mayor Burress
NAYS:	Council Member Hilst

8.9. **Resolution No. 140-24/25 Approving a Contract for Waste Water Piping Change in the Phosphates Process**

This resolution presented to the Council was to approve a contract to change some of the piping routing in the sludge processing building. These changes would help with removal of phosphates from the sludge process. Public Works Director Dean Schneider advised that the City was currently under state mandate to improve our phosphate removal processes. Staff received two quotes. #1 From G.A.Rich for 24,894.00 #2 From Illinois Pipe for $26,900.00. Council Members Nutter and Orrick questioned the particulars of painting the pipes that was included in the Illinois Pipe proposal.

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Council Member Dave Nutter
SECONDER:	Council Member Lloyd Orrick
AYES:	1st Alternate Mayor Pro Tem Abel, Council Member Nutter, Council Member Hilst, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken, Mayor Burress

8.10. Resolution No. 141-24/25 Authorizing a Public Question Referendum Regarding Home Rule

In accordance with Policy No. 25-22/23, Council Member Hilst, with second by Council Member Orrick, requested the item be placed on the Council's agenda. The resolution before Council, if approved, would direct staff to place a referendum on the ballot for the November 2024 General Election asking the public if the City should no longer be a home rule municipality. Manager Dossey advised the Council that the question whether to remove the City's home rule status was complex and would require significant analysis by staff. Areas of impact would include zoning regulations and procedures, annexation and development agreements, taxation, fees, fines, administrative adjudication, real estate transactions, and more. Preliminarily, staff believed removing home rule status would cause a revenue loss of over $8 million annually to the City. He asked If a majority of the Council would like to explore the option, staff recommended the item be postponed until the June 10 Council meeting. The deadline to file a local governing body resolution or ordinance to adopt a public question for the November ballot would be August 19th. Council Member Hilst spoke in support of a forum to discuss the advantages and disadvantages of home rule municipalities and for the public be given the opportunity to vote on the question.

RESULT:	**(3-4 FAILED)**
MOVER:	Council Member Rick Hils
SECONDER:	Council Member Lloyd Orrick
AYES:	Council Member Hilst, Council Member Orrick, Council Member Nutter
NAYS:	Council Member Onken, Mayor Pro Tem Hohimer, 1st Alternate Mayor Pro Tem Abel, Mayor Burress

Discussion

9.1. City Flag Design

Council Member Nutter introduced Jacob Brisbin, Chairman of the Beautification Committee. Mr. Brisbin informed the Council that the committee was working on a project for designing a new City Flag as part of the bicentennial year celebration. I was important to have community buy in by conducting a contest of ideas and designs submitted. The committee would introduce the concept in June, have finalist examples on display in September, have voting during the Marigold Festival, and present the new flag for adoption in October.

Any Other Business To Come Before The Council

Public Works Director Dean Schneider announced the City Clean Up Day was scheduled for Saturday, May 18, 2024 from 8:00 am - 2:00 pm at the Street Department on Koch Street. Tazewell County would also have available the disposal box for sharp objects.
Economic Development Director Josh Wray informed the Council that the EDAC members discussed the possibility of providing language in the Code the requirement of a Special Use for future gaming and tobacco sales locations.
Council Member Hilst questioned the progress of discussions for North Pekin increased fees for sewer use. The Council Member also asked if the issue of broadcasting the Council meetings by Comcast had been corrected. City Manager responded that he was actively working on the matter but the issue was not resolved. He asked the court date for the acceptance of the ADA Transition Plan and who could attend. Council Member Hilst raised the question of an advertisement for an Assistant City Engineer and Ms. Esker explained the position had been budgeted but not filled previously with a qualified person. With the Engineering Tech now open also she thought she would readvertize. The City Engineer also advised that she would obtain an easement from the nearby church to begin addressing Mr. Pogioli's stormwater drainage concerns onto his property.
Council Member Abel the ADA did not look for the City regarding the major financial impact from the lawsuit but wanted to set the record straight in response to Facebook comments.
Council Member Orrick expressed concern that there were blocked sidewalks as a result of the fencing remaining infront of the County's demolished properties downtown. He requested that the Public Works Director provide a complete plan for summer work in the street department. The Mayor suggested that such a report be placed on the City website as informational for the public in which areas where streets were being repaired. Council Member Onken commended the department for the great job on the streets.
Council Member Nutter questioned the status of correcting the electronic voting function of the CivicClerk software. Regarding matters of mowing the Council was told the different contracted companies assigned areas have now been clarified. Council Member Nutter was informed that Council would begin receiving reports from the newly formed Finance Committee next month.
Mayor Burress reminded the Council they would meet next on Tuesday May 28, 2024 because of the holiday and that Council group photo would be taken prior to the meeting. She also announced the special Event at the Riverfron Twisted Cat Saturday May 25, 2024 and a Memorial Day ceremony at the Pavilion.

Executive Session 5 ILCS 120/2 (c)

Adjourn

There being no further business to come before 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 8:46 PM.