



PROCEEDINGS OF THE SPECIAL 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 FEBRUARY 20, 2023 AT 3:00 O'CLOCK P.M.
MAYOR PRO TEM BECKY CLOYD PRESIDING

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Nutter.

CALL TO ORDER

Notice of a Special City Council Meeting was properly posted and received by the Council Members on February 17, 2023. The purpose of the meeting was to consider New Business item Resolution No. 544-22/23.

All Members were present for roll call except Council Member Hilst who was absent. A quorum was declared.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Absent	2:36 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	2:34 PM
Dave Nutter	City of Pekin	Councilman	Present	2:34 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	2:35 PM
Lloyd Orrick	City of Pekin	Council Member	Present	2:35 PM
John P Abel	City of Pekin	Councilman	Present	2:34 PM

APPROVE AGENDA

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

PUBLIC INPUT

No Public Comment was received.

NEW BUSINESS

- 5.1. Resolution No. 544-22/23 Authorizing Mayor Pro Tem to Sign All Contracts Approved by the City Council**
Council was advised that Resolution No. 350-21/22 approved the purchase of a new fire engine and authorized the Mayor to take such action as necessary to carry out the purchase. The City intended to secure a loan from HUD to be repaid from the City's CDBG entitlement funds. Due to the vacancy in the office of the Mayor it was necessary for the City Council to appoint another official to sign loan documents in the Mayor's place. Resolution No. 544-22/23 provided for

Becky Cloyd as Mayor Pro Tem be authorized to execute necessary documents and to execute all contracts approved by the Council until the vacancy in the Office of the Mayor was filled by appointment or election. Authority would be retroactively applied to contracts after January 9, 2023.

Council Member Nutter asked Corporation Counsel to elaborate on an opinion regarding the authority of a mayor pro tem. Attorney Swise read Section 3.1-35-35 of the Municipal Code which Council was told applied where the mayor was temporarily absent to perform official duties and 3.1-10-50 which provided for the election of an acting mayor to fill a vacancy. In addition, City Code Section 2-2-2-1-1 Presiding Officer and Resolution No. 22-07/08 established procedures for appointing a mayor pro tem annually. The scope of the mayor pro tem's authority to make appointments, act as liquor commissioner, etc. was not spelled out. The resolution before the Council would clarify the mayor pro tem's authority and the attorney's certification to HUD to complete documents necessary for the purchase.

Questions and concerns of the Council followed. Council Member Nutter requested that the City Code regarding presiding officer be cleaned up.

Council Member Hohimer spoke in opposition to the resolution that the Mayor Pro Tem had superseded her powers. Council Member Hohimer stated she would be voting no.

Mayor Pro Tem Cloyd spoke that it was unfortunate that some members preserved the resolution before them as a power grab. Council Member Orrick called for point of order.

Interim City Manager advised the Council that the City would be out of compliance with the Department of Housing and Urban Development by March 1, 2023 if money was not drawn down. Attorney Swise advised that she felt more confident in certifying to HUD if Council adopted the resolution.

Council Member Nutter asked for confirmation that the provisions of the resolution also gave retroactive authority and the changes to dimensions only in a previous agreement signed by Mayor Luft with Greenfield for the Salt Barn could now be signed by Mayor Pro Tem Cloyd.

Following the vote count of 3 Ayes and 2 Nays Attorney Swise noted the provisions of the City Code for majority votes Section 2-2-2-1-2 that the affirmative vote of four members shall be necessary to adopt any motion, resolution or ordinance.

RESULT:	FAILED [3 TO 2]
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Dave Nutter, Becky Cloyd, Lloyd Orrick
NAYS:	Karen Hohimer, John P Abel
ABSENT:	Rick Hilst

ADJOURN

There being no other business to come before the Council, motion was made by Council Member Orrick, seconded by Council Member Abel to adjourn. On voice call vote all present voted Aye. Motion carried.

Mayor Pro Tem Cloyd adjourned the meeting at 3:18 p.m.