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

Pledge of Allegiance - Led by Tazewell County Board Chairman David Zimmerman

The Pledge of Allegiance was led by Tazewell County Board Chairman David Zimmerman.

Call to Order

Deputy City Clerk, Ms. Nicole Stewart, confirmed all Council Members were physically present and logged in except for Council Member Orrick who was absent. Also absent was City Clerk, Ms. Sue McMillan.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Council Member	Present	5:30 PM
Karen Hohimer	City of Pekin	Mayor Pro Tem	Present	5:30 PM
Dave Nutter	City of Pekin	Council Member	Present	5:30 PM
Mary Burress	City of Pekin	Mayor	Present	5:30 PM
Lloyd Orrick	City of Pekin	Council Member	Absent	--:-- 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 Dave Nutter
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Hilst, Mayor Pro Tem Hohimer, Council Member Onken

Approval of Minutes

RESULT:	**PASSED (UNANIMOUS)**

MOVER:	Council Member Dave Nutter
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Hilst, Mayor Pro Tem Hohimer, Council Member Onken
ABSENT:	Council Member Lloyd Orrick

4.1. City Council - Regular Meeting - November 12, 2024 5:30 PM

Public Input

No Public Input was received.

Consent Agenda

Council Member Hohimer requested Consent Agenda Item 6.5 be removed from the Consent Agenda and placed under New Business.

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

6.1. Accounts Payable To Be Paid Proof List thru November 15, 2024

6.2. Financial Reports October 2024

6.3. Annual Report Pekin Public Library

6.4. Ordinance No. 4255-24/25 Approving A Special Use Request Submitted By Core Pekin LLC for the Operation of a Drive-Through Pick-Up Lane at 3440 Court Street (Case SU 2024-11)

6.6. Ordinance No. 4257-24/25 Approving a Rezoning Request Submitted by the City of Pekin from I-1 Light Industrial to I-2 General Industrial for the Property Located at 300 Hanna Drive.(Case RZ 2024-05)

6.7. Ordinance No. 4258-24/25 Approving Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the Request is to Subdivision VII.- I-2 General Industrial District (Case ZTA 2024-01)

6.8. Ordinance No. 4259-24/25 Approving Zoning Text Amendment to the

City of Pekin Zoning Ordinance. Specifically, the Request is to Create Subdivision X.– Riverway Business Park Overlay District (Case ZTA 2024-02)

6.9. Receive and File Quotes for Website Services

Communications, Petitions, Reports

7.1. Tazewell County Annex Project Update - County Board Chair David Zimmerman

County Board Chair David Zimmerman provided an update on the Tazewell County Annex Project, which has been in development for 3.5 years. He presented a site plan and expressed gratitude for Pekin's partnership throughout the process, emphasizing the value of maintaining strong relationships. Mr. Zimmerman detailed the four-story structure's design: probation offices in the basement; two courtrooms, including a high-traffic courtroom, and a clerk’s office on the first floor; the State's Attorney’s office and a third courtroom on the second floor; and a shell space on the fourth floor for future development of a jury room and three additional courtrooms. The project, initially approved at $44 million, is now projected at just over $41 million, with groundbreaking expected in March 2025 and completion by Spring 2027. A tunnel will connect the annex to the existing Justice Center, enhancing security by eliminating public contact with individuals in custody. Mr. Zimmerman described the building's design, which incorporates red brick and white stone to harmonize with existing downtown architecture.

The Mayor commended the project for improving downtown security and thanked Mr. Zimmerman for his leadership.

Council Member Hilst inquired about the detention pond and building entrances, with Mr. Zimmerman and City Engineer Josie Esker clarifying site plan details and confirming that the public entrance will be on Capitol Street, with employee entrances and a loading dock at the rear.

Unfinished Business

8.1. Resolution No. 209-24/25 Approving Funding Agreement with IDOT for Veterans Drive Engineering from Sheridan to I-474

RESULT:	**PASSED (5 TO 1)**
MOVER:	Council Member Rick Hilst
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Mayor Pro Tem Hohimer, Council Member Onken
NAYS:	Council Member Hilst

ABSENT:	Council Member Orrick

The Council considered Resolution No. 209-24/25, which approves a funding agreement with the Illinois Department of Transportation (IDOT) for engineering work on the final sections of Veterans Drive, from Sheridan Road to I-474. The resolution accepts $4 million in community project grant funding, secured with the support of Representative Darren LaHood, contingent upon the city committing an additional $5 million to complete the project. Staff recommended approval, and City Engineer Josie Esker was available to address questions.

Council Member Nutter expressed concerns about the budget, noting that only $197,000 remains for engineering funds with six months left in the fiscal year. He drew attention to recurring engineering costs for other projects like Derby Street and questioned whether funds might run out or exceed budget. Economic Development Director Josh Wray clarified that some expenses need to be reclassified under budgeted TIF and BDD engineering funds, meaning the current balance does not reflect the full budgeted amount. He assured the Council that the budget remains accurate and adjustments will be made in the accounting system.

Ms. Esker added that the project is a multi-year endeavor and only a portion of the funding was budgeted for this year. She expects the City to stay within the $197,000 limit for 2024, as engineering agreements are unlikely to be finalized before January.

Council Member Nutter noted that additional budgeting might be required in fiscal years 2026 and 2027, to which Ms. Esker agreed, explaining that the project timeline will dictate future budget allocations.

New Business

9.1. Ordinance No. 4260-24/25 Loan Authorizing Ordinance for CSO Improvement Project

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

The council discussed Ordinance No. 4260-24/25, a loan authorizing ordinance for the CSO (Combined Sewer Overflow) Improvement Project. City Engineer Josie Esker introduced the ordinance, noting it is required by the EPA to secure a low-interest loan for the project's full cost. The proposed ordinance seeks $26 million, which includes the project's bid amount, engineering services, and contingency funds. Ms. Esker emphasized the importance of the loan's 1.87% interest rate, which could save taxpayers significant interest costs over the loan's 20-year term.

Finance Director Eric Dubrowski estimated total interest costs at $5.3 million, bringing the total cost of the loan to $31.3 million over its term. Council Member Hilst sought clarification on the scope of the project, noting references to previous phases and confirming that this ordinance covers phases III-B and III-C. Engineer Mike Lutz of Farnsworth Group explained that phase IV was completed years ago, and the CSO Improvement Project will be finalized with the completion of the current phases.

Council Member Hilst questioned the inclusion of contingencies, which total approximately $1.2 million above the project's minimum loan requirement of $24.79 million.

Ms. Esker and City Attorney Jim Vasselli clarified that the ordinance authorizes borrowing up to $26 million as a precaution but does not mandate using the full amount. This approach ensures flexibility to cover unforeseen expenses while securing the favorable loan rate.

Council Member Nutter inquired about the source of additional funds beyond the original $17 million authorized in 2019. Ms. Esker confirmed that the City will request the additional loan amount, which will cover construction, engineering, and related services.

9.2. Resolution No. 214-24/25 Awarding CSO Project Phase 3B & 3C to Stark Excavating

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

The Council reviewed Resolution No. 214-24/25, which authorizes awarding the CSO Improvement Project Phases 3B and 3C to Stark Excavating, Inc., pending Illinois Environmental Protection Agency (EPA) approval of the bid and loan funding. City Manager John Dossey outlined the project, which includes substantial upgrades to the State Street lift station and the installation of a large-diameter pipe connecting State Street to the

Wastewater Treatment Plant. These improvements aim to significantly reduce combined sewer outflows into the river during heavy rain events. Mr. Dossey emphasized that the City's Wastewater Treatment Plant is designed to accommodate this additional flow, aligning with the EPA's long-term control plan requirements.

The City issued a request for bids on September 12, 2024, with bids due by November 6, 2024. Stark Excavating submitted the only bid, totaling $19,993,346 for the base project, including alternate items. Mr. Dossey noted that an evaluation by the Farnsworth Group determined the bid meets the criteria for a responsive and responsible bidder under EPA guidelines. Approval of the resolution would allow the bid documentation to be submitted to the EPA for final review. Staff also requested construction contingency spending authority of 3% ($599,830.08) for the City Engineer to address unforeseen project needs.

Council Member Hohimer noted that reducing sewer overflows will enhance the river's cleanliness, creating opportunities for future development along the riverfront, such as restaurants, while improving the area's overall appeal.

9.3. Resolution No. 215-24/25 Approving Website Implementation and Hosting Services and Authorizing the City Manager to Enter into a Service Agreement with CivicPlus

RESULT:	**PASSED (5 TO 1)**
MOVER:	Council Member Chris Onken
SECONDER:	Mayor Pro Tem Karen Hohimer
AYES:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Mayor Pro Tem Hohimer, Council Member Onken
NAYS:	Council Member Hilst
ABSENT:	Council Member Orrick

The Council considered Resolution No. 215-24/25, which approves website implementation and hosting services with CivicPlus and authorizes the City Manager to enter into a service agreement. City Manager John Dossey introduced the resolution, with reminders of ongoing concerns from the community, staff, and Council regarding the current website's functionality and ease of use. Mr. Dossey noted that a committee had been formed to explore options, leading to the decision to build a new website from the ground up.

Economic Development Director Josh Wray provided an overview of the selection process and the recommendation of CivicPlus. He explained that while the current website's front-facing appearance is adequate, its back-end functionality is problematic, making it difficult for staff to manage and update.

The committee evaluated six vendors, with quotes received from five, ultimately focusing on CivicPlus and Apptegy. CivicPlus was recommended for several reasons: its capability to create a new website architecture, direct integration with CivicClerk and Municode systems for enhanced search functionality, and robust features such as emergency alert notifications and meeting updates.
Mr. Wray also detailed the financial considerations. CivicPlus proposed a base annual cost of $12,142, with prorated expenses for the first year and $8,600 in implementation costs, payable over three years. The total three-year cost of CivicPlus is $42,781, approximately $5,100 higher than Apptegy's quote. However, CivicPlus offered greater functionality and integration features, justifying the additional expense. Staff also negotiated significant discounts, lowering CivicPlus's original quote substantially. Mr. Wray emphasized the importance of selecting a provider that would best meet the city's long-term needs and provide a seamless user experience for both staff and the public.

9.4. Resolution No. 216-24/25 Authorizing the Purchase of School Bus Radio Air Time with Radi Link Inc.

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

The Council considered Resolution No. 216-24/25, authorizing the purchase of school bus radio airtime with ReadyLink Inc. for the 2024–2025 school year, covering the period from September 1, 2024, to August 31, 2025. City Manager John Dossey explained that this purchase ensures the continued operation of 110 radios used in city buses and at schools. He noted that the City had switched to ReadyLink Inc. the previous year under Resolution No. 36-23/24. The invoice includes a 13% tax, which reflects the simplified municipal telecommunications tax, as the city is exempt from other sales taxes.

Council Member Nutter questioned the timing of the invoice's presentation, noting that it was received on August 1, yet had not been paid, despite a 30-day term. Bus Supervisor Saskia acknowledged the delay, apologized for the lapse, and confirmed that no interest had accrued on the unpaid invoice.

Council Member Hilst raised concerns about the inclusion of such expenses in the City's contracts with school districts, which expire in June 2026. He reiterated his position that all transportation related expenses, including radio airtime, should be fully reimbursed by the school districts. While he acknowledged the importance of maintaining safety for the children, Council Member Hilst emphasized the need to include such costs in future contract negotiations. He expressed frustration but stated he would support the resolution reluctantly to ensure the continued safe transport of students.

9.5. Resolution No. 217-24/25 Approving an Intergovernmental Agreement for Transit Services with Greater Peoria Mass Transit District (CityLink)

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

The Council considered Resolution No. 217-24/25, approving an intergovernmental agreement (IGA) with Greater Peoria Mass Transit District (CityLink) for transit services. City Manager John Dossey explained that this agreement renews the city's partnership with CityLink to provide public transportation services for Pekin. CityLink will operate the transportation system, maintain vehicles, and provide services under the agreement. Pekin will pay a quarterly fee, not exceeding $210,000 annually, and will maintain bus stops within the city. The agreement is set to run through June 30, 2025.

Exhibit 1 of the agreement outlines the service details:

- Service operates Monday through Friday from 7:45 a.m. to 5:40 p.m.
- The Pekin-to-Peoria Connector route runs 12 times daily, while the Pekin North and South routes each run 11 times daily.
- CityLink also provides a complementary ADA paratransit service within ¾ of a mile of the routes.CityLink reports approximately 100,000 annual rider trips on the Pekin routes, with the Pekin-to-Peoria Connector achieving an on-time performance rate of 78%, while the North and South routes have a 90% on-time rate.

City staff recommended approval of the resolution, emphasizing the importance of maintaining accessible and reliable transit services for the community.

6.5. Ordinance No. 4256-24/25 Approving a Special Use Request Submitted by Hawk-Attollo LLC on Behalf of Tazewell Lutheran School for the Installation and Operation of a Ground Mounted Community Solar Garden at 3219 Court Street.(Case SU 2024-12)

RESULT:	**FAILED (1 TO 5)**

MOVER:	Mayor Pro Tem Karen Hohimer
SECONDER:	1st Alternate Mayor Pro Tem John Abel
AYES:	Council Member Hilst
NAYS:	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Mayor Pro Tem Hohimer, Council Member Onken
ABSENT:	Council Member Orrick

The council reviewed Ordinance No. 4256-24/25, a special use request from Atollo LLC on behalf of Tazewell Lutheran School for the installation and operation of a ground-mounted community solar garden at 3219 Court Street. The proposed solar garden would serve the school and its congregation, with excess energy available to subscribing members.

City Manager Dossey introduced the ordinance, deferring to Chief Building Official Nic Maquet to detail the Zoning Board of Appeals' (ZBA) recommendation. Mr. Maquet explained that the ZBA unanimously recommended approval, noting the plan includes a 6-foot chain-link fence with privacy slats along Court Street, while the solar panels would tilt up to a maximum height of 9 feet. The project also plans to maintain the front portion of the lot for potential future development and include a pollinator garden beneath the panels.

Council Member Hohimer expressed concerns regarding the project's aesthetics, citing its location on Court Street—a key area undergoing revitalization to attract businesses. She opposed the installation of solar panels at ground level, suggesting they be placed on the roof instead.

Council Member Abel questioned the condition of the school's roof, noting its current disrepair as the reason for not mounting the panels. He suggested roof repairs be prioritized before pursuing solar panel installation.

Council Member Nutter raised the issue of potential precedent-setting, questioning whether denying this request could conflict with future applications for similar projects. He also expressed concerns about aesthetics and the broader implications of approving the request.

Council Member Hilst highlighted visibility concerns, noting that the proposed 6-foot fence would not completely obscure 9-foot-tall panels and that only the Court Street-facing fence would include privacy slats.

Council Member Hilst motioned to amend the ordinance to require a 10-foot fence with slats on all sides for improved screening. His motion to amend failed due to a lack of a second.

Any Other Business To Come Before The Council

City Manager John Dossey commented on the progress on Court Street, mentioning the positive changes made. City Engineer Josie Esker reported that striping on Court Street, from Stadium Drive to Hilltop, is almost complete, with remaining work on manholes scheduled for after Thanksgiving. She outlined upcoming projects for next year, including segments from Stadium Drive to Route 10 and 8th to 10th, which have been divided into smaller sections to facilitate grant funding. Land acquisition for the next phase is still in progress, with ten properties awaiting finalization. Ms. Esker anticipates calling a special meeting before the December 3 deadline for state letting to avoid delays, although she noted complications with some property agreements.

Council Member Nutter expressed appreciation for addressing the manhole cover issue, while Council Member Abel commended the communication efforts keeping residents informed.

Economic Development Director Josh Wray provided updates on the Luttickan annexation, expected to conclude in the first quarter of 2025, and on wastewater operations, which include implementing new flow meters for improved accuracy.

Council Member Hilst asked about the reliability of the City’s current meters, and Ms. Esker explained that the city’s equipment is less precise compared to neighboring systems.
Council Member Hilst raised concerns about the City Attorney's agreement not being presented to the Council for approval. City Manager Dossey explained that City Code allows the City Manager to appoint legal counsel without Council approval and that this agreement, categorized as an engagement rather than a contract, adheres to procurement policies and historical precedent.

Council Member Hilst questioned why agreements involving taxpayer dollars do not come before the Council, citing other instances of Council oversight on spending. City Attorney Jim Vasselli clarified the nature of the agreement and affirmed that it complied with the City's code.

Council Member Hilst requested adding an action item to the next agenda for a referendum on a 1% grocery tax in April, which Council Member Nutter seconded. City Attorney Jim Vasselli confirmed that such a referendum would be advisory.

Council Member Nutter also inquired about the bonding and swearing-in of the new city attorney. City Attorney Jim Vasselli assured the council that E&O insurance is in place and offered to be sworn in if necessary.

Mayor Burress concluded by reminding the council of upcoming holiday events, including Winter Wonderland on December 1, and Christmas on Court on December 6.

Executive Session 5 ILCS 120/2 (c)

Mayor Burress stated that there would be no Executive Session.

Adjourn

There being no further business to come to the Council a motion was made by Council Member Nutter seconded by Council Member Abel to adjourn the meeting. Motion carried viva voice vote. Mayor Burress adjourned the meeting at 7:00 PM.