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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 DECEMBER 12, 2022 AT 5:30 O'CLOCK P.M.
MAYOR MARK LUFT PRESIDING

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Nutter.

CALL TO ORDER

City Clerk Sue McMillan confirmed all Councilmembers were present. Mayor Luft called the meeting to order at 5:32 PM.

Attendee Name	Organization	Title	Status	Arrived
Rick Hilst	City of Pekin	Councilman	Present	5:08 PM
Karen Hohimer	City of Pekin	Councilwoman	Present	5:10 PM
Dave Nutter	City of Pekin	Councilman	Present	5:09 PM
Becky Cloyd	City of Pekin	Mayor Pro tem	Present	5:09 PM
Lloyd Orrick	City of Pekin	Council Member	Present	5:08 PM
John P Abel	City of Pekin	Councilman	Present	5:10 PM
Mark Luft	City of Pekin	Mayor	Present	5:09 PM

APPROVE AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

APPROVAL OF MINUTES

4.1. City Council - Regular Meeting - Nov 28, 2022 5:30 PM

PUBLIC INPUT

Matthew Johnson spoke regarding the election lottery on December 5, 2022 and discussed why an engineer should be represented on the Council.

John McNish spoke regarding property around Route 98, the 300 block of Court Street, the pension fund, overdue audits, roads, city owed fines and fees pertaining to the proposed real estate tax.

Roger Grier spoke about racism and Pastor Charles Everly. Mr. Grier provided Council with a flash drive with videos of the pastor and son Caleb Antenore.

CONSENT AGENDA

Councilmember Hilst requested that Consent Agenda Item 6.11 Ordinance No. 4030-22/23 Special Use Request at 706 Court Street be pulled and moved to New Business Item 8.16.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Becky Cloyd, Mayor Pro tem
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

6.1. 2023 Schedule of Council Meetings

6.2. Resolution No. 510-22/23 Mayor's Appointment of Jill Davis to the Pekin Housing Authority Board to Fill the Unexpired Term of Karl Jordan until January 14, 2026

6.3. Accounts Payable To Be Paid Proof List thru December 09, 2022

6.4. Financial Reports October 2022 FY23

6.5. Financial Reports September 2022 FY23

6.6. Police Department Stats - November 2022

6.7. Fire Department Monthly Incidents- November 2022

6.8. Greater Peoria Mass Transit District FY2022 Annual Audited Financial Statements

6.9. Ordinance No. 4028-22/23 Variance Request at 1906 St. Clair Drive

6.10. Ordinance No. 4029-22/23 Variance Request at 1011 and 1013 N 2nd Street

PRESENTATION

7.1. Chris Setti - Greater Peoria Economic Development Council

Mr. Chris Setti representing the Greater Peoria Economic Development Council spoke about their mission and the marketing provided for Pekin.

NEW BUSINESS

8.1. Ordinance No. 4031-22/23 Rezoning Request at 1607 Charlotte Street (Case RZ 2022-09)

Planning and Zoning Administrator Hannah Martin, presented the request to Council to approve and adopt an ordinance rezoning the property from R-4 One Family Residential District to OS-1 Office Service District. The applicant, Claude Nattier, requested the rezoning of the property so that the business, Alexander's Tax Service, could continue to operate at the same location as the business had violated code stipulations. Ms. Martin continued to explain that the Zoning Board of Appeals recommend denial at their November 30, 2022 meeting and recommended the City exercise its discretion in enforcing the parts of the code that would result in forced removal of the business until October 1, 2023.

Council expressed concern allowing the business to remain open until October 1, 2023.

City Attorney, Ms. Kate Swise, stated that it was the City's discretion to shut down the business sooner.

Mayor Luft suggested through the end of March 2023.

Ms. Martin explained that October was recommended to get them through the tax season.

Councilmember Hohimer stated that she had concerns about traffic and the children in the neighborhood.

Economic Development Director, Mr. Matt Fick, stated that he thought that the business had a building in mind.

It was the consensus of Council to work with the business until they could find a new location.

Ms. Swise added that compliance would be done on the administrative side and that the motion was only to approve or deny the ordinance.

Councilmember Abel stated that he felt the business was growing and was too big for the area.

Pauline Filarski spoke stating that she had lived in her home on Charlotte Street for 65 years and stated when Barb had her tax accounting business it was very small but now the traffic had gotten out of hand and did feel it was appropriate to have a business in the neighborhood.

RESULT:	**FAILED [0 TO 7]**
MOVER:	Dave Nutter, Councilman
SECONDER:	John P Abel, Councilman
NAYS:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

8.2. Ordinance No. 4032-22/23 An Ordinance Regarding the Establishment of Food Pantries in Residential Zones

Planning and Zoning Administrator, Ms. Hannah Martin, presented the request to Council to approve and adopt an ordinance amending Sec. 4-3-5-2-2 of the City Code to allow food pantries, food banks, donation centers and other similar enterprises on any lot whose primary structure was used as a residential dwelling to the list of prohibited home occupations in residential zoning districts. Ms. Martin stated that the Zoning Board of Appeals recommended approval at the November 30, 2022 meeting.

CDBG Program Manager, Mr. Dave Bess, added that the food pantry on Sheridan Road had prompted issues as the code did not address the topic. Staff had therefore started a process to amend the code to reflect that concern.

Ms. Martin added that the language in the code included an occurrence of more than four times per calendar year to be defined as a food pantry.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dave Nutter, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

8.3. Ordinance No. 4033-22/23 Abatement of Taxes on WWTP Bonding of $4,385,000 (Ordinance No. 2870-19/20)

Interim City Manager, Mr. Bruce Marston, presented the request to Council to approve and adopt an ordinance regarding the abatement of taxes on the WWTP bonds. Mr. Marston explain ed that the City's G.O. Series 2010 Bond Issue was refinanced February 10, 2020 via Ordinance 2870-19/20. The refinancing ordinance had language making the assumption that the City's property tax levy would be necessary to provide the funding for the payment of principal and interest on the bond. Mr. Marston continued stating that the City had sufficient sources of funds from other revenue sources, such as the Sewer/Wastewater Treatment Plant Enterprise Fund, to make the bond payment. Therefore, Mr. Marston, felt that it was not necessary to utilize the collection of that direct annual tax for payment and needed to be abated and not levied against taxable real property in the City.

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

8.4. Ordinance No. 4034-22/23 An Ordinance Making, Levying and Assessing Municipal Taxes in the City of Pekin, Tazewell and Peoria Counties, Illinois, for the Fiscal Year from May 1, 2022 to April 30, 2023 and Known as the Annual Levy Ordinance

Interim City Manager, Mr. Bruce Marston, presented the request to Council to approve and adopt an ordinance the annual levy ordinance Fiscal Year from May 1, 2022 to April 30, 2023. Mr. Marston stated that the proposed 2022 Levy would provide for the collection of $6,319,723 in property taxes in 2022 for the fiscal year ending April 30, 2023. All property tax revenues generated through the City's portion of the levy would be dedicated to public safety pension costs and obligations. Staff recommended approval.

Mr. Marston added that the EAV increased $16M mostly on residential property.

Councilmember Orrick confirmed that 105% was still being generated toward police and fire pensions.

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

Motion to: **Omnibus Vote for Items 8.5 thru 8.8 regarding the Approval of Side Letters of Agreement with the Collective Bargaining Agreements**

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Lloyd Orrick, Council Member
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hohimer, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Rick Hilst, Dave Nutter

8.5. Resolution No. 511-22/23 Approving a Side Letter Agreement Between the City of Pekin and the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 627 Regarding an Amendment to the Street Department Collective Bargaining Agreement

8.6. Resolution No. 512-22/23 A Resolution Approving A Side Letter Of Agreement Between The City of Pekin and the International Brotherhood Of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 627 (General Employee Unit) Regarding an Amendment to the General Employee Unit Collective Bargaining Agreement of September 14, 2020

8.7. Resolution No. 513-22/23 A Resolution Approving a Side Letter of Agreement Between the City Of Pekin and the International Brotherhood Of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 627 Regarding an Amendment to the Solid Waste Collective Bargaining Agreement

8.8. Resolution No. 514-22/23 A Resolution Approving a Side Letter of Agreement Between the City of Pekin and the International Brotherhood of Teamsters,

Chauffeurs, Warehousemen and Helpers of America, Local Union No. 627 Regarding an Amendment to the Wastewater Treatment Collective Bargaining Agreement

8.9. Resolution No. 515-22/23 Amending Employee Handbook Regarding Spousal Carve Out

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve and adopt a resolution amending the Employee Handbook to remove the provision of the spousal carve out.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
ABSTAIN:	Rick Hilst

8.10. Resolution No. 516-22/23 Authorization for Upgrades of Airport Terminal Building and Main Hangar

Interim City Manager, Mr. Bruce Marston, presented the request to Council to approve and adopt a resolution authorizing upgrades to the Airport Terminal Building and Main Hangar for sandblasting. Mr. Marston advised that the dollars budgeted for access gates at the airport would be better spent on sandblasting as the gates had been repaired.

Acting Airport Manager, Mike Cruce, stated that the project was put out for bid last year to reside and reskin the main terminal building, but bids came in above budget and no bids were awarded. Estimates were received for painting and sandblasting of the main building.

Councilmember expressed concerns that the temporary fix on the gates was not sufficient and should be replaced.

Mike Cruce stated that he had received parts to repair the gates and now utilize a barrel system as the card reader did not work, but they would need to be addressed in the future.

Mr. Cruce explained that two estimates were received but would start the process to go out for RFP if approved. One bid was received for sandblasting quoting $30K and another bid for painting that was quoted another $30K.

Mr. Marston added that the $60K was not coming out of the budget but out of the same line item only for a different project.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Abel, Luft
NAYS:	Lloyd Orrick

8.11. Resolution No. 517-22/23 Approve Relocation Costs Associated with Court Street Land Acquisition

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve and adopt a resolution approving the relocation costs associated with the Court Street Land Acquisition. Mr. Marston explained that there were three properties at 2201 Court Street, 2211 Court Street, and 2213 Court Street that would require six tenants to be relocated. All the properties would be demolished as part of the Court Street Rehabilitation Project. Mr. Marston continued to explain that per the IDOT Relocation Assistance guide, the City was responsible for paying moving costs associated with relocating those tenants, estimated at $18,000. If the City could not find a available, similar and attainable replacement property for each tenant, the City would be responsible for paying a rent supplement for 42 months with an estimated cost of up to $65,000 for all six renters. Mr. Marston added that the resolution was to only approve costs associated with renters and that there would be additional costs associate with purchasing and demolishing the buildings.

City Engineer, Ms. Josie Esker, explained that the City was required to demo properties on Court Street that were too close to the road when the sidewalk gets widened. The City is required to pay moving costs and rent differential when forcing them to move. Ms. Esker added that local funds would be used.

Councilmember Orrick discussed the state budget and how it could only be used for construction costs.

Council continued asking questions regarding the details of the relocation of the renters.

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

8.12. Resolution No. 518-22/23 Approve Delmastro Plumbing Commitment

Interim City Manager, Mr. Bruce Marston, presented the agenda item to Council to approve and adopt a resolution to agree to reimburse the Delmastro Family Trust for the cost of installing new meters and water lines to the 2209 ½ and 2213 ½ Court St. residences in advance of the demolition for the Court Street Project.

City Engineer, Ms. Josie Esker, answered questions from Council stating that the investigation is ongoing as to whether the City would need to tie in to the sewer or piggyback off an existing line during demo.

Councilmember Hilst questioned the current building code violation for not having separate water meters.

Chief Building Official, Mr. Nic Maquet, explained that no tickets had been issued.

Ms. Esker added that issuing a violation to someone that the City is trying to negotiate the purchase of the property and demolishing the building is not good for negotiations.

Ms. Esker continued answering questions from Council stating that the City was still waiting on appraisals of the properties but the contractors were eager to get started before the ground froze.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Karen Hohimer, Councilwoman
SECONDER:	John P Abel, Councilman
AYES:	Hohimer, Nutter, Cloyd, Orrick, Abel, Luft
NAYS:	Rick Hilst

8.13. Resolution No. 519-22/23 Authorizing the Purchase of Additional Garbage and Recycle Carts

Interim City Manager, Mr. Bruce Marston, presented the request to approve and adopt a resolution authorizing the purchase of 510 garbage carts and 60 recycle carts for the Solid Waste Division of Public Works. The purchase of the carts will be made from Cascade Engineering, utilized through the Sourcewell contract. A ten year warranty was included.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

8.14. Resolution No. 520-22/23 2023 Tazewell County Animal Control Agreement

Interim City Manager, Mr. Bruce Marston, presented the request to Council to approve and adopt a resolution renewing the annual agreement with Tazewell County Animal Control to provide animal and rabies control services to the City of Pekin. Mr. Marston explained that the cost had a 2% increase in the 2022 contract and would have a 6% increase in the new contract with some costs being recouped through the adjudication process.

Police Chief John Dossey added that the police department would now be issuing tickets within the city limits.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Rick Hilst, Councilman
SECONDER:	Becky Cloyd, Mayor Pro tem
AYES:	Hilst, Hohimer, Nutter, Cloyd, Orrick, Abel, Luft

8.15. Resolution No. 521-22/23 Approving the Expenditure of Budgeted Funds For Replacing City of Pekin Network Equipment

Interim City Manager, Mr. Bruce Marston, presented the agenda item to approve and adopt a resolution approving the purchase of a full lift of Network Equipment and replacement with a different brand.

Network Support Administrator, Mr. David Hess, explained that the lift would take place one location at a time. Mr. Hess added that what was spent to replace core switches was enough to replace all network gear and do a total lift. Up until 5 years ago there was only one vendor.

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

8.16. Ordinance No. 4030-22/23 Special Use Request at 706 Court Street

Planning and Zoning Administrator, Ms. Hannah Martin, presented the request to Council allow a special use for a drive-thru at 706 Court Street. Ms. Martin stated that the request came from St. Vincent DePaul of Pekin and requested the special use for a food pantry with a drive thru as their building was too small. The Zoning Board of Appeals heard the request at their November 30, 2022 meeting and recommended approval.

Councilmember Hilst expressed concerns regarding whether vehicles could enter and exit onto Court Street, whether letters were sent to residents and their hours.

Ms. Martin answered Councilmember Hilst's questions explaining that the drive thru was only 12 feet wide, that letters had been sent to residents and they had limited business hours. Ms. Martin also stated that the funeral home would manage in the event of a funeral service.

Carl Powell, President of St. Vincent DePaul, explained that a new Parish Center was being build and that the food pantry would only be open 3 days a week, Monday thru Friday from 8am-3pm. Trucks would come to unload but not every week. Recipients would not be allowed to exit their vehicles and those on motorized bikes would be provided with bags or their own shopping carts. Mr. Powell did not anticipate any issues.

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

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Human Resources Director, Ms. Diana Pavley-Rock, updated Council regarding the City Manager applications. Ms. Pavley-Rock stated that 35 applications had been received and provided to Council. Ms. Pavley-Rock requested direction from Council to renew the job postings for the City Manager position with IML and ICMA that were due to expire January 7, 2023. Council gave consensus to renew the postings.

Councilmember Hohimer questioned the person responsible for remapping Pekin for garbage, recycling and solid waste. Ms. Esker answered that the new Public Works Director would be the point of contact.

Interim City Manager, Mr. Bruce Marston, added that the Public Works Director position was still open and candidates were being reviewed.

Councilmember Cloyd, Councilmember Orrick and Mayor Luft questioned the Executive Session procedures pertaining to Public Input.

Mayor Luft thanked the Pekin Chamber of Commerce, volunteers and vendors for the Christmas on Court event.

9.1. Motion to: **Motion to cancel the regularly scheduled meeting of December 26, 2022**

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

EXECUTIVE SESSION 5 ILCS 120/2 (C) 6. SETTING PRICE FOR SALE OF PROPERTY AND 5. PURCHASE OF PROPERTY

A motion was made by Councilmember Abel seconded by Councilmember Hohimer to move into Executive Session to discuss 5 ILCS 120/2 (c) 6. Setting Price for Sale of Property and 5. Purchase of Property at 7:48 PM. Motion carried voice vote.

Mayor Luft announced that action would be taken after Executive Session.

NEW BUSINESS CONTINUED

11.1. Ordinance No. 4035-22/23 Sale of Municipally Owned Property Between Brenkman Drive and Route 98

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	John P Abel, Councilman
SECONDER:	Karen Hohimer, Councilwoman
AYES:	Hilst, Hohimer, Nutter, Cloyd, Abel, Luft
ABSTAIN:	Lloyd Orrick

ADJOURN

There being no further business of the Council, a motion was made by Councilmember Orrick seconded by Councilmember Hilst to adjourn the meeting. Motion carried viva voice. Mayor Luft adjourned the meeting at 9:50 PM.