



CITY OF PAXTON, FORD COUNTY, ILLINOIS

RESOLUTION NUMBER: _____

A RESOLUTION CENSURING ALDERMAN ROBERT PACEY
AND OTHER ACTIONS IN CONNECTION THEREWITH

ADOPTED BY THE CITY COUNCIL OF
THE CITY OF PAXTON, FORD COUNTY, ILLINOIS
THIS 14TH DAY OF OCTOBER 2025

PUBLISHED BY THE AUTHORITY OF THE CORPORATE AUTHORITIES
OF THE CITY OF PAXTON, FORD COUNTY, ILLINOIS
THIS 14TH DAY OF OCTOBER 2025

A RESOLUTION CENSURING ALDERMAN ROBERT PACEY
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WHEREAS, the City of Paxton is a municipal corporation and Non-Home Rule Unit of Local Government pursuant to the Constitution of the State of Illinois of 1970, as amended, (which, together with any successor municipal corporation or public body hereinafter designated by or pursuant to law, is hereinafter called “City”); and,

WHEREAS, Section 1–2–1 of the Illinois Municipal Code, 65 ILCS 5/1–2–1, provides that the Corporate Authorities of the City may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and,

WHEREAS, a censure is formal resolution of a City Council or other governing body, reprimanding a person, normally one of its own members, for specified conduct; and,

WHEREAS, in *Houston Community College System v. Wilson*, 595 U.S. 468 (2022), the United States Supreme Court held that a censure is a constitutionally-protected form of speech that a deliberative body may lawfully utilize to reprimand the conduct of one of its members; and,

WHEREAS, an alderman “occupie[s] a fiduciary relationship to the City”, *Chicago Park Dist. v. Kenroy, Inc.*, 78 Ill. 2d 555, 561 (1980) (citing *City of Chicago ex rel. Cohen v. Keane*, 64 Ill. 2d 559, 565 (1976)), which requires the alderman to act in a way that places the City’s interests above his or her own personal interests. *See, e.g., Faville v. Burns*, 2011 IL App (1st) 110335, ¶ 40; and,

WHEREAS, Alderman Robert Pacey was elected as Ward 3 alderman in 2023, to a four year term; and,

WHEREAS, in March 2025, a formal complaint was filed against Alderman Robert Pacey at his place of employment alleging that a violation of Title IX, Pub. L. 92–318, 86 Stat. 235, occurred pertaining to his interactions with a student; and,

WHEREAS, on June 6, 2025, Alderman Robert Pacey was named as a Defendant in lawsuit number 2025-LA-4, filed in Illinois Circuit Court in Ford County, Illinois; and,

WHEREAS, on July 7, 2025, Alderman Robert Pacey was named as a Defendant in lawsuit number 2025-LA-6, filed in Illinois Circuit Court in Ford County, Illinois; and,

WHEREAS, on August 11, 2025, Alderman Robert Pacey was named as a Defendant in lawsuit number 2025-LA-7, filed in Illinois Circuit Court in Ford County, Illinois; and,

WHEREAS, in each of the above-identified proceedings (collectively the “Lawsuits”), Pacey is alleged to have had inappropriate contact and/or interactions with minors at Alderman Pacey’s place of employment; and,

WHEREAS, the Lawsuits have become a matter of public concern locally and regionally; and,

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WHEREAS, Alderman Pacey has only attended two meetings of the Paxton City Council since March 2025, while the Title IX investigation and the Lawsuits have been underway; and,

WHEREAS, at one of the meetings Alderman Pacey attended, Alderman Pacey's presence caused disruption in the meeting and the City Council's disposition of City affairs, with one alderman walking out of the meeting in protest of Pacey's attendance; and,

WHEREAS, the members voting in approval of this resolution who did not leave that meeting did so solely to perform the duties that the voters of the City of Paxton elected them to perform; and,

WHEREAS, the residents and taxpayers of the City of Paxton are entitled to representation on the Paxton City Council, which includes having their Aldermen regularly attending the meetings of the Paxton City Council; and,

WHEREAS, the residents and taxpayers of the City of Paxton are entitled to representation from Aldermen whose attendance at a meeting is not a significant source of disruption of the City's affairs; and,

WHEREAS, Illinois law does not allow for the City Council to modify the term of office for an Alderman without first engaging in a time-consuming referendum process. *see* Ill. Const. 1970 art. VII, §§ 6(f), 7; *see also Henyard v. Vill. of Dolton*, 2016 IL App (1st) 153374, ¶¶ 20-22; and,

WHEREAS, the referendum process needed to empower the City to recall Alderman Pacey would not be completed prior to the expiration of Alderman Pacey's term of office; and,

WHEREAS, as a result, the City is presently of the understanding that it cannot remove Alderman Pacey from office in a manner that would be resolved prior to the expiration of Alderman Pacey's term of office; and,

WHEREAS, Alderman Pacey has not indicated any intent to resign his position as Alderman; and,

WHEREAS, it is the sense of those Alderman voting in favor of this Resolution that Alderman Pacey's continued attendance at City Council meetings would likely cause additional Aldermen to demonstrate their disapproval of the conduct alleged in the Lawsuits through public demonstrations, up to and including leaving meetings in protest; and,

WHEREAS, such demonstrations would cause a substantial disruption to the affairs of the City; and,

WHEREAS, as a result, the Aldermen voting in favor of this resolution are concerned that Pacey's future attendance at City Council meetings will threaten the orderly and efficient conduct of the City's affairs; and,

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WHEREAS, based on the content of this Resolution and all information in the record of the City Council's proceedings and the public domain generally, the City Council has determined, and by passage of this Resolution does hereby state its determination, that a formal censure of Alderman Robert Pacey is appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PAXTON, FORD COUNTY, ILLINOIS:

Section 1. That the preambles hereto are true and correct and are incorporated herein by reference as if restated in full.

Section 2. Based on the foregoing findings, the City Council hereby imposes a formal censure on Alderman Robert Pacey as a result of the information contained in this resolution.

Section 3. The City Council implores Robert Pacey to take such affirmative steps as are within his control to address the disruption that this matter is causing, and has the potential to cause, to the ongoing operation of the City.

Section 4. That it is the opinion of those voting in favor of this Resolution that Alderman Robert Pacey's resignation would be in the best interest of the City and its residents.

Section 5. That all elected officials, officers, agents, and employees of the City are hereby authorized, empowered, and directed to take such additional acts as may be necessary to effectuate this Resolution and the purpose hereof.

Section 6. That each and every section, paragraph, sentence, clause and phrase of this ordinance is severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph, or section.

Section 7. The City Clerk is further directed to publish this Resolution in pamphlet form, and upon its passage to record such details regarding its passage upon the permanent books and records of the City.

Section 8. This Resolution shall be in full force and effect after its passage and publication.

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	<i>Yes</i>	<i>No</i>	<i>NV/Abstain</i>	<i>Absent</i>
Alderman Eric Evans	☐	☐	☐	☐
Alderman Deane Geiken	☐	☐	☐	☐
Alderman Matt Greenburg	☐	☐	☐	☐
Alderman Kristen Larson	☐	☐	☐	☐
Alderman Rob Pacey	☐	☐	☐	☐
Alderman Joe Reinhart	☐	☐	☐	☐
Alderman Mike Wilson	☐	☐	☐	☐
Alderman Justin Withers	☐	☐	☐	☐
Mayor Bill Ingold	☐	☐	☐	☐

Dated and Recorded into the City Records on October 14, 2025.

CITY:

The City of Paxton, Ford County, Illinois

By:

J. William Ingold, Its Mayor

ATTEST:

[SEAL]

Sadie Shell, Its Clerk

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CERTIFICATION OF RESOLUTION

The undersigned, SADIE SHELL, does hereby certify that:

1. I am the duly qualified and acting City Clerk of the City of the City of Paxton, Illinois.
2. The Resolution attached hereto is a full, true, and exact copy of Resolution Number _____, adopted by the Mayor and City Council of said City on October 14, 2025, said Resolution being entitled:

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3. Said Resolution was presented, considered, passed, approved, recorded, and published on October 14, 2025, in a manner that conforms with the City's Code of Ordinances and its usual custom and practice.
4. The document to which this certificate is affixed constitutes the publication of said Resolution in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, 65 ILCS 5/1-2-4.
5. I further certify that prior to the making of this certificate, this said Resolution was spread at length upon the permanent records of the City, where it now appears and remains.
6. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109 the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on October 14, 2025.

[SEAL]

Sadie Shell, Its Clerk