

**MINUTES  
NEW COUNCIL CHAMBERS IN THE CIVIC COMPLEX  
401 WEST WASHINGTON STREET, EAST PEORIA, ILLINOIS**

**MARCH 17, 2019**

The Regular Meeting of the City Council of the City of East Peoria, Illinois was called to order by his Honor Mayor John P. Kahl presiding at 6:00 P.M. with proper notice having been given.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.  
Absent: None.

The invocation was given by Commissioner Hill.

Mayor Kahl led the Council and the audience in the pledge of allegiance to the flag.

**PUBLIC HEARING ON THE PROPOSED ANNUAL APPROPRIATION ORDINANCE AND PROPOSED WORKING CASH BUDGET FOR THE FISCAL YEAR MAY 1, 2020 TO APRIL 30, 2021**

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that the City Council recess the Regular Meeting to hold a public hearing.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting recessed to hold a public hearing at 6:01 P.M.

Mayor Kahl called the Public Hearing to order with proper notice having been given.

Those present were the following: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.

Absent: None.

Mayor Kahl explained that we are in the public hearing and explained the purpose of the meeting is to hold a public hearing on the Proposed Annual Appropriation Ordinance and the Proposed Working Cash Budget for the Fiscal Year May 1, 2020 to April 30, 2021. He turned the discussion over to Director of Finance, Jeff Becker. Commissioner Hill and Director Becker discussed the Appropriation Ordinance and Working Cash Budget explaining that the Appropriation Ordinance is the maximum spending limit for the city assuming all of the revenues are there. The total expenditures are \$112,374,960 in the appropriation ordinance. He explained that the budget will likely be revisited as this is an uncertain time with the health pandemic. However, the City's business must still be conducted. Commissioner Decker commented the appropriation ordinance and budget process going well but also commented on the unknown due to the pandemic. Commissioner Sutherland explained that he learned a lot and thanked everyone for their work. Mayor Kahl commented on the budget being balanced along with a 5 year capital plan. He explained that there will be no spending outside of those items that are necessary due to the uncertain nature of revenues due to the health pandemic and thanked the City staff for being flexible. Mayor Kahl explained that the City is being cautious with its monies.

Mayor Kahl asked for any comments from the audience. There was no response.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that to adjourn the Public Hearing and reconvene the Regular Meeting.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting reconvened at 6:06 P.M.

Those present in Regular Session following the Public Hearing were the following: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.

Absent: None.

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move that the minutes of the Regular Meeting held on March 17, 2020 be approved as printed.

Yeas: Commissioner Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

**CONSENT AGENDA ITEMS BY OMNIBUS VOTE:**

Mayor Kahl asked if any Commissioner wished to remove any items from the Consent Agenda for discussion. There was no response.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 4 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 – Adoption of Resolution Number 1920-126 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 21 in the amount of \$2,217,168.23.

Item Number 2 – Adoption of Resolution Number 1920-121 on its Second Reading – Resolution accepting the Lowest Responsible Bids for the Public Safety Building Emergency Power Generator Replacement Project.

Item Number 3 – Adoption of Resolution Number 1920-120 on its Second Reading - Resolution approving a Two-Year Mower Rental Agreement with Martin Sullivan, Inc. for the mowing of City-Owned Properties and Right-of-Ways.

Item Number 4 – Adoption of Ordinance Number 4491 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 4200 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – to allow for the outdoor storage of garbage dumpsters on the property.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Items numbered 1 through 4 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 4 having been read once by their title and having laid on the table for no less than one week for public inspection be adopted as presented.

Item Number 1 – Adoption of Resolution Number 1920-126 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 21 in the amount of \$2,217,168.23. (Adopted by omnibus vote)

Item Number 2 – Adoption of Resolution Number 1920-121 on its Second Reading – Resolution accepting the Lowest Responsible Bids for the Public Safety Building Emergency Power Generator Replacement Project. (Adopted by omnibus vote)

Item Number 3 – Adoption of Resolution Number 1920-120 on its Second Reading - Resolution approving a Two-Year Mower Rental Agreement with Martin Sullivan, Inc. for the mowing of City-Owned Properties and Right-of-Ways. (Adopted by omnibus vote)

Item Number 4 – Adoption of Ordinance Number 4491 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 4200 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – to allow for the outdoor storage of garbage dumpsters on the property. (Adopted by omnibus vote)

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried and the items adopted by omnibus vote designation.

Mayor Kahl stated if there was anyone in the audience who wanted to speak on any items on the agenda to come to the podium and state the matter or matters to be discussed. There was no response.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4493 hereto attached, (ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF EAST PEORIA, ILLINOIS FOR THE FISCAL YEAR FROM THE FIRST DAY OF MAY A.D. 2020 TO THE LAST DAY OF APRIL A.D. 2021) be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill commented on the appropriation ordinance explained that this was discussed during the public hearing. He explained that it is a maximum expenditure for the City.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-124 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-124, hereto attached, a Resolution to approve the Working Cash Budget for the Fiscal Year from the first day of May A.D. 2020 to the last day of April A.D. 2021, be approved. Mr. Mayor, I move you that this Resolution No. 1920-124 be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill commented on the working cash budget. He explained that the City will continually be looking at the budget in the light of the current and future uncertainty due to the health pandemic.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4490, hereto attached, (AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,100,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (TARGET AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2020A, AND \$2,820,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (COSTCO AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2020B, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND AUTHORIZING THE SALE OF SAID BONDS TO MORTON COMMUNITY BANK) having been read once by its title and having been laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Hill explained that this ordinance is a refinancing of the bonds. This allows the bonds to be reissued to Morton Community Bank.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4490 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4492, hereto attached, (AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA 2019A IN THE CITY OF EAST PEORIA AND APPROVING SPECIAL SERVICE AREA 2019A PROJECT TO IMPROVE ACCESS ROAD 6, THE FUNDING OF ROAD IMPROVEMENTS TO ACCESS ROAD 6, AND THE LEVYING OF PROPERTY TAX AGAINST THOSE PROPERTIES BENEFITTED BY THE ROAD IMPROVEMENTS) having been read once by its title and having been laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Hill explained that the owners on Access Road 6 approached the city for the improvement of the road. This allows the project to move forward. There is a tax levy assessment to finance the payment of the road. The project is to begin in the next 30-45 days.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4492 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4495 hereto attached, (AN ORDINANCE AMENDING CITY CODE TO ESTABLISH EMERGENCY POWER OF MAYOR DURING EMERGENCY AND CRISIS SITUATIONS) be read at length by the Clerk, and that said Ordinance No. 4495 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. Commissioner Hill explained that this allows that services can be continued in the event of an emergency. Commissioner Decker commented on the ordinance allowing the City to act quickly when necessary. He would support if it became necessary. Commissioner Mingus commented on the ordinance and making sure the city can make decisions quickly. Commissioner Sutherland explained that he will support the ordinance.

Mayor Kahl explained that he would be abstaining from voting as the ordinance relates to his position. He explained that one provision has been removed and the amended version does not include powers regarding firearms and alcohol.

Yeas: Commissioners Decker, Hill, Mingus, and Sutherland.

Nays: None.

Abstain: Mayor Kahl.

Mayor Kahl declared the motion carried and Ordinance No. 4495 to be duly adopted as presented.

Resolution No. 1920-122 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-122, hereto attached, a Resolution approving the purchase of light fixtures related to the Public Safety Parking Lot Lighting Upgrade Project from Springfield Electric Supply Company in the amount \$6,360.16, be approved. Mr. Mayor, I move you that this Resolution No. 1920-122 be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill commented on the resolution and LED replacement including the savings that will be had as a result of the upgrade. He commented on the Ameren Energy Savings Program and return on investment being estimated around 13 months.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-123 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-123, hereto attached, a Resolution to Approve the Acquisition of an Ice Machine for Asian Carp Fishing Operations on the Illinois River, be approved. Mr. Mayor, I move you that this Resolution No. 1920-123 be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill commented on the acquisition and explained that the city is working with the Illinois Department of Natural Resources ("IDNR") and the business on the acquisition. If the member initiative money is available, then the purchase will be done. If the money is not available, then the purchase will not be done.

Director of Planning and Community Development, Ty Livingston, explained that Asian Carp are being harvested on the river, and the IDNR is supporting the fishermen. The purchase is a dependent upon obtaining member initiative money. If the member initiative money is available and if a machine comes available, then the purchase will be done. The city will not be on the hook to pay for the machine otherwise.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4494 hereto attached, (AN ORDINANCE AUTHORIZING THE SELLING PROCESS BY SEALED BID FOR CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 136 JOHNSON STREET IN THE CITY OF EAST PEORIA, ILLINOIS) be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

The city has excess property, and for the sale of this property, the city is seeking a sealed-bid process.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-128 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-128, hereto attached, a Resolution Authorizing the Selling Process for City-Owned Surplus Real Estate located at 127 Canterbury Court in the City of East Peoria, Illinois, be approved. Mr. Mayor, I move you that this Resolution No. 1920-128 be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill explained that this is another piece of excess property that the city owns and this property will be sold by a realtor.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-125 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-125, hereto attached, a Resolution approving the City's purchase of pipe and other main installation materials for the Farmdale Road Water Main Extension Project from Core & Main in the amount of \$10,331.95, be approved. Mr. Mayor, I move you that this Resolution No. 1920-125 be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Sutherland commented on the project that began with the previous elected official administration. He explained that the project was just wrapped up and this pays for the materials related to the project.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-127 by Commissioner Sutherland; WHEREAS, Tim Hucal has been continuously employed by the City from March 31, 2000 through March 31, 2020, most recently occupying the position of Foreman in the Water Department.

WHEREAS, Tim Hucal announced his intention to retire from employment effective at the end of the day on March 31,2020; and

WHEREAS, the City is appreciative of the long and continued service provided by Tim Hucal; and

WHEREAS, it is in the best interest of the City to execute the attached Separation Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The above recitals are found to be true and correct.

Section 2. The Mayor is hereby authorized to execute the Separation Agreement with such changes as the Mayor, in his sole discretion, may decide are in the best interest of the City of East Peoria.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-127 be adopted as presented.

Commissioner Sutherland and Decker thanked Mr. Hucal for his service to the city and wished him well on his retirement.

Mayor Kahl thanked Mr. Hucal for his service, wished him well, commented on his payouts that he will receive.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-127 be duly adopted as presented.

Mayor Kahl stated if there was anyone in the audience who wanted to speak on any items not on the agenda to come to the podium state the matter or matters to be discussed. There was no response.

Mayor Kahl then asked for comments from Council.

Commissioner Decker commented on the health crisis going on. He respects the hard decisions that are being made although he does not agree with all of them. He expressed condolences on the loss of Berta Dinkins the former City Clerk.

Commissioner Hill urged residents to stay calm and follow the recommendations by the health professionals during this health pandemic.

Commissioner Sutherland commented on the State Wrestling Tournament where he watched young high school athletes wrestle from the area Levi Robinson, Tristan Westbay, and Caleb Collins. Mr. Collins took 2<sup>nd</sup> Place. He wished them the best. He expressed his condolences on the loss of Berta Dinkins. He commented on local restaurants and explained that he will begin patronizing local East Peoria restaurants for their carryout or delivery as much as possible and encourage others to patronize those restaurants.

Commissioner Mingus encouraged everyone to do their own research on the virus and remain calm. He is saddened to hear about the businesses that are affected. He encouraged everyone to patronize the restaurants through carryout or delivery.

City Attorney Dennis Triggs expressed his condolences to the family and friends of Berta Dinkins on her passing. He explained that he worked with Ms. Dinkins for over 26 years and that the City and her family meant everything to her. He explained her care for the city and the integrity which she brought to the city and her job. He commented on former City Clerk Lindy Arnold and Berta Dinkins on their reputation for integrity and care for the city. Berta cared for the city employees even more than she did the city.

Mayor Kahl commented on Berta Dinkin's passing expressing his condolences. He also commented on the unprecedented times with the health pandemic. He commented on receiving information from the governor and federal government at the same time that as everyone else. He feels like the prudent thing is to review things before making a decision. He explained that memorandums have been released regarding certain matters and that the city is trying to work through issues as soon as we can. He explained that we want to protect health measures. He explained that there is still pickup, curbside pickup and delivery available at restaurants. He thanked everyone including the city council, department heads, employees, and others during this uncertain time.

Mayor Kahl explained that emergency declarations are coming out from other communities and that those are being done for tracking purposes for expenditures.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, April 7, 2020 at 6:00 P.M.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:55 P.M.

/s/ Morgan R. Cadwalader  
City Clerk Morgan R. Cadwalader