

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

JUNE 2, 2020

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:

“PUBLIC HEARING ON THE REBUILD ILLINOIS FAST-TRACK PUBLIC INFRASTRUCTURE GRANT APPLICATION FOR ALTORFER LANE RECONSTRUCTION.”

Motion by Commissioner Hill, seconded by Commissioner Decker; 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 the public hearing is on THE REBUILD ILLINOIS FAST-TRACK PUBLIC INFRASTRUCTURE GRANT APPLICATION FOR ALTORFER LANE RECONSTRUCTION. Mayor Kahl explained that the City Council Meeting is being held via remote attendance by Zoom Meeting by the public due to the Governor's Executive Order regarding COVID-19 and the relaxing of the Open Meeting Act requirements. Public comments are being taken remotely via Zoom Meetings during the meeting. The meeting is also being shown on Facebook Live on social media. Mayor Kahl turned the discussion over to Director of Planning and Community Development, Ty Livingston.

Director Livingston explained that the REBUILD ILLINOIS FAST-TRACK PUBLIC INFRASTRUCTURE GRANT is a cut out of a larger grant that was just announced in the middle of May and public input is a part of this process. Director Livingston explained the amount of the grant money available across the state is \$25,000,000. He explained that he has heard that the State is no longer taking application; however, the City has done the legwork for the application and will proceed with the application. The grant funding being requested is \$500,00 with the City's local funding commitment being \$143,500. The total project cost is \$643,500. This application is for an improvement to Alorfer Lane that is north from the Jimmy Johns. There was a temporary road created fifteen plus years ago; however, there has been no permanent road. The project will benefit the current sizable amount of development in the area and the new development that includes a new hotel. Currently, two hotels, Kohls, and Enercon Engineer all utilize the road temporary road and will benefit from the permanent road. There is a \$20 million hotel planned to open next year that will benefit from this project as well. The future impact is great because there is developable area north of I-74, and there is underpass at the end of this stretch of roadway improvement. While this improvement does not get to the underpass point, it is a great jump-off point for future development.

Director Livingston discussed the project activities. The project activities/improvements planned include a new roadway with storm sewer, curb and gutter, as well as some landscaping to improve the overall visibility. Landscaping improvements and sidewalks will be done by the hotel developer on the east side of the road. Director Livingston feels that we have a strong application. \$500,000 is the minimum that can be asked for. The City is also providing greater than 20% toward the project in the amount of \$143,500.00. If the grant is received, it will free up resources for other projects. The City is optimistic about the project.

Commissioner Decker explained that he is excited that the City is in the running for the application. He feels that the city is in good standing since the city is ready with this project.

Mayor Kahl asked for any comments from the audience Zoom meeting to raise their hand to be heard. The City Clerk explained how to raise your hand to make public comments by pressing *9 to raise their hand on the telephone or click the raise your hand button online. Director Livingston explained that the application was available online and at City Hall prior to the public hearing and individuals were able to make comments before the public hearing as well. Director Livingston explained that he did not receive any comments prior to the public hearing.

There was no response with public comments via Zoom meetings.

Motion by Commissioner Hill, seconded by Commissioner Decker; 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 6:08 P.M

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on May 19, 2020 and the minutes of the Special Meeting held on May 26, 2020 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed June 14, 2020 as “Flag Day” and June 14-20, 2020 as “National Flag Week”.

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.

Mayor Kahl explained that Ordinance Number 4503 has been pulled from the agenda for further consideration.

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 Mingus; 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 2021-014 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,634,795.87.

Item Number 2 – Adoption of Ordinance Number 4499 on its Second Reading – (AN ORDINANCE AMENDING TITLE 5, CHAPTER 10, SECTION 2 OF THE ZONING CODE FOR THE CITY OF EAST PEORIA REGARDING PERMITTED SPECIAL USES IN M-1 MANUFACTURING DISTRICTS) – Amendment to permit the limited processing and freezing of fish within an enclosed building as a Special Use in M-1, Manufacturing district, limited, provided that such processing operations shall not emit noxious or offensive odors.

Item Number 3 – Adoption of Ordinance Number 4500 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2901 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) - Special Use to allow for the outdoor storage of garbage dumpsters on the property.

Item Number 4 – Adoption of Ordinance Number 4501 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 3201 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) - Special Use to allow for fish processing operations 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 Decker; 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 2021-014 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,634,795.87. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4499 on its Second Reading – (AN ORDINANCE AMENDING TITLE 5, CHAPTER 10, SECTION 2 OF THE ZONING CODE FOR THE CITY OF EAST PEORIA REGARDING PERMITTED SPECIAL USES IN M-1 MANUFACTURING DISTRICTS) – Amendment to permit the limited processing and freezing of fish within an enclosed building as a Special Use in M-1, Manufacturing district, limited, provided that such processing operations shall not emit noxious or offensive odors. (Adopted by omnibus vote)

Item Number 3 – Adoption of Ordinance Number 4500 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2901 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) - Special Use to allow for the outdoor storage of garbage dumpsters on the property. (Adopted by omnibus vote)

Item Number 4 – Adoption of Ordinance Number 4501 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 3201 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) - Special Use to allow for fish processing operations 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.

Resolution No. 2021-008 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-008 hereto attached, a Resolution to Approve Downtown Mixed-Use Development Agreement, be hereby approved. Mr. Mayor, I move you that this Resolution No. 2021-008 having been read once by its title and having laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Hill explained that this is an opportunity for the City to work with a great developer. The project is intended to compliment the Levee District. The original Levee District plan was to have residential development in the area. Commissioner Decker explained that he has received nothing but positive comments on the proposed development, and Commissioner Sutherland expressed his excitement on the development being a great thing for the City.

Mayor Kahl thanked City Attorney Dennis Triggs and Director of Planning and Community Development, Ty Livingston, for their work on the development agreement and explained that this is the first step of the project.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-008 be duly adopted as presented.

Resolution No. 2021-010 by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the reappointment of Tami Meischner as a board member to the East Peoria Housing Authority by Mayor John P. Kahl for a five-year term beginning July 1, 2020 through June 30, 2025 be hereby confirmed and approved

AND THAT THIS RESOLUTION NO. 2021-010 BE ADOPTED AS PRESENTED.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2021-010 be adopted as presented.

Commissioner Hill explained that resolution and appointment and thanked Ms. Meischner for her service. Mayor Kahl thanked Ms. Meischner for her service and Director of the East Peoria Housing Authority, LaToya Brown, for the recommendation to reappoint.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-010 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4504 hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 136 JOHNSON STREET) 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 was a sealed bid process that occurred at the last City Council meeting, and the bid amount was for \$3,800 with the purchaser being Angela Seeberg, This property will be included with the property owner next door.

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 Ordinance No. 4505 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 232 EVERETT STREET) 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 the resolution is for the sale of excess property owned by the City and that the offer came in for \$5,000 plus closing costs which meets the 80% value of the appraisal value.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-013 by Commissioner Hill; RESOLUTION COMMITTING LOCAL FUNDS FOR REBUILD ILLINOIS PUBLIC INFRASTRUCTURE GRANT

WHEREAS, the City Council of the City of East Peoria, Illinois (the "City"), has taken action to submit a competitive public infrastructure application under the Rebuild Illinois grant program; and

WHEREAS, the City has identified the project to reconstruct and improve Altorfer Lane as an important and necessary infrastructure project for City (the "Project"), and the Project is "shovel ready" and awaiting the necessary funding; and

WHEREAS, receipt of Rebuild Illinois grant assistance is essential to allow the City to undertake the Project to reconstruct Altorfer Lane; and

WHEREAS, the City has held a public hearing on seeking grant funding under the Rebuild Illinois program for the Project after proper publication of a hearing notice; and

WHEREAS, criteria under the Rebuild Illinois grant are such that financial participation by the City, as the grantee, is required in conjunction with Rebuild Illinois funds; and

WHEREAS, the City has certain monies allocated for the Project with cash on hand, as needed;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the City does hereby commit funds of \$143,500 for the Project from the City's general revenue fund for use in conjunction with a Rebuild Illinois Public Infrastructure Grant, as such funds equal 22.2% of the estimated total Project cost of \$643,500.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2021-013 be adopted as presented.

Commissioner Hill explained the resolution and grant. The hearing earlier in the meeting was for this grant application that is based on a total project estimate of \$643,500. The bid opening for the project is scheduled for Thursday which will reveal more accurate numbers.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-013 be duly adopted as presented.

Resolution No. 2021-012 by Commissioner Decker; WHEREAS, John Harris has been continuously employed by the City from February 1, 1998 through May 15, 2020, most recently occupying the position of Foreman in the Streets Department;

WHEREAS, John Harris announced his intention to retire from employment effective at the end of his shift on May 15, 2020; and

WHEREAS, the City is appreciative of the long and continued service provided by John Harris; 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 Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2021-012 be adopted as presented.

Commissioners thanked John Harris for his work with the City at EastSide Centre and in Public Works; wished him well on his retirement; and commented on his role in ABATE as legislative chair and work done for that organization. Mayor Kahl thanked Mr. Harris for his 22 years of service, his candor, and wished him well in his retirement. Mayor Kahl explained the payout to Mr. Harris that includes one payout in the amount of \$4,268 on or before June 15, 2020.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-012 be duly adopted as presented.

Mayor Kahl stated if there was anyone who wanted to speak on any items not on the agenda to raise their hand on Zoom Meetings and state the matter or matters to be discussed. The City Clerk explained how to raise your hand via the computer or phone.

Bob Jorgensen raised his hand via Zoom to comment. He thanked City staff for their response to his inquiries on various items, including vehicle fuel usage. Mr. Jorgensen explained that recycling is important; he hopes that it is still on the Council Members' minds; and he hopes that we can get recycling restarted again. He reminded everyone that no-idling is a good program and would be a good program, especially for Public Works. Mr. Jorgensen feels that it would also be a good program for Police and Fire. He explained G&D Integrated Trucking has an expert that is willing come to speak with City Council and explain how successful the no-idling program is to their business.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker spoke about recycling. He explained that recycling has not been forgotten; he is meeting tomorrow morning regarding recycling; he feels there will be something in place regarding recycling as soon as they can do so; there have been offers about a drop off facility; and the city needs to make sure that it does not violate current contracts in place. He commented on the Vietnam Wall that is still scheduled September 23-27, 2020 with plans for an opening ceremony and events in the evenings and on weekends to have families to enjoy the wall. However, we need to be alert with things that need to be done as a result of COVID-19, such as social distancing. The Vietnam Memorial Wall event will allow people to enjoy the wall and show honor to those who lost their lives in the Vietnam War. Commissioner Decker commented on the budget issues with COVID-19. He explained that Mr. Floyd's death is terrible and should never happen. He commented on George Floyd's brother and George Floyd not liking the violence that is occurring. He thanked the Police for keeping the City safe. He encouraged people to protest peacefully. He commented on looting. He encouraged people to get involved to make changes and asked people to point out those that are looting.

Commissioner Hill expressed condolences and prayers to George Floyd's family and explained that changes need to happen with police brutality. He feels that the looting and rioting are criminal, as is the threatening of officers. He feels that there is a criminal element that is taking away from the real meaning of the protests. He commented on the peaceful rally and that the individuals at the peaceful rally are condemning the actions of those that are rioting and looting. He feels disappointed for the businesses that are boarding up their windows. He thanked the Police Officers and Firefighters for their work. Commissioner Hill expressed kudos to the we matter movement. He commented on COVID-19 and other municipalities discussing about their budget struggles and trying to figure out how to deal with budget shortfalls. He thanked the City Department Heads, Commissioners and Mayor for the help in the budget discussed and made with budget reductions earlier. He explained that Friday is the first Farmer's Market from 4:00 pm -7:00 pm, and he hopes to see people come down with social distancing. The Duck Race is coming up on August 29 and sales have begun with the sales being totally digital this year.

Commissioner Mingus expressed condolences to the family of George Floyd. He expressed appreciation to individuals taking advantage of their fundamental right to assemble and voice their opinion. However, destroying property is not a fundamental right. He explained that it is difficult to explain to his children seeing businesses being boarded up. He commented on the Peoria press conference where community members expressed assembling being ok but property destruction as not being ok. He thanked the Police and Fire Departments and the additional ten communities that helped the City out since Saturday evening.

Commissioner Sutherland explained that he has had calls regarding recycling from residents that he will call soon. He commented on the looting and burning where there has been destruction of private property. He explained that he feels that looting and burning is illegal. He explained that he proud to have Mayor Kahl as a leader in the COVID-19 stance.

Mayor Kahl thanked the City Council for moving forward and for their stance on the COVID-19 situation. He thanked the other local public safety departments that had a quick response in aiding East Peoria to prevent property damage on Saturday evening. He thanked several departments including East Peoria Police Department, Fondulac Park District Police, Tazewell County Sherriff's Department, Illinois State Police Department, Peking Police Department, Morton Police Department, Creve Coeur Police Department, Marquette Heights Police Department, North Pekin Police Department, Peoria Police Department, and the TC3 dispatchers. He explained that they all have done an extraordinary job. He explained that the police presence will continue as the city needs to keep the community safe. He commented on what happened to George Floyd as being unacceptable and despicable. He does not like to see law enforcement as a whole be lumped together for the actions of a select few. He explained that the peaceful protest and everyone was supportive. There is a difference between those protesting peacefully and those that are looting and destroying things throughout the community. Do not judge other police officers for the despicable actions of a select few. Our commitment to the citizens is to keep the community safe at all costs. He thanked the Commissioners, Police and Fire and all staff. This is a concerted effort from a lot of different entities to keep the community.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, June 16, 2020 at 6:00 P.M.

Mayor Kahl explained that it is the unanimous decision to go back the City Council meeting regular format at its June 16, 2020 meeting.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:56 P.M.

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