

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

SEPTEMBER 1, 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.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on August 18, 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 September 11, 2020 as "Patriot Day".

Mayor Kahl proclaimed September 2020 as "National Suicide Prevention Awareness Month".

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.

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 2021-041 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 8 in the amount of \$6,882,180.36.

Item Number 2 – Adoption of Ordinance Number 4515 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2250 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – Special Use to allow for the outdoor parking and storage of vehicles for operation of a U-Haul rental facility.

Item Number 3 – Adoption of Ordinance Number 4516 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 400 CIMMERON DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – Special Use for an oversized accessory building on their property zoned "C, Conservation and Residential Estate District".

Item Number 4 – Adoption of Ordinance Number 4517 on its Second Reading - (AN ORDINANCE AUTHORIZING AN ADDITIONAL SPECIAL USE FOR PROPERTY LOCATED AT 400 CIMMERON DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – Special Use to allow the keeping of certain livestock, being horses, on their property zoned "C, Conservation and Residential Estate District".

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 2021-041 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 8 in the amount of \$6,882,180.36. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4515 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2250 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – Special Use to allow for the outdoor parking and storage of vehicles for operation of a U-Haul rental facility. (Adopted by omnibus vote)

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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.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4514, 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 this ordinance is for a Special Service Area for Access Road Number 6. He went through the history of the ordinance and explained that this is a funding mechanism for the property owners along the roadway that is to be improved.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4514 be adopted as presented.

Resolution No. 2021-040 by Commissioner Hill; WHEREAS, a vacancy exists on the East Peoria Zoning Board of Appeals as a result of Michael McCarthy’s resignation; and WHEREAS, the Honorable Mayor John P. Kahl has recommended the appointment of Don Tippet to fill the vacancy on the Zoning Board of Appeals; NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the appointment by Mayor John P. Kahl of Don Tippet to the East Peoria Zoning Board of Appeals to fill the unexpired term ending April 30, 2023. AND THAT THIS RESOLUTION NO. 2021-040 BE ADOPTED AS PRESENTED

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2021-040 be adopted as presented.

Commissioner Hill explained that Mr. Tippet is a local architect and will be a good addition to the Zoning Board of Appeals (“ZBA”). Mayor Kahl thanked Mr. Tippet for his willingness to serve on the ZBA. Commissioner Decker explained that he has known Mr. Tippet for a long time and that Mr. Tippet will do a great job.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-040 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4518 hereto attached, (AN ORDINANCE AUTHORIZING PARTICIPATION BY THE CITY OF EAST PEORIA IN THE LOCAL CORONAVIRUS URGENT REMEDIATION EMERGENCY SUPPORT PROGRAM) be read at length by the Clerk, and that said Ordinance No. 4518 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Hill commented on the ordinance and the agreement. Commissioner Hill explained that the federal monies were given to the State and allocated by population. This is the implementation of federal monies that deal with coronavirus expenses and gives the City access to its allotment. The Department of Commerce and Economic Opportunity (“DCEO”) is managing the process and the expense approvals must go through that organization.

Commissioner Decker expressed his frustration with some counties in the State getting the funds directly and other having to go through the DCEO. There have funding issues in the budget due to COVID-19.

Mayor Kahl explained that this is a formality. There is no bailout to local governments. The State has not gone through a reimbursement process. Although East Peoria monies would equate to \$950,000, he believes that the City will be lucky to receive \$50,000 of those funds. He has reached out to the state regarding obtaining those funds. It is important to note that the revenue shortfalls that the City has experienced are not a qualified expense.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4518 to be duly adopted as presented.

Resolution No. 2021-039 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-039, hereto attached, a Requesting Permission for Temporary Closure of State Maintained Roadways for a Public Event for the Festival of Lights Parade on November 21, 2020, be approved. Mr. Mayor, I move you that this Resolution No. 2021-039 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 Decker commented on the Festival of Lights parade. He explained that hopefully the City will be moving forward with the parade. This resolution is done every year to close state routes associated with the parade route.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-043 by Commissioner Decker; RESOLUTION GRANTING A TEMPORARY EASEMENT TO THE EAST PEORIA SANITARY DISTRICT TO FACILITATE WORK ON FARM CREEK

WHEREAS, the United States Army Corps of Engineers ("Corps") is prepared to cause maintenance work to be performed on Farm Creek; and

WHEREAS, maintenance of Farm Creek is vital to the wellbeing of the East Peoria community; and

WHEREAS, the Farm Creek waterway is owned by and is the responsibility of the East Peoria Sanitary District ("Sanitary District"); and

WHEREAS, to avail itself of the assistance of the Corps, the Sanitary District needs a temporary easement over property owned by the City of East Peoria ("City") and described in Exhibit A attached hereto; and

WHEREAS, the Corps requests the City to waive an appraisal and compensation for the granting of a temporary easement; and

WHEREAS, the Corps will require any contractor performing the work on Farm Creek to restore the property owned by the City to its original condition; and

WHEREAS, it is therefore in the best interests of the City to grant the Sanitary District a temporary easement as described in Exhibit A without compensation to facilitate work on Farm Creek;

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

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

Section 2. The Mayor and City Clerk are authorized and directed to execute a Temporary Easement substantially conforming to Exhibit A.

Section 3. The Mayor and City Clerk are further authorized and directed to execute such other documents as shall be necessary to facilitate work on Farm Creek under the auspices of the Corps.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2021-043 be adopted as presented.

Commissioner Decker explained that work will be completed on a section of Farm Creek by the Army Corps of Engineers. The Sanitary District owns the Farm Creek, and the City owns property that they need to get across to access that portion of Farm Creek where the work is to be completed.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-043 be duly adopted as presented.

Resolution No. 2021-038 by Commissioner Mingus; RESOLUTION AUTHORIZING TEMPORARY INCREASE IN THE NUMBER OF LIEUTENANTS ON THE EAST PEORIA FIRE DEPARTMENT

WHEREAS, Title 1, Chapter 5, Section 2.1 of the East Peoria City Code authorizes the City Council to determine from time to time by Resolution the number of individuals to hold each rank on the East Peoria Fire Department; and

WHEREAS, in December 2018, pursuant to Resolution No. 1819-106, the City temporarily increased the number of firefighters on the Fire Department by three to a total of 33 firefighters in an effort to minimize overtime costs in the Fire Department; and

WHEREAS, in accordance with Resolution No. 1819-106, the temporary increase to 33 in the number of firefighters in the Fire Department that was approved in December 2018 will then decrease back down to 30 through attrition of members leaving the Fire Department after April 30, 2020; and

WHEREAS, pursuant to Resolution No. 1920-131 approved in April 2020, the temporary increase in the number of firefighters in the Fire Department to 33 was extended through April 30, 2021; and

WHEREAS, a firefighter in the Lieutenant capacity is anticipated to move to inactive status in the near future; and

WHEREAS, pursuant to Resolution No. 2021-036 approved in August 2020, the number of firefighters in the Fire Department was temporarily increased to 34 due this Lieutenant's anticipated move to inactive status in the near future; and

WHEREAS, it is in the best interests of the City of East Peoria to now temporarily increase the total number of individuals holding the rank of Lieutenant in the East Peoria Fire Department by one from nine to ten until the anticipated change in status of this Lieutenant to inactive status; and

WHEREAS, with the promotion of a firefighter to the additional Lieutenant position in the East Peoria Fire Department, the number of firefighters in the East Peoria Fire Department will then be reduced back 33; and

WHEREAS, it is in the best interests of the City that after the anticipated change in status with this Lieutenant to inactive status in the near future, the total number of Lieutenants in the Fire Department be reduced by one back to nine;

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

Section 1. Effective immediately, the Fire Department of the City of East Peoria shall consist of the following personnel:

- A. One Fire Chief
- B. Three Assistant Fire Chiefs
- C. Ten Lieutenants
- D. Thirty-Three Firefighters
- E. One Paid on Call Firefighter

Section 2. Subject to further action by the City Council, effective after the anticipated change in status of the Lieutenant in the near future, the Fire Department of the City of East Peoria shall consist of the following personnel:

- A. One Fire Chief
- B. Three Assistant Fire Chiefs
- C. Nine Lieutenants
- D. Thirty-Three Firefighters
- E. One Paid on Call Firefighter

Section 3. Subject to further action by the City Council, effective on April 30, 2021, pursuant to Resolution No. 1920-131, the Fire Department of the City of East Peoria shall consist of the following personnel upon attrition to the staffing levels established in this Resolution:

- A. One Fire Chief
- B. Three Assistant Fire Chiefs
- C. Nine Lieutenants
- D. Thirty Firefighters
- E. One Paid on Call Firefighter

Motion by Commissioner Mingus, seconded by Commissioner Hill; Mr. Mayor, I move that Resolution No. 2021-038 be adopted as presented.

Commissioner Mingus explained that there is an acting Lieutenant that will be sworn into the Lieutenant position. This resolution changes moves around positions to make the department more efficient.

Commissioner Decker explained that he will be abstaining due to his employment with the City.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 2021-038 be duly adopted as presented.

Resolution No. 2021-042 by Commissioner Mingus; RESOLUTION AUTHORIZING TEMPORARY INCREASE IN THE NUMBER OF SERGEANTS ON THE EAST PEORIA POLICE DEPARTMENT

WHEREAS, Title 1, Chapter 3, Section 7.1 of the East Peoria City Code authorizes the City Council to determine from time to time by Resolution the number of individuals to hold each rank on the Police Department; and

WHEREAS, one of the Sergeants has informed the City of his pending retirement from the East Peoria Police Department effective in October 2020; but, beginning on August 31, 2020, this Sergeant will be on leave until his retirement date; and

WHEREAS, the Command Staff of the Police Department seek the promotion of another permanent Sergeant to replace the retiring Sergeant, and when the retiring Sergeant retires, the number of Sergeants would be returned to current staffing level; and

WHEREAS, the promotion of Sergeant into a permanent position will provide better Command consistency and efficiency for the Police Department during the retiring Sergeant's period of leave prior to retirement; and

WHEREAS, it is in the best interests of the City of East Peoria to temporarily increase the total number of individuals holding the rank of Sergeant on the East Peoria Police Department from 6 to 7 effective immediately; and

WHEREAS, it is further in the best interests of the City that after the Sergeant's retirement in October 2020, the City of East Peoria decrease the total number of individuals holding the rank of Sergeant on the East Peoria Police Department from 7 to 6;

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

Section 1. Effective immediately, the staffing level for the Police Department of the City of East Peoria shall consist of the following personnel:

- A. One Police Chief
- B. Two Deputy Chiefs
- C. Seven Sergeants
- D. Thirty-four Patrolmen

Section 2. The Police Chief is hereby authorized and directed to notify the Police and Fire Commission of the temporary increase in Sergeants and to request the Police and Fire Commission to undertake the process of appointing a Sergeant to fill the position hereby created.

Section 3. Effective on the retirement of the Sergeant in October 2020, the staffing level for the Police Department of the City of East Peoria shall return to the following personnel:

- A. One Police Chief
- B. Two Deputy Chiefs
- C. Six Sergeants
- D. Thirty-four Patrolmen

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2021-042 be adopted as presented.

Commissioner Mingus explained that a sergeant on the Police Department is retiring and will be on leave. As a result, another person is moving up to Sergeant. After the retirement, the number of Sergeants will be moved back down. As a result of this change, the City will also be hiring an officer to rejoin the force.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-042 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.

Genna Buhr, Director of the Fondulac District Library came up to the podium and explained that it is Library Card Sign-Up month. She also announced that the Library is officially an overdue fine free library. Director Buhr explained that the Library is making the change to give more equitable access to the Library. People must still adhere to the due dates and if the materials are damaged, they will need to be replaced.

Udo Dreier came up to the podium and commented about the need for ditches to be dug deeper. He explained that this would help with storm water issues.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker explained that there have been requests for ditches. Over the past 5-10 years, there has been a battle with some residents planting in their ditches. Anything in those ditches can be cleaned out if the City needs to work on the ditch. The ditches need to be open so that the water can move and travel. He mentioned the Vietnam Traveling Memorial Wall that is planned to be in the Levee Park September 23 through September 27, 2020. An opening ceremony is planned for September 24 at noon. Tonight, at midnight, is the last time to get recognition for any donations. Donations will be accepted after; however, the recognition will not be placed on signage. If someone would rather mail in the donation it can be mailed to PO Box 2817, East Peoria, IL. You can also go online to eastpeoriacommunityfoundation.org. He explained that individuals in the area and further off places have been very generous. Any donations above the costs of the Wall will be given to the Central Illinois Honor Flight to allow veterans to go to Washington, DC and see the monuments. Commissioner Decker explained that a Medal of Honor recipient will speak at the opening ceremony, as will Clay Moushon.

Commissioner Hill explained that there is an electronics recycling event that is scheduled for October 10 from 9:00 a.m. until noon at the Festival Building. There is a fee for some electronics. He explained that there are only four more weeks for the Farmers Market. He welcomed Don Tippet to the ZBA.

Commissioner Sutherland commented on guns and break-ins in the area. He explained that there have been quite a few break-ins in East Peoria and hat a friend's car was stolen. The City now has water sales, a way to load water into your pick-up truck or a tanker truck. You can purchase large containers. It is \$.25 per 100 gallons of water. It is located next to the public works building. It is good to fill pools and for watering flowers, etc. he feels that it will be good for the community.

Commissioner Mingus explained that two new firefighters, Brandon Brown and Anthony Heskett, were sworn in today. Brandon Brown's father retired from the Fire Department and has recently been sworn in as Fire Chief in Washington. Commissioner Mingus reminded everyone of the Car Seat Check event scheduled tomorrow at Central House.

Mayor Kahl explained there have been break-ins around the ICC area. None of the entries have been forced entries. They break-ins have been done through unlocked doors. The 2020 Census deadline is September 30. He stressed the importance of the Census for funding and representation for the City and encouraged everyone to complete their Census. A census representative will be at the Farmer's Market to answer questions and assist individuals. There is a Working Session scheduled for September 15, 2020 at 5:30 p.m. with representatives from the East Peoria Drainage and Levee District being invited to the discuss the Drainage and Levee District. It will be an informational session to explain about the Drainage and Levee District, including the District's responsibilities and how funding works for that organization.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, September 15, 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 6:51 P.M.

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