

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

MARCH 16, 2021

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 March 2, 2021 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed April 2021 as "Parkinson's Disease Awareness Month." Mayor Kahl read the proclamation and presented it to Mr. Roger Halleen. Mr. Halleen spoke on behalf of the Parkinson's Disease Awareness Month. He explained that there is currently no cure for the disease and has been no advancement in medication for the disease since the 1960s. Mr. Halleen explained that there are informational and fundraising events that are coming up in April. You can visit www.heartstohands.org for the event information. There is a fundraiser planned for Parkinson's Disease Awareness at the Panera in East Peoria on April 11, 2021.

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.

Mr. Brian Moody came up to the podium to ask for support in approving Ordinance Number 4553. He explained that evidence of the loan was provided, and the owner hopes to close and begin work on the project shortly thereafter. He asked for any questions from the City Council. There were no questions.

Mayor Kahl asked for any other comments from the audience. 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 3 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 – Adoption of Resolution Number 2021-119 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 21 in the amount of \$1,678,065.57.

Item Number 2 – Adoption of Resolution Number 2021-113 on its Second Reading - Resolution accepting the Proposal from Illinois Civil Contractors, Inc. for the EastSide Centre Stormwater Drainage Improvement Project in the amount of \$20,100.

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 3 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 3 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 2021-119 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 21 in the amount of \$1,678,065.57. (Adopted by omnibus vote)

Item Number 2 – Adoption of Resolution Number 2021-113 on its Second Reading - Resolution accepting the Proposal from Illinois Civil Contractors, Inc. for the EastSide Centre Stormwater Drainage Improvement Project in the amount of \$20,100. (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.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4553, hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2020 COLE STREET FOR A BOUTIQUE HOTEL IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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 there was one item outstanding regarding this special use that was for a bond that would be held over for the improvements that was in addition to the bond for the landscaping. The City Council has been shown the lending information and approval of the Special Use is recommended.

Commissioner Decker commented on not hearing any opposition from neighbors.

Commissioner Sutherland explained that he heard from one person against the Special Use, and he feels that there are enough rules that would allow any potential issues to be dealt with.

Mayor Kahl explained that there were concerns that have been addressed.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4553 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4557, hereto attached, (AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE EAST PEORIA DOWNTOWN OVERLAY DISTRICT AND RENAMING THE OVERLAY DISTRICT AS THE EAST PEORIA LEVEE OVERLAY DISTRICT) 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 Ordinance addresses maintaining the character of the district and to rename the District to the East Peoria Levee Overlay District. He commented on specific changes that include green space requirements and prohibition on automotive businesses in the area.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4557 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4559 hereto attached, (AN ORDINANCE AMENDING PROVISION OF THE EAST PEORIA ZONING CODE TO ADDRESS SHORT-TERM RENTAL PROPERTY) 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 changes that define short-term rental that highlight parking requirements and conditions that apply to these short-term rental properties. This amendment was recommended 5-0 for approval by the Zoning Board of Appeals.

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. 4560, hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 617 FONDULAC DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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 the Special Use and explained that it was recommended for approval for 4-0 with one abstention. He explained the requirements associated with the Special Use for a short-term rental.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4560 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4561 hereto attached, (AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LOCATED AT 105 SANFORD STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, 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.

Commissioner Hill explained that an old bar is being rezoned from M-3 transitional to R-4 residential.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-114 by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS THAT: a Public Hearing will be held by the City Council on Tuesday evening, April 6, 2021 at 6:00 P.M. in the City Council Chambers in the Civic Complex, 401 West Washington Street, East Peoria, Illinois, for the purpose of giving interested citizens the opportunity to provide written or oral comments on the proposed Appropriation Ordinance and the proposed Working Cash Budget for the City of East Peoria for the Fiscal Year May 1, 2021 to April 30, 2022.

BE IT FURTHER RESOLVED that the City Clerk give public notice of said public hearing in the manner provided by law.

AND THAT THIS RESOLUTION NO. 2021-114 BE ADOPTED AS PRESENTED.

Motion by Commissioner Hill, seconded by Commissioner Decker Mr. Mayor, I move that Resolution No. 2021-114 be adopted as presented.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-114 be duly adopted as presented.

Resolution No. 2021-118 by Commissioner Hill; RESOLUTION AUTHORIZING CITY ATTORNEY'S OFFICE TO INTERVENE IN CASE BEFORE THE ILLINOIS PROPERTY TAX APPEAL BOARD

WHEREAS, Kroger Limited Partnership I, the owner of Parcel No. 01-01-32-414-008 (the "Property"), has filed a complaint with the Tazewell County Board of Review (the "Board of Review") for the purpose of challenging the assessed value assigned to the Property for tax year 2020; and

WHEREAS, the City of East Peoria ("City") has objected to the change in assessed value; and

WHEREAS, the Board of Review has affirmed the assessment originally assigned to the Property;

and

WHEREAS, the owner of the Property has appealed the decision of the Board of Review to the Illinois Property Tax Appeal Board ("PTAB"); and

WHEREAS, it is in the best interests of the City to intervene in the proceedings currently pending before PTAB;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the Attorney for the City is hereby authorized and directed to obtain an appraisal for the Property and petition for leave to intervene in the proceeding involving the assessment of the Property, which proceeding is identified as Docket No. 2020-01203 currently pending before the Illinois Property Tax Appeal Board.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2021-118 be adopted as presented.

Commissioner Hill explained that the resolution allows the City Attorney to intervene in an appeal by Kroger of its property tax.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-118 be duly adopted as presented.

Resolution No. 2021-121 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-121, hereto attached, a Resolution allocating \$875,000 of Motor Fuel Tax Funds for the 2021 Street Maintenance Program and confirming and approving 2021 Engineering Extension Agreement with Patrick Meyer & Associates and associated rate of compensation for engineering services related to the 2021 Street Maintenance Program, be approved. Mr. Mayor, I move you that this Resolution No. 2021-121 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 explained that engineer Patrick Meyer is in the audience. This year, if the City would have tried to do anything differently, the City would not have gotten a street maintenance program due to the timing. If the City goes out for bids early, the City can usually get lower cost bids because contractors are less busy, which has been to the City's benefit. Everything depends on what work is being performed. He explained that the bids will determine how much work can be done on the roads and explained that there is a ratings system that makes the street maintenance determination objective in determining which streets are worked on. If work is added later, usually the contractors will honor the earlier bid price.

Commissioners Hill and Mingus commented on more funding being needed toward street maintenance.

Commissioner Sutherland explained that he is supporting the resolution begrudgingly, because he wants the City to hire an inhouse engineer. He wants to find a good engineer to save money and provide coordination in work to determine whether there are water or sewer lines that can be fixed while streets are fixed.

Mayor Kahl explained that the City does approves this resolution at this time of year to save money. The City is looking into inhouse engineering. However, now, it is worth noting that \$875,000 is miniscule to what the city should be investing in street maintenance and the funding should be around \$2-3 million. He explained that the City cannot continue kicking the can down the road for street maintenance and wants to see if there are extra funds that the City can do some more work on top of this funding. He explained that the City Council put together a 5 Year Capital Plan for the first time which includes road projects and thanked everyone for their hard work.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-117 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-117, hereto attached, a Resolution Approving an Agreement with the Illinois Department of Transportation for Route 116 Roadway and Signal Improvement Project, be approved. Mr. Mayor, I move you that this Resolution No. 2021-117 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 explained that part of Route 116 is going to be repaved, and a portion the agreement covers the signalized intersections along that portion of the roadway. This agreement is for those signals at around \$8,000.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Hill; Mr. Mayor, I move you that Ordinance No. 4558 hereto attached, (AN ORDINANCE PROVIDING FOR THE VACATION OF AN ALLEY IN THE 600 BLOCK OF SOUTH MAIN 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 Decker commented on the property location and explained that the City will be vacating the property and be used by Mr. Gilbert.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-115 by Commissioner Decker; WHEREAS, Clayton Keil has been continuously employed by the City from July 24, 2000 through February 16, 2021, most recently occupying the position of Driver in the Streets Department;

WHEREAS, Clayton Keil announced his intention to retire from employment effective at the end of his shift on February 16, 2021; and

WHEREAS, the City is appreciative of the long and continued service provided by Clayton Keil; 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. 2021-115 be adopted as presented.

Commissioners and Mayor Kahl thanked Mr. Keil on his work for the City and wished him well in his retirement. Mayor Kahl explained that he will be paid out compensable time totaling \$6,911.33 on or before March 30, 2021.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-115 be duly adopted as presented.

Resolution No. 2021-116 by Commissioner Decker; WHEREAS, David Zerwer has been continuously employed by the City from March 12, 2001 through March 31, 2021, most recently occupying the position of Foreman in the Streets Department;

WHEREAS, David Zerwer announced his intention to retire from employment effective at the end of his shift on March 31, 2021; and

WHEREAS, the City is appreciative of the long and continued service provided by David Zerwer; 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. 2021-116 be adopted as presented.

Commissioners and Mayor Kahl thanked David Zerwer for his service to the City and wished him well in his retirement. Mayor Kahl explained that he will be paid out compensable time totaling \$10,951.30 on or before April 15, 2021.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-116 be duly adopted as presented.

Resolution No. 2021-120 by Commissioner Mingus; WHEREAS, Brian Despines has been continuously employed by the City from February 16, 2006 through March 12, 2021, most recently occupying the position of Detective Sergeant in the Police Department;

WHEREAS, Brian Despines announced his intention to retire from employment effective at the end of his shift on March 12, 2021; and

WHEREAS, the City is appreciative of the long and continued service provided by Brian Despines; 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 Mingus, seconded by Commissioner Hill; Mr. Mayor, I move that Resolution No. 2021-120 be adopted as presented.

Commissioners and Mayor Kahl thanked Brian Despines for his service to the City and wished him well in his retirement. Mayor Kahl explained that he will be paid out compensable time totaling \$58,688.04 in three installments of \$19,562.69 on or before April 16, 2021; 19,562.68 on or before January 15, 2022; and \$19,562.67 on or before January 15, 2021.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-120 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 explained that he would be bringing forward information on costs for recycling. He explained that there is one cleanup week planned for the upcoming fiscal year and many residents have expressed their opinion that they feel that a Spring cleanup is better than a Fall cleanup.

Commissioner Hill commented on the East Peoria Farmer's Market planning to begin in June. The City is losing the Coordinator of the Farmer's Market, and the City is looking for a Coordinator to work with vendors. He asked anyone interested in being the Coordinator get ahold of him.

Commissioner Sutherland asked everyone not to flush items down sewer lines that are not to be flushed. He asked everyone to be cognizant of the bees and to put herbicide down in the evening, as it helps protect the bees.

Commissioner Mingus commented on open burning during the month of April and asked everyone to be mindful of the burning regulations.

Mayor Kahl asked everyone to be pay attention to burning restrictions and be respectful of neighbors. The City will discuss and vote on the budget and appropriation at the April 6, 2021 and April 20, 2021 City Council meetings. The public hearing will occur on April 6, 2021 at 6:00 pm.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, April 6, 2021 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 6:49 P.M.

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