

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

JUNE 1, 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. The City Clerk certifies that notice of the meeting was duly served upon Council Members via email on Friday, June 1, 2021, at approximately 2:51 p.m.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, and Commissioner Seth D. Mingus.
Absent: Commissioner Michael L. Sutherland.

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 May 18, 2021 and the minutes of the Closed Meeting/Executive Session held on May 18, 2021 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl presented a special proclamation to Police Officer Jeff Bieber to express gratitude for Officer Bieber's acts of bravery. Officer Bieber has been awarded several law enforcement awards based upon his valor and service during the event.

City Commissioners expressed thanks to Officer Biebers for his acts of bravery and valor for a call for service on February 2, 2021. Commissioner Decker commented on the State Legislature taking a second look at the actions that the State Legislature has taken recently regarding law enforcement, and he hopes the world recognizes that officers need to have support to do their jobs. He thanked Officer Bieber for the job that he did. Commissioner Hill thanked officer Bieber for his service to the community. Commissioner Mingus thanked Officer Bieber for his service and all law enforcement that serve the community. Mayor Kahl thanked and expressed support to the current and retired law enforcement for their dedication to the community on behalf of himself and the community, as well as the Fire Department for their level of service to the community.

Officer Bieber came up to the podium to accept the Special Proclamation and expressed words of gratitude to Mayor Kahl, the City Council, and the Police Department for the kind words and support. He is thankful to be back and expressed thanks for support that he has received. Officer Bieber specifically thanked the officers that helped him on February 2, 2021, including Sergeant Bolton, Officer Piro, and Travis Binegar from Creve Coeur, as well as Firefighter Drissi. He commented on the support to both him and his family throughout the entire time he was off duty.

Mayor Kahl proclaimed June 14, 2021, as "Flag Day," and June 13-19, 2021, as "National Flag Week," by reading the proclamation.

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 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 7 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 – Adoption of Resolution Number 2122-023 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,600,923.55.

Item Number 2 – Adoption of Ordinance Number 4575 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 106 E. FAULKNER ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use for an accessory building on the property zoned "R-2 One-Family Dwelling District".)

Item Number 3 - Adoption of Resolution Number 2122-009 on its Second Reading - Resolution Accepting Lowest Responsible Bid for Yard Maintenance Contract Services from Jimax Landscaping LLC.

Item Number 4 - Adoption of Resolution Number 2122-010 on its Second Reading - Resolution Approving the Lowest Responsible Bid for Public Safety Window Replacement Project from Doerr Siding and Remodeling in the amount of \$27,950.00.

Item Number 5 - Adoption of Resolution Number 2122-008 on its Second Reading – Resolution Approving the 2021 Street Maintenance Program Contracts for Sealcoating, Heat Scarification, Spray Patching, Fog Coating Work, and Engineering Services Associated with said Program.

Item Number 6 - Adoption of Resolution Number 2122-011 on its Second Reading - Resolution Accepting Proposal for Well Number 1 Rehabilitation Project from Brotcke Well & Pump in the amount of \$20,092.

Item Number 7 - Adoption of Resolution Number 2122-013 on its Second Reading - Resolution approving the purchase of two 2021 Ford Explorers from Currie Motors of Frankfort and one 2021 Dodge Ram 1500 from Roesch Truck Center, the outfitting by purchasing in-car cameras, graphics, and necessary equipment, and the installation of the equipment in an amount not to exceed \$130,000 for the Police Department.

Yeas: Commissioners Decker, Hill, Mingus, 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 7 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 7 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 2122-023 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,600,923.55. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4575 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 106 E. FAULKNER ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use for an accessory building on the property zoned “R-2 One-Family Dwelling District”). (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2122-009 on its Second Reading - Resolution Accepting Lowest Responsible Bid for Yard Maintenance Contract Services from Jimax Landscaping LLC. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2122-010 on its Second Reading - Resolution Approving the Lowest Responsible Bid for Public Safety Window Replacement Project from Doerr Siding and Remodeling in the amount of \$27,950.00. (Adopted by omnibus vote)

Item Number 5 - Adoption of Resolution Number 2122-008 on its Second Reading – Resolution Approving the 2021 Street Maintenance Program Contracts for Sealcoating, Heat Scarification, Spray Patching, Fog Coating Work, and Engineering Services Associated with said Program. (Adopted by omnibus vote)

Item Number 6 - Adoption of Resolution Number 2122-011 on its Second Reading - Resolution Accepting Proposal for Well Number 1 Rehabilitation Project from Brotcke Well & Pump in the amount of \$20,092. (Adopted by omnibus vote)

Item Number 7 - Adoption of Resolution Number 2122-013 on its Second Reading - Resolution approving the purchase of two 2021 Ford Explorers from Currie Motors of Frankfort and one 2021 Dodge Ram 1500 from Roesch Truck Center, the outfitting by purchasing in-car cameras, graphics, and necessary equipment, and the installation of the equipment in an amount not to exceed \$130,000 for the Police Department. (Adopted by omnibus vote)

Yeas: Commissioners Decker, Hill, Mingus, 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. 4567, hereto attached, (AN ORDINANCE AMENDING TITLE 5, CHAPTER 7 OF THE EAST PEORIA ZONING CODE AND TITLE 7, CHAPTER 2 OF THE EAST CITY PEORIA CODE PERTAINING TO DRIVEWAY PAVING) 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 ordinance and explained that an area in the backyard that would be for a camper must be paved under the City Code. Commissioner Decker explained that his only concern previously was how thick the pavement must be which has been changed.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4567 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4576 hereto attached. (AN ORDINANCE AMENDING CHAPTER 10 OF TITLE 9 OF THE EAST CITY PEORIA CODE REGARDING REGISTRATION OF VACANT AND FORECLOSED PROPERTIES) 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 the ordinance. He explained that this amendment is a clarification in the City Code which allows the City to address primarily mobile home park vacant properties by allowing multiple properties to be addressed. The amendment is a clarification of the existing ordinance and does not change it. It allows for addressing multiple structures on the property. Commissioner Mingus explained that he will not be supportive of the ordinance because while he does not have an issue with the registration of vacant and foreclosed properties, he has an issue with charging a fee for the registration.

Commission Decker commented on issues that have happened regarding not allowing properties to fall into disrepair. He feels that there is room to make decisions about issues that may come up. He will be supporting the ordinance believing that everyone has the best intentions in mind.

Yeas: Commissioners Decker, Hill, and Mayor Kahl.

Nays: Commissioner Mingus.

Mayor Kahl declared the motion carried.

Resolution No. 2122-024 by Commissioner Hill; **RESOLUTION AUTHORIZING THE SELLING PROCESS FOR CITY-OWNED SURPLUS REAL ESTATE AT 137 SPRING STREET**

WHEREAS, the City has acquired title to a parcel of real estate located at 137 Spring Street within the City of East Peoria through the foreclosure and abandonment provisions of the "Unsafe Property" Division of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-31-1, *et seq.*), and this parcel is legally described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference (hereinafter the "Property"); and

WHEREAS, the City has determined that the Property is surplus public real estate owned by the City, and the City considers the Property to be excess Property and unnecessary for City use or City purposes; and

WHEREAS, the City seeks to sell the Property pursuant to the process set forth under Section 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-4.1), which provides for the appraisal of the Property by a certified or licensed appraiser and then the sale of the Property by City Officials, by a local licensed real estate agency, or by public auction for no less than 80% of the appraised value; and

WHEREAS, the Property is further described by the parcel's current zoning classification, size, and use in Exhibit A; and

WHEREAS, the City Council hereby finds that it is in the best interests of the City to sell the Property such that the Property can be developed and put to use by an interested purchasing party;

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 Property, after obtaining an appraisal of the Property by a certified or licensed appraiser, is hereby directed to be sold by any process set forth under Section 11-76-4.1 of the Illinois Municipal Code for no less than 80% of the appraised value.

Section 3. City Officials are hereby authorized to execute any documents necessary to initiate the sale or transfer of the Property, including, but not limited to, the execution of a listing agreement with a local licensed real estate agency, and to negotiate the terms of such sale or transfer of the Property to an interested purchasing party. The terms of such sale or transfer of the Property may include payment by the purchasing party of the City's costs, including, but not limited to, the cost of the appraisal, recording fees, and City attorneys' fees in the amount of five hundred dollars (\$500.00); together with the standard real estate agent commission rate if listed by a local real estate agency.

Section 4. The City Clerk is hereby authorized and directed to publish this Resolution and any exhibits attached hereto (excluding Exhibit B) immediately upon the passage of this Resolution by the City Council in a daily or weekly newspaper circulated in the City of East Peoria.

Section 5. City Officials, in their discretion, are hereby authorized to withdraw the Property from the sale or transfer process for any reason they deem necessary or appropriate.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2122-024 be adopted as presented.

Commissioner Hill explained that this resolution is part of the statutory requirement to start the selling process for real property.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-024 be duly adopted as presented.

Resolution No. 2122-015 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-015, hereto attached, a Resolution approving Laserfiche Software Licensing Renewal for the City with R&D Computer Systems, LLC in the amount of \$12,814.75, be approved. Mr. Mayor, I move you that this Resolution No. 2122-015 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 approves the yearly licensing for Laserfiche software that the City uses as its electronic document storage system.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-020 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-020, hereto attached, a Resolution Approving the Proposal for Public Safety Building Uninterruptible Power Supply Replacement Project from SEPS Inc. in the amount of \$16,570, be approved. Mr. Mayor, I move you that this Resolution No. 2122-020 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.

Commission Hill commented on the current power source that was deteriorating and is no longer supported. The City has right sized the Uninterruptible Power Supply for the current demand which has decreased and is upgrading the system.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-021 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-021, hereto attached, a Resolution Approving Electric Service Agreement with AEP Energy Inc. for Street Lighting, be approved. Mr. Mayor, I move you that this Resolution No. 2122-021 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 to approve an electrical service agreement for the street lighting. The rate is better than the Ameren rate over the next two years. He commented on the considerable savings due to the electrical aggregation program with energy savings over \$2,000,000 thus far.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-022 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-022, hereto attached, a Resolution Accepting the Proposal from PJ Hoerr in the amount of \$35,468 for the EastSide Centre Gutter Replacement Project, be approved. Mr. Mayor, I move you that this Resolution No. 2122-022 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 project is to improve the gutters at EastSide Centre. The gutters are integrated into the building and PJ HOerr is one of the only companies that can do the fix with the current gutter system. Mayor Kahl explained that a heavy rain event alerted the City to the drainage issues at EastSide Centre, and the City has opted to correct the issue in the right manner.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-019 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-019, hereto attached, a Resolution approving the purchase of eighteen (18) Power Distribution Boxes for the Festival of Lights Winter Wonderland from Springfield Electric in the amount of \$11,138.40, be approved. Mr. Mayor, I move you that this Resolution No. 2122-019 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 an electrical system upgrade for the award-winning Festival of Lights that occurred in 2019. This resolution is for an upgrade of the power distribution boxes that were to be upgraded last year; however, due to the budget cuts last year the upgrade was delayed a year.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-014 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-014, hereto attached, a Resolution Approving an Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) for Traffic Signal Maintenance for City Street Intersections along State Routes, be approved. Mr. Mayor, I move you that this Resolution No. 2122-014 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 the ten-year agreement is for traffic signal maintenance and includes devices that changes the lights for emergency vehicles. Mayor Kahl explained that Superintendent of Street, Ric Semonski, reads through the details of all of these agreements the City enters into with IDOT.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-018 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-018, hereto attached, a Resolution Approving Road Salt Purchase with 2021 Motor Fuel Tax (MFT) Funds and Additional Work Under the City's 2021 Street Maintenance Program, be approved. Mr. Mayor, I move you that this Resolution No. 2122-018 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 so much money was approved for the street maintenance project and the bids came in under the estimated amount of the projects. In the past IDOT would allow the City add the additional work; however, now, IDOT requires the City to go through the bidding process. This requests the use of MFT funds for road salt, and the City can use other non-MFT funds for additional street projects that came in under the estimated amount. Mayor and Commissioners discussed the amount being approved for road salt with MFT funds and the difference in the estimated versus bid amounts received for the street maintenance projects.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-017 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-017, hereto attached, a Resolution Approving Purchase and Installation of Replacement of ESDA Tornado Siren Located on Osage Avenue by Ragan Communications Inc. in the amount of \$42,115, be approved. Mr. Mayor, I move you that this Resolution No. 2122-017 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 Mingus explained that this is the third replacement of tornado sirens in the City.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-016 by Commissioner Mingus; **WHEREAS**, Christopher Hutt has been continuously employed by the City from May 9, 1994 through May 11, 2021, most recently occupying the position of Police Officer in the Police Department;

WHEREAS, Christopher Hutt announced his intention to retire from employment effective at the end of his shift on May 11, 2021; and

WHEREAS, the City is appreciative of the long and continued service provided by Christopher Hutt; 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. 2122-016 be adopted as presented.

Commissioner Mingus explained that this resolution is approving a separation agreement between the City and Christopher Hutt with payouts of \$16,879.20 on or before June 15, 2021, \$16,879.20 on or before January 15, 2022 and \$16,879.19 on or before January 15, 2023 totalling \$50,637.59. Mayor Kahl and Commissioners expressed thanks to Officer Hutt for his service and congratulations on his retirement.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-016 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 Illinois State Legislature trying to make better the law that is in place regarding the Police, and he hopes the Legislature continue to make the law better diligently. He commented on the Drainage and Storm Water Control Working Session and asked everyone to take a look at the Working Session and the process for issues. He explained that both Patrick Meyer and Superintendent Ric Semonski have worked very hard on drainage and storm water control and explained that drainage issues are important.

Commissioner Hill explained that the season opening of the Farmer's Market is this Friday, June 4, 2021 from 4:00 pm to 7:00 pm. He thanked Director of Planning and Community Development - Ty Livingston, Planning and GIS Coordinator - Seth Hardin, and Administrative Assistant - Jill Peterson for their help with the Farmer's Market. There is planned to be on average each week over 20 vendors.

Commissioner Mingus announced that the Car Seat Check Event is scheduled for tomorrow from 1:00 pm to 4:00 pm.

Mayor Kahl explained that they recognized Jeff Bieber earlier in the meeting. He expressed thoughts and prayers to the City of Champaign for the loss Officer Chris Oberheim on their Police Department who was 44 years old, married and had 4 daughters. Mayor Kahl expressed appreciation and support to the men and women of law enforcement.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, June 15, 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 7:04 P.M.

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