

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

**OCTOBER 19, 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, October 15, 2021, at approximately 4:52 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 October 5, 2021 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Proclamation by Mayor Kahl proclaiming November 1, 2021 as "Extra Mile Day". He explained that the East Peoria Beautification commission had a meal to recognize those that volunteer on the Commission. East Peoria is a very giving community and expressed thanks to the commission members. He commented on the community group that is volunteering to help volunteers to clean-up in the community. There are other people that volunteer in other organizations. He commented on the Theresa Tracy Strive to Survive organization and have donated their time and collected a lot of money.

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

Item Number 1 - Adoption of Resolution Number 2122-068 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 11 in the amount of \$2,767,639.38.

Item Number 2 - Adoption of Resolution Number 2122-061 on its Second Reading - Resolution to Approve First Amendment to Development Agreement with Flaherty & Collins, Inc. for Downtown Mixed-Use Project.

Item Number 3 - Adoption of Resolution Number 2122-062 on its Second Reading – Resolution accepting the Low Bid for Winter Wonderland Storage Building Concrete Floor Project from Wm. Aupperle & Sons, Inc. in the amount of \$49,388.

Yeas: Commissioners Decker, Hill, Mingus, 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 and 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 2122-068 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 11 in the amount of \$2,767,639.38. (Adopted by omnibus vote)

Item Number 2 - Adoption of Resolution Number 2122-061 on its Second Reading - Resolution to Approve First Amendment to Development Agreement with Flaherty & Collins, Inc. for Downtown Mixed-Use Project. (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2122-062 on its Second Reading – Resolution accepting the Low Bid for Winter Wonderland Storage Building Concrete Floor Project from Wm. Aupperle & Sons, Inc. in the amount of \$49,388. (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. 4602, hereto attached, (AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,255,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (TARGET AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021E, AND \$2,880,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (COSTCO AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021F, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND AUTHORIZING THE SALE OF SAID BONDS TO MORTON COMMUNITY BANK) having been read once by its title and having been laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Hill gave a public recital of the nature and purpose of the Bond Ordinance, which included a reading of the title of the Bond Ordinance and statements (1) that the Bond Ordinance provides for the issuance of taxable general obligation alternate bonds to refund certain outstanding alternate revenue bonds of the City previously issued in connection with the certain business district project costs to be incurred in and for the Target Area and the Costco Area Business Districts heretofore designated by the City, (2) that the bonds are issuable without referendum pursuant to authority of the Illinois Municipal Code and the Local Government Debt Reform Act to accomplish debt service savings, (3) that the Bond Ordinance delegates the authority to sell the bonds to certain designated officers of the City, who are to execute a bond order in connection with such sale, (4) that the Bond Ordinance provides for the bonds to be paid by various pledged revenues as described and set forth in the Bond Ordinance, but there is also a back-up levy of taxes to pay the bonds, and (5) that the Bond Ordinance provides many details for the bonds, including provision for terms and forms of the bonds.

Commissioner Hill explained that the City is recalling and reissuing the bonds for the same lifespan but is doing so because there are savings to be had. Commissioner Hill explained the estimated savings from the bond refunding. It is a tremendous savings for the three most recent bond refunding.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4602 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4605 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 605 ILLINI DRIVE 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 the petitioner is requesting an accessory structure that is larger and taller than allowed. The property is a heavily wooded area that is below grade resulting in the property being hidden so that neighbors will not see. The Zoning Board of Appeals recommended 5-0 to approve.

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 Ordinance No. 4606 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 707 OAKWOOD ROAD 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 the petitioner is looking to build a larger than allowed accessory structure. The siding on the structure also will not match the accessory structure which is metal.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4609 hereto attached, (AN ORDINANCE APPROVING AN ADDENDUM TO SPECIAL SERVICE AREA 2019A TO FUND ADDITIONAL IMPROVEMENT COSTS INCURRED FOR COMPLETING THE ACCESS ROAD 6 IMPROVEMENTS IN THE CITY OF EAST PEORIA, TO LEVY AN ADDITIONAL PROPERTY TAX AGAINST THOSE PROPERTIES BENEFITTED BY THE SSA 2019A ROAD IMPROVEMENTS, AND TO INCUR DEBT FOR FINANCING THE ADDITIONAL IMPROVEMENT COSTS INCURRED FOR THE SSA 2019A ROAD IMPROVEMENTS) 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 this Special Service Area was approved and created back in 2019 to make improvements along Access Road 6. The property owners along the road paid for the costs, and there were costs in excess of what was planned. This ordinance is adding those excess additional costs.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-064 by Commissioner Decker, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-064, hereto attached, a Resolution approving and authorizing the execution of a Joint Funding Agreement between the City of East Peoria and the Peoria/Pekin Urbanized Area Transportation Study ("PPUATS") for the Fiscal Year 2022, be approved. Mr. Mayor, I move you that this Resolution No. 2122-064 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 the City pays into PPUATS each year. The projects approved are those with regional significance. The largest project that Commissioner Decker remembers in East Peoria was Summit Drive. The costs are generally 30% of the project costs to the City and the rest paid by PPUATS. The City has to pay for all of the engineering costs. A project that has recently been discussed is Grange Road that is estimated to cost in excess of \$3,000,000.

Mayor Kahl discussed the Camp Street and Riverside Drive Project. There are also improvements on East Washington street that are a PPUATS project.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4608 hereto attached, (AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF THE TAYLOR STREET RIGHT-OF-WAY AND RETENTION OF CITY UTILITY EASEMENT) 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 location of the right-of-way on Taylor Street. This ordinance connects the parking area with the property, and it does preserve a permanent easement be granted to the City that has water and sewer mains and other City structures/equipment.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-065 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-065, hereto attached, a Resolution Approving the Pekin Avenue Water Tower Emergency Repair Project by Central Tank Coatings, Inc. in the amount of \$15,000, be approved. Mr. Mayor, I move you that this Resolution No. 2122-065 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.

Mayor Mingus explained that there were emergency repairs to a water tower on Pekin Avenue. They were not out of commission for very long, and the water tower was able to be repaired.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-066 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-066, hereto attached, a Resolution approving the Purchase of a Ford F-250 Service Truck from Uftring Auto Group in the amount of \$50,292 for use as a Water Service Truck in the City's Water Department, be approved. Mr. Mayor, I move you that this Resolution No. 2122-066 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.

Mayor Kahl explained that the water service truck #6 has close to 150,000 and needs a lot of repairs. This resolution is for the purchase of a truck to replace the old truck.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-067 by Commissioner Mingus; 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, while also decreasing the number of Deputy Chiefs due to budget issues with the pandemic; and

WHEREAS, Fire Chief John Knapp has announced his intent to retire from the Fire Department effective May 7, 2022; and

WHEREAS, in order to ensure a smooth transition at the time of Chief Knapp's retirement and the appointment of his successor, it is in the best interest of the City to temporarily increase the number of Deputy Fire Chiefs by one until a new Fire Chief is appointed; and

WHEREAS, the City Council also seeks to extend the temporary increase in the number of firefighters in the Fire Department to 33 through April 30, 2022;

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

Section 1. Effective November 1, 2021, the Fire Department of the City of East Peoria shall consist of the following personnel:

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

Section 2. Effective November 1, 2021, Robert E. Zimmerman, III is appointed to fill the second Deputy Fire Chief position in the Fire Department of the City of East Peoria.

Section 3. The Fire Chief is hereby authorized and directed to notify the Police and Fire Commission of the change and to request the Police and Fire Commission to undertake the process of appointing a new Lieutenant and Probationary Firefighter to fill the open positions hereby created.

Section 4. Subject to further action by the City Council, effective on April 30, 2022, 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. Two Deputy Fire Chiefs
- C. Three Assistant Fire Chiefs
- D. Nine Lieutenants
- E. Thirty Firefighters
- F. One Paid on Call Firefighter

Section 5. Effective upon the appointment of a new Fire Chief, 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. One Deputy Fire Chief
- C. Three Assistant Fire Chiefs
- D. Nine Lieutenants
- E. Thirty Firefighters
- F. One Paid on Call Firefighter

Motion by Commissioner Mingus, seconded by Commissioner Hill; Mr. Mayor, I move that Resolution No. 2122-067 be adopted as presented.

Commissioner Mingus explained the resolution creates the Deputy Fire Chief position and appoints Bobby Zimmerman in hopes that he will succeed Chief Knapp after Chief Knapp's retirement. Commissioner Mingus expressed congratulations to Bobby Zimmerman on his appointment.

Mayor Kahl explained that the Fire Department is short-staffed. The Fire and Police Commission approved the list which includes six individuals on the Probationary Firefighter Eligibility List. We are currently short three firefighters, and we are likely to hire four firefighters to get them into the academy.

Commissioner Decker explained that he would be abstaining from voting due to his position in the Fire Department.

Yeas: Commissioners Hill and Mingus, and Mayor Kahl.

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 2122-067 be duly adopted as presented.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4607 hereto attached, (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF THE EAST PEORIA CITY CODE TO CHANGE THE NUMBER OF CLASS D LIQUOR LICENSES AUTHORIZED TO BE ISSUED WITHIN THE CORPORATE LIMITS OF THE CITY) be read at length by the Clerk, and that said Ordinance No. 4607 be accepted on its first reading, and be hereby adopted as presented.

Commissioner Mingus explained that there are times throughout the year that liquor license numbers are changed throughout the year, and this is one of those times.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4607 to 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 cleanup week that consisted over collecting over 327.36 tons or 654,720 of items. The cleanup week is well received. Commissioner Decker commented on the cleanup week being in the Fall because the weather is generally nicer, and individuals have time to get items together. He commented on complaints about garbage cans destroyed and explained that those that are damaged are generally older and what is inside the cans assists in damaging the cans. The city needs to decide whether it is going to replace the cans. They do want to know if there are garbage cans that are damaged. He commented on Grange Road and the speed being reduced due to a traffic study. There was a thought to close it as a through street. However, they did not want to close the road. An idea is to have the Grange Road improvement approved through PPUATS. He explained he does not know whether the city of Washington would be interested in helping in funding. He commented on the band and chorus concert using the park space. Commissioner Decker explained that he will not be at the next meeting.

Commissioner Hill commented on garbage cans being damaged. He also commented on attending the Theresa Tracy Trot meeting with the event coming soon with the assistance of many volunteers. He commented on Lisa Sherman and Corey Atterberry organizing people to assist in helping residents that need help in the community and the Beautification Commission volunteers helping in the community.

Commissioner Mingus explained that open burning has started and goes through November 30 with no burning November 25 and 26. He asked the individuals follow the rules and be respectful of both the rules and their neighbors. He commented on the possibility of a new fire station being located at Illinois Central College. The new fire station is not 100% yet. \$1,900,000 is anticipated to come from the State for the construction of the new fire station. It is a strong possibility that it will go in and is a need in the north end of town. He is hopeful to have a final project ready to present in the near future. The Mayor is waiting on the DCEO to release funds.

Mayor Kahl was asked by the East Peoria Community High School to present the information about a forum scheduled for October 27, 2021 in the auditorium of the high school. There is a petition that was going around that went back to the high school board to change the high school mascot and imagery. They are seeking input from the community and asking everyone to be civil and will limit comments to three minutes each.

Mayor Kahl explained that he feels that what is going on in the State and Federal level is not right. We don't pick and choose when we recognize particular rights. There are rights in the Constitution. He commented on the Governor being challenged on requiring healthy people to be vaccinated, get tested or be out the door. Mayor Kahl explained that law enforcement, firefighters, teachers, and nursing position numbers are low. Mayor Kahl explained that the Governor is now seeking legislation to change the law because, in the Governor's eyes, the intent of the law is not applicable to a pandemic. This is the 92<sup>nd</sup>

extension, and he believes that one man with the stroke of a hand should not be able to control 12 million people. Mayor Kahl will continue to bring this up until people stand-up and it is changed. He explained that the positivity rate is 2.4% in the State, and the survival rate is in excess of 99% and has not changed. He and the other elected officials have taken an oath to support the Constitution of the State of Illinois and the Constitution of the United States. He will continue to talk about this and stand-up for individual rights and not stay on the sidelines, as silence is consent. He commented on this time being difficult.

Motion by Commissioner Mingus, seconded by Commissioner Hill; Mr. Mayor, I move you that we adjourn until Tuesday evening, October 19, 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 6:52 P.M.

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