

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

JUNE 6, 2023

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 May 16, 2023 and the minutes of the Special Meeting for a Working Session held on May 16, 2023 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed June 14, 2023 as "Flag Day" and June 11-17, 2023 as "National Flag Week".

BID OPENING FOR CITY-OWNED SURPLUS REAL ESTATE:

A bid opening will occur for city-owned surplus real estate located at 349 Park Avenue, East Peoria, IL; 365 Cole Street, East Peoria, IL; 238 Franklin Street, East Peoria, IL; 423 Chicago Street, East Peoria, IL; and 345 Edmund Street, East Peoria, IL.

The City Clerk read the following three bids that were received by the City.

- Bid for 349 Park Avenue, East Peoria, IL in the amount of \$800 from David Hale.
- Bid for 345 Edmund Street, East Peoria, IL in the amount of \$800 from Sam Griffin.
- Bid for 238 Franklin Street, East Peoria, IL in the amount of \$500 from Merle Jolley.

There was discussion regarding the bid process for selling city-owned real estate.

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

Item Number 1 - Adoption of Resolution Number 2324-024 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,182,627.40.

Item Number 2 - Adoption of Ordinance Number 4728 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 340 CENTER STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use to Allow for Placement and Construction of an Additional Accessory Structure (Shed) on the Property.)

Item Number 3 - Adoption of Resolution Number 2324-011 on its Second Reading – Resolution Approving the Purchase of Fifteen (15) New Jet Ports for East Port Marina from Sport Port, Inc.

Item Number 4 - Adoption of Resolution Number 2324-012 on its Second Reading - Resolution Accepting and Approving Proposal from Krumholz Brothers Landscaping, Inc. for the 402 Illini Drive Storm Sewer and Erosion Repair Project.

Item Number 5 - Adoption of Resolution Number 2324-013 on its Second Reading – Resolution Accepting and Approving Proposal from Krumholz Brothers Landscaping, Inc. for the 116 Harvey Court Storm Sewer and Erosion Repair Project.

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 5 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 5 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 2324-024 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 2 in the amount of \$3,182,627.40. (Adopted by omnibus vote)

Item Number 2 - Adoption of Ordinance Number 4728 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 340 CENTER STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use to Allow for Placement and Construction of an Additional Accessory Structure (Shed) on the Property.) (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2324-011 on its Second Reading – Resolution Approving the Purchase of Fifteen (15) New Jet Ports for East Port Marina from Sport Port, Inc. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2324-012 on its Second Reading - Resolution Accepting and Approving Proposal from Krumholz Brothers Landscaping, Inc. for the 402 Illini Drive Storm Sewer and Erosion Repair Project. (Adopted by omnibus vote)

Item Number 5 - Adoption of Resolution Number 2324-013 on its Second Reading – Resolution Accepting and Approving Proposal from Krumholz Brothers Landscaping, Inc. for the 116 Harvey Court Storm Sewer and Erosion Repair Project. (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. 4729, hereto attached, (AN ORDINANCE APPROVING COOPERATIVE AGREEMENT AND ADDITIONAL BOND ISSUANCE DOCUMENTS FOR TRI-COUNTY RIVER VALLEY DEVELOPMENT AUTHORITY (TRVDA) BOND FINANCING FOR THE RIVERFRONT MIDRISE APARTMENT DEVELOPMENT TO BE CONSTRUCTED BY TEEKONA GROUP PURSUANT TO DEVELOPMENT AGREEMENT WITH THE CITY) 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 commented on the ordinance. The TRVDA is a mechanism for the developer to monetize the incentive it is receiving. This ordinance covers the cooperative agreement and the bond purchase agreement and disclosure agreement. Monies are to be monetized up front through the TRVDA organization.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4729 be adopted as presented.

Resolution No. 2324-021 by Commissioner Hill; RESOLUTION WAIVING NOTICE PERIOD FOR ISSUANCE OF TRVDA BOND FINANCING FOR THE RIVERFRONT MIDRISE APARTMENT DEVELOPMENT TO BE CONSTRUCTED BY TEEKONA GROUP PURSUANT TO A DEVELOPMENT AGREEMENT WITH THE CITY

WHEREAS, the City of the East Peoria ("City") has established the Camp Street Redevelopment Project Area (the "Camp Street TIF District") under authority of the Illinois TIF Act (65 ILCS 5/11-74.4-1, *et seq.*); and

WHEREAS, in 2020, the City entered into a Development Agreement with Teekona Group, Inc. (the "Developer") for the development of an upscale midrise residential apartment complex on City-owned property in the Camp Street TIF District (the "Development Agreement"), which has been subsequently amended from time to time by the parties (the "Development Agreement"); and

WHEREAS, under the terms of the Development Agreement, the Developer will construct a midrise residential apartment on City property that will be transferred to the Developer, and the midrise residential apartment complex will consist of a multi-story residential complex of approximately one hundred forty-two (142) upscale apartments that will also include associated parking, fitness center, and other amenities commonly found in such a complex (the "Project"); and

WHEREAS, under the terms of the Development Agreement, the City has agreed to pay or reimburse the Developer for certain costs of the Project by promising to pay the Developer annual incentive payments commencing after the Project has been substantially completed, and the City has received the incremental property tax revenue from the substantially completed Project (the "Development Incentive"); and

WHEREAS, in addition to the Developer's private financing for the Project, the Developer is working with the Tri-County River Valley Development Authority ("TRVDA"), a public body and municipal corporation duly organized and existing under the laws of the State of Illinois (the "Authority"), to obtain public bond financing for the Project as a means to monetize the Development Incentive provided by the City to the Developer under the terms of the Development Agreement; and

WHEREAS, the Authority has determined that it is appropriate and in the public interest for the Authority to issue revenue bonds for financing the Project, and the Authority has authorized the issuance of such revenue bonds to assist the Developer with financing or refinancing Project costs (the "Bonds"); and

WHEREAS, in accordance with Section 6 of the Tri-County River Valley Development Authority Act (70 ILCS 525/2006), the Authority has provided the City with written notice of the Authority's intent to issue the Bonds, while giving the City forty-five (45) days to object to and formally disapprove the Authority's issuance of the Bonds (the "Notice"); and

WHEREAS, consistent with the Development Agreement and the City's intent to support this Project for the City's ongoing development efforts in the Camp Street TIF District and the ongoing economic development of the City, the City seeks to waive its ability to disapprove the Authority's issuance of the Bonds for the Project as set forth in the Notice (the "Waiver"); and

WHEREAS, the City's Waiver will allow the Bonds to be issued in an expedited manner, thereby allowing the Project to proceed in the most timely manner; and

WHEREAS, the City Council hereby finds that providing this Waiver to the issuance of the Bonds for the Project is in the best interests of the City and its citizens and furthers the City's ongoing development efforts in the Camp Street TIF District and the ongoing overall economic development of the City;

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, and are hereby incorporated herein.

Section 2. The City Council hereby waives the City's ability to disapprove the Authority's issuance of the Bonds for the Project, as set forth in the Notice that TRVDA has properly served upon the City.

Section 3. The Mayor and City Clerk are hereby authorized and directed to execute any documents deemed necessary by the City Attorney to effectuate the Waiver as provided and approved herein.

Section 4. This Resolution is in addition to all other City actions on the subject and shall be construed therewith excepting as to that part in direct conflict with any other such actions, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Resolution shall be in full force and effect from and after its passage by the City Council in the manner as provided by law.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2324-021 be adopted as presented.

Commissioner Hill commented on the City waiving the period of time for the city to respond and the city is waiving that period. Before TRVDA can issue financing for the Developer's project, TRVDA is required to give notice to the City that TRVDA will be issuing financing for the Project, while giving the City 45 days to formally object to and disapprove the TRVDA financing. In order to expedite the issuance of the TRVDA financing for the project and to complete the closing process for moving this development project forward, the City can waive its ability to disapprove the TRVDA financing for this project during this 45-day period. This Resolution formally waives the City's ability to disapprove the TRVDA financing for this project, thereby allowing the TRVDA financing and project to move forward in an expeditious manner. There was a discussion about the incentive that the City is giving the developer.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-021 be duly adopted as presented.

Resolution No. 2324-019 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-019, hereto attached, a Resolution Approving an Agreement with Sikich LLP for Audit Preparation Assistance Services, be approved. Mr. Mayor, I move you that this Resolution No. 2324-019 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 explained that the city is in need of assistance in preparing for the audit. The City has worked with Heinold in the past and Heinold has merged with Sikich. Mayor Kahl explained that this will be a smooth transition as the city has used Heinold in the past.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-023 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-023, hereto attached, a Resolution Approving the Purchase of a Mud Cat MC 115D Dredge and Mud Cat TLR Trailer for Eastport Marina from Ellicott Dredge Technologies, LLC, be approved. Mr. Mayor, I move you that this Resolution No. 2324-023 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 for the purchase of a dredge for the Marina at a cost of \$405,979. The old dredge is no longer functional, and the new dredge ensures that we can maintain the Marina. He explained that he received positive comments about the look of the Marina. Director of Finance Jeff Becker explained that he and Brad Boehm, Operations Manager at the Marina, met to learn about the machine which should work out well for the Marina. This unit is in stock and hopefully can begin to be used beginning in mid-July. Mayor Kahl explained that mid to late July time is the time when they were going to begin dredging. Director Becker explained the dredging process.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-022 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-022, hereto attached, a Resolution Approving Adjustment to Salary for Fire and Police Commission Members, be approved. Mr. Mayor, I move you that this Resolution No. 2324-022 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 the resolution is for an increase for Fire and Police Commissioners that was inadvertently missed in the salary resolution.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-017 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-017, hereto attached, a Resolution Approving the Purchase of a New 2022 Ford F-250 for the Water Department from Ufring Ford, Inc. in the amount of \$55,268.00, be approved. Mr. Mayor, I move you that this Resolution No. 2324-017 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 Sutherland explained that the City lost a truck, and this purchase replaces that truck. He explained that he does not like the price but it will not get cheaper.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-020 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-020, hereto attached, a Resolution Authorizing and Directing the Payment of an Invoice from Hoerr Construction, Inc. for Seasons Drive Emergency Sewer Repair Project in the amount of \$183,699.36, be approved. Mr. Mayor, I move you that this Resolution No. 2324-020 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.

Commissioner Sutherland explained that there was a mud slide that took out a main and affected a manhole in the woods. Everything that was done was essentially for the Springfield Road area. All of the people working on the project had to come in from High Point Lane to work on the project. It took the concrete truck four to five hours where it would normally take twenty minutes to unload. The mud slide happened 4-5 years ago, and it was never addressed. Commissioner Sutherland explained how the project was fixed which was a large project. He thanked city workers and Hoerr Construction for their work. Mayor Kahl and Sutherland expressed optimism that this work will prevent future problems.

Commissioner Decker explained that because of the topography in the City there are water drainage issues, and the City does not always have the money to get to all of them. They are prioritized.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-018 by Commissioner Mingus; WHEREAS, Justin Hale has been continuously employed by the City from May 16, 2000 through June 14, 2023, most recently occupying the position of Lieutenant in the Fire Department; WHEREAS, Justin Hale announced his intention to retire from employment effective at the end of his shift on June 14, 2023; and WHEREAS, the City is appreciative of the long and continued service provided by Justin Hale; 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 Decker; Mr. Mayor, I move that Resolution No. 2324-018 be adopted as presented.

Commissioners and Mayor Kahl thanked Justin Hale for his work with the City and wished him well. Mr. Hale is to be paid in two (2) installments of \$12,591.40. The first installment on or before June 30, 2023, and the second installment on or before January 15, 2024, totaling \$25,182.80.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-018 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.

Allen Andrus came up to the podium. Andrus expressed interest in holding an event. Andrus printed out some documents on the event idea. Some of the ideas consist of food vendors and other performers, such as friends and relatives, coming to the event. Andrus estimates having a cover of \$5-\$10 max to attend the event. However, if someone would donate a non-perishable food item, the individual will get in for \$5.

Mayor Kahl explained that the City is still working on the park and any agreements for use of the park. Mayor Kahl asked Andrus to share the paperwork with the City Clerk.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker expressed condolences to the family and friends of the John Holden, retired East Peoria Fire Department firefighter, that passed away on June 1.

Commissioner Hill explained that the nominations for the Paul Peterson Bright Spot Award are due June 10. The Paul Peterson Bridge Spot Award is named for Paul Peterson, who maintained the triangle garden at the intersection of Highview Road, Illini Drive and Simon Drive for 31 years until his death in January 2016. The Bright Spot Award is presented June through September of each year. The nomination entry form is located on the City's website. Commissioner Hill explained that the East Peoria Farmers Market began last Friday. He explained that they are still looking for farmers if anyone is interested. There are several other non-farmer vendors at the Farmers Market.

Commissioner Mingus asked people to lock doors to their house and vehicles because he had someone go in both his and his wife's vehicles one evening. Commissioner Mingus announced that the Car Seat Check event is tomorrow from 1p-4pm at Central Fire House.

Commissioner Sutherland commented on a bumper sticker someone received where an organization is asking for money to coverage costs for bulletproof vests and other items for police. He explained that only a few cents come back to the police department and that is only if the correct boxes are checked. He explained that he called, the gentleman he spoke with was pushy, and Commissioner Sutherland thinks it is a scam. He explained the City pays for and gives the Police Department their own bulletproof vests. If you want to do something for your City, he suggested doing it locally. To avoid large sewer bills, there are auxiliary meters that can purchased, or residents can get a large holder for the water and they can get water from two designated water stations in the City that offer 100 gallons of water for \$.25.

Mayor Kahl reminded everyone to make sure vehicles are locked, garage doors are closed, and houses are locked. He explained that different energy companies are going around door to door trying to sell people on energy suppliers. Anyone going door to door should be registered with the police department. Mayor Kahl asked residents not to show the solicitors their energy bill or information with them as they can switch providers if one does so. He asked everyone to do their research on the company and it is the resident's choice to switch after doing their research.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, June 20, 2023 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 6:50 P.M.

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