

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

**FEBRUARY 4, 2020**

The Regular Meeting of the City Council of the City of East Peoria, Illinois was called to order by his Honor Mayor John P. Kahl presiding at 6:00 P.M. with proper notice having been given.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.  
Absent: None.

The invocation was given by Commissioner Hill.

Mayor Kahl led the Council and the audience in the pledge of allegiance to the flag.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on January 21, 2020 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed February 14, 2020 as the “100<sup>th</sup> Anniversary of the League of Women Voters”. Mayor Kahl presented the proclamation to Connie Romanus, President of the League of Women Voters Greater Peoria. Ms. Romanus thanked the Mayor and City Council. She explained that they are celebrating the 100<sup>th</sup> Anniversary of the League of Women Voters locally. The League of Women Voters Greater Peoria have hosted several candidate forums to inform the voters on candidates.

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 No. 1 – Adoption of Resolution No. 1920-111 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 18 in the amount of \$1,212,523.66.

Item No. 2 – Adoption of Ordinance No. 4480 on its Second Reading - (AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE CONDITIONS IMPOSED ON THE PLANNED UNIT DEVELOPMENT SPECIAL USE GRANTED WITH RESPECT TO 115 ARNOLD ROAD IN THE CITY OF EAST PEORIA).

Item No. 3 – Adoption of Ordinance No. 4481 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 727 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – (to allow the operation of a used vehicle and trailer dealership and repair shop on the property)

Item No. 4 – Adoption of Resolution No. 1920-100 on its Second Reading – Resolution Approving Construction Engineering Services Contract with Midwest Engineering Associates for Altorfer Lane Improvements.

Item No. 5 – Adoption of Resolution No. 1920-101 on its Second Reading – Resolution Accepting Second Change Order for City’s Sanitary Sewer System Upgrade Project (Phase A – C Construction Project) (Change Order #2) in the amount of \$143,976.

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 No. 1 – Adoption of Resolution No. 1920-111 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 18 in the amount of \$1,212,523.66. (Adopted by omnibus vote)

Item No. 2 – Adoption of Ordinance No. 4480 on its Second Reading - (AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE CONDITIONS IMPOSED ON THE PLANNED UNIT DEVELOPMENT SPECIAL USE GRANTED WITH RESPECT TO 115 ARNOLD ROAD IN THE CITY OF EAST PEORIA). (Adopted by omnibus vote)

Item No. 3 – Adoption of Ordinance No. 4481 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 727 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – (to allow the operation of a used vehicle and trailer dealership and repair shop on the property) (Adopted by omnibus vote)

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

Nays: None.

Mayor Kahl declared the motion carried and the items adopted by omnibus vote designation.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4478, hereto attached, (AN ORDINANCE AUTHORIZING A CONDITIONAL USE FOR PROPERTY LOCATED AT 504 RIVERSIDE DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – (to allow an adult-use recreational cannabis dispensary operation) 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 and conditional use that is for NuMed that has a state license for an adult-use recreational cannabis dispensary operation.

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

Nays: Commissioner Sutherland.

Mayor Kahl declared the motion carried and Ordinance No. 4478 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4479, hereto attached, (AN ORDINANCE AUTHORIZING A CONDITIONAL USE FOR PROPERTY LOCATED AT 3201 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – to allow an adult-use recreational cannabis infuser operation and an adult-use recreational cannabis craft grower operation) 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 and the conditional use. He commented on the distance requirements regarding the conditional use.

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

Nays: Commissioner Sutherland.

Mayor Kahl declared the motion carried and Ordinance No. 4479 be adopted as presented.

Resolution No. 1920-103 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-103 hereto attached, a Resolution to approve abating and eliminating various tax levies for Water and Sewer Bond Issues, Tax Increment Financing Bond Issues, and Development Bond Issues, be hereby approved. Mr. Mayor, I move you that this Resolution No. 1920-103 having been read once by its title and having laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Hill explained that the bonds the City has are backed by property taxes and this approves this resolution annually because the city is not using the tax levy to pay the bonds but is instead using alternative revenues to pay for the bonds.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-103 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4483 hereto attached, (AN ORDINANCE PROVIDING FOR ANNEXATION OF THE NEWNAM PROPERTY TO THE CITY OF EAST PEORIA, ILLINOIS) (PIN: 02-02-19-200-034 (Formerly part of PIN: 02-02-19-200-015)) be read at length by the Clerk, and that said Ordinance No. 4483 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Hill explained that this annexation is for property off of Centennial Drive.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4483 to be duly adopted as presented.

Resolution No. 1920-107 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-107, hereto attached, a Resolution accepting the lowest responsible bid received from RNS Electric Inc. in the amount of \$7,985 for electrical work to replace the Emergency Power Generator Switch at the Public Safety Building, be approved. Mr. Mayor, I move you that this Resolution No. 1920-107 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 a transfer switch went out last November and this resolution approves the transfer switch installation work.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-113 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-113, hereto attached, a Resolution Approving a Short Term Lease between the City of East Peoria and ICC Group, Inc. for the Use of Vacant City Property in Connection with Work on the Murray-Baker Bridge, be approved. Mr. Mayor, I move you that this Resolution No. 1920-113 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 I-74 bridge project. The city property is being leased to the contractor of the I-74 bridge project as a staging area during the project. The property location is an ideal site for the staging because of its location in relation to the bridge.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-108 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-108, hereto attached, a Resolution Approving a Construction Contract and Engineering Contract for Improvement of the Norfolk Southern Railway Railroad Crossing at Carver Lane, be approved. Mr. Mayor, I move you that this Resolution No. 1920-108 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 Carver Lane project. This improvement was a requirement from the Illinois Commerce Commission that this project be completed and the project is being reimbursed to the city.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-110 by Commissioner Decker, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-110, hereto attached, a Resolution allocating of \$900,000 of Motor Fuel Tax Funds for the 2020 Street Maintenance Program and authorizing an Engineering Agreement with Patrick Meyer & Associates for the Street Maintenance Program, be approved. Mr. Mayor, I move you that this Resolution No. 1920-110 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 city receiving more Motor Fuel Tax funds this year for projects. This is all of the work that will be done for the year. He explained that the earlier we get this out the more likely it is that the City will get better pricing. The City has been able to get more work done if there were additional monies available as the contractors honored the original pricing.

Commissioner Hill explained that the additional Motor Fuel Tax funds are good; however, the City needs to continue to find more funds for the streets because the maintenance is not enough for capital reconstruction.

Mayor Kahl explained that \$900,000 is not a lot for street maintenance and this is not the perfect scenario for streets; however, he is confident that the City can stretch the dollars to do the best that it can. He commented on the GSB process being successful in maintaining roads and stretching City dollars for maintenance.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-112 by Commissioner Decker; WHEREAS, Don Lyon has been continuously employed by the City from August 31, 1998 through January 3, 2020, most recently occupying the position of Driver in the Streets Department for Public Works.

WHEREAS, Don Lyon announced his intention to retire from employment effective at the end of the day on January 3, 2020; and

WHEREAS, the City is appreciative of the long and continued service provided by Don Lyon; 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 Sutherland; Mr. Mayor, I move that Resolution No. 1920-112 be adopted as presented.

Mayor Kahl and City Commissioners commented on Mr. Lyon's work for the city and congratulated him on his retirement.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-112 be duly adopted as presented.

Resolution No. 1920-102 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-102 hereto attached, a Resolution approving a two-year contract with SiteMed Agreement for Annual Firefighter Physicals for the Fire Department, be hereby approved. Mr. Mayor, I move you that this Resolution No. 1920-102 having been read once by its title and having laid on the table for no less than one week for public inspection, be adopted as presented.

Commissioner Mingus explained that the resolution approves a contract for onsite annual physicals for the firefighters where they come onsite to complete the physicals instead of the firefighters having to go offsite to a facility to complete the physical.

Commissioner Decker explained that he will be abstaining from voting due to his employment in the fire department.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 1920-102 be duly adopted as presented.

Resolution No. 1920-109 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, a firefighter has submitted his letter of intent to retire in June 2020; and

WHEREAS, the City seeks to retain the number of firefighters at a level of 33 upon the retirement of this firefighter, while determining whether the staffing level of firefighters will be decreased back to 30 at a later date after the passage of this Resolution; and

WHEREAS, it is in the best interests of the City of East Peoria to temporarily increase the total number of individuals holding the rank of firefighter in the East Peoria Fire Department by one to 34; and

WHEREAS, it is in the best interests of the City that after the retirement of this firefighter in June 2020, the total number of firefighters in the Fire Department be reduced by one to 33, and thereafter, the total number of firefighters in the Fire Department be reduced through attrition to 30;

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

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

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

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

Section 3. Subject to further action by the City Council, effective on June 30, 2020, the Fire Department of the City of East Peoria shall consist of the following personnel upon attrition to the staffing levels established in Resolution 1819-106:

- 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

Motion by Commissioner Mingus, seconded by Commissioner Hill; Mr. Mayor, I move that Resolution No. 1920-109 be adopted as presented.

Commissioner Mingus commented on the resolution and explained that it allows a new probationary firefighter to get to the fire academy and on the streets before a planned retirement.

The previous temporary increase of three firefighters may be extended at a later date.

Commissioner Decker explained that he will be abstaining from voting due to his employment in the fire department.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 1920-109 be duly adopted as presented.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4482 hereto attached, (AN ORDINANCE AMENDING TITLE 10, CHAPTER 1 OF THE EAST PEORIA CITY CODE PERTAINING TO TRUANCY AND EXCESSIVE ABSENTEEISM) be read at length by the Clerk, and that said Ordinance No. 4482 be accepted on its first reading, and be hereby adopted as presented.

Commissioner Mingus commented on the ordinance. Mayor Kahl thanked Marjorie Grueter, District 309 Superintendent from the high school, for pointing out to the city the needed change.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4482 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 traveling Vietnam Wall that is coming to East Peoria. The process was started by Justin Hale. He explained that former Mayor Mingus was supportive and Mayor Kahl has also been nothing but supportive. He explained that Mr. Hale goes on the honor flight and commented on the honor that it is to assist on the honor flight. Mr. Hale wanted to bring the Wall to East Peoria because not everyone can go to Washington, D.C. to see the Wall. The traveling Vietnam Wall will be in East Peoria September 23-27, 2020. They are raising money for the Peoria Area Honor Flight. Any support that anyone wants to do for the Wall will be appreciated.

Commissioner Mingus explained that there were two commercial fires that residents likely did not hear about. He commented on and recognized (1) the regulations for code enforcement as the facilities were assisted by the required sprinklers and (2) the fulltime firefighters that helped with the fires as the reasons that residents did not even hear about the fires.

Mayor Kahl commented on a medical emergency that happened outside of Xfinity and the great assistance that the firefighters provide in emergency medical calls in the City. He commented on the Vietnam Wall and thanked Justin Hale and Commissioner Decker for their work on bringing it to the City. Contributions will be accepted by the East Peoria Community Foundation that will be used for the Honor Flight and to offset the costs of the bringing the wall. He commented on those veteran's getting to go to Washington, D.C., and specifically, explained the impact that the homecoming at the airport has on those veterans on the Honor Flight.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, February 11, 2020 at 4:00 P.M.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:51 P.M.

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