

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

FEBRUARY 18, 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 Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that the City Council recess the Regular Meeting to hold a public hearing.

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

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting recessed to hold a public hearing at 6:01 P.M.

Mayor Kahl called the Public Hearing to order with proper notice having been given.

Those present were the following: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.

Absent: None.

Mayor Kahl turned the discussion over to Director of Planning and Community Development, Ty Livingston. He explained that we are in the public hearing and explained the purpose of the meeting is to hold a public hearing on the proposed property exchange of city property located at EastPort Marina and Amendment to Unit Ownership of the EastPort Restaurant/Administration Building Condominium. Ty explained that the ownership of a portion of the administration building has changed. There is a condo agreement with Cullinan Properties for the EastPort main building that has the restaurant. The property was not as platted and that the assets did not match that plat. This is cleaning up the plat and revising the Declaration of the Condominium Ownership. It does reduce the city's ownership a little and takes the city down to approximately 26% ownership. This will get things cleaned up and accurately reflect what is really going on.

Mayor Kahl explained that the agreement was also cleared up during this process. Both parties are in a better position with a better understanding.

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

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move that to adjourn the Public Hearing and reconvene the Regular Meeting.

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

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting reconvened at 6:03 P.M.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Special Meeting for a Working Session held on February 4, 2020 and the minutes of the Regular Meeting held on February 4, 2020 and the minutes of the Special Meeting for a Working Session held on February 11, 2020 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl stated if there was anyone in the audience who wanted to speak on any items on the agenda to come to the podium and state the matter or matters to be discussed.

Mr. Roy Sorce from Sorce Enterprises came up to the podium to inquire whether the city council had any questions regarding his conditional uses in Ordinance No. 4486 that will be voted on later in the meeting. There were no questions from the city council.

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

CONSENT AGENDA ITEMS BY OMNIBUS VOTE:

Mayor Kahl asked if any Commissioner wished to remove any items from the Consent Agenda for discussion. There was no response.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 5 as listed on the agenda for this meeting to be considered by omnibus vote.

Item No. 1 – Adoption of Resolution No. 1920-116 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 19 in the amount of \$5,470,313.87.

Item No. 2 – Adoption of Resolution No. 1920-107 on its Second Reading – 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.

Item No. 3 – Adoption of Resolution No. 1920-113 on its Second Reading - 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.

Item No. 4 – Adoption of Resolution No. 1920-108 on its Second Reading – Resolution Approving a Construction Contract and Engineering Contract for Improvement of the Norfolk Southern Railway Railroad Crossing at Carver Lane.

Item No. 5 – Adoption of Resolution No. 1920-110 on its Second Reading – 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.

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. 1920-116 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 19 in the amount of \$5,470,313.87. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1920-107 on its Second Reading – 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. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1920-113 on its Second Reading - 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. (Adopted by omnibus vote)

Item No. 4 – Adoption of Resolution No. 1920-108 on its Second Reading – Resolution Approving a Construction Contract and Engineering Contract for Improvement of the Norfolk Southern Railway Railroad Crossing at Carver Lane. (Adopted by omnibus vote)

Item No. 5 – Adoption of Resolution No. 1920-110 on its Second Reading – 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. (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. 4488 hereto attached, (AN ORDINANCE APPROVING AN AGREEMENT FOR THE EXCHANGE OF REAL PROPERTY LOCATED AT EASTPORT MARINA AND AMENDMENT TO UNIT OWNERSHIP OF THE EASTPORT RESTAURANT/ADMINISTRATION BUILDING CONDOMINIUM) 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 ordinance was discussed earlier during the public hearing. This was the housecleaning and the realignment and the platting to reflect the responsibilities on the property in the event that Cullinan prepares to sell their portion of the restaurant/administration building condominium.

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 Ordinance No. 4484 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 116 LOREN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill explained that the city obtained property and the city always seeks to get the property back to a useful purpose by returning the property back to the tax roll and possibly get some new residents. This ordinance is providing for the sale of property to a private individual.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4485 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 402 MONSON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) be accepted on its first reading as read by its title, and be laid on the table for no less than one week for public inspection.

Commissioner Hill explained that this is a sale of another city owned property that the city acquired that the city would like to get back to a useful purpose. Commissioner Hill explained the appraisal value and the offer.

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 Ordinance No. 4486 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 the operation of an adult-use recreational cannabis processor organization and an adult-use recreational cannabis transporter operation) be read at length by the Clerk, and that said Ordinance No. 4486 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 property has already asked for conditional uses for an adult-use recreational cannabis infuser operation and an adult-use recreational cannabis craft grower operation for those other licenses issues by the state. The biggest requirement is a 1,000-foot requirement away from the nearest daycare. This will require the demolition of separating the building and making it 1,000 feet away. He explained the process that the state requires and he wished Sorce Enterprises luck.

Commissioner Decker explained that he will support as Mr. Sorce has agreed to abide by the rules.

Commissioner Sutherland explained that he has spoken with some of Mr. Sorce's employees and that it will be locally owned and locally controlled. Even if he is voting no, this is as good as he will get.

Commissioner Mingus expressed his support of Mr. Sorce's endeavors and wished him luck.

Mayor Kahl wished Mr. Sorce luck on his endeavors.

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

Nays: Commissioner Sutherland.

Mayor Kahl declared the motion carried and Ordinance No. 4486 to be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4487 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 617 ILLINI DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – to allow for placement of an accessory structure (storage shed) on the property in the front yard) 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 shed was built in the front yard without the City's permitting or knowledge. He explained that you cannot see the yard from the road due to a lot that is further in the woods. He explained that it must be an enclosed structure with a door and the materials have to be similar to what is there.

Commissioner Decker explained that he does not like things being built prior than they are supposed to. However, he thinks this is a mistake that a lot of people make as they do not realize what they need to or do not need to have permits for. Commissioner Decker explained that he will be abstaining because he is related to the property owners that live next door to this property.

Mayor Kahl explained that this building is off the beaten path and he does not see any issues in supporting this item.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried.

Resolution No. 1920-114 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-114, hereto attached, a Resolution authorizing a \$5,000 contribution for Illinois High School Association March Madness Tournament Experience from Hotel Motel Tax Funds, be approved. Mr. Mayor, I move you that this Resolution No. 1920-114 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 is an annual contribution, and the City benefits from the March Madness Experience from hotel/motel dollars that are associated with it. Director of Tourism and Special Events, Doug McCarty, explained that even though this is only for the Experience, it is a bigger partnership with and support of the IHSA for all events brought to the area.

Commissioner Decker explained the benefit of this event. He commented on other communities wanting the March Madness events in their community. He expressed his support for the contribution and that this is the best place for this event.

Commissioner Mingus expressed his support for the contribution and commented on the Experience and the cost-effectiveness of the event.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-115 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-115, hereto attached, a Resolution authorizing and directing the payment of an invoice in the amount of \$15,000 to the Fon du Lac Park District for Security Detail at the Winter Wonderland Lighted Display in November and December 2019, be approved. Mr. Mayor, I move you that this Resolution No. 1920-115 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 this is an intergovernmental partnership that the City and Fon du Lac Park District have for the security detail at the Winter Wonderland Lighted Display.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4489 hereto attached, (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF THE EAST PEORIA CITY CODE TO CHANGE THE NUMBER OF CLASS A 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. 4489 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Mingus commented on there being times that liquor license numbers need to be changed and that this is one of those times.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4489 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.

Bob Sinks came up to the podium and commented about a FOID card legislation that is being proposed by a state legislator that would require \$1,000,000 in insurance and the Fon du Lac Park District Board meeting happening earlier in the evening that had a full room.

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

Mayor Kahl then asked for comments from Council.

Commissioner Mingus welcomed Alex Sollberger, the new probationary fire fighter, that was sworn in on Monday, February 17, 2020.

Commissioner Sutherland commented on the construction of the Sewer Treatment Plant where there is an electrical wire that is in the way. The cost estimate is not a small amount. He explained that the city should expose a buried utilities and items to identify their locations. He does not like surprises, and he feels that that is no way to do business when the city does not identify the location of those buried items. Weather is holding up the sewer repair on Faulkner. The water pipe going underneath Altorfer Lane is coming along. There is a water line that is started on Farmdale Road.

Mayor Kahl commented on a fire at UPS that was put out quickly by the Fire Department. He explained that there is a cost for having a fulltime fire service and it is well worth the money. Next week, the City Council will have the Capital Budget discussion in a working session. It will be a discussion about true needs versus wants with prioritization of needs. He thanked everyone for their hard work on the budget.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, February 25, 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 6:36 P.M.

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

