

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

JUNE 18, 2019

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 June 4, 2019 and the minutes of the Closed Meeting/Executive Session held on June 4, 2019 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. 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 6 as listed on the agenda for this meeting to be considered by omnibus vote and I move you that Items numbered 1 through 6 listed on the Consent Agenda be hereby approved and adopted, the items numbered 1 through 6 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. 1920-017 on its Second Reading – Resolution Accepting Lowest Responsible Bidder for Residential Demolition Contractor. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1920-018 on its Second Reading – Resolution approving a contribution of \$12,000 for UnityPoint Red White & Boom July 4th Fireworks. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1920-020 on its second Reading – Resolution approving Laserfiche Software Licensing Renewal for the City with R&D Computer Systems, LLC in the amount of \$12,814.75. (Adopted by omnibus vote)

Item No. 4 – Adoption of Resolution No. 1920-015 on its Second Reading – Resolution authorizing the relining of the Street Department 2005 Vactor Tank Wall by Bessler Welding of East Peoria in the amount of \$12,912. (Adopted by omnibus vote)

Item No. 5 – Adoption of Resolution No. 1920-016 on its Second Reading – Resolution authorizing the purchase of a 2011 Sewer Easement Machine and Trailer from Coe Equipment, Inc. in the amount of \$25,000. (Adopted by omnibus vote)

Item No. 6 – Adoption of Resolution No. 1920-019 on its Second Reading - Resolution authorizing and directing the payment of an Invoice to ImageTrend, Inc. for the software licensing services for Fiscal Year 2019-2020 for running and administering many operational aspects of the Fire Department in the amount of \$12,513.32. (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.

Resolution No. 1920-027 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that the claims as listed on Schedule No. 3 be allowed. Mr. Mayor, I, move that the Clerk is hereby authorized and directed to issue orders on the Treasurer for the various amounts, totaling \$964,307.91, and the schedule of bills be hereby adopted as presented.

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

Nays: None

Abstention: Commissioner Sutherland.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4441, hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 212 DIVISION STREET) 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 that this was one of the properties that was bid on during the City Council meeting on May 21, 2019 in which sealed bids were opened for certain excess city-owned property. The bid that was received was for \$6,222.22.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4441 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4442, hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 202 ARNOLD ROAD) 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 that this was one of the properties that was bid on during the City Council meeting on May 21, 2019 in which sealed bids were opened for certain excess city-owned property. The bid that was received was for \$150.00.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4442 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4443 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2707 N. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) to allow massage establishment or to provide massage services on the property, 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 for massage services at a work out facility. This special use is the first case since the change to the city code regarding massage establishments. Director of Planning and Community Development, Ty Livingston, explained other items regarding the property that need to be complete of which the special is contingent upon.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-025 by Commissioner Hill; RESOLUTION ACCEPTING GRANT FROM ILLINOIS HOUSING DEVELOPMENT AUTHORITY FOR CITY'S DEMOLITION PROGRAM

WHEREAS, the City Council of the City of East Peoria (the "City"), an Illinois unit of local government, met on June 18, 2019, and adopted this Resolution in accordance with the laws of the State of Illinois; and

WHEREAS, the Illinois Housing Development Authority (the "Authority") has issued to the City that certain Conditional Commitment Letter (together with any amendments thereto, the "Commitment"), pursuant to which the Authority has agreed to issue a grant from the Abandoned Residential Property Municipal Relief Program (the "Program") to the City in an amount not to exceed Fifty-five Thousand Dollars (\$55,000.00) (the "Grant"); and

WHEREAS, the City will use the Grant funds solely and exclusively for eligible activities in connection with the Program and for no other purpose; and

WHEREAS, the City Council deems it to be in the best interests of the City to accept the Grant;

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

Section 1. The City Council of the City of East Peoria hereby authorizes the acceptance of the Grant.

Section 2. The City is authorized to accept the Commitment and enter into a Program Funding Agreement for the Program (the "Agreement") with the Authority wherein the City agrees to perform Program services in return for the Grant.

Section 3. The City hereby accepts the Grant, agrees to deliver and execute the Commitment and the Agreement and any and all other instruments, certifications, and agreements as may be necessary or desirable for the City to perform all of its obligations and duties under the Program (including any amendments, other agreements, or supplements).

Section 4. The City's Director of Planning and Community Development, without the necessity or requirement for the signature of another person, is hereby authorized, empowered, and directed to execute on behalf of the City, the Commitment, the Agreement and all other documents and instruments relating to the Grant to be delivered to the Authority in connection with the closing of the Grant and take such further action on behalf of the City as they deem necessary to effectuate the foregoing Resolutions.

Section 5. The City hereby ratifies, authorizes, confirms, and approves any prior action of the City taken in furtherance of the foregoing provisions of this Resolution and any and all documents and instruments previously executed on behalf of the City in connection with the Grant.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-025 be adopted as presented.

Director Livingston explained that this is the second time the City applied for this grant. He explained the demolition process and trying to get the owners involved to exhaust all other opportunities to rehabilitate the property before going to demolition.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-025 be duly adopted as presented.

Resolution No. 1920-023 by Commissioner Decker; WHEREAS, the Honorable Mayor John P. Kahl has recommended reappointment of Steven Freeze to serve on the East Peoria Housing Authority Board for a term expiring June 30, 2024; and

WHEREAS, the Honorable Mayor John P. Kahl has recommended appointment of Ryan Beck as one of the City of East Peoria's representative Members on the Eastlight Theatre Board; and

WHEREAS, it is in the best interest of the City of East Peoria to confirm and approve such reappointment and appointment;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the reappointment by Mayor John P. Kahl of Steven Freeze to serve on the East Peoria Housing Authority Board for a term expiring June 30, 2024 and the appointment by Mayor John P. Kahl of Ryan Beck to serve as one of the City's members on the Eastlight Theatre Board to be appointed until he is removed by the Mayor be hereby confirmed and approved

AND THAT THIS RESOLUTION NO.1920-023 BE ADOPTED AS PRESENTED.

Motion by Commissioner Decker, seconded by Commissioner Hill; Mr. Mayor, I move that Resolution No. 1920-023 be adopted as presented.

Commissioner Decker commented on the service of the appointees on their respective boards.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-023 be duly adopted as presented.

Resolution No. 1920-006 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-006 hereto attached, a Resolution Accepting the Low Bid for City's Sanitary Sewer System Upgrade Project, be hereby approved, and that this Resolution No. 1920-006 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 Sutherland commented on the project beginning two administrations ago and was finalized right before the current elected officials were recently sworn into office. The City would lose funding if they did not proceed with this project. He commented on learning about the project more as time goes on, and he requested approval.

Commissioner Hill explained that he appreciates the need for this project and he sees the need for City oversight on the project with bi-weekly status updates. He would like earned value management and objective updates.

Commissioner Decker commented on the need for this project. If the City does not proceed forward, then the project would be mandated and be much more expensive. He commented on needing oversight for the project and continuing to look at the project moving forward.

Commissioner Mingus commented on the timing not being ideal; however, the delay would likely cost the City more money.

Mayor Kahl commented on the Illinois Environmental Protection Agency award needing an intent to accept low bid contractor. He commented on the delay in the funding and potential higher costs should the City not proceed forward. He expressed confidence that the City will develop best practices on the project and have bi-weekly status update meetings.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-006 be duly adopted as presented.

Resolution No. 1920-024 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-024, hereto attached, a Resolution Approving the Purchase of Replacement Generator for Fire Station 4 from Altorfer Power Systems in the amount of \$24,994, be approved, and that this Resolution No. 1920-024 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 commented on the resolution explained that the generator provides backup power to the fire station.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-026 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-026, hereto attached, a Resolution approving the purchase and installation of a replacement of ESDA Tornado Siren located at Illinois Central College from Ragan Communications in the amount of \$38,165, be approved, and that this Resolution No. 1920-026 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 commented on the purchase of the siren being two of three that will be replaced. The first was approved about a month ago and the last tornado siren purchase will come in the future.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-022 by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS THAT a permit for a public exhibition of fireworks be held on July 4, 2019 (rain date July 5, 2019) to Midwest Communications, Inc./Melrose Pyrotechnics, Inc. in connection with the 4th of July Fireworks (UnityPoint Health Red White and Boom) in East Peoria, Illinois BE IT FURTHER RESOLVED that the \$30.00 license fee required by Section 3-4-6 of the City Code be hereby waived.
AND THAT THIS RESOLUTION NO. 1920-022 BE ADOPTED AS PRESENTED.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-022 be adopted as presented.

Commissioner Mingus explained that this is the yearly permit for the for the Fourth of July fireworks display.

Commissioner Decker commented on the excellent job the East Peoria Police Department does during the festivities.

There was discussion regarding future traffic concerns with planned road closures.

Chief Roegge commented on being in contact with IDOT and having different plans depending on if items are completed timely or not for the future.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-022 be duly adopted as presented.

Motion by Commissioner Decker, seconded by Commissioner Mingus, Mr. Mayor, I move that a closed meeting or executive session of the city council be held at the conclusion of this regular meeting to discuss the following matter or matters according to exceptions provided in the "Open Meetings Act" and specified as follows:

Section 2(c)(1) – The Employment, appointment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

Section 2(c)(2) – Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

Yeas: Commissioners 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 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 Hill commented the Farmer's Market and the Friday Night Lights events to be held on Friday.

Commissioner Mingus recognized the Fire Department for their work in the City. He is impressed with their promptness, professionalism, and service in the City.

Commissioner Sutherland commented observations he had while riding along with a solid waste driver during pickup. He explained that he saw branches that were hanging over fences and on sidewalks. He requested that citizens remove them if that was occurring in their yards. He explained any time people put grass, branches and other foliage in the gully it gets into the waterway. He asked people not to discharge sump pumps into the storm sewers. He recognized Public Works employees for cleaning out gutters on roadways and protecting everyone.

Mayor Kahl commented on the Commissioners being involved in their department. He commented on a field flooding incident that Public Works helped. He explained that the incident was called into the county; however, the county would not respond due to it being agricultural. He commented on the East Peoria Chamber of Commerce Annual Golf Outing and the scholarships the outing raises funds for.

Chief of Police, Steven Roegge, commented on it being a violation of city ordinance to mow grass into the street. It is a danger to motorists and especially motorcyclists.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 2, 2019 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 6:40 P.M.

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