

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

JULY 7, 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 June 16, 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.

A gentleman came up to the podium and explained that he had questions about the City's involvement on the apartment complex the is anticipated in the Levee District. He explained his concern with the City being on the hook for the complex if things do not go as planned.

Mayor Kahl commented that the City would not be on the hook.

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 Mingus; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 9 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 – Adoption of Resolution Number 2021-027 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$5,361,028.01.

Item Number 2 – Adoption of Ordinance Number 4502 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 270 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). - Special Use to allow additional and overflow parking and vehicle display for his used car dealership on property zoned “B-3, Business Service District”.

Item Number 3 – Adoption of Ordinance Number 4507 on its Second Reading – (AN ORDINANCE AUTHORIZING ADDITIONAL AMENDMENT TO CONDITIONS IMPOSED ON THE SPECIAL USES PREVIOUSLY GRANTED FOR PROPERTY AT 1109 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA). - Further amendment of the conditions imposed on the use of the Property regarding the number of used vehicles offered for sale on the Property and the number of U-Haul vehicles offered for rent on the Property.

Item Number 4 – Adoption of Resolution Number 2021-019 on its Second Reading – Resolution approving Settlement Agreement with Gulfview Management LLC regarding property located at 403 Circuit Court in East Peoria.

Item Number 5 – Adoption of Resolution No. 2021-015 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.

Item Number 6 – Adoption of Resolution Number 2021-021 on its Second Reading – Resolution approving Microsoft Licensing Subscription Renewal for the City.

Item Number 7 – Adoption of Resolution Number 2021-018 on its Second Reading – Resolution Approving Contract with Optimum Health Solutions for Assisting with the Employee Wellness Program.

Item Number 8 – Adoption of Resolution Number 2021-016 on its Second Reading - Resolution accepting low bid from Otto Baum Company, Inc. for the Altorfer Lane Reconstruction Project in the amount of \$468,443.11.

Item Number 9 – Adoption of Resolution Number 2021-005 on its Second Reading – Resolution Accepting Change Order for City’s Sanitary Sewer System Upgrade Project (Phases A – C Construction Project) (Change Order #4).

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 Items numbered 1 through 9 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 9 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 2021-027 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$5,361,028.01. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4502 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 270 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). - Special Use to allow additional and overflow parking and vehicle display for his used car dealership on property zoned “B-3, Business Service District”. (Adopted by omnibus vote)

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Item Number 9 – Adoption of Resolution Number 2021-005 on its Second Reading – Resolution Accepting Change Order for City’s Sanitary Sewer System Upgrade Project (Phases A – C Construction Project) (Change Order #4). (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 Mingus; Mr. Mayor, I move you that Ordinance No. 4506, hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 215 S. PLEASANT HILL 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 commented on the sale of the property with the sale price being \$6,900. The sale will bring the property back to a productive use.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4506 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4508, hereto attached, (AN ORDINANCE FURTHER AMENDING AND ENHANCING THE SEXUAL HARASSMENT POLICY IN THE CITY OF EAST PEORIA PERSONNEL POLICY MANUAL) 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 the ordinance. It is an update to the City Code in response to changes in the State law. The change is a requirement that local governments recognize sexual harassment between elected officials that also involves a requirement of annual sexual harassment training.

Commissioner Decker explained that he would be abstaining from voting out of an abundance of caution due to his employment with the City.

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

Nays: None

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Ordinance No. 4508 be adopted as presented.

Resolution No. 2021-028 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-028, hereto attached, a Resolution Amending Energy Aggregation Program for Residential and Small Commercial Retail Customers, be approved. Mr. Mayor, I move you that this Resolution No. 2021-028 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 began the Electrical Aggregation Program in March 2012, and this resolution makes transparent that there is a Civic Fee that is .002. The Civic Fee has always been in existence and the City is being transparent that the civic fee is part of the Electrical Aggregation Program. Mayor Kahl explained that the document has been around since the Program was implemented that included the Civic Fee. The document is being amended and this resolution is making the fact of the amendment transparent.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-029 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-029, hereto attached, a Resolution Approving Contract with Homefield Energy for Supply of Electricity for City's Energy Aggregation Program, be approved. Mr. Mayor, I move you that this Resolution No. 2021-029 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 resolution is for the approval of a new contract with Homefield Energy. The rates regarding electricity have improved from the last contract and the length of the contract is for 18 months. This amount is less than going with Ameren. It is estimated to save \$110 to \$130 per year for customers.

Mayor Kahl explained that the Civic Fee goes toward the energy saving measures in the City such as upgrades to facilities that result in energy savings.

Commissioner Decker commented on implementing the program and gave kudos to Robert Cole for the job he has done with the monies from the Civic Fee and the savings in energy and money from those upgrades. He explained that there may be times when people come door to door to say that they can give residents energy savings. He has yet to find a better option out there and has been impressed with the savings to residential customers. It is an opt out program; therefore, unless someone does an action to opt out, they are in the program. If someone does come door to door, be careful. Mayor Kahl explained that anyone who solicits in the City needs to be registered with the police department and be careful of anyone that comes to your door by ensuring that they are registered with the city.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-025 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-025, hereto attached, a Resolution Authorizing First Amendment to Lease Agreement with Omega 9, LLC for Lease of Additional Storage Space for Omega 9, LLC at Eastport Marina, be approved. Mr. Mayor, I move you that this Resolution No. 2021-025 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 resolution approves an amendment to a lease between the City and Omega 9, LLC that was entered into around one year ago for a portion of the City's section of the building to run the kitchen of Omega 9, LLC. This amendment to the lease is for additional storage space. The agreement has the option of three additional twelve-month extensions for the leased space beyond the original twelve-month term.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-026 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-026, hereto attached, a Resolution Approving a Local Public Agency Agreement with IDOT and Approving City Funding for Signalized Intersection Improvements at the Intersection of Camp Street and River Road, be approved. Mr. Mayor, I move you that this Resolution No. 2021-026 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 Decker commented on the intersection project. He explained that it is no longer being planned as a roundabout and gives the City more options. It is a Peoria Pekin Urbanized Area Transportation Study (“PPUATS”) Project and Surface, Transportation, Block, Grant (STBG) Funds are being used. The total project costs are estimated at \$800,000. The City’s portion is 30% for construction costs that does not include engineering or right-of-way is estimated at \$343,000. This is a standard agreement between IDOT and the City designating and appropriating funds for the construction of the project, and the Project provides better traffic movements and provides for a left turn into Embassy Suites from River Road. Commissioner Decker explained that the project also provides some right only lanes that will make the traffic flow easier. There is more construction going on elsewhere in the City as well, and this intersection project will make it a much better intersection. This project is likely to make other intersections less dangerous for accidents that are nearby as well.

Mayor Kahl explained that this is a PPUATS project that has been in the works for quite some time. This project was supposed to start July 6, 2020, and it is only a little behind with construction planned to be wrapped up at the same time as the bridge project.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-022 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-022, hereto attached, a Resolution Authorizing and Directing the Payment of an Invoice to Hoerr Construction, Inc. for the Emergency Cleaning and Televising of Sewer Main at Camp and Main Street in the amount of \$17,046, be approved. Mr. Mayor, I move you that this Resolution No. 2021-022 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 Sutherland explained that this project deals with the repair of a collapse sewer main and takes care a problem that has been going for quite some time that has created overtime in the department. This resolution approves the cleaning and televising of the sewer main. However, there are more costs associated with the project that total around \$40,000. Mayor Kahl explained that the City would no longer be band aiding the problem as this takes care of the issue.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-024 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2021-024, hereto attached, a Resolution Approving 2020-2021 Intergovernmental Agreement for Mutual Aid with Northern Tazewell Fire Protection District, be approved. Mr. Mayor, I move you that this Resolution No. 2021-024 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 explained that traditionally the City has contracted for Emergency Medical Services (“EMS”) and fire service with Northern Tazewell Fire Protection District (“NTFPD”). However, due to the budget reductions this year, this year’s contract is for contracted services for fire on auto aide. The City is no longer contracting for EMS services. However, it still has NTFPD responding as first responders for services and then the city will do the transport. Another change to the contract is that the City is going to cover the NTFPD dispatch fees. The contract will no longer be dual dispatch as before. Commissioner Hill inquired about estimated increases due to this change, and Commissioner Mingus explained that the increases are estimated at \$20,000-\$23,000 based on historical data. Mayor Kahl explained that NTFPD will also need to approve this contract. Commissioner Mingus explained that this is due to the fifteen percent budget cuts, and this will financially affect NTFPD. The goal is to keep that ambulance in service. Commissioner Sutherland expressed his appreciation for the good job that NTFPD does in their area and his concerns about this affecting NTFPD.

Commissioner Mingus explained that there is a change with the way that ambulance billing is done for the department. GENT reporting and all of the data is submitted to a program for Medicaid reimbursement with the State. It looks at the actual costs and the City’s actual costs are much lower than the billed costs. The City is now able to charge the actual rate. However, any resident of the City will not need to pay the difference between the amount that is paid by the individual’s insurance and the amount that is billed. For non-residents, that difference between the insurance paid costs and the billed amount will be billed to that person that is transported. Fire Chief Knapp explained that revenues will likely double based upon this change.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2021-023 by Commissioner Mingus; WHEREAS, Lisa Kelch has been continuously employed by the City from July 16, 1999 through July 16, 2020, most recently occupying the position of Administrative Assistant in the Police Department;

WHEREAS, Lisa Kelch announced her intention to retire from employment effective at the end of her shift on July 16, 2020; and

WHEREAS, the City is appreciative of the long and continued service provided by Lisa Kelch; 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. 2021-023 be adopted as presented.

Mayor Kahl and the Commissioners expressed appreciation to Ms. Kelch for her service to the Police Department and the City and wished her well in her retirement.

Mayor Mingus expressed appreciation for her 21 years of service and explained that there will two payouts of \$8,359.48 to Ms. Kelch pm July 31, 2020 and January 2021.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2021-023 be duly adopted as presented.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4509 hereto attached, (AN ORDINANCE AMENDING TITLE 3, CHAPTER 23 OF THE EAST PEORIA CITY CODE REGARDING THE CITY OF EAST PEORIA'S TOWING SERVICES) 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 the City Code is being updated in regard to towing service fees as the City Code regarding the fees has not updated since 2012. He further explained that the Towing Company Association initiated the change by reaching out to the City to seek to bring the fees up to date. Commissioner Decker commented on the difficult and dangerous job that towing services must do.

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 Decker explained that he has received phone calls asking people to stop the fireworks as there have been many who have been setting off their own fireworks this year. He thanked the Police Department for their difficult job that is almost impossible. He explained that East Peoria has the most professional police. The morale is down in the Police Department now, and he asked people to thank the police officers for their service. Commissioner Decker discussed the RFP that the City will be request soon. In the Request for Proposal ("RFP") for companies that would like to contract garbage services that includes recycling. The RFP will help the City to compare its costs to others. He explained that he is conservative in trying to get as accurate an account to see how much offering the service in-house costs the City, and he wants this to be accurate and compare the proposals from others. The main companies in the area is Peoria Disposal Company ("PDC") and Waste Management. There is a concern about the landfill space; however, in the next 25 years, the landfill capacity should not be a concern. There is also a Host Agreement where the City is paid by the landfill that helps keep down the overall costs of services. The garbage and recycling are taken through the transfer station currently. The Host Agreement is why the City cannot do something different in recycling such as a large collection bin. Supervisor of Streets, Ric Semonski, is going to seek the length of proposal, whether it be short-term or long-term. The last time that this investigated the costs was in 2015 or 2016, and it resulted in the City reducing the City's costs of the services even more. The City has done a good job at reducing costs.

Commissioner Hill discussed the morale of the Police Department and explained that he wants the Police to know that he stands behind them. He commented on Code Enforcement issues that include tall grass issues and a property that had a house fire that the city is looking into. He commented on the Farmer's Market and the great attendance at the event.

Commissioner Sutherland explained that Sewer Treatment Plant Project is going well. He asked if the City can take another video of the Project with the drones to show the progress of the Project. Water stations are planned to begin in the City that are for people that wants to fill up pools and contractors doing projects. He thanked Commissioner Decker for working on the recycling and garbage request for proposal and explained that he likes the idea of going with yard waste pickup.

Commissioner Mingus commented on recycling being important.

Mayor Kahl asked residents to complete their census at 2020census.gov. He encouraged everyone to get counted, because it affects the money that is appropriated for many projects and other items. He explained that a person's personal information is protected for many years. The East Peoria Community Foundation has a concept for the Levee Park, and there is a survey regarding the Park. He asked individuals to complete the survey and provide input as to what individuals would like to see in the Levee Park area. He stressed the fact that the Levee Park is being funded with private funds and tax dollars are not being expended. The Paul Peterson Award submissions for July are due July 13, 2020. Mayor Kahl asked individuals to submit entries of homes and businesses who have eye-appealing gardens and/or landscaping in their front yards, making it a "bright spot" of the area. The East Peoria Housing Authority has waitlist applications available online for 500 waitlist spots. Please complete the online application no later than 11:59 pm on July 15, 2020. He recognized and gave kudos to that the East Peoria Police Department who are very professional. He explained that the City was not involved in the incident at Elevate. The police were professional when being called to Elevate and handled the situation extremely well. Mayor Kahl explained that police

officers are putting their lives on the line and being vilified. He commended the professional police officers in the City. Mayor Kahl explained that the City moved into the 3rd Phase of the Tri-County Regional Plan. He explained that the City has watched the metrics and stressed that the Tri-County Regional Plan does not compel businesses to do anything. He further explained that the Plan is one step ahead of the Governor's plan. He explained that we will not know the lessons learned until we get past the pandemic and know who is right and wrong. He expressed that people need to be responsible and take personal responsibility. Everyone will have a difference of opinion and we need to be respectful. He explained that people have been supportive and appreciative of the City.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 21, 2012 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 7:05 P.M.

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