

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

**August 6, 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 July 16, 2019 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed August 2019 as “Duck Race Month” for The Center for Prevention of Abuse. Mayor Kahl presented the proclamation to Kevin Nowlan from The Center for Prevention of Abuse. Mr. Nowlan thanked the City Council for their support of the agency and the Duck Race event. He also thanked Director of Tourism and Special Events, Doug McCarty; EastSide Centre, Rick Swan, the East Peoria Chamber of Commerce, and the Fire and Police Departments for their assistance at the Duck Race. Mr. Nowlan invited everyone to attend the Duck Race on August 24, 2019 at 4:00 p.m.

Mayor Kahl proclaimed full support of the 2020 Census by the forming of a Complete Count Committee to ensure all residents are counted. Director of Planning and Community Development, Ty Livingston, expressed his excitement about the upcoming census and working with the census bureau to ensure that everyone is counted. The next census will be the first time that people can submit information online.

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

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 9 listed on the Consent Agenda be hereby approved and adopted, the items numbered 1 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 No. 1 – Adoption of Ordinance No. 4448 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 316 CENTER STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – to allow for placement of an additional accessory structure, being a 32- foot by 28-foot pole barn, with non-traditional façade. (Adopted by omnibus vote)

Item No. 2 – Adoption of Ordinance No. 4449 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 526 HIGH POINT LANE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – to allow the operation of a craft distillery operation. (Adopted by omnibus vote)

Item No. 3 – Adoption of Ordinance No. 4450 on its Second Reading – (AN ORDINANCE AUTHORIZING FURTHER AMENDMENT TO CONDITIONS IMPOSED ON THE SPECIAL USES PREVIOUSLY GRANTED FOR PROPERTY AT 1109 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA.) – to establish allowable number of U-Haul and used vehicles for sale and allow for the outdoor storage of vehicles associated with the business. (Adopted by omnibus vote)

Item No. 4 – Adoption of Resolution No. 1920-035 on its Second Reading – Resolution approving Eastport Marina Lease of Laundry Room Space owned by the City to Omega 9, LLC. (Adopted by omnibus vote)

Item No. 5 – Adoption of Resolution No. 1920-036 on its Second Reading – Resolution Approving Agreement with the Illinois Commerce Commission for Improvement of the Norfolk Southern Railway Railroad Crossing at Carver Lane. (Adopted by omnibus vote)

Item No. 6 – Adoption of Resolution No. 1920-032 on its Second Reading – Resolution authorizing the payment of an Invoice from Armature Motor & Pump Company, Inc. for emergency Route 8 Wastewater Lift Station Pump Repair in the amount of \$13,783.43. (Adopted by omnibus vote)

Item No. 7 – Adoption of Resolution No. 1920-033 on its Second Reading – Resolution approving a proposal from Hoerr Construction, Inc. to Slip Line Sanitary Sewer Main from Coventry Lane to Oakwood Road (940 Linear Feet) and from West Autumn Lane to Illinois Route 8 (180 Linear Feet) in the amount of \$38,632. (Adopted by omnibus vote)

Item No. 8 – Adoption of Resolution No. 1920-034 on its Second Reading – Resolution approving the cleaning and rehabilitation of Water Well Number 17 by Brotcke Well & Pump, Inc. in the amount of \$28,187. (Adopted by omnibus vote)

Item No. 9 – Adoption of Resolution No. 1920-038 on its Second Reading – Resolution authorizing the payment of an Invoice from Brotcke Well & Pump, Inc. for Water Well Number 8 Emergency Motor Replacement in the amount of \$10,601.25. (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. 1920-046 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. 6 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 \$4,023,348.61, and the schedule of bills be hereby adopted as presented.

Commissioner Hill explained that the schedule of bills payment is more this time because there were payments to the Fire and Police Pensions and there was more work for the roads and bridges.

Commissioner Sutherland explained that he will be abstaining since there are still some items from his business on the schedule of bills from items purchased before he took office.

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

Nays: None

Abstain: Commissioner Sutherland.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4447, hereto attached, (AN ORDINANCE AMENDING 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 that this changes the residency requirements to be stricter in that new fulltime employees must live in the city or within 1.5 miles of unincorporated section of the city.

Mayor Kahl explained that the reasoning behind the 1.5 miles outside of the city limits in the new residency requirement.

Commissioner Sutherland explained that he feels that if people work for the city that they should live in the city.

Commissioner Decker explained that due to his employment he will be abstaining from voting.

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

Nays: None

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Ordinance No. 4447 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4444, hereto attached, (AN ORDINANCE PROVIDING FOR THE TRANSFER OF EXCESS CITY PROPERTIES ON CHERRY LANE TO HABITAT FOR HUMANITY) 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 the properties are being given to Habitat for Humanity and this allows the properties to be put back into use. One of the properties will be for a veteran.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4444 be adopted as presented.

Resolution No. 1920-039 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-039, hereto attached, a Resolution accepting the lowest responsible bid from Wyman Roofing & Sheet Metal Inc. for Firehouse #3 Engine Bay Roof Replacement Project in the amount of \$36,556, be approved, and that this Resolution No. 1920-039 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 roof replacement and explained that the bid is the lowest responsible bid.

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. 4451 hereto attached. (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, SECTION 3.4(C) OF THE EAST PEORIA CITY CODE TO ALLOW FOR SALE AND DELIVERY FOR CONSUMPTION ON PREMISES OF CITY DESIGNATED PUBLIC PROPERTY AND BUILDINGS WITHIN THE CORPORATE LIMITS OF THE CITY) be read at length by the Clerk, and that said Ordinance No. 4451 be accepted on its first reading, and be hereby adopted as presented.

The city clerk read the ordinance at length.

Mayor Kahl commented on the Duck Race being in the evening and this amendment allows the Duck Race to have a beer and wine trailer on site for the event.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4451 to be duly adopted as presented.

Resolution No. 1920-042 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-042, hereto attached, a Resolution relating to participation by the Mayor in the Illinois Municipal Retirement Fund, be approved, and that this Resolution No. 1920-042 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 Kahl explained that he will be abstaining as the resolution pertains to him.

Commissioner Decker commented on the resolution and

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

Nays: None.

Abstain: Mayor Kahl.

Mayor Kahl declared the motion carried.

Resolution No. 1920-040 by Commissioner Decker, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-040, hereto attached, a Resolution approving and authorizing the execution of a Joint Funding Agreement between the City of East Peoria and the Peoria/Pekin Urbanized Area Transportation Study ("PPUATS") for the Fiscal Year 2020, be approved, and that this Resolution No. 1920-040 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 explained that this organization provides funding for projects throughout the Peoria and Pekin Area. He commented on the Summit Drive project which is a previous project funded with PPUATS funds.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-043 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-043, hereto attached, a Resolution approving the purchase of 624 Recycle/Solid Waste Wheeled Carts for Public Works from Wastequip in the amount of \$33,746.53, be approved, and that this Resolution No. 1920-043 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 providing the wheeled carts to the public and garbage and recycling in the city requiring wheeled carts (toters). He commented on the decision as to whether the city should sell toters because of the storage space required. He feels we should do it this way because the city only has approximately twenty toters left and he will support this resolution.

Commissioner Sutherland explained that he is against this resolution because he feels that the city should not be in the business of selling toers. He does not feel that the city should be storing, putting together, and delivering the toters. He feels that the city should spend money on other things, such as the city's infrastructure.

Commissioner Mingus explained that he agrees with both Commissioners Decker and Sutherland. He also feels that the city should be concerned about service to its citizens as toters are required for garbage and recycling pickup in the city. He feels that it is a good option to allow citizens to purchase toters through the city. Alternatively, he feels that if the city is going to cancel the service that the city should give citizens more time before cancelling. He feels that the city should look at the costs or have more discussion about getting out of selling the toters.

Commissioner Hill agrees with Commissioner Sutherland that the city should not be in the business of selling toters. He asked whether the city could buy a lesser number of toters, and then look into whether the city will continue the service.

Director of Public Works, Dennis Barron, explained that the city is selling around thirty toters per week. He explained should the city choose to purchase a lesser number of toters that the city is likely still paying for the same delivery fee. However, he has not researched into purchasing a lesser amount.

Director Barron and the city council discussed the warranty on the city toters. Director Barron explained that the warranty is for ten years if can is broken by the truck; however, if the toter is outside the warranty period, the resident must pay for a new toter.

Commissioner Kahl explained that he will not be supporting the resolution because there is not an option for other sizes of toters.

Yeas: Commissioners Decker and Mingus.  
Nays: Commissioners Hill, Sutherland and Mayor Kahl.  
Mayor Kahl declared the motion failed.

Resolution No. 1920-028 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-028 hereto attached, a Resolution authorizing the purchase of a new Mini-Excavator (John Deere 50G Excavator) for the Public Works Department from Martin Equipment in the amount of \$56,000, be hereby approved, and that this Resolution No. 1920-028 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 indicated that he would be abstaining because one of the bids was from his employer. He commented on the costs of ownership and that total cost of ownership should be taken into account including maintenance costs and fuel consumption.

Commissioner Sutherland explained that this process was started prior to him taking office. This bid came in \$11,000 less than the Caterpillar vehicle bid.

Commissioner Decker asked whether the city knew about the maintenance costs of the equipment. Director Barron explained that he was not aware of the costs.

Yeas: Commissioners Decker, Mingus, Sutherland, and Mayor Kahl.  
Nays: None.  
Abstain: Commissioner Hill.  
Mayor Kahl declared the motion carried and Resolution No. 1920-028 be duly adopted as presented.

Resolution No. 1920-031 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-031 hereto attached, a Resolution approving an Agreement between the City of East Peoria and Teamsters Local Union No. 627 for the Department of Public Works for a 3-year term commencing July 1, 2019 and terminating on June 30, 2022, be hereby approved, and that this Resolution No. 1920-031 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 contract negotiations. Mayor Kahl explained that the negotiations were an amicable process with the major changes to the contract being a 1.75% wage increase each year over three years and new residency language.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.  
Nays: None.  
Mayor Kahl declared the motion carried and Resolution No. 1920-031 be duly adopted as presented.

Resolution No. 1920-044 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-044, hereto attached, a Resolution Approving Consulting Services Agreement for Monitoring and Oversight of the City's Sanitary Sewer System Upgrade Project, be approved, and that this Resolution No. 1920-044 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 contract is with Bradley Boulton who will oversee the project. He will be an outside consultant and not an employee.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.  
Nays: None.  
Mayor Kahl declared the motion carried.

Resolution No. 1920-041 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-041, hereto attached, a Resolution approving and authorizing the purchase of a new 2019 Ford Crew Cab/Diesel F250 for the Fire Department from Currie Motors in the amount of \$41,165, be approved, and that this Resolution No. 1920-041 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 this is a budgeted item. Commissioner Mingus explained that the budget is a fluid document that changes potentially with unplanned expense. He explained that this is a planned expense and there are unplanned expenses that are a little different. Commissioner Hill explained that the payment of the roof repair to Firehouse #3 was not budgeted, and he will not support this item because he supported the roof repair.

Yeas: Commissioners Decker, Mingus, and Mayor Kahl.  
Nays: Commissioner Hill and Sutherland.  
Mayor Kahl declared the motion carried.

Resolution No. 1920-045 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-045, hereto attached, a Resolution Approving 2019-2020 Intergovernmental Agreement for Mutual Aid with Northern Tazewell Fire Protection District, be approved, and that this Resolution No. 1920-045 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 agreement that is the same agreement with Northern Tazewell Fire Protection District as last year with an additional cost increase. There are portions of the city that are in Washington, IL mailing which are in the corporate limits of the city. He explained that the city dual dispatches up in Northern Tazewell Fire Protection District if it is an Advance Life Support call. He believes that the city should continue to look at the Northern Tazewell Fire Protection District contract and that the city needs to look at possibly providing a third ambulance in the city.

Commissioner Sutherland explained that Northern Tazewell Fire Protection District has done a great job for residents and saves the city money. He feels that the city should support the Northern Tazewell Fire Protection District.

Commissioner Kahl sees the value in having this agreement in place and will support such an agreement.

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.

Bob Jorgensen came up to the podium. He thanked Commissioner Hill for coming up to the Peoria Disposal Company Recycling Center and Mayor Kahl who had already toured the facility. He feels that he has more knowledge about the recycling by touring the facility. Mr. Jorgensen commented on a Journal Star article on the subject of climate change including increased temperatures and humidity. He explained that this last July was the hottest month ever recorded globally. The impact of climate change with heat indexes above 100 degrees on many more days will affect the entire globe. It can create dangerous conditions for those that have to work outside. He commented on huge forest fires in Greenland, Alaska and other areas that are above the Arctic Circle. He commented on the flooding across the nation earlier this year and explained that he feels that climate change is here and it is only going to get worse. He inquired as to East Peoria's climate goals. He feels that the city needs to have climate goals. He commented on fuel costs being environmental goals. He asked whether the city is tracking fuel costs. One goal should be to track the fuel costs. He explained that the city needs to look to the future and plan for climate change and goals associated with it.

Linda Tiller came up to the podium and commented on a water operator that left a vehicle running during a call for service at her address. He explained that he had to have it running because he had a computer in the vehicle. Ms. Tiller explained that she works at a trucking company and that employees are not allowed to let vehicles idle. She feels that a pickup truck should not be running all day. She discussed the city saving money when recycling as opposed to taking items to the landfill. If the city saved two trucks a week in garbage, the city can save money. She explained that the city needs to look at the big picture when the city could be saving that amount of money by recycling. She feels that there will be more people recycling if the city provides this service.

Mayor Kahl explained that the costs of recycling has gone up and the figures that Ms. Tiller has are unfortunately out of date.

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

Mayor Kahl then asked for comments from Council.

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.

Section 2(c)(6) – The setting of a price for a sale or lease of property owned by the public body.

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

Nays: None

Mayor Kahl declared the motion carried.

Commissioner Decker explained that he does not feel that the city should get rid of the rest of its toters.

Commissioner Hill thanked Bob Jorgensen for the trip to the recycling facility and encouraged others see the facility.

Commissioner Mingus explained that tomorrow is car seat checks at Central House. He wished his son a Happy 5<sup>th</sup> birthday.

Commissioner Sutherland explained that the wastewater project will begin soon with the groundbreaking of the new sewer treatment plant upgrade will be as soon as next Monday. The force main groundbreaking may begin as early as three weeks from now. He commented on using flushables and the flushables clogging up pipes.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, August 20, 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 7:28 P.M.

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