

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

August 15, 2019

The Special 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 8:01 A.M. with proper notice having been given.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, and Commissioner Mark E. Hill.

Absent: Commissioner Seth D. Mingus and Commissioner Michael L. Sutherland.

The invocation was given by Commissioner Hill.

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

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.

Resolution No. 1920-047 by Commissioner Hill; RESOLUTION OF AUTHORIZATION FOR OPEN SPACE LAND ACQUISITION AND DEVELOPMENT (OSLAD) GRANT PROGRAM FOR THE LEVEE PARK SPLASH PAD

WHEREAS, the City Council of the City of East Peoria (the "City"), an Illinois unit of local government, seeks to apply for a grant under the Open Space Lands Acquisition and Development ("OSLAD") as administered by the Illinois Department of Natural Resources ("IDNR") for making recreational improvements to the Civic Plaza outdoor space on the Civic Triangle in the Levee District that has been designated as the "Levee Park" area; and

WHEREAS, the City has been working in cooperation with the East Peoria Community Foundation (the "Foundation") to improve the Civic Plaza portion of the Civic Triangle to create the Levee Park for the benefit of the City, its residents and citizens, and the general public; and

WHEREAS, the City and the Foundation now seek to make recreational improvements to the Civic Plaza for creating the Levee Park that include a splash pad, water fountains, and outdoor restrooms at a total estimated cost of \$800,000 (the "Levee Park Project"); and

WHEREAS, the grant provided under OSLAD grant program administered by IDNR is a 50%-50% matching grant, meaning that the project sponsor – in this case, the City – must provide 50% of the funds for the project, while the OSLAD grant covers the other 50% of the funds for the project (the "Grant"); and

WHEREAS, as part of the application process for the Grant for the Levee Park Project, the City must commit that the City has the necessary 50% funding available to support the Levee Park Project should the City receive the Grant; and

WHEREAS, the Foundation has committed providing the City with the required 50% funding for the Levee Park Project, being \$400,000, should the City receive the Grant; and

WHEREAS, the City accordingly hereby confirms that the City has sufficient funds necessary to undertake and complete the Levee Park Project within the required two-year timeframe after grant award as provided under IDNR regulations and requirements should the City receive the Grant; and

WHEREAS, the City Council further deems it to be in the best interests of the City to submit the required application for the Grant for the Levee Park Project;

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

Section 1. The recitals set forth herein above are hereby found to be true and correct.

Section 2. The City Council of the City of East Peoria hereby certifies and acknowledges that it has the sufficient funds necessary (includes cash and value of donated land) to complete the pending OSLAD project (being the Levee Park Project) within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the City of East Peoria for subsequent Illinois IDNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Section 3. The City of East Peoria further understands that the Project must be completed within the timeframe established. The OSLAD timeframe is two years as specified in the Project agreement. The Billing Certification Statement for the Project must be submitted by the City of East Peoria within 45 days of the grant expiration date and the last reimbursement request must be submitted within one year of the grant expiration date. Failure to do so will result in the City of East Peoria forfeiting all project reimbursements and relieves IDNR from further payment obligations on the grant.

Section 4. The City further acknowledges and certifies that it will comply with all terms, conditions and regulations of (1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025); (2) the Illinois Grant Funds Recovery Act (30 ILCS 705); (3) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 *et seq.*), as applicable; (4) the Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*); (5) Title VI of the Civil Rights Act of 1964, (P.L. 83-352); (6) the Age Discrimination Act of 1975 (P.L. 94-135); (7) the Civil Rights Restoration Act of 1988, (P.L. 100- 259); and (8) the Americans with Disabilities Act of 1990 (PL 101-336); and the City will maintain the Project area in an attractive and safe condition, keep the facilities open to the general public during reasonable hours consistent with the type of facility, cease any farming operations, and obtain from the IDNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD assistance, the City agrees to place a covenant restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD programs and cannot be sold or exchanged, in whole or part, to another party without approval from IDNR, and that development at the site will commence within three (3) years.

Section 5. The City certifies to the best of its knowledge that the information provided within the attached Project application is true and correct.

Section 6. City Officials are hereby directed to submit the required application for the OSLAD Grant program for the Levee Park Project, along with a copy of this Resolution, prior to the upcoming Grant application deadline for the State's 2020 fiscal year.

Section 7. This Resolution of Authorization has been duly discussed and adopted by the City Council of the City of East Peoria on this 15th day of August, 2019.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-047 be adopted as presented.

Commissioner Hill explained that this resolution is for a grant that the City is submitting on behalf of the East Peoria Community Foundation. The East Peoria Community Foundation will be paying for the grant match.

Commissioner Decker expressed his excitement about the future project.

Director of Planning and Community Development, Ty Livingston, thanked everyone for attending the special meeting. He explained that there was a quicker timeline for this 2020 fiscal year grant that precipitated holding a special meeting to approve this resolution. He discussed that there are funds available from the East Peoria Community Foundation and that we are hopeful that we will get a good response regarding the grant.

Yeas: Commissioners Decker, Hill, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-047 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. There were no comments.

Motion by Commissioner Decker, seconded by Commissioner Hill; Mr. Mayor, I move you that we adjourn until August 20, 2019.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 8:14 P.M.

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