

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

SEPTEMBER 3, 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 August 20, 2019; the minutes of the Special Meeting for a Working Session held on August 20, 2019; and the minutes of the Closed Meeting/Executive Session held on August 20, 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 September 2019 as "Library Card Sign-up Month". Mayor Kahl presented the proclamation to Genna Buhr, Director of Fondulac Library and thanked her and the library. Director Buhr thanked Mayor Kahl and City Council for their support.

Mayor Kahl proclaimed September 11, 2019 as "Patriot Day".

Mayor Kahl proclaimed September 2019 as "National Suicide Prevention Awareness Month".

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 3

Item No. 1 – Adoption of Resolution No. 1920-053 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 8 in the amount of \$1,625,485.07.

Item No. 2 – Adoption of Ordinance No. 4452 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 412 CASS STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.)

Item No. 3 – Adoption of Resolution No. 1920-048 on its Second Reading – Resolution approving Engineering Services Contract with Midwest Engineering Associates for Altorfer Lane Improvements.

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 Decker; Mr. Mayor, I move you that Items numbered 1 through 3 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 3 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. 1920-053 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 8 in the amount of \$1,625,485.07. (Adopted by omnibus vote)

Item No. 2 – Adoption of Ordinance No. 4452 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 412 CASS STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1920-048 on its Second Reading – Resolution approving Engineering Services Contract with Midwest Engineering Associates for Altorfer Lane Improvements. (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. 4453 hereto attached, (AN ORDINANCE IMPOSING MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX OF 3% ON CANNABIS RETAIL DISPENSARIES IN THE CITY OF EAST PEORIA) 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 ordinance allows for a 3% municipal tax on the sale of adult use cannabis sold at retail dispensaries in the City.

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

Nays: Commissioner Sutherland.

Mayor Kahl declared the motion carried.

Resolution No. 1920-050 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-050 hereto attached, a Resolution approving the purchase of 450 96-gallon and 200 48-gallon Recycle/Solid Waste Wheeled Carts for Public Works from Wastequip in the amount of \$35,250.80, be hereby approved. Mr. Mayor, I move you that this Resolution No. 1920-050 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 Decker explained that this resolution is for the purchase of toters for recycling and garbage pickup in the City. He explained that he received communications from citizens that were excited to have different sized toters.

Commissioner Sutherland explained that he would be voting against this item because he wants to see the city get out of selling toters. He commented on clean-up week. He explained that you can buy these toters at retail stores in the area.

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

Nays: Commissioner Sutherland.

Mayor Kahl declared the motion carried and Resolution No. 1920-050 be duly adopted as presented.

Resolution No. 1920-057 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-057, hereto attached, a Resolution Requesting Permission for Temporary Closure of State Maintained Roadways for a Public Event for the Festival of Lights Parade on November 16, 2019, be approved. Mr. Mayor, I move you that this Resolution No. 1920-057 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 closure of the state-maintained roadways for the Festival of Lights Parade scheduled for November 16, 2019.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-054 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-054, hereto attached, a Resolution authorizing and approving the Sliplining of a 955 Linear Foot Portion of Sanitary Sewer Main located on Hill Road under the creek by Hoerr Construction, Inc. in the amount of \$31,935.50, be approved. Mr. Mayor, I move you that this Resolution No. 1920-054 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 there is an issue with the sanitary sewer main on Hill Road under the creek. He explained that this problem has been going on for quite some time and is being fixed now. He is in favor of sliplining in this case.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-055 by Commissioner Sutherland, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-055, hereto attached, a Resolution approving the repair of Sanitary Sewer Trunk Line on East Faulkner Road by G.A. Rich in the amount of \$36,000, be approved. Mr. Mayor, I move you that this Resolution No. 1920-055 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 the location of the issue sanitary sewer repair. There is an issue with the storm water drainage that has exposed the sewer line. The repair involves making a beam construction process and hanging suspension of the sewer line.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-056 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-056, hereto attached, a Resolution Accepting Change Order for City's Sanitary Sewer System Upgrade Project (Phase A – C Construction Project) (Change Order #1) in the amount of \$52,894, be approved. Mr. Mayor, I move you that this Resolution No. 1920-056 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 changes are regarding a contingency of \$100,000 for a salzar motor. Now there is \$52,894 in additional costs to go to the same motor (Square D) as is used in the sanitary sewer elsewhere in the city.

Mayor Kahl explained that the sanitary sewer upgrade process involves a change order process. He explained that moving forward, there will be a process for reviewing and approving change orders. The city will likely lump together the various change orders in the future. There is a group that will be overseeing the entire process before it gets to the City Council for approval of the change orders.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-052 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-052, hereto attached, a Resolution approving the purchase of a demo 2019 Pierce Saber FR Pumper (Fire Engine) from Global Emergency Products in an amount not to exceed \$339,800, be approved. Mr. Mayor, I move you that this Resolution No. 1920-052 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 there are three frontline fire engines. Engine #4 is a 2006 model that is getting sent out to fix a frame rail issue on the engine. The two back up engines also have bad frame rails and are a 1996 and 2000 models. The estimated costs to fix those frame rails are \$75,000 to \$100,000 each in the next couple of years. Commissioner Mingus and Fire Chief Knapp do not feel that it is the best interests to have these engines on the front lines and is not a responsible thing to do. Fire Engines generally cost over \$500,000 and this is a demo fire engine for \$339,000 if we forgo the frame rail repairs. The 1996 and 2000 engines would then be sold. The 2016 will be used as a back up. The revenue from selling the engine and a truck will offset the costs for this year's budget regarding outfitting the engine. However, this engine purchase itself will be paid out of the next two fiscal years budgets. He explained that they are not expecting any other capital expenses budgeted in the next two fiscal years because Commissioner Mingus and Fire Chief Knapp feel that this purchase is a public safety need.

Fire Chief Knapp stated that the biggest concern is that the four to six-month timeframe that the current engine #4 is going to be out of service and unavailable. The service life of the two engines from 1996 and 2000 is being pushed beyond what it should be for the fire engines.

Commissioner Hill inquired about the engines and reframing two models. He inquired as to why the other two engines were good enough before and are not good enough now. He inquired as to which engines will be the backup engines.

Commissioner Mingus commented on the backup engines that would need to be run on a daily basis. The 2006 is going up for service and will be a reserve once it gets back. The 1996 and 2000 engines will be sold. There will only be one reserve for a period of time and it will be more reliable than what is currently running as a reserve.

Fire Chief Knapp explained that the 1992 ladder truck with limited miles and limited hours will come to frontline and be operated as an engine as needed. He explained that what they needed to look at is are we better off selling both the 1996 and 2000 and having one as an emergency reserve. He explained that the 1996 and 2000 cannot be depended upon and the department ends up relying on borrowing other communities' apparatuses when they do not work when needed. He explained that 20 and 23 year old engines need to work and operate. Fire Chief Knapp explained that the engines need to be replaced because there is potential for failure.

Commissioner Hill explained that safety is of paramount importance to him but also is being fiscally responsible for what the city has budgeted for and planned and the commitment to get as much money in the next budgets as we can for streets and infrastructure. The City has unknown expenses until later this year and so without those costs he would like to delay the decision right now.

Commissioner Mingus explained that, if the city waits, there is no guarantee that the city will get the demo unit and this is a public safety issue. It takes time to get the equipment ready. He feels that delaying the decision does not fix the problem and that moving forward on this is the best thing to do.

Commissioner Decker agrees in being fiscally responsible which is why he feels the city should not put more money into the old vehicles as it is not worth it.

Fire Chief Knapp commented on spending money on repairs in the amount of \$75,000 to \$100,000 per engine on older apparatuses that are worth around \$20,000 each on a good day. He cannot recommend doing this in the long term.

Commissioner Decker fears putting money into the old engines is a waste of money as it is not just the frame rails that is the problem it is also twenty-year-old everything else on the engine. He does not want to be the first community to borrow a fire truck from another community to respond to citizens.

Commissioner Mingus commented on being in collective bargaining with the Fire Department and there being a public safety issue. He feels that these are two separate issues. He commented on not knowing when an agreement will be agreed to and that the City should not wait to approve the purchase of a new engine. Commissioner Mingus feels that it is a public safety issue.

Commissioner Hill commented on the reworking of these two trucks being sufficient for the Fire Department in the past and now reworking two trucks is not sufficient for the Fire Department.

Commissioner Sutherland feels that the city does not have any planning. He commented on needing a plan for the future and not voting until there is a plan. He feels that the city needs goals. He explained that the sewer under the city streets is falling apart. He feels that if there was a long-term plan on dealing with infrastructure then the city would have the money to fix the infrastructure. He explained that he does not mind waiting on the fire engine and that he needs more information.

Commissioner Mingus believes that a plan is needed.

Mayor Kahl commented on having a good deal on a demo fire engine unit that is not typical. Mayor Kahl explained that a fire happened on an engine and it expedited the frame rail fix. Engine #4 was planned to have its frame rails fixed this year. He explained that now there is a demo unit that is available. He explained that if within the next few weeks, there is a comfort level with where we are at, someone who voted no may bring the item back. He does not have a comfort level currently with the purchase.

Yeas: Commissioners Decker and Mingus.

Nays: Commissioner Hill, Sutherland, and Mayor Kahl.

Mayor Kahl declared the motion failed.

Resolution No. 1920-058 by Commissioner Mingus; WHEREAS, effective at the end of the day on August 30, 2019, a vacancy will exist in the rank of Deputy Chief on the East Peoria Police Department by virtue of the retirement of Deputy Chief Shannon Swearingen; and

WHEREAS, the Chief of Police has recommended that Chad E. LaCost be promoted to the rank of deputy chief effective on September 16, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT Chad E. LaCost is hereby appointed as Deputy Chief of the East Peoria Police Department, effective September 16, 2019, subject to compliance with all applicable procedures and requirements.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-058 be adopted as presented.

Mayor Kahl and City Council congratulated Chad LaCost on his promotion. Chief of Police Roegge commented on the interview process and believes Chad LaCost will do a great job.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-058 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.

Billy Bassham came forward to explain that there is a lawsuit on the frame rails on the Pierce engines and the city should look into the lawsuit. He explained that he received another ticket for storing commercial equipment on a residential lot. He explained that he is working on a house and trying to fix it up and that items are stored there, and they are also being used on the house to fix it up as well. He explained that a city employee comes to his and a neighbor's house twice a week. He feels that the homeowners in the Richland Farms area are being picked on. He explained that there are other issues in Richland Farms that need to be dealt with.

Bob Jorgensen came up to the podium. He commented on fiscal responsibility and the waste that he feels goes into fuel usage. He requested the fuel usage monthly from the Fire, Police and Public Works departments. He asked for the city to limit the amount of fuel usage and see what savings can be had. He commented on G&D Trucking implementing fuel savings and doing a good job on saving money. He requested a working session prior to the council meeting to see if the city can use what G&D Trucking has implemented for savings.

Bo Scott who lives at 142 State Street in Richland Farms came up to the podium. He explained that he has properties that need to be fixed up. He explained that his property manager had an issue with a city employee regarding code enforcement. He explained that he agrees with Mr. Bassham and agrees that the properties need work and need fixed up so that a homeowner can move in. He feels like the city is going after him and others. He explained that he gets frustrated, and he asked that it be looked into.

Mayor Kahl asked that everyone reach out to Commissioner Hill regarding these concerns. He commented on the Human Relations Commission that began working in the Richland Farms area resulting from concerns that residents from Richland Farms had with the area. The city has been more proactive and the code enforcement is complaint driven. There were concerns with slumlords in the area. He explained that he will see this through.

Don Norbits came up to the podium and inquired as to when open burning begins. He commented on someone burning and smoke being all over his neighborhood over the weekend. He explained that code enforcement can come up to his neighborhood and prevent open burning during non-opening burning times. He is still waiting on the city to do something about yard waste pick-up. He asked that something be done to resolve the open-burning issue.

Mayor Kahl commented on issues with people not adhering to the open-burning ordinance.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker commented on going on the Honor Flight next Tuesday, September 10, 2019. The Honor Flight allows veterans to go to Washington, DC and the monuments dedicated to them.

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)(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.

Commissioner Mingus commented on a Richland Farm meeting that is coming up on September 12, 2019.

Commissioner Hill commented on cleanup week being September 30-October 4, 2019.

Commissioner Sutherland commented on those in Richland Farm to look into the complaints on code enforcement. He commented on the Wastewater Treatment Project plans. The first step in the project will begin around Oakwood Road. There will be construction that will begin on Sunnyland hill and go up toward the grade school around Liberty Street. There will be lanes shut down. The duration could last a while; however, the closing of roads will speed up the duration. Kudos to Stark Excavation because they are quick in completing jobs.

Mayor Kahl commented on the free car seat check at Central House tomorrow from 1p to 4p. Saturday, September 7 is Cars and Coffee from 8a-10a in the Levee District.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, September 17, 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 7:14 P.M.

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