

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

OCTOBER 1, 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 September 17, 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 October 6-12, 2019 as "Fire Prevention Week". Mayor Kahl said the council appreciates what the fire department does for the city.

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

Item No. 1 – Adoption of Resolution No. 1920-062 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 10 in the amount of \$857,030.60.

Item No. 2 – Adoption of Ordinance No. 4455 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 225 EDGEWOOD DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) – to allow for placement of two accessory structures (storage sheds) on the property.

Item No. 3 – Adoption of Resolution No. 1920-060 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Camp Street/River Road Signalized Intersection Improvements.

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. 1920-062 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 10 in the amount of \$857,030.60. (Adopted by omnibus vote)

Item No. 2 – Adoption of Ordinance No. 4455 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 225 EDGEWOOD DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) – to allow for placement of two accessory structures (storage sheds) on the property. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1920-060 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Camp Street/River Road Signalized Intersection 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. 4458 hereto attached. (AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$18,225,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2019, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING

ALTERNATE REVENUE BONDS OF THE CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF THE CITY, PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH, AND AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF) 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 this is the refunding of existing bonds issued in 2010 and is similar to refinancing a home. The market conditions have improved, and the city will save \$1.5 million over the remaining 14 years of the bonds.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-064 by Commissioner Hill; WHEREAS, a vacancy exists on the East Peoria Zoning Board of Appeals as a result of Norman Sales' resignation; and

WHEREAS, the Honorable Mayor John P. Kahl has recommended the appointment of Gina Driscoll to fill the vacancy on the Zoning Board of Appeals;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the appointment by Mayor John P. Kahl of Gina Driscoll to the East Peoria Zoning Board of Appeals to fill the unexpired term ending April 30, 2021.

AND THAT THIS RESOLUTION NO.1920-064 BE ADOPTED AS PRESENTED.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1920-064 be adopted as presented.

Commissioner Hill said Mrs. Driscoll has expressed interest in being more involved in the city and will do a great job on the board. Commissioner Decker and Mayor Kahl both thanked her for offering to serve on the board.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-064 be duly adopted as presented.

Resolution No. 1920-063 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-063, hereto attached, a Resolution to Approve Contracts for Access Road 6 Improvement Project, be approved. Mr. Mayor, I move you that this Resolution No. 1920-063 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.

Planning and Community Development Director Ty Livingston explained that this is a unique project with adjacent property owners driving the project. The city is facilitating the Special Service Area and the road project is covered by the SSA and will be split over a 10-year period. The city will make sure any components under the road that need to be removed or replaced will be taken care of this construction season.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-065 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-065, hereto attached, a Resolution approving a Collective Bargaining Agreement between the City of East Peoria and the International Association of Fire Fighters, Local #1498, for a period beginning May 1, 2019 and terminating on April 30, 2024, be approved. Mr. Mayor, I move you that this Resolution No. 1920-065 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 this is a five-year agreement. The start date goes back to May 1, 2019 because the previous contract has expired. He said no contract is perfect for either side, but he thinks this one is fair for both sides. The main highlights are that the contract is for five years and has salary increases of 1.5% in the first year, 1.75% in the second and third years, 2% in the fourth year and 2.25% in the fifth year. This an average of 1.85% over the length of the contract. There are some language changes concerning manning and there is a sick time buyout which he thinks will save in overtime costs. He thanked the fire union for negotiating in good faith.

Commissioner Hill said both sides do not get everything they want, but he thinks it is a fair and equitable agreement.

Commissioner Sutherland is concerned about the wages, since the recent Public Works contract called for 1.75% wage increases. His main issue is the contract does not have a residency requirement for the firefighters. He said if people work in the city they should live in the city. He thinks new hires should have a residency requirement. He stated he will not support the contract due to the residency issue.

Mayor Kahl said he thought that a week ago there was an agreement in place everyone could support, but there was a miscommunication which he termed unfortunate. He said he will not support the contract. He agrees with the five-year term and wage increases, saying the union made some concessions to get those items and those were bargained in good faith on both parties' parts. He said if the fire union contract was a three-year agreement the wage increase would be similar to the wage increase in the Public Works union contract. But he does not support the buyout of sick time.

Commissioner Mingus said a difference with the firefighters' union and other departments' unions is that the firefighters are on a seven-year step to full base pay and the other unions are not on that schedule, hitting full base at year three or four. He said it is hard to compare it to the other unions' contracts without acknowledging the seven-year step.

Yeas: Commissioners Decker, Hill and Mingus.

Nays: Commissioner Sutherland and Mayor Kahl.

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.

George Herrmann of VFW Post 2078 addressed the council about the VFW Parade which will occur on Nov. 9. The VFW is inviting all former and active duty military members to participate in the parade. This is the county's longest continuing parade. Line-up is at 1 p.m. and the parade starts at 1:30 p.m. The route is less than a mile long. He invited the council to also participate. He will be meeting with Mayor Kahl about an issue with the parade route. He also announced that the VFW is conducting its the Patriotic Art Contest for East Peoria students. The students' art will be used in the VFW posters.

Bob Sinks asked for the definition of craft marijuana. Mayor Kahl explained that the new state marijuana legalization law allows for a craft grower, similar to a craft brewery. It is a business and regulated by the state. Mr. Sinks also asked how many plants residents can grow in their homes. Mayor Kahl said there is a set number of plants a medical cannabis user can grow, but no one else can grow plants for personal use.

Mayor Kahl then asked for comments from Council.

Commissioner Decker discussed his vote on the firefighters' contract, pointing out that he is no longer in the firefighter's union since he was promoted to assistant chief. He said he debated about whether or not to vote and it would have been easier to abstain, but he believed the vote was heading for a deadlock and he wanted to avoid going to arbitration due to potential cost to the city. He said nothing in the contract affects him and he receives no pay or benefits from the contract.

He discussed the electronics recycling event hosted by Sen. Koehler on Oct. 5 from 9 a.m.-noon at Area Recycling Inc. in Pekin. He said it is difficult to get rid of electronic items and this provides residents a way to dispose of them.

The bulb sale is Oct. 5 from 9 a.m. to noon or until sold out, and it sells out quickly. This will be at the Civic Plaza.

He discussed Cleanup Week. He said many people cherish doing this, but others put out too many items and sometimes have encouraged friends and family to bring things to their property. He discussed the rules for cleanup week and encouraged residents to not take advantage of the service. The collection is already running behind schedule and will likely be continued into the following week. He added that if residents have items that are important to them, they should not leave them by the road as people have been driving around collecting items.

Commissioner Hill discussed the schedule of bills. He said he encourages people to look at them and the total amounts of the schedule fluctuates, with this particular schedule a bit lower than usual. He pointed out that the schedule includes a support payment to Northern Tazewell Fire District for \$74,984. He encouraged people to review the schedules of bills, so they are aware of what is included.

Commissioner Sutherland had tried to make a comment once the fire contract roll call vote started, so he made his comment at this time. He took issue with Commissioner Decker voting on the fire contract since he is a firefighter, pointing out that teachers, county workers, police officers, etc. cannot be elected to public office and vote on items in the area in which they work, but firefighters can be elected and vote on items. Commissioner Sutherland stated he is opposed to the contract due to the lack of a residency requirement. He said he has a problem with a firefighter, no matter what position he is working in at the fire department, voting on the contract. He said if he can he is going to legally challenge the vote and take it as far as he can go. He thinks the vote was not morally or legally correct.

He reported that all the recent rain has slowed progress some on the construction of the waste water treatment plant, but the project has come far, and no people have been hurt during construction despite working in some hazardous areas.

Commissioner Mingus said Commissioner Decker's position with the fire department is different now than when he was in the union and had to abstain on some votes. He stated that what Commissioner Decker did with his vote is the right thing and he had the best interests of the citizens in mind.

Commissioner Mingus discussed some Facebook posts with inaccurate information regarding the city's agreement with the Northern Tazewell Fire District (NTFD), and said he wanted to clear up some issues. The NTFD area is not just in Sunnyland but other areas of the city, and those citizens pay municipal taxes including paying for East Peoria Fire Department services. He said that is a service people want. It was implied on Facebook that the East Peoria Fire Department should not respond in the areas covered by NTFD, something to which the commissioner is opposed. He cited an example of the subdivisions of Cypress Ridge and Stoneybrook, which are a mile apart with one in the NTFD district and the other in the East Peoria Fire district. He said a mile should not determine the quality of care residents receive. He believes the highest quality of care is having an East Peoria Fire Department ambulance respond to a resident's house. He said the city is also not keeping NTFD from becoming an advanced life support department. That is not a city decision, and it is up to the medical director. NTFD has been encouraged to continue running basic life support calls. He wants the public to know he supports dual dispatch with NTFD.

Mayor Kahl commented on his vote on the fire union contract, saying arbitration is a subjective word and his vote did not have anything to do with that possibility.

He announced that the Fire Department will conduct car seat checks on Oct. 2 from 1-4 p.m.

He also announced that the Police Department is preparing to accept applications around Oct. 16 and testing will be sometime in November. He encouraged anyone who has any interest in being a police officer to apply.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, October 15, 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 6:45 P.M.

/s/ Jill A. Peterson, Deputy City Clerk
for City Clerk Morgan R. Cadwalader