

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

NOVEMBER 5, 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 6:03 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 Special Meeting for a Working Session held on October 15, 2019 and the minutes of the Regular Meeting held on October 15, 2019 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Commissioner Mingus explained that the resolution regarding the Fire Contract was pulled from the agenda and hope to have something at the next council meeting.

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

Item No. 1 – Adoption of Resolution No. 1920-079 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 12 in the amount of \$1,972,677.76.

Item No. 2 – Adoption of Resolution No. 1920-068 on its Second Reading – Resolution Approving New Sign Lease Agreement with Adams Outdoor Advertising L.P. for 2200 East Washington Street (FOLEPI Building).

Item No. 3 – Adoption of Resolution No. 1920-066 on its Second Reading – Resolution Approving an Intergovernmental Agreement between the City and the County of Tazewell for Animal and Rabies Control Services.

Item No. 4 – Adoption of Resolution No. 1920-069 on its Second Reading – Resolution Authorizing and Approving the purchase of Eight (8) 2020 Dodge Durango AWD Police Service Vehicles and the outfitting of such vehicles for the Police Department in the amount of \$333,696.

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 4 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 4 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. 1920-079 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule No. 12 in the amount of \$1,972,677.76. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1920-068 on its Second Reading – Resolution Approving New Sign Lease Agreement with Adams Outdoor Advertising L.P. for 2200 East Washington Street (FOLEPI Building). (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1920-066 on its Second Reading – Resolution Approving an Intergovernmental Agreement between the City and the County of Tazewell for Animal and Rabies Control Services. (Adopted by omnibus vote)

Item No. 4 – Adoption of Resolution No. 1920-069 on its Second Reading – Resolution Authorizing and Approving the purchase of Eight (8) 2020 Dodge Durango AWD Police Service Vehicles and the outfitting of such vehicles for the Police Department in the amount of \$333,696. (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. 4461 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 125 MARIA STREET) 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 the location of the property to be sold which is property that was struck by the tornado in 2013. The city received at least 80% of the fair market value.

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. 4462 hereto attached, (AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO THE CONDITIONS IMPOSED ON THE SPECIAL USE GRANTED WITH RESPECT TO PROPERTY LOCATED ON EAST WASHINGTON STREET NEAR ITS INTERSECTION WITH SUNRISE AVENUE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) be read at length by the Clerk, and that said Ordinance No. 4462 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. Commissioner Hill explained the ordinance which extends the time for length of the special use until the end of 2022 as the project is dependent upon approval from the state of Illinois and the project has been delayed as a result.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4462 to be duly adopted as presented.

The Fire Department presented a check to the Susan G. Komen Memorial in the amount of \$1,104 from Breast Cancer Awareness T-Shirt sales proceeds. Ronnie Marmitt presented the check to Katie Parker from the Susan G. Komen Memorial and thanked Doug McCarty and his staff, Jill Peterson and Chief Knapp. Ms. Parker thanked the Fire Union and explained that the \$1,104 can pay for ten mammograms for uninsured or underinsured women in the thirty-six counties serving this area which is important because early detection is the key to the survival rate.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4464 hereto attached, (AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LOCATED AT 400-422 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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 the location of the property and that the property zoning is being changed from "B-1, Business District, Offices" to "B-2, Business District, General Retail" which will allow for more uses on the property.

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. 4465 hereto attached, (AN ORDINANCE AMENDING LOCATION AND BUFFER REQUIREMENTS FOR MEDICAL CANNABIS BUSINESSES UNDER THE CITY OF EAST PEORIA ZONING CODE) 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 ordinance amendments that include changes to the medical cannabis buffer requirements and the distance from certain types of properties. The Zoning Board of Appeals voted not to recommend the changes because of the measurement is building to building and not from property line to property line.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-072 by Commissioner Hill; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT** the reappointment by Mayor John P. Kahl of Ty Livingston, Director of Planning and Community Development, to the Tri-County River Valley Development Authority Board of Directors be hereby approved for a term beginning the third Monday in 2018 and ending the third Monday of 2021.

AND THAT THIS RESOLUTION NO. 1920-072 BE ADOPTED AS PRESENTED

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 1920-072 be adopted as presented.

Commissioner Hill explained that this is a reappointment to the board. The group offers federal and state tax exempt bonds which are typically more attractive for bond buyers. Director Livingston will do a great job representative for the City.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 1920-072 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4466 hereto attached, (AN ORDINANCE ADDING NEW SECTION 1-8-10 TO THE CITY CODE ESTABLISHING A LONG-TERM DEBT POLICY FOR THE CITY OF EAST PEORIA) be read at length by the Clerk, and that said Ordinance No. 4466 be accepted on its first reading, and be hereby adopted as presented.

The city clerk read the ordinance at length. Commissioner Hill explained the ordinance amendment. He explained that this formalizes the policy and increases the ability to get a more favorable bond rating. Mayor Kahl commented on this being a prudent addition as it would assist the city in receiving a more favorable bond rating.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4466 to be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4459 hereto attached, (AN ORDINANCE AMENDING THE RESIDENCY PROVISION OF THE CITY OF EAST PEORIA PERSONNEL POLICY MANUAL) be read at length by the Clerk, and that said Ordinance No. 4459 be accepted on its first reading, and be hereby adopted as presented.

The city clerk read this ordinance at length. This clarified how residency applies to employees.

Commissioner Decker explained that he will be abstaining from voting as he is an employee of the city.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Ordinance No. 4459 to be duly adopted as presented.

Resolution No. 1920-070 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-070, hereto attached, a Resolution to approving Cleaning Services Contract for City Buildings with Personal Touch Service Solutions Inc., be approved. Mr. Mayor, I move you that this Resolution No. 1920-070 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 thanked Robert Cole for going out for bid and completing follow-up meetings for the cleaning services. He explained that the low bid came from Personal Touch Service Solutions, Inc.

Commissioner Mingus inquired about the costs of the bid. Joyce Harris for Personal Touch Service Solutions, Inc. came up to the podium. Ms. Harris explained that the numbers included allocating time and materials and equipment that would be used in each of the buildings. Commissioner Mingus inquired as to the total costs, and Ms. Harris explained that she bid two ways ((1) if the company received the janitorial bid and (2) if the company do not receive the janitorial bid.) If someone else had received the janitorial bid, then the floor and carpet care would be more because she was not sure of what the state of the carpets would be in.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-078 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-078, hereto attached, a Resolution approving and authorizing the acceptance of a low bid for the Public Safety Fuel Dispenser Replacement Project from Illinois Oil Marketing Equipment, Inc. in the amount of \$35,402.22, be approved. Mr. Mayor, I move you that this Resolution No. 1920-078 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 age of the pumps and the bids and explained that upgrades in technology would help the system. Mayor Kahl appreciates the council approving this as a priority as it has been brought forward for several years and not approved.

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 Ordinance No. 4463 hereto attached, (AN ORDINANCE AMENDING LIQUOR CONTROL REGULATIONS IN TITLE 3, CHAPTER 3 OF THE CITY CODE TO PROHIBIT VIDEO GAMING CAFÉS) 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 video gaming café prohibition.

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. 4467 hereto attached, (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF THE EAST PEORIA CITY CODE TO CHANGE THE NUMBER OF CLASS A AND D LIQUOR LICENSES AUTHORIZED TO BE ISSUED WITHIN THE CORPORATE LIMITS OF THE CITY) be read at length by the Clerk, and that said Ordinance No. 4467 be accepted on its first reading, and be hereby adopted as presented.

The city clerk read the ordinance at length. Commissioner Hill explained that there are time during the year in which the amount of licenses are changed and this is a time in which the numbers are being changed.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4467 to be duly adopted as presented.

Commissioner Decker Resolutions NO. 1920-071 and 1920-080 will be pulled for future consideration.

Resolution No. 1920-073 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-073, hereto attached, a Resolution authorizing the adoption of the Tri-County Multi-Jurisdictional Natural Hazards Mitigation Plan for the City of East Peoria, be approved. Mr. Mayor, I move you that this Resolution No. 1920-073 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 is a plan for natural hazards and the agreement is for five years.

Director of Public Works, Dennis Barron, explained that the Tri-County division worked together to update the plan which is a large document that provides a plan for communities. The adoption of the plan allows the city to get grant opportunities through FEMA and IEMA.

Commissioner Decker commented on the tornado back in 2013 and how the process was necessary.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-074 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-074, hereto attached, a Resolution approving an Agreement between the City of East Peoria and Courtesy Bench Group, LLC from November 1, 2019 through October 31, 2024, be approved. Mr. Mayor, I move you that this Resolution No. 1920-074 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 is a service that this organization provides for bus stop benches around the community. The city receives \$4,056.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-075 by Commissioner Sutherland, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-075, hereto attached, a Resolution accepting and approving Water and Wastewater SCADA Hardware Upgrade Project Proposal from HEART Technologies, Inc. in the amount of \$45,350, be approved. Mr. Mayor, I move you that this Resolution No. 1920-075 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 commented on the SCADA Hardware Upgrade Project and trying to include it in the Wastewater project. There will be annual licensing, and this project was budgeted in the information technology budget for water and sewer. This is a recommendation for new SCADA servers that allows the plants to be operated offsite. Host servers were discussed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-076 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-076, hereto attached, a Resolution Authorizing an Increase in the Number of Patrolmen on the East Peoria Police Department, be approved. Mr. Mayor, I move you that this Resolution No. 1920-076 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 resolution increases the number of patrolmen to account for the School Resource Officer for the East Peoria Grade School District No. 86.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 1920-077 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1920-077, hereto attached, a Resolution approving an Agreement between the City of East Peoria Police Department and the East Peoria Grade School District No. 86 to provide School Resource Officer Services, be approved. Mr. Mayor, I move you that this Resolution No. 1920-077 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 School Resource Officer and explained the costs of the officer to the school and the amount of time that would be given to the school district for school resource officer services. Mayor Kahl commented on prorating the amount of the school resource officer as we are now already into this school year.

Chief Roegge commented on the resource officer being in the junior high and feeder schools.

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.

George Herman from the Veterans of Foreign Wars (VFW) came up to the podium. Mr. Herman thanked the city council for the work that they do. He also thanked the Army and the Green Berets and Delta Force for getting rid of a bad actor in this world of ours. He commented on the Veterans Day Parade that is scheduled for Saturday at 1:30 p.m. He explained that there was a poster art contest for children and the children learned about the flag and history. The art is posted outside of the library. The first-place winner was chosen and placed on a flyer around town. Winners were Adler Lonis (1st Place), Emily Bell (2nd Place), Jordan Schiel (3rd Place), Madeline Menssen (4th Place), and honorable mention were Aaron Weisenberg and Kealey Cluskey. He mentioned a note from a girl whose dad is in Afghanistan and dedicated her art to him. Mr. Herman invited the public to come to view the artwork and commented on the parade route.

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 staffing for winter storms. He asked everyone to move vehicles off of the street when a snowstorm is coming as it increases the speed of plowing and the snowplow drivers' ability to get around the streets. The city has thought about using an ordinance violation to enforce those parking on streets during these events. He explained that plow drivers stick to the main routes during the snow to make routes as safe as possible. After the snowstorm, the plow drivers get into the neighborhoods. Anyone with questions can call him or public works.

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.

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

Nays: None

Mayor Kahl declared the motion carried.

Commissioner Mingus congratulated the East Peoria girls' junior high cross-country team who received 4th place in State. Car seat checks are 1 p.m. to 4 p.m. tomorrow at Central House.

Commissioner Sutherland commented on video of the wastewater project construction areas that were taken by the city's drone. Tonight around 7:30 p.m. the video will play on Facebook and will be updated over the next several years. He wished his significant other a Happy Birthday.

Mayor Kahl explained that Sunday, November 10, 2019 is the 34th annual Festival of Lights Queen Pageant. Tickets are still available through tomorrow. November 16, 2019 is the 35th Annual Festival of Lights Parade that will include the Budweiser Clydesdales weather permitting. The parade begins at 5:45 p.m. The 7th Annual Theresa Tracy Trot was this past weekend. He thanked everyone that is involved in the non-profit event and everyone for their efforts. He recognized Code Enforcement on how they work with people. Code Enforcement recently worked with the owner of a house on Pekin Avenue to help clean up the property. He expressed his appreciation to JIMAX in volunteering their services and Code Enforcement personnel for their work.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, November 19, 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 7:12 P.M.

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