

ORDINANCE NO. 4689

**AN ORDINANCE PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS
AND A FUND TRANSFER FOR THE FISCAL YEAR COMMENCING
THE FIRST MONDAY IN MAY A.D. 2022**

WHEREAS, on April 5, 2022, the City Council and Mayor adopted Ordinance No. 4639, being the annual appropriation for the City of East Peoria for the fiscal year beginning May 1, 2022, and ending April 30, 2023 (the "Annual Appropriation Ordinance"); and

WHEREAS, the City has incurred unexpected additional expenses for the following projects and debt service payments as set forth herein that became necessary to complete during the 2022-2023 fiscal year:

- Improvements to Levee Park (Planning & Community Development Department);
- Upgrade of City's financial and accounting software (Information Technology Department);
- Construction of new fire station for City's Fire Department (Fire Department);
- Purchase of a new solid waste collection truck for the City's Public Works Department (Solid Waste Department);
- Installation of turf on softball and baseball fields at EastSide Centre (Riverboat Gaming Funds: Distribution – EastSide Outside);
- Pay off Camp Street TIF District debt service (Camp Street TIF District); and
- Pay off loan of property acquisition in Camp Street TIF District (W. Washington Street TIF District);

(collectively the "Projects"); and

WHEREAS, the City has incurred these unexpected additional Project costs in the following amounts in addition to the amounts set forth in the Annual Appropriation Ordinance:

- Improvements to Levee Park: \$500,000.00;
- Upgrade of City's financial and accounting software: \$750,000.00;
- Construction of new fire station for City's Fire Department: \$750,000.00;
- Purchase of a new solid waste collection truck for the City's Public Works Department: \$250,000.00;
- Installation of turf on softball and baseball fields at EastSide Centre: \$2,250,000.00;
- Pay off Camp Street TIF District debt service: \$30,000.00; and
- Pay off loan of property acquisition in Camp Street TIF District: \$550,000.00;

(collectively the "Additional Project Costs"); and

WHEREAS, the Additional Project Costs exceed the amounts appropriated for the respective Project line items for the respective City Departments in the Annual Appropriation Ordinance; and

WHEREAS, no excess funds exist in the Annual Appropriation Ordinance that can be lawfully transferred to pay the Additional Project Costs within the respective departments; and

WHEREAS, City Officials have estimated that the City will receive an additional \$1,000,000 in sales tax revenues during the 2022-2023 fiscal year, an additional \$2,000,000 in non-home rule sales tax revenues during the 2022-2023 fiscal year, and an additional \$1,500,000 in personal property replacement tax revenues during the 2022-2023 fiscal year; and

WHEREAS, the City also maintains undesignated cash reserves in the City's General Fund that can be used to cover a portion of the Additional Project Costs that were not appropriated in the Annual Appropriation Ordinance; and

WHEREAS, Section 8-2-9 of the Illinois Municipal Code (65 ILCS 5/8-2-9) provides the City with the authority to make supplemental appropriations during the fiscal year after the Annual Appropriation Ordinance has been adopted in order to appropriate (1) additional, unanticipated revenues that will be received City during the fiscal year, and (2) undesignated reserve funds that were not appropriated under the Annual Appropriation Ordinance; and

WHEREAS, Section 8-2-9 of the Illinois Municipal Code further authorizes the City to make interfund transfers between departmental appropriations provided sufficient funds remain in the designated line item to cover the expenditures under that line item during the remainder of the fiscal year; and

WHEREAS, the City Council hereby finds that it is necessary and in the best interests of the City to appropriate additional funds through the following supplemental appropriation to the Annual Appropriation Ordinance and to make the following transfers under the Annual Appropriation Ordinance for the purpose of paying the Additional Project Costs as provided herein;

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

Section 1. The above-listed recitals are hereby found to be true, correct, and accurate, and are hereby incorporated herein.

Section 2. The following supplemental funds, or so much thereof as may be authorized by law, be and the same are hereby appropriated for corporate purposes of the City of East Peoria, Illinois, to defray all necessary expenses and liabilities of said City of East Peoria as hereinafter specified, for the fiscal year from May 1, 2022 to April 30, 2023 (the "Supplemental Appropriation"). The funds comprising the Supplemental Appropriation are from the estimated additional revenues that will be received by the City during the 2022-2023 fiscal year and from reserves and fund balances available upon the adoption of the Annual Appropriation Ordinance, but were not appropriated by the Annual Appropriation Ordinance. Accordingly, this Supplemental Appropriation is in addition to the sums appropriated from the same sources and for the same purposes as described in the Annual Appropriation Ordinance or as new line items in the respective departments:

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT:

Capital	\$500,000
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INFORMATION TECHNOLOGY DEPARTMENT:

I.T. Special Project	\$750,000
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FIRE DEPARTMENT:

Operating Equipment Purchases	\$750,000
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SOLID WASTE DEPARTMENT:

Operating Equipment Purchases	\$250,000
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CAMP STREET TIF DISTRICT:

Camp Street Debt Service Principal	\$30,000
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W. WASHINGTON STREET TIF DISTRICT:

Cat/Camp Street Property Loan Payment	<u>\$550,000</u>
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TOTAL SUPPLEMENTAL APPROPRIATION	\$2,830,000
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Section 3. The following transfer of funds in the "RIVERBOAT GAMING FUNDS" portion of the Annual Appropriation Ordinance, or so much thereof as may be authorized by law, be and the same are hereby made for corporate purposes of the City of East Peoria, Illinois, to defray all necessary expenses and liabilities of said City of East Peoria as herein specified for the fiscal year from May 1, 2022 to April 30, 2023 (the "Funds Transfer"):

Transfer from "Distribution – Camp Street TIF Loan" to

newly created "Distribution – EastSide Outside": \$2,250,000

RIVERBOAT GAMING FUNDS line items after Funds Transfer:

Distribution – Camp Street TIF Loan \$750,000

Distribution – EastSide Outside \$2,250,000

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed with all such ordinances or parts of ordinances except that to the extent that such ordinances or parts of ordinance are in conflict with the provisions of this Ordinance, those ordinances or parts of ordinance in conflict with the provisions of this Ordinance are hereby superseded and repealed by this Ordinance, and any conflicts shall be governed by this Ordinance.

Section 5. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION BY A TWO-THIRDS VOTE IN COMPLIANCE WITH SECTION 8-2-9 OF THE MUNICIPAL CODE (65 ILCS 5/8-2-9) THIS 6th DAY OF December, 2022.

APPROVED:

John P. Kahl
Mayor

ATTEST:

Morgan R. Cadwalader
City Clerk

EXAMINED AND APPROVED:

[Signature]
Corporation Counsel

FILED

DEC 09 2022

John C. Adelman
COUNTY CLERK
TAZEWELL COUNTY, ILLINOIS

CERTIFICATE OF PUBLICATION

I, MORGAN CADWALADER and the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the City of East Peoria, a municipal corporation of and in the County of Tazewell, Illinois, that the foregoing Ordinance No. 4689 is a true and accurate copy of the Ordinance passed by the City Council and Mayor of the City of East Peoria on the meeting date set forth therein, and that the Ordinance was published by me in pamphlet form this 10th day of December, 2022, by making three (3) copies thereof available on that date for public inspection.

Morgan R Cadwalader
City Clerk

FILED

DEC 09 2022

John C. Ackerman
COUNTY CLERK
TAZEWELL COUNTY, ILLINOIS

STATE OF ILLINOIS)
) SS
COUNTY OF TAZEWELL)

CERTIFICATE

I, MORGAN R. CADWALADER, DO HEREBY CERTIFY THAT I am the City Clerk in and for the City of East Peoria, a municipal corporation of and in the County of Tazewell, Illinois; that the foregoing is a true and correct copy of an Ordinance No. 4689 duly passed by the Mayor and City Council of the City of East Peoria entitled "An Ordinance Providing for Supplemental Appropriations and a Fund Transfer for the Fiscal Year Commencing the First Monday in May A.D 2022", at a regular meeting held on the 6th day of December, 2022, the Ordinance being a part of the official records of said City.

DATED this 6th day of December, 2022.

Morgan R Cadwalader
Morgan R. Cadwalader, City Clerk

(SEAL)

FILED

DEC 09 2022

John C. Ackerman
COUNTY CLERK
TAZEWELL COUNTY, ILLINOIS