

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

**MARCH 20, 2018**

The Regular Meeting of the City Council of the City of East Peoria, Illinois was called to order by his Honor Mayor David Mingus presiding at 6:07 P.M. with proper notice having been given.

Upon the roll being called the following answered present: Mayor David W. Mingus, Commissioner Daniel S. Decker, Commissioner Timothy J. Jeffers, and Commissioner John P. Kahl.  
Absent: Commissioner Gary R. Densberger.

The invocation was given by Commissioner Jeffers.

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

Motion by Commissioner Kahl, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on March 6, 2018 be approved as printed.

Yeas: Commissioner Decker, Jeffers, Kahl and Mayor Mingus.

Nays: None.

Mayor Mingus declared the motion carried.

Mayor Mingus proclaimed April as "Parkinson's Disease Awareness Month." He read the proclamation to Mr. and Mrs. Halleen. Mr. Halleen expressed his thanks to the City Council. He discussed research and strides in research of the disease.

Mayor Mingus 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.

Jeff Giebelhausen came up to the podium. He discussed the sales tax proposal. He does not feel that the cuts have been made for citizens to support the sales tax increase. He discussed savings he feels can be made in the budget. He asked where the \$1.8 million in taxes will go toward. He believes that the City is increasing the sales tax too much. He does not agree with a multiyear city reserve plan because there could be another City Council in place.

Charlie Morgan came up to the podium to discuss the proposed sales tax increase. He asked that the City Council make a commitment about where the increase in city sales tax would go besides the reserves. He asked about the amount of monies for reserves and the totals. He does not feel that workers' compensation or pensions are the reason for the money issues for the City. He feels that the City's needs reserves. He inquired about expenditures on credit cards.

Bob Jorgensen came up to the podium and discussed services that are received by citizens. He is willing to pay for city services because he wants them. He does not see a problem with increasing the sales tax, and he would like to see how much will be allocated to streets and other items. He inquired about raising Motor Fuel Tax dollars and contacting legislators about increasing those.

City Administrator Jeffery A. Eder discussed the increased sales tax going toward capital expenditures.

Mayor Mingus asked for any other comments from the audience. There was no response.

**CONSENT AGENDA ITEMS BY OMNIBUS VOTE:**

Mayor Mingus asked if any Commissioner wished to remove any items from the Consent Agenda for discussion. There was no response.

Motion by Commissioner Decker, seconded by Commissioner Kahl; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 6 as listed on the agenda for this meeting to be considered by omnibus vote.

Item No. 1 - Adoption of Resolution No. 1718-124 – Resolution to Approve Payment of the Schedule of Bills No. 21 in the amount of \$1,604,831.80. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1718-117 on its Second Reading - Resolution allocating of \$450,000 of Motor Fuel Tax Funds for the 2018 Street Maintenance Program and authorizing an Engineering Agreement with Patrick Meyer & Associates for the Street Maintenance Program. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1718-120 on its Second Reading - Resolution Approving a Right-Of-Way Use Agreement with McLeodUSA Telecommunications Services. (Adopted by omnibus vote)

Item No. 4 – Adoption of Ordinance No. 4366 on its Second Reading (AN ORDINANCE ADDING A PROVISION TO TITLE 10, CHAPTER 1 OF THE CITY CODE PROHIBITING VIOLATIONS OF THE RULES AND REGULATIONS FOR PATRON CONDUCT FOR INSIDE PUBLIC AREAS OF CIVIC COMPLEX). (Adopted by omnibus vote)

Item No. 5 – Adoption of Ordinance No. 4373 on its Second Reading (AN ORDINANCE AMENDING TITLE 5, CHAPTERS 7 AND 11 OF THE EAST PEORIA CITY CODE PERTAINING TO PARKING REQUIREMENTS). (Adopted by omnibus vote)

Item No. 6 – Adoption of Ordinance No. 4379 on its Second Reading (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF THE CITY OF EAST PEORIA, ILLINOIS CITY CODE LIQUOR CONTROL REGULATIONS TO CHANGE NUMBER OF CLASS D LICENSES ISSUED IN THE CITY LIMITS AND CHANGE THE PROVISIONS REGARDING DELIVERY). (Adopted by omnibus vote)

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

Nays: None.

Mayor Mingus declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Kahl; Mr. Mayor, I move you that Items numbered 1 through 6 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 6 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. 1718-124 – Resolution to Approve Payment of the Schedule of Bills No. 21 in the amount of \$1,604,831.80. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1718-117 on its Second Reading - Resolution allocating of \$450,000 of Motor Fuel Tax Funds for the 2018 Street Maintenance Program and authorizing an Engineering Agreement with Patrick Meyer & Associates for the Street Maintenance Program. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1718-120 on its Second Reading - Resolution Approving a Right-Of-Way Use Agreement with McLeodUSA Telecommunications Services. (Adopted by omnibus vote)

Item No. 4 – Adoption of Ordinance No. 4366 on its Second Reading (AN ORDINANCE ADDING A PROVISION TO TITLE 10, CHAPTER 1 OF THE CITY CODE PROHIBITING VIOLATIONS OF THE RULES AND REGULATIONS FOR PATRON CONDUCT FOR INSIDE PUBLIC AREAS OF CIVIC COMPLEX). (Adopted by omnibus vote)

Item No. 5 – Adoption of Ordinance No. 4373 on its Second Reading (AN ORDINANCE AMENDING TITLE 5, CHAPTERS 7 AND 11 OF THE EAST PEORIA CITY CODE PERTAINING TO PARKING REQUIREMENTS). (Adopted by omnibus vote)

Item No. 6 – Adoption of Ordinance No. 4379 on its Second Reading (AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF THE CITY OF EAST PEORIA, ILLINOIS CITY CODE LIQUOR CONTROL REGULATIONS TO CHANGE NUMBER OF CLASS D LICENSES ISSUED IN THE CITY LIMITS AND CHANGE THE PROVISIONS REGARDING DELIVERY). (Adopted by omnibus vote)

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

Nays: None.

Mayor Mingus declared the motion carried and the items adopted by omnibus vote designation.

Motion by Commissioner Decker, seconded by Commissioner Jeffers; Mr. Mayor, I move you that Ordinance No. 4381 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT THE INTERSECTION OF HIGHVIEW COURT AND CENTENNIAL DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) - (to allow the construction of a senior living facility) be read at length by the Clerk, and that said Ordinance No. 4381 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. City Council and Director of Planning & Community Development, Ty Livingston, discussed the special use.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4381 to be duly adopted as presented.

Motion by Commissioner Decker, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4382 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 310 MAPLE STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) – (to allow a nonresidential permitted use on a lot having an area less than one acre on property zoned as M-3) be read at length by the Clerk, and that said Ordinance No. 4382 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. City Council and Director Livingston discussed the special use.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4382 to be duly adopted as presented.

Motion by Commissioner Decker, seconded by Commissioner Jeffers; Mr. Mayor, I move you that Ordinance No. 4353 hereto attached, (AN ORDINANCE IMPOSING AN ADDITIONAL ONE-HALF OF ONE PERCENT NON-HOME RULE MUNICIPAL SALES TAX) be read at length by the Clerk, and that said Ordinance No. 4353 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. Discussion and debate ensued on the ordinance. Discussion ensued on expenditure cuts and capital needs of the City and services offered to citizens.

City Council discussed the State decreasing revenues to the City and the State increasing income and business taxes.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4353 to be duly adopted as presented.

Resolution No. 1718-123 by Commissioner Decker; **WHEREAS**, the City Council has implemented an additional one-half of one percent (0.50%) non-home rule sales tax by Ordinance 4353, which is being adopted simultaneously with this Resolution; and

**WHEREAS**, due to recent financial challenges and economic conditions faced by the City, the City's reserve funds have seen a reduction in recent years; and

**WHEREAS**, the City Council intends to use a portion of the non-home rule sales tax revenues generated by the additional one-half of one percent (0.50%) implemented by Ordinance 4353 to supplement the City's reserve funds to ensure that the City's reserve funds are maintained at a financially responsible level; and

**WHEREAS**, the City Council hereby finds that it is in the best interests of the City to designate and set aside a specified amount of the non-home rule sales tax revenues generated by the additional one-half of one percent (0.50%) implemented by Ordinance 4353 on an annual basis until the City's reserve funds are maintained at a financially responsible level; and

**WHEREAS**, the City Council hereby further finds that it is in the best interests of the City and fiscally responsible to set aside these additional revenues incrementally on an annual basis until the City's reserve funds are increased to such financially responsible level;

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

**Section 1.** The above recitations are found to be true and correct.

**Section 2.** For the 2018-2019 fiscal year, the City shall set aside \$250,000 of revenues generated by the additional one-half of one percent (0.50%) non-home rule sales taxes implemented by Ordinance 4353 into the City's reserve fund for the City's general fund.

**Section 3.** For the 2019-2020 fiscal year, the City shall set aside \$300,000 of revenues generated by the additional one-half of one percent (0.50%) non-home rule sales taxes implemented by Ordinance 4353 into the City's reserve fund for the City's general fund.

**Section 4.** For each fiscal year after the 2019-2020 fiscal year, the City shall continue to set aside \$300,000 of revenues generated by the additional one-half of one percent (0.50%) non-home rule sales taxes implemented by Ordinance 4353 into the City's reserve fund for the City's general fund until the City's reserve fund reaches \$4.0 million. When the City's reserve fund reaches \$4.0 million in total funds, these revenues generated by the additional non-home rule sales taxes authorized by Ordinance 4353 shall only be used thereafter as needed to supplement the City's reserve fund in order to maintain the \$4.0 million minimum level throughout the applicable fiscal year.

**Section 5.** The City Treasurer shall take the necessary steps to implement the provisions of this Resolution during the 2018-2019 fiscal year and every fiscal year thereafter as provided herein. The City budget for the 2018-2019 fiscal year and every year thereafter shall allocate the respective amount of non-home rule sales tax revenues for the City's reserve fund as provided in this Resolution.

**Section 6.** This Resolution shall be effective upon the implementation of the additional one-half of one percent (0.50%) non-home rule sales taxes established by Ordinance 4353, and this Resolution shall remain effective until further action specifically addressing the provisions of this Resolution is taken by the City Council.

Motion by Commissioner Decker, seconded by Commissioner Kahl; Mr. Mayor, I move that Resolution No. 1718-123 be adopted as presented.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1718-123 be duly adopted as presented.

Resolution No. 1718-122 by Commissioner Decker; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS THAT:** a Public Hearing will be held by the City Council on Tuesday evening, April 3, 2018 at 6:00 P.M. in the City Council Chambers in the Civic Complex, 401 West Washington Street, East Peoria, Illinois, for the purpose of giving interested citizens the opportunity to provide written or oral comments on the proposed Appropriation Ordinance and the proposed Working Cash Budget for the City of East Peoria for the Fiscal Year May 1, 2018 to April 30, 2019.

**BE IT FURTHER RESOLVED** that the City Clerk give public notice of said public hearing in the manner provided by law.

**AND THAT THIS RESOLUTION NO. 1718-122 BE ADOPTED AS PRESENTED.**

Motion by Commissioner Decker, seconded by Commissioner Kahl; Mr. Mayor, I move that Resolution No. 1718-122 be adopted as presented.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1718-122 be duly adopted as presented.

Resolution No. 1718-121 by Commissioner Decker, seconded by Commissioner Kahl; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS** that Resolution No. 1718-121, hereto attached, a Resolution approving the Annual EDC Contribution of \$10,000 to the Greater Peoria Economic Development Council, be approved, and that this Resolution No. 1718-121 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.

Director Livingston discussed the contribution.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1718-125 by Commissioner Jeffers, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1718-125, hereto attached, a Resolution Approving a Contract with Optimum Health Solutions for assisting with the Employee Wellness Program, be approved, and that this Resolution No. 1718-125 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 Jeffers discussed the contract. The Wellness initiative and Health Fair were discussed.

Yeas: Commissioners Jeffers, Kahl and Mayor Mingus.

Nays: None.

Abstain: Commissioner Decker.

Mayor Mingus declared the motion carried.

Motion by Commissioner Kahl, seconded by Commissioner Jeffers; Mr. Mayor, I move you that Ordinance No. 4380 hereto attached, (AN ORDINANCE AMENDING THE RESIDENCY PROVISIONS OF THE CITY OF EAST PEORIA PERSONNEL POLICY MANUAL) be read at length by the Clerk, and that said Ordinance No. 4380 be accepted on its first reading, and be hereby adopted as presented.

Discussion ensued on the ordinance change and the possibility of making changes to it.

Motion by Commissioner Jeffers, seconded by Commissioner Kahl; Mr. Mayor, I move you to table Ordinance No. 4380 for further consideration.

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

Nays: None.

Mayor Mingus declared the motion carried.

Mayor Mingus stated if there was anyone in the audience who wanted to speak on any items not on the agenda to come to the podium and state the matter or matters to be discussed.

Don Norbits came up to the podium to discuss property tax costs in the State being the third highest in the nation and the City's reserves.

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

Mayor Mingus then asked for comments from Council.

Commissioner Decker discussed the expenditures on the City streets.

Commissioner Kahl announced the beginning of open burning beginning April 1 and continuing through April 30. He discussed the rules that go along with open burning.

Motion by Commissioner Jeffers, seconded by Commissioner Kahl; Mr. Mayor, I move you that we adjourn until Tuesday evening, April 3, 2018 at 6:00 P.M.

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

Nays: None

Mayor Mingus declared the motion carried and the meeting adjourned at 7:40 P.M.

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