

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

APRIL 3, 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 6:00 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 Gary R. Densberger, Commissioner Timothy J. Jeffers, and Commissioner John P. Kahl.
Absent: None.

The invocation was given by Commissioner Jeffers.

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

PUBLIC HEARING:

Motion by Commissioner Densberger, seconded by Commissioner Kahl Mr. Mayor, I move that the City Council recess the Regular Meeting to hold a public hearing.

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

Nays: None

Mayor Mingus declared the motion carried and the Regular Meeting recessed to hold a public hearing at 6:02 P.M.

Mayor Mingus called the meeting to order with proper notice having been given.

Those present were the following: Mayor David Mingus, Commissioner Daniel S. Decker, Commissioner Gary R. Densberger, Commissioner Timothy J. Jeffers and Commissioner John P. Kahl.

Absent: None.

Mayor Mingus explained that we are in the public hearing. He turned the discussion over to City Administrator Eder. City Administrator Eder discussed the budget and appropriation ordinance and mentioned that there was a scrivener's error on page 15 of the working cash budget that has been corrected. The line items were the same just the total has been corrected.

Commissioner Densberger explained the purpose of the meeting is to hold a public hearing on the proposed Annual Appropriation Ordinance and proposed Working Cash Budget of the City of East Peoria from May 1, 2018 to April 30, 2019 and receive public comments on those items. He explained what the Appropriation Ordinance and Working Cash Budget consist of.

Commissioner Densberger discussed the sales tax that was passed at the last meeting. He discussed home rule and discussed the items that can be done with home rule, including motor fuel taxes, hotel/motel tax, restaurant tax, among others. He feels that home rule is a better alternative than sale tax from a revenue standpoint. He feels that the long-term fiscal outlook for the City is a positive one.

Commissioner Decker discussed wanting two clean-up weeks this year. However, he feels that it is a good balance that the budget is being approved with only one clean-up week. He discussed needs for the capital and street maintenance needs. The proposed budget allows the City to take care of some of the capital needs of the City.

Commissioner Jeffers discussed the Appropriation Ordinance and Budget. He discussed the work that the Director of Finance/Treasurer completed and that he will be supporting the Appropriation Ordinance and Budget.

Commissioner Kahl discussed supporting the Appropriation Ordinance and Budget. He discussed the cuts that were made.

Mayor Mingus expressed support for the Appropriation Ordinance and Budget.

Mayor Mingus asked for any comments from the audience.

Don Norbits of East Peoria came up to the podium to discuss the budget. He requested a personnel/staffing schedule for each department be included in the budget to put some logic to the budget.

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

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move that to adjourn the Public Hearing and reconvene the Regular Meeting.

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

Nays: None

Mayor Mingus declared the motion carried and the Regular Meeting reconvened at 6:19 P.M.

The regular meeting was reconvened with the following being present: Mayor David Mingus, Commissioner Daniel S. Decker, Commissioner Gary R. Densberger, Commissioner Timothy J. Jeffers and Commissioner John P. Kahl.
Absent: None.

Motion by Commissioner Kahl, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting and Special Meeting for Working Session held on March 20, 2018 be approved as printed.

Yeas: Commissioner Decker, Densberger, 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 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 Mingus asked if any Commissioner wished to remove any items from the Consent Agenda for discussion. There was no response.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 2 as listed on the agenda for this meeting to be considered by omnibus vote.

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

Nays: None.

Mayor Mingus declared the motion carried.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move you that Items numbered 1 through 2 listed on the Consent Agenda be hereby approved and adopted, the item numbered 2 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.

Item No. 1 - Adoption of Resolution No. 1718-130 – Resolution to Approve Payment of the Schedule of Bills No. 22 in the amount of \$1,940,343.61. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1718-121 on its Second Reading - Resolution approving the Annual EDC Contribution of \$10,000 to the Greater Peoria Economic Development Council. (Adopted by omnibus vote)

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

Nays: None.

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

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4385 hereto attached, (ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF EAST PEORIA, ILLINOIS FOR THE FISCAL YEAR FROM THE FIRST DAY OF MAY A.D. 2018 TO THE LAST DAY OF APRIL A.D. 2019) 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 Densberger explained that the ordinance was discussed at length in the public hearing.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1718-128 by Commissioner Densberger, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1718-128, hereto attached, a Resolution to approve the Working Cash Budget for the Fiscal Year from the first day of May A.D. 2018 to the last day of April A.D. 2019, be approved, and that this Resolution No. 1718-128 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.

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

Nays: None.

Mayor Mingus declared the motion carried.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4318 hereto attached, (AN ORDINANCE PROVIDING FOR ANNEXATION OF THE THOMPSON PROPERTY LOCATED AT 1418 BLOOMINGTON ROAD) 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 Densberger discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1718-126 by Commissioner Densberger; RESOLUTION AUTHORIZING THE SELLING PROCESS FOR CITY-OWNED SURPLUS REAL ESTATE

WHEREAS, the City has acquired title to a parcel of real estate located with the City of East Peoria through the foreclosure and abandonment provisions of the “Unsafe Property” Division of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-31-1, *et seq.*) and such parcel is legally described in Exhibit A, attached hereto (hereinafter the “Property”); and

WHEREAS, the City has determined that the Property is surplus public real estate owned by the City, and the City considers the Property to be excess property and unnecessary for City use or City purposes; and

WHEREAS, the City seeks to sell the Property pursuant to the process set forth under Section 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-4.1), which provides for the appraisal of the Property by a certified or licensed appraiser and then the sale of the Property by City Officials, by a local licensed real estate agency, or by public auction for no less than 80% of the appraised value; and

WHEREAS, the Property is further described by the parcel's current zoning classification, size, and use in Exhibit A; and

WHEREAS, the City Council hereby finds that it is in the best interests of the City to sell the Property such that the Property can be developed and put to use by an interested purchasing party;

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. The Property, after obtaining an appraisal of the Property by a certified or licensed appraiser, are hereby directed to be sold by any process set forth under Section 11-76-4.1 of the Illinois Municipal Code for no less than 80% of the appraised value.

Section 3. City Officials are hereby authorized to execute any documents necessary to initiate the sale or transfer of the Property, including, but not limited to, the execution of a listing agreement with a local licensed real estate agency, and to negotiate the terms of such sale or transfer of the Property to an interested purchasing party. The terms of such sale or transfer of the Property shall include payment by the purchasing party of the City's costs, including, but not limited to, the cost of the appraisal, recording fees, and City attorneys' fees in the amount of five hundred dollars (\$500.00); together with the standard real estate agent commission rate if listed by a local real estate agency.

Section 4. The City Clerk is hereby authorized and directed to publish this Resolution and any exhibits attached hereto immediately upon the passage of this Resolution by the City Council in a daily or weekly newspaper circulated in the City of East Peoria.

Section 5. City Officials, in their discretion, are hereby authorized to withdraw the Property from the sale or transfer process for any reason they deem necessary or appropriate.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move that Resolution No. 1718-126 be adopted as presented.

Director of Planning and Community Development Ty Livingston discussed the resolution and associated property.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1718-126 be duly adopted as presented.

Resolution No. 1718-132 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1718-132, hereto attached, a Resolution approving Electricity High-Demand Response Program Agreement with Voltus Inc., be approved, and that this Resolution No. 1718-132 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 Densberger discussed the resolution and agreement.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1718-131 by Commissioner Densberger; WHEREAS, a vacancy will exist on the East Peoria Police Pension Board as a result of the term of Matt Mamer expiring on April 30, 2018 from the East Peoria Police Pension Board; and

WHEREAS, the Honorable Mayor David W. Mingus has recommended the appointment of Terry Schultz to fill the vacancy created on the East Peoria Police Pension Board;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the appointment by Mayor David W. Mingus of Terry Schultz to the East Peoria Police Pension Board to fill the vacancy created by the expiration of Matt Mamer's term on the East Peoria Police Pension Board for a term of May 1, 2018 to April 30, 2020 be approved.

AND THAT THIS RESOLUTION NO.1718-131 BE ADOPTED AS PRESENTED.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move that Resolution No. 1718-131 be adopted as presented.

Commissioner Densberger discussed the background of Mr. Schultz.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1718-131 be duly adopted as presented.

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 hereby approved, and that this Resolution No. 1718-125 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 Jeffers discussed the Health Fair and the Employee Wellness Program.

Commissioner Decker explained that out of an abundance of caution he would be abstaining due his employment with the City.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Mingus declared the motion carried and Resolution No. 1718-125 be duly adopted as presented.

Motion by Commissioner Kahl, seconded by Commissioner Densberger; Mr. Mayor, I move you that Ordinance No. 4380, be removed from the table.

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

Nays: None.

Mayor Mingus declared the motion carried and duly adopted as presented.

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.

Commissioner Kahl discussed the amendments.

Commissioner Decker discussed supporting the agreement but also wishing that employees would live in the community.

Commissioner Jeffers discussed stepping back and looking at the change and make a reasonable determination. He is supportive of the amendment.

Commissioner Densberger discussed being interested in an employee's commitment to the City rather than their address. He expressed the need to be able to compete with other employers.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4380 to be duly adopted as presented.

Motion by Commissioner Kahl, seconded by Commissioner Jeffers; Mr. Mayor, I move you that Ordinance No. 4386 hereto attached, (AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 8 OF THE CITY CODE FOR REGULATING USE AND POSSESSION OF FIREWORKS AND FOR ISSUING PERMITS FOR FIREWORK DISPLAYS) 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 Kahl discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Densberger, 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.

Section 2(c)(11) – Pending litigation or litigation which is probable or imminent.

Yeas: Commissioners Densberger, 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 state the matter or matters to be discussed. There was no response.

Mayor Mingus then asked for comments from Council.

Commissioner Decker discussed the cleanup week being reduced by one week this year on the week of September 10-14, 2018. He discussed the productivity loss during that week. He discussed recycling changes being made that include going to a toter system with every other week recycling beginning soon.

Commissioner Densberger discussed the need for the City to consistently inquire about doing business in better ways to be more efficient and effective in the services the City offers.

Commissioner Jeffers discussed the recycling changes.

Commissioner Kahl discussed the car seat check at the Fire Department scheduled the first Wednesday of every month and the upcoming Health Fair.

Motion by Commissioner Jeffers, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, April 17, 2018 at 6:00 P.M.

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

Nays: None

Mayor Mingus declared the motion carried and the meeting adjourned at 7:03 P.M.

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