

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

**JUNE 19, 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.

Motion by Commissioner Kahl, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting and Special Meeting for a Working Session held on June 5, 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.

Robert Brinker of East Peoria came up to the podium to discuss the proposed ordinance to allow the keeping of chickens in the City. He expressed his hopes that the City Council will pass the ordinance. He considers the chickens pets.

Bob Sinks of East Peoria came up to the podium to discuss and expressed his support for passing the proposed ordinance to allow the keeping of chickens in the City. He expressed thanks to Director of Planning and Community Development, Ty Livingston, and the Zoning Board of Appeals on their work in drafting the proposed ordinance.

Wes Haver of East Peoria came up to the podium to express his opposition to the proposed ordinance to allow the keeping of chickens in the City. He expressed concerns with excess eggs and discussed issues other communities that allow chickens are having with abandoned chickens and health related issues with chickens.

Jan Swan of East Peoria came up to the podium to express her opposition regarding the proposed ordinance to allow the keeping of chickens in the City.

Cindy Miller came up to the podium to express her support for passing the proposed ordinance to allow the keeping of chickens in the City. She does not feel that people want chickens for a commercial operation for but keep them as pets and for bug prevention.

Jim Ranney came up to the podium express his opposition regarding the proposed ordinance to allow the keeping of chickens in the City. He explained that allowing chickens in the City came up while he was serving on the City Council twenty years ago and he feels that it is honorable to raise chickens but they should not be raised in the City.

Neil Perrin of East Peoria came up to the podium to discuss his support regarding the proposed ordinance to allow the keeping of chickens in the City.

Frank Borrer of East Peoria came up to the podium to express his opposition regarding the proposed ordinance to allow the keeping of chickens in the City. He discussed issues and concerns he has in allowing chickens in the City.

Rick Swan of East Peoria came up to the podium to express his opposition regarding the proposed ordinance to allow the keeping of chickens in the City. He does not feel that chickens are suitable in the City.

Jan Borrer of East Peoria came up to the podium to express her opposition regarding the proposed ordinance to allow the keeping of chickens in the City. She discussed issues concerns with allowing chickens in the City, including bringing in predators such as foxes, wolves, and raccoons.

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 Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 18 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 Kahl; Mr. Mayor, I move you that Items numbered 1 through 18 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 18 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. 1819-033 – Resolution to Approve Payment of the Schedule of Bills No. 3 in the amount of \$1,922,906.32. (Adopted by omnibus vote)

Item No. 2 – Adoption of Ordinance No. 4398 on its Second Reading - (AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE CONDITIONS IMPOSED ON THE SPECIAL USE GRANTED WITH RESPECT TO 4200 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – (to expand outdoor storage & display). (Adopted by omnibus vote)

Item No. 3 – Adoption of Ordinance No. 4399 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 250 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS). – (to allow for an automated ice kiosk). (Adopted by omnibus vote)

Item No. 4 – Adoption of Ordinance No. 4396 on its Second Reading - (AN ORDINANCE AMENDING TITLE 6, CHAPTER 3, SECTION 2 OF THE EAST PEORIA CITY CODE REGULATING SUBDIVISIONS REGARDING SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY). (Adopted by omnibus vote)

Item No. 5 – Adoption of Ordinance No. 4397 on its Second Reading - (AN ORDINANCE AMENDING TITLE 7, CHAPTER 1 OF THE EAST PEORIA CITY CODE REGULATING POLES, WIRES AND CONDUCTORS). (Adopted by omnibus vote)

Item No. 6 – Adoption of Ordinance No. 4393 on its Second Reading - (AN ORDINANCE AMENDING THE PLAN FOR THE EAST PEORIA DOWNTOWN OVERLAY DISTRICT). (Adopted by omnibus vote)

Item No. 7 – Adoption of Ordinance No. 4394 on its Second Reading - (AN ORDINANCE AMENDING THE PLAN FOR THE EAST PEORIA FOUR CORNERS OVERLAY DISTRICT). (Adopted by omnibus vote)

Item No. 8 – Adoption of Ordinance No. 4344 on its Second Reading - (AN ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 9 OF THE EAST PEORIA CITY CODE PERTAINING TO THE USE AND PLACEMENT OF STORAGE UNITS AND DUMPSTERS). (Adopted by omnibus vote)

Item No. 9 – Adoption of Ordinance No. 4387 on its Second Reading - (AN ORDINANCE AMENDING TITLE 5, CHAPTER 8, SECTION 2 OF THE EAST PEORIA CITY CODE FOR THE PURPOSE OF ALLOWING WINERIES AS A SPECIAL USE IN THE C, CONSERVATION AND RESIDENTIAL ESTATE DISTRICT). (Adopted by omnibus vote)

Item No. 10 – Adoption of Resolution No. 1819-023 - Resolution Authorizing the Selling Process for City-Owned Surplus Real Estate at 345 Edmund Street in East Peoria. (Adopted by omnibus vote)

Item No. 11 – Adoption of Resolution No. 1819-021 on its Second Reading - Resolution approving a contribution of \$12,000 for UnityPoint Red White & Boom July 4th Fireworks. (Adopted by omnibus vote)

Item No. 12 – Adoption of Resolution No. 1819-020 on its Second Reading - Resolution to approve Contract for Actuarial Services for Police and Fire Pension Funds with The Nyhart Group. (Adopted by omnibus vote)

Item No. 13 – Adoption of Resolution No. 1819-025 on its Second Reading - Resolution accepting Lowest Responsible Bidder for Yard Maintenance Contract to Jimax Landscaping LLC. (Adopted by omnibus vote)

Item No. 14 – Adoption of Resolution No. 1819-018 on its Second Reading - Resolution accepting low bid for EastSide Drive Lighting Replacement Project from Kirby Risk Company dba Kirby Risk Electrical Supply in the amount of \$10,650. (Adopted by omnibus vote)

Item No. 15 – Adoption of Resolution No. 1819-019 on its Second Reading - Resolution Ascertaining the Prevailing Rate of Wage for Laborers, Workmen and Mechanics Employed on Public Works in the City of East Peoria, Illinois. (Adopted by omnibus vote)

Item No. 16 – Adoption of Resolution No. 1819-016 on its Second Reading - Resolution authorizing the repair of drainage at or near 311 Pekin Avenue in the City by Koenig Trucking and Excavating, LLC in the amount of \$17,770. (Adopted by omnibus vote)

Item No. 17 – Adoption of Resolution No. 1819-022 on its Second Reading - Resolution authorizing the lease of space at the City of East Peoria Police Department for 911 Dispatch Activities by TC3. (Adopted by omnibus vote)

Item No. 18 – Adoption of Resolution No. 1819-024 on its Second Reading - Resolution authorizing the purchase of a new LifePak 15 Monitor for the Fire Department from Physio-Control Inc. in the amount of \$27,826.63. (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. 3994 hereto attached, (AN ORDINANCE AMENDING CHAPTER 8 OF ZONING CODE AND ADDING A PROVISION TO TITLE 10, CHAPTER 2 OF THE EAST PEORIA CITY CODE TO ALLOW THE KEEPING OF CHICKENS IN THE CITY SUBJECT TO CERTAIN LIMITATIONS) 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 and the process of how the ordinance has gotten to City Council. He explained his opposition to the ordinance as he does not feel that chickens belong in the City and there are limited code enforcement personnel.

Commissioner Decker discussed the ordinance and expressed his opposition to the ordinance. He explained that a majority of the people that he heard from about chicken are in opposition of chickens in the City or near them.

Commissioner Kahl discussed the ordinance and his opposition to the ordinance due to the majority of people he heard from in the City being opposed to allowing chickens in the City and having limited personnel for code enforcement.

Commissioner Jeffers discussed his support of the ordinance. He discussed communities around the country that allow chickens.

Yeas: Commissioners Jeffers.

Nays: Commissioners Decker, Densberger, Kahl and Mayor Mingus.

Mayor Mingus declared the motion failed.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4404 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 298 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS (to allow for outdoor display and sale of vehicles)) be read at length by the Clerk, and that said Ordinance No. 4404 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Densberger discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4404 to be duly adopted as presented.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4405 hereto attached, (AN ORDINANCE AUTHORIZING AN OFF-PREMISES SIGN LOCATED ON PROPERTY ADJACENT TO 3210 EAST WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) (PIN 01-01-25-304-012) be read at length by the Clerk, and that said Ordinance No. 4405 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Densberger discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4405 to be duly adopted as presented.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4395, hereto attached, (AN ORDINANCE ADDING NEW CHAPTER 16.1 TO TITLE 4 OF THE EAST PEORIA CITY CODE REGARDING THE REGULATION OF SMALL WIRELESS FACILITIES WITHIN THE PUBLIC RIGHT OF WAY) having been read once by its title and having been laid on the table for no less than one week for public inspection, be adopted as presented.

Director of Planning and Community Development, Ty Livingston, discussed the ordinance.

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

Nays: None

Mayor Mingus declared the motion carried and Ordinance No. 4395 be adopted as presented.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4400 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 108 FIELD AVENUE) 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.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4403 hereto attached, (AN ORDINANCE APPROVING A REAL ESTATE PURCHASE CONTRACT FOR PROPERTY ADJACENT TO BLOOMINGTON ROAD) (Parcel Identification Number: 05-05-02-400-003) 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.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4401 hereto attached, (AN ORDINANCE AMENDING THE TERMS OF AN ELECTRIC FRANCHISE AGREEMENT WITH AMEREN ILLINOIS COMPANY (D/B/A AMEREN ILLINOIS)) be read at length by the Clerk, and that said Ordinance No. 4401 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Densberger discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4401 to be duly adopted as presented.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4402 hereto attached, (AN ORDINANCE AMENDING THE TERMS OF A GAS FRANCHISE AGREEMENT WITH AMEREN ILLINOIS COMPANY (D/B/A AMEREN ILLINOIS)) be read at length by the Clerk, and that said Ordinance No. 4402 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Densberger discussed the ordinance.

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

Nays: None.

Mayor Mingus declared the motion carried and Ordinance No. 4402 to be duly adopted as presented.

Resolution No. 1819-027 by Commissioner Densberger; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT** the next regular meeting of the Council of the City of East Peoria originally scheduled for Tuesday, July 3, 2018 be cancelled due to the 4<sup>th</sup> of July holiday and Fireworks Celebration.

**BE IT FURTHER RESOLVED, THAT** the City Clerk will cause to be posted a notice of such cancellation.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1819-027 be adopted as presented.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-027 be duly adopted as presented.

Resolution No. 1819-034 by Commissioner Decker, seconded by Commissioner Jeffers; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS** that Resolution No. 1819-034, hereto attached, a Resolution approving a Proposal from JC Dillon, Inc. to Slip Line Storm Sewer Main in the vicinity of 404 S. Summit Drive in the City of East Peoria, be approved, and that this Resolution No. 1819-034 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 discussed the slip-lining.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-028 by Commissioner Densberger, seconded by Commissioner Kahl; **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS** that Resolution No. 1819-028, hereto attached, a Resolution accepting Lowest Responsible Bidder for Festival of Lights Building Dry Sprinkler System Pipe Replacement to Automatic Fire Sprinkler Co. in the amount of \$10,790, be approved, and that this Resolution No. 1819-028 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 project.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-030 by Commissioner Jeffers, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-030, hereto attached, a Resolution Accepting the Lowest Responsible Bidder for Purchase of a Chlorine Scrubber Unit for the Oakwood Water Treatment Plant from Drydon Equipment, Inc. in the amount of \$56,866, be approved, and that this Resolution No. 1819-030 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 resolution and purchase.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-031 by Commissioner Jeffers, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-031, hereto attached, a Resolution Approving a Proposal from Hoerr Construction, Inc. to Slip Line Various Sanitary Sewer Mains in the City in the amount of \$265,541.20, be approved, and that this Resolution No. 1819-031 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 slip-lining of the wastewater piping system and explained the benefits of the process.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-029 by Commissioner Jeffers, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-029, hereto attached, a Resolution Approving Agreement for Staffing East Peoria Public Safety Building Walk-Up Window with Tazewell County Consolidated Communications (TC<sup>3</sup>), be approved, and that this Resolution No. 1819-029 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 and Chief of Police Dick Ganschow discussed the agreement.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-032 by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS THAT a permit for a public exhibition of fireworks be held on July 4, 2018 (rain date July 5, 2018) to Alpha Media, LLC/Melrose Pyrotechnics, Inc. in connection with the 4th of July Fireworks ( UnityPoint Health Red White and Boom) in East Peoria, Illinois.

BE IT FURTHER RESOLVED that the \$30.00 license fee required by Section 3-4-6 of the City Code be hereby waived AND THAT THIS RESOLUTION NO. 1819-032 BE ADOPTED AS PRESENTED.

Motion by Commissioner Kahl, seconded by Commissioner Densberger; Mr. Mayor, I move that Resolution No. 1819-032 be adopted as presented.

Commissioner Kahl discussed the fireworks permit.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-032 be duly adopted as presented.

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.

Frank Borrer thanked the City for the recycling totes that were delivered.

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 recycling totes and explained that every other week recycling begins the week of July 9, 2018 and savings to the City because of energy conservation due to changing light fixtures. He discussed volunteering for the honor flight by assisting passengers.

Commissioner Densberger wished everyone a happy 4<sup>th</sup> of July.

Commissioner Jeffers discussed the Postal Workers Convention that was recently held in East Peoria.

Commissioner Kahl discussed the vote on the proposed Ordinance allowing the keeping of chickens in the City and expressed his feeling that it was important to bring it to a vote by the City Council. He discussed the proposed winery on Bloomington Road.

Motion by Commissioner Jeffers, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 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 7:21 P.M.

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