

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

AUGUST 21, 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 held on August 7, 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.

Don Norbits came up to the podium and inquired about worker's compensation claims and costs. Commissioner Densberger explained a few of the preventative measures that the City is taking on worker's compensation claim and stated that he will have the Finance Director pull those costs and get back with Mr. Norbits.

Norman Sales came up to the podium. He stated that it has come to his attention that there was a theft in Public Works, the employee was terminated, and the employee was subsequently brought back to work. He inquired as to who made a decision overriding a department head and whether a Police Report was filed. Commissioner Decker indicated that he made the decision, that there are two sides to every story and discussed a grievance process. Mr. Sales inquired about whether a Police Report was filed. Commissioner Decker and Kahl indicated that there was a Police Report made. Commissioner Kahl stated that he does not know of another member of the Council that supported the decision. Mr. Sales indicated that he will submit a FOIA and believes in a change in the form of government due to circumstances such as these.

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 7 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 7 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 7 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. 1819-052 – Resolution to Approve Payment of the Schedule of Bills No. 7 in the amount of \$ 1,616.813.10. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1819-046 on its Second Reading - Resolution approving and authorizing the payment of an Invoice from Midwest Engineering Associates, Inc. for Engineering Work related to Plans and Specifications for Festival of Lights Electrical Upgrade Project in the amount of \$12,522.20. (Adopted by omnibus vote)

Item No. 3 – Adoption of Resolution No. 1819-047 on its Second Reading - Resolution authorizing a contract for Festival of Lights Electrical Upgrade Project with AMP Electrical Services, Inc. in the amount of \$134,000. (Adopted by omnibus vote)

Item No. 4 – Adoption of Resolution No. 1819-040 on its Second Reading – Resolution approving and authorizing the acceptance of a low bid for the Dupont Lane Approach Project from Koenig Trucking and Excavating, LLC in the amount of \$6,365. (Adopted by omnibus vote)

Item No. 5 – Adoption of Resolution No. 1819-042 on its Second Reading – Resolution approving and authorizing the execution of a Joint Funding Agreement between the City of East Peoria and the Peoria/Pekin Urbanized Area Transportation Study ("PPUATS") for the Fiscal Year 2019. (Adopted by omnibus vote)

Item No. 6 – Adoption of Resolution No. 1819-041 on its Second Reading – Resolution approving and authorizing the acceptance of the proposal for purchase of a Sewer Maintenance Camera from Coe Equipment, Inc. in the amount of \$38,900. (Adopted by omnibus vote)

Item No. 7 – Adoption of Resolution No. 1819-049 on its Second Reading – Resolution approving and authorizing an Intergovernmental Agreement with Tazewell County Consolidated Communications (TC³) regarding Police & Fire Dispatch Services. (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. 4409 hereto attached, (AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LOCATED AT 303 N SUMMIT) 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 zoning classification change.

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. 4410 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 103 N SUMMIT 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 special use and conditions that apply to the special use.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-054 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-054, hereto attached, a Resolution to approving service agreement for the City’s computer and IT network appliance maintenance at a total annual cost not to exceed \$11,512.92, be approved, and that this Resolution No. 1819-054 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 bids and agreement.

Yeas: Commissioners Decker, Densberger, 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 Ordinance No. 4412 hereto attached, (AN ORDINANCE AUTHORIZING A LOAN FOR FINANCING ACQUISITION OF RECYCLING TRUCK FOR PUBLIC WORKS DEPARTMENT) 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 and Director of Public Works, Dennis Barron, discussed the loan.

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

Nays: None.

Mayor Mingus declared the motion carried.

Motion by Commissioner Jeffers, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4411 hereto attached, (AN ORDINANCE AUTHORIZING THE CITY OF EAST PEORIA TO BORROW FUNDS IN AN AMOUNT NOT TO EXCEED \$57,348,000.00 FROM THE WATER POLLUTION CONTROL LOAN PROGRAM FOR THE CITY’S SANITARY SEWER SYSTEM UPGRADE PROJECT) 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 loan and the Upgrade Project. Director Barron discussed the costs and loan process.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-053 by Commissioner Jeffers; **A RESOLUTION AUTHORIZING A PUBLIC HEARING FOR THE CITY’S SANITARY SEWER SYSTEM UPGRADE PROJECT**

WHEREAS, the City has heretofore submitted an application to the Illinois Environmental Protection Agency (“IEPA”) for a loan from the Water Pollution Control Loan Program in the amount of \$57,348,000 (the “Loan”) for the purpose of constructing improvements to the City’s sanitary sewer system, including improvements

and upgrades to Wastewater Treatment Plant #1, Wastewater Treatment Plant #3, and the Route 8 pump station (the "Project"); and

WHEREAS, as a condition to receipt of the Loan, representatives of the City are required to conduct a public hearing to address issues related to the Project including, in particular, the environmental impacts of the Project and the preliminary environmental impact determination made by the IEPA for the Project; and

WHEREAS, it is in the best interests of the City to authorize Public Works Director Dennis Barron (the "Director") to schedule and conduct the necessary public hearing for the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the Director is hereby authorized and directed to schedule and conduct a public hearing on the Project including, in particular, the environmental impacts of the Project and the preliminary environmental impact determination made by the IEPA for the Project, in accordance with any and all applicable regulations.

Motion by Commissioner Jeffers, seconded by Commissioner Densberger; Mr. Mayor, I move that Resolution No. 1819-053 be adopted as presented.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-053 be duly adopted as presented.

Resolution No. 1819-055 by Commissioner Kahl; **RESOLUTION AUTHORIZING TEMPORARY INCREASE IN THE NUMBER OF POLICE OFFICERS IN THE EAST PEORIA POLICE DEPARTMENT**

WHEREAS, Title 1, Chapter 3, Section 7.1 of the East Peoria City Code authorizes the City Council to determine from time to time by Resolution the number of individuals to hold each rank in the Police Department; and

WHEREAS, one of the patrolmen in the Police Department has informed the City of his pending retirement from the East Peoria Police Department effective in the next couple of months, but will be on leave until his retirement date; and

WHEREAS, because of the lengthy process for bringing a new patrolman on staff, the East Peoria Police Department would like to begin the hiring process as soon as possible for a new patrol officer in order to allow the new patrolman to begin basic training on September 15, 2018; and

WHEREAS, it is in the best interests of the City of East Peoria to temporarily increase the total number of individuals holding the rank of patrolman on the East Peoria Police Department from 38 to 39; and

WHEREAS, it is further in the best interests of the City that after the patrolman's retirement, the City of East Peoria decrease the total number of individuals holding the rank of patrolman on the East Peoria Police Department from 39 to 38;

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

Section 1. Effective immediately, the staffing level for the Police Department of the City of East Peoria shall consist of the following personnel:

- A. One Police Chief
- B. Two Deputy Chiefs
- C. Seven Sergeants
- D. Thirty-nine Patrolmen

Section 2. The Police Chief is hereby authorized and directed to notify the Police and Fire Commission of the temporary increase in Patrolmen and to request the Police and Fire Commission to undertake the process of appointing a Patrolman to fill the position hereby created.

Section 3. Effective on the retirement of the Patrolman, the staffing level for the Police Department of the City of East Peoria shall return to the following personnel:

- A. One Police Chief
- B. Two Deputy Chiefs
- C. Seven Sergeants
- D. Thirty-eight Patrolmen

Motion by Commissioner Kahl, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 1819-055 be adopted as presented.

Commissioner Kahl discussed the resolution.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-055 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.

Bob Sinks came up to the podium and discussed going to other communities to discuss the form of government in the different communities.

Don Norbits came up to the podium to discuss the form of government. He feels that there should be a change in the form of government because there is one person that oversees an entire department instead of five people coming to a decision. He inquired about the interest rate for the sewer upgrade project loan and expressed concern about the interest rate potentially going up.

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

Mayor Mingus then asked for comments from Council.

Commissioner Decker explained that Clean-Up is scheduled for September 10-14, 2018.

Commissioner Densberger explained that he supports a change in the form of government but discussed the uncertainty of what happens if the government is changed to aldermanic.

Commissioner Jeffers explained the grievance process and making decisions on a case by case basis. He also discussed union contracts covering City employees. He discussed budget decisions being made by the entire City Council and Commissioners do not make the decision on their own.

Commissioner Kahl stated that a police report was made a few months after the decision and no criminal charges were brought. He believes that decisions have been made that have set a bad precedent. He discussed believing that the City Council should not drive a change in the form of government. He reminded everyone about the drop box at the Public Safety Building, 201 W. Washington Street, where you can drop off old medications safely.

Mayor Mingus discussed welcoming students back to Lincoln School and The Center for Prevention of Abuse Duck Race coming up this weekend at EastSide Centre.

Mayor Mingus explained that the change in the form of government to aldermanic is uncertain and explained that it is in the best interests that the City Council reconsider the resolution and repeal the resolution in changing the form of government with a Special Meeting being called Friday, August 24, 2018 at 11:30 a.m.

Motion by Commissioner Jeffers, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, September 4, 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 6:51 P.M.

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