

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

FEBRUARY 1, 2022

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

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.

Absent: Commissioner Sutherland.

The invocation was given by Commissioner Hill.

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

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on January 18, 2022 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

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

Motion by Commissioner Hill, seconded by Commissioner Decker; 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.

Item Number 1 - Adoption of Resolution Number 2122-103 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 18 in the amount of \$1,753,008.61.

Item Number 2 - Adoption of Ordinance Number 4600 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR AN EVENT CENTER ON PROPERTY LOCATED AT 125 CHESTNUT DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use to allow the siting of an event center on property zoned “B-1, Business District, Offices”.)

Item Number 3 - Adoption of Ordinance Number 4627 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 112 WOOD COURT IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for a short-term rental use for residential property zoned “R-4, Multiple-Family Dwelling District”.)

Item Number 4 - Adoption of Ordinance Number 4628 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 113 WOOD COURT IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for a short-term rental use for residential property zoned “R-4, Multiple-Family Dwelling District”.)

Item Number 5 - Adoption of Ordinance Number 4630 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 132 BARRINGTON LANE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for an additional accessory building on property zoned “R-1, One Family Dwelling District”.)

Item Number 6 - Adoption of Ordinance Number 4626 on its Second Reading – (AN ORDINANCE AMENDING AND EXPANDING THE PLAN FOR THE EAST PEORIA FOUR CORNERS OVERLAY DISTRICT.)

Item Number 7 - Adoption of Resolution Number 2122-092 on its Second Reading - Resolution approving One-Year Extension of Mower Rental Agreement with Martin Sullivan Inc. for the mowing of City-Owned Properties and Right-of-Ways.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Mingus; 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 Number 1 - Adoption of Resolution Number 2122-103 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 18 in the amount of \$1,753,008.61. (Adopted by omnibus vote)

Item Number 2 - Adoption of Ordinance Number 4600 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR AN EVENT CENTER ON PROPERTY LOCATED AT 125 CHESTNUT DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use to allow the siting of an event center on property zoned “B-1, Business District, Offices”.) (Adopted by omnibus vote)

Item Number 3 - Adoption of Ordinance Number 4627 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 112 WOOD COURT IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for a short-term rental use for residential property zoned “R-4, Multiple-Family Dwelling District”.) (Adopted by omnibus vote)

Item Number 4 - Adoption of Ordinance Number 4628 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 113 WOOD COURT IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for a short-term rental use for residential property zoned “R-4, Multiple-Family Dwelling District”.) (Adopted by omnibus vote)

Item Number 5 - Adoption of Ordinance Number 4630 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 132 BARRINGTON LANE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use for an additional accessory building on property zoned “R-1, One Family Dwelling District”.) (Adopted by omnibus vote)

Item Number 6 - Adoption of Ordinance Number 4626 on its Second Reading – (AN ORDINANCE AMENDING AND EXPANDING THE PLAN FOR THE EAST PEORIA FOUR CORNERS OVERLAY DISTRICT.) (Adopted by omnibus vote)

Item Number 7 - Adoption of Resolution Number 2122-092 on its Second Reading - Resolution approving One-Year Extension of Mower Rental Agreement with Martin Sullivan Inc. for the mowing of City-Owned Properties and Right-of-Ways. (Adopted by omnibus vote)

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

Nays: None.

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

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4629, hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 204 GLORIA PARKWAY IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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.

Commissioner Hill explained that this is a second reading for an accessory structure that is larger than allowed. The ZBA recommended approval.

Commissioner Decker explained that he has heard nothing negative about this item.

Commissioner Mingus explained that he would be abstaining due to the petitioner being related.

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

Nays: None

Abstain: Commissioner Mingus.

Mayor Kahl declared the motion carried and Ordinance No. 4629 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4631, hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF THE CITY'S CONDOMINIUM IN THE EASTPORT MARINA BUILDING AT 701 MARINERS WAY IN THE CITY OF EAST PEORIA) 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.

Commissioner Hill explained that the City began this process last year. The City is entering into this sale agreement due to ongoing maintenance costs. This is a sale and leaseback agreement for the area that is used for an office in the Marina building.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4631 be adopted as presented.

Resolution No. 2122-093 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-093 hereto attached, a Resolution to approve abating and eliminating various 2021 tax levies for Water and Sewer Bond Issues, Tax Increment Financing Bond Issues, and Development Bond Issues, be hereby approved. Mr. Mayor, I move you that this Resolution No. 2122-093 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 Hill explained that this abatement resolution is an annual event. The City gets the lowest interest rate by securing the bonds with tax levy funds. When the City determines that it has sufficient alternative funds, the City Council abates the tax levy amounts for those bonds.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-093 be duly adopted as presented.

Resolution No. 2122-095 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-095, hereto attached, a Resolution authorizing and directing the payment of an invoice in the amount of \$20,000 to the Fon du Lac Park District for Security Detail at the Winter Wonderland Lighted Display from November 2021 to January 2, 2022, be approved. Mr. Mayor, I move you that this Resolution No. 2122-095 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 Hill explained that this resolution is an annual event and a partnership with the Park District where the City agreed to pay \$20,000 for the Park Police to do Security for Winter Wonderland.

Mayor Kahl expressed thanks Chief Johnson and his officers involved.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-098 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-098, hereto attached, a Resolution approving the Festival of Lights Storage Buildings Door Replacement Project by Cleary Buildings in the amount of \$11,974, be approved. Mr. Mayor, I move you that this Resolution No. 2122-098 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 Hill explained that the resolution is for door replacements on a building next to Public Works. The doors are currently in a bad condition, and this is to replace those doors to make them more functional and secure.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-101 by Commissioner Hill; WHEREAS, the City is undertaking a review of the licensing of businesses that sell tobacco and electronic smoking devices and related equipment, materials, and paraphernalia, as well as implementing restrictions on location of such businesses that receive a significant amount of their business and retail revenues for the sales of such items; and

WHEREAS, the Department of Planning and Community Development is evaluating potential amendments to the East Peoria Zoning Code to address possible development and uses of properties within or adjacent to protected uses, such as schools, for locating a smoke shop or similar businesses in the City of East Peoria; and

WHEREAS, it is in the best interests of the City to place a moratorium as provided herein on the issuance of any building permits, any zoning or special use permits, or any other City-issued permits or licenses for smoke shops or similar businesses seeking to locate or open for business in the City of East Peoria;

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

Section 1. A moratorium is hereby declared and established on the issuance of any building permits, zoning or special use permits, or any other permits or licenses of any nature whatsoever which would allow the use, construction, renovation, or location of a smoke shop or similar business within the City of East Peoria during the moratorium period established herein.

Section 2. As used in this Resolution, a "smoke shop or similar business" is any business or retail operation that makes the majority or a significant portion of their revenues from the sale of tobacco products, electronic cigarettes, alternative nicotine products (as those terms are defined in Section 10-1-4.24 of the East Peoria City Code), including any tobacco or electronic smoking related products, equipment, materials, paraphernalia, and related merchandise.

Section 3. The moratorium declared by this Resolution shall expire August 1, 2022, unless earlier terminated by action of the City Council.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2122-101 be adopted as presented.

Commissioner Hill commented on receiving interest from individuals for smoke shops and needing to review these types of businesses to determine whether changes or adjustments need to be made to the City Code.

Mayor Kahl explained that he supports this resolutions and feels that it is prudent thing to do to ensure that City is doing its part.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-101 be duly adopted as presented.

Resolution No. 2122-100 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-100, hereto attached, a Resolution approving Proposal for the Oakwood Lift Station Pump Replacement Project from Electric Pump in the amount of \$90,920, be approved. Mr. Mayor, I move you that this Resolution No. 2122-100 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 explained that this Resolution is for maintenance of a pump that has exceeded its life expectancy. The proposed replacement pumps are a submersible style that will greatly reduce maintenance and the need for an employee to enter a confined space.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-096 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-096, hereto attached, a Resolution Approving the Purchase of Annual Ammunition Supply for the Police Department from Ray O'Herron Co. Inc. and Kiesler Police Supply, be approved. Mr. Mayor, I move you that this Resolution No. 2122-096 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 Mingus explained that this is for the annual ammunition purchase for the Police Department from Ray O'Herron Co. Inc. in the amount of \$5,375.80 and Kiesler Police Supply in the amount of \$9,030.65 totaling \$14,406.45 from both companies.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-102 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-102, hereto attached, a Resolution Approving the Outfitting of the New Ford F150 for the Police Department by Federal Signal (d/b/a Pulse Technologies) in the amount of \$9,821.35, be approved. Mr. Mayor, I move you that this Resolution No. 2122-102 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.

This is for outfitting of vehicles and this is ensuring everything is ready to go due to supply chain issues.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-104 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-104, hereto attached, a Resolution Approving an Intergovernmental Agreement between the City and the County of Tazewell for Animal and Rabies Control Services, be approved. Mr. Mayor, I move you that this Resolution No. 2122-104 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 Mingus explained that this is an annual agreement for animal and rabies control services from Tazewell County. The amount remains the same as the past year with no increase.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-097 by Commissioner Mingus; WHEREAS, Todd Vititow has been continuously employed by the City from October 30, 1996 through January 12, 2022, most recently occupying the position of Police Sergeant in the Police Department;

WHEREAS, Todd Vititow announced his intention to retire from employment effective at the end of his shift on January 12, 2022; and

WHEREAS, the City is appreciative of the long and continued service provided by Todd Vititow; and

WHEREAS, it is in the best interest of the City to execute the attached Separation Agreement; NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

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

Section 2. The Mayor is hereby authorized to execute the Separation Agreement with such changes as the Mayor, in his sole discretion, may decide are in the best interest of the City of East Peoria.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2122-097 be adopted as presented.

Commissioner Mingus explained that this is a separation agreement for Todd Vititow. Mr. Vititow will be paid in three installments. The first installment is \$19,433.92 on or before February 15, 2022. The second installment of \$19,433.81 on or before January 15, 2023. The last installment of \$19,433.81 on or before January 15, 2024.

Commissioners and Mayor Kahl thanked Mr. Vititow for his service and wished him well in the future.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-097 be duly adopted as presented.

Resolution No. 2122-099 by Commissioner Mingus; WHEREAS, Keith McElyea has been continuously employed by the City from January 7, 2002 through January 10, 2022, most recently occupying the position of Deputy Police Chief in the Police Department;

WHEREAS, Keith McElyea announced his intention to retire from employment effective at the end of his shift on January 10, 2022; and

WHEREAS, the City is appreciative of the long and continued service provided by Keith McElyea; and

WHEREAS, it is in the best interest of the City to execute the attached Separation Agreement; NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

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

Section 2. The Mayor is hereby authorized to execute the Separation Agreement with such changes as the Mayor, in his sole discretion, may decide are in the best interest of the City of East Peoria.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2122-099 be adopted as presented.

Commissioner Mingus explained that this is separation agreement with Mr. McElyea. Mr. Vititow will be paid in three installments. The first installment is \$21,408.16 on or before February 28, 2022. The second installment of \$21,408.15 on or before January 15, 2023. The last installment of \$21,408.15 on or before January 15, 2024.

Commissioners and Mayor Kahl thanked Deputy Chief McElyea for his service and wished him well in the future.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-099 be duly adopted as presented.

Mayor Kahl 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.

Deputy Chief of Police Horn came up to the podium and thanked Deputy Chief of Police McElyea and Sergeant Vititow for their service. They spent their entire time serving the community and the department. Deputy Chief of Police Horn asked everyone to stay home if they can with the impending storm coming that will cause dangerous road conditions. If someone does have to go out, please be careful and move over.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker commented on the impending storm. He explained that storms are difficult, and the plow drivers will split shifts of 12 hours. He commended the Public Works on how they handle snow removal. There is a parking ban beginning at 6pm tonight until Friday at noon unless it is removed sooner. It is difficult to plow around cars and it takes longer for the plow trucks to plow with cars parked on the roads. The plow drivers only focus on the main routes until the snow is done, then they push back the snow curb to curb and go to the secondary routes. He does not know of a time that snow has not been cleared in 24 hours. Garbage and recycling is suspended tomorrow because the transfer station is closed. It is not known if garbage and recycling will be suspended on Thursday.

Commissioner Hill commented on the stories of the Mayoral increase ordinance. It is creating another wage tier for a Mayor with City Administrator responsibilities. It is for the future mayor that we do not know who will be elected Mayor at the next election. There is a resolution that the City Council will determine if the Mayor is parttime, fulltime, or fulltime with city administrator duties as well.

Mayor Kahl commented on the inclement weather coming in due to the winds and falling temps. He encouraged everyone to be safe and smart. City Hall closure will be determined in the morning. He commented on expressing support for his two sisters. He lost a brother-in-law on Friday. He expressed prayers to his sister and her children on the loss of his brother-in-law, David. He wished his sister, Michelle, well as she begins chemo tomorrow his sister Michelle will begin her first round of chemo. He asked that people make the most out of life with those that you love.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, February 8, 2022 at 4:00 P.M.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:51 P.M.

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