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 Kahl, seconded by Commissioner Decker; 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 W. 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 and 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, 2019 to April 30, 2020 and receive public comments on those items. Commissioner Densberger commented on the budgeting process including several meetings prior to this evening’s public hearing to get to the appropriation ordinance and estimated budget that we have tonight. He explained that streets are a huge priority and the city was able to come up with $1,240,000 for streets. He explained that it is a tight budget.

Bill Anderson came up to the podium to speak regarding a concern about a resolution passed on March 5, 2019 which affects the budget and he stated allows the incoming city council to choose whether the Mayor will be a part-time or fulltime position. He explained that he is here because a prior resolution passed, and Ordinance No. 2777 which he feels seems to allow an incoming board to change the wages of a sitting Mayor. In other words, an incoming council gets to choose whether the Mayor is fulltime or part-time during an elected officials’ term of office and those positions carry different salaries. He stated that state law indicates that you cannot increase an elected officer’s salary while they are in office or within 180 days before getting elected office. He stated that can have you have automatic increases, such as Consumer Price Index increases or having other benefits that are automatic.

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 6:09 P.M.

The regular meeting was reconvened with the following being present: Mayor David W. 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 held on March 5, 2019 and the minutes of the Special Meeting for Working Session held on March 5, 2019 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 to comment on several items. He explained that the city pays more than $7.00 per ton and Midwest Fiber charges the city between $15-$16 per ton so the true costs are around $22 to $23 per ton which is half of the costs of garbage. He inquired about health insurance costs increases. Jeff Becker explained that the costs have gone up over 30% over the last five years. He sees that the city covers around 91.6% of the costs of insurance for employees and retirees and the employee pays around 8.4%. He explained that the average costs in the private sector is a company paying 50-55%. He feels that it is a very good deal for employees with the insurance they are receiving, and the citizens are bearing most of the costs.
Commissioner Densberger explained that there is health insurance committee and as costs elevate this agreement was put into place that increases in costs are shared equally. Overtime, the costs for the city and employees bearing costs have come somewhat into balance. He commented on increasing medical costs throughout the country.

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

Mayor Mingus proclaimed April 2019 as “Parkinson’s Disease Awareness Month.” He presented the proclamation to Mr. Roger Halleen whose wife has Parkinson’s Disease. Mr. Halleen thanked all of the Council members. He commented on the meaning of the proclamation to those people with Parkinson’s Disease. He explained that there is a Parkinson’s educational seminar scheduled for Saturday, April 6, 2019 at the Jump Training Center at noon. He commented on the maker of the new movie that will be filming the movie called Pilgrimage to Enlightenment.

Commissioner Densberger commented on his father in law passing away from Parkinson’s and his mother suffering from Alzheimer’s disease and commented on how it affects the whole family.

The City Clerk presented the Illinois Department of Transportation Compliance Review #68 covering receipt and disbursement of Motor Fuel Tax funds by the city for the period beginning January 1, 2018 and ending December 31, 2018 to the City Council for receipt and filing.

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 6 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 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. 1819-140 – Resolution to Approve Payment of the Schedule of Bills No. 21 in the amount of $1,549,423.51. (Adopted by omnibus vote)

Item No. 2 – Adoption of Resolution No. 1819-131 on its Second Reading – Resolution to Approve Agreement for Management Services with Prochamps for the City’s Vacant and Foreclosed Property Registration Program. (Adopted by omnibus vote)

Item No. 3 – Adoption of Ordinance No. 4427 on its Second Reading – (AN ORDINANCE AMENDING TITLE 4, CHAPTER 16.1 OF THE CITY OF EAST PEORIA CITY CODE REGARDING THE REGULATION OF SMALL WIRELESS FACILITIES WITHIN THE PUBLIC RIGHT-OF-WAY). (Adopted by omnibus vote)

Item No. 4 – Adoption of Ordinance No. 4384 on its Second Reading – (AN ORDINANCE AMENDING TITLE 3, CHAPTER 22 OF THE EAST PEORIA CITY CODE PERTAINING TO MASSAGE ESTABLISHMENTS AND MASSAGE SERVICES). (Adopted by omnibus vote)

Item No. 5 – Adoption of Resolution No. 1819-126 on its Second Reading – Resolution Authorizing Purchase of Vehicles for the Public Works Department from Uftring Ford (a new 2019 Ford F350 1-Ton Chassis with Utility Box for the Water Department; a new 2019 Ford F250 ¾ Ton Pickup for the Wastewater Department; and a new 2019 Ford Transit 350 Service Body Van for Wastewater Programmer/Electrician). (Adopted by omnibus vote)

Item No. 6 – Adoption of Resolution No. 1819-127 on its Second Reading – Resolution Approving Engineering Services Contract for Improvements to Centennial Water Treatment Plant. (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. 4430 hereto attached, (ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF EAST PEORIA, ILLINOIS FOR THE FISCAL YEAR FROM THE FIRST DAY OF MAY A.D. 2019 TO THE LAST DAY OF APRIL A.D. 2020) 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 commented on the ordinance and explained that this ordinance sets spending limits to be filed with the County.
Commissioner Decker explained he will be voting no and that he does not feel that we are putting enough money into streets. He feels that the appropriation in front of them does not deal with some of the larger projects. He explained that if the current council cannot find more money for roads, then he would like the next council to take a look and see if they can find more money for streets. He feels that we cannot allow some of those large roads not to be repaired. He feels that we need to figure out something and he feels that we need more time. He commented that we have more time to pass a budget and we are not right down to the wire.

Commissioner Kahl explained that he is hearing people saying to live within our means. He feels that the budget addresses the needs with the monies that we have. He explained that everyone wants to spend more money on streets; however, the only way to do that is to borrow the money or raise taxes, and he would not support doing either borrowing money or raising taxes. He feels the budget is not perfect, but it makes a little headway and puts the city in the right direction.

Commissioner Jeffers explained that he agrees with Commissioner Decker’s sentiment that we know we need to spend more money on streets. He commented the potential for more money that can be added later if more revenues or other funds are available. He feels that this allows the city to start the bidding on streets to get out now. He feels that it is a balance between services and spending. He explained that he feels that everyone feels that more money needs to be spent on streets. He feels that we will do more in days ahead. He feels the city was conservative in budget sales tax and that the city may have more money in the future for spending on needs. He will support the appropriation ordinance.

Yeas: Commissioners Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: Commissioner Decker.
Mayor Mingus declared the motion carried.

Resolution No. 1819-133 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-133, hereto attached, a Resolution to approve the Working Cash Budget for the Fiscal Year from the first day of May A.D. 2019 to the last day of April A.D. 2020, be approved, and that this Resolution No. 1819-133 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 this is a framework for the city’s expenditures, and it is subject to change by the future council. He commented on alternatives are borrowing which needs revenue streams to pay the borrowed funds back or raise taxes up front to fund the project. He feels both of those are problematic. He commented on the high property taxes in the state and he does not feel raising taxes is the right answer.

Commissioner Decker explained that he did not mention raising taxes or borrowing money. He explained that the appropriations choosing to put money in different areas. There is some discretionary spending on deciding where the monies are spent. He explained that this is a framework. His suggestion is to look at the budget and review it in a few months to make sure that they are spending as much money as they can on streets. He commented on street repair costs going up around 5% each year. He is not suggesting raising taxes or borrowing money.

Commissioner Jeffers commented that there have been cost saving measures to allow more money to spend in other areas. He asked every department to see if they can save money.

Commissioner Kahl explained that the city has had budget discussions over the last month and a half or so and that he would have liked to have some of these ideas on the table as we appropriated money. He did not hear any. He feels that the budget that we have is the best we can do and he is in full support.

Yeas: Commissioners Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: Commissioner Decker.
Mayor Mingus declared the motion carried.

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move you that Ordinance No. 4428, hereto attached, (AN ORDINANCE AUTHORIZING THE SELLING PROCESS BY SEALED BID FOR CITY-OWNED SURPLUS REAL ESTATE) 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, commented on these properties generally being too small to put a home on and these will go out for a sealed bid process.

Yeas: Commissioners Decker, Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None
Mayor Mingus declared the motion carried and Ordinance No. 4428 be adopted as presented.

Resolution No. 1819-129 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-129 hereto attached, a Resolution Authorizing the Selling Process for City-Owned Surplus Real Estate, be hereby approved, and that this Resolution No. 1819-129 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 Densberger commented on the properties being larger properties that will be placed for sale through a realtor.

Yeas: Commissioners Decker, Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None.
WHEREAS, the City has acquired title to a parcel of real estate located within the City of East Peoria through the foreclosure process after placing a lien on this parcel, and this parcel is legally described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference (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 by a certified or licensed appraiser, is 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 the exhibit attached hereto (excluding Exhibit B) 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. 1819-136 be adopted as presented.

Commissioner Densberger commented on the property location and the selling process.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-136 be duly adopted as presented.

Motion by Commissioner Densberger, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4429 hereto attached, (AN ORDINANCE PROVIDING FOR THE TRANSFER OF CERTAIN PROPERTY COMPRISING A PORTION OF AUER PARK (transferring property to Fon du Lac Park District)) 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 commented on the ordinance and explained that the property can be better used by the park district.

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

Nays: None.

Mayor Mingus declared the motion carried and Resolution No. 1819-136 be duly adopted as presented.

Resolution No. 1819-135 by Commissioner Densberger; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-135, hereto attached, a Resolution authorizing and directing the payment of an invoice in the amount of $15,000 to the Fon du Lac Park District for Security Detail at the Winter Wonderland Lighted Display in November and December 2018, be approved, and that this Resolution No. 1819-135 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 commented on the security detail provided during Winter Wonderland and that this is the agreed to fee.

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

Nays: None.

Mayor Mingus declared the motion carried.

Resolution No. 1819-128 by Commissioner Densberger; WHEREAS, a vacancy exists on the East Peoria Mass Transit District Board of Trustees as a result of Trustee Michelle Evan’s resignation; and

WHEREAS, the Honorable Mayor David W. Mingus has recommended the appointment of Rachel Oedewaldt to fill the vacancy on the East Peoria Mass Transit District Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT the appointment by Mayor David W. Mingus of Rachel Oedewaldt to the East Peoria Mass Transit District Board of Trustees to fill the vacancy for a term ending April 30, 2019.
AND THAT THIS RESOLUTION NO. 1819-128 BE ADOPTED AS PRESENTED

Motion by Commissioner Densberger, seconded by Commissioner Kahl; Mr. Mayor, I move that Resolution No. 1819-128 be adopted as presented.

Commission Densberger thanked Rachel Oedewaldt for her willingness to serve.

Yeas: Commissioners Decker, Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None.
Mayor Mingus declared the motion carried and Resolution No. 1819-128 be duly adopted as presented.

Resolution No. 1819-137 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-137, hereto attached, a Resolution Regarding Reinsurance Carrier for the City’s Group Health Insurance Plan (Approving Reinsurance Coverage Contract with Excess Risk Reinsurance Inc. for 2019-2020 fiscal year), be approved, and that this Resolution No. 1819-137 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 this is part of the annual health insurance benefits items and that reinsurance covers catastrophic claims.

Commissioner Decker explained that he would be abstaining due to his employment with the city on this and the next two resolutions.

Yeas: Commissioners Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None.
Abstain: Commissioner Decker.
Mayor Mingus declared the motion carried.

Resolution No. 1819-138 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-138, hereto attached, a Resolution Regarding Renewal of Group Term Life Insurance Policy for City Employees with Standard Insurance Company, be approved, and that this Resolution No. 1819-138 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 the benefits of the policy for city employees.

Yeas: Commissioners Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None.
Abstain: Commissioner Decker.
Mayor Mingus declared the motion carried.

Resolution No. 1819-139 by Commissioner Densberger, seconded by Commissioner Kahl; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-139, hereto attached, a Resolution Approving Contract with Optimum Health Solutions for assisting with the Employee Wellness Program, be approved, and that this Resolution No. 1819-139 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 commented on the wellness program.

Yeas: Commissioners Densberger, Jeffers, Kahl and Mayor Mingus.
Nays: None.
Abstain: Commissioner Decker.
Mayor Mingus declared the motion carried.

Resolution No. 1819-134 by Commissioner Jeffers, seconded by Commissioner Densberger; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 1819-134, hereto attached, a Resolution accepting and approving Low Bid for the Gate Replacement and Installation Project at Oakwood Water Treatment Plant from Peoria Fence Company in the amount of $11,236, be approved, and that this Resolution No. 1819-134 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 explained that a chlorine scrubber was installed, and a gate had to be removed during the process. This project fixes and replaces the gate and fencing from the chlorine scrubber installation.

Yeas: Commissioners 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 not on the agenda to come to the podium state the matter or matters to be discussed.
Norm Sales came up to the podium to inquire about whether this city council has and would reduce retirees’ benefits. Commissioner Kahl stated that it has not during his term. Commissioner Densberger explained that many of those benefits are contractual and predate many of the current Commissioners. They have been adjusted slightly over the year. Commissioner Densberger explained that it would be something that could be broached with negotiations with the bargaining units. Mr. Sales commented that Mr. Giebelhausen did a FOIA request on January 28, 2019 for list all active city employees and city retirees. He explained that on February 13, 2019 one of the acting Commissioners sent out a letter indicating that retirees have a right to expect the city to honor commitments that they have made as they enter retirement. Unfortunately, not everyone sees it the same way. Some even think taking benefits away from retirees is a way to cut costs. Mr. Sales contends that this letter is false propaganda meant to scare people. He feels that it is not appropriate to have sent the letter to retirees and he feels that retirees’ benefits should be honored.

Rachel Oedewaldt stated that Tim Jeffers sent the letters out.

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

Mayor Mingus then asked for comments from Council.

Commissioner Decker inquired with City Attorney Dennis Triggs about what Mr. Anderson has stated. City Attorney Triggs explained that the issue is more complicated than suggested; the Commission Form of government always presents challenges; there is statutory authority for the council to determine the scope and duties of Mayor, the salary for the Mayor, whether part-time or fulltime, is already established and will not be changed by any vote of the council, and the duties and the scope of those duties by the Mayor can be determined by the incoming council. He explained that anytime there is an issue of that kind suggested it warrants a further look and he will look more carefully.

Commissioner Densberger commented on the next meeting being April 2, 2019 and that also being election day. He wishes all the candidates well and the accuracy in statements is important.

Commissioner Jeffers commented on the letter he sent out and that the city needs to defend those retirees’ rights. He explained State of Illinois actively advocates for cutting retirements and could bring it up. He feels that what he finds ethically challenged is that information from a closed-door executive session was given out to people outside of that room. He feels that it is wrong for items from a closed-door session to be shared outside of that meeting. He explained that it suggests that information from a closed session has been shared outside of that meeting. He explained that it goes to the integrity of this Council and that he is frustrated and ashamed of it.

Commissioner Kahl stated that integrity matters and requested that everyone to do their homework and vote.

Norman Sales inquired as to whether he could respond. Mayor Mingus explained that Mr. Sales had commented during public comment and that time has already passed.

Motion by Commissioner Jeffers, seconded by Commissioner Kahl; Mr. Mayor, I move you that we adjourn until Tuesday evening, April 2, 2019 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 6:54 P.M.

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