

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

APRIL 18, 2023

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 6:00 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: None.

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 April 4, 2023 be approved as printed.

Yeas: Commissioner Decker, Hill, Mingus, Sutherland, 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 5 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 - Adoption of Resolution Number 2223-194 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 23 in the amount of \$1,611,240.82.

Item Number 2 - Adoption of Ordinance Number 4720 on its Second Reading – (AN ORDINANCE AUTHORIZING THE SELLING PROCESS BY SEALED BID FOR CITY-OWNED SURPLUS REAL ESTATE.)

Item Number 3 - Adoption of Resolution Number 2223-181 on its Second Reading - Resolution Authorizing the Purchase of a New Dump Truck/Plow Truck Chassis and Body from Centre State International and Koenig Body and Equipment, Inc. for the Public Works Department.

Item Number 4 - Adoption of Ordinance Number 4719 on its Second Reading - (AN ORDINANCE APPROVING A LEASE AGREEMENT WITH RIGHT TO PURCHASE FOR ACQUISITION OF NEW GARBAGE TRUCK FOR THE CITY'S PUBLIC WORKS DEPARTMENT.)

Item Number 5 - Adoption of Ordinance Number 4718 on its Second Reading – (AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PEORIA AND THE PEORIA FIRE DEPARTMENT FOR MECHANIC SERVICES FOR EAST PEORIA FIRE DEPARTMENT VEHICLES AND APPARATUS.)

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, 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 5 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 5 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 2223-194 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 23 in the amount of \$1,611,240.82. (Adopted by omnibus vote)

Item Number 2 - Adoption of Ordinance Number 4720 on its Second Reading – (AN ORDINANCE AUTHORIZING THE SELLING PROCESS BY SEALED BID FOR CITY-OWNED SURPLUS REAL ESTATE.) (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2223-181 on its Second Reading - Resolution Authorizing the Purchase of a New Dump Truck/Plow Truck Chassis and Body from Centre State International and Koenig Body and Equipment, Inc. for the Public Works Department. (Adopted by omnibus vote)

Item Number 4 - Adoption of Ordinance Number 4719 on its Second Reading - (AN ORDINANCE APPROVING A LEASE AGREEMENT WITH RIGHT TO PURCHASE FOR ACQUISITION OF NEW GARBAGE TRUCK FOR THE CITY'S PUBLIC WORKS DEPARTMENT.) (Adopted by omnibus vote)

Item Number 5 - Adoption of Ordinance Number 4718 on its Second Reading – (AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PEORIA AND THE PEORIA FIRE DEPARTMENT FOR MECHANIC SERVICES FOR EAST PEORIA FIRE DEPARTMENT VEHICLES AND APPARATUS.) (Adopted by omnibus vote)

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

Nays: None.

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

Resolution No. 2223-182 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-182 hereto attached, a Resolution to Approve the Salaries, Wages, and Employee Benefits for Certain Non-Union Employees of the City of East Peoria for the Fiscal Year Beginning May 1, 2023 and Ending on April 30, 2024, be hereby approved. Mr. Mayor, I move you that this Resolution No. 2223-182 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 is the annual salary resolution that occurs every year for certain non-union employees of the City. The resolution has pay ranges and includes a listing of exempt positions. The working cashing budget and appropriation provided for a 2.5% increase for non-union employees.

Commissioner Decker explained that he would be abstaining from voting out of an abundance of caution due to his position in the city.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 2223-182 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4721, hereto attached, (AN ORDINANCE AMENDING THE CITY OF EAST PEORIA PERSONNEL POLICY MANUAL) 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 ordinance incorporates several changes including updating the dress code provisions and bereavement leave among others.

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

Nays: None

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Ordinance No. 4721 be adopted as presented.

Resolution No. 2223-183 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-183 hereto attached, a Resolution Regarding Employee Contribution Rates for the City's Group Health Insurance Plan, be hereby approved. Mr. Mayor, I move you that this Resolution No. 2223-183 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 commented on the health insurance committee for the group health insurance plan. Over time, the 80%/20% split was no longer being realized and through collective some bargaining agreements changed to a true 80%/20% plan. Prior to the Insurance Committee's annual review process, City Council approved collective bargaining agreements with two employee unions that beginning on May 1, 2023, the City would begin paying 80% of the monthly total contribution rate for the employee's selected plan option (PPO Plan of HDHP) for those employees participating in the Plan, with the employee paying the remaining 20% of the monthly contribution rate for the selected plan option. Further, the City Council has extended this 80%-20% split approach to all non-represented City employees. This change will generally result in a reduction in the contribution rate for employees. For employees in an employee union that has not negotiated 80%-20% split approach, the prior methodology for calculating the monthly employee contribution rates for the two Plan options remains in place.

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

Nays: None.

Abstain: Commissioner Decker

Mayor Kahl declared the motion carried and Resolution No. 2223-183 be duly adopted as presented.

Resolution No. 2223-184 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-184 hereto attached, a Resolution Regarding Revisions and Updates to the City's Group Health Insurance Plan, be hereby approved. Mr. Mayor, I move you that this Resolution No. 2223-184 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 there were two changes being proposed. The first proposed change are revisions to the Plan to incorporate the requirements under the federal No Surprise Act that was enacted into law in January 2022. The purpose of the No Surprises Act is to eliminate surprise medical bills when a covered person inadvertently receives care from out-of-network medical providers and hospitals that the covered person did not choose. An additional change to the Plan is being recommended to ensure compliance with the federal Mental Health Parity and Addiction Equity Act and similar State law. This change eliminates the Plan exclusion for certain mental health related injuries.

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

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried and Resolution No. 2223-184 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4723 hereto attached, (AN ORDINANCE PARTIALLY ABATING THE 2022 TAX LEVY IN THE AMOUNT OF THE RECAPTURE REVENUE FROM THE ADJUSTMENTS FOR CERTIFICATES OF ERROR, CERTAIN COURT ORDERS, OR FINAL ADMINISTRATIVE DECISIONS OF THE PROPERTY TAX APPEAL BOARD) be read at length by the Clerk, and that said Ordinance No. 4723 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length. Commissioner Hill explained that this is automatic and the city the right and option to abate those amounts. This city council and city council's before have sought to hold the property tax rate. They are holding the tax rate.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4723 to be duly adopted as presented.

Resolution No. 2223-188 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-188, hereto attached, a Resolution Accepting and Approving the Proposal from Heart Technologies for the Microsoft 365 Email Migration Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-188 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 commented on the City updating its information technology infrastructure. This resolution is an additional update that would migrate the City software to Office 365 for City email.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-189 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-189, hereto attached, a Resolution Accepting and Approving the Proposal for the City Servers Warranty Renewal for 2023, be approved. Mr. Mayor, I move you that this Resolution No. 2223-189 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 for the warranty on the City servers for the fiscal year. The low bid came from SHI International Corp. in the amount of \$15,735.00.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-190 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-190, hereto attached, a Resolution Authorizing the Purchase of a Case IH F75C Tractor with L360 Loader for EastPort Marina from CNH Industrial Capital America LLC, be approved. Mr. Mayor, I move you that this Resolution No. 2223-190 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 tractor and loader have been used at the EastPort Marina through a lease and the city is seeking the option to purchase the tractor and loader at a purchase price of \$16,629.99.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4722 hereto attached, (AN ORDINANCE AMENDING ORDINANCE NO. 4193, AN ORDINANCE DESIGNATING AN ENTERPRISE ZONE WHICH INCLUDES TERRITORY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF EAST PEORIA AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF EAST PEORIA AND OTHER UNITS OF LOCAL GOVERNMENT PARTICIPATING IN THE DESIGNATION OF THE ENTERPRISE ZONE AND AMENDING THAT CERTAIN INTERGOVERNMENTAL AGREEMENT REGARDING AN ENTERPRISE ZONE LOCATED IN NORTHERN TAZEWELL AND SOUTHERN WOODFORD

COUNTIES) 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 City of East Peoria participates in an Enterprise Zone (EZ) with the City of Washington, Village of Germantown Hills, and Tazewell County. At the time of its creation, each participant had ample room for their desired zone areas as well as room to grow. In the case here, the City of Washington has proposed a small expansion for their area to accommodate the growth of one of their businesses. As a requirement by Department of Commerce and Economic Opportunity, each of the zone partners needs to approve this expansion as well as amend the Intergovernmental Agreement to reflect this change.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-198 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-198, hereto attached, a Resolution Authorizing a Contribution to Peoria Area Convention and Visitors Bureau (Discover Peoria), be approved. Mr. Mayor, I move you that this Resolution No. 2223-198 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 City is a member of the Peoria Area Convention and Visitors Bureau, and this is an annual contribution to the Peoria Area Convention and Visitors Bureau.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-191 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-191, hereto attached, a Resolution Accepting and Approving Proposal from Hoerr Construction, Inc. for the 117 Siesta Drive Storm Sewer Outfall Slip Lining Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-191 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 that this project is to fix a storm sewer outfall that has some deterioration. Hoerr Construction, Inc will complete the work in the amount of \$24,800.00 to install a cured in place pipe for the purpose of restoring the existing storm sewer outfall pipe.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-192 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-192, hereto attached, a Resolution Accepting Low Bid from Otto Baum Company, Inc. for the Pinecrest Drive Pavement Patching Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-192 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 Pinecrest Drive needs work and the total cost of the project, which is a portion of the road, is \$668,700.00.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-193 by Commissioner Decker, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-193, hereto attached, a Resolution Accepting Low Bid from Miller & Sons Construction Co. for Center Street and Cass Street Intersection Concrete Repair Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-193 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 the intersection has an issue, and this work consists of the removal of concrete roadway, exploration to determine cause of failure, backfill with flowable concrete and patching of the concrete/asphalt roadway surface. All work will be awarded to the low bidder, Miller and Sons Construction Co. in the amount of \$18, 914.00.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-187 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-187, hereto attached, a Resolution Approving Second Amendment to Master Service Agreement for Water Main Installation Services During 2023-2024 Fiscal Year, be approved. Mr. Mayor, I move you that this Resolution No. 2223-187 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 Sutherland explained that this is an extension of a Master Service Agreement, and there is additional equipment that was not in the first agreement that is now being included.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-195 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-195, hereto attached, a Resolution Authorizing and Approving the Purchase of Two LIFEPAK Cardiac Monitors for the Fire Department, be approved. Mr. Mayor, I move you that this Resolution No. 2223-195 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 is for the purchase of two cardiac monitors. One is from capital budget for fiscal year 2022-23 and one is from an insurance claim.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-196 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-196, hereto attached, a Resolution Authorizing the Purchase of Stainless-Steel Food Service Equipment for the Concessions Upgrade Project from Johnson HVACR & Foodservice Equipment, be approved. Mr. Mayor, I move you that this Resolution No. 2223-196 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 resolution is to authorize the purchase of a variety of items for the concession stands at EastSide Centre that includes serving windows, food storage, food prep areas, shelving, and cabinets with the total costs being \$39,481.86. Most of those items were previously used even before they were used at EastSide Centre.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-197 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-197, hereto attached, a Resolution Authorizing and Approving the Purchase of One Pallet of Blue String Lights for the Festival of Lights from Reinders Distribution Company, be approved. Mr. Mayor, I move you that this Resolution No. 2223-197 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 for the purchase of one pallet of blue lights for the Festival of Lights at a total cost of \$8,640.00.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Mingus, 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)(2) – Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

Yeas: Commissioners Decker, Hill, Mingus, Sutherland, 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 not on the agenda to come to the podium state the matter or matters to be discussed. There was no response.

Mayor Kahl then asked for comments from Council.

Commissioner Decker explained that he saw a wedding reception at the Festival of Lights building. The people were thankful and happy with the facility. They asked that he pass on the information that they liked the facility and they hope the City continues to upgrade the facility.

Commissioner Hill commented on the upcoming farmer's market. The City is still looking for vendors and farmers. If interested anyone is interested, they can call or get information on the City's website.

Commissioner Sutherland asked individuals to be cognizant of whatever they put down the sewer drain because it ends up in the river after it is treated. One of the things that tears up the sewer treatment plant are flushable wipes and paper towels. He looks forward working achieve his goal goal of replacing 10,000 – 14,000 linear feet of existing pipe in the ground every year. This does not include new pipe. He also wants to have a discussion of term limits. He would also like to have an inhouse engineer to get coordination on projects.

Mayor Kahl commented on the Chamber of Commerce Dinner held the past Thursday evening. He congratulated Mike Johnson for winning the Citizen of the Year Award. Mayor Kahl explained that the city council next meeting will have the newly elected officials take their oaths of office for the city council. He

expressed condolences and commented on the passing of his cousin's wife and the City Clerk's mother. He explained that the eulogy for his cousin's wife was based around a song called "Do You Realize" by the Flaming Lips. He asked everyone to let people know how you feel about your loved ones and spend as much time as you can with them as life is finite and you never know what tomorrow may bring.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, May 2, 2023 at 6:00 P.M.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:47 P.M.

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