

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

**JUNE 21, 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 6:00 P.M. with proper notice having been given.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.

Absent: Commissioners Daniel S. Decker and Commissioner Mark E. Hill.

The invocation was given by Mayor Kahl.

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

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move that the minutes of the Regular Meeting held on June 7, 2022 be approved as printed.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl made a proclamation regarding 4th of July Celebration and Observance. He mentioned that the 4<sup>th</sup> of July Red White and Boom event is back, and they are expecting a good turnout.

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 Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 4 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 - Adoption of Resolution Number 2223-028 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 3 in the amount of \$2,643,114.61.

Item Number 2 - Adoption of Resolution Number 2223-017 on its Second Reading - Resolution Accepting Lowest Responsible Bidder for Residential Demolition Contractor from Jimax Corp.

Item Number 3 - Adoption of Resolution Number 2223-018 on its Second Reading - Resolution approving Laserfiche Software Licensing Renewal for the City with R&D Computer Systems, LLC in the amount of \$14,522.50.

Item Number 4 - Adoption of Resolution Number 2223-020 on its Second Reading - Resolution approving the payment of an Invoice to Tazewell County Emergency Telephone System Board (ETSB) for Annual Payment of Records Management System Services in the amount of \$10,566.60.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move you that Items numbered 1 through 4 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 4 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 2223-028 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 3 in the amount of \$2,643,114.61. (Adopted by omnibus vote)

Item Number 2 - Adoption of Resolution Number 2223-017 on its Second Reading - Resolution Accepting Lowest Responsible Bidder for Residential Demolition Contractor from Jimax Corp. (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2223-018 on its Second Reading - Resolution approving Laserfiche Software Licensing Renewal for the City with R&D Computer Systems, LLC in the amount of \$14,522.50. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2223-020 on its Second Reading - Resolution approving the payment of an Invoice to Tazewell County Emergency Telephone System Board (ETSB) for Annual Payment of Records Management System Services in the amount of \$10,566.60. (Adopted by omnibus vote)

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

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

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4659 hereto attached, (AN ORDINANCE APPROVING A LEASE AGREEMENT WITH RIGHT TO PURCHASE FOR ACQUISITION OF NEW GARBAGE TRUCK FOR THE CITY'S 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 Sutherland explained that this is an agreement for the lease agreement with right to purchase of a new garbage truck. He explained that there is a problem with one garbage truck and the city needs a new truck. This is a lease with the right to purchase at the end of the lease.

Mayor Kahl explained that the truck that has been pending is a little smaller than the normal garbage trucks. It tends to drive better and turns better. This is for a six month lease at \$57,000 and the payment for purchase is \$335,350 with a savings of \$6,450 on the return an deposit for a total of the purchase of \$385,900.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-026 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-026, hereto attached, a Resolution Accepting Low Bid from Otto Baum Company, Inc. for New Water and Sewer Maintenance Building Parking Lot Improvements Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-026 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 the bid came in by around 30% more than anticipated. This is for concrete around the building. Mayor Kahl explained that four bids were received, (1) Stark Excavating, Inc. in the amount of \$337,112.90, (2) Ottom Baum Company, Inc. in the amount of \$314,330.36, (3) Illinois Civil contractors, Inc. in the amount of \$318,557.15, and (4) United contractors Midwest, Inc. in the amount of \$395,956.38.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-027 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-027, hereto attached, a Resolution Approving Contingency Fee Agreement for City Pursuing Litigation Against Manufacturers of PFAS Chemicals found in the City's Drinking Water Supply, be approved. Mr. Mayor, I move you that this Resolution No. 2223-027 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.

City Attorney Scott Brunton explained that a group of attorneys approached the City for communities that have elevated PFAS levels in their water to seek contribution from the manufacturers of the chemicals to remove those chemicals from the City's water supply. There is research, and there are no specific guidelines set forth as far as what is permitted or not permitted. Right now, communities need to test and acknowledge those levels. There are other communities in the state and national level that are also involved in this litigation.

Commissioner Sutherland explained that this is a new testing. The chemicals have been due to Fire Department foaming, Teflon in coatings, and other items. This measurement is going down to the trillions of parts with the testing.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move you that Ordinance No. 4657, hereto attached, (AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$13,980,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2022A, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY, PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH, AND AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF) 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 Mingus gave a public recital of the nature and purpose of the Bond Ordinance, which included a reading of the title of the Bond Ordinance and statements (1) that the Bond Ordinance provides for the issuance of taxable general obligation alternate bonds to refund certain outstanding alternate revenue bonds of the City, previously issued in connection with the redevelopment of the Camp Street Redevelopment Project Area heretofore designated by the City (the "*Camp Street Redevelopment Project Area*"), (2) that the bonds are issuable pursuant to authority of the Illinois Municipal Code and the Local Government Debt Reform Act to accomplish debt service savings, (3) that the Bond Ordinance delegates the authority to sell the bonds to certain designated officers of the City, who are to execute a bond order in connection with such sale, (4) that the Bond Ordinance provides for the bonds to be paid by various pledged revenues as described and set forth in the Bond Ordinance, but there is also a back-up levy of taxes to pay the bonds, and (5) that the Bond Ordinance provides many details for the bonds, including provision for terms and form of the bonds, appropriations and the execution of an escrow agreement.. This is the second reading on the refunding of the bonds.

Mayor Kahl explained that there has been a total of seven series of refunding bonds that this Council has done in the last three years with a gross savings just under \$1,800,000.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4657 be adopted as presented.

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move you that Ordinance No. 4658 hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 127 CANTERBURY COURT IN THE CITY OF EAST PEORIA) 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 commented on the sale of the property that sold for \$6,000 with \$500 of closing costs to be paid by the purchaser.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-025 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-025, hereto attached, a Resolution Approving the purchase of a Used 75-foot, 2009 Pierce Ladder Truck for the City's Fire Department, be approved. Mr. Mayor, I move you that this Resolution No. 2223-025 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 commented on the resolution being for the purchase of a used ladder truck. The current ladder truck has a broken ladder. Chief Zimmerman found a 2009 ladder truck that is in near new condition. This purchase is a good deal, as the purchase of a new ladder truck is around \$1,400,000. The purchase of the ladder truck has always been put down the road because new ladder trucks at a much greater expense were being searched. This is a good buy and the prudent thing to do.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-024 by Commissioner Mingus; 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, 2022 (rain date July 5, 2022) to Midwest Communications, Inc./Pyrotecnico Fireworks, 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. 2223-024 BE ADOPTED AS PRESENTED.

Motion by Commissioner Mingus, seconded by Commissioner Sutherland; Mr. Mayor, I move that Resolution No. 2223-024 be adopted as presented.

Commissioner Mingus explained that this resolution is for the approval of the fireworks permit for the 4<sup>th</sup> of July Red, White and Boom Fireworks event, and everyone is looking forward to the event.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2223-024 be duly adopted as presented.

Resolution No. 2223-023 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-023, hereto attached, a Resolution Approving an Agreement Between the City of East Peoria Police Department and the East Peoria Grade School District 86 to Provide School Resource Officer Services, be approved. Mr. Mayor, I move you that this Resolution No. 2223-023 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 extension of the School Resource Officer ("SRO") agreement that was previously done. The agreement is for three years with the amount being \$85,593 for school year 2022-2023, \$88,541 for school year 2023-2024, and 90,755 for school year 2024-2025.

Commissioner Mingus feels that the SRO is important in the schools to keep the safe and show them that the officers are there to keep them safe. An officer will be assigned to the school for around 180 days. The school was looking for another SRO; however, there are not enough police officers to offer more than one officer.

Yeas: Commissioners Mingus and 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 Sutherland asked everyone to go vote next Tuesday.

Mayor Kahl explained that the Illinois Department of Revenue announced from July 1, 2022 to June 30, 2023 there will be a grocery tax suspension of 1%. A state sales tax holiday will be from August 5, 2022 to August 14, 2022 sales tax holiday of that will cut the State sales tax portion by 5%. There is a list of qualifying and non-qualifying items for the sales tax holiday.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 5, 2022 at 6:00 P.M.

Yeas: Commissioners Mingus and Sutherland, and Mayor Kahl.

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:29 P.M.

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