

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

JULY 5, 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 Daniel S. Decker, Commissioner Seth D. Mingus, and Commissioner Michael L. Sutherland.
Absent: 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 Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on June 21, 2022 and the minutes of the Special Meeting for a Working Session held on June 21, 2022 be approved as printed.

Yeas: Commissioner Decker, 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 Decker, seconded by Commissioner Mingus; 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.

Item Number 1 - Adoption of Resolution Number 2223-035 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$2,399,300.27.

Item Number 2 - Adoption of Ordinance Number 4659 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 3 - Adoption of Resolution Number 2223-026 on its Second Reading - Resolution Accepting Low Bid from Otto Baum Company, Inc. for New Water and Sewer Maintenance Building Parking Lot Improvements Project.

Item Number 4 - Adoption of Resolution Number 2223-027 on its Second Reading - Resolution Approving Contingency Fee Agreement for City Pursuing Litigation Against Manufacturers of PFAS Chemicals found in the City's Drinking Water Supply.

Item Number 5 - Adoption of Resolution Number 2223-025 on its Second Reading - Resolution Approving the purchase of a Used 75-foot, 2009 Pierce Ladder Truck for the City's Fire Department.

Item Number 6 - Adoption of Resolution Number 2223-023 on its Second Reading - 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.

Yeas: Commissioners Decker, 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 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 Number 1 - Adoption of Resolution Number 2223-035 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$2,399,300.27. (Adopted by omnibus vote)

Item Number 2 - Adoption of Ordinance Number 4659 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 3 - Adoption of Resolution Number 2223-026 on its Second Reading - Resolution Accepting Low Bid from Otto Baum Company, Inc. for New Water and Sewer Maintenance Building Parking Lot Improvements Project. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2223-027 on its Second Reading - Resolution Approving Contingency Fee Agreement for City Pursuing Litigation Against Manufacturers of PFAS Chemicals found in the City's Drinking Water Supply. (Adopted by omnibus vote)

Item Number 5 - Adoption of Resolution Number 2223-025 on its Second Reading - Resolution Approving the purchase of a Used 75-foot, 2009 Pierce Ladder Truck for the City's Fire Department. (Adopted by omnibus vote)

Item Number 6 - Adoption of Resolution Number 2223-023 on its Second Reading - 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. (Adopted by omnibus vote)

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

Nays: None.

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

Resolution No. 2223-033 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-033, hereto attached, a Resolution approving Design and Construction Engineering Services Contract with Midwest Engineering Associates for Fairlane Drive Pavement Patching Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-033 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 is the start of the project. He explained that Fairlane Drive supports many businesses. He appreciates the amount of time people have waited for the City make improvements to the road. Mayor Kahl explained that the resolution is for the design and construction engineering for the improvements to the road.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-034 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-034, hereto attached, a Resolution approving Engineering Services Contract with Midwest Engineering Associates for Phase II Design of Camp Street and Riverside Drive Intersection Improvements, be approved. Mr. Mayor, I move you that this Resolution No. 2223-034 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 commented on working with the state on this project. The resolution is for Phase II Design Engineering on the improvement of the intersection, and it is part of a PPUATS project.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4656, hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 215 S. PLEASANT HILL ROAD) 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.

This ordinance is to approve the sale of 215 S Pleasant Hill Road. This property received an offer of \$6,900 is above the 80% minimum required (appraised value of \$8,000). This property does not have any structures at present. The buyer, Anthony Cleveland, will also pay \$500 in closing costs.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4656 be adopted as presented.

Motion by Commissioner Mingus, seconded by Commissioner Decker; 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) 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.

This ordinance is for the sale of 127 Canterbury Court. This property received a full-asking price offer of \$6,000. This property does not have any structures at present. The buyer, Rick Miller, will also pay \$500 in closing costs.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4658 be adopted as presented.

Resolution No. 2223-029 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-029, hereto attached, a Resolution accepting the Low Bid from Crescent Electric Supply Company for the Fire Department Engine Bay LED Lighting Upgrade Project, be approved. Mr. Mayor, I move you that this Resolution No. 2223-029 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 resolution is for a LED lighting upgrade project in the Fire Department Bays. These upgrades will be more efficient and cost effective. There is an Ameren incentive offered as well.

Yeas: Commissioners Decker, Mingus, 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. 4660 hereto attached, (AN ORDINANCE UPDATING AND REVISING THE CITY'S EMPLOYEE DEFERRED COMPENSATION PLAN (SECTION 457 PLAN)) 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.

The City currently offers a Section 457 plan. This change is giving employees the option of a Roth style plan. The Roth contribution option allows an employee to make contributions of salary or wage deferrals on a taxable basis, such that the employee is taxed at the time that the salary or wage deferral is earned, and the contribution is made into the employee's deferred compensation plan account. Thereafter, future earnings on the contribution amount and related withdrawals are not taxed when withdrawn by the employee provided that the employee follows the IRS requirements for withdrawals that generally require funds to be withdrawn only after the employee meets the IRS-required retirement age. Regular 457 deferred compensation plan contributions (non-Roth contributions) are made by the employee on a pre-tax basis, but then any earnings and contributions are taxed when later withdrawn by the employee after the IRS-required retirement age. This change also updates the vendors for these plans.

Commissioner Decker explained that he will be abstaining for Ordinance and Resolution Number 2223-032.

Yeas: Commissioners Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried.

Resolution No. 2223-032 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-032, hereto attached, a Resolution regarding Additional Revisions to the City's Group Health Insurance Plan for 2022-2023 Plan Year, be approved. Mr. Mayor, I move you that this Resolution No. 2223-032 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 the health insurance was amended to establish a "Center of Excellence" benefit under the Plan for the 2022-23 Plan Year. In establishing this new benefit, the City entered into an arrangement with the BJC-Centers of Excellence for medical services that included the treatment of complex medical conditions, specialized care, and second medical opinions for complex or specialized conditions. The BJC-Centers of Excellence are located in the St. Louis region.

Additional revisions are being recommended at this time by the Committee to clarify the types of medical services that will be provided by the BJC-Centers of Excellence and to further align the Plan document language with the contract with the BJC-Centers of Excellence. Under the arrangement with BJC-Centers of Excellence, all medical services provided by BJC-Centers of Excellence are available to Plan participants, not just medical services for the treatment of complex medical conditions, specialized care, and second medical opinions for complex or specialized conditions. As a reminder, this Centers of Excellence benefit provides medical services to Plan participants at no cost for the PPO Plan and at no cost after payment of the deductible for the HDHP Plan.

Yeas: Commissioners Mingus, Sutherland, and Mayor Kahl.

Nays: None.

Abstain: Commissioner Decker.

Mayor Kahl declared the motion carried.

Resolution No. 2223-031 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2223-031, hereto attached, a Resolution authorizing and directing the payment of Invoices to ImageTrend, Inc. for the software licensing services for Fiscal Year 2022-2023 for running and administering many operational aspects of the Fire Department in the amount of \$17,349.10, be approved. Mr. Mayor, I move you that this Resolution No. 2223-031 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 for the Annual renewal for the ImageTrend software licensing services that are used in the Fire Department.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2223-030 by Commissioner Mingus; WHEREAS, William McWhirter has been continuously employed by the City from June 4, 2002 through June 12, 2022, most recently occupying the position of police officer in the East Peoria Police Department;

WHEREAS, William McWhirter announced his intention to retire from employment effective at the end of his shift on June 12, 2022; and

WHEREAS, the City is appreciative of the long and continued service provided by William McWhirter; 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. 2223-030 be adopted as presented.

Commissioner Mingus congratulated Mr. McWhirter on his retirement and thanked him for his service. Mr. McWhirter will be paid in three installments of \$15,949.97 on or before July 15, 2022; \$15,949.96 on or before January 15, 2023; and \$15,949.96 on or before January 15, 2024, totaling \$47,849.89.

Mayor Kahl and Commissioners Decker and Sutherland wished Mr. McWhirter well in his retirement and thanked him for his service.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2223-030 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. There was no response.

Mayor Kahl then asked for comments from Council.

Commissioner Decker commented on the Fireworks on July 4th being a success. He explained that it was and felt safe because of the Police Department.

Commissioner Sutherland commented on the 4th of July fireworks being safe. He commented on PFAS and explained that PFAS comes from a factory. It is from nonstick cookware, stain resistant fabrics, cosmetics, some firefighting foams, and a lot of products that resist water, oil, grease. No matter what is put down the drain the City will not be capable of taking all of the chemicals out. He commented on things being diluted in the process. The more water involved the less there is in the water. He asked residents to not put things down the drain that should not be put down the drain and asked those interested to read about this type of pollution. Work should resume on Highview Road around July 25, 2022. The front yards affected will be fixed as soon as we can. However, it will not be done right away. He wants to discuss term limits and the youth having a swimming pool. He is not indicating that the City should pay for the swimming pool; however, he would like the City help move it along.

Commissioner Mingus was excited to have fireworks back this year. Car seat checks is scheduled tomorrow at Central House.

Mayor Kahl thanked all the entities that put the fireworks show on yesterday. Everything went well. He thanked the public for turning out and being good citizens. He also commended the barge operator.

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Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 19, 2022 at 6:00 P.M.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 6:25 P.M.

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