

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

JULY 6, 2021

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 June 15, 2021 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 2122-034 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$4,340,669.12.

Item Number 2 – Adoption of Resolution Number 2122-026 on its Second Reading - Resolution to Approve Engineering Services Contract with Midwest Engineering Associates for Site Review for Flaherty & Collins Project Site.

Item Number 3 - Adoption of Resolution Number 2122-027 on its Second Reading - Resolution Approving Construction Agreement for Phase 2 of the Levee Park Development in the Civic Plaza with the East Peoria Community Foundation and Wm. Aupperle & Sons, Inc.

Item Number 4 - Adoption of Resolution Number 2122-028 on its Second Reading - Resolution Accepting the Lowest Responsible Bid from Connor Co. for the Public Works HVAC Rooftop Unit Replacement Project in the amount of \$4,477.50.

Item Number 5 - Adoption of Resolution Number 2122-025 on its Second Reading - Resolution Accepting Lowest Responsible Proposal for Master Service Agreement for Water Main Installation Services during 2021-2022 Fiscal Year.

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 2122-034 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 4 in the amount of \$4,340,669.12. (Adopted by omnibus vote)

Item Number 2 – Adoption of Resolution Number 2122-026 on its Second Reading - Resolution to Approve Engineering Services Contract with Midwest Engineering Associates for Site Review for Flaherty & Collins Project Site. (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2122-027 on its Second Reading - Resolution Approving Construction Agreement for Phase 2 of the Levee Park Development in the Civic Plaza with the East Peoria Community Foundation and Wm. Aupperle & Sons, Inc. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2122-028 on its Second Reading - Resolution Accepting the Lowest Responsible Bid from Connor Co. for the Public Works HVAC Rooftop Unit Replacement Project in the amount of \$4,477.50. (Adopted by omnibus vote)

Item Number 5 - Adoption of Resolution Number 2122-025 on its Second Reading - Resolution Accepting Lowest Responsible Proposal for Master Service Agreement for Water Main Installation Services during 2021-2022 Fiscal Year. (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.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4576, hereto attached, (AN ORDINANCE AMENDING CHAPTER 10 OF TITLE 9 OF THE EAST CITY PEORIA CODE REGARDING REGISTRATION OF VACANT AND FORECLOSED PROPERTIES) 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 the ordinance with the amended language being a cleanup of language in the City Code and will make the registration process run more efficiently. The amendment is generally related to multiple buildings being located on one property.

Commissioner Mingus explained that he will be voting no because he is opposed to charging people for having a vacant home in the City.

Commissioner Sutherland explained that he would be voting no. He believes that it is not the City's business unless the property becomes a nuisance issue.

Mayor Kahl explained that he will support the ordinance. While he respects opinions of the Commissioners, he has seen firsthand the issues with trying to locate owners when vacant properties are not kept up. This ordinance helps ensure that property values do not decline.

Yeas: Commissioners Decker, Hill, and Mayor Kahl.

Nays: Commissioners Mingus and Sutherland.

Mayor Kahl declared the motion carried and Ordinance No. 4576 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4578 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 250-294 FARMDALE ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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 the Special Use that will allow for trailers to be parked on a solid surface and allow storage that must be screened. The Special Use is limited to four trailers for outdoor storage. Any additional trailers or other items that must be stored outdoors will require an amended Special Use. If trailers along the east side of the property are to remain past April 1, 2022, then some sort of permanent screening needs to be erected to screen them fully from view of Farmdale Road.

Commissioner Decker commented on when the storage units first went up and were allowed if there is a business front attached to the storage. There are limited businesses that can succeed on this property. He will support the ordinance.

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 Ordinance No. 4579 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR A HOUSEBOAT LOCATED AT EASTPORT MARINA IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) 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 Special Use being for a short-term rental. The houseboat has been operating as a short-term rental for some time, and the Special Use does not follow with the houseboat if it is sold to another owner. The Zoning Board of Appeals recommended 4-0 in favor of allowing the Special Use. Commissioner Hill explained that renters of the houseboat cannot attend the pool without the homeowner being with them.

Mayor Kahl commented on watching the Zoning Board of Appeals meeting and how other slip renters unanimously supported the approval. All parties worked well together, and the owner of the houseboat maintains the property well.

Commissioner Decker commented on the houseboat being an issue a few years back. There are multiple people with a stake in what goes on the property. The Zoning Board of Appeals, condo-association, and slip renters support this.

Commissioner Sutherland commented on the Zoning Board of Appeals meeting and how organized and well the parties came together so that there was support. He believes that this will be an ongoing issue as the Illinois River is a draw here and short-term rentals will be more popular.

Commissioner Mingus explained that he will support the Special Use, and as more and more short-term rentals pop up, the City will need to look at other considerations for short-term rentals in the future.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-033 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-033, hereto attached, a Resolution Accepting Lowest Responsible Bid from Constellation Energy for the Supply of Natural Gas for City Facilities, be approved. Mr. Mayor, I move you that this Resolution No. 2122-033 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 Hill commented on the purchasing process for the supply of natural gas for city facilities. The savings are estimated to be a couple of thousand dollars per year with the three-year contract.

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. 4580 hereto attached, (AN ORDINANCE FURTHER AMENDING TITLE 3, CHAPTER 9 OF THE EAST PEORIA CITY CODE REGARDING PEDDLERS, BROKERS AND ITINERANT MERCHANTS) 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.

Mayor Kahl explained that the Ordinance provides an exception to give the City latitude to allow itinerant merchants at certain events.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-029 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-029, hereto attached, a Resolution approving the purchase of a Replacement Dump Truck including a Dump Truck Chassis from Center State International Trucks Inc. and Dump Truck Body from Koenig Body and Equipment Inc. for the Public Works Street Department in the amount of \$171,962, be approved. Mr. Mayor, I move you that this Resolution No. 2122-029 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.

Commissioner Decker commented on the purchase of the dump ruck for the Street Department that is part of the City's Capital Budget. He explained that it would be better if the City were on a schedule for replacement of the dump trucks. The City tries to keep around ten dump trucks, eight on the street and two backups. If there are major events, it is good to have ten around for the emergency events that require all ten dump trucks. Commissioner Decker commented on the other bid that was received totaling around \$26,000 more.

Commissioner Hill commented on the City Capital Budget Plan for the purchase of major equipment.

Mayor Kahl commented on wanting to increase City Capital Budget in the future if it is possible.

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

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Hill; Mr. Mayor, I move you that Ordinance No. 4581 hereto attached, (AN ORDINANCE PROVIDING FOR THE JURISDICTIONAL TRANSFER OF A PORTION OF PINECREST DRIVE FROM THE CITY'S MUNICIPAL STREET SYSTEM TO THE STATE OF ILLINOIS HIGHWAY SYSTEM) 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 the jurisdictional transfer. The City is currently responsible for the pavement except for the bridge. The Illinois Department of Transportation ("IDOT") will now take over more roadway further than the bridge. In return, there will be a bike path on the bridge that will be the City's responsibility. In the long run, he feels that this will be a better deal for the City and that the bike path will not be as used unless it is connected to another bike path.

Mayor Kahl commented on the transfer explaining that IDOT projects are tied to connectivity. IDOT builds out projects looking to the future and not just what is needed today. Often the city will go with the project, as it is a tradeoff and to the City's benefit overall. The City will still plow the bridge and IDOT will plow the ramps. There was a discussion about a Cedar Street Extension project that has not been approved by the City.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-032 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-032, hereto attached, a Resolution accepting the Proposal for the Public Works Wastewater Treatment Plant Number 2 Maintenance Building Replacement Project, be approved. Mr. Mayor, I move you that this Resolution No. 2122-032 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.

Commissioner Sutherland commented on the tornado destroying the maintenance building at Wastewater Treatment Plant 2 back in 2013. The City received a grant to replace the building before the current City Council was seated. The location of the building was changed, and this building is the best way to store the equipment. He commented on receiving two bids and the other bid that the City received was for a building which was not large enough.

Mayor Kahl commented on the tornado destroying the building in 2013. The City sought an extension on the grant, and in the last couple of years, the City has been moving forward on the grant that expires at the end of this year. The City sought bids for a 48'x80' building and the other bid for the building came in at 40'x80'. The City is seeking to go with the Cleary bid for the building. The grant will cover a majority of the costs, and the difference in the costs will be included in the building fund which is budgeted.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-031 by Commissioner Mingus, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-031, hereto attached, a Resolution accepting the Proposal from German-Bliss Equipment for the purchase of Replacement Lawn Mowers for the Fire Department in the amount of \$4,200, be approved. Mr. Mayor, I move you that this Resolution No. 2122-031 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 is a budgeted purchase for a zero-turn riding lawn mower and a push lawn mower to replace aging equipment. He commented on the bids received.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-035 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-035, hereto attached, a Resolution Accepting the Quote from Banner Fire Equipment Inc. for the Purchase of a New Fire Engine for the Fire Department in the Amount of \$465,950 with a 3% Per Annum Discount, be approved. Mr. Mayor, I move you that this Resolution No. 2122-035 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 purchase of a New Fire Engine is on the 5-Year Capital Budget Plan and is set to be paid for in the next two fiscal years. This resolution allows the City to order the Fire Engine so that it is ready. This will replace the 2000 Fire Engine that was damaged. The 2004 Fire Engine will then be the backup engine. This is an E-One Fire Engine that was a significantly lower cost than a Pierce Fire Engine.

Mayor Kahl explained that this was part of the Capital Budget Plan and there are times when the City needs to adjust the Plan. He commented on the last fiscal year budget reduction that adjusted the Capital Budget Plan.

There was a discussion regarding Fire Engines responding the calls for service. All the Fire Engines that are also Advanced Life Support Engines respond to calls in case they are needed, due to the possible inaccuracies in reasons for service calls, and to lessen work injuries, among other reasons. Buildings in East Peoria generally do not burn down because the Fire Department can respond quickly to put out fires. The difference from other communities is due to response times. Mayor Kahl commented on the new Firehouse that will be built by Illinois Community College.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-030 by Commissioner Mingus, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-030, hereto attached, a Resolution approving the purchase of a Ford F150 Police Responder Truck from Sutton Ford with upfitting from Ragan Communications for the Police Department in the amount of \$43,333.65, be approved. Mr. Mayor, I move you that this Resolution No. 2122-030 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 City previously approving the purchase of a Dodge Truck that was not placed in time, and this purchase is to replace the Dodge Truck purchase. The difference in cost is around \$5,000 and will be covered in the budget.

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.

A gentleman came up to the podium to express concerns about the sale of Delta 8 THC in the City of East Peoria at the Coop Shop and another shop. He asked why it is being permitted to be sold in the City and explained that it is not controlled or regulated. He explained that it is a psychoactive drug and is being sold across the state. He believes that the Police and the State's Attorney do not know what to do because they do not understand Delta 8 THC. He is concerned about where it is coming from and that the businesses are not checking the age of the people that purchase Delta 8 THC. He explained that people do not know about this substance, and he feels that it is something that needs to be checked. He explained that at other places, such as pharmacies that sell CBD, you can see a certificate of analysis for the substance.

Mayor Kahl explained that they will have to investigate this issue.

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 seeing a Police Officer on duty after coming back from injury. He also congratulated his son who graduated from Basic Training.

Commissioner Hill commented on the Citizens of East Peoria Facebook page on reading the water and sewer bill. He explained that anyone who has any questions can call the City and a customer service representative can help answer questions. The Farmer's Market is this Friday from 4 p.m. to 7 p.m. with more fruits and vegetables available.

Commissioner Sutherland commented on the question about reading the water and sewer bill. The video for the water and sewer bill will be coming soon. The video will show from the aquifer/well to the kitchen sink, how to read the bill, and what to do if there are questions or problems. He explained that City water and sewer charges are in the middle of the pack compared to other communities. He commented on people's sump pumps and asked individuals not to discharge their sump pumps into the sewer. Cleanup work is going to be done on Faulkner and mowing is to be done along city roadways. Commissioner Sutherland commented on erosion and issues that are created when people fill in land that cause others to deal with erosion issues in the future.

Commissioner Mingus explained that a Car Seat Check is planned for tomorrow at the Fire Department.

Mayor Kahl commented the fireworks press release that explained that the fireworks were not going to be what they were in the past. He appreciated the Fire, Police and Public Works Departments for being ready to go. Any taxpayer expenditures that were produced by the event will be billed to the business owner. He reminded everyone about the East Peoria Chamber of Commerce Annual Dinner is Thursday night. Mayor Kahl expressed gratitude to the Commissioners for their hard work.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, July 20, 2021 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 7:32 P.M.

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