

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

JULY 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 June 20, 2023 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed July 27, 2023, as "National Korean War Veterans Armistice Day". Mayor Kahl read the proclamation and commented on the Korean War Monument in Washington, DC along with serving in Korea during his time with the Marine Corps.

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 Kahl; Mr. Mayor, I move to adopt a consent agenda consisting of items numbered 1 through 12 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 - Adoption of Resolution Number 2324-047 – Resolution to Approve Payment of the Schedules of Bills Listed on Schedules Numbered 4 and 5 in the amount of \$2,513,900.68 and \$1,186,663.84.

Item Number 2 - Adoption of Ordinance Number 4732 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 300 WALNUT DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) - (Special Use for an Additional, Oversized Accessory Building Located in the Front Yard on Property Zoned "R-1, One Family Dwelling District".)

Item Number 3 - Adoption of Ordinance Number 4734 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR OPERATING A SMOKE SHOP ON PROPERTY LOCATED AT 1818 MEADOW AVENUE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.)

Item Number 4 - Adoption of Ordinance Number 4735 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 114 GLENRIDGE DRIVE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) – (Special Use Regarding the Location of an Above-Ground Pool and Placement of a Privacy Fence in the Yard on Property Zoned "R-2, One Family Dwelling District".)

Item Number 5 - Adoption of Ordinance Number 4736 on its Second Reading - (AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LOCATED AT 2487 WASHINGTON ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) - (Rezoning the Property from "B-3, Business Service District" to "R-2, One-Family Dwelling (Residential) District".)

Item Number 6 - Adoption of Ordinance Number 4737 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED ON EAST WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS (NEW PARCEL LOCATED IMMEDIATELY TO THE WEST OF THE PROPERTY WITH A STREET ADDRESS OF 4200 E. WASHINGTON STREET IN EAST PEORIA.)) – (Special Use to Allow an Outdoor Storage and Sales Lot on the Property.)

Item Number 7 - Adoption of Resolution Number 2324-025 on its Second Reading - Resolution approving Laserfiche Software Licensing Renewal for the City with ICC Community Development Solutions in the amount of \$17,432.20.

Item Number 8 - Adoption of Resolution Number 2324-027 on its Second Reading – Resolution Accepting Audit Services Proposal for Preparing the City’s Annual Financial Audits for the 2023 Fiscal Year Ending April 30, 2023.

Item Number 9 - Adoption of Resolution Number 2324-029 on its Second Reading – Resolution Approving Microsoft Software Licensing Renewal for the City.

Item Number 10 - Adoption of Resolution Number 2324-030 on its Second Reading – Resolution Authorizing and Approving the Purchase of Geotextile Tubes from Geo-Synthetics Systems LLC for Eastport Marina.

Item Number 11 - Adoption of Ordinance Number 4733 on its Second Reading - (AN ORDINANCE PROVIDING FOR THE VACATION OF THE BRIARGATE ROAD AND VERMONT STREET RIGHTS-OF-WAY THAT PROVIDE ACCESS TO TALL OAK APARTMENTS.)

Item Number 12 - Adoption of Resolution Number 2324-026 on its Second Reading – Resolution Authorizing the Purchase of Water Main Pipe and Related Materials for the Kerfoot Street Water Main Replacement Project.

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 12 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 12 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 2324-047 – Resolution to Approve Payment of the Schedules of Bills Listed on Schedules Numbered 4 and 5 in the amount of \$2,513,900.68 and \$1,186,663.84. (Adopted by omnibus vote)

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Item Number 6 - Adoption of Ordinance Number 4737 on its Second Reading – (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED ON EAST WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS (NEW PARCEL LOCATED IMMEDIATELY TO THE WEST OF THE PROPERTY WITH A STREET ADDRESS OF 4200 E. WASHINGTON STREET IN EAST PEORIA.)) – (Special Use to Allow an Outdoor Storage and Sales Lot on the Property.) (Adopted by omnibus vote)

Item Number 7 - Adoption of Resolution Number 2324-025 on its Second Reading - Resolution approving Laserfiche Software Licensing Renewal for the City with ICC Community Development Solutions in the amount of \$17,432.20. (Adopted by omnibus vote)

Item Number 8 - Adoption of Resolution Number 2324-027 on its Second Reading – Resolution Accepting Audit Services Proposal for Preparing the City's Annual Financial Audits for the 2023 Fiscal Year Ending April 30, 2023. (Adopted by omnibus vote)

Item Number 9 - Adoption of Resolution Number 2324-029 on its Second Reading – Resolution Approving Microsoft Software Licensing Renewal for the City. (Adopted by omnibus vote)

Item Number 10 - Adoption of Resolution Number 2324-030 on its Second Reading – Resolution Authorizing and Approving the Purchase of Geotextile Tubes from Geo-Synthetics Systems LLC for Eastport Marina. (Adopted by omnibus vote)

Item Number 11 - Adoption of Ordinance Number 4733 on its Second Reading - (AN ORDINANCE PROVIDING FOR THE VACATION OF THE BRIARGATE ROAD AND VERMONT STREET RIGHTS-OF-WAY THAT PROVIDE ACCESS TO TALL OAK APARTMENTS.) (Adopted by omnibus vote)

Item Number 12 - Adoption of Resolution Number 2324-026 on its Second Reading – Resolution Authorizing the Purchase of Water Main Pipe and Related Materials for the Kerfoot Street Water Main Replacement Project. (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. 4730, hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 349 PARK AVENUE IN THE CITY OF EAST PEORIA, ILLINOIS) 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 commented on the properties that were sold through the bidding process and the bid of \$800 and associated costs regarding the sale of the property at 349 Park Avenue totaling \$1,300.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4730 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4731, hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 345 EDMUND STREET IN THE CITY OF EAST PEORIA, ILLINOIS) 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 commented on the sale of the property at 345 Edmund Street explaining the bid amount of \$800 along with the associated costs that are to be paid by the bidder totaling \$1,300.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4731 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4739 hereto attached, (AN ORDINANCE ACCEPTING BID FOR SALE OF CITY-OWNED SURPLUS REAL ESTATE LOCATED AT 238 FRANKLIN STREET IN THE CITY OF EAST PEORIA, 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 property being sold including bid amount of \$500 and associated costs to be paid by the bidder totaling \$1,000.

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. 4738 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 3407 AND 3443 NORTH MAIN STREET 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 property owners wanting to expand their outdoor storage on the property. There are fencing requirements that go along with the special use for the outdoor storage as well.

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. 4740 hereto attached, (AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT AND ADDITIONAL BOND ISSUANCE DOCUMENTS FOR TRI-COUNTY RIVER VALLEY DEVELOPMENT AUTHORITY ("TRVDA") BOND FINANCING FOR THE DOWNTOWN MIXED-USE DEVELOPMENT TO BE CONSTRUCTED BY F & C DEVELOPMENT, INC. PURSUANT TO DEVELOPMENT AGREEMENT WITH THE CITY) 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 cooperative agreement and the additional bond issuance documents. City Attorney Scott Brunton explained that TRVDA voted to defer the vote to get more information on the project.

Commissioner Sutherland inquired about whether the City is putting city money into the project. Commissioner Hill explained the development agreement has not changed. The development incentive is same as related to this project. Mayor Kahl explained that it is a \$50 million project, and the City received a TIFF extension for the project. The incremental property tax will pay for the bonds. Nothing in the agreement itself has changed.

There was an inquiry about the prevailing wage act and how it is applied. Attorney Brunton explained that the requirements of the Prevailing Wage Act must be met, and the certified payroll must be submitted to the State as one of those requirements.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-048 by Commissioner Hill; WHEREAS, Kroger Limited Partnership I, the owner of Parcel No. 01-01-32-414-008 (the "Property"), has filed a complaint with the Tazewell County Board of Review (the "Board of Review") for the purpose of challenging the assessed value assigned to the Property for tax year 2022; and

WHEREAS, the City of East Peoria ("City") has objected to the change in assessed value; and

WHEREAS, the Board of Review has affirmed the assessment originally assigned to the Property;

and

WHEREAS, the owner of the Property has appealed the decision of the Board of Review to the Illinois Property Tax Appeal Board ("PTAB"); and

WHEREAS, it is in the best interests of the City to intervene in the proceedings currently pending before PTAB;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the Attorney for the City is hereby authorized and directed to obtain an appraisal for the Property and petition for leave to intervene in the proceeding involving the assessment of the Property, which proceeding is identified as Docket No. 2022-02166 currently pending before the Illinois Property Tax Appeal Board.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move that Resolution No. 2324-048 be adopted as presented.

Commissioner Hill commented on the property tax appeal process that requires a resolution for the City Attorney's Office to intervene in the Illinois Property Tax Appeal Board ("PTAB") case. Commissioner Decker commented on the Kroger property explaining that there were promises about improvements to the property, and those have not been completed. There was discussion about expenses being shared between the library and schools for the attorney's fees on the appeal process for this property as well as the property in the next resolution.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-048 be duly adopted as presented.

Resolution No. 2324-049 by Commissioner Hill; WHEREAS, the owner of Parcel No. 01-01-33-301-001 (the "Property"), has filed a complaint with the Tazewell County Board of Review (the "Board of Review") for the purpose of challenging the assessed value assigned to the Property for tax year 2022; and

WHEREAS, the City of East Peoria ("City") has objected to the change in assessed value; and

WHEREAS, the Board of Review has affirmed the assessment originally assigned to the Property;

and

WHEREAS, the owner of the Property has appealed the decision of the Board of Review to the Illinois Property Tax Appeal Board ("PTAB"); and

WHEREAS, it is in the best interests of the City to intervene in the proceedings currently pending before PTAB;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the Attorney for the City is hereby authorized and directed to obtain an appraisal for the Property and petition for leave to intervene in the proceeding involving the assessment of the Property, which proceeding is identified as Docket No. 2022-02088 currently pending before the Illinois Property Tax Appeal Board.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2324-049 be adopted as presented.

Commissioner Hill commented on the property at 200 Main Street for the CVS store and explained that it is the same process as described with the previous resolution.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-049 be duly adopted as presented.

Resolution No. 2324-041 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-041, hereto attached, a Resolution Authorizing Acceptance of the Proposal from EJ Equipment, Inc. for the Repair of a Garbage Truck Mechanical Arm, be approved. Mr. Mayor, I move you that this Resolution No. 2324-041 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 repair to the truck being necessary and the amount being just over the threshold that requires the expenditure to be approved through the City Council.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-034 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-034, hereto attached, a Resolution accepting the Low Bid from Kreiling Roofing Company for the EastSide Centre Baseball and Softball Concession Stands Roof Replacement Project, be approved. Mr. Mayor, I move you that this Resolution No. 2324-034 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 the improvements coming to EastSide Centre. He explained the amount of the project is \$73,576.00. There were two bids received, and this was the low bid. There was discussion about the roofs being metal and concerns with balls hitting the roof and causing indentations.

Commissioner Sutherland inquired about prevailing wage. Scott Brunton explained that the City is to give notice that the contractor is to pay prevailing wage. Regardless of that notice, the certified payroll is required to be submitted to the State of Illinois. If they someone is interested and cannot find the prevailing wage on a project, they can contact the Illinois Department of Labor. They could file a complaint with the Illinois Department of Labor if they feel that prevailing wage is not being paid on a project that requires prevailing wage. Commissioner Sutherland commented on what would happen in the past regarding prevailing wages. Commissioner Mingus explained that anytime the city is putting money into EastSide Centre he is happy to support it as it will be beneficial.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-035 by Commissioner Decker, seconded by Commissioner Hill; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-035, hereto attached, a Resolution Accepting the Low Bid from Lonewolf Concrete Inc. for EastSide Centre Fields 1 and 7 Dugout Upgrade Project, be approved. Mr. Mayor, I move you that this Resolution No. 2324-035 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 Decker commented on the bid amount being \$75,280.00 and prevailing wages being required. He commented on the responsible bidder's ordinance that requires an apprentice program for projects that exceed a certain amount.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-036 by Commissioner Decker, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-036, hereto attached, a Resolution Approving One-Year Agreement with Waste Management for Garbage Collection and Recycling Services at Eastside Centre, be approved. Mr. Mayor, I move you that this Resolution No. 2324-036 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 EastSide Centre's garbage pickup that is done by Waste Management. He would like to look at the City doing the garbage pickup at EastSide Centre if possible and explained that he believes the garbage is not currently being picked up by the City at EastSide Centre because the City does not have the correct equipment to pick up the garbage.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-037 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-037, hereto attached, a Resolution Accepting and Approving the Proposal from Electric Pump for the Harbor Point Lift Station Pump Replacement Project, be approved. Mr. Mayor, I move you that this Resolution No. 2324-037 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 there is a pump at Harbor Point that has exceeded its life expectancy. The new replacement pump will be a submersible pump that will be safer and more efficient for staff.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-038 by Commissioner Sutherland, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-038, hereto attached, a Resolution Approving the Purchase of New Excavation Shoring Box from Altorfer Rents in the amount of \$21,660, be approved. Mr. Mayor, I move you that this Resolution No. 2324-038 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 City is replacing more sewer and water main pipe. The current shoring is cumbersome, and there is a lot of preparation for the current shoring to get it ready to place in the work pit. The new excavation shoring box will be more efficient, and all of City will be able to use the equipment.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-042 by Commissioner Sutherland, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-042, hereto attached, a Resolution Approving the Payment of the IEPA National Pollution Discharge Elimination System Annual Fees for Wastewater Treatment Discharge for July 1, 2023 through June 30, 2024, be approved. Mr. Mayor, I move you that this Resolution No. 2324-042 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 the fee from the IEPA for overseeing the wastewater treatment plants. He is begrudgingly voting to approve this item, because he has a problem with where our taxes go at the State.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-040 by Commissioner Mingus; WHEREAS, April Rieker has been continuously employed by the City from September 15, 1998 through May 2, 2023, most recently occupying the position of Lieutenant in the Fire Department;

WHEREAS, April Rieker announced her intention to retire from employment effective May 3, 2023; and

WHEREAS, the City is appreciative of the long and continued service provided by April Rieker; 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. 2324-040 be adopted as presented.

Mayor and Commissioners congratulated April Rieker on her retirement and wished her well in the future. Commissioner Decker explained that April Rieker was the first female paid on call firefighter, and she was the first female fulltime firefighter. She will receive two installments of \$18,266.52 each with one on or before July 31, 2023 and one on or before January 15, 2024 totaling \$36,533.04.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-040 be duly adopted as presented.

Resolution No. 2324-039 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-039, hereto attached, a Resolution Approving an Agreement Between the City of East Peoria Police Department and East Peoria Community High School District No. 309 to Provide School Resource Officer Services, be approved. Mr. Mayor, I move you that this Resolution No. 2324-039 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 a new contract three school years. Those years are 2023-2024 in the amount of \$88,407, 2024-2025 in the amount of \$91,060, and 2025-2026 in the amount of \$93,792. Mayor Kahl commented on success of the program between the City and the high school.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-043 by Commissioner Mingus; WHEREAS, the City's former Chief of Police Richard Brodrick retired effective May 29, 2023; and

WHEREAS, effective July 1, 2023, David Catton was appointed the Interim Chief of Police of the East Peoria Police Department and has been acting in that interim position since that time; and

WHEREAS, it is in the best interests of the City to appoint David Catton to the office of Chief of Police of the East Peoria Police Department;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT David Catton is hereby appointed to the office of Chief of Police of the East Peoria Police Department effective July 19, 2023 at a base salary of \$132,569.00 per year and annual uniform allowance of \$1,100.00.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2324-043 be adopted as presented.

Commissioners and Mayor Kahl congratulated Chief Catton. Mayor Kahl commented on the City Council's support and confidence with the promotion of Chief Catton that is an internal promotion.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-043 be duly adopted as presented.

Resolution No. 2324-044 by Commissioner Mingus; WHEREAS, Title 1, Chapter 3, Section 7.1 of the East Peoria City Code authorizes the City Council to determine from time to time by Resolution the number of individuals to hold each rank on the Police Department; and

WHEREAS, in April 2020, the City decreased the number of Patrolmen positions through Resolution 1920-146 (effective May 2020) by five to 34 Patrolmen and Sergeants by one to six Sergeants due to the uncertainty and anticipated revenue decreases at that time; and

WHEREAS, with the promotion of Deputy Chief David Catton to Police Chief effective July 19, 2023, the City seeks to decrease the number of Deputy Chief positions in the East Peoria Police Department levels from two to one; and

WHEREAS, the City further seeks to increase the Patrolmen and Sergeant staffing levels in the East Peoria Police Department to the levels that existed prior to May 2020; and

WHEREAS, it is in the best interests of the City of East Peoria to increase the total number of individuals holding the rank of Patrolmen by five to 39, increase the total number of individuals holding the rank of Sergeant in the East Peoria Police Department by one to 7, and decrease the number of individuals holding the rank of Deputy Chief of Police by one to 1 effective July 19, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT

Section 1. Effective July 19, 2023, the Police Department of the City of East Peoria shall consist of the following personnel:

A. One Police Chief

B. One Deputy Chief

C. Seven Sergeants

D. Thirty-nine Patrolmen

Section 2. The Police Chief is hereby authorized and directed to notify the Police and Fire Commission of the increase in Sergeants and Patrolmen.

Motion by Commissioner Mingus, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2324-044 be adopted as presented.

Commissioner Mingus and Mayor Kahl commented on the resolution.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2324-044 be duly adopted as presented.

Resolution No. 2324-046 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-046, hereto attached, a Resolution Approving the Purchase of Three New 2023 Ford Interceptor Utility Vehicles for the Police Department from Sutton Ford Inc. and Approving the Outfitting of the Vehicles, be approved. Mr. Mayor, I move you that this Resolution No. 2324-046 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 purchase and the costs of vehicles plus upfitting totaling \$164,897.25. Mayor Kahl explained that this is a budgeted expense.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2324-045 by Commissioner Mingus, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2324-045, hereto attached, a Resolution Approving Purchases for East Peoria Police Department from State of Illinois Legislative Grant, be approved. Mr. Mayor, I move you that this Resolution No. 2324-045 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 the City was awarded a grant that Senator Koehler secured for the Police Department. This resolution is approving purchases made with the grant monies.

Yeas: Commissioners Decker, Hill, 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. 4741 hereto attached, (AN ORDINANCE AMENDING THE LIQUOR CONTROL REGULATIONS OF THE EAST PEORIA CITY CODE TO ADD A NEW CLASS OF LICENSE FOR RECREATIONAL CENTERS AND TO ADJUST THE REQUIRED AGE FOR SERVERS IN LICENSED ESTABLISHMENTS) 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.

Scott Brunton commented on the changes to the ordinance. It is a change to the liquor code to add recreational facilities and change the age for service to align it with the state on serving. However, it is not changing the age for those that prepare drinks or bartenders.

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.

Section 2(c)(6) – The setting of a price for a sale or lease of property owned by the public body.

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.

Don Norbits came up to the podium. He spoke on the electrical aggregation and the difference between Ameren's rate and the City's electrical aggregation rate. Mayor Kahl explained that he does not have those numbers in front of him. Mr. Norbits inquired about the renegotiation in the electrical aggregation and when that kicks in. Commissioner Hill explained that they do not know that that the renegotiation applies in this situation. Commissioner Hill commented on the electrical aggregation rate and Ameren's rate and how long the rates are effective through, with the electrical aggregation rate being effective for a much longer time. Mr. Norbits inquired as to whether anyone has done any projections out on the rate in the future market, as it looks to him like the electricity rates may decrease. Commissioner Hill explained that the electrical aggregation program is hedging against the volatility in the market.

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

Mayor Kahl then asked for comments from Council.

Commissioner Decker explained that Firefighter April Rieker oversaw fire prevention in the schools for several years prior to her retiring and many students remember Firefighter April. She will be missed in that roll.

Commissioner Hill commented on the Farmer's Market having three produce vendors at the Farmer's Market. There are good performers, good produce. and other items. He invited everyone to come out Fridays from 4 pm to 7 pm through August 25th.

Commissioner Mingus commented on the speed trailer on Highview Road.

Commissioner Sutherland commented on the no bail ruling by the Illinois Supreme Court. He feels that there are going to be new marijuana dispensaries that will be run by ex-convicts and their training will be paid by taxpayers. The 100 block of East Washington will be closed for some more time due to work. He also commented on the future closure of Main Street. The Kerfoot Project will be a busy project. Commissioner Sutherland commented on the Avondale and East Oakwood Road Project where the IEPA has not giving their blessing to move forward yet. Water and Sewer Department will be purchasing a speed board sign that can be put into use by other departments when they are not using it. It will have a car count, a count of cars that speed at a certain time of day, among other features. It is very portable and will be solar. Commissioner Sutherland commented on fixing the roads and people speeding due to the road being smooth and in a good condition.

Mayor Kahl commented on the speed trailer that was placed along Highview Road that will collect data over a six-week period. There has been a lot of speeding on Grange Road since the speed limit has been reduced. He commented about the possibility of buying a speed board. He commented on the Illinois Supreme Court ruling on the no bail decision. He thinks it is a slap in the face of victims of crimes and law enforcement. He explained that so many State's Attorneys were opposed to the law change among others. He is concerned that constitutional rights are being trampled. He feels that it is a sign of the times in Illinois and that the nonsense should stop.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, August 1, 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 7:25 P.M.

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