

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

JULY 20, 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. . The City Clerk certifies that notice of the meeting was duly served upon Council Members via email on Friday, July 16, 2021, at approximately 4:31 p.m.

Upon the roll being called the following answered present: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, and Commissioner Michael L. Sutherland.
Absent: Commissioner Seth D. Mingus.

The invocation was given by Commissioner Hill.

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

“PUBLIC HEARING ON THE PROPOSED SPECIAL SERVICE AREA 2021A FOR VALLEY VIEW KNOLLS WATER SYSTEM IMPROVEMENT PROJECT.”

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that the City Council recess the Regular Meeting to hold a public hearing.

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

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting recessed to hold a public hearing at 6:02 P.M.

Mayor Kahl called the Public Hearing to order with proper notice having been given.

Those present were the following: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, and Commissioner Michael L. Sutherland.

Absent: Commissioner Seth D. Mingus.

Mayor Kahl explained that the City Council is in the Public Hearing regarding the Proposed Special Service Area 2021A for Valley View Knolls Water System Improvement Project. He turned the discussion over to Director of Planning and Community Development, Ty Livingston. Director Livingston explained that the City will be adding the properties within the Special Service Area (“SSA”) 2021A to the city water. The special service area spreads the costs for adding this service out over 10 years to each of the property owners through property taxes. The project consists of adding new water main lines, fire hydrants, and connection to existing properties. City Attorney, Scott Brunton, spoke about the creation of the SSA. City Attorney Brunton explained that the City needs to determine (1) whether to approve the special service area and the particular purpose of the SSA, which is the water connection project; (2) whether to approve the financing of the water main installation; and (3) the proposed payment for the financing of the project. The financing is through a 10-year loan that is paid back with property taxes in the SSA area at 2.65% to be paid for over that 10-year note.

Mayor Kahl asked for any comments from the audience.

A Property owner from the proposed SSA2021A came up to the podium and inquired about a possible option of paying off with property taxes in one lump sum instead of paying over ten years through the property taxes. City Attorney Brunton explained that the City Council must wait 60 days before they approve any of these SSA items. Once approved, the property owners will be given the option to pay the amount in one lump sum.

Jim Druin of 110 Avondale came up to the podium and inquired as to whether there has been an investigation in whether about using federal monies to have this project paid for instead of having the property owners pay for it.

Mayor Kahl explained that East Peoria is a non-entitlement community, and the amount the city may receive from the American Rescue Plan is not set in stone for a community our size. East Peoria is estimated to receive \$2.73 million in relief funds, and the city has not received those funds nor does the city know how much if any it will receive. It is unclear as to how much will be received, and there are a lot of projects needs that need to be done. There was a discussion regarding an infrastructure bill and there is no sense about whether there will be funds and what those funds may be used for. Director Livingston explained that the discussion regarding funding of the Valley View Knolls Water System Improvement Project has always been related to the SSA.

Debbie Livelihood came up to the podium and inquired as to whether the property will be tagged as having extra taxes on the property if she goes to sell it in the next few years. City Attorney Brunton explained that he does not believe that it will be flagged. It will just have added taxes to the property tax bill for the SSA property tax amount. If the amount is paid up front, then the extra amount will not be added to the property tax bill.

Jean Holmes of 409 Avondale came up to the podium and inquired as to whether the tax would be on a vacant lot if it would be sold. Director Livingston explained that only properties with homes would be assessed taxes ahead of the sale.

Mayor Kahl asked for comments from the Council.

Commissioner Sutherland explained that the property taxes are tied to each individual home only in this SSA and not citywide.

Commissioner Decker commented on his parents owning property in the area at one time and explained that he was hopeful that the homeowners would choose to move forward with the project, as he feels that the homes would increase in value.

Pat Kolmes of 417 Avondale came up to the podium and inquired as to whether the tax will it be removed in ten years after it is paid and whether there will be issues like the Oakwood Road project have with the yards as the improvements are made. Commissioner Sutherland explained that Oakwood Road has other issues. He commented on Oakwood Road project, and he is excited to get this project going so that it will help the neighborhood. As the pipes are small and the fire hydrants are underrated this project is good for the everyone in the neighborhood. He explained that there will be construction; however, they will do their best to put the yards back into place. City Attorney Brunton explained that when the City files the property tax, the County keeps track, and the city must request the tax every year. It would be a large mistake for it not to come off after 10 years.

Christine Queen of 400 Avondale came up to the podium and inquired as to the timing of the project. Commissioner Sutherland explained that no work can be done until the Illinois Environmental Protection Agency (the "IEPA") signs off on the project. City Attorney Brunton explained that the city has applied with the IEPA permit to transfer service. That process does take some time, and it is anticipated that the permit will be in place when the city is estimated to approve the project in a few months. Commissioner Sutherland explained that he has intentions of working as soon as it is possible to begin work. Other obstacles may be weather and having the necessary pipe and other materials that are difficult obtain and are expensive at this time. There was discussion on being able to complete work on frozen ground.

Shelly Farmer, Treasurer for the Valley View Knolls Water Company, came up to the podium and thanked the city for working so well with them through the process. She explained that there are several people that are consistently on the board running the water system. This project will help the water system for the future, and she knows that it is time to move on to the City's water.

Mayor Kahl thanked the Water System and neighborhood. He explained that he wanted to ensure that the process was and is transparent.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that the City Council of the City of East Peoria adjourn the Public Hearing and reconvene the Regular Meeting.

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

Nays: None

Mayor Kahl declared the motion carried and the Regular Meeting reconvened at 6:26 P.M.

Mayor Kahl announced that the City Council was back in Regular Session.

Those present were the following: Mayor John P. Kahl, Commissioner Daniel S. Decker, Commissioner Mark E. Hill, and Commissioner Michael L. Sutherland.

Absent: Commissioner Seth D. Mingus.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move that the minutes of the Regular Meeting held on July 6, 2021 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed July 27, 2021, as "National Korean War Veterans Armistice Day" and thanked Veterans.

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 11 as listed on the agenda for this meeting to be considered by omnibus vote.

Item Number 1 – Adoption of Resolution Number 2122-039 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 5 in the amount of \$1,211,573.25.

Item Number 2 – Adoption of Ordinance Number 4578 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 250–294 FARMDALE ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use to allow outdoor storage on property zoned "M-1, Manufacturing District, Limited".)

Item Number 3 - Adoption of Ordinance Number 4579 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR A HOUSEBOAT LOCATED AT EASTPORT MARINA IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use for a short-term rental use for houseboat located at Dock F in the Eastport Marina harbor located at 701 Mariners Way in East Peoria and zoned "C, Conservation and Residential Estate District".)

Item Number 4 - Adoption of Resolution Number 2122-033 on its Second Reading - Resolution Accepting Lowest Responsible Bid from Constellation Energy for the Supply of Natural Gas for City Facilities.

Item Number 5 - Adoption of Ordinance Number 4580 on its Second Reading - (AN ORDINANCE FURTHER AMENDING TITLE 3, CHAPTER 9 OF THE EAST PEORIA CITY CODE REGARDING PEDDLERS, BROKERS AND ITINERANT MERCHANTS.)

Item Number 6 - Adoption of Resolution Number 2122-029 on its Second Reading - 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.

Item Number 7 - Adoption of Resolution Number 2122-032 on its Second Reading - Resolution accepting the Proposal for the Public Works Wastewater Treatment Plant Number 2 Maintenance Building Replacement Project.

Item Number 8 - Adoption of Resolution Number 2122-031 on its Second Reading - 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.

Item Number 9 - Adoption of Resolution Number 2122-035 on its Second Reading - 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.

Item Number 10 - Adoption of Resolution Number 2122-030 on its Second Reading - 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.

Item Number 11 - Adoption of Ordinance Number 4581 on its Second Reading - 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.)

Yeas: Commissioners Decker, Hill, 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 Items numbered 1 through 11 listed on the Consent Agenda be hereby approved and adopted, the items numbered 2 through 11 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 2122-039 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 5 in the amount of \$1,211,573.25. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4578 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 250–294 FARMDALE ROAD IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use to allow outdoor storage on property zoned “M-1, Manufacturing District, Limited”.) (Adopted by omnibus vote)

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

Nays: None.

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

Resolution No. 2122-036 by Commissioner Hill; RESOLUTION AUTHORIZING THE SELLING PROCESS FOR CITY-OWNED SURPLUS REAL ESTATE COMPRISED OF THE CITY'S CONDOMINIUM IN THE EASTPORT MARINA BUILDING

WHEREAS, the City owns Unit 1 of the Eastport Marina Building located at 701 Mainers Way within the City of East Peoria, and this parcel is legally described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference (hereinafter the "Property"); and

WHEREAS, the City has determined that the ongoing maintenance costs associated with the Property makes the ownership of the Property economically inefficient, creates unnecessary expenses for City operations, and will very likely create a future financial burden for the City; and

WHEREAS, the City has further determined that based upon the issues created by the ownership of the Property, the Property is found to be surplus public real estate owned by the City, and the City considers ownership of the Property to be excess and unnecessary for City use or City purposes; and

WHEREAS, the City seeks to sell the Property pursuant to the process set forth under Section 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-4.1), which provides for the appraisal of the Property by a certified or licensed appraiser and then the sale of the Property by City Officials, by a local licensed real estate agency, or by public auction for no less than 80% of the appraised value; and

WHEREAS, the Property is further described by the parcel's current zoning classification, size, and use in Exhibit A; and

WHEREAS, the City Council hereby finds that it is in the best interests of the City to sell the Property such that the Property can put to use by an interested purchasing party;

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

Section 1. The above recitations are found to be true and correct.

Section 2. The Property, after obtaining an appraisal of the Property by a certified or licensed appraiser, is hereby directed to be sold by any process set forth under Section 11-76-4.1 of the Illinois Municipal Code for no less than 80% of the appraised value.

Section 3. City Officials are hereby authorized to execute any documents necessary to initiate the sale or transfer of the Property, including, but not limited to, the execution of a listing agreement with a local licensed real estate agency, or the negotiation of the terms of such sale or transfer of the Property to an interested purchasing party. The terms of such sale or transfer of the Property may include payment by the purchasing party of the City's costs, including, but not limited to, the cost of the appraisal, recording fees, and City attorneys' fees in the amount of five hundred dollars (\$500.00); together with the standard real estate agent commission rate if listed by a local real estate agency.

Section 4. The City Clerk is hereby authorized and directed to publish this Resolution and any exhibits attached hereto (excluding Exhibit B) immediately upon the passage of this Resolution by the City Council in a daily or weekly newspaper circulated in the City of East Peoria.

Section 5. City Officials, in their discretion, are hereby authorized to withdraw the Property from the sale or transfer process for any reason they deem necessary or appropriate.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2122-036 be adopted as presented.

Director Livingston explained that the resolution authorizes the selling process for a portion of a city-owned condominium unit located at the marina. He explained that the appraisal was \$175,000 and the square footage is not quite 2,400 square feet. This allows the City to seek the process of selling the property. The city will be determining if would like to sell in the future.

Mayor Kahl explained that the city leases out the city space for offices and other uses. It is an aging building and there are questions about the maintenance costs.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-036 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4582 hereto attached, (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 136 TANGLEWOOD LANE 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 to allow for a short-term rental on the property. The Zoning Board of Appeals voted 4-0 in favor of recommending approval. Egress windows for the property must be added within 30 days otherwise the Special Use will be rescinded.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-040 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-040, hereto attached, a Resolution approving Microsoft Software Licensing Renewal for the City, be approved. Mr. Mayor, I move you that this Resolution No. 2122-040 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 resolution is for the renewal of the Microsoft Software Licensing to run the city's business. It is a one- year renewal with PTC Select. The other bid was from Heart and came in at a higher amount than PTC Select's bid.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-037 by Commissioner Decker, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-037, hereto attached, a Resolution approving a Proposal from Hoerr Construction, Inc. to Slip Line Storm Sewer Main in the vicinity of 202 Holly Drive in the City of East Peoria, be approved. Mr. Mayor, I move you that this Resolution No. 2122-037 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 Decker explained that the resolution authorizes the slip lining of some storm sewer close to 202 Holly Drive in the amount of \$27,051.25.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-038 by Commissioner Decker, seconded by Commissioner Sutherland; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-038, hereto attached, a Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Phase 1 Study for Camp Street / Riverside Drive Intersection Improvements, be approved. Mr. Mayor, I move you that this Resolution No. 2122-038 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.

Director Livingston commented on the project that is a Peoria-Pekin Urbanized Area Transportation Study ("PPUATS") project with a portion of the costs will be paid for by PPUATS. This project is to rebuild the intersection with part of the project addressing the heavy left turn movement from Riverside Drive on to Camp Street. The resolution is for a Phase 1 Study that must be done to satisfy the state and federal requirements of the project with the goal being to start construction in the later part of calendar year 2023. Commissioner Decker commented on the benefit of the project being a PPUATS project so that some of the funding will come from PPUATS, which allows for more city funds for other projects. Mayor Kahl explained that the costs for the City's portion is projected to be \$1,200,000. This is a budgeted project in the Capital Plan and will be paid for over several years.

Yeas: Commissioners Decker, Hill, 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 commented on his 30-year high school reunion coming up and people coming back in town. On July 8, a resident of East Peoria, David Perkins, teed off for his first PGA tournament. Commissioner Decker expressed how proud his of Mr. Perkins for his accomplishments in golf and as a wonderful representative of the community.

Commissioner Hill reminded everyone of the Farmer's Market scheduled for this Friday from 4pm-7pm and scheduled for every Friday through the end of September on the Promenade in the Levee District. Mayor Kahl expressed thanks to Commissioner Hill and City Staff for their work on the Farmer's Market.

Commissioner Sutherland commented on a concern he has with requirements for building a shed within five feet of their property line. He feels that the city should look at the requirements to ensure that they make sense. He commented on Code Enforcement concerns. Commissioner Sutherland explained that there were complaints about dirt and mud on Cass Street due to construction on the Sewer Treatment Plant, and the city is trying to do its best to keep the street clean. If there are more complaints, then they may close the road with barricades to take people around the issue. He explained that he still wants a civil engineer, and he feels that the position will be able to pay for itself. He feels that the city should proceed with hiring a civil engineer soon. He commented on concerns with delays in hiring. He explained that there is an issue with water draining on Illini Drive and gave notice that there will be work trucks trying to solve the issue.

Mayor Kahl congratulated John Broshears on winning Citizen of the Year. Mr. Broshears has been heavily involved in the Festival of Lights and was recognized at the Annual Chamber Dinner. Mayor Kahl expressed condolences to the families of former City Commissioners on their passing. Former City Commissioner Archie Lyons who was also a former Co-Chair of the Festival of Lights and former City Commissioner Chuck Williams passed away recently. Mayor Kahl explained that there will be a press release coming out tomorrow from the Illinois Association of Chiefs of Police naming Officer Jeff Bieber Most Outstanding Law Enforcement Officer of the Year.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, August 3, 2021 at 6:00 P.M.

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

Nays: None

Mayor Kahl declared the motion carried and the meeting adjourned at 7:06 P.M.

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