

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

**August 3, 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 and Public Hearing held on July 20, 2021 be approved as printed.

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

Nays: None.

Mayor Kahl declared the motion carried.

Mayor Kahl proclaimed August 2021 as “Duck Race Month” for The Center for Prevention of Abuse. He presented the proclamation to Camille Yameen, Director of Marketing and Communications for the Center for Prevention of Abuse. She thanked the City for the invitation to come to the Council meeting and for hosting the Duck Race at EastSide Centre. The Duck Race is scheduled for August 28, 2021 with events beginning at 4pm and the actual race starting at 6pm. She thanked Doug McCarty, Rick Swan, the East Peoria Chamber of Commerce, and the Fire and Police Departments for their assistance. She also thanked the numerous East Peoria businesses that support them. All funds raised for the Duck Race stay local and help us build a safe and peaceful community. CFPA provides free and confidential services to victims of human trafficking, domestic violence, sexual abuse, sexual assault, elder abuse, and offers violence prevention education to students helping to prevent abuse before it begins in the Tri-County Area, reaching more than 35,000 young people each year. If someone would like to purchase a duck, they can go to [www.duckracepeoria.com](http://www.duckracepeoria.com).

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 2122-042 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 6 in the amount of \$4,017,941.44.

Item Number 2 – Adoption of Ordinance Number 4582 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 136 TANGLEWOOD LANE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use for a short-term rental use for residential property zoned “R-1, One Family Dwelling District” and located at 136 Tanglewood Lane in the City.)

Item Number 3 - Adoption of Resolution Number 2122-040 on its Second Reading - Resolution approving Microsoft Software Licensing Renewal for the City.

Item Number 4 - Adoption of Resolution Number 2122-037 on its Second Reading - 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.

Item Number 5 - Adoption of Resolution Number 2122-038 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Phase 1 Study for Camp Street / Riverside Drive Intersection Improvements.

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 2122-042 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 6 in the amount of \$4,017,941.44. (Adopted by omnibus vote)

Item Number 2 – Adoption of Ordinance Number 4582 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 136 TANGLEWOOD LANE IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) (Special Use for a short-term rental use for residential property zoned "R-1, One Family Dwelling District" and located at 136 Tanglewood Lane in the City.) (Adopted by omnibus vote)

Item Number 3 - Adoption of Resolution Number 2122-040 on its Second Reading - Resolution approving Microsoft Software Licensing Renewal for the City. (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2122-037 on its Second Reading - 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. (Adopted by omnibus vote)

Item Number 5 - Adoption of Resolution Number 2122-038 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Phase 1 Study for Camp Street / Riverside Drive Intersection Improvements. (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.

Resolution No. 2122-041 by Commissioner Hill; **WHEREAS**, a vacancy exists on the East Peoria Zoning Board of Appeals as a result of longtime member Deno Ori's resignation; and

**WHEREAS**, the Honorable Mayor John P. Kahl has recommended the appointment of George Whitman to fill the vacancy on the East Peoria Zoning Board of Appeals;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS, THAT** the appointment by Mayor John P. Kahl of George Whitman to the East Peoria Zoning Board of Appeals to fill the vacancy for a term ending April 30, 2026.

**AND THAT THIS RESOLUTION NO.2122-041 BE ADOPTED AS PRESENTED.**

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move that Resolution No. 2122-041 be adopted as presented.

Mayor Kahl and Commissioners expressed appreciation to Mr. Ori for his dedication and service on the Zoning Board of Appeals ("ZBA") and welcomed Mr. Whitman thanking him for his willingness to serve.

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

Nays: None.

Mayor Kahl declared the motion carried and Resolution No. 2122-041 be duly adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4583 hereto attached, (AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR PROPERTY OFF OF SPRING CREEK ROAD) 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 within the 1.5 mile range of the city limits which gives the City jurisdiction regarding this property. The Planning Commission recommended to approve the subdivision plat 4-0 as presented. The normally required frontage will not be required. While staff doesn't typically recommend permitting such a lot split (creating a flag lot), the location of the property is fairly remote from the City and it's difficult to foresee a time when it would be located within the City Limits in the near future. There's a significant amount of growth required before the City will be annexing any portion of Spring Creek Road, let alone this area.

Commissioner Decker commented on the large size of the property and shape of the parcel.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-043 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-043, hereto attached, a Resolution Regarding Revisions to the City's Group Health Insurance Plan Implementing Updates to Prescription Drug Benefits, be approved. Mr. Mayor, I move you that this Resolution No. 2122-043 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 this resolution considers changes to the plan in regard to adopting a formulary for the prescription benefits.

Commissioner Decker explained that he would be abstaining from voting due to his employment with the City.

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

Abstain: Commissioner Decker.

Nays: None.

Mayor Kahl declared the motion carried.

Motion by Commissioner Decker, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4585 hereto attached, (AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF RICHLAND STREET RIGHT-OF-WAY) be read at length by the Clerk, and that said Ordinance No. 4585 be accepted on its first reading, and be hereby adopted as presented.

Commissioner Decker commented on property no longer being of value to the City but will be beneficial to an adjacent property owner. He is supportive of this to get the property to the adjacent property owner.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4585 to 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 Hill explained commented on Code Enforcement that consists of a director and one Code Enforcement Officer. He explained that it is a difficult job to enforce the Code and the importance of enforcing the Code as written consistently with the goal being compliance and not fines. He explained that the City will soon go through to update or accept which building code to adopt. The building, fire and other codes are written by experts in their respective fields. If there is a code violation, a person has seven days to respond to the city with a plan of action. If there is no response, then the process goes to a code hearing. City attorneys are not involved in code enforcement hearings. There is a process to appeal when someone gets notice of a code violation, and most items are resolved before they reach the hearing process. The Farmer's Market is this coming Friday and upcoming Fridays from 4:00 pm to 7:00 pm through the end of September.

Commissioner Sutherland commented on code enforcement, and he feels that the city attorney's do become involved. He believes that there are things in the International Code that do not have to do with a community like ours, and we should pick those out from the Code.

Commissioner Mingus explained that the car seat checks are tomorrow at Central Firehouse from 1:00 pm to 3:00 pm.

Mayor Kahl commented on making tough decisions through this pandemic. One of the things that is important is that people remain respectful. He explained that he is deeply saddened with the country and our community. He feels that we are allowing the government to divide us. He commented on the East Peoria School District 86 meeting and doing what is right for his kids. He does not feel that we should vilify someone for having a different view than another person. He commented on Tazewell County setting up an emergency command center earlier in the pandemic. Mayor Kahl explained that the reports provided by the Tazewell County Health Department and the information in the reports have changed, and as a result, he feels that people are going to lack confidence in what is being told. He commented on the FDA approval of the COVID19 vaccines, and approval is about taking time to ensure that they are safe. He is trying present information and he urged people to be respectful to each other. When the government is recommending, it is not mandating. He does not believe in mandating and feels that he has the right to do what is right for his family and that there should be science backing decisions and approval. Mayor Kahl explained that he will not criticize others for having a different view. He commented on only receiving the positive case results and not receiving all the test results and explained that he cannot attend the Tazewell County Health Department meeting because they are held at the same time as the city staff meetings. Mayor Kahl explained that he receives information from the County, and he feels that all information should be received as he feels that all of the information is relevant. School boards have tough decisions to make, and he is frustrated that people point fingers because they do not agree with your opinion. He explained that he went back through the numbers. There used to be updates daily. At the height of the pandemic, there were 69 daily positive confirmed cases with 4,120 in home isolation and now the total in home isolation is 234. He asked people to be respectful and understanding. He feels that there is a reason that some people lack confidence in what is being told to them. He explained that he is not seeing the great increase in the youth cases at this time in Tazewell County. He commented on the numbers today are 29 new cases, 234 in home isolation, and three hospitalized. At height the height, the hospitalization numbers were at 46 for Tazewell County. He wants to put things in perspective. The survivability rate has been the same at over 98% over the time of the pandemic. He explained that he is not saying that it has not affected people because it has. He is also not saying that that people should not consider all the information when they make their own decisions.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that we adjourn until Tuesday evening, August 17, 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 6:42 P.M.

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