

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

OCTOBER 5, 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 September 21, 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 October 3-9, 2021 as "Fire Prevention Week". He presented the proclamation to Commissioner Mingus. Commissioner Mingus reminded residents to check their smoke detectors and have a fire escape plan in the event of a fire. Commissioner Decker commented on the work that April Rieker does on reaching out to the schools and making lifelong impacts with individuals. Mayor Kahl expressed appreciation to the Fire Department and commented on the Firefighter Memorial Service that occurred on Sunday to remember the fallen firefighters.

Mayor Kahl proclaimed October 6, 2021 as "Energy Efficiency Day". He presented the proclamation to Bob Jorgensen and Connie with the Green Team. Mr. Jorgensen expressed thanks to the City Council. He feels that East Peoria Green is accepting the proclamation along with City employee, Robert Cole. Mr. Cole has saved the City millions of dollars in his energy efficiency efforts. Energy Efficiency Day should be on our minds every day of the year. The price of natural gas is almost double what it was last year at this time and electricity prices have gone up as of the first of October. He asked that the city encourage employees not to idle vehicles unnecessarily. He understands that the city is looking to electrical vehicles in the future, and East Peoria Green would applaud the city for that type of move. He commented on the energy efficiency of the buildings. Mr. Jorgensen encouraged residents to visit the Citizens' Utility Board website, which is a state run group that is looking to save consumers money on their utility bills in general. They have good tips on energy efficiency. He also encouraged everyone to visit the East Peoria Green Team website at www.eastpeoriagreen.com for energy efficiency tips.

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 Mingus; 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 2122-063 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 10 in the amount of \$3,057,996.94.

Item Number 2 - Adoption of Ordinance Number 4598 on its Second Reading - (AN ORDINANCE AMENDING ZONING REGULATIONS IN TITLE 5 OF THE EAST PEORIA CITY CODE FOR SPECIAL USES ALLOWED IN RESIDENTIAL DISTRICTS.)

Item Number 3 - Adoption of Ordinance Number 4599 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2305 EAST WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) - (Special Use for a short-term rental use for her residential property zoned "R-2, One Family Dwelling District".)

Item Number 4 - Adoption of Resolution Number 2122-060 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Resurfacing Improvements for Segments of West Washington Street and West Camp Street Providing Access to Levee District.

Item Number 5 - Adoption of Ordinance Number 4601 on its Second Reading - (AN ORDINANCE AMENDING TITLE 11 OF THE EAST PEORIA CITY CODE REGARDING IMPOUNDMENT OF MOTOR VEHICLES FOR ENGAGING IN UNLAWFUL ACTIVITIES.)

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 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 2122-063 – Resolution to Approve Payment of the Schedule of Bills Listed on Schedule Number 10 in the amount of \$3,057,996.94.

Item Number 2 - Adoption of Ordinance Number 4598 on its Second Reading - (AN ORDINANCE AMENDING ZONING REGULATIONS IN TITLE 5 OF THE EAST PEORIA CITY CODE FOR SPECIAL USES ALLOWED IN RESIDENTIAL DISTRICTS.) (Adopted by omnibus vote)

Item Number 3 - Adoption of Ordinance Number 4599 on its Second Reading - (AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PROPERTY LOCATED AT 2305 EAST WASHINGTON STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS.) - (Special Use for a short-term rental use for her residential property zoned "R-2, One Family Dwelling District".) (Adopted by omnibus vote)

Item Number 4 - Adoption of Resolution Number 2122-060 on its Second Reading - Resolution to Approve Contract for Engineering Services with Midwest Engineering Associates for Resurfacing Improvements for Segments of West Washington Street and West Camp Street Providing Access to Levee District. (Adopted by omnibus vote)

Item Number 5 - Adoption of Ordinance Number 4601 on its Second Reading - (AN ORDINANCE AMENDING TITLE 11 OF THE EAST PEORIA CITY CODE REGARDING IMPOUNDMENT OF MOTOR VEHICLES FOR ENGAGING IN UNLAWFUL ACTIVITIES.) (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 Mingus; Mr. Mayor, I move you that Ordinance No. 4597, hereto attached, (AN ORDINANCE AUTHORIZING A CONDITIONAL USE FOR PROPERTY LOCATED AT 300 S. MAIN STREET IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, 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 explained that Mr. Source has approached the city to have 300 S Main Street as an alternative site for a cannabis transportation business. The Zoning Board of Appeals recommended 5-0 for approval.

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

Nays: Commissioner Sutherland

Mayor Kahl declared the motion carried and Ordinance No. 4597 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Decker; Mr. Mayor, I move you that Ordinance No. 4595, hereto attached, (AN ORDINANCE PROVIDING FOR THE SALE OF EXCESS CITY PROPERTY AT 232 EVERETT STREET) 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 that the property does not have value to the city and the city selling the property to put it back to productive use. The sale price for the property is \$4,500

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4595 be adopted as presented.

Motion by Commissioner Hill, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4602 hereto attached, (AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,255,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (TARGET AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021E, AND \$2,880,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (COSTCO AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021F, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND AUTHORIZING THE SALE OF SAID BONDS TO MORTON COMMUNITY BANK) 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 (1) the Bond Ordinance provides for the issuance of taxable general obligation alternate bonds to refund certain outstanding alternate revenue bonds of the City previously issued in connection with the certain business district project costs to be incurred in and for the Target Area and the Costco Area Business Districts heretofore designated by the City; (2) that the bonds are issuable without referendum pursuant to authority of the Illinois Municipal Code and the Local Government Debt Reform Act to accomplish debt service savings, (3) that the Bond Ordinance delegates the authority to sell the bonds to certain designated officers of the City, who are to execute a bond order in connection with such sale, (4) that the Bond Ordinance provides for the bonds to be paid by various pledged revenues as described and set forth in the Bond Ordinance, but there is also a back-up levy of taxes to pay the bonds, and (5) that the Bond Ordinance provides many details for the bonds, including provision for terms and forms of the bonds. The bonds are being recalled and reissued at a new rate that is favorable to the city. It is estimated that the savings will be around \$397,500 and present value savings of just over \$356,000. This will save the city money in the long run.

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. 4603 hereto attached, (AN ORDINANCE EXTENDING THE LIFE OF THE WEST WASHINGTON STREET REDEVELOPMENT PROJECT AREA FOR THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS) be read at length by the Clerk, and that said Ordinance No. 4603 be accepted on its first reading, and be hereby adopted as presented.

Commissioner Hill commented on the West Washington Tax Increment Financing (TIF) District and explained that the State Legislature has recently passed legislation that allows the extension of the TIF district to 47 years. Mayor Kahl explained that there is support from the other taxing bodies. This extension is related to the delay in development and rising costs. The project was delayed, and this is the first of two steps to ensure that this will move forward.

Commissioner Hill expressed gratitude to Mayor Kahl, City Attorney Scott Brunton, and Senator Koehler for their assistance on this extension.

Commissioner Decker and Sutherland commented on TIFs explained the advantages in allowing the community to utilize the laws to assist in development in blighted areas. If the city did not do anything, the property may not have been developed. The city has benefited from TIFs and without the support of the other taxing bodies we would not be here.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4603 to be duly adopted as presented.

Resolution No. 2122-061 by Commissioner Hill, seconded by Commissioner Decker; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-061, hereto attached, a Resolution to Approve First Amendment to Development Agreement with Flaherty & Collins, Inc. for Downtown Mixed-Use Project, be approved. Mr. Mayor, I move you that this Resolution No. 2122-061 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 approve an amendment to the Flaherty & Collins agreement. It is for a mixed-use development of at least \$48,000,000 consisting of around 230 luxury apartments and commercial space. There are a couple of the changes (1) changes the completion date to the end of June 2024 to complete the project; (2) limiting the amount of property tax, and (3) extending the development agreement.

Mayor Kahl explained that this pushes the development out by two years. The groundbreaking is estimated to occur in Spring 2022, with a completion date of June 2024.

There was a discussion about sales tax incentives within the Enterprise Zone.

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

Nays: None.

Mayor Kahl declared the motion carried.

Resolution No. 2122-062 by Commissioner Hill, seconded by Commissioner Mingus; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, ILLINOIS that Resolution No. 2122-062, hereto attached, a Resolution accepting the Low Bid for Winter Wonderland Storage Building Concrete Floor Project from Wm. Aupperle & Sons, Inc. in the amount of \$49,388, be approved. Mr. Mayor, I move you that this Resolution No. 2122-062 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 there is a storage building for Winter Wonderland storage that only has a dirt floor. This project adds a concrete floor to the building. The city received several bids with the low bid coming from Aupperle & Sons, Inc. in the amount of \$49,388. The funding for this project will be paid for from the savings from the Par 3 Lane 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 Decker; Mr. Mayor, I move you that Ordinance No. 4604 hereto attached, (AN ORDINANCE AMENDING TITLE 3, CHAPTER 27 OF THE EAST PEORIA CITY CODE PERTAINING TO ADULT USES) be read at length by the Clerk, and that said Ordinance No. 4604 be accepted on its first reading, and be hereby adopted as presented.

The City Clerk read the ordinance at length.

Commissioner Hill explained that the ordinance updates the City Code with changes to the Adult Uses section related to definitions and businesses that require adult use business licenses.

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

Nays: None.

Mayor Kahl declared the motion carried and Ordinance No. 4604 to be duly adopted as presented.

Motion by Commissioner Sutherland, seconded by Commissioner Mingus; Mr. Mayor, I move you that Ordinance No. 4596, hereto attached, (AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA 2021A IN THE CITY OF EAST PEORIA AND APPROVING SPECIAL SERVICE AREA 2021A PROJECT FOR WATER SYSTEM IMPROVEMENTS FOR THE VALLEY VIEW KNOLLS SUBDIVISION AREA IN THE CITY OF EAST PEORIA, THE FUNDING OF THE WATER SYSTEM IMPROVEMENTS FOR THE VALLEY VIEW KNOLLS SUBDIVISION AREA, AND THE LEVYING OF PROPERTY TAX AGAINST THOSE PROPERTIES BENEFITTED BY THE WATER SYSTEM IMPROVEMENTS) 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 Sutherland explained that reading of the ordinance the conclusion of the creation of the special service area. City Attorney Brunton explained that this ordinance is the culmination of a lengthy process and this allows the city to move forward with the special service area.

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

Nays: None

Mayor Kahl declared the motion carried and Ordinance No. 4596 be 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.

Don Norbits came up to the podium and (1) inquired about the Camp Street TIF and (2) about when open burning begins. City Attorney Brunton explained that the Camp Street TIF is not being extended at this time and will come to the end of its life at the end of 2037. The West Washington Street TIF will be extended an additional 12 years.

Mayor Kahl explained that he believes that open burning begins on October 15. He explained that there are regulations and restrictions regarding burning, including the items that can and cannot be burned, the process, and when burning is allowed and not allowed. Mr. Norbits stated that, since the city does not have yard waste pickup and people are still burning, residents should be respectful of their neighbors and be careful because of respiratory and others issues.

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 opening burning occurs October 15 to November 30. He reminded people to be respectful of those that may have issues with breathing and those that may have allergies. Commissioner Decker stated to ensure not to burn anything wet. He explained that he uses a blower when he burns to add air to the fire to produce very little smoke. Clean-up Week is occurring this week. The pick-up normally runs a little behind. The rules are for specific items listed on the website that can fit on a four-foot by eight-foot sheet of plywood that is approximately four feet high. There are also restrictions on items that can be placed out. He commented on people driving around looking for things

placed out by the curb to be recycled or reused. He asked that those individuals not go through someone's pile late at night and not to go up into someone's yard. He commented on Grange Road that the road needs to be reconstructed. The estimate for the reconstruction is more than \$3,000,000 for the complete reconstruction of Grange Road. This is not something that the city can afford to do. The city is looking to get funding through PPUATS as he feels that it is a good project for PPUATS funding. The city is not just ignoring the road. The speed limit was recently lowered to 30 mph to help with the safety concerns there after a traffic study a traffic study was completed.

Commissioner Hill explained that the Farmer's Market is over for the year. He commented on the electronics recycling event happening on Saturday at the Festival Building. There are some costs associated with the recycling. It is for residents and is sponsored by the Tazewell County Health Department.

Commissioner Mingus explained that car seat check is tomorrow. He commented on the Firefighter Memorial Service and expressed congratulations to Firefighter Reinhart on winning Firefighter of the Year.

Commissioner Sutherland commented on the Faulkner Road project the is close to completion. He explained that they will be pressurize part of it and will be hooking up new pipe and fixing the yards. The Highview Road job will begin in a couple of weeks. It will involve and digging up a portion of the east side of Highview Road. They will likely be utilizing the parking area of the road to stock materials and will be a little bit of a convenience for the time of the project. He asked residents to ensure that their sump pumps are off the sanitary sewer. The city will be doing some smoking or using cameras to see where the overflow water is coming from. He commented on vaccination requirements and what he feels are government overreach in mandating vaccinations and requiring proof of vaccination in jobs and attending events. He stated that no government, federal, state, local or private mercantile or businesses have ever asked him to show his proof of vaccinations for other disease or viruses to do businesses or keep or obtain a job or do business with other businesses because they get state or federal money. He does not think that it is correct to require proof of vaccination, and it is a right to keep his medical records to himself. He feels that vaccination status will affect travel, attendance at events, among other things. He understands being asked to wear a face mask and test; however, he does not feel that people need to be forced to take a shot or answer questions about their vaccination status.

Mayor Kahl commented on the delay in striping of roads due to difficulty obtaining paint for the roadways. He asked individuals to not drive over the wet paint. There are projects coming forward including some nighttime projects on Camp Street. EastSide Centre hosted the IESA baseball tournament that was well-attended over the past weekend. The city had to scramble to get volunteers to help out and it was extremely busy. Morton lost 4-1 and had an outstanding season, while Tremont finished 4th. He commended Director Doug McCarty and his staff on a job well done. He encouraged everyone to attend the East Peoria Chamber of Commerce Oktoberfest this Thursday from 4:00 pm to 6:30 pm. Cops and Rodders is scheduled for October 15, 2021 outside City Hall on West Washington Street. Jack Lambert is hosting the Old Country Jamboree on the 3rd Sunday of every month from 2:00 p-4:00 pm in the Civic Complex. Mayor Kahl expressed his appreciation for the City Council. He explained that he believes that there is nothing more important than the United States Constitution. He feels that people have lost sight. He was not willing to lose his life in combat except for the freedoms of people. He sees people's rights being put aside, and at the end of the day, what he is seeing he believes is something that is against civil liberties and rights. He thinks that we owe it to each other that individual rights are protected. Mayor Kahl explained that he attended the IML Conference in Chicago and learned a lot. He walked away with how proud he is to serve with the current Council. He believes in everything that the city has stood for.

Motion by Commissioner Sutherland, seconded by Commissioner Decker; Mr. Mayor, I move you that we adjourn until Tuesday evening, October 19, 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 7:14 P.M.

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