

**CITY OF PERU REGULAR COUNCIL MEETING MAY 26, 2020**

A regular meeting of the Peru City Council was called to order by Mayor Scott J. Harl in the Peru City Council Chambers on Tuesday, May 26, 2020 at 7:00 p.m.

City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo present; Alderman Waldorf absent; Mayor Harl present.

An invocation prayer was presented via zoom by Mark Wholey of Shooting Park Road Baptist Church

All joined in the Pledge of Allegiance to the Flag of the United States of America.

**PUBLIC COMMENT**

**PRESENTATION**

**MINUTES**

Mayor Harl presented the minutes of the Special Meeting of May 4, 2020 and Regular Meeting of May 11, 2020. Alderman Ferrari made a motion that the minutes be received and placed on file. Alderman Buffo seconded the motion; motion carried.

**FINANCIAL REPORTS**

Mayor Harl presented the General Fund and Miscellaneous Funds Report for March 2020; Sales, Home Rule, Use and Telecommunication Tax Receipts for February 2020 and Utility Fund Report for March 2020. Alderman Payton made a motion the reports be received and placed on file and asked for a distribution of the year-end sales tax. Alderman Radtke seconded the motion; motion carried.

**ACTIVITY REPORTS**

Mayor Harl presented the Peru Volunteer Ambulance Service Activity Summary for March 2020. Alderman Lukosus made a motion the report be received and placed on file. Alderman Payton seconded the motion; motion carried.

**FINANCE AND SAFETY COMMITTEE**

Alderman Buffo presented the following disbursements for payment on May 27, 2020:

<b><u>FUND NAME</u></b>	<b><u>TOTAL EXPENSES</u></b>
General Fund	\$594,916.61
Insurance Fund	63,474.61
Garbage Fund	68,306.40
Utility Fund	1,720,623.44
Landfill Fund	1,465.00
Airport Fund	<u>64,226.55</u>
Total	\$2,513,012.74

Alderman Buffo made a motion that the report be received, placed on file and the bills be paid in the usual manner. Alderman Payton seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Alderman Radtke made a motion to approve \$500.00 donation to IVCIL for curb address painting fundraiser. Alderman Payton seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

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Human Resource Manager Kim Reese reported on progress with the Health Insurance July census update.

**PUBLIC SERVICES COMMITTEE**

Alderman Lukosus made a motion to authorize execution of an IDOT Highway Permit for the Arby's Trunk Sewer project. Alderman Ballard seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Alderman Ballard presented a proposed resolution entitled:

**RESOLUTION NO. 2020-19**

**RESOLUTION AUTHORIZING BORE CROSSING UNDERNEATH ACCESS CONTROLLED INTERSTATE (ARBY'S TRUCK SEWER)**

Alderman Ballard made a motion the resolution be adopted as written and read. Alderman Lukosus seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

**REPORT OF CITY ATTORNEY/ORDINANCES AND RESOLUTIONS**

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6474**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TIF DISTRICT REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PERU, LASALLE COUNTY, ILLINIOS AND JOHN P. RAMIREZ AND X-ERCISE SCIENCE, INC. (PERU DOWNTOWN TIF DISTRICT)**

Alderman Radtke made a motion the ordinance be adopted as written and read. Alderman Lukosus seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6475**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF PERU, LASALLE COUNTY, ILLINOIS AND ILLINOIS VALLEY COMMUNITY COLLEGE DISTRICT NO. 513 (PERU DOWNTOWN TIF DISTRICT)**

Alderman Buffo made a motion the ordinance be adopted as written and read. Alderman Ballard seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6476**

**AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY TO THE CITY OF PERU, ILLINOIS**

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Alderman Payton made a motion the ordinance be adopted as written and read. Alderman Buffo seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission held on May 20, 2020 concerning the petition of Illinois Kindness Three LLC for property generally located on the southeast corner of Donlar Avenue and Unytite Drive in the City Of Peru, IL. Alderman Buffo made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Ballard seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6477**

**AN ORDINANCE AMENDING SECTIONS 4.19 AND 12.03 OF THE CITY OF PERU ZONING ORDINANCE TO ALLOW FOR THE CO-LOCATION OF ADULT-USE CANNABIS ESTABLISHMENTS AND TO PROVIDE A SPECIAL USE FOR ADULT-USE CANNABIS INFUSER ORGANIZATIONS AND ADULT-USE CANNABIS TRANSPORTING ORGANIZATIONS IN M-2 MANUFACTURING DISTRICTS**

Alderman Payton made a motion the ordinance be adopted as written and read. Alderman Buffo seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Payton, Ballard and Buffo voting aye; Alderman Sapienza voting nay; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6478**

**AN ORDINANCE GRANTING A SPECIAL USE AS SOUGHT BY THE PETITION OF ILLINOIS KINDNESS THREE LLC CONCERNING PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF DONLAR AVENUE AND UNYTITE DRIVE IN THE CITY OF PERU, ILLINOIS**

Alderman Ferrari made a motion the ordinance be adopted as written and read. Alderman Radtke seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Payton, Ballard and Buffo voting aye; Alderman Sapienza voting nay; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission held on May 20, 2020 concerning the petition of Andrew Lamps for property generally located north of 38<sup>th</sup> Street and east of Progress Boulevard in the City of Peru, IL. City Engineer Eric Carls reported the petitioner had requested continuation and re-publication to submit a more refined plan. Alderman Buffo stated he was in favor of the petition being resubmitted. Alderman Radtke made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Buffo seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission held on May 20, 2020 concerning the petition of Johnathan Chamlin D/B/A/ Vermillion Partners regarding property located at 2700 May Road, Peru, IL. Alderman Radtke made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Payton seconded the motion; motion carried.

Mr. Jon Chamlin of Vermillion Partners noted the property qualified in all aspects to the qualification requirements as a dispensary and noted the two dispensaries will be awarded by the state.

Alderman Sapienza read a prepared statement. We're fortunate to have an opportunity to make a decision that could not only save a life but make our community a better place. Two years ago, we couldn't walk in the front door of city hall without seeing the degradation of two drug houses right across the street. It took a few hundred thousand dollars to clean up that mess.

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The City of Peru just passed a multimillion dollar police department project that, as the Mayor rightfully stated, could have been paid for with cash. As it is it will be paid for without even raising taxes. The point is, due to hard work and good management, Peru is financially very well off.

Today we're going to be asked to vote on something that, with a little extra effort and a little sense of what's right, could help the youth and citizens of Peru in our effort to combat the seemingly never-ending drug problem.

I'm looking for each and every one of you to do the right thing and support the creation of an ordinance that will take the revenue generated from sales of adult cannabis and put it directly into programs that educate, rehabilitate, and the enforcement of drug abuse for the youth and citizens of Peru. This ordinance will be to use cannabis revenues to work toward reducing a drug problem that seems to have no solution.

The reality of simply voting "NO" for our city having adult cannabis sales is not doing the right thing. It may make you feel good, but it doesn't help the problem. It just goes to a nearby city and they may not use the money to do the right thing as we're proposing here. We are the Leader of the Valley. Let's show our leadership or is it just about the money?

Now can I count on you to vote for such an ordinance? Because if I can count on you to do the right thing, we will all be able to vote YES on an Adult Cannabis Facility in Peru and feel a sense of accomplishment in our fight against drugs in our community and you don't support such an ordinance I guess you're just interested in the money and don't care about the problem. Remember, just voting NO simply moves it to a neighboring city. We can be different here and do something about our drug problem with the actual money generated from it.

Can I count on you to support for such an ordinance?

The Council was in favor allocating a portion of the future revenue towards fighting addiction.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6479**

**AN ORDINANCE GRANTING A SPECIAL USE AS SOUGHT BY THE PETITION OF JONATHAN CHAMLIN D/B/A VERMILLION PARTNERS CONCERNING PROPERTY LOCATED AT 2700 MAY ROAD, PERU, IL**

Alderman Payton made a motion the ordinance be adopted as written and read. Alderman Sapienza seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission held on May 20, 2020 concerning the petition of the City of Peru for property located at 2650 North Peoria Street, Peru, IL. Alderman Ferrari made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Lukosus seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6480**

**AN ORDINANCE AMENDING SECTIONS 11.05(d) OF THE CITY OF PERU ZONING ORDINANCE TO PROVIDE A SPECIAL USE FOR PUBLIC BUILDINGS ERECTED BY A GOVERNMENTAL ENTITY IN B-4 HIGHWAY BUSINESS DISTRICTS**

Alderman Lukosus made a motion the ordinance be adopted as written and read. Alderman Payton seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

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Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6481**

**AN ORDINANCE GRANTING A SPECIAL USE AND VARIANCE AS SOUGHT BY THE PETITION OF THE CITY OF PERU CONCERNING PROPERTY LOCATED AT 2650 NORTH PEORIA STREET, PERU, IL**

Alderman Radtke made a motion the ordinance be adopted as written and read. Alderman Ballard seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed resolution entitled:

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF SUPPORT TO ASSIST SALON PATRICE, 1525 PEORIA STREET, PERU, ILLINOIS, WITH AN APPLICATION FOR A DOWNSTATE SMALL BUSINESS STABILIZATION PROGRAM GRANT (\$15,280.00)**

Alderman Lukosus made a motion the resolution be adopted as written and read. Alderman Buffo seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed resolution entitled:

**RESOLUTION NO. 2020-21**

**A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE TEMPORARY CITY RIGHT-OF-WAY ENCROACHMENT PERMITS TO CITY BUSINESSES FOR THE DURATION OF THE COVID-19 GUBERNATORIAL DISASTER PROCLAMATION**

Alderman Buffo made a motion the resolution be adopted as written and read. Alderman Lukosus seconded the motion. The council was overwhelmingly supportive of doing whatever they can do to support local businesses. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6481**

**AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR COMMENCING MAY 1, 2019 AND ENDING APRIL 30, 2020, BOTH INCLUSIVE**

Alderman Payton made a motion the ordinance be adopted as written and read. Alderman Radtke seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; Alderman Waldorf absent; motion carried.

**PROCLAMATIONS**

**UNFINISHED BUSINESS**

Mayor Harl noted an additional \$250.00 was donated to the COVID-19 Relief Fund which now tops \$30,000.

Mayor Harl noted the benefit of the Buxton analytics. Alderman Payton was encouraged by the benefit of having Buxton.

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Alderman Buffo reported on team practices in Phase 3 and his wish to open ball diamonds, parks and batting cages.

Mayor Harl stated the city-sponsored Independence Day fireworks show along Water Street will be canceled this summer and stated the \$30,000 display was cut from the city's budget during a Finance Committee meeting as a way to save money, especially with the uncertainty of coronavirus costs.

Alderman Aaron Buffo had suggested the city attempt a drive-in firework display at the Peru Mall, but the idea did not proceed further.

Alderman Payton asked to consider portable handwashing stations in parks.

### **NEW BUSINESS**

### **PETITIONS AND COMMUNICATIONS**

Clerk Bartley presented a petition from Daniel and Ann Baumgartner requesting variances for property located at 1901 Pine Street, Peru, IL. Alderman Ballard made a motion the petition be received, placed on file and referred to the Planning/Zoning Commission for review and recommendation. Alderman Ferrari seconded the motion; motion carried.

Clerk Bartley presented a petition from Illinois Valley Green requesting a special use for property generally located at the south end of Terminal Road, Peru, IL. Alderman Radtke made a motion the petition be received, placed on file and referred to the Planning/Zoning Commission for review and recommendation. Alderman Ballard seconded the motion; motion carried.

### **PUBLIC COMMENT**

### **CLOSED SESSION**

### **ADJOURNMENT**

Alderman Ferrari made a motion that the meeting be adjourned. Alderman Lukosus seconded the motion and motion carried. Meeting adjourned 8:10 p.m.