

## **CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019**

A regular meeting of the Peru City Council was called to order by Mayor Scott J. Harl in the Peru City Council Chambers on Monday, June 24, 2019 at 7:00 p.m.

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

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

### **PUBLIC COMMENT**

Resident Gina Martin voiced the following concerns regarding Water Street:

- Trucks hanging out leaving garbage
- Piles of sticks and grass
- Clearing of catch basins
  - Street sweeper

Ms. Martin also voiced her concern regarding the stop signs at Pike Street and Main Street.

### **PRESENTATION**

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6383**

#### **AN ORDINANCE APPROVING THE PERU MALL TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT**

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6384**

#### **AN ORDINANCE DESIGNATING THE PERU MALL TIF REDEVELOPMENT PROJECT AREAS, IN CONNECTION WITH THE APPROVAL OF THE PERU MALL PLAN AND PROJECT**

Alderman Waldorf 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, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6385**

#### **AN ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE CITY OF PERU, LASALLE COUNTY, ILLINOIS, IN CONJUNCTION WITH THE DESIGNATION OF THE PERU MALL REDEVELOPMENT PROJECT AREA AND ADOPTION OF THE PERU MALL REDEVELOPMENT PLAN AND PROJECT**

Alderman Lukosus 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, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

## **CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019**

Alderman Radtke stated the city council appreciates the fact that the mall is willing to put that plan together and appreciates the investment that the mall is apparently contemplating. Alderman Radtke stated he thinks that all the taxing bodies in the area have benefited from the mall over the last 50 years, and I think it was probably time that the mall gets some reinvestment so we can benefit from that for the next 50 years as well.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

### **ORDINANCE NO. 6386**

#### **AN ORDINANCE AUTHORIZING THE EXECUTION OF A LAND LEASE AGREEMENT BY AND BETWEEN THE CITY OF PERU, LASALLE COUNTY, ILLINOIS AND MIDWEST AIR CHARTER, INC.**

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

Corporate Counsel Scott Schweickert presented a proposed resolution entitled:

### **RESOLUTION NO. 2019-16**

#### **RESOLUTION AUTHORIZING LICENSE AGREEMENT FOR LET'S EAST RESTAURANT GROUP, LLC**

Alderman Ballard made a motion the resolution be adopted as written and read. Alderman Ferrari seconded the motion. Alderman Radtke asked if all the other properties owned by Mr. Yanke were current and up to date on zoning/code violations. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; motion carried.

Corporate Counsel Scott Schweickert presented a proposed resolution entitled:

### **RESOLUTION NO. 2019-17**

#### **RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF SETTLEMENT AGREEMENT, GENERAL RELEASE, AND COVENANT NOT TO SUE (HODGES V. CITY OF PERU, ET AL.)**

Alderman Buffo made a motion the resolution be adopted as written and read. Alderman Radtke seconded the motion. Police Chief Doug Bernabei stated the settlement is a nuisance suit and the decision made by the insurance company to settle with no admission of guilt. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Payton, Ballard and Buffo voting aye; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

### **ORDINANCE NO. 6387**

#### **AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A SALE OF PROPERTY AND REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PERU, LASALLE COUNTY, ILLINOIS AND SIDLYD INVESTMENTS, LLC**

Alderman Waldorf 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, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

### **ORDINANCE NO. 6388**

## **CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019**

### **AN ORDINANCE AMENDING THE CODE OF ORDINANCES SECTION 110-93 CONCERNING STOP SIGNS**

Alderman Buffo made a motion the ordinance be adopted as written and read. Alderman Radtke seconded the motion. Reported the proposed stop sign is located at Plum Street and 21<sup>st</sup> Street recommended by the police department and Northview School. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of the Planning/Zoning Commission public hearing held on June 19, 2019 concerning the petition of Sherman Real Estate, LLC-3333 Frontage Series, An Illinois Limited Liability company concerning property located at 3333 Frontage Drive, Peru, IL

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6389**

### **AN ORDINANCE GRANTING VARIANCES UNDER THE ZONING ORDINANCE OF THE CITY OF PERU, IL AS SOUGHT BY THE PETITION OF SHERMAN REAL ESTATE, LLC-3333 FRONTAGE SERIES, AN ILLINOIS LIMITED LIABILITY COMPANY CONCERNING PROPERTY LOCATED AT 3333 FRONTAGE DRIVE, PERU, IL**

Alderman Waldorf 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, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of the Planning/Zoning Commission public hearing held on June 19, 2019 concerning the petition of Northern Properties, Inc., an Illinois Corporation (Schimmerø) for property located on the south side of 21st street, east of Marquette Road, Peru, IL

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6390**

### **AN ORDINANCE GRANTING VARIANCES UNDER THE ZONING ORDINANCE OF THE CITY OF PERU, IL AS SOUGHT BY THE PETITION OF NORTHERN PROPERTIES, INC., AN ILLINOIS CORPORATION (SCHIMMER'S) CONCERNING PROPERTY LOCATED ON THE SOUTH SIDE OF 21st STREET, EAST OF MARQUETTE ROAD IN PERU, IL**

Alderman Ferrari 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, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Corporate Counsel Scott Schweickert presented the minutes of the Planning/Zoning Commission public hearing held on June 19, 2019 concerning the petition minutes of Carlos A. Larios and Maria C. Larios concerning property located at 2212 first street in Peru, IL

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

#### **ORDINANCE NO. 6391**

### **AN ORDINANCE GRANTING A VARIANCE UNDER THE ZONING ORDINANCE OF THE CITY OF PERU, IL AS SOUGHT BY THE PETITION OF CARLOS A. LARIOS AND MARIA C. LARIOS CONCERNING PROPERTY LOCATED AT 2212 FIRST STREET IN PERU, IL**

Alderman Wednesday 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, Waldorf, Lukosus, Radtke, Sapienza,

## **CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019**

Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

### **MINUTES**

Mayor Harl presented the minutes of the Regular Meeting of June 10, 2019. Alderman Waldorf made a motion that the minutes be received and placed on file. Alderman Lukosus seconded the motion; motion carried.

### **FINANCIAL REPORTS**

Mayor Harl presented Treasurer's Report for May 2019; City Clerk's Report of Cash Received for May 2019; General Fund and Miscellaneous Funds Report for May 2019, Sales, Home Rule, Use and Telecommunication Tax Receipts for March 2019 and Utility Fund Report for April 2019. Alderman Radtke made a motion the reports be received and placed on file. Alderman Ballard seconded the motion; motion carried.

### **ACTIVITY REPORTS**

Mayor Harl presented the Peru Volunteer Ambulance Service Inc. Activity Summary for May 2019. Alderman Sapienza made a motion the report be received and placed on file. Alderman Waldorf seconded the motion; motion carried.

### **FINANCE AND SAFETY COMMITTEE**

Alderman Sapienza presented the following disbursements for payment on June 26, 2019:

<b><u>FUND NAME</u></b>	<b><u>TOTAL EXPENSES</u></b>
General Fund	\$442,504.44
Insurance Fund	69,790.06
Garbage Fund	32,796.40
Recreation Fund	453.82
Utility Fund	1,855,459.23
Airport Fund	<u>12,387.94</u>
Total	\$2,413,391.89

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

Alderman Radtke made a motion to renew Boiler & Machinery Insurance with Liberty Mutual through Diamond Brothers Insurance in the amount of \$66,683.00. Clerk Bartley reviewed the premiums for the last five years:

- 1.) 2019-2020: \$66,683
- 2.) 2018-2019: \$65,101
- 3.) 2017-2018: \$63,115
- 4.) 2016-2017: \$60,228
- 5.) 2015-2016: \$82,221

Alderman Sapienza seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Police Chief Doug Bernabei updated the council regarding recent attempted ruse burglaries and the police is asking residents to keep an eye out for people attempting ruse burglaries. Chief Bernabei urged the public who have elderly neighbors let them know this is going on and not allow anyone to enter your residence. If you have any doubt or any question, contact the police department and we will help identify them. Police Chief Doug Bernabei emphasized that many of the people who travel the country and pull off these sorts of con games can be very

## **CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019**

convincing. Chief Bernabei stated they've been known to go to stores to scout for senior citizens who seem vulnerable and then follow them back to their neighborhoods.

### **PUBLIC SERVICES COMMITTEE**

Alderman Lukosus made a motion to execute an agreement with IDOT for railway improvements associated with the PISCES I project. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Ferrari made a motion to authorize purchase of new 4-ton Falcon Recycler & Hot Box Trailer from Midwest Paving Equipment, Inc., in the amount of \$29,728.00. Alderman Ballard seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Waldorf made a motion to approve the final bill for emergency repairs to a culvert collapse on May Road to John Pohar & Sons in the amount of \$13,491.42 Alderman Ferrari seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Waldorf made a motion to approve the final bill for emergency repairs to sidewalk along Main St to Ladzinski Cement Finishing in the amount of \$13,474.51. Alderman Lukosus seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Alderman Sapienza made a motion to authorize Task 2 ó Phosphorous Feasibility Studies and Task 3 ó Pilot Studies of the EWWTP Phosphorous Compliance Agreement with Chamlin & Associates, not to exceed \$50,000 Task 2 and \$150,000 Task 3. City Engineer Eric Carls noted the IEPA mandate, multi-year commitment to 2023. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

### **PROCLAMATIONS**

#### **UNFINISHED BUSINESS**

Council tabled purchase of 84ö Microsoft Surface Hub.

#### **NEW BUSINESS**

Alderman Lukosus made a motion to authorize a permit to Grandma Rosieø Sweet Treats to place a trailer at the Splash Pad for the 2019 season for \$50.00 per day. Alderman Waldorf seconded the motion. City Engineer Eric Carls reported on a proposed exhibit for food truck placement next year. City Engineer Eric Carls stated this year the discussion was to permit for this season. Clerk Bartley noted the solicitors code will need some updating but for now will work with 30 permits. Clerk Bartley noted the Recreation Director, Seth Brannan, was in favor of providing Splash Pad goers a snack option. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

City Engineer Eric Carls stated he would initiate a discussion for a change order wihth Universal Asphalt and Excavation for the food truck pads.

Alderman Waldorf made a motion to approve travel and promotional expenses for city officials to host an economic development meet and greet at Schain and Banks with a budget not-to-exceed \$5,000.00. Alderman Sapienza seconded the motion. Mayor Harl spoke in favor of taking advantage of any opportunity to promote our community. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

## CITY OF PERU REGULAR COUNCIL MEETING JUNE 24, 2019

Alderman Waldorf made a motion to seek applicants to replace Office Assistant for Engineering Department, due to resignation. Alderman Ballard seconded the motion. City Engineer Eric Carls stated the vacancy was effective June 28<sup>th</sup>. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

### PETITIONS AND COMMUNICATIONS

Clerk Bartley presented a communication from the Office of the Attorney General State of Illinois Public Access Counselor FOIA Request for Review dated June 7, 2019. Clerk Bartley explained the letter was a response to a complaint the City didn't have or follow a public comment policy. Clerk Bartley noted the letter stated the City was not in violation and no further action was necessary. Aldermen asked who the complainant was and Clerk Bartley Alderman Waldorf made a motion the communication be received and placed on file. Alderman Sapienza seconded the motion; motion carried.

Clerk Bartley presented a petition from Tania Moshi requesting variance for property located at 1827 5<sup>th</sup> Street. Alderman Waldorf made a motion the petition be received, placed on file and referred to the Planning/Zoning Commission for review and recommendation. Alderman Sapienza seconded the motion; motion carried.

Clerk Bartley presented a petition from SIDLYD concerning zoning for the former CVS property for P.U.D.. Alderman Ferrari 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.

Clerk Bartley presented a petition from Jacqueline Snell requesting variance for property located at 1815 Shooting Park Road. Alderman Sapienza made a motion the petition be received, placed on file and referred to the Planning/Zoning Commission for review and recommendation. Alderman Lukosus seconded the motion; motion carried.

Clerk Bartley presented a communication from IVCIL Board President Susan Faber requesting permission to hold a poker run in the City of Peru on Saturday, August 3<sup>rd</sup>. Alderman Buffo made a motion the communication be received, placed on file and permission granted. Alderman Buffo seconded the motion; motion carried.

### PUBLIC COMMENT

### CLOSED SESSION

Alderman Radtke made a motion to go into closed session for meetings where the purchase or lease of real property for the use of the public body is being considered, including meetings held for the purpose of discussing whether a particular parcel should be acquired; meetings held to discuss litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Alderman Sapienza seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo voting aye; Alderman Payton absent; motion carried.

Closed session began at 8:04 p.m.; ended 8:23 p.m.

Alderman Ferrari made a motion to re-open the meeting at 8:25 p.m. Alderman Waldorf seconded the motion. City Clerk Dave Bartley called the roll with Aldermen Ferrari, Waldorf, Lukosus, Radtke, Sapienza, Ballard and Buffo present; Alderman Payton absent; Mayor Harl present.

### ADJOURNMENT

Alderman Waldorf made a motion that the meeting be adjourned. Alderman Ferrari seconded the motion and motion carried. Meeting adjourned 7:42 p.m.