

CITY OF PERU REGULAR COUNCIL MEETING JANUARY 30, 2023

A regular meeting of the Peru City Council was called to order by Mayor Ken Kolowski in the Peru City Council Chambers on Monday, January 30, 2023, at 7:00 p.m.

City Clerk Dave Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza, Lukosus present; Alderman Buffo and Edgcomb absent; Mayor Kolowski present.

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

PUBLIC COMMENT

Statement read by Ms. Carmen Bolden Day:

Good evening everyone....

My name is Carmen Bolden Day and I am the mother of Jelani Day. My son was found in the Illinois River on 9/4/2022 and I yet know how he got there or who did this to him.

I am here this evening to address Mayor Ken Kolowski and the city council of Peru Il. One of the responsibilities I understand you to have as mayor is to appoint and supervise department heads, I just found out on Saturday 1.21.23 that you have appointed a new chief of police , this Chief I understand has made history as being the 1st female police chief of Lasalle county which is in fact a great accomplishment, but to my knowledge your newly appointed chief of police has/is my point of contact for the JDJTF and has failed to make ANY contact with me in the past 2 months regarding any updates, status checks and or progress in the open and active investigation of my son. She stopped taking my calls and twisted that I only speak to her thru email after I was here in August and seen the disservice that was being done to my son's investigation and made the public aware and I yet heard from you Ken.. I guess her promotion in November of last year took precedence over something as important as the loss of the life of this young black male that I loved.

Mayor Kolowski it is plainly written that your job responsibility is to recommend and provide efficient operation of government. Know that everything we are dealing with has everything to do with safety and protection of this community. Know that the efficient operation of government by the way of the Peru police department in handling this case is in question b/c of the way that my sons case has been handled has been an insult and a disservice to all who care for him..... Know that this isn't just about justice because the justice would be that Jelani is still here, this has everything to do with accountability. Not only accountability for those not doing their jobs but for accountability for those who continue to enable this behavior from your police department. I ask you tonight, have you enabled the lack of accountability? Have you looked into the case yourselves? What questions have you raised to the Peru police department? What accountability meetings have you set up? Do you know the details of the case? Have you asked questions about what is being done? Your actions as well as your inactions are being noticed and noted. I have a army behind me and my family. They are watching and listening to everything you say and do and are not doing.

Ken you lead this city, do you really want another horrific Unsolved murder to take place in your city? If you haven't understood yet, this is a severe crisis that requires swift, thorough and transparent action. I am deeply disheartened that this is not the kind of action my son has received from you nor the Peru police department.

I stand before you on this evening because I need answers and I need your assistance in helping me to gain clarity of those answers. As the supervisor and this council as the legislative body where is your

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accountability in making sure that this unimaginable traumatizing experience doesn't happen to anyone else? You yourselves should be concerned for your constituents here in this city.

I want you you to for one moment to consider my shoes. Put yourselves in my place, consider the sleepless nights, nightmares, the agony of not knowing the horrors of your child's final hours, endless tears and the continual fight to seek and secure answers where there is nothing but silence. How would you accept asking questions and getting gaslighted answers, finding out that a major piece of evidence that the police have told you was processed for fingerprints and DNA is being kept outside in the elements, unsecured, that the evidence in the car has been tainted. How would you feel if you had to wait weeks before being told or communicated any updates? Would you sit back and do nothing? Settle for such answers of "I'll get back to you in a few days" as if this is just some kind of unimportant case that you will have wait for those in charge to find time for. Would you let your child's death be a mockery?

Do this, replace your child's name or loved ones name with Jelani's and consider the daily heartbreak you would be subjected to. I do not know why you all think I should just settle for the minimum, I do not know why you think that I should accept knowing that you have 500+ hours of video and he isn't found anywhere, that your camera's and all the leads point to no where. I don't know why my family has to endure this emotionally draining nightmare. I constantly and continually ask God for guidance because I often do not know where to go or what to do. But I stay in the fight because just like your child, Jelani's life has great significance and worth.

I remain confident that someone knows something, that those somebodies will be held responsible. Because of the time that has lapsed I have lost complete faith in you and your police chief, neither of you take my son's death seriously. Trust can only be restored when you and your police department make the necessary steps to build that trust. One of those ways is not just by asking for assistance but putting aside your pride and asking those more equipped to take over this investigation and I am referring to the FBI.

My question this evening is have you been in this fight with me? If so, how do I know? What does your advocacy look like? What have your actions been, Have they then been swift, thorough, and transparent during this open and active investigation? When this is all said and done and accountability is had will you and your police chief be on the right side of history?

PRESENTATION

MINUTES/FINANCIAL REPORTS/ACTIVITY REPORTS

Mayor Kolowski presented the Regular Minutes of January 3, 2023. Alderman Waldorf made a motion the minutes be received and placed on file. Alderman Payton seconded the motion; motion carried.

FINANCE AND SAFETY COMMITTEE

Alderman Sapienza presented the following disbursements for payment on February 1, 2023:

<u>FUND NAME</u>	<u>TOTAL EXPENSES</u>
General Fund	\$1,068,377.07
Garbage Fund	73,226.25
Utility Fund	512,553.64
Airport Fund	5,314.90

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TIF Funds	<u>361,773.98</u>
Total	\$2,021,245.84

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

Alderman Tieman made a motion to approve \$5,000 donation to Central States Tournament. Alderman Payton seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

PUBLIC SERVICES COMMITTEE

Alderman Waldorf made a motion to award bid for 1 acre of tree clearing of the Center Street substation property to John Pohar's & Sons, Inc., in the amount of \$21,340.00. Alderman Lukosus seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

Alderman Waldorf made a motion to award the 2023 General Fund Street Maintenance program to Universal Asphalt & Excavating, Inc. in the amount of \$990,451.50. Alderman Ballard seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

Alderman Waldorf made a motion to authorize seeking of bids for the 2023 MFT Street Program. Alderman Ballard seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

Alderman Waldorf presented a proposed resolution entitled:

RESOLUTION NO. 2023-01

RESOLUTION FOR THE EXPENDITURE OF MFT FUNDS

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

POLICE AND FIRE COMMITTEE

REPORT OF CITY ATTORNEY/ORDINANCES AND RESOLUTIONS

Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission hearing held on January 25, 2023 regarding petition of Abby And Ryan Schenck Concerning Property Located At 2104 9th Street, Peru, Illinois. Alderman Payton made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Waldorf seconded the motion; motion carried.

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Corporate Counsel Scott Schweickert presented the minutes of Planning/Zoning Commission hearing held on January 25, 2023 regarding the petition of City of Peru for Zoning Ordinance Text Amendment. Alderman Payton made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Waldorf seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6722

AN ORDINANCE AMENDING THE CITY OF PERU CODE OF ORDINANCES RELATING TO THE REGULATION AND LICENSING OF VIDEO GAMING.

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6723

AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF AN AIRPORT MANAGER'S AGREEMENT BY AND BETWEEN THE CITY OF PERU AND MIDWEST AERO, INC.

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

ORDINANCE NO. 6724

AN ORDINANCE AMENDING THE CITY OF PERU CODE OF ORDINANCES CONCERNING ANIMALS IN PARKS AND MATTERS RELATED THERETO.

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

PROCLAMATIONS

UNFINISHED BUSINESS

Alderman Lukosus made a motion to hire selected candidate for the position of Electric Department Operator Maintenance. Alderman Waldorf seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

Human Resource Director Kim Reese reported on seven interviews for laborer position.

NEW BUSINESS

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Alderman Lukosus made a motion to authorize Human Resources to seek applicants for Engineering & Zoning Department Administrative Assistant. Alderman Waldorf seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Waldorf, Sapienza and Lukosus voting aye; Alderman Buffo and Edgcomb absent; motion carried.

PETITIONS AND COMMUNICATIONS

Clerk Bartley presented a petition from Illinois Valley Auto Group requesting annexation for property located at 11 West US Hwy 6, Peru, IL. Alderman Lukosus made a motion to receive the petition, place it on file and refer to Planning/Zoning Commission for review and recommendation. Alderman Waldorf seconded the motion; motion carried.

MAYOR'S NOTES

Mayor Kolowski commented on the closing of IVCH/St. Margaret's Health Peru and reported the following:

- The city is working all avenues.
- Constant contact with our state representatives
- Primary concern is public health and safety.
- Multiple impacts on our community
- Total focus on a resolution
- Thanked all staff, past and present.

CLOSED SESSION

PUBLIC COMMENT

Clerk Bartley reported on many Facebook comments in support of Jelany Day and encouraging the City to focus on the Jelany Day efforts similar to the closing of the hospital.

Police Chief Sarah Raymond provided the following press release:

January 30, 2023 Press Release:

The Peru Police Department and all other law enforcement agencies that have been involved in the death investigation of Jelani Day have worked tirelessly since Jelani Day's disappearance on August 24, 2021. This is an ongoing and active investigation, and no law enforcement agency can publicly or should publicly comment on any part of the investigation. I can confirm and assure you that the investigation has been and will continue to be a priority for all agencies involved. We are also committed to continue to provide Jelani's family with all information that we are at liberty to disclose.

Alderman Tieman asked about the possibility of a yellow light at the crosswalk at former Westclox building. Eric Carls, Director of Engineering and Zoning reported he is working with IDOT on a solution.

ADJOURNMENT

Alderman Waldorf made a motion that the meeting be adjourned. Alderman Tieman seconded the motion and motion carried. Meeting adjourned at 7:52 p.m.