

**CITY OF PERU REGULAR COUNCIL MEETING MAY 22, 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, May 22, 2023, at 7:08 p.m.

City Clerk Dave Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O’Sadnick, Lukosus and Moreno present; Mayor Kolowski present.

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

**PUBLIC COMMENT**

**PRESENTATION**

Amy Lambert, Executive Director of Illinois SBDC at The Starved Rock Country Alliance addressed the council to report there are 104 new businesses since 2017 with \$12.1 million in funding. Ms. Lambert also reported 350 jobs created with 154 of which are full-time positions.

**MINUTES/FINANCIAL REPORTS/ACTIVITY REPORTS**

Mayor Kolowski presented the Regular Minutes of May 8, 2023 and Peru Police Department Monthly Report for April 2023. Alderman Payton made a motion the minutes and reports be received and placed on file. Alderman Sapienza seconded the motion; motion carried.

**FINANCE AND SAFETY COMMITTEE**

Alderman Sapienza presented the following disbursements for payment on May 24, 2023:

<b><u>FUND NAME</u></b>	<b><u>TOTAL EXPENSES</u></b>
General Fund	\$1,108,193.11
Insurance Fund	134,382.85
Utility Fund	1,861,682.19
Airport Fund	<u>11,147.26</u>
Total	\$3,115,405.41

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, Edgcomb, Sapienza, O’Sadnick, Lukosus and Moreno voting aye; motion carried.

Alderman Tieman made motion to approve \$4,000 donation to Peru Boys Little League. Alderman Edgcomb seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O’Sadnick, Lukosus and Moreno voting aye; motion carried.

Alderman Tieman made a motion to approve \$4,000 donation to Peru Girls Softball League. Alderman Edgcomb seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O’Sadnick, Lukosus and Moreno voting aye; motion carried.

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**PUBLIC SERVICES COMMITTEE**

Alderman Ballard made a motion to approve quote from Lazinski Cement Finishing Co. in the amount of \$10,818.00 for repairs to curb and driveway approaches on 15th Street, due to a water main break. Alderman Lukosus seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

Alderman Lukosus made a motion to award bid from Powercon, in the amount of \$3,408,809.00 for switch gear for the Center Street Substation. Alderman Ballard seconded the motion. Eric Carls, Director of Engineering and Zoning reported on the 100-week lead time. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

Council tabled the motion to approve proposal from Vipower Services in the amount of \$226,383.00 to evaluate SCADA system and to provide proposal for replacement.

Alderman Sapienza made a motion to approve quote from Peru Greenhouse, in an amount not to exceed \$10,000, for trees at roundabout. Alderman Edgcomb seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

Alderman Moreno made a motion to approve purchase of a 2016 GMC Sierra 1500 from Jeff Perry in the amount of \$28,500 for the parks department. Alderman Lukosus seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6760**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN EASEMENT FROM JUAN GARCIA (19 West US Route 6 – PIN#: 17-18-492-000)**

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6761**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN EASEMENT FROM LAND INVESTMENT VII, LLC (PIN#: 17-18-495-000)**

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

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Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6762**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN EASEMENT FROM RICHARD S. BOEHM (PIN#: 17-18-494-000)**

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

Corporate Counsel Scott Schweickert presented the minutes of May 17, 2023, Planning/Zoning Commission hearing on petition of Kelsey Vogel and Joseph Lashonse concerning property located at 1602 Walnut Street, Peru, IL. Alderman Ballard made a motion the minutes be received, placed on file and concur with the recommendation. Alderman Tieman seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6763**

**AN ORDINANCE GRANTING A VARIANCE AS SOUGHT BY THE PETITION OF KELSEY VOGEL AND JOSEPH LASHONSE CONCERNING PROPERTY LOCATED AT 1602 WALNUT STREET IN THE CITY OF PERU, ILLINOIS**

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

Corporate Counsel Scott Schweickert presented the minutes of May 17, 2023, Planning/Zoning Commission hearing on petition of Christopher Gliatta and Joshua Robbins d/b/a Sinfully Inked concerning property located at 2127 4<sup>th</sup> Street, Peru, IL. Alderman Sapienza made a motion the minutes be received, placed on file and concur with the recommendation. Alderman O'Sadnick seconded the motion; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6764**

**AN ORDINANCE GRANTING A SPECIAL USE AS SOUGHT BY THE PETITION OF CHRISTOPHER GLIATTA AND JOSHUA ROBBINS d/b/a SINFULLY INKED CONCERNING PROPERTY LOCATED AT 2127 4<sup>th</sup> STREET IN THE CITY OF PERU, ILLINOIS**

Alderman O'Sadnick 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, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

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**ORDINANCE NO. 6765**

**AN ORDINANCE MODIFYING OFFICE HOURS FOR THE CITY OF PERU CLERK'S OFFICE**

Clerk Bartley reported he requested the change to link up the administration's hours, in an effort to support each other the best they can. Clerk Bartley stated that with COVID, there was a move away coming into the office all the time to do your business, so we still have the opportunity to pay a bill by the phone, by the website, or drop box. Alderman Payton stated he the clerk's office is the entry point to the City of Peru and if they don't know who to talk to or they need something they don't go to the police, they go to the clerk's office. Alderman Lukosus suggested altering the schedules or staggered schedule to allow cover until 5pm. Aldermen Sapienza said he was concerned about safety of having one person in the building at a time. Clerk Bartley stated he wouldn't set us up where one person close would close the building, noting there would be some risk involved. Mayor Kolowski concurred. Alderman asked about foot traffic after 3:30 p.m. and likes the idea of the administrative team working the same schedule. Council discussed possibility of revisiting the change if the panel got some "pushback" from the public. Alderman Edgcomb made a motion the ordinance be adopted as written and read. Alderman O'Sadnick seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Edgcomb, Sapienza, O'Sadnick Lukosus voting aye; Alderman Payton and Moreno abstained; motion carried.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6766**

**AN ORDINANCE APPROVING AND AUTHORIZING THE PERU COMMERCIAL RENOVATION PROGRAM FOR THE PERU DOWNTOWN TIF DISTRICT**

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

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6767**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT TO LEASE MUNICIPAL PROPERTY BY AND BETWEEN THE CITY OF PERU, ILLINOIS AND THE ILLINOIS VALLEY REGIONAL DISPATCH CENTER**

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

*[For discussion or action] AN ORDINANCE AMENDING THE CITY OF PERU CODE OF ORDINANCES TO PROVIDE FOR THE REGULATION OF SHORT-TERM RENTALS*

Corporate Counsel Scott Schweickert provided the council with a rough draft of a proposed ordinance for the aldermen to review. Corporate Counsel Scott Schweickert stated other communities were struggling with regulating short-term rentals and the ordinance requires time and effort. Mayor

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Kolowski asked the aldermen to review it before returning to the next council meeting. Alderman Edgcomb stated Peru has several properties listed on rental property websites that are not zoned or authorized in the city and asked if the council planned to notify the owners. Corporate Counsel Scott Schweickert told the council he had some cease-and-desist letters drafted for residents who were operating those rental properties. Corporate Counsel stated it's not fair that these people that petition to come through try to do everything properly while others continue to operate and stated he has reached out to Airbnb to see if the city could get an agreement in place for the collection of the hotel-motel tax. Corporate Counsel Scott Schweickert stated that's something that in this ordinance he would like to see done because that removed a lot of our enforcement work. They'd be required to make sure the people that are hosting properties on their site are registered with the city and remove those listings that are not. Corporate Counsel Scott Schweickert stated he hasn't been able to get a hold of anyone with Airbnb and that is one of the reasons he asked for the council to table the discussion. Alderman Sapienza agreed and stated Corporate Counsel Scott Schweickert should send out the cease-and-desist letters to those operating. Alderman Sapienza stated we have laws, rules and we need to abide by them. Mayor Kolowski stated the whole point of the conversation is there are no regulations on short-term rental properties and the council needs to do their homework on the issue.

Corporate Counsel Scott Schweickert presented a proposed ordinance entitled:

**ORDINANCE NO. 6768**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A REAL ESTATE SALES CONTRACT WITH ABYGROUPS, INC. FOR THE SALE OF MUNICIPAL PROPERTY (1839-1841 May Road | PINs: 11-32-404-001 & 11-32-404-005 | 3.81± acres)**

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

**PROCLAMATIONS**

**UNFINISHED BUSINESS**

Alderman Edgcomb made a motion to hire selected candidates for the Public Services Department. Alderman Ballard seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

**NEW BUSINESS**

Alderman Moreno made a motion of approve appointment of Kris Becker to the City of Peru Planning/Zoning Commission for the unexpired term ending October 1, 2023. Alderman Lukosus seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

**PETITIONS AND COMMUNICATIONS**

Clerk Bartley presented a petition from John Riva requesting approval of a re-subdivision of property located at Shooting Park Road and E. 0th Road. Alderman Lukosus made a motion the petition be received, placed on file and referred to the Planning/Commission for review and recommendation. Alderman Moreno seconded the motion; motion carried.

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Clerk Bartley presented a petition from Steve Michelini requesting annexation and approval of a final plat subdivision for property located between Plank Road and Meridian Road. Alderman Lukosus made a motion the petition be received, placed on file and referred to the Planning/Commission for review and recommendation. Alderman Moreno seconded the motion; motion carried.

Clerk Bartley presented a petition from David G. Mudge seeking requesting annexation and approval of a final plat subdivision for property located between Plank Road and Meridian Road. Alderman Lukosus made a motion the petition be received, placed on file and referred to the Planning/Commission for review and recommendation. Alderman Moreno seconded the motion; motion carried.

### MAYOR'S NOTES

Police Chief Sarah Raymond reported on the "Click it or Ticket" campaign will be conducted Memorial Day weekend. Chief Raymond stated officers will be performing seat belt checks along with speed checks and sobriety check points.

Adam Thorson, Director of Parks, Recreation and Special Events reported June 2<sup>nd</sup> is the home opener for the Illinois Valley Pistol Shrimp at Schweickert Stadium.

Cary Miller reported on the TBM Avenger and Salute to Veteran's Event. Mr. Miller called the event fantastic overall and stated there were 7 avengers that flew in and out along with an 84-year-old avenger tanker. Mr. Miller thanked Tim Gilleon for coordinating air space and his MC duties. Mr. Miller also thanked the aldermen, Chris Perra of T.E.S.T./Peru C.S.O., PSM/Fire Chief Jeff King and Police Chief Sarah Raymond. Alderman Payton complimented the Boy Scouts for their hard work and service.

Alderman Tieman reported Taste of Illinois Valley raffle tickets are going out in utility bills this month.

### CLOSED SESSION

Alderman Ballard made a motion to go into closed session to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee or legal counsel for the public body to determine its validity. Alderman Tieman seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno voting aye; motion carried.

Closed session began at 8:17 p.m. and ended at 9:45 p.m.

Alderman Lukosus made a motion to reopen the meeting. Alderman Sapienza seconded the motion. Clerk Bartley called the roll with Aldermen Ballard, Tieman, Payton, Edgcomb, Sapienza, O'Sadnick, Lukosus and Moreno present; Mayor Kolowski present.

### PUBLIC COMMENT

### ADJOURNMENT

Alderman Lukosus made a motion that the meeting be adjourned. Alderman Sapienza seconded the motion and motion carried. Meeting adjourned at 9:47 p.m.