

: OFFICIAL PROCEEDINGS :**: OF THE CITY OF PEORIA, ILLINOIS :**

A Joint City Council and Town Board Meeting of Peoria, Illinois was held June 10, 2014, at 6:15 P.M., at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were physically present: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10. Absent: Akeson - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or silent reflection, and then he led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

SCIENCE SUMMER DAYS - APRIL 19TH THROUGH SEPTEMBER 1ST

FLAG DAY - JUNE 14TH

DELEGATION FROM JWANENG, BOTSWANA

CENTRAL ILLINOIS GOLD STAR FAMILIES

JIM SIMKINS - SERVICE ON THE ADVISORY COMMISSION ON HUMAN RESOURCES

DR. JOHN GILLIGAN - RETIREMENT FROM HUMAN SERVICE CENTER

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on May 27, 2014, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined:

(14-219) **Communication from the City Manager and Director of Community
* Development with a Recommendation to Approve an EMERGENCY REPAIR
PROGRAM Funded with Trust Funds from the Illinois Housing Development
Authority.**

- (14-220) **Communication from the City Manager and the Community Development Director with a Request to Approve a FAÇADE IMPROVEMENT PROGRAM Grant for 1501 SW ADAMS STREET, in the Amount Not to Exceed \$5,000.00. (District 1)**
- (14-221) **Communication from the City Manager and the Community Development Director with a Request to Approve a FAÇADE IMPROVEMENT PROGRAM Grant for 826 SW ADAMS STREET, in the Amount Not to Exceed \$5,000.00. (District 1)**
- (14-222) **Communication from City Manager and Director of Public Works with a Request to Approve a SEWER IMPROVEMENT AGREEMENT with the GREATER PEORIA SANITARY DISTRICT for the Repair of Sewers as a Part of the City of Peoria's Sewer Rehabilitation Program [for Repair of City of Peoria DESIGN AREA 1 SEWERS, CAST IN PLACE PIPE (CIPP) MANHOLE TO MANHOLE PROJECT 12, GPSD Project 2340] and Concurrence in the AWARD of the CONSTRUCTION CONTRACT with HOERR CONSTRUCTION, INC., in the Low Bid Amount of \$540,759.00, and an Additional Authorization of \$54,075.90 (10% for Contingencies). (Districts 1, 2, and 3)**
- (14-223) **** Communication from City Manager and Director of Public Works with a Request to Approve AMENDMENT #6 to AGREEMENT #07-040 (the 2007 Professional Services Agreement with AMEC ENVIRONMENT & INFRASTRUCTURE, INC. [Formerly MACTEC Engineering and Consulting, Inc.]) with an Effective Date of June 6, 2014, and a Completion Date of December 31, 2014, for a Total Additional Compensation Amount Not to Exceed \$370,000.00, to Assist the City in the Development and Negotiation of a Long-Term Control Plan to Meet the Requirements of the National Pollutant Discharge Elimination System (NPDES) Permit for the City's COMBINED SEWER OUTFALLS.**
- (14-224) **Communication from the City Manager with a Request to LEASE a Portion of the City-Owned TWIN TOWERS OFFICE SPACE to TRI-COUNTY REGIONAL PLANNING COMMISSION and to Authorize the City Manager to Negotiate Final Lease Terms and Execute Any Necessary Documents.**
- (14-195) ***** REVISED Communication from the City Manager and the Interim Corporation Counsel with a Request to Adopt one of the following:**
- A. An ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarette to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to any location of a current cigarette licensee located within 350 feet as long as the cigarette license for that location has not been revoked for cause.**

- B. An ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarette to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to a current licensee located within 350 as long as the cigarette license has not been revoked for cause and the licensee continues to qualify for a renewal. The distance restriction will not apply to a current licensee that is a gas station located within 350 feet.**

(14-225)

Communication from the City Manager with a Request to Approve a **JOINT RESOLUTION Supporting and Committing to Participate in the PATHWAYS TO PROSPERITY Program.**

(14-226)

Communication from City Manager and Director of Public Works with a Request to **ADOPT and APPROVE the Following Regarding Recent Improvements to the OSF HEALTHCARE SYSTEMS' DOWNTOWN CAMPUS:**

- A. ADOPT an ORDINANCE VACATING Approximately 614 Feet of BERKELEY AVENUE South of Pennsylvania Avenue and 223 Feet of ARMSTRONG AVENUE East of Berkeley Avenue;**
- B. ACCEPT a DEDICATION DEED from OSF HEALTHCARE SYSTEM for a Strip of Land Along the Relocated BERKELEY AVENUE;**
- C. ADOPT an ORDINANCE VACATING a Part of ARMSTRONG AVENUE, MISSOURI AVENUE, and the ALLEY Adjacent to Lot 1 in HART PLACE; and**
- D. ACCEPT a PERMANENT EASEMENT from OSF HEALTHCARE SYSTEM for Strips of Land Adjacent to the East and West Sides of the RELOCATED BERKELEY AVENUE.**

(District 3) (Also Refer to Item #12-013)

(14-227)
Communication from the City Manager and Interim Corporation Counsel with a Request to Adopt **ORDINANCE NO. 17,104** Ascertaining the **PREVAILING RATE OF WAGE** for Laborers, Workmen and Mechanics Employed at Public Works in the City of Peoria, Illinois.

(14-228)

Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the **SITE APPLICATION** for a **Class G (Beer & Wine Only Restaurant) Liquor License** with **On-Site Consumption and Retail Sale of Alcohol** at **DOTTY'S, 3125 N. UNIVERSITY**, with a **Recommendation from the Liquor Commission to Approve. (District 2)**

(14-229)
REAPPOINTMENT by Mayor Ardis to the **ADVISORY COMMISSION OF HUMAN RESOURCES** with a Request to Concur:

Mr. Ivan Williams (Voting) - Term Expires 06/30/2017

- (14-230) REAPPOINTMENT by Mayor Ardis to the CONSTITUTION GARDEN ADVISORY COMMITTEE with a Request to Concur:
- Dr. Kurt Field (Voting) - Term Expires 06/30/2016
 - Mr. James Hoerr (Voting) - Term Expires 06/30/2016
 - Ms. Carol Van Winkle (Voting) - Term Expires 06/30/2017
- (14-231) REAPPOINTMENT by Mayor Ardis to the DOWNTOWN ADVISORY COMMISSION with a Request to Concur:
- Ms. Becky Frye (Voting) - Term Expires 06/30/2016
 - Mr. Raymond W. Lees (Voting) - Term Expires 08/31/2017
- (14-232) REAPPOINTMENT by Mayor Ardis to the HISTORIC PRESERVATION COMMISSION with a Request to Concur:
- Mr. Geoffrey A. Smith (Voting) - Term Expires 06/30/2017
- (14-233) REAPPOINTMENT by Mayor Ardis to the MUNICIPAL BAND COMMISSION with a Request to Concur:
- Ms. Denise B. Cooksey (Voting) - Term Expires 06/30/2017
- (14-234) REAPPOINTMENTS by Mayor Ardis to the ZONING BOARD OF APPEALS with a Request to Concur:
- Mr. Edward J. Barry, Jr. (Voting) - Term Expires 06/30/2017
 - Mr. Jerry D. Jackson (Voting) - Term Expires 06/30/2017
- (14-235) REAPPOINTMENTS by Mayor Ardis to the CONSTRUCTION COMMISSION with a Request to Concur:
- Mr. Stephen M. Ciccirelli (Voting) - Term Expires 06/30/2017
 - Mr. John Dillon (Voting) - Term Expires 06/30/2018
 - Mr. Tom Dejarld (Voting) - Term Expires 06/30/2018
- (14-236) REAPPOINTMENTS by Mayor Ardis to the LIQUOR COMMISSION with a Request to Concur:
- Ms. Camille Coates (Voting) - Term Expires 06/30/2017
 - Mr. Michael Miller (Voting) - Term Expires 06/30/2017
- (14-237) REAPPOINTMENTS by Mayor Ardis to the PEORIA PUBLIC LIBRARY BOARD OF TRUSTEES with a Request to Concur:
- Mr. Eugene Rebholz (Voting) - Term Expires 06/30/2017
 - Mr. Sid Paul Ruckriegel (Voting) - Term Expires 06/30/2017

(14-238) RECEIVE AND FILE the REAPPOINTMENT of the DEPUTY LIQUOR COMMISSIONER, with a Request to Concur:

Honorable W. Eric Turner – Term Expires 06/30/2017

(14-239) REAPPOINTMENTS by Mayor Ardis to the FIRE & POLICE COMMISSION with a Request to Concur:

Mr. Thomas P. Higgins (Voting) - Term Expires 06/30/2017

Ms. Alexandria Scott Pearson (Voting) - Term Expires 06/30/2017

(14-240) REPORT from the CITY TREASURER PATRICK A NICHTING for the MONTH of APRIL 2014, with Request to Receive and File.

(14-241) Communication from the City Manager and Finance Director/Comptroller Requesting to RECEIVE and FILE QUARTERLY FINANCIAL REPORT for the Quarter ended December 31, 2013.

Mayor Ardis questioned if the Council wished to have any of the Consent Agenda items removed for further discussion.

Council Member Turner requested Item No. 14-219 be removed from the Consent Agenda for further discussion.

Council Member Riggerbach requested Item No. 14-195 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item No. 14-225 and 14-226 be removed from the Consent Agenda for further discussion.

Council Member Grayeb requested Item Nos. 14-223 and 14-228 be removed from the Consent agenda for further discussion.

Council Member Riggerbach moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Johnson.

Item Nos. 14-219 through 14-241 (excluding Item Nos. 14-219, 14-223, 14-195, 14-225, 14-226 and 14-228, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

- (14-219)** **Communication from the City Manager and Director of Community
* Development with a Recommendation to Approve an EMERGENCY REPAIR
PROGRAM Funded with Trust Funds from the Illinois Housing Development
Authority.**

Council Member Turner moved to defer this matter for two weeks to the June 24, 2014, Regular City Council meeting; seconded by Council Member Grayeb.

Motion to defer to the June 24, 2014, Regular City Council meeting was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

- (14-223)** **Communication from City Manager and Director of Public Works with a
** Request to Approve AMENDMENT #6 to AGREEMENT #07-040 (the 2007
Professional Services Agreement with AMEC ENVIRONMENT &
INFRASTRUCTURE, INC. [Formerly MACTEC Engineering and Consulting,
Inc.]) with an Effective Date of June 6, 2014, and a Completion Date of
December 31, 2014, for a Total Additional Compensation Amount Not to
Exceed \$370,000.00, to Assist the City in the Development and Negotiation
of a Long-Term Control Plan to Meet the Requirements of the National
Pollutant Discharge Elimination System (NPDES) Permit for the City's
COMBINED SEWER OUTFALLS.**

In response to Council Member Grayeb, City Engineer Scott Reese said this would be the sixth amendment to the initial contract, which would bring the total cost of the combined sewer overflow (CSO) project to approximately \$4.1 million. He said approving this amendment would allow the City to begin work towards a green infrastructure to address the CSO issues.

Council Member Grayeb said approving Amendment #6 would assist with satisfying EPA requirements and would help determine whether a green infrastructure was feasible. Ultimately, he said, the passing of this item would have a positive impact on neighborhoods throughout the City of Peoria.

Council Member Grayeb moved to approve Amendment #6 to Agreement #07-040 (the 2007 professional services agreement with AMEC Environment & Infrastructure, Inc. (formerly MACTEC Engineering and Consulting, Inc.) with an effective date of June 6, 2014, and a completion date of December 31, 2014, for a total additional compensation amount not to exceed \$370,000.00, to assist the City in the development and negotiation of a long-term control plan to meet the requirements of the National Pollutant Discharge Elimination System (NPDES) permit for the City's combined sewer outfalls; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

(14-195)

REVISED Communication from the City Manager and the Interim Corporation Counsel with a Request to Adopt one of the following:

- A. An ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarettes to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to any location of a current cigarette licensee located within 350 feet as long as the cigarette license for that location has not been revoked for cause.**

- B. An ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarettes to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to a current licensee located within 350 feet as long as the cigarette license has not been revoked for cause and the licensee continues to qualify for a renewal. The distance restriction will not apply to a current licensee that is a gas station located within 350 feet.**

Interim Corporation Counsel Sonni Williams distributed a revised Ordinance A and Ordinance B along with a map.

Council Member Riggenbach moved to adopt the revised Ordinance B, an Ordinance amending Chapter 18 of the Code of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarettes to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to a current licensee located within 350 feet as long as the cigarette license has not been revoked for cause and the licensee continues to qualify for a renewal, the distance restriction will not apply to a current licensee that is a gas station located within 350 feet; seconded by Council Member Turner.

Council Member Riggenbach expressed his appreciation in the efforts of preparing this Ordinance, and he provided background information noting there were convenience stores located within the restricted areas around the schools. He expressed appreciation to Interim Corporation Counsel Sonni Williams for her efforts in researching and drafting this Ordinance. He said this Ordinance would change the distance requirement from 100 feet to 350 feet. He said during the drafting process, they took into consideration how this Ordinance would impact existing businesses, and the number of businesses it would affect. He noted there were seven businesses that would be affected by this Ordinance, noting three being gas stations and four being convenience stores and discount tobacco shops. He indicated the businesses that were already established would be grandfathered in order to protect their interests; and in order to protect the resale value of the gas stations, he said they would be allowed to be grandfathered if they sold their property. He said the goal of the Ordinance was to protect the interest of the business owners while enforcing the prohibition of sale of drug paraphernalia. He explained that, within 10 days, the Chief of Police would issue notices to inform the public that the sale of drug paraphernalia would no longer be allowed within the City of Peoria, and this Ordinance would assist the Police to enforce this law. He reiterated that this Ordinance would protect the interest of the neighborhoods as well as the business community.

Council Member Riggenbach requested Staff to research whether it would be feasible to establish a bonding process for the sale of tobacco, and he asked whether there were other communities that had such a process.

Council Member Riggenbach reviewed the process for enacting new or amended Ordinances for the City. He said the First Reading process should be where suggested changes were made and reviewed along with any request for additional information. He encouraged the Council to take advantage of the First Reading process.

ORDINANCE NO. 17,105 amending Chapter 18 of the Code of the City of Peoria, increasing the distance of sale of tobacco from a school, prohibiting the sale of e-cigarettes to a minor, and prohibiting the possession or sale of drug paraphernalia, new distance restriction will not apply to a current licensee located within 350 feet as long as the cigarette license has not been revoked for cause and the licensee continues to qualify for a renewal, the distance restriction will not apply to a current licensee that is a gas station located within 350 feet, was adopted by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggenbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

**(14-225) Communication from the City Manager with a Request to Approve a JOINT
**** RESOLUTION Supporting and Committing to Participate in the PATHWAYS
TO PROSPERITY Program.**

Council Member Spain remarked that this was a symbolic Resolution that identified pathways where a number of instructions came together in order to work towards a common goal. He recognized Mayor Ardis, fellow Council Members, and Dr. Bill Collier for their efforts in this matter.

Council Member Spain moved to approve a joint Resolution supporting and committing to participate in the Pathways to Prosperity Program; seconded by Council Member Weaver.

Council Member Weaver and Council Member Jensen expressed their appreciation for everyone's efforts in this matter. Council Member Jensen recognized Mayor Ardis and Dr. Collier for their leadership and role in establishing this program.

RESOLUTION NO. 14-225 supporting and committing to participate in the Pathways to Prosperity Program was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggenbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

**(14-226) Communication from City Manager and Director of Public Works with a
***** Request to ADOPT and APPROVE the Following Regarding Recent
Improvements to the OSF HEALTHCARE SYSTEMS' DOWNTOWN
CAMPUS:**

- A. ADOPT an ORDINANCE VACATING Approximately 614 Feet of
BERKELEY AVENUE South of Pennsylvania Avenue and 223 Feet of
ARMSTRONG AVENUE East of Berkeley Avenue;**

- B. ACCEPT a DEDICATION DEED from OSF HEALTHCARE SYSTEM for a Strip of Land Along the Relocated BERKELEY AVENUE;**
- C. ADOPT an ORDINANCE VACATING a Part of ARMSTRONG AVENUE, MISSOURI AVENUE, and the ALLEY Adjacent to Lot 1 in HART PLACE; and**
- D. ACCEPT a PERMANENT EASEMENT from OSF HEALTHCARE SYSTEM for Strips of Land Adjacent to the East and West Sides of the RELOCATED BERKELEY AVENUE.**

(District 3) (Also Refer to Item #12-013)

Council Member Spain said he would abstain from voting on this matter due to a business relationship with OSF Healthcare.

Council Member Riggerbach moved to adopt an Ordinance vacating approximately 614 feet of Berkeley Avenue South of Pennsylvania Avenue and 223 feet of Armstrong Avenue East of Berkeley Avenue; seconded by Council Member Johnson.

ORDINANCE NO. 17,106 was adopted by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Turner, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Spain – 1.

Council Member Riggerbach moved to accept a dedication deed from OSF Healthcare System for a strip of land along the relocated Berkley Avenue; seconded by Council Member Johnson.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Turner, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Spain – 1.

Council Member Riggerbach moved to adopt an Ordinance vacating a part of Armstrong Avenue, Missouri Avenue, and the alley adjacent to Lot 1 in Hart Place; seconded by Council Member Johnson.

ORDINANCE NO. 17,107 was adopted by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Turner, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Spain – 1.

Council Member Riggerbach moved to accept a permanent easement from OSF Healthcare System for strips of land adjacent to the East and West sides of the relocated Berkeley Avenue; seconded by Council Member Johnson.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Turner, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Spain – 1.

(14-228) Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class G (Beer & Wine Only Restaurant) Liquor License with On-Site Consumption and Retail Sale of Alcohol at DOTTY'S, 3125 N. UNIVERSITY, with a Recommendation from the Liquor Commission to Approve. (District 2)

*

Council Member Grayeb said he welcomed the Dotty's franchise to the City of Peoria, and he moved to approve the Site Application for a Class G (Beer & Wine Only Restaurant) liquor license with on-site consumption and retail sale of alcohol at Dotty's, 3125 N. University; seconded by Council Member Johnson.

In light of Council Member Akeson's absence due to an illness, and at the request of Council Member Akeson, Council Member Jensen requested this matter be deferred for two weeks for additional review and to have the input of Council Member Akeson, who had expressed an interest in this item.

Council Member Jensen moved for a substitute motion to defer this matter until the June 24, 2014, Regular City Council Meeting; seconded by Council Member Moore.

Council Member Grayeb said consideration should be given to the business owners' best interest. He remarked that if there were any concerns regarding this item, it should have been made known to the City Council prior to the meeting. He said he was not in favor of deferring this matter for two weeks.

Council Member Montelongo asked whether deferring this matter would negatively impact the business owners.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to Dean Jansen and Michelle Jansen.

Mr. Dean Jansen and Ms. Michelle Jansen, owners of Dotty's, were present, and in response to Council Member Montelongo, they said the contractors were ready to begin construction and were waiting on the site approval. They also remarked that they had planned to be out of town in two weeks, but would make arrangements to be present, if necessary.

Substitute motion to defer this matter to the June 24, 2014, Regular City Council meeting FAILED by roll call vote.

Yeas: Jensen, Montelongo, Weaver – 3;

Nays: Grayeb, Johnson, Moore, Riggerbach, Spain, Turner, Mayor Ardis – 7.

Motion to approve the Site Application for a Class G (Beer & Wine Only Restaurant) liquor license with on-site consumption and retail sale of alcohol at Dotty's, 3125 N. University was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

FIRST READINGS

- (14-243) Communication from the City Manager and the Community Development Director with a FIRST READING of the Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Amending Appendix B, the Zoning Ordinance and Appendix C, the Land Development Code, Related to OPEN AIR CAFE.**

To address Council Member Moore's question, City Manager Urich said Staff had met with the owners of Haddads; however, he remarked that this Ordinance specifically pertained to the definition of an open air café and that it related to those properties that had open air cafés.

Council Member Jensen moved to receive and file the First Reading of the Ordinance amending Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code, related to Open Air Café and to place this item on the next City Council Agenda; seconded by Council Member Johnson.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

- (14-244) Communication from the City Manager, Chief of Police, Community Development Director, and Corporation Counsel with a Request for the Following:**
- A. Receive and File a Report on an EXPANDED NUISANCE PROPERTY PROGRAM.**
 - B. Requesting a FIRST READING Review of an ORDINANCE AMENDING CHAPTER 5 of the CODE of the City of Peoria Pertaining to REGISTRATION OF PROPERTIES.**
 - C. Requesting a FIRST READING Review of an ORDINANCE AMENDING CHAPTER 20 of the CODE of the City of Peoria Pertaining to CHRONIC NUISANCE RENTAL PROPERTY.**

Council Member Weaver expressed a concern on how this item would negatively impact the decent landlords within the City.

Officer Tony Allen, the Nuisance Abatement Officer with the Peoria Police Department, explained the process for chronic nuisance cases. He said this change to the Ordinance would assist with the identification of chronic nuisance landlords as well as assist with holding these landlords accountable for their properties. He said they were utilizing the "Don't Shoot"

philosophy and applying that to nuisance properties. He said the goal was to clean up the neighborhoods.

Discussions were held regarding the potential negative impact this could have on good landlords with problem tenants. Officer Allen said the Police Department utilized a lot of discretion when addressing these matters. He said landlords generally became aware of problems with their properties at the annual landlord meeting. Upon identifying these issues, he said the landlords were generally willing to be helpful.

Interim Corporation Counsel Williams provided clarification of the basic steps that were taken when a nuisance property was identified.

Council Member Grayeb said he spent 60-70% of his time dealing with predatory slumlords and that these slumlords needed to be addressed. He said he would enthusiastically support this item and that this was not targeted at good landlords.

Council Member Jensen commended Staff, Officer Allen, and Assistant Director of Community Development Joe Dulin for their efforts in this matter, noting that this item had been a priority for quite some time. She said chronic problem properties needed to be addressed and that she looked forward to seeing the success of this program

Council Member Moore said she supported this program, which she said should have been instituted in the First District some time ago. She inquired about certain operational matters that involved various types of tenants.

Officer Allen responded to Council Member Moore and said if the problems were with the tenants, the Police Department would make every effort to work with those tenants first before taking drastic measures. He said the Department was not looking to evict people from properties, but would rather work with the tenants on how they were disturbing the neighborhood.

Discussions were held regarding the City's Code Enforcement Department and the job function and responsibility of that Department along with the Police Department.

Council Member Moore expressed a concern about the limited and/or reduced staffing within the Code Enforcement Department.

City Manager Urich addressed Council Member Moore's concern explaining that staffing would be compensated in accordance to the Neighborhood Wellness Program. He said the City changed the focus of the Program more towards transitional neighborhoods, and he explained the impact and Staff's strategy.

Council Member Moore expressed a concern that this change would impact the proactive activity within the First District. She requested a site meeting and she said she wanted the Council Members to understand that there was only one Code Enforcement Officer assigned to the First District. She expressed a concern with the City's plan, and she noted that approximately 80-85% of the calls she received from her constituents were code enforcement related.

Mayor Ardis recommended spending additional time to understand how this operation worked. He requested City Manager Ulrich and Assistant Director of Community Development Dulin to provide a written summary as to how this program would work and the impact it would have on the First District.

In response to Council Member Moore, Interim Corporation Council Williams explained the "three strikes" policy, which would fall within a 12-month period. She provided clarification on that timeframe and the classification of serious offenses. She said these Ordinances were still in the draft mode and could be revised. She said Staff could insert clarification on the definition of a "chronic nuisance landlord."

Council Member Spain remarked on the importance of utilizing and enforcing the Ordinances that were currently in place that would assist with addressing these issues. He requested feedback relating to language that could be used that addressed preventing a particular tenant from renting at other locations and the City's capacity for following those individuals.

Council Member Jensen requested quarterly reports on chronic nuisance landlords, properties and addresses in order to see whether the Ordinances were working.

Council Member Grayeb requested a redlined version of the proposed Ordinances as they related to the current Ordinances, and that copies be distributed to all Council Members, in order to present to and discuss with their constituents.

Council Member Jensen moved to receive and file the report on an expanded Nuisance Property Program; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

Council Member Jensen moved to receive and file the first reading review of an Ordinance amending Chapter 5 of the Code of the City of Peoria pertaining to registration of properties; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

Council Member Jensen moved to receive and file the first reading review of an Ordinance amending Chapter 20 of the Code of the City of Peoria Pertaining to Chronic Nuisance Rental Property; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:**(14-242) Communication from the City Manager with a Request to Approve the FIRST AMENDMENT to the SULLIVAN/HUNT REDEVELOPMENT AGREEMENT. (District 1)**

Council Member Spain moved to approve the First Amendment to the Sullivan/Hunt Redevelopment Agreement; seconded by Council Member Riggerbach.

Council Member Weaver said he would support this project, and he asked City Manager Urich to provide an overview of the project and how it would benefit the City.

City Manager Urich provided a financial overview of the redevelopment agreement and how it would affect the downtown area. He said the approval of this amendment would encourage development within the Warehouse District.

Council Member Spain remarked on what a terrific project this was for the Warehouse District and downtown area.

Council Member Moore echoed Council Member Spain's comment. She said this amendment would refurbish and revitalize the Warehouse District in the downtown area. She said it was her hope that everyone could support the fact that the City was working with the developers and bringing these properties back.

Motion to approve the First Amendment to the Sullivan/Hunt Redevelopment Agreement was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

(14-218) Communication from the City Manager and Director of Public Works with a Recommendation to ADOPT an ORDINANCE Amending CHAPTER 26 of the CODE of the City of Peoria Pertaining to the Commercial Use of Sidewalks for SIDEWALK CAFÉS.

Council Member Spain said there were a number of technical changes taking place with this item, and he moved to defer this item for one month to the July 8, 2014, Regular City Council Meeting; seconded by Council Member Grayeb.

Motion to defer this item to the July 8, 2014, Regular City Council Meeting was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

UNFINISHED BUSINESS (Including but not limited to motions to reconsider items, if any, from the previous Regular Meeting)

(14-151) Communication from the City Manager and Director of Public Works with a Request to Receive and File the REQUEST FOR STATEMENTS OF INTEREST AND QUALIFICATIONS for the Proposed STORM WATER UTILITY MASTER SERVICES and Authorize the Public Works Department to Solicit Proposals from Consulting Engineers for the Proposed Storm Water Utility Master Services. (Refer to Item #14-124)

Council Member Spain requested a deferral in light of the City's progress as it related to combined sewer overflow (CSO).

In response to Council Member Spain, City Manager Urich said there were some issues that still needed to be worked out with the U.S. EPA. He said this item was the result of a Policy Session, and Staff responded by presenting a request to issue a Request for Proposal. He said this would begin the selection process for the consultants. He said Staff would come back under the approval process from the Council to go forward, and then the City could adapt the public engagement process to be extended to a point in time where Staff had more clarity of the U.S. EPA issues.

In response to Council Member Spain, City Engineer Scott Reiese provided an approximate timeline of the RFP process, should this item be approved by Council. He indicated it was his opinion that a selection process could still be conducted even though the City was still awaiting clarity from the U.S. EPA on the City's potential ultimate mandate.

Council Member Spain said he would support this item; however, he asked that before Council was asked to entertain any decision about creating a contract with a firm, that they have the entirety of the EPA mandate understood and presented.

Council Member Spain moved to approve the request for statement of interest and qualifications for the proposed storm water utility master services and authorize the Public Works Department to solicit proposals from consulting engineers for the proposed storm water utility master services; seconded by Council Member Moore.

Council Member Weaver expressed a concern with proceeding on this item with the potential of having to make changes later that would ultimately increase the bid. He indicated that it would make more sense to defer this matter until CSO issues were better understood.

City Manager Urich agreed with Council Member Weaver that there were still issues that needed to be resolved with the U.S. EPA, but he said in order to plan and to begin this process, the City needed to at least begin the selection process. He remarked that the stormwater and CSO issues overlapped one another. From a financing perspective, he said there was a portion of funds from the storm water utility that could be utilized to cover some costs of CSO.

City Manager Urich said, in response to Council Member Riggerbach, that this item was designed to be broad enough to encompass CSO issues from the EPA along with stormwater issues.

Council Member Riggerbach said, since the April 3, 2014, storm, that there had been stormwater issues in the older parts of Peoria. He said stormwater was a community issue that needed to be addressed. He said the City needed to determine what the issues were, what needed to be upgraded, where the City needed to go, and how much it would cost. He said he was in favor of moving this item forward.

Council Member Spain said if the item moved forward, the consultant selected would need to come forward with a methodology to approach both stormwater and CSO.

Motion to receive and file the request for statement of interest and qualifications for the proposed storm water utility master services and to authorize the public works department to solicit proposals from consulting engineers for the proposed stormwater utility master services was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Mayor Ardis – 9;

Nays: Weaver - 1.

(14-171) Communication from the City Manager and Director of Public Works with a Request to APPROVE the SIDEWALK POLICY Amending Policy #10-087 to Add CURB PARTICIPATION within the Existing Sidewalk Policies.

MOTION ON THE FLOOR: To Approve.

Council Member Moore expressed appreciation for the additional information requested in this matter.

Motion to approve was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

(14-199) Communication from the City Manager with a Request to Approve the Request of EM PROPERTIES to Switch Management of the MARRIOTT PERE MARQUETTE and COURTYARD MARRIOTT from MARRIOTT INTERNATIONAL to FIRST HOSPITALITY GROUP and Authorize the City Manager to Execute any Necessary and Related Documents.

City Manager Urich requested a two week deferral subject to a potential Special City Council Meeting to address this matter.

Council Member Moore moved to defer this item to the June 24, 2014, Regular City Council meeting; seconded by Council Member Riggerbach.

In response to Council Member Weaver, Mayor Ardis said the discussion currently on the floor was with regards to the motion for a deferral.

Interim Corporation Counsel Williams said the current discussion on the floor related to the motion for a deferral. She said if there were additional questions, then those should be directed to the City Manager, unless the Mayor desired to have the question open for discussion. She indicated that additional discussion could be brought under new business as long as the City Council would not take any formal action.

Motion to defer this item to the June 24, 2014, Regular City Council meeting was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

(14-211) Communication from the City Manager and the Community Development Director with a Request to Concur with Either the Recommendation from the Planning & Zoning Commission to Approve or the Recommendation from Staff to Deny the following:

- A. To Approve a RESOLUTION Amending the OFFICIAL COMPREHENSIVE PLAN for the City Of Peoria to Change the Future Land Use Designations of Property Currently Designated Commercial and Office to High Density Residential;**
- B. To Adopt an ORDINANCE Rezoning Property from a Class C-1 (General Commercial) District and a Class O-1 (Arterial Office) District to a Class R-7 (Multi-Family Residential) District;**
- C. To Approve a RESOLUTION Approving the FRYE CROSSING APARTMENTS, a Multifamily Residential Development for the Property Identified as Parcel Identification Nos. 13-11-304-002, with a Temporary Address of 5400 W LANDENS WAY, and Part of 13-11-304-004, with an Address of 7013 N. STALWORTH DRIVE, Peoria, Illinois. (DISTRICT 5)**

Council Member Johnson moved to defer this matter to the June 24, 2014, Regular City Council meeting; seconded by Council Member Turner.

Motion to defer this item to the June 24, 2014, Regular City Council meeting was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

NEW BUSINESS

Additional Comments on the Pere Marquette (Refer to Item No. 14-199)

Council Member Weaver said Council should be receiving monthly financial updates on the Marriott.

City Manager Urich said the City was in receipt of an April report, but had not received May.

Council Member Weaver recommended forming a committee or board of directors to include a City representative, an outside representative, and Mr. Matthews. He said the idea was that these three individuals would have the authority to appoint their own chairman who would interface with FHG.

Bus Service to Farmer's Market on the Riverfront

Council Member Moore announced that Proctor Center would be offering free rides, also known as the Veggie Mobile, from Proctor Center to the Riverfront Market on July 5, 2014. She said the bus would depart at 9:00 A.M. She said the Farmer's Market accepts cash, snap and link cards as a form of payment in order to buy fresh fruits and vegetables.

One-Year Anniversary of the All-America City

Council Member Spain said this weekend marked the one-year anniversary of the successful recognition of Peoria being an All-America City. He announced there would be a celebration on Thursday, June 26, 2014, from 5:00 P.M. to 7:00 P.M. at the Riverfront Museum, which would include food and entertainment.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**(14-245) TOWN OF THE CITY OF PEORIA FINANCIAL REPORT for PERIOD ENDING 3/31/2014, with Request to Receive and File.**

Trustee Grayeb moved to receive and file the Town of the City of Peoria Financial Report for period ending 3/31/2014; seconded by Trustee Moore.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Chairman Ardis – 10;

Nays: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council/Town Board.

Mr. Savino Sierra, a Peoria resident, expressed concern that the City had added more Ordinances that would have to be enforced. He also expressed concern about motorcyclists; behavior on the roads.

Mr. Kenny Carrigan, a Peoria resident, discussed the Municipal Band performing in the Downtown Riverfront in the Warehouse District.

Ms. Phyllis Pryde, a Peoria resident, remarked on the Pere Marquette and the change of management. She said that the potential new hotel manager, FHG, was Illinois-based. She recommended that the City approve this change in management in order to keep business and revenue within the State of Illinois.

Mr. Karrie Alms, a Peoria resident, commented on the need to see the master plan for the PHA Taft Homes Redevelopment.

Ms. Marsh Soto, a Peoria resident, spoke with regards to a recent shooting of a dog by a Peoria Police Officer. She requested compensation from the City.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION to discuss 2(c)(11) 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 such an action is probable or imminent; 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Council Member Johnson moved to enter into an Executive Session to discuss 2(c)(11) 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 such an action is probable or imminent; 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Moore.

Motion to go into Executive Session was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 10;

Nays: None.

ADJOURNMENT

Council Member Spain moved to adjourn the Regular City Council Meeting; seconded by Council Member Turner.

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 9:11 P.M.



Beth Ball, MMC, City Clerk
City of Peoria, Illinois