

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

A Regular Meeting of the Joint City Council and Town Board of Trustees of Peoria, Illinois, was held December 8, 2020, at 6:00 P.M. by electronic means through Microsoft Teams with Mayor Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were electronically present: Ali, Cyr, Grayeb, Jensen, Kelly, Moore, Montelongo, Oylar, Riggenschach, Ruckriegel, Mayor Ardis – 11.
Absent: None.

COVID-19 PUBLIC NOTICE

In accordance with Governor JB Pritzker's Executive Order 2020-69, which limited meetings to the lesser of 25 persons or 25% of the overall room capacity; and Executive Orders 2020-07, 33, 44 and 59 requiring the provision of video, audio or telephonic access to meetings; as well as the CDC recommending social distancing of at least 6 feet between persons, City Hall implemented changes and restrictions for the City Council Meeting on December 8, 2020, while complying with the Open Meetings Act.

The Council Meeting will be held remotely with members of the Council and Staff attending via Microsoft Teams.

Members of the public and media were invited to watch through the live stream on the City of Peoria's website, YouTube, Local Television Channel 22, or listen through WCBU Radio. Submissions for Public Comment were received through the City Clerk's Office. The agenda, minutes and video podcast of the meeting will be available online through the City website.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or reflection and then he led the pledge of allegiance.

PROCLAMATIONS AND COMMENDATIONS

Community Festival of Nativities
The Legacy of Bonnie Hester
120th Anniversary of Family Core

MINUTES

Council Member Ruckriegel moved to approve the minutes of the Joint City Council and Town Board Meeting held on November 10, 2020, as printed; seconded by Council Member Oylar .

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oylar, Riggenschach,
Ruckriegel, Mayor Ardis - 11;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – TOWN OF THE CITY OF PEORIA

- (20-284) REQUEST from the Town Officials to APPROVE the NOVEMBER 2020 ACTUAL EXPENDITURES and to APPROVE the DECEMBER 2020 ANTICIPATED EXPENDITURES for the Town of the City of Peoria.**

Trustee Grayeb moved to approve the November 2020 Actual Expenditures and to approve the December 2020 Anticipated Expenditures for the Town of the City of Peoria; seconded by Trustee Moore.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Chairman Ardis - 11;

Nays: None.

- (20-285) Communication from the Town Officials Budget Committee with a Request to ADOPT an ORDINANCE LEVYING and ASSESSING TAXES for the Fiscal Year Beginning April 1, 2020, and Ending March 31, 2021, for the GENERAL FUND and ILLINOIS MUNICIPAL RETIREMENT FUND of the Town of the City of Peoria, Peoria County, and State of Illinois, in the Amount of \$570,612.00.**

Trustee Grayeb moved to adopt an Ordinance levying and assessing taxes for the fiscal year beginning April 1, 2020, and ending March 31, 2021, for the General Fund and Illinois Municipal Retirement Fund of the Town of the City of Peoria, Peoria County, and State of Illinois, in the amount of \$570,612.00; seconded by Trustee Ali.

ORDINANCE NO. TO-20-03 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Chairman Ardis - 11;

Nays: None.

- (20-286) Communication from the Town Officials Budget Committee with a Request to ADOPT an ORDINANCE LEVYING and ASSESSING TAXES for the Fiscal Year Beginning April 1, 2020, and Ending March 31, 2021, for the GENERAL ASSISTANCE FUND of the Town of the City of Peoria, Peoria County, and State of Illinois, in the Amount of \$715,971.00.**

Trustee Grayeb moved to adopt an Ordinance levying and assessing taxes for the fiscal year beginning April 1, 2020, and ending March 31, 2021, for the General Assistance Fund of the Town of the City of Peoria, Peoria County, and State of Illinois, in the amount of \$715,971.00; seconded by Trustee Ruckriegel.

ORDINANCE NO. TO-20-04 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Chairman Ardis - 11;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined

- (20-287) Communication from the City Manager and Corporation Counsel with a Request to APPROVE a SETTLEMENT Involving a Motor Vehicle Collision with BCJ SERVICES INCORPORATED, in the Amount of \$79,952.00.
- (20-288) Communication from the City Manager and the Chief of Police for the SOLE SOURCE PURCHASE of Eight (8) Panasonic Toughbook 55 Laptop Computers, Eight (8) Extended Warranties for Panasonic Toughbooks, and Eight (8) Havis Toughbook 55 Docking Stations with Combination Antennae for Use in the Police Squad Cars from CDS OFFICE TECHNOLOGIES, in the Amount of \$34,373.00. (CDS Office Technologies holds the Statewide Computer Master Contract)
- (20-289) Communication from the City Manager and Director of Public Works with a Request to APPROVE a CONTRACT with WASTEQUIP, in an Amount Not to Exceed \$22,629.30, for the Purchase of Seventy-Five Sixty-Gallon Dome Top Litter Containers to be Used for Neighborhood Trash Cans. (All Council Districts)
- (20-290) Communication from the City Manager and the Community Development Director with a Request to APPROVE a Two-Year CONTRACT with C LINDSEY SEALCOATING as the primary contractor and JIMAX as the Backup Contractor to Provide BOARD UP SERVICES.
- (20-291) * Communication from the City Manager and Assistant City Manager with a Request for the Following:
- A. APPROVE an INTERGOVERNMENTAL AGREEMENT (IGA) with TOWN OF NORMAL, Illinois, to Participate in a Mortgage Credit Certificate Program; and
 - B. ADOPT an ORDINANCE Authorizing the Town of Normal to Exercise the Powers of the City of Peoria in Connection with the MORTGAGE CREDIT CERTIFICATE PROGRAM and a LOAN FINANCE PROGRAM; and
 - C. ADOPT an ORDINANCE to Transfer \$8,000,000.00 of PRIVATE ACTIVITY BOND CAP ALLOCATION to the Town of Normal, for the Mortgage Credit Certificate Program, and to Transfer \$3,695,740.00 of Private Activity Bond Volume Cap to the Tri-County River Valley Development Authority for Private Activity Bonds.
- (20-292) ** Communication from the City Manager and Director of Community Development with a Request to ADOPT an ORDINANCE Amending the City of Peoria 2020 - 2021 BIENNIAL BUDGET Relating to the Use of Eagle View TIF Fund Balance, in the Amount of \$82,032.00, Related to the Emergency Demolition of 2728 WEST KRAUSE and 2902 WEST TREWYN.

- (20-293) Communication from the City Manager and Corporation Counsel with a Request to ADOPT ORDINANCE NO. 17,806 Levying a SPECIAL SERVICE AREA Real Estate Tax, in the Amount of \$85,000.00, for the Tax Year 2020 for the WESTLAKE SPECIAL SERVICE AREA.
- (20-294) Communication from the City Manager and Corporation Counsel with a Request to ADOPT ORDINANCE NO. 17,807 Levying a SPECIAL SERVICE AREA Real Estate Tax, in the Total Amount of \$148,060.00, Against the Specified Parcels as Described in Exhibit A, for the Tax Year 2020 for the KNOXVILLE JUNCTION SPECIAL SERVICE AREA.
- (20-295) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 17,808 Abating the Tax Heretofore Levied to Pay Principal of and Interest on GENERAL OBLIGATION CORPORATE PURPOSE BONDS, of the City of Peoria, Peoria County, Illinois 2009 Series A, 2010 Series D, 2011 Series B, 2012 Series A, 2013 Series A, 2015 Series B, C & D, 2016 Series C, 2018 Series A and 2020 Series A & B and the Partial Abatement of Taxes Levied to Pay Principal and Interest on 2014 Series A General Obligation Bonds, in the Amount of \$452,850.00; the Partial Abatement of Taxes Levied to Pay Principal and Interest on 2016 Series A General Obligation Bonds, in the Amount \$242,935.00; the Partial Abatement of Taxes Levied to Pay Principal and Interest on 2018 Series B General Obligation Bonds, in the Amount of \$444,387.52; and the Partial Abatement of Taxes Levied to Pay Principal and Interest on 2019 General Obligation Bonds, in the Amount of \$835,415.00.
- (20-296) Communication from the City Manager and the Fire Chief with a Request for the Following:
- A. ADOPT ORDINANCE NO. 17,809 Amending the City of Peoria 2020 - 2021 BIENNIAL BUDGET Relating the Capital Fund to Recognize the Receipt of Insurance Proceeds, in the Amount of \$333,031.00, and Purchase of one (1) Fire Engine, and
 - B. APPROVE the PURCHASE of one (1) Fire Engine from BANNER FIRE EQUIPMENT (E-One), in the Amount of \$583,031.00.
- (20-297) Communication from the City Manager and Chief of Police with a Request for the Following:
- ***
- A. ACCEPT the FY2020 STRATEGIES IN POLICING INNOVATION (SPI) GRANT from the Bureau of Justice Assistance (BJA) of the Department of Justice (DOJ), in the amount of \$516,123.00; and
 - B. ADOPT an ORDINANCE Amending the City of Peoria 2020-2021 BIENNIAL BUDGET Relating to the Capital Fund to Recognize the Receipt of Grant Funding from the Bureau of Justice Assistance Providing the FY2020 Strategies in Policing Innovation (SPI) Grant and Corresponding Expenditures, in the Amount of \$516,123.00; and

C. APPROVE a SOLE SOURCE PURCHASE of Real-Time Policing Software, Linking of 5 Sources to the Software, and Yearly Maintenance costs for 3 years from STREET SMART, in the Amount of \$135,400.00

(20-298) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 17,810 Amending the City of Peoria 2020 - 2021 BIENNIAL BUDGET Relating to the EAST VILLAGE TIF HOUSING PROGRAM, in the Amount of \$142,039.00.

(20-299) APPOINTMENTS by Mayor Ardis to the PEORIA CIVIC CENTER AUTHORITY with a Request to Concur:

**Christell Fraustos (Voting) - Term Expiration 2/28/2021
Lon Lyons (Non-Voting) - Term Expiration 7/1/2022**

(20-300) Communication from the City Manager, Treasurer and Finance Director/Comptroller with a Request to RECEIVE and FILE the Month Ended OCTOBER 31, 2020 UNAUDITED FINANCIAL REPORT.

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

Council Member Moore requested Item No. 20-292 be removed from the Consent Agenda for further discussion.

Council Member Ali requested Item Nos. 20-291 and 20-297 be removed from the Consent Agenda for further discussion.

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

Item Nos. 20-287 through 20-300 (excluding Item Nos. 20-291, 20-292 and 20-297, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

(20-291) * Communication from the City Manager and Assistant City Manager with a Request for the Following:

A. APPROVE an INTERGOVERNMENTAL AGREEMENT (IGA) with TOWN OF NORMAL, Illinois, to Participate in a Mortgage Credit Certificate Program; and

B. ADOPT an ORDINANCE Authorizing the Town of Normal to Exercise the Powers of the City of Peoria in Connection with the MORTGAGE CREDIT CERTIFICATE PROGRAM and a LOAN FINANCE PROGRAM; and

C. ADOPT an ORDINANCE to Transfer \$8,000,000.00 of PRIVATE ACTIVITY BOND CAP ALLOCATION to the Town of Normal, for the Mortgage Credit Certificate Program, and to Transfer \$3,695,740.00 of Private Activity Bond Volume Cap to the Tri-County River Valley Development Authority for Private Activity Bonds.

Senior Economic Engagement Specialist Kevin Evans explained this item came before the Council annually and provided a program for first time homebuyers. He said after a review of the usage of those funds, it was determined to provide a slight increase in the First Time Homebuyers Program to support home ownership in the City of Peoria. He said the program would benefit approximately 90 first time homebuyers at an average dollar amount of \$91,000.00.

Council Member Ali moved to approve an Intergovernmental Agreement (IGA) with the Town of Normal, Illinois, to participate in a Mortgage Credit Certificate Program; seconded by Council Member Kelly.

In response to Council Member Jensen regarding the addition of the IGA with the Town of Normal, Mr. Evans explained the program included a pool of cities and towns, and the Town of Normal would be an addition to the pool. Because of them being a new addition, he said an IGA needed to be approved, stating it was an administrative function which allowed for sharing of the allocation with the Town of Normal. A list of participating communities was provided in the Council Communication.

City Manager Urich said this was a program that provided down payments for first time homebuyers, which helped the State of Illinois and its communities. He said these monies would not come directly to the City, but were Federal tax credits to be used for mortgage credit certificates. He said no City money would go towards this program.

Motion to approve an Intergovernmental Agreement (IGA) with the Town of Normal, Illinois, to participate in a Mortgage Credit Certificate Program was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Council Member Ali moved to adopt an Ordinance authorizing the Town of Normal to exercise the powers of the City of Peoria in connection with the Mortgage Credit Certificate Program and a Loan Finance Program; seconded by Council Member Jensen.

ORDINANCE NO. 17,811 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Council Member Ali moved to adopt an Ordinance to transfer \$8,000,000.00 of Private Activity Bond Cap Allocation to the Town of Normal, for the Mortgage Credit Certificate Program, and to transfer \$3,695,740.00 of private activity bond volume cap to the Tri-County River Valley Development Authority for Private Activity Bonds; seconded by Council Member Kelly.

ORDINANCE NO. 17,812 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

**(20-292) Communication from the City Manager and Director of Community
** Development with a Request to ADOPT an ORDINANCE Amending the City
 of Peoria 2020 - 2021 BIENNIAL BUDGET Relating to the Use of Eagle View
 TIF Fund Balance, in the Amount of \$67,421.13*, related to the Emergency
 Demolition of 2728 WEST KRAUSE.**

Council Member Moore moved to adopt an Ordinance amending the City of Peoria 2020 – 2021 Biennial Budget relating to the use of Eagle View TIF Fund balance, in the amount of \$82,032.00, related to the emergency demolition of 2728 West Krause and 2902 West Trewyn, as amended, by changing the amount from \$82,032.00 to \$67,421.13 and removing the address of 2902 West Trewyn; seconded by Council Member Riggerbach.

Council Member Moore said the purpose of her motion was to remove 2902 West Trewyn from the request stating that property did not reside within the Eagle View TIF boundaries. She said the properties had already been demolished and the City was seeking reimbursement for those costs. She said the Trewyn demolition would be funded by another source. She asked for approval of the demotion of 2728 West Krause, in the amount of \$67,421.13.

It was noted the demolition of 2902 West Trewyn was under \$15,000.00 and would not require approval by the City Council, noting the payment for that demolition would come from the City's General Fund.

Council Member Kelly requested that notations to be made on the agenda when an item required a super majority vote of the Council.

ORDINANCE NO 17,813 amending the City of Peoria 2020 – 2021 Biennial Budget relating to the use of Eagle View TIF Fund balance, in the amount of \$82,032.00, related to the emergency demolition of 2728 West Krause and 2902 West Trewyn, as amended by changing the amount from \$82,032.00 to \$67,421.13 and removing the address of 2902 West Trewyn, was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

**(20-297) Communication from the City Manager and Chief of Police with a Request
*** for the Following:**

- A. ACCEPT the FY2020 STRATEGIES IN POLICING INNOVATION (SPI) GRANT from the Bureau of Justice Assistance (BJA) of the Department of Justice (DOJ), in the amount of \$516,123.00; and**

- B. ADOPT an ORDINANCE Amending the City of Peoria 2020-2021 BIENNIAL BUDGET Relating to the Capital Fund to Recognize the Receipt of Grant Funding from the Bureau of Justice Assistance Providing the FY2020 Strategies in Policing Innovation (SPI) Grant and Corresponding Expenditures, in the Amount of \$516,123.00; and**
- C. APPROVE a SOLE SOURCE PURCHASE of Real-Time Policing Software, Linking of 5 Sources to the Software, and Yearly Maintenance costs for 3 years from STREET SMART, in the Amount of \$135,400.00**

Police Chief Loren Marion provided an overview of the item beginning with the application process in March of 2020. He said the Department was awarded the grant in November 2020 to be used to purchase technology-driven information sharing solutions to address the increase in violent crimes and homicides. It was noted the use of these funds would assist the Police Department in light of the City's limited budget.

Council Member Ali moved to accept the FY2020 Strategies in Policing Innovation (SPI) Grant from the Bureau of Justice Assistance (BJA) of the Department of Justice (DOJ), in the amount of \$516,123.00; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Council Member Ali moved to adopt an Ordinance amending the City of Peoria 2020-2021 Biennial Budget relating to the capital fund to recognize the receipt of grant funding from the Bureau of Justice Assistance providing the FY2020 Strategies in Policing Innovation (SPI) Grant and corresponding expenditures, in the amount of \$516,123.00; seconded by Council Member Jensen.

ORDINANCE NO. 17,814 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Council Member Ali moved to approve a sole source purchase of real-time policing software, linking of 5 sources to the software, and yearly maintenance costs for 3 years from Street Smart, in the amount of \$135,400.00; seconded by Council Member Kelly.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

- (20-301) Communication from the City Manager and Assistant City Manager with a Request for the following:**
- A. ADOPT an ORDINANCE Amending the City of Peoria 2020 - 2021 BIENNIAL BUDGET Relating to the USE of SOUTH VILLAGE TIF FUND BALANCE to PURCHASE Property at 210 S WESTERN AVE in the Amount of \$550,000.00; and**
 - B. APPROVE the PURCHASE of Real Property Located at 210 S WESTERN AVE for Five Hundred Fifty Thousand Dollars (\$550,000.00) from the SOUTH VILLAGE TIF.**

Council Member Moore provided an overview of the item stating the original plan for the new Fire Department on Western was to include a community space; however, she said it was determined the land chosen to build the Fire Department was not big enough to accommodate a community space. She said the grant money used to build the Fire Station would be enough money to purchase the property at 210 S. Western as well. She said the money for both projects would be advanced through the South Village TIF funds and then reimbursed by grant funds once received. She commented on the need for a grocery store on the South Side and how the purchase of 210 S. Western would accommodate that need and provide a community space. She said failure to pass this item would ensure the South Side would remain a food desert.

Council Member Moore moved to adopt an Ordinance amending the City of Peoria 2020 – 2021 Biennial Budget relating to the use of South Village TIF Fund balance to purchase property at 210 S. Western Ave., in the amount of \$550,000.00; seconded by Council Member Ali.

Council Member Oyler expressed a concern for the proposal as it related to the property becoming a grocery store, stating all discussions surrounded the property to become a community center. Due to the change in plans, he said he could not approve the item as presented. He noted the South Side already had community centers that were either run by the Peoria Park District or a private entity. He said City resources were not the use for such a project, stating he had heard from several individuals who did not see it being the best use of \$500,000.00 for the South Side. He commented on the number of demolitions and blight that needed to be addressed prior to purchasing another property wherein the City did not have a solid purpose. He expressed a concern with believing the State would provide the City with grant funds for that purchase.

Council Member Jensen expressed a concern the purchase was now being considered for something other than what had been previously discussed. She said, according to the Council Communication, the purpose was to use the money from the TIF funds to purchase the building to be used as a community center. She said she was supportive of solving the food dessert on the South Side; however, she expressed a concern the grant monies, as well as the TIF funds, had certain requirements for certain purposes and a grocery store may not fall within those requirements.

City Manager Ulrich said the City of Peoria would be awarded \$5 million for the South Side Fire Station and community center. He said the space at 210 S. Western could be utilized for both a community asset and to address some of the food desert issues the South Side faced, stating the uses complemented one another.

Assistant City Manager Deborah Roethler said there were many examples of community centers having commercial activities or supporting commercial entities. She said it was a legitimate area of activity and the City would be open to that outcome, which would align with the phrase "community center." She said it was a legitimate use of the building.

Council Member Jensen asked if Council Member Moore would be agreeable to amend the motion to proceed with the purchase to use as a community center with the potential of being a grocery store or for a purpose related to the benefit of the South Side Community, after seeking community input and preparing a solid plan. She said she did not want to purchase the building to incentivize a private owner to fill the space and open a grocery store.

Council Member Moore moved for a substitute motion to defer this item to the January 12, 2021, Regular City Council meeting; seconded by Council Member Jensen.

Council Member Ali said she supported the deferral, stating it would provide additional time to answer questions and provide clarity on whether this purchase would be a legitimate use of funds. She said she was confident it was an appropriate use for TIF funds; however, she said more clarity was needed on whether it could be used for purposes other than a community center. She said a deferral was appropriate to gather more information, which should be a collaborative effort.

Council Member Montelongo commented on the need of a grocery store for the South Side. He remarked on the importance of bringing the item back with a well thought-out business plan.

Motion to defer this item to the January 12, 2021, Regular City Council meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

(20-302) Communication from the Mayor and Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.

Council Member Riggerbach moved to approve the Declaration of Local State of Emergency; seconded by Council Member Ali.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 10;

Nays: Montelongo - 1.

(20-303) Communication from the Mayor and City Manager with a Request to APPROVE a CONSENT DECREE with the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and the STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

City Manager Ulrich said the Federal agencies were still working on getting the preapprovals finalized. He asked for the matter to be deferred until the City received its Consent Decree from the Federal Government. He recommended scheduling a Special City Council meeting as soon as the government provided the City with the Decree.

Council Member Kelly moved to defer this matter to Tuesday, December 15, 2020, for a Special City Council meeting; seconded by Council Member Grayeb.

Motion to defer to the December 15, 2020, Special City Council meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

(20-304) Communication from the City Manager and Finance Director/Comptroller with a Request to RECEIVE and FILE the RECOMMENDATION of the JOINT REVIEW BOARD/URBAN DECAY TAX ABATEMENT BOARD to Adopt an ORDINANCE to Establish the URBAN DECAY TAX ABATEMENT AREA.

Council Member Kelly explained the process for this item, stating State Statute required the Joint Review Board to review the proposed Ordinance and offer comments. He said the Joint Review Board held two meetings and voted to approve the tax abatement plan with Peoria Public Schools abstaining, noting the School District wanted advice and consent from the School Board.

It was noted the action to occur on this item was to receive and file the Joint Review Board's recommendation, noting approval still had to come back at a minimum of 45 days to remove the property from the existing TIF with an Ordinance to establish the Urban Decay Area. Mayor Ardis said this was not for action on the item, but was for a receive and file only.

Council Member Kelly moved to receive and file the recommendation of the Joint Review Board/Urban Decay Tax Abatement Board to adopt an Ordinance to establish the Urban Decay Tax Abatement Area; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 9;

Nays: Jensen, Moore - 2.

(20-305) Communication from the Mayor and Corporation Counsel with a Request to ADOPT an ORDINANCE Imposing a FEE CAP for Third-Party Food Delivery Services.

Interim Corporation Counsel Chrissie Peterson provided an overview of this item stating, with restaurants having limited dining, they were relying on third party delivery services. She said the restaurants were charged as much as 30% of the purchase price for those services, stating many restaurant owners felt it was an unsustainable amount. She said the proposed item would restrict and cap those fees at 10% of the purchase price and restrict the totality of all fees to no more than 15% of a restaurant's monthly net sales.

Council Member Kelly expressed a concern the City did not have evidence regarding the alleged issues and said he would not support this item without additional and accurate information.

Mayor Ardis said he was contacted by several restaurants owners who utilized third party delivery services. He said, under the current circumstances related to COVID-19, these businesses were dependent upon pickup or a delivery service. He said these third party services were gouging the restaurant owners, and this item was brought to the Council to provide some minimal relief to restaurateurs, noting they were in a desperate situation.

Council Member Jensen moved to adopt an Ordinance imposing a fee cap for third-party food delivery services; seconded by Council Member Moore.

Discussions were held regarding restaurants hiring their own delivery drivers, and it was noted it would create more overhead and liability to the business owner. It was discussed that the restaurants were trying to survive the pandemic and current restrictions without adding additional costs. Mayor Ardis said this item was prudent and the Council needed to support their restaurant operators.

Council Member Ruckriegel remarked on the unfairness the contracts were with the third party delivery services. He said these types of contracts added up and would take out of the pockets of independent business owners. He said there were other cities across the country who were implementing a cap on the third party delivery services because of the additional fees involved. He said this cap would protect the local restaurants, consumers, and economy.

Council Member Oyler said the restaurant industry had been the most heavily regulated and impacted industry in the community and were barely hanging on while operating at partial capacity. He expressed a concern for the 30% charge the third party delivery services were imposing, and he said he would support this item.

ORDINANCE NO. 17,815 imposing a fee cap for third-party food delivery services was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel,
Mayor Ardis - 10;

Nays: Kelly - 1.

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

(20-182) Communication from the City Manager and the Community Development Director with a Request to ADOPT an ORDINANCE Amending APPENDIX A (the Unified Development Code) of the CODE of the City of Peoria Pertaining to SHORT TERM RENTAL USES.

Council Member Oyler said he would defer this matter to the next City Council meeting, and he asked Community Development Director Black to draft a Council Communication outlining a proposal by right with a probationary period, which would allow for public input for citizen concerns.

Council Member Oyler moved to defer this item to the January 12, 2021, Regular City Council Meeting; seconded by Council Member Kelly.

Motion to defer to the January 12, 2021, Regular City Council meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 10;

Nays: Jensen - 1.

(20-226) Communication from the City Manager and Director of Community Development with a Request to WITHDRAW the Request to Adopt an ORDINANCE Amending Appendix A, the Unified Development Code, Relating to PARKING IN FORM DISTRICTS. (Council Districts 1, 2, & 3)

Council Member Moore said this item was too restrictive for many of the Council Districts, stating the City needed to entice people to park and shop in the City. She said the item seemed too restrictive as well for the development of housing. She said the withdrawal of this item reflected the Council's responsiveness when businesses provided input.

Council Member Moore moved to withdraw the request to adopt an Ordinance amending Appendix A, the Unified Development Code, relating to parking in Form Districts; seconded by Council Member Oyler.

Motion to Withdraw was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

(20-231) Communication from the Mayor and City Manager with a Request for the Following:

A. APPROVE a RESOLUTION Submitting a Public Question to Referendum Pertaining to the FIREFIGHTERS' PENSION TAX (ADVISORY REFERENDUM), and

B. APPROVE a RESOLUTION Submitting a Public Question to Referendum Pertaining to the POLICE PENSION TAX (ADVISORY REFERENDUM).

Council Member Oyler said this was not a request for a tax increase nor was it an endorsement. He said the purpose of this item was to seek feedback from the community.

Council Member Oyler moved to approve a Resolution submitting a public question to referendum pertaining to the Firefighters' Pension Tax (Advisory Referendum); seconded by Council Member Ruckriegel.

Discussions were held regarding the matter being posed as two separate questions to the voters, and Council Member Oyler said it was previously discussed by the City Council to be two separate questions on the ballot as it related to the Firefighters and Police, noting both pension systems affected the City's financial stability.

Council Member Jensen said she did not support separating the question into two parts.

Council Member Kelly inquired whether the two pensions systems involved two separate Statutes in the Illinois Compiled Statutes, and City Manager Urich confirmed the two pensions operated under two separate Statutes.

Council Member Kelly said he was supportive of keeping the questions separated as presented on the agenda.

Council Member Grayeb said he was not in favor of this item, as presented, and he said he would vote no on this item.

RESOLUTION NO. 20-231-A submitting a public question to referendum pertaining to the Firefighters' Pension Tax (Advisory Referendum) was approved by roll call vote.
Yeas: Cyr, Kelly, Montelongo, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 7;
Nays: Ali, Grayeb, Jensen, Moore - 4.

Council Member Oyler moved to approve a Resolution submitting a public question to referendum pertaining to the Police Pension Tax (Advisory Referendum); seconded by Council Member Ruckriegel.

At the request of Council Member Grayeb, Interim Corporation Counsel Peterson read the referendum as it would be listed on the ballot. In response to Council Member Kelly, she said State Statute allowed for a 0.75% tax for a "protection" tax. She said the final direction received from the City Council was to review a "pension" tax wherein there was no limitation on the amount that could be levied. She said the City currently levied for a pension tax.

RESOLUTION NO. 20-231-B submitting a public question to referendum pertaining to the Police Pension Tax (Advisory Referendum) was approved by roll call vote.
Yeas: Cyr, Kelly, Montelongo, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 7;
Nays: Ali, Grayeb, Jensen, Moore - 4.

(20-244) Request by Council Member Riggerbach to REMOVE FROM THE TABLE Item No. 20-244, a Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class CN (Neighborhood Commercial) District for an ASSISTED LIVING (Sober Living) FACILITY, for the Property Located at 2419 N PROSPECT ROAD (Parcel Identification No. 14-34-327-009), Peoria IL (Council District 3), and to Place this Matter on the January 12, 2021, Regular City Council Meeting for Action.

Council Member Riggerbach moved to remove from the Table Item No. 20-244, a Communication from the City Manager and Director of Community Development with a request to concur with the recommendation from the Planning and Zoning Commission and Staff to adopt an Ordinance approving a Special Use in a Class CN (Neighborhood Commercial) District for an Assisted Living (Sober Living) Facility, for the property located at 2419 N. Prospect Road (Parcel Identification No. 14-34-327-009), Peoria, Illinois (Council District 3), and to place this matter on the January 12, 2021, Regular City Council Meeting for action; seconded by Council Member Oyler.

Motion to remove this item from the Table and to placed on the January 12, 2021, Regular City Council Meeting agenda was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

NEW BUSINESS

Discussions Regarding Possible Reduction of Fees to Restaurants

Council Member Montelongo said restaurants were currently operating at 25% capacity, pursuant to the Governor's order; however, he said the City fees were still issued at 100%. He asked if the City could entertain a reduction in those fees for restaurants and taverns.

City Manager Urich said he had reviewed how other communities were handling the situation, stating none were offering a reduction in liquor license and gaming fees. He said the City did not oversee food licenses, stating those were under the purview of the Health Department.

Council Member Montelongo asked that an item be presented at the January 12, 2021, Regular City Council meeting to discuss options the Council could take to reduce fees for restaurants and taverns in 2021.

Cancellation of the December 22, 2020, Regular City Council Meeting

Council Member Riggerbach moved to cancel the regularly scheduled City Council meeting allotted for December 22, 2020; seconded by Council Member Jensen.

Council Member Grayeb commented the Council had the capability to conduct a Special Meeting should something significant happen. He said he would support the cancelation.

Motion to cancel the December 22, 2020, Regular City Council Meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Moratorium on Evictions Ends Saturday, December 12, 2020

Council Member Moore said the moratorium on evictions would end this Saturday, December 12, 2020. She expressed a concern for many individuals in the First District who were targeted for evictions. She said she had discussions with Community Development Director Ross Black and Interim Corporation Counsel Chrissie Peterson and they stated illegal evictions would not occur this Saturday, noting a procedure was in process. She said the first point of contact for those being evicted should be the United Way, stating that organization had the most rapid deployment of services. She said no illegal evictions should occur this weekend.

City Enforcement of Governor's Mitigation Orders

Council Member Jensen inquired as to the process regarding the enforcement of the Governor's mitigation orders. City Manager Urich said the City received complaints through the "Restore HOI" website. He said restaurant-related complaints were shared with the Public Health Department. He said the Police Department and the Community Development would visit the

establishment, document the issue, and file the matter with the State's Attorney's Office for follow-up. He commented other agencies were involved in the process such as the Illinois State Liquor Commission. He said the City has not had the conversation of revoking City liquor licenses, but was trying to work in conjunction with the State's Attorney's Office and the State to ensure compliance.

Council Member Jensen said the Liquor Commission should consider revoking an establishment's liquor license if they were not in compliance with the Governor's order.

Possible Relief Package

Council Member Jensen asked for an update regarding a bipartisan bill that was pending before Congress that would provide relief for local and state governments. City Manager Urich said he did not have a current update, stating there was not a good analysis available and no information had been provided by the National League of Cities.

Updates at the State Level Regarding Budget Cuts

In response to Council Member Jensen, City Manager Urich said the Governor was waiting to hear back from legislative leaders on proposed budget cuts to the State's budget. He said he did not know of anything specific to date. He said he and Mayor Ardis would be attending an Illinois Municipal League meeting later in the week wherein more information would be provided at that time.

Update on the COVID-19 Vaccine

City Manager Urich reported the City had a meeting with the healthcare group last week, stating the vaccine would be targeted towards healthcare providers first. He said they were looking at how to roll out the vaccine stating the City would follow the guidance of the Public Health Department. He said once a logical model was provided, it would be shared with the City Council and explained to the rest of the community. He said he was hopeful it would occur sometime before the end of the year, noting no one would be mandated to take the vaccine.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ardis asked City Clerk Beth Ball to read the citizen comments into the record as follows:

Denise Jackson, a citizen of Peoria, asked the City Council to reject the proposal to buy the former Save-A-Lot building on Western Avenue, noting there were already three community centers on the South Side. She expressed concern the residents in the First District were not consulted about the possible purchase. She said the Southside Community United for Change would like to participate in the discussions relating to that building. She said the money that would be used for the purchase could be better spent on more pressing concerns.

Andres Diaz, a citizen of Peoria, remarked on the importance of seeking public input prior to a project taking place in the community. He commented on the potential purchase of the old Save-A-Lot building on Western Avenue stating public input was not sought for that project, nor was the Southside Community United for Change. He commented on the Consent Decree with the U.S. E.P.A. and expressed a concern the City had not educated the public on the difference between the current stormwater fee that was imposed upon the citizens and a new fee that would be imposed to cover the Consent Decree. He encouraged the Council to engage the citizens of Peoria to develop solutions to some of the problems the City faced.

Martha Ross, President of Southside Community United for Change (SCUC), outlined some concerns regarding ongoing decisions being made for the people of the Southside without the input of the people who lived there. She expressed a concern the people of the Southside were not involved in discussions regarding the potential purchase of 210 Western Avenue, as well as the potential use for the building at that location. She said SCUC members asked that any plans going forward relating to programming for the Southside neighborhood include representatives from the Southside.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION pursuant to 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; and, 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 Ruckriegel moved to go into Executive Session pursuant 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; and 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 Kelly.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

ADJOURNMENT

Council Member Ruckriegel moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Kelly.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

The Joint City Council and Town Board Meeting was adjourned at 8:42 P.M.



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