



: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular Meeting of the City Council of Peoria, Illinois, was held on August 23, 2022, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Ali presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were present: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggenschach, Ruckriegel, Velpula, Mayor Ali – 10. Absent: Jensen - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

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

MINUTES

Council Member Oyler moved to approve the minutes of the Joint City Council and Town Board Meeting held on August 9, 2022, and the Special City Council Meeting held on August 16, 2022, as printed; seconded by Council Member Allen.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggenschach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (22-286) **Communication from the Mayor and Interim Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY**
- (22-287) **Communication from the City Manager and Director of Human Resources with a Request to APPROVE and Authorize the City Manager to Execute the COLLECTIVE BARGAINING AGREEMENT between the City of Peoria and the INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 50, Covering the Period from January 1, 2022 through December 31, 2025.**

- (22-288) Communication from the City Manager and Economic Development Department with a Request to APPROVE and Enter into a PROFESSIONAL SERVICES CONTRACT with JACOB & KLEIN, LTD. and the ECONOMIC DEVELOPMENT GROUP, LTD., in the Amount of \$42,570.00 plus Reimbursable Cost, for Consulting Services Related to Establishing a TAX INCREMENT FINANCING (TIF) DISTRICT Bounded by IL ROUTE 6, RADNOR ROAD, WILLOW KNOLLS ROAD, and ALLEN ROAD. (Council District 5)
- (22-289) Communication from the City Manager and Director of Public Works with a Request to APPROVE an INTERGOVERNMENTAL AGREEMENT with the COUNTY OF PEORIA for Traffic Control Devices, Pavement Markings, and Street Striping.
- (22-290) Communication from the City Manager and Director of Public Works with a Request APPROVE and AUTHORIZE the City Manager to Execute an AGREEMENT with the ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT), in the Amount of \$20,018.00 Plus Contingencies, for the City's Participation in D4 ITS SYSTEM 2023. (Council District 1, 3, 4 & 5)
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- (22-291) Communication from the City Manager and Director of Public Works with a Request to APPROVE and AUTHORIZE the City Manager to Execute an AGREEMENT with ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT), in the Amount of \$19,696.00 plus Contingencies, for the City's Participation in D4 ITS SYSTEM 2023-1. (Council District 2, 3, 5)
- (22-292) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT ORDINANCE No. 17,994 Amending an Existing SPECIAL USE (Ordinance Nos. 13,111 and 13,194), in a Class C-2 (Large-Scale Commercial) District, to Allow for a 300 sq. ft. Wall Sign for the Property Located at 4100 W. WILLOW KNOLLS DRIVE and Commonly Known as the Willow Knolls Shopping Center, (Parcel Identification Nos. 13-12-300-018, 13-12-300-020, 13-12-300-021, 13-12-300-022, 13-12-300-024, 13-12-300-030, 13-12-300-031, 13-12-300-032, and 13-12-302-003), Peoria, IL. (Council District 4)

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

Council Member Oyler requested Item Nos. 22-287 and 22-290 be removed from the Consent Agenda for further discussion.

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

Item Nos. 22-286 through 22-292 (except Item Nos. 22-287 and 22-290 which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

- (22-287)** **Communication from the City Manager and Director of Human Resources with a Request to APPROVE and Authorize the City Manager to Execute the COLLECTIVE BARGAINING AGREEMENT between the City of Peoria and the INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 50, Covering the Period from January 1, 2022 through December 31, 2025.**
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Council Member Oyler said he would not vote to approve this item because he said he would not support a union contract that did not include a residency requirement. He said allowing employees to live outside of the City negatively impacted neighborhoods. He acknowledged the union had worked with the City to add some residency requirements, but he said the requirements were not adequate.

Council Member Jackson moved to approve and authorize the City Manager to execute the collective bargaining agreement between the City of Peoria and the International Association of Firefighters Local 50, covering the period from January 1, 2022, through December 31, 2025; seconded by Council Member Riggenbach.

Council Member Grayeb asked interim Corporation Counsel Kapustka to provide the Council a history of residency requirements in the City so the Council could have a better understanding of the lack of residency requirements in employment contracts. He said he would like to have City employees live within in the City limits, but he said everyone needed to understand the challenges of lobbying the courts to allow the requirements.

Interim Corporation Counsel Kapustka outlined a previous grievance with a union contract involving residency requirements which resulted in a decision that disfavored residency requirement for union contacts. She said the contract for International Association of Firefighters Local 50 did contain a requirement for members to live within the City for the first ten years of employment. She provided a brief legislative history of enforcing residency requirements as well as recent changes to legislation. She said legislation was not written with clarity and merely stated residency requirements should be discussed.

Council Member Grayeb detailed previous Council discussions about residency requirements, and he said Council Members preferred to enforce residency requirements. He said he agreed with the sentiment of Council Member Oyler, but he was aware of history.

Motion to approve and authorize the City Manager to execute the collective bargaining agreement between the City of Peoria and the International Association of Firefighters Local 50, covering the period from January 1, 2022, through December 31, 2025, was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Riggenbach, Ruckriegel, Velpula,
Mayor Ali – 9;

Nays: Oyler - 1.

- (22-290)** **Communication from the City Manager and Director of Public Works with a Request APPROVE and AUTHORIZE the City Manager to Execute an AGREEMENT with the ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT), in the Amount of \$20,018.00 Plus Contingencies, for the City's Participation in D4 ITS SYSTEM 2023. (Council District 1, 3, 4 & 5)**
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A handout with an amended Council Communication and revised Agreement was provided to all Council Members.

Council Member Cyr moved to approve and authorize the City Manager to Execute an agreement with the Illinois Department of Transportation (IDOT), in the amount of \$20,018.00 plus contingencies, for the City's participation in D4 ITS System 2023; seconded by Council Member Ruckriegel.

Approved by roll call vote

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

FIRST READINGS

(22-293) Communication from the City Manager and Interim Corporation Counsel with a Request to RECEIVE and FILE a FIRST READING of an ORDINANCE Amending ARTICLE 19 (Operation of a Cannabis Business) of CHAPTER 18 of the CODE of the City of Peoria Related to LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS.

Interim Corporation Counsel Kapustka discussed the history of Council processes to establish an Ordinance allowing the sale of recreational cannabis in the City in preparation of the January 1, 2020, deadline. She said many cannabis-related businesses had opened in Illinois since that time. She provided the State of Illinois requirement for eligibility to apply as a Social Equity Applicant, the benefits of such a designation, and the limitations of dispensary licensing, including the rule that a dispensary cannot exist within 1,500 feet of another dispensary unless it was a Social Equity Applicant. She said some entities were using tactics to retain that designation when ownership transferred, noting this was a concern across the State, which caused a judge to halt licenses until recently. She said seven of the newly issued Social Equity Applicant licenses were in the Peoria Bureau of Labor Statistics (BLS) area and there was a possibility that some of these would look for a location within the City of Peoria. She stated the proposed Ordinance would ensure the intent of the State statute by defining Social Equity Applicant and provided clear language regarding the 1,500-foot rule. She said this would provide a backstop at the State and local level and she outlined the additional requirements and annual renewal procedures included within the Ordinance.

Council Member Allen said it was necessary to be proactive because the City would be fielding more licenses for marijuana dispensaries. He said the Council would need to ensure the principles of diversity, equity, and inclusion were upheld and Social Equity Applicants were operating under the intent of the State statute.

Discussions were held about the total number of applicants in the State, the number of applicants in the Peoria BLS area, the location of current dispensaries in the Peoria BLS region, and the timeline available to applicants to establish a location.

Further discussions were held regarding the preparedness of the City to attract and establish new dispensary applicants and licensing fees.

Council Member Allen moved to receive and file a First Reading of an Ordinance amending Article 19 (Operation of a Cannabis Business) of Chapter 18 of the Code of the City of Peoria related to licenses and miscellaneous business regulations; seconded by Council Member Velpula.

Motion to receive and file a First Reading of an Ordinance amending Article 19 (Operation of a Cannabis Business) of Chapter 18 of the Code of the City of Peoria related to licenses and miscellaneous business regulations approved by roll call vote.
Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 10;
Nays: None.

CLERK'S NOTE: Item No. 22-293 will be placed on the September 13, 2022, Regular City Council Meeting agenda.

(22-294) Communication from the City Manager and Director of Community Development with a Request to Concur with the Planning & Zoning Commission and Staff to RECEIVE and FILE a FIRST READING of an ORDINANCE Amending Appendix A of the Unified Development Code, Relating to DATA CENTERS.

Assistant Director of Community Development Leah Allison said the proposed text in the amendment was drafted in an effort to be proactive regarding a new type of use called data centers. She listed the types of data centers that existed and explained data centers varied in size and utilized a large amount of utilities. She said the Ordinance covered data centers as a primary use only, which included language regarding location suitability and performance standards, and she confirmed no data centers currently operated within the City of Peoria.

Discussions were held about the infrastructure requirements for data centers and the capacity of the City to meet the requirements. Mayor Ali requested City Manager Urich explore the capability of the City to host a data center if the Ordinance was approved.

Discussions were held regarding the infrastructure challenges in the City of Peoria, how to overcome the potential limitations, and which utilities would need to be engaged to assess and increase the capacity of the City to host data centers.

Council Member Grayeb moved to receive and file a First Reading of an Ordinance amending Appendix A of the Unified Development Code, relating to Data Centers; seconded by Council Member Kelly.

Approved by roll call vote
Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 10;
Nays: None.

CLERK'S NOTE: CLERK'S NOTE: Item No. 22-294 will be placed on the September 13, 2022, Regular City Council Meeting agenda.

REGULAR BUSINESS

(22-295) Communication from the City Manager and Interim Corporation Counsel with a Request to APPROVE a RESOLUTION Requesting State Legislators Sponsor an Amendment to the AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM.

Interim Corporation Counsel Kapustka referenced previous discussions with the Council regarding the ability to have an automated redlight traffic system in the City of Peoria, and she

recapped the history of the legislation allowing redlight cameras in eight counties near Chicago. She said this resolution was prepared to ask legislators to sponsor an amendment allowing the City of Peoria permission to use redlight cameras. She explained the difference between speed cameras, redlight cameras, and railroad crossing cameras, noting the limited allowable use of speed cameras by State Police, State tollway authorities, and communities with more than one million in population. She said the City could work with IDOT and the Commerce Commission if there were noted problems at railroad crossings, but she said she could not find anything in the legislative history to allow moving forward with a speed camera request because the City of Chicago was the only City in Illinois authorized to use them.

Mayor Ali clarified this item was asking legislators to amend the State Statute to allow the City to use redlight cameras rather than voting on implementation. She asked Chief of Police Echevarria to discuss his opinion regarding redlight cameras.

Chief of Police Echevarria said he was researching the issue and his Staff was evaluating cities that use redlight cameras as well as vendors who provided them to assess options and potential issues with the use of redlight cameras. He said he needed to ensure the appropriate manpower was available to review data from the camera and ensure the cameras would not cause additional stress to Staff or the community.

In response to Mayor Ali regarding when the veto session opened with the State legislature, City Manager Urich said he believed the veto session would open in mid-November, and the proposal could be presented in January.

Mayor Ali stated there was time available to make this decision since the first veto session was not until November with a second opportunity available during the Spring session.

In response to Council Member Kelly questioning if Chief of Police Echevarria held a similar opinion regarding speed cameras, Chief Echevarria said he was researching both speed and redlight cameras, but since the City was not allowed to use speed cameras, he was focusing more on redlight cameras.

Council Member Kelly asked if a deferral might be appropriate if the Council was considering the addition of a Resolution regarding speed cameras.

Council Member Grayeb said the Council had discussed redlight cameras for years and they were told the City of Peoria could not use them. He said he was pleased Interim Corporation Counsel Kapustka investigated the issue to discover there was no language in the law prohibiting the City from using redlight cameras. He said the Council was asking lawmakers to allow the City of Peoria to use the same tools as the eight counties near Chicago to deal with lawbreakers. He said he had received many complaints from citizens about speeding, and he said the City did not employ the Staff required for enhanced traffic enforcement. He discussed key intersections where redlight cameras would be most useful, and he outlined other safety features offered by many redlight cameras.

In response to Council Member Grayeb asking about the City's success in collecting traffic fines, Chief of Police Echevarria said that was an issue that presented some difficulty and he said he was working with Corporation Counsel for a resolution.

Discussions were held regarding the difficulties in collecting fines emboldening speeders who did not face consequences.

Council Member Grayeb said the Resolution was not about speed cameras. He said redlight cameras were a small but important aspect of traffic violations, but he said they were a tool for busy intersections. He expressed he was reluctant to defer this item even though lawmakers could not act until the Fall session.

Council Member Riggerbach said he agreed with the comments made by Council Member Grayeb regarding the efforts of Interim Corporation Counsel Kapustka. He said Council should approve the Resolution and hold discussions until a decision was made by the State. He said if the City was granted approval to use redlight cameras, a full discussion should be had with the community regarding concerns, including potential profiling and misuse. He said details needed to be vetted and concerns addressed, but he said the Council should not limit itself. He said he believed a Resolution for speed cameras should wait until Spring 2023.

Mayor Ali said if the Resolution was approved, they should have a meeting with key stakeholders, the Council and legislators.

Council Member Allen said he agreed the Resolution should be approved before further discussions were held regarding the details. He said a feasibility study could be conducted and key stakeholders should be consulted to ensure there were no detrimental effects on the community.

Council Member Oyler said this issue should be decided by the Council instead of at the State-level. He said he would vote in favor of this Resolution for that reason, but he noted his vote did not indicate his support of redlight cameras.

Discussions were held about postponing conversations until permission was granted by the State for the use of redlight cameras, equity and safety concerns of redlight cameras, and gathering data from the Chicago-area to present to State representatives.

Council Member Grayeb moved to approve a Resolution requesting State Legislators sponsor an amendment to the Automated Traffic Law Enforcement System; seconded by Kelly.

RESOLUTION NO. 22-295 was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: None.

(22-296) Communication from the City Manager and Interim Corporation Counsel with a Request for the Following:

- A. ADOPT an ORDINANCE Amending the City of Peoria 2022 REVISED ANNUAL BUDGET Relating to the Use of the Central Business TIF Fund Balance to Reimburse OSF HEALTHCARE SYSTEM and 124 ADAMS PROPERTY HOLDINGS, LLC up to \$1,500,000.00 for Public Improvements to the Corners of FULTON STREET, ADAMS STREET, and WASHINGTON STREET; and,**
- B. APPROVE the SECOND AMENDMENT to the Revised REDEVELOPMENT AGREEMENT and PARKING DECK LEASE with OSF HEALTHCARE SYSTEM and 124 ADAMS PROPERTY HOLDINGS, LLC.**

City Manager Urich said the City was already committed to reimbursing OSF Healthcare System and 124 Adams Property Holdings, LLC up to \$1,250,000.00 for improvements on Washington Street, and he said since the estimate was lower than actual costs, the request was to increase the funding reimbursement to \$1,500,000.00.

Council Member Oyler moved to adopt an Ordinance amending the City of Peoria 2022 Revised Annual Budget relating to the use of the Central Business TIF Fund Balance to Reimburse OSF Healthcare System and 124 Adams Property Holdings, LLC up to \$1,500,000.00 for public improvements to the corners of Fulton Street, Adams Street, and Washington Street; seconded by Council Member Cyr.

Council Member Riggerbach said this project was overdue, noting it began ten years ago when half of the project was completed with the anticipation of the second half being completed. City Manager Urich clarified the County completed the first part of the project and it was three-quarters completed.

Council Member Riggerbach said this was a \$127 million project and he thanked OSF for their leadership and commitment.

Ordinance No. 17,995 was adopted by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

Council Member Oyler moved to approve the second amendment to the revised Redevelopment Agreement and Parking Deck Lease with OSF Healthcare and 124 Adams Property Holdings, LLC.; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

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

It was determined there was no Unfinished Business at that time.

NEW BUSINESS

Speed Cameras

Council Member Kelly requested clarification on the timing for the Council to bring forward a Resolution regarding Speed Cameras

Mayor Ali said she believed keeping the Resolutions for speed cameras and redlight cameras separate was paramount.

Council Member Kelly expressed concern the speed cameras Resolution did not have a chance of being approved during veto session and would have to wait another year before being considered, but the redlight Resolution would be presented during the State of Illinois Spring Legislative Session.

Council Member Riggerbach said the urgency for the redlight camera Resolution came from

ongoing discussions with the Council and Interim Corporation Counsel Kapustka finding the intentions of the legislation may have been different than what was previously understood. He said the redlight camera initiative was a simple amendment and obtaining permission to use speed cameras would be much more complex. He said a Resolution for speed cameras should follow the normal process in Spring session.

Council Member Kelly said he disagreed, but would not pursue a Resolution for speed cameras at that time.

Discussions were held about an increase in traffic incidents since the COVID pandemic particularly impacting communities of color, the complexity of obtaining permission for speed cameras compared to redlight cameras, and the specific situations when speed cameras were allowable.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ali granted privilege of the floor to those citizens wishing to address the City Council.

Charles King, a citizen of Peoria, detailed his history of mental health problems and he said he had trouble finding a medication to help ease his symptoms. He said only one medication worked for him, but he said he did not have access to it because it was currently illegal. He asked Council to take action to decriminalize Psilocybin, also known as Magic Mushrooms.

EXECUTIVE SESSION

Consideration of a Motion for the City Council to enter into EXECUTIVE SESSION pursuant to 5 ILCS 120/2(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)(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 an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; 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.

Council Member Jackson moved to enter into Executive Session pursuant to 5 ILCS 120/2(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)(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 an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; 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; seconded by Council Member Velpula.

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

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

ADJOURNMENT

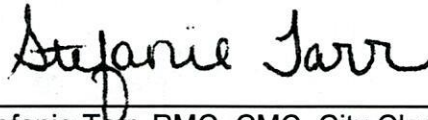
Council Member Ruckriegel moved to adjourn the City Council Meeting; seconded by Council Member Cyr.

Motion to adjourn was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

The Regular City Council Meeting was adjourned at 7:29 P.M.



Stefanie Tarr, RMC, CMC, City Clerk
City of Peoria, Illinois

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