: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS:

A Joint Regular Meeting of the City Council and Town Board of Trustees of Peoria, Illinois, was held February 27, 2018, at 6:00 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: Akeson (Arrived at 6:11 P.M.), Cyr, Grayeb, Jensen, Moore, Montelongo, Oyler, Riggenbach, Ruckriegel, Turner, Mayor Ardis – 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

Colorectal Cancer Awareness Month Kellar Guest Reader Heart of Illinois Continuum of Care World Day of Prayer

ANNOUNCEMENT REGARDING NOTICE TO TOWNSHIP ELECTORS

Mayor Ardis announced, pursuant to Public Act 095-0761, any citizen who wishes to have an item considered on the Agenda at the Annual Town Meeting to be held Tuesday, April 10, 2018, at 6:00 P.M., is required to bring a specific request signed by 15 or more electors to the Clerk no later than March 1, 2018. He continued by saying that any group of registered voters may request an advisory question of public policy for consideration by the electors at the annual meeting by giving written notice of the specific advisory question to the Township Clerk in the same manner as required for an agenda item under subsection (b) of Section 30-10 of the Township Code.

MINUTES

Council Member Grayeb moved to approve the minutes of the Special City Council Meeting held on February 10, 2018, and the Regular City Council Meeting held on February 13, 2018, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

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

(18-036) Communication from the Town Board with a Request to APPROVE MONTHLY ANTICIPATED EXPENDITURES for MARCH 2018 for the Town of the City of Peoria.

Trustee Grayeb moved to approve the monthly anticipated expenditures for March 2018 for the Town of the City of Peoria; seconded by Trustee Turner.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach, Ruckriegel,

Turner, Chairman Ardis - 11;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS - CITY OF PEORIA

CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined

- (18-037) Communication from the City Manager and Director of Public Works with a Request to APPROVE a PAYMENT to AMEREN ILLINOIS, in the Not-To-Exceed Amount of \$23,037.22, for Relocations of Poles on the South Side of Northmoor Road, East of Rosemead Drive, for the NORTHMOOR ROAD IMPROVEMENT PROJECT (from ALLEN ROAD to UNIVERSITY STREET). (Council District 4)
- (18-038)

 Communication from the City Manager and Director of Community

 Development with a Request to APPROVE \$400,000.00 in HUD HOME

 FUNDS to HABITAT FOR HUMANITY GREATER PEORIA AREA for the

 Construction of Four (4) New, Affordable, Single-Family, Owner-Occupied

 Homes Located in the 1000 and 1100 Blocks of NORTHEAST MADISON and

 MONROE. (Council District 1)
- (18-039) Communication from the City Manager and Director of Public Works with a Request to APPROVE the Selection Process and Approve an AGREEMENT with MILLENNIA PROFESSIONAL SERVICES, in the Amount Not to Exceed \$770,885.92, for Phase 3 Engineering Services for the NORTH UNIVERSITY STREET PROJECT (From PIONEER PARKWAY to TOWNLINE ROAD). (Council District 5)
- (18-040) Communication from the City Manager and Director of Public Works with a Request for the Following:
 - A. To APPROVE an AGREEMENT with MAURER-STUTZ, INC., in an Amount Not to Exceed \$650,000.00, for Phase 3 Engineering Services for the MACARTHUR HIGHWAY BRIDGE RECONSTRUCTION PROJECT. (Council Districts 1 & 2)
 - B. To APPROVE MOTOR FUEL TAX RESOLUTION NO. 18-040, Project Supplement #1, in the Amount of \$400,000.00 for the Phase 3 Engineering Services Contract for the MACARTHUR HIGHWAY BRIDGE RECONSTRUCTION PROJECT. (Council Districts 1 & 2)

- (18-041)

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 Communication from the City Manager and Director of Public Works with a Request to APPROVE a STATE MOTOR FUEL TAX (MFT) RESOLUTION, in the Amount of \$3,400,000.00, for the NORTHMOOR ROAD IMPROVEMENT PROJECT (from ALLEN ROAD to UNIVERSITY STREET). (Council District 4)
- (18-029) Communication from the City Manager and Director of Public Works with a Request to ADOPT an ORDINANCE Amending Chapter 28, Section 83 of the CODE of the CITY OF PEORIA Pertaining to FINES FOR PARKING VIOLATIONS.
- (18-042)

 Communication from the City Manager and Director of Community

 Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class C-1 (General Commercial) District for Used Auto Sales for the Property Located at 7419 NORTH UNIVERSITY STREET (Parcel Identification No. 14-07-276-002).
- (18-043) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 17,554 Amending Ordinance 17,541 to Remove the ABATEMENT of Taxes Regarding the GENERAL OBLIGATION CORPORATE BONDS SERIES 2016 B of the City of Peoria, Peoria County, Illinois.
- (18-044) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 17,555 Abating the Tax Heretofore Levied to Pay Principal and Interest on the GENERAL OBLIGATION CORPORATE BONDS, of the City of Peoria, Peoria County, Illinois 2018 SERIES A.
- (18-045) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the ST. JUDE RIDERS ASSOCIATION for an Event to be Held on ½ of NIAGARA ALLEY between the 100 Block of SW JEFFERSON AVENUE and the 100 Block of SW ADAMS STREET, on Friday, March 17, 2018. (Council District 1)
- (18-046) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the Following Dates for Scheduled Events Sponsored by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E.), Subject to Their Filing the Necessary Permits and Approval as Required by the City Code:
 - Taste of Peoria Riverfront Festival Park August 8, 2018
 - Labor Day Picnic Riverfront Festival Park September 3, 2018
- (18-047) Communication from the City Manager and Director of Public Works with a Request to APPROVE the 2018 FISCAL YEAR LANDFILL BUDGET as Adopted by the PEORIA CITY/COUNTY LANDFILL COMMITTEE.
- (18-048) REPORT from the CITY TREASURER PATRICK A NICHTING for the MONTH of JANUARY 2018, with Request to Receive and File.

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

Council Member Akeson requested Item No. 18-038 be removed from the Consent Agenda for further discussion.

Council Member Moore requested Item No. 18-042 be removed from the Consent Agenda for further discussion.

Council Member Grayeb requested Item No. 18-029 be removed from the Consent Agenda for further discussion.

Council Member Montelongo requested Item No. 18-041 be removed from the Consent Agenda for further discussion.

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

Item Nos. 18-029, 18-037 through 18-048 (excluding Item Nos. 18-029, 18-038, 18-041, and 18-042) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-038)

Communication from the City Manager and Director of Community

Development with a Request to APPROVE \$400,000.00 in HUD HOME
FUNDS to HABITAT FOR HUMANITY GREATER PEORIA AREA for the
Construction of Four (4) New, Affordable, Single-Family, Owner-Occupied
Homes Located in the 1000 and 1100 Blocks of NORTHEAST MADISON and
MONROE. (Council District 1)

Council Member Akeson said she had met with Community Development Director Ross Black to discuss whether Habitat for Humanity would be amenable with a deferral in order to gather more information, and at the conclusion of her comments, she moved to defer this item to the March 13, 2018, Regular City Council Meeting; seconded by Council Member Moore.

Motion to defer to the March 13, 2018, Regular City Council Meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-041) Communication from the City Manager and Director of Public Works with a Request to APPROVE a STATE MOTOR FUEL TAX (MFT) RESOLUTION, in the Amount of \$3,400,000.00, for the NORTHMOOR ROAD IMPROVEMENT PROJECT (from ALLEN ROAD to UNIVERSITY STREET). (Council District 4)

At Council Member Montelongo's request, Public Works Director Scott Reeise provided an overview of the project noting it was the entire stretch of Northmoor Road from University Street to Allen Road. He provided a timeline of the work to be completed stating that Northmoor would be closed to traffic other than to residents and he said the schedule of the project would be posted to the City's website.

Council Member Montelongo asked Director Reeise to have Staff review the intersection of Teton and University Street, noting he had received calls from residents expressing concerns at that location.

Council Member Montelongo moved to approve a State Motor Fuel Tax (MFT) Resolution, in the amount of \$3,400,000.00, for the Northmoor Road Improvement Project (from Allen Road to University Street); seconded by Council Member Cyr.

MFT RESOLUTION NO. 18-041 was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-029) Communication from the City Manager and Director of Public Works with a
*** Request to ADOPT an ORDINANCE Amending Chapter 28, Section 83 of the
CODE of the CITY OF PEORIA Pertaining to FINES FOR PARKING

VIOLATIONS.

Council Member Grayeb expressed his concern for the cost of parking, stating that free parking was an integral part of restoring vibrancy downtown. He said he would be voting against this item as it related to parking violation fines.

Discussions were held regarding the fine increase. City Manager Urich said \$3.00 of the \$5.00 would go towards the mobile ticketing service, which was \$3.00 per ticket collected, and the balance would go into the General Fund.

Council Member Ruckriegel said he would be voting against this item. He commented that the City needed to be transparent as to where the fees would be allocated. He said he could not support the \$2.00 out of the \$5.00 without having an actual allocation.

Council Member Jensen recommended decreasing the proposed increase from \$5.00 to \$3.00 in order to cover the cost of the new equipment.

City Manager Urich said Staff had taken comparables from other cities. He said the City had a decline in revenues and he stated that the additional \$2.00 would help with the budget deficit.

Mayor Ardis said the City of Peoria was lower than other communities in its parking fines.

Public Works Director Reeise said the City Council was previously provided with information regarding fines other communities charged and he said Staff tried to be comparable to Champaign-Urbana and Bloomington.

Council Member Jensen said she would support this item because the City needed a more efficient system for issuing parking tickets and she said she would support a \$3.00 increase.

Council Member Riggenbach said he was supportive of the item noting that the parking spots near major buildings were valuable and the reason there were meters was to prevent people from parking all day long. Based on the information presented, he said \$5.00 was a fair increase. He said a budget amendment could come later before Council to address whether to apply the \$2.00 towards pothole repair.

Council Member Riggenbach moved to adopt an Ordinance amending Chapter 28, Section 83 of the Code of the City of Peoria pertaining to fines for parking violations; seconded by Council Member Turner.

Council Member Moore commented on how the collection of parking fines had decreased significantly for 2017. She said the reason for the decrease was due to a significant decrease in Parking Enforcement Officers. She said Parking Enforcement had increased in personnel; however, she said she would like to see the extra money used to bring back additional officers. At the conclusion of her comments, she said she would support the item as presented.

ORDINANCE NO. 17,556 amending Chapter 28, Section 83 of the Code of the City of Peoria pertaining to fines for parking violations was adopted by roll call vote.

Yeas: Akeson, Cyr, Jensen, Montelongo, Moore, Oyler, Riggenbach, Turner,

Mayor Ardis - 9;

Nays: Grayeb, Ruckriegel - 2.

(18-042)

Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class C-1 (General Commercial) District for Used Auto Sales for the Property Located at 7419 NORTH UNIVERSITY STREET (Parcel Identification No. 14-07-276-002).

Council Member Moore said she would be abstaining from the item because the Petitioner was a member of her non-profit organization.

Council Member Cyr moved to concur with the recommendation from the Planning and Zoning Commission to adopt an Ordinance approving a Special Use in a Class C-1 (General Commercial) District for used auto sales for the property located at 7419 North University Street (PIN 14-07-276-002); seconded by Council Member Ruckriegel.

ORDINANCE NO. 17,557 was adopted by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Oyler, Riggenbach, Ruckriegel,

Turner, Mayor Ardis - 10:

Nays: None.

Abstentions: Moore – 1.

FIRST READINGS

(18-049) Communication from the City Manager and Director of Community
Development with a Request for a FIRST READING of an ORDINANCE
Amending Appendix A, the Unified Development Code, of the City of Peoria
Relating to MULTI-STORY MINI-STORAGE USES.

Community Development Director Ross Black provided a summary of the first reading noting it was a relatively small amendment to the Unified Development Code that would allow indoor mini storage within a C-1 General Commercial Zoning District as a Special Use. He said anyone who wanted to development this kind of use would have to come back to the City Council with a Special Use application.

Council Member Riggenbach moved to receive and file the first reading of an Ordinance amending Appendix A, the Unified Development Code, of the City of Peoria relating to multistory mini-storage uses; seconded by Council Member Moore.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

CLERK'S NOTE: Item No. 18-049 will be placed on the March 13, 2018, Regular City Council Meeting agenda.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

- (18-050) Communication from the City Manager and Director of Public Works with a Request for the Following:
 - A. ADOPT an ORDINANCE Amending the CITY OF PEORIA 2018-2019 BIENNIAL BUDGET Relating to the Capital Fund to Recognize the Receipt of a Private Donation through the DOWNTOWN DEVELOPMENT CORPORATION and Corresponding Expenditures for the RIVERFRONT VILLAGE DEMOLITION PROJECT, in the Amount of \$1,584,000.00.
 - B. ACCEPT the LOW BID from N.E. FINCH CO. and Award a Construction CONTRACT, in the Amount of \$1,584,000.00, for the Base Bid of \$1,440,000.00 plus 10% for Contingency, for the RIVERFRONT VILLAGE DEMOLITION PROJECT. (Council District 1)

Council Member Moore moved to defer this item to the March 13, 2018, Regular City Council Meeting; seconded by Council Member Riggenbach.

Motion to defer to the March 13, 2018, Regular City Council Meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-051) Communication from the City Manager with a Request to Amend the AGREEMENT with the PEORIA AREA CONVENTION AND VISITOR'S BUREAU, INC. (hereinafter referred to as "PACVB") to Set and Stagger the Terms of the Appointees to the TOURISM RESERVE FUND (TRF).

Mayor Ardis said the City Clerk had sent a notice to the City Council notifying them that this item would be brought back with term limits and that an item would follow at a later Council meeting with appointments.

City Clerk Beth Ball said appointments to the Tourism Reserve Fund would be made at the March 13, 2018, Regular City Council meeting that would reflect the staggered terms and term limits. She said there was an item under Unfinished Business that related to this that would need to be deferred.

Council Member Moore moved to approve the amendment to the agreement with the Peoria Area Convention and Visitor's Bureau, Inc. (hereinafter referred to as "PACVB") to set and stagger the terms of the appointees to the Tourism Reserve Fund (TRF); seconded by Council Member Riggenbach.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-052) Communication from Council Member Denise Moore and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending Chapter 5 of the CODE of the City of Peoria Pertaining to the REGISTRATION OF LOTS.

Council Member Moore stated this item should be a First Reading, and she moved to defer the matter to the March 13, 2018, Regular City Council Meeting; seconded by Council Member Akeson.

Motion to defer to the March 13, 2018, Regular City Council was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(18-053) Communication from the City Manager and Public Works Director with a Request to RECEIVE and FILE a LETTER Pertaining to the Offer by the CEO COUNCIL to Fund \$400,000.00 for DUE DILIGENCE Activities Related to the WATER COMPANY BUYOUT.

Mayor Ardis said the intent of this item was to request a representative from the CEO Council to make a statement and provide a summary of the letter sent to the City Council. He said after the CEO Council's statement, City Manager Urich would provide an outline of the process and a timeline of the discussions to take place. He said the purpose of this discussion was to provide Staff with questions to research and bring back to the Council at the Regular Council Meeting on March 27, 2018. He said the information would be posted on the City's website for the public. He said the City Manager would continue to receive questions until the next City Council meeting.

Mr. Tom Fliege, a member of the CEO Council, said the CEO Council was offering to assist the City with the finances for due diligence. He said they were offering \$400,000.00 to the City to begin the appraisal of the water company, noting that the funds would be repaid through the City's bond issue used to purchase the water system. He said if the purchase was not consummated, the City would not make repayment to the CEO Council. He said if additional resources were needed, the parties would negotiate the terms for raising that money. He said no money was requested from the City or any other governmental entity at this time. He said an Oversight Committee of various stakeholders would be appointed to assist in hiring various experts needed to complete the due diligence with the City Council having final approval authority. He explained how the offer came out of a report from the CEO Council that was previously presented to the City Council approximately 18 months ago. He said that report was an effort to help the Council make a fact-based decision and offered a thorough analysis of exactly what was at stake and offered opportunities for the community. After making that recommendation, he said the City fell upon financial difficulties; however, he said the CEO

Council raised the money to do the due diligence. He said the \$400,000.00 was arrived at based on experts, noting that one individual on the CEO Council was a certified appraiser and had knowledge and understanding of what the amount might be to do the engineering report and appraisal. He said the only reason it could cost more would be if there was a legal challenge by the water company. He said if there was a challenge, the CEO Council was committed to raising more money and securing pro bono legal assistance to meet that challenge. He said the CEO Council was interested in conducting due diligence to determine whether the purchase would be a good deal for the community. He said the City could not continue to raise taxes and fees in order to generate revenue and he remarked on the importance for the City to find a new revenue source other than taxes and fees. He said continuing to raise taxes and fees would eventually make the community non-viable in attracting employers. He said the CEO Council was very interested in the future of the community and its viability. He said if the CEO Council was correct in its analysis, this purchase could yield, at some point in the future, up to \$15 million annually to go into the City's revenue stream. He said the CEO Council had done the study and now proposed to the City that they would assist, if not completely pay for, the investigation necessary as recommended by that study.

Mayor Ardis announced that if the community had questions, they could contact the City's Communication Director in order to get those questions answered and he remarked on the importance of allowing the citizens to get their questions answered during the process.

City Manager Urich provided a history of the process with the water company that dated back to an Ordinance created in 1889 when the water company was sold, noting that the anniversary date of the Ordinance would be May 4, 2019. He said within six months of that date, the City had to exercise the purchase option, pass a Resolution and provide it to the water company that would state the City's intent to purchase the water company. He said the Council had until November 2, 2018, to make that determination. He said the current question before the City Council was whether to accept an offer from the CEO Council, in the amount of \$400,000.00, to conduct the due diligence. He said this was only an offer, not an agreement. He said an agreement would be drafted based upon the questions received from the City Council. He said Staff would work with the CEO Council and draft a proposed agreement for the \$400,000.00 donation. He said if the City Council were to approve the Resolution stating the City wanted to start the due diligence process, then two things would need to be done in accordance with the 1889 Ordinance. First, he said it would be to negotiate with the water company for an agreeable price. He said if an agreement could not be reached, then the valuation process would begin. He provided an overview of the valuation process noting that in 2003 there was a document entitled "The Rules of Order of the Commission" that was adopted that outlined the details of how the process would work. He said the first part of the Rules of Order allowed for appraisers to be appointed to be selected by both the water company and the City along with a third appraiser selected by those two appraisers which would provide for expert testimony to be provided in writing, for depositions to be taken, and an evidentiary hearing where all the questions regarding the matter would be answered. He said at the conclusion of the hearing. the City could then move into the next phase of the process. He said there would be 45 days at the end of the evidentiary hearing where the appraisers would have to return with a value of the water company. From that point, he said the City Council would have 60 days to decide whether or not to accept the value of the water company. He said if the City Council decided they wanted to accept that amount, then the City would notify the water company and there would be another six months of performing standard due diligence where the water company would provide their books to the City to determine whether to purchase the water company at the price determined by the appraisers. After that process, he said the City Council would approve or not approve the purchase. At that point, he said the City would then have 18 months to secure funds to purchase the water company. He said the whole process could take nearly

800 days. At the conclusion of his overview of the process, he asked whether the \$400,000.00 offered by the CEO Council would be applied at the beginning of the process.

Mayor Ardis said all the information presented would be posted to the website for citizens to review. He said it would be a deliberate research process, and he asked whether the \$400,000.00 could be used for the preliminary work.

Council Member Grayeb expressed his appreciation to Mr. Fliege and the CEO Council for their efforts in this matter and for the offer. He said there were those who thought this was a worthy goal. He said it was a simple issue, but complicated in the sense of timing. He said the research on this issue was voluminous, but the City Council was going to give this the utmost thought and consideration because it was owed to the citizens of Peoria to give it the best analysis and decision.

Council Member Oyler said on May 9, 2017, he inquired about the timetable asking that if the Council voted earlier on whether to pursue the due diligence, if there would be extra time to make the decision.

City Manager Urich responded stating that if the Resolution was passed giving the water company the notice of intent, it would start the process outlined. First, he said the City would meet with the water company pursuant to the 1889 Ordinance in an attempt to negotiate a mutual price. He said if a mutual price could not be reached, then the evaluation process would begin wherein the Rules of the Order of the Commission would be negotiated. Once that was executed, he said the timetable would officially begin. He said the current deadline for the City Council to determine whether to do the due diligence was November 2, 2018. He said if the City Council decided to pursue the due diligence prior to November 2, then the process would start sooner should the Council pass the Resolution and send it to the water company.

Council Member Oyler said he echoed the comments of Council Member Grayeb and he thanked the CEO Council for their diligence looking into this matter. He said the City was in a situation where costs continued to rise and revenues continued to decrease. He said the Council owed it to the community to give this a lot of thought and analysis as well as ensure we were making a good long-term decision for this community.

Council Member Riggenbach expressed his appreciation to Mr. Fliege and the CEO Council for the work that was done. He remarked on the importance of getting an understanding of what the appraisal cost was from last time and what the anticipated cost would be for today. He asked to get a synopsis of the total cost of the due diligence from the previous time and to separate the legal fees from the actual cost of due diligence. He also asked if the due diligence was done and the decision was made not to proceed, would the City be responsible to pay any cost the water company incurred.

City Manager Urich said, as set forth in the Rules of Order of the Commission, the City would be responsible to pay for any cost the water company incurred.

Council Member Riggenbach expressed his appreciation for the timeline and detail provided, noting it was important for the Council to realize that the decision made by November 2, 2018, would not be the final decision. He said this entire process would take a few years. With regards to the offer made by the CEO Council, he asked whether it would go towards the appraisal or if those funds could be utilized to prepare for the appraisal. He also asked for information on how the Oversight Committee would be comprised.

Council Member Jensen thanked the leadership of the CEO Council for the offer. She said she had been advocating for a number of years to start the process early, noting this was a very important decision the City Council faced every five years. She said they owed it to taxpayers and citizens to explore and analyze the situation, especially since there was an offer that would not cost the taxpayers. She asked for clarification on the due diligence and should it exceed \$400,000.00, would the CEO Council be open to raising more money. She recommended beginning negotiations with the CEO Council and, if the City Council accepted this offer, what the terms of the agreement would be to pursue due diligence and the make-up of the Oversight Committee. She said it was thought that the City may have an interest in making changes to the Committee as well as what the terms would be, if the cost were higher. She asked what the City's responsibilities and obligations would be. She said the Rule of the Order of the Commission had been mentioned and she said it was her understanding they would not be binding if the City pursued due diligence. She said that part of the process should be negotiated. She said the City may not be obligated to pay the water company all of their costs if it was negotiated as one of the rules.

City Manager Urich said some of the rules go back to the actual 1889 Franchise Ordinance. He said part of the Rules of the Order of the Commission were designed to implement that provision of the franchise agreement; however, he said he would provide clarification on that matter.

Council Member Jensen further asked for an explanation of how the CEO Council arrived at the cost of due diligence in the amount of \$400,000.00. She said it would be helpful for the public to understand and know why it would not be as high as what was rumored or from last time.

Council Member Ruckriegel said every five years the City Council was faced with this decision. He said he was a proponent of pre-planning. He said this item should have been placed on a priority list in order to set aside a certain amount of money so that when faced with the issue, funds would not have to be pieced together to do the work. He expressed an appreciation for the offer from the CEO Council, especially in light of the City's budget. He said the oversight of how the money was to be spent should be done by the City Council. He said the citizens expected the City Council to be involved on how the money was to be spent, and he said he wanted to ensure it was part of the conversation. He asked for a timeline of what would happen with an Advisory Referendum, noting it had always been an important part of the process and an important piece for the citizens.

Council Member Montelongo expressed his appreciation to the CEO Council for their offer to assist the City in the cost of the due diligence. He expressed an interest in the information and said he wanted to make sure the public would see the information. He said the City Council should start to negotiate the terms of the offer.

City Manager Urich commented, in response to Council Member Grayeb, that a discussion point was to review the valuation process.

Council Member Grayeb asked Staff to research what happened when other cities attempted to buy their water company.

Mayor Ardis requested the CEO Council's offer letter be made available to the public online in order for citizens to see those questions and corresponding answers in the letter.

Discussions were held on whether the item could come back at the March 13, 2018, City Council meeting, and it was determined that time was needed in order for the Council and the community to get their questions answered and for Staff to research the information.

Mr. Fliege commented that the letter from the CEO Council was a starting point for conversation and were not conditions under which money would be offered. As far as the composition of the Oversight Committee, he said that was an item to discuss in order to come to a mutual conclusion. He said this should be the result of collaboration to plan something everyone could actively support.

Mayor Ardis said providing a month to answer questions and gather information would be helpful to have conversations. He said there would be a link to the City's website to review the information and to allow anyone to submit a question that would receive a response. He said the City Council could continue to submit additional questions to the City Manager.

Council Member Ruckriegel moved to receive and file the letter pertaining to the offer by the CEO Council to fund \$400,000.00 for due diligence activities related to the Water Company Buyout; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11:

Nays: None.

(18-054) Communication from the City Manager and Director of Public Works with a Request to RECEIVE and FILE a PRESENTATION by Peoria Public Works Department with the PROJECT DELIVERY PLAN FY 2018.

Public Works Director Scott Reeise distributed the Public Works Department Project Delivery Plan 2018 to all Council. He said the plan was a starting point for projects with the ability to add or remove items as needed. He said the goal was to become more proactive rather than reactive in their work. He said the plan was developed after the budget was passed and Staff knew what resources were available for 2018. He said it was the Department's goal to build upon this each year and put more defined timelines down in order to calculate man hours.

In response to Mayor Ardis' request, Director Reeise said the plan would be made available to the public on the City's website.

In response to Council Member Jensen, Director Reeise reviewed the plan noting it was broken down into traffic engineering, street maintenance, engineering, facilities and fleet. He provided an overview on each section's focus.

Council Members Jensen and Ruckriegel expressed their appreciation for the presentation and for the handout stating it was helpful in order to be able to answer citizens' questions.

Council Member Ruckriegel asked, regarding the Intergovernmental Agreement between the Peoria County and the City relating to the Willow Knolls intersection, that pushing that project ahead nearly two years whether it would interfere with other projects.

Director Reeise said pushing the Willow Knolls intersection would not interfere with any of the City's other projects, and he provided an explanation of how the projects were planned that compensated for unanticipated projects.

Council Member Ruckriegel requested a street map of the City be place on the City's website that outlines street ownerships between the City, Peoria County, and the State of Illinois.

Council Member Oyler moved to receive and file a presentation by the Peoria Public Works Department with the Project Delivery Plan FY 2018; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

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

(17-345) Communication from the City Manager with a Request to ADOPT an ORDINANCE LEVYING an Addition to Sales Tax within the WESTLAKE SPECIAL SERVICE AREA. (Council District 4)

At the conclusion of Council Member Montelongo's comments, he moved to defer this matter to the March 13, 2018, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer to the March 13, 2018, Regular City Council Meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(17-353) Communication from the City Manager and Director of Community Development with a Request to DEFER until March 27, 2018, a Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Amending the UNIFIED DEVELOPMENT CODE Related to SIGNS.

Council Member Moore moved to defer this matter to the March 27, 2018, Regular City Council meeting; seconded by Council Member Jensen.

Motion to defer to the March 27, 2018, Regular City Council Meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

(17-389) Communication from the City Manager with a Request to ADOPT an ORDINANCE Amending the City of Peoria 2018-2019 BIENNIAL BUDGET Relating to the Use of the NORTHSIDE BUSINESS TIF Fund Balance. (Council District 1)

At the request of Council Member Moore, City Manager Urich provided an overview of the item and an update as to recent events. He said he had recently received correspondence from Illinois Department of Natural Resources (IDNR) and the National Park Service (NPS) that pertained to the 2013 purchase of the Rocky Glen Property wherein the City used Federal Law and Water Conservation Funds (LAWCON Funds) for that purchase. In it, he said, the NPS

said appraisals for that purchase had to be redone to ensure they complied with Federal standards. He said he made a request of IDNR and NPS to have a conference call in order to obtain more information on what the City needed to do. He said the information pertaining to the actual findings and recommendations from NPS pertaining to the Rocky Glen Appraisal and the Richard Pryor Place or Southtown appraisal that needed to be done were posted to the City's website. Upon completion of the appraisal, he said NPS would have to notify the City of the actual shortfall amount from the Rocky Glen Purchase. He said one question that needed to be explored with NPS would be whether the purchase of Detweiller be allowed to address the shortfall for Rocky Glen. He said the budget amendment was before the Council for the Detweiller purchase; however, it may not be applied toward the River Trail project. He said it may be something to apply toward addressing the shortfall with Rocky Glen.

In response to Council Member Moore, City Manager Urich said the City originally intended to purchase Detweiller Park for the River Trail project; however, he said that property may now need to be acquired to satisfy the 2013 valuation process for Rocky Glen. He said the more pressing issue between the River Trail development and the Rocky Glen was the Rocky Glen purchase.

Council Member Moore moved to adopt an Ordinance amending the City of Peoria 2018-2019 Biennial Budget relating to the use of the Northside Business TIF Fund Balance; seconded by Council Member Riggenbach.

Council Member Moore said whatever happened with Detweiler Park, it may not satisfy the Rocky Glen Conversion. She said her purpose for wanting to purchase the property was more for developing the riverfront, noting that Peoria's river walk did not look like other river walks. She provided a timeline of the River Trail project noting it began in earnest in 2008. She said buying this property would help facilitate redevelopment of the riverfront as money became available and it would facilitate recreational development. She said it may or may not fulfill the Rocky Glen shortage. She said the Detweiler Boat Club requested to stay on the property; however, she said the Boat Club would not be able to stay unless the City owned the property. She said if the City did not own the property, then the Boat Club would have to leave.

City Manager Urich said the Attorney General's Office informed Detweiler Trust they should not have had the Boat Club on their property from the beginning. He said with the conversion and if the City purchased the property, the City could make an argument with the Attorney General's Office that the Boat Club needed to stay, and if it was a public boat club on public property, it would no longer be an issue.

Council Member Moore said the City already invested \$41,000.00 in purchase options, which held the property for the City to be able to purchase. She said if the Council decided to move forward with the purchase, the additional amount would not come out of the City's budget, but rather TIF funds to be used, because it would add value to the City. She said as the City moved forward and the riverfront began to develop, the City would have the opportunity to complete its river walk and have it comparable to other cities with river walks. She expressed a concern if the City did not purchase the property now, noting that the cost would increase. She said the purchase of the property would not guarantee that the River Trail development would happen. She encouraged the City Council to purchase the property or the \$41,000.00 invested would be wasted money.

Council Member Grayeb said he was not in favor of this purchase stating the City should not give away park land that belonged to the public.

Council Member Jensen said she would not support the budget amendment noting that she did not see the Rocky Glen purchase and the River Trail development as two separate issues. She said by approving the item it would remove an obstacle in order for the development to begin. She said she spoke with the president of the boat club who said they were not in favor of the City purchasing, and from the Detweiler Trust. She said the club had been in conversations with the Trust with the possibility of themselves purchasing the land and operating the boat club as a public club. She said the Trust was amenable to that option. She said she was never an advocate of the purchase, noting the \$41,000.00 was non-refundable and expressed a concern that the City purchased the option without a definite plan.

Council Member Riggenbach expressed a concern about the development, but he said this item was an opportunity to purchase more riverfront property. He said doing so would provide the City with riverfront access wherein TIF dollars could be utilized to increase public access. He said he would be supporting this item, which would enable a riverfront vista. He encouraged the Council to look at it as an opportunity to increase public ownership of the riverfront.

Council Member Akeson expressed a concern for the lack of maintenance on the riverfront. With the City's budget, she said there would be constraints to take care of the maintenance. She said she would not support this item and she expressed concern that some Council Members were apprised of future plans and she would like to learn more about the next steps.

Motion to adopt an Ordinance amending the City of Peoria 2018-2019 Biennial Budget relating to the use of the Northside Business TIF Fund Balance was DEFEATED by roll call vote.

Yeas: Cyr, Moore, Oyler, Riggenbach, Ruckriegel, Turner, Mayor Ardis - 7;

Nays: Akeson, Grayeb, Jensen, Montelongo - 4.

CLERK'S NOTE: This Ordinance required eight affirmative votes in order to pass.

(17-396) APPOINTMENTS and REAPPOINTMENT by Mayor Ardis to the TOURISM RESERVE FUND with a Request to Concur:

Council Member Zachary Oyler (Voting) - Term Expires N/A
Council Member Denis Cyr (Voting) - Term Expires N/A
Illinois State Representative Ryan Spain (Voting) - Term Expires N/A

Council Member Oyler moved to defer this item to the March 13, 2018, Regular City Council Meeting; seconded by Council Member Ruckriegel.

Motion to defer to the March 13, 2018, Regular City Council was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

NEW BUSINESS

Grocery Shuttle

Council Member Moore announced that the Dream Center was still operating their grocery shuttle for citizens who lived in the East Bluff and South Side. She said the shuttle ran from 12:00 P.M. to 4:30 P.M. Monday through Friday on a regularly scheduled route, which could be accessed from the Dream Center's website or by calling them directly.

Rock Island Greenway

Council Member Moore announced that Thursday, March 8, 2018, at 6:00 P.M. at Washington Gifted School a conversation would be held about potential updates and developments to the Rock Island Greenway.

Closure of Black History Month

Council Member Moore announced that, with the closure of the Black History Month, this weekend at Woodruff High School, March 2 and March 3, 2018, at 7:00 P.M. and Sunday, March 4, 2018, at 4:00 P.M. there would be a play depicting historical figures from Peoria. She said the play was adapted from Dr. Romeo B. Garrett's book regarding Peoria and was adapted by Garry Moore. She encouraged everyone to attend the event. She said there were a number of events throughout the community in support of Black History Month such as the CAT Museum and the Riverfront Museum and other organizations around the community.

Potholes

Council Member Grayeb expressed his appreciation for the Public Works Plan for 2018 and he inquired as to the strategy to address the potholes within the community after a very cold and difficult winter.

Public Works Director Reeise said the City currently had four crews out that day filling potholes along with a third shift crew. He said they had started squaring and patching due to warmer weather. He said the continuation of filling of potholes and squaring and patching were weather dependent.

Gift in the Moment - "Get Fresh" Event

Council Member Jensen announced that Gift in the Moment was holding a "Get Fresh" event, which was their second annual fundraiser for the Food Recovery Program. She said the event would be a chef challenge occurring Thursday, March 8, 2018, at 6:00 P.M. at the Warehouse. She said additional information could be found on Facebook.

Farmer's Market - Acceptance of Link Card

Council Member Cyr recognized Council Member Riggenbach and Council Member Moore for their efforts on the food desert problem due to the closing of the Kroger stores. As a reminder, he said this summer the farmer's market had been and would continue to accept Link Cards at the market, noting that individuals would be able to purchase double the amount of food. He recommended discussing the matter with CityLink in order to provide transportation for people to come to the riverfront.

Storm Water Fee

Council Member Cyr expressed a concern about the storm water fee and the lack of discussion with the businesses in town and how it would impact businesses. He expressed a need to build a partnership with these entities. He also expressed a concern for the City not having a list of businesses that were in the City limits. He said the City needed to partner with the Chamber of Commerce so the City Council could have information regarding all the businesses in Peoria. He said no additional fee was necessary. He remarked on the importance of being able to communicate with these businesses.

Coffee and Conversation in the 4th District

Council Member Montelongo announced that the Fourth District would be holding a Coffee and Conversation at Panera Bread on West Lake Street on Thursday, March 1, 2018, at 7:30 A.M.

Business Roundtable

Council Member Montelongo concurred with Council Member Cyr regarding the need to develop a list of businesses that reside in the City; however, he recommended that the Fifth District begin a business roundtable in order to reach out to the different owners.

Business Registration

Council Member Akeson said she was an advocate for a business registration; however, she said she was against assessing another fee. She said there were several arguments on why the City should have a business registry. She said the City Manager was working on a Report Back regarding the topic, which had been delayed. Through this conversation, she said it was more compelling to review the need for a business registry as soon as possible.

Needle Exchange

Council Member Moore said on March 7, 2018, at 7:00 P.M. at GAR Hall there would be a meeting regarding the needle exchange.

5th Annual Women and Minority Career Fair

Council Member Moore said this Saturday, March 3, 2018, from 9:00 A.M. to 12:00 P.M. there would be the Annual Women and Minority Career Fair at Manual High School.

March Breakfast Chat

Council Member Turner announced that on Thursday, March 1, 2018, a breakfast chat was scheduled for City Hall in Room 112 beginning at 7:30 A.M. He said approximately 20-25 neighborhood leaders attended the meeting and that the meeting occurred the first Thursday of each month.

Richwood High School Girls Basketball

Mayor Ardis announced that congratulations was in order for the Richwoods High School Girls Basketball Team who would be playing in the State Championship. He said for those interested in attending, tickets would be available at Richwoods High School on Wednesday, February 28, from 7:00 A.M. until 5:00 P.M., Thursday, February 29, from 7:00 A.M. until 9:30 A.M., and on game day at the ISU Redbird Arena. He said the first game was scheduled for Friday at 11:00 A.M. He said on Saturday there would be a procession from the Gateway Building to Richwoods' main gym for celebration with the procession beginning at 5:00 P.M.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those citizens who wished to address the City Council.

<u>Connie Romanus</u>, an interested citizen, said she was glad to hear about the CEO Council's proposal and the City's willingness to discuss; however, she expressed a concern regarding a potential referendum. She said there was no need for a referendum with elected Council seated to make those decisions. She urged everyone to get all the facts regarding the water buyout and to leave the matter to the City Council as to whether they would want to pursue the matter.

<u>Doug Johnson</u>, a concerned citizen, said he was glad to hear transparency as a topic of discussion for the City Council. He expressed a concern for the City's lack of transparency, especially as it related to the City's Police Department and obtaining police reports.

<u>Karrie Alms</u>, a concerned citizen, spoke about the affordable housing issue and expressed a concern as it related to the PHA, the Greely proposal and the River Valley Foundation. She said affordable housing was an important issue in the City. She commented on the need to have a Policy Session regarding TIF funds and to make it available for public attendance.

<u>Jenya Polozova</u>, a citizen of Peoria, asked the City Council to pursue due diligence to get a fair estimate of the purchase of the water company.

<u>Diane Oberhelman</u>, a citizen of Peoria, asked the Council to seriously consider conducting due diligence of the water company. She said many donations were received to help conduct the due diligence. She said the purchase of the water company would generate enough revenue to build the City's downtown.

Joe Glawe, a member of the CEO Council Board, said he was a participant in the water study group led by Tom Fliege. He said the CEO Council examined every resume for every commission appointment and he commented that the Rules of Order were not cast in stone. He said he liked the City Council's approach and he remarked on the importance of developing a strategy. He said there was a cost and a risk to evaluate. He said \$400,000.00 was enough money under a normal valuation process to ascertain the normal price of the water company. He said purchasing the water company would provide a revenue source that would last forever. He said the CEO Council stood ready to work with the City to ensure the process went well and came to a successful conclusion.

Shelly Epstein, a member of the CEO Council Board, said for the last 18 months he and Tom Fliege traveled throughout the City to make presentation about the CEO Water Council Water Study Committee. He said citizens raised two concerns: 1) entrusting the City and 2) concern for the underground infrastructure that needed repaired. He said he and Mr. Fliege defended the City's competency and ability to manage. He said 85% of Americans received public water, noting nearly every neighborhood community had a public system. He commented that there were many options to manage the water company, and he provided examples.

<u>Gale Thetford</u>, a citizen of Peoria, commented on the purchase of the water company. She said 85% of the nation's water systems was owned by the municipalities. She said the day-to-day management of the water system could be run by another company. She said the City would set the rates. She said the City would still need the expertise of the laborers who currently worked at the water company. She said the longer the City waited the more the asset would cost. She said with the City's ongoing expenses, a new revenue stream was needed. She urged the Council to support due diligence to become more informed of the benefits of ownership.

Tom Fliege, a member of the CEO Council, said conducting due diligence was about transparency. He said the City needed to examine its future and consider alternatives for revenue sources. He said the CEO Council was not telling them to buy the water company, but to conduct due diligence. He said the opposition had a revenue stream of half a billion dollars over the next 30 years. He said the City had an opportunity to take control of its own destiny. He advised Council to be careful of misinformation. He said the CEO Council gained nothing except what was best for the community.

<u>Mary Hayes</u>, a citizen of Peoria, expressed a concern for the City Council and commented that there needed to be new Council Members because she did not agree with their decisions.

<u>Joe Connor</u>, a lawyer that represented Illinois American Water in 2005, expressed his concerns for the agreement with the CEO Council. He said the City did not want to get themselves in the same situation that they were in 2005.

<u>Doug Leunig</u>, a citizen of Peoria, said he was committed to the community to find a different way to look at the City. He inquired as to what the younger population of the City thought about the issues the City faced. He remarked on the importance of getting the young people to express their opinion on issues.

Roger Goodson, from the Illinois American Water, said some employees from the company were present and were interested in what was discussed. He said the Council had an important decision to make. He recommended the City Council conduct a Policy Session to let Illinois American come and present their position. He remarked on the importance of getting all the necessary information and to be open and transparent.

Marcus Fogliano, a concerned citizen, disputed the information presented by the representative of Illinois American Water. He commented on the River Trail project noting it had been a waste of time and money. He said he currently sat on the Advisory Committee on Police-Community Relations and he expressed a concern that the committee did not have the ability to make any changes. He expressed a concern about the Peoria Police Department and he asked to review the Use of Force Policy.

Anthony Walraven, a citizen of Peoria, said the City needed to purchase the water company. He remarked on the lack of competition stating that Peorians paid more for water than anyone else in Illinois. He said millions of dollars went to enrich the shareholders. He said it was his hope that the City Council would continue the due diligence process.

<u>Savino Sierra</u>, a citizen of Peoria, said the due diligence was unnecessary and a waste of time. He said the City of Peoria had the best water. He recommended keeping Illinois American Water in place.

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)(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; 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 Grayeb moved to go 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)(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; 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 Cyr.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

ADJOURNMENT

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

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,

Ruckriegel, Turner, Mayor Ardis - 11;

Nays: None.

The Joint City Council and Town Board Meeting was adjourned at 9:50 P.M.

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

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