

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular City Council Meeting of Peoria, Illinois, was held April 28, 2015, at 6:00 P.M., at City Hall, Council Chambers, 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, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Weaver, Turner, Mayor Ardis – 10. Absent: Riggerbach -1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Jim Ardis recognized Boy Scout Troop 40 from St. Jude Catholic Church. He then requested a moment of silent prayer or silent reflection, and then Boy Scout Troop 40 led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

Friends of Clonmel - Banna Chluain Meala Youth Band Visiting July 1st - July 7th

Building Safety Month - May

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on April 14, 2015, and the Special City Council Meeting on April 21, 2015, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PUBLIC HEARING

(15-121) PUBLIC HEARING Regarding the Proposed ANNEXATION of PARCEL IDENTIFICATION NO. 09-31-128-005, PEORIA, ILLINOIS, Commonly Known as 2509 WEST FIRST STREET, Peoria, Illinois.

Council Member Spain moved to open the Public Hearing regarding the proposed annexation of Parcel Identification No. 09-31-128-005, Peoria, Illinois, commonly known as 2509 West First Street, Peoria, Illinois; seconded by Council Member Johnson.

Motion to open the Public Hearing was approved by roll call vote.

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

Nays: None.

Mayor Ardis opened the Public Hearing at 6:15 P.M.

Following a third call for comments from the public, Mayor Ardis determined no one wished to speak and he requested the Public Hearing be closed.

Council Member Spain moved to close the Public Hearing regarding the proposed annexation of Parcel Identification No. 09-31-128-005, Peoria, Illinois, commonly known as 2509 West First Street, Peoria, Illinois; seconded by Council Member Grayeb.

Motion to close the Public Hearing was approved by roll call vote.

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

Nays: None.

Mayor Ardis closed the Public Hearing at 6:16 P.M.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

- (15-122) Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from Staff to ADOPT an ORDINANCE Annexing the Property Identified as Parcel Identification No. 09-31-128-005 with an Address of 2509 W. FIRST STREET, PEORIA, ILLINOIS. (Council District 5)**

Council Member Johnson moved to adopt an Ordinance annexing the property identified as Parcel Identification No. 09-31-128-005 with an address of 2509 W. First Street, Peoria, Illinois; seconded by Council Member Spain.

ORDINANCE NO. 17,215 was adopted by roll call vote.

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

Nays: None.

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:

- (15-123) Communication from the City Manager and the Chief Information Officer for the PURCHASE of Two High Availability Servers from ACE COMPUTERS to Replace the EMERGENCY COMMUNICATIONS CENTER DISPATCH SERVER, in the Amount of \$35,814.00 (\$17,907.00 EACH).**

- (15-124) Communication from the City Manager and the Chief Information Officer for the **SOLE SOURCE PURCHASE** of CAD 4G Upgrade and Microfocus Cobol Solution from **APPLICATION DATA SYSTEMS INC.** to Upgrade the **EMERGENCY COMMUNICATIONS CENTER DISPATCH SERVER SOFTWARE**, in the Amount of \$62,922.00.
- (15-125) Communication from the City Manager and Director of Public Works with a Request to **ACCEPT** the **LOW BID** of **HOROWITZ CONCRETE**, and Award the Construction **CONTRACT**, in the Not to Exceed Amount of \$170,000.00, for the 2015 **HARRISON IMPACT ZONE SIDEWALKS PROJECT**.
- (15-126) Communication from the City Manager and Director of Public Works with Request to Accept the **LOW BID** of **P.A. ATHERTON CONSTRUCTION, INC.** and Award the Construction **CONTRACT**, in the Amount of \$316,807.50, with an Additional Authorization of \$44,192.50, for a Total Award of \$361,000.00 for the 2015 **SIDEWALK AND CURB PARTICIPATION PROGRAMS**. [City-Wide]
- (15-127) Communication from the City Manager and Director of Public Works with a Request to **ACCEPT** the **LOW BID** of **HOROWITZ CONCRETE COMPANY**, and **AWARD** the Construction **CONTRACT**, in the Amount of \$169,755.30, with Additional Authorization of \$24,307.38, for the Total Award of \$194,062.68, for the 2015 **SIDEWALK IN NEED OF REPAIR PROJECTS**.
- (15-128) Communication from City Manager and Director of Public Works Requesting Approval of a **CONTRACT** with **FOTH INFRASTRUCTURE & ENVIRONMENT** for the Engineering Services **AGREEMENT** with the **PEORIA CITY/COUNTY LANDFILL COMMITTEE** from July 1, 2015, through June 30, 2016, in the Amount of \$253,000.00.
- (15-129) Communication from the City Manager and the Director of Community Development with a Recommendation from the Planning & Zoning Commission and Staff to Approve **RESOLUTION NO. 15-129**, Which Approves a Preliminary Plat for **BEACHLER'S SUBDIVISION**, a Two Lot Subdivision, with a Waiver, for the Property Location at 3623 N. **UNIVERSITY STREET** (Parcel Identification Nos. 14-29-326-002 & -003), Peoria, IL. (Council District 2).
- (15-130) Communication from the City Manager and Community Development Director with a Request to Concur with a Recommendation from the Planning & Zoning Commission and Staff to Adopt **ORDINANCE NO. 17,216** Approving a **SPECIAL USE** in a Class **R-2 (Single-Family Residential)** District for an **ASSISTED LIVING FACILITY** for the Property Identified as Parcel Identification Nos. 13-02-300-002, 13-02-300-003, and part of 13-02-300-012 with a Temporary Address of 8201 N. **IL ROUTE 91**, PEORIA IL. (Council District 5)

- (15-131) Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT ORDINANCE NO. 17,217 Rezoning Property from a Class R-4 (Single-Family Residential) District to a P-1 (Parking) District for the Property Located at 1312 - 1314 W. GIFT AVENUE (Parcel Identification Nos. 14-32-180-019 & -018), Peoria, IL. (Council District 2).
- (15-132) * Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from Staff and the Planning and Zoning Commission to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single Family Residential) District for a CONVENT for the Property Located at 2311 W. WAGNER LANE (Parcel Identification Number 14-30-253-024), Peoria, Illinois.
- (15-133) ** Communication from the City Manager with a Request to ADOPT an ORDINANCE Approving the ALLIED ENDEAVORS WATERFRONT PLACE REDEVELOPMENT AGREEMENT. (1st District)
- (15-134) *** Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at UFS PARKING LOT, 1819 SW ADAMS, On Saturday, May 16, 2015. (District 1)
- (15-135) **** Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at SPRINKMANN INSULATION, 1028 SW WASHINGTON, On Saturday, May 16, 2015. (District 1)
- (15-136) ***** Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at RUNNING CENTRAL, 311 SW WATER, On Saturday, May 16, 2015. (District 1)
- (15-137) ***** * Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at DOZER PARK, 730 SW JEFFERSON, On Saturday, May 16, 2015. (District 1)

(15-138) APPOINTMENTS and REAPPOINTMENTS by MAYOR ARDIS to the PEORIA/PEKIN URBANIZED AREA TRANSPORTATION STUDY (PPUATS) COMMITTEES, with Request to Concur:

- A. To the PPUATS POLICY COMMITTEE: Public Works Director Michael T. Rogers and Assistant Director of Public Works/City Engineer Scott Reise;**
- B. To the PPUATS TECHNICAL COMMITTEE: Assistant Director of Public Works/City Engineer Scott Reise, City Traffic Engineer Nicholas Stoffer, and Civil Engineer II Stephen Letsky.**

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

Council Member Moore requested Item Nos. 15-134, 15-135, 15-136, and 15-137 be removed from the Consent Agenda for further discussion.

Council Member Montelongo requested Item No. 15-132 be removed from the Consent Agenda for further discussion.

Council Member Johnson requested Item No. 15-133 be removed from the Consent Agenda for further discussion.

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

Item Nos. 15-123 through 15-138 (excluding Item Nos. 15-132, 15-133, 15-134 through 15-137, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(15-132) * Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from Staff and the Planning and Zoning Commission to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single Family Residential) District for a CONVENT for the Property Located at 2311 W. WAGNER LANE (Parcel Identification Number 14-30-253-024), Peoria, Illinois.

Council Member Montelongo requested the Special Use to cease with the transfer of the property ownership.

With said request, Council Member Montelongo moved to adopt an Ordinance approving a Special Use in a Class R-3 (Single Family Residential) District for a convent for the property located at 2311 W. Wagner Lane (Parcel Identification Number 14-30-253-024), Peoria, Illinois; seconded by Council Member Weaver.

ORDINANCE NO. 17,218 was adopted by roll call vote.

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

Nays: None.

**(15-133) Communication from the City Manager with a Request to ADOPT an
** ORDINANCE Approving the ALLIED ENDEAVORS WATERFRONT PLACE
 REDEVELOPMENT AGREEMENT. (1st District)**

A replacement Redevelopment Agreement was distributed to the City Council.

Council Member Johnson moved to adopt an Ordinance approving the replacement Allied Endeavors Waterfront Place Redevelopment Agreement; seconded Council Member Spain.

ORDINANCE NO. 17,219 was adopted by roll call vote.

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

Nays: None.

**(15-134) Communication from the City Manager and Corporation Counsel to
*** APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor)
 Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an
 Event to be held at UFS PARKING LOT, 1819 SW ADAMS, On Saturday, May
 16, 2015. (District 1)**

Council Member Moore said this item, and Item Nos. 15-135, 15-136 and 15-137, were all related, and she announced that the event hosted by UFS on Saturday, May 16, 2015, was the first major fund raiser for the Neighborhood House. She remarked that this would be the 1st Annual George Jacob Gut Buster 5K Fun Run.

Council Member Moore moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Neighborhood House Association for an event to be held at UFS Parking Lot, 1819 SW Adams, on Saturday, May 16, 2015; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

- (15-135)**

Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at SPRINKMANN INSULATION, 1028 SW WASHINGTON, On Saturday, May 16, 2015. (District 1)

Following a brief statement, Council Member Moore moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Neighborhood House Association for an event to be held at Sprinkmann Insulation, 1028 SW Washington, on Saturday, May 16, 2015; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

- (15-136)**

Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at RUNNING CENTRAL, 311 SW WATER, On Saturday, May 16, 2015. (District 1)

Following a brief statement, Council Member Moore moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Neighborhood House Association for an event to be held at Running Central, 311 SW Water, on Saturday, May 16, 2015; seconded by Council Member Turner.

Motion to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Neighborhood House Association for an event to be held at Running Central, 311 SW Water, on Saturday, May 16, 2015, was approved by roll call vote.

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

Nays: None.

- (15-137)**

*
Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the NEIGHBORHOOD HOUSE ASSOCIATION for an Event to be held at DOZER PARK, 730 SW JEFFERSON, On Saturday, May 16, 2015. (District 1)

Following a brief statement, Council Member Moore moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Neighborhood House Association for an event to be held at Dozer Park, 730 SW Jefferson, on Saturday, May 16, 2015; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:**(15-139) Communication from the City Manager and the Community Development Director with a Request to APPROVE the APPLICATION INTAKE PROCESS for the 2015 CITY ROOF REPAIR PROGRAM. (City-Wide)**

Council Member Moore provided an overview of the 2015 City Roof Repair Program, and she noted that LISC had collaborated with the City in order to leverage the funding. She said the Community Core Initiative was an effort to address the blight and safety issues identified by area residents and community stakeholders. She said \$100,000.00 would be reserved for the Third District East Bluff and \$150,000.00 to the First District South Side. By teaming with LISC, she said this was an opportunity to leverage the funds. During the first five days of the program opening, she said Staff would only accept applications from residents in the East Bluff and the South Side. After the five days, she said the program would then open up city-wide on a first come, first serve basis.

Council Member Moore moved to approve the application intake process for the 2015 City Roof Repair Program; seconded by Council Member Turner.

Council Member Grayeb expressed a concern on the limitations this program would establish within the first five days of its initiation. He said the program should be opened City-wide from the onset.

At the close of his comments, Council Member Grayeb moved for a substitute motion to approve the application intake process for the 2015 City Roof Repair Program with the amendment that said program would accept City-wide applications from the onset on a first-come, first-serve basis; seconded by Council Member Akeson.

Council Member Moore asked the Council to keep in mind that the Wellness Program, previously received and filed by the Council, focused on areas of the community that were low income and under-represented and would benefit from these types of programs.

Council Member Jensen said, in the Wellness Program, the City was divided into three areas. She said Area 2 was a targeted area for programming and funding, and she commented that Area 2 was not located in the South Side. Because of this, she noted that the proposal, which was focused on the South Side, was inconsistent with the Wellness Program.

Council Member Moore said this was an opportunity to enhance the funding within the community and to enhance the Wellness Plan along with the State funding the City would receive.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to Brittany Brown, Program Officer for LISC.

Ms. Britany Brown, Program Officer for LISC, said this was an opportunity to increase the funding numbers to target investment areas. She said LISC would partner with other resources in order to make a collective impact within the community. In doing so, she said it would maximize the investments and create model blocks. She said these kinds programs were the strongest, if collaborated with the City. In response to Council Member Grayeb's concern, she

said the funds would not be withdrawn if the intake process was modified and made available City-wide from the onset.

Council Member Grayeb recommended deferring the item until the next City Council meeting. He said Ms. Brown and LISC had done great work within the community, and he said Peoria appreciated all LISC had done.

Discussions continued regarding whether or not to defer the item until the next City Council meeting.

Council Member Moore expressed the importance of not delaying the program. She said she would waive the five-day advancement.

Mayor Ardis said LISC made a positive impact in the community, and he expressed his appreciation for their investment.

Substitute motion to approve the application intake process for the 2015 City Roof Repair Program as amended that the program would accept City-wide applications from the onset on a first-come, first-serve basis was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Spain, Turner, Weaver, Mayor Ardis – 9;

Nays: Moore - 1.

(15-140) Communication from the City Manager and Community Development Director with a Request to Concur with a Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE REZONING Property from a Class I-1 (Industrial/Business Park) District to a Class N-1 (Institutional) District and Approving an OFFICIAL DEVELOPMENT PLAN for the Property Identified as Parcel Identification Nos. 13-10-201-001 and 13-10-201-002 with an Address of 5801 W. ROUTE 150, PEORIA, IL. (Council District 5)

Council Member Spain said he would abstain from voting on this item due to an employment conflict.

Council Member Johnson moved to grant Privilege of the Floor to Dr. Kim Johnston.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to Dr. Kim Johnston.

Dr. Kim Johnston, President of Methodist College, provided information on the need for the expansion of Methodist College due to its growth, and she remarked on the positive impact it would have on the community.

Council Member Johnson moved to adopt an Ordinance rezoning property from a Class I-1 (Industrial/Business Park) District to a Class N-1 (Institutional) District and approving an Official Development Plan for the property identified as Parcel Identification Nos. 13-10-201-001 and 13-10-201-002 with an address of 5801 W. Route 150, Peoria, Illinois, with the amendment to revise Item Number 8 of Section 1 of the proposed Ordinance to read: "Waiver to reduce the width of the perimeter open space from 25 feet to 10 feet for both of Lot 1 and Lot 2 of the site,

with the building setback of 25 feet to remain and be applicable for any new construction,” seconded by Council Member Jensen.

Council Member Weaver advised that he would not be voting on this item due to a conflict of interest.

Council Member Akeson expressed a concern that this project would be moving into the Fifth District versus staying in the First District. She said it had all the components the City needed to attract millennials to the downtown area. She remarked on the importance of creating a well-articulated vision in order for businesses to make an investment without putting employees and businesses at risk.

Council Member Johnson said Methodist College reviewed the downtown area as well as other parts of the City. He said it was their goal to remain within the City of Peoria, and he said it was the City's job to help facilitate that process as quickly and as easily as possible, and he said the Fifth District suited their expansion needs.

It was discussed that Methodist College would sell the building downtown, and it was mentioned that the downtown area was beginning to revitalize and that it would not take long for that space to be utilized.

Mayor Ardis expressed his appreciation to Methodist for their investment in the community. He agreed with Council Member Akeson's concerns with the need for the City to have a plan. He remarked that this was a good project and that Methodist was going to stay within the City of Peoria. He said the City tried to keep them in the downtown area, but it was not feasible for their project.

ORDINANCE NO. 17,220 rezoning property from a Class I-1 (Industrial/Business Park) District to a Class N-1 (Institutional) District and approving an Official Development Plan for the property identified as Parcel Identification Nos. 13-10-201-001 and 13-10-201-002 with an address of 5801 W. Route 150, Peoria, Illinois, with the amendment to revise Item Number 8 of Section 1 of the proposed Ordinance to read: "Waiver to reduce the width of the perimeter open space from 25 feet to 10 feet for both of Lot 1 and Lot 2 of the site, with the building setback of 25 feet to remain and be applicable for any new construction" was adopted by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Turner, Mayor Ardis – 8;

Nays: None;

Abstentions: Spain, Weaver - 2.

(15-116) Communication from the City Manager and the Corporation Counsel to ADOPT One of the Four Following ORDINANCES:

Option 1: An ORDINANCE Amending Chapters 3 and 18 of the CODE of City of Peoria Requiring Minimum Food or Beverage Sales of 80% for Two Years as a Precondition for New Applicants to Operate VIDEO GAMING TERMINALS.

- Option 2. An ORDINANCE Amending Chapters 3 and 18 of the CODE of City of Peoria Requiring Minimum Food or Beverage Sales of 80% for Two Years as a Precondition for New Applicants to Operate Video Gaming Terminals AND No Video Gaming Terminals Will be Allowed in Any New Establishment, which is Located within 1500 feet from an Already Existing Establishment with VIDEO GAMING TERMINALS.**
- Option 3. An ORDINANCE Amending Chapters 3 and 18 of the CODE of City of Peoria Requiring Minimum Food or Beverage Sales of 80% for Two Years as a Precondition for New Applicants to Operate Video Gaming Terminals AND Limit the Number of Liquor Establishments that can Operate VIDEO GAMING TERMINALS to 5 Per City Council District.**
- Option 4. An ORDINANCE Amending Chapters 3 and 18 of the CODE of City of Peoria Requiring Minimum Food or Beverage Sales of 80% for Two Years as a Precondition for New Applicants to Operate Video Gaming Terminals AND No Video Gaming Terminals Will be Allowed in Any New Establishment which is Located within 1500 Feet from an Already Existing Establishment with Video Gaming Terminals AND Limit the Number of Liquor Establishments that can Operate VIDEO GAMING TERMINALS to 5 Per City Council District.**

Mayor Ardis remarked that there was currently a moratorium on video gaming in the City with the intent to prevent a proliferation of video gaming parlors. He said Option 1 was crafted after language from a Bill introduced in Springfield requiring 80% of food and sales two years prior to implementing video gaming terminals. He said the riskiest business there was for a startup business was a restaurant business, which generally had the highest failure rate. He said any new business within the City would need to meet that threshold.

Corporation Counsel Leist remarked that after the two-year threshold, the food and drink drops to 60% versus 80% food and sales. He said the Ordinance presented reflected the wrong percentage, and he said the percentage should reflect 60%.

Council Member Montelongo said he was supportive of Option 1 noting that the two-year time period would not limit the number of video gaming parlors. He said Option 1 also addressed the concern of location and proximity of video gaming parlors.

Council Member Montelongo moved to adopt Option 1, which was an Ordinance amending Chapters 3 and 18 of the Code of the City of Peoria requiring minimum food or beverage sales of 80% for two-years as a precondition for new applicants to operate video gaming terminals; seconded by Council Member Turner.

Council Member Turner remarked that when the legislature banned smoking in bars and restaurants, they provided the option of video gaming to make up for lost revenue. He said it was his intent to adopt an Ordinance that would have the least negative impact on existing bars and restaurants.

Discussions were held regarding the moratorium. Mayor Ardis said the moratorium was due to expire and that the City Council could extend it, if needed.

Council Member Akeson expressed a concern of how to track the sales revenue requirements. Discussions were held regarding this concern, and she recommended continuing the moratorium until it was addressed.

ORDINANCE NO. 17,221 amending Chapters 3 and 18 of the Code of the City of Peoria requiring minimum food or beverage sales of 80% for Two-Years as a precondition for new applicants to operate video gaming terminals was adopted by roll call vote.

Yeas: Jensen, Johnson, Montelongo, Spain, Turner, Mayor Ardis – 6;

Nays: Akeson, Grayeb, Moore, Weaver – 4.

(15-141) Communication from the City Manager and Director of Community Development with a Request to Concur with a Recommendation from the Planning & Zoning Commission and Staff to ADOPT the Following:

- A. **An ORDINANCE to REZONE Property from Class I-1 (Industrial/Business Park) District and I-2 (Railroad/Warehouse Industrial) District to a Class C-2 (Large Scale Commercial), for the Property Identified as Parcel Identification Nos. 14-05-201-009 (1200 W. BIRD BLVD.), 14-05-201-014 (HALE AVE.), and 14-05-251-008, (LINDBERGH DR.); and**
- B. **An ORDINANCE to AMEND an Existing SPECIAL USE Ordinance 14,254, as Amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add Property into the Special Use and Approve a Site Plan for a Building Addition, Parking Lot Expansion, and Street Vacation and Dedication. The Shopping Center Special Use Currently Includes Parcel Identification Nos. 09-32-455-001, 09-32-455-002, 09-32-455-003, 09-32-455-005, 09-32-455-006, 14-05-201-012, 14-05-202-009, 14-05-202-012, 14-05-202-013, 14-05-202-014, 14-05-202-017, 14-05-202-019, 14-05-202-020, and 14-05-202-021 with the Following Property to be Added: 09-32-451-014 (N LINDBERGH DR), 14-05-201-001 (9025 N. LINDBERGH DR), 14-05-201-004 (1116 W. BIRD BLVD), 14-05-201-005 (8919 N. HALE AVE), 14-05-201-006 (N. HALE AVE), 14-05-201-007 (8903 N. HALE AVE), 14-05-201-009 (1200 W. BIRD BLVD), 14-05-201-014 (N LINDBERGH DR), and 14-05-251-008 (N. HALE AVE). (Council District 5)**

Council Member Johnson provided an overview of the item, and he remarked that this project would slow traffic down and make the area pedestrian friendly.

Council Member Johnson moved to adopt an Ordinance to rezone property from Class I-1 (Industrial/Business Park) District and I-2 (Railroad/Warehouse Industrial) District to a Class C-2 (Large Scale Commercial), for the property identified as Parcel Identification Nos. 14-05-201-009 (1200 W Bird Blvd.), 14-05-201-014 (Hale Ave.), and 14-05-251-008, (Lindbergh Dr.); seconded by Council Member Weaver.

Council Member Spain remarked on the incredible job RLI was doing for the community and the investments the company made, and he said this project was a great initiative.

Mayor Ardis expressed his appreciation to RLI, Mike Stone and John Michael for their continued investment in the community.

ORDINANCE NO. 17,222 to rezone property from Class I-1 (Industrial/Business Park) District and I-2 (Railroad/Warehouse Industrial) District to a Class C-2 (Large Scale Commercial), for the property identified as Parcel Identification Nos. 14-05-201-009 (1200 W. Bird Blvd.), 14-05-201-014 (Hale Ave.), and 14-05-251-008, (Lindbergh Dr.) was adopted by roll call vote.

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

Nays: None.

Council Member Johnson moved to adopt an Ordinance to amend an existing Special Use Ordinance 14,254, as amended, in a Class C-2 (Large Scale Commercial) District for a shopping center to add property into the Special Use and approve a site plan for a building addition, parking lot expansion, and street vacation and dedication; the shopping center Special Use currently includes Parcel Identification Nos. 09-32-455-001, 09-32-455-002, 09-32-455-003, 09-32-455-005, 09-32-455-006, 14-05-201-012, 14-05-202-009, 14-05-202-012, 14-05-202-013, 14-05-202-014, 14-05-202-017, 14-05-202-019, 14-05-202-020, and 14-05-202-021 with the following property to be added: 09-32-451-014 (N. Lindbergh Dr.), 14-05-201-001 (9025 N. Lindbergh Dr.), 14-05-201-004 (1116 W. Bird Blvd), 14-05-201-005 (8919 N. Hale Ave.), 14-05-201-006 (N. Hale Ave.), 14-05-201-007 (8903 N. Hale Ave.), 14-05-201-009 (1200 W. Bird Blvd), 14-05-201-014 (N. Lindbergh Dr.), and 14-05-251-008 (N. Hale Ave.); seconded by Council Member Turner.

ORDINANCE NO. 17,223 was adopted by roll call vote.

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

Nays: None.

(15-142) Communication from the City Manager with a Request to Adopt the Following:

- A. An ORDINANCE Approving the MECHANICAL RUBBER & SUPPLY CO. REDEVELOPMENT AGREEMENT (1st District).**
- B. An ORDINANCE Amending the City of Peoria BUDGET for FISCAL YEAR 2015 Relating to the Use of the Warehouse District TIF Fund Balance for the Redevelopment Agreement with MECHANICAL RUBBER & SUPPLY CO. in the Amount of \$75,000.**

A replacement redevelopment agreement was distributed to all Council Members.

Council Member Spain said this item should be withdrawn. He said the Redevelopment Agreement that was to be considered came forward as a result of the investment of Mark Johnson and Rhodell Brewery moving into the Murray Building. He said the investment of

Rhodells and the excitement of the investment would give the City an opportunity for a large redevelopment plan. He said Rhodells wanted to open as quickly as possible and Staff was assisting with that goal.

Council Member Spain moved to withdraw the Ordinance approving the Mechanical Rubber & Supply Co. Redevelopment Agreement and an Ordinance amending the City of Peoria Budget for Fiscal Year 2015 relating to the use of the Warehouse District TIF Fund balance for the Redevelopment Agreement with Mechanical Rubber & Supply Co., in the amount of \$75,000.00; seconded by Council Member Moore.

Motion to withdraw was approved by roll call vote.

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

Nays: None.

(15-143) Communication from the City Manager and Corporation Counsel with a Request to Approve the SITE APPLICATION for Class A (tavern) Liquor License with On-Site Consumption and Retail Sale of Alcohol at JOHN S. RHODELL BREWERY, INC., 100 WALNUT ST., SUITE 111, with a Recommendation from the Liquor Commission to Approve, Contingent Upon the Issuance of a Certificate of Occupancy. (DISTRICT 1)

Council Member Moore moved to approve the Site Application for Class A (tavern) liquor license with on-site consumption and retail sale of alcohol at John S. Rhodell Brewery, Inc., 100 Walnut St., Suite 111, contingent upon the issuance of a Certificate of Occupancy; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

(15-108) Communication from the City Manager and Corporation Counsel to Approve a Collateral Assignment by JP RIVERFRONT, LLC and JP RIVERFRONT DEVELOPMENT COMPANIES, INC. to CENTRAL ILLINOIS BANK.

Council Member Turner moved to defer the collateral assignment by JP Riverfront, LLC and JP Riverfront Development Companies, Inc. to Central Illinois Bank until the May 12, 2015, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer to the May 12, 2015, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

NEW BUSINESS**Progress of Peoria Editorial nm.,/**

Council Member Grayeb commended the Peoria Journal Star on their recent editorial on the progress of the City of Peoria, which included, but was not limited to the First District, the Warehouse District, the Wisconsin Corridor, the Louisville Slugger as well as the medical facilities and schools available. He remarked that the article was a very positive overview of the changes occurring within the City of Peoria.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

It was determined that there were no citizens who wished to address the City Council/Town Board.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION 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)(7) The sale or purchase of security, investments, or investment contracts; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Council Member Spain moved to enter into an Executive Session to Discuss 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)(7) The sale or purchase of security, investments, or investment contracts; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Johnson.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by roll call vote.

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

Nays: None.

The Regular City Council Meeting adjourned at 7:32 P.M.



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

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