



: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Special Meeting of the City Council of Peoria, Illinois, was held November 2, 2021, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, Peoria, with Mayor Ali presiding, and with proper notice having been posted.

INVOCATION & PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

(21-335) Communication from the Mayor and Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.

Council Member Kelly moved to approve the Declaration of Local State of Emergency; seconded by Council Member Velpula.

Approved by roll call vote.

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

Nays: None.

(21-336) Communication from the City Manager and Public Works Director with a Request to RECEIVE and FILE a PRESENTATION on SNOW REMOVAL OPERATIONS.

A handout of a Winter Weather Pamphlet along with a copy of the Presentation was provided to all Council Members.

Assistant Director of Public Works Sie Maroon gave a presentation on the City of Peoria Snow Removal Plan. He stated the plan was similar to last year with 17 snow routes, down from 21 routes prior to the pandemic. He discussed: staffing difficulties, road treatment options, priority and residential snow routes, snow removal timing, A-B-C route plans, snow route parking enforcement, snow removal equipment, sidewalk Ordinances, and communication information for the Public Works Department.

Mayor Ali complimented Staff on their work and stated she was grateful of increased resources this year.

Discussions were held regarding the policy for plowing primary streets before residential streets, route times changing due to funding reductions related to COVID, and the amount of snow removal equipment available compared to previous years. The ability to amend the 2021-2022 Winter Snow Plan with additional funding was also discussed.

Council Member Allen requested an electronic copy of the presentation and the literature provided as a handout to provide to community members.

Discussions were held about weather patterns that complicated the snow removal process.

Council Member Kelly moved to receive and file a presentation on Snow Removal Operations; seconded by Council Member Oyler.

Approved by roll call vote.

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

Nays: None.

(21-313) Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending the SPECIAL SERVICE AREA AGREEMENT between the City of Peoria and WESTLAKE SHOPPING CENTER, LLC (District 4).

MOTION ON THE FLOOR: To adopt an Ordinance amending the Special Service Area Agreement between the City of Peoria and Westlake Shopping Center, LLC.

A copy of the amended agreement was provided to all Council Members.

Council Member Allen asked to grant privilege of the floor to Bob Hall, Attorney for West Lake Shopping Center. Hearing no objection, Mayor Ali granted privilege of the floor to Attorney Bob Hall.

Attorney Bob Hall explained the details of the proposed agreement. He said the agreement would not negatively impact the City of Peoria financially, noting the past due Storm Water Utility payments were paid. He outlined the punctual payment history of the West Lake Special Service Area and the benefits it provided to the City.

Council Member Ruckriegel thanked Attorney Hall for the work he put into this agreement and recognized the value the Shopping Center provided to the City and surrounding communities.

After a brief comment, Council Member Allen moved to adopt an Ordinance amending the Special Service Area Agreement between the City of Peoria and Westlake Shopping Center; seconded by Council Member Ruckriegel.

ORDINANCE NO. 17,901 was adopted by roll call vote.

Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Ruckriegel, Velpula, Mayor Ali – 9;

Nays: Riggerbach – 1 .

(21-337) Communication from Council man Zach Oyler with a Request to DIRECT STAFF to Place a 90-DAY MORATORIUM on Enforcement Action Related to Operating a SHORT-TERM RENTAL Without a Special Use, to Allow for Those Currently Operating to Come into Compliance with City of Peoria Ordinances, and Void Previously Issued Citations for Failure to Obtain a Special Use Prior to Operating a Short-Term Rental.

Council Member Oyler moved for an amended motion to direct Staff to place a 90-day moratorium on enforcement action related to operating a Short-Term Rental without a Special Use, to allow for those currently operating to come into compliance with City of Peoria Ordinances, and void previously issued citations for failure to obtain a Special Use prior to operating a Short-Term Rental be approved, as amended, to denote as long as they come into compliance or cease operations, seconded by Council Member Ruckriegel.

Council Member Oyler said he had communicated with property owners who were cited for noncompliance regarding Short Term Rentals. He said he was concerned about public confusion with changes to the Code and inconsistencies with enforcement.

Public Works Director Joe Dulin said compliance was the primary goal and Staff was willing to waive fines for property owners who complied.

Council Member Velpula recognized Short Term Rentals had been an ongoing topic for the Council and he said the City needed to support new business models while working with citizens to become compliant.

Council Member Riggenbach thanked Council Member Oyler for bringing this item forward for Council consideration. He said it was unfair to expect citizens to keep up with changing regulations on Short Term Rentals. He said 90 days was needed to communicate these changes to the public and he stated he would support this motion.

Council Member Allen said it was challenging to enforce new regulations when the businesses were already operating. He said many property owners may not have been aware of the new regulations and he stated his support for the motion.

Council Member Jensen said the original Ordinance No. 17,832 was adopted in March 2021, amended by Ordinance No. 17,893 on October 12, 2021, and the citations issued were not a result of the amendment, and not enforcing them undermined the authority of the City. She expressed concern over Short Term Rentals in older neighborhoods and discussed complaints received related to their use as a Short Term Rental.

Council Member Ruckriegel stressed that compliance took time, and the ongoing Council discussions may have been confusing. He said compliance should be the focus rather than punishment or collecting revenue. He said he would support the motion.

Council Member Kelly stated he would support the motion, as amended, and also said he believed the Council would be presented with many requests for Short Term Rentals due to the Special Use requirement.

Discussions were held on addressing enforcement issues during and after the moratorium. Mayor Ali stated if any of the identified properties were not in compliance after 90 days, the fines would be enacted.

Discussions were held regarding issued citations for noncompliance with the Code related to Short Term Rentals.

At Mayor Ali's request regarding the next steps if the moratorium was implemented, Director Dulin stated all hearings would be suspended for 90 days, and the fines would be voided for property owners who were compliant by that time. He said properties identified as Short Term Rentals would be properly notified and recorded before citations were issued.

Discussions were held about hearing dates already scheduled, how and when property owners were cited, and the February 1, 2022 deadline to become compliant.

Council Member Grayeb recognized citizens in the Council Chambers who wished to speak about 1005 West Moss Avenue, which was cited for noncompliance.

Hearing no objections, Mayor Ali granted Privilege of the Floor to citizens who wished to speak.

Richard Blanco, a concerned citizen of Moss Avenue, discussed the impact of the Short Term Rental at 1005 West Moss on the neighbor who shared a driveway with the house. He stated the impact on her personal safety as well as the future value of her property. He said the property owner owns many other properties and he requested Council enforce the fines on an individual basis. He suggested not enforcing the Ordinance may indicate to property owners that violations could continue.

Bill Ott, a concerned citizen and son of the woman neighboring 1005 West Moss Avenue, expressed a concern for a Short Term rental that was next door to his mother's home where both properties shared a driveway. He said his mother had been afraid due to the activity of people coming and going from the property.

Conrad Stinnet, a concerned citizen and President of the West Bluff Council, stated the goal of the West Bluff Community was to return to a single family neighborhood, stating Short Term Rentals did not fit that model. He asked Council to use discretion but to enforce the law.

At Mayor Ali's request, Director Dulin stated violations would be tracked and considered during the application process for Special Use licensing.

Discussions were held about how many properties in violation of the Code were currently working on becoming compliant, how they were notified of noncompliance, and the goal of issuing citations to encourage compliance.

Discussions were held regarding complaints about the property at 1005 West Moss Avenue. Council Member Oyler asked the owner of the property, Dimitar Atanasov, to speak.

Hearing no objections, Mayor Ali granted privilege of the floor to Dimitar Atanasov.

Dimitar Atanasovi, owner of the property located at 1005 West Moss Avenue, stated he owned three properties in the City of Peoria and was not aware of any issues until he was contacted by Air BnB on October 12, 2021. He said he contacted Director Dulin to begin the process of bringing all three properties into compliance, but before he was able to complete this process, he received another citation for \$6,000 that was sent to an incorrect address. He said his goal was to have public support and the opportunity to discuss the benefits Short Term Rentals could provide for his neighbors.

Discussions were held about the process for notifying property owners and how they were contacted.

Council Member Allen asked Bill Kwon at 408 West Ravinswood Road to discuss his experience with the process.

Hearing no objections, Mayor Ali granted privilege of the floor to Bill Kwon.

Bill Kwon, owner of property at 408 West Ravinswood and a citizen of Peoria, discussed his goals in operating a Short Term Rental in the City. He said he was issued a citation and received a second citation before resolving the first, and without anyone from the City contacting him. He said he respected the process, but it should be implemented fairly.

Council Member Riggerbach stated that Mr. Kwon received a citation with a court date of September 22, 2021, noting there was no reason to respond before that date. He stated Council should have created a bridge to compliance. At the conclusion of his comments, he said he would continue to support the motion on the floor.

Council Member Ruckriegel moved to call the question.

Discussions were held regarding contacting property owners about becoming compliant with City regulations.

Motion to direct Staff to place a 90-day moratorium on enforcement action related to operating a Short-Term Rental without a Special Use, to allow for those currently operating to come into compliance with City of Peoria Ordinances, and void previously issued citations for failure to obtain a Special Use prior to operating a Short-Term Rental be approved, as amended to denote as long as they come into compliance or cease operations approved, as amended, by roll call vote.

Yeas: Allen, Kelly, Oylar, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 7;

Nays: Grayeb, Jackson, Jensen – 3.

(21-317) Communication from the City Manager and Finance Director/Comptroller with a Request to RECEIVE and FILE the 2022-2023 BIENNIAL BUDGET.

Handouts with Report Backs 2, Report Backs 3, Green Projects Report, and a list of proposed motions were provided to all Council Members.

City Manager Urich discussed the Report Backs and the motions provided for consideration.

Discussions were held regarding the Fire Department Budget dating back to 2017, the funds available in the current Budget to support the reinstatement of an engine, and how potential budgetary shortfalls would be handled.

Council Member Ruckriegel expressed his appreciation for the Report Backs that were provided. He said the Public Safety Pension Fee was originally implemented to help with the liability, and then the City was going to try to manage it. He commented on how the fee impacted the liability, noting the liability continued to increase. He said it was one of the most difficult issues facing the City. Discussions were held about the impact of the Public Safety Pension Fee, when it was scheduled to sunset, how investment returns impacted pension funds, and what other resources should be allocated to the pension liability.

Council Member Ruckriegel referenced Question 3 on Report Backs Part 2 and said he asked for details on twenty properties per district to see the impact of the Public Safety Pension Fee. He asked for a Report Back describing the properties presented for this report as well as their District.

Mayor Ali asked if the Public Safety Pension Fee would be on the Agenda for the November 9, 2021, City Council Meeting, and City Manager Urich confirmed it would be an item on the agenda. He said, in regard to pension liability, he recommended the continuation of the Public Safety Pension Fee and to keep Storm Water Utility rates for 2022 at its current rate. He said both items would be presented on the November 9, 2021, City Council Meeting.

Discussions were held about the Wisconsin Avenue project, including potential savings and other potential financial resources available for infrastructure projects. Discussions were also held regarding debt restructuring and the impact of the bond sale, Ordinance Nos. 17,896 and 17,897, adopted by Council at the October 26, 2021 City Council Meeting.

Discussions were held to clarify how the Public Safety Pension Fee was assessed, the timeframe involved with creating a regional taxing authority for the Civic Center to provide financial support, overtime used by the Fire Department in recent years as well as associated factors, and green energy collaboration with Homefield (Ameren) on a pilot program with the potential to utilize local green energy.

Council Member Jensen requested a Report Back on the total cost of the Rolling Acres Project, and City Manager Urich reported the project was scheduled for 2024 and 2025.

Mayor Ali highlighted key changes to the Budget including Capital spending and recommended Expenditures and increases in Operational spending due to Fiscal Recovery Funds. She stated the City Manager had prepared nine motions for Council consideration as outlined in the Handout.

Continued discussions were held related to the Wisconsin Ave Project.

Council Member Riggerbach moved to Amend the City of Peoria Proposed 2022-2023 Biennial Budget for an Additional \$12,500,000.00 for the Wisconsin Ave Street Project, seconded by Council Member Kelly.

Approved by roll call vote.

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

Nays: None.

At the request of Council Member Velpula, City Manager Urich explained the General Fund Budget balancing considerations.

Council Member Velpula moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$1,120,849.00 in General Fund revenue, and \$875,000.00 in General Fund expense cuts in 2022, and an additional \$1,802,760.00 in General Fund revenue, and \$890,500.00 in General Fund expense cuts in 2023; seconded by Council Member Jackson.

Discussions were held regarding cuts to the Public Works Department detailing the factors considered in the budgeting process.

Motion to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$1,120,849.00 in General Fund revenue, and \$875,000.00 in General Fund expense cuts in 2022, and an additional \$1,802,760.00 in General Fund revenue, and \$890,500.00 in General Fund expense cuts in 2023 was approved by roll call vote.

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

Nays: None.

Council Member Jackson thanked Staff and Council for recognizing the need to address demolition in the First District, and she moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$2,068,403.00 in Fiscal Recovery Funds use for demolition of McKinley and Harrison Schools and a portion of the Allen Road Project and additional General Fund expenses to account for Fiscal Recovery Fund proposed spending, and to support the recommended spending of Fiscal Recovery Funds; seconded by Council Member Grayeb.

Council Member Grayeb stated he was glad to support this motion and he discussed the Allen Road Reconstruction Project.

Council Member Allen said he was supportive of the motion and recognized the efforts of Council Member Jackson on this matter.

Council Member Grayeb expressed his support of the motion, and he stated the City needed to work with Peoria Public Schools to ensure situations such as this do not occur in the future.

Further discussions were held about demolition issues in the future.

Motion to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$2,068,403.00 in Fiscal Recovery Funds use for demolition of McKinley and Harrison Schools and a portion of the Allen Road Project and additional General Fund expenses to account for Fiscal Recovery Fund proposed spending, and to support the recommended spending of Fiscal Recovery Funds was approved by roll call vote.

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

Nays: None.

Council Member Allen moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$1,200,000.00 in the State Motor Fuel Tax Fund, for acceptance of a Distressed Communities Grant from the State of Illinois, and an increase of \$55,000.00 in the Western Avenue Street Project for cameras and wayfinding; seconded by Council Member Jackson.

Mayor Ali asked City Manager Urich to discuss the \$1.2 million Grant received by the City. City Manager Urich explained the criteria for the Grant, how the money would be used, and how the funds budgeted for the Western Ave Project were redirected to the Wisconsin Avenue Project. Mayor Ali commended the Staff for their work on the grant.

Council Member Grayeb asked for a Report Back on dates for the Western Avenue Project from King Drive to Farmington Road. City Manager Urich confirmed the MacArthur Project from King Drive to Moss Avenue was scheduled as a part of the Fiscal Recovery Funding in 2023.

Motion to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$1,200,000.00 in the State Motor Fuel Tax Fund for acceptance of a Distressed Communities Grant from the State of Illinois, and an increase of \$55,000.00 in the Western Avenue Street Project for cameras and wayfinding was approved by roll call vote.

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

Nays: None.

Council Member Ruckriegel moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$15,000.00 in both 2022 and 2023, for the purchase of a TIF Compliance software for Economic Development, based on recent state law changes; seconded by Council Member Kelly.

Discussions were held about a new State of Illinois law that added tracking and reporting requirements for TIF districts, the benefit of compliance software being purchased to assist with compliance, and the local footprint of the software company.

Approved by roll call vote.

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

Nays: None.

Council Member Oyler moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$5,070,000.00 in Bond proceeds, and \$5,070,000.00 for property acquisition and surface parking improvements in the 800-1000 blocks of Washington Street, in the Warehouse District TIF in 2022 and \$330,000.00 of debt service expense in 2023; seconded by Council Member Ruckriegel.

Approved by roll call vote.

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

Nays: None.

Council Member Jensen moved to amend the City of Peoria proposed 2022-2023 Biennial Budget for an additional \$125,000.00 in both 2022 and 2023, for the use of the Illinois Department of Commerce and Economic Opportunity Grant funds for the Mayor's Youth Program and corresponding expenses; seconded by Council Member Grayeb.

City Manager Urich provided background on the grant awarded and said the budgeted amount may need to be changed if it was determined the full amount was required to be spent in 2022.

Mayor Ali recognized Senator Dave Koehler efforts in helping the City secure this funding.

Approved by roll call vote.

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

Nays: None.

Council Member Ruckriegel moved to amend the City of Peoria proposed 2022-2023 Biennial Budget to reduce the property tax levy \$40,000.00 in 2022 and \$40,800.00 in 2023, per the direction from the City Council to keep the tax rate constant; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggenbach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: None.

Council Member Kelly moved to amend the City of Peoria proposed 2022-2023 Biennial Budget to reduce debt service expenses by \$223,752.00 in 2022 and \$15,739.00 in 2023, and to reduce the corresponding transfers between funds; seconded by Council Member Allen.

Approved by roll call vote.

Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggenbach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: None.

Council Member Kelly moved to receive and file the 2022-2023 Biennial Budget; seconded by Council Member Ruckriegel.

Council Member Oyler commented on action taken at the last City Council meeting stating he had sought legal guidance about the vote taken to reinstate a fire engine. He said, based on the advice he received, he would like that vote eliminated because it was not properly noticed on the agenda and did not pertain to the item on the floor. He asked those who could act on this item to consider adding it to the next City Council Agenda.

Discussions were held about seeking guidance from the Office of the Attorney General, Council Rules about reconsidering an item, and who could add the item to the agenda. Corporation Counsel Kapustka stated she did not believe her inquiry would receive a response from the Attorney General in time for the November 9, 2021 agenda deadline. She recommended bringing the item back on the next agenda to question it being properly noticed.

Council Member Riggenbach said, if there was some ambiguity, the Council should seek clarification and perhaps ratification of the vote. He said, clearly, the outcome was set; however, he asked should Corporation Counsel hear back from the Attorney General and it is determined it was not germane to the item, then the Council would need to ratify the vote.

Corporation Counsel Kapustka said she would not hear back from the Attorney General's Office in a timely manner in order for the item to be reconsidered. She recommended moving forward with such a motion if the Council wanted to proceed. She further stated, in regard to noticing a ratification, the Council should always err on the side of caution and place such an item on the agenda.

Council Member Riggenbach said he would prefer moving forward with a ratification vote to legitimize and remove all doubt.

Discussions were held about the legality of the previous vote taken, if the current discussion was allowed under the budget discussion, the merits of bringing the item back for a ratification vote, if the item required a vote or if the matter fell under the authority of the City Manager, and State law and Council policy related to the vote.

In response to Council Member Kelly's comment regarding procedures on the floor, Mayor Ali said the discussion related to a motion from the previous meeting and was not considered new business. She said such a motion related to the budget discussion and noted the nine action items voted on previously which were not listed as separate action items on the agenda.

Council Member Ruckriegel said the Council should remove the vote from the record because it was improper, stating the City Manager had the purview to reinstate the Fire Engine without Council action. He said if the City Manager thought there was money in the budget, then he should make that decision regarding the budget for the Fire Department.

Council Member Grayeb stated the vote was appropriate, as confirmed by Corporation Counsel. He said seeking outside counsel was inappropriate in this case, but any information should be provided to the entire Council.

Motion to receive and file the 2022-2023 Biennial Budget was approved by roll call vote.
Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula,
Mayor Ali – 10;
Nays: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ali granted privilege of the floor to those citizens wishing to address the City Council/Town Board as follows:

Brad Reeser, a citizen of Peoria and representative of Illinois American Water, addressed concerns of using Fiscal Recovery Funds for the purpose of investigating changes in the relationship between the City of Peoria and Illinois American Water. He stated funds would be better used to address abandoned buildings and road improvements. He also recommended a longer contract with Illinois American Water to eliminate the concern of the water buyout.

Hearing no objection, Mayor Ali asked City Clerk Stefanie Tarr to read the citizen comments into the record as follows:

Carrie Alms, a concerned citizen, provided a letter to Council discussing her concern over procedure violations during recent City Council meetings. She expressed a concern for potential Open Meetings Act violations and not properly using Robert's Rules of Order as adopted in Council Rules.

EXECUTIVE SESSION

It was determined there was no need for an Executive Session at this time.

ADJOURNMENT

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

Approved by roll call vote.

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

Nays: None.

The Special City Council Meeting was adjourned at 9:22 P.M.



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

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