

City of Peoria

*419 Fulton Street
Peoria, IL 61602*



Agenda and Notice

Tuesday, December 9, 2014

6:15 PM

**Peoria County Courthouse, 324 Main Street
County Board Room 403 Peoria, Illinois 61602**

City Council

**AGENDAS AND PROCEEDINGS ISSUED BY:
BETH BALL, MMC, OFFICE OF THE CITY CLERK
CITY HALL, ROOM 401
(309) 494-8565**

***Agendas/Minutes and supporting documentation are available
online at www.peoriagov.org.***

DISABILITY ACCESS STATEMENT

City Council/Town Board Meetings are wheelchair accessible. Individuals with hearing difficulties can request to use available FM auxiliary aids before or during the meeting by visiting the City Clerk's Office, Room 401, City Hall Building, 419 Fulton Street, Peoria, Illinois. Requests to receive an Agenda in an alternate format or other types of auxiliary aids and services must, when possible, be submitted to the City Clerk's Office a minimum of 48 hours prior to the meeting. To contact the City Clerk's Office, call 309-494-8565 (V). TTY users, call the Illinois Relay Center at 1-800-526-0844 (TTY) or 1-800-526-0857 (V).

ROLL CALL**INVOCATION & PLEDGE OF ALLEGIANCE****MINUTES****PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined:**

[14-473](#) NOTICE of LAWSUIT Filed on Behalf of NATASHA ADAMS Regarding a Complaint Alleged Against the Peoria Police Department Alleging Interference in a Civil Matter.

[14-474](#) Communication from the City Manager and Director of Public Works with a Request to Authorize Change Order #2 for a One-Year Extension to the 2014 ANNUAL DRAINAGE REPAIR CONTRACT with J.C. DILLON, INC. and to Authorize the City Manager to Execute the Change Order for the Total Budget Amount of \$500,000. (Amends 13-502; Also Refer to 14-388-A) [ALL COUNCIL DISTRICTS]

[14-475](#) Communication from the City Manager and Director of Public Works with a Request to APPROVE a CONTRACT with A CUT ABOVE TREE SERVICE for Tree and Strump Removal Bid 51-14, in the Amount of \$24,450.00.

[14-476](#) Communication from the City Manager and the Director of Public Works with a Request to Approve PURCHASES from FORREST KEELING NURSERY, in the Amount of \$50,000.00, GREEN VIEW NURSERY, in the Amount of \$15,000.00, and D. A. HOERR & SONS, INC., in the Amount of \$15,000.00, to Purchase Trees to Plant on City Property and Rights of Way. [Citywide]

[14-477](#) Communication from the City Manager and Director of Public Works Requesting Approval of the PURCHASE of a BRINE MAKER, in the Amount of \$103,300.00, and a Truck-Mounted SPRAY APPLICATOR, in the Amount of \$16,263.00, for a Total Purchase of \$119,563.00 from THE HENDERSON COMPANY of Manchester, Iowa, Utilizing the Competitive Bid by the National Joint Powers Alliance Joint Purchasing Contract.

- [14-478](#) Communication from the City Manager and Director of Public Works with a Request to Approve Amendment #1 to MASTER PROFESSIONAL SERVICES AGREEMENT #12-171 with AUSTIN ENGINEERING COMPANY, INC. for a One-Year Extension to December 31, 2015, for Engineering Services for the City of Peoria on Various Projects. (Amends 12-171) [ALL COUNCIL DISTRICTS]
- [14-479](#) Communication from the City Manager and Director of Public Works with a Request to Approve the Selection Process and Approve an AGREEMENT with CRAWFORD, MURPHY & TILLY, INC., in an Amount Not to Exceed \$350,000, for Engineering Services for the STORMWATER UTILITY MASTER SERVICES PROJECT. (Refer to 14-151) [All Districts]
- [14-480](#) Communication from the City Manager and Director of Public Works with a Request to Approve Amendment No. 7 to AGREEMENT #07-040 (The 2007 Professional Services Agreement With AMEC ENVIRONMENT & INFRASTRUCTURE, INC. [Formerly MACTEC Engineering and Consulting, Inc.]), with an Effective Date of January 1, 2015, and a Completion Date of June 30, 2016, For A Total Additional Compensation Amount Not To Exceed \$960,000, to Assist the City in the Development and Negotiation of a LONG-TERM CONTROL PLAN to Meet the Requirements of the National Pollutant Discharge Elimination System (NPDES) Permit for the City's COMBINED SEWER OUTFALLS. [Council Districts 1, 2, and 3].
- [14-481](#) Communication from the City Manager and the Director of Public Works with a Request to Approve Amendment #1 to MASTER PROFESSIONAL SERVICES AGREEMENT #12-176 with MIDWEST ENGINEERING ASSOCIATES, INC. for a One-Year Extension to December 31, 2015, and for the Additional Not-to-Exceed Amount of \$200,000, to Provide Engineering Services for the City of Peoria on Various Projects. (Amends 12-176) [All Council Districts]
- [14-482](#) Communication from the City Manager and Director of Public Works with a Request to Approve Amendment #1 to MASTER PROFESSIONAL SERVICES AGREEMENT #12-222 with MAURER-STUTZ, INC. for a One-Year Extension to December 31, 2015, to Provide Construction Engineering Services on Various Projects for the City of Peoria. (Amends 12-222) [All Council Districts]
- [14-483](#) Communication from the City Manager and Director of Public Works with a Request to Approve the Third Amendment to MASTER PROFESSIONAL SERVICES AGREEMENT #12-172 with FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC. for a One-Year Extension to December 31, 2015, and for the Additional Not-to-Exceed Amount of \$275,000, to Provide Drainage Engineering Services for the City of Peoria. (Amends 12-172; Also Refer to 13-330 and 14-044) [ALL COUNCIL DISTRICTS]
- [14-484](#) Communication from the City Manager and Director of Public Works with Request to Approve Amendment #1 to MASTER PROFESSIONAL SERVICES AGREEMENT #12-223 with DEWBERRY ARCHITECTS, INC. to Extend the Term of the Agreement for One Year, to December 31, 2015, and to Add an Additional Not-to-Exceed Fee of \$80,000 to Provide Engineering Services for the City of Peoria on Various Projects. [All Council Districts] (Amends 12-223)

- [14-485](#) Communication from the City Manager and Director of Public Works with a Request to Approve the Second Amendment of MASTER PROFESSIONAL SERVICES AGREEMENT #12-221 with HANSON PROFESSIONAL SERVICES to Extend the Agreement for One Year Ending December 31, 2015, for the Additional Not-to-Exceed Amount of \$200,000.00, to Provide Design Engineering Services. [ALL COUNCIL DISTRICTS] (Amends #12-221; Also Refer to #13-147)
- [14-486](#) Communication from the City Manager and Director of Public Works with Request for Approval of an AGREEMENT with DAVEY RESOURCE GROUP for the Amount of \$84,100.00 to Complete a TREE INVENTORY AND MANAGEMENT PLAN. (Also Refer to 13-142) [All Council Districts]
- [14-487](#) Communication from the City Manager and Director of Public Works Requesting Approval of Amendment #2 to MASTER PROFESSIONAL SERVICES AGREEMENT #12-180 with MOHR & KERR ENGINEERING & LAND SURVEYING for a One-Year Extension to December 31, 2015, and for an Additional Not-to-Exceed Amount of \$195,000 to Provide Engineering Services on Various Projects for the City of Peoria. (Amends 12-180; Also Refer to #14-005(B)) [ALL COUNCIL DISTRICTS].
- [14-488](#) Communication from the City Manager and Director of Public Works with a Request to Approve Amendment #1 of MASTER PROFESSIONAL SERVICES AGREEMENT #12-177 with FARNSWORTH GROUP for a One-Year Extension, Ending December 31, 2015 and the Additional Not-to-Exceed Amount of \$200,000.00 to Provide Engineering Services for the City of Peoria on Various Projects. (Amends 12-177) [ALL COUNCIL DISTRICTS]
- [14-489](#) Communication from the City Manager and Director of Public Works with a Request to Approve Amendment #2 of MASTER PROFESSIONAL SERVICES AGREEMENT #12-175 with TERRA ENGINEERING, LTD. for a One-Year Extension to December 31, 2015, and for an Additional Not-to-Exceed Amount of \$495,000.00 to Provide Engineering Services for the City of Peoria on Various Projects. (Amends 12-175; Also Refer to 13-265) [ALL COUNCIL DISTRICTS]
- [14-490](#) Communication from the City Manager and Director of Public Works Requesting Approval of Amendment #2 of the MASTER PROFESSIONAL SERVICES AGREEMENT #12-173 with CRAWFORD, MURPHY & TILLY, INC. for a ONE YEAR Extension to December 31, 2015, and for an Additional Not-to-Exceed Amount of \$230,000 to Provide Design Engineering Services on Various Projects for the City of Peoria. (Amends #12-173; Also Refer to #12-280 and #14-112(A)). [ALL COUNCIL DISTRICTS].
- [14-491](#) Communication from the City Manager and the Director of Community Development with a Recommendation to Enter into an Agreement, which Supersedes all Previous Agreements, with East Bluff Neighborhood Housing Services (EBNHS), Regarding the Use of Special Service Area (SSA) Funds for FY2015.

- [14-492](#) Communication from the City Manager and the Community Development Director with a Request to Approve an AGREEMENT with GIFTS IN THE MOMENT FOUNDATION (GITM) for the BOSCH SUPERMARKET PARK PROJECT (Council District 1).
- [14-493](#) Communication from City Manager and the Director of Public Works with a Request to Approve Final Payment to ILLINOIS CIVIL CONTRACTORS, INC., in the Amount of \$17,139.13, for the Cleanup Efforts at 3560 SW ADAMS STREET. (Refer to 14-119) [District 1]
- [14-466](#) Communication from the City Manager and the Director of Public Works with a REQUEST to ADOPT an ORDINANCE Authorizing the City Manager to ACQUIRE REAL ESTATE for RIGHT-OF-WAY or PERMANENT EASEMENT Purposes, in an Amount Not to Exceed \$15,000.00 Per Parcel for 2014; with Subsequent Year Totals Not to Exceed the Annual Budgeted Amount. (Also Refer to Ord. No. 16,979) [City Wide]
- [14-494](#) Communication from the City Manager and the Director of Community Development with a Request to ADOPT an ORDINANCE LEVYING A TAX for FY2015 for the EAST BLUFF NEIGHBORHOOD HOUSING SERVICES (EBNHS) Special Service Area and Direct the City Clerk to File a Certified Copy of the Ordinance with the County Clerk to Allow this Tax to be Extended as Provided by Law.
- [14-495](#) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE LEVYING a TAX for FISCAL YEAR 2015 for the WEAVERRIDGE SPECIAL SERVICE AREA (Parcel A - Golf Course) and Adopt Appendix A as Part of the Ordinance Levying a Tax for Fiscal Year 2015 for the Weaverridge Special Service Area (Parcel A - Golf Course).
- [14-496](#) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE AMENDING the CITY OF PEORIA BUDGET for FISCAL YEAR 2014 Relating to the ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY DOMESTIC VIOLENCE GRANT FUNDS, in the amount of \$31,709.00 and \$22,650.00; the ILLINOIS DEPARTMENT OF REVENUE TOBACCO ENFORCEMENT GRANTS in the Amount of \$5,500.00 and \$5,940.00; and the ILLINOIS DEPARTMENT OF TRANSPORTATION SUSTAINED TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT in the Amount of \$6,401.00 and \$7,000.00.
- [14-497](#) Communication from the City Manager and Corporation Counsel with a Request to Adopt an ORDINANCE Amending CHAPTER 2 of the CODE of the City of Peoria Changing the Start Time of the City Council Meeting from 6:15 P.M. to 6:00 P.M.

[14-498](#) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE AMENDING the CITY OF PEORIA BUDGET for FISCAL YEAR 2014 RELATING to the STATE OF ILLINOIS - OFFICE OF THE ILLINOIS STATE FIRE MARSHAL SMALL EQUIPMENT GRANT, in the Amount of \$25,950.00; a Restricted Donation from the VERNON "BUTCH" GUDAT CHARITABLE FUND, in the Amount of \$750.00; a Restricted Donation to the PEORIA FIRE DEPARTMENT - FIRE STATION 3 from the HELEN J. YOUNG TRUST in the Amount of \$20,000.00; and the Transfer of \$90,000.00 from the CITY OF PEORIA GENERAL FUND to the FIREMEN'S PENSION FUND

[14-499](#) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT of an ORDINANCE AMENDING the CITY OF PEORIA BUDGET for FISCAL YEAR 2014 Relating to the Sweep of CAPITAL PROJECT FUNDS and Transfer of these Funds to the GENERAL FUND in the AMOUNT of \$3,685,165

[14-500](#) APPOINTMENT by Mayor Ardis to the PEORIA PUBLIC ARTS ADVISORY COMMISSION with a Request to Concur:

Ms. Lizz Barnes (Voting) - Term Expiration TBD*

[14-501](#) Communication from the City Manager with a Request to CANCEL the Regular CITY COUNCIL MEETING Scheduled for DECEMBER 23, 2014.

[14-502](#) REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of OCTOBER 2014, with a Request to Receive and File.

[14-503](#) Communication from the City Manager and the Director of Public Works with a Request to Approve the FY2015 LANDFILL BUDGET as Adopted by the PEORIA CITY/COUNTY LANDFILL COMMITTEE.

FIRST READINGS

[14-504](#) Communication from City Manager and Director of Public Works with a Request for a FIRST READING Review of an ORDINANCE AMENDING CHAPTER 28, SECTIONS 83 and 392 of the CODE of the CITY OF PEORIA Pertaining to EMERGENCY SNOW ROUTES PARKING AND FINES.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

- [14-467](#) Communication from the City Manager and the Director of Community Development with a Recommendation from the Planning & Zoning Commission and Staff to Adopt:
- A. ORDINANCE A, which places a MEDICAL CANNABIS DISPENSARY as a Special Use in C-1 & C-2 Commercial Districts of the ZONING ORDINANCE; and/or
 - B. ORDINANCE B, which places a MEDICAL CANNABIS CULTIVATION CENTER as a Special Use in the I-1, I-2, & I-3 Industrial Districts of the ZONING ORDINANCE; and/or

- C. ORDINANCE C, which places a MEDICAL CANNABIS DISPENSARY as a Special Use in the C-N, C-G, & B-1 Commercial Districts of the LAND DEVELOPMENT CODE; and/or
- D. ORDINANCE D, which places a MEDICAL CANNABIS CULTIVATION CENTER as a Special Use I-1, I-2, & I-3 Industrial Districts of the LAND DEVELOPMENT CODE,

All Amending Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code Related to MEDICAL CANNABIS DISPENSARIES AND MEDICAL CANNABIS CULTIVATION CENTERS.

[14-505](#)

Communication from the City Manager and Corporation Counsel with a Request to Approve the SITE APPLICATION to add a Subclass 1A (4:00 a.m. closing) to an existing Class A (tavern) Liquor License with On-Site Consumption and Retail Sale of Alcohol at AMNESIA, 104 SOUTH STREET, contingent upon the payment of all restaurant taxes owed to the City of Peoria. (DISTRICT 1)

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

[14-335](#)

Communication from the City Manager and Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class G-A (Beer & Wine Only Tavern) Liquor License with On-Site Consumption and Retail Sale of Alcohol at ANNIE'S, 6926-F N. UNIVERSITY, with a Recommendation from the Liquor Commission to Approve. (DISTRICT 5)

[14-336](#)

Communication from the City Manager and Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class G-A (Beer & Wine Only Tavern) Liquor License with On-Site Consumption and Retail Sale of Alcohol at ANNIE'S, 8414-A N. KNOXVILLE, with a Recommendation from the Liquor Commission to Approve. (DISTRICT 5)

NEW BUSINESS

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

EXECUTIVE SESSION

ADJOURNMENT

All matters listed under CONSENT AGENDA are considered to be routine and non-controversial by the City Council/Town Board and will be enacted by one motion and one roll call vote. There will not be separate discussion on these items. If discussion is desired by a Citizen or Members of the City Council/Town Board, the item will be removed from the Consent Agenda and discussed immediately after approval of the Consent Agenda. Citizens desiring discussion on any item listed under the CONSENT AGENDA should contact a City Council/Town Board Member or the City Clerk prior to the meeting and request that the item be removed for discussion.

**CITIZENS WISHING TO ADDRESS AN ITEM NOT ON THE CONSENT AGENDA SHOULD CONTACT A CITY COUNCIL/TOWN BOARD MEMBER PRIOR TO THE MEETING. ALL OTHER PUBLIC INPUT WILL BE HEARD UNDER CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD NEAR THE END OF THE MEETING.*

NOTE: THE ORDER IN WHICH AGENDA ITEMS ARE CONSIDERED MAY BE MOVED FORWARD OR DELAYED BY AT LEAST 2/3 VOTE OF THE CITY COUNCIL/TOWN BOARD MEMBERS PRESENT