

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular City Council Meeting of Peoria, Illinois was held December 9, 2014, at 6:18 P.M., at the Peoria County Courthouse, 324 Main Street, County Board Room 403, Peoria, Illinois, with Mayor Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll call showed the following Council Members were physically present: Akesson, Grayeb, Jensen (Arrived at 7:05 P.M.), Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PEORIA SCHOOL DISTRICT 150 STRATEGIC PLAN

Mayor Ardis introduced Reverend Linda Butler and Mr. John Bateman on behalf of Peoria School District 150 School Board who provided a presentation regarding the School District's Strategic Plan.

Reverend Butler said she and Mr. Bateman were the co-chairs of the strategic planning process. She provided an update on how Peoria Public Schools 150 was moving ahead with the strategic planning process for 2015. She announced four public input meetings were scheduled for January and February as follows:

January 6, 2015, at 6:30 P.M.	Peoria High School
January 20, 2015, at 6:30 P.M.	Richwoods High School
February 3, 2015, at 6:30 P.M.	Manual Academy
February 17, 2015, at 6:30 P.M.	Administration Building

Mr. Bateman said these meetings were designed to receive input from the community on identified topics that would allow the Board to review funding mechanisms along with feedback in order to prioritize goals and strategies for the plan. He recommended interested parties to review the website at www.psd150.org to find a list of topics that would be addressed at each meeting.

Reverend Butler also recommended visiting the "Remarkable Times" page on the PSD150 website.

MINUTES

Council Member Spain moved to approve the minutes of the Joint City Council and Town Board Meeting held on November 25, 2014, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

City Manager Urich said there were several items for consideration on the Consent Agenda concerning engineering contracts. He said the majority of the contracts the Public Works Department had included a 3.0% cost escalator; however, they were able to negotiate a reversion back to the 2012 rates. He remarked that the only contract not reverted was the Mauer-Stutz Agreement, and he noted that those rates were left at the 2014 rates. He said these contacts were "not-to-exceed" contracts, which would allow Staff to manage the capital budget throughout the course of the year. He said the intent was to utilize the billing rates attached to move the contracts forward.

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 Stump 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 \$350,000.00, 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 \$960,000.00, 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 \$200,000.00, 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 \$275,000.00, 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 \$80,000.00, 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 \$195,000.00 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 \$230,000.00, 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 ORDINANCE NO. 17,169 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 ORDINANCE NO. 17,170 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 ORDINANCE NO. 17,171 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 ORDINANCE NO. 17,172 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 ORDINANCE NO. 17,173 AMENDING the CITY OF PEORIA BUDGET for FISCAL YEAR 2014 Relating to the Sweep of CAPITAL PROJECT FUNDS and the Transfer of these Funds to the GENERAL FUND, in the AMOUNT of \$3,685,165.00.
- (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.

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

Council Member Riggerbach requested Item No. 14-491 be removed from the Consent Agenda for further discussion.

Council Member Moore requested Item No. 14-492 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item Nos. 14-479 and 14-480 be removed from the Consent Agenda for further discussion.

Council Member Akesson requested Item No. 14-495 be removed from the Consent Agenda for further discussion.

Council Member Grayeb requested Item Nos. 14-475, 14-480, 14-486, 14-476, and 14-501, noting that the first three items were related, be removed from the Consent Agenda for further discussion.

Council Member Weaver requested Item No. 14-496 be removed from the Consent Agenda for further discussion.

REQUEST FOR A TWO-YEAR BUDGET

In order to determine whether to pull additional items off the Consent Agenda, Council Member Weaver inquired about the language used in the engineering contracts that said "various projects" and the engineering contracts that did not use those words.

City Engineer Scott Reeise said all the contracts that utilized the words "various projects," the City would negotiate a work order for those projects, which would allow for the negotiation of work orders up to the dollar amount outlined.

Council Member Weaver expressed a concern about making a monetary commitment. He asked City Manager Urich to draft a two-year budget in order for the City Council to see the projected costs. He identified the combined sewer overflow (CSO) issue, and he expressed a concern regarding budgeting for the same. He said the Council had done the right thing a year ago by implementing a two-year budget, and he said the Council should try to get an understanding of what was going to occur in 2016.

City Manager Urich said the second year of a two-year budget was previously adopted with some modifications, noting that the spending plan for 2015 was established in 2013. In response to Council Member Weaver's question regarding a rolling two-year budget, he said that was not the intent for the two-year budget prepared in 2013. He remarked that for capital expenses, Staff prepared for a five-year period wherein all the costs for engineering services were built in, and he said the adjustments were rolled forward for every five years. He said a preview of the 2016 budget would be provided to the Council for review at the next City Council meeting in January 2015.

In response to Council Member Weaver and Council Member Montelongo regarding the passing of a two-year budget on an annual basis, City Manager Urich said, under the City's financial policies, Staff reviewed a five-year budget annually. He said he could come back with a more detailed report identifying some general assumptions for expenses and revenues for 2016. He said after doing so, those assumptions would be extended out to 2017, 2018, and 2019, in order to provide a two-year and a five-year picture.

Council Member Montelongo expressed a concern relating to the CSO and how revenue would be generated to address that issue. He said it would be in the City's best interest to look at a two-year budget as soon as possible.

At the conclusion of the discussion regarding a two-year budget, Council Member Spain moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Grayeb.

Item Nos. 14-473 through 14-503 (excluding Item Nos. 14-475, 14-476, 14-479, 14-480, 14-486, 14-491, 14-492, 14-495, 14-496, and 14-501, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(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 Stump Removal Bid 51-14, in the Amount of \$24,450.00.**

Council Member Grayeb commented that several items on the agenda were related. He requested additional information about Item Nos. 14-475, 14-476, and 14-486.

Public Works Director Mike Rogers said the three items identified related to trees, which corresponded with a bigger plan or Ordinance that was being drafted. He provided an overview of all the items noting how they related to one another beginning with the tree inventory, then tree removal, and completing with replanting of trees. He reported that there was significant data that came from the first round of inventory, but he said Staff wanted to complete the inventory. He remarked that Item No. 14-476 was more of a long-term plan looking to purchase trees and starting a nursery within the City. He said the traditional trees put in the traditional infrastructure project would cost anywhere from \$200 per tree, but by working with a nursery and buying a tree at an earlier age, he said that cost would be cut from \$200 to approximately \$15 per tree. He said all three items would be incorporated into a proposed Tree Ordinance.

In response to Council Member Grayeb's question regarding the notification of residents of tree removal, Public Works Director Rogers said the City notified residents by putting door hangers on the doors. He said the second step was to notify them through certified letters that would identify the condition of a tree and give them an idea of different options. He said it was Staff's intent to continue to have a Policy Session as it related to trees in order to assist with the drafting of a new Tree Ordinance.

Corporation Counsel Don Leist said the Legal Department was working with the Public Works Department in order to create a maintenance ordinance but also to incorporate design elements. He said he worked with Council Member Akeson who provided some direction and the City was looking at other similarly situated communities. He remarked, in response to Council Member Grayeb, that once the City became aware of a dangerous tree at a particular address, then the City would have liability and would have to make reasonable efforts to remedy the situation.

In response to Council Member Weaver, Director Rogers remarked that several trees within the City had been deemed sensitive that could become issues. He said one of the contracts presented on the agenda was to address those higher priority trees. He said Staff was developing a work plan to address those trees. He said organizational changes were made within the Public Works Department by establishing a new division, Urban Forestry, wherein the City dedicated maintenance workers to address the trees within the community. He said the City's policy was not to eliminate trees, but to remove the hazardous ones and replace with new and healthier trees to make the City as vibrant as possible. He remarked that with the passage of the items before Council, the City would be able to address the issues relating to trees.

Corporation Counsel Leist said the City had a duty to systematically review all of its property, including the trees. He said the City had, as a matter of course, systematically reviewed all of its properties. He said the City would have to, and was charged with, and had created a system to comply with the law such that it made reasonable inspections of all properties, including trees.

In response to Council Member Grayeb regarding citizen input, Director Rogers said the homeowners would have choices. He said a Tree Committee composed of arborists was looking to have a diversity of trees. He said the intent was to provide a selection for homeowners to choose from should one of their trees have to be removed. He said this was something Staff was looking at to add as part of the Ordinance. He said the best way to get the public involved was to utilize the City's Public Information Officer.

Council Member Grayeb commented that once new trees were planted, it was essential to educate the public on the homeowner's responsibility as it related to the care of those trees.

Council Member Grayeb moved to approve the contract with A Cut Above Tree Service for tree and stump removal Bid No. 51-14, in the amount of \$24,450.00; seconded by Council Member Akeson.

Approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: For additional information, see comments under Item No. 14-476.

**(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]**

Council Member Montelongo inquired as to the funding of this item. He recommended looking for different funding sources such as the Neighborhood Associations or a Special Service Area. He expressed a concern for the City's financial state for 2015. He said if an item was going to be brought to the Council, there needed to be a correlating funding source. He said he would like to see some kind of funding mechanism for this item other than from the capital budget.

In response to Council Member Grayeb regarding the funding of this item, City Manager Urich said these funds were operating budget funds. He said this was money anticipated to be spent in 2014, and he noted that this was \$80,000.00 out of an \$87 million capital fund.

Council Member Grayeb said this was an important item for the citizens of the Second District.

Council Member Jensen arrived at 7:05 P.M.

Council Member Akeson concurred with Council Member Grayeb on the importance of trees. She said \$80,000.00 barely addressed the City's needs. She remarked that the CSO project would require the City to do similar projects such as this tree project. She said she hoped the Council would support this item and vote unanimously to approve it.

Council Member Akeson moved 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; seconded by Council Member Jensen.

Council Member Montelongo said he agreed on the importance of trees to our community. He said it was important to bring a funding mechanism to get these things that were important to the Council. He said the Council needed to come up with revenue streams to pay for the things that were important to them and to start having a priority of what was important to the community.

Motion to purchase 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 was approved by roll call vote.

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

Nays: Montelongo - 1.

CLERK'S NOTE: For additional information, see comments under Item No. 14-475.

(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 \$350,000.00, for Engineering Services for the STORMWATER UTILITY MASTER SERVICES PROJECT. (Refer to 14-151) [All Districts]

Council Member Spain commented that this item also related to Item No. 14-480. He said this item was about the CSO and establishing a stormwater utility in the community. He expressed a concern regarding the sequence of this item and how it would fit into negotiations with the U.S. EPA. Back in June, he said the City Council expressed reservations about moving forward with an RFP process for consulting services for a stormwater utility without knowing the totality of the City's obligation and the details associated with it for the EPA unfunded mandate. He said he had previously requested to defer the item. He said there were other communities within the region that were going forward and establishing a stormwater utility; however, he said these communities did not have a CSO obligation. He said he wanted to make sure the City was taking the right steps in the right order to position itself in the best possible way.

City Manager Urich said the stormwater needs of the City went beyond the CSO issues. He said there were drainage issues beyond the areas of the combined sewer system network. He said the combined sewer system was a huge unfunded mandate that the City was looking at to address and remedy. He said going forward, the City had limited options as far as paying for the CSO. He said the City would also have ongoing drainage issues and needs and that went beyond that area of the CSO. He said the stormwater utility was one mechanism by which the City could pay for some of that cost, but it would be used to pay for it entirely. He said the only alternative the City had was to look at other revenue streams such as property taxes or sales taxes or other ways to finance stormwater improvements. He said Staff felt the time was right for the City to tie the two issues together and to go forward with at least some understanding of what that cost might be for the stormwater utility piece City-wide.

Public Works Director Rogers said combining a lot of these issues with CSO was an approach the City needed to take. He said the City's infrastructure needed to be addressed.

In response to Council Member Akeson, Corporation Counsel Leist said this would give the City an advantage as CSO negotiations with the U.S. EPA continued. He said it was the City's position to do whatever was helpful to ensure the Illinois River was at the highest quality. He said the City could not wait on the negotiations in order to do what was best for the City.

Discussions were held regarding the money spent on the CSO to date. City Manager Urich said the funding for the CSO was coming from the capital budget. He said these were funds that came from the drainage budget in the capital budget.

In response to Council Member Montelongo regarding the utilization of an SSA to address the area affected by the CSO, City Manager Urich said that could be a source of funding; however, he said one of the issues that the City focused on was trying to apply a solution City-wide for the CSO issue because the area that was impacted was the City's older part of the community and the least affluent portions of the community.

Council Member Montelongo agreed that it was an option to assess fees City-wide; however, he said as the City began to look at this, it should be looked at in terms of who utilized the area more and more specifically on an everyday basis. He said this would be difficult for the Fourth District and the Fifth District to accept to fund a part of infrastructure they did not utilize on a daily basis. He said, however, that there certainly would be a portion for which they should be responsible.

Mayor Ardis said the Council had discussed stormwater utility for a number of years as another potential revenue stream. He said the stormwater utility was the management of stormwater, which occurred throughout the entire City. He remarked that this should not be confused with the CSO project, which was predominantly along the river in the Second and Third Districts. He said an argument could be made that a lot of the growth that occurred in the City in the Fourth and Fifth Districts happened because the First, Second and Third Districts helped fund the money to make that grow. He said this cost was something that was going to have to be shared. He said there were not the financial resources, especially in First District and parts of Second District that could possibly pay a multimillion dollar remediation for CSO. Even though they were related, he said the stormwater was separate, but it would help when the City goes into negotiations regarding the CSO.

Council Member Moore commented that there were several Council Members who grew up in the First, Second and Third Districts who eventually moved out to the Fourth and Fifth Districts. She said ignoring the first three districts was not an appropriate way to view the entire City. She said what was good for one area of the City was good for all areas of the City. She said at the end of the day if the first three districts were better, she said it made the last two districts better, which made the entire City better.

Council Member Montelongo said he was not asking for the first three districts to pay for the entirety of the CSO. He said the Fourth and Fifth Districts should pay a fair share, which would be for this Council to determine. He said perhaps a broader discussion should take place with the County and other local agencies to look into funding mechanisms.

With regard to enhancing the City's negotiation position with the U.S. EPA, Council Member Spain said the EPA would not budge during negotiations. He expressed his reluctance of accepting this item prior to the conclusion of negotiations.

In response to Council Member Jensen's concerns about how the approval of this item would affect the City's position in negotiations, Corporation Counsel Leist said the City was aware it was going to spend money, and there needed to be a mechanism by which to move forward. He said this was necessary for the City to move forward, irrespective of the CSO, and it provided an advantage in negotiations. He said should the City continue on to litigation, the fact that it had already taken these steps would be helpful before a neutral magistrate sitting in the Central District.

In response to Council Member Grayeb regarding the green infrastructure, City Engineer Reeise said the green model was outlined in Item No 14-480, the AMEC contract. He said the stormwater utility communication, Item No. 14-479, was trying to figure out a way to pay for that infrastructure should the time come.

Council Member Grayeb said this was something the City needed to do. He said this would not affect the City's position in negotiations with the U.S. EPA. He said, if anything, it would strengthen the City if it had to go before a Federal judge with a possible consent decree. He said this would demonstrate the City operating in good faith.

Council Member Akeson moved to approve the selection process and approve an agreement with Crawford, Murphy & Tilly, Inc., in an amount not to exceed \$350,000.00, for engineering services for the Stormwater Utility Master Services Project; seconded by Council Member Turner.

Council Member Weaver said he concurred with Council Member Spain's comments. After having listened to the discussions, he said he would not be voting in favor of this item. However, he said if this item passed, the method of taxation needed to be reviewed. He said the first priority should be to address the streets and wait to address the stormwater drainage for a year or two. He asked whether the CSO issue and the stormwater issue could be separated.

City Manager Urich said the drainage funds in the capital budget were being funded from utility taxes and gambling taxes. He said a separate revenue stream tied to a stormwater utility fee would free up those funds in order to be utilized for road work. He said there would be some displacement that would occur in order to allow the City to use those for additional revenues. He said the drainage program was currently coming from the capital budget.

Council Member Montelongo said he would not be voting for this item until there was a funding source.

Motion to approve the selection process and approve an agreement with Crawford, Murphy & Tilly, Inc., in an amount not to exceed \$350,000.00 for engineering services for the Stormwater Utility Master Services Project was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Turner, Mayor Ardis – 6;

Nays: Montelongo, Moore, Riggensbach, Spain, Weaver - 5.

(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 \$960,000.00, 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].

Council Member Akeson moved 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 \$960,000.00, 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; seconded by Council Member Turner.

Motion approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Riggenbach, Turner, Mayor Ardis – 7;

Nays: Montelongo, Moore, Spain, Weaver - 4.

CLERK'S NOTE: For additional information, see comments under Item No. 14-479.

(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]

In response to Council Member Grayeb regarding Davey's customer service, Public Works Director Rogers said he had a frank conversation with Davey Tree Service about customer service with customer service being one of the top priorities for the City, and they were representatives of the City. He said Davey Tree Service understood the level of customer service needed. He requested citizens to contact the City's Staff with any issues they may have.

Council Member Grayeb moved to approve the agreement with Davey Resource Group for the amount of \$84,100.00 to complete a Tree Inventory and Management Plan; seconded by Council Member Akeson.

Approved by roll call vote.

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

Nays: Montelongo - 1.

CLERK'S NOTE: For additional information, see comments under Item Nos. 14-475 and 14-476.

- (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.**

*

Council Member Riggerbach said the EBNHS Board, represented by its president, Lisa Fisher, had done a great job in redefining its mission. He said there was one slight amendment he wanted to make to the agreement between the City and EBNHS in the Provisions Section, No. 7, under "Items to Report Back," changing the date from November 15 to October 1. He expressed his appreciation to the EBNHS for their diligence on the health and safety loan program. He said beginning in January there would be funds available for health and safety loans through the EBNHS.

Council Member Riggerbach moved to approve the agreement, which supersedes all previous agreements, with East Bluff Neighborhood Housing Services (EBNHS), regarding the use of Special Service Area (SSA) Funds for FY 2015, with the amendment of changing the Provisions Section, No. 7, under Items to Report Back, from a date of November 15 to October 1; seconded by Council member Turner.

Motion was approved, as amended, by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

- (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).**

**

Council Member Moore said this item pertained to the agreement that was previously approved by the City Council for funding of \$80,000.00 to the Gifts in the Moment Foundation for the purpose of food.

Council Member Moore moved to approve an Agreement with Gifts in the Moment Foundation (GITM) for the Bosch Supermarket Park Project; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

- (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).**

Finance Director/Comptroller Jim Scroggins distributed a replacement communication and a replacement ordinance.

Finance Director/Comptroller Scroggins provided an update on the tax levy for the Weaverridge Special Service Area and the reason why it was established. He said the difference this year from \$128,000.00 to \$160,000.00 was due to a reassessment of value of the golf course. He said there was an exemption done under the State Statute that they were able to reduce their current property tax, and in lieu of that, it raised the Special Service Area Tax.

Council Member Montelongo noted that this was for the Weaverridge Golf Course and not for the homeowners.

Council Member Montelongo moved 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); seconded by Council Member Turner.

ORDINANCE NO. 17,174 was adopted by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

(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.

Council Member Weaver moved 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; seconded by Council Member Johnson.

ORDINANCE NO. 17,175 adopted by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

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

Council Member Grayeb said there was a First Reading of an item concerning the penalties for parking in an emergency snow route after a ban is declared by the City Manager. He said there would be incimate weather after this meeting, yet no ability to implement the new Ordinance. He inquired as to how that would be handled administratively.

City Manager Urich said the City Council could suspend the rules for the First Reading and adopt the Ordinance. He said it was only the rule of the Council to have the First and Second Readings.

Corporation Council Leist said he concurred with the City Manager. He said if it was the will of this Council, the Council could waive the First Reading.

Mayor Ardis inquired whether there would be any concerns about this Reading that would necessitate it coming back to the City Council. He said if there was not, then the Council would move to suspend the rules. He said if that passed, then the Council would move to adopt the Ordinance.

Council Member Grayeb moved to approve the request to cancel the Regular City Council meeting scheduled for December 23, 2014; seconded by Council Member Moore.

Council Member Spain said it was too late in the year to make a change to the Emergency Snow Routes Ordinance. He said this was an important topic and the Council should have made a decision on it a few months ago. He expressed a concern to convey these changes to the community in advance of a snow storm.

Council Member Grayeb said should an emergency arise, the City Council could convene with 48 hours' notice.

Motion to cancel the Regular City Council Meeting scheduled for December 23, 2014, was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggenbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

FIRST READING

(14-504) Communication from the 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.

Council Member Grayeb said Staff had done an admirable job putting together an Ordinance that would be acceptable to most people in the community. He said the City received complaints about cars that were not removed on emergency snow routes, and the City received complaints when they were removed. He said this provided for a fine for parking in an emergency snow route that would not prohibit anyone from paying or from the City enforcing it.

Discussions were held regarding the 2006 snowfall and the snowfall this past winter. City Manager Urich said this Ordinance provided for a punishment for individuals who left their vehicles on snow routes. He said there were places to park on streets that were not snow routes.

Public Works Director Rogers summarized the City's outreach regarding the change in the Ordinance and how the snow routes would work. He said articles had already been written and Staff had received feedback from the public. He said the City's goal was not to collect fees, but to use this as a deterrent for people so they would not park their vehicles on these roads when there was a snow emergency.

Discussions were held regarding the fine amount. It was noted that the fine would decrease from \$200 to \$50, and that the Ordinance allowed for the City to ticket a vehicle an additional \$50 for every 24 hours it remained on the snow route.

Council Member Grayeb remarked on the importance of educating the community prior to the first snow ban of the season.

Council Member Weaver moved to suspend the City Council's rules requiring a First Reading of an Ordinance adopted; seconded by Council Member Jensen.

Motion to suspend the rules was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggenbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

Council Member Weaver moved to adopt 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; seconded by Council Member Grayeb.

ORDINANCE NO. 17,176 was adopted by roll call vote.

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

Nays: Spain - 1.

CLERK'S NOTE: See additional discussion under Item No. 14-501.

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.

Community Develop Director Ross Black provided an overview of the intention of the proposed Ordinances. He said these Ordinances were in response to a request from Council to move towards a Special Use specifically for cannabis dispensaries. He said these Ordinances would make the dispensaries and cultivation centers special uses, and therefore subject to Public Hearing and public comment, and ultimately it would be the decision of the Council as to the approval. In addition to the Ordinances, he said Staff added the word "medical" before the words "cannabis dispensary" and "cannabis cultivation center." He said a Section 2 was added to each of the Ordinances, which specified this would specifically be for medical uses and that there was nothing within this Ordinance that would state otherwise. He said a Section 3 was added to each of the Ordinances, which copied the wording from State Statutes that said the Ordinances were scheduled to be repealed on January 1, 2018, because State Law indicated that the State component would be repealed on that date.

Council Member Jensen moved to approve Ordinance A, which places a Medical Cannabis Dispensary as a Special Use in C-1 & C-2 Commercial Districts of the Zoning Ordinance; seconded by Council Member Grayeb.

Council Member Jensen said she had been advocating for a Special Use process, which would provide surrounding neighbors and businesses notice when a proposed medical marijuana dispensary was going to be placed within their vicinity, and would provide them with the opportunity to give input prior to it coming before the Council for approval. She expressed her appreciation to Staff for their efforts in the matter.

Corporation Council Leist said, in response to Council Member Moore's question regarding the insertion of the word "medical," that it modified the word "cannabis" and would ensure that the City would only approve the use of medical marijuana. He said the insertion of the word would not inhibit or find the City in violation of State law.

Council Member Weaver said he was not a supporter of medical marijuana and he would be voting no on the item, and he expressed a concern regarding Section 3, which was added to each of the Ordinances. He said he would like Section 3 stated in a way that would limit Peoria to only medical marijuana once the State Statute was repealed in 2018.

Discussions were held should cannabis become recreational in the State of Illinois and how the City of Peoria would regulate that situation in order to not allow recreational use.

ORDINANCE NO. 17,177 which places a Medical Cannabis Dispensary as a Special Use in C-1 & C-2 Commercial Districts of the Zoning Ordinance was adopted by roll call vote.

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

Nays: Weaver - 1.

Council Member Jensen moved to approve Ordinance B, which places a medical cannabis cultivation center as a Special Use in the I-1, I-2, and I-3 Industrial Districts of the Zoning Ordinance; seconded by Council Member Akeson

ORDINANCE NO. 17,178 was adopted by roll call vote.

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

Nays: Weaver - 1.

Council Member Jensen moved to approved Ordinance C, which places a medical cannabis dispensary as a Special Use in the C-N, C-G and B-1 Commercial Districts of the Land Development Code; seconded by Council Member Grayeb.

ORDINANCE NO. 17,179 was adopted by roll call vote.

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

Nays: Weaver - 1.

Council Member Jensen moved to approve Ordinance D, which places a medical cannabis cultivation center as a Special Use I-1, I-2 and I-3 Industrial Districts of the Land Development Code; seconded by Council Member Spain.

ORDINANCE NO. 17,180 was adopted by roll call vote.

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

Nays: Weaver - 1.

(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)

Council Member Moore said she had received a number of calls from the community urging the Council to deny the opportunity to sell alcohol at this location. She cited various quotes made by the owner that were written in the Peoria Journal Star. She expressed a concern regarding the impact this establishment would have should this Site Application be approved.

Council Member Moore moved to DENY 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 restaurant taxes owed to the City of Peoria; seconded by Council Member Grayeb.

Council Member Turner said at the most recent Breakfast Chat, a number of neighborhood leaders expressed their concern regarding the health and safety in that particular area of South Street and the fact that the Council would not listen to their concerns.

In response to Council Member Akeson's concerns regarding the adult use permit that was granted for this location, Corporation Counsel Leist said the permit could not be revoked due to a potential lawsuit. He provided an explanation of how the process had changed in order to ensure that a permit would not be inadvertently granted again.

Motion to DENY 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 restaurant taxes owed to the City of Peoria was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

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)

Council Member Turner moved to defer this item to the February 10, 2015, Regular City Council Meeting; seconded by Council Member Johnson.

Council Member Akeson asked what would occur between now and the time this was brought back to the City Council.

Mayor Ardis said the intent was to have discussion on video gaming in January that may or may not pass. He explained that this was the reason for the deferral to February.

Council Member Akeson said she would like to know what to expect between now and the time this item or the issue of video gaming returns to the City Council.

Mayor Ardis remarked that a consensus had not been reached on this issue as of yet. He recommended Council Member Akeson consult with the rest of the Council or share the information she had with everyone. He requested the City Manager to place video gaming on the Council Agenda for the first meeting in January for discussion. He said had both Annie's come forward tonight and been denied, then they would have to begin the entire process again.

Motion to defer to the February 10, 2015, Regular City Council meeting was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

- (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)**

Council Member Turner moved to defer this item to the February 10, 2015, Regular City Council Meeting; seconded by Council Member Johnson.

Motion to defer to the February 10, 2015, Regular City Council meeting was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11;

Nays: None.

NEW BUSINESS

Appreciation to the Public Works Department

Council Member Moore expressed her appreciation to the Public Works Department for trimming the brush on the edge of Martin Luther King Drive.

Happy Holidays from Council Member Moore

Council Member Moore said it was a pleasure to serve the constituents in the First District and she wished everyone in the First District and throughout the City a happy and healthy holiday season.

Bell Ringing at Schnucks on Saturday, December 13, 2014 from 10:30 A.M. to 4:00 P.M.

City Clerk Beth Ball announced this Saturday, December 13, 2014, from 10:30 A.M. to 4:00 P.M. the City Clerk's Office would be ringing bells for the Salvation Army at Schnucks Grocery Store located at 4700 North University Street, Peoria, Illinois.

Responsibility of Property for Homes Under Contract for Deed

Council Member Riggerbach inquired whether the City had a policy as to whom the responsible party was for homes that were under contract for deed. He asked whether it was the mortgagee or the person under the contract for deed.

Gas Prices

Council Member Riggerbach said, with the gas prices coming down, there has been discussions about how our sales prices continued to lag. He said there was no correlation between the motor fuel tax and the sales tax. He said the City currently had the lowest gas rates at \$2.39/gallon.

Newly Renovated City Hall Chambers

In response to a request from Council Member Grayeb, City Clerk Beth Ball provided an overview on what to expect in the newly remodeled City Council Chambers. She said the renovations should be complete for the City Council meeting on January 13, 2014.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council/Town Board.

Ms. Dana Olson, a Peoria resident, expressed her appreciation for the new zoning Ordinances as they related to medical marijuana. She provided a list of statistics provided in the July 2013 *Denver Post*, and she commented that the use of marijuana had been proven to be unhealthy.

Ms. Jennifer Olson, a Peoria resident, commented on medical marijuana dispensaries and expressed a concern for the location of the same noting it was within close vicinity of children living in the area. She provided information on secondary effects of dispensaries within a community.

Mr. Al Jennings, a Peoria resident, commended his neighbors for speaking with regards to medical marijuana cultivation centers and dispensaries. He expressed his appreciation to those Council Members who wrote the State of Illinois opposing these types of businesses. He commented on how these types of business would depreciate in real estate value, and he commented on how he should have been notified of the process.

Mr. John Tedford, a business owner located next to a proposed location for a medical marijuana dispensary, expressed his concern that no information was distributed to the surrounding businesses and property owners. He commented that this was not an ideal location for a medical marijuana dispensary.

Ms. Rachel Martinez, a concerned citizen, said she had personal experience with medical marijuana mentioning that her son had suffered from Stage 4 brain cancer, and through the use of medical marijuana, was able to eat and sleep. She said it was a natural plant versus a synthetic pill prescribed by doctors.

Mr. Ben Redigger, a potential business owner of a medical marijuana dispensary, said he represented a few groups trying to obtain this type of license throughout the State. He provided an overview of what medical marijuana would be used for, identifying treatments for Alzheimer's, cancer, Parkinson's and others. He said community concerns would dissipate the more the public was educated.

Mr. Fadi Rustom, a local attorney and CEO of a company attempting to bring an application for a dispensary at the location at Willow Knolls, said he also applied for a cultivation center. He said he met with the majority of the City Council, County leaders and leading individuals in the medical community. He said there was a need in this community for medical marijuana.

Mr. Marcus Fogliano, a Peoria resident, expressed his appreciation to Police Chief Jerry Mitchell in efforts for community involvement. He said he attended a town meeting several weeks ago where several citizens attended and shared their views and solutions.

Mr. Michael King, a Peoria resident, expressed his opinion on marijuana in the community. He commented that an Imax should be put in at the Riverfront Museum, which would be an asset.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed at this time.

ADJOURNMENT

Council Member Montelongo moved to adjourn the Regular City Council Meeting; seconded by Council Member Akeson.

Approved by roll call vote.

The Regular City Council Meeting adjourned at 9:25 P.M.



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

sr