

**: OFFICIAL PROCEEDINGS :****: OF THE CITY OF PEORIA, ILLINOIS :**

A Regular Meeting of the City Council of Peoria, Illinois, was held August 25, 2020, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Ardis presiding, and with proper notice having been posted.

**ROLL CALL**

Roll Call showed the following Council Members were present: Ali, Cyr, Grayeb, Jensen (Arrived at 6:12), Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11. Absent: None.

**COVID-19 PUBLIC NOTICE**

In accordance with Governor JB Pritzker's Executive Order 2020-48 which continues to limit any gatherings of more than fifty people, and Executive Order 2020-44 requiring the provision of video, audio or telephonic access to meetings – and the CDC recommending social distancing of at least six feet between persons, City Hall is implementing changes and restrictions for the City Council Meeting on August 25<sup>th</sup>, 2020 while complying with the Open Meetings Act.

The Council Meeting will be conducted in person with members of the Council present in Council Chambers with plexiglass barriers, with Department Heads in their offices and some City Staff in room 404 with the ability to remotely answer questions while maintaining a six foot distance. Fifteen members of the public and one member of the media will be present inside Council Chambers. Temperature screenings are required upon entry to City Hall and face coverings are always required while inside.

Members of the public and media are invited to watch through the live stream, YouTube, Television Channel 22 or through WCBU Radio. Submissions for Public Comment were received through the City Clerk's Office. The agenda, minutes and video podcast of the meeting will be available online through the City website.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or reflection and he asked to keep County Board Chair Andrew Rand and his family in prayer due to the recent passing of his mother. He then led the Pledge of Allegiance.

**MINUTES**

Council Member Ruckriegel moved to approve the minutes of the Joint City Council and Town Board Meeting held on August 11, 2020, as printed; seconded by Council Member Grayeb.

Motion to approve the minutes of the Joint City Council and Town Board Meeting held on August 11, 2020, as printed, was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel,  
Mayor Ardis - 10;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**

**CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined:**

**(20-212)**      **Communication from the City Manager and Director of Public Works with a Request to APPROVE the LOW BID of HOROWITZ CONCRETE CO., in the Amount of \$296,745.00, and Award a CONTRACT for the NORTHSIDE BUSINESS PARK TIF SIDEWALK IMPROVEMENTS, with an Additional Authorization of \$14,837.25 (5%) for Contingencies, for a Total Contract Award of \$311,582.25. (Council District 1)**  
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**(20-213)**      **APPOINTMENT by Mayor Ardis to the PEORIA CIVIC CENTER AUTHORITY with a Request to Concur:**

**Karrie Ross (Non-Voting) - Term Expiration 07/01/2022**

**(20-214)**      **APPOINTMENT by Mayor Ardis to the TRANSPORTATION COMMISSION with a Request to Concur:**

**Jada Hoerr (Voting) - Term Expires 06/30/2023**

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

Council Member Moore requested Item No. 20-212 be removed from the Consent Agenda for further discussion.

Hearing no request to remove an item from the Consent Agenda, Council Member Grayeb moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Riggerbach.

Item Nos. 20-212 through 20-214 (excluding Item No. 20-212, which was removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel,  
Mayor Ardis - 10;

Nays: None.

**(20-212)**      **Communication from the City Manager and Director of Public Works with a Request to APPROVE the LOW BID of HOROWITZ CONCRETE CO., in the Amount of \$296,745.00, and Award a CONTRACT for the NORTHSIDE BUSINESS PARK TIF SIDEWALK IMPROVEMENTS, with an Additional Authorization of \$14,837.25 (5%) for Contingencies, for a Total Contract Award of \$311,582.25. (Council District 1)**  
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Council Member Moore said it was her intent to move for approval of the item; however, she requested that the Good Faith document submitted and reviewed by the City's Chief Diversity Officer be included in contract items for Council review. She also requested, upon completion of a contracted project, that a follow-up report be provided to the Council demonstrating how the minority goals were met.

At the conclusion of her comments, Council Member Moore moved to approve the low bid of Horowitz Concrete Co., in the amount of \$296,745.00, and award a contract for the Northside Business Park TIF Sidewalk Improvements, with an additional authorization of \$14,837.25 (5%) for contingencies, for a total contract award of \$311,582.25; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel,  
Mayor Ardis - 10;

Nays: None.

### **FIRST READINGS**

**(20-215) Communication from the City Manager and Director of Community Development with a Request to RECEIVE and FILE a FIRST READING of an ORDINANCE Amending Appendix A, the Unified Development Code, Relating to TATTOO, PALMIST, PSYCHIC OR MEDIUM, OR MASSAGE PARLORS.**

Community Development Director Ross Black provided an overview of the item stating it was more of a clean-up item from when the old Zoning Ordinance and the Land Development Code were combined several years ago. He said when those two items were combined, it inadvertently left out the types of uses outlined in the Council Communication for C-1 Districts. He said these types of uses were always permitted as a Special Use in a C-1 District.

Council Member Riggerbach moved to receive and file a first reading of an Ordinance amending Appendix A, the Unified Development Code, relating to Tattoo, Palmist, Psychic or Medium or Massage Parlors; seconded by Council Member Kelly.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel,  
Mayor Ardis - 10;

Nays: None.

**(20-216) Communication from the City Manager with a Request to RECEIVE and FILE a FIRST READING of an ORDINANCE Establishing a JOINT COMMISSION on RACIAL JUSTICE and EQUITY with the County of Peoria.**

Mayor Ardis said shortly after the George Floyd incident in Minneapolis, Minnesota, on May 25, 2020, communities across the nation voiced their outrage and concern. He said he spoke with Council Member Ali who compiled a group of people in the community as a sounding board regarding racial justice and equity. He said this was Council Member Ali's area of expertise, was well-versed in the subject matter, and was well respected in the community. He acknowledged her efforts in creating the working group, stating the group had produced a product the community would support.

Council Member Jensen arrived at 6:12 P.M.

Council Member Ali expressed her appreciation for the opportunity to Chair the *ad hoc* group of community leaders of different ages and races, who were passionate about developing recommendations and to put in place a structure that would support racial justice and equity. She expressed her appreciation for Mayor Ardis's leadership and support. She recognized all those involved in the process and she expressed her appreciation for their participation in identifying a collective impact model that the *ad hoc* group proposed for transition. She reviewed the composition of the Joint Commission stating it would be comprised of approximately 16-20 people serving as commissioners. She reported that the Commission would also include approximately eight sub-committees to help determine strategies for advancing racial justice and equity, develop a policy agenda pertaining to their defined area, and recommend coordinated strategies for reducing inequity in racial justice and equity to the full Commission. She said this was an effort to change practices and procedures by removing barriers and closing gaps so all people could be prosperous and successful. She said this structure was somewhat modeled after Washington County, Oregon, and was proposing the adoption of the same areas where more of the determinants of equity were found.

At the conclusion of her comments, she moved for Privilege of the Floor for two community leaders to speak on the matter.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to Reverend Marvin Hightower and Pastor Martin Johnson.

Reverend Marvin Hightower, President of the NAACP, commented that addressing racism and equity was not an easy process. He remarked on the importance of pushing forward to meet the measures and goals in place. He expressed his appreciation for the Council's consideration of the Commission, stating it was a step forward for reaching racial justice and equity.

Pastor Martin Johnson, Pastor of New Beginnings Ministries, said he concurred with the comments of Reverend Hightower, noting that the installation of the Commission would be the first of many more steps that needed to be taken. He echoed the words of Dr. Martin Luther King stating, "*the time is always right to do the right thing.*" He remarked on the efforts of the community stakeholders stating God had given them the responsibility and the ability to do that which was right. He said the proposed Commission would help navigate towards what was better for the community.

Council Member Ali said this item was a proactive means for the City to address racial justice and equity rather than to be in a constant reactive mode. She said all the community conversations that had taken place regarding race had been recaptured and saved, stating the City Manager had saved all those ideas for future use. She invited the community to participate and engage themselves in the Commission and its subcommittees. She said training on equity and racial justice would be provided for all participants, which would be paid for through a grant provided by Senator Koehler at Illinois Central College. She commented that it was difficult to have a lens for equity if there was a lack of understanding, noting the training would provide that kind of training.

At the request of Council Member Ali, City Manager Urich reviewed the highlights of the Commission. He outlined the goals and responsibilities that were set before the Commission. He said once the Commissioners were trained, then they would be charged with developing a strategic plan to focus on needed areas.

Council Member Ali said the purpose of the Commission and its subcommittees would be to focus solely on racial justice and equity and was not intended to replace the Advisory Committee on Police-Community Relations. She explained how the Commission would be developed stating that a nominating committee would provide recommendations to the Commission. She said there would also be an application process available online.

Council Member Moore expressed her appreciation to Council Member Ali for her leadership on this matter, stating she was uniquely qualified for chairing the coalition, and she thanked Mayor Ardis for asking Council Member Ali to lead the coalition.

Council Member Ali moved to receive and file a first reading of an Ordinance establishing a Joint Commission on Racial Justice and Equity with the County of Peoria; seconded by Council Member Moore.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

**REGULAR BUSINESS ITEMS, with Recommendations as Outlined:**

**(20-217) Communication from the Mayor and Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.**

Council Member Riggerbach moved to approve the Declaration of Local State of Emergency; seconded by Council Member Moore.

In response to Council Member Montelongo regarding updated expenses relating to COVID-19, City Manager Urich said Staff had been tracking time as it related to COVID-19. He reported the last Tourism Reserve Fund meeting took an action to make awareness on how the restaurants were opening safely, which would be submitted for reimbursement. He said he would provide updated documentation as it related to COVID-19 expenses.

Motion to approve the Declaration of Local State of Emergency was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 10;

Nays: Montelongo - 1.

**(20-218) Communication from the City Manager with a Request for the Following:**

- A. APPROVE the New EDA CARES ACT REVOLVING LOAN FUND Plan; and**
- B. ADOPT an ORDINANCE Amending the CITY OF PEORIA 2020-2021 BIENNIAL BUDGET Relating to a New Revolving Loan Fund Program through a Grant from the Economic Development Administration (EDA) Cares Act Recovery Assistance, in the Amount of \$1,419,000.00, and the Corresponding Expenditures of \$1,290,000.00 to Establish the Loan Fund and \$129,000.00 for Administrative Costs.**

Senior Development Specialist Cesar Suarez provided an overview of the EDA Cares Act Revolving Loan Fund (RLF) Plan stating it was a new RLF provided for by a grant from the Economic Development Administration (EDA). He said the EDA would award approximately \$1.4 million of CARES Act Recovery Assistance to the City of Peoria to capitalize a \$1.29 million loan fund with the remaining \$129,000.00 provided for administrative expenses. However, he said in order to receive such funds, the City needed to establish a new RLF. He said the City would have approximately 1.5 years to deploy those funds. He compared the City's old RLF to the new CARES Act RLF. He said the EDA wanted to disperse the funds expeditiously and for the City to continue prudent lending practices. He said it was a business recovery loan program that needed to be adaptable, flexible and affordable so businesses that were recovering from the COVID-19 shutdown could pay the loans back within their revenue stream. He recommended that loans \$50,000.00 or less be allowed to go through the administrative review process rather than come before the Council for approval, stating much of the programming needs could not wait for a 30-week lead time. He asked the Council to increase the City Manager's approval amount for these loans from \$15,000.00 to \$50,000.00. He said he anticipated coming back to the City Council in 2021 to provide an update on the efforts of the new RLF.

Discussions were held regarding when the loan would be made available to business owners, and Senior Development Specialist Suarez said he estimated opening the application process in the middle of September. He said information would be distributed through the news media and by online means, noting applications could be made both online and in-person.

Mayor Ardis commented that additional information could be found on the City's website by going to [www.peoriagov.org](http://www.peoriagov.org); under "Quick Links" on the right-hand side of the homepage click on "Council Meeting Info;" select the link entitled "Click here to view minutes from 1957 to 2011 and 2014 to present;" select "Meeting Details" for the August 25, 2020, Council Meeting.

Discussions were held regarding closing costs and fees and whether those would be rolled into the loan, and Senior Development Specialist Suarez confirmed those costs could be rolled into the principle amount or paid upfront by the applicant.

Regarding advertising to the minority community, Senior Development Specialist Suarez said advertisement was key and Staff would pursue an aggressive social media campaign. He said Senior Economic Engagement Specialist Kevin Evans was currently working on a variety of marketing materials, which would include information to both the Hispanic Chamber of Commerce and the Black Chamber of Commerce. He commented that advertising was important; however, he said connections were key, noting their current connection with the minority community.

Council Member Moore expressed her appreciation for the Economic Development Department's efforts in this matter. She asked that additional advertisement be included in "The Traveler" newspaper along with others.

Discussions were held regarding how these loans were secured, and Senior Development Specialist Suarez explained that Staff tried to get as much collateral as possible. He said the revenue potential of applying business had to be established, and he explained the process of securing the loan. He commented that loans offered through the CARES Act would create more of a risk exposure, noting the EDA was aware of the risk exposure. He said it was the EDA who was loosening restrictions on the loan review and was more focused on the deployment of the funds. He remarked on the importance of clarifying that these funds were not grant funds and had to be repaid.

Mayor Ardis expressed his appreciation to Senior Development Specialist Suarez, Senior Economic Engagement Specialist Kevin Evans and Assistant City Manager Deborah Roethler for their efforts on this matter in order to provide relief to the business community.

Council Member Grayeb said these funds were the people's money in form of taxes that were paid coming back to the people and community during a time of a national emergency. He commented on Illinois Senator Duckworth and Congressman LaHood's efforts to provide more relief to the community.

Council Member Moore moved to approve the new EDA CARES Act Revolving Loan Fund Plan; seconded by Council Member Riggenschach.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenschach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

Council Member Moore moved to adopt an Ordinance amending the City of Peoria 2020-2021 Biennial Budget relating to a new Revolving Loan Fund Program through a grant from the Economic Development Administration (EDA) CARES Act Recovery Assistance, in the amount of \$1,419,000.00 and the corresponding expenditures of \$1,290,000.00 to establish the loan Fund and \$129,000.00 for administrative costs; seconded by Council Member Grayeb.

ORDINANCE NO. 17,787 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenschach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

**(20-219) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Providing for the ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, in an Aggregate Amount not to Exceed \$9,000,000.00, of the City of Peoria, Peoria County, Illinois, to Provide for the Refunding of Certain Outstanding Bonds of the City, and Providing for the Levy of a Direct Annual Tax Sufficient to Pay the Principal of and Interest on said Bonds, Authorizing the Sale of said Bonds to the Purchaser Thereof, and Authorizing the Execution of an Escrow Agreement in Connection Therewith.**

Finance Director/Comptroller Jim Scroggins said this item was part of the restructuring on the budget due to the COVID-19 Pandemic, noting the Council directed the City Manager to pursue debt restructuring.

Council Member Ruckriegel moved to adopt an Ordinance providing for the issuance of General Obligation Refunding Bonds, in an aggregate amount not to exceed \$9,000,000.00, of the City of Peoria, Peoria County, Illinois, to provide for the refunding of certain outstanding bonds of the City, and providing for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds, authorizing the sale of said bonds to the purchaser thereof, and authorizing the execution of an escrow agreement in connection therewith; seconded by Council Cyr.

ORDINANCE NO. 17,788, adopting an Ordinance providing for the issuance of General Obligation Refunding Bonds, in an aggregate amount not to exceed \$9,000,000.00, of the City of Peoria, Peoria County, Illinois, to provide for the refunding of certain outstanding bonds of the City, and providing for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds, authorizing the sale of said bonds to the purchaser thereof, and authorizing the execution of an escrow agreement in connection therewith was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

- (20-220) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Providing for the ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, in an Aggregate Amount not to Exceed \$12,000,000.00, of the City of Peoria, Peoria County, Illinois, to Provide for the Refunding of Certain Outstanding Bonds of the City, and Providing for the Levy of a Direct Annual Tax Sufficient to Pay the Principal of and Interest on Said Bonds, Authorizing the Sale of Said Bonds to the Purchaser Thereof, and Authorizing the Execution of an Escrow Agreement in Connection Therewith.**

Finance Director/Comptroller Jim Scroggins said this item was also a result of the 2020-2021 Budget Restructuring as a result of COVID-19. He said adopting this Ordinance would provide a savings of approximately \$350,000.00.

Council Member Grayeb moved to adopt an Ordinance providing for the issuance of General Obligation Refunding Bonds, in an aggregate amount not to exceed \$12,000,000.00, of the City of Peoria, Peoria County, Illinois, to provide for the refunding of certain outstanding bonds of the City, and providing for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds, authorizing the sale of said bonds to the purchaser thereof, and authorizing the executive of an escrow agreement in connection therewith; seconded by Council Member Riggerbach.

ORDINANCE NO. 17,789 was adopted by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 11;

Nays: None.

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

- (20-121) Communication from Council Member Kelly with a Request to Direct Staff to Establish an URBAN DECAY TAX ABATEMENT AREA for the NEAR NORTHSIDE, AVERYVILLE, and the FAR SOUTHSIDE, and to Amend the Boundaries of the City's EAST VILLAGE TIF on the Near Northside to Accommodate the Urban Decay Tax Abatement Area. (Council District 1)**

A map entitled "Proposed Urban Decay Area" and a Policy Map entitled "Community Profile Report of Census Tract" were distributed to all Council Members.

Council Member Kelly provided an overview of the proposed tax abatement for the Near Northside, Averyville and the Far Southside. He said the abatement would exclude the Southtown Village, which had an active TIF and which could not coexist with a tax abatement. He said State Statutes only allowed for the abatement of new single-family homes that were owner-occupied. He reviewed the terms of the abatement stating the City Council could, by majority vote, order the County Clerk to abate for a maximum of 10 years, a set percentage of real estate taxes levied by the municipality and all other taxing districts on each parcel of property. He said the proposed Ordinance provided for a 100% abatement for the first six years and then 20% for the remaining four years. He explained how the tax abatement would benefit the area, noting it was a program that generally resulted in new construction. He said a tax abatement would not cost the City any money, noting all the benefit would go to the investor/owner. He provided an explanation of the process outlined in the Council Communication.

Council Member Kelly moved to direct Staff to establish an Urban Decay Tax Abatement Area for the Near Northside, Averyville, and the Far Southside, and to amend the boundaries of the City's East Village TIF on the Near Northside to accommodate the Urban Decay Tax Abatement Area; seconded by Council Member Oyler.

Council Member Moore moved for a substitute motion to defer this item to the September 22, 2020, Regular City Council meeting, noting Council Member Kelly had not spoken with the residents of the neighborhoods that would be affected. She said this Council was a Council who thrived on community input, and she said the neighborhoods should be involved prior to the matter coming before Council for consideration. She offered to work with Council Member Kelly to assist with getting community input from neighborhoods outlined before it came back to Council.

Seconded by Council Member Jensen.

Council Member Kelly explained the intent of the legislature when providing for a two-month lag time in the process was to seek community input and to seek such discussions prior to going to the Joint Review Board. He said that intent was inclusive in the State Statutes and he said he would not support the deferral.

Discussion continued regarding the process and seeking public input. Council Member Kelly provided an explanation of the intent of the legislature for the process outlined, stating he would not support the deferral. Council Member Moore suggested scheduling two Zoom calls, one for the South Side and one for Averyville, as well as conference calls for those who did not have access to Zoom. She said a community meeting allowed those impacted to voice their opinion.

Motion to defer this item to the September 22, 2020, Regular City Council Meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Montelongo, Moore, Riggerbach, Ruckriegel,  
Mayor Ardis - 9;

Nays: Kelly, Oyler - 2.

**(20-211) Communication from the City Manager and Corporation Counsel with a Request to APPROVE a SETTLEMENT with HOPE FAIR HOUSING CENTER.**

Interim Corporation Counsel Chrissie Peterson provided an overview of the proposed settlement with Hope Fair Housing Center and presented the terms of the settlement outline in the Council Communication.

Discussions were held regarding future amendments to the Nuisance Ordinance, and Corporation Council Peterson said the City would not be able to make substantial changes to the Ordinance without the other party's approval for approximately five years. It was noted that the Neighborhood Services Unit in the Police Department provided input on the settlement, stating the Department approved of the policies that would be put in place

Council Member Grayeb remarked on properties that created issues in neighborhoods, and he said he wanted to ensure approving this settlement would not hinder the City's ability to address those properties. He expressed his appreciation to Corporation Counsel Peterson for her efforts and for keeping the Council informed in order to keep their constituents informed, stressing the City would not relax its Nuisance Ordinance.

Council Member Jensen moved to approve a settlement with Hope Fair Housing Center; seconded by Council Member Moore.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenschach,  
Ruckriegel, Mayor Ardis - 11;

Nays: None.

**(20-198) Communication from the City Manager and Corporation Counsel with a Request to Consider the ADOPTION of an ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria Pertaining to BODYWORK ESTABLISHMENTS.**

Council Member Jensen moved to defer this item to the September 8, 2020, Regular City Council Member meeting; seconded by Council Member Ali.

Motion to defer this item to the September 8, 2020, Regular City Council Meeting was approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Kelly, Montelongo, Moore, Oyler, Riggenschach,  
Ruckriegel, Mayor Ardis - 11;

Nays: None.

**(20-182) Communication from the City Manager, Community Development Director, and Finance Director with a Request for DIRECTION Related to SHORT-TERM RENTAL Options.**

Council Member Oyler moved for Privilege of the Floor to those members of the Peoria Area Association of Realtors who wished to speak on the matter.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those members of the Peoria Area Association of Realtors who wished to speak.

Jessica Ball, a member of the Peoria Area Association of Realtors, read a letter into record on behalf of PAAR. She said PAAR advocated on behalf of private property owners who expressed their support of Option 1: Short-Term Rentals as permitted by right. She said PAAR was not in support of Option 2, nor the hybrid approach of Option 3. She said STRs represented significant potential tax revenue for many jurisdictions. She said, currently, none of the municipalities around Peoria required the Special Use process for STRs. She said if a Special Use was required, property owners interested in an STR would go elsewhere and the City of Peoria would lose that potential tax revenue. She said PAAR supported the private

property rights of STRs operators and their ability to rent their homes by right through the administrative approval, noting the right to rent was the fundamental aspect of private ownership. As a voice for real estate and advocate for private property rights, she requested the City Council allow the licensing as a permitted use by right with administrative review of a license if needed.

Council Member Oyler expressed his appreciation to Community Development Director Ross Black for his effort on this item, noting discussions had been ongoing for over a year on the decision to make STRs a legal option in the City. He said this matter needed to be resolved and he recommended the Council continue with Option 1 provided for in the Council Communication. He said using the Special Use process could potentially put home sales at risk and would also create an additional burden on City Staff during budgetary constraints. At the close of his comments, Council Member Oyler moved to direct Staff to pursue Option 1 – Short-Term Rental permitted by right with no public review through an administrative approval and no Council review required; seconded by Council Member Ruckriegel.

Council Member Jensen expressed her concern with Option 1 and recommended utilizing the Special Use process in order to protect the neighborhoods. She briefly explained the process that was previously outlined by Director Black at a prior meeting. She said many of the older neighborhoods did not have the protection of a Homeowner's Association, noting these STRs were businesses that would be going into neighborhoods. She said these neighborhoods should have the opportunity to provide input at a Zoning Commission, stating it was her hope the Council would not support Option 1 and asked the Council to Option 2 as set forth in the Council Communication.

Council Member Grayeb expressed a concern with pursuing Option 1, noting District Council Members had to deal with property nuisance issues daily, which he said would undermine the real estate values in neighborhoods. He inquired whether there was a differentiation made between nonowner-occupied STRs versus owner-occupied STRs.

Reginia Tuttle, CEO of Peoria Area Association of Realtors, said rental guidelines were provided to the tenants of STRs similar to the guidelines provided for residential leases. She said with an STR there would be less wear and tear on the property and those properties generally charged a higher rental rate. Because of the increased rates, she said these types of properties were well maintained.

Discussions were held regarding the passage of Option 1 and whether the property owner would have to sign-off on a City Inspection Form, and Director Black said a self-inspection form would be required of any option chosen and would be required on an annual basis as part of the licensing requirement. Regarding lead disclosure, he said such a form could be added informing the tenants the date the property was built, noting that anything built prior to 1978 could have lead-based paint.

Discussions were held regarding the passage of an STR Ordinance and the impact it could potentially have on HOAs, the timeframe of which an HOA would be notified, and how long it would take to form an HOA should a neighborhood decide it needed one. It was noted that a City would not enforce a private conveyance, but rather an HOA declaration.

Director Black reviewed the three options provided in the Council Communication to the City Council for review. He said Option 2 was a combination of Option 1 and Option 3. He explained the process outline for Option 2, noting that notice would be provided to any registered neighborhood group and adjacent property owners within 250 feet. He said if no

objections were heard, then the matter would go to an administrative review; however, if there was an objection, then the matter would continue through the Special Use process. Discussions were held regarding future Homeowner Associations (HOA) and whether they would be able to prohibit such a use in their neighborhoods, and Corporation Counsel Peterson said any future HOA would be able to prohibit such a use in their neighborhood.

Council Member Kelly said he was in favor of Option 1 and recommended amending that option should there be issues. He said if the City began the process with a lot of regulation, then it would never be able to go towards a self-regulating system. He said most cities let these types of rentals self-regulate. He encouraged the Council to rely on the citizens of Peoria for the right decision.

Council Member Jensen said there had already been issues with Airbnb's within the City of Peoria with complaints by surrounding homeowners and residents. She said those complaints are what initiated the process for the City to review STRs. She said the Special Use process was not a cumbersome process and she noted that there were several neighborhoods in the City that did not have the ability to adopt a covenant or agreement that HOAs put into effect and implement. She expressed her appreciation for Option 2 outlined in the Communication, noting it was a compromise and would provide sufficient notice to surrounding neighborhoods. She expressed a concern that Option 1 did not sufficiently protect neighborhoods, especially older neighborhoods.

After reviewing the process for each option, Council Member Montelongo said he would be in favor of Option 2 in order for the City to hear concerns from neighborhoods that were opposed to STRs.

Council Member Oyler said Options 2 or 3 would cripple the STRs in the community and send them to neighboring communities. He explained those two options would prevent a potential buyer from purchasing a property not knowing if it could be used for the intended purpose of an STR. He said most STR were purchased in heritage neighborhoods to showcase those areas of the City. He said reviews left on the STR websites would deter rentals should there be issues with the property. He said choosing Option 2 would the taxpayers' resources and then have to go through a Special Use process.

Motion to direct Staff to pursue Option 1– Short-Term Rental permitted by right with no public review through an administrative approval and no Council review required was approved by roll call vote.

Yeas: Ali, Cyr, Kelly, Oyler, Riggenbach, Ruckriegel, Mayor Ardis - 7;

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

**(20-141) Communication from the City Manager with a Request to APPROVE a VOLUNTARY SEPARATION INCENTIVE (VSI) for Sworn, Full-Time Fire Employees.**

City Manager Urich said the proposed Voluntary Separation Initiative proposed amended the dates from August 31, 2020, to October 15, 2020 with a retirement window between September 8, 2020 and October 30, 2020. He said with the proposed budget there was the potential of 24 layoffs in the Fire Department. He said passing the VSI would mitigate the numbers of layoffs.

Council Member Cyr moved to approve a Voluntary Separation Incentive (VSI) for sworn, full-time Fire Employees; seconded by Council Member Ali.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Jensen, Montelongo, Moore - 6;

Nays: Kelly, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 5.

**(20-125) Communication from the City Manager with a Request to APPROVE the Recommended 2020 - 2021 BUDGET RESTRUCTURING as a Result of the COVID-19 Pandemic.**

Council Member Ruckriegel remarked on the importance of finishing restructuring the 2020-2021 Budget, stating the Council was sworn to serve to the best of its ability.

At the conclusion of his comments, Council Member Ruckriegel moved to approve the recommendation with the modification of \$10 million working cash bond with estimated revenues, which would be the decommissioning of two fire engines instead of three; seconded by Council Member Riggerbach.

Discussions were held regarding the recommended machines to be decommissioned. Fire Chief Ardis provided an overview of the placement of the Fire Stations in the City and what changes would occur if two machines were decommissioned. He provided the reasoning for decommissioning two machines versus making other cuts. Chief Ardis said his main concern was for the safety of his men and the need for continued, mandated training of the remaining Firefighters. Discussions were held regarding the closing of the training towers and the money that would be saved.

Discussions were held regarding the City's reserves, and City Manager Urich said the reason budgetary cuts were being made was because the City did not have the resources to provide the same level of service. He reported the City's revenues had decreased, which greatly impacted the City's budget, noting the City did not have money in reserves. He said the City needed to borrow money in order to sustain services, but at a lower level. He said if the City Council approved the motion on the floor it would reduce the Fire Department personnel by 12%; however, he said reductions had previously been made with a reduction in City Hall by 17%, reduction at Public Works of 13% and reduction in Community Development by 13%. He commented on the unprecedented economic times the City faced. He said if the City did not borrow \$10 million then the City would exhaust its revenues in the General Fund.

Council Member Moore expressed a concern with the decommissioning on machines and how it would affect District 1, noting that District 1 was the oldest part of the City with much older structures that were flammable. She said she could appreciate the gravity of the budgetary situation; however, she said the Southside could not absorb the impact of losing Fire equipment. She said she would not vote in favor of the motion that would change the fire equipment located within the District 1.

Council Member Ruckriegel moved to call the question on the floor; seconded by Council Member Oyler.

Motion to call the question was DEFEATED by roll call vote.

Yeas: Kelly, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 5;

Nays: Ali, Cyr, Grayeb, Jensen, Montelongo, Moore - 6.

In response to Council Member Kelly's question regarding possibly needing to find an additional \$1 million, City Manager Urich said the City would spend down any short-term borrowing faster if an engine was kept.

Council Member Grayeb said he would not support the current motion on the floor. He remarked on the need for the City to fund core basic services and to meet with their constituents to explain the budget numbers. He said now was the time to have a couple of town hall meetings to seek public input. He recommended, the first week after Labor Day, to schedule public meetings at the Gateway Building and at Exposition Gardens.

Council Member Cyr provided a brief history on District 5 and the impact of Growth Cell 5 in that area. He said it was one of the most successful projects that happened in Peoria over the last 20 years. He explained that 5,000 acres were converted into industrial, residential and C-2 areas and he commented on the impact it had on the EAV in that area. He said Fire Station 20 was built in 1999 for safety purposes in District 5. He said District 5 was the largest District in the City with the slowest Fire Station response times. He said the last Matrix Report done in 2004 recommended implementing one more Fire Station in District 5, and he expressed a concern that the Council was discussing closing a Fire Station or decommissioning equipment. He said it was District 5 that provided a majority of the funding of the City of Peoria. He said the Emergency Fund should be a priority for the Council so future Council would not have to face the situation they currently faced. He said he was in favor of some budgetary cuts, but he said he was opposed to closing Fire Station 20. He said difficult decisions needed to be made; however he said he would not be able to support the motion on the floor.

Council Member Cyr inquired how other communities were handling budget issues generated by COVID-19, and City Manager Urich said other communities were facing similar revenue shortfalls. He said there were a lot of communities facing multi-million dollar shortfalls.

Council Member Cyr said he was in favor of the \$10 million restructuring, but he said he could not support the current motion on the floor.

Council Member Oyler expressed a concern that the Council could not come to a decision, noting it was the task of those sitting around the horseshoe to make difficult decisions. He encouraged those who were not supportive of the current motion to amend or make a substitute motion for the Council to consider.

Council Member Moore said COVID-19 had put the City in a unique situation, commenting that there were other communities in similar situations. She said she was more concerned with saving lives than she was about the City's credit rating. She remarked on the need to communicate the situation to the citizens of Peoria in a way they could easily understand. She said doing so would make it easier for those individuals to accept the need for increase taxes, only if they knew that extra money was going towards public safety. She said she was more concerned about life safety in the First District. She said the Council needed to make the difficult decisions to take to their constituents about what was needed, only if their constituents had the confidence the money was going where they said it was going.

Discussions were held regarding the current motion on the floor. It was noted the motion would decommission two engines and would lay off 22 Firefighters. The decommissioning of one engine would lay off 11 Firefighters, which would save the City approximately \$1 million. When reviewing the impact it would have on minority employees, City Manager Urich said, regardless of whether it was one or two engines, it would impact two minorities on the Department.

Council Member Jensen said she was opposed to decommissioning any engines or closing any Fire Stations, noting safety for the community was a main priority. She recommended the possibility of decommissioning one engine and borrowing \$10 million in working capital. She concurred with Council Member Grayeb regarding seeking citizen input on the City's budget.

Council Member Kelly expressed a concern delaying the matter any longer, commenting that the Council had been faced with this difficult decision for the last couple of months. He said the budget crisis was not only for the current budget, but was also for the budget in the outyears. He remarked on the importance for the Council to make a decision.

Council Member Ruckriegel said the City did not have an economic plan to get the City back in economic order. He said just because the Council saw money in its coffers did not mean that money could be spent. He said certain accounts were earmarked for certain expenses. He said the Council was working on a limited budget and was in a situation that the current Council did not create. He said the City deserved a plan that was going to work and the Council was going to have to make additional budgetary decisions for 2021. He said he did not agree with decommissioning three engines; however, he said if the Council did not make a decision, then the City would eventually run out of money.

Council Member Riggerbach said he had not heard any new ideas come before the Council. He said with the decommissioning of two engines and the borrowing of \$10 million the City could manage its budget without new taxes. He said the decommissioning of fire engines was not only going to affect certain Districts, but would affect the entire City. He remarked that focusing on one location or District in the City was being short-sighted. He said the COVID-19 Pandemic affected the City's budget by 25%, noting the City had to make a 13% reduction in personnel in multiple departments. He remarked on the need to make a decision and to develop and plan, then should the City receive Federal assistance, it could restore its resources. He said the current motion on the floor would get the City to where it needed to be and would lay the ground work for next year's budget.

Mayor Ardis expressed a concern with the Council micromanaging the Fire Department and the Council should allow professionals to make the determinations of which engines and Fire Stations were appropriate to decommission or close. He said Chief Ardis provided the Council with a report on the reasoning for decommissioning certain engines over others as well as closing certain Fire Stations over others. He said it was not based on who paid more taxes or based on the relationship on the Council. He said it was not based on any of the Firefighters that the Chief thought were better than others. He said it was based solely on the safety for both the citizens and the Firefighters. He asked the City Manager to resend the Fire Chief's report to all Council Members. He said the Fire Chief had a strong professional recommendation. He said the City was in a bad financial situation. He expressed a concern that the Council was unable to come to a decision. He remarked on the difficult decisions the Council had to make, but making those types of decisions was an inherent part of the office. He said the State of Illinois had put the City in an untenable position, especially as it related to public pensions. He said the deficits the City faced were structural deficits. He said if this Council decided not to decommission engines or close Fire Stations, then he remarked on the importance of letting the community know their taxes would be increased.

Council Member Grayeb moved for a substitute motion to hold two Town Hall meetings at two locations in the City – one being at the Gateway Building and one being at Exposition Gardens – to take place immediately following Labor Day weekend to seek public input; seconded by Council Member Jensen.

Mayor Ardis said the only way the City would get the revenues it needed would be to increase taxes, and he said it would take at least two months before Town Hall meetings could be held for the community to voice the opinion that they do not want to increase taxes. He said the delay was not fiduciarly nor ethically right, nor was it appropriate.

Council Member Oyler said the Council has had budget numbers for nearly six months, along with periodic updated emails between Council Meetings. He said another meeting was another delay tactic for making a decision. He said his constituents have consistently told him they did not want any more taxes.

Council Member Moore recommended members of the community sending the Council emails reflecting their position on whether they supported a tax increase to address the City's budget.

Mayor Ardis said the one consistent message he received from his constituents was that they were not supportive of additional or increased taxes.

Substitute motion to hold two Town Hall meetings at two locations in the City – one being at the Gateway Building and one being at Exposition Gardens – to take place immediately following Labor Day weekend to seek public input was DEFEATED by roll call vote.

Yeas: Grayeb, Jensen, Moore – 3;

Nays: Ali, Cyr, Kelly, Montelongo, Oyler, Riggerbach, Ruckriegel, Mayor Ardis - 8.

Motion to approve the recommendation with the modification of \$10 million working cash bond with estimated revenues, which would be the decommission of two fire engines instead of three was DEFEATED by roll call vote.

Yeas: Kelly, Oyler, Riggerbach, Ruckriegel, Mayor Ardis – 5;

Nays: Ali, Cyr, Grayeb, Jensen, Montelongo, Moore – 6.

### **NEW BUSINESS**

#### **Addressing Mental Health in Peoria**

Council Member Grayeb said one of the highest priorities in the City should be working with the mentally ill people, especially those on the streets or in the legal system. He said the City's mental healthcare system was not intact and the City needed to determine how to address the situation. He said Peoria was exceptional in its ability to work together as a community to solve these problems. He said these people generally suffered from substance abuse or a mental disorder and needed the City's help. He recommended challenging the City's Public Safety system to develop a plan and he asked for input from the City Manager on the situation.

City Manager Urich recommended engaging the mental health providers in the community. He said the Police Department had a great working relationship with the ERS system and continued conversations with the hospitals to determine how to address the situation.

#### **Newest OSF Urgo Opens**

Council Member Riggerbach announced that a new OSF facility opened at Midtown Plaza off Knoxville Avenue. He expressed his appreciation to OSF for their commitment to the City, noting Nebraska Corridor was an important piece to that part of town.

**Appreciation for the Efforts of the Community Development Department**

Council Member Moore thanked the Community Development Department, especially identifying Ashley Elias and his team for the work done on Malone, Star and Latrobe Streets. She said they had concentrated efforts in those locations over the last couple of weeks and the residents in that area were greatly appreciative for the effort. She said it was a great team led by Assistant Community Development Director Joe Dulin and his team.

**Census 2020 Event – Saturday, September 5, 2020**

Council Member Moore announced that the Tri-County Regional Planning Census Group would be hosting an event in the early afternoon of Saturday, September 5, 2020, at MLK Park with the purpose of making a last big sweep for the 2020 Census. She remarked on the importance of participating in the Census stating it would determine how much Federal money would come to the City over the next 10 years.

**Southside Farmers Market – Saturday, August 29, 2020**

Council Member Moore announced there would be a farmer's market on the Southside at the former Save-A-Lot/Aldi building on Western Avenue across from Dollar General on Saturday, August 29, 2020, from 10:00 AM. – 2:00 P.M. and would continue each Saturday through mid-October. It is a way to bring more fresh fruits and vegetables to a community suffering from a food desert.

**National Black Business Month Exposition – Saturday, August 29, 2020**

Council Member Moore announced that August was National Black Business Month, which was a time to recognize Black Businesses and their endeavors. She said 41% of Black businesses would no longer be in existence due to COVID-19. She announced there would be an outdoor exposition this Saturday, August 29, 2020, from 10:00 A.M. to 2:00 P.M. between Garden and Jefferson.

**Recognition of Firefighters Michael Ralston, Greg Parker, Zach Folford and Shane Pomeroy**

Council Member Cyr recognized the Firefighters in District 5, Fire Station 20, who were in a fire truck and hit by a drunk driver while responding to a call at 1:30 A.M. He said those Firefighters recovered quickly and were back at work, and he listed them as follows: Michael Ralston, Greg Parker, Zach Folford and Shane Pomeroy.

Council Member Cyr also recognized Firefighter Shane Pomeroy who was off duty at a softball game and was able to administer CPR to a freshman student at a crosscountry meet and save the boy's life.

**"The Help You Give" – Saturday, August 29, 2020**

Mayor Ardis announced that the Peoria Public Library extended an invitation to the public to participate in an online discussion, this Saturday, August 29, 2020, called the "The Help You Give." He said the conversation was about healing and based on a book entitled The Hate You Give. He said Council Member Ali and Chris Johnson, the Focus Deterrence Project Manager at the Peoria Police Department, would be among the panelists. He said additional information could be found on the Library's website of Facebook page.

**Building the Movement: America's Youth Celebrate 100 Year of Women's Suffrage Initiative**

Mayor Ardis announced that August 23, 2020, First Lay Melania Trump unveiled art works to be part of the *Building the Movement: America's Youth Celebrate 100 Years of Women's Suffrage* initiative. He said the initiative solicited drawings from children between grades 3 and 12 depicting imagery related to the suffrage movement as part of the celebration of the 100<sup>th</sup> Anniversary of the 19<sup>th</sup> Amendment, which gave American women the right to vote. He announced that artwork from Tanishqa (age 11) from Peoria, Illinois was chosen for the exhibit.

**CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD**

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

**EXECUTIVE SESSION**

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

**ADJOURNMENT**

Council Member Kelly moved to adjourn the Regular City Council meeting; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Ali, Cyr, Grayeb, Kelly, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Ruckriegel, Mayor Ardis - 11;

Nays: None.

The Regular City Council Meeting was adjourned at 10:14 P.M.



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