



: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular Meeting of the City Council of Peoria, Illinois, was held on November 22, 2022, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Pro Tem Jensen presiding, and with proper notice having been posted.

ELECTRONIC ATTENDANCE

Mayor Pro Tem Jensen said a notice was received by Mayor Ali in accordance with rules established in Ordinance No. 16,142, and Mayor Ali would be deemed authorized to attend the meeting electronically unless a motion objecting to the electronic attendance was made, seconded, and approved by two-thirds of the members of the City Council physically present at the meeting. She said if no such motion was made and seconded, then the request by Mayor Ali to attend electronically shall be deemed approved by the City Council and the presiding officer, and Mayor Ali shall be declared present.

Hearing no objection, Mayor Pro Tem Jensen declared Mayor Ali present.

ROLL CALL

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

Peoria Riverfront Museum Christmas in the Village

MINUTES

Council Member Oyler moved to approve the minutes of the Special City Council Meeting held on November 1, 2022, the Joint City Council and Town Board Meeting held on November 8, 2022, and the Special City Council Meeting held on November 15, 2022, as printed; seconded by Council Member Allen.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIACONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined:

- (22-394) **Communication from the Mayor and Interim Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.**
- (22-395)
* **Communication from the City Manager and Director of Public Works with a Request to APPROVE and Authorize the Following MASTER SERVICES AGREEMENTS for 2023-2025 PROFESSIONAL ENGINEERING SERVICES for VARIOUS ENGINEERING SERVICES:**
- A. **AGREEMENT with AKRF, INC., in an Amount Not to Exceed \$750,000.00;**
 - B. **AGREEMENT with BAXTER AND WOODMAN CONSULTING ENGINEERS, in an Amount Not to Exceed \$750,000.00;**
 - C. **AGREEMENT with CRAWFORD, MURPHY & TILLY, in an Amount Not to Exceed \$4,000,000.00;**
 - D. **AGREEMENT with DEWBERRY ENGINEERS, INC, in an Amount Not to Exceed \$2,000,000.00;**
 - E. **AGREEMENT with FARNSWORTH GROUP, INC., in an Amount Not to Exceed \$2,500,000.00;**
 - F. **AGREEMENT with FOTH INFRASTRUCTURE & ENVIRONMENT, LLC, in an Amount Not to Exceed \$2,500,000.00;**
 - G. **AGREEMENT with HANSON PROFESSIONAL SERVICES, INC, in an Amount Not to Exceed \$4,000,000.00;**
 - H. **AGREEMENT with HENNEMAN ENGINEERING, INC., in an Amount Not to Exceed \$750,000.00;**
 - I. **AGREEMENT with HERMANN & ASSOCIATES, LLC, in an Amount Not to Exceed \$750,000.00;**
 - J. **AGREEMENT with HR GREEN, INC., in an Amount Not to Exceed \$2,500,000.00;**
 - K. **AGREEMENT with HUTCHISON ENGINEERING, INC., in an Amount Not to Exceed \$3,250,000.00;**
 - L. **AGREEMENT with INFRASTRUCTURE ENGINEERING, INC., in an Amount Not to Exceed \$1,000,000.00;**
 - M. **AGREEMENT with MAURER-STUTZ, INC., in an Amount Not to Exceed \$4,000,000.00;**
 - N. **AGREEMENT with MIDWEST ENGINEERING ASSOCIATES, INC., in an Amount Not to Exceed \$2,000,000.00;**
 - O. **AGREEMENT with MILLENNIA PROFESSIONAL SERVICES OF ILLINOIS, LTD, in an Amount Not to Exceed \$4,000,000.00;**
 - P. **AGREEMENT with PRAIRIE ENGINEERS, in an Amount Not to Exceed \$750,000.00;**

- Q. AGREEMENT with RESOURCE ENVIRONMENTAL SOLUTIONS, LLC, in an Amount Not to Exceed \$750,000.00;
- R. AGREEMENT with SYMBIONT SCIENCE, ENGINEERING AND CONSTRUCTION, INC., in an Amount Not to Exceed \$2,750,000.00;
- S. AGREEMENT with TERRA ENGINEERING, LTD., in an Amount Not to Exceed \$4,000,000.00;
- T. AGREEMENT with THOUVENOT, WADE & MOERCHEN, INC. (TWM), in an Amount Not to Exceed \$1,000,000.00; and,
- U. AGREEMENT with WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC., in an Amount Not to Exceed \$1,000,000.00.
- (22-396) Communication from the City Manager and Director of Public Works with a Request to APPROVE an AGREEMENT with STARK EXCAVATING, INC. for the ABINGTON AND MADISON PIPE CULVERT REPLACEMENT, for \$779,943.50 with an Additional Authorization of \$116,991.50 (15%) for Contingencies, for a Total Amount of \$896,935.00. (Council District 3)
- (22-397) Communication from the City Manager and Fire Chief with a Request to APPROVE RESOLUTION NO. 22-397 for the MUTUAL AID BOX ALARM SYSTEM MASTER AGREEMENT (MABAS), for the Year 2022.
- (22-398) Communication from the City Manager with a Request to APPROVE a RESOLUTION of Proposed Match Funding for the CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PLANNING GRANT, for Peoria to Chicago Passenger Rail Service Systems and Environmental Planning, with the Federal Funding Requested to be \$2,500,000.00, with a Local Match for Construction No Less than \$500,000.00, with the Illinois Department of Transportation (IDOT) providing \$250,000.00, and the City of Peoria providing \$250,000.00.
**
- (22-399) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Historic Preservation Commission to ADOPT an ORDINANCE Approving the Designation of 942 NE GLEN OAK AVENUE (Parcel Identification No. 18-04-283-007), as a LOCAL HISTORIC LANDMARK. (Council District 3)

- (22-400) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL, for the Property Located at 6525 N TALISMAN TERRACE (Parcel Identification No. 13-14-205-012), Peoria, IL. (Council District 4)

- (22-401) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT ORDINANCE NO. 18,017 Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL for the Property Located at 423 E LAKEWOOD AVE (Parcel Identification No. 14-21-305-017), Peoria, IL. (Council District 3)

- (22-402) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class B (Restaurant, 50% Food) Liquor License, with On-Site Consumption and Retail Sale of Alcohol, for ARDOR BREADS & PROVISIONS, LLC, 301 SW WATER, Contingent Upon the Issuance of all Appropriate Permits and a Certificate of Occupancy, with a Recommendation from the Liquor Commission to Approve. (Council District 2)**

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

Council Member Allen requested Item Nos. 22-395 and 22-400 be removed from the Consent Agenda for further discussion.

Council Member Riggerbach requested Item No. 22-399 be removed from the Consent Agenda for further discussion.

Council Member Kelly requested Item No. 22-398 be removed from the Consent Agenda for further discussion.

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

Item Nos. 22-394 through 22-402 (except Item Nos. 22-395, and 22-398 through 22-400, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (22-395) * Communication from the City Manager and Director of Public Works with a Request to APPROVE and Authorize the Following MASTER SERVICES AGREEMENTS for 2023-2025 PROFESSIONAL ENGINEERING SERVICES for VARIOUS ENGINEERING SERVICES:**

- A. AGREEMENT with AKRF, INC., in an Amount Not to Exceed \$750,000.00;**
- B. AGREEMENT with BAXTER AND WOODMAN CONSULTING ENGINEERS, in an Amount Not to Exceed \$750,000.00;**
- C. AGREEMENT with CRAWFORD, MURPHY & TILLY, in an Amount Not to Exceed \$4,000,000.00;**
- D. AGREEMENT with DEWBERRY ENGINEERS, INC, in an Amount Not to Exceed \$2,000,000.00;**
- E. AGREEMENT with FARNSWORTH GROUP, INC., in an Amount Not to Exceed \$2,500,000.00;**
- F. AGREEMENT with FOTH INFRASTRUCTURE & ENVIRONMENT, LLC, in an Amount Not to Exceed \$2,500,000.00;**
- G. AGREEMENT with HANSON PROFESSIONAL SERVICES, INC, in an Amount Not to Exceed \$4,000,000.00;**

- H. AGREEMENT with HENNEMAN ENGINEERING, INC., in an Amount Not to Exceed \$750,000.00;
- I. AGREEMENT with HERMANN & ASSOCIATES, LLC, in an Amount Not to Exceed \$750,000.00;
- J. AGREEMENT with HR GREEN, INC., in an Amount Not to Exceed \$2,500,000.00;
- K. AGREEMENT with HUTCHISON ENGINEERING, INC., in an Amount Not to Exceed \$3,250,000.00;
- L. AGREEMENT with INFRASTRUCTURE ENGINEERING, INC., in an Amount Not to Exceed \$1,000,000.00;
- M. AGREEMENT with MAURER-STUTZ, INC., in an Amount Not to Exceed \$4,000,000.00;
- N. AGREEMENT with MIDWEST ENGINEERING ASSOCIATES, INC., in an Amount Not to Exceed \$2,000,000.00;
- O. AGREEMENT with MILLENNIA PROFESSIONAL SERVICES OF ILLINOIS, LTD, in an Amount Not to Exceed \$4,000,000.00;
- P. AGREEMENT with PRAIRIE ENGINEERS, in an Amount Not to Exceed \$750,000.00;
- Q. AGREEMENT with RESOURCE ENVIROMENTAL SOLUTIONS, LLC, in an Amount Not to Exceed \$750,000.00;
- R. AGREEMENT with SYMBIONT SCIENCE, ENGINEERING AND CONSTRUCTION, INC., in an Amount Not to Exceed \$2,750,000.00;
- S. AGREEMENT with TERRA ENGINEERING, LTD., in an Amount Not to Exceed \$4,000,000.00;
- T. AGREEMENT with THOUVENOT, WADE & MOERCHEN, INC. (TWM), in an Amount Not to Exceed \$1,000,000.00; and,
- U. AGREEMENT with WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC., in an Amount Not to Exceed \$1,000,000.00.

The FOTH Master Agreement for Professional Services template for items F and R, and the Master Agreement for Professional Services template for items A-E, G-Q, and S-U, were distributed to all Council Members.

Council Member Allen moved to approve and authorize the following Master Services Agreements for 2023-2025 Professional Engineering Services for various engineering services, as outlined in items A through U; seconded by Council Member Cyr.

Approved by roll call vote.

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

Nays: None.

- (22-398)**
** **Communication from the City Manager with a Request to APPROVE a RESOLUTION of Proposed Match Funding for the CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) PLANNING GRANT, for Peoria to Chicago Passenger Rail Service Systems and Environmental Planning, with the Federal Funding Requested to be \$2,500,000.00, with a Local Match for Construction No Less than \$500,000.00, with the Illinois Department of Transportation (IDOT) providing \$250,000.00, and the City of Peoria providing \$250,000.00.**

In response to Council Member Kelly concerning the funding for the Rail Service Project, City Manager Urich reviewed the initial cost of the environmental engineering work, the many different funding sources sought to sponsor the endeavor, including the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Planning Grant, and the efforts to leverage funding from the State of Illinois to fund the project modeled after other projects in Illinois in order to reduce the need for local funding sources.

Council Member Kelly said he would vote against the item because he believed the commitment of taxpayer funds to a progressively underutilized transportation method was not prudent.

Discussions were held on the history of rail service in Peoria, the community for rail service from Peoria to Chicago, as well as the timeline for the project and leveraging available funds for the benefit of Central Illinois.

After remarking on the impact passenger rail could have on reidentifying Peoria's future, Council Member Ruckriegel moved to approve a Resolution of proposed match funding for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Planning Grant, for Peoria to Chicago Passenger Rail Service Systems and Environmental Planning, with the Federal funding requested to be \$2,500,000.00, with a local match for construction no less than \$500,000.00, with the Illinois Department of Transportation (IDOT) providing \$250,000.00, and the City of Peoria providing \$250,000.00; seconded by Council Member Allen.

Council Member Kelly said Amtrak patronage had decreased over the last few generations, noting rail service infrastructure was not a good investment. He discussed the public survey questions and results, as well as the impact of the proposed project on citizens.

RESOLUTION NO. 22-398 of proposed match funding for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Planning Grant, for Peoria to Chicago Passenger Rail Service Systems and Environmental Planning, with a Federal funding request of \$2,500,000.00, with a local match for construction no less than \$500,000.00, with the Illinois Department of Transportation (IDOT) providing \$250,000.00, and the City of Peoria providing \$250,000.00, was approved by roll call vote.

Yeas: Mayor Ali, Allen, Cyr, Grayeb, Jackson, Oyler, Riggerbach, Ruckriegel,
Pro Tem Jensen – 9;

Nays: Kelly – 1.

- (22-399)**
*** **Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Historic Preservation Commission to ADOPT an ORDINANCE Approving the Designation of 942 NE GLEN OAK AVENUE (Parcel Identification No. 18-04-283-007), as a LOCAL HISTORIC LANDMARK. (Council District 3)**

Council Member Riggerbach said Edward Barry and Colleen Johnson were present on behalf

of the Historical Preservation Commission. He recognized the commission for their efforts in the community as well as Council Member Oyler's previous service as the president.

Ms. Johnson said this application was to establish 942 NE Glen Oak Avenue as a local Historical Landmark, she thanked the Council for their consideration of the application.

Council Member Riggerbach moved to adopt an Ordinance approving the designation of 942 NE Glen Oak Avenue, as a Local Historical Landmark; seconded by Council Member Grayeb.

Council Member Oyler said he would abstain from voting on this item because he served on the Historical Preservation Commission.

ORDINANCE NO. 18,018 was adopted by roll call vote.

Yeas: Mayor Ali, Allen, Cyr, Grayeb, Jackson, Kelly, Riggerbach, Ruckriegel,
Pro Tem Jensen – 9;

Nays: None;

Abstention: Oyler – 1.

**(22-400) Communication from the City Manager and Director of Community
**** Development with a Request to Concur with the Recommendation from the
Planning & Zoning Commission and Staff to ADOPT an ORDINANCE
Approving a SPECIAL USE in a Class R-3 (Single-Family Residential)
District, for a SHORT-TERM RENTAL, for the Property Located at 6525 N
TALISMAN TERRACE (Parcel Identification No. 13-14-205-012), Peoria, IL.
(Council District 4)**

Upon requesting more time for due diligence on this item, Council Member Allen moved to defer this item to the December 13, 2022, City Council Meeting; seconded by Council Member Oyler.

Motion to defer this item to the December 13, 2022, City Council Meeting was approved by roll call vote.

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

Nays: None.

FIRST READINGS

**(22-293) Communication from the City Manager and Corporation Counsel with a
Request to RECEIVE and FILE a FIRST READING of an ORDINANCE
Amending ARTICLE 19 (Operation of a Cannabis Business) of CHAPTER 18
(Licenses and Miscellaneous Business Regulations) of the CODE of the
City of Peoria**

Corporation Counsel Patrick Hayes reviewed the Council discussions and public input opportunities Staff utilized to compile the proposed Ordinance. He reviewed the proposed Ordinance which included additional zoning restrictions, timeframe to begin using the permit, Special Use designation in every zoning district, creation of an additional Special Use permit for on-site consumption, and no limitations on the number of licenses permitted in the City. He noted the addition of language regarding license transfers and the protection of social equity applicant opportunities. He discussed potential revenue growth in the cannabis industry, and he said he was soliciting Council input before the Ordinance was brought back for consideration of adoption.

Council Member Riggerbach said he was opposed to on-site consumption, and he asked Corporation Counsel Hayes to provide an alternative Ordinance excluding on-site consumption for the Council to consider at the next meeting. He recommended reducing the timeframe to use the Special Use permit from one year to six months, noting an extension could be awarded if the situation warranted it.

Council Member Allen said it was important to uphold the spirit of the Social Equity Designation with the proposed language additions. He said he supported a reduction of the cannabis business Special Use permit term to six months as well.

Mayor Ali asked for the Ordinance to be amended to disallow on-site consumption and to reduce the timeframe to use the permit to six months.

Council Member Cyr moved to receive and file a First Reading of an Ordinance amending Article 19 (Operation of a Cannabis Business) of Chapter 18 (Licenses and Miscellaneous Business Regulations) of the Code of the City of Peoria; seconded by Council Member Ruckriegel.

Approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: Item No. 22-293 will be placed on the December 13, 2022, Regular City Council Meeting agenda.

(22-403) Community from the City Manager, Corporation Counsel, 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 FAMILY CARE FACILITIES.

Corporation Counsel Hayes summarized the issues that resulted in proposed amendments to the Unified Development Code language relating to Family Care Facilities. He described the proposed changes, including permitted inspections and occupancy limitations.

In response to Council Member Jackson regarding a comparison to Group Homes, Corporation Counsel Hayes said the proposed amendments would treat Family Care Facilities, housing 8-15 occupants, as a Special Use process subject to registration and inspections like other rental properties in Peoria.

Discussions were held regarding the number of occupants permitted based on specified criteria and the importance of applying regulations and restrictions equally to ensure inclusion.

In response to Council Member Kelly's inquiry on requiring professional supervision, Corporation Counsel Hayes said the Council could apply zoning restrictions to all types of group homes instead of narrowing the scope to a specific type of facility in order to avoid discriminatory claims. Council Member Kelly said it seemed reasonable to have professional supervision onsite for safety.

Council Member Allen recommended establishing a connection with group homes, neighborhood associations and homeowner associations in order to address misnomers and anxiety surrounding the facilities. Corporation Counsel Hayes said the facilities would be

registered along with all rental properties. He said it would be through the application process where Staff could recommend establishing communication with the neighborhood organizations.

Council Member Allen moved to receive and file a First Reading of an Ordinance amending Appendix A, the Unified Development Code, relating to family care facilities; seconded by Council Member Cyr.

Approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: Item No. 22-403 will be placed on the December 13, 2022, Regular City Council Meeting agenda.

REGULAR BUSINESS

(22-404) Communication from the City Manager and Finance Director/Comptroller with a Request for a DISCUSSION on the PEORIA CIVIC CENTER BRIDGE LOAN Request.

Finance Director Kyle Cratty said the Peoria Civic Center was awarded a \$25 million from the Illinois Department of Commerce and Economic Opportunity (DCEO) to fund capital projects. However, he said the Civic Center would need to pay for those projects upfront and then be reimbursed by the DCEO. He said the request was to provide a short-term bridge loan to allow the Civic Center to meet the reimbursement requirements.

Discussions were held regarding grant awards with reimbursement conditions, the quarterly submission process for reimbursement requests, as well as the timeframe to complete the capital projects and receive reimbursement payments.

In response to Council Member Cyr regarding the bridge loan funding, Director Cratty said the funds would come from the City's General Fund.

Council Member Riggerbach moved to approve the discussion on the Peoria Civic Center Bridge Loan request; seconded by Council Member Jackson.

Approved by roll call vote.

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

Nays: None.

(22-405) Communication from the City Manager with a Request to APPROVE a LEASE AGREEMENT with CHILDER'S EATERY for the Use of the GATEWAY BUILDING.

Assistant City Manager Kimberly Richardson said a Request for Proposal (RFP) for interest on leasing the third-floor ballroom in the Gateway Building resulted in the proposed 5-year Lease Agreement with Childer's Eatery. She discussed the terms of the agreement and the planned renovations to the space, as well as continued accessibility for the City of Peoria and the Peoria Park District for special events. She acknowledged the efforts of Economic Development Department Staff, Legal Department Staff, and Council Member Grayeb, noting the benefits of the project regarding the vision of a revitalized downtown area.

Council Member Grayeb said the agreement represented Council's pattern of approving projects that improved existing assets for business growth and public benefit.

After recognizing members of the Childer's family who were present, Council Member Grayeb moved to approve a Lease Agreement with Childer's Eatery for the use of the Gateway Building; seconded by Council Member Kelly.

Council Member Riggerbach said the agreement was an exciting opportunity for the Gateway Building while it retained the availability of the space for the City and Park District. In response to his question about the kitchen space, Assistant City Manager Richardson said the food would be cooked offsite for catering events.

Discussions were held concerning the efforts of Staff and Council Members on the project, as well as the benefit the improvements to the Gateway Building would bring to the Riverfront.

Council Member Kelly commended the utilization and improvements to existing assets in the City, and he asked about the responsibility of the remodeling and improvements to the space. Assistant City Manager Richardson said while Childer's Eatery was responsible for the renovations, the City approved the design.

Mayor Ali said she enthusiastically supported the approval of the proposed Lease Agreement. Council Member Jensen said she also supported the item, noting she looked forward to having Childer's on the Riverfront.

Motion to to approve a Lease Agreement with Childer's Eatery for the use of the Gateway Building was approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: Item 22-405 was reconsidered later in the meeting. See page 33901

(22-406) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-2 (Single-Family Residential) District, for a SHORT-TERM RENTAL, for the Property Located at 5525 N BRIARCREST CT (Parcel Identification No. 14-17-478-015), Peoria, IL. (Council District 3)

Council Member Riggerbach said he lived next to the property, and he moved to grant privilege of the floor to neighbors and the property owner in attendance..

Hearing no objection, Mayor Pro Tem Jensen granted privilege of the floor to the property owner and neighbors.

Joseph Baumgardener, a neighbor to the property, said the location was on a small dead-end street and he asked the Council to deny the Short-Term Rental application. He said the property owner did not communicate their intentions to the neighbors. He expressed a concern for the number of vehicles parked in the driveway and on the street at the location.

Stephanie Theobald, the owner of the property, said she had lived at the property since 2014. She said she applied for the Short-Term Rental Special Use provision in order to offer her home

to people visiting Peoria to use her residence while she was away. She said she applied for the opportunity as outlined in the City Code, and she said she wanted to be a part of the progress in Peoria.

Council Member Riggerbach reviewed previous Council discussions, deliberations, and decisions regarding Short-Term Rental (STR) Special Use regulations. He said the property owner living on premise provided an ideal management oversight compared to an investment property situation. He recognized challenges of an STR located in a small cul-de-sac, including the parking concerns. He said the Homeowners Association (HOA) revealed the proposed STR was the first in the neighborhood and may explore amending the covenants to disallow expansion of STR properties in the neighborhood. However, he said this property would not be affected by future amendments.

At the conclusion of his comments, Council Member Riggerbach moved to adopt an Ordinance approving a Special Use in a Class R-2 District, for a Short-Term Rental, for the property located at 5525 N. Briarcrest Ct, Peoria, IL, as amended to add a condition that no on-street parking was permitted; seconded by Council Member Kelly.

Mayor Pro Tem Jensen granted privilege of the floor to Joyce Steinbech.

Joyce Steinbech, a resident of the neighborhood for 35 years, said problems with the property should result in consequences or revocation of the Special Use permit for the STR.

Corporation Counsel Patrick Hayes said Special Use permits were subject to consequences of nuisance violations and revocation for a violation of terms, as applicable. Council Member Riggerbach noted the Special Use permit terminated upon sale of the property.

Mayor Pro Tem Jensen said STR properties were subject to Special Use proceedings in order to allow neighbors to voice concerns at the Planning and Zoning Commission Meetings as well as City Council Meetings. She said she received communications in opposition of the Special Use application, and she would not vote in favor of the item.

Council Members Grayeb and Riggerbach discussed the recreational vehicle on the property as well as parking concerns. Council Member Grayeb said he would not vote in favor of the item.

ORDINANCE NO. 18,019 was adopted by roll call vote.

Yeas: Mayor Ali, Allen, Cyr, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel – 8;

Nays: Grayeb, Pro Tem Jensen – 2.

(22-405) Communication from the City Manager with a Request to APPROVE a LEASE AGREEMENT with CHILDER'S EATERY for the Use of the GATEWAY BUILDING.

Clerk's Note: See additional discussions beginning on page 33899.

Council Member Oyler moved to reconsider the Lease Agreement with Childer's Eatery for the use of the Gateway Building; seconded by Council Member Allen.

Motion to reconsider the Lease Agreement with Childer's Eatery for the use of the Gateway Building was approved by roll call vote.

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

Nays: None.

Council Member Cyr said he needed to abstain from voting on this item due to a business relationship with Childer's Eatery.

Council Member Grayeb moved to approve a Lease Agreement with Childer's Eatery for the use of the Gateway Building; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Mayor Ali, Allen, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel,
Pro Tem Jensen – 9;

Nays: None;

Abstention: Cyr – 1.

(22-407) Communication from the City Manager and Assistant City Manager with a Request for the Following: (Council District 5)

A. ADOPT an ORDINANCE to Authorize the Establishment of Tax Increment Financing INTERESTED PARTIES REGISTRIES, and Adopt Such Registries for the Proposed MEDINA PLAINS-ALLEN ROAD BUSINESS PARK TAX INCREMENT FINANCING (TIF) DISTRICT; and,

B. ADOPT an ORDINANCE to Establish a Date for a PUBLIC HEARING for the Proposed MEDINA PLAINS-ALLEN ROAD BUSINESS PARK TAX INCREMENT FINANCING (TIF) DISTRICT, to be Held on JANUARY 10, 2022, at 6:00 P.M.

City Manager Patrick Urich explained the efforts to establish a new Tax Increment Financing (TIF) District in Peoria, noting a website link was sent to the Council with the proposed plans. He said the new TIF District would be located south of Route 6, west of Allen Road, east of Radnor Road, and north of Kellogg Golf Course, in order to promote and encourage commercial development in the area. He said 22-407-A fulfilled the requirement to establish Interested Parties Registries for the proposed TIF, and 22-407-B set a date for the Public Hearing on January 10, 2022, for the Medina Plains-Allen Road Business Park TIF.

Council Member Cyr said it was a great opportunity for economic growth in the Fifth District, and he moved to adopt an Ordinance to authorize the establishment of Tax Increment Financing Interested Parties registries, and adopt such registries for the proposed Media Plains-Allen Road Business Park Tax Increment Financing (TIF) District; seconded by Council Member Ruckriegel.

In response to Council Member Kelly regarding information sent to the Council, City Manager Urich said a consulting firm was hired to facilitate the establishment of the new TIF District, and he described the boundaries as well as how the funds received from it would be utilized.

ORDINANCE NO. 18,020 was adopted by roll call vote.

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

Nays: None.

Council Member Cyr moved to adopt an Ordinance to establish a date for a Public Hearing for the proposed Medina Plains-Allen Road Business Park Tax Increment Financing (TIF) District, to be held on January 10, 2022, at 6:00 P.M.; seconded by Council Member Allen.

ORDINANCE NO. 18,021 establishing a date for a Public Hearing for the proposed Media Plains-Allen Road Business Park Tax Increment Financing (TIF) District, to be held on January 10, 2022, at 6:00 P.M., was adopted by roll call vote.

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

Nays: None.

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

- (22-371) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT an ORDINANCE Amending an Existing SPECIAL USE (Ordinance Nos. 15,584 and 17,271) in a Class C-2 (Large Scale Commercial) District, to Allow an ADULT USE CANNABIS DISPENSARY, for the Property Located at 7628 N ROUTE 91, Which Includes Properties Located at 7618 N ROUTE 91, 7708 N ROUTE 91, 7716 N ROUTE 91, 7806 N ROUTE 91, and 7810 N ROUTE 91, Commonly Known as the PRAIRIE CROSSING SHOPPING CENTER, (Parcel Identification Nos. 13-11-200-013, 13-11-201-002, 13-11-201-003, 13-11-201-005, 13-11-201-006, 13-11-202-001, 13-11-203-002, and 13-11-203-003), Peoria IL. (Council District 4)**

Council Member Allen said this item was previously deferred while the Council deliberated amendments to cannabis business regulations. He said the strategy was being finalized; however, this applicant completed the obligations and met standards required for approval.

At the conclusion of his comments, Council Member Allen moved to adopt an Ordinance amending an existing Special Use in a Class C-2 District, to allow an adult-use cannabis dispensary, for the property located at 7628 N. Route 91, which includes properties located at 7618 N. Route 91, 7708 N. Route 91, 7716 N. Route 91, 7806 N. Route 91, and 7810 N. Route 91, commonly known as the Prairie Crossing Shopping Center, Peoria, IL; seconded by Council Member Oyler.

ORDINANCE NO. 18,022 was adopted by roll call vote.

Yeas: Mayor Ali, Allen, Grayeb, Jackson, Kelly, Oyler, Riggerbach, Ruckriegel, Pro Tem Jensen – 9;

Nays: Cyr – 1.

- (22-393) Communication from the City Manager and Corporation Counsel with a Request for the Following:**

- A. RECONSIDER a RESOLUTION Adopting the 2023 REVISED BUDGET for the City of Peoria; and,**
- B. APPROVE a RESOLUTION Adopting the 2023 REVISED BUDGET for the City of Peoria.**

A revised Council Communication and Budget Motion were distributed to all Council Members.

Council Member Grayeb moved to reconsider a Resolution adopting the 2023 Revised Budget for the City of Peoria; seconded by Council Member Allen.

Motion to reconsider a Resolution adopting the 2023 Revised Biennial Budget for the City of Peoria was approved by roll call vote.

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

Nays: None.

Council Member Grayeb moved to approve a Resolution adopting the 2023 Revised Budget for the City of Peoria, seconded by Council Member Allen.

City Manager Ulrich said, at Council Member Cyr's request, he drafted a motion to amend the 2023 Budget to reduce the capital budget by \$1.2 million in 2023 in order to provide a balanced budget. He said the affected project in the Fifth District would be delayed to extend the payments into 2024.

Discussions were held regarding the project timeline adjustments and the amendment to the 2023 and 2024 Budgets.

Commenting that this was the best budget of which he had been a part, Council Member Cyr moved to amend the proposed City of Peoria 2023 Revised Budget to decrease the Budget \$1,200,000.00 in 2023 and increase the 2024 Budget \$1,200,000.00 for the Deerbrook Green Street project due to project timing; seconded by Council Member Riggerbach.

Council Member Ruckriegel said he would abstain from voting due to a conflict of interest.

Motion to amend the proposed City of Peoria 2023 Revised Budget to decrease the Budget \$1,200,000.00 in 2023 and increase the 2024 Budget \$1,200,000.00 for the Deerbrook Green Street project due to project timing was approved by roll call vote.

Yeas: Mayor Ali, Allen, Cyr, Grayeb, Jackson, Kelly, Riggerbach, Pro Tem Jensen – 8;

Nays: Oyler – 1;

Abstention: Ruckriegel – 1.

Council Member Allen moved to approve a Resolution adopting the 2023 Revised Budget for the City of Peoria, as amended; seconded by Council Member Jackson.

Council Member Grayeb discussed the City response to the pandemic that affected the City's Budget since March 2020 with decreased spending, and how the City was recovering with rebounding revenues, noting he was in support of the 2023 Budget.

Council Member Kelly commended the efforts to produce a balanced Budget, but he said he was frustrated at the lack of investments to increase the City's assessed value. After stating public safety pension fund obligations should be prioritized, he said he would not vote to approve the 2023 Budget as presented.

Mayor Pro Tem Jensen said citizens advocated for additional funding allocated for sidewalk repairs in the older neighborhoods. City Manager Ulrich discussed potential funding from the State of Illinois and the option to explore additional projects in 2023 when the City received all 2022 revenues, noting more information would be available in January 2023.

Mayor Ali said she enthusiastically supported the 2023 Budget approval.

Council Member Cyr said frustrations arose during Budget discussions, citing allocation of funds and Council priorities, and he said while it was not perfect, he would support the approval of the

2023 Budget. He said a Strategic Planning Session was needed to identify the vision of the Council, noting it had been over two years since the previous session was held and it was his third request to schedule one. He said a surplus was discussed by multiple Council Members during Budget discussions, but he said there was not a surplus because the City was in debt and had unfunded liabilities.

RESOLUTION NO. 22-393 adopting the 2023 Revised Budget for the City of Peoria was approved, as amended, by roll call vote.

Yeas: Mayor Ali, Allen, Cyr, Grayeb, Jackson, Riggerbach, Pro Tem Jensen – 7;

Nays: Kelly, Oylar – 2;

Abstention: Ruckriegel – 1.

NEW BUSINESS

Peoria High School Football

Council Member Allen announced the Peoria High Football Team, the Lions, were part of the State Championship Tournament.

Stormwater Utility Fund Projects

Council Member Riggerbach said it was important to take notice of the culvert replacement projects and other projects in progress throughout the City funded through the Stormwater Utility Fund, noting the benefits they afforded the community and local businesses.

Legislative Breakfast

Council Member Grayeb said the State of Illinois Lawmaker Legislative Breakfast was scheduled in January 2023, and Council Members should submit suggestions for inclusion on the list for this year. City Manager Ulrich said Heads of the Departments and Council Members should submit their suggestions or requests by December 2, 2022. He said the Legislative Breakfast was scheduled for January 20, 2023, tentatively, to be held at the Peoria Public Library Downtown Peoria location.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Pro Tem Jensen granted privilege of the floor to those citizens wishing to address the City Council.

Barbara Pierce, a citizen of Peoria, said she was a neighbor to the property on Talisman Terrace applying for a Short-Term Rental permit, and she expressed her disappointment a motel would be allowed to operate in the neighborhood. She said there were safety concerns, and she did not agree with allowing Short-Term Rental properties in residential areas.

Christina Rose, a member of the Lynnhurst Homeowners Association (HOA), thanked the Council for the deferral on the Talisman Terrace Short-Term Rental item, to allow for communication with neighbors regarding the application and potential HOA rule amendments. She said she would provide an update at the December 13, 2022, City Council Meeting.

EXECUTIVE SESSION

Consideration of a Motion for the City Council to enter into EXECUTIVE SESSION pursuant to 5 ILCS 120/2(c)(11), litigation, when an action against, affecting or on behalf of the particular public body has been riled and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; and 2(c)(21), discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes, or semi-annual review of the minutes.

Council Member Oyler moved to enter into Executive Session pursuant to 5 ILCS 120/2(c)(11), litigation, when an action against, affecting or on behalf of the particular public body has been riled and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; and 2(c)(21), discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes, or semi-annual review of the minutes; seconded by Council Member Cyr.

Motion to enter into Executive Session was approved by roll call vote.

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

Nays: None.

ADJOURNMENT

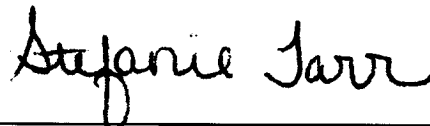
Council Member Oyler moved to adjourn the City Council Meeting; seconded by Council Member Cyr.

Motion to adjourn the City Council Meeting was approved by roll call vote.

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

Nays: None.

The Regular City Council Meeting was adjourned at 8:13 P.M.



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