

**: OFFICIAL PROCEEDINGS :**

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

A Joint Regular Meeting of the City Council and Town Board of Trustees of Peoria, Illinois, was held February 12, 2019, 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 physically present: Akeson, Cyr, Grayeb, Jensen, Moore, Montelongo, Oyler, Ruckriegel, Turner, Mayor Ardis – 10. Absent: Riggenbach – 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**National Engineer's Week  
Catholic Women's League Day  
50<sup>th</sup> Anniversary of Maloof Realty  
National Bowling Recognition Award**

**ANNOUNCEMENT REGARDING NOTICE TO TOWNSHIP ELECTORS**

Mayor Ardis announced, pursuant to Public Act 095-0761, any citizen who wishes to have an item considered on the Agenda at the Annual Town Meeting to be held Tuesday, April 9, 2019, at 6:00 P.M., is required to bring a specific request signed by 15 or more electors to the Clerk no later than March 1, 2019. He continued by saying that any group of registered voters may request an advisory question of public policy for consideration by the electors at the annual meeting by giving written notice of the specific advisory question to the Township Clerk in the same manner as required for an agenda item under subsection (b) of Section 30-10 of the Township Code.

**MINUTES**

Council Member Grayeb moved to approve the minutes of the Regular City Council Meeting held on January 22, 2019, and the Special City Council Meeting held on January 26, 2019, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner,  
Mayor Ardis - 10;

Nays: None.

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

- (19-035) Communication from the Township Supervisor with a Request to APPROVE a RESOLUTION Employing MESCHER LAW OFFICES to Represent the Town of the City of Peoria.**

Trustee Grayeb moved to approve a Resolution employing Mescher Law Offices to represent the Town of the City of Peoria; seconded by Trustee Turner.

RESOLUTION NO. 19-035 was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Chairman Ardis - 10;

Nays: None.

- (19-036) REQUEST from the Town Officials to APPROVE the JANUARY 2019 ACTUAL EXPENDITURES and to APPROVE the FEBRUARY 2019 ANTICIPATED EXPENDITURES for the Town of the City of Peoria.**

Trustee Grayeb moved to approve the January 2019 actual expenditures and to approve the February 2019 anticipated expenditures for the Town of the City of Peoria; seconded by Trustee Turner.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Chairman Ardis - 10;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****CONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined**

- (19-037) Communication from the City Manager and the Fire Chief with a Request to APPROVE the SALE of an ALUMINUM BOAT that is not usable by the Peoria Fire Department.**
- (19-038) Communication from the City Manager and the Fire Chief with a Request to APPROVE a SOLE SOURCE PURCHASE of two (2) Lifepak 15 Defibrillator's from PHYSIO CONTROL, in the Amount of \$45,752.44.**
- (19-039) Communication from the City Manager and Interim Director of Public Works with a Request for Approval of the Following Items:**
- A. APPROVE Change Order #2 to the 2018 SIDEWALK PARTICIPATION CONTRACT with ILLINOIS CIVIL CONTRACTORS, INC., in the Amount of \$22,000.00, for a Total Budget Amount of \$452,000.00 for this Construction Project (Ref. #18-104 and 18-176); and**
  - B. ADOPT ORDINANCE NO. 17,653 Amending the City of Peoria 2019 REVISED BUDGET Relating to the 2019 Capital Fund to Increase the 2018 Sidewalk Participation Program by \$22,000.00 and to Recognize the Corresponding Reimbursements from 1) Developer Dan Waibel and 2) Illinois American Water Company.**

- (19-040) 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 ORDINANCE NO. 17,654 Approving a Special Use in a Class R-4 (Single Family Residential) District for a PLACE OF WORSHIP for the Property Located at 1004 N. INSTITUTE PLACE (Parcel Identification No. 08-05-327-050), Peoria, IL. (Council District 2)
- (19-041) \* Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Partially Abating the Tax Heretofore Levied to Pay Special Service Area Property Taxes on the PEORIA SPORTS CENTER PROPERTY TAX SPECIAL SERVICE AREA, in the Amount of \$225,000.00.
- (19-042) \*\* Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Partially Abating the Tax Heretofore Levied to Pay Special Service Area Property Taxes on the HOLIDAY INN PROPERTY TAX SPECIAL SERVICE AREA, in the Amount of \$95,000.00.
- (19-043) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 17,655 Abating the Remaining Taxes Heretofore Levied to Pay Principal of and Interest on the Taxable Variable Rate GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, of the City of Peoria, Peoria County, Illinois 2012 Series C.
- (19-044) APPOINTMENT by Mayor Ardis to the PEORIA CIVIC CENTER AUTHORITY with a Request to Concur:  
  
Henry Vicary (Voting) - Term Expiration 2/28/2021
- (19-045) APPOINTMENT by Mayor Ardis to the DOWNTOWN ADVISORY COMMISSION with a Request to Concur:  
  
Kevin Evans (Voting) - Term Expires 06/30/2019
- (19-046) APPROVE the COMMITTEE REPORT (POLICY SESSION) Regarding ECONOMIC DEVELOPMENT.

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

Council Member Jensen requested Item No. 19-041 and 19-042 be removed from the Consent Agenda for further discussion.

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

Item Nos. 19-037 through 19-046 (excluding Item Nos. 19-041 and 19-042) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

- (19-041)**      **Communication from the City Manager and Finance Director/Comptroller**  
\*                **with a Request to ADOPT an ORDINANCE Partially Abating the Tax**  
                  **Heretofore Levied to Pay Special Service Area Property Taxes on the**  
                  **PEORIA SPORTS CENTER PROPERTY TAX SPECIAL SERVICE AREA, in**  
                  **the Amount of \$225,000.00.**

A revised Ordinance was distributed to all Council members.

Finance Director/Comptroller Jim Scroggins provided an overview of the Sports Center Special Service Area. He said the SSA was performing well, and because of this, he recommended to partially abate the Special Service Area Property Taxes, in the amount of \$225,000.00, with the remaining \$410,000.00 to be levied. He said the revenue from the Peoria Sports Center was sufficient to partially make the annual debt service payment.

Council Member Cyr moved to adopt an Ordinance partially abating the tax heretofore levied to pay Special Service Area Property Taxes on the Peoria Sports Center Property Tax Special Service Area, in the amount of \$225,000.00; seconded by Council Member Oyler.

ORDINANCE NO. 17,656 was adopted by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner,  
Mayor Ardis - 10;

Nays: None.

- (19-042)**      **Communication from the City Manager and Finance Director/Comptroller**  
\*\*                **with a Request to ADOPT an ORDINANCE Partially Abating the Tax**  
                  **Heretofore Levied to Pay Special Service Area Property Taxes on the**  
                  **HOLIDAY INN PROPERTY TAX SPECIAL SERVICE AREA, in the Amount of**  
                  **\$95,000.00.**

See discussion under Item No. 19-041 noting \$95,000.00 was to be abated with the remaining \$73,000.00 to be levied.

Council Member Jensen moved to adopt an Ordinance partially abating the tax heretofore levied to pay special service area property taxes on the Holiday Inn Property Tax Special Service Area, in the amount of \$95,000.00; seconded by Council Member Cyr.

ORDINANCE NO. 17,657 was adopted by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner,  
Mayor Ardis - 10;

Nays: None.

## **PRESENTATIONS**

### **Presentation by Marvin Hightower, President of Peoria NAACP**

Peoria President of the NAACP Marvin Hightower provided the following presentation:

*The multitude of stories that have been written about our City highlight a serious crisis of hope that permeates this community. We will acknowledge a first step being taken by the City of Peoria (Mayor, Council and Management) by hiring Dr. Farris Muhammad as the City of Peoria's first ever Chief Diversity and Inclusion Officer. The Black citizens recognize the need to address racial equity issues within the City, as an organization, and throughout the larger Peoria community.*

*In 2018, some of the Black Leaders met with City Leaders to address the racial disparities and inequities experienced by the African-American community throughout Peoria. These inequities (centered on unemployment, housing segregation, poverty rates, incarceration, education, etc.) that led to the City of Peoria receiving national recognition as the worst city in America for African-Americans as well as the most recent designation as having the most segregated schools in America.*

*We can (either) shed the most painful part of this legacy of inaction and move into a new era – an era in which we design a practice of investment that puts people, communities and families at the center.*

*Our Mission as (the) Black citizens is to support Dr. Muhammad as he serves in the role of the Chief Diversity and Inclusion Officer through partnerships and resources. As such, we are:*

- *Holding the City accountable for ensuring that equity is permeated in every department and area of City government. That plan, as well as taking specific actions that will produce tangible results in the improvement of African Americans, so that we are not one of the worst placed for African-Americans to reside.*
- *We demand to be a partner with the City in the development of plans that will help improve outcomes.*

*The politics that has guided decision-making has been very transactional and based on the calculus of pragmatism and self-interest. If we do not get the representation necessary to partner with us to fight for our community, we will use the electoral process to find people who will.*

*The signees represent more than 25 local and regional organizations and over 15 houses of worship that communicate with over 2,000 families who are members or visitors of our congregations. We believe in serving our community and meeting the many needs that come (in) our attention. We look to partner with the City of Peoria to make an impact on a daily basis in the thousands of African-American lives we are able to influence in the Peoria Community.*

*Sincerely,*

*Marvin Hightower  
President of Peoria NAACP Branch*

*Additional Signees:*

*Donald Jackson, Past President of the Illinois  
State Conference of Branches NAACP,  
Past President Peoria Branch NAACP  
Laraine Bryson, President of Tri-County  
Urban League  
Claude White, Grace Baptist Church, President  
Baptist Minister  
Ronda Guyton  
Jessie McGown, Jr.  
Martin Johnson, New Beginning Ministries  
Sherry Carter-Allen, NAACP  
Sherry Cannon, NAACP  
Harold Dawson, Jr., New Life Christian Center  
Samuel Duren, Zion Baptist Church  
Craig Williams*

*Terry Burnside, P-Town Car  
Club, Street Outreach Worker  
Nia McFarland-Drye  
Deveraux Hubbard  
Chama St. Louis, Found Black  
Justice Project  
Jamila Wilson  
Gregory Washington  
Chris Wade  
Marlon Young, Jr.  
Lynn Scott Pearson  
McFarland Bragg, Executive  
Director PCCEO  
Derrick Booth*

Marvin Hightower recognized State Representative Jehan Gordon-Booth who was present at the meeting.

Council Member Jensen moved to receive and file the presentation and place the letter from Marvin Hightower, President of Peoria NAACP Branch into the permanent record; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

**(19-047) Communication from the City Manager and Assistant City Manager with a Request to RECEIVE and FILE a PRESENTATION Regarding PACVB 2019 Outlook**

Don Welch, President and CEO of the Peoria Area Convention and Visitor's Bureau, provided a presentation on the efforts of the PACVB and compared progress between 2018 and 2019. He presented an ad that was televised noting the Bureau was working on another ad for 2019. He reviewed the number of events the PACVB brought to Peoria for 2018, the number of days the Peoria Civic Center was used, the number of hotel reservations made and the number of people who attended events. He reported that the Peoria Civic Center was utilized 108 days with 179 contracted usage days for future events. He reviewed the number of upcoming events, expected attendance for those events, the number of hotel reservations and the number of days the Peoria Civic Center would be utilized. He reported the revenues the PACVB helped bring to the City and the amount of local taxes generated, as well as the positive financial impact to local businesses. He reviewed the PACVB's plans for 2019 with additional community events, the implementation of a mobile passport, HR recruiting, and a website design.

In response to Council Member Jensen regarding the cost of the marketing efforts of the PACVB, Mr. Welch said the market value was higher than the actual cost of PACVB's marketing efforts, which included efforts in the Chicago and St. Louis areas.

Council Member Ruckriegel congratulated the efforts of the PACVB for renewing a 5-year contract with IHSA, noting it was the largest convention hosted by the Civic Center, and he inquired as to how this impacted job opportunities within the City. He also inquired as to how far in the future an event was booked.

Mr. Welch stated that there were approximately 5,000 jobs tied to the hospitality industry ranging from entry level wages on up. He said sporting events were currently being scheduled for later 2019 or early 2020 and other events were scheduled for 2022 and beyond.

Mayor Ardis commented that when conventions booked the Civic Center it was generally two to four years into the future. He remarked on the importance of hotel rooms in the downtown area and expressed a need for the Sheraton Four Points to open its doors to the public as soon as it was ready. He commented on the Tailgate and Tallboys series on the Riverfront and the number of people it brought to the City.

In response to the live music series on the Riverfront, Mr. Welch commented that the majority of those attending those venues came from outside a 50-mile radius of the City.

Council Member Cyr moved to receive and file a presentation regarding PACVB 2019 Outlook; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

**(19-048) Communication from the City Manager with a Request to RECEIVE and FILE a PRESENTATION from BRADLEY UNIVERSITY Regarding WCBU.**

Mr. Zack Gorman, Chief Information Officer for Bradley University provided an update of the plans for WCBU. He reported that the engineering complex on campus was slated to be demolished in the fall of 2019. He said the University did not feel it was the best stewardship of its money to move the radio station. He said the University faced financial challenges, so proposals were sought seeking ideas for the radio station. He said three proposals were received with two being viable. He said WGLT had a mission to provide public radio to the community, reporting the details were being worked through and finalized. He said the Peoria Journal Star was included in the process from the onset and the University continued to meet with various citizen groups. He said updates were provided at monthly advisory board meetings, noting the next meeting would be in March. He said weekly updates were provided over the radio as to the status along with FAQs provided online. He said rumors continued to be a challenge and he said the University never planned to eliminate public radio in the City of Peoria. He said it would remain 89.9, the two radio towers would remain, and it was intended to retain local news and programming. He said management partnerships would reduce costs. He said donations and underwriting checks would continue to be made to WCBU. He said it was the University's intent to finalize the agreement before the engineering complex was demolished.

Discussions were held regarding local programming and what it entailed. Mr. Gorman said if the University could reduce its costs it could expand some of its programming along with its current programming. He said the University intended to keep the radio studio and the station's staff local and the University would continue to retain the license after two years.

Council Member Jensen moved to receive and file the presentation from Bradley University regarding WCBU; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

**(19-049) Communication from the City Manager with a Request to RECEIVE and FILE a PRESENTATION from the CENTER FOR PREVENTION OF ABUSE Regarding HUMAN TRAFFICKING.**

Carol Merna, Executive Director for the Center for Prevention of Abuse, expressed her appreciation for the invitation to speak at the Council meeting and the opportunity to discuss the issue of human trafficking. She recognized State Representative Jehan Gordon-Booth and Derrick Booth, Director of Social and Emotional Learning at the Center for Peoria Public Schools and Board Member for the Center for Prevention of Abuse. She provided a narrative on human trafficking stating that the Center began to strategize on leadership and to care for

those experiencing that type of trauma. She said the Center had been in Peoria since 1975 and was available 24/7 with six locations. She said there were 117 professional staff members stating that the Center was the only agency in Illinois that had all sanctions of services under one roof, noting human trafficking services began in 2018.

Sara Dillefeld Sefried, Director of Human Trafficking Services, provided a presentation on human trafficking noting there were more people in slavery today than in history. On January 4, 2018, she said the Center opened a division that provided human trafficking services. She provided statistics noting that there were 24.9 million victims trapped in human trafficking, which was twice the population of Illinois. She said Illinois ranked 9<sup>th</sup> in the nation for the number of calls reported. She said three years ago the Center was chosen by the Justice Department to provide services based on its location, reputation, and the number of calls to the national hotline. She said their main initiative was to train law enforcement on how to identify situations. She summarized by providing an overview on their efforts for 2019.

In response to Council Member Grayeb on how the Center collaborated with other entities, Ms. Sefried said suspicious businesses were reported to the local police. She said the Center encouraged all survivors to reach out for services and to make a report. She said the Center also had a great partnership with the FBI and Homeland Security, and she said they encouraged all local enforcements to collaborate with the Federal Departments.

Council Member Grayeb inquired as to the City's efforts since the passing of the regulation of bodyworks establishments. City Manager Urich said the Community Development Department was working on building code issues and was collaborating with the Police Department on other issues. He encouraged the Center to meet with the Peoria Police Department to train them on how to identify human trafficking issues.

Council Member Jensen expressed an appreciation for the presentation and she recommended training the Firefighters and City Staff who worked in the field, noting that these issues could be present at a time when a Staff member was present for another reason.

Ms. Sefried reported there were 11 preventionists who went to the local schools to provide information to all Staff members on a variety of topics. She said human trafficking was presented in October of 2018, noting that teens were the most vulnerable of the population.

Council Member Jensen requested periodic updates from the Center for Prevention of Abuse regarding human trafficking as well as other programs.

Mayor Ardis expressed his appreciation to Ms. Merna and her staff for the presentation noting it was an important issue and it was important for the community to understand the scope.

At the request of Mayor Ardis, Ms. Sefried reviewed the indicators of human trafficking as follows: physical abuse, manipulation, coercion and control. She said victims were monitored in their movements and communication, and may not be in possession of identification. She said other signs included neglect such as proper nutrition and medical needs.



Council Member Moore moved to receive and file a presentation from the Center for Prevention of Abuse regarding Human Trafficking; seconded by Council Member Montelongo.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

### **FIRST READINGS**

**(19-050) Communication from the City Manager and Director of Community Development with a Request to Concur with the Planning & Zoning Commission and Staff for a FIRST READING of an ORDINANCE Amending Appendix A, the Unified Development Code, Relating to VARIATIONS.**

Community Development Director Ross Black provided an overview of the proposed Ordinance relating to variations noting it was a text amendment. He provided an overview of how variances were processed and granted, and the criteria for receiving a variance. He said, currently, only a 20% variance on certain aspects of the Code could be provided. He said the Zoning Board of Appeals could grant a variance on any aspect with exceptions of the Special Use and the Form Districts. He said the City Council had the authority to issue any waiver. He said the proposed Ordinance provided for a minor variance. He explained the process noting the relief could then be granted from 20% to 50%. He said anything above 50% would need to go through the existing process.

At the conclusion of the discussion, Council Member Oyler moved to receive and file the First Reading of an Ordinance amending Appendix A of the Unified Development Code relating to variations; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-050 will be placed on the February 26, 2019, Regular City Council Meeting agenda.*

**(19-051) Communication from the City Manager and Fire Chief with a Request for a FIRST READING of an ORDINANCE Establishing and Implementing a Program to CHARGE MITIGATION RATES for the Deployment of Emergency and Non-Emergency Services by the Fire Department for Services Rendered by the Peoria Fire Department.**

A replacement Ordinance was distributed to all Council Members.

City Manager Urich said this item was discussed during the budget talks for the 2019 Revised City Budget and built into the budget as proposed revenue. He said should this Ordinance be adopted, then it would generate approximately \$200,000.00 toward closing the budget shortfall. He said there were other communities with a similar Ordinance such as Bloomington, Normal and East Peoria.

Fire Chief Edward Olehy provided an overview of the proposed Ordinance noting that it would provide for the billing of motor vehicular accidents, auto extrications, auto fires, boat fires and boat tows when the Fire Department had to respond. He said several of the listed items were already being billed, but this Ordinance captured auto accidents. He said the bill would be sent to the individual who was at fault. He said, for residents, it was a zero-balanced based billing and would be sent to the insurance company. He said for those individuals who lived outside the City of Peoria, they would receive an actual bill.

In response to Council Member Cyr regarding the billing process, Chief Olehy said the at-fault party would be billed. He said if payment was not received then it would go through the collection process.

Council Member Cyr said the City should try to define itself and not let other cities define Peoria. He expressed a concern on how this would impact visitors to the City and the potential negative affect it could have on revenues, noting it could deter people from coming to Peoria.

Discussions were held on similar fines other cities charged and City Manager Urich said he would provide additional information of the fees other cities charged for fire service to vehicular accidents.

Council Member Jensen expressed a concern that the citizens' insurance rates would go up and she requested a Report Back at the next City Council meeting regarding the issue.

Discussions were held on how this item would affect the City's budget. It was noted that without the passing of this Ordinance, the City's budget would be short \$200,000.00. It was also discussed that should this item not pass then the City Council would need to find another revenue source or find another \$200,000.00 in cuts to the current budget.

Discussions were held regarding the fee established through the Fire Recovery Company. Chief Olehy commented that the fee proposed was used throughout the country and was accepted by insurance companies. He said a flat fee could be selected so everyone could be charged the exact same fee. It was noted that City Staff did not set the fee, but an outside company set a fee for what would be charged. Chief Olehy commented that the fee was a national standard.

Council Member Grayeb said he would not be supporting this item, noting it sent a wrong message about Peoria to the people who came and spent money in the community. He expressed a concern that there was a continued focus on the Fire Department when it related to budgetary issues. He recommended reaching out to the Illinois Insurance Association to receive information from them regarding this issue. He asked how comparative negligence would be processed and he requested expert testimony from the insurance industry on this matter.

Mayor Ardis said this item was presented to the City Council by the Firefighters Local 50 who was trying to address the budgetary issues. He said the majority of the Council voted for this item as it related to the 2019 Revised Budget and he provided a brief overview of the discussions that were held during the budget discussions. He said he looked forward to getting additional information and he said he understood the concerns about how the community would be perceived. He said this item would only cover the cost the City incurred and was an item that needed to be reviewed.

Council Member Oyler requested a Report Back on how the billing was structured. He said this item was mainly focused on individuals who lived outside the City of Peoria, but now it included those inside and outside the City. He said he was concerned with the proposed fees and the impact it would have on citizens, especially on Bradley students. He said there could be situations where the fee would be higher than the value of the vehicle. He said there needed to be more discussion on this topic and he said he was concerned there would be disparity.

Council Member Grayeb requested more expert advice on the issue, noting caution that this item would not be well received. He said there may be communities who implemented a similar fee that were now trying to repeal it. He remarked on the importance of learning why similar situations were being repealed. He said if this item was not approved, the new revenue sources needed to be researched.

Council Member Cyr moved to receive and file the First Reading of an Ordinance establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Fire Department for services rendered by the Peoria Fire Department; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Turner,  
Mayor Ardis - 9;

Nays: Ruckriegel - 1.

*CLERK'S NOTE: Item No. 19-051 will be placed on the February 26, 2019, Regular City Council Meeting agenda.*

**(19-052) 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 with a Request for a FIRST READING of an ORDINANCE Amending Appendix A of the Unified Development Code Relating to PARKING IN THE WAREHOUSE FORM DISTRICT. (Council District 1)**

Community Development Director Ross Black said this item was an amendment to the zoning requirements within the Warehouse Form District and he recommended eliminating the 30-foot setback requirement to allow greater opportunities for redevelopment. He said a street wall would still be required on a parcel without a building.

Council Member Grayeb moved to receive and file a First Reading of an ORDINANCE amending Appendix A of the Unified Development Code relating to parking in the Warehouse Form District; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner,  
Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-052 will be placed on the February 26, 2019, Regular City Council Meeting agenda.*

**(19-053) Communication from the City Manager and Interim Director of Public Works with a Request for a FIRST READING of an ORDINANCE Amending CHAPTER 26 of the CODE of the City of Peoria Regarding BARRICADES, ROUTING OF TRAFFIC AND PARKING LOT PERMITS.**

Interim Public Works Director Bill Lewis provided an overview of the amendment noting it carried two parts: 1) require contractors to have names on their barricades and 2) address parking lot permits.

Council Member Cyr moved to receive and file a First Reading of an Ordinance amending Chapter 26 of the Code of the City of Peoria regarding barricades, routing of traffic and parking lot permits; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-053 will be placed on the February 26, 2019, Regular City Council Meeting agenda.*

**(19-054) Communication from the City Manager and Community Development Director with a Request for a FIRST READING Review of an ORDINANCE Amending CHAPTER 13 of the CODE of the City of Peoria Pertaining to VIOLATION FINES and FEES.**

Community Development Director Black said this item was similar to Item No. 19-055 but addressed a different Chapter in the City Code. He said this item was a request to increase fines and fees of those not maintaining properties within the City limits. He reviewed the proposed increases and he said, in anticipation of the revenue, the Department requested additional temporary Code Enforcement Aides to be hired for the summer to address litter issues. He said the additional revenue generated might also apply towards the purchasing of a software to track the self-inspection form for rental units.

Council Member Moore requested a chart that reflected the violation, the current fee and the proposed fee. She also requested the zip codes for those who were receiving the fines and fees to ensure there were no unintended consequences.

In response to Council Member Moore, Director Black said the issuance of a ticket was at the discretion of the Code Inspector. He said if it was a first time offense, then a ticket most likely would not be issued.

Council Member Moore expressed a concern that there was no protocol for issuing a fine or fee. Director Black said he would bring back to the Council the process used to determine the parameters and when tickets would be issued.

In response to Council Member Cyr on whether the proposed fine increases were in the budget, Director Black said they were not included in the 2019 Revised Budget. City Manager Urich said this item would necessitate a super majority vote in order to adopt any expense to coincide with the revenue. He said this item would generate approximately \$110,000.00 in revenue and \$75,000.00 in expenses.

Mayor Ardis inquired about the administration appeal fee and if someone was found not guilty on the appeal, would they get their money back. Director Black said the administration appeal fee was to cover the cost of staff and supplies. He said the fee would be refunded back to the individual if they were found not guilty.

Council Member Jensen inquired on the collections initiative and whether it was on track. She requested a Report Back regarding the collection of fines and fees. Corporation Counsel Leist said the last report generated reflecting the City had collected \$75,000.00, and he said he would provide a Report Back at the next meeting.

Council Member Cyr moved to receive and file the First Reading review of an Ordinance amending Chapter 13 of the Code of the City of Peoria pertaining to violation fines and fees; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-054 will be placed on the February 26, 2019, Regular City Council Meeting agenda*

**(19-055) Communication from the City Manager and Community Development Director with a Request for a FIRST READING Review of an ORDINANCE Amending CHAPTER 5 of the CODE of the City of Peoria Pertaining to VIOLATION FINES and FEES.**

Community Development Director Black said this item contained the exact information found in Item No. 19-054, but related to a different chapter in the Code.

Council member Ruckriegel moved to receive and file a First Reading of an Ordinance amending Chapter 5 of the Code of the City of Peoria pertaining to violation fines and fees; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-055 will be placed on the February 26, 2019, Regular City Council Meeting agenda*

**(19-056) Communication from the City Manager and Community Development Director with a Request for a FIRST READING Review of an ORDINANCE Amending CHAPTER 5 of the CODE of the City of Peoria Pertaining to INSPECTION OF DWELLINGS.**

Community Development Director Ross Black provided an overview of the proposed Ordinance amending Chapter 5 of the Code as it related to the inspection of dwellings noting that it would amend past practices and to bring them up to current standards.

Council Member Ruckriegel inquired about Section 5-32(c) and (d), which were proposed to be stricken from the Code. Director Black said he would review those sections indicating that it may be replicated elsewhere in the Code.

Council Member Moore inquired whether other organizations were involved with the language in the proposed Ordinance, and Director Black said he would discuss the matter with Prairie State Legal as well as the Fair Employment and Housing Commission to seek input.

Assistant Community Development Director Joe Dulin said the City had a meeting scheduled with Prairie State Legal and he said he would reach out to the Fair Housing Commission in order to obtain input on this matter.

Council Member Grayeb moved to receive and file the First Reading review of an Ordinance amending Chapter 5 of the Code of the City of Peoria pertaining to inspection of dwellings; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

*CLERK'S NOTE: Item No. 19-056 will be placed on the February 26, 2019, Regular City Council Meeting agenda.*

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

- (19-057) 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 O-1 (Arterial Office) District for a PRESCHOOL for the Property Located at 3406 N. ROCHELLE LANE, (Parcel Identification No. 13-25-427-011) Peoria, IL. (Council District 4)**

Council Member Montelongo said the Petitioner requested to defer this item to the first meeting in March and he moved to defer this item to the March 12, 2019, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer to the March 12, 2019, Regular City Council meeting was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

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

- (18-275) Communication from the City Manager and Director of Community Development with a Request for DIRECTION on Amending CHAPTER 13 of the CODE of the City of Peoria Pertaining to REFUSE CONTAINERS.**

**MOTION ON THE FLOOR: To adopt an Ordinance amending Chapter 13 of the Code of the City of Peoria pertaining to refuse containers.**

Community Director Black provided an overview of this item stating that Staff was seeking direction on how to amend the Code as it related to the screening of refuse containers. He reviewed the issues that were discussed at the last Council meeting regarding this item and he discussed options for the Council to consider.

Council Member Montelongo said the proposed screenings would be consistent with an area that would go before a review board. He recommended allowing a wood screening noting it would need to be maintained on an annual basis.

Council Member Cyr expressed a concern regarding industrial parks, noting those areas should be under different standards than a residential dwelling. He said if no garbage was showing and the screening was maintained correctly, the vinyl or wood should not be prohibited.

In response to Council Member Akeson, Director Black said the purpose of the screening is for visual effect and to contain the garbage.

Council Member Akeson expressed a concern regarding screening at multi-unit complexes where enclosures were not operating properly and Director Black said that issue could be addressed in the Ordinance. He commented that the purpose of the Ordinance was to have a full enclosure.

Council Member Akeson recommended obtaining feedback from commercial waste haulers due to the fact that the enclosures could make it difficult for the garbage to be picked up and could add to the maintenance issue. She remarked on the importance of alerting property owners of the proposed changes and the deadline by which those changes needed to be implemented.

Council Member Grayeb expressed a concern that garbage could be strewn behind the screening enclosures. He said there needed to be some type of visibility to ensure what was in and what was not in the garbage containers, which was a recommendation for health and sanitary purposes.

Council Member Montelongo moved for a substitute motion to defer this item to the February 26, 2019, Regular City Council meeting; seconded by Council Member Akeson.

Substitute motion to defer to the February 26, 2019, Regular City Council meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

**(19-020) Communication from the City Manager and Interim Director of Public Works with a Request to for the Following:**

- A. APPROVE a 3-Year CONTRACT with THE CLEANING SOURCE, for the First Year Base Amount of \$245,254.00, for Janitorial Services to City Building Groups 3 and 4;**
- B. APPROVE a 3-Year CONTRACT with LINDSAY'S DEPENDABLE CLEANING SERVICE, for the First Year Base Amount of \$49,958.98, for Janitorial Services to City Building Groups 1 and 5; and**

**C. APPROVE a 3-Year CONTRACT with LUDY'S CLEANING SERVICES, for the First Year Base Amount of \$50,250.00, for Janitorial Services to City Building Group 2.**

Council Member Moore moved to reject all contracts and to reissue a Request for Proposal for janitorial services for the City of Peoria; seconded by Council Member Turner.

In response to Council Member Cyr regarding the reason to reject all contracts, City Manager Urich said there were some concerns that needed to be addressed and the best way to address those concerns was to rebid the entire service.

Motion to reject all contracts and to reissue a Request for Proposal for janitorial services for the City for Peoria was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

**ADDITIONAL UNFINISHED BUSINESS**

**PDC Recycling Pickup**

City Manager Urich said the City had discussions with PDC regarding alley pickup service for recycling. He said the area in question was from Forrest Hill and south. He said there was a compromise stating that PDC would offer two recycling carts to the affected households and recycling would convert to monthly pickup and pickup would occur in the alley. He said for those households with curbside pickup, recycling and garbage pickup would still occur every other week. He said he would bring back a contract amendment to the City Council at the next Council meeting and the amended contract would take effect April 1, 2019.

Council Member Grayeb expressed a concern regarding the proposed change in recycling pickup noting it was not Council's desire to limit the number of pickups south of Forrest Hill. He said negotiations needed to continue noting that those who live south of Forrest Hill were being treated in a way inconsistent with governance.

Council Member Akeson said she concurred with Council Member Grayeb regarding alley pickup and she expressed a concern that the original contract was approved prior to the Council being alerted of this change in pickup services. She said people living south of Forest Hill were being discriminated against due to their location. She said recycling had to continue every other week regardless if it is alley or curbside pickup, even if it caused a budget amendment.

**Policy Session Regarding TIFs**

Council Member Akeson said, at the last Policy Session regarding economic development, the topic of TIFs was deferred to a later date. She said there were significant TIF issues that the City Council needed to decide how to handle. She asked the City Manager to provide an update on the Rivertrail TIF.

City Manager Urich said he would schedule a Policy Session at the next City Council meeting. He said the plan was to close the Rivertrail TIF. He said the only reason to keep this TIF open was if the City Council wanted to use any TIF fund to do public improvements such as fixing the trail, which was an appropriate use of TIF dollars. He said Staff was still working to obtain appraisals in order to complete the Lawcon conversion and he said the appraisals would be shared with the City Council upon receipt.



Council Member Akeson said the Council may want to do some restoration of the Rivertrail and she remarked on the importance of the Council being fully informed with all options available. She recommended holding a Policy Session on a separate night from a Council meeting.

#### **ACLU Report and Traffic Report Back**

Council Member Moore asked the Chief of Police to provide an update on the ACLU. She also asked if the Report Back was completed regarding traffic reports.

City Manager Urich said a Report Back regarding traffic reports would be completed by the end of the week.

Chief of Police Loren Marion said the ACLU posted a series of recommendations for when Police Officers conducted traffic stops. He reported that the Peoria Police Department and the City agreed with those recommendations. He reviewed the recommendations, specifically with police dogs and body cameras. He provided an update on each noting that the City was currently implementing those recommendations. He said the only change where there were discrepancies was with the consent searches. He said this was not supported because they were deemed constitutional by the Supreme Court.

Corporation Counsel Don Leist said *Schneekloth v. Bustamonte* was a U.S. Supreme Court case involving a consent search in which it was ruled that the State did not need to prove that the one who was giving permission to search knew that he had a right to withhold his consent. He said the Supreme Court held that consent searches were an important tool and it was not necessary to give a Miranda warning. He said it was the understanding and recognition of the fact that searches could be less bothersome to allow consent. He said the Supreme Court held there was not undue coercion.

Council Member Moore expressed a concern noting the possibility of a person being intimidated when asked to consent to a search. She remarked on the importance that Police Officers were not overly intimidating. She said they needed to be trained to provide safe service and to not make some groups fearful of being stopped.

#### **Update Regarding the Fitch Study**

In response to Council Member Oyler, City Manager Urich provided an update on the Fitch Study stating one more element was needed to complete it, which was the examination of dispatch and Police operations. He said the study should be completed within the month and would provide a Report Back to the City Council with the findings. He said it should be on the Council agenda the second meeting in March.

#### **PDC Recycling Pickup Service**

Council Member Jensen said the goal of recycling pickup service was to increase recycling. She said she agreed with Council Member Akeson that the City should have to pay an additional cost in order to get this service, noting it was an unfair contract for those who lived in older neighborhoods. She expressed a concern that the City Council was not notified of this change in service.

#### **ACLU Update Hard Copy**

Council Member Grayeb asked Chief of Police Marion to provide a written version of the presentation he gave to the City Council regarding the ACLU inquiry.

**NEW BUSINESS****Software Conversion**

Council Member Cyr requested an update on the software conversion and he asked when the City Council would get a sample of a report. City Manager Urich said sample reports were distributed to all Council Members. He said Staff was still working through the new financial system and a January report was not yet available. He said Staff would not have the January sales tax numbers for another 90 days. He said the reports distributed were December's unaudited financials. He said Finance Director Jim Scroggins and his Staff continued to refine the reports. He said Staff would appreciate feedback from the City Council as to the types of reports they would like to receive.

**Free Haircuts Every Tuesday in February**

Council Member Moore said, in light of Black History month, Larry's Barber College would be providing free haircuts every Tuesday during the month of February.

**Appreciation for City's Chief Diversity Officer**

Council Member Moore expressed her appreciation to the Black Leadership for their attendance and support of the City's Chief Diversity Officer Dr. Farris Muhammad. She remarked on the importance that Black History was not just history, but American history.

**New Financial Report System/Software Conversion**

Council Member Akeson requested more information on the sample budget reports that were distributed to the City Council Members. She provided an example on how she would like to future reports to read.

**Television Show – Prince of Peoria**

Council Member Montelongo recommended a new television show *Prince of Peoria* commenting that it was a comedy that took place in the City of Peoria. He said Season 1 was currently available on Netflix and he recommended everyone watch the show.

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

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those citizens who wished to address the City Council.

Lee Smith, a citizen of Peoria, expressed a concern for the lack of transparency regarding WCBU. He said Bradley University held the license and contributed to the radio station, noting the community contributed more than the University. He expressed a concern that the community did not know any of the details of the agreement. He said the listeners and supporters of the station deserved more information. He said Bradley University had operated the station for 49 years, but now the University said the station was not part of their core mission. He said Bradley University needed to rethink its decision to outsourcing its programming to ISU. He said it was possible the proposed operating agreement may be in the best interest of the radio station; however, he said it was dependent upon community support and funding. He asked the City Council to use its influence to keep WCBU local.

A concerned citizen of Peoria, acknowledged the recent passing of Willie York and his impact on the community. He remarked on the need to think about the meaning behind Mr. York. He commented on the "stop and frisk" law in New York and he provided an overview of the same. He expressed a concern about the proposed Fire Department fees and the need for the City to address its budgetary issues and how those issues impacted the citizens of Peoria.

William Jones, a citizen of Peoria, remarked on the Alexa Scott campaign and the need for community outreach. He expressed a concern on the Police Department's involvement in the matter and the lack of assistance from the FBI.

Rachel O'Reilly, a concerned citizen, commented on the presentation from the Center from Prevention of Abuse regarding human trafficking and she suggested the Peoria Police Department receive training on this issue. She expressed an appreciation that classes would be offered to the community. She inquired as to the punishment to those receiving services from victims of human trafficking and she suggested increasing that punishment.

John Lamb, a citizen of Peoria, expressed an appreciation for the presentation regarding WCBU. He said he was part of the advisory board and he said he represented the station and the community. He invited the City Council and the public to attend the next WCBU associate board meeting on Wednesday, March 13, 2019, at 7:45 P.M. He said additional information could be found at <http://www.peoriapublicradio.org/peoria-pubic-radio-associate-board>. He commented on the need for more community involvement.

Natasha Allen, a concerned citizen, remarked on the Alexa Scott campaign noting Ms. Scott had been missing for over a year and a half. She expressed a concern regarding the case turning cold and she said she would not give up on the campaign on behalf of the family.

### EXECUTIVE SESSION

**Consideration of a Motion to enter into EXECUTIVE SESSION pursuant to 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 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 as mandated by Section 2.06.**

Council Member Cyr moved to go into Executive Session pursuant to 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 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 as mandated by Section 2.06; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

### ADJOURNMENT

Council Member Cyr moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Ruckriegel, Turner, Mayor Ardis - 10;

Nays: None.

The Joint City Council and Town Board Meeting was adjourned at 9:30 P.M.



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

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