

City of Peoria

*419 Fulton Street
Peoria, IL 61602*



Agenda and Notice

Tuesday, June 24, 2014

6:15 PM

**Joint City Council and Town of the City of Peoria
Meeting
Council Chambers (Room 400)**

City Council

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

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

DISABILITY ACCESS STATEMENT

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

DATES SET:**TUESDAY, JUNE 24, 2014 at 6:15 P.M.**

PUBLIC HEARING Regarding the Proposed ADDITIONAL SALES TAX Within the Existing WESTLAKE SPECIAL SERVICE AREA, to be Held at City Hall, Council Chambers (Room 400), 419 Fulton Street, Peoria, Illinois.

ROLL CALL**INVOCATION & PLEDGE OF ALLEGIANCE****PROCLAMATIONS, COMMENDATIONS, ETC.**

Ito Society - 100th Anniversary

MINUTES**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****PUBLIC HEARINGS**

[14-246](#) PUBLIC HEARING Regarding the Imposition of an ADDITIONAL SALES TAX Within the Existing WESTLAKE SPECIAL SERVICE AREA.

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

[14-247](#) Communication from the City Manager and Interim Corporation Counsel with a Request to Receive for Information and to Refer to the Legal Department the NOTICE OF LAWSUIT Filed on Behalf of PEGGY PENDELL and JESSICA M. TAYLOR and Against Unknown Others, named as Officer A, Sergeant B, and Hearing Officer C.

[14-248](#) Communication from the City Manager and Interim Corporation Counsel with a Request to Receive for information and to Refer to the Legal Department the NOTICE OF LAWSUIT Filed on Behalf of PEGGY PENDELL and JESSICA M. TAYLOR and Against City of Peoria, Ross Black, Joe Dulin, David Graham, Gene Dakin, Syed E. Ahmad and David Watkins.

- [14-249](#) Communication from the City Manager and Interim Corporation Counsel with a Request to Receive for Information and to Refer to the Legal Department the NOTICE OF LAWSUIT Filed on Behalf of YUNEK MOORE and Against Peoria Police Officers Amy Dotson, Craig Williams, Thomas Bond and the City of Peoria.
- [14-250](#) Communication from the City Manager and the Human Resource Director with a Request to Authorize the City Manager to Renew PROPERTY AND CONTENTS AND AUTO CATASTROPHIC COVERAGE INSURANCE with MESIROW INSURANCE SERVICES INC., for a Cost of \$120,228.01.
- [14-251](#) Communication from the City Manager and the Community Development Director with a Request to Commit to Allocate \$200,000 in Community Development Block Grant (CDBG) funds over the 2014 - 2017 Budget Years as Match for the PEORIA CITY-COUNTY HEALTH DEPARTMENT HUD LEAD HAZARD CONTROL GRANT APPLICATION. (City Wide)
- [14-252](#) Communication from City Manager and Director of Public Works Requesting Approval of a CONTRACT with FOTH INFRASTRUCTURE & ENVIRONMENT for the Engineering Services Agreement with the PEORIA CITY/COUNTY LANDFILL COMMITTEE from July 1, 2014 through June 30, 2015, in the amount of \$284,000.
- [14-276](#) Communication from the City Manager and Community Development Director with a Request to Execute a RESIDENTIAL DEMOLITION CONTRACT with JIMAX and Backup Contractor Provisions with RIVER CITY DEMOLITION and IRON HUSTLER EXCAVATING.
- [14-253](#) Communication from the City Manager and the Community Development Director with a Request to Approve an INCUMBENCY CERTIFICATE and RESOLUTION Accepting a Grant from the Illinois Housing Development Authority (IHDA) for the ABANDONED RESIDENTIAL PROPERTY MUNICIPALITY RELIEF FUND (APP), in the Amount of \$75,000.00.
- [14-254](#) Communication from the City Manager and Public Works Director with a Request to:
- A. Approve the SUPPLEMENTAL MOTOR FUEL TAX RESOLUTION in the Amount of \$200,000.00 for Construction and Permanent Easement Acquisition Services for TOWNLINE ROAD RECONSTRUCTION for a Total Resolution in the Amount of \$1,240,000.00.
 - B. Accept the LOW BID of ILLINOIS CIVIL CONTRACTORS, INCORPORATED and Award the CONSTRUCTION CONTRACT, in the Amount of \$1,022,617.12, with an Additional Authorization in Contingency of \$51,130.86, for a Total Award of \$1,073,747.98 for the TOWNLINE ROAD RECONSTRUCTION Project (340 feet east of Industrial Road to University Street). [District 5]

- [14-255](#) Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to Adopt an ORDINANCE Rezoning Property from the Present I-2 (Railroad/Warehouse Industrial) District to I-3 (General Industrial) District; and Approve a SPECIAL USE in a Class I-3 (General Industrial) District for a JUNK YARD and AUTO GRAVEYARD for the Property Identified as 1918 SW WASHINGTON STREET (18-17-259-016), Located within Peoria, IL (District 1)
- [14-256](#) Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to Adopt an ORDINANCE Rezoning Property from the Present I-2 (Railroad/Warehouse Industrial) District to I-3 (General Industrial) District; and Approve a SPECIAL USE in a Class I-3 (General Industrial) District for a JUNK YARD and AUTO GRAVEYARD for the Property Identified as 100 CHICAGO STREET (18-17-259-015), Located within Peoria, IL (District 1)
- [14-257](#) Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the SITE APPLICATION for a CLASS H (TEMPORARY OUTDOOR) Liquor License for an Event to be held at 5806 W. WAR MEMORIAL DRIVE (WEAVER ANGUS FARM) by CHILDREN'S HOME on September 6, 2014. (DISTRICT 5)
- [14-258](#) APPOINTMENTS by Mayor Ardis to the ADVISORY COMMITTEE ON POLICE COMMUNITY RELATIONS with a Request to Concur:
- Mr. Charles Schierer (Voting) - Term Expiration June 30, 2017
Mr. Howard Williamson (Voting) - Term Expiration June 30, 2016
Ms. Jessica Bastain (Voting) - Term Expiration June 30, 2016
- [14-259](#) APPOINTMENTS by Mayor Ardis to the CONSTITUTION GARDEN ADVISORY COMMITTEE with a Request to Concur:
- Mr. Aaron Coffeen (Voting) - Term Expiration June 30, 2015
Mr. Luke Barr (Voting) - Term Expiration June 30, 2016
Ms. Jessica Bastain (Voting) - Term Expiration June 30, 2017
- [14-260](#) APPOINTMENT by Mayor Ardis to the CONSTRUCTION COMMISSION with a Request to Concur:
- Mr. Tim Driscoll (Voting) - Term Expiration June 30, 2017
- [14-261](#) APPOINTMENT by Mayor Ardis to the SISTER CITY COMMISSION with a Request to Concur:
- Ms. Diane Joseph (Voting) - Term Expiration June 30, 2016
- [14-262](#) REAPPOINTMENT by Mayor Ardis to the DOWNTOWN ADVISORY COMMISSION with a Request to Concur:
- Mr. Kip Strasma (Voting) - Term Expiration June 30, 2016

[14-263](#) APPOINTMENTS by Mayor Ardis to the PEORIA CIVIC CENTER AUTHORITY with a Request to Concur:

Mr. Paul Digiallonardo (Voting) - Term Expires July 1, 2019
Ms. Yvonne Greer Batton (Voting) - Term Expires July 1, 2019
Ms. Pratima Gandhi (Non-Voting) - Term Expires July 1, 2016
Mr. Don Welch (Non-Voting) - Term Expires July 1, 2016

[14-264](#) REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of APRIL 2014, with Request to Receive and File.

FIRST READINGS

[14-265](#) Communication from the City Manager and the Community Development Director with a Request for a FIRST READING Review of a Recommendation from the Planning and Zoning Commission and Staff to Adopt an ORDINANCE Amending APPENDIX B, the Zoning Ordinance, and APPENDIX C, the Land Development Code, of the Code of the City of Peoria with Respect to ROADSIDE PRODUCE STANDS. PZ CASE NO 14-G.

[14-266](#) Communication from the City Manager and the Interim Corporation Counsel Requesting FIRST READING Review of an ORDINANCE Amending CHAPTER 3 of the CODE of the City of Peoria, Adding Karaoke Subclass License; Adding Camera Requirement for 4 A.M. Subclass; Adding the Factor of Video Gaming Machines for Site Approval; and separating Class G License.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

[14-267](#) Communication from the City Manager and Community Development Director with a Request to Receive and File a Report on the Proposed BOSCH SUPERMARKET PARK PROJECT (DISTRICT 1)

[14-268](#) Communication from the City Manager and the Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission to Approve the PEACE BROTHERS MOTORCYCLE RODEO EVENT to be held on August 23, 2014, from 10 am - 4 pm at EXPOSITIONS GARDENS located at 1601 W NORTHMOOR ROAD (Parcel Identification No. of 14-17-100-001).

[14-269](#) Communication from the City Manager and Public Works Director with a Request to:

- A. Reallocate \$290,719.23 in SOUTHTOWN TIF Funds from the ELM-REED SEWER RELOCATION Project to the MACARTHUR BRIDGE REPLACEMENT Project, within the SOUTHTOWN TIF.
- B. Approve the Phase 1 Engineering CONTRACT with INFRASTRUCTURE ENGINEERING, INCORPORATED, in the Amount of \$310,805.00, for Phase 1 Engineering on the MACARTHUR HIGHWAY BRIDGE REPLACEMENT. (District 1)

[14-270](#)

Communication from the City Manager and Director of Public Works with a Request to Approve the Following Items Related to the PIONEER PARKWAY EXTENSION PROJECT (Radnor Road to Allen Road) [District 5]:

- A. AMENDMENT #1 to LOCAL AGENCY AGREEMENT #12-280-B with the Illinois Department of Transportation for Federal Participation to Request 80% Federal Funding (\$1,176,000.00) and 20% Local Share (\$440,000.00) for LAND ACQUISITION EFFORTS for the Project, Subject to Review and Approval by IDOT; and
- B. MFT RESOLUTION, in the Amount of \$200,000.00, to Support the Additional Local Share in the Amended Agreement Set Forth in Item A.

[14-271](#)

Communication from the City Manager with a Request to Adopt an ORDINANCE Amending the SPECIAL SERVICE AREA AGREEMENT between the City of Peoria and WESTLAKE SHOPPING CENTER, LLC (District 4).

[14-272](#)

Communication from the City Manager with a Request to Adopt an ORDINANCE LEVYING a SALES TAX Within the WESTLAKE SPECIAL SERVICE AREA. (District 4).

[14-243](#)

Communication from the City Manager and the Community Development Director with Recommendation to Adopt the Following:

- A. An ORDINANCE Amending Appendix B, the Zoning Ordinance, of the CODE of the City of Peoria Relating to OPEN AIR CAFÉS.
- B. An ORDINANCE Amending Appendix C, the Land Development Code, of the CODE of the City of Peoria Relating to OPEN AIR CAFÉS.

[14-244](#)

Communication from the City Manager, Chief of Police, Community Development Director, and Corporation Counsel with a Request to ADOPT the Following:

- A. An ORDINANCE AMENDING CHAPTER 5 of the CODE of the City of Peoria Pertaining to REGISTRATION OF PROPERTIES,
- B. An ORDINANCE AMENDING CHAPTER 20 of the CODE of the City of Peoria Pertaining to CHRONIC NUISANCE RENTAL PROPERTY.

[14-273](#)

Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to Adopt an ORDINANCE Rezoning Property from the Present R-6 (Multifamily Residential) District to CN (Neighborhood Commercial) District and P-1 (Parking) District; and Approving a SPECIAL USE in a Class CN (Neighborhood Commercial) District for a School for the Property Identified as 919 NE JEFFERSON(18-03-310-015 and -014), Located within Peoria, IL. (District 1)

- [14-274](#) Communication from the City Manager and the Interim Corporation Counsel with a Request to DENY the SITE APPLICATION for a Class CG (Gas Station) Liquor License for the Retail Sale of Alcohol at MARATHON ON PROSPECT, 3124 N. PROSPECT, with Recommendation from the Liquor Commission to DENY. (District 3)

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

- [14-199](#) Communication from the City Manager with a Request to Approve the Request of EM PROPERTIES to Switch Management of the MARRIOTT PERE MARQUETTE and COURTYARD MARRIOTT from MARRIOTT INTERNATIONAL to FIRST HOSPITALITY GROUP and Authorize the City Manager to Execute any Necessary and Related Documents.
- [14-211](#) Communication from the City Manager and the Community Development Director with a Request to Concur with Either the Recommendation from the Planning & Zoning Commission to APPROVE or the Recommendation from Staff to DENY the following: (DISTRICT 5)
- A. A RESOLUTION Amending the OFFICIAL COMPREHENSIVE PLAN for the City Of Peoria to Change the Future Land Use Designations of Property Currently Designated Commercial and Office to High Density Residential;
 - B. An ORDINANCE Rezoning Property from a Class C-1 (General Commercial) District and a Class O-1 (Arterial Office) District to a Class R-7 (Multi-Family Residential) District;
 - C. A RESOLUTION Approving the FRYE CROSSING APARTMENTS, a Multifamily Residential Development for the Property Identified as Parcel Identification Nos. 13-11-304-002, with a Temporary Address of 5400 W LANDENS WAY, and Part of 13-11-304-004, with an Address of 7013 N. STALWORTH DRIVE, Peoria, Illinois.
- [14-209](#) Communication from the City Manager Requesting Approval to Offer a Five-Year CONTRACT, with a Five-Year Mutual Option, to the LST SHIP MEMORIAL FOUNDATION to Relocate the LST 325 to Peoria's RIVER FRONT.
- [14-213](#) Communication from the City Manager with a Request to Adopt the following ORDINANCES Regarding the LOUISVILLE SLUGGER SPORTS COMPLEX:
- A. An ORDINANCE Establishing the PEORIA SPORTS CENTER PROPERTY TAX SPECIAL SERVICE AREA in the City of Peoria, Illinois;
 - B. An ORDINANCE Establishing the PEORIA SPORTS CENTER HOTEL TAX SPECIAL SERVICE AREA in the City of Peoria, Illinois;
 - C. An ORDINANCE Establishing the PEORIA SPORTS CENTER SALES TAX SPECIAL SERVICE AREA in the City of Peoria, Illinois;

- D. An ORDINANCE Establishing the HOLIDAY INN PROPERTY TAX SPECIAL SERVICE AREA in the City of Peoria, Illinois;
- E. An ORDINANCE Establishing the HOLIDAY INN HOTEL TAX SPECIAL SERVICE AREA In The City Of Peoria, Illinois;
- F. An ORDINANCE Establishing the HOLIDAY INN SALES TAX SPECIAL SERVICE AREA in the City of Peoria, Illinois.

[14-214](#)

Communication from the City Manager with a Request to Adopt the following ORDINANCES LEVYING Certain TAXES in Conjunction with the LOUISVILLE SLUGGER SPORTS COMPLEX SPECIAL SERVICE AREAS (Revised Ordinances):

- A. An ORDINANCE Levying a PROPERTY TAX for the Peoria Sports Center Property Tax Special Service Area;
- B. An ORDINANCE Levying a HOTEL TAX for the Peoria Sports Center Hotel Tax Special Service Area;
- C. An ORDINANCE Levying a SALES TAX for the Peoria Sports Center Sales Tax Special Service Area;
- D. An ORDINANCE Levying a PROPERTY TAX for the Holiday Inn Property Tax Special Service Area;
- E. An ORDINANCE Levying a HOTEL TAX for the Holiday Inn Hotel Tax Special Service Area;
- F. An ORDINANCE Levying a SALES TAX for the Holiday Inn Sales Tax Special Service Area.

[14-219](#)

Communication from the City Manager and Director of Community Development with a Recommendation to Approve an EMERGENCY REPAIR PROGRAM Funded with Trust Funds from the Illinois Housing Development Authority.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – TOWN OF THE CITY OF PEORIA[14-275](#)

Communication from the Township Supervisor with a Request to Approve a RESOLUTION Ascertaining the PREVAILING RATE OF WAGE for Laborers, Workmen and Mechanics and Other Workers in the Locality of the County of Peoria Employed in Performing Construction of Public Works for the Town of the City of Peoria.

NEW BUSINESS**CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD****EXECUTIVE SESSION****ADJOURNMENT**

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

AGENDA should contact a City Council/Town Board Member or the City Clerk prior to the meeting and request that the item be removed for discussion.

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

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