

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

A Regular City Council Meeting of Peoria, Illinois, was held April 14, 2015, at 6:20 P.M., at City Hall, Council Chambers, 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, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggenbach, Spain, Weaver, Turner, Mayor Ardis – 11.  
Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**RECOGNITION OF KHOURY'S CUISINE**

Mayor Ardis recognized Khoury's Cuisine, noting its beginning in 1994. He remarked that it was a casual Lebanese restaurant that became a local favorite. He provided some history on the formation of Khoury's Cuisine and remarked on the honed skills of owner, Sayed Khoury. He expressed his appreciation to Sayed and Lina Khoury for their positive impact and contribution to the community.

Council Member Grayeb remarked on the positive influence Khoury's Cuisine had on Council District 2 and within the community.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**Gerald Brookhart - Arts in Education Spring Celebration Months - April and May**

**National Parental Alienation Awareness Day & Bubbles of Love Day - April 25<sup>th</sup>**

**National Retirement Planning Week - April 13<sup>th</sup> - 17<sup>th</sup>**

**Child Abuse Awareness Month – April**

**Keep Peoria Beautiful - April 25<sup>th</sup>**

**Big Brothers and Big Sisters Month – April**

**Money Smart Week - April**

**Asian Indian Month - May**

**Maryruth Ginn - Recognition**

MINUTES

Council Member Spain moved to approve the minutes of the Joint City Council and Town Board Meeting held on March 24, 2015, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:**

- (15-103)**      **Communication from the City Manager and the Community Development Director with a Request to APPROVE the Funding Recommendation from the Human Resources Commission for 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE FUNDING, in the Total Amount of \$233,269.00.**  
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- (15-104)**      **Communication from the City Manager and Director of Public Works with a Request to ACCEPT the LOW BID and APPROVAL of a THREE-YEAR CONTRACT with DAVE'S WINDOW CLEANING for the Annual WINDOW CLEANING CONTRACT, for an Annual Cost of \$6,170.00, or \$18,510.00 for the Three-Year Contract Total.**
- (15-105)**      **Communication from the City Manager and Director of Public Works with a Request to ACCEPT the LOW BID of ILLINOIS CIVIL CONTRACTORS INC. and AWARD the Construction CONTRACT, in the Amount of \$3,339,335.50, with an Additional Authorization in Contingency of \$166,966.78 (5%), for a Total Award of \$3,506,302.28 for the UNIVERSITY STREET ARTERIAL OVERLAY (NEBRASKA AVENUE through WEST FORREST HILL AVENUE). [District 2]**
- (15-106)**      **Communication from City Manager and Director of Public Works with Request to APPROVE the PURCHASE of LIGHT-EMITTING DIODE (LED) SIGNAL LIGHTS from BROWN TRAFFIC PRODUCTS Based on their LOW BID (#12-15), in the Amount of \$45,999.95.**
- (15-107)**      **Communication from the City Manager and the Emergency Communications Manager with a Request to AUTHORIZE the City Manager to Sign a Three-Year AGREEMENT with SUPREME RADIO COMMUNICATIONS, INC. for Electronic Services, in the Yearly Amount of \$124,591.80.**
- (15-108)**      **Communication from the City Manager and Corporation Counsel with a Request to APPROVE a Collateral Assignment by JP RIVERFRONT, LLC and JP RIVERFRONT DEVELOPMENT COMPANIES, INC. to CENTRAL ILLINOIS BANK.**  
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- (15-109) Communication from the City Manager and the Human Resource Director with a Request to APPROVE the Execution of a CONTRACT with RESOURCE MANAGEMENT ASSOCIATES (RMA), in the Amount of \$81,608.00, to Administer POLICE SERGEANT AND POLICE LIEUTENANT PROMOTIONAL EXAMINATIONS.
- (15-110) Communication from the City Manager and Community Development Director with a Request to APPROVE a CONTRACT with JIMAX LANDSCAPING for GRASS CUTTING and DEBRIS/LITTER REMOVAL on PRIVATE PROPERTY with Back Up Provisions to STEVE WALTON CONSTRUCTION and TERRY'S LAWN MAINTENANCE.  
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- (15-111) Communication from the City Manager and Director of Public Works with a Request to APPROVE a CONTRACT with JIMAX LANDSCAPING, in the Amount of \$70,000.00, for the 2015 LANDSCAPING SERVICES in Public Rights-of-Way. [All Council Districts]  
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- (15-112) Communication from the City Manager and the Director of Public Works with a Request to APPROVE CONTRACTS with HULSE LAWCARE, in the Amount of \$25,000.00, and WINEINGER AND SONS, in the Amount of \$60,000.00, for the 2015 MOWING of CITY-MAINTAINED VACANT LOTS.  
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- (15-102) Communication from the City Manager and Corporation Counsel with a Request to DEFER UNTIL MAY 12, 2015, the ADOPTION of an ORDINANCE Permitting TRANSPORTATION NETWORK CARRIERS to Operate Within the City of Peoria.
- (15-113) APPOINTMENTS by Mayor Ardis to the PEORIA HOUSING AUTHORITY with a Request to Concur:  
  
Ms. Creshondra Davis (Voting) - Term Expires 06/30/2016  
Ms. Alma Brown (Voting) - Term Expires 06/30/2016
- (15-114) Communication from the City Manager with a Request to Receive and File a Report of PRIVATE PROPERTY ACQUIRED by the City of Peoria Economic Development Staff Between 2012 and 2015 (YTD).
- (15-115) REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of FEBRUARY 2015, with Request to Receive and File.

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

Council Member Moore requested Item Nos. 15-110, 15-111 and 15-112 be removed from the Consent Agenda for further discussion.

Council Member Grayeb requested Item No. 15-103 be removed from the Consent Agenda for further discussion.

Council Member Weaver requested Item No. 15-108 be removed from the Consent Agenda for further discussion.

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

Item Nos. 15-103 through 15-115 and 15-102 (excluding Item Nos. 15-103, 15-108, 15-110, 15-111, and 15-112, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(15-103)**      **Communication from the City Manager and the Community Development Director with a Request to APPROVE the Funding Recommendation from the Human Resources Commission for 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE FUNDING, in the Total Amount of \$233,269.00.**  
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Council Member Grayeb remarked on the efforts of the Human Resources Commission (HRC) and the positive impact it had on the community. He said CDBG Funds continued to be reduced, noting a reduction of 2.0% for 2015. He said with these funds the Commission provided assistance for disadvantaged seniors and youth, and he commended the HRC for their diligent work and efforts within the community.

Council Member Jensen said she would refrain from voting on this item since she was a member of the HRC.

Council Member Grayeb moved to approve the funding recommendation from the Human Resources Commission for 2015 Community Development Block Grant (CDBG) Public Service Funding, in the total amount of \$233,269.00; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None;

Abstention: Jensen – 1.

**(15-108)**      **Communication from the City Manager and Corporation Counsel with a Request to APPROVE a Collateral Assignment by JP RIVERFRONT, LLC and JP RIVERFRONT DEVELOPMENT COMPANIES, INC. to CENTRAL ILLINOIS BANK.**  
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At the request of Staff, Council Member Weaver moved to defer this item to the April 28, 2015, Regular City Council meeting; seconded by Council Member Moore.

Motion to defer to the April 28, 2015, Regular City Council meeting was approved by roll call vote.

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

Nays: None.

**(15-110) Communication from the City Manager and Community Development Director with a Request to APPROVE a CONTRACT with JIMAX LANDSCAPING for GRASS CUTTING and DEBRIS/LITTER REMOVAL on PRIVATE PROPERTY with Back Up Provisions to STEVE WALTON CONSTRUCTION and TERRY'S LAWN MAINTENANCE.**  
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Council Member Moore said she disagreed with the hiring of contractors to provide these types of services, noting that one area within the City had an unemployment rate of 27.0%. She recommended employing Peoria's own citizens. She directed Staff to develop an alternative plan that would address the unemployment needs of the City as well as address the need for this type of service and to prepare a report concerning the same within the next 30 days.

Council Member Moore moved to approve a contract with Jimax Landscaping for grass cutting and debris/litter removal on private property with back up provision to Steve Walton Construction and Terry's Lawn Maintenance with the amendment that Staff provide, within 30 days, an alternative plan that would address the unemployment needs of the City by hiring its own citizens as well as address the need for this type of service; seconded by Council Member Riggerbach.

Approved, as amended, by roll call vote.

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

Nays: None.

**(15-111) Communication from the City Manager and Director of Public Works with a Request to APPROVE a CONTRACT with JIMAX LANDSCAPING, in the Amount of \$70,000.00, for the 2015 LANDSCAPING SERVICES in Public Rights-of-Way. [All Council Districts]**  
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Council Member Moore expressed a concern with the contract. She recommended reviewing it to see if people from the community could be hired instead of contracting with a company.

Council Member Moore recommended using TIF funds to purchase mowers and to provide job training to individuals within the community to provide the types of services sought by the City. She requested Staff to review whether individuals from the community could be hired versus contracting the work to companies and to include whether TIF funds could be utilized to purchase lawn mowers and to provide job training for these individuals. She asked to have a Report Back within the next 30 days.

Council Member Moore moved to approve a contract with Jimax Landscaping, in the amount of \$70,000.00, for the 2015 landscaping services in public rights-of-way; seconded by Council Member Weaver.

Council Member Grayeb expressed his appreciation for the input on this item. He requested a Report Back regarding the business identified in this contract along with demographics of the individuals they employed and whether they were citizens of the community and the number that were employed from this community.

Mayor Ardis remarked that lawn care and tree cutting were some of the most dangerous professions. He requested additional information regarding insurance coverage needed for employees and companies to do this kind of work. He said an individual had to have the right kind of skill sets to perform the duties required.

In response to Council Member Montelongo's inquiry as to whether the City provided job fairs to minority and women-owned businesses, City Manager Urich said the City had worked with the NAACP to provide job fairs for construction trades.

Council Member Grayeb remarked that the City's leaders were not always aware of the City's outreach efforts. He commented that several of the lots were being cared for by churches and other non-profit organizations.

Motion to approve a contract with Jimax Landscaping, in the amount of \$70,000.00, for the 2015 landscaping services in public rights-of-way was approved by roll call vote.

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

Nays: None.

**(15-112)**      **Communication from the City Manager and the Director of Public Works**  
**\*\*\*\*\***      **with a Request to Approve CONTRACTS with HULSE LAWCARE, in the**  
                  **Amount of \$25,000.00, and WINEINGER AND SONS, in the Amount of**  
                  **\$60,000.00, for the 2015 MOWING of CITY-MAINTAINED VACANT LOTS.**

Council Member Moore expressed a concern regarding the quality of service the City would receive with this contract, citing the issues the First District encountered in 2014 with grass clipping and shredded garbage on vacant lots. Should there be an issue or concerns, she encouraged residents of the First District to contact Peoria Cares at (309) 494-2273 or the City's Code Enforcement at (309) 494-8654.

Council Member Moore inquired how the City issued its Request for Proposals and whether these RFPs reached minorities in ways other than the local newspaper or electronic means. She commented that not everyone had access to this type of communication, and she recommended better ways to communicate in areas where minorities would receive that information such as radio. She requested Staff to include in their report, previously requested in Item No. 14-111, the other mediums utilized for issuing or advertising an RFP or RFQ.

Discussions were held regarding the ratings of each of the vendors and how those ratings were determined.

Public Works Director Mike Rogers said the City may award some of the mowing to a non-profit organization, and he said that the City would be issuing RFPs concerning the same and reviewing how to advertise.

Council Member Moore moved to approve contracts with Hulse Lawncare, in the amount of \$25,000.00, and Wineinger and Sons, in the amount of \$60,000.00, for the 2015 mowing of city-maintained vacant lots; seconded by Council Member Turner.

Council Member Grayeb said he would not support this item unless contractor expectation was clarified. He said these expectations should be outlined in the job description. He remarked that the City Council had a similar discussion in 2014. He discussed the importance of code violations not being made by the City's own employees.

Public Works Director Mike Rogers explained that many of Peoria's vacant lots were maintained by non-profit organizations. He said the City intended to utilize the Mayor's Youth Council to address a number of these properties that needed to be maintained. He said various organizations and/or programs were utilized to maintain various vacant lots. He remarked on the importance of identifying the various properties in order to determine who maintained them when a problem occurred.

Motion to approve contracts with Hulse Lawncare, in the amount of \$25,000.00, and Wineinger and Sons, in the amount of \$60,000.00, for the 2015 mowing of city-maintained vacant lots was approved by roll call vote.

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

Nays: None.

## FIRST READINGS

**(15-116) Communication from the City Manager and the Corporation Counsel with a Request for a FIRST READING of an ORDINANCE Amending Chapters 3 and 18 of the Code of City of Peoria Requiring Minimum Food and Beverage Sales for New Applicants to Operate Video Gaming Terminals.**

Corporation Counsel Don Leist provided an overview of the proposed video gaming Ordinance, and he remarked that it mirrored State Senator LaHood's efforts outlined in Senate Bill 1794, wherein the establishment had to be in business for two years prior to applying for a video gaming license. During that time, he said the establishment had to have at least 80% of its revenue come from the sale of food and beverages for each of the two years prior to application. He remarked that once the establishment obtained a gaming license, it had to maintain at least 60% of its revenue from food and beverage sales. He said the moratorium continued to be in full force and effect.

Council Member Spain moved to receive and file the First Reading of an Ordinance amending Chapters 3 and 18 of the Code of the City of Peoria requiring minimum food and beverage sales for new applicants to operate video gaming terminals; seconded by Council Member Riggerbach.

Council Member Jensen expressed her appreciation for the changes and additions made to the Ordinance. She suggested setting reasonable limitations, such as the number of licenses issued, for either the City as a whole or per Council District. She also requested including a distance requirement between video gaming establishments.

Motion to receive and file the First Reading of an Ordinance amending Chapters 3 and 18 of the Code of the City of Peoria requiring minimum food and beverage sales for new applicants to operate video gaming terminals was approved by roll call vote.

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

Nays: None.

\* Clerk's Note: The Item will be placed on the April 28, 2015, Regular City Council Agenda.

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

**(15-117) Communication from the City Manager with a Request to Allow a Volunteer Committee to Pursue Creation of RIVER'S EDGE PARK, including a Fenced DOG PARK, along the River Front. (1st District)**

Council Member Moore moved to grant Privilege of the Floor to Mark Misselhorn.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Mark Misselhorn.

Downtown Advisory Commission Chairman Mark Misselhorn provided an overview of a proposed River's Edge Park dog park. He said the proposed location of the park was a vacant half-acre tract along the Illinois River near the Bob Michel Bridge. He commented that the downtown was becoming more dog friendly, and he noted that the Peoria Humane Society was supportive of the efforts. He said the Humane Society announced they would lead the donation for the sought amount of \$20,000.00, and it would be the non-profit conduit for donations to the project. He expressed his appreciation to the Farnsworth Group who provided design services, and he announced that fundraising would continue for the next couple of months. He said the projected date to begin the project was the summer of 2016.

Council Member Moore moved to allow a volunteer committee to pursue the creation of River's Edge Park, including a fenced dog park, along the river front; seconded by Council Member Jensen.

Approved by roll call vote

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

Nays: None.

**(15-118) Communication from City Manager and Director of Public Works with a Request to Approve the Following:**

- A. ACCEPT the Low BID of R.A. CULLINAN & SON, a Division of United Contractors Midwest, Inc. and Award a Construction CONTRACT, in the Amount of \$3,781,340.34 to Construct the ALLEN ROAD/ALTA ROAD INTERSECTION IMPROVEMENT [District 5]; and**

After a discussion regarding the engineering costs, Council Member Weaver expressed his appreciation for the compilation of the costs.



Council Member Johnson moved to accept the low bid of R.A. Cullinan & Son, a division of United Contractors Midwest, Inc. and award a construction contract in the amount of \$3,781,340.34 to construct the Allen Road/Alta Road intersection improvement; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Grayeb, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner,  
Mayor Ardis – 8;

Nays: Akesson, Jensen, Weaver - 3.

**B. APPROVE and Authorize the City Manager to Execute a Construction Engineering Services AGREEMENT with MILLENNIA PROFESSIONAL SERVICES OF ILLINOIS, LTD., for a Not-to-Exceed Amount of \$299,924.02, for the ALLEN ROAD/ALTA ROAD INTERSECTION IMPROVEMENT. [District 5]**

Council Member Johnson moved to approve and authorize the City Manager to execute a construction engineering services agreement with Millennia Professional Services of Illinois, LTD., for a not-to-exceed amount of \$299,924.02, for the Allen Road/Alta Road intersection improvement; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Grayeb, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner,  
Mayor Ardis – 8;

Nays: Akesson, Jensen, Weaver - 3.

**(15-093) Communication from the City Manager with a Request to Approve an ORDINANCE Amending Chapter 18 of the Code of the City of Peoria Pertaining to Licensing of MOBILE FOOD VEHICLES.**

Council Member Spain expressed his appreciation for Staff's efforts to bring this item to Council for review. He said he would like to see additional opportunities in downtown along with a revised price structure and he inquired whether an increased fee for foods trucks in the downtown area was appropriate. He remarked, however, that for 2015 there would be the opportunity to prorate that fee. He recommended that the Council move forward tonight with a compromised vote.

Council Member Spain moved to approve an Ordinance amending Chapter 18 of the Code of the City of Peoria pertaining to licensing of mobile food vehicles; seconded by Council Member Riggerbach.

Council Member Turner expressed his concern that there was not a process to track and collect sales taxes from food carts and food trucks, which he said would be the only basis for his vote against the item.

In discussion with Council Member Weaver, Assistant City Manager Setti said the original Ordinance required an auditable point of sale system, such as a cash register. He added, for this year, on renewal, a register of sales would need to be presented in order to get their license renewed, but by June 1, registers would be required. He said this was only limited to food

trucks, but he said if Council directed, Staff could change the Ordinance for food carts as well and include in it a process for collecting sales records.

In discussions with Council Member Montelongo, Assistant City Manager Setti said this Ordinance only allowed for up to three licenses to be issued for food trucks in the downtown location. He said throughout the rest of the City, there was an unrestricted number of licenses that could be issued. He commented that for food trucks located on private property, there was no license needed.

Discussions were held regarding the fees required to obtain a license. It was noted that the proposed fee per food truck to operate downtown was \$3,400.00, and outside of downtown was proposed at \$300.00.

In response to Council Member Montelongo's concern regarding the location of food trucks outside the downtown boundaries, Assistant City Manager Setti said, for an area not zoned residential, a food truck was not allowed within 300 feet of a licensed brick and mortar restaurant. He remarked that there was a process in applying for a license wherein the applicant would have to submit locations, which would be verified by City Staff. If issues occurred, he said the City Manager would have the discretion to revoke the license for operation.

Council Member Akeson recommended establishing a standard for aesthetics for food trucks. She asked Staff to contact Burlington, Vermont, to inquire as to their design standards for food trucks.

In further discussion with Council Member Akeson, Corporation Counsel Leist provided an overview of challenges made against food cart regulations and ordinances. He said the rules the City Council developed must be reasonable, citing it must pass the reasonable basis test. He remarked that any group having a grievance against the City's regulation of food trucks would have to show the regulations were arbitrary and capricious.

Council Member Weaver inquired about tightening the process for sales tax reporting, and he requested more specific language relating to the reporting of sales taxes. He said receipts needed to be recorded accurately, and he suggested establishing standard guidelines for some kind of reasonable accounting system. He suggested an internal spreadsheet system.

In response to Council Members Turner and Weaver's concerns, Corporation Counsel Leist said there were alternatives, and he remarked that the City Manager would have the discretion to revoke a license. He said the City could also implement a fine provision for those who neglected to report.

City Manager Urich recommended that should the item pass, Staff would make the recommended modifications and bring it back to Council.

Council Member Moore expressed a concern regarding the resilience of register receipts and whether those would be feasible to use due to wearing of the ink on the tape over time and weather issues such as rain. She suggested using another reporting system.

Council Member Montelongo expressed a concern in allowing an unlimited number of food trucks in the Fourth District. He said he would support two food trucks per District. He said he would approve the downtown plan, but he suggested mapping the other Council Districts similar to that of downtown. He said if this item were to pass, he would like to change the requirements according to each District's needs.

Council Member Spain encouraged the City Council to approve this item as presented. He remarked that the Ordinance was not perfect, but he said at the conclusion of its first season, it could be brought back to the City Council for refinement. He remarked that the fee structure for downtown was prohibitive that it may not attract what the City was seeking. He said this was a pilot program and the Council was running into time constraints. He said it was important that the Council moved forward with this item.

Council Member Montelongo recommended separating the issues and voting on the downtown portion separately from the individual Council Districts. He said he would like to find a solution that he would be comfortable with for the Fourth District.

Council Member Montelongo moved to divide the item and to vote on food trucks in the downtown location separately from food trucks in the individual Council Districts; seconded by Council Member Grayeb.

Council Member Grayeb said reasonable restrictions were necessary for each District, and he said he was comfortable with limiting two foods trucks per each Council District.

Motion to divide the two issues by separating the downtown area from the rest of the Council Districts regarding food trucks was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Montelongo, Moore, Weaver, Mayor Ardis – 6;

Nays: Johnson, Rigenbach, Spain, Turner - 5.

Council Member Spain moved to approve an Ordinance, as amended to include the sale of receipts, amending Chapter 18 of the Code of the City of Peoria pertaining to licensing of Mobile Food Vehicles for downtown Peoria; seconded by Council Member Weaver.

Council Member Akeson expressed a concern about the limitations of food trucks and she recommended letting the market determine the number for itself.

Corporation Counsel Leist said Council only had to provide a reasonable basis for the number of food trucks allowed for each certain area.

Discussions were held regarding an allowable number of food trucks. It was noted that should there be a greater amount of interest, the City Council could bring the matter back in the fall for review.

Council Member Turner said he would vote against this item until he saw an audit trail in place.

Motion to approve ORDINANCE NO. 17,211, as amended, amending Chapter 18 of the Code of the City of Peoria pertaining to licensing of Mobile Food Vehicles for downtown Peoria was approved by roll call vote.

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

Nays: Turner - 1.

Regarding the remaining Council Districts, Mayor Ardis recommended Staff return with a limitation as to the number allowed in each District.

Council Member Montelongo requested a map of recommended locations for food trucks throughout the various Districts.

Council Member Montelongo moved to defer the approval of an Ordinance regarding the remaining Council Districts for one month until the May 12, 2015, Regular City Council meeting; seconded by Council Member Spain.

Council Member Riggerbach requested Staff to prepare a broad-scale map of the Council Districts with residential areas plotted out for potential locations of food trucks, and he expressed his appreciation for the approval of the downtown portion of the Ordinance.

Motion to defer until the May 12, 2015, Regular City Council meeting was approved by roll call vote.

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

Nays: Johnson - 1.

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

- (14-116)      A.      **REQUEST TO REMOVE Item No. 14-116 from the TABLE; and**
- B.      **Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from Staff and No Recommendation from the Zoning Commission to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-6 (Multi-Family Residential) District to Add a Pavilion to an Existing Church for the Property Identified as Parcel Identification Numbers 18-03-156-002 through -005; and 18-03-156-12 through -014, Commonly Known as 1201, 1203, and 1211 NE PERRY AVENUE, 710 VORIS STREET, 1206, 1208, 1210 NE GLENDALE AVENUE, Located within Peoria, Illinois.**

Council Member Moore moved to remove Item No. 14-116, a request to adopt an Ordinance approving a Special Use in a Class R-6 (Multi-Family Residential) District to add a pavilion to an existing church for the property identified as Parcel Identification Numbers 18-03-156-002 through -005; and 18-03-156-12 through -014, commonly known as 1201, 1203, and 1211 NE

Perry Avenue, 710 Voris Street, 1206, 1208, 1210 NE Glendale Avenue, located within Peoria, Illinois from the Table; seconded by Council Member Weaver.

Council Members Jensen, Riggerbach and Spain left the Chambers.

Motion to REMOVE Item No. 14-116 from the TABLE was approved by roll call vote.  
Yeas: Akeson, Grayeb, Johnson, Montelongo, Moore, Turner, Weaver,  
Mayor Ardis – 8;  
Nays: None.

Council Member Moore provided a brief history of the item and the reason why it had been tabled. She remarked that there were concerns with the proposed pavilion, but she said the church agreed to remove all the furniture when it was not in use. She requested a modification to item number 3 under the Site Plan Review Board recommendation to allow for the use of live vegetation for screening purposes.

Council Members Jensen, Riggerbach and Spain returned to Chambers.

Council Member Moore moved to adopt an Ordinance, as amended to modify item number 3 under the Site Plan Review Board recommendation to allow for the use of live vegetation for screening purposes, approving a Special Use in a Class R-6 (Multi-Family Residential) District to add a pavilion to an existing church for the property identified as Parcel Identification Numbers 18-03-156-002 through -005; and 18-03-156-12 through -014, commonly known as 1201, 1203, and 1211 NE Perry Avenue, 710 Voris Street, 1206, 1208, 1210 NE Glendale Avenue, located within Peoria, Illinois; seconded by Council Member Turner.

ORDINANCE NO. 17,212 was adopted by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain,  
Turner, Weaver, Mayor Ardis – 11;  
Nays: None.

**(15-016) Discussion Regarding the PRELIMINARY 2016 THROUGH 2019 BUDGET PROJECTIONS as April 7, 2015, with a Request to RECEIVE and FILE.**

Financial Director/Comptroller Jim Scroggins provided an update on the preliminary 2016 through 2019 budget projections. He distributed a handout and provided a report back on garbage bill collections, when the City began hearing Ordinance violations before hearing officers, the Comptroller Recovery Program and outstanding balances of uncollected fines.

Council Member Grayeb expressed his appreciation for the report back. He expressed the importance of collecting the \$2.8 million in outstanding tickets, noting this would assist with the City's \$10.5 million deficit.

City Manager Urich reported that Thursday, April 9, 2015, was the first of five budget meetings seeking public input. At that meeting, he said administrative services of the total budget, which was approximately 6.0%, was discussed.

City Manager Urich announced the remaining public budget meetings as follows:

April 16, 2015, at 6:00 P.M.	Bonnie Noble Center	Police
April 23, 2015, at 6:00 P.M.	Peoria Public Library Main Branch	Fire and Emergency Communications
April 30, 2015, at 6:00 P.M.	Peoria Public Library North Branch	Public Works
May 7, 2015, at 6:00 P.M.	ICC North, Arbor Hall	Community Development Economic Development and Library

City Manager Urich said the City was attempting to engage the public to utilize a budget challenge tool online at [peoria.budgetchallenge.org](http://peoria.budgetchallenge.org). He reported that over 1,000 citizens had participated in the challenge, and the challenge would be available through May 10, 2015. After that date, he said Staff would compile the information and present a report to the City Council.

Council Member Moore moved to receive and file the preliminary 2016 through 2019 budget projections as of April 7, 2015; seconded by Council Member Riggerbach.

Approved by roll call vote.

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

Nays: None.

**(15-072) Communication from the City Manager and Corporation Counsel with a Request to DENY the SITE APPLICATION for a Class E-1 (Private Club Over 200) Liquor License with On-Site Consumption and Retail Sale of Alcohol at CONTEMPORARY ART CENTER OF PEORIA, 305 SW WATER, UNIT 2A, with a Recommendation from the Liquor Commission to Deny. (DISTRICT 1)**

Council Member Moore expressed her appreciation to the community members who were involved and assisted with this issue. She identified the owners of Rhythm Kitchen and their efforts. She remarked that, after extensive research by Assistant Corporation Counsel Sonni Williams, it was determined that it was not necessary for the Contemporary Art Center of Peoria to obtain a Class E-1 liquor license, and that their current liquor license would suffice. She said, as a result, approval was not needed, so this item was no longer necessary.

Council Member Moore moved to DENY the Site Application for a Class E-1 (Private Club Over 200) liquor license with on-site consumption and retail sale of alcohol at Contemporary Art Center of Peoria, 305 SW Water, Unit 2A; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(15-096) Communication from the City Manager with a Request to ADOPT an ORDINANCE Approving the RIVER TRAIL REDEVELOPMENT AGREEMENT (1st District).**

Assistant City Manager Chris Setti distributed handouts pertaining to the River Trail Redevelopment Agreement, and he provided an overview of the project. He said money that was budgeted to ensure the continuity of the trail system would remain. He said the memorial trees would not be destroyed, and memorials such as the Dan Fogelberg and Alzheimer memorials were outside the project boundaries. He said the volleyball courts would be slightly impacted by the roadway, but that eight of the ten volleyball courts would remain intact. He said he was currently working with the developer and Public Works Staff to narrow the proposed roadway in order to create the least amount of impact on those courts. He said Constitution Gardens would be relocated closer to the Riverplex, which would create greater access and publicity. The replacement land requirement needed to satisfy the Land and Conservation Grant from IDNR, he said, the City would have to find similar parcels in monetary value. He emphasized that the project would not proceed without the City making reasonable efforts to find similar land. He remarked that the IDNR conversion process was complex, and that the conversion land not only had to meet IDNR's approval but the approval of the City Council as well. He said the River Trail project would be mutually beneficial with improved open space and a quality development.

Assistant City Manager Setti said the approval of the development would be the first step. He said the developer needed to secure financing. He remarked that the developer was willing to work with Staff to design a road with the least amount of negative impact and a greater positive impact on the area. He reiterated that the replacement land had to be approved by the City Council and the IDNR. He reported that constituents had expressed concern regarding the replacement land; however, he said the City would be able to find comparable land. He said this project was the result of several years' worth of effort on behalf of Staff, and he reported that the Developer would finance approximately \$18 million in private funds towards this development.

Council Member Moore expressed her appreciation to Assistant City Manager Setti for his efforts in this matter. She remarked that this project was not final. She said the volleyball courts would remain and the development would not be high-priced condominiums, but rather market-rate apartments. She recommended comparing this project with the Chicago River rather than Lake Shore Drive. She said the road in front of the Riverplex was a public street. She said the proposed development would go before the Planning and Zoning Review Board for review. She recommended that the land used for the proposed development be compensated for comparable land along the riverfront. She remarked that the current vote before the City Council would not guarantee this development would occur.

Ms. Willa Lucas, a concerned citizen, spoke in opposition to the project stating that this was the last area close to downtown where individuals could enjoy the river.

Mr. David Pittman, a representative from the Heart of Illinois Sierra Club, spoke in opposition to the development. He remarked that several petitions had been circulated that demonstrated overwhelming opposition to the sale of this land. He asked the City Council to vote against this proposal stating that it would set a precedent.

Mr. Maurice Brucker, a concerned citizen, spoke in opposition to the development, and he requested the City Council to obtain an up-to-date appraisal of the land.

Ms. Pat Palmer, an interested citizen, distributed a handout and expressed a concern regarding the lack of public notification. She reviewed a project agreement from 1986 for a passive park in that location, and she spoke in opposition to the project.

Ms. Carole Hoke, an interested citizen, said the community was in need of affordable housing, and she expressed a concern that the development would not provide this type of housing. She commented that there were other locations within the City suitable for this type of development.

Ms. Lauren Padgett, a concerned citizen, spoke in opposition to the development and remarked that there were plenty of spaces along the riverfront that need to be developed versus the green space that was proposed.

Ms. Pat Kenny, a concerned citizen, spoke in opposition of the project stating that there was very little open space in the downtown area. She said the City needed a workable downtown plan, and she remarked on the lack of notice relating to the proposed development.

Mr. George Burrier, an interested citizen, commented that there were now 1100 miles worth of trails for people to utilize. He spoke in opposition of the proposed project stating that the sale of the property would negatively impact the vibrancy of the downtown.

Mr. Michael Freilinger, president of the Downtown Development Corporation, spoke in favor of the development, and he noted that the developer needed to take into consideration the aesthetics of the riverfront. He said he believed a compromise could be made, and he said the DDC would work with the City to reclaim comparable green space. He said the DDC was committed to the development of the downtown area.

An interested citizen, spoke in favor of the project on behalf of the young professionals of Peoria. He said the young professionals were moving to other communities that had more attractive housing. He said Peoria did not have sufficient housing for the young professionals it strived to attract.

Mr. Savino Sierra, a concerned citizen, spoke in opposition to the proposed development saying it would take away an asset from the Community.

Mr. Robert Johnson, a Peoria Park District Board of Trustee, spoke in opposition to the proposed project and he discussed the price of the land. He remarked on the urgency to maintain green space along the water front.

Mr. Craig Mingus, a concerned citizen, spoke in opposition. He said he previously worked for the Peoria Park District and was originally assigned and responsible for the designing and overseeing of the park. He provided a history of the property before it became a park, and he warned of the potential underground hazards for the developer.

Mr. Marcus Fogliano, a concerned citizen, spoke in opposition to the project, noting the importance of keeping the green space.



Mr. Marvin Hightower, Vice President of the NAACP, distributed a letter and spoke in opposition to the proposed project and he asked the City Council to vote in opposition.

Mr. John Blossom, a concerned citizen, spoke in opposition to the project. He said this development could co-exist with the park, but he expressed his concern for the lack of a public hearing, the timing of the project and the lack of notice.

Mr. Doug Day, a concerned citizen, spoke in opposition to the project.

Council Member Moore expressed her appreciation for citizen input and citizen presence, and then she moved to adopt an Ordinance approving the River Trail Redevelopment Agreement with the amendment that any land taken for the project be compensated with riverfront land; seconded by Council Member Spain.

Council Member Moore remarked that this proposed development would not be condominiums, but rather market-rate apartments.

Council Member Akeson said the proposed project was suburban in nature and asked for it to be less suburban. She expressed a concern for a lack of a long-term master plan for the Riverfront. She remarked there were other properties available for less money that was suitable for development. She recommended the City Council to reconvene and discuss the proposed project. She said the City Council should ask a developer to meet the need for housing for young professionals.

Council Member Turner said there would be open and detailed communication before development occurred. He said there had to be comparable replacement land prior to the development taking place. He remarked that the item before the City Council was not the final part of the project. He said it would go before the Planning and Zoning Commission for a detailed review.

Council Member Spain remarked that public outreach had been extraordinary and that there had been excellent communication. He said he was an advocate for this kind of housing downtown. He said the park and trail would remain and be improved along with additional amenities. He said he would not support a project that would eliminate the park. He said there was an opportunity to add additional riverfront greenspace. He said this should be considered an improvement to other parts of the riverfront for the public. As for Water Street, he remarked on the importance of minimizing the loss of greenspace. He said the Planning and Zoning Commission was the right venue to continue discussions.

Council Member Jensen said this process demonstrated the item was not ready for a vote. She said there needed to be an overall riverfront plan with meaningful public input. She said she understood the need for downtown housing, but she indicated this was not the process.

Council Member Grayeb spoke in opposition to selling the land and commented on finding a location that had the least negative impact.

Council Member Weaver said the City Council should continue to review the proposed project. He said before negotiations continued, the City should look for comparable greenspace to replace what would be sold. He expressed a concern about the risk involved and the impact it

would have on the taxpayers. He spoke in support of zero risk and protection for the City. He added before moving forward, this needed to be solved. He also suggested spending \$2 million on Adams and to make Spring and Bond Streets become entrances. He said he still had a problem with this being a through street connecting on the north. He also suggested preserving the turnstyle in some manner.

Council Member Riggerbach expressed concern that misinformation had been disseminated throughout the community. He remarked that the development agreement contained the need for the City to find comparable replacement land prior to the development taking place. He remarked that by approving the item, it would create the option for negotiation wherein the public could weigh in.

In response to Council Member Akeson's question whether the agreement could be changed after this item was approved by the City Council, Corporation Counsel Don Leist said it could be modified. He said the City Council could put any condition desired on this development, other than change the sale price.

Council Member Akeson recommended, upon approval of this project, the City consider having streets terminate at the park. She remarked that a tree inventory and a traffic setting needed to be conducted.

Mayor Ardis remarked that this was not an easy decision. He said he hoped the City Council continued to stay on the track to establish a level of professionalism in order for everyone to debate with passion. He said he wanted more information about various groups being told not to discuss this project, which he said was very inappropriate. He expressed his appreciation to Mr. Blossom, who was the one person very passionate that these two projects could co-exist. He expressed his appreciation to the City Manager and Staff who diligently worked on this project.

Council Member Grayeb commented that he was sensitive to the issue of protecting and promoting economic development in community, and he provided a basis for the same. He continued to voice his dissent to the project. He said this green space needed to be preserved for future generations.

In discussion with Council Member Weaver, Assistant City Manager Setti recapped the discussion and said the primary concerns of the citizens and Council were the following:

1. Replacement land located on the riverfront of equal size and value
2. Reconsideration of roadway access points to the development
3. Better pedestrian facilities to the river and other amenities along the riverfront
4. Financial concerns

Council Member Weaver expressed a concern regarding the financial aspect of the development in the agreement and taxpayer risk, and he inquired whether the City could eliminate taxpayer risk.

Discussions were held regarding the risk the City would incur. Corporation Council Leist said the City could not get to a situation where the City had no risk. He said there was a potential there could be a financial loss to the City, but under the proposed terms there would not be zero risk.

Assistant City Manager Setti said there were provisions in place to terminate the agreement if it became necessary. He said during the due diligence window, the City had to make sure the business agreement would be sound. He commented that should there be a shortfall in property taxes, the developer would be required to compensate for that shortfall and this was secured by a second mortgage.

Following further discussion regarding the risk, Council Member Weaver moved for a substitute motion to adopt an Ordinance approving the River Trail Redevelopment Agreement with direction for the Planning Commission to take into consideration the items discussed and for the developer not to contest the property taxes and to protect the City, as much as possible, against default; seconded by Council Member Moore.

Council Member Grayeb said he would not support the substitute motion stating that selling public property was bad public policy.

Substitute Motion to adopt ORDINANCE NO. 17,213 approving the River Trail Redevelopment Agreement with direction for the Planning Commission to take into consideration the items discussed and for the developer not to contest the property taxes, and to protect the City as much as possible, against default, was approved by roll call vote.

Yeas: Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver,  
Mayor Ardis – 8;

Nays: Akeson, Grayeb, Jensen- 3.

### NEW BUSINESS

It was determined that there was no new business to come before the City Council.

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

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

Mr. Savino Sierra, a Peoria resident, expressed his disappointment with the outcome of the River Front Development project.

Mr. David Pittman, a Peoria resident, expressed his disappointment with the outcome of the River Front Development project vote. He remarked that the sound system in the Council Chambers was of poor quality and needed improvement.

Mr. Marcus Fogliano, a Peoria resident, reported that on March 24, 2015, transgender training was held with the Peoria Police Department, noting that approximately 50 Police Officers participated in the training. He expressed his appreciation to Amy Dotson who led the training along with two transgendered individuals who lived in the Peoria community as well.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION 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; 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; 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 Weaver moved to enter into an Executive Session to Discuss 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; 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; 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 Jensen.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

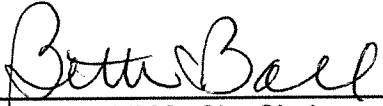
Council Member Spain moved to adjourn the Regular City Council Meeting; seconded by Council Member Johnson.

Approved by roll call vote.

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

Nays: None.

The Regular City Council Meeting adjourned at 12:10 A.M.

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