

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular Meeting of the City Council of Peoria, Illinois was held February 11, 2014, at 6:15 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, Grayeb (arrived immediately after roll), Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain, Turner, Weaver, Mayor Ardis – 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

RECOGNITIONS:

Andrew Muir -Muir Omni Graphics 50th Anniversary

Central Illinois Section of the Society of Women Engineers - Support of National Engineers Week

PROCLAMATIONS:

World Interfaith Harmony Month - February 2014

Problem Gambling Awareness Month - March 2014

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 8, 2014, 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, 2014. He explained the Town Board and Town Officials did not agree with this provision and he made this announcement to inform citizens so they would have an opportunity to participate.

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on January 28, 2014, and the Special City Council Meeting held on February 4, 2014, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PUBLIC HEARING

(14-041) PUBLIC HEARING Regarding the First Amendment to the Annexation Agreement for Property Generally Located North of Parcel Identification No. 13-02-351-005, South of Parcel Identification No. 13-02-100-005, East of ORANGE PRAIRIE ROAD EXTENDED, and West of IL ROUTE 91, the Property Identified as Part of Parcel Identification No. 13-02-300-004, Located Within the City of Peoria, Illinois.

Council Member Spain moved to open the Public Hearing regarding the First Amendment to the Annexation Agreement for property generally located North of Parcel Identification No. 13-02-351-005, South of Parcel Identification No. 13-02-100-005, East of Orange Prairie Road Extended, and West of IL Route 91, the property identified as part of Parcel Identification No. 13-02-300-004, located within the City of Peoria, Illinois; seconded by Council Member Johnson.

Approved by roll call vote.

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

Nays: None.

Mayor Ardis opened the Public Hearing at 6:37 P.M.

Following a second call for comments from the public, the following individuals addressed the City Council:

Mr. Stephen Ashburn, a Peoria resident, spoke in opposition to the proposed rezoning and annexation of said property. He expressed concern regarding the potential increase in traffic, decline in property values and lighting pollution. He also expressed a frustration with the rezoning and annexation procedures. He commented that the residents near this location needed to be properly informed and involved in the project.

Mr. Charles Webber, a Peoria resident, spoke in opposition to the proposed rezoning and annexation of said property. He expressed concern regarding the potential loss in property values and increased traffic. He said with the recent reduction in personnel at the Police and Fire Departments, he had additional concern as to whether the City would be able to efficiently address issues that required the services of these two Departments. He said he believed this project was not adequately researched. In closing, he remarked that he was in

favor of a Sports Dome, but he said he preferred it to be in another location. He requested the City Council to defer this matter until a later date until it had been thoroughly reviewed.

Mr. Chris Lagatta, a Peoria resident, spoke in opposition to the proposed rezoning and annexation of said property. He said prior to purchasing his home, he reviewed the zoning and development in the northern part of Peoria. He said he was disappointed to learn that the City planned to rezone and develop a sports complex near his residence, especially with the proposed hours of operation. He commented that this project would not blend into the neighborhood. He also expressed concern regarding increased alcohol sales within the area. He said this type of development would require additional Police Patrols. He said this type of development would contribute to a substantial increase in traffic, and he noted there was only one proposed access to the sports complex from Orange Prairie Road. He recommended the City consider an alternate location for the sports complex off of Route 91.

Ms. Marilyn Colgan, a Peoria resident, expressed her concern regarding the proposed rezoning, annexation and development of this location. She said when she purchased her residence she knew of future subdivision development, but nothing indicated there would be a business development proposed before the City Council. She said she was in favor of the sports complex, but she remarked there would be a better alternate location rather than the proposed one. She disagreed with the location of the project, and she expressed her concern for the potential increase in traffic and noise.

Mr. Perry Cale, a Peoria resident, spoke in opposition to the rezoning, annexation and proposed project. He expressed a concern for the potential increase in traffic. He said the current traffic study was conducted and prepared on behalf of the developer with none prepared on behalf of the City or its residents. He commented there were flaws with the study. He said the City Council was not given ample time to review the proposed project, nor had they given consideration to the increase in traffic at this location. He requested this item be postponed until an unbiased traffic study was completed.

A Peoria Resident said she recently purchased her home in the Timberbrook Subdivision last summer. She said she had purchased her home based on the importance of the location. She said her research of the location never mentioned the proposed project. She said she had attended several meetings relating to this project, and she said there was no way this development would not have a negative impact on the neighborhood's quality of life. She said the sports complex was a great opportunity for the City of Peoria, but she expressed a grave concern for its proposed location.

Attorney Bob Hall of Miller Hall & Triggs, counsel for the developer, said the amendment to Annexation Agreement was equivalent to a Redevelopment Agreement for a sports complex to be called the Louisville Slugger Sports Complex. He provided a description of the inflatable dome and the surrounding property. He reported this \$44 million project would enhance business revenue consistently throughout the year. He said Orange Prairie Road would be a four-lane thoroughfare to accommodate the increased traffic. He asked the City Council to approve the amendment to the Annexation Agreement.

Mr. Roger Sparks, a Peoria resident and an advocate for disabled rights, said he could empathize with the neighboring property owners. He said this project would be another Glen Hollow or Expo Gardens. He said his concern was for the lack of public transportation to this facility, and he inquired whether Citilink had plans to expand its route. He said available transportation was required in order to be in compliance with the disability standards.

Following a third call for comments from the public, Mayor Ardis determined no one else wished to speak and he requested that the Public Hearing be closed.

Council Member Spain moved to close the Public Hearing regarding the First Amendment to the Annexation Agreement for property generally located North of Parcel Identification No. 13-02-351-005, South of Parcel Identification No. 13-02-100-005, East of Orange Prairie Road Extended, and West of IL Route 91, the property identified as part of Parcel Identification No. 13-02-300-004, located within the City of Peoria, Illinois; 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.

Mayor Ardis closed the Public Hearing at 7:15 P.M.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (14-042) NOTICE OF LAWSUIT Filed on Behalf of KENNETH WILLIAMS, Regarding a Complaint Against the Peoria Police Department, with a Request to Receive for Information and to Refer to the Legal Department.**
- (14-043) Communication from the City Manager with a Request to Approve the INTERGOVERNMENTAL AGREEMENT with the BOARD OF EDUCATION OF PEORIA SCHOOL DISTRICT NO. 150 for the Sale or Exchange of Real Properties Located at 2138, 2142, 2144, 2206, 2208 and 2212 NORTH PROSPECT.**
- (14-044) * Communication from the City Manager and Public Works Director with a Request to Approve and Authorize the City Manager to Execute AMENDMENT #2, in the Amount of \$50,000.00, to MASTER SERVICES AGREEMENT #12-172 with FOTH INFRASTRUCTURE AND ENVIRONMENT LLC for Design and Construction Engineering Services for the POPLETT HOLLOW ROAD CULVERT REPLACEMENT. (Also Refer to Item 13-330-B).**
- (14-045) Communication from the City Manager and Director of Public Works Requesting Approval of a SOLE SOURCE CONTRACT with PUBWORKS, INC., in the Amount of \$69,750.00, for Asset Management Software and Implementation Services for the Public Works Department.**

- (14-046) **Communication from the City Manager and the Public Works Director with a Request to Approve the Following Items Related to the PIONEER PARKWAY EXTENSION PROJECT from RADNOR ROAD to ALLEN ROAD:**
- A. **Amendment 01 to a PROFESSIONAL SERVICES AGREEMENT with CRAWFORD, MURPHY AND TILLY, INC. (CMT), in an Additional Amount not to Exceed \$70,277.00 to Prepare Construction Plans, Specifications, and Cost Estimate for the Section of the Project from VILLA LAKE DRIVE to HARKER DRIVE, Subject to Review and Approval of the ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) (Amends #12-355-C);**
 - B. **A Local Agency Supplemental AGREEMENT for Federal Participation with the ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) to Request 80% Federal Funding (\$56,800.00) and 20% City Funding (\$14,200.00) for the PROFESSIONAL SERVICES AGREEMENT in Item A, Subject to Review and Approval of IDOT (Amends #12-355-D);**
 - C. **A Supplemental MFT RESOLUTION NO. 14-046, in the Amount of \$14,200.00, to Provide Support for the Local Share of the Local Agency Agreement in Item B.**
- (14-047) **Communication from the City Manager and the Fire Chief with a Request to Approve a RESOLUTION Approving the CLASSIFICATION of Qualified Members of the Fire Department as Peace Officers for the Purpose of Investigating Fire or Explosions, which are Suspected to be Arson or Arson-Related Crimes.**
**
- (14-048) **Communication from the City Manager and Finance Director/Comptroller with a Request to Approve a RESOLUTION NO. 14-048 Allocating Qualified Energy Conservation Bond Volume Cap Received by the City of Peoria, Peoria County, Illinois to Community College District No. 514, Counties of Peoria, Tazewell, Woodford, Marshall, McLean, Bureau, Logan, Livingston, Mason and Stark and State of Illinois to be Used for Qualified Conservation Purposes Under Applicable Law in the Amount of \$1,190,634.00.**
- (14-049) **Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class B (Restaurant, 50% Food) Liquor License with a Subclass 1A (2:00 a.m. Hours) with On-Site Consumption at 3821 N. STERLING (d/b/a AURELIO'S PIZZA), with a Recommendation from the Liquor Commission to Approve.**

- (14-050) **Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class G (Beer and Wine Only Restaurant) Liquor License with On-Site Consumption at 4408 N. KNOXVILLE AVENUE, SUITE E (MONICAL'S PIZZA), with a Recommendation from the Liquor Commission to Approve.**

- (14-051) **Communication from the City Manager and the Interim Corporation Counsel with a Request to Approve the SITE APPLICATION for a Class B-1 (Restaurant, 25% Food) Liquor License with On-Site Consumption at 6736 N. Frostwood Parkway (d/b/a Po-Boy's on Frostwood), with a Recommendation from the Liquor Commission to Approve.**

- (14-052) **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 from the AMVETS CHARITIES OF PEORIA for an Event to be Held at 237 N.E. MONROE on Monday, March 17, 2014.**
- (14-053) **APPOINTMENT by Mayor Ardis to the LIQUOR COMMISSION with a Request to Concur:**

Ms. Camille Coates (Voting) - Term Expires 6/30/2014
- (14-054) **Communication from the City Manager and the Interim Corporation Counsel to Approve the Dates for Scheduled Events Sponsored by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E.), Subject to Their Filing the Necessary Permits and Approval as Required by the City Code.**
- (14-056) **REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of DECEMBER 2013, 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 Turner requested Item No. 14-047 be removed from the Consent Agenda for further discussion.

Council Member Montelongo requested Item Nos. 14-049 and 14-051 be removed from the Consent Agenda for further discussion.

Council Member Weaver requested Item No. 14-044 be removed from the Consent Agenda for further discussion.

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

Item Nos. 14-042 through 14-056 (excluding Item Nos. 14-044, 14-047, 14-049 and 14-051, 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.

- (14-044)** **Communication from the City Manager and Public Works Director with a Request to Approve and Authorize the City Manager to Execute AMENDMENT #2, in the Amount of \$50,000.00, to MASTER SERVICES AGREEMENT #12-172 with FOTH INFRASTRUCTURE AND ENVIRONMENT LLC for Design and Construction Engineering Services for the POPLETT HOLLOW ROAD CULVERT REPLACEMENT. (Also Refer to Item 13-330-B).**
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In response to Council Member Weaver, City Manager Urich said the request for an additional \$50,000.00 to finish the Poplett Hollow Road Culvert included both the design and construction engineering. He said the project was at a point where the City needed to negotiate with the contractor in order to complete the work.

Council Member Weaver requested Staff to continue negotiations with Foth for the completion of the culvert replacement. In addition, he asked for a review of the City's process for these types of situations.

Council Member Weaver moved to defer the request to approve and authorize the City Manager to execute Amendment #2, in the amount of \$50,000.00, to Master Services Agreement #12-172 with Foth Infrastructure and Environment LLC for design and construction engineering services for the Poplett Hollow Road Culvert Replacement until the March 25, 2014, Regular City Council Meeting; seconded by Council Member Jensen.

Motion to defer this item until March 25, 2014, was approved by roll call vote.

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

Nays: None.

- (14-047)** **Communication from the City Manager and the Fire Chief with a Request to Approve a RESOLUTION Approving the CLASSIFICATION of Qualified Members of the Fire Department as Peace Officers for the Purpose of Investigating Fire or Explosions, which are Suspected to be Arson or Arson-Related Crimes.**
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Mayor Ardis said the Fire Chief and the Police Chief were collaborating to address public safety as it related to arson. He said arson crimes were cyclical throughout the year.

Fire Chief Tomlin said the Fire Department had regularly been involved with arson investigations. He said the Department sent an investigator to school to enhance interview and investigative techniques. He reported that the Fire Department and the Police Department worked well together and utilized the best skill sets along with the State's Attorney's Office to investigate and prosecute this type of offense. He said the Fire Department was currently in the process of filling seven vacancies.

Police Chief Settingsgaard said he worked with Fire Chief Tomlin in forging a partnership to address arson crimes. He said both Departments had certified investigators addressing this issue. He said combining the Departments brought the history of law enforcement and firefighting together to combat this issue.

In response to Mayor Ardis, Police Chief Settingsgaard reported the Police Department was currently in the process of swearing in seven experienced Police Officers who would enter the field training program for 12 weeks. He said it was the Department's goal to have all seven Police Officers ready for the field by June 2014.

Council Member Turner moved to approve a Resolution approving the classification of qualified members of the Fire Department as Peace Officers for the purpose of investigating fires or explosions, which are suspected to be arson or arson-related crimes; seconded by Council Member Grayeb.

RESOLUTION NO. 14-047 was approved by roll call vote.

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

Nays: None.

**(14-049) Communication from the City Manager and the Interim Corporation
*** Counsel with a Request to Approve the SITE APPLICATION for a Class B (Restaurant, 50% Food) Liquor License with a Subclass 1A (2:00 a.m. Hours) with On-Site Consumption at 3821 N. STERLING (d/b/a AURELIO'S PIZZA), with a Recommendation from the Liquor Commission to Approve.**

Council Member Montelongo said he had visited the establishment and remarked on the amazing remodeling by the owners. He encouraged everyone to visit and have dinner at the establishment.

Council Member Montelongo moved to approve the Site Application for a Class B (Restaurant, 50% Food) Liquor License with a Subclass 1A (2:00 A.M. Hours) with on-site consumption at 3821 N. Sterling (d/b/a Aurelio's Pizza); seconded by Council Member Riggensbach.

Approved by roll call vote.

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

Nays: None.

**(14-051) Communication from the City Manager and the Interim Corporation
**** Counsel with a Request to Approve the SITE APPLICATION for a Class B-1 (Restaurant, 25% Food) Liquor License with On-Site Consumption at 6736 N. Frostwood Parkway (d/b/a Po-Boy's on Frostwood), with a Recommendation from the Liquor Commission to Approve.**

Council Member Montelongo said he spoke with the developer last summer and he said the developer had done a tremendous job reconstructing the structure, which had been vacant for the last four years. He remarked the positive influence the project would have on the neighborhood.

Council Member Montelongo moved to approve the Site Application for a Class B-1 (Restaurant, 25% Food) Liquor License with on-site consumption at 6736 N. Frostwood Parkway (d/b/a Po-Boy's on Frostwood); seconded by Council Member Turner.

Council Member Weaver said the developer had commented on the excellent process the City had in place for this type of development. He expressed appreciation to Staff for their efforts.

Motion to approve the Site Application for a Class B-1 (Restaurant, 25% Food) Liquor License with on-site consumption at 6736 N. Frostwood Parkway (d/b/a Po-Boy's on Frostwood) was approved by roll call vote.

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

Nays: None.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

(14-057) Communication from the City Manager and the Public Works Director with the Request to Approve Staff Recommendation of Roadway Configuration Alternative #1 for UNIVERSITY STREET, from Nebraska Avenue to Forrest Hill Avenue.

A citizen comment was distributed to all Council Members.

Public Works Director Mike Rogers requested the City Council to approve Staff's recommendation on the roadway configuration for University Street from Nebraska Avenue to Forrest Hill Avenue. He said Staff prepared three alternatives for the City Council's review. He reported Alternative #2, which called for a 4-lane section, was not obtainable. He said upon recommendations from residents and business owners, and taking into consideration concerns regarding driveways and commercial traffic, Staff determined it necessitated a 5-lane section. Along with this recommendation, he said Staff kept in mind the concept of Complete Streets wherein Alternative #1 incorporated two Complete Street items: 10-foot wide lanes (smaller than the standard 12-foot width), which would slow traffic down; and the addition of two additional feet to sidewalk widths. He said Staff anticipated holding additional public meetings to keep the property and business owners apprised of the project.

Council Member Grayeb moved to approve Staff's recommendation of Roadway Configuration Alternative #1 for University Street from Nebraska Avenue to Forrest Hill Avenue; seconded by Council Member Turner.

Council Member Akeson expressed her appreciation for the discussions and presentation of the plans; however, she expressed a concern for the need to clear the sidewalks after heavy snows. She said sidewalks were not cleared unless the property owner made the effort to clear it. She remarked that because there was not an Ordinance addressing snow removal from sidewalks, snowplows used parkways to pile up the snow. She also remarked that the proposed width of the right-of-way was not ideally as wide as would have been preferred. She said pedestrians crossing a 5-lane intersection would feel the threat of traffic. She also commented that the City would not have enough traffic to warrant the implementation of 5-lanes. She said it was her opinion the proposed design would negatively contribute to citizens' quality of life. She also said the implementation of five lanes would not provide for the planting of trees. She remarked she would concede to the 5-lane design, but she expressed her disappointment in the options presented.

Council Member Spain recognized Council Member Grayeb for his efforts in this matter. He said he liked the solution posed for University Street.

Motion to approve Staff recommendation of Roadway Configuration Alternative #1 for University Street, from Nebraska Avenue to Forrest Hill Avenue was approved by roll call vote.

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

Nays: None.

(14-058) Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning Commission and Staff for the Following:

- A. To Approve a RESOLUTION Approving the FIRST AMENDMENT to the ANNEXATION AGREEMENT with Site Plan (2/3 or at least 8 affirmative votes needed to pass);**
- B. To Approve a RESOLUTION to Amend the OFFICIAL COMPREHENSIVE PLAN for the City Of Peoria to Change the Future Land Use Designation of Property Currently Designated Low Density Residential and Office to Commercial and High Density Residential (simple majority vote); and**
- C. To Approve a RESOLUTION Approving the PRELIMINARY PLAT of Peoria Sports Center Subdivision for the Property Generally Located North of Parcel Identification Number 13-02-351-005, South of Parcel Identification Number 13-02-100-005, East of Orange Prairie Road Extended, and West of IL Route 91 (simple majority vote).**

AND To Concur with the Recommendation from the Zoning Commission and Staff for the Following:

- D. To Adopt an ORDINANCE Amending APPENDIX B, the Zoning Ordinance of the City of Peoria, Rezoning Property from the Present Class R-2 (Single Family Residential) District to a Class R-7 (Multi-Family Residential) District and C-2 (Large Scale Commercial) District (2/3 of voting, but not less than 6 affirmative votes needed to pass); and**
- E. To Adopt an ORDINANCE Approving a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for an Arena and Sports Fields (simple majority vote).**

All for the Property Identified as Part of Parcel Identification Number 13-02-300-004, Located within Peoria, IL.

Community Development Director Ross Black distributed a replacement Annexation Agreement for Item "A".

Community Development Director Ross Black said the City Council needed to vote on five separate items. He provided background on the proposed development reviewing the proposed use, waivers and conditions for each lot outlined on the Quick Guide. He reviewed the general conditions, waivers and requirements.

Director Black reviewed the votes needed for each item to pass.

Council Member Johnson moved to approve a Resolution approving the First Amendment to the Annexation Agreement, with Site Plan, pertaining to property identified as part of Parcel Identification No. 13-02-300-004; seconded by Council Member Turner.

Council Member Akeson inquired whether the project would continue should the Annexation Agreement not pass. She said she previously requested copies of the studies conducted on this project and noted that each study was prepared and paid for on behalf of the developer.

In response to Council Member Akeson, Attorney Bob Hall, legal counsel for the developer, said should the Annexation Agreement not pass, the project would not proceed. He said the studies carried out were paid for by the developer. He said a sketch was provided to reflect the berm and landscape treatment. He remarked that the developer was taxing himself in order to pay for the financing of this project. He said that the developer was required to build and complete the project as outlined, and he said the developer would be willing to make a covenant within the Annexation Agreement to include the berm and landscape treatment.

Council Member Akeson concurred that she would like to include the berm and landscape as part of the covenant to the Annexation Agreement. She provided a slide presentation of various sports complexes that were erected in the State of Illinois. She said the plans presented in this project could not be compared to the East Side Complex. She said she empathized with the neighboring property owners, and she remarked the City Council's and Staff's duty to utilize and refer to the current Comprehensive Plan. She displayed a map of the Comprehensive Plan from 2001 and one from 2010, and noted this location exhibited residential development. She said she was not against the project, but she said she needed to represent and support the neighboring citizens. She inquired as to the late presentation of the plans of this development to the City Council.

Council Member Akeson requested the City Manager develop a more thorough and set process to provide citizens a guideline for these types of developments. She said there had been a number of projects brought before the City Council that were protested against yet the City Council continued to approve. She said there needed to be a better process for these types of developments. She requested the City Manager along with the Community Development Department develop a better process in order to avoid confusion in the future.

Mayor Ardis commented the City Council scheduled several Policy Sessions with Economic Development and growth plans being a topic to cover. He said it would be appropriate to discuss the development process at this time.

Council Member Spain expressed his appreciation to the citizens for their comments on this item.

Director Black said, in response to Council Member Spain, that landscaping and berm was not included in the Annexation Agreement, but could be incorporated within a Covenant where it would be made a condition of the development of the sports complex.

Council Member Spain remarked on the importance of including landscaping and a berm as a covenant to the Annexation Agreement.

Discussions continued regarding the berm and landscaping of the project.

In response to Mayor Ardis, Attorney Hall said the landscape was designed by a certified landscape architect. Discussions continued regarding the landscaping.

Interim Corporation Counsel Sonni Williams said the landscaping should be a condition of the Annexation Agreement.

Council Member Spain moved to amend the motion to include landscaping and berm requirements as indicated within the rendering as a covenant to the development of the Annexation Agreement; seconded by Council Member Weaver.

The Amendment was approved by roll call vote.

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

Nays: None.

RESOLUTION NO. 14-058-A approving the First Amendment to the Annexation Agreement with Site Plan pertaining to property identified as part of Parcel Identification No. 13-02-300-004, as amended, to include landscaping and berm requirements as indicated within the rendering as a covenant to the development of the Annexation Agreement was approved by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to approve a Resolution to amend the Official Comprehensive Plan for the City of Peoria to change the future land use designation of property currently designated low density residential and office to commercial and high density residential; seconded by Council Member Turner.

RESOLUTION NO. 14-058-B was approved by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to approve a Resolution approving the Preliminary Plat of Peoria Sports Center Subdivision for the property generally located North of Parcel Identification Number 13-02-351-005, South of Parcel Identification Number 13-02-100-005, East of Orange Prairie Road Extended, and West of IL Route 91; seconded by Council Member Moore.

RESOLUTION NO. 14-058-C was approved by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance amending Appendix B, the Zoning Ordinance of the City of Peoria, rezoning property from the present Class R-2 (Single Family Residential) District to a Class R-7 (Multi-Family Residential) District and C-2 (Large Scale Commercial) District; seconded by Council Member Turner.

ORDINANCE NO. 17,059 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance approving a Special Use in a Class C-2 (Large Scale Commercial) District for an Arena and Sports Fields; seconded by Council Member Spain.

ORDINANCE NO. 17,060 was adopted by roll call vote.

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

Nays: Akesson - 1.

(14-059) Communication from the City Manager with a Request to ADOPT the following:

- A. An ORDINANCE proposing the creation of a PEORIA SPORTS CENTER PROPERTY TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, and providing for a PUBLIC HEARING and other procedures in connection therewith;**
- B. An ORDINANCE proposing the creation of a PEORIA SPORTS CENTER HOTEL TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, and providing for a PUBLIC HEARING and other procedures in connection therewith;**
- C. An ORDINANCE proposing the creation of a PEORIA SPORTS CENTER SALES TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, And providing for a PUBLIC HEARING and Other procedures in connection therewith;**

- D. An ORDINANCE proposing the creation of a HOLIDAY INN PROPERTY TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, And providing for a PUBLIC HEARING and other Procedures in connection therewith;**
- E. An ORDINANCE proposing the creation of a HOLIDAY INN HOTEL TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, and providing for a PUBLIC HEARING and other Procedures in connection therewith; and,**
- F. An ORDINANCE proposing the creation of a HOLIDAY INN SALES TAX SPECIAL SERVICE AREA in the city of Peoria, Illinois, And providing for a PUBLIC HEARING and other Procedures in connection therewith.**

At the request of Council Member Johnson, City Manager Urich provided an overview on Special Service Areas (SSA) and what it would mean in context with the development of the Louisville Slugger Sports Complex and Holiday Inn and Suites. He reported that according to the Annexation Agreement, there would be two separate locations in which Special Service Areas would take place: one would include the sports complex property and the four hotels, the other would allow for a one-parcel SSA for the construction of a Holiday Inn and Suites. He said these two locations combined would afford six Special Service Areas. He said the hotel tax SSA would increase the hotel tax from 6.0% to 9.0% and the sales tax SSA would increase the sales tax from 8.25% to 9.25%. He said the \$9.6 million in general obligation bonds would be repaid through SSAs. He explained that the property taxes collected within the SSAs would prevent the risk of insufficient revenues being generated. He said this option would put the City in a strong position for repayment. He said the items presented requested the scheduling of Public Hearing dates in April regarding the creation of each SSA. Once the SSAs were created, the matter would then proceed for the issuance of bonds in June or July.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Peoria Sports Center Property Tax Special Service Area in the City of Peoria, Illinois and to provide for a Public Hearing to be held on April 22, 2014, at 6:15 P.M.; seconded by Council Member Riggerbach.

In response to Council Member Spain, City Manager Urich said it was difficult to achieve continuity between the property owners of the two locations, which was the reason for separate geographic SSAs.

In response to Council Member Weaver, City Manager Urich said the City would be the primary for repayment of the bond should the developer default.

ORDINANCE NO. 17,061 proposing the creation of a Peoria Sports Center Property Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing to be held on April 22, 2014, at 6:15 P.M. and other procedures in connection therewith was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Peoria Sports Center Hotel Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing to be held on April 22, 2014, at 6:15 P.M. and other procedures in connection therewith; seconded by Council Member Grayeb.

ORDINANCE NO. 17,062 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Peoria Sports Center Sales Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing to be held on April 22, 2014, at 6:15 P.M. and other procedures in connection therewith; seconded by Council Member Riggerbach.

ORDINANCE NO. 17,063 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Holiday Inn Property Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing to be held on April 22, 2014, at 6:15 P.M. and other procedures in connection therewith; seconded by Council Member Moore.

ORDINANCE NO. 17,064 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Holiday Inn Hotel Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing and other procedures in connection therewith; seconded by Council Member Turner.

ORDINANCE NO. 17,065 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Johnson moved to adopt an Ordinance proposing the creation of a Holiday Inn Sales Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing to be held on April 22, 2014, at 6:15 P.M. and other procedures in connection therewith; seconded by Council Member Grayeb.

ORDINANCE NO. 17,066 was adopted by roll call vote.

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

Nays: Akesson - 1.

Council Member Weaver and Council Member Jensen expressed concern for how the project was managed. Even though they each voted in favor of the project, they said the neighborhood should have been involved with the planning from the beginning. Each also expressed a concern about the progress of the development prior to the City Council being notified of the same.

Council Member Jensen said, given the overall economic benefit as well as conditions to be added to the agreement, she had voted in favor of the development.

Council Member Johnson expressed his appreciation to City Staff and the Commissioners who worked on this item. He remarked on what a fantastic opportunity this was for the City of Peoria.

Mayor Ardis commended City Staff and the team who worked on this project. He expressed his appreciation on the diligence of the people involved in this matter. He said the City Council took each citizen comment seriously. He remarked that the process currently in place was a good process, which he said had room for some fine-tuning. He said this was a good project due to the fact that the developer would tax his own properties to pay down the debt. He expressed his appreciation to Council Member Johnson, City Manager Urich, Assistant City Manager Setti and Staff for their work in this matter.

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

- (14-022) Communication from the City Manager and the Community Development Director with a Request to DEFER to the FEBRUARY 25, 2014, Regular City Council Meeting Item No. 14-022, an ORDINANCE Amending an Existing SPECIAL EXCEPTION ORDINANCE No. 12,043 Pertaining to EXPOSITIONS GARDENS Located at 1601 W NORTHMOOR ROAD, Peoria, IL.**

Council Member Montelongo moved to defer to the February 25, 2014, Regular City Council Meeting an Ordinance Amending an Existing Special Exception Ordinance No. 12,043 pertaining to Expositions Gardens located at 1601 W. Northmoor Road, Peoria, Illinois; seconded by Council Member Riggerbach.

Motion to defer this item until February 25, 2014, was approved by roll call vote.

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

Nays: None.

Abstention: Jensen – 1.

- (14-023) Recommendation from Councilman Riggerbach to enact a MORATORIUM on the Enforcement of ANIMATED and MOVING SIGNS**

Council Member Riggerbach moved to defer the Moratorium on the enforcement of animated and moving signs to the February 25, 2014, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until February 25, 2014, was approved by roll call vote.
Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Spain,
Turner, Weaver, Mayor Ardis – 11;
Nays: None.

NEW BUSINESS

Breakfast Chat, Thursday, February 13, 2014, 7:30 A.M. to 8:30 A.M.

Council Member Turner announced a Breakfast Chat scheduled for Thursday, February 13, 2014, at 7:30 A.M. in order to provide citizens an opportunity to express their ideas or concerns to City Council Members.

First District Efforts Regarding the Closing of Aldi's Grocery Store

Council Member Moore provided an update on the closing of Aldi's Grocery Store. She expressed her appreciation to Council Member Weaver and Council Member Spain for their support and for attending the meeting last week, which related to this issue. She said minutes from the meeting would be posted to the website. She expressed her appreciation for the research conducted by Bradley University and City Staff, specifically Leslie McKnight, wherein they reviewed several options for the location of the old Aldi's Grocery Store.

First District "State of the District" Meeting

Council Member Moore announced that March 8, 2014, at 1:00 P.M. the First District would hold a State of the District meeting at the downtown Peoria Public Library to discuss the past, present and future of the First District.

Snow Removal

Council Member Akeson expressed her appreciation to Methodist, St. Francis, University of Illinois College of Medicine and Heartland Parking for their efforts in removing snow from their sidewalks

Public Works' Efforts with the Water Main Break

Council Member Akeson expressed her appreciation to the Director of Public Works for the City's execution in mitigating the water main break on Monday.

Neighborhood Meeting in the Fourth District

Council Member Montelongo said he held a first breakfast meeting with the residents in the Fourth District wherein approximately ten residents appeared. He announced he would continue to host monthly meetings for the Fourth District on the first Thursday of each month at Panera located at Westlake Shopping Center. He said the next meeting would be held on March 6, 2014, from 7:30 A.M. to 8:30 A.M.

Snow Removal

Council Member Montelongo expressed his concern for snow-covered sidewalks and kids walking in the streets after school to go home. He said this was an issue that needed to be addressed.

New Assistant Fire Chief

Mayor Ardis introduced and welcomed the new Assistant Fire Chief Charles Lauss.

New Director Chamber of Commerce

Mayor Ardis announced a new Director at the Chamber of Commerce, Jeff Griffin.

Implementation of New Agenda Program

City Clerk Beth Ball announced that the City Clerk's Office implemented a new agenda system. She expressed her appreciation to Information Systems Director Sam Rivera and Rachel Cook and Stefanie Rice in the City Clerk's Office for their assistance in implementing the new system. She welcomed any suggestions from the City Council or Staff on the process.

CITIZEN'S 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, mentioned the State of the City discussion held in January. He noted issues within Peoria School District 150, and the South Side's desire to have a Sports Dome in their location. He mentioned an upcoming dinner in support of the South Side's GFL League. He commented on the need for snow removal from the sidewalks.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss 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.

Council Member Weaver moved to enter into an Executive Session to discuss 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; seconded by Council Member Jensen.

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

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 9:04 P.M.


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