

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

A Regular City Council Meeting of the City Council of Peoria, Illinois, was held April 26, 2016, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were physically present: Akesson (Arrived at 6:03 P.M.), Grayeb, Jensen (Arrived at 6:05 P.M.), Johnson, Montelongo (Arrived at 6:15 P.M.), Moore, Riggerbach, Ruckriegel, Spain, Turner, Mayor Ardis – 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or reflection, and then he led the Pledge of Allegiance. He asked that the family of Mrs. Marjorie Klise, who recently passed away, be remembered, noting that Mrs. Klise was an advocate of the Moss-Bradley Neighborhood and the community.

PROCLAMATIONS, COMMENDATIONS, ETC.

**Peoria Ballet – 50th Anniversary
Memorial Days – May 26-30, 2016
Days of Remembrance – May 1-30, 2016
Comcast Cares Day – April 30, 2016
Floyd and Bernadine Nolan
Mardi Gras Days
End Childhood Hunger Run – April 16, 2016**

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on April 12, 2016, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

(16-129) Communication from City Manager and Director of Public Works with a Request to Approve the 2016 STREET MAINTENANCE MATERIALS VENDORS.

- (16-130) **Communication from City Manager and Director of Public Works with a Request to Accept a DEDICATION DEED from LFH-100 LLC for a Parcel of Land for a Public Street to Serve the GLENHAVEN COMMON SUBDIVISION. (Refer to Annexation Agreement Resolution #05-248) (Council District 5)**
- (16-131) **Communication from the City Manager and Director of Public Works with a Request to Approve a One-Year Extension of CONTRACT #15-111 with JIMAX LANDSCAPE LLC, in the Amount of \$70,000.00 for 2016 Landscaping Services.**
- (16-132) **Communication from the City Manager and Corporation Counsel with a Request to APPROVE the AGREEMENTS to Amend the Leases Between the City and VERIZON (Through Verizon's Agent AMERICAN TOWER).**
- (16-133) **Communication from the City Manager and the Community Development Director with a Request to Concur with the Planning & Zoning Commission and Staff to ADOPT ORDINANCE NO. 17,356 Approving a SPECIAL USE in a Class R-3 (Single Family Residential) District for a MONASTERY, CONVENT AND RELIGIOUS CHAPEL for the Property Identified as Parcel Identification No. 13-25-176-005, with an Address of 3737 N. MARYBELLE DR., Peoria, IL. (Council District 4)**
- (16-134) **Communication from the City Manager and the Community Development Director with a Request to Concur with the Planning & Zoning Commission and Staff to ADOPT ORDINANCE NO. 17,357 Amending Existing Ordinances No. 16,003, as Amended, and 14,254 as Amended, for a SHOPPING CENTER in a Class C-2 (Large Scale Commercial) District to Add/Remove Property and Approve a Building Addition and Parking Lot Expansion for the Property Identified as Parcel Identification Nos. 09-32-451-012 (9219 N. LINDBERGH DR.), 09-32-455-001, 09-32-455-002 (9126 N. LINDBERGH DR.), 09-32-455-003 (9118 N. LINDBERGH DR.), 09-32-455-005, 09-32-455-006 (9106 N. LINDBERGH DR.), 14-05-201-016 (9025 N. LINDBERGH DR.), 14-05-202-012, 14-05-202-013 (9109 N. KNOXVILLE AVE.), 14-05-202-017 (1021 W. BIRD BLVD.), 14-05-202-019, 14-05-202-020, 14-05-202-021 (1101 W. BIRD BLVD.), 09-32-451-014 (N. LINDBERGH DR.), 14-05-201-004 (1116 W. BIRD BLVD.), 14-05-201-005 (8919 N. HALE AVE.), 14-05-201-006 (N. HALE AVE.), 14-05-201-007 (8903 N. HALE AVE.), and 14-05-201-009 (1200 W. BIRD BLVD.), Peoria, IL. (Council District 5)**
- (16-135) **Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT ORDINANCE NO. 17,358 Rezoning Property from a Class R-6 (Multi-Family Residential) District to a Class C-N (Neighborhood Commercial) District, for the Property Located at 3029 N. PROSPECT ROAD (Parcel Identification No. 14-34-128-032), Peoria, IL. (Council District 3)**

- (16-136) **Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT ORDINANCE NO. 17,359 Amending an Existing SPECIAL USE, Ordinance Number 17,081, for ASSISTED LIVING (Formerly Called Elderly Housing) in a Class R-3 (Single-Family Residential) District and a Class R-1 (Single-Family Residential) District for the Property Located at 6414 N. MOUNT HAWLEY ROAD (Parcel Identification Numbers 14-16-129-014 and 14-16-177-001), Peoria, IL. (Council District 3)**
- (16-137) **Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the PEORIA PROMISE FOUNDATION for an Event to be Held at 5728 N. KNOXVILLE, on Saturday, June 4, 2016. (Council District 3)**
*
- (16-138) **APPOINTMENTS by Mayor Ardis to the ADVISORY COMMISSION ON HUMAN RESOURCES with a Request to Concur:**
**
- Mr. Amr Elsamny (Voting) – Term Expires 6/30/2017**
Ms. Jessica Zobac (Voting) – Term Expires 6/30/2018
- (16-139) **REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of MARCH 2016, 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 Spain requested Item Nos. 16-137 and 16-138 be removed from the Consent Agenda for further discussion.

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

Item Nos. 16-129 through 16-139 (excluding Item Nos. 16-137 and 16-138, 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, Ruckriegel, Spain, Turner, Mayor Ardis – 11;

Nays: None.

- (16-137) **Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the PEORIA PROMISE FOUNDATION for an Event to be Held at 5728 N. KNOXVILLE, on Saturday, June 4, 2016. (Council District 3)**
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Mayor Ardis said he would abstain from voting on this matter due to a conflict in interest in that he was currently a member of the board of Peoria Promise.

Council Member Riggerbach moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Peoria Promise Foundation for an event to be held at 5728 N. Knoxville, on Saturday, June 4, 2016; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Ruckriegel, Spain, Turner – 10;

Nays: None;

Abstentions: Mayor Ardis – 1.

(16-138) APPOINTMENTS by Mayor Ardis to the ADVISORY COMMISSION ON HUMAN RESOURCES with a Request to Concur:
**

Mr. Amr Elsamny (Voting) – Term Expires 6/30/2017

Ms. Jessica Zobac (Voting) – Term Expires 6/30/2018

A revised Council Communication was distributed to all Council, which removed Mariah Hart's name per her request.

Council Member Riggerbach moved to concur with the appointments by Mayor Ardis to the Advisory Commission on Human Resources of Mr. Amr Elsamny (voting), with a term expiration of 6/30/2017, and Ms. Jessica Zobac (voting), with a term expiration of 6/30/2018; seconded by Council Member Turner.

Approved, as amended, by roll call vote.

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

Nays: None.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

(16-140) PRESENTATION by ILLINOIS AMERICAN WATER COMPANY Regarding its Recent RATE INCREASE REQUEST with a Request to Receive and File.

Mr. Roger Goodson distributed a copy of the presentation to all Council Members.

Mr. Roger Goodson, Senior Manager of Field Operations and Productions for the Illinois American Water Company, provided a presentation on the services that Illinois American Water provided and the need for a rate increase in order to fund infrastructure investments and improvement projects.

Mr. Goodson reviewed the process of a rate case, noting that the request to the Illinois Commerce Commission (ICC) was a transparent eleven-month process. He said the process protected customers and residents from the water company setting its own rates. He said all customers would be notified of the proposed increase, subject to ICC approval. He said, while the matter was before the ICC, customers were welcome to voice their opinion. He remarked that the proposed rates reflected the true cost of water service. He said the proposed increase was to recover costs incurred from October 2013 to December 2017 and he provided a breakdown of the services provided during that time period. He said the three drivers that called for the proposed rate increase were infrastructure investment, operational efficiency, and the redistribution of costs related to reduced water sales. He remarked that water services

remained a good value noting it was the lowest utility bill paid by customers. He said Illinois American Water partnered with the Salvation Army and offered a program entitled H2O Help to Others Program to help individuals who needed assistance paying their water bill. He reviewed other partnerships identifying one with the Peoria Fire Department wherein Illinois American Water provided a grant for the purchase of new fire helmets and a partnership with the Peoria Park District to help them receive an Environmental Grant.

At the conclusion of the presentation, Council Member Grayeb expressed his appreciation for the cooperation and collaboration Illinois American Water had with City Staff as pipes were fixed and new roads were installed. He also remarked that Illinois American Water had done some outreach services in the community regarding lead pipe issues.

Regarding the lead pipe issue, Mr. Goodson provided an overview of how Illinois American Water sampled their water throughout the year. He said the water company partnered with the Health Department and reached out to the community on a regular basis to keep them informed.

In response to Council Member Grayeb's question regarding citizen concern with water quality issues, Mr. Goodson said anyone could reach out to the Health Department, who partnered with a local laboratory, to test the water. He said Illinois American Water met with the Peoria School District and the City Manager to discuss how to get a school's water tested.

Council Member Jensen expressed her appreciation for the presentation and she inquired about the proposed rate increase, the extra money left over after the improvements were made, the jobs created or sustained, the service company fees, and quip charges.

Mr. Goodson said the money would continue to go towards investments and he remarked that, even with an aggressive work schedule to address the various projects, it still took time to address the issues before other issues came to light. He said \$42.5 million was spent on investments between 2012 and 2016. He said the proposed rate increase was to recoup that cost. He remarked that there was a financial risk should the ICC not approve the proposed rate increase to cover the \$42.5 million.

A representative from Illinois American Water said the service company fee paid for accounting services and business support services. He said Illinois American did not have its own IT system. He said the fee also paid for billing services and a call service center. He said the quip was a way to assist in investing in replacement infrastructure in between rate cases, which was not included in the \$42.5 million.

Council Member Jensen asked that the dollar amount received through the quip charge between 2012 and now be provided along with the percentage amount of the quip increase.

Council Member Montelongo inquired as to how the rate increases compared with other communities' water supply, public and private.

Mr. Goodson said many times municipal-owned water companies would not invest in their water lines when needed, identifying a few reasons why publicly-owned water companies would not raise rates. He said municipalities also had other funding mechanisms wherein money could be transferred to cover costs. He said sometimes elected officials were afraid to raise rates due to the impact it could have on their re-election.

In response to Council Member Montelongo, Mr. Goodson said he would compile the information for the percentage of Illinois American Water's model compared to other publicly- and privately-owned models.

Council Member Spain expressed his appreciation for the presentation and he inquired as to the quip charge. He asked if the quip was the funding mechanism between ICC rate filings to recoup investment, what could be expected with the quip in one to two years from now prior to the next rate increase.

Mr. Goodson said the quip allowed for rate adjustments outside rate proceedings for non-revenue producing investments. He said it ensured the revenue collected would equal to the cost incurred. He said, since the last rate increase, Illinois American Water invested over \$60 million wherein \$17.5 million was recouped through quip. He said Illinois American was asking for the other \$42.5 million through the rate case. He said the quip allowed to extend between rate cases by allowing Illinois American to recoup some of that cost for reoccurring expenses.

Council Member Spain asked how the quip was regulated.

Ms. Karen Cotton, External Affairs Manager from Illinois American Water, said the quip was capped at 5.0%, which was established by law. She said once the rate case was decided, then the quip charge would reset back to 0.0%. She said each quip increase went to the ICC. She remarked that once Illinois American received the rate decision, it would take time for the company to recoup that \$42.5 million. Regardless the rate increase outcome, she said the quip would reset back to 0.0%. She continued to state that, compared to other communities, municipalities may not be investing in their water system in the same way Illinois American Water invested in their system. She remarked on the importance of Illinois American recouping the true cost of water service and she reported there were systems across the State of Illinois asking Illinois American Water to purchase and invest in their water systems.

Council Member Spain remarked on how citizens compared Peoria with other surrounding communities. He said a rate increase was another item added to the cost of living within the community. He remarked on the importance of communication between the City and the water company and on the importance of preparing the community for a proposed increased. He expressed his concern for the lower water sales that coincided with a substantial rate increase. He inquired about the variable expenses, and he asked to see the statements in order to have more clarity as to the financial status of the company.

A representative from the Illinois American Water Company said he would link the City Council with the financial statements of the company.

Council Member Johnson moved to receive and file the presentation by Illinois American Water Company regarding its recent rate increase request; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

(16-091) Communication from the City Manager and Community Development Director with a Recommendation to APPROVE a PILOT URBAN FARM PROGRAM.

Council Member Jensen expressed her appreciation to Staff in their efforts of creating a pilot program for urban farms and she moved to approve a pilot urban farm program; seconded by Council Member Ruckriegel.

Council Member Moore expressed her appreciation for Staff reaching out to the community to receive input on this item. She said she met with the Neighborhood Association from the North Valley, who was excited to hear about such a program and was interested in the green nature of the process and in the types of development that would be occur.

Motion to approve a pilot urban farm program was approved by roll call vote.

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

Nays: None.

(16-141) Communication from the City Manager and Director of Public Works with a Request to Approve the Extension of CONTRACT #15-112 Through December 31, 2016, for 2016 Mowing of City-Maintained Vacant Lots by HULSE LAWCARE, for the Amount of \$25,000.00, and WINEINGER AND SONS, for the Amount of \$60,000.00.

Council Member Moore moved to approve the extension of Contract #15-112 through December 31, 2016, for 2016 mowing of city-maintained vacant lots by Hulse Lawncare, for the amount of \$25,000.00, and Wineinger and Sons, for the amount of \$60,000.00; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: See Page 31627 for the motion to reconsider.

(16-142) Communication from the City Manager and Community Development Director with a Request to APPROVE the Sale of 2021 W. HAMILTON PLACE to MICHAEL MOONEY and to Authorize the City Manager to Draft and Execute the Purchase CONTRACT. (Council District 2)

Council Member Grayeb moved to approve the sale of 2021 W. Hamilton Place to Michael Mooney and to authorize the City Manager to draft and execute the purchase contract; seconded by Council Member Ruckriegel.

Approved by roll call vote.

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

Nays: None.

MOTION TO RECONSIDER

**(16-141) Communication from the City Manager and Director of Public Works with a
*** Request to Approve the Extension of CONTRACT #15-112 Through
December 31, 2016, for 2016 Mowing of City-Maintained Vacant Lots by
HULSE LAWCARE, for the Amount of \$25,000.00, and WINEINGER AND
SONS, for the Amount of \$60,000.00.**

Council Member Moore moved to reconsider the vote on Item No. 16-141; seconded by Council Member Johnson.

Motion to reconsider was approved by roll call vote.

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

Nays: None.

Council Member Moore said Public Works Director Mike Rogers had information on the City's efforts to diversify contract recipients within the City.

Public Works Director Rogers provided an overview of the City's efforts to diversify contract holders with the City. He said three new vendors had been awarded work with the City of Peoria. He said there was a constant review of vendors that created a level of competition, which drove pricing down. He said the City held job fairs wherein a few vendors had been contracted. He said the job fairs provided an overview of work that would be available with the City for contract. He said the City's Purchasing Department and Human Resources Department would hold future job fairs and he encouraged interested vendors to attend. He said the City was working with potential vendors to ensure they were prepared for future opportunities. He said more opportunities would become available with the Combined Sewer Overflow project. He said the City was speaking with as many companies as possible, noting it was the City's goal to have individuals within the community to have job opportunities. He said in order to grow the community, opportunities needed to be created from within. He remarked that once contractors were hired, they would be held accountable to produce what was promised.

Council Member Moore said this was a direct result of the City stepping outside of its usual method of hiring contractors and she commended Director Rogers in his efforts of reaching out to the community and diversifying.

Director Rogers commented that the non-profit organizations were growing as well, noting the East Bluff Neighborhood Housing Services, which dealt with properties within their area and hiring individuals from their area.

Council Member Moore moved to approve the extension of Contract #15-112 through December 31, 2016, for 2016 mowing of city-maintained vacant lots by Hulse Lawncare, for the amount of \$25,000.00, and Wineinger and Sons, for the amount of \$60,000.00; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

(16-143) Communication from the City Manager with a Request to Approve the SECOND AMENDMENT to the REDEVELOPMENT AGREEMENT with RIVER TRAIL DRIVE LP. (Council District 1)

Council Member Spain moved to approve the Second Amendment to the Redevelopment Agreement with River Trail Drive, LP; seconded by Council Member Moore.

Council Member Jensen moved to grant Privilege of the Floor to those citizens who wanted to address the Council on this matter.

Council Member Moore said she had no objection to citizens speaking as to the extension only.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those citizens who wished to speak on the extension only.

Ms. Joyce Blumenshine, an interested citizen, remarked on the request for an extension noting that the citizens were previously denied an extension for their response earlier in 2016. She said the City of Peoria needed to provide the public with a new map that specifically outlined the property involved.

Ms. Karrie Alms, an interested citizen, asked the Council not to extend the due diligence and to vote no against the item. She stated there were no remediation plans and that details had not been finalized.

Council Member Akeson inquired whether accommodations were amicably made for the boat club and she asked whether it had been determined that the City Council would not be obligated to incur any other costs associated with the Boat Club's loss of operation should they not get approval to operate on this property.

Corporation Counsel Don Leist said the City was not obligated to compensate the Boat Club.

Council Member Akeson said she wanted to ensure that the Boat Club would be able to operate the same way it had for the last 100 years. She also requested an update on the volleyball courts.

Assistant City Manager Setti said the volleyball courts would be placed on the other side of the Riverplex. He said there was a layout of the design and the Peoria Park District was supportive of the relocation.

Motion to approve the second amendment to the Redevelopment Agreement with River Trail Drive L.P was approved by roll call vote.

Yeas: Johnson, Montelongo, Moore, Riggenbach, Ruckriegel, Spain, Turner,
Mayor Ardis – 8;

Nays: Akeson, Grayeb, Jensen – 3.

(16-117) Communication from the City Manager and Community Development Director with a Request to ADOPT an ORDINANCE Amending Chapter 13 of the CODE of the City of Peoria Pertaining to ENVIRONMENTAL ENFORCEMENT and PROPERTY MAINTENANCE STANDARDS.

Community Development Director Ross Black distributed updated Ordinances to the City Council that reflected format changes only.

Director Black said this item was before the City Council for a second reading and he remarked that Item No. 16-118 was a companion item. He said these two items would not specifically change the regulations of the City of Peoria as to what was enforced; rather, he said these two items moved regulations from one chapter of the Code to another chapter. He said these changes would provide additional enforcement tools for the City. In response to previous questions raised by the Council, he said gravel drives would continue to be prohibited, but Staff would bring an item to Council that would address the issue of gravel drives in order to provide flexibility. He said Staff was well into the training process for the new application of the regulations. He reviewed the work load distribution and he reported that each Inspector would acquire approximately four extra cases per month. He said a ninth Code Enforcement Inspector was added with two Code Enforcement Inspectors being assigned to the South Side. He said Staff continued to work on educational outreach.

In response to Council Member Moore's question regarding the affect these changes would have on an Inspector's work load, Director Black stated the number of complaint cases per Inspector would decline, which would allow Inspectors more time to look for violations that are not complaint driven.

Discussions were held as to how the hiring of an additional Code Inspector would impact the department and the workload of all inspectors collectively. It was noted that most zoning violations occurred north of War Memorial Drive. Director Black remarked that the average total number of inspectors was being increased. He said the number of complaint cases per inspector would decline assuming the same number of complaints were received, which would provide more time for Inspectors to look for violations that were not complaint driven.

Council Member Moore requested a year-end report that listed each Inspector and the number of complaints each Inspector addressed. She also requested the report be completed to reflect previous years in order to show whether this change would be a help or a hindrance.

Council Member Riggenbach expressed his appreciation to Director Black and Staff for their efforts in this matter, noting this was a step in the right direction. He said having zoning and code regulations enforced by one Inspector would make the matter more efficient from a constituent's perspective and would help the South Side with having an additional Code Enforcement Officer.

Council Member Riggenbach moved to adopt an Ordinance amending Chapter 13 of the Code of the City of Peoria pertaining to environmental enforcement and property maintenance standards; seconded by Council Member Turner.

ORDINANCE NO. 17,360 was adopted by roll call vote.

Yeas: Akesson, Jensen, Johnson, Montelongo, Moore, Riggenbach, Ruckriegel, Spain, Turner, Mayor Ardis – 10;

Nays: Grayeb - 1.

- (16-118) Communication from the City Manager and Community Development Director with a Request to ADOPT an ORDINANCE Amending Chapter 5 of the CODE of the City of Peoria Pertaining to PROPERTY MAINTENANCE STANDARDS.**

Community Development Director Ross Black distributed updated Ordinances to the City Council, which reflected format changes only.

Council Member Riggenbach moved to adopt an Ordinance amending Chapter 5 of the Code of the City of Peoria pertaining to property maintenance standards; seconded by Council Member Turner.

ORDINANCE NO. 17,361 was adopted by roll call vote.

Yeas: Akesson, Jensen, Johnson, Montelongo, Moore, Riggenbach, Ruckriegel, Spain, Turner, Mayor Ardis – 10;

Nays: Grayeb - 1.

- (16-144) Communication from the City Manager and Community Development Director with a Request to Concur with Either the Recommendation from the Planning & Zoning Commission to ADOPT ORDINANCE A or the Recommendation from Staff to ADOPT ORDINANCE B Both Amending an Existing SPECIAL USE Ordinance No. 13,932, as Amended, in a Class C-2 (Large Scale Commercial) District to Add a WIRELESS COMMUNICATION TOWER FACILITY for the Property Commonly Known as the SHOPPES AT GRAND PRAIRIE and Located at 5201 W. WAR MEMORIAL DRIVE. The Proposed Wireless Communication Tower is Located on the Property Identified as Parcel identification No. 13-11-126-013, which is Situated Immediately North of the Property Located at 5121 W. AMERICAN PRAIRIE DRIVE, Peoria, IL. (Council District 5)**

Council Member Johnson moved to defer this matter to the May 10, 2016, Regular City Council Meeting; seconded by Council Member Spain.

Motion to defer this matter to the May 10, 2016, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

- (16-145) Communication from the City Manager and Community Development Director with a Request to Concur with the Recommendation from the Planning & Zoning Commission to ADOPT ORDINANCE A or the Recommendation of Staff to ADOPT ORDINANCE B, Approving a SPECIAL USE for a Wireless Communication Facility for the Property Located at 2112 N. LINN STREET (Parcel Identification Nos. 14-33-378-019 and 14-33-378-020), Peoria, IL. (Council District 2)**

Council Member Grayeb moved to grant Privilege of the Floor to those who wished to speak on this matter.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to those individuals who wished to speak on this item.

Kathleen Groark of Insite RE, said Verizon Wireless sought approval of a Special Use for a wireless facility on Linn Street. She distributed information to the City Council regarding the wireless communication facility and remarked that the installation of the facility would improve coverage within the area where there was currently poor cellular reception. She reviewed the specifications of the facility noting that it would be located on the roof top of a current structure, which would increase the height by 5 feet. She said Verizon worked closely with the Community Development Department in order to develop a plan for a wireless communication facility and she outlined those modifications. She remarked that the property owner would do additional work to the property, such as bringing the driveway up to code. She remarked that there were no other suitable locations and she reviewed the drawings and the photo simulations of how the facility would look after installation. She said people were moving away from landline phones and looking to cell phones for phone service.

Mr. Thomas Wester, President of the Heart of Peoria Neighborhood Association, said he and his neighbors worked hard to restore the quality of life within that neighborhood and he voiced his concern regarding the installation of the facility. He said there were no issues of lack of cell service in the area and the neighbors did not want to see a wireless facility in the neighborhood. He asked the Council to deny the request for the Special Use.

Council Member Grayeb said he was certain Verizon would find another location, which would not be damaging to a fragile neighborhood, and he moved to deny the request to adopt Ordinance A or the Recommendation of Staff to Adopt Ordinance B, approving a Special Use for a wireless communication facility for the property located at 2112 N. Linn Street, Peoria, IL; seconded by Council Member Jensen.

Discussions were held regarding the impact this facility would have on the neighborhood, and Mr. Wester remarked that the neighborhood was not a commercial neighborhood stating it would take away from the neighborhood's vibrancy.

Council Member Grayeb said the height of the facility would exceed what could be approved administratively. He said the facility would be visible and did not belong in a residential neighborhood. He voiced his disapproval of this item, and he asked Council to deny the item as outlined.

In response to Council Member Akeson's question on what would happen should this item be denied, Ms. Groark said Verizon would come back to look for a new location.

Council Member Montelongo inquired whether the City had a policy for cell towers or facilities in commercial and residential areas.

Community Development Director Black said the City Code had a list of priorities from high to low in terms of location for cell towers and cell service. He said the Code did not necessarily break down the location in terms of residential or commercial. He said the intent of the Code was to put an antennae on top of an existing structure. He said if that was not available, then a new tower would be erected.

Council Member Montelongo inquired whether a policy and a process could be established in order to eliminate City Council input and to let policy drive the decision.

Mayor Ardis said Verizon would come back in a week with another location. He said he would defer to the District Council Member in support of his neighborhood association.

In response to the issues identified by Council Member Akeson, Council Member Grayeb remarked that the property owners recently met with Director Black to address those issues.

Motion to DENY the request to adopt Ordinance A or the Recommendation of Staff to Adopt Ordinance B, approving a Special Use for a wireless communication facility for the property located at 2112 N. Linn Street, Peoria, IL was approved by roll call vote.

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

Nays: None.

(16-146) Communication from the City Manager with a Request for the Following:

- A. ADOPT an ORDINANCE Approving the LEWIS HOUSE LLC REDEVELOPMENT AGREEMENT (Council District 1); and,**
- B. ADOPT an ORDINANCE Amending the City of Peoria 2016/2017 BIENNIAL BUDGET Relating to the Use of South Village Growth Cell TIF Funds to be Transferred to the East Village Growth Cell TIF Fund for the Lewis House LLC Development Agreement.**

Council Member Spain remarked on the project, and he identified the efforts of Court and Karen Conn stating that this would be one of their best projects yet. He welcomed them to Peoria and thanked them for their investment into the community.

Council Member Moore recognized Court and Karen Conn stating that their ideas would bring the building back to life.

Council Member Moore moved to adopt an Ordinance approving the Lewis House LLC Redevelopment Agreement; seconded by Council Member Spain.

ORDINANCE NO. 17,362 was adopted by roll call vote.

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

Nays: None.

Council Member Riggerbach moved to adopt an Ordinance amending the City of Peoria 2016/2017 Biennial Budget relating to the use of South Village Growth Cell TIF Funds to be transferred to the East Village Growth Cell TIF Fund for the Lewis House LLC Development Agreement; seconded by Council Member Moore.

ORDINANCE NO. 17,363 was adopted by roll call vote.

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

Nays: None.

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

- (16-066) **Communication from the City Manager and Corporation Counsel with a Request to DEFER UNTIL MAY 10, 2016, the ADOPTION of an ORDINANCE Amending Chapter 2 of the CODE of the City of Peoria Authorizing the Creation of "FAIR EMPLOYMENT PRACTICES" within the City of Peoria.**

Council Member Jensen moved to approve the request to defer until the May 10, 2016, the adoption of an Ordinance amending Chapter 2 of the Code of the City of Peoria authorizing the creation of "Fair Employment Practices" within the City of Peoria; seconded by Council Member Spain.

Motion to defer until May 10, 2016, was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

Celebration of the 31st Annual Arbor Day

Council Member Grayeb announced the celebration of the 31st Annual Arbor Day on Friday, April 29, 2016, at 10:00 A.M. to be held at the Veterans Memorial site just north of the Murray Baker Bridge on the waterfront near the Riverplex. He said the tree planting ceremony would be sponsored by the South-West Kiwanis Club in conjunction with the City of Peoria

Unnecessary Denigration of the South Side by the News Media

In an attempt to acknowledge the South Side's vital Resident Officer, Council Member Moore reported that NBC news affiliate WEEK-TV denigrated the South Side, what the South Side was about, and the people who lived there. She expressed her frustration with the representation of the First District and the South Side in the media. She conveyed the news station's continued sensationalizing of concerns that were not deserved and she said she would officially address those issues the next business day.

Design Standards

Council Member Akeson said, as time went on and projects proceeded, the City would have very little control over the outcome of the projects and whether they would be done correctly. She said the Council talked about design standards approximately two years ago in a Policy Session.

Council Member Akeson moved to direct the City Manager and the Community Development Director to bring back a Report Back to the City Council that would outline what the City of Peoria would do for design standards such as by Districts or by Commercial Corridors; seconded by Council Member Jensen.

Approved by roll call vote.

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

Nays: None.

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 citizen of Peoria, remarked on the importance of taking time each meeting for proclamations and recognitions.

Mr. Amo Elsamny, a citizen of Peoria, provided a follow-up of the PCAV (Peoria Community Against Violence) and the rise of violence in Peoria and he said it was his hope that the City Council would address this issue soon. He remarked on the golf course by Detweiller Park and he mentioned it had a beautiful shoreline by the river. He asked the Council to consider creating a pathway to the location for the community to enjoy.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION pursuant to 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Council Member Ruckriegel 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)(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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by roll call vote.

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

Nays: None.

Meeting adjourned at 8:48 P.M.

Beth Ball

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

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Book 1