



: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Regular Meeting of the Joint City Council and Town Board of Peoria, Illinois, was held on December 13, 2022, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Mayor Ali presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were present: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel (electronic attendance), Velpula, Mayor Ali – 11. Absent: None.

ELECTRONIC ATTENDANCE

Mayor Ali said a notice was received by Council Member Ruckriegel, in accordance with rules established in Ordinance No. 16,142, and Council Member Ruckriegel would be deemed authorized to attend the meeting electronically unless a motion objecting to the electronic attendance was made, seconded, and approved by two-thirds of the members of the City Council physically present at the meeting. She said if no such motion was made and seconded, then the request by Council Member Ruckriegel to attend electronically shall be deemed approved by the City Council and the presiding officer, and Council Member Ruckriegel shall be declared present.

Hearing no objection, Mayor Ali declared Council Member Ruckriegel present.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ali requested a moment of silent prayer or reflection and then she led the pledge of allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

World Aids Day and Peoria's Commitment to End the HIV/AIDS Epidemic
Peoria Notre Dame High School Boys Soccer Team – IHSA Class 2 State Champions

MINUTES

Council Member Oyler moved to approve the minutes of the Regular City Council Meeting held on November 22, 2022, as printed; seconded by Council Member Allen.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

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

- (22-408) REQUEST from the Town Officials to APPROVE the NOVEMBER 2022 ACTUAL EXPENDITURES and to APPROVE the DECEMBER 2022 ANTICIPATED EXPENDITURES for the Town of the City of Peoria.**

Trustee Grayeb moved to approve the November 2022 actual expenditures and to approve the December 2022 anticipated expenditures for the Town of the City of Peoria; seconded by Trustee Jackson.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Chairwoman Ali – 11;

Nays: None.

- (22-409) Communication from the Town Officials Budget Committee with a Request to ADOPT an ORDINANCE LEVYING and ASSESSING TAXES for the Fiscal Year Beginning April 1, 2022, and Ending March 31, 2023, for the GENERAL FUND and the ILLINOIS MUNICIPAL RETIREMENT FUND of the Town of the City of Peoria, Peoria County, and State of Illinois, in the Amount of \$333,966.00.**

Trustee Grayeb moved to adopt an Ordinance levying and assessing taxes for the fiscal year beginning April 1, 2022, and ending March 31, 2023, for the General Fund and the Illinois Municipal Retirement Fund of the Town of the City of Peoria, Peoria County, and State of Illinois, in the amount of \$333,966.00; seconded by Trustee Velpula.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Chairwoman Ali – 11;

Nays: None.

- (22-410) Communication from the Town Officials Budget Committee with a Request to ADOPT an ORDINANCE LEVYING and ASSESSING TAXES for the Fiscal Year Beginning April 1, 2022, and Ending March 31, 2023, for the GENERAL ASSISTANCE FUND of the Town of the City of Peoria, Peoria County, and State of Illinois, in the Amount of \$1,004,080.00.**

Trustee Grayeb moved to adopt an Ordinance levying and assessing taxes for the fiscal year beginning April 1, 2022, and ending March 31, 2023, for the General Assistance Fund of the Town of the City of Peoria, Peoria County, and State of Illinois, in the amount of \$1,004,080.00; seconded by Trustee Kelly.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Chairwoman Ali – 11;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

PUBLIC HEARINGS

(22-411) PUBLIC HEARING Regarding the ANNEXATION of 2700 WEST ALTORFER DRIVE, Peoria, Illinois.

Council Member Allen moved to open the Public Hearing regarding the annexation of 2700 West Altorfer Drive; seconded by Council Member Kelly.

Motion to open the Public Hearing was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

Mayor Ali opened the Public Hearing at 6:25 P.M.

Following a third call for comments from the public regarding the annexation of 2700 West Altorfer Drive, Mayor Ali determined no one wished to speak, and she requested the Public Hearing be closed.

Council Member Kelly moved to close the Public Hearing regarding the annexation of 2700 West Altorfer Drive; seconded by Council Member Allen.

Motion to close the Public Hearing was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

Mayor Ali closed the Public Hearing at 6:27 P.M.

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

(22-412) * Communication from the Mayor and Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.

(22-413) ** Communication from the City Manager and Corporation Counsel with a Request to APPROVE a SETTLEMENT in *AUSTIN J. BERTSCHY v. ZACHARY A. JANSSEN*. (Case No. 1:16 CV 1036)

(22-414) Communication from the City Manager with a Request to APPROVE the CANCELLATION of the REGULAR CITY COUNCIL MEETING on DECEMBER 27, 2022.

(22-415) Communication from the City Manager and Police Chief with a Request to APPROVE the PURCHASE of Two Used VEHICLES from a Peoria Car Dealership, in the Amount of \$50,000.00.

- (22-416) Communication from the City Manager and Director of Public Works with a Request to APPROVE the LOW BID of OBERLANDER ELECTRIC CO., in the Amount of \$244,000.00, and Award a CONTRACT for the NEBRASKA AVE. LIGHTING - KNOXVILLE TO WISCONSIN, with an Additional Authorization of \$14,400.00 (10%) for Contingencies, for a Total Contract Award of \$258,400.00. (Council District 3)
- (22-417) Communication from the City Manager and Director of Public Works with a Request to APPROVE Change Order 1 to the Storm Drainage Repair Annual CONTRACT with J.C. DILLON, INC., and to Authorize the City Manager to Execute the Extension to Increase the Original Contract not to exceed the Limit by \$1,350,000.00, for a Total of \$2,350,000, and extend the Completion Date to February 14, 2024. (Reference Item No. 22-046) (All Council Districts)
- (22-418) Communication from the City Manager and the Information Systems Director with a Request to APPROVE an AGREEMENT with CDWG to Provide a PDF Software known as FOXIT, in the Amount of \$22,291.20.
- (22-419) Communication from the City Manager and Finance Director/Comptroller with a Request to APPROVE the Amendment to the INTERGOVERNMENTAL AGREEMENT between THE CITY OF PEORIA and PEORIA COUNTY TREASURER Pertaining to Billing of Refuse and Garbage Collection Fees.
- (22-420) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff for the Following:
- A. APPROVE RESOLUTION NO. 22-420-A Approving an ANNEXATION AGREEMENT for the Property Located at 2700 WEST ALTORFER ROAD (Parcel Identification No. 14-06-300-016), Peoria, Illinois.
 - B. ADOPT ORDINANCE NO. 18,023 ANNEXING Property Located at 2700 WEST ALTORFER ROAD (Parcel Identification No. 14-06-300-016), Peoria, Illinois.
 - C. ADOPT ORDINANCE NO 18,024 REZONING Property to Class I-1 (Industrial/Business Park) District for the Property Located at 2700 WEST ALTORFER ROAD (Parcel Identification No. 14-06-300-016), Peoria, Illinois.
- (22-421) Communication from the City Manager and the Assistant City Manager with a Request to APPROVE a RESOLUTION for the Defederalization of the City of Peoria REVOLVING LOAN FUND (Award No. 06-39-02255).

- (22-403) Communication from the City Manager, Corporation Counsel, and Director of Community Development with a Request to ADOPT ORDINANCE NO. 18,025 Amending Appendix A, the Unified Development Code, Relating to FAMILY CARE FACILITIES.

- (22-422) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 18,026 Levying a SPECIAL SERVICE AREA (SSA) Real Estate Tax, in the Amount of \$100,000.00, for the Tax Year 2022 for the WESTLAKE SPECIAL SERVICE AREA.**
- (22-423) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT ORDINANCE NO. 18,027 Levying a SPECIAL SERVICE AREA REAL ESTATE TAX, in the Amount of \$148,060.00, against Specified Parcels as Described in Exhibit A for Tax Year 2022 for the KNOXVILLE JUNCTION SPECIAL SERVICE AREA.**
- (22-424) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class G-B (Beer & Wine Only Restaurant) Liquor License, with On-Site Consumption for FEAST BUFFET, INC, D/B/A FEAST BUFFET, 4232 N. BRANDYWINE DR., Contingent Upon the Issuance of all Appropriate Permits and a Certificate of Occupancy, with a Recommendation from the Liquor Commission to Approve. (Council District 2)**

- (22-425) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class K (Rental Hall) Liquor License, with On-Site Consumption and Retail Sale of Alcohol for THE TABLE PEORIA, IL, LLC, D/B/A THE TABLE, 8305 N. ALLEN ROAD, SUITE 2, Contingent Upon the Issuance of all Appropriate Permits and a Certificate of Occupancy, with a Recommendation from the Liquor Commission to Approve. (Council District 5)**

- (22-426) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class B (Restaurant, 50% Food) Liquor License, with On-Site Consumption and Retail Sale of Alcohol, with a Subclass 1A (2:00 A.M. Closing Hours) for PIONEER UNIVERSITY ROADHOUSE, INC., D/B/A BIG JUAN'S TEJANO SMOKEHOUSE & CANTINA, 7723 N. UNIVERSITY, Contingent Upon the Issuance of all Appropriate Permits and the Installation of Required Signs for Accessible Parking Spaces, with a Recommendation from the Liquor Commission to Approve. (Council District 5)**

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- (22-427) APPOINTMENT by Mayor Ali to the MUNICIPAL BAND COMMISSION with a Request to Concur:**

Marcia Boyer (Voting) - Term Expires 6/30/2025
- (22-428) APPOINTMENT by Mayor Ali to the LIQUOR COMMISSION with a Request to Concur:**

Scott Jordan (Voting) - Term Expiration 6/30/2025
- (22-429) APPOINTMENT by Mayor Ali to the ZONING BOARD OF APPEALS with a Request to Concur:**

Colton Thomas (Voting) - Term Expires 06/30/2023

(22-430) APPOINTMENT by Mayor Ali to the MAYOR'S ADVISORY COMMITTEE FOR CITIZENS WITH DISABILITIES with a Request to Concur:

Staci English (Voting) - Term Expiration 6/30/2024

(22-431) Communication from the City Manager and Finance Director/Comptroller with a Request to RECEIVE and FILE the Month Ended OCTOBER 31, 2022, UNAUDITED FINANCIAL REPORT.

(22-432) GREATER PEORIA MASS TRANSIT DISTRICT'S FY 2022 AUDITED FINANCIAL STATEMENTS with a Request to RECEIVE and FILE

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

Council Member Grayeb requested Item No. 22-413 be removed from the Consent Agenda for further discussion.

Council Member Kelly requested Item Nos. 22-412, 22-421, and 22-424 through 22-426 be removed from the Consent Agenda for further discussion.

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

Item Nos. 22-403, and 22-412 through 22-432 (except Item Nos. 22-412, 22-413, 22-421, and 22-424 through 22-426, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-412) * Communication from the Mayor and Corporation Counsel with a Request to APPROVE the DECLARATION OF LOCAL STATE OF EMERGENCY.

A revised Declaration of Local State of Emergency was distributed to all Council Members.

Council Member Kelly said he would vote against this item, and he asked for clarification on the expiration date. Corporation Counsel Patrick Hayes said the City's Local Declaration was scheduled to expire on December 27, 2022, before Governor Pritzker's Emergency Declaration, which was set to expire prior to the January 10, 2023, City Council Meeting. He said Boards and Commissions with meetings scheduled between December 27 and January 10 would have to meet in person, unless provided for otherwise by the Open Meetings Act (OMA), until a new Declaration of Local State of Emergency was approved at the January 10, 2023, City Council Meeting.

In response to Council Member Kelly regarding providing a permanent remote meeting option, Corporation Counsel Hayes said the provisions provided for by the State's Emergency Declaration and the City's Declaration were currently the only way for Boards and Commissions to meet remotely, other than specific exemptions in OMA. Mayor Ali said State legislation was proposed to provide local authority regarding remote meetings but was still pending.

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Council Member Allen moved to approve the Declaration of Local State of Emergency; seconded by Council Member Jackson.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: Kelly – 1.

(22-413) Communication from the City Manager and Corporation Counsel with a Request to APPROVE a SETTLEMENT in AUSTIN J. BERTSCHY v. ZACHARY A. JANSSEN. (Case No. 1:16 CV 1036)
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A copy of a Release of all Claims was distributed to all Council Members.

Council Member Grayeb said he would not support the approval of this item, stating a settlement in this case would send the wrong message to City employees and prospective City employees.

Council Member Allen moved to approve a settlement in *Austin J. Bertschy v. Zachary A. Janssen* (Case No. 1:16 CV 1036); seconded by Council Member Riggerbach.

Council Member Allen said this settlement was the best decision to mitigate risks to taxpayers and to show support for the City's Police Officers. Council Member Cyr concurred stating it would show support for the Police Department.

The settlement in *Austin J. Bertschy v. Zachary A. Janssen* (Case No. 1:16 CV 1036) was approved by roll call vote.

Yeas: Allen, Cyr, Jackson, Jensen, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 9;

Nays: Grayeb, Kelly – 2.

(22-421) Communication from the City Manager and the Assistant City Manager with a Request to APPROVE a RESOLUTION for the Defederalization of the City of Peoria REVOLVING LOAN FUND (Award No. 06-39-02255).

Council Member Kelly stated he would support this item, but he asked how defederalization would affect the Revolving Loan Fund. Assistant City Manager Kimberly Richardson said defederalization would eliminate the biannual reporting requirements while all other aspects of the program remained the same, and she noted the cost-savings associated with reduced administration costs.

Council Member Kelly moved to approve a Resolution for the defederalization of the City of Peoria Revolving Loan Fund; seconded by Council Member Riggerbach.

RESOLUTION NO. 22-421 was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-424) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class G-B (Beer & Wine Only Restaurant) Liquor License, with On-Site Consumption for FEAST BUFFET, INC, D/B/A FEAST BUFFET, 4232 N. BRANDYWINE DR., Contingent Upon the Issuance of all Appropriate Permits and a Certificate of Occupancy, with a Recommendation from the Liquor Commission to Approve. (Council District 2)

Copies of the Liquor Commission minutes relating to the Feast Buffet from the meeting held on December 5, 2022, was distributed to all Council Members.

Council Member Allen moved to approve the site application for a Class G-B (Beer & Wine Only Restaurant) Liquor License, with on-site consumption for Feast Buffet, Inc, d/b/a Feast Buffet, 4232 N. Brandywine Dr., contingent upon the issuance of all appropriate permits and a Certificate of Occupancy, with a recommendation from the Liquor Commission to approve; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-425) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class K (Rental Hall) Liquor License, with On-Site Consumption and Retail Sale of Alcohol for THE TABLE PEORIA, IL, LLC, D/B/A THE TABLE, 8305 N. ALLEN ROAD, SUITE 2, Contingent Upon the Issuance of all Appropriate Permits and a Certificate of Occupancy, with a Recommendation from the Liquor Commission to Approve. (Council District 5)

Copies of the Liquor Commission minutes relating to The Table from the from the meeting held on December 5, 2022, was distributed to all Council Members.

Council Member Allen moved to approve the site application for a Class K (Rental Hall) Liquor License, with on-site consumption and retail sale of alcohol for The Table Peoria, IL, LLC, d/b/a The Table, 8305 N. Allen Road, Suite 2, contingent upon the issuance of all appropriate permits and a Certificate of Occupancy, with a recommendation from the Liquor Commission to approve; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-426) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class B (Restaurant, 50% Food) Liquor License, with On-Site Consumption and Retail Sale of Alcohol, with a Subclass 1A (2:00 A.M. Closing Hours) for PIONEER UNIVERSITY ROADHOUSE, INC., D/B/A BIG JUAN'S TEJANO SMOKEHOUSE & CANTINA, 7723 N. UNIVERSITY, Contingent Upon the Issuance of all Appropriate Permits and the Installation of Required Signs for Accessible Parking Spaces, with a Recommendation from the Liquor Commission to Approve. (Council District 5)

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Copies of the Liquor Commission minutes relating to Big Juan's Tejano Smokehouse & Cantina from the meeting held on December 5, 2022, was distributed to all Council Members.

Council Member Allen moved to approve the site application for a Class B (Restaurant, 50% Food) Liquor License, with on-site consumption and retail sale of alcohol, with a Subclass 1A (2:00 A.M. Closing Hours) for Pioneer University Roadhouse, Inc., d/b/a Big Juan's Tejano Smokehouse & Cantina, 7723 N. University, contingent upon the issuance of all appropriate permits and the installation of required signs for accessible parking spaces, with a recommendation from the Liquor Commission to approve; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

FIRST READINGS

(22-433) Communication from the City Manager and the Director of Public Works with a Request for a FIRST READING of an ORDINANCE Amending CHAPTER 28 of the CODE of the City of Peoria, Relating to the TRANSPORTATION COMMISSION.

City Manager Urich said the amendment was requested by the Transportation Commission to allow the cancellation of meetings when there were no items to consider or address.

Council Member Oyler moved to receive and file a first reading of an Ordinance amending Chapter 28 of the Code of the City of Peoria, relating to the Transportation Commission; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

CLERK'S NOTE: Item No. 22-433 will be placed on the January 10, 2023, Regular City Council Meeting agenda.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

(22-434) Communication from the City Manager with a Request to APPROVE the 2023 ANNUAL CITY LEGISLATIVE AGENDA.

City Manager Urich reviewed the proposed 2023 Annual Legislative Agenda, including direct sponsorship items, funding requests, position support items, and requests from delegation.

Mayor Ali said it was a comprehensive list that represented the entire City, and she thanked those who provided submissions and input.

After a brief discussion regarding the addition of another Legislative item, Council Member Kelly moved to direct staff to amend the 2023 Annual City Legislative Agenda to include the rehabilitation amendment for tax abatements; seconded by Council Member Allen.

Motion to direct staff to amend the 2023 Annual City Legislative Agenda to include the rehabilitation amendment for tax abatements was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

Council Member Jensen remarked on the importance of the Land Bank and Code Enforcement initiatives to address vacant properties and poor-quality housing. At the conclusion of her comments, Council Member Jensen moved to approve the 2023 Annual City Legislative Agenda, as amended; seconded by Council Member Oyler.

In response to Council Member Grayeb regarding the delay of state-funded local projects and the request for continued funding for the co-response law enforcement model, City Manager Urich said due to the large number of projects statewide, the City was waiting for the release of awarded funding for projects. He explained the amount the State of Illinois awarded as part of the co-response law enforcement pilot program, and he said the request for continued funds was for additional appropriations.

Motion to approve the 2023 Annual City Legislative Agenda, as amended, was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-435) Communication from the City Manager and the Community Development Director with a Request for the Following:

- A. APPROVE a GRANT AWARD, in the Amount of \$2,045,017.00, in HOME-ARP Funding to Phoenix Community Development Services for PHOENIX MANOR (Council District 3); and,**
- B. APPROVE the HOME-ARP PLAN to Submit to the Department of Housing and Urban Development (HUD).**

Community Development Director Joe Dulin said Phoenix Community Development Services (CDS) was endeavoring to convert the former Methodist College site to address homelessness in the area, and he invited Christine Kahl to provide additional information.

Christine Kahl, President and Chief Executive Officer of Phoenix CDS, said the proposed development included 55 units ranging from studio to three bedroom apartments that would provide housing solutions for individuals and families experiencing homelessness in the area. She said the former college building provided a unique opportunity on the first-floor lobby to establish a healthcare collaborative to benefit those in the area experiencing housing instability. She discussed the return on investment provided by supporting housing solutions for the homeless population.

At the conclusion of her comments, Council Member Jensen moved to approve a grant award, in the amount of \$2,045,017.00, in Home-ARP Funding to Phoenix Community Development Services for Phoenix Manor; seconded by Council Member Jackson.

Council Member Kelly asked Ms. Kahl for a detailed outline of the costs of the project along with a list of previous housing projects managed by Phoenix CDS, citing the importance of prudent spending by the Council.

Council Member Riggerbach said the proposed project was a great use of the vacant building and a welcomed solution for homeless individuals and families. He said it was a community investment with a comprehensive healthcare aspect for a vulnerable population, stating that addressing the backlog for homeless families was considered an investment.

Mayor Ali stated it was an incredible project and she appreciated the leadership of Ms. Kahl and Phoenix CDS to help the homeless population in the community.

In response to Council Member Grayeb regarding referrals to counseling services, Ms. Kahl explained how the Phoenix CDS staff currently addressed counseling needs and how the healthcare services collaborative at Phoenix Manor would supplement those efforts. Council Member Grayeb remarked on the vulnerability of those who declined services and were subject to severe weather and other risks, as well as the impact on crime rates in the community and how interventions could interrupt those activities. Ms. Kahl said the residents could elect to reside at Phoenix Manor long-term, but she said most residents living in facilities managed by Phoenix CDS moved on to permanent housing without supportive services. At the conclusion of the discussion, Council Member Grayeb said he supported the approval of this item.

Motion to approve a grant award, in the amount of \$2,045,017.00, in Home-ARP Funding to Phoenix Community Development Services for Phoenix Manor was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

Council Member Jensen moved to approve the Home-ARP Plan to submit to the Department of Housing and Urban Development (HUD); seconded by Council Member Velpula.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-436) Communication from the City Manager and Director of Community Development with a Request for the Following:

A. APPROVE a CONTRACT with DORE & ASSOCIATES, INC. for the HARRISON SCHOOL DEMOLITION PROJECT; and,

B. APPROVE a CONTRACT with GREEN DEMOLITION CONTRACTORS, INC. for the MCKINLEY SCHOOL DEMOLITION PROJECT.

Community Development Director Joe Dulin said the approval of the contracts was the next step towards the demolition of Harrison School and McKinley School. He reviewed the funding sources for the projects and the efforts to facilitate the demolitions, noting the sites had not functioned as schools for many years. He said there were additional questions regarding the Dore & Associates contract, and he asked for a deferral on Item No. 22-436-A. He said the June 2023 timeline for demolition was still achievable with the deferral, and he reviewed discussions with local nonprofit organizations to reuse the sites for additional housing in the neighborhoods. In response to Council Member Jackson regarding the request for a deferral on Item 22-436-A, Director Dulin commented on their efforts to hire locally, however, additional time was needed for due diligence.

Council Member Jackson moved to defer a Contract with Dore & Associates, Inc. for the Harrison School Demolition Project to the January 10, 2023, Regular City Council Meeting; seconded by Council Member Kelly.

Motion to defer the item to the January 10, 2023, Regular City Council Meeting was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

In response to Council Member Cyr regarding the budgeted \$3 million allocated for the two demolition projects, City Manager Urich said \$2.1 million was allocated to the contracts and the remaining \$900,000.00 was spent on other aspects such as the planning stages and preparations.

Council Member Jackson moved to approve a Contract with Green Demolition Contractors, Inc. for the McKinley School Demolition Project; seconded by Council Member Allen.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-437) Communication from the City Manager and Finance Director/Comptroller with a Request to APPROVE an INTERGOVERNMENTAL AGREEMENT with the PEORIA CIVIC CENTER AUTHORITY for a Capital Bridge Loan.

City Manager Urich said this item was in response to the November 22, 2022, Council discussion (Item No. 22-404). He said staff proposed an Intergovernmental Agreement to authorize a Capital Bridge Loan to the Peoria Civic Center Authority to facilitate the Department of Commerce and Economic Opportunity (DCEO) grant with reimbursement terms. He introduced Yvonne Greer-Batton from the Peoria Civic Center Authority Board who was present to answer questions.

Discussions were held regarding the current reserves of the Civic Center, authorizing the City Manager to disseminate of funds, the quarterly reimbursement schedule from DCEO, and the capital project timeline.

In response to Council Member Velpula concerning the City Manager's authorization to allocate the entire \$25 million, Finance Director Kyle Cratty said the amount was included to show the full amount of the grant award. He recommended allowing the City Manager flexibility to pay invoices as projects ramped up in 2023.

Discussions were held regarding the zero-interest loan to another governmental entity, the authority of the Peoria Civic Center Authority Board, and support the City provided to the Peoria Civic Center. The involvement and role of ASM Global was also discussed.

Bob Gates, counsel for the Peoria Civic Center, explained the investments ASM Global had made in the Civic Center, timing concerns with funding the capital projects, and applying for the grant reimbursement through DCEO.

In response to Council Member Cyr regarding when purchases and funding agreements required Council approval, City Manager Urich said requests of \$15,000.00 or more required

Council approval, but the proposed agreement would provide the City Manager authority to spend funds from the General Fund for the stated purposes. Director Cratty said at the end of 2022 the City's General Fund balance was projected to be at \$50 million. He said funding the \$25 million for the Civic Center would leave the General Fund at the recommended policy amount of 25% of operating expenses.

Additional discussions were held regarding the timeline of the project and the expiration date of the grant funds, as well as the decision to exclude a funding cap to facilitate the large projects. The quarterly reimbursements, DCEO grant award conditions, terms of the Capital Bridge Loan Agreement, and repayment of the 2021 Civic Center loan were also discussed.

Discussions were held regarding the ability of the Peoria Civic Center to fund capital projects, the impact of the pandemic on the Hotel, Restaurant, and Amusement (HRA) tax revenues, and revenue earnings of the Civic Center in previous years. The economic opportunities and benefits the Civic Center provided to the community, costs for initial construction and expansion of the facility, and the regional and national draw of patrons to events were also discussed.

Council Member Ruckriegel said the approval of the Capital Bridge Loan Agreement allowed the Civic Center to invest in capital projects at the facility as event schedules increased post-pandemic. He commended the Civic Center Authority Board for their efforts, and he discussed the benefits the projects would bring to the community and local business owners. He asked the Council for their support on this item.

In response to Council Member Velpula regarding notifying the Council of project progress and funding amounts, City Manager Ulrich said Staff would provide monthly reports with updates.

Council Member Oyler moved to approve the Intergovernmental Agreement with the Peoria Civic Center Authority for a Capital Bridge Loan; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-438) Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending Chapter 3, Subsection 52 of the CODE of the City of Peoria to Revise the CLASS N LIQUOR LICENSE.

Corporation Counsel Patrick Hayes said the Illinois State Liquor Commission required changes to the Peoria Park District licensing process requiring local authorization. He said amending the City of Peoria Class N Liquor License by expanding the Park District license authorization from the Gateway Building to all facilities with the addition of a 10-day reporting requirement satisfied the State requirements while allowing operations to remain relatively unchanged.

Council Member Jensen moved to adopt an Ordinance amending Chapter 3, Subsection 52 of the Code of the City of Peoria to revise the Class N Liquor License; seconded by Council Member Kelly.

ORDINANCE NO. 18,028 amending Chapter 3, Subsection 52 of the Code of the City of Peoria to revise the Class N Liquor License was adopted by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

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

(22-293) Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending Article 19 (OPERATION OF A CANNABIS BUSINESS) of Chapter 18 (Licenses and Miscellaneous Business Regulations) of the CODE of the City of Peoria.

Corporation Counsel Hayes said on-site consumption was removed from the Ordinance in accordance with direction given by the Council at the last meeting, and he said the suggested zoning amendments would be presented to the Planning & Zoning Commission at their next meeting, including social equity accommodations for minimum distance requirements between dispensaries, annual licensing requirements, and stronger restrictions on license transfers. He said the proposed Ordinance would shorten the validity of Special Use cannabis business permits from two years to six months with an extension option, and it would require a Special Use permit for cannabis businesses in every zoning district.

Council Member Kelly said he would vote in favor of this item, but he expressed a concern for those applicants who followed the process only to be turned down by the Council for final approval.

Council Member Riggerbach moved to adopt an Ordinance amending Article 19 (Operation of a Cannabis Business) of Chapter 18 (Licenses and Miscellaneous Business Regulations) of the Code of the City of Peoria, seconded by Council Member Allen.

Council Member Jensen said she would not vote in favor of this item, citing the need for a limit on the number of dispensaries per District and citywide. She discussed the increasing number of licenses awarded by the State of Illinois for the local Bureau of Labor Statistics (BLS) region, noting the Ordinance did not address potential oversaturation concerns of cannabis businesses in Peoria. She said the Council had a responsibility to make difficult decisions to prevent negative impacts on the City.

Council Member Allen said the appropriate number of cannabis businesses was not clear, stating the Council needed a strong strategy for the future of cannabis businesses in Peoria.

Noting there was conflicting information provided to the Council, Council Member Oyler moved for a substitute motion to defer the item to the January 10, 2023, City Council Meeting; seconded by Council Member Riggerbach.

Discussions were held regarding the number of state-awarded licenses per BLS region, and the increasing number of licenses awarded by lottery from the State of Illinois since 2020.

Council Member Grayeb said he supported the motion to defer the item, noting Peoria was inundated with cannabis-related applications.

Mayor Ali said a deferral would allow additional due diligence before the Council took action, stating many Council Members had concerns with the number of dispensaries allowed in the City.

Discussions were held regarding the number of Special Use zoning permits approved and currently in the application process, the absence of business license applications other than the two currently in operation, and the social equity status of the state-issued licenses for the local BLS region.

Remarking that a deferral was appreciated to address questions and concerns, Council Member Ruckriegel requested a friendly amendment to the motion to defer to change the date to the February 14, 2023, City Council Meeting in order to provide more time for discussions and due diligence.

Council Member Oyler agreed to the friendly amendment, and he amended his motion to defer the item to the February 14, 2023, City Council Meeting; seconded by Council Member Cyr.

When Mayor Ali asked if a deferral would impact pending applicants, Deputy Corporation Counsel Kapustka confirmed it would not.

Council Member Jensen requested a Report Back with information on municipalities similar in size to Peoria that implemented a limit on dispensaries.

Substitute motion to defer the item to the February 14, 2023, City Council Meeting was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 11;

Nays: None.

(22-400) Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL, for the Property Located at 6525 N TALISMAN TERRACE (Parcel Identification No. 13-14-205-012), Peoria, IL. (Council District 4)

Council Member Allen said this item was deferred to allow time for due diligence, and he moved to grant privilege of the floor to Felicia Triplett and Kyle Rose regarding the application.

Hearing no objection, Mayor Ali granted privilege of the floor to Ms. Triplett and Mr. Rose.

Felicia Triplett, the property-owner of the short-term rental, described the application process she followed for the Special Use permit. She said she began renting that property in 2020, noting there were no requirements at that time to apply for a permit. She said despite having no issues with the property, after the November 3, 2022, Planning & Zoning Commission meeting, concerns were raised regarding the allowance of a Short-Term Rental in the Lynnhurst neighborhood. She asked the Council to consider concurring with the Planning & Zoning Commission and approve the application.

Kyle Rose, Treasurer of the Lynnhurst Homeowners Association (HOA), reviewed actions taken by the HOA since learning of the Short-Term Rental application to amend the covenants through a vote by the residents. He explained the HOA received enough votes to ratify the covenants to disallow Short-Term Rentals in the Lynnhurst neighborhood, and he asked the Council to deny the application in accordance with the residents' collective concurrence.

After noting the overwhelming opposition for the application, Council Member Allen moved to deny the Ordinance approving a Special Use in a Class R-3 (Single-Family Residential) District, for a Short-Term Rental, for the property located at 6525 N. Talisman Terrace; seconded by Council Member Jensen.

In response to Mayor Ali regarding proof of the HOA amended covenants, Corporation Counsel Hayes said documentation was recorded with Peoria County and received by the City of Peoria on Friday, December 9, 2022. He described the process the Community Development Department Staff used to notify neighbors and neighborhood associations, noting there was a ten-day deadline for an organization to file covenants with the City proving relevant restrictions. He said, in this case, actions were taken after the deadline provided for in the Code, but he said the Council could choose to consider the recent amendments.

Council Member Oyler said he was a proponent of Short-Term Rentals and property rights in Peoria. However, he said because of the actions of the HOA, he did not feel comfortable putting the homeowner and petitioner in a position that could possibly go to court. At the conclusion of his comments, he said he would support the motion to deny.

Council Member Kelly said he was consistent with his support for applicants following the proper procedures, noting the HOA did not act within the provided timeframe to affect the outcome in this case. He said it was inappropriate for the Council to deny an applicant who followed the rules and received approval by the Planning & Zoning Commission. At the conclusion of his comments, he said he would not support the denial of this item.

Council Member Jensen said the Council provided final consideration for Special Use applications in order to consider additional factors not included in the routine process, such as the input from neighboring residents. She said she would support the motion to deny noting it was the Council's responsibility to listen to the residents. Council Member Grayeb concurred, stating Council decision as part of the Special Use application process was an integral step to ensure the best decision was made on behalf of citizens.

In response to Mayor Ali regarding the failure of the HOA to submit documentation to the City within the required 10 days, Mr. Rose explained the time required to notify residents, receive feedback, and to vote to amend the covenants before the City could be notified. Corporation Counsel Hayes noted that, according to the Code, the HOA covenants had to be adopted prior to the application to invalidate the eligibility of the property, noting the Council could take their efforts into consideration, but in the future, applicants would be notified of the covenants disallowing Short-Term Rental properties in that neighborhood.

Council Member Ruckriegel said timing issues existed on both sides of this application, citing the operation of a Short-Term Rental without the proper permit and the missed deadline for the HOA to submit amended covenants to the City despite their attempt to act quickly. He said he supported the denial of this item, noting a desire to avoid litigation concerns.

Mayor Ali said this application was the first instance like this with a Short-Term Rental application, noting the applicant went through the correct application process while the HOA responded as quickly as they could to adopt changes to their covenants to restrict Short-Term Rentals in the neighborhood. She said because this was an exception, she supported the denial of this Short-Term Rental application.

After he noted the situation was complex, Council Member Rigenbach said the property was operating as a Short-Term Rental for years without neighbors or the HOA noticing, and he said it was unfortunate the covenants did not include existing operating Short-Term Rentals in the neighborhood. He said due to the unique situation he supported the denial of this application.

In response to Council Member Oyler regarding notices, Assistant Community Development Director Leah Allison said notices were sent to properties within 250 feet and to neighborhood associations or HOAs, as applicable.

Motion to deny the Ordinance approving a Special Use in a Class R-3 (Single-Family Residential) District, for a Short-Term Rental, for the property located at 6525 N. Talisman Terrace was approved by roll call vote.

Yeas: Allen, Cyr, Grayeb, Jackson, Jensen, Oyler, Riggerbach, Ruckriegel, Velpula, Mayor Ali – 10;

Nays: Kelly – 1.

Council Member Cyr left the Council Meeting at 9:00 P.M.

NEW BUSINESS

Short-Term Rental Strategy

Council Member Allen asked for more options for Short-Term Rental applications and revisions to the current process to improve communications and community engagement. He asked the Council to improve the Short-Term Rental strategy to provide consistency for applicants and residents instead of triggering a reactionary response to concerns.

Utility Company Security Plans

Council Member Jensen requested a Report Back regarding the security plans of Ameren – Illinois and Illinois American Water in response to recent threats and disabling of operations in North Carolina.

Council Member Jackson exited Council Chambers.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

Hearing no objection, Mayor Ali granted privilege of the floor to those citizens wishing to address the City Council/Town Board.

Kristen Meierkord, President of the East Bluff Neighborhood Association and ACLU - Peoria Chapter President, said two-dozen residents of the East Bluff received notices of eviction from Darwin Properties, effective at the end of December 2022. She said the residents were in crisis and were traumatized during the holiday season, noting the unavailability of affordable housing compounded the cruelty of the circumstances. She asked how the Council could help.

Council Member Jackson returned to Council Chambers.

Lawrence Maushard, a citizen of Peoria, said the crisis in the East Bluff required immediate action after many residents received eviction notices without explanation. He said the shelters were full and his neighbors needed protection from homelessness. He said even if it was legal, it was immoral, and he asked the Council for help before time ran out.

Raychell Washington, a resident of the East Bluff, said she received an eviction notice from Darwin. She said it would be difficult to move by the end of the month with four children, increasing rental costs, and lack of available rental properties. She asked the Council to help citizens like her by providing more time to figure out what to do.

Noah Palm, Chairman of the Peoria Communist Party, said dozens of families were at risk of eviction in the East Bluff while shelters were full and properties in Peoria were being purchased by organizations who raised rent prices. He said solutions were needed for public housing concerns, police violence, and poverty in the community. He said the working-class brought value to the city, and he asked the Council to stop the evictions and create a plan to diminish corporate greed.

Andre Diaz, a citizen of Peoria, praised the Peoria Police Department for reducing the number of guns on the streets with recent buy-back events. He said there were issues of illegal dumping that needed to be addressed, noting recent incidents regarding his property. He said for citizens to reinvest in the community, the same response standards should apply in all Districts and neighborhoods. He discussed additional concerns witnessed in his neighborhood, and he said everyone had to work together towards a better future.

EXECUTIVE SESSION

Consideration of a Motion for the City Council to enter into EXECUTIVE SESSION pursuant to 5ILCS 120/2(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 riled and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; 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.

Council Member Allen moved to enter into Executive Session pursuant to 5ILCS 120/2(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 riled and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; 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; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggenbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

ADJOURNMENT

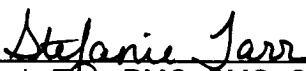
Council Member Allen moved to adjourn the November 8, 2022, Joint City Council and Town Board Meeting; seconded by Council Member Kelly.

Approved by roll call vote.

Yeas: Allen, Grayeb, Jackson, Jensen, Kelly, Oyler, Riggenbach, Ruckriegel, Velpula,
Mayor Ali – 10;

Nays: None.

The Joint City Council and Town Board Meeting was adjourned at 9:21 P.M.



Stefanie Tarr, RMC, CMC, City Clerk
City of Peoria, Illinois