

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

A Regular City Council Meeting of the City Council of Peoria, Illinois, was held May 10, 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: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggerbach, Ruckriegel, Spain, Turner, Mayor Ardis – 10.
Absent: Akeson - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or reflection, and then St. Jude's Cub Scout Pack 40 led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

Mental Health Month – May 2016
Asian Indian Month – May 2016
Poppy Days – May 19-20, 2016
National Public Works Week – May 15-21, 2016
Teens Empowering Community Success Week – May 10-17, 2016
Celebrating Peoria Public Schools' Participation in
Destination Imagination 2016

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on April 26, 2016, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

- (16-147) **Communication from the City Manager and Corporation Counsel with a Request to Recognize the PEACE FOR PEORIA Event to be Held on Monday, May 16, 2016, at the Peoria Civic Center Theater Celebrating Religious Diversity in the City of Peoria.**

- (16-148) Communication from the City Manager and Director of Public Works with a Request to Accept the LOW BID of HOROWITZ CONCRETE COMPANY, in the Amount of \$404,490.00, and AWARD a CONTRACT for the 2016 SIDEWALK PARTICIPATION PROGRAM with an Additional Authorization of \$20,510.00 for a Total Award of \$425,000.00. (City-Wide)
- (16-149) Communication from the City Manager with a Request to Amend the POWELL PRESS BUILDING LEASE CONTRACT with EMACK AND BOLIO'S. (Council District 1)
- (16-150) Communication from the City Manager with a Request to APPROVE an Amendment to the REVOLVING LOAN FUND AGREEMENT with AFHS PEORIA, LLC and to Authorize the City Manager to Execute the Necessary Documents. (Council District 5)
- (16-151) Communication from the City Manager and Director of Public Works with a Request to ADOPT ORDINANCE NO. 17,364 to VACATE a 15.0 feet by 900.0 feet (0.31 acre) Strip of Right-of-Way Along the Northern Side of RESERVOIR BOULEVARD Between STERLING AVENUE and DONNA LANE, Adjacent to Parcel 14-30-254-012 in HOLY FAMILY PARK SUBDIVISION, Peoria. (Council District 4)
- (16-152) * Communication from the City Manager and Corporation Counsel to APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor) Liquor License from the PLEASURE DRIVEWAY & PARK DISTRICT OF PEORIA for an Event to be Held in the 200-600 BLOCK OF WATER STREET, On Saturday, May 14, 2016. (Council District 1)
- (16-153) REAPPOINTMENT by Mayor Ardis to the DOWNTOWN DEVELOPMENT CORPORATION with a Request to Concur:
- Jake Hamann (Voting) - Term Expiration 4/30/2019
- (16-154) PEORIA POLICE PENSION COMPLIANCE REPORT 40 ILCS 5/3-141, with a Request to Receive and File.

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

Council Member Moore requested Item No. 16-152 be removed from the Consent Agenda for further discussion.

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

Item Nos. 16-147 through 16-154 (excluding Item No. 16-152, which was removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.
Yeas: Grayeb, Jensen, Johnson, Montelongo, Moore, Riggensbach, Ruckriegel, Spain, Turner, Mayor Ardis – 10;
Nays: None.

- (16-152)** **Communication from the City Manager and Corporation Counsel to**
*** APPROVE the SITE APPLICATION for a CLASS H (Temporary Outdoor)**
Liquor License from the PLEASURE DRIVEWAY & PARK DISTRICT OF
PEORIA for an Event to be Held in the 200-600 BLOCK OF WATER
STREET, On Saturday, May 14, 2016. (Council District 1)

Council Member Moore said she intended to make a motion to approve this item, but she said she wanted to ensure that business owners along Water Street were provided enough notice of events that would close the street down. She said she was approached by a business owner who expressed a concern for the numerous events that were taking place on that street, which warranted the street to be closed that which impacted his business. She asked City Manager Urich to provide ample notice to businesses located on Water Street of street closures in the future.

Council Member Moore moved to approve the Site Application for a Class H (Temporary Outdoor) liquor license from the Pleasure Driveway & Park District of Peoria for an event to be held in the 200-600 block of Water Street, on Saturday, May 14, 2016; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

FIRST READINGS

- (16-155)** **Communication from the City Manager and Director of Community**
Development to Concur with the Recommendation from the Planning &
Zoning Commission and Staff to Approve the FIRST READING Review of
an ORDINANCE Approving the UNIFIED DEVELOPMENT CODE by
Combining and Amending Appendix A, the Subdivision Ordinance,
Appendix B, the Zoning Ordinance and Appendix C, the Land Development
Code.

Community Development Director Ross Black distributed an applicability table for Base Districts and Permitted Use table to all City Council Members.

Community Development Director Ross Black provided a summary of the proposed Unified Development Code noting it was a unification of three different land development codes. He remarked that the majority of the work in the document was the removal of duplications and redundancies, which diminished the combined length of the three appendices from over 600 pages to approximately 300 pages. He reviewed the applicability table for Base Districts and remarked that the table clarified necessary improvements that needed to be made on a property based on the work being done. He reported that the change of use and the expansion of use would be removed entirely from the Code. He said the proposed changes would allow development to occur more easily. He reviewed the Permitted Use Table noting it had been expanded within the proposed Code.

Director Black recognized the efforts of Mr. Don Shafer of the Peoria Chamber of Commerce, the Planning and Zoning Commission and its Chairman Mr. Mike Wiesehan, and City Planners Leah Allison and Shannon Techie, in combining the three appendices into one unified code.

Director Black asked the City Council to bring this matter back to the first City Council meeting in June in order to provide enough opportunity for the proposed changes to be reviewed. He said he would be willing to meet with the Council on an individual basis to answer questions. He said he would be happy to discuss the matter with interested constituents. He said he would bring a Report Back to the second meeting in May with any revisions for adoption at the first meeting in June. He said these proposed changes were an ongoing effort to simplify the process and reduce costs.

Director Black reported that Staff would bring a revised Sign Ordinance to Council for consideration along with design standards pursuant to Council request at an April City Council meeting.

Mayor Ardis expressed his appreciation for the efforts of those involved with the Unified Code along with the charts that summarized various parts of the proposed Code. He expressed his appreciation to the City Manager for allowing the time and the effort to go into this project. He said the City constantly received criticism for its business process. He said these changes were a huge outreach effort to simplify the process, noting it was a good move in the right direction to simplify, make development easier and to accomplish growth and change within the community.

In response to Mayor Ardis' question as to whether the development community was involved in this process, Director Black said the outreach mainly went through a committee the Chamber of Commerce developed. He reviewed the make-up of that committee and the process. He said this item went before the Planning and Zoning Commission several times for Public Hearing, stating that there was no negative feedback received regarding the proposed changes.

Mayor Ardis requested that Director Black reach out to the development community and neighborhood associations in order to apprise them of a summary of the proposal.

Director Black said, in response to Council Member Grayeb's question regarding potential changes to the Form District, that the Unified Code would not have any effect on that District. He also stated that it had no impact on the need to conform to life safety and health codes for building use.

Council Member Riggerbach expressed his appreciation to Director Black and City Manager Urich and to those who participated in this project. He said the Council has been wanting to make the City more business friendly, and he remarked that this was a step in the right direction.

Council Member Ruckriegel echoed the comments previously stated noting that this would invite developers and other businesses back to the community. He said there would be a tremendous positive response from the business community.

Council Member Jensen thanked Director Black, City Manager Urich and Staff for their efforts in this matter. She remarked that these changes would make the Code more user friendly. She reiterated the comments of Mayor Ardis on the importance for public input from the developers and neighborhood associations. She inquired whether there was time to post this item to the internet seeking public comment or to hold a public meeting.

Director Black said there was no urgency to have the item adopted at the first meeting in June. He said it was his preference to conduct enough outreach to receive public input.

Council Member Spain moved to receive and file the First Reading review of an Ordinance approving the Unified Development Code by combining and amending Appendix A, the Subdivision Ordinance, Appendix B, the Zoning Ordinance and Appendix C, the Land Development Code, and to schedule this matter for the June 28, 2016, Regular City Council meeting; seconded by Council Member Ruckriegel.

Approved by roll call vote.

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

Nays: None.

(16-156) Communication from the City Manager and Corporation Counsel with a Request for a FIRST READING Review of an ORDINANCE Amending Chapter 3 of the City CODE Adding LIQUOR LICENSE Class G-D for Coffee Shops and Other Clean-Up Revisions.

Corporation Counsel Don Leist provided an overview of the proposed Ordinance. He stated that the current Code required an establishment to have a grill or a refridgerator in order to serve alcohol; however, this proposal would allow coffee shops to serve wine and beer only without having to comply with some of the minimum capacity requirements. He said all coffee shops that wanted to serve beer and wine would need to go through the site approval process and get a liquor license. He commented that the City Council would still have authority over the site approval process.

Council Member Spain moved to receive and file the First Reading review of an Ordinance amending Chapter 3 of the City Code adding liquor license Class G-D for coffee shops and other clean-up revisions; seconded by Council Member Johnson.

Approved by roll call vote.

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

Nays: None.

CLERK'S NOTE: Item No. 16-156 will be placed on the May 24, 2016, Regular City Council Agenda.

REGULAR BUSINESS ITEMS, with Recommendations as Outlined:

(16-157) Communication from the City Manager with a Request to APPROVE the Addition of a LAND DEVELOPMENT MANAGER in the Community Development Department and a GIS TECHNICIAN in the Information Systems Department Funded with the Anticipated 2016 Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD).

City Manager Urich said this item would not impact the City's Code Enforcement personnel, and he said he hoped these proposed positions would supplement the efforts of the Community Development and Code Departments.

Community Development Director Black reviewed the Land Development Manager position. He said the City had become more aggressive in land acquisition over the last few years, noting that the ability to land bank for future development and use was a powerful tool. He said there was a need for a centralized person within the organization who could manage this land.

Director Black reviewed the GIS Technician position. He said the Community Development Department received numerous requests for City maps. He said this position would allow for a dynamic creation of maps to be made available on a more frequent basis.

Council Member Turner expressed a concern for funding these two positions should the City no longer receive CDBG funds. He asked whether these two positions would continue to be funded in the future should this money no longer be available.

Director Black said, in light of the declining CDBG funds over the last few years, the decline had leveled off and he would not anticipate a dramatic change of those funds going into next year. He said the Land Manager position would eventually be self-financed, noting that the purpose of the position was to prevent homes from being abandoned or foreclosed in order to keep the City from losing valuable revenue through property taxes.

Discussions were held regarding the salary of each position, noting that the application process would be the normal process for any vacant position.

Council Member Jensen said she was a proponent of saving homes from demolition, stating she was supportive of this item.

Discussions were held regarding CDBG funds and what would occur should that funding be cut or terminated and how that would impact the proposed two positions.

Council Member Moore moved to approve the addition of a Land Development Manager in the Community Development Department and a GIS Technician in the Information Systems Department funded with the anticipated 2016 Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD); seconded by Council Member Jensen.

Council Member Montelongo echoed similar concerns as Council Member Turner regarding the funding of the positions, and he inquired as to the status of the City's budget.

City Manager Urich said the City was on budget for the current year from a spending and revenue standpoint. He said there were a few concerns regarding Personal Property Replacement Tax. He said Council would receive a quarterly update at the next City Council meeting.

Council Member Moore said she was looking forward to the implementation of a Land Development Manager. She said it was her hope that the new manager would develop some type of strategic plan regarding the vacant properties.

Motion to approve the addition of a Land Development Manager in the Community Development Department and a GIS Technician in the Information Systems Department funded with the anticipated 2016 Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Moore, Riggerbach, Ruckriegel,
Spain, Turner, Mayor Ardis – 9;

Nays: Montelongo - 1.

(16-158) Communication from the City Manager and Corporation Counsel for RATIFICATION and APPROVAL of PAYMENT for Advertising Services with Radio Station WPNV.

Council Member Moore said the amount involved was only \$937.00 and that the law required her to abstain from voting on this matter due to an indirect financial interest. She said for the last 19 years she served as an unpaid founder and Executive Director of a 501(c)(3) non-profit organization called the Black Business Alliance (BBA), which was a parent corporation of WPNV. She said in March 2016, she transitioned to a paid position as an Executive Director of the BBA at \$1,000.00 per month, therefore she said she would abstain from any deliberation, consideration, or voting on this item.

Council Member Spain moved to approve the ratification and approval of payment for advertising services with Radio Station WPNV; seconded by Council Member Ruckriegel.

Approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Montelongo, Riggerbach, Ruckriegel, Spain, Turner,
Mayor Ardis – 9;

Nays: None;

Abstention: Moore – 1.

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 24, 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 defer until May 24, 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 Moore.

Motion to defer this item to the May 24, 2016, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

- (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 item to the May 24, 2016, Regular City Council Meeting; seconded by Council Member Spain.

Motion to defer to the May 24, 2016, Regular City Council meeting was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

Charts for Business Development

Council Member Moore asked Community Development Director Black to make available any charts or templates that would assist a developer or prospective business owner on how to navigate through the City Departments to start a business. She expressed her appreciation to Director Black for his efforts in being proactive.

Gateway at River City

Council Member Moore handed out a pamphlet to all Council regarding Gateway at River City. She said there would be a meeting with the social service organization to determine who would be eligible to move into this type of facility. She remarked that their office was located in the Twin Towers across the street from City Hall and that the employees of Gateway of River City were excited about the facilities.

Budget Discussions

Council Member Jensen inquired about having public input on the City's budget. She said it was her hope that Staff continued the public engagement process and conducted public meetings along with an online survey and budget challenge in order to assist the City Council to develop a City budget.

City Manager Urich said the Council adopted a two-year budget in 2015, noting there would be a smaller review for 2016. He said budget discussions would take place over the next couple of weeks.

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 state of the streets on the South Side and he requested additional help with those repairs. He also stated the importance of enticing businesses to the downtown area to fill the storefronts at the Courtyard Marriott.

Mr. Marcus Fogliano, a citizen of Peoria, said he was encouraged by the students from Trewyn School who received a proclamation from the Mayor for Destination Imagination 2016. He remarked on the importance of receiving student input on various City matters. He invited the Council and the rest of the Community to Peace for Peoria on Monday, May 16, 2016, from 7:00 P.M. to 8:30 P.M. at the Peoria Civic Center.

Mr. Amr Elsamny, a citizen of Peoria, provided statistics on discrimination within the City of Peoria, citing www.walstreet.com and various other sites, and he remarked on the importance of overcoming discrimination within the City.

Major Jesse Collins from the Salvation Army said the organization provided critical services to homeless individuals within the area, which included case management, job training, and laundry facilities, among many others. He said the Salvation Army would no longer be able to provide these services for the homeless. As of July 1, 2016, critical services will no longer be provided. He said they were attempting to coordinate with other organizations in order to address the needs of poverty within the City. He said he hoped the City Council and the Mayor would discuss this issue on how to address the needs.

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 Turner 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 Riggenbach.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

Council Member Ruckriegel moved to adjourn the Regular City Council Meeting; seconded by Council Member Moore.

Approved by roll call vote.

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

Nays: None.

Meeting adjourned at 8:01 P.M.



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

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