A regular meeting of the Downtown Advisory Commission was held on Thursday, July 13, 2017, at 4:00 p.m. in the board room of the Peoria Riverfront Museum, 222 SW Washington, Peoria, IL 61602, with Chairman Mark Misselhorn presiding and with proper notice having been given.

ROLL CALL

The meeting was called to order at 4:00 p.m.

Roll Call confirmed the following Commissioners physically present: Mark Misselhorn, Becky Frye, Ray Lees, Adam Hamilton, Katy Shackelford, Jon Jenkins, John Gibson (7).

Absent: Kip Strasma, Allison Daly (2).

City Council Present: Sid Ruckriegel

City Staff Present: Chris Setti

MINUTES

Commissioner Lees motioned for approval of the minutes of the regular Downtown Advisory Commission (DAC) meeting held on April 13, 2017 as printed; seconded by Commissioner Gibson. The motion was approved unanimously.

UPDATE ON STATUS OF RIVERFRONT VILLAGE DEMOLITION AND REPLACEMENT PLAN

Senior Urban Planner Kim Smith provided an overview of the public input process involved with planning the future of the riverfront. She explained the City's input tool, www.planpeoria.com, had over 28,000 visits from citizens in 16 different communities. Those visitors created 98 different “campaigns,” or concepts for the area. Ms. Smith discussed the creation of a steering committee comprised of representatives from various stakeholder groups. The role of the steering committee was to discuss the individual campaigns, sort and group them, and provide feedback on the most viable and impactful projects.

Ms. Smith discussed the “Peoria Harbor Park” concept which incorporated the elements of 31 separate campaigns. This concept was used by the Public Works department to design two concepts for the replacement of Riverfront Village. Users of the planpeoria.com platform were asked to provide input on the two designs. 80% of respondents selected Option A.

City Engineer Bill Lewis provided an update of the demolition of Riverfront Village and the plan to create a park in its place. He stated that demolition of the structure would start in December 2017. He hoped that Council would approve a demolition contract in August or September. He discussed the two sets of concepts that had been developed for the park based on public comments. He focused on Plan A and discussed some of the proposed elements, including a stage area, walkways, play areas, and splash pad. He also described the creation of additional parking to partially offset the loss of parking in the area. Mr. Lewis explained the process for obtaining approval from the Illinois Department of Natural Resources and the impact of flood protection rules on future design.

Mr. Lewis outlined how the project was broken into phases. Phase 1 includes the demolition of the structure, installation of utilities, construction of new parking areas and grading and planting of the future park. Phase 2 includes the construction of the walkways and installation of lighting. Phase 3, which could be further broken into segments, includes adding the various elements of the proposed park.
In response to Commissioner Shackelford, Mr. Lewis stated that the new park area would not need to be sandbagged in the event of a flood. The park would be designed to be flood resistant and even facilitate other flood control efforts.

In response to concerns regarding the loss of parking raised by Chairman Misselhorn, Mr. Lewis explained that the project would remove about 150 parking spaces, but add 48 spaces. Public Works staff have been studying the usage of the parking lot to better understand the impact. In responding to a question regarding time to complete, Mr. Lewis said the timeline was flexible and that the phased approach allowed the City to complete items as budget allowed. Chairman Misselhorn inquired about keeping a single lane of parking along Water Street to preserve some parking and assist with the Riverfront Market. Mr. Lewis said that could be investigated as an option but was not ideal. Civil Engineer Andrea Klopfenstein noted that the foundations for Riverfront Village extended into the drive lane in this area.

PRESENTATION AND DISCUSSION REGARDING PEORIA LAKES COMPREHENSIVE CONSERVATION PLAN

In the interest of time, Commissioner Lees offered to defer his presentation until the next Commission meeting. He did announce that there were two public hearings on the project. One was held immediately before the Commission meeting at 2 pm and had about 50 attendees. The second meeting was later that night (July 13) at 6 pm at the Ivy Club.

PRESENTATION AND DISCUSSION REGARDING A SPECIAL SERVICE AREA FOR DOWNTOWN AND WAREHOUSE DISTRICT

Michael Freilinger, CEO of the Downtown Development Corporation (DDC), gave a presentation regarding a proposed Special Service Area (SSA) covering downtown and the Warehouse District. He described SSAs as a geographic area that work together to pay for a heightened level of services. Mr. Freilinger stressed that the current parameters were just a proposal and that the DDC was reaching out to stakeholder groups to gather feedback. With feedback considered and any changes made, the DDC will return to the Commission at a later date to seek a recommendation on the final proposal. The City Council will have final approval of an SSA.

Mr. Freilinger shared the details of the proposed SSA. He outlined the boundaries, which include the Warehouse District, downtown, and both hospital properties. He listed the proposed services, including landscaping, sidewalk power washing, litter removal, seasonal decorations, banners, wayfinding and marketing. He further described the plan to create both electronic and static wayfinding signs as well as a robust, mobile-friendly website. He stated that the goal was to start small and prove the effectiveness of the concept. The committee that worked on the proposal limited the total budget to $500,000 or less and are only proposing a five year term. He shared the budget for services and discussed two items, an “ambassador” program and the downtown lunch shuttle, that were not included due to budget concerns.

Mr. Freilinger discussed a proposed structure for an SSA advisory committee that would help manage the funds and ensure compliance. To pay for the proposed services, the committee looked at three different revenue sources: Payments in Lieu of Taxes (PILOT) from government and nonprofit property; a property tax levy of 0.58 and a sales tax increase of .25%.

In response to Commissioner Lees, Mr. Freilinger stated that the committee decided against offering sidewalk snow removal, at least in the initial set of services. Chairman Misselhorn asked why a more comprehensive wayfinding system was not considered. Mr. Freilinger stated that the cost was too high. Commissioner Frye stated that she felt too much money was allocated to wayfinding. She also asked whether services contracts would be put out for bid, to which Mr. Freilinger answered affirmatively. At her request, Mr. Freilinger described the process for City Council approval of an SSA.

Joe Richey, a citizen in attendance, asked a variety of questions about the procedures for identifying those impacted by the proposed SSA. He described the threshold that needed to be met for the purposes of objecting to the SSA and stopping it and expressed concern for how counting would be done. He questioned the concept of “electors” being registered voters given the mobility of residents and quality of voter registration rolls. Mr. Richey also asserted his belief that the SSA Advisory Committee discussed should be subject to the Open Meetings Act. In reply, Assistant City Manager Chris Setti stated that he had been provided with a list of Mr. Richey’s questions and
was seeking a legal opinion on the issues raised. He further stated that the objection thresholds were for automatic rejection of an SSA but that Council had the right to deny an SSA even if the threshold was not met.

Commissioner Jenkins expressed concern for the SSA evolving beyond the initial idea and suggested that controls be put into place early. Travis Mohlenbrink, a citizen in attendance, shared his concern that a higher sales tax on restaurants and other goods could make the uncompetitive. He also stated that he thought there was value in the marketing and wayfinding elements of the SSA.

**NEW BUSINESS**
Chairman Misselhorn shared information on the St. Jude “Run Day Fun Day” on August 5.

**PUBLIC COMMENT**
Joe Richey shared written comment in lieu of speaking to the Commission. His comments are attached as Exhibit A.

**ADJOURNMENT**
The Downtown Advisory Commission Meeting adjourned at approximately 6:00 pm.

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Chris Setti, City of Peoria  
City Manager’s Office
Exhibit A

Downtown Advisory Commission Meeting 7/13/17
Five Minute Citizens Response: Joe Richey

To the DAC: There have been and will be a number of meetings associated with the proposed SSA for the Downtown area as outlined on a Map provided by the SSA committee.

One of those meetings was held for the benefit of the Warehouse District Association attended by approximately 20 interested people. At that meeting a hand out was provided detailing a few questions and comments that I provided Michael Freilinger the week before. Michael Freilinger and Roberta Parks were in attendance to explain the process by way of a power point presentation.

At this point there is no consensus in the group as to supporting or not supporting the proposed SSA as defined. We are seeking more information. The Taskforce for the SSA has been working for several months so we need time to evaluate the proposed SSA.

There are a number of questions that Michael deferred to the City for answers so I have sent those questions to Ross Black asking for clarification.

We have seen information on Des Moines concerning their SSBID. Des Moines IA however enjoys a much reduced property tax rate and sales tax rate so the information is not comparable.

I have researched SSA’s in the Chicago IL area (there are 53) as well as SSBID’s in Des Moines IA. In Chicago the SSA’s are required to adhere to the open meetings act in relation to the SSA Law (35ILCS 200/27-5 et seq). The current proposal by the Peoria SSA taskforce does not adhere to the open meetings act. I and others think that the proposed SSA should be subject to the Illinois open meetings act.

This SSA proposal is much different than other SSA proposals in Peoria. It is diverse. There are many types of land ownership. There are trusts, corporations, railroad property and private property owners, non-for-profit owners, city owned property and county owned property. There are approximately 1100 properties that are within the area outlined by the map. Approximately 270 are non-for-profit parcels including hospitals and churches and other charitable organizations.

A number of clarifications are needed to make a judgement: How will all of these entities be treated equally? SSA Law provides information about electors and property owners but the law is not clear and many law cases have been filed concerning the SSA Law.

In Chicago IL advisory commissions associated with SSA’S must comply with the opens meeting act and its requirements.

There are questions as to who is a resident elector: Generally, it is a resident that is on the voting roles associated with the area outlined. But voting roles are not clean. Is a person that is authorized to vote in the proposed SSA area based on the voting roles but has retired and moved and did not update the voting register an Elector? Who determines that and how will that information be obtained? In the case of a petitioner that objects to the proposed SSA would they be required to travel say to Arizona to have the person sign the petition to garner the 51 percent of the Electors necessary to object to the SSA? Who is responsible for determining the electors to make the process fair to all?

For the property owners: Are railroads, non-for- profits- and others that pay no property tax allowed to be included in the 51 percent that does NOT object and hence a passive “vote for approval”. If a person (or other entity) owns multiple properties would they have multiple opportunities to object or passively approve the SSA?
I think these questions and many others should be answered PRIOR to the SSA proposal presentation to the City Council and since it is the desire of the City and the DDC to install the SSA, the responsibility should be their responsibility to determine a fair and equitable process.

PILOTS: PILOTS are voluntary payments from a tax-exempt entity to a local government. If the hospitals and others choose to make these payments, they should be sent to the Peoria County Treasurer then to the SSA otherwise they are just donations to the DDC. In addition, the Payments made by the City are not PILOTS because they are TAX monies. They are just redirected taxes from the city’s revenue stream, I think the distinction is important because ALL of those transactions involve tax money and as such the Advisory Commission that disburses or otherwise determines how to allocate the tax money should be subject to the open meetings act. There are many other questions that will come up and I will seek answers. Please bear in mind that while the Downtown Advisory Commission may be in favor of a downtown SSA, they represent ALL of downtown including those that may oppose the SSA.

Thank you for allowing me to speak to this very important issue. Please include my comments as an addendum to the minutes of this meeting.