

**CITY OF PEORIA  
PLANNING COMMISSION MEETING  
WEDNESDAY, JUNE 15, 2011  
CITY HALL, 419 FULTON STREET, ROOM 400 – 1:30 PM**

**REVISED AGENDA**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES** – REGULAR MEETING HELD ON APRIL 20, 2011
4. **CASE NO. CPC 11-D**

**PUBLIC HEARING** on the request of the City of Peoria for approval of an Enterprise Zone expansion for properties zoned commercial and office along Brandywine Drive and bounded by University Street, Glen Avenue and War Memorial Drive.

5. **CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION**
6. **ADJOURNMENT**

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

A regularly scheduled Planning Commission Meeting was held on April 20, 2011, at approximately 1:34 p.m., City Hall, Council Chambers, Room 400, 419 Fulton Street, Peoria, Illinois, with Chairperson Lees presiding.

**ROLL CALL**

The following Planning Commissioners were present: Chairperson Lees; and Commissioners Anderson; Davis; Lawless; Lawrence; and Richey – 6; Absent: Miller – 1.

City Staff Present: Leah Allison and Polly Stainback

**MINUTES****Motion:**

Commissioner Lawrence motioned for approval of the minutes of the regularly scheduled Planning Commission Meeting held on February 16, 2011, as printed; seconded by Commissioner Anderson.

Approved unanimously by viva voce vote 6 to 0.

**Motion:**

Commissioner Davis motioned for approval of the minutes of the Planning Commission Special Meeting held on March 2, 2011, as printed; seconded by Commissioner Richey.

Approved unanimously by viva voce vote 6 to 0.

**MEETING PROCEDURES AND SWEARING IN**

Chairperson Lees explained the meeting procedures. Ms. Stainback administered the swearing in for testimonies.

**REGULAR BUSINESS****CPC 11-B**

**PUBLIC REVIEW on the request of Gary Zumwalt of Zumwalt & Associates, Inc, for Jacqueline Kirchgessner, for approval of a Preliminary Plat for Kirchgessner Subdivision, a residential development generally bounded on the west by Multiflora Lane and on the north by US Route 6. The petitioner is proposing to establish three single-family lots and requesting waivers.**

Chairperson Lees read Case No. CPC 11-B into the record.

Leah Allison, AICP, Senior Urban Planner, City of Peoria, Planning and Growth Management Department, displayed the general location map, which showed that the subject property abuts up to Route 6 on the south, and the aerial, which showed the subject lot to be a large lot, including a small lot that had been divided. She reported the property site characteristics.

Ms. Allison mentioned that this property would be going before the Zoning Commission on May 5, 2011, to request a rezoning from A1, Agricultural District, to R2, although Staff is proposing R1, Single-Family Residential. She displayed a map showing the zonings of surrounding properties and the proposed plat. In addition, she reported the following information:

**WAIVERS:** Requesting waivers for the following Subdivision Ordinance requirements:

- 1) Cul-de-sacs longer than 400 feet.
- 2) Sidewalk requirements.
- 3) Public sanitary sewer systems. All current residences are served with private septic systems.
- 4) Design standards for street width at 34 feet and right-of-way width at 55 feet. Petitioner is proposing 30 feet of street width and 50 feet of right-of-way. The extension of Multiflora Lane is currently constructed.

**CONDITIONS OF APPROVAL:**

Prior to final platting, the following must be addressed:

- a. The petitioner shall construct a paved T-Turnaround in accordance with City of Peoria standards and requirements at the end of Multiflora Lane.
- b. Any additional extension of Multiflora Lane or additional subdivision of the subject property will require the installation of sidewalks along Multiflora Lane pursuant to City of Peoria requirements.

**SITE PLAN REVIEW BOARD RECOMMENDATION:** Staff recommends approval, subject to the conditions above, of the proposed Preliminary Plat for Kirchgessner Subdivision. Please note that this property's current state of development is due to a prior subdivision request in 1968 (CPC 68-Y). The City Council on June 10, 1969, approved the Final Plat for Kirchgessner Addition, Section 1, which is almost identical to their current request before the Commission. The zoning of the property was A1, Agricultural District, at the time and did not allow residential development. Therefore, the Final Plat was never recorded even though the City of Peoria required surety for the extension of Multiflora Lane and inspected and approved the road construction.

Commissioners asked questions and commented on the proposed Preliminary Plat. The main points are summarized as follows:

Ms. Allison concurred with Commissioner Davis' comments regarding the aerial photograph: The house to the right is in Lot 1; and the other house is in Lot 2; with the proposed plat creating a subdivision for a third house; and both existing houses having the same tax identification numbers.

Responding to Commissioner Anderson, Ms. Allison indicated that the subject property is located within the City limits; and the nearest sanitary sewer system is located on the west side of Knoxville.

Commissioner Anderson expressed concern that this would be allowed to be built without public sewer. She mentioned the Commission's turning down requests for subdividing properties because they were not on public sewer; and Commissioners were told a financial issue was not a consideration. She questioned why an exception was being made in this case.

Commissioner Lawrence referred to an exception for lots along north Oakforest Court several years ago. Commissioner Lawless mentioned that Oakforest Court was all on septic, as well as the adjacent subdivision and toward the south.

Commissioner Richey questioned the waiver for sidewalks. Ms. Allison referred to there being two existing houses along the road and said that any further subdivision or extension of that road would require sidewalks.

Commissioner Richey stated his opinion that sidewalks were needed. He said there is a cul-de-sac so that road would never be built beyond that point. Ms. Allison explained that the road could be built if the property was replatted, along with a provision for a dedication and sidewalks.

In response to Commissioners' questions, Ms. Allison clarified the following main points:

- Previous platting was approved in 1968. Because the plat was not recorded, the road was not dedicated. The road will be dedicated with this plat.
- The proposal is for 30 feet of street width and 50-foot right-of-way.
- The road was built to City standards in 1968; it was accepted and approved by Staff.

Commissioner Davis commented that the Site Plan Review Board did not have any objections.

Ms. Stainback swore in those planning to give testimony.

Jacqueline Kirchgessner, Petitioner, stated that, as far as she knew, this road was dedicated. The street had to be built before they could get a permit to build their home. She said they got a variance for the sidewalks because there was an easement.

Commissioner Davis asked if the City plowed the street. Ms. Kirchgessner responded, "Yes." She explained that the City was not plowing the street, but she called the City and explained that they had to pay for that street and had it dedicated as a City street. Ms. Allison explained that the dedication was the intent; it just was not completed. With the approval of this plat, which defines the existing road, it will be made a public road.

Responding to Commissioners' questions, Ms. Kirchgessner clarified the following main points;

- Someone is interested in buying a lot and if things work out, she would sell it; and eventually she would sell her house; and the rest would stay there.
- There are woods and ravines and a substantial drop-off to get to Route 6. The property that she wants to sell was on the property when they bought it.
- All the properties in the subdivision to the left are all on septic. They would have to put in a pumping station. When Frye Road was developed, septic was an issue.

Chairperson Lees referred to the Site Plan Review Board's signing off on this.

Responding to Commissioner Richey, Ms. Allison clarified that the property could be subdivided again, as long as it meets the Subdivision Ordinance.

Commissioner Davis mentioned that an R1 zoning allows for two units per acre, so it could be subdivided again.

Commissioner Anderson said that when the subject property was originally built, the other subdivision was not there. It is there now, and there is a sidewalk that leads to that property, so it seems there should be a sidewalk going out there, too. She said there are actually four houses, i.e., the house that is not part of the subject plat, the two existing houses, and the potential of a house being built on the other lot.

Commissioner Lawrence commented that the road is already there; the house that would be subdivided into Lot 2 to be sold, is already there. The only possible construction would be Lot 3, which Ms. Kirchgessner said she does not plan to sell at this time. Since there is no construction of a street or anything to be done, it seems unduly burdened to require putting in a sidewalk to sell the house across the street.

Commissioner Anderson said she could accept this for the time being, but at which point more houses would be built, they would have to put in sidewalks. Ms. Allison said that is what Staff's memo states under the Conditions of Approval, i.e., that any further subdivision of the subject property would require sidewalks along Multiflora.

Commissioner Lawless indicated that she was familiar with this property. She said it does not lend itself to sidewalks without a lot of money to change the topography, with the large ravines, wooded areas, and large drop-off to Route 6. She commented that this was currently about one house, not a subdivision.

Ms. Allison concurred with Commissioner Davis' comment that there could only be one house put on Lot 3 with this plat. She clarified that the zoning is proposed, but not yet approved.

Ms. Kirchgessner said that if she sells the house, it would be torn down; and a modern house would be constructed.

Commissioner Richey administered the Findings of Fact.

**Motion:**

Commissioner Davis made a motion to approve the Preliminary Plat for Kirchgessner Subdivision, subject to Staff's Conditions of Approval; seconded by Commissioner Lawless.

The motion was approved by viva voce vote 4 to 2.  
Commissioners Anderson and Richey voted "Nay."

Chairperson Lees told Ms. Kirchgessner that her case was approved, and it would go before the Zoning Commission on May 5 to consider the rezoning and then to the City Council for final approval on Tuesday, May 24.

**ELECTION OF OFFICERS**

Chairperson Lees announced that he would be resigning his position on the Planning Commission, with his last meeting being in May.

Commissioner Lawless indicated that she would be willing to continue as Vice Chairperson, if agreed to by Commissioners; but she would not want to take the position of Chairperson.

**Motion:**

Commissioner Anderson motioned to elect Commissioner Davis as Chairperson. The motion was seconded by Commissioner Richey.

The motion was approved unanimously by viva voce vote 6 to 0.

**Motion:**

Commissioner Anderson motioned for approval to reappoint Commissioner Lawless as Vice Chairperson. The motion was seconded by Commissioner Lawrence.

The motion was approved unanimously by viva voce vote 6 to 0.

**Motion:**

Commissioner Lawrence motioned for approval to elect Commissioner Anderson as Second Vice Chairperson. The motion was seconded by Commissioner Davis.

The motion was approved unanimously by viva voce vote 6 to 0.

Chairperson Lees indicated he would remain engaged, as he made a commitment to work on the Subdivision Ordinance and the follow-up with the Comprehensive Plan. He said it had been a great experience for him, and he enjoyed his service and appreciated Commissioners' support and commitment, especially their work on the Comprehensive Plan.

Commissioner Davis stated appreciation of the 21 years of hard work provided by Chairperson Lees.

**CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION**

Roger Sparks, Peoria citizen, said that when roads are constructed, several do not meet City requirements. He said that what was approved in 1968 may not be good enough for the City today. He spoke regarding his concerns that there are still streets without sidewalks.

**ADJOURNMENT**

Commissioner Anderson motioned to adjourn; seconded by Commissioner Lawrence.

The motion was approved unanimously by viva voce vote 6 to 0.

The Planning Commission Meeting adjourned at approximately 2:22 p.m.

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Leah Allison, AICP, Senior Urban Planner  
Planning and Growth Management Department

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## **REQUEST FOR PLANNING COMMISSION ACTION**

**To: Members of the City Planning Commission**

**From: Rachael Parker, Development Specialist**

**AGENDA DATE REQUESTED: June 15, 2011**

**ACTION REQUESTED: REVIEW OF AN ENTERPRISE ZONE EXPANSION APPLICATION FOR PROPERTIES ZONED COMMERCIAL AND OFFICE ON SPECIFIED AREAS ALONG UNIVERSITY AND BRANDYWINE. CPC 11-D (COUNCIL DISTRICT 4)**

**PROPERTY AND SITE CHARACTERISTICS:**

- 1) ACREAGE: Approximately 60.68 acres.
- 2) CURRENT USE: Commercial with some residential
- 3) PRESENT ZONING: Commercial with some residential
- 4) PROPOSED ZONING: Same
- 5) PUBLIC FACILITIES: The site will be served with public sewer and public water.
- 6) PROPOSED USES: Use will not change. Proposing an Enterprise Zone Expansion.
- 7) FUTURE LAND USE DESIGNATION: Commercial with some residential
- 8) DENSITY: Medium Density

**RECOMMENDATION: Staff recommends approval of the proposed expansion of the City of Peoria Enterprise Zone.**





## REQUEST FOR COUNCIL ACTION

**To:** Honorable Mayor and Members of the City Council  
**From:** Patrick Urich, City Manager

**AGENDA DATE REQUESTED:** May 24, 2011

**ACTION REQUESTED:** DIRECT STAFF TO COMMENCE THE PROCESS TO EXPAND THE CITY OF PEORIA ENTERPRISE ZONE FOR PROPERTIES ZONED COMMERCIAL AND OFFICE ON SPECIFIED AREAS ALONG UNIVERSITY AND BRANDYWINE. (DISTRICT 4)

**BACKGROUND:** City staff is recommending expansion of the Enterprise Zone by approximately 61 acres to spur development in a corridor along War Memorial and Brandywine (see map, Exhibit A). From the mid to late 1980s, the area proposed for expansion was flourishing. Gradually, businesses closed and now more than seventeen properties are vacant within the proposed expansion area.

Unless legislation is changed, the City's Enterprise Zone will expire in 2013. During the next two years the City primarily could utilize the Enterprise Zone benefit of sales tax exemption on building materials to attract new businesses and to encourage expansion of existing businesses in an effort to revitalize this area within the core of our City. Sales tax is only waived on building materials for improvements made to the real estate. Secondary State of Illinois tax benefits such as the job tax credit might also be appealing.

In 2008, staff completed an Enterprise Zone Expansion along University from Forrest Hill to War Memorial Drive. Staff also completed an expansion along Sterling Avenue from Forrest Hill to Glen. These expansions have resulted in major improvements to the areas: McDonalds rebuilt their University restaurant; West Lake Shopping Center completed major improvements; Golden Corral broke ground at Meadowbrook and University; and Sterling Commons development began construction at Sterling and West Lake Street.

Attached is a spreadsheet which provides an example of the City's portion of sales tax that may be exempted for each \$100,000 that is invested in eligible Enterprise Zone projects. This assumes the materials are actually purchased at a retailer in the City. Under the Enterprise Zone, sales taxes on building materials are abated as long as they are purchased in Illinois.

Under the Illinois Enterprise Zone Act, no more than 12 square miles may be designated for Enterprise Zone within the City of Peoria. Currently Peoria's Enterprise Zone is 7.915 sq. miles. The expansion being proposed would increase the Zone by 60.68 acres to bring the total area the Peoria Enterprise Zone to approximately 8 square acres. (Please see map Exhibit A). The total acreage remaining for future Enterprise Zone expansions is 2,560 or 4 square miles.

**FINANCIAL IMPACT:** Every \$100,000 invested results in \$1,250 of sales tax exemption by the City of Peoria (Spreadsheet attached), and only if purchased within the City. The total financial impact of sales tax and property tax received will not be realized until projects begin to occur within this area.

**NEIGHBORHOOD CONCERNS:** During the Enterprise Zone application process a public hearing will be conducted to gather input from residents.

**IMPACT IF APPROVED:** This Enterprise Zone expansion is an incentive that could be utilized to attract development to the 17 vacant properties and to encourage existing businesses to expand.

**IMPACT IF DENIED:** If denied, staff will not proceed with the Enterprise Zone Application and this incentive will not be available for potential development in the area.

**EEO CERTIFICATION NUMBER:** N/A

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Grow employers and jobs.

**REQUIRED SIGNATURES**

**Department Director**

  
\_\_\_\_\_  
City Manager

**Finance Director**

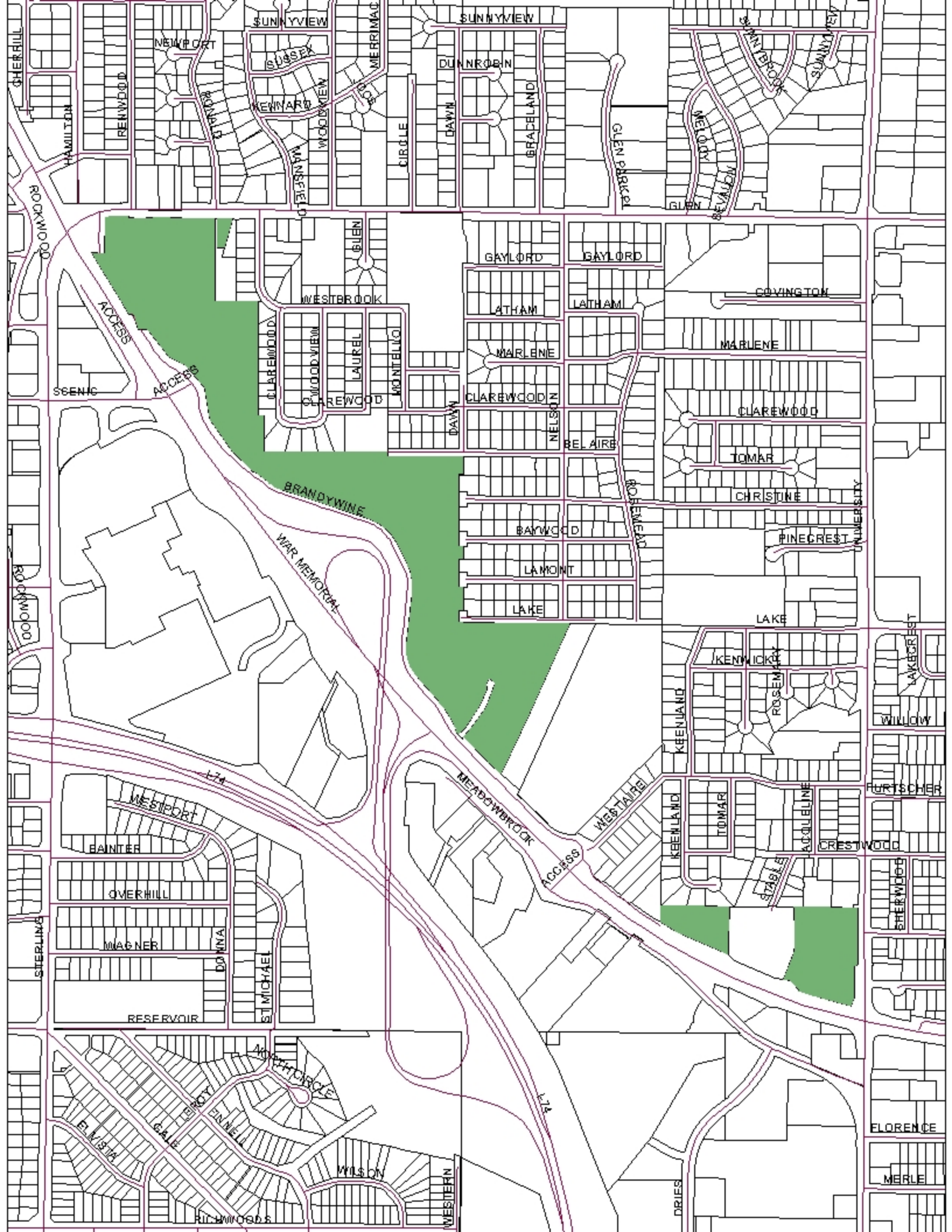
  
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(Certification of Availability of Funds)

**Corporation Counsel**

  
\_\_\_\_\_

**City Manager**

  
\_\_\_\_\_



## SALES TAX EXEMPTION EXAMPLE

Exhibit B

**Projected construction cost                \$100,000**

<b>Sales Tax Exemption/Enterprise Zone 8.25%</b>	<b>\$4,125.00 *</b>
<b>City Portion of Sales Tax Exemption</b>	<b>\$1,250.00</b>

**\*Note: Materials are calculated at 50% of the total project cost. Labor being the other 50%**

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

Council Chambers, Peoria, Illinois, May 24, 2011, a Joint City Council and Town Board Meeting was held this date at 6:15 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

**ROLL CALL**

Roll Call showed the following Council Members were physically present: Akeson, Irving, Riggensbach, Sandberg, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9. Absent: Gulley, Spain - 2.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection, and then Boy Scout Pack 15 from Peoria Academy led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** MEMORIAL DAYS - May 26 - 30, 2011

**PROCLAMATION:** TREFZGER'S BAKERY 150<sup>TH</sup> ANNIVERSARY – MAY 24, 2011

**MINUTES**

Council Member Riggensbach moved to approve the minutes of the City Council Meeting held on May 10, 2011, as printed; seconded by Council Member Turner .

Approved by roll call vote.

Yeas: Akeson, Irving, Riggensbach, Sandberg, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**

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

- (11-205) NOTICE of LAWSUIT Filed on Behalf of JACK H. WINEINGER Regarding a Car-Pedestrian Accident on May 14, 2010, with Recommendation to Receive for Information and Refer to the Legal Department.**
- (11-206) Communication from the City Manager and Director of Public Works Requesting Approval of the LOWEST RESPONSIVE BID of HOROWITZ CONCRETE COMPANY and Award a CONTRACT, in the Amount of \$300,000.00 Based on Unit Pricing, from the Base Bid of \$249,859.20, for the SAFER NEIGHBORHOOD SIDEWALK PROGRAM 2011 CONTRACT and the JEFFERSON and KUMPF PROJECT.**
- (11-207) \*** Communication from the City Manager Requesting the City Council to Direct Staff to COMMENCE the PROCESS to EXPAND the CITY OF PEORIA ENTERPRISE ZONE for PROPERTIES Zoned COMMERCIAL and OFFICE on SPECIFIED AREAS Along UNIVERSITY and BRANDYWINE.

- (11-208) Communication from the City Manager and Director of Planning and Growth Management with Request to REALLOCATE Prior Year CDBG FUNDS to the 2011 ROOF REPAIR PROGRAM, in the Amount of \$150,000.00, and the 2011 SIDEWALKS in NEED of REPAIR PROGRAM, in the Amount of \$100,000.00, as Outlined (City Wide).
- (11-209) **\*\*** Communication from the City Manager and Director of Inspections with Request for Authorization for the City Manager to Execute a TWO-YEAR ABATEMENT of WEEDS and LITTER CONTRACT to the LOWEST BIDDERS, HULSE LAWCARE, JC CONSTRUCTION, and PRYDE CONSTRUCTION, with Backup Contractor Provisions from Hulse Lawncare, JC Construction, and Pryde Construction not to Exceed \$145,500.00.
- (11-210) Communication from the City Manager and Finance Director/Comptroller Requesting the Following:
- A. ADOPTION of ORDINANCE NO. 16,697 Amending the City of Peoria Budget for Fiscal Year 2011 Relating to the ITTF (Illinois Terrorism Task Force) FEDERAL GRANT REVENUE, in the Amount of \$33,974.00; and
  - B. APPROVAL of the PURCHASE of FCC MANDATED NARROWBAND-COMPLIANT RADIO BASE STATIONS with a Cost Not to Exceed \$110,000.00.
- (11-211) Communication from the City Manager and Director of Planning and Growth Management with Request to Concur with the Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,698 Rezoning Property Located at 6210 N. UNIVERSITY STREET (Temporary Address) from the Present Class O-1 (Arterial Office) District to a Class R-6 (Multi- Family Residential) District and to Grant a SPECIAL USE for a NURSING HOME, with Conditions.
- (11-212) **\*\*\*** Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Rezoning Property Located at 3004 W. LAKE AVENUE from the Present Class O-1 (Arterial Office) District to a Class C-1 (General Commercial) District.
- (11-213) Communication from the City Manager and Corporation Counsel Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE at 200 N. E. WATER STREET (Riverfront Festival Park) for a Fundraiser on Saturday, July 2, 2011.
- (11-214) REAPPOINTMENTS by Mayor Jim Ardis to the CONSTRUCTION COMMISSION, with Request to Concur:
- Kert Huber (Voting) - Term Expires 6/30/2015  
Mike Snyder (Voting) - Term Expires 6/30/2015  
Ed Meister (Voting) - Term Expires 6/30/2015

- (11-215) **APPOINTMENT by Mayor Jim Ardis to the GIS POLICY COMMITTEE, with Request to Concur:**  
**Council Member Chuck Weaver (Voting) - Term Expires 4/30/2014**
- (11-216) **REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMITTEE on HUMAN RESOURCES, with Request to Concur:**  
**James McCormick (Voting) - Term Expires 6/30/2014**  
**James Simkins (Voting) - Term Expires 6/30/2014**
- (11-217) **APPOINTMENTS by Mayor Jim Ardis to the PLANNING COMMISSION, with Request to Concur:**  
**Jason Breede (Voting) - Term Expires 6/30/2012**  
**Eric Heard (Voting) - Term Expires 6/30/2014**
- (11-218) **REAPPOINTMENTS by Mayor Ardis to the SOLID WASTE DISPOSAL COMMITTEE (LANDFILL), with Request to Concur:**  
**Steve Van Winkle (Voting) - Term Expires 6/30/2013**  
**Council Member Dan Irving (Voting) - Term Expires 6/30/2012**  
**Council Member Ryan Spain (Voting) - Term Expires 6/30/2012**
- (11-219) **APPOINTMENT by Mayor Jim Ardis to the ZONING BOARD OF APPEALS, with Request to Concur:**  
**Jerry Jackson (Voting) - Term Expires 6/30/2014**

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

Council Member Turner requested that Item No. 11-209 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 11-207 be removed from the Consent Agenda for further discussion.

Council Member Irving requested that Item No. 11-212 be removed from the Consent Agenda for further discussion.

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

Items No. 11-205 through 11-219 (excluding Item No. 11-207, 11-209, and 11-212, which was removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Akesson, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9;

Nays: None.

- (11-207) \* **Communication from the City Manager Requesting the City Council to Direct Staff to COMMENCE the PROCESS to EXPAND the CITY OF PEORIA ENTERPRISE ZONE for PROPERTIES Zoned COMMERCIAL and OFFICE on SPECIFIED AREAS Along UNIVERSITY and BRANDYWINE.**

Council Member Sandberg acknowledged the success of a local business and he noted the business had been successful without the use of TIF, Enterprise Zone, or any kind of incentives. He also expressed concern that an item of such significance was placed on the Consent Agenda rather than listed as a separate item. He said he felt the Enterprise Zone concept and its incentives for businesses did not serve its purpose of generating much-needed revenue for the City. He said he would not be supporting this item due to the City's dire financial picture.

Council Member Van Auken moved to approve the commencement of the process to expand the City of Peoria's Enterprise Zone for properties zoned Commercial and Office on specified areas along University and Brandywine; seconded by Council Member Riggensbach.

Approved by roll call vote.

Yeas: Irving, Riggensbach, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 7;

Nays: Akeson, Sandberg – 2.

- (11-209) \*\* **Communication from the City Manager and Director of Inspections with Request for Authorization for the City Manager to Execute a TWO-YEAR ABATEMENT of WEEDS and LITTER CONTRACT to the LOWEST BIDDERS, HULSE LAWN CARE, JC CONSTRUCTION, and PRYDE CONSTRUCTION, with Backup Contractor Provisions from Hulse Lawn Care, JC Construction, and Pryde Construction not to Exceed \$145,500.00.**

Council Member Turner commended Inspections Director John Kunski and his staff for their aggressive effort for enforcement of Code violations.

Director Kunski noted a major change had taken place and would continue for two years. He said the addition of a third contractor, with each being assigned a contingent contractor, to the contract would quicken response time to violations. He said the enforcement of the new language had enabled them to be more thorough in addressing enforcement issues.

Council Member Turner moved to approve a two-year abatement of weeds and litter contract to the lowest bidders of Hulse Lawn Care, JC Construction, and Pryde Construction, with backup contractor provisions from Hulse Lawn Care, JC Construction, and Pryde Construction not to exceed \$145,500.00; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Akeson, Riggensbach, Sandberg, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 9;

Nays: None.

- (11-212) \*\*\* **Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Rezoning Property Located at 3004 W. LAKE AVENUE from the Present Class O-1 (Arterial Office) District to a Class C-1 (General Commercial) District.**

Director of Planning and Growth Management Pat Landes distributed a replacement zoning map to the members of City Council.