

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

Council Chambers, Peoria, Illinois, February 24, 2009, a Regular City Council 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: Gulley (arrived at 6:22 P.M.), Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11; Absent: 0.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or silent reflection, and then Boy Scout Troop 88, representing Dunlap Middle School, Dunlap High School, Dunlap Valley Middle School, and Washington Gifted School, and leader Steve Myers led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: NAACP 100th ANNIVERSARY

PROCLAMATION: ARTS IN EDUCATION SPRING CELEBRATION MONTHS - April and May 2009

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council and Town Board Meeting held on February 10, 2009, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

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:

(09-067) TAG DAY REQUEST from the AMERICAN LEGION PEORIA POST 2 to Distribute POPPIES TO THE PUBLIC FOR DONATIONS on THURSDAY, MAY 14, 2009, with a RAIN DATE of FRIDAY, MAY 15, 2009, to Assist Various Disabled Veteran Programs. (Dates are Open.)

(09-068) TAG DAY REQUEST from the SOUTH-WEST KIWANIS CLUB OF PEORIA to Hold Their ANNUAL PEANUT DAYS FUNDRAISER on THURSDAY, FRIDAY, and SATURDAY, SEPTEMBER 24, 25, and 26, 2009. (Dates are Open.)

- (09-069)
* Communication from the Interim City Manager and Director of Inspections Recommending Acceptance of the LOW BID for a TWO-YEAR RESIDENTIAL DEMOLITION CONTRACT on a UNIT-BASED PRICE from R LOVE DEMOLITION, in the Amount of \$7,080.74 for the First Year, and \$7,677.20 for the Second Year, with Backup Contractor Provisions for Sequential Low Bidders.
- (09-070) Communication from the Interim City Manager and Police Chief Requesting Approval of a SOLE SOURCE PURCHASE of an "AVID dTECTIVE" VIDEO and AUDIO FORENSIC WORK STATION for POLICE INVESTIGATIVE USE from DYNAMIC TECHNOLOGIES, INC., DBA OCEAN SYSTEMS, BURTONVILLE, MARYLAND, in the Total Amount of \$51,637.00.
- (09-071) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a SOLE SOURCE PURCHASE of ONE FULLY EQUIPPED "DEMO" FORESTRY BOOM TRUCK at a Cost of \$149,632.00, Minus Trade-In Value of \$11,800.00, with Total Cost Not to Exceed \$137,832.00; and Requesting Approval of a SOLE SOURCE PURCHASE of ONE FULLY EQUIPPED "DEMO" FORESTRY CRANE TRUCK, at a Cost of \$124,680.00, Minus Trade-In Value of \$12,000.00, with a Total Cost Not to Exceed \$112,680.00, and with a Grand Total for Both Vehicles Not to Exceed \$250,512.00, from DRAKE-SCRUGGS EQUIPMENT COMPANY.
- (09-072) Communication from the Interim City Manager and Director of Public Works Requesting Approval of VENDORS for STREET MAINTENANCE MATERIALS for 2009 GENERAL MAINTENANCE.
- (09-073) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Approval of FUNDING, in the Amount of \$3,000.00, for the 2009 CENTRAL ILLINOIS MONEY SMART WEEK.
- (09-074) Communication from the Interim City Manager and Assistant Director of Planning and Growth Management with a Recommendation from the Administration to Award the 2009 NEIGHBORHOOD NEWSLETTER GRANTS to the Following NEIGHBORHOOD ASSOCIATIONS, in the Total Amount of \$5,251.00: ALTAMONT PARK, DOVER POINTE, GLEN OAK PARK, HAMILTON PARK, HAWLEY HILLS, HIGH POINTE, LOGAN PARK, MADISON MANOR, MOSS BRADLEY, NORTH FLORENCE, OLDE TOWNE SOUTH, ORCHARD DISTRICT, PARKVIEW ADDITION, PARKVIEW ASSOCIATION, ROLLING ACRES, SOUTHSIDE PRIDE, STERLING OAKS, WARDCLIFFE, WILLOW KNOLLS.
- (09-075) Communication from the Interim City Manager and Police Chief Requesting Approval of a ONE YEAR CONTRACT for the ANNUAL PURCHASE of RELOAD AMMUNITION USED FOR TRAINING with ULTRAMAX AMMUNITION, in the Amount of \$36,840.00.

- (09-076) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a THIRD AMENDMENT and an EXTENSION for PHASE III of the REDEVELOPMENT AGREEMENT By and Between the City of Peoria and SPRING GROVE CONSTRUCTION LIMITED PARTNERSHIP, and Requesting Authorization for the City Manager to Execute the Necessary Documents.
- (09-077) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve RESOLUTION NO. 09-077 Amending the COMPREHENSIVE PLAN and the FUTURE LAND USE MAP to Amend the EXISTING REGULATING PLAN for the WM (West Main) FORM DISTRICT to Change the Frontage Along N. DOUGLAS STREET and W. RUSSELL STREET from WM (West Main) FORM DISTRICT NEIGHBORHOOD (R4) FRONTAGE to WM (West Main) FORM DISTRICT LOCAL COMMERCE FRONTAGE for the Property Located at 712, 716 & 718 W. RUSSELL STREET, Including the ALLEY FRONTAGE Along W. RUSSELL STREET.
- (09-078) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to Adopt ORDINANCE NO. 16,396 for a MAP AMENDMENT to APPENDIX C to MODIFY an EXISTING REGULATING PLAN for the WM (West Main) FORM DISTRICT to Change the Frontage Along N. DOUGLAS STREET and W. RUSSELL STREET from (West Main) Form District Neighborhood (R4) Frontage to (West Main) Form District Local Commerce Frontage for Property Located at 712, 716 & 718 W. RUSSELL STREET, Including the Alley Frontage Along W. Russell Street.
- (09-079) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,397 Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the USE of RESTRICTED FEDERAL ASSET FORFEITURE FUNDS for the SOLE SOURCE PURCHASE of VIDEO and AUDIO FORENSIC EQUIPMENT from DYNAMIC TECHNOLOGIES, INC., DBA OCEAN SYSTEMS, in the Amount of \$29,527.00.
- (09-080)
** Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an ORDINANCE Amending CHAPTER 27 of the Code of the City of Peoria Pertaining to BUSINESS DEVELOPMENT DISTRICT RETAILER'S OCCUPATION TAX and HOTEL OPERATOR'S OCCUPATION TAX.
- (09-081) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt ORDINANCE NO. 16,398 Granting LOCAL SIGN REGULATIONS for CORNERSTONE BUSINESS PARK in a Class O-2 (Exclusive Office Park) District for Property Located at CORNERSTONE CT. (Lots 1, 2, 3, 4, 6, and Part of 5), with Conditions.
- (09-082)
*** Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to ROOFS, EXPANSION of INTENSITY OF USE, DEFINITIONS FOR: AMPLITUDE and SINGLE FAMILY DISTRICT MULTIPLE DWELLING UNIT STRUCTURE.

- (09-083) **REAPPOINTMENT by Mayor Jim Ardis to the BOARD OF LOCAL IMPROVEMENTS, with Recommendation to Concur:**
- Amy Benecke McLaren (Voting) - Term Expires 6/30/2012**
- (09-084) **Communication from the Interim City Manager and Director of Public Works Regarding the EAGLE VIEW TIF INFRASTRUCTURE FEASIBILITY STUDY (Clark Street to Adams Street - US24), with Request to Receive and File. (Refer to Item No. 08-379)**

- (09-085) **Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to MAINTAIN THE MEETING TIME for the ZONING COMMISSION to 3:00 P.M. on the FIRST THURSDAY of EACH MONTH. (Refer to Item No. 08-382)**
- (09-086) **Communication from the Interim City Manager and Finance Director/Comptroller Regarding the RESULTS of the NEGOTIATED SALE of \$17,645,000 GENERAL OBLIGATION REFUNDING BONDS SERIES 2009A, with Request to Receive and File. (Refer to Item No. 08-648)**

- (09-087) **REPORT of the CITY TREASURER REGINALD A. WILLIS for the Month of DECEMBER 2008, with Request to Receive and File.**

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

Council Member Sandberg requested Item Nos. 09-080, 09-082, and 09-084 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item No. 09-069 be removed from the Consent Agenda for further discussion.

Council Member Turner requested Item No. 09-086 be removed from the Consent Agenda for further discussion.

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

Item Nos. 09-067 through 09-087 (excluding Item Nos. 09-069, 09-080, 09-082, 09-084 and 09-086, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- (09-069) **Communication from the Interim City Manager and Director of Inspections Recommending Acceptance of the LOW BID for a TWO-YEAR RESIDENTIAL DEMOLITION CONTRACT on a UNIT-BASED PRICE from R LOVE DEMOLITION, in the Amount of \$7,080.74 for the First Year, and \$7,677.20 for the Second Year, with Backup Contractor Provisions for Sequential Low Bidders.**
*

Council Member Jacob said there had been a lot of time spent the last couple of years talking about demolitions and taking a more aggressive approach at clearing out these vacant structures that appeared to be problematic in our community. He asked Director of Inspections John Kunki to provide a brief overview of the trends and progress of this effort.

Director Kunki outlined the comparisons between 2007 and 2008 demolition projects. He noted that in 2008 there was a total of \$400,000.00 budgeted for demolitions and \$397,000.00 was used for demolition of 76 structures, compared to 53 structures being demolished through the court order process. He said this trend indicated that the City had been more aggressive. He further stated that 166 demolitions were also completed through demolition permits where the property owners covered the costs.

Council Member Jacob moved to approve the Low Bid for a Two-Year Residential Demolition Contract on a Unit-Based Price from R Love Demolition, in the Amount of \$7,080.74 for the First Year, and \$7,677.20 for the Second Year, with backup provisions for sequential low bidders; seconded by Council Member Manning.

Approved by roll call vote.

Yeas: Guley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(09-080) Communication from the Interim City Manager and Corporation Counsel
** Requesting Approval of an ORDINANCE Amending CHAPTER 27 of the
 Code of the City of Peoria Pertaining to BUSINESS DEVELOPMENT
 DISTRICT RETAILER'S OCCUPATION TAX and HOTEL OPERATOR'S
 OCCUPATION TAX.**

Council Member Sandberg expressed concern that the proposed Ordinance seemed to be broader than just allowing rebates of certain taxes to assist the hotel industry. He determined that all businesses that didn't opt out would be taxed, not just hotels.

Director of Economic Development Craig Hullinger stated the details were yet to be determined, but he explained each hotel and restaurant would collect sales and hotel taxes which would go back to them for capital improvements. He said he felt it would be a small amount of money, maybe one percent of gross sales, and could possibly go toward façade improvement programs and help businesses on a case by case basis. He stated each entity in the district had to pay the tax. He further explained as this was presented at public hearings, the business owners were told they could opt out of the district. He stated the three hotels were in agreement with the proposed Ordinance, but even though several public meetings were held, many of the business owners did not attend to express an opinion.

Council Member Sandberg stated he would not support this item because of the impact it would have on small businesses and he felt this tax would make the Peoria businesses less competitive than businesses across the river.

Following discussion, Council Member Spain suggested that more time was needed to resolve the issues and further define what advantages there were for small businesses.

Council Member Spain moved to defer this Item for two weeks until the March 10, 2009, Regular City Council Meeting; seconded by Council Member Sandberg.

Following further discussion with Council Member Sandberg, Council Member Spain amended his motion to defer this Item for four weeks until the March 24, 2009, Regular City Council Meeting; seconded by Council Member Sandberg.

Motion, as amended, to defer this Item until March 24, 2009, was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(09-082) Communication from the Interim City Manager and Director of Planning and
*** Growth Management Recommending Adoption of an ORDINANCE
 Amending APPENDIX C of the Code of the City of Peoria Relating to
 ROOFS, EXPANSION of INTENSITY OF USE, DEFINITIONS FOR:
 AMPLITUDE and SINGLE FAMILY DISTRICT MULTIPLE DWELLING UNIT
 STRUCTURE.**

Council Member Sandberg pointed out that the term “amplitude” did not appear any place in the proposed Ordinance so he felt the term should be deleted.

Council Member Sandberg moved to adopt an Ordinance amending Appendix C of the Code of the City of Peoria Relating to Roofs, Expansion of Intensity of Use, Definitions for Amplitude and Single Family District Multiple Dwelling Unit Structure, as amended to delete the word and definition of “amplitude;” seconded by Council Member Gulley.

ORDINANCE NO. 16,399, as amended, was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(09-084) Communication from the Interim City Manager and Director of Public
**** Works Regarding the EAGLE VIEW TIF INFRASTRUCTURE FEASIBILITY
 STUDY (Clark Street to Adams Street - US24), with Request to Receive and
 File. (Refer to Item No. 08-379)**

Council Member Sandberg expressed concern that the recommendation was to receive and file and he was concerned that the City had spent money on a study that would be shelved and not used in the near future. He said he felt there should be a meaningful request to IDOT or the Federal government for economic development to improve the access to under-used land in the Southside of Peoria. He state there needed to be a more direct route for heavy truck traffic in the area. He questioned the rationale behind the Staff’s recommendation to receive and file.

Director of Public Works Dave Barber explained costs of the bridge for the West end was estimated to be \$3 million to \$4 million, but would actually be much more. He said there would be an impact to the adjacent neighborhood due to IDOT’s requirements for access over the railroad tracks, and some of the original ideas for extending the exit ramp off of 474 were not approved by IDOT because of IDOT access issues. He said the US24 Study was still being completed, which would show some entrance changes to Darst Street. He added, once this was finished, they would be looking at this infrastructure report and the recommendations to make decisions about Darst Street and other options.

Following further discussion, Council Member Sandberg expressed concern regarding the route the trucks currently had to travel to drive to their destinations. He said the Eagle View area had the potential of becoming a tremendous industrial work center with better access.

Council Member Jacob said he concurred with some of Council Member Sandberg's comments. He suggested that the Study should be shared with citizens and Southside stakeholders in a public meeting to see how it would fit with other programs for the area to move toward a better end result.

Council Member Gulley said he would be abstaining from the discussion and voting on this item due to his ownership of property in the Eagle View TIF area.

Council Member Sandberg further suggested that this Study be given to Legislators to discuss the economic value. He agreed a public hearing should be held, but he said the Study should be used as a tool with State Legislators to address this blighted area. He added the motion should include bringing in the stakeholders and using the consultant's report as a tool for working with State Legislators and the Secretary of Transportation to secure some money, if not in 2009, then in 2010 to transform the Eagle View area.

Council Member Nichting suggested the first meeting should be held with IDOT so there would be no false expectations.

Council Member Sandberg moved to receive and file the Eagle View TIF Infrastructure Feasibility Study (Clark Street to Adams Street - US24), send this information to the area Legislators and the Secretary of Transportation with requests for consideration of future assistance, and hold public meetings with stakeholders; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None;

Abstentions: Gulley - 1.

**(09-086) Communication from the Interim City Manager and Finance
***** Director/Comptroller Regarding the RESULTS of the NEGOTIATED SALE of
\$17,645,000 GENERAL OBLIGATION REFUNDING BONDS SERIES 2009A,
with Request to Receive and File. (Refer to Item No. 08-648)**

Mayor Ardis pointed out this Item merits public knowledge because the City was able to accomplish more savings than originally projected. He said this was important at a time when every dollar counted. He requested that Finance Director/Comptroller Jim Scroggins explain.

Finance Director/Comptroller Jim Scroggins stated numerous investors were able to move quickly when the market was right. He pointed out the City's strong AA credit rating also helped in realizing a \$1.2 million savings spread mostly over 2009 and 2010 with smaller amounts in the out years.

Mayor Ardis commended Director Scroggins and his staff for their efforts.

Council Member Manning moved to receive and file the results of the negotiated sale of \$17,645,000.00 General Obligation Refunding Bonds Series 2009A; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- (09-088) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of the 2009 CONTRACT Between the ECONOMIC DEVELOPMENT COUNCIL (EDC) and the City of Peoria, in the Amount of \$45,000.00, and Requesting Authorization for the City Manager to Execute the Necessary Documents.**

Council Member Spain stated he would be abstaining from discussion and the vote due to his employer's relationship with EDC.

Council Member Nichting moved to approve the 2009 Contract between the Economic Development Council (EDC) and the City of Peoria, in the amount of \$45,000.00, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spears,
Turner, Van Auken, Mayor Ardis – 10;

Nays: None;

Abstentions: Spain – 1.

- (09-089) Communication from the Interim City Manager and Assistant Director of Planning and Growth Management with Recommendation from the HISTORIC PRESERVATION COMMISSION to Adopt an ORDINANCE Amending CHAPTER 16 of the Code of the City of Peoria to ELIMINATE a CERTIFICATE OF APPROPRIATENESS for CERTAIN LANDSCAPE and PAINT ACTIVITIES.**

Council Member Van Auken moved to Table this Item; seconded by Council Member Spain.

Motion to Table was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears,
Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- (09-090) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Amending Ordinance No. 16,082, as Amended, for a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Add a FOUR-STORY, 75-UNIT ASSISTED LIVING FACILITY for Property Located at the SOUTHEAST CORNER of ILLINOIS ROUTE 40 and PROSPECT ROAD Addressed as 5901 N. PROSPECT ROAD, with Conditions.**

Director of Planning and Growth Management Pat Landes distributed a supplemental communication to all members of the City Council changing Condition #2 listed under Staff Conclusion and Recommendation.

Council Member Manning moved to concur with the Zoning Commission's recommendation to adopt the Ordinance amending Ordinance No. 16,082, as amended, for a Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add a four-story, 75-unit Assisted Living Facility for property located at the Southeast Corner of Illinois Route 40 and Prospect Road addressed as 5901 N. Prospect Road, with conditions, and as amended to add a Condition #6 on page 3 of the Ordinance as follows: "All traffic exiting onto Humboldt Ave. from the proposed assisted living facility is restricted to left turn movements only;" seconded by Council Member Turner.

Council Member Sandberg referred to the site plan and expressed concern that there were no signs installed for handicapped parking and there were other traffic concerns for the neighborhood. He said he felt the City had an obligation to protect the residential character and quality of the neighborhood with appropriate signage.

Council Member Manning stated he had spoken with the affected neighbors regarding the parking spaces and they were comfortable with the proposed Ordinance. He stated less traffic would be generated on Humboldt than when other businesses had been present and he requested that staff make sure that all missing handicap signs in the existing parking lot be installed. He added he was sure they would comply with this request.

Motion to concur with the Zoning Commission's recommendation to adopt ORDINANCE NO. 16,400 amending Ordinance No. 16,082, as amended, for a Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add a four-story, 75-unit Assisted Living Facility for property located at the Southeast Corner of Illinois Route 40 and Prospect Road addressed as 5901 N. Prospect Road, with conditions, and as amended to add a Condition #6 on page 3 of the Ordinance as follows: "All traffic exiting onto Humboldt Ave. from the proposed assisted living facility is restricted to left turn movements only;" was approved by roll call vote.

Yeas: Guley, Jacob, Manning, Montelongo, Nichting, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: Sandberg - 1.

(09-091) Communication from the Interim City Manager and Director of Inspections Recommending Adoption of an ORDINANCE Amending CHAPTER 5 of the Code of the City of Peoria Pertaining to REGISTRATION OF LOTS and INSPECTION OF DWELLINGS Requiring Annual Registration of Non-Owner Occupied Properties.

Council Member Jacob stated the Staff along with support from City Council made a significant review of the landlord registration process, which included extensive input from landlords. He stated the current process was flawed and outdated and the City had a fundamental need for accurate and updated information regarding the location of rental properties in the community for interdepartmental use. He noted as scarce resources were allocated, it was critical to have data that was benchmarked and results that were measurable. He added the proposed Ordinance would increase rental property details that were critically needed. He discussed the fees, but he pointed out this was not about increasing revenue because revenues would actually be less. He explained the process that would be followed to increase accountability of the landlords as the status quo was no longer acceptable. He urged the City Council to support the proposed Ordinance.

Council Member Jacob moved to adopt an Ordinance amending Chapter 5 of the Code of the City of Peoria pertaining to Registration of Lots and Inspection of Dwellings requiring annual registration of non-owner occupied properties; seconded by Council Member Manning.

Director of Inspection John Kunki discussed the technical aspects of the proposed Ordinance and the proposed changes. He explained the annual registration process and the established penalties, noting that Life Safety issues would be more closely regulated.

In discussion with Council Member Sandberg regarding landlords maintaining tenant lists, Director Kunki stated a checklist would include this as a standard requirement.

Council Member Manning pointed out non-compliance would carry a more severe penalty to landlords and this was a step in the right direction. He commended Council Member Jacob and the City Staff for their leadership.

Council Member Van Auken suggested that upon registration landlords should receive a handbook addressing Life Safety issues. She said smaller landlords were not always knowledgeable about regulations.

Council Member Van Auken and Council Member Gulley requested to grant Privilege of the Floor for interested citizens to address this issue.

In discussion with Council Member Spears regarding his ownership of rental property and his legal ability to speak to this issue, Corporation Counsel Randy Ray stated the proposed Ordinance regarded general applications so Council Member Spears would be able to make comments.

In discussion with Council Member Spears, Director Kunski clarified that proper notification would be sent to registered landlords, as well as all of the local media outlets, to remind them to renew their annual registration.

Mayor Ardis thanked Council Member Manning and Council Member Jacob for their hard work on this project. He pointed out this was not the end of the process but only the beginning. He stated the efforts of the Police Department, Code Enforcement, and other areas of the City would continue. He stated the Administration would not rest until all issues were addressed regarding landlords and the maintenance of their properties.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to those who wished to address this issue.

Dennis Kallvy, a Peoria resident, stated that he supported less government interference and more individual landlord accountability. He said he was a landlord and he checked all of his tenants and maintained his properties. He stated he did not want to be penalized along with "slum landlords."

Dale Hanssen, a Peoria resident, stated he managed 120 rental properties and he maintained his properties. He said he supported the proposed ordinance as a positive first step.

Motion to adopt ORDINANCE NO. 16,401 amending Chapter 5 of the Code of the City of Peoria pertaining to Registration of Lots and Inspection of Dwellings requiring annual registration of non-owner occupied properties was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

(09-092) Communication from the Interim City Manager and Corporation Counsel Requesting Council Action on the SITE APPLICATION for a CLASS A (Tavern) LIQUOR LICENSE at 1720 S. LIVINGSTON, with Recommendation from the Liquor Commission to DENY.

Council Member Jacob said he would be abstaining from discussing and voting on this Item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

On behalf of the Petitioner, Council Member Gulley moved to withdraw this Item; seconded by Council Member Van Auken.

Motion to withdraw was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears,
Turner, Van Auken, Mayor Ardis – 10;

Nays: None;

Abstentions: Jacob – 1.

(09-093) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Receive and File the 2008 ZONING COMMISSION ANNUAL REPORT.

Council Member Van Auken moved to receive and file the 2008 Zoning Commission Annual Report; seconded by Council Member Gulley.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears,
Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

UNFINISHED BUSINESS

(08-640) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt an Ordinance Granting a SPECIAL USE in a Class WM (West Main Form) District to Allow for SITE AND BUILDING WAIVERS from the LAND DEVELOPMENT CODE for Property Located at 725 & 741 W. MAIN STREET, 712, 714, 716, & 718 W. RUSSELL STREET, and 1012, 014, 1016, 1020, & 1022 N. DOUGLAS STREET, with Conditions. (New Communication and New Ordinance)*

*Director of Planning and Growth Management Pat Landes distributed a replacement communication and new Ordinance to all members of the City Council.

On behalf of the Petitioner, Council Member Van Auken moved to defer this Item for two weeks until the March 10, 2009, Regular City Council Meeting; seconded by Council Member Gulley.

Council Member Sandberg requested information regarding the separation of the parking lot and the residential area.

Motion to defer this Item until March 10, 2009, was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears,
Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

NEW BUSINESS

ANNOUNCEMENT Regarding ITEMS to be CONSIDERED on the AGENDA at the ANNUAL TOWN MEETING to be Held on TUESDAY, APRIL 21, 2009.

Pursuant to Public Act 095-0761, which took effect July 2008, Mayor Ardis stated, if Town Electors desired to have an item considered on the Agenda at the Annual Town Meeting to be held on Tuesday, April 21, 2009, at 6:00 P.M., they were required to bring a specific request, signed by 15 or more electors, to the Clerk by no later than March 1, 2009.

RECOGNITION OF CITY CLERK'S STAFF REGARDING RECENT LIQUOR LICENSE RENEWALS.

Mayor Ardis commended the City Clerk's staff for their efforts in the annual Liquor License Renewal process. He stated a letter of recognition was received thanking the Clerk's office for their assistance and going above and beyond to provide friendly and helpful service.

PRESENTATIONS**(09-094) PRESENTATION by MR. NEAL JOHNSON Representing AMEREN/CILCO to Provide a Brief Update, to Address Customer Complaints Regarding High Bills as a Result of Cold Weather, and to Provide Information Regarding Power Outages and Ameren's Response Time.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Ameren Senior Community Relations Supervisor Neal Johnson.

Neal Johnson, Senior Community Relations Supervisor representing Ameren Illinois Utilities, distributed a packet of information to all members of the City Council. He discussed preparations made for the December 18 – 23, 2008, ice storm and the process of alerting customers and activating their Emergency Operations Center statewide. He stated high winds, arctic temperatures, and wind chill conditions resulted in power outages for 130,000 customers, with some customers not being restored for three days. He gave an overview of the number of personnel, which included outside contractors from Illinois, Missouri and Wisconsin, that were used to restore power to their customers. He further stated the costs associated with the storm amounted to \$14 million of which \$7 million was for the Peoria area. He discussed the frequency and severity of storms in this area and the need for workers to be safe. He introduced other Ameren personnel including Regional Vice President of Operation William Prebil, Peoria Division Manager Carl Spence, and other personnel.

Council Member Van Auken provided information about a specific situation in her district and requested that better communication be provided to customers so they would know what repairs were their responsibility.

Mr. Johnson referred to Ameren's website and stated it outlined the customer's responsibilities, but he said Ameren would try to do a better job in the future in communicating with customers.

In discussion with Council Member Montelongo, Mr. Johnson explained that Ameren had established a four-year tree trimming cycle, but if limbs needed to be removed between trimming cycles, citizens should use professional tree trimmers to assist in limb removal. He urged all citizens to use caution due to the dangers involved.

Council Member Spears suggested that Ameren provide better communication regarding repair timeframes. He further requested that information be provided in the utility bills regarding measures citizens could take during an emergency.

Interim City Manager Henry Holling reminded the Council and citizens that the Public Works Department worked closely with Ameren to provide a cooperative effort to resolve issues.

Council Member Nichting left the meeting at 8:05 P.M.

Mr. Prebil stated that outages involving critical infrastructures (i.e. hospitals, etc.) were restored first, followed by the biggest areas of outages that would cover the greatest number of customers at one time were restored next, and then finally individual customers.

Following further discussion, Council Member Jacob expressed concern regarding the length of outages in the North end. He requested a report back regarding the trends in the North end so he could address the issue with affected citizens.

Council Member Spain stated, after the December 2006 snow storm, the City partnered with the County to text message citizens regarding storm updates. He suggested the City partner with Ameren for a similar arrangement for power outages.

Mr. Johnson stated Ameren was working with Communication Manager Alma Brown regarding weather intelligence for the City. He stated he would look into Council Member Spain's suggestion.

Council Member Montelongo suggested that citizens be encouraged through their Neighborhood Associations to trim limbs in the fall.

After Mayor Ardis thanked Ameren representative for their presentation, Council Member Spain moved to receive and file the presentation by Ameren; seconded by Council Member Jacob.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Sandberg, Spain, Spears,
Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

UNFINISHED BUSINESS

(09-065) Communication from the Interim City Manager and Director of Economic Development Regarding a PRESENTATION from the ECONOMIC DEVELOPMENT COUNCIL Pertaining to 4TH QUARTER 2008 PERFORMANCE INITIATIVES Under the Scope of Work for the Contractual Agreement Between the City of Peoria, County of Peoria, and The Heartland Partnership.

Council Member Spain stated he would be abstaining from the discussion and vote due to his employment with the Heartland Partnership.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Heartland Partnership President Jim McConoughey.

Jim McConoughey, President of the Heartland Partnership, provided an overview of the current economic situation in the Peoria region. He showed a comparison of job statistics from 1974 through 2008, including unemployment trends. He stated it would be nearly impossible to "top" the worst economic time in the economy in the early 1980's. He discussed business retention and expansion, community preparedness, business recruitment, economy monitoring and mobilization for rapid growth, measuring consumer confidence, and workforce solutions. He stated he appreciated the City's continued investment in economic development and in the next four to six months they would continue to focus on recovery, recruitment and retention.

Mayor Ardis thanked Mr. McConoughey for his report.

Council Member Montelongo moved to receive and file the presentation from the Economic development Council pertaining to 4th Quarter 2008 Performance Initiatives under the scope of work for the Contractual Agreement between the City of Peoria, County of Peoria, and the Heartland Partnership; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Sandberg, Spears, Turner, Van Auken,
Mayor Ardis – 9;

Nays: None;

Abstentions: Spain – 1.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(09-095) Request for CITIZENS to ADDRESS the CITY COUNCIL Regarding VARIOUS ISSUES.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council.

Rosilee Walker, resident of Peoria, said she appreciated the City Council's support of the amendment to the Landlord Registration Ordinance. She said these changes would address the housing decline that she had witnessed in her neighborhood over the past five years.

EXECUTIVE SESSION

It was determined than an Executive Session was not needed.

ADJOURNMENT

Council Member Montelongo moved to adjourn the Regular City Council Meeting; seconded by Council Member Jacob.

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 8:37 P.M.

Mary L. Haynes, MMC, City Clerk
City of Peoria, Illinois

bb/adh