

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

Council Chambers, Peoria, Illinois, April 14, 2009, a City Council Meeting was held this date at 6:18 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, Jacob, Manning, Montelongo, Nichting, Sandberg (arrived at 6:50 P.M.), Spain, Spears, Turner, Van Auken, Mayor Ardis – 11.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection, and then Boy Scout Troop #18, representing St. Philomena Church and Scout Leader Mike Dwyer led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATIONS:** RICHWOODS HIGH SCHOOL: IHSA GIRLS BASKETBALL 2009 STATE CHAMPIONS

**PROCLAMATIONS:** KALLISTER REALTY: 70TH ANNIVERSARY

**PROCLAMATIONS:** THE GREAT AMERICAN CLEANUP DAY - APRIL 18, 2009

**PROCLAMATIONS:** ARBOR DAY - APRIL 24, 2009

**PROCLAMATIONS:** MONEY SMART WEEK - APRIL 18 - 25, 2009

**MINUTES**

Council Member Nichting moved to approve the minutes of the Joint City Council & Town Board Meeting and Executive Sessions held on March 24, 2009, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

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:**

**(09-144) TAG DAY REQUEST from BRADLEY UNIVERSITY'S SPECIAL EVENTS DIRECTOR to Raise Money for the DANCE MARATHON by Soliciting Donations from Pedestrians Near Courthouse Plaza on TUESDAY, APRIL 28, 2009, WEDNESDAY, APRIL 29, 2009, WEDNESDAY, SEPTEMBER 9, 2009, and THURSDAY, SEPTEMBER 10, 2009 (from 11:00 A.M. until 1:30 P.M. (Dates are Open)**

- (09-145) TAG DAY REQUEST from THE KOREAN WAR VETERANS OF AMERICA, PEORIA CHAPTER #243, Requesting Permission to Sell KOREAN WAR DAISIES in the City of Peoria on FRIDAY, OCTOBER 23 and SATURDAY, OCTOBER 24, 2009. (Dates are Open.)
- (09-146) Communication from the Interim City Manager and Chief of Police Requesting Approval for the PURCHASE of 175 BLAUER MODEL 342 GS ZIPPER SAFETY VESTS from SAM HARRIS UNIFORMS, in the Amount of \$12,031.25 to Replace the Safety Vests Police Officers were issued which are not in Compliance with the New Federal Standard.
- (09-147) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of SOUTHEASTERN CONSTRUCTION, in the Amount of \$139,273.50, and Authorization up to \$153,200.85 (Additional 10% for Contingencies) for SINR CONTRACT #35 for SIDEWALK REPLACEMENT on BUTLER from MacArthur to Western.
- (09-148) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a PURCHASE of REAL ESTATE Located at 815 and 833 N.E. GLEN OAK AVENUE, in the Amount of \$160,000.00 for the IMPROVEMENT of PENNSYLVANIA AVENUE from Berkeley Avenue to Glen Oak Avenue.
- (09-149) Communication from the Interim City Manager and Human Resources Director Requesting Authorization to Execute a CONTRACT with RESOURCE MANAGEMENT ASSOCIATES (RMA), in the Amount of \$78,900.00 to Administer POLICE SERGEANT and POLICE LIEUTENANT PROMOTIONAL EXAMINATIONS.
- (09-150)  
\* Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Authorization for the City Manager to Execute a CONTRACT with KOENER ELECTRIC and WESCO DISTRIBUTION, INC., in an Amount Not to Exceed a Combined Total of \$50,000.00 for the ALLEY LIGHTING PROGRAM.
- (09-151) Communication from the Interim City Manager and Director of Public Works Requesting to Award a CONTRACT for WINDOW BLINDS (Due to the Flood Damage) at CITY HALL to MIDWEST MARKETING DISTRIBUTOR d/b/a SUNGUARD, in the Amount of \$15,925.00.
- (09-152) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a SEWER IMPROVEMENT AGREEMENT with THE GREATER PEORIA SANITARY DISTRICT for the REPAIR of SEWERS, as Part of the City of Peoria's Sewer Rehabilitation [Design Area 1 Sewers, CIPP Manhole to Manhole, Project 8], and to Concur in the Award of the CONTRACT for the WORK to HOERR CONSTRUCTION, INC., in the Amount of \$356,495.00.

- (09-153) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a PROFESSIONAL SERVICES AGREEMENT with HANSON PROFESSIONAL SERVICES, INC. for the DESIGN ENGINEERING of the IMPROVEMENT of NORTHMOOR ROAD from Sheridan Road to Knoxville Avenue, in an Amount Not to Exceed \$173,272.00, Subject to a Review and Approval by the Illinois Department of Transportation for 100% Funding Under the AMERICAN RECOVERY & REINVESTMENT ACT OF 2009, Approved by PPUATS for the City and Peoria County and Requesting Approval of the LOCAL AGENCY AGREEMENT with the ILLINOIS DEPARTMENT OF TRANSPORTATION for Federal Participation Under the AMERICAN RECOVERY & REINVESTMENT ACT OF 2009 (ARRA). (Refer to 05-609)
- (09-154) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a PROFESSIONAL SERVICES AGREEMENT with HANSON PROFESSIONAL SERVICES, INC. for the DESIGN ENGINEERING of the IMPROVEMENT of the INTERSECTION of NORTHMOOR ROAD and SHERIDAN ROAD, in an Amount Not to Exceed \$234,713.00, Subject to a Review by the Illinois Department of Transportation; and Requesting Approval of an MFT RESOLUTION NO. 09-154, in the Amount of \$340,000.00 to Pay for the City's Portion of the Engineering Costs and Right of Way Acquisition Costs. (Refer to 05-609 and 08-052).
- (09-155) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the RESOLUTION NO. 09-155 Adopting a RED FLAG POLICY and Establishing an IDENTITY THEFT PROTECTION PROGRAM for the City of Peoria.
- (09-156) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of ORDINANCE NO. 16,412 Reserving the 2009 PRIVATE ACTIVITY BOND VOLUME CAP, in the Amount of \$10,219,140.00.
- (09-157)  
\*\* Communication from the Interim City Manager and Director of Public Works Requesting Adoption of an ORDINANCE Providing for the IMPROVEMENT of HETHERWOOD DRIVE in LYNNHURST SUBDIVISION for an ORNAMENTAL STREET LIGHTING IMPROVEMENT PROJECT.
- (09-158) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a SIDEWALK PARTICIPATION REQUEST from GLORIOUS CHURCH OF GOD IN CHRIST for Property Located at 1915 N.E. JEFFERSON AVENUE, in the Amount of \$12,832.36.
- (09-159)  
\*\*\* Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS G (Restaurant, Beer & Wine Only) LIQUOR LICENSE for 1400 N.E. MONROE, with Recommendation from the Liquor Commission to Approve.
- (09-160)  
\*\*\*\* Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS C (Package Liquor) LIQUOR LICENSE for 4125 N. SHERIDAN, SUITE 20, with Recommendation from the Liquor Commission to Approve.

- (09-161) **REPORT of CITY TREASURER REGINALD A. WILLIS for the Month of FEBRUARY 2009, with Recommendation to Receive and File.**
- (09-162) **PEORIA PUBLIC LIBRARY FINANCIAL REPORT STATEMENT of REVENUES AND EXPENDITURES, LIBRARY USE INDEX, STATISTICAL REPORT dated FEBRUARY 28, 2009.**

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

Council Member Jacob requested Item Nos. 09-159 and 09-160 be removed from the Consent Agenda for further discussion.

Council Member Montelongo requested Item No. 09-150 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested Item No. 09-157 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.

Items No. 09-144 through 09-162 (excluding Item Nos. 09-150, 09-157, 09-159, and 09-160 which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

Council Member Sandberg arrived at 6:50 P.M.

### **WELCOME OF DIGNITARY**

Mayor Ardis recognized and welcomed Senator Dave Koehler who was present in the audience.

- (09-150) **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Authorization for the City Manager to Execute a CONTRACT with KOENER ELECTRIC and WESCO DISTRIBUTION, INC., in an Amount Not to Exceed a Combined Total of \$50,000.00 for the ALLEY LIGHTING PROGRAM.**
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Council Member Montelongo moved to defer this Item for one week until the April 21, 2009, Special City Council Meeting; seconded by Council Member Gulley.

Motion to defer this Item until April 21, 2009, was approved by roll call vote.

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

Nays: None.

- (09-157) **Communication from the Interim City Manager and Director of Public Works Requesting Adoption of an ORDINANCE Providing for the IMPROVEMENT of HETHERWOOD DRIVE in LYNNHURST SUBDIVISION for an ORNAMENTAL STREET LIGHTING IMPROVEMENT PROJECT.**
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Clerk's Note: The final motion deleted "and Suffolk Drive (South of Bridalwood Drive)," which changed the title of the Ordinance.

Council Member Spain said he would be abstaining from discussion and voting in this Item because of his ownership of property in this neighborhood.

Council Member Nichting moved to adopt an Ordinance providing for the improvement of Hetherwood Drive in the Lynnhurst Subdivision for an Ornamental Street Lighting Improvement Project, as amended by striking the following words from the Ordinance: "and Suffolk Drive (South of Bridalwood Drive);" seconded by Council Member Turner.

In discussion with Council Member Gulley, Corporation Counsel Randy Ray clarified the reason for the amendment was a petition from each of the neighborhood associations was presented, with one association being in support of the Ordinance and the other being against it.

Council Member Nichting said he wanted to add a stipulation to the Ordinance that the neighborhood choosing not to participate at this time would not be allowed to opt in at a later date with a lower cost. Corporation Counsel Ray said the point was adequately made.

Motion to adopt ORDINANCE NO. 16,413 providing for the improvement of Hetherwood Drive in the Lynnhurst Subdivision for an Ornamental Street Lighting Improvement Project, as amended by striking the following words from the Ordinance: "and Suffolk Drive (South of Bridalwood Drive)," and with the stipulation that later participation by the other neighborhood association would be at the same or greater cost was approved by roll call vote.

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

Nays: None;

Abstentions: Spain – 1.

**(09-159)      Communication from the Interim City Manager and Corporation Counsel  
\*\*\*      Requesting Approval of a SITE APPLICATION for a CLASS G (Restaurant,  
Beer & Wine Only) LIQUOR LICENSE for 1400 N.E. MONROE, with  
Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting in 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.

Council Member Nichting moved to approve the Site Application for a Class G (Restaurant, Beer & Wine Only) Liquor License for 1400 N.E. Monroe; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(09-160)      Communication from the Interim City Manager and Corporation Counsel  
\*\*\*\*      Requesting Approval of a SITE APPLICATION for a CLASS C (Package  
Liquor) LIQUOR LICENSE for 4125 N. SHERIDAN, SUITE 20, with  
Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting in 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.

Council Member Nichting moved to approve the Site Application for a Class C (Package Liquor) Liquor License for 4125 N. Sheridan, Suite 20; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(09-163) Communication from the Interim City Manager and Chief of Police Requesting Approval and Authorization for the City Manager to Execute an INTERGOVERNMENTAL AGREEMENT Between the CITY OF PEORIA and COUNTY OF PEORIA, Under the AMERICAN RECOVERY & REINVESTMENT ACT OF 2009, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.**

Council Member Spain moved to approve and authorize the execution of an Intergovernmental Agreement between the City of Peoria and County of Peoria, under the American Recovery & Reinvestment Act of 2009, Edward Byrne Memorial Justice Assistance Grant (JAG) program; 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.

**(09-164) Communication from the Interim City Manager and Chief of Police Requesting Authorization to Submit a GRANT APPLICATION from the AMERICAN RECOVERY & REINVESTMENT ACT OF 2009, EDWARD BYRNE MEMORIAL COMPETITIVE GRANT PROGRAM ANNOUNCEMENT.**

Council Member Turner noted he was proud to say this was one of the initiatives of the Mayor's Task Force on Crime and he moved to authorize the submittal of a Grant Application from the American Recovery & Reinvestment Act of 2009, Edward Byrne Memorial Competitive Grant Program Announcement; seconded by Council Member Manning.

Approved by roll call vote.

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

Nays: None.

**(09-165) Communication from the Interim City Manager and Chief of Police Requesting Authorization to Submit a GRANT APPLICATION from the AMERICAN RECOVERY & REINVESTMENT ACT OF 2009, for the COPS HIRING RECOVERY PROGRAM (CHRP), and to Concur with the Administration's Submission of a COPS GRANT Requesting a Total of TEN POSITIONS: Five New Officer Positions and Five Existing Officers Positions that are Currently Funded within the Budget.**

Council Member Van Auken moved to authorize the submittal of a Grant Application from the American Recovery & Reinvestment Act of 2009, for the COPS Hiring Recovery Program, and to concur with the Administration's submission of a COPS Grant requesting five new officer positions and five existing officers that are currently funded within the Budget; seconded by Council Member Montelongo.

Council Member Turner expressed concern that, although public safety was important, he was concerned after the three year time period when the grant expired that tax payers would end up being responsible for the final year of funding these positions and he said he would rather move all of the money to fund ten existing officers rather than five new and five existing officers.

In discussion with Council Members Spain and Van Auken, Assistant Police Chief Phil Korem explained the logic of the grant and said the parameters of the application, in order for it to qualify, would not allow the funding to go toward just existing officers. He said the grant would fund the new positions for three years, with the City funding the final year. He further stated the new positions were not supplemental, but vacancies that currently existed.

Council Member Spain said he felt it would be to the City's advantage if the grant was funded, but said Council Member Turner made an important point. In further discussion with Council Member Spain, Assistant Chief Korem said he would keep Council informed throughout the grant process.

In discussion with Council Member Jacob, Assistant Chief Korem said the savings in money in the grant was an estimate of what would be spent and he noted the first year was primarily training for new officers and the overtime amounts would fluctuate. He added the grant funds covered base salaries and benefits, but not overtime or incremental pay raises, for three years and the fourth year would have to be funded by the City. He said the positions had to be kept four years and then could be eliminated, if necessary, through attrition at the end of that time.

Council Member Sandberg said he would not support the application because it would lock the City into four years and limit the City's ability to look at all opportunities during that time.

Council Member Manning said he would support this grant application and noted in many meetings he had attended, the number one issue on the minds of everyone was crime. He said it was important to take advantage of this opportunity for the next three years to cover police positions and to improve the quality of life for the citizens of Peoria. He said safety should always come first and must be tackled while the City had money to do so.

Motion to authorize submittal of a grant application from the American Recovery & Reinvestment Act of 2009, for the COPS Hiring Recovery Program (CHRP), and to concur with Administration's submission of a COPS Grant requesting five new officer positions and five existing officers that are currently funded within the Budget was approved by roll call vote.

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

Nays: Sandberg – 1.

**(09-166) Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 27 of the Code of the City of Peoria Pertaining to BUSINESS DEVELOPMENT DISTRICT RETAILER'S OCCUPATION TAX and BUSINESS DISTRICT SERVICE OCCUPATION TAX.**

Corporation Counsel Randy Ray distributed a replacement Ordinance to members of the City Council.

Council Member Manning moved to adopt the replacement Ordinance amending Chapter 27 of the Code of the City of Peoria pertaining to Business Development District Retailer's Occupation Tax and Business District Service Occupation Tax; seconded by Council Member Turner.

Council Member Sandberg expressed concern that citizens would not be willing to pay 11.25% tax for a meal in Peoria when they could go across the river and only pay 8%. He said he would not support the Ordinance because it really would put Peoria at a tremendous competitive disadvantage.

Motion to adopt ORDINANCE NO. 16,414 amending Chapter 27 of the Code of the City of Peoria pertaining to Business Development District Retailer's Occupation Tax and Business District Service Occupation tax was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;

Nays: Jacob, Nichting, Sandberg - 3.

**(09-167) Communication from the Interim City Manager Requesting the Council to Provide Direction to Staff Regarding the Use of the City of Peoria's DISBURSEMENT, through the AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, of ENERGY EFFICIENCY and CONSERVATION BLOCK GRANT MONEY.**

Interim City Manager Henry Holling said the City was fortunate to be the beneficiary of a grant and because of the energy studies the City had accomplished earlier last year, a template was developed for the disbursement of grant funds.

Special Projects Manager Chris Setti said investing \$1.2 million for energy efficiency projects would provide the City with tremendous savings of energy costs in the long run. He requested feedback from the Council.

Council Member Spain said he felt it was thoughtful for the City to be proactive and create the Energy Efficiency Task Force and; as a result, they applied for and received funding. He said it was important to focus these funds to create energy efficiency in existing City facilities.

Council Member Spain moved to direct Staff to use Energy Efficiency and Conservation Block Grant Money through the American Recovery and Reinvestment Act of 2009 for creating energy efficiency of City Hall and all City facilities; seconded by Council Member Van Auken.

In discussion with Council Member Van Auken, Assistant Director of Planning & Growth Management Ross Black clarified the City offered a program to provide assistance to citizens in emergencies through HUD and the program received funding annually. Council Member Van Auken noted she knew the City buildings needed to be made more efficient but felt there were citizens who also needed the City's help.

Special Projects Manager Setti noted, through the Recovery Act, weatherization programs received a considerable increase in funding and should be able to serve quadruple the number of requests for assistance. He said there were also a number of federal tax credits now available for all kinds of energy efficiency upgrades for citizens with any income level.

Council Member Sandberg said he was not opposed to the City making its facilities more energy-efficient, but he expressed concern that the City was helping itself first. He said he needed rationale for it and suggested the City attack this so it would get the greatest return for its investment.



In discussion with Council Member Spears, Director of Public Works Dave Barber clarified the dollar amount reflected was the savings of using the energy-efficient bulbs overall, not just the bulbs themselves. He also noted a more-prioritized list of items which had a greater return on their investments; however, he said this list was developed so the City could quickly act on the grant opportunity.

Interim City Manager Holling reiterated Staff was just asking for Council guidance on the use of this grant and would be advised step-by-step throughout the process.

Motion to direct Staff to develop a plan to use the Energy Efficiency and Conservation Block Grant Money to create energy efficiency in City Hall and City facilities and bring the plan back to Council was approved by roll call vote.

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

Nays: None.

**(09-168) Communication from Interim City Manager and Director of Public Works Requesting City Council Concurrence with Staff Recommendation to CEASE ACTIVITIES to Obtain AMERICAN RECOVERY & REINVESTMENT ACT OF 2009, (ARRA) STIMULUS FUNDS through the State Revolving Loan Fund for COMBINED SEWER PROJECTS (CSO), and to Direct MACTEC ENGINEERING to Limit Their Work on TASK ORDER #4 Approved Under Item No. 09-024 to \$22,481.00.**

Mayor Ardis said he would be abstaining from the discussion and voting on this Item due to a business relationship with his employer. He then requested Council Member Turner to assume the Chair for this portion of the meeting.

Council Member Van Auken moved to approve the ceasing of activities to obtain American Recovery & Investment Act of 2009 (ARRA) Stimulus Funds through the State Revolving Loan fund for Combined Sewer Projects (CSO), and to direct Mactec Engineering to limit their work on Task Order #4 approved under Item No. 09-024 to \$22,481.00; seconded by Council Member Spain.

Council Member Van Auken clarified the United States and Illinois Environmental Protection Agencies had warned against proceeding with this work because their stance on this issue could change and the funding would not be available for the City to complete the work.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Van Auken, Chairman Pro Tem Turner – 10;

Nays: None;

Abstentions: Mayor Ardis – 1.

**(09-169) Communication from Interim City Manager and Director of Public Works with REPORT BACK on DRAINAGE ISSUES on the NORTH SIDE of the 2500-2600 BLOCKS of WEST HUMBOLDT STREET and Request for Council Direction Regarding the Two Options Outlined. (Refer to 09-066)**

Council Member Gulley moved to receive and file the report back on drainage issues on the North Side of the 2500-2600 Blocks of West Humboldt Street and to approve Option One to correct drainage issues on the North side of the 2500-2600 Blocks of West Humboldt Street; seconded by Council Member Manning.

Council Member Gulley commended Staff for their ability to assess the problem in this area and look for “green” solutions.

In discussion with Council Member Sandberg, Public Works Director Barber said this area would be a good test area for the “green” solution and he said he was confident of its success, but stressed the City would take measures to correct the problem in the unlikely event it would not work.

Council Member Nichting added the technology could be quite beneficial and the project would be a great opportunity to use “mother nature” to solve this problem.

Motion to receive and file the report back on drainage issues on the North Side of the 2500-2600 Blocks of West Humboldt Street and to approve Option One, for a total cost of \$5,050.00, to correct drainage issues on the North side of the 2500-2600 blocks of West Humboldt Street was approved by roll call vote.

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

Nays: None.

### **UNFINISHED BUSINESS**

**(09-113) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Approval of Funding, in the Amount of \$7,500.00 for Playground Equipment at the Boys and Girls Club Located within the Glen Oak School Neighborhood Impact Zone.**

Council Member Van Auken said she would be abstaining from discussion and voting on this Item due to her membership on the Boys/Girls Club Board.

Council Member Manning moved to approve the funding, in the amount of \$7,500.00 for playground equipment at the Boys and Girls Club located within the Glen Oak School Neighborhood Impact Zone; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None;

Abstentions: Van Auken – 1.

**(08-179) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting to REMOVE ITEM NO. 08-179 FROM THE TABLE and TAKE ACTION on the Request to WITHDRAW an ORDINANCE Rezoning Property Located at 7908 N. ORANGE PRAIRIE ROAD (Temporary Address) from the Present Class C-2 (Large Scale Commercial) District to a Class R-7 (Multi-Family Residential) District.**

Council Member Nichting moved to remove Item No. 08-179 from the table; seconded by Council Member Spain.

Motion to remove this Item from the table was approved by roll call vote.

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

Nays: None.

Council Member Nichting moved to withdraw this Item by request of the Petitioner; seconded by Council Member Sandberg.

Motion to withdraw this Item was approved by roll call vote.

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

Nays: None.

**(08-607) FY 2009 CITY OF PEORIA BUDGET - Communication from the Interim City Manager Requesting the Council to Provide Direction to Staff Regarding Potential Ways to Eliminate the PROJECTED BUDGET DEFICIT.**

Interim City Manager Henry Holling distributed an additional communication regarding travel budget reductions to all members of the Council.

Mayor Ardis reminded Council that no action would be taken at this meeting and this would be the final opportunity to provide input to address the projected budget deficit before a final decision was made in two weeks at the April 28, 2009, Regular City Council Meeting.

Interim City Manager Henry Holling thanked the Council for the discussions that had been held and the time given. He noted that three things could be taken away from this opportunity: 1) there was never a substitute for good, open communication between the Administration and the Council on good City government; 2) any discussion of budget was an opportunity to improve and wasn't necessarily a negative and provided an opportunity to refine how services were provided to citizens of Peoria; and 3) through discussion, additional ideas and feedback help to strengthen trust and build a partnership to move the City forward.

Council Member Van Auken expressed concerns of many of her constituents because of the media's reporting on cutting back on police patrols.

Special Projects Manager Chris Setti noted there was an unwritten policy of shift strength within the patrol division and these reductions would return the discretion to Police Department command to adjust shifts as needed.

In further discussion with Council Member Van Auken, Assistant Police Chief Phil Korem clarified the recommendation was to only allow, in the event of illness, one officer to call in. He said if two officers were to call in sick, one of the two would be required to report for his shift. He noted, on the other hand, if weather dictated less of a need for full shifts then both officers would be able to be off. He reiterated the recommendation basically would return the discretion to Police Administration to adjust shifts as needed.

Mayor Ardis clarified the City Council did not dictate police staffing and he said those decisions were made between police management and police staff. He said this issue was discussed between the City Manager and the Police Administration.

In discussion with Council Member Jacob, Interim City Manager Holling reported the information on the proposed Medicare Program was not available in time for this meeting, but would be presented as soon as it was available. He also noted future meetings could include budget discussion even though the vote on budget reductions was held.

Council Member Jacob commented Staff had not addressed issues regarding structural issues in the Budget and he felt a serious attempt was needed to look at sharing staff and resources. He said the opportunities were there and should be explored to best serve the taxpayers. He said this should be looked at as the City's call to action.

Mayor Ardis thanked Council Members Jacob and Spears in their efforts of meeting with the County on these joint issues and he said he would appreciate a report back from those meetings as well.

Council Member Spears added there had been discussion during their meetings with the County regarding sharing positions, such as Human Resource Directors and possibly Building Inspectors. He further noted the reduction to a four day work week was also discussed. He reiterated the importance of finding potential common areas in the City and the County to deliver services and he commended Staff for identifying potential ways to save money.

Council Member Manning also commended Staff and suggested reviewing line items labeled "miscellaneous," "other," etc., within the Budget because these items combined could add up to greater dollar amounts and could be refined to save additional money. He also mentioned past efforts to get area legislators to extend the Fire Pension Amortization to allow the City more time to fund it, but noted there were delays in Springfield. He said this alone could provide the City with an additional \$600,000.00 per year. He also suggested, based on the 17,000 arrests last year, charging a "user" fee for any arrest within the City, with the arrestee paying a fee.

Interim City Manager Holling noted Staff was looking into the arrest issue with Corporation Counsel to explore the legalities of this fee and would provide a report back to Council.

City Council Member Turner said the City needed to look for a way to recapture HRA taxes owed by businesses. He said there were a number of businesses that closed and still owed the City thousands of dollars. He suggested implementing a business license.

Council Member Sandberg expressed concern that none of his concerns were being addressed and he noted the problem would not be solved by adjusting small line items. He said while he respected Mr. Setti, he was not challenging Council to make tough decisions. He said Council needed to fundamentally look at ways to obtain goals and not waste time with nickel and dime issues. He further stated Peoria's issues were not unique and the City needed to refocus on core services.

In discussion with Council Member Spain, Finance Director/Comptroller Jim Scroggins reported the return numbers for January sales taxes were substantially up from December, but still a little lagging from last January.

Council Member Montelongo commended Council Members Jacob and Spears for their work with other government bodies and noted once key items were in place, the City Manager could then put their vision into play to meet the City's objectives.

Council Member Montelongo moved to defer further Budget discussion for two weeks until the April 28, 2009, Regular City Council Meeting; seconded by Council Member Spain.

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 GROUNDBREAKING CEREMONY for GLEN OAK SCHOOL to be held on WEDNESDAY, APRIL 15, 2009, at 1:30 P.M.**

Council Member Jacob announced the groundbreaking ceremony for Glen Oak School was scheduled on Wednesday, April 15, 2009, at 1:30 p.m.

**ANNOUNCEMENT Regarding GROUNDBREAKING CEREMONY for HARRISON SCHOOL to be held on THURSDAY, APRIL 16, 2009, at 1:30 P.M.**

Mayor Ardis announced the groundbreaking ceremony for Harrison School was scheduled on Thursday, April 16, 2009, at 1:30 p.m.

**RECOGNITION of NEWLY ELECTED CITY COUNCIL MEMBERS**

Mayor Ardis recognized and welcomed Council Members-Elect Tim Riggensbach from District #3 and Dan Irving from District #5.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(09-170) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding Various Items**

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

Mr. David C. Henderson, a Peoria resident, expressed his past concerns about the condition of Northmoor Road and said he was happy the City was fixing it.

**EXECUTIVE SESSION**

**(09-171) Requesting Approval of a Motion for the City Council to go into 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)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 2(c)(5) The purchase or lease of real property for the use of the public body; and 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, in which case the basis for the finding must be recorded and entered into the minutes of the closed meeting.**

Council Member Montelongo moved for the City Council to go into 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)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 2(c)(5) The purchase or lease of real property for the use of the public body; and 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, in which case the basis for the finding must be recorded and entered into the minutes of the closed meeting; seconded by Council Member Jacob.

Approved by roll call vote.

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

Nays: None.

**ADJOURNMENT**

Council Member Spain moved to adjourn the Regular City Council Meeting; seconded by Council Member Sandberg.

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 8:15 P.M.

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

bb/adh