

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

Council Chambers, Peoria, Illinois, May 12, 2009, a Joint City Council and Town Board Meeting was held this date at 6:20 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, Irving, Jacob (arrived at 6:25 P.M.), Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11; Absent – None.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or silent reflection, and then led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PRESENTATION: PRESENTATION BY AMERICAN PUBLIC WORKS ASSOCIATION TO BOB WILLIAMS, NICK STOFFER, AND SCOTT REEISE

PROCLAMATIONS: PUBLIC WORKS WEEK - MAY 17 - 23, 2009

PROCLAMATION: 2009 SCIENCE TREASURE HUNT

PROCLAMATION: POPPY DAYS - MAY 14 - 16, 2009

PROCLAMATION: MEMORIAL DAYS - MAY 24 - 30, 2009

PROCLAMATION: ARMED FORCES DAY – MAY 16, 2009

PROCLAMATION: FIRE CHIEF KENT TOMBLIN – 30 YEARS OF SERVICE

RECOGNITION OF LOCAL DIGNITARY

Mayor Ardis recognized Major John Bateman in the audience, who was an employee at Caterpillar with Council Member Turner and left to serve in the military, and was on leave from Afghanistan. He thanked Major Bateman, as well as all veterans, for their service to our Country.

MINUTES

Council Member Spain moved to approve the minutes of the Annual Town Meeting and Annual Meeting of the Board of Town Trustees held on April 21, 2009, the minutes of the Regular City Council Meeting and Executive Sessions held on April 28, 2009, and the minutes of the Special Joint City Council and Town Board Meeting held on May 5, 2009, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

- (09-206) **Communication from the Interim City Manager and Director of Public Works Requesting Approval to PURCHASE ONE THREE-WHEEL ELGIN PELICAN STREET SWEEPER and to Accept the Only Qualifying Bid of KEY EQUIPMENT & SUPPLY, at a Cost of \$165,305.00, Less Trade-In Value of \$8,500.00, for a Total Cost Not to Exceed \$156,805.00.**
- (09-207) **Communication from the Interim City Manager and Director of Public Works Requesting Approval to PURCHASE TWO 2009 FORD FOCUS VEHICLES from MORROW BROTHERS in Greenfield, Illinois, in an Amount Not to Exceed \$25,310.00, Utilizing the State Contract Bidding Process.**
- (09-208) **Communication from the Interim City Manager and Director of Public Works Requesting Approval to PURCHASE FOUR 2009 FORD EXPLORERS from LANDMARK AUTOMOTIVE GROUP in Springfield, Illinois, in an Amount Not to Exceed \$90,692.00, by Utilizing the State Contract Bidding Process.**
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- (09-209) **Communication from the Interim City Manager and Director of Public Works Requesting Approval of a PURCHASE of REAL ESTATE Located at 1617 W. ADRIAN G. HINTON, JR. AVENUE, in the Amount of \$10,000.00, as an Opportunity Acquisition for the Future Widening of Dr. Martin Luther King, Jr., Drive.**
- (09-210) **Communication from the Interim City Manager and Director of Economic Development Requesting Approval to RENEW the BUSINESS DEVELOPMENT LOAN for GORDON INSTRUMENTS, INC., for FIVE YEARS and Authorizing the City Manager to Execute the Necessary Documents.**
- (09-211) **Communication from the Interim City Manager and Director of Economic Development Requesting Approval to Begin the APPLICATION PROCESS to Change the BENEFIT of PROPERTY TAX ABATEMENT for MIXED USE DEVELOPMENT in the HEART of PEORIA.**
- (09-212) **Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the WORKFORCE INVESTMENT ACT (WIA) YOUTH GRANT, in the Amount of \$300,000.00, for the MAYOR'S SUMMER YOUTH EMPLOYMENT PROGRAM.**
**
- (09-213) **Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the ACTION PLAN for ADDRESSING the POTENTIAL 2009 BUDGET DEFICIT of \$3,334,129.00. (Refer to 08-607)**

- (09-214) **Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE at EXPOSITION GARDENS, 1601 W. Northmoor Road for a FUNDRAISER on MAY 24, 2009.**

- (09-215) **APPOINTMENT by Mayor Jim Ardis to the METROPOLITAN AIRPORT AUTHORITY OF PEORIA BOARD of COMMISSIONERS, with Recommendation to Concur:**

Steve Larson (Voting) - Term Expires 6/13/2014
- (09-216) **APPOINTMENT by Mayor Jim Ardis to the PEORIA CIVIC CENTER AUTHORITY, with Recommendation to Concur:**

Council Member Ryan Spain - Term Expires 7/1/2010
- (09-217) **APPOINTMENT AND REAPPOINTMENT by Mayor Jim Ardis to the POLICE PENSION FUND BOARD OF TRUSTEES, with Recommendation to Concur:**

APPOINTMENT:
John B. Renick (Voting) - Term Expires 5/11/2010

REAPPOINTMENT:
Bernard R. Filzen (Voting) - Term Expires 5/12/2011
- (09-218) **APPOINTMENT AND REAPPOINTMENT by Mayor Jim Ardis to the SOLID WASTE DISPOSAL COMMITTEE, with Recommendation to Concur:**

APPOINTMENT:
Council Member Timothy Riggerbach (Voting) - Term Expires 6/30/2010

REAPPOINTMENT:
Council Member Ryan Spain (Voting) - Term Expires 6/30/2010
- (09-219) **Communication from the Interim City Manager and Director of Inspections Requesting to Receive and File the REPORT on CODE ENFORCEMENT'S EFFORTS in Keeping PEORIA NEIGHBORHOODS Safe and Sanitary.**
- (09-220) **REPORT of CITY TREASURER for the MONTH of MARCH 2009, with Recommendation 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 Spears requested Item No. 09-208 be removed from the Consent Agenda for further discussion.

Council Member Van Auken requested Item No. 09-214 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item Nos. 09-212, 09-213, and 09-214 be removed from the Consent Agenda for further discussion.

Council Member Van Auken moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Turner.

Items No. 09-206 through 09-220 (excluding Item Nos. 09-208, 09-212, 09-213, 09-214, and 09-215, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(09-208) Communication from the Interim City Manager and Director of Public
* Works Requesting Approval to PURCHASE FOUR 2009 FORD EXPLORERS
 from LANDMARK AUTOMOTIVE GROUP in Springfield, Illinois, in an
 Amount Not to Exceed \$90,692.00, by Utilizing the State Contract Bidding
 Process.**

In discussion with Council Member Spears, Director of Public Works Dave Barber clarified this purchase was not a budget amendment. He said the purchase would use funds already appropriated and would help to avoid some of these purchases next year. He said, for several years, the City had not used a cycle process for repairs of vehicles due to budgetary issues. He said this purchase was an opportunity to take advantage of available funds and return to the process.

Council Member Sandberg expressed concern that the purchases made through the State Contract Bidding Process were not utilizing local dealerships. He said he felt it was important, if possible, to benefit the local economy with these purchases.

Director Barber said he was aware of other communities who used the State Contract Bidding Process with dealerships. He also noted this had been attempted here previously, but no local dealerships submitted bids.

In discussion with Council Member Spain, Director Barber said the amount of the purchase would not add to the deficit, but there would be additional savings if the purchase was not made at this time.

Council Member Spears moved to defer this Item until the May 26, 2009, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this Item until the May 26, 2009, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

In further discussion with Council Member Sandberg, Director Barber agreed to report back to Council on the possibility of utilizing local dealerships through the State Contract Bidding Process and whether or not these purchases were a part of the take-home program.

**(09-212) Communication from the Interim City Manager and Finance
** Director/Comptroller Requesting Adoption of an ORDINANCE Amending
 the City of Peoria Budget for Fiscal Year 2009 Relating to the WORKFORCE
 INVESTMENT ACT (WIA) YOUTH GRANT, in the Amount of \$300,000.00, for
 the MAYOR'S SUMMER YOUTH EMPLOYMENT PROGRAM.**

Council Member Jacob commended Staff for helping to expand this program to allow over eighty participants for the summer. He said he looked for a high rate of turnover in the number of participants, but he said the program only lost four out of the sixty that participated last year. He noted the program had been very successful.

Director of Public Works Dave Barber reported Workforce Development had provided funding through ARRA. He said applications were available and should be completed and returned as soon as possible. He said an additional screening process had been added to the program this year and he noted applicants should be 16-24 years of age at the beginning of the program, be from low income or be unemployed. He said Workforce Development would do the screening.

After a brief comment, Council Member Jacob moved to adopt an Ordinance to amend the City of Peoria Budget for Fiscal Year 2009 relating to the Workforce Investment Act (WIA) Youth Grant, in the amount of \$300,000.00, for the Mayor's Summer Youth Employment Program; seconded by Council Member Montelongo.

ORDINANCE NO. 16,427 was adopted by roll call vote.

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

Nays: None.

**(09-213) Communication from the Interim City Manager and Finance
*** Director/Comptroller Requesting Adoption of an ORDINANCE Amending
the City of Peoria Budget for Fiscal Year 2009 Relating to the ACTION PLAN
for ADDRESSING the POTENTIAL 2009 BUDGET DEFICIT of \$3,334,129.00.
(Refer to 08-607)**

Finance Director/Comptroller Jim Scroggins distributed a replacement Ordinance to members of Council.

In discussion with Council Members Jacob and Sandberg, Mr. Scroggins clarified the replacement Ordinance was merely to correct some small errors and typos. He added, once grant funds were implemented, those amounts would be plugged in to the formulas and updated information would be given to Council.

Council Member Jacob moved to adopt the replacement Ordinance amending the City of Peoria Budget for Fiscal Year 2009 relating to the Action Plan for addressing the potential 2009 budget deficit of \$3,334,129.00; seconded by Council Member Turner.

ORDINANCE NO. 16,428 was adopted by roll call vote.

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

Nays: Sandberg - 1.

**(09-214) Communication from the Interim City Manager and Corporation Counsel
**** Requesting Approval of an APPLICATION for a CLASS H (Temporary
Outdoor) LIQUOR LICENSE at EXPOSITION GARDENS, 1601 W. Northmoor
Road for a FUNDRAISER on MAY 24, 2009.**

Council Member Jacob said he would be abstaining from discussion 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.

Council Member Van Auken encouraged the Council and the community to help support this fundraiser to benefit the Police Benevolent Association's many projects.

Council Member Van Auken moved to approve the application for a Class H (Temporary Outdoor) Liquor License at Exposition Gardens, 1601 W. Northmoor Road, for a Fundraiser on May 24, 2009; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(09-215) APPOINTMENT by Mayor Jim Ardis to the METROPOLITAN AIRPORT
***** AUTHORITY OF PEORIA BOARD of COMMISSIONERS, with
Recommendation to Concur:**

Steve Larson (Voting) - Term Expires 6/13/2014

The Mayor's office distributed a replacement communication to members of Council.

Council Member Van Auken moved to concur with the appointment of Steve Larson to the Metropolitan Airport Authority of Peoria Board of Commissioners; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(09-221) Communication from the Interim City Manager and Director of Public
Works Requesting Approval of a PROFESSIONAL SERVICES AGREEMENT
with CRAWFORD, MURPHY & TILLY, INC., in an Amount Not to Exceed
\$56,000.00 for the DESIGN SERVICES of the JEFFERSON AVENUE STREET
ENHANCEMENT.**

Council Member Gulley moved to approve a Professional Services Agreement with Crawford, Murphy & Tilly, Inc., in an amount not to exceed \$56,000.00 for the Design Services of the Jefferson Avenue Street Enhancement; seconded by Council Member Turner.

In discussion with Council Member Sandberg, Director of Public Works Dave Barber explained the project was brought before Council previously and was discussed with the Heart of Peoria Commission before they disbanded and the original conversion of one-way streets to two-way was dropped as a priority. He said it was decided the focus of the project would be Washington and Adams Streets, but now the budget would not allow for completion of that project; therefore, the new priority became pedestrian safety across Jefferson Avenue to the Civic Center. He said this project only dealt with the right of way area from the curb in and should not have impact on future conversion. He said it would provide easier pedestrian access to crosswalks and prevent them from crossing Jefferson in the middle of the block.

Council Member Sandberg said since his priority was still the two-way street conversion, he would not support this agreement. He said he felt it was important to get a semblance of two-way street circulation in downtown Peoria because it was the only way that the City would be able to implement the features of the Warehouse District and the funds should be used toward the street conversion.

Council Member Gulley asked for Council support of this agreement due to safety concerns for citizens, as well as visitors to the Civic Center. He reiterated the project would provide better control of pedestrian traffic.

Motion to approve a Professional Services Agreement with Crawford, Murphy & Tilly, Inc., in an amount not to exceed \$56,000.00 for the Design Services of the Jefferson Avenue Street Enhancement was approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Riggensbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;

Nays: Jacob, Sandberg – 2.

(09-222) Communication from the Interim City Manager and Director of Public Works Requesting Approval of REVISIONS to the CITY'S GENERAL POLICY for INSTALLATION of STREET and ALLEY LIGHTING.

In discussion with Council Member Spain, Director of Public Works Dave Barber explained the need for the policy change. He said these changes were being driven by the budget and he said more had to be done with less funding. He said Ameren had changed their policy so the City was required to pick up a larger share of the cost for lighting. He said, currently, Staff was moving between line items to handle these costs and he asked Council for a recommendation to correct this issue.

In discussion with Mayor Ardis, Director Barber said these costs were not only associated with commercial lighting, but residential as well. Mayor Ardis suggested looking into the possibility of developing a plan for lighting similar to that of sidewalks, with the business owner or resident contributing a portion of the funds and the City contributing the other portion.

Council Member Spain said he appreciated the opportunity for Council input to give guidance to Staff to create a different category for the budget to address lighting. He said he felt it would be worth investigating collaboration between the City of Peoria and Ameren related to public safety.

In discussion with Council Member Sandberg, Director Barber discussed the possibility of looking to other entities, such as the County and the affected Township, as sources of funding since some of these roads fell within their boundaries as well.

In discussion with Council Member Jacob, Corporation Counsel Randy Ray explained the City's franchise agreement states energy prices were set through the Illinois Commerce Commission.

In further discussion with Council Members Montelongo, Director Barber said solar lighting would be a possibility, but costs would be comparable to what the City had now. He said he could bring back a report to Council.

In discussion with Council Member Gulley, Director Barber explained customers who hooked up to service from a new location would not really have any reimbursable costs, but said he would look into it and report back to Council.

In further discussion with Council Member Spears, Director Barber said the City could pick up the costs of repairs to lighting in established neighborhoods with Council's direction to change how money was currently spent. He said the cost was approximately \$100 per year to maintain each light which Ameren covered in this past but, with the policy change, would not.

Council Member Sandberg moved to remand the revisions to the City's General Policy for installation of street and alley lighting back to City Administration to gather additional information on pricing of solar lighting and to urge Staff to have discussions with Ameren regarding possible collaboration; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

There was no Unfinished Business to come before the Council.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – TOWN OF THE CITY OF PEORIA

(09-223) Communication from the Supervisor of General Assistance and Town Treasurer Requesting Approval of a RESOLUTION Authorizing NAMED BANKS to ACT as DEPOSITORIES, ETC, of the Town of the City of Peoria, and Authorizing the Town of the City of Peoria to ACCEPT and RELEASE SECURITIES for SAFEKEEPING Held by a THIRD PARTY and Authorizing NAMED BANKS to HONOR CHECKS and DRAFTS.

Trustee Irving moved to approve a Resolution authorizing names banks to act as depositories, etc. of the Town of the City of Peoria, and to authorize the Town of the City of Peoria to accept and release securities for safekeeping held by a third party and to authorize names banks to honor checks and drafts; seconded by Trustee Spain.

RESOLUTION NO. 09-223 was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears,
Turner, Van Auken, Chairman Ardis – 11;

Nays: None.

NEW BUSINESS

ANNOUNCEMENT Regarding the 2010 CENSUS

Council Member Spain announced the 2010 Census process would begin soon and he urged the Council to take every opportunity to remind citizens about the importance of the Census. He noted data collection would be very different this year than in years past. He said a group of volunteer citizens formed a Complete Count Committee, led by City Staff, to work to raise awareness about the 2010 Census, to explain why it was important, and to assist citizens in completing their responses. He said the goal of the committee was to prepare citizens for when their forms begin to arrive in February and March of 2010 and to urge them to complete these appropriately in time for them to be returned in April 2010.

In discussion with Mayor Ardis, Director of Planning & Growth Management Pat Landes noted testing had been completed during the winter months and several individuals were hired and have completed addressing in Peoria. She also said Census testing for management positions would take place at the Peoria Public Library in May. She noted these positions paid well and further information would be available on the Census Bureau's website or by calling her office.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(09-224) 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. Savino Sierra, a Peoria resident, expressed concern that many traffic violations in Peoria were not being addressed and police should be issuing more tickets, which would create more revenue for the City.

Ms. Lavetta Ricca, President of Olde Towne South Neighborhood Association, expressed concern regarding Ameren's failure to do repairs on street lights in her neighborhood and said she had been receiving many complaints from neighbors about lights that were either out or flickering.

Mayor Ardis requested Ms. Ricca provide a list of street lights that needed repair to the Director of Public Works Dave Barber.

EXECUTIVE SESSION

(09-225) 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)(6) The setting of a price for sale or lease of property owned by 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. (Note: 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; seconded by Council Member Jacob.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

Council Member Riegenbach moved to adjourn the Joint City Council & Town Board Meeting; seconded by Council Member Irving.

Approved by viva voce vote.

The Joint City Council & Town Board Meeting adjourned at 7:53 P.M.

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

bb/adh