

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

Council Chambers, Peoria, Illinois, June 9, 2009, a Joint City Council and Town Board Meeting was held this date at 6:15 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll call showed the following Council Members were physically present: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, 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 he led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: CONCORDIA LUTHERAN SCHOOL 50TH ANNIVERSARY

PROCLAMATION: FLAG DAY - June 14, 2009

PROCLAMATION: WALK TO D'FEET ALS DAY - June 13, 2009

PROCLAMATION: RICHARD SCHWEBEL'S SERVICE TO THE CITY OF PEORIA

MINUTES

Council Member Spain moved to approve the minutes of the May 26, 2009, Regular City Council Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

(09-248) PUBLIC HEARING Regarding PROPOSED AMENDMENT to the TOWN BUDGET and APPROPRIATION ORDINANCE.

Trustee Spain moved to open the Public Hearing regarding the proposed amendment to the Town Budget and Appropriation Ordinance; seconded by Trustee Irving.

Hearing no objections, Chairman Ardis opened the Public Hearing.

The Public Hearing opened at 6:36 P.M.

Following a third call by Chairman Ardis for citizens to address the City Council and after determining that no one wished to address this issue, Trustee Spain moved to close the Public Hearing; seconded by Trustee Irving.

Approved by roll call vote.

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

Nays: None.

The Public Hearing closed at 6:38 P.M.

**(09-249) Communication from the Town Collector Requesting Adoption of
An ORDINANCE Amending the TOWN BUDGET and APPROPRIATION
ORDINANCE NO. TO-09-01 for 2009-2010, Due to an INCREASE in COST of
the BOND for the TOWNSHIP COLLECTOR.**

In discussion with Trustee Gulley, Town Collector Patrick Nichting clarified the reason for the increase in the cost of the bond for the Township Collector. He said a change in State Statute required the increase from 10% to 40% of what the town collects, raising the bond coverage to \$40 million.

Trustee Irving moved to adopt an Ordinance amending the Town Budget and Appropriation Ordinance No. TO-09-01 for 2009-2010 as outlined; seconded by Trustee Turner.

ORDINANCE NO. TO-09-02, amending Ordinance No. TO-09-01, was adopted by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears,
Turner, Van Auken, Chairman 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:

(09-250) Communication from the Interim City Manager and Assistant Chief of Police Requesting Approval for a SOLE SOURCE PURCHASE of THREE KEL-TECH BRAND "VIDEO OVER IP" CAMERAS from KEL-TECH TACTICAL CONCEALMENTS LCC, for the POLICE SPECIAL INVESTIGATIONS DIVISION (SID).

(09-251) * Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LIST OF PROJECTS to be Included in the CITY OF PEORIA'S APPLICATION for the ENERGY EFFICIENCY and CONSERVATION BLOCK GRANT (EECBG), as Funded by the American Recovery and Reinvestment Act of 2009.

(09-252) ** Communication from the Interim City Manager and Finance Director/Comptroller Request Approval of the BUDGET CALENDAR for the PREPARATION of the PROPOSED FISCAL YEAR 2010 BUDGET.

(09-253) Communication from the Interim City Manager and Assistant Chief of Police Requesting Authorization for the City Manager to Execute an INTERGOVERNMENTAL AGREEMENT Between the City of Peoria and the County of Peoria Under the American Recovery and Reinvestment Act and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

- (09-254) ******* Communication from the Interim City Manager and Director of Public Works Requesting Authorization to Enter into a CONTRACT with AVIS, in the Amount of \$32,292.00, to RENT TEN (10) PASSENGER VANS to Accommodate 12-15 PASSENGERS for the MAYOR'S YOUTH CORPS (MYC) SUMMER EMPLOYMENT PROGRAM.
- (09-255) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a JOINT AGREEMENT with IDOT for RESURFACING and TRAFFIC SIGNAL MODERNIZATION on WAR MEMORIAL DRIVE from I-74 to KNOXVILLE, and Requesting Approval of the Expenditure of Up to \$9,500.00 for the City's Portion of the Traffic Signal Modernization.
- (09-256) ******** Communication from the Interim City Manager and Director of Inspections Requesting Authorization for the City Manager to Execute a TWO-YEAR ABATEMENT of WEEDS AND LITTER CONTRACT to the LOWEST BIDDERS, HULSE LAWN CARE and McMAHILL AND SONS, with Backup Contractor Provisions from McMahonill and Sons and JC Construction Not to Exceed \$150,000.00.
- (09-257) 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 a Part of the City of Peoria's Sewer Rehabilitation (Design Area 1 Sewers, Manhole Rehabilitation Project 1), and Requesting Concurrence in the Award of the CONTRACT for the Work to NATIONAL POWER RODDING CORP, in the Amount of \$119,329.35.
- (09-258) 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 a Part of the City of Peoria's Sewer Rehabilitation (Design Area 1 Sewers, Point Repair Project 2) and Requesting Concurrence in the Award of the CONTRACT for the Work to J. C. Dillon, Inc., in the Amount of \$719,896.00.
- (09-259) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a JOINT AGREEMENT with IDOT for TRAFFIC SIGNAL WORK to GROUND EXISTING TRAFFIC SIGNAL INSTALLATIONS and REPLACE PEDESTRIAN PUSH BUTTONS at Various Locations in Peoria and Approve the Expenditure of Up to \$15,400.00 for the City's Portion of the Project.
- (09-260) ********* Communication from the Interim City Manager and Director of Public Works Requesting Approval of a NEW AGREEMENT of UNDERSTANDING for MAINTENANCE and CONSTRUCTION with the ILLINOIS DEPARTMENT OF TRANSPORTATION, Requesting Authorization of the Interim City Manager and the City Engineer to Sign the Document, and Requesting TERMINATION of the PRIOR AGREEMENT, Dated January 4, 2001. (Refer to Item No. 00-915)

- (09-261) Communication from the Interim City Manager and Director of Economic Development Requesting Adoption of ORDINANCE NO. 16,431 Amending Ordinance No. 16,280 Pertaining to the DEFINITION of MIXED USE DEVELOPMENT for PROPERTY TAX ABATEMENT in the HEART OF PEORIA.
- (09-262) Communication from the Interim City Manager and Director of Planning and Growth Management with Staff Recommendation to Adopt ORDINANCE NO. 16,432 Approving a PRIVATE STREET, PRIVATE STREET NAME, and PRIVATE STREET MAINTENANCE AGREEMENT for Property Located EAST of ORANGE PRAIRIE ROAD EXTENDED, and WEST of ILLINOIS ROUTE 91, Identified as Part of Parcel ID No. 13-02-351-001.
- (09-263) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,433 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2009 Relating to the Use of Restricted Donations for the Peoria Animal Welfare Shelter (PAWS) to Purchase Three Laptop Computers for After Hours Use by Animal Control Officers.
- (09-264) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE in the PARKING LOT on STATE and WATER STREETS to WALNUT STREET for ALSA/ST. JUDE CHILDREN'S RESEARCH HOSPITAL on SATURDAY, JUNE 13, 2009.

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- (09-265) REAPPOINTMENT by Mayor Jim Ardis to the CONSTRUCTION COMMISSION, with Recommendation to Concur:

Mark Ackerman (Voting) - Term Expires on 6/30/2013
Stephen M. Cicciarelli (Voting) - Term Expires on 6/30/2013
- (09-266) REAPPOINTMENT by Mayor Jim Ardis to the FIRE & POLICE COMMISSION, with Recommendation to Concur:

Carl K. Cannon (Voting) - Term Expires on 6/30/2010
- (09-267) REAPPOINTMENTS by Mayor Jim Ardis to the GREATER PEORIA MASS TRANSIT DISTRICT BOARD OF TRUSTEES, with Recommendation to Concur:

Arthur W. Bell (Voting) - Term Expires on 6/30/2013
James K. Polk (Voting) - Term Expires on 6/30/2013
- (09-268) REAPPOINTMENTS by Mayor Jim Ardis to the MUNICIPAL BAND COMMISSION, with Recommendation to Concur:

Lee Wenger (Voting) - Term Expires on 6/30/2012
Kenneth Carrigan (Voting) - Term Expires on 6/30/2012
- (09-269) REAPPOINTMENTS by Mayor Jim Ardis to the RIVERFRONT PROGRAM AND POLICY ADVISORY COMMITTEE, with Recommendation to Concur:

Brent Lonteen (Voting) - Term Expires on 6/30/2011
Susie Stockman (Voting) - Term Expires on 6/30/2011

- (09-270) REAPPOINTMENTS by Mayor Jim Ardis to the SISTER CITY COMMISSION, with Recommendation to Concur:

Timothy L. Elder (Voting) - Term Expires on 6/30/2012
Leo F. Jordan (Voting) - Term Expires on 6/30/2012
James K. Polk (Voting) - Term Expires 6/30/2012
James Richerson (Voting) - Term Expires 6/30/2012

- (09-271) REAPPOINTMENT by Mayor Jim Ardis to the SOLID WASTE DISPOSAL COMMITTEE, with Recommendation to Concur:

Stephen N. Van Winkle (Voting) - Term Expires on 6/30/2011

- (09-272) REAPPOINTMENTS by Mayor Jim Ardis to the TRAFFIC COMMISSION, with Recommendation to Concur:

Patrick T. Sullivan (Voting) - Term Expires on 6/30/2012
Thomas Harrington (Voting) - Term Expires on 6/30/2012
Stephen N. Van Winkle (Voting) - Term Expires on 6/30/2012

- (09-273) REAPPOINTMENTS by Mayor Jim Ardis to the ZONING COMMISSION, with Recommendation to Concur:

Marjorie Klise (Voting) - Term Expires on 6/30/2012
Richard M. Unes (Voting) - Term Expires on 6/30/2012

- (09-274) Communication from the Interim City Manager and Acting Human Resources Director Regarding a REPORT BACK on INVESTIGATING OPTIONS to REDUCE COSTS for CITY OF PEORIA RETIREES in the CITY'S GROUP HEALTHCARE PLAN to Include a MEDICARE ADVANTAGE PROGRAM. (Refer to Item Nos. 09-115 and 09-194)

- (09-275) REPORT of CITY TREASURER PATRICK A. NICHTING for the Month of APRIL, 2009, 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 Turner requested Item No. 09-251 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item Nos. 09-252, 09-254, 09-260, and 09-264 be removed from the Consent for further discussion.

Council Member Gulley requested Item No. 09-256 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 Riggerbach.

Items No. 09-250 through 09-275 (excluding Items No. 09-251, 09-252, 09-254, 09-256, 09-260, and 09-264, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(09-251) * Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LIST OF PROJECTS to be Included in the CITY OF PEORIA'S APPLICATION for the ENERGY EFFICIENCY and CONSERVATION BLOCK GRANT (EECBG), as Funded by the American Recovery and Reinvestment Act of 2009.

Council Member Turner said it was his understanding the original point of this grant was to create a self-sustaining, revolving energy fund and he expressed concern this now would not happen.

Special Projects Manager Chris Setti said he did not recall that discussion when Staff requested direction from the Council in April. He said the Staff could look into doing this, but he noted a provision mandating the creation of a revolving energy fund was not a part of the grant. He said it would have to be added to the language.

Council Member Van Auken moved to direct Staff, beginning in the year 2010 once it is determined what energy savings the City had, to set aside these funds into an Energy Savings Fund; seconded by Council Member Turner.

Council Member Montelongo questioned, when referring to 2010, if it was intended to be from savings from 2009.

(Clerk's Note: The Mayor clarified that Council Member Van Auken's motion was not to approve the specific list of projects presented in this item, but that the savings would come from a list of approved projects.)

In discussion with Council Member Spain, Operations and Maintenance Engineer Steve Meyers explained the projects selected for funding were chosen based on an offset of capital expenses and immediate repair needs.

Council Member Spain expressed concern that some of the items which were on the list back in April, where larger savings would be seen, were not on the list now. He said with current renovations taking place at City Hall, he felt it would only make sense to address insulation issues, which would result in a large savings. He said it would be a good step forward to create the energy fund.

In further discussion with Council Member Spain, Mr. Setti said if the item was deferred, Staff could request an extension and it would only effect the start date of projects.

Council Member Sandberg expressed concern that it would be difficult to determine savings when each type of energy was measured differently. He said the figure would be difficult to calculate with constant rate changes, as well. He said he concurred with Council Member Spain's concerns that items were deleted from April's list because project decisions were being made based on maintenance needs. He said money to repair the Police Department should not be spent because it was a newer building.

Council Member Spain moved to defer this item until the June 23, 2009, Regular City Council Meeting.

In discussion with Council Member Irving, Mr. Setti confirmed the grant required all dollars to be allocated and projects to be started by a certain date. He said the grant guidelines did not allow money to be held back in advance of project completion.

Council Member Gulley said he felt the fund was a good idea, but he expressed concern regarding the cost to monitor the fund. He said he would vote against deferral and move to approve the list so the grant could move forward.

In further discussion with Council Member Gulley, Director of Public Works Dave Barber clarified the fund would be monitored by existing staff and no new position would have to be created for this purpose.

Council Member Spears noted there were many projects out there to be funded and said he felt the Council should focus on finding ways to do energy savings going forward. He said most of the City's energy savings would come from things that could be controlled, such as the addition of insulation. He said he would vote to deny a deferral and vote in favor of the list, and he reiterated the Council should work to find savings, moving forward.

Council Member Spain moved to defer this item until the June 23, 2009, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until June 23, 2009, was approved by roll call vote.

Yeas: Jacob, Montelongo, Sandberg, Spain, Turner, Van Auken – 6;

Nays: Gulley, Irving, Riggensbach, Spears, Mayor Ardis - 5.

**(09-252) Communication from the Interim City Manager and Finance
** Director/Comptroller Request Approval of the BUDGET CALENDAR for the
 PREPARATION of the PROPOSED FISCAL YEAR 2010 BUDGET.**

In discussion with Council Member Jacob, Director of Planning and Growth Management Pat Landes said during the first two weeks in July there were a number of public meetings scheduled to engage the public in discussion regarding the 2010 City Budget, including five open houses to be held in each of the districts. She said the final schedule would be distributed to Council once finalized.

Council Member Jacob moved to approve the budget calendar for the preparation of the proposed Fiscal Year 2010 Budget; seconded by Council Member Riggensbach.

Mayor Ardis noted a complete list of dates scheduled would be available on the City's website.

Approved by roll call vote.

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

Nays: None.

**(09-254) Communication from the Interim City Manager and Director of Public
*** Works Requesting Authorization to Enter into a CONTRACT with AVIS, in
 the Amount of \$32,292.00, to RENT TEN (10) PASSENGER VANS to
 Accommodate 12-15 PASSENGERS for the MAYOR'S YOUTH CORPS
 (MYC) SUMMER EMPLOYMENT PROGRAM.**

In discussion with Council Member Jacob, Director Barber clarified the decrease in team leaders for the MYC program was a matter of safety. He said the ratio of leaders to students was reduced so each leader would be responsible for eight students. He said there was actually an increase in the number of teams. He said the program staffed ten team leaders, one director, two back-up leaders, and 80 students.

Council Member Jacob moved to approve the contract with Avis in the amount of \$32,292.00, to rent ten (10) passenger vans to accommodate 12-15 passengers for the Mayor's Youth Corps (MYC) Summer Employment Program; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

**(09-256) Communication from the Interim City Manager and Director of Inspections
**** Requesting Authorization for the City Manager to Execute a TWO-YEAR
ABATEMENT of WEEDS AND LITTER CONTRACT to the LOWEST
BIDDERS, HULSE LAWCARE and McMAHILL AND SONS, with Backup
Contractor Provisions from McMahill and Sons and JC Construction Not to
Exceed \$150,000.00.**

Council Member Gulley expressed concern regarding the low bidder selected for this contract being able to handle the responsibilities of it. He said the City often looked at the dollar amount to determine the best person for the job instead of the ability of the person to do the job.

Director of Inspections John Kunski clarified the contractor selected had a positive track record with the City. He noted the contract had a provision to use a back up contractor if the selected one fell behind.

Council Member Gulley moved to approve the two-year abatement of weeds and litter contract to the lowest bidders, Hulse Lawncare and McMahill and Sons, with backup contractor provisions from McMahill and Sons and JC Construction, not to exceed \$150,000.00; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

**(09-260) Communication from the Interim City Manager and Director of Public
***** Works Requesting Approval of a NEW AGREEMENT of UNDERSTANDING
for MAINTENANCE and CONSTRUCTION with the ILLINOIS DEPARTMENT
OF TRANSPORTATION, Requesting Authorization of the Interim City
Manager and the City Engineer to Sign the Document, and Requesting
TERMINATION of the PRIOR AGREEMENT, Dated January 4, 2001. (Refer to
Item No. 00-915)**

Council Member Jacob expressed concern that approval of this agreement would cause a binding issue with Public Works personnel and, in light of the City's Budget deficit, would not allow adjustments to be made there if needed.

In discussion with Council Member Jacob, Director Barber said IDOT required the City to have an engineer oversee the project on a full-time basis. He said if the City did not meet this requirement, IDOT could take over the engineering services and take some of the City's motor fuel taxes. He said he was unsure of the approximate penalty to the City if the requirement was not met.

Council Member Jacob moved to defer this item until the June 23, 2009, Regular City Council Meeting; seconded by Council Member Sandberg.

Council Member Sandberg requested Staff provide the MFT regulations that defined “under-staffed” versus “fully staffed” at that time, as well.

Motion to defer this item and to have Staff provide MFT regulations, as outlined, was approved by roll call vote.

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

Nays: None.

**(09-264) Communication from the Interim City Manager and Corporation Counsel
***** Requesting Approval of the APPLICATION for a CLASS H (Temporary
* Outdoor) LIQUOR LICENSE in the PARKING LOT on STATE and WATER
STREETS to WALNUT STREET for ALSA/ST. JUDE CHILDREN'S
RESEARCH HOSPITAL on SATURDAY, JUNE 13, 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 moved to approve the application for a Class H (Temporary Outdoor) liquor license in the parking lot on State and Water Streets to Walnut Street from ALSA/St. Jude Children’s Research Hospital on Saturday, June 13, 2009; seconded by Council Member Riggensbach.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(09-276) Communication from the Interim City Manager and Corporation Counsel
Requesting Authorization for PAYMENT to DEM/EX GROUP for TWO
DEMOLITIONS Having a Total of \$15,625.00 and Specifically Authorizing
\$1,310.00 to be Paid to ROCK SOLID CONCRETE PRODUCTS, INC.**

Council Member Gulley said he would be abstaining from discussion and voting on this item due to his ownership of Rock Solid Concrete Products, Inc.

In discussion with Council Member Sandberg, Corporation Counsel Randy Ray clarified that the payment to be paid to Rock Solid Concrete Products, Inc. was due to an availability issue of the original contractor and he noted this was a situation that was not typical for the City.

Council Member Spain moved to approve the payments to DEM/EX Group for two demolitions having a total of \$15,625.00 and specifically authorizing \$1,310.00 to be paid to Rock Solid Concrete Products, Inc.; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: Sandberg – 1;

Abstentions: Gulley - 1.

(09-277) Communication from the Interim City Manager and Finance Director/Comptroller Requesting INITIAL DIRECTION ON STEPS TO REDUCE THE ANTICIPATED FY2010 BUDGET DEFICIT.

The City Manager distributed copies of a PowerPoint presentation to members of the Council.

Mayor Ardis reported that considerable measures needed to be made to close the budget deficit gap. He said Staff was collaborating to bring all ideas forward to address the structural imbalance. He noted many painful decisions would have to be made going forward and it would be a difficult process.

Interim City Manager Henry Holling commented the binder that was presented in the Council packet helped to lay the framework for this issue and was an effort to encourage good communication and transparency throughout the process.

Finance Director/Comptroller Jim Scroggins gave a PowerPoint presentation which provided an overview of the City's financial picture. He said the majority of the City's revenue came from the collection of taxes. He noted a \$500,000.00 surplus of revenue over expenditures as of April. He said the estimated deficit amount for 2010 was approximately \$10 million.

Mayor Ardis noted the surplus fund would be used only as a last resort. He mentioned the section in the binder labeled "Hierarchy of Services" and he said this would be helpful to determine exactly what services each area provided.

Council Member Van Auken said she felt it was premature to talk about solutions until Council had a completed service listing which included reasons why the City offered these services. She noted many of her constituents did not understand what services were offered and the cost of these services. She said many citizens had a sense that some services were free, without considering staffing costs that were associated with every service.

In discussion with Council Member Sandberg, Finance Director/Comptroller Scroggins said he had worked with the Peoria Area Association of Realtors in the past to keep track of home sales trends, but he had not done so yet this year.

Council Member Sandberg said, in looking at the list of services, it would be helpful to also list the revenues and expenditures associated with these departments. He pointed out it was important that the City identified what services were necessary versus the cost of these services. He said this information would be helpful to have in the near future.

Council Member Spain said he felt the Council was in a position where nothing was off limits. He said, before the Council was able to make cuts, he felt the City needed to figure out what services they wanted to provide and consider that some of these services may no longer be appropriate for the City. He added he appreciated the manner in which the budget was presented.

Council Member Jacob said the projected deficit was a monument to the status quo and he indicated the City was not in a position to rely on taxes to solve the problem. He said the budget did not address structural issues, nor did it address shared services. He said the current government was not affordable and the City was not addressing the core problem. He added input and fresh ideas were needed.

Council Member Riggenbach challenged Department Heads to come up with ideas from their Staff regarding the refinement of each area. He said he agreed with the shared services idea and he noted he felt this was the "perfect storm" to look at this opportunity.

Mayor Ardis reminded Council the longer there was a delay to implement changes, the more difficult it would be. He noted the shared services were not going to happen overnight and the City was not in a position to wait for things to happen. He reiterated Council needed to move forward.

Interim City Manager Holling reiterated the Budget process. He said it was the role of the City to look at the balance between services and costs. He noted definitive structural changes could easily be folded into the existing framework of the budget. He said it was Council's job to recommend options to Staff. He added this process allowed for open communication and transparency, which was the goal of Staff.

Mayor Ardis said structural changes could be obvious to Council, but it was important to consider services that were mandated by State or Federal law versus services that had simply become the responsibility of certain departments.

Council Member Spears noted, in his business, his job was to buy in bulk and then pass on the savings to customers. He said it could be to the City's benefit to look into the advantages of buying things, such as energy, in bulk to pass the savings on to the taxpayers. He said he felt the City should expand what it sells.

Council Member Spain moved to defer this item until the June 23, 2009, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until June 23, 2009, was approved by roll call vote.

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

Nays: None.

(09-278) Communication from the Interim City Manager Requesting Approval of an AGREEMENT Establishing PUBLIC SAFETY RELATIONSHIPS Between the CITY OF PEORIA and the COUNTY OF PEORIA, and Requesting Authorization for the City Manager to Sign and Execute the Agreement.

Council Member Van Auken moved to approve the agreement to establish public safety relationships between the City of Peoria and the County of Peoria, and to authorize the City Manager to sign and execute the agreement; 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.

(09-279) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Historic Preservation Commission to Adopt an ORDINANCE Approving the DESIGNATION of 1312 W. LINCOLN AVENUE as a LOCAL HISTORIC LANDMARK.

Council Member Van Auken moved to adopt an Ordinance approving the designation of 1312 W. Lincoln Avenue as a local historic landmark; seconded by Council Member Gulley.

Council Member Van Auken noted that granting landmark status to this property would not hinder the library's plans for expansion.

Director of Planning & Growth Management Pat Landes outlined the timeline of the request for landmark status. She noted a date change in the Council Communication on the third and fourth bulleted items under the heading "Case Summary." She noted, where the date was listed as February 16, 2009, it should have read February 25, 2009. She added the listed deferral was at the request of the library. She said a public hearing was then held.

Council Member Turner said he appreciated the clarification of the process and said he was very comfortable supporting the Ordinance.

ORDINANCE NO. 16,434 was adopted by roll call vote.

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

Nays: None.

(09-280) Communication from Interim City Manager Regarding a PRESENTATION from CHAIRMAN of the LIBRARY BOARD, MICHAEL MCKENZIE, Concerning the PROGRESS of the LIBRARY CAPITAL PLAN, with Request to Receive and File.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Michael McKenzie, Chairman of the Library Board.

Michael McKenzie, Chairman of the Library Board, distributed preliminary drafts of the library renovations to members of the Council. He noted if there were changes that needed to be brought forward, he said now was the time to do so. He said the planning committee met nearly every Thursday at 4:30 P.M. He said the committee's biggest concern initially was time delays once the library had been landmarked, but he noted the Historic Preservation Commission had been working with them through the entire process and he said he didn't even really see it as a problem.

In discussion with Council Member Spears, Mr. McKenzie clarified the timeline for the project.

In discussion with Council Member Spain, Mr. McKenzie said the plans for the Main branch of the library did not currently have the entrance established on the Main Street side. He said this was mostly because of the flow of operations and staff access. He said he would be happy to bring this up to the architects when they met this week.

In discussion with Council Member Jacob, Mr. McKenzie said initial project costs included the initial MARS study for \$54,000.00. He said the study included the identification of possible burial sites and the investigation of any remains located to uncover their identities. He said the costs would significantly increase if there were numerous remains found and this could make the project no longer practical and the whole project would have to be reconsidered. He further noted the State commended the Library Board for getting MARS involved prior to excavation; however, he said this pushed the preliminary study to spring because digging could not begin in the winter.

In further discussion with Council Member Jacob, Mr. McKenzie and Library Director Ed Szynaka clarified any contingencies for the project. Mr. McKenzie said, since the Main branch had been a library since 1967, the only real issues were to do an asbestos study. Mr. Szynaka said this study had been completed at both the Lincoln and the Main branches and very little was found. He added the two options for ridding the structures of asbestos were to either remove it or to encapsulate.

Council Member Sandberg noted the plans for the downtown library had not picked up the spirit of attracting pedestrian traffic into the branch. He said he felt the entrance being relocated to the Main Street side was an important aspect to explore.

Mr. McKenzie said he would challenge the architects to come up with options to move the entrance.

In discussion with Council Member Spears, Mr. McKenzie confirmed because new employees were not being added, efficiency to the staff was mandated with the branch addition.

Council Member Montelongo moved to receive and file the presentation from Mr. McKenzie regarding the progress of the Library Capital Plan; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(08-440) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to DENY an ORDINANCE Rezoning Property Located at 1717 W. GLEN AVENUE from the Present Class R-3 (Single-Family Residential) District to a Class O-1 (Arterial Office) District.

Council Member Spears moved to defer this item until the June 23, 2009, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until June 23, 2009, was approved by roll call vote.

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 with Request to WITHDRAW the Request for Approval to PURCHASE FOUR (4) 2009 FORD EXPLORERS from LANDMARK AUTOMOTIVE GROUP, in an Amount Not to Exceed \$90,692.00. (Replacement Communication)

Council Member Van Auken moved to concur in the withdrawal of this item; seconded by Council Member Turner.

Motion to concur in the withdrawal of this item was approved by roll call vote.

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

Nays: None.

(09-239) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendations from the Zoning Commission and Zoning Board of Appeals to Adopt an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to Zoning for Various Text Adjustments, and to Adopt an ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to Zoning for Various Text Adjustments, Both Relating to Zoning Board of Appeals Process for Appeals. (Replacement Communication and Ordinances)

Council Member Turner moved to adopt an Ordinance amending Appendix B of the Code of the City of Peoria relating to zoning for various text adjustments, related to Zoning Board of Appeals Process for appeals; seconded by Council Member Van Auken.

ORDINANCE NO. 16,435 was adopted by roll call vote.

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

Nays: None.

Council Member Turner moved to adopt an Ordinance amending Appendix C of the Code of the City of Peoria relating to zoning for various text adjustments, related to Zoning Board of Appeals Process for appeals; seconded by Council Member Van Auken.

ORDINANCE NO. 16,436 was adopted by roll call vote.

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

Nays: None.

(09-245) Communication from the Interim City Manager and Director of Workforce Development Pertaining to a REPORT BACK Regarding the INTERGOVERNMENTAL AGREEMENT Between the CITY OF PEORIA, and PEORIA, MARSHALL, STARK, and WOODFORD COUNTIES, with Recommendation to Receive and File.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Jim Fassino, Chair of Central Illinois Workforce Board.

Jim Fassino, Chair of Central Illinois Workforce Board, presented a report back to Council. He reported the term of the Intergovernmental Agreement did not require a specific length of time. He noted a longer agreement worked better for Workforce, but said they were flexible. He outlined the costs of in-kind contributions for each participant in the agreement. He said the agreement was currently set up for the grant recipient to incur any losses, but, he said that condition could be re-negotiated based on the percentages of clients served in each area. He noted there had only been one lawsuit over the forty years the agreement had existed, but said he understood funding was volatile and with the possibility of staff reductions to address the budget deficit, it could bring the potential for lawsuits.

Mr Fassino said Workforce Development was willing to take an aggressive approach to providing services regionally. He noted the current directive regarding providing services came from the Governor's office and any change to that required action by the Governor. He added they were willing to work with legislators to accomplish this.

Council Member Spain moved to defer this item until the June 23, 2009, Regular City Council Meeting; seconded by Council Member Turner.

Council Member Spain thanked Workforce Development's willingness to address the issues requested by Council. He added that he was glad to see the regional aspect being explored.

Council Member Spears suggested turning to community colleges to take on the challenge to provide career opportunities. He said Illinois Central College was a resource that was often overlooked. He said the City might explore the possibility of turning to ICC to see what could be offered.

Council Member Sandberg requested a report back regarding the communication trail between the City and Workforce Development to determine the history of this agreement.

Council Member Gulley requested a report back to determine the distribution of funds for each entity. He said he wanted to know what the City's return was on its investment. He added he felt Workforce Development was of great value to the community.

Council Member Spears clarified that he felt the community college could serve many more students and the City should look at ways to expand the service it provides and to make it better with greater efficiency.

Mr. Fassino pointed out that ICC was a partner with Workforce.

Council Member Turner said, through his employment, he had had discussions with ICC staff and he noted they had indicated no interest in providing career services. He added that Workforce did a great job.

Motion to defer this item until the June 23, 2009, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

(09-281) Request for REPORT BACK Regarding Review of the ORDINANCE Related to PAWN SHOPS and their SUBMITTAL OF RECORDS and How It Pertains to Other SECOND-HAND SHOPS

Council Member Sandberg requested a report back from Staff regarding the Ordinance pertaining to Pawn Shops and their submittal of records to law enforcement agencies for the purpose of tracking items that may have been stolen. He expressed concern that other second-hand businesses may not be complying with this. He asked Staff to investigate whether or not the Ordinance applied to these other businesses and, if not, to consider amending the existing Ordinance to include such businesses.

ANNOUNCEMENT REGARDING HABITAT FOR HUMANITY

Council Member Rigganbach announced Habitat for Humanity would be hosting a neighborhood meeting on Thursday, June 11, 2009, at 7:00 P.M. to discuss various houses to be built for their program.

ANNOUNCEMENT REGARDING VOLUNTEERS SERVING ON CITY COMMISSIONS

Council Member Jacob expressed his gratitude to those members of the community who volunteered their time to serve on the various commissions on behalf of the City of Peoria.

Mayor Ardis noted that anyone interested in serving on a commission could contact his office for a list of commissions.

ANNOUNCEMENT REGARDING HERITAGE DAYS EVENT AT HOLY FAMILY

Council Member Montelongo said this year's Heritage Days event was very successful and he said there was not one police incident reported. He said he felt much of the credit for the success of the event was due to Carl Cannon and his ELITE group. He said he felt this was a great solution to the problems that occurred at such events over past years.

(09-282) Request for REPORT BACK Regarding Use of Surplus Business Development Funds to Partner with Peoria County for Job Development

Council Member Gulley requested a report back from the Economic Development Department regarding the possibility of using surplus Business Development Funds to partner with Peoria County for job development.

ANNOUNCEMENT REGARDING CLONMEL MARCHING BAND

Mayor Ardis announced that Peoria's Sister City, Clonmel, Ireland, will bring 120 plus students from that city's Marching Band to play in various venues in the Peoria area from June 30 through July 7, 2009.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(09-283) 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.

Dan Vogel, Peoria resident, expressed concern that he was not given proper notice regarding Item No. 08-440 (property on 1717 W. Glen) on tonight's agenda and he said he felt the procedure was flawed.

Savino Sierra, Peoria resident, expressed concern regarding recent news that Peoria could become a pilot city for the concealed weapon law and said he was against it. He also said he felt citizens should be respectful while in Council Chambers and use appropriate decorum.

Kiersten Sheets, member of Global Warming Solutions Group, emphasized the importance of the City establishing a Revolving Energy Fund and encouraged Council to support the Energy Efficiency and Conservation Block Grant.

Marjorie Klise, Peoria resident and member of the Historic Preservation Commission, expressed concern regarding the media's perception of the "landmarking" process. She clarified that the Commission responded when a problem was brought to their attention and when action needed to be taken to preserve an existing landmark.

EXECUTIVE SESSION

(09-284) Consideration of a Motion to go into EXECUTIVE SESSION to Discuss 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.

Council Member Jacob moved that the Council go into Executive Session to Discuss 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; seconded by Council Member Irving.

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 Spain moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Spears.

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 10:00 P.M.

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

bb/adh