

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

Council Chambers, Peoria, Illinois, July 14, 2009, a City Council Meeting was held this date at 6:21 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, Montelongo, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9; Council Members Electronically Present: Jacob, Riggerbach – 2; Absent: None.

Mayor Ardis stated written notices were received from Council Member Riggerbach and Council Member Jacob in accordance with Council rules and they were authorized to attend the City Council Meeting electronically unless a motion objecting to their electronic attendance was made, seconded, and approved by two-thirds of the number of Council Members physically present.

No objections were heard.

**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:** THE FRETTED INSTRUMENT GUILD OF AMERICA

**MINUTES**

Council Member Spain moved to approve the minutes of the June 23, 2009, Joint City Council & Town Board Meeting with a correction on Page 28969 under Item No. 09-303, deleting the third paragraph and inserting the words, "Council Member Van Auken moved to adopt the replacement Ordinance amending Appendix C of the Code of the City of Peoria related to surface parking, with the stipulation that we not change Section 6.9.2, because adding the accessory surface parking lots to the standard isn't necessary since the current parking standard in the section allows required parking to be met either on the site or within the parking zone, that's 600 feet of the development; seconded by Council Member Turner; and by adding the words "as amended" to the third paragraph on Page Number 28970 so that the line reads, "Motion to adopt Ordinance No. 16,445, as amended, was approved by roll call vote." and also, I move to approve the minutes of the June 29, 2009, Special City Council Meeting, the July 1, 2009, Special City Council Meeting; and the minutes of the July 6, 2009, Special City Council Meeting, 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.

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

- (09-323) PRESENTATION by ILLINOIS AMERICAN WATER COMPANY Regarding the IAWC RATE FILING, with Request to Receive and File.**

City Clerk Mary Haynes announced the Presentation by Illinois American Water Company would be rescheduled for the August 11, 2009, Regular City Council Meeting.

No objections were heard.

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

- (09-324) NOTICE OF LAWSUIT Filed on Behalf of David Washington, Jr., as Guardian of David Washington III Regarding an Incident of Alleged Excessive Force Involving a Police Call at PARC, with Request to Receive for Information and Refer to the Legal Department.**
- (09-325) NOTICE OF LAWSUIT Filed on Behalf of Roger Wade Sparks Regarding a Complaint Against the City and Their Alleged Refusal to Comply with the Environmental Barrier Act, the Illinois Accessibility Code, and the Americans with Disabilities Act, with Request to Receive for Information and Refer to the Legal Department.**
- (09-326) Communication from the Interim City Manager and Assistant Director of Planning and Growth Management Requesting Approval of \$252,000.00 in HOME FUNDS to HAND UP DEVELOPMENT CORPORATION CHDO for the CONSTRUCTION of THREE (3) NEW AFFORDABLE SINGLE-FAMILY OWNER-OCCUPIED HOMES Located on the 3400 BLOCK of HARVARD AVENUE and on the 1900 BLOCK of EAST PRINCETON STREET.**
- (09-327) Communication from the Interim City Manager and Assistant Director of Planning and Growth Management Regarding PUBLIC DISCLOSURE of a POTENTIAL CONFLICT OF INTEREST Involving a COMMUNITY HOUSING DEVELOPMENT DOWN PAYMENT ASSISTANCE APPLICATION Received from HERRELD and TAGWANNA WEBSTER so that Such Conflict Can be Submitted to HUD for an Exception Determination, with Request to Receive and File.**
- (09-328) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a NEW FACADE IMPROVEMENT PROGRAM for the AREA BORDERED by NEBRASKA to the South and ARCADIA to the North, to be Called the WISCONSIN BUSINESS FACADE IMPROVEMENT PROGRAM.**
- (09-329) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of the FACADE IMPROVEMENT PROGRAM for ERNIE'S FULTON TOP COMPANY Totaling \$7,500.00 (\$3,750.00 Project Applicant's Share and \$3,750.00 City Facade Grant) as Stipulated by the PROSPECT ROAD BUSINESS DISTRICT FACADE IMPROVEMENT PROGRAM.**
- (09-330) \*** Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 1 of the Code of the City of Peoria Relating to GENERAL PROVISIONS and the GENERAL PENALTY and SETTLEMENT AMOUNTS.

- (09-331)  
\*\* Communication from the Interim City Manager and Director of Economic Development Requesting Adoption of an ORDINANCE DESIGNATING the CITY OF PEORIA RECOVERY ZONE for PURPOSES of UTILIZING RECOVERY ZONE BOND FINANCING.
- (09-332) REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMITTEE for the DISABLED, with Request to Concur:  
  
Joan Blessington Snyder (Voting) - Term Expires 6/30/2012  
Michael Van Cleve (Voting) - Term Expires 6/30/2012  
Mabel VanDusen (Voting) - Term Expires 6/30/2012
- (09-333) APPOINTMENTS and REAPPOINTMENTS by Mayor Jim Ardis to the CONSTITUTION GARDEN ADVISORY COMMITTEE, with Request to Concur:  
  
APPOINTMENTS:  
Susan Grant (Voting) - Term Expires 6/30/2012  
Mary Siler (Voting) - Term Expires 6/30/2012  
  
REAPPOINTMENTS:  
Susan Davis (Voting) - Term Expires 6/30/2012  
Dr. Donald A. Glover (Voting) - Term Expires 6/30/2012  
Jeanette Kosier (Voting) - Term Expires 6/30/2012
- (09-334) APPOINTMENT and REAPPOINTMENTS by Mayor Jim Ardis to the HISTORIC PRESERVATION COMMISSION, with Request to Concur:  
  
APPOINTMENT:  
Dianna J. Joseph (Voting) - Term Expires 6/30/2012  
  
REAPPOINTMENTS:  
Timothy Herold (Voting) - Term Expires 6/30/2012  
Sid Paul Ruckriegel (Voting) - Term Expires 6/30/2012
- (09-335)  
\*\*\* REAPPOINTMENT by Mayor Jim Ardis of DEPUTY LOCAL LIQUOR COMMISSIONER, with Request to Concur:  
  
Council Member Eric Turner - Term Expire 6/30/2010
- (09-336)  
\*\*\*\* APPOINTMENT by Mayor Jim Ardis to the LIQUOR COMMISSION with Request to Concur:  
  
Virginia E. White (Voting) - Term Expires 6/30/2012
- (09-337) APPOINTMENT and REAPPOINTMENT by Mayor Jim Ardis to the PEORIA CIVIC CENTER AUTHORITY, with Request to Concur:  
  
APPOINTMENT:  
Patrick Roesler (Voting) - Term Expires 7/1/2014  
  
REAPPOINTMENT:  
Leonard A. Unes (Voting) - Term Expires 7/1/2014

- (09-338) APPOINTMENT and REAPPOINTMENT by Mayor Jim Ardis to the PEORIA URBAN FORESTRY ADVISORY BOARD, with Request to Concur:**

**APPOINTMENT:**

**Brent Clark (Voting) - Term Expires 6/30/2010**

**REAPPOINTMENT:**

**Ryan Palm (Voting) - Term Expires 6/30/2012**

- (09-339) REAPPOINTMENTS by Mayor Jim Ardis to the RENAISSANCE PARK COMMISSION, with Request to Concur:**

**Wayne W. Nowlan (Voting) - Term Expires 6/30/2014**

**Golda E. Ewalt (Voting) - Term Expires 6/30/2013**

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

Council Member Irving requested Item No. 09-330 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item No. 09-331 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item No. 09-330, 09-335, and 09-336 be removed from the Consent Agenda for further discussion.

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

Items No. 09-324 through 09-339 (excluding Items No. 09-330, 09-331, 09-335, and 09-336, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation was approved by roll call vote.

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

Nays: None.

- (09-330) \* Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 1 of the Code of the City of Peoria Relating to GENERAL PROVISIONS and the GENERAL PENALTY and SETTLEMENT AMOUNTS.**

Council Member Irving moved to defer this item for two weeks until the July 28, 2009, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until July 28, 2009, was approved by roll call vote.

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

Nays: None.

- (09-331) \*\* Communication from the Interim City Manager and Director of Economic Development Requesting Adoption of an ORDINANCE DESIGNATING the CITY OF PEORIA RECOVERY ZONE for PURPOSES of UTILIZING RECOVERY ZONE BOND FINANCING.**

Council Member Spain pointed out funding allocations for Peoria and Peoria County were disproportionate compared to other communities. He said the City of Peoria would be allocated only \$1.4 million while allocations for other communities were much larger. He said he felt when these allocations were created by the Federal government, the Peoria economy was faring much better than other communities at that time. He suggested that Staff put in a request to area Legislators to determine if there was anything the City of Peoria could do to perform better.

Council Member Spain moved to adopt an Ordinance designating the City of Peoria Recovery Zone for purposes of utilizing Recovery Zone Bond Financing; seconded by Council Member Gulley.

ORDINANCE NO. 16,449 was approved by roll call vote.

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

Nays: Sandberg - 1.

**(09-335) REAPPOINTMENT by Mayor Jim Ardis of DEPUTY LOCAL LIQUOR  
\*\*\* COMMISSIONER, with Request to Concur:**

**Council Member Eric Turner - Term Expire 6/30/2010**

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

Council Member Spain moved to concur with the Reappointment of Council Member Eric Turner as Deputy Local Liquor Commissioner; 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.

**(09-336) APPOINTMENT by Mayor Jim Ardis to the LIQUOR COMMISSION with  
\*\*\*\* Request to Concur:**

**Virginia E. White (Voting) - Term Expires 6/30/2012**

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

Council Member Spain moved to concur with the Appointment of Virginia E. White to the Liquor Commission; 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.

**(09-340) Communication from Interim City Manager and Director of Economic Development Requesting Approval of LEASE AGREEMENTS with ADAMS OUTDOOR ADVERTISING, and Requesting Authorization for the City Manager to Execute the Necessary Documents.**

Council Member Irving moved to approve Lease Agreements with Adams Outdoor Advertising and to authorize the City Manager to execute the necessary documents; seconded by Council Member Van Auken.

In discussion with Council Member Van Auken regarding Adams Outdoor providing free billboard space in prominent locations for the City's needs, such as census participation, Development Specialist Susan Schlupp confirmed Adams Outdoor provided billboard space for wintertime parking ban notices, storm information, and she said discussions had been held regarding space for census information, but locations had not been determined at this time.

Director of Planning and Growth Management Pat Landes confirmed a request for space, which had high visibility and locations throughout the community, would be communicated to Adams Outdoor.

Mayor Ardis requested a recap from Adams Outdoor at the end of each year listing the dates and times space was provided for City interests and the amount it would have cost the City, if the City had paid market rate for the space. He said he felt this would be valuable information to have.

Council Member Sandberg discussed the past lawsuit regarding these four billboards and he said the area residents did not want the signs to reappear following construction on that corner at that time twenty years ago. He expressed concern that the price was being lowered and how that would affect the City's Budget. He said he did not feel billboards enhanced the attractiveness of the City, and he said he would not be supporting the motion to approve.

Approved by roll call vote.

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

Nays: Jacob, Montelongo, Sandberg, Spain – 4.

**(09-341) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a RAIL OPERATING and TRACKAGE RIGHTS AGREEMENT, and Requesting Authorization for the City Manager to Execute the Agreement.**

Council Member Montelongo moved to defer this item for two weeks until the July 28, 2009, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until July 28, 2009, was approved by roll call vote.

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

Nays: None.

**(09-342) Communication from the Interim City Manager and Finance Director/Comptroller Regarding the 2008 AUDITED COMPREHENSIVE ANNUAL FINANCE REPORT by McGLADREY & PULLEN, LLP, with Request to Receive and File.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Sarah Bohnsack of McGladrey & Pullen.

Sarah Bohnsack, Partner in charge of the City's audit with McGladrey & Pullen Certified Public Accountants, distributed a copy of a Financial Report Presentation dated December 31, 2008, to all members of the City Council. She explained the audit process and she said the City was issued an unqualified opinion for the financial information, which was the highest form of opinion that could be received. She said there was only one finding in the government auditing standards audit relating to segregation of duty issues with impound fees. She provided an overview of the revenue for all governmental funds and she reported there was \$163,341,000 for 2008 compared to \$164,030,000 for 2007. She also discussed expenditures by function for all governmental funds and she reported \$176,273,000 in 2008 compared with \$186,725,000 in 2007. She further discussed reserve revenues and the single audit. She said there were two findings regarding the Economic Development Loan Fund and management had implemented corrective action for those items. She also pointed out there were three findings in the document last year and all were corrected in the current year.

Following a brief discussion, Council Member Van Auken moved to receive and file the 2008 Audited Comprehensive Annual Finance Report by McGladrey & Pullen, LLP; 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.

**(09-343) Communication from the Interim City Manager Regarding a REPORT OUTLINING and CATEGORIZING the LIST OF SERVICES Provided by the CITY OF PEORIA, with a Request to Receive and File, and with a Request to SET a FUTURE DATE for a POLICY SESSION Regarding CITY SERVICES.**

Council Member Van Auken moved to receive and file the Report outlining and categorizing the list of services provided by the City of Peoria; 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.

Council Member Van Auken moved to set a Policy Session on August 11, 2009, for the purpose of discussing and reviewing the City's Core Functions as outlined by City Staff; seconded by Council Member Spain.

Discussion was held regarding possibly holding the Policy Session sooner than August 11, 2009, but it was determined August 11<sup>th</sup> was the earliest date that a Policy Session could be scheduled due to the scheduling of other meetings the Council would be involved in and attending.

Interim City Manager Henry Holling also stated the Agenda for July 28, 2009, was filling up and the August 11, 2009, date would provide more opportunities for Staff preparation.

Council Member Jacob and Council Member Sandberg both expressed concern regarding a delay in holding the proposed Policy Session.

Approved by roll call vote.

Yeas: Irving, Montelongo, Riggensbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;

Nays: Gulley, Jacob, Sandberg - 3.

**UNFINISHED BUSINESS****(09-277) Communication from the Interim City Manager and Finance Director/Comptroller Requesting INITIAL DIRECTION ON STEPS TO REDUCE THE ANTICIPATED FY2010 BUDGET DEFICIT, with a Request to Approve a PLAN TO REDUCE the FY2010 DEFICIT and Address LONG-TERM STRUCTURAL ISSUES. (Replacement Communication)**

Mayor Ardis said 2010 Budget discussion began immediately following the adoption of the City's 2009 Budget due to a projected deficit. He stated, since that time, City Staff had trimmed \$2 million off the projected deficit for 2010. He also said there had already been significant public discussion regarding the 2010 Budget and openness and transparency had been advocated between the Council, City Staff, City Employees, and the Citizens, and he added that policy would continue.

Mayor Ardis said City Staff had been identifying efficiencies and doing more with less for several years, and even though there had been significant increases in real estate taxes, the City's portion had not been raised in over 20 years. He further pointed out the City's portion of the tax bills in 1989 was \$2.71 and today it was \$1.28. He said many of the options that would be discussed at this meeting had already been exercised by private businesses. He said wage freezes or reductions, furloughs, voluntary separations, higher healthcare premiums, etc. would continue to be discussed and would provide direction to the Administration. He said discussion would focus first on providing the Administration with direction on negotiations that needed to take place with represented employees. The potential to close the gap without laying off or terminating employees was good, but everyone's participation would be needed to accomplish the savings.

Mayor Ardis stated the second portion of this item would be to focus on information requested or feedback from the Council. He said this would include changes on the HRA distribution and a date of discussion would need to be determined. He added the Council would provide direction to the Staff to redistribute CDBG dollars and give direction to the Library for a reduction in the amount to be levied for them.

Mayor Ardis also stated there would likely need to be an additional revenue stream created to close the financial gap, depending on what could be accomplished with these other measures. He requested that Council identify the areas they would like to discuss for possible revenue enhancements and Staff would then bring all information regarding all options back to the Council for discussion in one month.

In discussion, Council Member Van Auken pointed out that even if it was desirable for the City to reduce wages for their employees, most were represented by collective bargaining units and there was no authority under the law to reduce their wages. She commended the Administration for accomplishing some of the required negotiations for wage freezes and other issues the employees were willing to volunteer.

Council Member Van Auken moved to authorize the Mayor and Administration to begin the negotiations with the City's represented employees as soon as possible; seconded by Council Member Irving.

Council Member Spain said a wage freeze or implementing furloughs was a stop gap and one time solution, but there were other items like healthcare and changes to the benefit structures that would have longer term life spans. He said he felt all options were on the table for immediate fixes that could help the City to survive the economic recession.



In discussion with Council Member Sandberg regarding wage concessions for all Elected Officials and a possible change in their salaries, Corporation Counsel Randy Ray confirmed it would be a violation of the State Statute to raise or lower the salary of an Elected Official during the term of Office. He said the only way something like that could be achieved would be as a voluntary participation by members.

Council Member Sandberg suggested that all Elected Officials be contacted to determine who would be returning a portion of their raise.

Council Member Van Auken requested that Corporation Counsel Ray investigate a voluntary violation of a State Statute.

Corporation Counsel Ray stated it was certainly a violation of the Statute to increase the salary in any way, but he said he would review the question.

Council Member Van Auken requested a Point of Order and she explained her motion was only addressing Step #1 as outlined in the Council communication.

Following a discussion regarding how to proceed, Council Member Van Auken amended her motion to address a wage freeze as well as directing the Staff to move forward with structuring a voluntary separation, furlough options, and other options in Step #1 and Step #2 as outlined in the Council communication.

In discussion with Council Member Spain regarding voluntary separation, which was still in development, and his suggestion of setting a goal, Special Projects Manager Chris Setti explained there had been a good response on the employee survey that was sent out. He said it was still unknown what the voluntary separation package would consist of and who would take advantage of it. He said once the package was approved by Council and presented to employees, more information would be available. He added it would then be up to the Council and Department Heads regarding which City services could be reduced or which positions could be eliminated or restructured.

Council Member Spain stated after all the input from the survey and other information was received, the goal could be set at a later date after the expectations were known.

In discussion with Mayor Ardis regarding a time frame on this information, Special Projects Manager Chris Setti stated survey information would be assembled and a voluntary separation package would be formulated, and would be brought back for Council consideration at the July 28, 2009, City Council Meeting.

The motion was clarified to authorize the Mayor, in whatever role he deems, and the Administration and whoever else is required, to begin negotiations with our represented people to discuss furloughs, wage freezes, voluntary separations and whatever else they may come up with, utilizing Step 1 and Step 2 as outlined in the Council communication.

Council Member Sandberg discussed a possible voluntary separation package and he expressed concern regarding the value of losing senior employees who had institutional memory. He said he would need confirmation that the City really would be saving money on a separation package and there would be a net benefit economically. He said he would like to then measure the net benefit versus the loss of institutional memory, because when new employees were hired in, they were not as productive.

Council Member Spears spoke in support of the City employees, but he said he felt if there was not a voluntary separation at the top level, there would be separation of employees at the bottom in the form of layoffs. He said he felt a voluntary separation would ease the process of reductions that would be somewhat in the employees' control. He said he felt this was a good first step.

In discussion with Council Jacob regarding any guarantees there would be no layoffs this year or in the out years if a wage freeze was implemented, Mayor Ardis said the Council could not make that assurance based on the fact it was still unknown how long the recession would be an issue.

Council Member Riegenbach stated he agreed with Council Member Spears' comments.

In further clarification of the motion, Council Member Spain questioned if healthcare and a healthcare savings account would be included in this motion.

Mayor Ardis said anything that could be negotiated should be negotiated contractually.

Interim City Manager Henry Holling confirmed this was the spirit in which the Administration had approached this task.

Motion to authorize the Mayor, in whatever role he deems, and the Administration and whoever else is required, to begin negotiations with our represented people to discuss furloughs, wage freezes, voluntary separations and whatever else they may come up with, utilizing Step 1 and Step 2 as outlined in the Council communication, with clarification that voluntary separations would not be a part of the negotiations, but was part of the plan, as is health care and a healthcare savings account, and anything that has to be negotiated contractually, was approved by roll call vote.

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

Nays: Sandberg - 1.

Council Member Spears moved to request the City Manager come back with a report to restructure City government by combining departments and eliminating Departments Heads, and whatever the City Manager felt could be done; seconded by Council Member Van Auken.

Council Member Spears provided some suggestions such as combining the Legal Department with the Human Resources Department, and the Equal Opportunity Office under one Department Head, or the Economic Development Department and the Finance Department, or Police and Fire Departments, but retain Firefighters and Police Officers.

In discussion with Council Member Sandberg regarding his suggestion to explore opportunities that may exist to contract law enforcement services in all or part of this community, Council Member Spears said the report back should include anything that could be completed within the next few months to be included in the 2010 Budget.

Interim City Manager Holling stated he wanted it to be clear that the Staff organization had explored these efficiencies and recognized that structural changes were a part of efficiencies. He said he felt the Staff would do a thorough job of exploration of options.

Council Member Van Auken stated, if there were contractual constraints, those issues needed to be determined quickly. She said, if there were no constraints, she felt rural policing was very different from City policing and rural firefighting was different than professional firefighting. She urged the Council to proceed with caution.

In discussion with Council Member Jacob regarding possibly combining services with the County, Council Member Spears said he wanted the City Manager to come back to the Council with a restructuring plan for City government that could be controlled now. He said ways the City and County could work together to deliver services would continue to be discussed. He said whatever could be accomplished prior to the end of 2009 for the 2010 Budget, then that should be included.

Council Member Jacob stated these were unique circumstances and the challenges faced by the City going forward, no matter how well the City performed this year, there would still be unique challenges facing the City in the Budgets for the out-years. He stated, as the City was restructured internally, there would be opportunities to look externally as well.

Motion to request the City Manager to come back with a report to restructure City government by combining departments and eliminating Departments Heads, and whatever the City Manager felt could be done was approved by roll call vote.

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

Nays: None.

Council Member Van Auken referred to Step #3 – Revenue Adjustments and she moved to set a date of August 11, 2009, for the purpose of discussing the three bullet points regarding revenue adjustments relating to HRA tax, CDBG allocations, and property tax levied by the City on behalf of the Peoria Public Library; seconded by Council Member Spain.

Discussion was held regarding each bullet point and it was requested that the vote on the three bullet points be made separately.

Council Member Sandberg stated whatever percentage the Library was being reduced by, that same percentage should be reduced from the Civic Center, since they had never been requested to reduce. He said the Civic Center absorbed a large amount of real estate in Downtown Peoria, but was not required to pay real estate taxes.

Council Member Spain pointed out that the Civic Center had already laid off employees this year. He added he would need more information regarding the library issue because the Library was presently going through a significant expansion in scope and the City had asked for that to take place without an increase in head count. He requested that the Library Board be included in discussions at the August 11, 2009, discussion.

Council Member Irving requested reports from the Civic Center, the Convention and Visitors Bureau, and the Library regarding the steps they had taken this year to cut costs. He suggested the reports be received by Council prior to the Policy Session so their information could be taken into consideration at the Policy Session.

Council Member Gulley moved to separate the vote on the three bullet points under Step #3; seconded by Council Member Montelongo.

Motion to separate the vote was approved by roll call vote.

Yeas: Gulley, Jacob, Montelongo, Sandberg, Spain, Turner, Mayor Ardis – 7;

Nays: Irving, Riggensbach, Spears, Van Auken - 4.

Motion to include Bullet Point #1 under Step #3 – Revenue Adjustments relating to HRA tax in a Policy Session set for August 11, 2009, was approved by roll call vote.

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

Nays: None.

Council Member Gulley said he felt the CDBG allocation discussion should be off the table.

Motion to include Bullet Point #2 under Step #3 – Revenue Adjustments relating to the CDBG allocation in a Policy Session set for August 11, 2009, was approved by roll call vote.

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

Nays: Gulley - 1.

Motion to include Bullet Point #3 under Step #3 – Revenue Adjustments relating to the Peoria Public Library's operating budget in a Policy Session set for August 11, 2009, was approved by roll call vote.

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

Nays: Gulley - 1.

Council Member Van Auken referred to Step #4 – Revenue Increases and she moved for a report back on the feasibility and what revenue could be generated by adding a 2% tax on package liquor, similar to the 2% tax on alcohol and other food and beverages at restaurants and bars, to be included at the August 11, 2009, Policy Session; seconded by Council Member Turner.

In discussion with Council Member Jacob, Corporation Counsel Ray advised that Council Member Jacob should not vote on this item due to a conflict of interest.

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

Motion regarding holding discussion on a 2% tax on package liquor at the August 11, 2009, Policy Session was approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken – 9;

Nays: Mayor Ardis – 1;

Abstention: Jacob - 1.

Council Member Turner moved to direct the Staff to come back with a recommendation for Council discussion at the August 11, 2009, Policy Session of taking 11½ cents of the garbage fee and rolling it over as an increase in the real estate tax, so the average citizen would only have to pay \$33.00 on a \$100,000 house, and to eliminate the \$6.00 garbage fee; seconded by Council Member Van Auken.

Discussion was held regarding whether or not this would be revenue neutral, but it was determined that since commercial properties would also be involved, it would actually be an increase in revenue.

Motion to direct the Staff to come back with a recommendation for Council discussion at the August 11, 2009, Policy Session of taking 11½ cents of the garbage fee and rolling it over as an increase in the real estate tax, so the average citizen would only have to pay \$33.00 on a \$100,000 house, and to eliminate the \$6.00 garbage fee was approved by roll call vote.

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

Nays: Jacob, Spain – 2.

Council Member Sandberg moved to direct Staff to come back with a report for the August 11, 2009, Policy Session regarding information on how much revenue would need to be generated for the parking decks to break even, including the debt service, and possibly selling the parking decks to a private business who would pay taxes to the City; seconded by Council Member Turner.

Council Member Spain said other communities were offering citizens the ability pay to a fee, but they could park in any City deck, and he said for on-street parking, there were advancements in technology to allow for more efficient parking control. He said he felt there were other ways to generate revenue under the parking category, but they would take time to implement.

Motion regarding parking decks was approved by roll call vote.

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

Nays: None.

Council Member Sandberg moved to direct the Staff to explore the concept of pinpointing, through a bed tax and/or an outpatient tax, a revenue stream more closely aligned with some of the City's major non-profit organizations, who do not pay real estate taxes, to share the burden of providing basic services, and include this in the August 11, 2009, Policy Session; seconded by Council Member Jacob.

Approved by roll call vote.

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

Nays: Spain - 1.

Council Member Sandberg moved to direct Staff to explore a mechanism to deal with carry-out litter and provide a stable revenue source from those restaurants who allowed containers to be taken off premise and include this in the August 11, 2009, Policy Session discussion; seconded by Council Member Van Auken.

Council Member Van Auken said she felt this suggestion for revenue was worth looking into, but she suspected there could be legal challenges. She requested that Corporation Counsel Ray review the research that was previously done on this subject.

Council Member Gulley said glass bottles and can litter should also be included in this report. He said a deposit could be rendered and would assist in defraying the costs.

Council Member Sandberg agreed to include adult and non-adult beverage glass bottles and cans, with an approach through distributors, in his motion.

Motion to direct Staff to explore a mechanism to deal with carry-out litter and provide a stable revenue source from those restaurants who allowed containers to be taken off premise, and to deal with adult and non-adult beverage glass bottles and cans to provide a revenue source through the distributors should be included, and include this in the August 11, 2009, Policy Session discussion was approved by roll call vote.

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

Nays: Spain - 1.

Council Member Irving moved to direct the Staff to explore a 5% utility tax for everyone in the City to be included in the August 11, 2009, Policy Session; seconded by Council Member Van Auken.

Council Member Van Auken pointed out that one-third of City property was owned by non-profit organizations. She stated non-profit organizations had specific rules in order to maintain their tax exempt status and she felt this 5% should be referred to as a water user fee because there was some sensitivity regarding this issue.

Council Member Irving agreed to amend his motion to explore a 5% water user fee. The seconder agreed.

Motion to direct the Staff to explore a 5% water user fee for everyone in the City to be included in the August 11, 2009, Policy Session was approved by roll call vote.

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

Nays: None.

Council Member Spears requested that Staff explore a one cent tax increase on property tax for a \$100,000 and \$150,000 house and report what revenue would be generated in both scenarios to be included in the August 11, 2009, Policy Session. He said as the date of the Policy Session approached he would be talking to citizens to determine their comfort level on these proposed increases.

Council Member Montelongo moved to explore a business licensing fee to be included in the August 11, 2009, Policy Session; 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.

Council Member Spain referred to a restricted fund category, which he said he was not really an advocate of, but he said he felt it was worth exploring and it could make other funds available, such as motor fuel tax. He urged caution, with the understanding that the City was at two cents a gallon and drivers had lots of opportunities to purchase gasoline at various locations. He recalled a conversation with a former Mayor of Pekin when their motor fuel tax was increased from two cents to four cents and he said the result of loss of business was not significant. He said he did not know if that would be the case for the City of Peoria.

Council Member Spain moved to direct Staff to explore a two cent increase in motor fuel tax and provide an analysis of what neighboring communities were doing to be included in the discussion that will be held at the August 11, 2009, Policy Session; seconded by Council Member Irving.

Motion to explore a two cent increase in motor fuel tax was approved by roll call vote.

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

Nays: None.

In discussion with Council Member Jacob regarding the deficit for CSO issues, Director of Public Works explained the cost range for the project could be between \$105 million and \$260 million, and there were some changes that were currently being discussed. He said much would depend on how long it would take to implement the project and whether it would be a ten or twenty year implementation plan.

Council Member Jacob said the CSO project would be a liability for the City at some point and the current Budget proposal did not address that liability. He stated some communities had implemented a storm water utility, but only a portion of the revenue could be used for combined sewers.

Council Member Jacob moved to direct Staff to explore a potential revenue source and review a possible positive impact to the Capital budget of a storm water utility to begin to address the Combined Sewer Outflow project to cover all structures including non-profit organizations to be included in discussion for the August 11, 2009, Policy Session; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

Council Member Jacob moved to direct Staff to explore the establishment of a Fire Service District and report the methodology that would be used to cover all structures in the community, separate from the property tax, but would allow the City to be reimbursed for costs for providing fire service in the community to be included in discussion for the August 11, 2009, Policy Session; seconded by Council Member Sandberg.

Approved by roll call vote.

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

Nays: None.

Council member Sandberg moved to direct Staff to report what the revenue enhancement would need to be for the Animal Shelter to break even, which would include utilities and everything, so taxpayers of Peoria who do not own animals would not be subsidizing the program to be included in discussion for the August 11, 2009, Policy Session; 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.

In discussion with Council Member Spain regarding the idea of an arrest fee, Special Project Manager Chris Setti stated in research it was found that the best way to implement an arrest fee was through the Court system and court costs, which would require a change in State law. He said Representative Leitch said he would assist the City in this regard, but he cautioned that court fees were a popular manner in which to fund special interest, but there were no guarantees that it would be a dependable funding source.

Council Member Spain moved to direct Staff to explore some sort of fee related to crime in the community, possibly an arrest fee, to be included in discussion for the August 11, 2009, Policy Session; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: Sandberg - 1.

Mayor Ardis requested that the August 11, 2009, Regular City Council Agenda be light so these discussions could occur.

**(09-293) Communication from the Interim City Manager and Director of Public Works Requesting Approval to Enter into a LEASE AGREEMENT with R & R SERVICES OF ILLINOIS, INC., for a Period of ONE YEAR Beginning May 15, 2009, for a Section of Property Located at 2201 S. DARST STREET, and Requesting Authorization for the Interim City Manager to Execute the Documents, and with Supplemental Communication. (Refer to Item No. 08-212)**

Council Member Gulley said he would be abstaining from discussion and voting on this item due to his business relationship with the vendor.

Council Member Jacob moved to deny a Lease Agreement with R & R Services of Illinois, Inc. for a section of property located at 2201 S. Darst Street and receive and file the supplemental communication; seconded by Council Member Sandberg.

Council Member Jacob expressed concern regarding the reduction in the rent during a time of difficult budget times.

In discussion, Director of Public Works Dave Barber explained the proposed contract. He said the company would continue to grind wood waste for the City and it would save \$10,000 to \$12,000 for the City, but the City would still receive some revenue. He added, if the proposed contract was not approved, the City would lose \$6,000 in revenue plus the City would have to go out into the market and find a company to grind wood waste that would cost \$10,000 to \$12,000 more.

Motion to deny the Lease Agreement was DEFEATED by roll call vote.

Yeas: Irving, Jacob, Montelongo – 3;

Nays: Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 7;

Abstention: Gulley – 1.

Council Member Van Auken moved to enter into a Lease Agreement with R & R Services of Illinois, Inc., for a period of one year beginning May 15, 2009, for a section of property located at 2201 S. Darst Street, and authorize the Interim City Manager to execute the documents, and receive and file the supplemental communication; seconded by Council Member Spain.



Motion to enter into a Lease Agreement with R & R Services of Illinois, Inc. as outlined, was approved by roll call vote.

Yeas: Irving, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;

Nays: Jacob – 1;

Abstentions: Gulley – 1.

- (09-313) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to DENY a Request to REZONE PROPERTY from a Class O2 (Exclusive Office Park) District to a Class O1 (Arterial Office) District for Properties Identified as Parcel Nos. 14-07-201-017, 14-07-201-020, 14-07-252-008, and 14-07-252-003, Also Known as Lots 2, 3, 4, and 5 in the CORNERSTONE BUSINESS PARK.**

Council Member Irving said a letter was received from Attorney Michael R. Seghetti stating the Petitioner was requesting that this item be withdrawn.

Council Member Irving moved to receive and file the letter from Attorney Michael R. Seghetti withdrawing the request to rezone properties identified as Parcel Nos. 14-07-201-017, 14-07-201-020, 14-07-252-008, and 14-07-252-003, also known as Lots 2, 3, 4, and 5 in the Cornerstone Business Park; seconded by Trustee Turner.

Motion to receive and file letter withdrawing this item was approved by roll call vote.

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

Nays: None.

- (09-322) REQUEST for APPROVAL of an AMENDMENT to the JULY 6, 2009, SPECIAL CITY COUNCIL MINUTES to PROVIDE for a SERIES of THREE CLOSED SESSIONS to be Held on JULY 17, JULY 20, and JULY 22, 2009.**

Council Member Turner moved to amend the motion passed by the Council at the Special Meeting held on July 6, 2009, to provide for a series of three Closed Sessions to be held on July 17, July 20, and July 22, 2009, all beginning at 9:00 A.M., all at the Hotel Pere Marquette, and all for the purpose of discussing the appointment, compensation and performance of specific employees of the City under Section 2(c)(1) of the Open Meetings Act, and for discussion/approval of minutes of Closed Sessions under Section 2(c)(21) of the Open Meetings Act; seconded by Council Member Irving.

In discussion with Council Member Sandberg regarding a Point of Order, Corporation Counsel Ray confirmed that Council Member Sandberg could vote on this item even though he did not attend the July 6, 2009, Special City Council Meeting.

Motion to approve the Amendment was approved by roll call vote.

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

Nays: None.

**NEW BUSINESS****ANNOUNCEMENT Regarding COMCAST MEETING on JULY 21, 2009**

Council Member Turner announced Comcast would be holding a meeting to hear citizens' comments on Tuesday, July 21, 2009, beginning at 6:30 P.M. at City Hall in the Council Chambers.

**REPORT Regarding COSTS SAVINGS on the CONSTRUCTION of the LIBRARY in NORTH PEORIA**

Council Member Spears said the Peoria Public Library held two meetings regarding the new library on the North end of Peoria and he said both meetings were well attended and considered a success. He said the Board was proud to announce construction costs were coming in less than anticipated and those savings would go toward the Lakeview Branch, if everything goes as planned.

**APPRECIATION for SETTING UP ELECTRONIC ATTENDANCE for TWO COUNCIL MEMBERS**

Council Member Riggerbach thanked City Clerk Mary Haynes and the Staff for their assistance in setting up the electronic attendance for himself and Council Member Jacob. City Clerk Mary Haynes commended Information Systems Director Cathy Roger, IS Telephone Communication Specialist Brian Kurylak, Public Works Lead Carpenter Jason Meeks, and Facilities Engineer Steve Myers for their expertise and assistance in setting up the electronic conference calls, and she said many hours were spent working out electronic and telephone problems and she expressed her appreciation for their efforts.

**REMINDER Regarding BUDGET OPEN HOUSES for CITIZENS TO ATTEND**

Mayor Ardis reminded citizens there were still two Budget Open Houses the public could attend that would be held on Wednesday, July 15, 2009, at Pleasant Valley Middle School and at Peoria Central High School on Thursday, July 16, 2009, from 4:00 P.M. until 6:00 P.M.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL****(09-344) 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.

Roger Sparks, a Peoria resident, discussed the proposed changes to the Comprehensive Plan and expressed concern that the plan did not address issues regarding the disabled as much as he felt it should. He made some suggestions for the Staff to review.

Mayor Ardis requested that Staff would review this situation.

Joyce Blumenshine, a Peoria resident, speaking on behalf of the Heart of Illinois Sierra Club discussed the need for curbside recycling in the City and she addressed issues pertaining to the waste hauling contract and toxic waste that was being placed in the Landfill.

Becky Cobb, a Peoria resident, spoke in support of curbside recycling and provided some suggestions for changes in the upcoming contract.

Savino Sierra, a Peoria resident, spoke against some of the proposed tax increases suggested to assist in the Budget process. He said essential services needed to be provided and he urged the Administration to enforce litter laws to bring in more revenue.

### **WELCOME to VISITING**

Mayor Ardis welcomed Mr. Markus Watson, Student Council President at the University of Dubuque. He said Mr. Watson was present to observe Council discussion and find ways to develop his leadership skills. He also stated that Mr. Watson was a former patient, survivor, and runner involved with the St. Jude Run.

Council Member Riegenbach disconnected from the Council Meeting.

### **EXECUTIVE SESSION**

- (09-345) Consideration of a Motion 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)(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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Turner moved that the Council 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)(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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

### **ADJOURNMENT**

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

Approved by viva voce vote.

The City Council Meeting adjourned at 9:40 P.M.

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