: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

Council Chambers, Peoria, Illinois, August 25, 2009, a City Council Meeting was held this date at 6:16 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll call showed the following Council Members were physically present: Gulley (arrived at 6:21 P.M.), Irving, Jacob, Montelongo, Riggenbach, Sandberg (arrived at 7:30 P.M.), Spain, Spears, Turner, Van Auken, Mayor Ardis – 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: INTRODUCTION of PARTICIPANTS of the 2009 MAYOR'S SUMMER YOUTH EMPLOYMENT PROGRAM

PRESENTATION: KEEP PEORIA BEAUTIFUL IRIS AWARDS

Council Member Gulley arrived at the meeting at 6:21 P.M.

MINUTES

Council Member Spain moved to approve the minutes of the August 11, 2009, Regular City Council Meeting, and the August 18, 2009 Special City Council Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

(09-405) **Communication from the Interim City Manager and Director of Public Works Recommending Approval of the LOW BID of SOUTHEASTERN CONSTRUCTION, in the Amount of $91,940.10, with Authorization of up to $101,134.11 (Additional 10% for Contingencies) for SINR CONTRACT #36 for SIDEWALK REPLACEMENT on MILLMAN STREET from MacARTHUR HIGHWAY to LOUISA STREET.**

(09-406) **Communication from Interim City Manager and Director of Public Works Requesting Approval to PURCHASE REAL ESTATE Located at 1301 N. SHERIDAN ROAD, in the Amount of $20,000.00, as an OPPORTUNITY ACQUISITION for TRAFFIC SIGNAL CONSTRUCTION at SHERIDAN ROAD and COLUMBIA TERRACE.**

(09-407) **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting that, due to a Delay in the City's Receipt of the 2009 CDBG Agreement from HUD, the 2009 COMMON PLACE HIP AGREEMENT and the REBUILDING TOGETHER AGREEMENT for HOME IMPROVEMENT PROGRAM SERVICES be EXTENDED to JUNE 30, 2010.**

(09-408) **Communication from the Interim City Manager and Director of Public Works Requesting Approval for a CONTRACT EXTENSION for the MAINTENANCE of ELEVATORS with KONE ELEVATOR COMPANY, for an Annual Cost of $21,670.00, Until September 30, 2010. (Extends Item No. 06-530)**

(09-409) * **Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a CITY MANAGER AGREEMENT with L. SCOTT MOORE, and Requesting Authorization for the Mayor to Execute the Agreement.**

(09-410) **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Approval for $101,996.00 of UNALLOCATED HOME FUNDS to EXPAND the CITY DOWN PAYMENT ASSISTANCE PROGRAM.**

(09-411) **Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a Request for the CREATION of a RECOGNITION for GOVERNOR PAT QUINN and U. S. TRANSPORTATION SECRETARY RAY LAHOOD to be Located on the PEORIA RIVERFRONT at the GATEWAY BUILDING REAR PLAZA.**

(09-412) **Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 16,466 Amending a Previous Use with Approval by Amending Ordinance No. 13,825, in a Class R6 (Multi-Family Residential) District for a CHILDREN'S HOME to Allow for the EXPANSION of the PARKING LOT for Property Identified as Parcel ID No. 14-33-451-001 with an Address of 2130 N. KNOXVILLE AVENUE, with a Waiver and Conditions.**

(09-413) ** **Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending a Previous Use with Approval, by Amending Ordinance No. 13,345, as Amended, for a Special Use in a Class O2 (Exclusive Office Park) District for an OFFICE DEVELOPMENT to Add a FREESTANDING SIGN for Property Commonly Known as GLEN PARK OFFICE PARK Located on Property Identified as Parcel ID No. 14-20-153-046, with an Address of 5114 N. GLEN PARK PLACE, with Conditions.

(09-414) **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,467 Approving the FINAL PLAN of VILLAS at GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 1, which is Special Use Ordinance No. 16,376, for a PLANNED UNIT DEVELOPMENT for Property Located at 5200 - 5300 Block of W. WOODSAGE ROAD and 8900 - 9000 Block of N. SCRIMSHAW DRIVE.**

(09-415) * Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a Class C-1 (Package Liquor) LIQUOR LICENSE at 7815 N. KNOXVILLE, SUITE 14, with Recommendation from the Liquor Commission to Approve with Conditions.**

(09-416) ** Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an EXPANSION of a SITE APPLICATION for a SUBCLASS 1A (2:00 A.M. Closing) to be Added to Class E-1 (Private Club) LIQUOR LICENSE at 237 N. E. MONROE, with Recommendation from the Liquor Commission to Approve.**

(09-417) REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMISSION ON HUMAN RESOURCES, with Recommendation to Concur:

James T. Hancock, Jr. (Voting) - Term Expires 6/30/2012
Chester Tomczyk (Voting) - Term Expires 6/30/2012

(09-418) REAPPOINTMENTS by Mayor Jim Ardis to the FAIR EMPLOYMENT AND HOUSING COMMISSION, with Recommendation to Concur:

Jannise Bush (Voting) - Term Expires 6/30/2012
Lori S. Luncsford (Voting) - Term Expires 6/30/2012

(09-419) Communication from Interim City Manager and Director of Public Works Regarding the SUMMARY REPORT for the 2009 MAYOR'S SUMMER YOUTH EMPLOYMENT PROGRAM, with Request to Receive and File.

(09-420) *** Request for ADOPTION of COMMITTEE REPORT Regarding DISCUSSION and REVIEW of CITY'S SERVICES.**

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

Council Member Van Auken requested Item No. 09-409 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item Nos. 09-415 and 09-416 be removed from the Consent Agenda for further discussion.

Council Member Spears requested Item No. 09-413 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item No. 09-420 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 Riggenbach.

Items No. 09-405 through 09-420 (excluding Item Nos. 09-409, 09-413, 09-415, 09-416, and 09-420, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-409) * Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a CITY MANAGER AGREEMENT with L. SCOTT MOORE, and Requesting Authorization for the Mayor to Execute the Agreement.

Corporation Counsel Randy Ray distributed a revised Page 1 of the City Manager Agreement, changing the date of employment to September 28, 2009, to all members of the Council.

Council Member Van Auken moved to approve the revised City Manager Agreement with L. Scott Moore and to authorize the Mayor to execute the agreement; seconded by Council Member Riggenbach.

Approved, as amended, by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-413) ** Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending a Previous Use with Approval, by Amending Ordinance No. 13,345, as Amended, for a Special Use in a Class O2 (Exclusive Office Park) District for an OFFICE DEVELOPMENT to Add a FREESTANDING SIGN for Property Commonly Known as GLEN PARK OFFICE PARK Located on Property Identified as Parcel ID No. 14-20-153-046, with an Address of 5114 N. GLEN PARK PLACE, with Conditions.

Council Member Spears moved to adopt an Ordinance amending a Previous Use with Approval, Ordinance No. 13,345, as amended, for a Special Use in a Class O2 (Exclusive Office Park) District for an Office Development to add a Freestanding Sign for property commonly known as Glen Park Office Park located on Parcel ID No. 14-20-153-046, with an Address of 5114 N. Glen Park Place, with conditions, as amended by deleting Condition #1 and by adding language to add an 8 foot tall sign; seconded by Council Member Turner.

ORDINANCE NO. 16,468, as amended, was adopted by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-415) * Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a Class C-1 (Package Liquor) LIQUOR LICENSE at 7815 N. KNOXVILLE, SUITE 14, with Recommendation from the Liquor Commission to Approve with Conditions.**

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 Van Auken moved to concur with the recommendation from the Liquor Commission to approve the Site Application for a Class C-1 (Package Liquor) Liquor License at 7815 N. Knoxville, Suite 14, with conditions; seconded by Council Member Riggenbach.

Approved by roll call vote.
Yeas: Gulley, Irving, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;
Nays: None;
Abstentions: Jacob - 1.

(09-416) ** Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an EXPANSION of a SITE APPLICATION for a SUBCLASS 1A (2:00 A.M. Closing) to be Added to Class E-1 (Private Club) LIQUOR LICENSE at 237 N. E. MONROE, with Recommendation from the Liquor Commission to Approve.**

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 Van Auken moved to concur with the recommendation from the Liquor Commission to approve an expansion of a Site Application for a Subclass 1A (2:00 A.M. Closing) to be added to Class E-1 (Private Club) Liquor License at 237 N. E. Monroe; seconded by Council Member Riggenbach.

Approved by roll call vote.
Yeas: Gulley, Irving, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;
Nays: None;
Abstentions: Jacob - 1.

(09-420) *** Request for ADOPTION of COMMITTEE REPORT Regarding DISCUSSION and REVIEW of CITY'S SERVICES.**

Council Member Spain moved approve Committee Report regarding Discussion and Review of City's Services, as printed, with a correction on Page 1, fourth paragraph under the Police Department's section, the second sentence should be changed from "350 sworn personnel" to read "250 sworn personnel"; seconded by Council Member Van Auken.

Approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-421) Communication from the Interim City Manager and Director of Public Works Requesting Approval of REVISIONS to the CITY'S GENERAL PROCEDURE for INSTALLATION of STREET and ALLEY LIGHTING (Refer to Item No. 09-022)

Director of Public Works Dave Barber explained there was difficulty in determining how street light requests should be dealt with at the locations where more than a small amount of money needed to be spent. He said there were five locations in this category and the costs ranged from $1,265.00 to $6,900.00. He further stated there was no money budgeted for these projects and he suggested approving the modifications to the policy and requested these costs be included for consideration in the Community Investment Program Budget for 2010, so a source of funds could be identified.

Council Member Van Auken moved to approve the revisions to the City's General Procedure for Installation of Street and Alley Lighting; seconded by Council Member Turner.

In discussion with Council Member Spain, Director Barber explained solar lights would continue to be reviewed to find a way to make them work in remote locations, but he said they found there was a limitation on lighting levels and the length of time of operation. He said there needed to be longer lengths of time for lighting in the winter time. He said they wanted to continue exploring the possibilities, along with LED kinds of lights that would conserve energy.

In discussion with Council Member Irving regarding the varying costs for the five different locations, Director Barber explained costs depended on the distance the location was from an existing power source and the type of power needed for street lights. He added there were situations where poles had to be added and the City had to pay for the extra costs.

In discussion with Council Member Montelongo regarding his concern pertaining to costs, Director Barber said he would continue to research new vendors to find poles. He said he was also looking to find various professional organizations and to contact other communities where new lights had been installed. He stated they were trying to find a facility that had installed street lights and had a good level of light all night long. He added, so far, most were low level lights and did not provide lighting all night long.

Council Member Gulley said it was noted that portions of the new policy were similar to the sidewalk program. He questioned, if there were areas where there were CDBG eligible participants, could these funds be used for installation of street lights?

Director Barber said this discussion was not related to the Special Assessment Policy for Street Lights and this new policy was strictly for those special lights for thoroughfares, and CDBG money could not be used on thoroughfares.

Director Barber stated the projects listed would be brought back to the Council in a Capital Program request. He added all requests greater than $250.00 would be presented to the Council for discussion.

Council Member Gulley suggested that the new policy include language that CDBG funding be used in areas that qualified.

Motion to approve the revisions to the City's General Procedure for Installation of Street and Alley Lighting was approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-422) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of <u>ONE</u> of the Following:

A. Concur with the Zoning Commission's Recommendation to Adopt ORDINANCE "A" Amending Ordinance No. 14,889, as Amended, for a SPECIAL USE in a Class C2 (Large Scale Commercial) District for a SHOPPING CENTER for the DEVELOPMENT of a RESTAURANT for Property Commonly Known as NORTHWOODS MALL, with an Address of 2200 W. WAR MEMORIAL DRIVE, Including Waivers #1 and #2 and with Conditions; <u>OR</u>

B. Concur with the Staff Recommendation to Adopt ORDINANCE "B" Amending Ordinance No. 14,889, as Amended, for a SPECIAL USE in a Class C2 (Large Scale Commercial) District for a SHOPPING CENTER for the Development of a RESTAURANT for Property Commonly Known as NORTHWOODS MALL, with an Address of 2200 W. WAR MEMORIAL DRIVE, Subject to Conditions 1 through 5 and Including Waiver #1, and with an Additional Condition.

Council Member Spears moved to adopt Ordinance "A" amending Ordinance No. 14,889, as amended, for a Special Use in a Class C2 (Large Scale Commercial) District for a Shopping Center for the development of a restaurant for property commonly known as Northwoods Mall, with an address of 2200 W. War Memorial Drive, subject to Conditions 1 through 5,including Waiver #1, and with an additional condition; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 16,469 amending Ordinance No. 14,889, as amended, for a Special Use in a Class C2 (Large Scale Commercial) District for a Shopping Center for the development of a restaurant for property commonly known as Northwoods Mall, with an address of 2200 W. War Memorial Drive, subject to Conditions 1 through 5,including Waiver #1, and with an additional condition, was approved by roll call vote.

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

Nays: None.

(09-423) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to DENY and with Recommendation from the Staff to Adopt an ORDINANCE Granting a SPECIAL USE in a Class C1 (General Commercial) District for a BEER GARDEN for Property Located at 1931 and 1933 W. FORREST HILL AVENUE and 3102 - 3120 N. GALE AVENUE, with a Waiver and Conditions. Location of the Proposed BEER GARDEN is FIREHOUSE PIZZA with an Address of 3110 N. GALE AVENUE.

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 Spears moved to concur with the Zoning Commission's recommendation to DENY the Ordinance granting a Special Use in a Class C1 (General Commercial) District for a Beer Garden for property located at 1931 and 1933 W. Forrest Hill Avenue and 3102 – 3120 N. Gale Avenue, with a waiver and conditions, for Firehouse Pizza located at 3110 N. Gale Avenue; seconded by Council Member Van Auken.

Motion to DENY was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob - 1.

Clerk's Note: See additional discussion on Page 29061.

(09-424) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS G (Restaurant, Beer & Wine Only) LIQUOR LICENSE at 3110 N. GALE, with Recommendation from the Liquor Commission to Approve.

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 Spears moved to concur with the recommendation from the Liquor Commission to approve the Site Application for a Class G (Restaurant, Beer & Wine Only) Liquor License at 3110 N. Gale; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob - 1.

(09-425) Communication from the Interim City Manager and Corporation Counsel with Recommendation from the Liquor Commission to DENY the SITE APPLICATION for a Class C-1 (Package Liquor) LIQUOR LICENSE at 4931 N. HAMILTON ROAD.

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 Spears moved to concur with the recommendation from the Liquor Commission to DENY the Site Application for a Class C-1 (Package Liquor) Liquor License at 4931 N. Hamilton Road; seconded by Council Member Turner.

Motion to DENY was approved by roll call vote.
Yeas: Gulley, Irving, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;
Nays: None;
Abstentions: Jacob - 1.

UNFINISHED BUSINESS

(09-111) Communication from the Interim City Manager and Corporation Counsel Requesting Authorization for the City Manager to Execute an AGREEMENT with COMCAST to EXTEND the CURRENT CABLE FRANCHISE AGREEMENT Until OCTOBER 31, 2009. (New Communication)

Council Member Van Auken moved to authorize the City Manager to execute an Agreement with Comcast to extend the current Cable Franchise Agreement until October 31, 2009; seconded by Council Member Turner.

Council Member Turner said technology was changing rapidly and he felt a seven-year agreement was too long. He suggested the contract should be limited to five years.

Corporation Counsel Randy Ray said this suggestion would be taken into consideration. He added one issue was that negotiations would begin three years before the term ended, so a five-year agreement would require negotiations beginning after two years.

Mayor Ardis also suggested that performance indicators should be included in the agreement.

In discussion with Council Member Spain regarding the City's ability to dictate cable service for citizens in the community, Corporation Counsel Ray said there were various things the City could do, but designating what channels would be carried or pricing were not part of the City's authority. He said the franchise with Comcast had never been an exclusive franchise, so the City was free to decline to franchise with Comcast, but there was a process that would need to be followed. He added Comcast could get a State franchise, if they were unsuccessful in getting a City franchise, and would still serve citizens in Peoria. He said the idea was to move to an age of competition and there were competitors coming into Central Illinois cities in the near future.

Motion to extend the current franchise agreement until October 31, 2009, was approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(09-196) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an AMENDMENT to the 1996 INTERGOVERNMENTAL AGREEMENT Between the CITY OF PEORIA and the PEORIA CIVIC CENTER AUTHORITY, and Requesting Authorization for the City Manager to Execute the Document.

Council Member Spain moved to Table this item; seconded by Council Member Jacob.

Motion to Table was approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

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

A. PRESENTATION by the PEORIA PUBLIC LIBRARY Regarding the IMPACTS of a POTENTIAL BUDGET REDUCTION, with Request to Receive and File;

Interim City Manager Henry Holling thanked Director Szynaka and Chairman Ruddell for their cooperation in working with the common challenges regarding the 2010 Budget.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Peoria Public Library Director Ed Szynaka and Library Board Chairman Brian Ruddell.

Brian Ruddell, Chairman of the Peoria Public Library Board, discussed the Library's construction program and expansion project, but he said the Library intended to assist the City in solving their Budget problems by reducing their Budget substantially as requested. He distributed a copy of a list of proposed budget reductions to the Council in the amount of $320,453.00. He said there would be a salary freeze for all employees for 2010, a hiring freeze on all permanent staff positions that were currently vacant, discontinuing print versions of reference materials that were available online, and reductions in the materials budgeted for the Main branch during construction.

Chairman Ruddell stated the Library Board felt they would be able to meet their commitment through efficiencies created by redesigning the main library and the use of new technologies throughout the library system. He said the budget reductions proposed for the coming year were of a temporary nature. He said freezing employee salaries and freezing the size of our workforce could not continue long, if Library services were to continue at a similar level.

Council Member Gulley said he wanted to make sure these reductions would not impact the strategic plan created several years ago. He requested more information regarding what the hiring freeze would mean to the delivery of services.

Director Szynaka stated the hiring freeze impacted the three vacant positions. He said this could be afforded for 2010 because there would be some interruption of public services as construction was performed at the Main Library. He said there would be no change in the overall plan. He also confirmed that none of the Library Branches would close. He added, if the hiring freeze continued into 2011, there could be some impact at that time.

In discussion with Council Member Jacob regarding lower building costs during the current recession, Director Szynaka said he expected to receive excellent bids. He said the drawings for the North Branch Library were being completed and expected to be out for bid shortly.

Director Szynaka discussed operating costs and explained the Library had not seen reductions in utilities because of their efficiencies that were in place, and costs were already lower than normal.

Council Member Jacob requested that, if there was any change in the scope of work, Director Szynaka report the information back to the City Council prior to making any design changes.

Council Member Sandberg arrived at 7:30 P.M.

Council Member Spain moved to receive and file the presentation by the Peoria Public Library regarding the impacts of a potential Budget reduction; 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.

B. REQUEST from STAFF for the Council to Provide DIRECTION Regarding the IMPLEMENTATION of a BUSINESS LICENSING PROGRAM.

Council Member Turner explained the State's constitution would not allow Home Rule communities to license for the purpose of generating revenue. He suggested creating a business permit for restaurant and amusement purposes to facilitate the collection of delinquent sales taxes, fines, and fees. He said the City had the ability to perform this activity for liquor licenses, but there was no way to collect these delinquencies from restaurants or amusements. He said the City lost between $75,000 and $200,000 per year in revenues due to restaurants going out of business or opening nearby under a different name. He said there was a hearing process already in place that could be utilized. He urged the Council to consider implementing a business licensing program to collect what was rightfully taxpayer money.

Council Member Turner moved to direct Staff to draft an Ordinance implementing a Business Licensing Program for restaurants, and possibly amusements, and to bring it back for Council discussion and possible adoption; seconded by Council Member Montelongo.

Council Member Sandberg expressed concern that vendors came to Peoria for temporary sales at the Civic Center and collected State taxes that may or may not be paid to the State of Illinois. He said he felt the Civic Center had a responsibility to make sure that sales tax was collected from these vendors and paid to the State.

Council Member Spain said he would be attending a Civic Center Authority meeting later this week and he would bring this issue up for discussion.

Motion to direct Staff to draft an Ordinance implementing a Business Licensing Program for restaurants, and possibly amusements, and to bring it back for Council discussion and possible adoption was approved by roll call vote.
Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Turner, Van Auken, Mayor Ardis – 10;
Nays: Spears - 1.

C. PUBLIC COMMENTS Regarding the FY 2010 BUDGET.

Mayor Ardis determined that no one wished to make any comments regarding the FY 2010 Budget at this time.

(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 Jacob moved to Table this item; seconded by Council Member Sandberg.

Motion to Table 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

COMMENTS IN SUPPORT of DISTRICT #150 and Their PROGRAMS

Council Member Riggenbach said today was the first day of school for District #150 Schools and he urged other Council Members to become one of the 1,000 remarkable men on Thursday who will walk children to school to show support for the great educational institutions here in Peoria.

Council Member Van Auken said she would be joining Principal Donna O'Day at the Transition to Success School located on Knoxville for their event on Thursday.

ANNOUNCEMENT Regarding 2010 CENSUS

Council Member Spain urged citizens to prepare to participate in the 2010 census. He stressed the importance of everyone participating, which would direct a significant amount of Federal dollars to the Peoria community. He said this project would be conducted over the next 8 months.

PROPOSED CITY/COUNTY SHARED COST SAVINGS

Council Member Jacob said a City/County Meeting was held approximately three weeks ago and City and County Staff members were charged with compiling a short list of specific recommendations to combine services. He said, as part of the discussion, the County had agreed to allow a reopening in their health care bid contract to align the contracts and conduct a dual bid. He said this would not pay immediate dividends for 2010, but it would allow a larger number of persons to be covered and perhaps gain cost savings for the taxpayers. He thanked the County Staff for their efforts and cooperation.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(09-426) 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.

Lavetta Ricca, President of the Olde Town South Neighborhood Association, expressed concern that $15,000 had been reduced in the budget for the Harrison School Impact Zone. She discussed other projects that had been earmarked for funding and she said she felt funding should be provided for projects on the Southside. She requested that the Council show more compassion for the Southside in the way of funding.

Ric Kearbey, owner of Firehouse Pizza, spoke in support of the Council allowing the business to have an Outdoor Beer Garden. He expressed concern that the Council had voted to deny his request and he explained the business would have a family atmosphere with early closing hours. He further requested that, if a Beer Garden would not be approved, he would like a permit for a Sidewalk Café. He said landscaping and fencing would be provided as a buffer for the neighborhood.

Mayor Ardis recommended that Mr. Kearbey talk with Director of Planning and Growth Management Pat Landes following the meeting.

Savino Sierra, a Peoria resident, discussed businesses that used to be located in the Southside years ago and his desire to see it return to its former vibrancy. He spoke in support of funding the Harrison School Impact Zone and for better maintenance of Peoria Public Library property.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

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

Approved by viva voce vote.

The City Council Meeting adjourned at 8:07 P.M.

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

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