

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

Council Chambers, Peoria, Illinois, October 13, 2009, a City Council Meeting was held this date at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

**ROLL CALL**

Roll call showed the following Council Members were physically present: Gulley (arrived at 6:36 P.M.), Irving, Jacob, Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11. Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: GOSPEL JUBILEE DAY – OCTOBER 18, 2009

PROCLAMATION: LIGHTS ON AFTER SCHOOL DAY – OCTOBER 22, 2009

PROCLAMATION: DISABILITY EMPLOYMENT AWARENESS MONTH – OCTOBER 2009

**RESOLUTION IN RECOGNITION OF FORMER INTERIM CITY MANAGER**

“HENRY W. HOLLING”

“WHEREAS, Henry W. Holling embarked upon his public sector career with the City of Peoria in 1965, serving as the Assistant to the City Manager and Intergovernmental Affairs Officer until 1969, when he subsequently continued his citizen service with the State of Illinois Department of Local Governmental Affairs, before he commenced upon his notable 35-year professional career at Caterpillar, Inc., as the Vice President and Manager of the Caterpillar Foundation and the Manager of Social Responsibility Initiatives; and

“WHEREAS, Henry W. Holling has served with over 30 professional and civic organizations throughout his entire distinguished career, for which he received numerous awards and notable recognition; and now, fittingly, he has come full circle to serve the citizens of Peoria once again, as Interim City Manager, through which he has demonstrated the highest ideals of public service and earned the gratitude of the citizenry;

“NOW, THEREFORE, BE IT RESOLVED, that this City Council, on behalf of its members, the officials and employees of the City of Peoria, and the citizens of the community, do hereby express to Henry W. Holling sincere and profound appreciation and thanks for his dedicated service.

“BE IT FURTHER RESOLVED, that Henry W. Holling be presented with this Resolution, and this Resolution be spread upon the permanent records of the City of Peoria, Illinois, attested to by the City Clerk.

“PASSED BY THE CITY COUNCIL of the CITY OF PEORIA, ILLINOIS, this 13<sup>th</sup> day of October 2009 A.D.

\_\_\_\_\_  
/s/ Mayor Jim Ardis

Mayor Jim Ardis

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/s/ Clyde E. Gulley, Jr.  
Council Member Clyde E. Gulley, Jr.

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/s/ Gary V. Sandberg  
Council Member Gary V. Sandberg

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/s/ Dan L. Irving  
Council Member Dan L. Irving

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/s/ Ryan M. Spain  
Council Member Ryan M. Spain

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/s/ George F. Jacob  
Council Member George F. Jacob

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/s/ William R. Spears  
Council Member William R. Spears

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/s/ Jim Montelongo  
Council Member Jim Montelongo

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/s/ W. Eric Turner  
Council Member W. Eric Turner

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/s/ Timothy D. Riggenschach  
Council Member Timothy D. Riggenschach

\_\_\_\_\_  
/s/ Barbara Van Auker  
Council Member Barbara Van Auker

ATTEST:

\_\_\_\_\_  
/s/ Mary L. Haynes  
City Clerk

EXAMINED AND APPROVED:

\_\_\_\_\_  
/s/ Randall Ray  
Corporation Counsel"

Council Member Spain moved to approve the Resolution presented to Interim City Manager Henry Holling and to direct the City Clerk to spread the Resolution upon the permanent record; seconded by Council Member Irving.

Approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Sandberg, Spain, Spears, Turner, Van Auker,  
Mayor Ardis - 11;

Nays: None

### **MINUTES**

Council Member Spain moved to approve the minutes of the September 22, 2009, Regular City Council Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Sandberg, Spain, Spears, Turner, Van Auker,  
Mayor Ardis - 11;

Nays: None.

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

**(09-475) PUBLIC HEARING Regarding the RE-ESTABLISHMENT of the EAST BLUFF NEIGHBORHOOD HOUSING SERVICE DISTRICT as Scheduled in the Public Notice and Public Hearing Notice Mailing.**

Council Member Riggenbach moved to open the Public Hearing; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

Mayor Ardis opened the Public Hearing at 6:39 P.M.

Mayor Ardis granted Privilege of the Floor to those citizens who wished to address the City Council regarding the re-establishment of the East Bluff Neighborhood Housing Service District.

Rev. Thomas M. Stone, of St. Paul's Episcopal Church, distributed a handout to members of the City Council which included ten letters in support of the EBNHS and a list of current and proposed activities of the EBNHS. He spoke in support of the efforts of the East Bluff Neighborhood Housing Services.

Rev. Simon J. Holly, Jr., of Prince of Peace Missionary Baptist Church, said his congregation supported the re-establishment of the district. He said their efforts had resulted in the rehabilitation of many homes and provided great service to the neighborhood.

Dale Hanssen, Peoria resident, said he was presently serving on the board of the EBNHS. He said he had been personally involved in many rehabilitation projects in the neighborhood as a contractor and a landlord. He noted few contractors were willing to take on the extensive rehabilitation that many of the properties required. He spoke in support of continuing the work of the EBNHS.

Pastor Martin Johnson, of New Beginnings Ministries of Peoria, said he supported the efforts of the EBNHS and he noted the work done so far on the neighborhood had greatly improved the quality of life for citizens. He said it brought revitalization to the area and empowered citizens to better themselves.

Wayne W. Cannon, East Bluff resident and EBNHS Board Member, spoke in support of the District. He said it gave neighborhoods the opportunity to have input regarding what was wanted and needed for their area.

Richard H. Mitchell, East Bluff resident, presented a handout to members of the City Council. He said the East Bluff already had many projects occurring, but he said there was no accountability for the Board. He expressed concern that the Board was in violation of the Open Meetings Act because they made many decisions regarding the neighborhood in closed meetings.

Kirk Kimmel, resident of the East Bluff, expressed concern that the EBNHS did not respond to questions from citizens. He said he felt their intentions were good, but he stated the group did not follow through and had no accountability.

Karrie Alms, Peoria resident, expressed concern that many of the key ideas behind the district concept were not being followed by the EBNHS Board. She said if the basics were not being covered, she felt it defeated the purpose of having the service area.

Planning and Growth Management Director Pat Landes distributed a letter in support of the EBNHS to members of the City Council on behalf of East Bluff Citizen Theo Kenyon who was unable to attend the meeting. Director Landes asked for the letter to be reflected in the record.

Bob Manning, former City Council Member, spoke in support of the EBNHS. He said the organization had come a long way to develop the East Bluff and encouraged the Council to support their continuing efforts. He noted the group was seeking solutions to the existing problems in the neighborhood and he said he felt their efforts should be supported so the area could continue to move forward.

Willa Lutes, former EBNHS Board Member and East Bluff resident, expressed concern that the EBNHS Board did not want to follow protocol and she noted she resigned from the Board because of it. She said she felt the organization was one of just a few, and not all, of the citizens. She said the EBNHS needed restructuring and accountability.

Following a final call by Mayor Ardis for citizens to address the City Council and after determining that no one wished to further address this issue, Council Member Riggenbach moved to close the Public Hearing; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

The Public Hearing closed at 7:14 P.M.

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

- (09-476) NOTICE of LAWSUIT Filed on Behalf of DANIEL P. CUSACK Claiming the City Improperly Withheld Information in Answer to an FOIA Dated July 28, 2009.
- (09-477) Communication from the City Manager and Corporation Counsel Requesting Authorization for SETTLEMENT OF LITIGATION, WOZNAK V. CITY OF PEORIA, ET AL., PEORIA COUNTY CIRCUIT COURT, CASE NO. 07-L-06, for the sum of \$15,000.00, and Requesting Authorization for the City Manager to Execute the Necessary Documents.
- (09-478) Communication from the City Manager and Director of Public Works Requesting the Following:
1. ACCEPT the LOW BID of OBERLANDER ELECTRIC and Award the CONTRACT, in the Amount of \$49,090.08 with Authorization for \$53,999.09 (Additional 10% for Contingencies), for the SHERIDAN ROAD and LAKE AVENUE PEDESTRIAN SIGNAL IMPROVEMENT PROJECT, and;
  2. APPROVE an ADDITIONAL \$14,000.00 EXTENSION to the PROJECT CONTRACT to REPLACE the EXISTING DETERIORATED HANDRAIL Located on the SOUTHWEST CORNER of SHERIDAN ROAD and LAKE AVENUE.
- (09-479) Communication from the City Manager and Director of Public Works Requesting Acceptance of the LOW BID of SOUTHEASTERN CONSTRUCTION and Award the CONTRACT, in the Amount of \$61,681.75 with Authorization of Up to \$67,849.93 (Additional 10% for Contingencies) for the GLEN OAK IMPACT ZONE - PHASE 1 SIDEWALK IMPROVEMENTS.

- (09-480) Communication from the City Manager and Director of Public Works Requesting Acceptance of the LOW BID of HOROWITZ CONCRETE and Award the CONTRACT, in the Amount of \$168,536.05 with Authorization of Up to \$185,389.66 (Additional 10% for Contingencies) for the GLEN OAK IMPACT ZONE, PHASE II SIDEWALK IMPROVEMENTS.
- (09-481)  
\* Communication from the City Manager and Director of Public Works Requesting Acceptance of the LOW BID of STARK EXCAVATING, INC. and Award the CONTRACT, in the Amount of \$85,265.44 with Authorization of Up to \$93,791.98 (Additional 10% for Contingencies) for the ORANGE PRAIRIE ROAD and TIMBEREDGE DRIVE SIDEWALK IMPROVEMENT PROJECT.
- (09-482) Communication from the City Manager and Director of Public Works Requesting Acceptance of the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC. and Award the CONTRACT, in the Amount of \$243,680.39 with Authorization of Up to \$268,048.43 (Additional 10% for Contingencies), for the S. GRISWOLD STREET CURB AND SIDEWALK IMPROVEMENT PROJECT (W. Grinnell Street to W. Starr Street).
- (09-483) Communication from the City Manager, Police Chief, and Emergency Communications Center Manager Requesting Authorization to PURCHASE RADIO COMMUNICATION EQUIPMENT for the PEORIA POLICE COMMAND ROOM and ADDITIONAL INTEROPERABLE PORTABLE RADIO EQUIPMENT for Peoria Police from SUPREME RADIO COMMUNICATIONS, INC., in the Amount of \$29,996.56.
- (09-484)  
\*\* Communication from the City Manager, Police Chief, and Emergency Communications Center Manager Requesting Approval of a SOLE SOURCE PURCHASE of INTEROPERABLE RADIOS and ACCESSORIES for FULTON COUNTY ETSB, in the Total Amount of \$74,304.03 from RAGAN COMMUNICATIONS (\$39,759.03), GALESBURG COMMUNICATIONS, INC. (\$22,815.00), and MOTOROLA (\$11,730.00).
- (09-485) Communication from the City Manager, Police Chief, and Emergency Communications Center Manager Requesting Approval of a SOLE SOURCE PURCHASE of INTEROPERABLE RADIOS and ACCESSORIES for OSF ST. FRANCIS MEDICAL CENTER, in the Total Amount of \$29,735.00 from SUPREME RADIO (\$15,241.00) and RAGAN COMMUNICATIONS (\$14,494.00).
- (09-486) Communication from the City Manager and Director of Planning and Growth Management with Request to REALLOCATE \$50,000.00 of CDBG FUNDS from PROJECT 07SPD to the 2009 ADOPT-A-RAMP PROGRAM PROJECT 09AR00.
- (09-487) Communication from the City Manager and Director of Public Works with Request to Award the CONTRACT for REHABILITATION of the LIVING QUARTERS ROOF at FIRE STATION NO. 8 to the LOWEST BIDDER, KREILING ROOFING COMPANY, in the Amount of \$65,751.00.
- (09-488) Communication from the City Manager and Director of Public Works with Request to Award the CONTRACT for SECURITY CAMERA INSTALLATION at PUBLIC WORKS OPERATIONS AND MAINTENANCE CENTER Located on DRIES LANE to THOMPSON ELECTRONICS COMPANY, in the Amount of \$18,087.00.

- (09-489)**      **Communication from the City Manager and Director of Public Works  
\*\*\* Requesting Authorization for the EXTENSION of the EXISTING CONTRACT  
with WM. AUPPERLE & SONS, INC. for the COLUMBIA TERRACE  
SIDEWALK and ORNAMENTAL LIGHTING IMPROVEMENT PROJECT, in the  
Amount of \$136,224.53 with Authorization for Up to \$149,846.98 for 10%  
Contingencies, to Include the INSTALLATION of a NEW TRAFFIC SIGNAL  
SYSTEM at the INTERSECTION of SHERIDAN ROAD and COLUMBIA  
TERRACE.**
- (09-490)**      **Communication from the 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 2), and Requesting Concurrence in the  
Award of the CONTRACT for the Work to WALKER EXCAVATING  
COMPANY, INC., in the Amount of \$114,445.46.**
- (09-491)**      **Communication from the City Manager and Director of Planning and  
Growth Management Requesting Action on RESOLUTION NO. 09-491  
Approving an APPLICATION for AFFORDABLE HOUSING TRUST FUND -  
HOMEBUYER ASSISTANCE PROGRAM FUNDING from the STATE OF  
ILLINOIS for a Down Payment Assistance Grant in the Amount of  
\$310,000.00.**
- (09-492)**      **REPORT of the CITY TREASURER PATRICK A. NICHTING for the MONTH of  
\*\*\*\* AUGUST, 2009, with Request to Receive and File.**
- (09-493)**      **TOWN OF THE CITY OF PEORIA FINANCIAL REPORT for Period Ending  
9/30/2009, 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 Sandberg requested Item Nos. 09-481, 09-484, 09-489, and 09-492 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 Montelongo.

Items No. 09-476 through 09-493 (excluding Items No. 09-481, 09-484, 09-489, and 09-492, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (09-481)**      **Communication from the City Manager and Director of Public Works  
\* Requesting Acceptance of the LOW BID of STARK EXCAVATING, INC. and  
Award the CONTRACT, in the Amount of \$85,265.44 with Authorization of  
Up to \$93,791.98 (Additional 10% for Contingencies) for the ORANGE  
PRAIRIE ROAD and TIMBEREDGE DRIVE SIDEWALK IMPROVEMENT  
PROJECT.**

In discussion with Council Member Sandberg, Public Works Director Dave Barber clarified the project would not be replacing existing sidewalks, but would be to install new sidewalks.

Council Member Sandberg moved to approve the Low Bid of Stark Excavating, Inc., and award the contract, as outlined, for the Orange Prairie Road and Timberedge Drive Sidewalk Improvement Project; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: Spain - 1.

**(09-484)      Communication from the City Manager, Police Chief, and Emergency  
\*\*      Communications Center Manager Requesting Approval of a SOLE SOURCE  
PURCHASE of INTEROPERABLE RADIOS and ACCESSORIES for FULTON  
COUNTY ETSB, in the Total Amount of \$74,304.03 from RAGAN  
COMMUNICATIONS (\$39,759.03), GALESBURG COMMUNICATIONS, INC.  
(\$22,815.00), and MOTOROLA (\$11,730.00).**

In discussion with Council Member Sandberg, ECC Manager Dave Tuttle explained the grant that funds them did not provide funding to the City of Peoria to administer the grant. He said the City received the benefit of the equipment.

Council Member Sandberg expressed concern that the City was purchasing equipment for other entities and not being reimbursed, when it was facing a large budget deficit.

Council Member Van Auken moved to approve the sole source purchase of interoperable radios and accessories for Fulton County ETSB, as outlined; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

**(09-489)      Communication from the City Manager and Director of Public Works  
\*\*\*      Requesting Authorization for the EXTENSION of the EXISTING CONTRACT  
with WM. AUPPERLE & SONS, INC. for the COLUMBIA TERRACE  
SIDEWALK and ORNAMENTAL LIGHTING IMPROVEMENT PROJECT, in the  
Amount of \$136,224.53 with Authorization for Up to \$149,846.98 for 10%  
Contingencies, to Include the INSTALLATION of a NEW TRAFFIC SIGNAL  
SYSTEM at the INTERSECTION of SHERIDAN ROAD and COLUMBIA  
TERRACE.**

Council Member Sandberg expressed concern that the issue of traffic from the East and West was not being addressed with regard to the length of time citizens have to wait before the traffic signal changes. He questioned, rather than just installing a new signal, how the City planned to solve the problem.

Public Works Director Barber said the signal sensitivity in the area had been addressed in the past and had been readjusted. He said they would continue to look at this area. He added the signals were typically biased toward the North and South traffic because of the heavier flow.

Council Member Van Auken moved to approve the extension of the existing contract with Wm. Aupperle & Sons, Inc., for the Columbia Terrace Sidewalk and Ornamental Lighting Improvement Project, as outlined, and to include the installation of a new traffic signal system at

the intersection of Sheridan Road and Columbia Terrace; seconded by Council Member Montelongo.

In discussion with Council Member Gulley, Director Barber addressed concerns that the pricing on this project was consistent with other bids they had received.

City Manager Scott Moore noted, if a project was not delayed, he preferred to address bid process questions in advance.

Motion to approve the Columbia Terrace Sidewalk and Ornamental Lighting Improvement Project, as outlined, was approved by roll call vote.

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

Nays: Sandberg - 1.

**(09-492) REPORT of the CITY TREASURER PATRICK A. NICHTING for the MONTH of AUGUST, 2009, with Request to Receive and File.**  
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In discussion with Council Member Sandberg, Finance Director/Comptroller Jim Scroggins clarified the Designated Zone Organization Fund was a capital fund through which gaming and Riverfront projects (i.e., Gateway Building, the Landing, etc.) were recorded. He said the funds were used for debt services and the report reflected necessary bookkeeping issues.

Council Member Sandberg moved to receive and file the report of the City Treasurer Patrick A. Nichting for the month of August 2009; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None.

**(09-494) Communication from the City Manager and Director of Public Works with Request to DIRECT STAFF to NEGOTIATE A CONTRACT with PEORIA DISPOSAL COMPANY (PDC) for the PROVISION of REFUSE COLLECTION, LANDSCAPE WASTE COLLECTION and RECYCLABLES COLLECTION SERVICES Commencing in 2010 for ONE to FOUR FAMILY RESIDENTIAL UNITS, CITY BUILDINGS (No Landscape Service), STACKED CONDOMINIUMS (No Landscape Service), and SCHOOL DISTRICT 150 (Refuse Only) Based on PDC'S Response to the City's Request for Proposals Submitted on SEPTEMBER 21, 2009. (Refer to Item No. 09-389)**

Two letters from citizens were distributed to members of City Council.

Public Works Director Barber provided an overview of the bid process and the results from the responses they had received. He said PDC's proposal provided the City with the current plan, but added a recycling component and services with District 150. He said the bid represented a \$310,000.00 savings for the next contract. He noted the monthly recycling program made sense based on the amount of recyclables the average household produced. He said the monthly plan greatly reduced costs for fuel, labor, wear and tear on vehicles and streets, and hazardous emissions.

Council Member Montelongo moved to direct staff to negotiate a contract with Peoria Disposal Company (PDC) for the provision of refuse collection, landscape waste collection and recyclables collection services commencing in 2010 for one to four family residential units, city



buildings (no landscape service), stacked condominiums (no landscape service) and School District 150 (refuse only) based on PDC's response to the City's Request for Proposals submitted on September 21, 2009; seconded by Council Member Van Auken.

Hearing no objections, Mayor Ardis opened Privilege of the Floor to citizens who wished to address the Council regarding this issue.

Lavetta Ricca, Peoria resident, spoke in support of retaining Waste Management's contract. She said their willingness to support neighborhoods and provide things that were not written into the contract was more important than a dollar amount. She commended Waste Management's David Schaab on his active role in improving the City's neighborhoods.

Kiersten Sheets, of Global Warming Solutions, thanked the City Council, PDC, and Waste Management for taking a huge step forward to add a recycling program. She reminded Council as the City continued to negotiate the final contract to work for a more comprehensive plan.

Lorraine Carter, Peoria resident, spoke in support of Waste Management.

Bernadine Nolan, Peoria resident, spoke in support of Waste Management.

Savino Sierra, Peoria resident, spoke in support of Waste Management

June Moore, Peoria resident, said she supported Waste Management, but she felt the City should give PDC a chance.

Joyce Blumenshine, Peoria resident, expressed concern about the \$50 deposit for the recycling toter and she said she felt it needed to be re-examined. She noted approval of this item should be deferred until additional concerns had been addressed.

Council Member Turner said he had communicated with a number of citizens who had expressed their support for a continued contract with Waste Management. He pointed out many things that Waste Management added at no charge. He said, while saving money was important, sometimes there was more value in receiving a high level of good customer service. He asked PDC, if they were awarded the contract, not to forget the people in the neighborhoods.

Council Member Van Auken noted all of the favorable comments regarding Dave Schaab and Waste Management.

Matt Coulter, of PDC, expressed his gratitude for the City's willingness to give serious consideration to their bid. He said they were excited for the opportunity to show Peoria what PDC could do. He said they were currently negotiating with the Teamsters to affect the use of current Waste Management drivers where possible.

In discussion with Council Member Van Auken, Public Works Director Barber clarified alley pick up in certain areas would continue with the proposed PDC contract.

Director Barber said it was the goal to make the transition from one vendor to another as seamless as possible. He said they would work with both Waste Management and PDC to ensure customers would receive uninterrupted service.

Council Member Sandberg expressed concern that recycling did not seem to be a priority with the proposal. He said he felt he needed additional time to iron out issues and he said he considered asking for a deferral of this item. He said according to public policy, recycling should

be the City's number one concern. He added the yard waste program should subsidize recycling, not the other way around. He said he felt it was not appropriate for those wishing to recycle to have to pay a deposit on a toter. He said the goal of the City should be to change behavior of citizens to encourage recycling habits.

Council Member Sandberg moved for a two-week deferral of this item.

In discussion with Mayor Ardis, Director Barber explained the impact of a two-week deferral on the contract. He noted PDC needed to order additional vehicles and begin their transition. He said this item needed to move forward so negotiations could begin. He further noted Staff had responded to Council's previous suggestions when they brought forward the Request for Proposals.

Council Member Spain said he did not agree that disposal of landscaping should be used to finance recycling. He said he felt both were important. He added he felt the recycling opportunity in the proposal was a good one.

In discussion with Council Member Spain, PDC's Matt Coulter said they had an education program for citizens ready to go, including a website that could be accessed. He said PDC had much to do in the next two months to enact the contract. He said the education program would promote all aspects of managing household waste. He noted PDC was a Peoria-based, family-owned business which had not had a contract with the City of Peoria in 40 years. He reiterated PDC's eagerness to show the citizens of Peoria what they could do for them.

Council Member Spain asked Staff to have specific information regarding how citizens will be educated in the final contract, as well as options for those citizens with recycling in excess of the 96 gallon totes. He noted communication was important.

In discussion with Council Member Irving, Director Barber said there were grants available to help offset the cost of the recycling totes. He noted there were drop-off facilities throughout the County, with more to be added in the near future. He added the landfill was also working toward adding a hazardous waste site.

Council Member Irving said he felt the City should move forward on this issue and could iron out any issues during negotiations.

Council Member Jacob noted a large portion of the discussion on this item was based on cost due to the large deficit. He pointed out there were many alternatives that were included in the bid. He expressed concern regarding the need to close the window of service during the transition from Waste Management to PDC.

Council Member Turner requested Privilege of the Floor for David Schaab from Waste Management.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to David Schaab.

David Schaab, of Waste Management, said he understood the City's position with regard to the budget constraints. He said his company had left behind a high standard of service, always viewing the contract as a starting point to the service they provided. He expressed his gratitude to the City for allowing him to serve the citizens. He said the high level of service the City had come to expect from Waste Management would continue until the end of the contract.

Matt Coulter, of PDC, expressed thanks to the Waste Management staff for providing the excellent service and drivers and said he looked forward to meeting and exceeding the high

standard of customer service. He said they took a creative approach to the bid proposal. He said he would share monthly data on the recycling program with Director Barber so the program could be closely monitored and then re-evaluated in 12 months.

Council Member Sandberg moved to defer this item until the October 27, 2009, City Council Meeting; seconded by Council Member Jacob.

Mayor Ardis noted this issue was a sentimental one for many involved due to the positive relationship Waste Management had built with citizens and Staff over the years. He said he had heard no complaints about their service. He noted, though, the bid process was fair and thorough and he would not support a deferral.

Council Member Sandberg reiterated his concerns regarding a number of issues he had with the proposal. He said he felt it was important to give Administration ample time to answer some of the questions that had arisen.

Motion to defer this item until the October 27, 2009, City Council Meeting was  
DEFEATED by roll call vote.

Yeas: Sandberg – 1;

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

Council Member Jacob noted it was unfair to not recognize the amount of work City Staff had done to come up with the information presented. He reiterated it had been a professional and thorough process.

Motion to direct staff to negotiate a contract with Peoria Disposal Company (PDC) for the provision of refuse collection, landscape waste collection and recyclables collection services, as outlined, was approved.

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

Nays: Sandberg – 1.

**(09-495) Communication from the City Manager and Acting Director of Human Resources Requesting Adoption of an ORDINANCE Amending CHAPTER 17 of the Code of the City of Peoria Pertaining to HUMAN RELATIONS, HOUSING, and EMPLOYMENT and Relating to Investigation of Discrimination Complaints Against Employers with Fourteen (14) or Less Employees and Reinstating the Authority of the Fair Employment and Housing Commission (FEHC) to Conduct Public Hearings on Eligible Claims of Discrimination.**

Senior Staff Attorney and Interim Human Resources Director Kimberly King reported that a public hearing had been held in July regarding the Fair Employment and Housing Commission and the scope of their duties. She said many leaders in the equal opportunity and affirmative action realm shared their thoughts and concerns regarding complaints of discrimination in small businesses and the need for a means to investigate claims of discrimination at businesses that employ 14 or fewer employees. She noted businesses that employ greater than 14 employees were already governed by State agencies. She said the Mayor had assured those in attendance at the July hearing that he would present the Council with information on this issue and he would bring forward an Ordinance to broaden the scope of the FEHC to include authority to investigate claims and hold hearings.

Council Member Gulley moved to adopt the Ordinance amending Chapter 17 of the Code of the City of Peoria pertaining to Human Relations, Housing, and Employment and relating to investigation of discrimination complaints against employers with fourteen (14) or less employees and to reinstate the authority of the Fair Employment and Housing Commission (FEHC) to conduct public hearings on eligible claims of discrimination; seconded by Council Member Van Auken.

Council Member Turner noted the importance of discouraging unacceptable behaviors, especially in a bad economy when people need their jobs and supervisors take advantage of it. He said there was a very real need to level the playing field for all employees.

In discussion with Council Member Sandberg, Senior Staff Attorney King said neighboring areas such as West Peoria and Peoria Heights did not have such an ordinance to her knowledge. She noted the City did provide advice or directed them to a State agency that could assist with any issue that came up.

Council Member Sandberg expressed concern that Peoria was putting itself at a disadvantage when being competitive to bring in new business. He said he felt the resolution that was passed at the State level had the responsibility to govern these issues.

Mayor Ardis noted the City should not be afraid to do the right thing just because neighboring cities weren't doing it.

Council Member Turner reiterated the need for the ordinance and noted, with Peoria's larger population, the City unfortunately had cases of regular discrimination in all identified classes.

Council Member Gulley requested Privilege of the Floor to any of the before-mentioned leaders who were present to make comments on this issue.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Donald Jackson of the NAACP.

Donald Jackson, of the NAACP, thanked the Mayor and the Council for addressing this issue and noted the importance of the need for a local enforcement arm. He further noted, to his knowledge, the City had not had a history of small businesses moving outside of the City in order to engage in discriminatory behavior.

Motion to adopt ORDINANCE NO. 16,480 amending Chapter 17 of the Code of the City of Peoria pertaining to Human Relations, Housing, and Employment and relating to investigation of discrimination complaints against employers with fourteen (14) or less employees and to reinstate the authority of the Fair Employment and Housing Commission (FEHC) to conduct public hearings on eligible claims of discrimination was approved by roll call vote.

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

Nays: None.

#### **UNFINISHED BUSINESS**

**(INCLUDING BUT NOT LIMITED TO MOTIONS TO RECONSIDER, IF ANY,  
ITEMS FROM THE PREVIOUS REGULAR MEETING)**

**(09-448) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Approval to PURCHASE FURNITURE for VARIOUS DEPARTMENTS, from LINCOLN OFFICE, in the Amount of \$2,151.48.**

Council Member Irving said he would be abstaining from discussion and voting on this item due to his employment with Lincoln Office.

Council Member Spain left the Council Chambers.

Council Member Van Auken moved to approve the purchase of furniture for various departments, from Lincoln Office, in the amount of \$2,151.48; seconded by Council Member Jacob.

Motion approved by roll call vote.

Yeas: Gulley, Jacob, Montelongo, Riggerbach, Spears, Turner, Van Auken – 7;

Nays: Sandberg, Mayor Ardis – 2;

Abstentions: Irving – 1.

Council Member Spain returned to the Council Chambers.

**(09-458) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS C-5 (Convenient Store/Gas Station) LIQUOR LICENSE at 9109 N. ALLEN ROAD, with Recommendation from the Liquor Commission to Approve.**

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 Irving spoke in support of this item. He noted the owner had invested in businesses in Peoria for years and wanted to further invest in the community. He said a concern had been raised about illegal alcohol sales at this location and the owner had taken a pro-active role in ensuring his staff handled sales legally, including the purchase of identification software.

Council Member Irving moved to approve a site application for a Class C-5 (Convenient Store/Gas Station) Liquor License at 9109 N. Allen Road; seconded by Council Member Turner.

Motion approved by roll call vote.

Yeas: Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;

Nays: Montelongo – 1;

Abstentions: Jacob – 1.

**(09-459) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a Class G (Restaurant, Beer and Wine Only) LIQUOR LICENSE at 1212 W. GLEN, with Recommendation from the Liquor Commission to Approve.**

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 Riggerbach moved to approve a site application for a Class G (Restaurant, Beer and Wine Only) Liquor License at 1212 W. Glen; seconded by Council Member Van Auken.

Motion to approve the site application, as outlined, was approved by roll call vote.  
Yeas: Gulley, Irving, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Mayor Ardis – 10;  
Nays: None;  
Abstentions: Jacob – 1.

- (09-471) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to DENY a REQUEST to REZONE Property Located at 1120 N. E. JEFFERSON STREET from a Class R6 (Multi-Family Residential) District to a Class CN (Neighborhood Commercial) District, with Request from the Petitioner to WITHDRAW THIS ITEM.**

Council Member Gulley said he would be abstaining from discussion and voting on this item due to his membership on the Board of Peoria Citizens Committee for Economic Opportunities.

Council Member Jacob moved to Withdraw this item; seconded by Council Member Montelongo.

Motion to Withdraw this item was approved by roll call vote.  
Yeas: Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;  
Nays: None;  
Abstentions: Gulley – 1.

- (09-277) INITIAL DIRECTION ON STEPS TO REDUCE THE ANTICIPATED FY 2010 BUDGET DEFICIT:**

- A. Communication from the City Manager Requesting Council to PROVIDE DIRECTION to STAFF on CLOSING the REMAINING FY 2010 BUDGET DEFICIT.**

Petitions bearing 390 signatures in support of PAWS remaining in the City's jurisdiction were distributed to members of City Council to receive and file.

Mayor Ardis opened the budget discussion with a brief overview of the progress on closing the FY2010 Budget deficit. He asked Council Members to bring forward their recommendations on the lists of possible reductions the Staff provided.

City Manager Scott Moore briefly updated Council Members on the status of issues with the budget. He said negotiations with labor unions were on-going and he noted his door would remain open to them for discussion. He said sales tax receipts were in and he was hopeful the City would recover some of those dollars when the receipts for the remainder of the year came in. He noted if the unions would all come forward with wage concessions, the City would save \$1.2 million. He said Staff was approached to come up with recommendations for Council consideration to reduce the budget deficit. He noted the importance of maintaining some level of service to citizens.

Council Member Van Auken recommended Public Works reconsider the elimination of street maintenance employees, as well as mechanics, from their list of cuts and asked they instead look to eliminate some management level positions. She requested Information Systems to reconsider cutting the Public Safety Coordinator, as Council Members had expressed concern at the previous meeting regarding the impact on public safety this move had. She further requested Economic Development reorganize their department for further consolidation,

including the elimination of staff. She also moved to withdraw the closing of the Fire Station, citing a public safety concern. She said the City should be looking toward the addition of a station in the future.

Mayor Ardis suggested voting on each recommendation, one at a time.

Council Member Van Auken moved to recommend reconsideration of Public Works street maintenance personnel and mechanics and, instead consider staff reductions at the management level; seconded by Council Member Gulley.

City Manager Moore noted the recommendations presented to Council reflected a 12% cut in the FY2010 Budget. He said if Council felt an item needed to be removed from the list of recommendations, a new analysis would be required so he could begin to reorganize and restructure, while maintaining service levels.

Mayor Ardis cautioned Council Members about throwing items back in across the board. He said this action was a move in the wrong direction, as tempting as it was to do so.

Council Member Van Auken reiterated her motion.

Council Member Spain said he understood the intent of her motion; however, he expressed concern over adding back in \$400,000.00 when the Council needed to be headed in the other direction. He said he felt it was better to look toward the bargaining units to work cooperatively to restructure departments. He said he was open to additional cuts in management areas, but he felt it was not a good idea to add a significant amount of money back in.

Council Member Sandberg expressed concern regarding the requests to add back in items on the list of areas of reduction. He noted there were concerns about service levels; however, the target deficit had not changed.

City Manager Moore said he had heard from the Crafts & Trades and they were waiting for the Council's decision on recommended cuts. He noted concessions from this group would amount to approximately \$116,000.00 and, if this was agreed to, this amount of cuts could be added back in. He said they understood that their decision helped the Administration to determine what areas would be reduced.

Mayor Ardis added Council Members had to move forward with the information they had in hand. He also reminded everyone the decisions made were not to approve the final budget at this time and he reiterated future union concessions could fill in the deficit and it was possible to restore services. He further noted he would not support the motion due to the direction the Council needed to go and he added it was important to be clear on what was expected from Staff.

Motion to recommend reconsideration of Public Works street maintenance personnel and mechanics and, instead, consider staff reductions at the management level was DEFEATED by roll call vote.

Yeas: Gulley, Van Auken – 2;

Nays: Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner,  
Mayor Ardis – 9.

Council Member Van Auken asked to revisit the elimination of the Information Systems Public Safety Coordinator position and she noted this item had been previously added back in due to concerns by her colleagues related to the impact this cut would have on public safety and the potential difficulty in otherwise covering this position.

Mayor Ardis reiterated this item had been specifically voted on and he questioned Council as to whether or not this was still a commitment.

Council Member Sandberg said Information Systems was a seven-days-a-week operation and he said they had unique structural issues. He said Staff needed specialized skills to cover the department's needs. He challenged administration to restructure the department. He recommended re-establishing the priorities of the department so Public Safety duties could be covered elsewhere in the department. He expressed concern that doing so could jeopardize the needs required with this specific position.

Information Systems Operations Manager Mike King said his department was in operation 24 hours per day, handling the help desk and monitoring public safety issues for dispatch, police and fire, as well as performing back-ups for the computer systems. He added he was on-call for the department 24 hours per day, seven days per week in the event a problem arose. He said their department was responsible for monitoring public safety and all supervisors were on-call. He noted all project leaders and coordinators were trained to cover where needed.

Council Member Jacob said it was important to know Staff made it clear that these decisions were difficult ones. He noted this position came back from cuts because the larger deficit existed and they needed to meet a bigger number. He said it was not Staff's intent to challenge what Council wanted.

Council Member Van Auken moved to add the Information Systems Public Safety Coordinator position back in to the budget and look at other areas in this or other departments for cuts; seconded by Council Member Irving.

Council Member Sandberg noted, with a small department like Information Systems, there should be some reorganization of management, as it seemed as if many supervisors were over-seeing a few employees.

Council Member Riggensbach expressed concern that it would appear, since the City Manager had requested Department Heads to come up with cuts, as if Council did not like what had been proposed. He said he felt it was important to respect the decisions of the City Manager and the department heads because they were the ones who had to live with their decisions. He said he would not support the motion.

Mayor Ardis reiterated the choices made when realizing the dollar amount needed from each department were not ones they wanted to make, they were ones they had to make. He said it was important to show citizens what \$14.5 million in cuts looks like and to prioritize the needs of the City. He said the intent was not to undermine department heads' decisions.

Motion to add the Information Systems Public Safety Coordinator position back into the budget and look at other areas in this or other departments for cuts was DEFEATED by roll call vote.

Yeas: Gulley, Irving, Sandberg, Van Auken, Mayor Ardis - 5;

Nays: Jacob, Montelongo, Riggensbach, Spain, Spears, Turner - 6.

Council Member Van Auken expressed concern regarding why some positions came back to Council in this round of cuts and other did not. She referred to the Economic Development Specialist position that was replaced in the budget and said she understood that the Director was retiring and there would be savings there, but she had asked the City Manager to continue to look at ways to restructure the department.



Council Member Van Auken moved to add the Economic Development Specialist position that was cut from the previous list of reductions back in on this list to be eliminated; seconded by Council Member Sandberg.

Council Member Spain expressed concern that, with the retirement of the Economic Development Director, there would be a significant gap with even fewer positions to cover the duties of the department. He also reported that CNN/Money Magazine had recently ranked Peoria number five in their list of best mid-size communities in the nation to launch a business. He said he felt the City was better served with more economic development activities, rather than fewer.

Council Member Sandberg said he felt every employee of the City should play an active role in economic development. He noted, if economic development was working, the City would not be facing this deficit. He reiterated he felt it was the responsibility of every employee to promote economic development.

Council Member Van Auken concurred with Council Member Sandberg, adding the City also had a community of Economic Development people who also were in a position to support these efforts. She challenged the City Manager to find ways to partner with those in the community without the City having to staff the department.

Council Member Spain said he appreciated that the City had a regional network of people in the community who performed these functions. He said he felt it was important to the fate of the City of Peoria to have staff dedicated to economic development activities directly on behalf of the City. He said there was a misconception that economic development did not require any special skills, which minimized the importance of the field. He said, while economic development does include incentive activities, it was not a give-away program.

Motion to add the Economic Development Specialist position that was cut from the previous list of reductions back in on this list to be eliminated was DEFEATED by roll call vote.

Yeas: Gulley, Irving, Sandberg, Van Auken, Mayor Ardis – 5;

Nays: Jacob, Montelongo, Riggerbach, Spain, Spears, Turner – 6.

Council Member Van Auken expressed concern that the Fire Department's list of proposed reductions could force the closure of one of the stations, especially in light of the huge sacrifices the department had already made.

Council Member Van Auken moved to remove the proposed cuts including the elimination of a fire machine from service (potentially closing a fire station), three fire inspectors, and a fire training supervisor from the Fire Department from the list of reductions; seconded by Council Member Spain.

Council Member Sandberg moved to separate these items for voting purposes; seconded by Council Member Turner.

Motion to separate these items for voting purposes was approved by roll call vote.

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

Nays: None.

Council Member Van Auken moved to remove the elimination of a fire machine (potentially closing a fire station) from the list of proposed cuts; seconded by Council Member Turner.

Council Member Spears expressed concern regarding where the dollars would come from to fill in the gap, if these items are put back in to the budget.

Council Member Spain acknowledged the Fire Union's leadership in coming forward and agreeing to help. He noted, in negotiations with Local 50, when there was only a \$10 million deficit they had agreed if this changed they would come back to the table. He said he hesitated to move forward and eliminate a fire station, but said he wanted to be clear he was by no means giving the department a pass for future cuts. He suggested considering a cash flow refinance mechanism which could generate approximately \$1.5 million for operating activities which could be used to help keep the fire station running.

Council Member Van Auken moved to eliminate the loss of one fire machine from the list of potential reductions for the Fire Department; seconded by Council Member Spain.

In discussion with Council Member Irving, Mayor Ardis clarified that each item listed for the reduction list from the Fire Department was being voted on separately to determine whether or not the item was to be eliminated from the potential reduction list.

Motion to eliminate the loss of one fire machine from a list of potential reductions for the Fire Department 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 moved to remove the elimination of three Fire Inspectors from the list of potential reductions for the Fire Department; seconded by Council Member Montelongo.

Council Member Spain suggested remanding these items back to the City Manager and to the leadership of Local 50 and the Fire Chief to come up with other solutions.

Fire Chief Kent Tomblin noted he was unaware of any negotiations with the Fire Union or any other group to come up with possible solutions. He said the Hazardous Materials Inspectors were just as important to fire operations as the firefighter who drags the fire hose to put out the fire. He said the inspectors were on the front lines and were specially trained to know site plans, alarm systems, and sprinkler systems and were responsible to do regular inspections of these systems to ensure they were always operational. He said firefighters were not trained for these systems and, additionally, did not know the International Fire Codes.

In discussion with Mayor Ardis, Chief Tomblin said tasks to follow up on complaint-driven inspections would be inherited by their investigators/inspectors. He said it would increase their workload by 80%, meaning they would not complete the workload.

In further discussion with Council Member Jacob, Chief Tomblin clarified all businesses were not inspected every year. He said certain businesses which have a history of Hazardous Materials Inspections are billed automatically for the inspections. He noted the inspection program was the only revenue-producing source in the Fire Department. He added Hazardous Materials Inspections would continue as long as there was an inspector. He noted targeted hazards would be prioritized.

Council Member Sandberg expressed concern regarding duplication of City services. He said he felt inspectors from the Inspections Department could be trained to cover these areas that were reduced.

Motion to remove the elimination of three Fire Inspectors from the list of potential reductions for the Fire Department was approved by roll call vote.

Yeas: Irving, Montelongo, Riggensbach, Spears, Van Auken, Mayor Ardis – 6

Nays: Gulley, Jacob, Sandberg, Spain, Turner – 5.

In discussion with Council Member Van Auken, Chief Tomblin explained the Fire Training Supervisor had the highest level of training and was responsible for the coordination and instruction of the training system. He said the elimination of the Supervisor meant training would not be as extensive as it was now. He said the lack of training was what killed firefighters.

Council Member Van Auken moved to eliminate the Fire Training Supervisor from the list of potential reductions for the Fire Department; seconded by Council Member Irving.

Motion was approved by roll call vote.

Yeas: Irving, Spain, Spears, Turner, Van Auken, Mayor Ardis – 6;

Nays: Gulley, Jacob, Montelongo, Riggenbach, Sandberg – 5.

Council Member Turner expressed concern regarding the combination of the Asset Forfeiture Officer and the Liquor Investigator in the Police Department budget. He said both positions were already more than full time equivalent positions. He noted the Liquor Investigator was responsible for investigations, follow ups, and background checks on applicants. He noted the combination of the two positions could significantly delay the process for new businesses wanting to invest in the community. He said both of these positions generated a great deal of revenue. He said he was not suggesting action this evening, but he recommended Management reconsider this item, as it would seriously impact revenue for the City of Peoria.

Council Member Irving moved to approve the remaining adjustments to the budget as outlined by City Staff; seconded by Council Member Spain.

(Clerk's Note: Approve the proposed cuts as amended by previous motions.)

Council Member Sandberg requested after the vote on this item, he would like to bring something up that was not included this time just to find out why it was not included this time like some of the other ones were.

Mayor Ardis asked if he wanted to do this after the vote.

Council Member Sandberg said yes, since the vote was so close.

Motion to approve the City Manager's recommendations on the remaining items outlined in the City Manager's communication dated, October 13, 2009, was approved, as amended by the previous motions as outlined, by roll call vote.

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

Nays: None.

Council Member Sandberg said, with the vote within the Legal Department, we eliminated the Legal Administrative Coordinator who has many responsibilities processing stuff. He said one of the things that was put back in was the Administrative Hearing Officer of a couple of weeks ago and what he was wondering is why wasn't that put back in if some of these other ones were, and now we're taking out the Coordinator, an actual employee whose part of the responsibility is to coordinate that workload and we've taken out the Coordinator, but we've still got the Administrative Hearing Officer. And, again, he got stopped today by a person, that happens to live in the second district, in tears because of the process; a homeowner in tears and he thought everyone got some information from that person – no, he apologized, fourth district – Gale Avenue on the other side of 74. And, again, it seems like we accepted removing the Legal Administrative Coordinator but we don't even consider the Administrative Hearing Officer so he would suggest we would reconsider that at this time also.

Mayor Ardis asked if there was a second for that motion and recognized Council Member Turner as the second.

Motion was approved by roll call vote.

Yeas: Gulley, Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Mayor Ardis – 8;

Nays: Irving, Jacob, Van Auken – 3.

Council Member Van Auken expressed concern regarding what reducing PAWS operation of Animal Control would do to public safety. She said PAWS not only was about rescuing animals that were neglected, tortured, and abused, but also were responsible for protecting the public from wild animals and pets running at large. She said PAWS also enforced Ordinances that covered a variety of issues including barking dogs and the proper disposal of animal waste. She noted 80% of the work of PAWS was related to public safety and the remaining 20% was related to the adoption program and the medical treatment of mistreated animals.

Council Member Van Auken moved to support the Administration's suggest to keep PAWS at the funding level it reached after reducing its budget by 12%; seconded by Council Member Turner.

In discussion with Council Member Sandberg, PAWS Director Lauren Malmberg clarified PAWS would continue to provide the same services they now provide under the proposed Option 2, which was what was called for in the contract. She said that included the enforcement of the animal control code for Peoria County. She said it was a slightly different level of service than what was offered inside the City limits because the Ordinance was different, but the contract required it.

Council Member Sandberg expressed concern the City was comfortable to do more than what the State required, when all that the City received from the County was the rabies registration fees. He said the Animal Shelter should have to cover the cost of its services. He said the taxpayers should not have to pay City staff to do work outside of the City and said he would just like to see the services PAWS provided to be covered by a fee. He reiterated the County should pay its fair share.

In discussion with Council Member Riggerbach, Director Malmberg said Option 2 would reduce their staff, as 81% of their budget was comprised of personnel. She said it would limit response to calls to during business hours only.

Council Member Riggerbach expressed concern regarding the serious safety issues large cuts in this department could cause. He said he did not want to risk citizen safety and he would support the motion on the floor.

In discussion with Mayor Ardis, Director Malmberg said there was a possibility that operations could change the days they were open, barring any contractual issues for union personnel. She said it could certainly be reviewed.

In further discussion with Council Member Spain, Director Malmberg determined the \$250,000.00 in cuts represented about a 15% reduction.

Council Member Spain noted this amount was consistent with what was asked of all of the City departments. He said he was not willing to support giving animal control back to the County, but he said Option 2, which represented a \$250,000.00 reduction of the PAWS budget, should seriously be considered.

Council Member Spain made a substitute motion to approve Option 2, a reduction of the PAWS budget by \$250,000.00; seconded by Council Member Spears.

Mayor Ardis asked for any further discussion on this item.

Council Member Sandberg said he wanted to point out the City should only be providing the County with what was required by State law within Option 2, which would free up more time to provide services in the City.

Mayor Ardis said that could be done if the motion passed.

Substitute motion to approve Option 2, a reduction of the PAWS budget by \$250,000.00 was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Sandberg, Spain, Spears, Mayor Ardis – 8;

Nays: Riggerbach, Turner, Van Auken – 3.

- B. Communication from the Interim City Manager and Director of Public Works with REPORT BACK and Request to PROVIDE DIRECTION to STAFF Regarding CHANGING the CITY'S SIDEWALK PARTICIPATION PROGRAM and SIDEWALK IN NEED OF REPAIR (SINR) PRGRAM from an 80/20 CITY/CITIZEN SPLIT to a 50/50 SPLIT, with a NEW COMMUNICATION with Request to PROVIDE DIRECTION to STAFF Regarding CHANGING THE CITY'S COST SHARE for the SIDEWALK PARTICIPATION PROGRAM AND SIDEWALK IN NEED OF REPAIR (SINR) PROGRAM for 2010.**

**MOTION ON THE FLOOR: Adjust the Sidewalk Assistance Program and the SINR Program to a 50%/50% split, which should be reviewed on a year-to-year basis.**

Council Member Sandberg expressed concern that this change would make citizens be responsible for repairing sidewalks that were owned by the City. He said he felt they were the City's responsibility and he would not support the motion.

Council Member Van Auken left Council Chambers.

Motion on the floor was DEFEATED by roll call vote.

Yeas: Irving, Riggerbach, Spain, Turner, Mayor Ardis – 5;

Nays: Gulley, Jacob, Montelongo, Sandberg, Spears – 5.

- C. Communication from Council Member Ryan Spain with Request to RECEIVE FUNDING from the PEORIA CIVIC CENTER AUTHORITY, in the Amount of \$211,632.00, for the 2010 BUDGET of the CITY OF PEORIA.**

Council Member Spain provided the City Council with an overview of the source of this funding. He said the funding was from the collected HRA tax dollars collected for 2009. He said, after final distribution of these funds to various entities as outlined in the Council Communication, the amount left over was used for activities, capital maintenance at the Civic Center, and potential operating subsidies if needed. He said, based on the current Intergovernmental Agreement with the City of Peoria, it was determined the Civic Center would reduce their operating subsidy by approximately 15% to assist the City of Peoria with the 2010 Budget deficit. He noted this assistance would highly impact the ongoing capital maintenance of the Civic Center.

Council Member Spain moved to receive \$211,632.00 in funds from the Peoria Civic Center Authority to assist with the 2010 Budget deficit; seconded by Council Member Irving.

Motion approved by roll call vote.

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

Nays: None.

Mayor Ardis commended Council Member Spain's efforts as Council Liaison to the Peoria Civic Center Authority and thanked him for his effort in securing assistance from them.

**D. Communication from the City Manager and Finance Director/Comptroller with Request to PROVIDE DIRECTION Regarding TRANSFER OF CERTAIN ITEMS from the COMMUNITY INVESTMENT PLAN BUDGET to the OPERATING BUDGET.**

Finance Director/Comptroller Jim Scroggins noted the request was an exercise in directing dollars more appropriately and he clarified these amounts were revenue neutral items.

Council Member Irving moved to approve the transfer of certain items from the Community Investment Plan Budget to the Operating Budget as outlined; seconded by Council Member Montelongo.

Motion was approved by roll call vote.

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

Nays: None.

Council Member Van Auken returned to Council Chambers.

**E. PUBLIC COMMENTS Regarding the FY 2010 BUDGET.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to any citizen who wished to address City Council regarding the FY2010 Budget.

General Parker, Peoria resident, said he felt the Council needed to reconsider increasing taxes to increase the revenue coming into the City. He said he did not think the City could balance the remaining budget deficit by cutting anything additional without giving up services completely.

Jeff Dexter, representative of AFSCME Council 31, expressed concern that it was reported the City had not received any feedback from the Unions. He said the Union had not received any communication from the City of Peoria. He said it was difficult to agree to freeze wages when negotiations for the new contract had not yet begun. He said the City could not cut its way out of the deficit and he added the deficit started quite some time ago and he discouraged balancing it on the backs of its employees.

C.J. Summers, Peoria resident, reminded Council they needed to keep in mind the deficit projected for the out years. He asked Council to reconsider the downtown hotel development due to the large sacrifices the City had already made in crucial areas.

**NEW BUSINESS**

**(09-496) Request for REPORT BACK on Status of the DOWNTOWN HOTEL PROJECT**

Council Member Sandberg requested a report back on the status of the downtown hotel project, including whether or not the project was on schedule.

**(09-497) Request for Continued Investigation of the USE OF LOBBYISTS and/or LEGISLATIVE CONSULTANTS To Secure Federal Money for the CITY OF PEORIA**

Council Member Spain referred to the October 9, 2009, Issues Update regarding the use of lobbyists and legislative consultants to help the City secure federal dollars for projects. He encouraged the City Manager to continue to look at options to benefit the City.

Mayor Ardis said this could be a good topic for a future Policy Session.

**(09-498) Request for REPORT BACK on Ways Businesses Could Save Costs By JOINTLY PURCHASING MATERIALS To Repair their Parking Lots**

Council Member Montelongo expressed concern that many business parking lots were in bad condition. He asked for a report back on possible ways that businesses could benefit by jointly purchasing materials and, perhaps services, through the City and State's Joint Purchasing Contract for these repairs.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(09-499) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding Various Items**

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

General Parker, Peoria resident, spoke in favor of a combination of income tax and property tax to generate revenue for the City. He said the use of both would cover those who did not work but own property and those who do not own property but work. He said he would be willing to lobby and go to bat for Peoria, if needed.

Bethany Willeford, City employee and Peoria resident, expressed concern over the loss of her position. She said she had moved to the area and she had purchased a home in hopes of raising a family here. She said she was disappointed because now she would not be able to do so.

**EXECUTIVE SESSION**

It was determined that an Executive Session was not needed.

**ADJOURNMENT**

Council Member Montelongo moved to adjourn the meeting; seconded by Council Member Irving.

Approved by viva voce vote.

The meeting adjourned at 11:34 P.M.

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

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