

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

Council Chambers, Peoria, Illinois, October 27, 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, Irving, Montelongo, Rigenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 9. Absent: Jacob, Sandberg - 2.

**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:** ITOO SOCIETY - 95TH ANNIVERSARY

**PROCLAMATION:** IHSA STATE CROSS COUNTRY CHAMPIONSHIPS IN PEORIA - 40TH ANNIVERSARY

**PROCLAMATION:** STERLING FAMILY RESTAURANT - 20TH ANNIVERSARY

**PROCLAMATION:** NATIONAL MAGIC WEEK - OCTOBER 25 - 31, 2009

**PROCLAMATION:** HEAD START AWARENESS MONTH - OCTOBER 2009  
(This Proclamation was canceled for this meeting)

**MINUTES**

Council Member Spain moved to approve the minutes of the October 13, 2009, Regular City Council Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Rigenbach, Spain, Spears, Turner, Van Auken,  
Mayor Ardis - 9;

Nays: None.

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

**(09-500) PUBLIC HEARING Regarding Proposed ANNEXATION of 9900 N. ALLEN ROAD (Temporary Address).**

Council Member Spain moved to open the Public Hearing regarding the proposed Annexation of 9900 N. Allen Road (Temporary Address); seconded by Council Member Turner.

Hearing no objections, Mayor Ardis opened the Public Hearing at 6:35 P.M. for public comments.

Council Member Irving submitted a Petition bearing 14 signatures from residents on Kaylie Court who objected to the proposed development currently known as Timberview Apartments to be located adjacent to the intersection of Allen Road and Alta Lane.

Council Member Irving moved to continue the Public Hearing regarding the proposed Annexation of 9900 N. Allen Road (Temporary Address) until the November 24, 2009, Regular City Council Meeting at 6:15 P.M., at City Hall, Room 400, 419 Fulton Street, Peoria, IL; seconded by Council Member Montelongo.

Motion to continue the Public Hearing until November 24, 2009, was approved by roll call vote.

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

Nays: None.

**(09-501) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission to Adopt the Following:**

**A. RESOLUTION Approving the ANNEXATION AGREEMENT for Property Generally Located NORTHEAST of the ROCK ISLAND TRAIL (Parcel ID No. 09-31-251-004) EAST of ALLEN ROAD, SOUTH of BROMPTON COURT and Parcel ID No. 09-31-208-031, and WEST of Parcel ID No. 09-31-226-027; the Property Proposed for Annexation is Parcel ID No. 09-31-251-006, with a TEMPORARY ADDRESS of 9900 N. ALLEN ROAD, Located within One and One-Half Miles of the City of Peoria;**

**B. ORDINANCE ANNEXING TERRITORY Contiguous to the City of Peoria - 9900 N. ALLEN ROAD (Temporary Address).**

Council Member Irving moved to defer this item until the November 24, 2009, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer this item until November 24, 2009, was approved by roll call vote.

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

Nays: None.

**(09-502) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Rezoning Property Located in the 9900 BLOCK of ALLEN ROAD Upon Annexation from Class R3 (Single Family Residential) District to a Class R6 (Multi-Family Residential) District.**

Council Member Irving moved to defer this item until the November 24, 2009, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer this item until November 24, 2009, was approved by roll call vote.

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

Nays: None.

**(09-503) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Approving the MULTI-FAMILY PLAN for Property Generally Located NORTHEAST of the ROCK ISLAND TRAIL (Parcel ID No. 09-31-251-004), EAST of ALLEN ROAD, SOUTH of BROMPTON COURT and Parcel ID No. 09-31-208-013, and WEST of Parcel ID No. 09-31-226-027, with the Property Identified as Parcel ID No. 09-31-251-006, with a TEMPORARY ADDRESS of 9900 N. ALLEN ROAD, with Conditions.**

Council Member Irving moved to defer this item until the November 24, 2009, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer this item until November 24, 2009, was approved by roll call vote.

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

Nays: None.

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

- (09-504)**  
\*      **Communication from the City Manager and Director of Public Works Requesting Approval of CARRI SCHARF TRUCKING and GALENA ROAD GRAVEL as Vendors for TRACTION SAND to MIX with ROCK SALT.**
- (09-505)**  
\*\*      **Communication from the City Manager and Finance Director/Comptroller with Recommendation to Adopt an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the USE of the DOWNTOWN TAX INCREMENT FINANCE (TIF) FUND BALANCE, in the Amount of \$61,000.00, for the JEFFERSON AVENUE SAFETY IMPROVEMENTS BID AWARD to the Low Bid Contractor ILLINOIS CIVIL CONTRACTORS OF ILLINOIS.**
- (09-506)**  
\*\*\*      **Communication from the City Manager and Director of Public Works with Recommendation to ACCEPT the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC., and to Award a CONTRACT, in the Amount of \$492,382.70, Plus a 5% Base Bid Contingency of \$21,753.14 for the JEFFERSON AVENUE SAFETY IMPROVEMENTS.**
- (09-507)**      **Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of the MODIFICATION of the SCOPE OF WORK for the MacARTHUR APARTMENTS PROJECT, as Outlined.**
- (09-508)**      **Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of a BUDGET REVISION to the AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: HOMELESSNESS PREVENTION and RAPID REHOUSING PROGRAM (HPRP) FUNDS, as Outlined.**
- (09-509)**      **Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of the HUD ANNUAL PLAN for FISCAL YEAR 2010 and Forward to the UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) a TOTAL GRANT REQUEST AMOUNT of \$2,956,884.00.**
- (09-510)**      **Communication from the City Manager and Finance Director/Comptroller Requesting Authorization for the City Manager to Enter into an AGREEMENT with NATIONAL CITY/PNC BANK FOR: 1) RENEWAL of BANKING SERVICES for ONE YEAR, Commencing 1/1/2010, Under Terms of the Existing One Year Contract with National City/PNC Bank, and 2) EXECUTION of an ADDENDUM to Incorporate the Wholesale Money Market Savings Interest Option into the Renewal Agreement.**

- (09-511) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,481 Amending the City of Peoria Budget for Fiscal Year 2009 Relating to Various POLICE GRANTS - 2010 HOLIDAY MOBILIZATION PLUS GRANT, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, and TOBACCO GRANT.
- (09-512) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,482 Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG), ILLINOIS CLEAN ENERGY GRANT, in the Amount of \$4,915.00 , and the TRI-COUNTY MOSSVILLE BLUFFS EPA GRANT, in the Amount of \$120,000.00.
- (09-513)  
\*\*\*\* Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the ELECTION COMMISSION IVRS (ILLINOIS VOTER REGISTRATION SYSTEM) GRANT FOR \$32,400.00, HOLLYHEDGES EPA GRANT FOR \*\$481,100.00, TRAFFIC IMAGE GRANT FOR \$11,188.00, and SPEED ENFORCEMENT TRAFFIC SAFETY GRANT FOR \$20,967.00.
- (09-514) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt ORDINANCE NO. 16,483 Granting a SPECIAL USE for an EXPANSION for a NON-CONFORMITY in a Class R4 (Single Family Residential) District for Property Located at 1314 W. AIKEN AVENUE, with Waiver and Conditions.
- (09-515) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt ORDINANCE NO. 16,484 Amending APPENDIX B of the Code of the City of Peoria Relating to ZONING CERTIFICATE APPLICATION FEES for PERMANENT SIGNS and to Adopt ORDINANCE NO. 16,485 Amending APPENDIX C of the Code of the City of Peoria Relating to ZONING CERTIFICATE APPLICATION FEES for PERMANENT SIGNS.
- (09-516)  
\*\*\*\*\* Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to HOME OCCUPATIONS, and to Adopt an ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to HOME OCCUPATIONS.
- (09-517) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt ORDINANCE NO. 16,486 Amending APPENDIX B of the Code of the City of Peoria Relating to the SURFACE REQUIREMENTS for OFF STREET PARKING AREAS, and to Adopt ORDINANCE NO. 16,487 Amending APPENDIX C of the Code of the City of Peoria Relating to the SURFACE REQUIREMENTS for OFF STREET PARKING AREAS.
- (09-518) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt ORDINANCE NO. 16,488 Amending APPENDIX C of the Code of the City of Peoria Relating to ALCOHOL ABUSE TREATMENT and DRUG REHABILITATION.

**(09-519)**      **Communication from the City Manager and Director of Public Works**  
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\*                **Regarding an UPDATED 2009-2010 SNOW REMOVAL AND ICE CONTROL**  
                  **PLAN, with Request to Receive and File.**

**(09-520)**      **Communication from the City Manager and Director of Economic**  
                  **Development Regarding a REPORT BACK Pertaining to UTILIZING**  
                  **SURPLUS BUSINESS DEVELOPMENT FUNDS to PARTNER with PEORIA**  
                  **COUNTY for JOB DEVELOPMENT, with Request to Receive and File. (Refer**  
                  **to Item No. 09-282)**

**Clerk's Note: See Page 29123 for further comments.**

**(09-521)**      **Communication from the City Manager and Director of Economic**  
                  **Development Regarding a REPORT BACK Pertaining to APPLYING for a**  
                  **GRANT from the ILLINOIS DEPARTMENT OF NATURAL RESOURCES for**  
                  **CREATION of POCKET PARKS, with Request to Receive and File.**

**Clerk's Note: See Page 29123 for further comments.**

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

Council Member Spain requested Item Nos. 09-505, 09-506, 09-513, and 09-519 be removed from the Consent Agenda for further discussion.

Council Member Van Auken requested Item Nos. 09-504 be removed from the Consent Agenda for further discussion.

Council Member Gulley requested Item Nos. 09-516 be removed from the Consent Agenda for further discussion.

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

Items No. 09-504 through 09-521 (excluding Items No. 09-504, 09-505, 09-506, 09-513, 09-516, and 09-519, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(09-504)**      **Communication from the City Manager and Director of Public Works**  
\*                **Requesting Approval of CARRI SCHARF TRUCKING and GALENA ROAD**  
                  **GRAVEL as Vendors for TRACTION SAND to MIX with ROCK SALT.**

In discussion with Council Member Van Auken, Director of Public Works Dave Barber confirmed he was not aware of any specific problems caused by the use of sand on the streets and the drainage of sand into the sewer systems and water treatment.

Council Member Van Auken moved to approve Carri Scharf Trucking and Galena Road Gravel as vendors for traction sand to mix with rock salt; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None.

- (09-505)**  
\*\*      **Communication from the City Manager and Finance Director/Comptroller with Recommendation to Adopt an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the USE of the DOWNTOWN TAX INCREMENT FINANCE (TIF) FUND BALANCE, in the Amount of \$61,000.00, for the JEFFERSON AVENUE SAFETY IMPROVEMENTS BID AWARD to the Low Bid Contractor ILLINOIS CIVIL CONTRACTORS OF ILLINOIS.**

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

Motion to Table was approved by roll call vote.

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

Nays: None.

- (09-506)**  
\*\*\*      **Communication from the City Manager and Director of Public Works with Recommendation to ACCEPT the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC., and to Award a CONTRACT, in the Amount of \$492,382.70, Plus a 5% Base Bid Contingency of \$21,753.14 for the JEFFERSON AVENUE SAFETY IMPROVEMENTS.**

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

Motion to Table was approved by roll call vote.

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

Nays: None.

- (09-513)**  
\*\*\*\*      **Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2009 Relating to the ELECTION COMMISSION IVRS (ILLINOIS VOTER REGISTRATION SYSTEM) GRANT FOR \$32,400.00, HOLLYHEDGES EPA GRANT FOR \*\$481,100.00, TRAFFIC IMAGE GRANT FOR \$11,188.00, and SPEED ENFORCEMENT TRAFFIC SAFETY GRANT FOR \$20,967.00.**

\*Finance Director/Comptroller Jim Scroggins distributed a replacement Ordinance to all members of the City Council changing the Hollyhedges EPA Grant from \$1.2 million to \$481,100.00.

Council Member Spain moved to adopt the Ordinance, as amended, amending the City of Peoria Budget for fiscal year 2009 relating to the Election Commission IVRS (Illinois Voter Registration System) Grant for \$32,400.00, Hollyhedges EPA Grant for \$481,100.00, Traffic Image Grant for \$11,188.00, and Speed Enforcement Traffic Safety Grant for \$20,967.00; seconded by Council Member Irving.

ORDINANCE NO. 16,489, as amended, was approved by roll call vote.

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

Nays: None.

**(09-516)      Communication from the City Manager and Director of Planning and  
\*\*\*\*\*      Growth Management with Recommendation to Adopt an ORDINANCE  
                 Amending APPENDIX B of the Code of the City of Peoria Relating to HOME  
                 OCCUPATIONS, and to Adopt an ORDINANCE Amending APPENDIX C of  
                 the Code of the City of Peoria Relating to HOME OCCUPATIONS.**

In discussion with Council Member Gulley, Director of Planning and Growth Management Pat Landes discussed the importance of small businesses having the ability to be home-based, but she said it was also important for the neighborhood for landscaping materials and equipment to be stored at another location.

Following a brief discussion, Council Member Gulley moved to adopt the Ordinance amending Appendix B of the Code of the City of Peoria relating to Home Occupations, and to adopt an Ordinance Amending Appendix C of the Code of the City of Peoria relating to Home Occupations; seconded by Council Member Van Auken.

Motion to adopt ORDINANCE NO. 16, 490 amending Appendix B relating to Home Occupations and to adopt ORDINANCE NO. 16,491 amending Appendix C relating to Home Occupations was approved by roll call vote.

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

Nays: None.

**(09-519)      Communication from the City Manager and Director of Public Works  
\*\*\*\*\*      Regarding an UPDATED 2009-2010 SNOW REMOVAL AND ICE CONTROL  
                 PLAN, with Request to Receive and File.**

Director of Public Works Dave Barber distributed replacement maps for Snow Route #6 and Snow Route #9 to all members of the City Council.

Council Member Spain moved to approve the updated 2009-2010 Snow Removal and Ice Control Plan, as amended to include replacement maps for Snow Route #6 and Snow Route #9; seconded by Council Member Irving.

Approved, as amended, by roll call vote.

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

Nays: None.

**(09-522)      Communication from the City Manager and Police Chief Requesting  
                 Approval to PURCHASE 17 ELECTRONIC EMERGENCY RED AND BLUE  
                 LED POLICE CAR LIGHTING SYSTEMS from the LOW BIDDER of ILLINOIS  
                 FIRE AND POLICE EQUIPMENT, in the Amount of \$19,261.00 (\$1,133.00 per  
                 Unit).**

Following a brief comment, Council Member Van Auken moved to approve the purchase of 17 Electronic Emergency Red and Blue LED Police Car Lighting Systems from the low bidder of Illinois Fire and Police Equipment, in the amount of \$19,261.00 (\$1,133.00 per unit); seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

- (09-523) Communication from the City Manager and Director of Public Works Requesting Approval of the REMOVAL of MARYLAND AVENUE (From Frye Avenue to Republic Street) and KANSAS AVENUE (from Wisconsin Avenue to Maryland Avenue) from the LIST OF STREETS to be MAINTAINED IN BRICK. (Refer to Item 09-197)**

Council Member Riggenbach stated the bricks that would be removed would be stock-piled to be used in the streetscape of the new Glen Oak School project this fall, and bricks would be available for neighborhood groups and pocket parks, etc.

Council Member Riggenbach moved to approve the removal of Maryland Avenue (from Frye Avenue to Republic Street) and Kansas Avenue (from Wisconsin Avenue to Maryland Avenue) from the list of streets to be maintained in brick; 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.

- (09-524) Communication from the City Manager and Director of Economic Development Requesting Approval to Enter into a TIF REDEVELOPMENT AGREEMENT with JP RIVERFRONT DEVELOPMENT COMPANIES, INC. to RECONSTRUCT the SEALTEST BUILDING Located at 100 STATE STREET, a Two-Story 50,000 Square Foot Building Located in the Warehouse District TIF, and to Authorize the City Manager to Execute the Necessary Documents.**

Council Member Gulley moved to approve entering into a TIF Redevelopment Agreement with JP Riverfront Development Companies, Inc. to reconstruct the Sealtest Building located at 100 State Street, a two-story 50,000 square foot building located in the Warehouse district TIF, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

- (09-525) Communication from the City Manager and Director of Public Works Requesting Approval of a CONTRACT with PEORIA DISPOSAL COMPANY (PDC), in the Amount of \$5,058,919.70 Annually, for a FIVE-YEAR PERIOD Beginning JANUARY 4, 2010, with Two, Two-Year Renewal Options and One, One-Year Renewal Option, for the Provision of REFUSE COLLECTION, LANDSCAPE WASTE COLLECTION, and RECYCLABLES COLLECTION SERVICES Commencing in 2010 for 1 - 4 Family Residential Units, City Buildings (No Landscape Service), Stacked Condominiums (No Landscape Service), and Peoria Public 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 Nos. 09-389 and 09-494)**

Director of Public Works Dave Barber distributed replacement Pages 5 and 13 to the Contract to all members of the City Council.



Council Member Montelongo moved to approve the Contract with Peoria Disposal Company (PDC), as amended to include replacement Pages 5 and 13, in the amount of \$5,058,919.70 annually, for a five-year period beginning January 4, 2010, with two, two-year renewal options and one, one-year renewal option, for the provision of refuse collection, landscape waste collection, and recyclables collection services commencing in 2010 for 1 - 4 family residential units, city buildings (no landscape service), stacked condominiums (no landscape service), and Peoria Public 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 Spain.

Approved, as amended, by roll call vote.

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

Nays: None.

**(09-526) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Granting a SPECIAL USE in a Class R6 (Multi-Family Residential) District for a CRISIS INTERVENTION PROGRAM for Properties Located at 1001, 1005, 1009, and 1015 N. E. JEFFERSON AVENUE, with a Waiver and a Condition.**

Council Member Gulley moved to adopt the Ordinance granting a Special Use in a Class R6 (Multi-Family Residential) District for a Crisis Intervention Program for properties located at 1001, 1005, 1009, and 1015 N. E. Jefferson Avenue, with a waiver and a condition; seconded by Council Member Montelongo.

ORDINANCE NO. 16,492 was approved by roll call vote.

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

Nays: None.

**(09-527) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Granting a SPECIAL USE in a Class R8 (Multi-Family Residential) District for a HALFWAY HOUSE, EXISTING OFFICE, and PARKING LOT for Properties Located at 401, 403, and 405 N. E. PERRY AVENUE, with Conditions.**

Council Member Gulley moved to adopt an Ordinance granting a Special Use in a Class R8 (Multi-Family Residential) District for a Halfway House, Existing Office, and Parking Lot for properties located at 401, 403, and 405 N. E. Perry Avenue, with conditions; seconded Van Auken.

Council Member Spain moved to grant Privilege of the Floor to those who wished to address the Council regarding this issue.

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

Karrie Alms, a Perry Street area resident, expressed concern there was a saturation of special service facilities in the proposed area. She expressed concern that there were three different groups involved in this project and all their needs needed to be met. She suggested the creation of a comprehensive strategy where one area would not house all halfway houses and other special service facilities. She added there would be 15 unrelated adults in one facility for this project, but this was something that would not be allowed in the Bradley University area. She urged the Council to be sensitive to these neighborhoods and bring all parties together to discuss the location of halfway houses so all needs could be met.

Dennis Lyles, a Peoria resident, agreed the issue of the location of halfway houses should be addressed, but he felt the services being provided was a positive thing for the community because it would assist people in transitioning back into main-stream society. He said these people needed some kind of structure to obtain jobs and give them time to build bridges with the community. He urged groups to work with the City to bring more facilities like this one forward. He added these residents would be returning to Peoria anyway and he would rather have them monitored with an effective program and to provide them with assistance.

Michael Kennedy, Human Service Center Foundation located at 600 Fayette Street, spoke in support of the project. He said the program was highly structured and individuals were monitored. He added that part of their responsibility was to be involved in the community projects.

Motion to adopt ORDINANCE NO. 16,493 granting a Special Use in a Class R8 (Multi-Family Residential) District for a Halfway House, Existing Office, and Parking Lot for properties located at 401, 403, and 405 N. E. Perry Avenue, with conditions, was approved by roll call vote.

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

Nays: None.

Mayor Ardis said one of the points made by all three speakers was that, with significant reductions in State personnel, there were a number of people being released from prison sooner than intended. He said, with this in mind, the City should have a strategy because this situation would not get any better. He requested that Director of Planning and Growth Management Pat Landes discuss this with the Commission to share ideas and to determine how notification would be handled. He said with the number of people being released throughout the State, there would be more requests like this one coming forward.

**(09-528) Communication from the City Manager and Director of Planning and Growth Management with Request to Adopt One of the Following:**

- A. Recommendation from the Zoning Commission and Staff to DENY a Request to Amend an OFFICIAL DEVELOPMENT PLAN Approved by Ordinance No. 16,139, in a Class N1 (Institutional) District for a SPECIALTY CARE CENTER to Add a 172 SQUARE-FOOT FREESTANDING SIGN for Property Located at 7309 N. KNOXVILLE AVENUE; OR**
- B. CONCUR with the Request from Council Member Dan Irving to Adopt an ORDINANCE Amending an OFFICIAL DEVELOPMENT PLAN Approved by Ordinance No. 16,139, in a Class N1 (Institutional) District for a SPECIALTY CARE CENTER to Add a 12-Foot Tall, 70 Square-Foot MONUMENT SIGN for Property Located at 7309 N. KNOXVILLE AVENUE.**

Council Member Irving moved to approve "B" and adopt an Ordinance amending an Official Development Plan approved by Ordinance No. 16,139 in a Class N1 (Institutional) District for a Specialty Care Center to add a 12-foot tall, 70 square foot Monument Sign for property located at 7309 N. Knoxville Avenue; seconded by Council Member Turner.

ORDINANCE NO. 16,494 was approved by roll call vote.

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

Nays: None.

**UNFINISHED BUSINESS**

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

- (09-453) Communication from the City Manager and Police Chief Requesting Approval of a THREE-YEAR CONTRACT with HARRIS S. UNIFORMS (Sam Harris) for the ANNUAL PURCHASE of UNIFORMS for COMMISSIONED OFFICERS, CIVILIAN PERSONNEL, and PARKING ENFORCEMENT OFFICERS for a Total Amount of \$253,000.00.**

MOTION ON THE FLOOR: To Deny.

Council Member Van Auken moved to defer this item for two weeks until the November 10, 2009, Regular City Council Meeting to allow Chief Settingsgaard and the vendor to discuss an extension of the contract to give the Department time to study this issue; seconded by Council Member Montelongo.

Motion to defer this item until November 10, 2009, was approved by roll call vote.

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

Nays: None.

- (09-520) Communication from the City Manager and Director of Economic Development Regarding a REPORT BACK Pertaining to UTILIZING SURPLUS BUSINESS DEVELOPMENT FUNDS to PARTNER with PEORIA COUNTY for JOB DEVELOPMENT, with Request to Receive and File. (Refer to Item No. 09-282)**

Council Member Gulley referred to Item No. 09-520 and he requested Staff look for new funding opportunities for businesses. He said Business Development funds would not be able to be used in this manner, so after discussing this with Staff, he felt there could be other grants or funding available to assist in this endeavor.

- (09-521) Communication from the City Manager and Director of Economic Development Regarding a REPORT BACK Pertaining to APPLYING for a GRANT from the ILLINOIS DEPARTMENT OF NATURAL RESOURCES for CREATION of POCKET PARKS, with Request to Receive and File.**

Council Member Gulley referred to Item No. 09-521 and he said he learned there was no money available for pocket parks from the Illinois Department of Natural Resources. He said he felt the City of Peoria had a good model for building pocket parks in various locations of the City and he requested that Staff continue to seek ways to fund this endeavor using the Peoria model.

Council Member Spain said there were some neighborhood efforts underway to create garden environments, which would enhance pocket parks in the City. He suggested there may be funding sources for these kinds of projects, which were important to neighborhoods.

**NEW BUSINESS****COMMENTS Regarding the NEIGHBORHOOD AWARDS BANQUET**

Council Member Turner thanked Director of Planning and Growth Management Pat Landes, Assistant Director of Planning and Growth Management Ross Black, Neighborhood Development Specialist Leslie McKnight, and Neighborhood Specialist Steve Fairbanks for their efforts in coordinating the Neighborhood Awards Banquet. He said he also appreciated the attendance of Mayor Ardis.

Mayor Ardis thanked the City's neighborhood advocates for making neighborhoods strong and enhancing neighborhoods to attract new residents.

### **COMMENTS Regarding the 2010 CITY CENSUS**

Council Member Spain urged citizens to participate in the 2010 census, which was important to the City. He stressed the importance of everyone participating, which would direct a significant amount of Federal dollars to the Peoria community. He explained confidential records were kept confidential and he urged citizens to join in the process. He said the City effort would be working together with the County and he pointed out the importance of including Bradley students.

### **CONGRATULATIONS to ASSISTANT POLICE CHIEF PHIL KOREM on his RETIREMENT**

Mayor Ardis thanked Assistant Police Chief Phil Korem for his years of service to the community and the Peoria Police Department. He and the Council wished him well in his retirement.

### **PRESENTATION**

#### **(09-529) PRESENTATION by KYLE HAM of PEORIA CHARTER SCHOOL INITIATIVE Providing an UPDATE on the STATUS and PROGRESS of the PROPOSED CHARTER PUBLIC SCHOOLS.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Mr. Kyle Ham.

Kyle Ham, President and Chief Operating Officer for PeoriaNEXT and a Board Member of the Peoria Charter School Initiative, discussed the need for a charter school in Peoria. He explained that the area's primary schools were doing a fairly good job teaching students, but performance levels, measured by State standards, dropped by the time students reached middle school and high school. He discussed the drop in School District #150 enrollment from 25,000 in 1973 to less than 14,000 in 2009. He said charter schools would be public schools open to all students regardless of academic or financial background, and a lottery system would be used if applicants exceeded enrollment. He further explained the qualifications and education levels teachers would need to have in order to be selected for charter schools and he said charter schools would be held accountable for exceeding State guidelines in exchange for more flexibility. He discussed the success of charter schools across the nation, and he said several members of the community had participated in a trip to the Chicago area to visit charter schools.

Mr. Ham said the Peoria Charter School Initiative had been formed and would be led by retired Caterpillar Chairman and CEO Glen Barton. He said an application had been submitted to the District, which outlined the framework for establishing a new Peoria math, science, and technology charter school and would be a college prep school. He added the school would eventually have grades 5 through 12 with a capacity of 600 students and would be housed in a District #150 facility that was currently abandoned, most likely the former Loucks School on University Street. He stated the school was planned to open in August 2010.

Council Member Riggenbach stated he was on the trip to visit the charter schools in Chicago and he said it was a great concept. He said he was impressed with how the teachers motivated the students, the involvement of the parents, and the way the teachers interacted with the students.

Mayor Ardis thanked Mr. Ham for his presentation and he stated he looked forward to working with the group and the local school district on this initiative.

Council Member Spain moved to receive and file the presentation regarding the Peoria Charter School Initiative; seconded by Council Member Rigggenbach.

Approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Rigggenbach, Spain, Spears, Turner, Van Auken,  
Mayor Ardis - 9;

Nays: None.

### **CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

#### **(09-530) 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.

Gordon Siebold, a Peoria resident, presented the Council with copies of Petitions he had presented at a previous Council meeting expressing concern regarding motorcycles and the noises made by their exhaust systems.

Council Member Spain moved to make the Petitions a part of the permanent record; seconded by Council Member Irving.

Approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Rigggenbach, Spain, Spears, Turner, Van Auken,  
Mayor Ardis - 9;

Nays: None.

Ken Carrigan, a Peoria resident, spoke in favor of closing Water Street to encourage downtown activities for local retirees.

Sevino Sierra, a Peoria resident, spoke against closing Water Street for activities. He also spoke in opposition to charter schools and discussed the need for maintenance on schools that were presently open. He said the initiative should be halted until a new School Superintendent was selected.

### **EXECUTIVE SESSION**

#### **(09-531) Consideration of a Motion to go into EXECUTIVE SESSION to Discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees and 2(c)(5) The purchase or lease of real property for the use of the public body.**

Council Member Irving moved for the City Council to go into Executive Session to Discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees and 2(c)(5) The purchase or lease of real property for the use of the public body; seconded by Council Member Spears.

Approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Rigggenbach, Spain, Spears, Turner, Van Auken,  
Mayor Ardis - 9;

Nays: None.

**ADJOURNMENT**

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

Approved by viva voce vote.

The meeting adjourned at 7:57 P.M.

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