

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

Council Chambers, Peoria, Illinois, December 22, 2009, a City Council Meeting was held this date at 6:16 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll call showed the following Council Members were physically present: Gulley (arrived at 6:19 P.M.), Irving, Montelongo, Riggerbach, Sandberg, Spain, Spears (arrived at 6:18 P.M.), Turner, Van Auken, Mayor Ardis - 10. Absent: Jacob - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or silent reflection, and asked everyone to remember the family of Annie Jo Gordon who passed away unexpectedly. He then led the Pledge of Allegiance.

MINUTES

Council Member Spain moved to approve the minutes of the December 8, 2009, Joint City Council and Town Board Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (09-597) NOTICE of LAWSUIT on Behalf of OLAJIDE O. GIWA Regarding a Complaint Against the City of Peoria Claiming Racial Discrimination for His Termination from Employment with the City, with Request to Receive for Information and Refer to the Legal Department.**
- (09-598) Communication from the City Manager and Director of Planning and Growth Management with Request to Approve the CHANGE of PROGRAM PARTNER for the City LEAD-BASED PAINT MATCH FUND from the Peoria City/County Health Department to Peoria County.**
- (09-599) Communication from the City Manager and Finance Director/Comptroller with Request from the Finance Department, Public Works Department and Fire Department to Approve and Execute a TWO-YEAR CONTRACT with HERR PETROLEUM for LARGE LOADS (TANKER) and CADDY OIL for SMALL LOADS (TRANSPORT) to PURCHASE FUEL at \$.0025/GALLON (TANKER) and \$.0042/GALLON (TRANSPORT) over the Low Rack Price from the Daily Opus Report for Peoria Plus Freight (\$0.1 Tanker and \$.0618 Transport).**

- (09-600) Communication from the City Manager and Acting Director of Human Resources Requesting Approval of AMENDMENTS to LABOR CONTRACTS with the Following UNIONS: IAFF LOCAL 50, IBEW LOCAL 51, PAINTERS LOCAL 157, LABORERS LOCAL 165, CARPENTERS LOCAL 183, STEAMFITTERS LOCAL 353, and TEAMSTERS LOCAL 627, as Outlined.
- (09-601) Communication from the City Manager and Corporation Counsel Requesting Approval of an AMENDMENT to the AGREEMENT Between the CITY OF PEORIA and J.P. RIVERFRONT DEVELOPMENT COMPANIES, INC., and Request to Authorize the City Manager to Execute the AMENDMENT.
- (09-602) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,510 Amending Ordinance No. 9,126, an EXISTING SPECIAL USE as Amended, in a Class R2 (Single Family Residential) District for ST. JUDE ROMAN CATHOLIC CONGREGATION OF PEORIA, ILLINOIS, to Allow for TWO FREE STANDING SIGNS, a DIRECTIONAL SIGN, and a SCHOOL for the Property Located at 10811 N. KNOXVILLE AVENUE, with Waivers.
- (09-603) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,511 Granting a SPECIAL USE in a Class C1 (General Commercial) District for ROOFTOP SIGNS for Property Commonly Known as MCDONALD'S RESTAURANT Located at 3600 N. UNIVERSITY AVENUE, with Condition.
- (09-604)
* Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Granting a SPECIAL USE in a Class R2 (Single Family Residential) District for a WIRELESS COMMUNICATION FACILITY for Property Commonly Known as EXPOSITION GARDENS Located at 1601 NORTHMOOR ROAD, with Conditions.
- (09-605) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,512 Amending APPENDIX B of the Code of the City of Peoria Relating to TOWNHOUSES and to Adopt ORDINANCE NO. 16,513 Amending APPENDIX C of the Code of the City of Peoria Relating to TOWNHOUSES.
- (09-606) Communication from the City Manager and Corporation Counsel Requesting Adoption of ORDINANCE NO. 16,514 Amending CHAPTER 3 of the Code of the City of Peoria Regarding ALCOHOLIC BEVERAGES Pertaining to RESTRICTIONS on TYPES of CONTAINERS in which Alcoholic Liquor can be Sold at SPORTING EVENTS or Other SPECTATOR TYPE of EVENTS.
- (09-607) Communication from the City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS B (Restaurant, Full Service Bar) LIQUOR LICENSE with a SUBCLASS 2 (Live Entertainment) LICENSE for 5201 W. WAR MEMORIAL DRIVE, SUITE 500, in the Shoppes at Grand Prairie, with Recommendation from the Liquor Commission to Approve.

(09-608) REPORT of the CITY TREASURER PATRICK A. NICHTING for the MONTH of OCTOBER 2009, with Request to Receive and File.

(09-609) PEORIA CIVIC CENTER OPERATING AND CAPITAL BUDGET FISCAL YEAR ENDING AUGUST 31, 2010, 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 Irving requested Item No. 09-604 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. 09-597 through 09-609 (excluding Item No. 09-604, which was removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(09-604) * Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Granting a SPECIAL USE in a Class R2 (Single Family Residential) District for a WIRELESS COMMUNICATION FACILITY for Property Commonly Known as EXPOSITION GARDENS Located at 1601 NORTHMOOR ROAD, with Conditions.

Council Member Irving said he was in favor of supporting this item, but he requested Staff review the current policy for cell tower placement. He expressed concern regarding the high usage of cell phones; and he noted, as this usage grows, the addition of more towers would be necessary. He added that there were currently 52 in the City of Peoria.

Council Member Irving moved to approve the adoption of an Ordinance granting a special use in a Class R2 (Single Family Residential) District for a wireless communication facility for property commonly known as Exposition Gardens located at 1601 Northmoor Road, with conditions; seconded by Council Member Spain.

ORDINANCE NO. 16,515 was adopted by roll call vote.

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

Nays: None.

(09-610) Communication from the City Manager, Police Chief and ECC Manager Requesting Approval of a SOLE SOURCE PURCHASE of INTEROPERABLE RADIOS and ACCESSORIES for KNOX COUNTY SHERIFF'S OFFICE, in the Total Amount of \$530,872.75, from MOTOROLA, INC.

Council Member Van Auken moved to approve the sole source purchase of interoperable radios and accessories for Knox County Sheriff's Office, in the total amount of \$530,872.75, from Motorola, Inc.; seconded by Council Member Turner.

Motion approved by roll call vote.

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

Nays: None.

- (09-611) Communication from the City Manager and Corporation Counsel Requesting Approval of an AMENDMENT to the 1996 INTERGOVERNMENTAL AGREEMENT with the PEORIA CIVIC CENTER AUTHORITY Pertaining to FUNDING for ARTSPARTNERS, and Request to Authorize the City Manager to Execute the AMENDMENT.**

Council Member Spain moved to approve an amendment to the 1996 Intergovernmental Agreement with the Peoria Civic Center Authority pertaining to funding for ArtsPartners and to authorize the City Manager to execute the amendment; seconded by Council Member Riggenbach.

Motion approved by roll call vote.

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

Nays: None.

- (09-612) Communication from the City Manager and Corporation Counsel Requesting Approval of an AMENDMENT to the SPRINGDALE CEMETERY INTERGOVERNMENTAL AGREEMENT, and Requesting Authorization for the City Manager to Execute the AGREEMENT, and Requesting Authorization for the Acceptance of Property Described in the Corporate Warranty Deed from Springdale Cemetery Management Authority Subject to Approval and Execution of the Springdale Cemetery Intergovernmental Agreement by the County and Park District.**

Council Member Riggenbach moved to approve an amendment to the Springdale Cemetery Intergovernmental Agreement, and to authorize the City Manager to execute the amendment, and to authorize the acceptance of property described in the Corporate Warranty Deed from Springdale Cemetery Management Authority, subject to approval and execution of the Springdale Cemetery Intergovernmental Agreement by the County and Park District; seconded by Council Member Van Auken.

Motion approved by roll call vote.

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

Nays: None.

- (09-613) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve a RESOLUTION Amending the COMPREHENSIVE PLAN, and the FUTURE LAND USE MAP for a MAP AMENDMENT to Modify the WEST MAIN FORM DISTRICT by Changing the Frontage Designation Along Ellis Street; Garfield Avenue; Frink Street; Bourland Avenue; and Underhill Street from WM (West Main) Form District Local Frontage to WM (West Main) Form District Neighborhood (R4) Frontage for the Properties Located at 1025 N. ELLIS STREET; 842, 920, 1002, and 1018 W. RUSSELL STREET; 1029 N. GARFIELD AVENUE; 1027 N. BOURLAND AVENUE; and 1026 and 1027 N. UNDERHILL STREET and Identify Street Section Types; and Identify Edge of Pavement for the Prospect Road Form District and the Sheridan Triangle Form District.**

Council Member Van Auken moved to defer this item to the January 12, 2010, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer was approved by roll call vote.

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

Nays: None.

- (09-614) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt an ORDINANCE Modifying EXISTING REGULATING PLANS Pursuant to the Provisions of APPENDIX C, the Land Development Code of the Code of the City of Peoria.**

Council Member Van Auken moved to defer this item to the January 12, 2010, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer was approved by roll call vote.

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

Nays: None.

- (09-615) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt an ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Regarding VARIOUS TEXT ADJUSTMENTS Relating to COMMERCIAL and FORM DISTRICTS.**

A replacement Ordinance was distributed to members of the City Council.

Council Member Van Auken moved to defer this item to the January 12, 2010, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer was approved by roll call vote.

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

Nays: None.

- (09-616) Communication from the City Manager and Director of Planning and Growth Management with Recommendation, with CONDITIONS, to Adopt an ORDINANCE EXTENDING, for TEN YEARS, the EAST BLUFF NEIGHBORHOOD HOUSING SERVICES SPECIAL SERVICE AREA, Established by Ordinance 11,939 and Extended by Ordinance 14,534, and with Request to Receive and File the Petitions Bearing 269 Owners' Signatures and 196 Electors' Signatures Opposing the Extension.**

An e-mail received from former Council Member Manning was distributed to members of the City Council.

Council Member Rigggenbach moved to adopt an Ordinance extending, for ten years, the East Bluff Neighborhood Housing Services Special Service Area established by Ordinance 11,939, and extended by Ordinance 14,534, and to receive and file the petitions bearing 269 Owners' signature and 196 Electors' signatures opposing the extension; seconded by Council Member Van Auken.

Council Member Rigggenbach reported there would be a public meeting held Thursday, January 14, 2010, at 6:30 P.M. at Prince of Peace Church. He said the goal of the meeting was to clarify the purpose of the Neighborhood Housing Service and to help the neighborhood's citizens understand how the EBNHS could benefit the area. He said he understood there had been problems with the EBNHS Board, and he hoped to create more accountability for that body. He expressed concern that it was not the right time to do away with the EBNHS.

Council Member Sandberg requested Privilege of the Floor be granted to Ms. Maleita King and to any other citizen who wished to address the City Council on this issue.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to any citizen who wished to address the Council regarding the East Bluff Neighborhood Housing Services.

Maleita King, East Bluff resident, said she appreciated the recognition of the problems that existed with the NHS. She expressed concern that the area had become an area of rental properties. She said loans previously offered to homeowners to improve their residences were no longer being extended. She said many citizens of the area were unhappy that the increase in rental properties was deteriorating the neighborhood.

Richard Mitchell, East Bluff resident, expressed concern that the large number of problems that existed in the East Bluff could not be addressed in one meeting. He said he felt a longer period of time was needed. He said many homeowners in the East Bluff were elderly and needed assistance, but were beginning to sell to people only interested in renting out properties. He said the neighborhood did not want this.

Council Member Sandberg noted the EBNHS dropped their association with the Neighborhood Alliance because they did not want to support their original vision which was to help the target population. He expressed concern that the EBNHS Board was not inclusionary and was not transparent and did not follow the rules. He said the EBNHS needed to be weaned off of the property tax, as they no longer supported the residential homeowner and, instead, supported rental properties. He said he would not support the proposed Ordinance.

Mayor Ardis clarified the proposed Ordinance was not a tax increase, but would maintain the level where it was now. He said he believed former Council Member Manning, who worked with this area for four years, could arbitrarily facilitate a discussion between the E NHS and the citizens of the neighborhood in an attempt to make the concept work.

Council Member Riggerbach noted the current EBNHS Board had only been in place since last January. He said the previous Board had discussed completely ending the EBNHS and changes were made at that time to bring on new Board Members. He said there were still many issues to be addressed. He encourage the other members of the City Council to support the Ordinance.

Council Member Spain said he would support the motion. He said he encouraged the dialogue between the EBNHS and the neighborhood.

In discussion with Council Member Spain, Corporation Counsel Randy Ray clarified there was no requirement for the time increment to be ten years. He said the Council could adjust that timeframe.

Council Member Montelongo noted he had met with a number of citizens from the East Bluff and he said, while it was important to keep the momentum of the area going with the construction of the new school, he felt the neighbors had real concerns regarding policy of the EBNHS Board. He said good changes to policy were needed.

Motion to adopt ORDINANCE NO. 16,516 extending, for ten years, the East Bluff Neighborhood Housing Services Special Service Area established by Ordinance 11,939, and extended by Ordinance 14,534, and to receive and file the petitions bearing 269 Owners' signature and 196 Electors' signatures opposing the extension was adopted by roll call vote.

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

Nays: Sandberg – 1.

- (09-617) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt and with Recommendation from Staff to DENY an ORDINANCE Granting a SPECIAL USE in a Class R4 (Single Family Residential) District for a WIRELESS COMMUNICATION FACILITY for Property Commonly Known as VON STEUBEN ELEMENTARY SCHOOL Located at 801 E. FORREST HILL AVENUE, with Conditions.**

Council Member Riggerbach moved to approve the Staff recommendation to Deny an Ordinance granting a special use in a Class R4 (Single Family Residential) District for a wireless communication facility for property commonly known as Von Steuben Elementary School located at 801 E. Forrest Hill Avenue, with conditions; seconded by Council Member Van Auken.

Motion to Deny was approved by roll call vote.

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

Nays: None.

- (09-618) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to DENY a Request for a SPECIAL USE in a Class R4 (Single Family Residential) District for a WIRELESS COMMUNICATION FACILITY for Property Commonly Known as COLUMBIA MIDDLE SCHOOL Located at 2612 N. BOOTZ AVENUE.**

Council Member Van Auken said she had received a request from the Petitioner to defer this item and moved to defer it until the January 26, 2010, Regular City Council Meeting; seconded by Council Member Irving.

Motion to Defer this item was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

- (09-330) Communication from the City Manager and Corporation Counsel with Request to REMOVE ITEM NO. 09-330 from the Table, an ORDINANCE Amending CHAPTER 1 of the Code of the City of Peoria Relating to SETTLEMENT of RENTAL REGISTRATION VIOLATIONS and Place the Item on the January 12, 2010, Regular City Council Agenda.**

Council Member Van Auken moved to remove Item No. 09-330 from the Table and place it on the January 12, 2010, Regular City Council Agenda; seconded by Council Member Irving.

Motion was approved by roll call vote.

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

Nays: None.

- (09-453-A) 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.

- (09-453-B) Communication from the City Manager and Police Chief Requesting Approval for a ONE-YEAR SOLE SOURCE EXTENSION with S. HARRIS UNIFORMS for the POLICE UNIFORM CONTRACT, in the Amount of \$85,000.00. (Extends Item No. 05-616)**

Council Member Van Auken moved to make a substitute motion to approve Item No. 09-453-B, a one-year sole source extension with S. Harris Uniforms for the Police uniform contract, in the amount of \$85,000.00; seconded by Council Member Turner.

Council Member Sandberg expressed concern regarding the City's inability to receive competitive bids. He said the specificity of what was required by the Police Department limited what was submitted. He submitted a quote to the City Clerk, to be made part of the record, which indicated a lower quote for recently purchased Police patches. He said he would not support the motion.

Council Member Van Auken clarified the motion was made due to Police Chief Steve Settingsgaard's concern that there had not been enough time to gather competitive bids. She added the approval of the one-year extension would allow the Chief to meet uniform needs for next year, but allow additional time to explore other options.

Motion to approve Item No. 09-453-B, a one-year sole source extension with S. Harris Uniforms for the Police uniform contract, in the amount of \$85,000.00 was approved by roll call vote.

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

Nays: Sandberg - 1.

- (09-579) Communication from the City Manager and Director Planning and Growth Management Requesting Adoption of the ORDINANCE LEVYING a TAX for FISCAL YEAR 2010 for the EAST BLUFF NEIGHBORHOOD HOUSING SERVICES SPECIAL SERVICE AREA, and Directing the City Clerk to File a Certified Copy with the County Clerk to Allow this Tax to be Extended as Provided by Law, and with Request to Receive and File the 2009 Annual Report and 2010 Goals. (The Auditor's Report is on File with the City Clerk.)**

Council Member Riggensbach moved to adopt an Ordinance levying a tax for Fiscal Year 2010 for the East Bluff Neighborhood Housing Services Special Service Area, and to direct the City Clerk to file a certified copy with the County Clerk to allow this tax to be extended as provided by law, and to receive and file the 2009 Annual Report and 2010 Goals; seconded by Council Member Van Auken.

Motion to adopt ORDINANCE NO. 16,517 was approved by roll call vote.

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

Nays: Sandberg - 1.

(09-591) Communication from the City Manager Regarding 2010 LEGISLATIVE AGENDA ITEMS, with Request to Provide Direction. (New Communication and Revised List)

Council Member Gulley distributed a communication outlining the addition of one capital improvement project regarding Dr. Martin Luther King, Jr. Drive to the 2010 Legislative Agenda Item revised list.

Mayor Ardis questioned if any member of the City Council wished to removed any of the listed items from the 2010 Legislative Initiatives for further discussion.

Council Member Sandberg requested Item Nos. 1, 2, and 9 be removed from the list for further discussion.

Council Member Spain requested Item No. 8 be removed from the list for further discussion.

Council Member Rigggenbach moved to approve the remaining list of 2010 Legislative Initiatives; seconded by Council Member Montelongo.

Motion was approved by roll call vote.

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

Nays: None.

Council Member Sandberg discussed Item No. 1 regarding the Concealed Carry Ordinance. He expressed concern regarding how this could work in an urban area. He said there were some parts of the City where you could walk across the street and be in another jurisdiction. He said he would not support it and he said he felt it would encourage everyone to carry firearms.

Council Member Turner noted Wisconsin and Illinois were the only states which did not have conceal-carry laws. He said there would be plenty of time to get additional information on cities where these laws work to deter crime.

Mayor Ardis added other area Mayors were in support of this legislation. He said it had been shown to deter criminals from crime because they were unsure regarding who was carrying a weapon.

Council Member Turner moved to keep Item No. 1, the Concealed Carry Ordinance, on the list of 2010 Legislative Initiatives; seconded by Council Member Spain.

Motion was approved by roll call vote.

Yeas: Gulley, Irving, Rigggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;

Nays: Montelongo, Sandberg - 2.

Council Member Sandberg discussed Item No. 2, the change in Legislation to allow Enterprise Zone extensions past 30 years. He expressed concern regarding areas which would not be paying sales tax. He said sales tax was the life blood of the City and said he did not feel it was wise to lock in the concept for even longer. He said he would not support it.

Council Member Spain clarified the Enterprise Zone allowed for sales tax abatement on building materials only and was not a waiver of sales tax payment. He said the City should continue to carry this option in terms of being competitive to bring businesses into Peoria.

Council Member Van Auken noted some area business developments (One World, Main Street Commons, Sheridan Triangle) who she felt would not be in Peoria if it were not for the Enterprise Zone incentives.

Council Member Gulley said he felt it was important to support the Enterprise Zone due to the City's limited options currently at its disposal to attract people and small businesses to the City.

Council Member Spears said the Enterprise Zone needed to end and the focus needed to turn toward tax breaks for homeowners rather than developers. He offered a substitute motion to change the focus of the Enterprise Zone to offer incentives to citizens.

Mayor Ardis expressed concern that, while Central Illinois would approve of the change, other areas of the State may not.

Council Member Spears moved to begin discussions on innovative ways to bring back the core of the inner city by giving incentives, such as tax breaks to homeowners and owned businesses; seconded by Council Member Spain.

Council Member Van Auken said she felt the City should do both the Enterprise Zone and the suggested incentives to homeowners. She said she would like to see Peoria take the lead to assist citizens in moving back into the older neighborhoods.

Mayor Ardis suggested, rather than an initiative, maybe this item would be better as a discussion at this time and the Enterprise Zone could be set aside for another day.

Council Member Spain said he felt, in light of the Country moving toward economic recovery, it was important to have the Enterprise Zone incentives available. He reiterated it would be important to have this additional tool in order to be competitive to bring future businesses to Peoria.

Council Member Gulley requested Staff give additional information on the possibility of incentives on the residential side, as well as the commercial side.

Council Member Sandberg expressed concern regarding who would pay for delivery of core services to citizens. He noted this should be the focus of the discussion, rather than "giveaways" for business development.

Council Member Gulley noted a raise in the Equalized Assessed Value (EAV) would benefit the City as a whole and could change overall funding.

Motion to begin discussions on innovative ways to bring back the core of the inner city by giving incentives such as tax breaks to homeowners and owned businesses was approved by roll call vote.

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

Nays: Sandberg – 1.

(Clerk's Note: Council Member Spears clarified his intent to retain the option to discuss the Enterprise Zones and effective ways to begin changing them.)

Council Member Sandberg noted, in regard to Item No. 8 which requested the State change the Revenue Code so citizens would not be overcharged on sales tax, a standard method for figuring the tax was needed.

Council Member Spain concurred with Council Member Sandberg and he said the importance of the item required additional context before being presented to Legislators. He moved to retain Item No. 8 on the list of 2010 Legislative Initiatives, as amended to add context prior to being presented to Legislators; seconded by Council Member Sandberg.

Motion was approved by roll call vote.

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

Nays: None.

Council Member Sandberg expressed concern regarding Item No. 9, Automated Traffic Law Enforcement Technology/Red Light Running Expansion. He noted usually more accidents occurred at these intersections. He said he felt this technology should not be placed in certain locations based on revenue, but in locations based on instances of accidents. He added many times drivers run the red lights due to the timing of the lights at intersections and the knowledge that, if they did not make the light, they would be sitting in traffic for long periods of time.

Council Member Van Auken moved to retain Item No. 9 on the list of 2010 Legislative Initiatives; seconded by Council Member Turner.

Motion was approved by roll call vote.

Yeas: Gulley, Montelongo, Riggensbach, Spain, Turner, Van Auken, Mayor Ardis – 7;

Nays: Irving, Sandberg, Spears – 3.

Council Member Gulley moved to add the Capital Project regarding Dr. Martin Luther King, Jr. Drive to the 2010 list of Capital Projects; seconded by Council Member Turner.

Motion was approved by roll call vote.

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

Nays: None.

Mayor Ardis questioned if any member of the City Council wished to remove any of the listed items from the 2010 Capital Requests for further discussion.

Council Member Van Auken requested Item Nos. 1 and 2 be removed from the list for further discussion.

Council Member Gulley requested Item No. 4 be removed from the list for further discussion.

Council Member Sandberg requested Item No. 3 be removed from the list for further discussion.

Council Member Turner moved to approve the remaining items listed from the 2010 Capital Requests; seconded by Council Member Riggensbach.

Motion was approved by roll call vote.

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

Nays: None.

Council Member Van Auken noted she viewed Item No. 1 regarding the Sheridan Business District Roadway Enhancement and Item No. 2 regarding the West Main Street Infrastructure Improvement as important projects which could be accomplished with relatively modest funds and moved to retain Item Nos. 1 and 2 on the list of 2010 Capital Requests; seconded by Council Member Turner.

Council Member Sandberg expressed concern that the City had already adopted a plan that some businesses had already invested in. He said it was not right for the City to go back on its commitment to these businesses because the City did not have funds to complete the projects. He said it was the City's responsibility to follow through.

Council Member Spain offered his support to these projects, but he expressed concern regarding the number of priorities listed and suggested refinement of the list in the near future.

Council Member Gulley noted he felt, even though the list was long, these projects were for a fairly short period of time and he said it was important to go ahead and ask for funding at the present time.

Motion to retain Item Nos. 1 and 2 on the list of 2010 Capital Requests was approved by roll call vote.

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

Nays: None.

In discussion with Council Member Sandberg, Public Works Director Dave Barber noted that Item No. 3 regarding the Allen Road project from (Townline to Wilhelm) was a State project already in the State's budget. He said it was the City's hope to get the project moved up on the schedule so it could be completed earlier. He said he would report back to the City Council regarding a projected cost.

Council Member Irving moved to retain Item No. 3 on the list of Capital Requests; seconded by Council Member Montelongo.

Motion to retain Item No. 3 on the list of 2010 Capital Requests was approved by roll call vote.

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

Nays: Sandberg - 1.

In discussion with Council Member Gulley, Public Works Director Barber clarified that Item No. 4 regarding Northmoor Road (from University to Allen) was a joint project with Peoria County and the cost would be split.

Motion to retain Item No. 4 on the list of 2010 Capital Requests was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

APPRECIATION To POLICE CHIEF SETTINGSGAARD and His STAFF Regarding RESPONSE To RECENT BURGLARIES

Council Member Van Auken expressed her appreciation and the appreciation of her constituents for the rapid response by Chief Settingsgaard and his Detectives and Officers for their quick apprehension of suspects in the City's recent robberies.

ANNOUNCEMENT Regarding PEORIA CHARTER SCHOOL INITIATIVE

Council Member Van Auken noted the recent announcement from the Caterpillar Foundation that they extended a challenge grant of \$500,000.00 toward the Peoria Charter School Initiative. She said the Caterpillar Foundation had challenged the business community to raise \$250,000.00, and had challenged private individuals and other organizations throughout the community to raise the other \$250,000.00. She noted this brought the Peoria Charter School one step closer to its goal. She added this item would come before the School Board on Monday, January 11, 2010. She said she had contribution forms and they were available on the Peoria Charter School Initiatives website as well.

APPRECIATION To CITY STAFF

Mayor Ardis thanked members of the City Staff for their continued support and assistance in the long process to balance the 2010 City of Peoria Budget. He also expressed appreciation to the City Clerk's Staff for their ability to cover numerous additional meetings in the same regard.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL**(09-619) 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.

Joe Roberts, Municipal Marketing Manager of Peoria Disposal Company, thanked Public Works Director Barber and his staff for their assistance in helping with the transition. He reported PDC had only approximately 500 carts left to deliver and final delivery should be around December 26, and final truck delivery to PDC is expected by December 29. He noted, for those citizens who currently did not rent carts, they could sign up for one.

Joyce Blumenshine, member of Sierra Club and Peoria resident, requested the Mayor appoint Mr. Rick Fox, a member of both the Sierra Club and Peoria Families Against Toxic Waste to the Peoria City/County Landfill Committee to provide adequate representation from the environmental advocacy community. She asked that a letter formally making the request be distributed to members of the City Council.

Mayor Ardis requested Ms. Blumenshine contact the City Manager following the meeting to ensure a response to her request.

Lavetta Ricca, President of Olde Towne South Neighborhood Association, expressed her thanks to Police Chief Settingsgaard for helping her neighborhood with the new initiative in place to deter crime. She noted it was a good first step. She further asked the City Council to keep the South side in mind when granting funding for neighborhood improvements.

Maleita King, Peoria resident, urged the Council to vote against locking the EBNHS into an additional ten years. She also requested the Council appoint a City representative to the EBNHS Committee. She noted a large number of older citizens lived in the East Bluff.

EXECUTIVE SESSION

(09-620) Consideration of a Motion to go into EXECUTIVE SESSION to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(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; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Council Member Riggerbach moved for the City Council to go into Executive Session to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(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; 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The meeting adjourned at 8:13 P.M.

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

adh