

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

Council Chambers, Peoria, Illinois, April 27, 2010, 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, Jacob, Montelongo, Riegenbach, 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 Boy Scout Troop #154 from Holy Family School led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: ARBOR DAY - APRIL 30, 2010

Clerk's Note: Council Member Jacob left the Council Chambers.

MINUTES

Council Member Spain moved to approve the minutes of the April 13, 2010, Council Meeting, the Annual Town Meeting of the Board of Town Trustees and the Annual Meeting of the Board of Town Trustees held on April 13, 2010, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

Clerk's Note: Council Member Jacob returned to the Council Chambers.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (10-168) TAG DAY REQUEST from PETER W. SOMMER V.F.W. POST 814 to Hold Their ANNUAL BUDDY POPPY SALE on Friday and Saturday, April 30 and May 1, 2010. (Dates are Open.)**
- (10-169) Communication from the City Manager and Corporation Counsel Requesting Authorization to RETAIN the LAW FIRM of WESTERVELT, JOHNSON, NICOLL & KELLER, to Represent the City in Matters Related to the FIREFLY BANKRUPTCY.**
- (10-170) Communication from the City Manager and Acting Director of Human Resources Requesting Approval to Select RESOURCE MANAGEMENT ASSOCIATES (RMA), to DEVELOP and ADMINISTER the FIRE CAPTAIN PROMOTIONAL EXAMINATION for the City of Peoria, in an Amount Not to Exceed \$40,872.00.**

- (10-171) Communication from the City Manager and Director of Public Works Requesting Approval of a REAL ESTATE PURCHASE Located at 1322 WEST DR. MARTIN LUTHER KING, JR. DRIVE, in the Amount of \$45,000.00, as an Opportunity Acquisition for the Future Widening of Dr. Martin Luther King, Jr. Drive.
- (10-172)
* Communication from the City Manager and Director of Public Works Requesting to Award a CONTRACT to HULSE LAWN CARE, in an Amount Not to Exceed \$12,000.00, for the MOWING of CITY-OWNED VACANT LOTS, Effective May 2010, through December 31, 2010.
- (10-173) Communication from the City Manager and Director of Public Works Requesting Approval of a PROFESSIONAL SERVICES CONTRACT with apaceDesign for A/E SERVICES on a MULTI-YEAR CONTRACT for Indefinite Delivery of DESIGN SERVICES for MAINTENANCE PROJECTS, in an Amount Not to Exceed \$25,000.00, in Design Fees Plus Reimbursables.
- (10-174)
** Communication from the City Manager Requesting Approval for the Use of \$100,000.00 in CENTRAL BUSINESS DISTRICT TIF FUNDS to Serve as a Match to a Potential \$250,000.00 Grant from the NATIONAL ENDOWMENT for the ARTS, MAYOR'S INSTITUTE of CITY DESIGN 25TH ANNIVERSARY INITIATIVE.
- (10-175) Communication from the City Manager and Director of Public Works Requesting Approval of a STATE MFT-GM RESOLUTION NO. 10-175 that Increases the 2010 MFT-GM PROGRAM by \$60,000.00.
- (10-176) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,551 Amending the CITY OF PEORIA BUDGET for Fiscal Year 2010 Relating to the State and Local AUTO THEFT ENFORCEMENT (S.L.A.T.E) PROGRAM FUNDS, in the Amount of \$424,624.00.
- (10-177) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,552 Amending the CITY OF PEORIA BUDGET for Fiscal Year 2010 Relating to the POLICE TOBACCO ENFORCEMENT, in the Amount of \$5,016.00, and HOLIDAY MOBILIZATION PLUS GRANTS, in the Amount of \$8,406.00.
- (10-178) Communication from the City Manager and Corporation Counsel Requesting Adoption of ORDINANCE NO. 16,553 Amending CHAPTER 4 of the Code of the City of Peoria Pertaining to ANIMAL CONTROL ENFORCEMENT.
- (10-179) Communication from the City Manager and Director of Public Works Requesting Adoption of ORDINANCE NO. 16,554 to Vacate the Excess Right-of-Way from the CHARTER OAK ROAD EXTENSION PROJECT, and Requesting Approval to Convey Said Excess Right-of-Way to the EDWARD ROSE BUILDING COMPANY.
- (10-180) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,555 Amending APPENDIX B of the Code of the City of Peoria Relating to CHILD CARE HOMES, and to Adopt ORDINANCE NO. 16,556 Amending APPENDIX C of the Code of the City of Peoria Relating to CHILD CARE HOMES.

- (10-181) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,557 Amending Ordinance No. 14,254, as Amended, in a Class C2 (Large Scale Commercial) District for a SPECIAL USE for a SHOPPING CENTER to Add a DRIVE-THRU for an Existing Restaurant for the Property Known as PANERA BREAD Located at 1101 W. BIRD BOULEVARD, Including Parcel ID Nos. 09-32-455-001, 09-32-455-002, 09-32-455-003, 09-32-455-006, 14-05-202-009, 14-05-202-013, 14-05-202-014, 14-05-202-017, 14-05-202-020, and 14-05-202-021, with Conditions.
- (10-182) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt the Following:
- A. ORDINANCE NO. 16,558 Rezoning Property from the Present Class R4 (Single Family Residential) District to a Class R6 (Multi-Family Residential) District for a Portion of the Property Identified as 1333 E. NEBRASKA AVENUE.
- B. ORDINANCE NO. 16,559 Amending Ordinance No. 15,777, As Amended, for a SPECIAL USE in a Class R6 (Multi-Family Residential) District for a TEMPORARY HOUSING (Family House), to Reduce the Boundaries of the Original Special Use, to Add a Portion of the Property Located at 1333 E. NEBRASKA AVENUE, Modify the Building, and to Reconfigure the PARKING LOT for the Property Identified as Parcel Identification Nos. 14-34-451-018, 14-34-451-019, 14-34-451-020, with a Temporary Address of 825 ABINGTON STREET, and 1333 E. NEBRASKA AVENUE, with Conditions.
- (10-183) Communication from the City Manager Requesting to Receive and File the PEORIA PARK DISTRICT FIRST QUARTER 2010 REPORT of ACTIVITIES for the RIVERFRONT and GATEWAY.

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

Council Member Sandberg requested that Item No. 10-174 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested that Item No. 10-172 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. 10-168 through 10-183 (excluding Item Nos. 10-172 and 10-174, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (10-172) * Communication from the City Manager and Director of Public Works Requesting to Award a CONTRACT to HULSE LAWN CARE, in an Amount Not to Exceed \$12,000.00, for the MOWING of CITY-OWNED VACANT LOTS, Effective May 2010 through December 31, 2010.

In discussion with Council Member Jacob regarding the lot maintenance program costs, Director of Public Works Dave Barber explained the price would be \$10.00 per lot and the City had been paying Homeowners' Associations \$28.00 per lot, so there would be a reduction in City costs of \$21,000.00.

Council Member Van Auken expressed concern that Homeowners' Associations were not contacted in advance of this proposal coming forward. She requested that future changes which affected Homeowners' Associations, be brought to their attention so they would be able to adjust their budgets.

Director Barber said he planned to contact the Homeowners' Associations after Council provided direction.

Council Member Montelongo moved to award a Contract to Hulse Lawn Care, in an amount not to exceed \$12,000.00, for the mowing of City-owned vacant lots, effective May 2010 through December 31, 2010; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

**(10-174) Communication from the City Manager Requesting Approval for the Use of
** \$100,000.00 in CENTRAL BUSINESS DISTRICT TIF FUNDS to Serve as a
 Match to a Potential \$250,000.00 Grant from the NATIONAL ENDOWMENT
 for the ARTS, MAYOR'S INSTITUTE of CITY DESIGN 25TH ANNIVERSARY
 INITIATIVE.**

In discussion with Council Member Sandberg, Special Projects Manager Chris Setti explained there would be a plan and designs in place, but there was a question regarding whether or not there would be funding at the end of the process. He said the Council would need to budget money for this, if that was their desire. He further stated the City normally budgeted \$50,000 to \$60,000 per year for streetscape improvements, so this money could be used in future years to implement some of the plans. He said there was approximately \$500,000 budgeted per year out of the CDBG TIF to improve arterial streets in the downtown area. He added having an executable design and a set of plans could assist the City to leverage other Federal funding.

Council Member Sandberg referred to the Heart of Peoria Plan and he expressed concern that the Council had not allocated any funding for that plan, and he expressed further concern that this plan would be no different than the implementation of the Heart of Peoria Plan. He said he would prefer the proposed funding be allocated to the Heart of Peoria Plan rather than beginning something new that may not be implemented.

Council Member Van Auken moved to approve the use of \$100,000.00 in Central Business District TIF Funds to serve as a match to a potential \$250,000.00 grant from the National Endowment for the Arts, Mayor's Institute of City Design 25th Anniversary Initiative; seconded by Council Member Turner.

Council Member Spain explained how the grant came forward and he spoke in support of moving forward with the proposal. He said the plan would be a focused and concise set of activities compared with other City plans. He said he felt there would be many enhancements to the community that would come forward in this plan that would not cost the City anything, but would attract citizens to the downtown area.

Following further discussion and with a request to discuss budget priorities before making a decision on this issue, Council Member Montelongo moved for a substitute motion to defer this item until the first Council Meeting in May 2010; seconded by Council Member Riggensbach.

Special Projects Manager Chris Setti explained the first Council Meeting in May 2010 would be May 11, 2010, and the deadline for the grant application and identifying a match was May 10, 2010. He said he would not feel comfortable submitting a grant application prior to Council approval.

Discussion was held regarding details of the plan.

Substitute motion to defer this item until the first Council Meeting in May 2010 was DEFEATED by roll call vote.

Yeas: Jacob, Montelongo, Sandberg, Spears – 4;

Nays: Gulley, Irving, Riggensbach, Spain, Turner, Van Auken, Mayor Ardis - 7.

Council Member Spain urged the Council to take advantage of this gateway into the National Endowment for the Arts because Peoria was not a community that was on the radar screen for the National Endowment for the Arts and this was a rare opportunity.

Council Member Irving suggested pledging the assets of the Heart of Peoria Plan toward this grant application, because it had a value, and if the City was successful in obtaining the grant, then that money could be used to implement the Heart of Peoria Plan.

Special Projects Manager Setti said he would need to ask the National Endowment of the Arts if this could be done. He said this would change the City's request to them since they said they would only fund either implementation or planning. He said he felt the proposed grant was an extension of the Heart of Peoria Plan.

Council Member Gulley agreed that the work that had already been done should be continued, if possible.

Motion to approve the use of \$100,000.00 in Central Business District TIF Funds to serve as a match to a potential \$250,000.00 grant from the National Endowment for the Arts, Mayor's Institute of City Design 25th Anniversary Initiative was DEFEATED by roll call vote.

Yeas: Gulley, Spain, Turner, Van Auken, Mayor Ardis - 5;

Nays: Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spears - 6.

**(10-184) Communication from the City Manager and Corporation Counsel
Requesting Approval for the Issuance of an RFP to Operate One or Both
PUBLIC ACCESS CHANNELS and/or to Televisify CITY COUNCIL MEETINGS.**

City Manager Scott Moore distributed a replacement RFP to all members of the City Council.

Council Member Van Auken moved to approve the issuance of an RFP to operate one or both Public Access Channels and/or to televisify City Council Meetings, as amended; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Spears - 1.

(10-185) Communication from the City Manager and Corporation Counsel Requesting Approval of an INTERGOVERNMENTAL AGREEMENT VERSION “A” (Full Service) or VERSION “B” (Base Level Services) with the COUNTY of PEORIA for the PROVISION of ANIMAL CONTROL SERVICES within the City of Peoria.

City Manager Scott Moore distributed a replacement Version “B” to all members of the City Council.

Following a brief explanation by City Manager Moore, Council Member Van Auken moved to approve an Intergovernmental Agreement Version “B” (Base Level Services), as amended, with the County of Peoria for the Provision of Animal Control Services within the City of Peoria; seconded by Council Member Riggerbach.

Council Member Van Auken expressed concern that the issues in the proposed agreement had not been previously discussed with the parties involved with the Animal Shelter or the Humane Society. She also expressed concern regarding the short time frame to review the document and to make such an important decision. She said she did not know if there had been a public forum for the public to comment regarding the proposed levels of service. She also questioned how the numbers were formulated for charges. She stated, at the same time, there needed to be some clarity and there was a need to move forward on the animal control program. She expressed concern regarding how this had been handled by the County, as well as the City Staff.

Mayor Ardis recognized County Board Member Brad Harding and Scott Sorrell from Peoria County Administration, who were present at the Council Meeting.

Discussion was held regarding the assets that would be transferred. Council Member Sandberg stated the agreement listed a fixed amount of time, but he expressed concern that the agreement did not include a fixed value. He said the City would be turning over their assets, but it was worth less than half of the costs in the agreement.

Mayor Ardis said the Council would need to know exactly what was in the agreement regarding the assets for the full service level compared to the base service level.

In discussion with Council Member Irving, Special Projects Manager Chris Setti explained 90 cents per head would be charged based on the most recent census, which showed the population to be 114,114 people, and would be \$102,703.00 for the base service model for twelve months and \$228,228 per year for the full service model. He further explained the County would hire four Animal Control Officers for the base level of service versus six Animal Control Officers for the full service level. He said the City would provide four vehicles rather than six vehicles and the two vehicles the City would retain would be valued at \$60,500. He said there would be approximately \$75,000 in assets that the City would retain with the base model.

In discussion with Council Member Spain, Special Projects Manager Setti said they tried to formulate a process to depreciate all the assets. He said the City said the assets were worth \$278,000, but the County said they felt the assets were worth \$209,000, which was equal to eleven months of service for the full service model or for eleven months of service for the base model. He said the County indicated they would not take as much of the City’s assets, but he added there was some argument regarding the worth of the assets in the market place.

In further discussion with Council Member Sandberg regarding his concern that the numbers did not add up, Special Projects Manager Setti said he agreed, but this was the County’s position.

Council Member Van Auken expressed concern that the buyer was setting the value on the assets. She also pointed out that the Humane Society also owned some of the assets and she questioned how that figured into the process.

Council Member Spears pointed out the City felt they could not afford to retain the Animal Shelter any longer and he agreed the proposed document was not perfect, but he said by 2014, the City would no longer be involved. He said the proposed agreement was the result of the negotiations.

Council Member Riggensbach said he agreed with Council Member Spears' comments. He also expressed concern regarding the last minute changes, but he said he felt the Council needed to make a decision.

Council Member Spain said he would support the motion, but he expressed concern with obligating the City financially knowing that 2011 would be another difficult budget year.

Council Member Jacob stated he assumed the County would be using their Public Safety revenues and using those dollars to cover the cost of animal control. He questioned if there was anything in the agreement that would cause the City to be required to continue funding beyond 2013, if the County did not pay off the bonds for the jail.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Scott Sorrell representing the County.

Scott Sorrell, representing Peoria County, explained the jail bonds would expire in 2013. He stated the County Board intended to use a portion of the Public Safety sales tax proceeds, which were currently dedicated for that debt service, to then be dedicated for animal control and protection services beginning in 2014. He said the agreement was drafted that the County would be coming back to all communities involved in 2013 to amend the agreement to reflect the change in funding that may be available at that point in time.

Council Member Riggensbach suggested that the County and the City Council hold discussions prior to 2013, so all parties would be aware of these funding issues, so there would be no surprises.

Council Member Jacob suggested inserting language in the agreement that would limit the City's exposure after 2013, but require that base levels of service be continued.

Corporation Counsel Randy Ray said the City could pass an agreement with terms, but there was no guarantee the other party would sign the agreement as amended.

Council Member Van Auken pointed out Exhibit A of the agreement stipulated that the County of Peoria would provide the base level services for an annual cost of \$.90 per capita through calendar year 2013 and beginning January 1, 2014, it would be the intent of Peoria County to replace annual contributions from municipalities with public safety sales tax.

Motion to approve an Intergovernmental Agreement Version "B" (Base Level Services), as amended, with the County of Peoria for the Provision of Animal Control Services within the City of Peoria was approved by roll call vote.

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

Nays: Jacob - 1.

- (10-186) Communication from the City Manager and Director of Public Works Requesting to Award the CONTRACT for RECONSTRUCTION of the RIVERFRONT VILLAGE STAIRS to the LOWEST BIDDER, WILLIAM AUPPERLE AND SONS, in the Amount of \$265,617.00. (Refer to Item No. 10-163).**

Council Member Spain said he would be abstaining from the discussion and vote due to his employer leasing property on the Riverfront Village platform.

Council Member Turner moved to award the contract for reconstruction of the Riverfront Village stairs to the lowest bidder, William Aupperle and Sons, in the amount of \$265,617.00; seconded by Council Member Gulley.

Council Member Sandberg expressed concern regarding the material that would be used in the repair. He said he agreed the stairway was unsightly, but it was not unsafe. He said there was damage to the stringers and he felt different material should be used, and a comprehensive plan should be followed. He said the suggested procedure was not a long-term solution. He expressed concern that the money that would be used to repair these steps should be used to repair deteriorated sidewalks all over the City. He provided pictures of sidewalks in need of repair in different areas of the City.

Director of Public Works Dave Barber said the Administration was concerned for public safety in that someone could catch their foot or heel on one of the openings and be injured. He discussed repairs that had been completed in the past and he explained the reconstruction of the stairs that would be made with steel and precast steps.

Council Member Turner also expressed concern regarding safety due to the high volume of people that visited the area. He said if nothing was done, deterioration would continue, so he said he felt the repairs should be completed.

Discussion was held regarding the benefits of using galvanized steel versus the material that was proposed for reconstruction of the project.

Council Member Turner moved for a substitute motion to make the necessary repairs to the Riverfront Village stairway, request the Administration to come back to the Council with an assessment and cost comparison for galvanized steel versus another type of repair, and make a recommendation to the Council for the stairway to be permanently fixed next year; seconded by Council Member Van Auken.

Substitute motion was approved by roll call vote.

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

Nays: None;

Abstentions: Spain - 1.

- (10-187) Communication from the City Manager and Director of Public Works Requesting Approval of the PROFESSIONAL SERVICES AGREEMENT with FARNSWORTH GROUP, INC., in an Amount Not to Exceed \$1,623,684.00, for the DESIGN SERVICES of ORANGE PRAIRIE ROAD from U.S. Route 150 (War Memorial Drive) to IL 91/Grange Hall Road/Alta Road.**

Council Member Irving moved to approve the Professional Services Agreement with Farnsworth Group, Inc., in an amount not to exceed \$1,623,684.00, for the design services of Orange Prairie Road from U.S. Route 150 (War Memorial Drive) to IL 91/Grange Hall Road/Alta Road; seconded by Council Member Turner.

Motion to approve the Professional Services Agreement with Farnsworth Group, Inc., in an amount not to exceed \$1,623,684.00, for the design services of Orange Prairie Road from U.S. Route 150 (War Memorial Drive) to IL 91/Grange Hall Road/Alta Road was approved by roll call vote.

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

Nays: Sandberg - 1.

(10-188) Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of a RESOLUTION Supporting the PEORIA PROMISE NEIGHBORHOOD INITIATIVE.

Council Member Gulley moved to approve a Resolution supporting the Peoria Promise Neighborhood Initiative; seconded by Council Member Riggensbach.

RESOLUTION NO. 10-188 was approved by roll call vote.

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

Nays: None.

(10-189) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the CITY OF PEORIA BUDGET for Fiscal Year 2010 Relating to the ADDITION of ONE BUILDING INSPECTOR POSITION.

Council Member Gulley moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2010 relating to the additional of one Building Inspector position; seconded by Council Member Sandberg.

ORDINANCE NO. 16,560 was adopted by roll call vote.

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

Nays: None.

(10-190) 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 C2 (Large Scale Commercial) District for a PRIVATE SCHOOL for the Property Located at 1620 W. WAR MEMORIAL DRIVE, which Includes Parcel ID Nos. 14-29-152-024, 14-29-152-025, and 14-29-152-026, with Conditions.

Council Member Van Auken explained that Rasmussen College, which was a for-profit entity, would not be competing with other local colleges and universities. She said Rasmussen College would be working with businesses and other schools to offer supportive course work.

Council Member Van Auken moved to adopt the Ordinance granting a Special Use in a Class C2 (Large Scale Commercial) District for a Private School for property located at 1620 W. War Memorial Drive, which includes Parcel ID Nos. 14-29-152-024, 14-29-152-025, and 14-29-152-026, with conditions; seconded by Council Member Gulley.

ORDINANCE NO. 16,561 was adopted by roll call vote.

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

Nays: None.

- (10-191) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE, or Recommendation from Staff to DENY an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria, and an ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to OFF-PREMISE SIGN EXTENSIONS.**

Council Member Van Auken moved to defer this item and remand it to the Sign Committee being coordinated by the Planning and Growth Department, who would be reviewing signage in the City of Peoria and ask them to make a recommendation to the Council; seconded by Council Member Irving.

Motion to defer and remand this item to the Sign Committee was approved by roll call vote.

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

Nays: None.

- (10-192) Communication from the City Manager and Chief of Police Requesting to Receive and File the CRIME CAMERA STATUS REPORT. (Refer to Item No. 10-165)**

Police Chief Steve Settingsgaard provided a brief overview of the Council communication. He explained the changes that were made to the cameras and technology, and he said they were satisfied with the operation of the six cameras that were currently being used in the program. He said there were two more that were close to being on line and there were plans for two more. He further explained the cameras were relatively mobile, so after a camera had served its purpose at a location, it could be moved to a new location within a few days.

Chief Settingsgaard explained the study that was currently in process to determine if there had been a reduction in calls for service or crime in a particular area due to the camera being in place. He said another use for the cameras was to assist with determining crowd problems when the bars closed.

Council Member Sandberg requested a report reflecting successes pertaining to the cameras and how they had assisted in litigation or other incidents.

Chief Settingsgaard said he would provide a report that would entail how the use of this technology had assisted in many cases.

Council Member Spain moved to receive and file the Crime Camera Status Report; seconded by Council Member Riggenbach.

Approved by roll call vote.

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

Nays: None.

Council Member Sandberg left the Council Meeting.

- (10-193) PRESENTATIONS by City Employees Representing BARGAINING UNITS and PENSION FUNDS Concerning the FIRE PENSION FUND, POLICE PENSION FUND, and the ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF).**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Marvin Shoop and Tony Ardis.

Marvin Shoop, Employee of the City Public Works Department and IMRF Trustee, distributed a report to all members of the Council. He discussed the Illinois Municipal Retirement Fund program and the benefits it provided to City employees. He discussed the Economic Impact Study and statistics for the different levels of participating members, cash flow from contributions and benefits, and contribution rates. He said the funded ratio for IMRF was 83.2%.

Tony Ardis, Firefighter and President of Firefighters' Local #50, discussed the increases in the City's contributions to the Firemen's Pension Fund and the causes. He expressed concern regarding the extension of the amortization period of forty years to the year 2033, which equated to an adjustable rate negative amortization. He further discussed the increased funding percentages provided by active Firefighters to fund recent legislation that benefited Firefighters. He discussed the pros and cons of defined benefit plans versus contribution benefit plans. He spoke of the value of defined benefit plans, and he urged the Council to encourage the Illinois Municipal League to review the facts and work with AFFI for true pension reform.

Council Member Spain moved to receive and file the presentations by Marvin Shoop and Tony Ardis regarding the Illinois Municipal Retirement Fund and the Firemen's Pension Fund; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

**(10-025) Communication from the City Manager and Corporation Counsel
Requesting Approval to Authorize the City Manager to Execute an
AGREEMENT with COMCAST to EXTEND the Current CABLE FRANCHISE
AGREEMENT until JULY 31, 2010. (Refer to Item No. 09-111)**

Council Member Turner moved to authorize the City Manager to execute an agreement with Comcast to extend the current Cable Franchise Agreement until July 31, 2010; seconded by Council Member Spain.

In discussion, Corporation Counsel Randy Ray confirmed that complaints regarding services provided by Comcast should be directed to the Federal Communication Commission.

Approved by roll call vote.

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

Nays: None.

**(10-068) Communication from the City Manager and Acting Director of Human
Resources Requesting Approval to ENTER into an AGREEMENT Between
the CITY OF PEORIA and all EMPLOYEE BARGAINING UNITS to EXTEND
the JOINT LABOR/MANAGEMENT HEALTH CARE COMMITTEE for (3)
YEARS, Effective January 1, 2011, through December 31, 2013.**

Council Member Jacob moved to defer this item until the second meeting in September, 2010, which would be the September 28, 2010, City Council Meeting; seconded by Council Member Spain.

Motion to defer this item until September 28, 2010, was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

ANNOUNCEMENT Regarding NEW FAMILY HOUSE GROUND BREAKING

Council Member Riggenbach announced a ground breaking for the new Family House would be held on Wednesday, April 28, 2010, on the East end of Nebraska Street at 10:00 A.M. He urged the Council and public to attend.

COMMENDATION Regarding RENOVATION of HOME on ORANGE STREET

Council Member Riggenbach referred to an article in the Sunday's Journal Starr regarding a home on Orange Street that was renovated by Principal Property Management with a grant from Housing Urban and Development through the City's Planning and Growth Department. He commended the efforts of Mr. Dale Hanson in this endeavor and he felt special recognition should be given regarding this venture.

COMMENDATION of THOSE WHO Assisted in the RENOVATION of the BOYS and GIRLS CLUB

Council Member Gulley commended the young people and other volunteers who assisted in the renovation of the Boys and Girls Club last weekend. He thanked them for their efforts and he thanked all the organizations for their donations.

ANNOUNCEMENT Regarding the ANNUAL WORKERS' MEMORIAL WALK on April 28, 2010

Mayor Ardis announced the Annual Workers' Memorial Walk would be held on Wednesday evening, April 28, 2010, leaving the Labor Temple at 5:30 P.M. He stated the public was invited to attend.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(10-194) 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.

Terry Knapp, a Peoria resident, distributed a flyer to Council Members regarding Charter Schools and teachers' working hours. He expressed concern regarding the treatment of teachers and spoke in support of their welfare. He expressed concern regarding the new School District #150 Superintendent and Mr. Paul Vallas.

Mayor Ardis requested the record reflect that the Council had guidelines for citizens to address the Council. He said the specific rules governed that the Council would listen to

Council-related matters and things the Council had input on. He stated this portion of the meeting was not a debate, so there would be no discussion regarding these matters. He said he felt it was important to note the Council listened to Mr. Knapp and his opinions, which were just as important as anyone else's opinion. He said as long as he was the Mayor, he would continue to advocate extremely strong support for the education of the students in this City and accept no better than the best but, after tonight, the Council would not listen to personal attacks on persons, by name, or against individuals. He said going forward those comments would respectfully not be entertained. He said this was not the forum for those comments. He said he wanted to make it clear tonight and he added there would be no exceptions in the future.

Savino Sierra, a Peoria resident, urged citizens to donate to the VFW Poppy Days that would be held at several Kroger stores in the area. He spoke in support of the Federal government reimbursing the City for expenses incurred when politicians visited the City. He expressed concern regarding motorcycles and urged drivers to watch out for their safety, and that motorcyclists should drive safely. He spoke in opposition to the Mayor being in charge of schools.

EXECUTIVE SESSION

(10-195) 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)(5) The purchase or lease of real property for the use of the public body; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; 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 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 Montelongo moved 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)(5) The purchase or lease of real property for the use of the public body; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; 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 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 Jacob.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Motion to adjourn the City Council Meeting was approved by roll call vote.

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

Nays: Spears - 1.

The meeting adjourned at 9:25 P.M.

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

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