

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

Council Chambers, Peoria, Illinois, May 25, 2010, a City Council Meeting was held this date at 6:15 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, Jacob, Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11. Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection, and he asked everyone to keep the families of County Board Member Pat Hidden and former City Council Member Dorothy Sinclair in their thoughts due to their recent passing. He then led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** FAMILY HOUSE 25TH ANNIVERSARY

**PROCLAMATION:** SUSAN G. KOMEN RACE FOR THE CURE 25TH ANNIVERSARY

**PROCLAMATION:** ABRAHAM LINCOLN IN PEORIA HISTORICAL PUBLICATION

**PROCLAMATION:** MEMORIAL DAYS: May 27 - 31, 2010

**MINUTES**

Council Member Spain moved to approve the minutes of the May 11, 2010, Regular Council Meeting, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

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:**

- (10-215) \* Communication from the City Manager and Director of Public Works Requesting Approval of the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC. and to Award a CONTRACT, in the Amount of \$300,000.00, from the Base Bid of \$168,985.54, for the SIDEWALK PARTICIPATION PROGRAM 2010 CONTRACT.
- (10-216) Communication from City Manager, Fire Chief, and Director of Information Systems Requesting Approval of a SOLE SOURCE PURCHASE of a SOFTWARE UPGRADE for FIRE RECORDS MANAGEMENT SYSTEM, in the Amount of \$45,900.00, from APPLICATION DATA SYSTEMS, INC.
- (10-217) \*\* Communication from the City Manager and Assistant Director of Planning and Growth Management with Recommendation from the Administration to ADVERTISE a NOTICE OF FUND AVAILABILITY (NOFA) for PUBLIC FACILITIES IMPROVEMENTS Utilizing Unobligated Community Development Block Grant Funds, in the Amount of \$200,000.00.

- (10-218) Communication from the City Manager and Corporation Counsel Requesting Authorization for a SETTLEMENT OF CLAIM for PERSONAL INJURY to EMILIO MATA Arising Out of an Accident on October 9, 2007, at the Intersection of Darst and Krause Streets, in the Amount of \$13,000.00, and Requesting Authorization for the City Manager to Execute the Necessary Documents.
- (10-219) Communication from the City Manager Requesting Approval to RENEW the BUSINESS DEVELOPMENT LOAN for PARSEC ENTERPRISES, INC., for FIVE YEARS, and Requesting Authorization for the City Manager to Execute the Necessary Documents.
- (10-220)  
\*\*\* Communication from the City Manager and Director of Public Works Requesting Approval of the Following:
- A. LOCAL AGENCY AGREEMENT, in the Amount of \$2,770,000.00 with the ILLINOIS DEPARTMENT of TRANSPORTATION (IDOT) for Federal Participation, in the Amount of \$1,939,000.00, for the CONSTRUCTION of the INTERSECTION of NORTHMOOR ROAD and SHERIDAN ROAD (Stage 1);
- B. MFT RESOLUTION, in the Amount of \$585,350.00, to Pay for the City's Portion of the CONSTRUCTION and CONSTRUCTION ENGINEERING COSTS. (Refer to 05-609, 08-052 and 09-154)
- (10-221) Communication from the City Manager and Police Chief Requesting Approval and Authorization for the City Manager to Execute an INTERGOVERNMENTAL AGREEMENT Between the CITY OF PEORIA and the COUNTY OF PEORIA Under the EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2010 LOCAL SOLICITATION, in the Amount of \$124,424.00.
- (10-222)  
\*\*\*\* 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 WORKFORCE INVESTMENT ACT (WIA) YOUTH FUNDS Issued Under the ARRA, in the Amount of \$131,738.00, to SUPPORT the MAYOR'S YOUTH CORP (MYC) SUMMER EMPLOYMENT PROGRAM.
- (10-223) Communication from the City Manager and Director of Public Works Requesting Authorization to Enter into a CONTRACT with AVIS BUDGET GROUP, in the Amount of \$14,125.60, to RENT FOUR (4) TEN-PASSENGER VANS for the Mayor's Youth Corps (MYC) SUMMER EMPLOYMENT PROGRAM.
- (10-224) Communication from the City Manager and Assistant Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,564 Amending APPENDIX B Relating to MULTIFACED SIGNS.
- (10-225)  
\*\*\*\*\* Communication from the City Manager and Corporation Counsel Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) with a SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE at 401 S. W. WATER STREET, SUITE 102, with recommendation from the Liquor Commission to Approve.

- (10-226) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\*  
\* Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) with a SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE at 1200 W. MAIN STREET, SUITE 33, with Recommendation from the Liquor Commission to Approve.
- (10-227) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\*  
\*\* Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) with a SUBCLASS 1A (2:00 A.M. Closing), SUBCLASS 2 (Live Entertainment), and SUBCLASS 3A (Sidewalk Cafe) LIQUOR LICENSE at 5901 N. PROSPECT, SUITE D, with Recommendation from the Liquor Commission to Approve.
- (10-228) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\*  
\*\*\* Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) LIQUOR LICENSE at 9901-E NORTH KNOXVILLE AVENUE, with Recommendation from the Liquor Commission to Approve.
- (10-229) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\*  
\*\*\*\* Requesting Approval of a SITE APPLICATION for a CLASS C-1 (Grocery with Package Liquor) LIQUOR LICENSE at 9129 N. ALLEN ROAD, with Recommendation from the Liquor Commission to Approve.
- (10-230) REAPPOINTMENTS by Mayor Jim Ardis to the ANIMAL REVIEW BOARD, with Request to Concur:
- Lynn Brender (Voting) - Term Expires 6/30/2012  
Roslyn Gott (Voting) - Term Expires 6/30/2012  
Susan K. Kirschman (Voting) - Term Expires 6/30/2012  
Chris Kelly (Voting) - Term Expires 6/30/2012  
Ronald C. Theobald (Voting) - Term Expires 6/30/2012
- (10-231) REAPPOINTMENTS by Mayor Jim Ardis to the CONSTRUCTION COMMISSION, with Request to Concur:
- Tom DeJarld (Voting) - Term Expires 6/30/2014  
John C. Dillon (Voting) - Term Expires 6/30/2014
- (10-232) APPOINTMENT and REAPPOINTMENTS by Mayor Jim Ardis to the FAIR EMPLOYMENT and HOUSING COMMISSION, with Request to Concur:  
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- APPOINTMENT:  
Syed E. Ahmad (Voting) - Term Expires 6/30/2012
- REAPPOINTMENTS:  
Wayne W. Cannon (Voting) - Term Expires 6/30/2013  
Paul J. Moreno (Voting) - Term Expires 6/30/2013
- (10-233) REAPPOINTMENTS by Mayor Jim Ardis to the FIRE & POLICE COMMISSION, with Request to Concur:
- Carl K. Cannon (Voting) - Term Expires 6/30/2013  
D. Michael Doyle (Voting) - Term Expires 6/30/2013  
Leonard A. Unes (Voting) - Term Expires 6/30/2013

- (10-234) REAPPOINTMENT by Mayor Jim Ardis to the GREATER PEORIA MASS TRANSIT DISTRICT BOARD OF TRUSTEES, with Request to Concur:
- Maxine Wortham (Voting) - Term Expires 6/30/2014
- (10-235) REAPPOINTMENTS by Mayor Jim Ardis to the MUNICIPAL BAND COMMISSION, with Request to Concur:
- John Day (Voting) - Term Expires 6/30/2013  
Dr. Laura J. Schelly (Voting) - Term Expires 6/30/2013
- (10-236) APPOINTMENT and REAPPOINTMENT by Mayor Jim Ardis to the POLICE PENSION FUND BOARD OF TRUSTEES, with Request to Concur:
- Ryan M. Alwood (Voting) - Term Expires 5/12/2011  
John B. Renick (Voting) - Term Expires 5/11/2012
- (10-237) REAPPOINTMENTS by Mayor Jim Ardis to the RIVERFRONT PROGRAM and POLICY ADVISORY COMMITTEE, with Request to Concur:
- Bobby Gray (Voting) - Term Expires 6/30/2012  
Patrick T. Sullivan (Voting) - Term Expires 6/30/2012
- (10-238) REAPPOINTMENTS by Mayor Jim Ardis to the SOLID WASTE DISPOSAL COMMITTEE, with Request to Concur:
- Council Member Dan Irving (Voting) - Term Expires 6/30/2011  
Council Member Ryan Spain (Voting) - Term Expires 6/30/2011
- (10-239) APPOINTMENTS and REAPPOINTMENTS by Mayor Jim Ardis to the WORKFORCE DEVELOPMENT BOARD, with Request to Concur:
- APPOINTMENTS:  
Brian Barry (Voting) - Term Expires 10/1/2012  
Gayla Scott (Voting) - Term Expires 10/1/2012
- REAPPOINTMENTS:  
Dr. John S. Erwin - (Voting) - Term Expires 10/1/2012  
Lisa Feinholz (Voting) - Term Expires 10/1/2012  
Kyle Ham (Voting) - Term Expires 10/1/2012
- (10-240) Communication from the City Manager and Director of Public Works with Request to SET a SPECIAL CITY COUNCIL MEETING on JUNE 15, 2010, to HOLD a POLICY SESSION to Discuss the SANITARY SEWER REHABILITATION PROGRAM and the COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN, and to Consider any Regular Business that May Arise Per a Listed Agenda.
- (10-241) Communication from the City Manager and Assistant Director of Planning and Growth Management Regarding a REPORT SUMMARIZING PROMOTIONAL ACTIVITIES Undertaken by the CITY OF PEORIA COMPLETE COUNT COMMITTEE to GENERATE an AWARENESS of the 2010 CENSUS, with Request to Receive and File.

- (10-242) **Communication from the City Manager and Director of Public Works Regarding a REPORT BACK Responding to QUESTIONS from COUNCIL MEMBER DAN IRVING Regarding the SIDEWALK PARTICIPATION PROGRAM, with Request to Receive and File. (Refer to Item No. 10-211)**
- (10-243) **Communication from the City Manager and Director of Public Works Regarding a REPORT BACK Responding to QUESTIONS from COUNCIL MEMBER GARY SANDBERG Regarding the BID PROCESS Followed by the City for LOT MOWING, with Request to Receive and File. (Refer to Item No. 10-212)**

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

Council Member Van Auken requested Item No. 10-220 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item No. 10-217 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested Item Nos. 10-222, 10-225, 10-226, 10-227, 10-228, and 10-229 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested Item No. 10-215 be removed from the Consent Agenda for further discussion.

Council Member Riggenbach requested Item No. 10-232 be removed from the Consent Agenda for further discussion.

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

Items No. 10-215 through 10-243 (excluding Item Nos. 10-215, 10-217, 10-220, 10-222, 10-225, 10-226, 10-227, 10-228, 10-229 and 10-232, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (10-215) **Communication from the City Manager and Director of Public Works**  
\* **Requesting Approval of the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC. and to Award a CONTRACT, in the Amount of \$300,000.00, from the Base Bid of \$168,985.54, for the SIDEWALK PARTICIPATION PROGRAM 2010 CONTRACT.**

Council Member Sandberg expressed concern regarding the process used by the City to determine which bids qualify for City contracts. He said he felt the bid process in place to reach a certain level of minority business participation was flawed in the way the numbers were manipulated. He questioned how contractors were held accountable to put forth a "good faith effort" in hiring minorities.

In discussion with Council Member Sandberg, Public Works Director Dave Barber said the process that was in place in the past, when the homeowners solicited bids instead of the City, there was not a mechanism in place to track minority businesses. He added the current notification process in soliciting bids involved minority businesses, and as a part of that process, it was a requirement for contractors to make a "good faith effort."

Council Member Sandberg noted he felt the assessment was not thorough enough because there was no tracking of these "good faith efforts."

Council Member Van Auken moved to approve the low bid of Illinois Civil Contractors, Inc., and to award a contract, in the amount of \$300,000.00, from the base bid of \$168,985.54, for the Sidewalk Participation Program 2010 Contract; seconded by Council Member Spain.

Council Member Gulley said he felt, since there was a procedure in place to meet a level of minority businesses, it should be the City's goal to meet that percentage. He said he felt Staff should work harder to reach the ten percent standard. He said contractors should have to outline how the goal of their "good faith effort" was met or was attempted to be met.

Council Member Gulley moved for a substitute motion to direct Staff to work with the contractor to make sure a 10% goal was attained. No second was heard.

Corporation Counsel Randy Ray reiterated the "good faith effort" mechanism for contractors was already made through the bid process.

Motion to approve the low bid of Illinois Civil Contractors, Inc., and to award a contract in the amount of \$300,000.00, from the base bid of \$168,985.54, for the Sidewalk Participation Program 2010 Contract was approved by roll call vote.

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

Nays: Sandberg - 1.

**(10-217)      Communication from the City Manager and Assistant Director of Planning  
\*\*              and Growth Management with Recommendation from the Administration to  
                 ADVERTISE a NOTICE OF FUND AVAILABILITY (NOFA) for PUBLIC  
                 FACILITIES IMPROVEMENTS Utilizing Unobligated Community  
                 Development Block Grant Funds, in the Amount of \$200,000.00.**

Following some brief comments, Council Member Spain moved to defer this item to the June 22, 2010, City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until June 22, 2010, was approved by roll call vote.

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

Nays: None.

**(10-220)      Communication from the City Manager and Director of Public Works  
\*\*\*              Requesting Approval of the Following:**

- 1. LOCAL AGENCY AGREEMENT, in the Amount of \$2,770,000.00 with the ILLINOIS DEPARTMENT of TRANSPORTATION (IDOT) for Federal Participation, in the Amount of \$1,939,000.00, for the CONSTRUCTION of the INTERSECTION of NORTHMOOR ROAD and SHERIDAN ROAD (Stage 1);**
- 2. MFT RESOLUTION, in the Amount of \$585,350.00, to Pay for the City's Portion of the CONSTRUCTION and CONSTRUCTION ENGINEERING COSTS. (Refer to 05-609, 08-052 and 09-154)**

Council Member Van Auken said she would be abstaining from discussion and voting on this item due to her family owning property in the vicinity of the project.

Council Member Riggensbach moved to approve the Local Agency Agreement, in the amount of \$2,770,000.00 with the Illinois Department of Transportation for Federal participation, in the amount of \$1,939,000.00, for the construction of the intersection of Northmoor Road and Sheridan Road (Stage 1); and to approve the MFT Resolution, in the amount of \$585,350.00, to pay for the City's portion of the construction and construction engineering costs; seconded by Council Member Gulley.

Motion to approve the Local Agency Agreement, in the amount of \$2,770,000.00 with the Illinois Department of Transportation for Federal participation, in the amount of \$1,939,000.00, for the construction of the intersection of Northmoor Road and Sheridan Road (Stage 1); and to approve MFT RESOLUTION NO. 10-220, in the amount of \$585,350.00, to pay for the City's portion of the construction and construction engineering costs was approved by roll call vote.

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

Nays: None;

Abstentions: Van Auken – 1.

**(10-222) 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 WORKFORCE  
INVESTMENT ACT (WIA) YOUTH FUNDS Issued Under the ARRA, in the  
Amount of \$131,738.00, to SUPPORT the MAYOR'S YOUTH CORP (MYC)  
SUMMER EMPLOYMENT PROGRAM.**

Council Member Jacob commended Public Works Director Dave Barber and Workforce Development Director Bashir Ali for securing the funding for the 2010 Mayor's Youth Corp during the tough economic times. He noted it was a very worthwhile project and he was happy to see it continued for another year.

Council Member Jacob moved to adopt an Ordinance amending the City of Peoria Budget for Fiscal Year 2010 relating to the Workforce Investment Act (WIA) Youth Funds issued under the ARRA, in the amount of \$131,738.00, to support the Mayor's Youth Corp (MYC) Summer Employment Program; seconded by Council Member Spain.

ORDINANCE NO. 16,565 was adopted by roll call vote.

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

Nays: None.

**(10-225) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant,  
Full-Service Bar) with a SUBCLASS 2 (Live Entertainment) LIQUOR  
LICENSE at 401 S. W. WATER STREET, SUITE 102, with recommendation  
from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Riggensbach moved to approve the site application for a Class "B" (Restaurant, Full-Service Bar) with a Subclass 2 (Live Entertainment) Liquor License at 401 S.W. Water Street, Suite 102; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

- (10-226)**      **Communication from the City Manager and Corporation Counsel**  
\*\*\*\*\*  
\*      **Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) with a SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE at 1200 W. MAIN STREET, SUITE 33, with Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Riggensbach moved to approve the site application for a Class "B" (Restaurant, Full-Service Bar) with a Subclass 2 (Live Entertainment) Liquor License at 1200 W. Main Street, Suite 33; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

- (10-227)**      **Communication from the City Manager and Corporation Counsel**  
\*\*\*\*\*  
\*\*      **Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) with a SUBCLASS 1A (2:00 A.M. Closing), SUBCLASS 2 (Live Entertainment), and SUBCLASS 3A (Sidewalk Cafe) LIQUOR LICENSE at 5901 N. PROSPECT, SUITE D, with Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Riggensbach moved to approve the site application for a Class "B" (Restaurant, Full-Service Bar) with a Subclass 1A (2:00 A.M. Closing), Subclass 2 (Live Entertainment), and a Subclass 3A (Sidewalk Café) Liquor License at 5901 N. Prospect, Suite D; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

- (10-228)**      **Communication from the City Manager and Corporation Counsel**  
\*\*\*\*\*  
\*\*\*      **Requesting Approval of a SITE APPLICATION for a CLASS "B" (Restaurant, Full-Service Bar) LIQUOR LICENSE at 9901-E NORTH KNOXVILLE AVENUE, with Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.



Council Member Riggensbach moved to approve the site application for a Class "B" (Restaurant, Full-Service Bar), Liquor License at 9901-E North Knoxville Avenue; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(10-229) Communication from the City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of a SITE APPLICATION for a CLASS C-1 (Grocery  
\*\*\*\* with Package Liquor) LIQUOR LICENSE at 9129 N. ALLEN ROAD, with  
Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Riggensbach moved to approve the site application for a Class C-1 (Grocery with Package Liquor) Liquor License at 9129 N. Allen Road; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(10-232) APPOINTMENT and REAPPOINTMENTS by Mayor Jim Ardis to the FAIR  
\*\*\*\*\* EMPLOYMENT and HOUSING COMMISSION, with Request to Concur:  
\*\*\*\*\***

**APPOINTMENT:**

**Syed E. Ahmad (Voting) - Term Expires 6/30/2012**

**REAPPOINTMENTS:**

**Wayne W. Cannon (Voting) - Term Expires 6/30/2013**

**Paul J. Moreno (Voting) - Term Expires 6/30/2013 (Removed by request)**

Mayor Ardis advised that Mr. Paul J. Moreno requested his name be removed from consideration at this time.

Council Member Riggensbach moved to concur with Mayor Ardis' recommendations for the appointment of Syed E. Ahmad and the reappointment of Wayne W. Cannon to the Fair Employment and Housing Commission, as outlined; seconded by Council Member Gulley.

Motion was approved by roll call vote.

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

Nays: None.

**(10-244) Communication from the City Manager and Director of Public Works  
Requesting Approval of an AGREEMENT with CATERPILLAR INC. and  
LAKEVIEW MUSEUM ARTS and SCIENCES for Certain Work Being  
Performed by the City Through its CONSTRUCTION CONTRACT with  
STARK EXCAVATING, INC. for IMPROVEMENTS to WATER STREET, in the  
Approximate Amount of \$150,000.00. (Refer to Item No. 10-129)**

Council Member Gulley moved to approve an agreement with Caterpillar Inc. and Lakeview Museum Arts and Sciences for certain work being performed by the City through its construction contract with Stark Excavating, Inc. for improvements to Water Street, in the approximate amount of \$150,000.00; seconded by Council Member Van Auken.

Motion was approved by roll call vote.

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

Nays: None.

**(10-245) Communication from the City Manager and Assistant 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 R4 (Single Family Residential) District for an EXISTING LIBRARY and BUILDING ADDITION for Property Known as the LINCOLN CARNEGIE LIBRARY Located at 1312 W. LINCOLN AVENUE, with Conditions.**

Council Member Gulley moved to concur with the recommendation from the Zoning Commission and Staff to adopt an Ordinance granting a Special Use in a Class R4 (Single Family Residential) District for an existing library and building addition for property known as the Lincoln Carnegie Library located at 1312 W. Lincoln Avenue, with conditions; seconded by Council Member Van Auken.

Council Member Van Auken moved to grant Privilege of the Floor for two members of the Central Illinois Landmarks Foundation.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Jim Bateman and Margaret Cousin.

Jim Bateman, Central Illinois Landmarks Foundation President, said he initially had concerns regarding the impact of the Library's plans to expand on the preservation of the historic nature of the original building. He commended the Library Board's efforts to overcome various obstacles in the process by hiring an architect who came up with creative solutions to serious problems and he noted they did a great job. He asked the Council to support the Library's expansion plans.

Margaret Cousin, Central Illinois Landmarks Foundation Vice-President, said the Library had done an outstanding job to overcome various issues, while still preserving the historical integrity of the original structure. She encouraged the Council to support their efforts.

ORDINANCE NO. 15,566 granting a Special Use in a Class R4 (Single Family Residential) District for an existing library and building addition for property known as the Lincoln Carnegie Library located at 1312 W. Lincoln Avenue, with conditions, was adopted by roll call vote.

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

Nays: None.

**(10-246) Communication from the City Manager and Corporation Counsel Requesting Approval of a GROUND LEASE Between the City of Peoria and PEORIA PUBLIC LIBRARY for the LINCOLN LIBRARY BRANCH, and Requesting Authorization for the City Manager to Execute the Necessary Documents.**

Council Member Gulley moved to approve a Ground Lease between the City of Peoria and Peoria Public Library for the Lincoln Library Branch, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Turner.

Motion was approved by roll call vote.

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

Nays: None.

**(10-247) Communication from the City Manager Requesting Adoption of an ORDINANCE Approving the REDEVELOPMENT AGREEMENT Between the City of Peoria and EM PROPERTIES, LTD., to REHABILITATE the HOTEL PERE MARQUETTE into a FULL SERVICE MARRIOTT; CONSTRUCT a NEW COURTYARD MARRIOTT HOTEL; CONSTRUCT a PARKING GARAGE with RETAIL and RESTAURANT SPACE; CONSTRUCT an ELEVATED CONNECTOR to the CIVIC CENTER, and Requesting Authorization for the City Manager to Execute the Necessary Documents.**

Corporation Counsel Randy Ray distributed a letter of recommendation on behalf of EM Properties, Ltd. from Piper Jaffray to members of the City Council.

EM Properties, Ltd. distributed an outline of their presentation to members of the City Council.

Mayor Ardis briefly provided an overview of the discussion, noting this discussion was to be only about the Hotel Project and not about the relocation of the Adult Use project.

Special Projects Coordinator Chris Setti outlined the differences between the project approved by City Council in December of 2008 and the updated version of the project. He said there were now two separate hotels, rather than one; 400-405 rooms, compared to 475; the parking deck would have 30 fewer spaces; retail space size had been increased to 15,500 square feet; the cost to the City had decreased to (not to exceed) \$37 million; bond costs were less; and the Developer had invested \$10 million more in the Pere Marquette renovation portion of the project.

Mark Hoffman, Director of Design & Construction for EM Properties, Ltd., gave a PowerPoint presentation illustrating the original Hotel Pere Marquette and a preview of how the future hotels would look following the renovations and construction, including the elevated skywalk to the Civic Center.

Dr. Peter Couri, Chairman of Peoria Civic Center Authority Board, briefly detailed the various plans that had come forth since 2002. He noted the renovations and new construction around the Pere Marquette would not diminish the building's historical value. He noted the hotel industry was judged on service, value, and quality. He further noted the importance of having a high-quality hotel product to offer visitors. He said often event planners would not book events at the Civic Center due to the lack of hotel rooms available downtown. He asked the Council to support the project.

Mike Everett, IBEW Local 43 Electrical Union President, reported all of the Building Trades Unions were in favor of the Hotel Project. He said it provided job opportunities to a large number of laborers. He said the project was important at this time, and for the future.

Dr. Andy Chiou, Peoria Surgical Group, noted the success of the recent growth of the Children's Hospital thanks to the support of the City Council. He also mentioned the Cancer Research Center that was recently approved that would bring employment opportunities and funding through research grants to Peoria. He encouraged the City Council's support of the project to spur continued growth to the area.

Sue Wozniak, Chief Operating Officer of OSF, reported that OSF was fully in support of the Hotel Project. She said she felt a vibrant downtown was vital to Peoria's growth. She said a large array of vendors from the healthcare sector would support the hotel. She added, with the new Cancer Research Center coming and with OSF's headquarters here, their enterprise had really grown and there was a real need for downtown accommodations. She noted Peoria was heavily invested in the Civic Center and, if improvements were not made, that investment would be at risk. She said she believed the time was right to support the project.

Jim Baumgartner, Caterpillar Director of Corporate Public Affairs, noted Caterpillar brings over 12,000 visitors to the Peoria area each year. He said there was a real need for high-quality accommodations, especially with the expected growth from the new museum block that would bring many travelers to the downtown area. He said with Caterpillar's Global Headquarters being located in Peoria, the Hotel was important for Cat's growth. He said ultimately it was the Council's decision whether or not the project is viable.

Ron Samples, Owner of the Pere Marquette Hotel, noted the original hotel was built in 1927 and had completed some major renovation in recent years. He outlined the numerous groups who already have utilized the Pere Marquette and he encouraged the City Council to support the project.

Bob Marx, President and CEO Peoria Area Convention and Visitors Bureau, reported the tourism efforts for the area were flourishing. He noted their efforts market Peoria as the "hub" of the region. He said the PACVB had developed an integrated marketing plan to attract people to the region and there was a serious need for a competitive hospitality venue. He said the proposed development would enhance the PACVB's ability to secure additional groups and conventions for Peoria. He also noted the Marriott Corporation had a loyal following of customers due to their successful Marriott Rewards program. He added this would ensure return customers.

Gary Matthews, Developer, thanked all of the speakers from different sectors who spoke on behalf of the Hotel Project. He said the project had been in the process for nearly three years so far. He also thanked all of his support staff for their hard work and countless hours to bring the project forward. He said he was excited to return the Pere Marquette to the grandeur it once had.

David Richardson, Legal Counsel from the St. Louis Law Firm of Hush Blackwell, provided some details regarding the developer's fee. He said the typical range for a developer's fee was anywhere from 8% to 20% and that range was determined by four factors: length of time, riskiness of the project (financial and construction), type of project (residential vs. commercial), and payout schedule for the project (up front vs. incremental). He said this project has a five-year timeframe. He said residential developments were typically built in open spaces without affecting nearby businesses, so the fees were in the range of 8-10% for the developer, while commercial developments were more complex and fees were in the range of 10-20%. He noted the developer's fee for this project was \$9.2 million or 9%.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to any citizen who wished to address this issue.

Kenny Carrigan, Peoria resident, said he supported the project. He said numerous individuals had invested a great deal of time and were strongly committed to the project. He said it would create jobs and be important for the future of the community.

Phyllis Pryce, Peoria resident, said she greatly supported the project and she remarked about the beauty of the proposed hotel. She said this development would help to secure larger conventions for the area.

Robert Lewis, Bartonville resident, noted Caterpillar and OSF had invested millions of dollars into the community and it was the City Council's responsibility to support the project.

Conrad Stinnett, III, Peoria resident, expressed concern regarding the lack of communication in the details of the project. He said he would have liked to have seen the project rolled out in each of the five districts. He agreed the City should provide support, but not taxpayer money.

Merle Widmer, Peoria County Board Member, said he did not support the project. He then outlined various projects the City Council had supported that he considered “failed.”

Pam Elwood, Peoria resident, noted she was a proponent of urban development and she was supportive of the project. She said it would bring new vitality to the area and help Peoria to realize a greater vision.

Jeff Williams, Peoria resident, said he felt the City could find better ways to utilize taxpayer money.

Savino Sierra, Peoria resident, said it was nice to have supporters and contributors for the project. He said he liked the hotel idea, but he was not sure it would succeed. He added he was all for progress, but he was skeptical and he thought the developer fee was too high.

CJ Summers, Peoria resident, said there was always a hope that a project will pay for itself. He said he felt it would indirectly lead to layoffs. He also questioned why the project was not funded privately if there was such a demand for it.

LaVetta Ricca, President of Olde Towne South Neighborhood Association, questioned why the City never seemed to have money to help clean up neighborhoods, yet managed to come up with money for these big projects.

John White, Peoria resident, compared the City Council to a corporation where the taxpayers were the stockholders. He expressed concern regarding the lack of information provided back to the taxpayers.

David Coleman, homeowner in Peoria, urged the Council to consider voting for the Hotel Project to help move Peoria forward and to boost the economy.

Krista Riggs, new resident to Peoria, expressed concern regarding the process through which the developer was chosen.

Nathan German, of Building Trades Local (Carpenters), said the project would not only affect Peoria, but the entire region. He said the new hotel would greatly boost economic development and give Peoria a competitive edge with other communities in bringing in bigger conventions and shows to the Civic Center. He urged the Council to give their full support to the project.

Gordon Seibold, Peoria resident, read a recent editorial that had appeared in the Peoria Journal Star. He said he was opposed to the project.

Mayor Ardis then requested feedback from Council Members.

Council Member Van Auken expressed concern that the community did not understand the financing of the project and that there were many misconceptions about where the money was coming from for the project.

In discussion with Council Member Van Auken, Finance Director/Comptroller Jim Scroggins clarified the project would be financed utilizing TIF (tax increment financing) District funds. He said these funds were restricted funds which were not available for operational costs. He said the approval of the project would not affect the operational budget for the City. He said the City had approximately ten TIF Districts.

In discussion with Council Member Spain regarding why the City did not issue RFP's (requests for proposals) to secure the developer, Special Projects Coordinator Chris Setti said the City did not have any control over the property. He said RFP's were sought only when the City had ownership of property.

In further discussion with Council Member Spain, Mr. Baumgartner from Caterpillar said visitors to Caterpillar's Global Headquarters stayed in hotels here and across the river, visited restaurants, shopped, but often moved on to major cities when extending their stay.

Council Member Spain noted the vast differences in the proposed project compared to the original. He questioned why there was an increased investment in the Pere Marquette with the current one.

Developer Gary Matthews said a more thorough review of the Pere Marquette renovation had been conducted, both physically and mechanically. He said major updating of windows, electrical, tuck pointing, and room sizes needed to be done. He said the first floor, considered the "Main Street Level" would be completely refurbished. He added Life/Safety renovations were huge factors, as well.

In further discussion with Council Member Spain, Mr. Matthews clarified the developer fee was set up as a "does not exceed" amount. He said this meant the City of Peoria would not pay any additional costs, even if the project costs were higher than projected. He said the fee had a built-in cushion. He said costs were clear with the building of the Marriott, but not with the Pere Marquette renovations. He added, if the project incurred any cost savings, that savings would be split 50/50 between the City and the developer. He said after the hotel project was complete, if the franchise wanted changes, the developer would step up. He further said the plan for construction included the Pere Marquette remaining open during the renovation, which would begin immediately. He said the common areas would be phased in, both during demolition and construction. He said he hoped for a first quarter 2013 opening.

In discussion with Council Member Irving, Corporation Counsel Randy Ray said requests for reimbursable expenses could be done with lien waivers. He clarified waivers would be submitted by the developer and paid directly to the contractor. He also clarified the City was required to be informed of the flag hotel brand pursuant to any disbursement of funds.

Council Member Irving expressed concern that the City of Peoria would be liable for any shortfall on the G.O. bonds.

In discussion with Mayor Ardis, Mr. Matthews said there was an auditing process that provided transparency. He said there were draw requests and monthly reconciliation. He clarified the revised project included a benefit for the City and for the developer; any cost savings would be split 50/50.

Mayor Ardis noted the use of Historic Tax Credits. He said if the process passed through the State Legislature, the City and the developer would work together to maximize these tax credits and, even though the State did not require it, the credits would be split 50/50 between the City and the developer.

Mr. Matthews said the developer fee would be less if the total of the project came in less than budgeted. He clarified the percentage would be the same, but based on less money. He added the renovations and construction of the hotel could easily support future additions at no additional cost to the City down the road.

In discussion with Mayor Ardis, Finance Director/Comptroller Jim Scroggins clarified the money to fund the project was being generated by the project itself and that there was no pot of City money from which the funds were being drawn.

In discussion with Council Member Sandberg, Mr. Matthews said the setting of the project guaranteed maximum price was a condition to release any bonds for the project.

Council Member Jacob expressed concern regarding the City liability for incidents which could occur on the climate-controlled connector to the Civic Center.

Corporation Counsel Ray said a three-way agreement between the City, the Civic Center, and the Hotel Owner would be established and would not cost additional money to the City. He said the maintenance of the connector would be the responsibility of the Hotel Owner. He said it was not the City's intent to take on liability for any injuries.

Council Member Jacob requested this issue be clarified in the three-way agreement.

In further discussion with Council Member Jacob, Mr. Matthews clarified the lenders would be the first entity paid in the event of the failure of the project.

In discussion with Council Member Sandberg, Finance Director/Comptroller Scroggins clarified the money for the project was not immediately in hand. He said the City would come up with \$1.5 million each year over the next three years.

In discussion with Council Member Spain, Special Projects Coordinator Setti said there were a number of factors that made up the difference for the fewer number of rooms in the new project. He said there was less cost to the City, the cost of borrowing was less, and additional retail space had been added to generate additional revenue.

Council Member Gulley moved to adopt the Ordinance approving the Redevelopment Agreement between the City of Peoria and EM Properties, LTD., to rehabilitate the Hotel Pere Marquette into a Full Service Marriott; construct a new Courtyard Marriott Hotel; construct a parking garage with retail and restaurant space; construct an elevated connector to the Civic Center, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Turner.

Council Member Van Auken said she was pleased to see so many different sectors of the community voicing their support. She said one more reason to support the project was the historic preservation aspect with the renovation of a landmark. She thanked the developer for supporting the community.

Council Member Turner noted the strong opinions on both sides of the project. He said the hotel would be a revenue producer and would help the City retain jobs. He said the biggest risk would be to do nothing.

Council Member Riggensbach said this issue was the most intense one he had dealt with since being on the Council. He noted he had concerns including the developer fee and the non-ownership of the land by the City. He added he felt there had been a great deal of fear-mongering in the media surrounding the project. He said the City would benefit from having a full-service hotel downtown.

Council Member Sandberg expressed concern regarding the Council's fiduciary responsibility to the taxpayers. He said he could not support a \$37 million project paid for on the backs of the taxpayers. He said, not only were the risks great if projections for the hotel were not met, but even if they were met. He questioned whether or not the City was prepared to subsidize the competing hotels and restaurants in the downtown area, if they were put out of business by the new hotel. He noted there had been no long-term planning with the project.

Council Member Spain said large-scale projects could not be supported on blind faith due to the tremendous risk involved. He added communities had to play an active role in bringing new developments to themselves and not rely solely on developers to do so. He noted it was a competitive market and Peoria was losing businesses to East Peoria. He further noted the \$8 million savings that could come from utilizing the Illinois Historic Tax Credit if it passed.

Council Member Irving thanked Mr. Matthews for always being available to answer the numerous questions that had come up with the project. He said he supported economic growth and developers and he realized there was a danger in doing nothing. He said his main concern was to protect the taxpayers. He said the City needed better protection of its investment.

Council Member Montelongo said he supported a new hotel that would make Peoria's citizens proud and because economic development and job growth were important. He said the project Council voted for originally, in December 2008, was the project that he had been proud to support. He expressed concern regarding the developer fee, as he said he felt it was too high in comparison with developers in other regions who had charged 3-4%. He said he felt it was important to seek out other bids through RFP's to get a better price. He said it was a huge risk with no protection for the taxpayers. He said he felt it was totally irresponsible to support the project and urged his colleagues to vote "no" as well.

Mayor Ardis noted, regardless of the outcome of the vote, everyone had heavily weighed all sides of the project. He thanked all speakers for their respectful tone overall and he extended additional thanks to Representative Gordon for helping to push through the Illinois Historic Tax Credit. He said the savings for the project would be around \$8 million through these credits and would bring the cost to the City down \$4 million. He said he was grateful to the developer for not just building a new building, but for working to restore the historic Pere Marquette. He reiterated the City did not own anything related to the project, therefore, no RFP's could be issued to secure a developer. He said the City of Peoria should have confidence in itself to succeed.

Council Member Sandberg noted a Point of Order on the vote. He asked Corporation Counsel what the City Council rules were for precedent votes or votes that might take place that require more than a super-majority vote.

Corporation Counsel said the Council did have a rule that said, if an agreement obligated the City to conduct something that would require a super-majority, then the agreement itself would take a super-majority vote.

Council Member Sandberg clarified only six votes were required to buy property, but it took a super-majority of votes to sell property. He said, with that understanding of the rules, and of questions asked of both the developer and Staff that in 2010, money was going to be expended on this project that was not currently in the budget that, subject to 65ILCS 5/8-2-9.6 which states that by a vote of 2/3 of the members of the corporate authorities then holding office, the annual budget for the municipality may be revised by deleting, adding to, changing, or created sub classes within object classes and object classes themselves, no revision of the budget shall be made increasing the budget in the event funds are not available to effectuate the purpose of the revisions. He said he specifically asked if money was available. He noted this would require a budget amendment and; therefore, he strongly positioned himself, for the record, that a super-majority vote is required for that.



Corporation Counsel Ray said it was his opinion that the vote would require six votes to pass. He said the reason for this was that it called for issuing bonds. He said the issuance of bonds had never been a reason in these Council proceedings to require a budget amendment. He said he couldn't recall a budget amendment coming forward with a bond ordinance. He noted Staff had consulted with Accounting, Mr. Scroggins, and Bond Counsel. He said it was Bond Counsel's opinion that Bond Counsel served as appropriation for the bonds and, in fact, there was a long history of precedent in Illinois that bonds and bond ordinances did not require budget amendments. He added this made the bond market more reasonable because, just by viewing the bond ordinance, it was obvious it had been authorized. He reiterated his opinion was that it only required six votes to pass the agreement.

Council Member Sandberg said, for the record, Attachment One (the actual Ordinance) made no reference to anything other than the City Council's Home Rule powers.

Motion to adopt ORDINANCE NO. 16,567 approving the Redevelopment Agreement between the City of Peoria and EM Properties, LTD., to rehabilitate the Hotel Pere Marquette into a Full Service Marriott; construct a new Courtyard Marriott Hotel; construct a parking garage with retail and restaurant space; construct an elevated connector to the Civic Center, and to authorize the City Manager to execute the necessary documents was approved by roll call vote.

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

Nays: Irving, Jacob, Montelongo, Sandberg – 4.

### **RECESS**

Mayor Ardis requested a brief recess at 10:55 P.M.

### **RECONVENING OF THE CITY COUNCIL**

Roll call showed the following Council Members were physically present: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11.  
Absent: None.

Mayor Ardis reconvened the meeting of the City Council at 10:58 P.M.

**(10-248) Communication from the City Manager and Corporation Counsel  
Requesting Adoption of an ORDINANCE Amending CHAPTER 18 and 27 of  
the Code of the City of Peoria Pertaining to BONDS for BUSINESS  
LICENSES Repealing the Bond Requirement.**

Council Member Turner said the original intent of this item was the creation of a \$25.00 business permit which could be used as a mechanism to collect taxes and fees owed to the City when places go out of business. He said the bond requirement had been difficult for some businesses to secure due to credit issues, etc. He said the purpose of the proposed Ordinance was to repeal the bond requirement.

Council Member Turner moved to adopt an Ordinance amending Chapter 18 and 27 of the Code of the City of Peoria pertaining to bonds for business licenses, repealing the bond requirement; seconded by Council Member Van Auken.

Council Member Spain said he was supportive of the repeal, but he noted Staff needed to possibly work with the City/County Health Department to come up with another mechanism through which the City could collect owed taxes and fees.

Council Member Sandberg said he felt the removal of the bond requirement was a step in the right direction. He said collecting money owed to the City should be set as a priority.

Council Member Van Auken said she had been contacted by a business owner who expressed concern that, if the bond requirement was repealed, their agent was unable to provide a refund. She expressed concern that this would punish those businesses who had complied with the Ordinance.

Council Member Jacob noted he did not support the Ordinance and he asked for a report back from Staff regarding how collection of monies due to the City could be handled administratively.

Council Members Gulley and Spears both noted they had not been in support of the Ordinance from the beginning.

ORDINANCE NO. 16,568 to amend Chapter 18 and 27 of the Code of the City of Peoria pertaining to bonds for business licenses, repealing the bond requirement was adopted by roll call vote.

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

Nays: None.

- (10-249) Communication from the City Manager and Assistant Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to DENY a REQUEST to AMEND a PREVIOUS USE WITH APPROVAL, with a Request for a SPECIAL USE, in a C2 (Large Scale Commercial) District for an EXISTING MOTEL to INCREASE the SIZE of a FREESTANDING SIGN from 150 Sq. Ft. to 204 Sq. Ft. for Property Known as BAYMONT INN & SUITES, Located at 2002 W. WAR MEMORIAL DRIVE.**

Council Member Spears moved to defer this item until the June 8, 2010, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until June 8, 2010, was approved by roll call vote.

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

Nays: None.

### **UNFINISHED BUSINESS**

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

- (10-191) Request to discharge the Sign Committee of their duty to Review a proposed ORDINANCE Amending APPENDIX B of the Code of the City of Peoria, and a proposed ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to OFF-PREMISE SIGN EXTENSIONS and Place this on the June 8, 2010, City Council Agenda.**

Council Member Turner moved to discharge the Sign Committee of their duty to review the proposed Ordinance amending Appendix B of the Code of the City of Peoria, and the proposed Ordinance amending Appendix C of the Code of the City of Peoria relating to Off-Premise Sign Extensions and place this on the June 8, 2010, City Council Meeting Agenda; seconded by Council Member Spain.

Council Member Sandberg said he felt it was more important to move the Sign Committee along to review the information and come back to Council with a recommendation, rather than discharge them of their duty to do so.

Motion to discharge the Sign Committee of their duty to review the proposed Ordinance amending Appendix B of the Code of the City of Peoria, and the proposed Ordinance amending Appendix C of the Code of the City of Peoria relating to Off-Premise Sign Extensions and place this on the June 8, 2010, City Council Meeting Agenda was approved by roll call vote.

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

Nays: Sandberg - 1.

### **NEW BUSINESS**

**(10-250) Request for City Staff to Bring Forward the ADULT USE ORDINANCE in a Meeting of City Staff with Downtown Stakeholders in the RELOCATION OF BIG AL'S, in order to ADDRESS VARIOUS CONCERNS and ANSWER QUESTIONS**

Council Member Riggenbach distributed a letter from Riverside Church to members of City Council.

Council Member Riggenbach requested, in light of the upcoming relocation of Big Al's, City Staff needed to contact Riverside Church and set up a meeting of downtown stakeholders and Staff in order to address the various concerns that have been raised and to answer questions. He added, since the relocation had already been approved by Council, some clarification needed to be made regarding what the current Ordinances entailed. No objections were heard.

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

**(10-251) 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.

Savino Sierra, Peoria resident, said he supported the Hotel Project because it would give his brothers and sisters in the various Labor Groups jobs, but he expressed concern regarding the risk of such a large project in these rough economic times.

Greg Chase, Peoria business owner, expressed concern regarding difficulty he has had in running his business since he moved it from Pekin.

### **EXECUTIVE SESSION**

It was determined an Executive Session was not needed.

### **ADJOURNMENT**

Council Member Spain moved to adjourn the Regular City Council meeting; seconded by Council Member Van Auken.

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

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

Nays: Spears - 1.

The meeting adjourned at 11:25 P.M.

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

By: \_\_\_\_\_  
Beth Ball, Chief Deputy Clerk  
City of Peoria, Illinois

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