

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

Council Chambers, Peoria, Illinois, August 10, 2010, a Joint City Council & Town Board Meeting was held this date at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

**ROLL CALL**

Roll call showed the following Council Members were physically present: Gulley, Irving, Montelongo, Riggenbach, Sandberg (arrived at 6:25 P.M.), Spain, Spears, Turner, Van Auken, Mayor Ardis - 10. Absent: Jacob - 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** PEORIA JAYCEES: 70TH ANNIVERSARY AND JAYCEES MONTH - AUGUST 2010

**PROCLAMATION:** RICHWOODS HIGH SCHOOL CLASS OF 1960 - 50TH CLASS REUNION

**PROCLAMATION:** RIVERSIDE COMMUNITY CHURCH - 10TH ANNIVERSARY

**MINUTES**

Council Member Spain moved to approve the minutes of the July 27, 2010, Regular City Council Meeting, as printed, with a clarification under Item No. 10-365, Page 29384, to reflect that Paul Masick is the President-elect of the Neighborhood Alliance rather than the President of Altamont Park Neighborhood Association; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

**(10-367) PUBLIC HEARING Regarding a PLAN OF FINANCING for a CERTAIN REDEVELOPMENT PROJECT in Connection with the RENOVATION and REHABILITATION of the PERE MARQUETTE HOTEL in Peoria, Illinois.**

Council Member Spain moved to open the Public Hearing regarding a Plan of Financing for a certain development project in connection with the renovation and rehabilitation of the Pere Marquette Hotel in Peoria, Illinois; seconded by Council Member Montelongo.

Motion to open the Public Hearing was approved by roll call vote.

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

Nays: None.

The Public Hearing opened at 6:34 P.M.

In response to a request from Mayor Ardis, Finance Director/Comptroller Jim Scroggins provided a brief explanation. He said this Public Hearing would provide an opportunity for citizens to speak for or against the proposal to issue Recovery Zone Facility Bonds pursuant to the plan of financing for the hotel project. He stated the City Council approved a Redevelopment Agreement between the City of Peoria and EM Properties on May 25, 2010, and the City of Peoria would contribute a total of \$37 million to the project through the issuance of bonds, per the agreement. He said the City of Peoria received \$2.195 million allocated from the American Recovery and Reinvestment Act of 2009 for Recovery Zone Facility Bonds. He said the bonds were new, tax exempt, private activity bonds to finance certain depreciable property, including equipment, located in designated recovery zones. He added the City Council approved the City of Peoria as a recovery zone on July 14, 2009. He said the Recovery Zone Facility Bond allocation would expire on December 31, 2010.

Phyllis Pryde, a Peoria resident, spoke in support of building and funding the hotel. She pointed out the hotel would pay taxes to the City of Peoria, unlike the proposed museum, which would not pay taxes. She suggested the new museum should be built in the grassy area in front of Lakeview Museum for safety concerns.

Ken Carrigan, a Peoria resident, spoke in support of funding the hotel because it would bring jobs to the community and would enhance tourism for the City of Peoria. He said the hotel would also bring business to the Peoria Civic Center. He spoke in support of tourism for senior citizens, which was a large portion of the Peoria population, to encourage them to stay in Peoria.

Savino Sierra, a Peoria resident, spoke in support of funding the hotel so skilled tradesman would have more jobs. He urged the Council to move forward with building the hotel project as soon as possible.

Following the third call by Mayor Ardis for citizens to address the City Council and after determining no one else wished to address this issue, Council Member Spain moved to close the Public Hearing; seconded by Council Member Turner.

Motion to close the Public Hearing was approved by roll call vote.

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

Nays: None.

The Public Hearing closed at 6:44 P.M.

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

- (10-368) NOTICE of LAWSUIT Filed on Behalf of TERRANCE JACKSON Regarding a Complaint Against the City of Peoria and Several Police Officers Alleging Excessive Force During a Traffic Stop and Arrest on January 26, 2009, with Request to Receive for Information and Refer to the Legal Department.**
- (10-369) Communication from the City Manager and Director of Public Works with Recommendation to ACCEPT the LOW BID of R.A. CULLINAN & SONS, INC., in the Amount of \$872,242.50, and Award the CONTRACT for the WEST HICKORY GROVE ROAD ROADWAY IMPROVEMENT PROJECT (West of Dunmore Drive to Knoxville Avenue) ALTERNATE A, and to Approve CHANGE ORDER #1, in the Amount of \$172,033.74, with Additional Authorization of \$52,213.81 (5% for Contingencies).**

- (10-370) Communication from the City Manager and Director of Public Works Requesting Approval of a FINAL PAY ESTIMATE, in the Amount of \$12,501.26, which is \$10,683.43, or 15% Over the Approved Amount of \$67,849.93, for a Total Contract Amount of \$78,533.36, for GLEN OAK IMPACT ZONE PHASE I SIDEWALK IMPROVEMENTS.
- (10-371) Communication from the City Manager and Director of Public Works Requesting Approval of the ADDITION of \$140,000.00 to the CONSTRUCTION CONTRACT with J. C. DILLON, INC. for ANNUAL STORM SEWER REPAIR CONTRACT to Include the Repair at 1100 W. MacQUEEN AVENUE (24.6% of Original Authorization Amount of \$570,000.00), for a Total Amended Authorization of \$710,000.00. (Amends Item No. 10-118)
- (10-372) Communication from the City Manager and Corporation Counsel Requesting Adoption of ORDINANCE NO. 16,592 Amending CHAPTER 31, Schedule A, of the Code of the City of Peoria Prohibiting the Use of Ground Water as a POTABLE WATER SUPPLY by the Installation or Use of POTABLE WATER SUPPLY WELLS or by Any Other Method.
- (10-373) \* Communication from the City Manager and Director of Planning and Growth Management with Request to Receive and File the GLEN OAK SCHOOL NEIGHBORHOOD IMPACT ZONE PROGRESS REPORT for the FIRST HALF of 2010, as Required Semi-Annually by Ordinance No. 16,461.
- (10-374) REPORT of the CITY TREASURER PATRICK A. NICHTING for the MONTH of JUNE 2010, with Request to Receive and File.

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

Council Member Riggerbach requested Item No. 10-373 be removed from the Consent Agenda for further discussion.

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

Items No. 10-368 through 10-374 (excluding Item No. 10-373, which was removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (10-373) \* Communication from the City Manager and Director of Planning and Growth Management with Request to Receive and File the GLEN OAK SCHOOL NEIGHBORHOOD IMPACT ZONE PROGRESS REPORT for the FIRST HALF of 2010, as Required Semi-Annually by Ordinance No. 16,461.

Council Member Riggerbach pointed out the commitment the City of Peoria had made to the East Bluff with the Glen Oak School Neighborhood Impact Zone. He recognized the leadership of Council Member Jacob and former Council Member Manning in the project. He said the cornerstone of the project was the new Glen Oak School, which was scheduled to open on August 30, 2010. He also pointed out the City had invested over \$3 million in new infrastructure for the area. He said there was still work to be done due to all the challenges the area faced regarding crime and homeownership, but the City's commitment would continue with saturation patrols and other programs.

Council Member Riggerbach requested a report back in 90 days from Staff regarding a specific work plan for 2011 and include the next steps for the impact zone as it moved forward. He requested a renewed focus on the Wisconsin Avenue Business District in the coming months and he wanted some creative ways to increase homeownership in that area. He stated he wanted to assure the residents that the City's vision was not yet complete.

Council Member Riggerbach moved to receive and file the Glen Oak School Neighborhood Impact Zone Progress Report for the first half of 2010; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

**(10-375) Communication from the City Manager and Director of Public Works Requesting Authorization for the Staff to APPLY to the U.S. DEPARTMENT of TRANSPORTATION for a \$16,000,000 TIGER II GRANT for STREET IMPROVEMENTS in the WAREHOUSE DISTRICT.**

Council Member Spain moved to authorize the Staff to apply to the U. S. Department of Transportation for a \$16,000,000 Tiger II Grant for street improvements in the Warehouse District; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

**(10-376) Communication from the City Manager and Acting Human Resources Department Requesting Authorization for the City Manager to Enter into a THREE-YEAR AGREEMENT with the LOW BIDDER, PMA MANAGEMENT CORPORATION, to Provide THIRD PARTY ADMINISTRATION for the CITY'S SELF-INSURED WORKERS' COMPENSATION PROGRAM at a Projected Cost of \$216,000.00, for the Three-Year Term.**

Council Member Turner moved to authorize the City Manager to enter into a Three-Year Agreement with the low bidder, PMA Management Corporation, to provide Third Party Administration for the City's self-insured Workers' Compensation Program at a projected cost of \$216,000.00 for the Three-Year Term; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

**(10-377) Communication from the City Manager and Acting Human Resources Director Requesting Authorization for the City Manager to Enter into a THREE-YEAR AGREEMENT with the LOW BIDDER, VRS-VERICLAIM, INC., to Provide Third Party Administration for the CITY'S LIABILITY PROGRAM at an Estimated Three-Year Cost of \$142,000.00.**

Council Member Montelongo moved to authorize the City Manager to enter into a three-year agreement with the low bidder, VRS-Vericlam, Inc., to provide Third Party Administration for the City's Liability Program at an estimated three-year cost of \$142,000.00; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Riggenbach, Sandberg, 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)**

**(10-057)     Communication from the City Manager and Director of Planning and  
Growth Management with Recommendation from the Historic Preservation  
Commission Requesting Approval of the Following:**

**B.     REQUEST to DEFER until NOVEMBER 9, 2010, the ORDINANCE Amending  
CHAPTER 16 of the Code of the City of Peoria Related to the DESIGNATION  
PROCESS.**

Council Member Van Auken requested that Corporation Counsel Randy Ray provide legal guidance to the Ad Hoc Committee regarding issues relating to Federal, State, and local laws and in the way of someone from the Legal Staff attending their meetings. She stated she felt that progress was being made and everyone concerned would be getting an opportunity to voice their view point. She said a deferral of this item would allow adequate time to make sure all parties were heard.

Council Member Van Auken moved to defer this item until the November 9, 2010, Regular City Council Meeting; seconded by Council Member Riggenbach.

Motion to defer this item until November 9, 2010, was approved by roll call vote.

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

Nays: None.

### **ANNOUNCEMENT Regarding COMCAST FORUM to be Held in EARLY OCTOBER 2010**

Council Member Turner said he had been meeting with the Legal Department and making plans to hold a forum to hear concerns regarding Comcast in early October and he said, if there were any citizens who had concerns but would not be able to attend a forum in early October, they could send a list of their concerns in an e-mail or letter to his attention or any other Council Member's attention at 419 Fulton Street, Peoria, Illinois 61602. He said these concerns would be included in the discussion at the forum.

### **NEW BUSINESS**

#### **COMMENTS Regarding the Fundraising Event "ELECTED OFFICIALS GOT TALENT"**

Council Member Turner thanked Council Members and citizens involved, including Hy-Vee, in assisting with raising money at the "Elected Officials Got Talent" event. He said it was a fun event for all who participated.

**ANNOUNCEMENT Regarding 2011 BUDGET OPEN HOUSES**

Council Member Gulley reminded citizens that a 2011 Budget Open House would be held at 1020 Matthew Street at the Neighborhood House on Monday, August 16, 2010, from 4:30 P.M. until 6:30 P.M. He said citizens were welcome to come and ask questions.

Mayor Ardis also reminded citizens that a 2011 Budget Open House would be held at the Innovation Center located at 801 N. Main Street, on Thursday, August 19, 2010, from 4:30 P.M. until 6:30 P.M. He said Council Members and City Staff would be in present to assist citizens.

**COMMENTS Regarding the HANDLING PROCESS of BARKING DOG COMPLAINTS**

Council Member Spain referred to the City's noise Ordinance and barking dog problems, and he said one of the issues that was noted was that barking dog complaints would be difficult to handle in the way City residents were accustomed to, since the Peoria Animal Shelter was now under County jurisdiction. He said there were citizens who called City dispatch and citizens were being told there was no recourse or response either from the County or the City Police Officers. He said there needed to be a solution for barking dog complaints and he stated this was an area that needed improvement.

Director of Inspections John Kunski said calls were being referred to the PeoriaCares hot line. He said, in the past, neither PAWS nor the Police Department responded to barking dog complaints after hours. He stated the only difference now was that PAWS did not hand-deliver a notice to the residents, but a certified letter was sent to the residents regarding the complaint. He added everything else is being handled as in the past. He stated the resident is advised in the letter that if the barking dog problem continued, they would be brought before the Animal Review Board and they could face penalties.

Mayor Ardis stated this was an area that the Council would continue to hold discussions to review better ways to handle barking dog complaints.

**ANNOUNCEMENT Regarding the "DINE OUT FOR PEORIA PROMISE" FUNDRAISER**

Mayor Ardis announced there were over 35 restaurants in Peoria who would be participating in an event called "Dine Out for Peoria Promise" all this week. He encouraged citizens to go to the web site [www.peoriapromise.org](http://www.peoriapromise.org) for a listing of participating restaurants and a variety of discounts, with proceeds being donated to Peoria Promise. He thanked Council Member Van Auken and Council Member Montelongo who joined him as servers for the evening at restaurants on Water Street last night for the kick-off.

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

**(10-378) Communication from the Town Attorney Requesting Approval of a RESOLUTION Calling for TWO SPECIAL MEETINGS of the TOWN ELECTORS to Approve a LEASE or PURCHASE for the TOWNSHIP RELIEF OFFICE.**

Trustee Irving moved to approve the Resolution calling for two Special Meetings of the Town Electors on Tuesday, August 24, 2010, at 6:00 P.M. and on Tuesday, September 14, 2010, at 6:00 P.M. to approve a lease or purchase for the Township Relief Office; seconded by Trustee Van Auken.

Approved by roll call vote.

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

Nays: None.

**EXECUTIVE SESSION OF THE TOWN BOARD OF TRUSTEES**

- (10-379) Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss 2(c)(6) The setting of a price for sale or lease of property owned by the public body.**

Trustee Irving moved to enter into Executive Session to discuss 2(c)(6) The setting of a price for sale or lease of property owned by the public body following the Joint City Council and Town Board Meeting; seconded by Trustee Van Auken.

Approved by roll call vote.

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

Nays: None.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

- (10-380) 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, a Peoria resident, commended the participants of the "Elected Officials Got Talent" event and he said he enjoyed their talent. He urged citizens to use the sidewalks in their neighborhoods rather than walking in the street, and he spoke in support of the City allowing the Golden Corral to resolve their sign issues so they could locate in the City of Peoria.

**EXECUTIVE SESSION**

- (10-381) Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 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 Turner moved to enter into Executive Session to discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; 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 Riggensbach.

Approved by roll call vote.

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

Nays: None.

**ADJOURNMENT**

Council Member Irving moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

The meeting adjourned at 7:07 P.M.

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

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