

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

Council Chambers, Peoria, Illinois, September 28, 2010, a Regular 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 6:20 P.M.), Irving, Montelongo, Riggerbach, Sandberg, 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 asked that the family of Pat Landes, Director of Planning and Growth Management, be remembered due to the recent passing of her husband, Edmond Landes. He then led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** REPUBLIC OF KARELIA PRISON MINISTRY OFFICIALS

**PROCLAMATION:** COMMUNITY WORKSHOP AND TRAINING CENTER, INC. -  
50<sup>TH</sup> ANNIVERSARY

**PROCLAMATION:** ALZHEIMER'S ASSOCIATION MEMORY WALK SUNDAY -  
OCTOBER 3, 2010.

**MINUTES**

Council Member Spain moved to approve the minutes of the September 14, 2010, Joint City Council & Town Board Meeting, as printed; seconded by Council Member Irving.

Approved by roll call vote.

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

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:**

**(10-441) Communication from the City Manager and Director of Public Works Requesting Approval to ACCEPT the BID of THREE SISTERS PARK for the SALE of SURPLUS PARKING BOOTHS for a Total Amount of \$1,215.00.**

**(10-442) Communication from the City Manager and Director of Public Works Requesting to Award the CONTRACT to REBUILD the Current HIGH PRESSURE SODIUM FIXTURES in the TWIN TOWERS, JEFFERSON STREET, NIAGARA PARKING DECKS with INDUCTION LAMPS and BALLASTS, to the LOWEST BIDDER, LEVEL SOLUTIONS, INC. d/b/a ECO PARKING LIGHTS, INC., in the Amount of \$211,925.00.**  
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- (10-443) Communication from the City Manager and Director of Public Works Requesting Approval of a SEWER IMPROVEMENT AGREEMENT with the GREATER PEORIA SANITARY DISTRICT for the REPAIR of SEWERS, as a Part of the City of Peoria's Sewer Rehabilitation (Design Area 1 Sewers, Manhole Rehabilitation Project 6), and Requesting Concurrence in the Award of the CONTRACT for the WORK to WALKER EXCAVATING CO., INC, in the Amount of \$48,399.64.
- (10-444)  
\*\* Communication from the City Manager and Director of Public Works Requesting Approval of a RESOLUTION in SUPPORT of the LOCAL FUNDING MATCH of the NORTHMOOR ROAD STAGE 4 PROJECT (University Street to Hamilton Road), which has been Approved by Peoria-Pekin Urbanized Area Transportation Study (PPUATS) for Fiscal Year 2017 Surface Transportation Urban Funding.
- (10-445)  
\*\*\* Communication from the City Manager and Director of Public Works Requesting to (1) REPROGRAM FUNDING of \$308,300.00 from the Central Business District (Downtown) TIF Project T06003 CDB SIDEWALK/STREETSCAPE, in the Amount of \$288,900.00, and Project T09001 JEFFERSON STREET ENHANCEMENT, in the Amount of \$19,400.00, to Provide Funds for the EMERGENCY REPAIRS to the VISITORS CENTER at 100 N.E. WATER STREET, and (2) To APPROVE the LOW PRICE PROPOSAL from OTTO BAUM, in the Amount of \$66,400.00 for TUCK-POINTING REPAIRS, and (3) To APPROVE the LOW PRICE PROPOSAL from ADVANCED LEAD CONTRACTORS, in the Amount of \$56,900.00.
- (10-446) Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to Provide \$100,000.00 in Unallocated Community Development Block Grant (CDBG) Funds as MATCH for the LEAD HAZARD CONTROL GRANT APPLICATION Submitted by the Peoria City/County Health Department, and Request to Commit to Obligate an Additional \$100,000.00 in CDBG FUNDS During Each of the 2012 and 2013 Budget Years as Further Match.
- (10-447)  
\*\*\*\* Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to Concur with the Recommendation from the Zoning Commission and Staff to Adopt the Following:
- A. ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to GROUP OCCUPANCY.
  - B. ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to GROUP OCCUPANCY.
- (10-448) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,607 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2010 Relating to the AGREEMENT with OSF SAINT FRANCIS for REIMBURSEMENT of the PROPOSED EAST VILLAGE REDEVELOPMENT PROJECT AREA ELIGIBILITY STUDY, in the Amount of \$55,000.00.

- (10-449) **REAPPOINTMENT by Mayor Jim Ardis to the PUBLIC BUILDING COMMISSION, with Request to Concur.**  
**Kenneth L. Casper (Voting) - Term Expires 9/30/2015**
- (10-450) **REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMISSION ON HUMAN RESOURCES, with Request to Concur.**  
**Nancy S. Rakoff (Voting) - Term Expires 6/30/2013**  
**Estella Vallejo (Voting) - Term Expires 6/30/2013**
- (10-451) **REAPPOINTMENTS by Mayor Jim Ardis to the CONSTITUTION GARDEN ADVISORY COMMITTEE, with Request to Concur.**  
**Dr. Kurt W. Field (Voting) - Term Expires 6/30/2013**  
**James F. Hoerr (Voting) - Term Expires 6/30/2013**
- (10-452) **REAPPOINTMENTS by Mayor Jim Ardis to the LIQUOR COMMISSION, with Request to Concur.**  
**Frank R. McCabe (Voting) - Term Expires 6/30/2013**  
**Andrew D. Cassidy (Voting) - Term Expires 6/30/2013**
- (10-453) **REAPPOINTMENT by Mayor Jim Ardis of the DEPUTY LIQUOR COMMISSIONER, with Request to Receive and File.**  
**The Honorable Eric Turner - Term Expires 6/30/2011**

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. 10-444 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested Item No. 10-445 be removed from the Consent Agenda for further discussion.

Council Member Spain requested Item Nos. 10-442 and 10-447 be removed from the Consent agenda for further discussion.

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

Items No. 10-441 through 10-453 (excluding Item Nos. 10-442, 10-444, 10-445, and 10-447, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (10-442)  
\* **Communication from the City Manager and Director of Public Works Requesting to Award the CONTRACT to REBUILD the Current HIGH PRESSURE SODIUM FIXTURES in the TWIN TOWERS, JEFFERSON STREET, NIAGARA PARKING DECKS with INDUCTION LAMPS and BALLASTS, to the LOWEST BIDDER, LEVEL SOLUTIONS, INC. d/b/a ECO PARKING LIGHTS, INC., in the Amount of \$211,925.00.**

Council Member Spain said discussion had been held over a year ago regarding how funding from the Stimulus Act could be used to create savings for the City. He said it was suggested that savings from energy could be placed in a restricted fund, which could then be used in future years for additional energy improvements. He said the Council communication indicated the City could expect to save approximately \$50,000 per year and he recommended that Finance Director/Comptroller Scroggins come back to the Council with a way to reserve these dollars into a special fund to create a revolving pool for future energy improvements.

Council Member Spain moved to award the Contract to rebuild the current high pressure sodium fixtures in the Twin Towers, Jefferson Street, Niagara and Parking Decks with induction lamps and ballasts, to the lowest bidder, Level Solutions, Inc. d/b/a ECO Parking Lights, Inc., in the amount of \$211,925.00, with the stipulation that Finance Director/Comptroller Scroggins come back to the Council with a way to reserve these dollars into a special fund to create a revolving pool for future energy improvements; 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.

**(10-444)      Communication from the City Manager and Director of Public Works  
\*\*            Requesting Approval of a RESOLUTION in SUPPORT of the LOCAL  
              FUNDING MATCH of the NORTHMOOR ROAD STAGE 4 PROJECT  
              (University Street to Hamilton Road), which has been Approved by Peoria-  
              Pekin Urbanized Area Transportation Study (PPUATS) for Fiscal Year 2017  
              Surface Transportation Urban Funding.**

Council Member Van Auken stated she would be abstaining from discussion and voting due to a family member having a financial interest in the project.

Council Member Irving moved to approve a Resolution in support of the local funding match of the Northmoor Road State 4 Project (University Street to Hamilton Road), which has been approved by Peoria-Pekin Urbanized Area Transportation Study (PPUATS) for Fiscal Year 2017 Surface Transportation Urban Funding; seconded by Council Member Spears.

RESOLUTION NO. 10-444 was approved by roll call vote.

Yeas: Gulley, Irving, Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Mayor Ardis - 9;

Nays: None;

Abstentions: Van Auken - 1.

**(10-445)      Communication from the City Manager and Director of Public Works  
\*\*\*            Requesting to (1) REPROGRAM FUNDING of \$308,300.00 from the Central  
              Business District (Downtown) TIF Project T06003 CDB  
              SIDEWALK/STREETSCAPE, in the Amount of \$288,900.00, and Project  
              T09001 JEFFERSON STREET ENHANCEMENT, in the Amount of  
              \$19,400.00, to Provide Funds for the EMERGENCY REPAIRS to the  
              VISITORS CENTER at 100 N.E. WATER STREET, and (2) To APPROVE the  
              LOW PRICE PROPOSAL from OTTO BAUM, in the Amount of \$66,400.00 for  
              TUCK-POINTING REPAIRS, and (3) To APPROVE the LOW PRICE  
              PROPOSAL from ADVANCED LEAD CONTRACTORS, in the Amount of  
              \$56,900.00.**

Following a brief clarification, Council Member Sandberg questioned if TIF revenues from the downtown were being used to pay maintenance expenses on the Gateway Building to relieve the burden out of the General Fund and Corporate Taxes using localized TIF money for those ongoing maintenance projects.

Director of Public Works Dave Barber stated he had not been charging staff time directly unless it was from the capital budget. He said he would report back and provide the information regarding how staff time was charged.

Council Member Sandberg said he felt the Administration needed to take this into consideration when dealing with the 2011 City of Peoria Budget. He added there was no reason to place this expense on taxpayers. He said TIF money should be used for those expenditures within a TIF area that were eligible.

Council Member Sandberg moved to (1) reprogram funding of \$308,300.00 from the Central Business District (Downtown) TIF Project T06003 CDB Sidewalk/Streetscape, in the amount of \$288,900.00, and Project T09001 Jefferson Street Enhancement, in the amount of \$19,400.00, to provide funds for the emergency repairs to the Visitors Center at 100 N.E. Water Street, and (2) to approve the low price proposal from Otto Baum, in the amount of \$66,400.00 for tuck-pointing repairs, and (3) to approve the low price proposal from Advanced Lead Contractors, in the amount of \$56,900.00; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

**(10-447) Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to Concur with the Recommendation from the Zoning Commission and Staff to Adopt the Following:**

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- A. ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to GROUP OCCUPANCY.**
- B. ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to GROUP OCCUPANCY.**

Council Member Spain said he had a discussion with Director of Planning and Growth Management Pat Landes several months ago regarding the clustering of group uses and it was indicated in research, this was not good for land use and for individuals residing in such facilities. He said it was also discussed that Staff prepare an inventory of group homes and halfway houses throughout the City. He suggested, with the proposed amendment, maybe it was time to prepare the inventory list. He said he did not know how much Staff time this would take, so he requested a report back to gain that information.

Assistant Director of Planning and Growth Management Ross Black stated the process had been started, but it was not ready for a report back at this time. He said he would accelerate the progress on the list as much as possible.

Council Member Spain moved to adopt the Ordinance amending Appendix B of the Code of the City of Peoria relating to Group Occupancy; seconded by Council Member Van Auken.

ORDINANCE NO. 16,608 was adopted by roll call vote.

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

Nays: None.

Council Member Spain moved to adopt the Ordinance amending Appendix C of the Code of the City of Peoria relating to Group Occupancy; seconded by Council Member Van Auken.

ORDINANCE NO. 16,609 was adopted by roll call vote.

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

Nays: None.

**(10-454) Communication from the City Manager Requesting Approval of an INTERGOVERNMENTAL AGREEMENT with the COUNTY of PEORIA Regarding the PROVISION of FULL SERVICE ANIMAL CONTROL SERVICES, and Requesting Authorization for the City Manager to Execute the Agreement.**

Following a brief comment of support, Council Member Van Auken moved to approve the Intergovernmental Agreement with the County of Peoria regarding the provision of Full Service Animal Control Services, and to authorize the City Manager to execute the agreement; seconded by Council Member Riggenbach.

Approved by roll call vote.

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

Nays: None.

**(10-455) Communication from the City Manager Requesting Approval to Enter Into a SOLE SOURCE CONTRACT for PROFESSIONAL SERVICES with LAMARSH & ASSOCIATES, INC., to Provide MANAGED CHANGE PROJECT CONSULTING & ADVISORY SERVICES in Support of the REORGANIZATION within the PEORIA CITY GOVERNMENT for a Fixed Price of \$39,000.00, Plus Reimbursable Cost.**

City Manager Scott Moore distributed a description of proposed services that would be provided by LaMarsh & Associates, Inc. to all Members of the City Council.

Mayor Ardis stated the City Council unanimously requested for the City Manager to review the City's organization and determine if there would be ways to down-size or consolidate Staff, departments, or Department Heads for efficiency and to set an example for all employees. He said the process was delayed for several reasons, but the Council's sense of urgency had not been minimized, which was the reason Council Members had talked with businesses in the community who had experienced analysis similar to this several years ago. He said two of the businesses in the community had worked with LaMarsh & Associates and were satisfied with the results they received.

City Manager Scott Moore said reorganization had always been a priority of the City Council and LaMarsh & Associates would assist him in formulating a plan he would bring forward to the Council. He said all areas of concern would be reviewed before a restructuring plan would be given to the Council.

Council Member Turner said he was not in favor of using a consultant for this project, due to economic issues. He said it was essential the consultant finish this project on time and it was essential the quoted price would not be increased. He said he hoped there were results that could be used by the Council to make sound decisions for the future.

Mayor Ardis confirmed the price quoted was \$39,000.00, plus expenses.

Council Member Van Auken referred to the expenses and she said there needed to be a firm understanding that, if the process was not completed carefully and properly, problems could lead to costs much greater than \$39,000.00 plus expenses. She said she felt the fee of \$39,000.00 plus expenses was reasonable. She added that LaMarsh and Associates would facilitate discussions and decision making.

In discussion with Council Member Montelongo regarding legal obligations, Corporation Counsel Randy Ray clarified hiring the firm of LaMarsh & Associates would not absolve the City of legal responsibility. He said the firm of LaMarsh & Associates was not a law firm and the goal was for them to assist with the process to minimize the possibility of damages.

City Manager Moore explained he and the committee would take the lead in the reorganization and they would review the analysis provided by LaMarsh.

Council Member Montelongo stated he felt City Staff had the education and experience needed to complete the reorganization task without the assistance of LaMarsh & Associates.

Council Member Sandberg expressed concern that the City would hire a consultant for the reorganizational task because he noted the City had used a consultant for a past reclassification, but the result was there were still legal concerns. He said he did not feel using a consultant would save the City money. He said he felt there also needed to be more transparency in this process.

Council Member Gulley also expressed concern regarding the process and he said he could not support the hiring of a consultant. He stated LaMarsh & Associates was suppose to facilitate the changes, but he expressed concern regarding the timing as the changes had not yet been developed. He said he felt it was out of step to spend the money for something that had not occurred yet, and the changes had not been decided yet. He said the handout listed LaMarsh as having experience with governmental entities, but he stated he would like additional details. He said he had further reasons, but he felt the focus needed to be on the change portion.

In discussion with Council Member Turner and Council Member Montelongo, City Manager Moore stated he would make sure the City developed a timeline and a deliverables list to keep all parties on task.

Council Member Riggerbach reiterated the importance of having a date certain for the implementation of the plan and a set list of deliverables. He said he had hoped this process would have taken place earlier in the year since the reorganization was an important part of the 2011 Budget and ongoing years.

Council Member Spain moved to enter into a sole source contract for Professional Services with LaMarsh & Associates, Inc., to provide managed change project consulting and advisory services in support of the reorganization within the Peoria City Government for a fixed price of \$39,000.00, plus reimbursable costs; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 7;

Nays: Gulley, Montelongo, Sandberg - 3.

- (10-456) 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 AGREEMENT with ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) for the FUNDING of the PRELIMINARY ENGINEERING of WASHINGTON STREET from Hamilton Boulevard to Edmund Street, in the Amount of \$1 Million.**

Council Member Gulley moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2010 relating to the agreement with Illinois Department of Transportation (IDOT) for the funding of the preliminary engineering of Washington Street from Hamilton Boulevard to Edmund Street, in the Amount of \$1 million; seconded by Council Member Van Auken.

ORDINANCE NO. 16,610 was adopted by roll call vote.

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

Nays: None.

- (10-457) Communication from the City Manager and Director of Public Works Requesting Approval of an AGREEMENT with the ILLINOIS DEPARTMENT OF TRANSPORTATION for FUNDING of the PRELIMINARY ENGINEERING of WASHINGTON STREET from Hamilton Boulevard to Edmund Street.**

Council Member Gulley moved to approve the agreement with the Illinois Department of Transportation for funding of the preliminary engineering of Washington Street from Hamilton Boulevard to Edmund Street; seconded by Council Member Turner.

In discussion with Council Member Sandberg regarding whether or not the City would be locked into doing away with the designation of Route #24, Director of Public Works Dave Barber stated his department would bring back a Jurisdictional Transfer Agreement at a later date. He said the proposed agreement presented the City with an opportunity for \$2 million in the next two fiscal years, with the anticipation of \$8.7 million more, to assist in the funding of the first part of the Washington Street project, which was from Hamilton Boulevard to MacArthur Highway and was a \$16 million portion of the overall \$40 million project. He explained this item was the agreement and the next item was the engineering services agreement and would commit the City to move forward in a direction with a design of a highway that would be inconsistent with IDOT's standards, if it would remain a City street.

Council Member Sandberg indicated he now understood that the City would be approximately \$5 million short in funding the first phase of the project up to MacArthur Highway, and there was no funding coming from the State to incorporate the changes from MacArthur Highway to Route #474, because this road would no longer be a State road.

Council Member Sandberg expressed concern that, if the City accepted a small amount of money upfront toward the project, taxpayers would be burdened with funding the remainder of the project and he did not feel this was a wise financial decision on behalf of the future of the City. He urged the Council not to support the motion because, even though this agreement had the potential to provide \$2 million for design fees and possibly another \$8.7 million, this was a small amount compared to the cost of the entire project that was presently unfunded. He said he would not support the motion.

Director Barber said, when he presented the feasibility of this project to the Council last February, he explained they would continue to look for sources of funding and there was still the option of not building the entire stretch of roadway from MacArthur Highway to Hamilton Boulevard. He said decisions could be made throughout the process regarding where the funds



would be limited and how the funds would be spent, based on funding that was available. He said he was aware there were road issues with the museum plans moving forward and work was needed in that area. He said there was interest in the Warehouse District and decisions would need to be made regarding expenditures for that area, but he felt there was time to do that. He added there would still be opportunities to modify the length and scope of the project as phases of the project progressed.

In discussion with Council Member Gulley regarding IDOT requirements, Director Barber pointed out the Jurisdictional Transfer would be coming before Council for approval at a later date. He stated the roadway was already built to IDOT standards, but the curbs and gutters were old and IDOT was currently working on a \$5 million upgrade of the road. He added the work the City would perform would be to remove lanes and narrow the traffic section, which was not IDOT's project.

In discussion with Council Member Spain, Director Barber explained the City would give up approximately \$45,000 annually in maintenance costs in the Jurisdictional Transfer from IDOT for this section of the roadway.

Council Member Spain expressed concern regarding the loss of maintenance funding, but he said there was a risk of not moving forward with projects in the Warehouse District, which would remain status quo if nothing was done. He said the Warehouse District needed the appropriate infrastructure for success of the area. He suggested that the City of Peoria lobby Springfield to retain the route as a State route.

Council Member Sandberg suggested that, before the City accepted roads from the State, the State should bring the roads up to the City's standards.

Motion to approve the agreement with the Illinois Department of Transportation for funding of the preliminary engineering of Washington Street from Hamilton Boulevard to Edmund Street was approved by roll call vote.

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

Nays: Sandberg - 1.

**(10-458) Communication from the City Manager and Director of Public Works Requesting Approval of the PROFESSIONAL SERVICES AGREEMENT with HANSON PROFESSIONAL SERVICES, INC., in an Amount Not to Exceed \$950,000.00 for ENGINEERING SERVICES for WASHINGTON STREET Between I-74 and MacArthur Highway.\***

**\*Clerk's Note: Please refer to the Substitute Motion regarding this item on Page 29434.**

Council Member Gulley moved to approve the Professional Services Agreement with Hanson Professional Services, Inc., in an amount not to exceed \$950,000.00 for Engineering Services for Washington Street between I-74 and MacArthur Highway; seconded by Council Member Turner.

Council Member Spears expressed concern that an engineering firm would take the lead on the proposed project. He suggested that an architect take the lead on the project to gain a different perspective and for more creativity. He added that engineers were needed, but an architect should be in the lead position on the project. He discussed other locations and projects around the country that were branded and marketed for success and he felt the same thing should happen in Peoria. He said this change may delay the project, but there was only one chance to get this project right and this was an important project for the City of Peoria.

Council Member Van Auken said she agreed with Council Member Spears' remarks and she suggested that a new RFP be sent out for a different focus on the project.

In discussion with Council Member Van Auken, Director Barber pointed out there was a Landscape Design firm involved in the project. He added a new request for qualifications would need to be developed to begin the process over again.

Council Member Van Auken moved for a substitute motion to start the process over with a professional services agreement with an architectural firm taking the lead as suggested by Council Member Spears; seconded by Council Member Spears.

Substitute motion was approved by roll call vote.

Yeas: Irving, Montelongo, Riggensbach, Spears, Van Auken, Mayor Ardis - 6;

Nays: Gulley, Sandberg, Spain, Turner - 4.

**(10-459) Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to Concur with the Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Re-Establishing and Amending an Earlier Approved, But Not Fully Established, SPECIAL USE Ordinance No. 15,837, for a Single Family Multiple Dwelling Unit Structure in a Class R4 (Single Family Residential) to Allow an Existing MULTI-FAMILY STRUCTURE and PARKING LOT EXPANSION for the Property Located at 1505 N. PEORIA AVENUE, with Conditions.**

Council Member Riggensbach moved to concur with the recommendation from the Zoning Commission and Staff to adopt an Ordinance re-establishing and amending an earlier approved, but not fully established, Special Use Ordinance No. 15,837, for a Single Family Multiple Dwelling Unit structure in a Class R4 (Single Family Residential) to allow an existing Multi-Family Structure and Parking Lot Expansion for the property located at 1505 N. Peoria Avenue, with conditions; seconded by Council Member Turner.

ORDINANCE NO. 16,611 was adopted by roll call vote.

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

Nays: None.

Council Member Riggensbach left the Council Chambers.

**(10-460) 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 ACTION PLAN to Address the POTENTIAL 2010 BUDGET DEFICIT of \$1,200,000.00.**

Council Member Van Auken moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2010 relating to the action plan to address the potential 2010 Budget deficit of \$1,200,000.00; seconded by Council Member Turner.

ORDINANCE NO. 16,612 was adopted by roll call vote.

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

Nays: None.

Council Member Riggenschach returned to the Council Chambers.

**UNFINISHED BUSINESS**

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

- (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 Spain moved to defer this item for four weeks until the October 26, 2010, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until October 26, 2010, was approved by roll call vote.

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

Nays: None.

- (10-362) Communication from the City Manager and Assistant Director of Planning and Growth Management with (New Communications) Request to Receive and File REPORT BACK AND Request to TABLE the Following:**
- A. ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to ZONING EXCEPTION CERTIFICATES for Transfers of Property; and**
  - B. ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to ZONING EXCEPTION CERTIFICATES for Transfers of Property.**

Council Member Van Auken moved to receive and file the Report Back regarding Zoning Exception Certificates for transfers of property for Multi-Family Dwellings; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

Council Member Van Auken moved to Table the Ordinances amending Appendix B and Appendix C of the Code of the City of Peoria relating to Zoning Exception Certificates for Transfers of Property; seconded by Council Member Turner.

Motion to Table the Ordinances amending Appendix B and C was approved by roll call vote.

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

Nays: None.

- (10-363) Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to Concur with the Recommendation from the Zoning Commission to Adopt ORDINANCE "A" OR to Concur with the Recommendation from Staff to Adopt ORDINANCE "B" Amending Ordinance No. 16,318, as Amended, for a SPECIAL USE in a Class C2 (Large Scale Commercial) District for a SHOPPING CENTER to RELOCATE an EXISTING OFF-PREMISE SIGN for Property Located at 8215 and 8305 N. ALLEN ROAD, with Conditions, with REPORT BACK.**

Council Member Irving moved to concur with the recommendation from the Zoning Commission to adopt Ordinance "A" amending Ordinance No. 16,318, as amended, for a Special Use in a Class C2 (Large Scale Commercial) District for a Shopping Center to relocate an Existing Off-Premise Sign for property located at 8215 and 8305 N. Allen Road with conditions, and receive and file the Report Back; seconded by Council Member Van Auken.

ORDINANCE NO. 16,613, amending Ordinance No. 16,318, as amended, was adopted by roll call vote.

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

Nays: Sandberg - 1.

- (10-391) Communication from the City Manager and Assistant Director of Planning and Growth Management with Request to DEFER this Item Relating to the WIRELESS TELECOMMUNICATION FACILITIES Until OCTOBER 26, 2010, AND Request to Modify the MORATORIUM on the ISSUANCE of NEW PERMITS and APPROVALS to Allow the Relocation of Facilities When the Current Location Becomes Unavailable due to Circumstances Beyond the Control of the Applicant. (New Communication)**

Council Member Rigggenbach moved to defer this item until the October 26, 2010, Regular City Council Meeting and modify the moratorium on the issuance of new permits and approvals to allow the relocation of facilities when the current location becomes unavailable due to circumstances beyond the control of the applicant; seconded by Council Member Turner.

Motion to defer until October 26, 2010, as outlined, was approved by roll call vote.

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

Nays: None.

- (10-399) APPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMITTEE ON POLICE-COMMUNITY RELATIONS, with Request to Concur:**

**William Ordaz (Voting) - Term Expires 6/30/2013**

**Savino Sierra (Voting) - Term Expires 6/30/2012**

**Sharon E. Draper (Voting) - Term Expires 6/30/2013**

**Douglas Lindstrom (Voting) - Term Expires 6/30/2013**

**Erica K. Baird (Voting) - Term Expires 6/30/2013**

**Howard E. Williamson (Voting) - Term Expires 6/30/2013**

**James Bryson (Voting) - Term Expires 6/30/2011**

**Larry D. Ivory (Voting) - Term Expires 6/30/2012**

**George H. Azouri (Voting) - Term Expires 6/30/2012**

**Whitney J. Lawson (Voting) - Term Expires 6/30/2012**

**Donald R. Jackson (Voting) - Term Expires 6/30/2011**

**Greg Collins (Voting) - Term Expires 6/30/2011**

**Council Member Eric Turner (Voting) - Term Expires 6/30/2011**

**City Manager Scott Moore (Voting)**

**Police Chief Steve Settingsgaard (Voting)**

Council Member Turner moved to defer this item until the October 12, 2010, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until October 12, 2010, was approved by roll call vote.

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

Nays: None.

- (10-433) Communication from the City Manager and Director of Public Works with Request to Award JANITORIAL SERVICES CONTRACTS to THE CLEANING SOURCE for Building Group #1, in the Amount of \$86,954.92; MAD DOG CLEANING SERVICES for Building Group #2, in the Amount of \$59,440.00; THE CLEANING SOURCE for Building Group #3, in the Amount of \$440,208.23; and THE CLEANING SOURCE for Building Group #4, in the Amount of \$473,379.76, as Outlined, and with Each Covering the Period from OCTOBER 1, 2010, to SEPTEMBER 30, 2013, and with a Provision to Extend the Contracts for up to TWO ONE-YEAR PERIODS Through September 30, 2015, with Prices for the Extension Included in this Award. (Replacement Communication)**

Council Member Spain moved to award Janitorial Services Contracts to The Cleaning Source for Building Group #1, in the amount of \$86,954.92; Mad Dog Cleaning Services for Building Group #2, in the amount of \$59,440.00; The Cleaning Source for Building Group #3, in the amount of \$440,208.23; and The Cleaning Source for Building Group #4, in the amount of \$473,379.76, as outlined, and with each covering the period from October 1, 2010, to September 30, 2013, and with a provision to extend the Contracts for up to two one-year periods through September 30, 2015, with prices for the extension included in this award; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

### **NEW BUSINESS**

#### **ANNOUNCEMENT Regarding a COMMUNITY FORUM Relating to CODE ENFORCEMENT ISSUES on OCTOBER 21, 2010, at CITY HALL, COUNCIL CHAMBERS**

Council Member Turner said there had been an increasing number of Code Enforcement, housing violation, hearing process, and residential demolition process issues that had been brought to his attention. He said there was a basic lack of understanding by citizens and they were requesting information. He thanked Director of Inspections John Kunski for assisting with the coordination of a Community Forum to be held regarding Code Enforcement for citizens that would address these issues on Thursday, October 21, 2010, from 6:00 P.M. until 8:00 P.M. at City Hall, Council Chambers.

- (10-461) REQUEST for INFORMATION in Preparation for the 2011 Budget Discussions Regarding REVENUES Received from BOATS DOCKING at the RIVERFRONT.**

Council Member Sandberg questioned if the City accounted for revenue received from boats docking at the Riverfront separately. He said he would like to know how much was produced from that service in preparation for 2011 Budget discussions.

City Manager Moore stated Staff could gather the information and provide it to the Council.

**ANNOUNCEMENT Regarding ANNUAL GLEN OAK IMPACT ZONE SURVEY**

Council Member Riggensbach said the Annual Glen Oak Impact Zone Survey would be held at 10:00 A.M. in front of Glen Oak School on October 9, 2010. He urged citizens to volunteer to assist and he thanked Director of Public Works Dave Barber and his Staff for the improvements around Glen Oak School.

**ANNOUNCEMENT Regarding BREAKFAST CHAT with COUNCIL MEMBER TURNER and COUNCIL MEMBER MONTELONGO**

Council Member Turner announced he and Council Member Montelongo would hold a Breakfast Chat at 6:00 A.M. on Wednesday, October 6, 2010, which was a change from the normal date and was due to the RNNC trip to Dayton, Ohio.

**ANNOUNCEMENT Regarding a 2011 CITY OF PEORIA BUDGET DISCUSSION to be Held on October 5, 2010.**

Mayor Ardis announced that a 2011 City of Peoria Budget discussion would begin at a Special Meeting to be held on October 5, 2010, at 6:15 P.M. He invited the public to attend.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL****(10-462) 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.

Peg Pendell, a Peoria resident, expressed concern regarding hate crimes against disabled persons. She urged the City to train their Police and Inspection personnel to be sensitive to disabled persons. She added that crime against disabled persons should not be tolerated.

Savino Sierra, a Peoria resident, spoke in support of the progress community officials were making with the museum and he felt the question regarding financing the museum should not be placed on the ballot for a vote. He also expressed concern regarding the disturbance created by students as they left Peoria High School at the end of the school day and were gathering in area citizens' yards and in the street.

**EXECUTIVE SESSION**

It was determined there was no need to hold an Executive Session.

**ADJOURNMENT**

Council Member Irving moved to adjourn the Regular City Council Meeting; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

The meeting adjourned at 8:15 P.M.