

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

Council Chambers, Peoria, Illinois, April 12, 2011, a Regular City Council Meeting was held this date at 6:21 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, 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 then he led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: GREAT AMERICAN CLEAN UP - April 16, 2011

PROCLAMATION: NATIONAL UNDERGRADUATE RESEARCH WEEK - April 11-15, 2011

PROCLAMATION: CHILD ABUSE PREVENTION MONTH

PROCLAMATION: HULT EDUCATION CENTER 20TH YEAR CELEBRATION

MINUTES

Council Member Spain moved to approve the minutes of the Joint City Council & Town Board Meeting held on March 22, 2011, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

WELCOME TO AT-LARGE COUNCIL MEMBERS-ELECT

Mayor Ardis welcomed At-Large Council Member-Elect Chuck Weaver and At-Large Council Member-Elect Beth Akeson to the Council Meeting. He said they, along with three incumbent At-Large Council Members, were elected to the City Council on April 5, 2011. He congratulated them and wished them well in serving the community.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**(11-141) PUBLIC HEARING Relating to the Adoption of the COMPREHENSIVE PLAN.**

Council Member Spain moved to open the Public Hearing relating to the adoption of the Comprehensive Plan; 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.

The Public Hearing opened at 6:37 P.M.

In a brief explanation of the Comprehensive Plan process, Director of Planning and Growth Management Pat Landes stated there were two distinct differences in this process compared to past processes. She explained the first part was the outstanding public participation and the second part was the utilization of a private sector strategic planning process, which was a simple and clear statement of what needed to be done to move Peoria forward toward success.

Mr. Ray Lees, Chairman of the Planning Commission, provided a PowerPoint presentation and distributed a copy of the presentation to all members of the City Council. He introduced the members of the Commission and he thanked them for their cooperation and support during the last three years they had worked on the proposed changes to the Comprehensive Plan. He further explained that, following a Policy Session that was held over a year ago, changes were made to the Comprehensive Plan that reflected the input the Commission received at that meeting.

Chairman Lees discussed balanced growth, both internal and external, for the City and he stated each Critical Success Factor was linked with adopted Council goals. He further discussed the 2010 Census and how it was linked with the draft Comprehensive Plan. He provided an overview of the process followed for public outreach and input resulting from 104 public meetings, 4,000 web visits, and 1,400 surveys completed. He added there were also 7,000 individual comments captured. He stated they addressed the gaps in the initial survey response by extending their research to 16 year old to 18 year old students, the African-American community, the development community and public sector partners, such as the School Districts, Park Districts, etc.

Assistant Director of Planning and Growth Management Ross Black discussed the Mission Statement and the Critical Success Factors. He said the proposed plan was different because the Mission Statement was simple and clear, and enough focus was provided so the plan could be used. He listed the Critical Success Factors as a reduction in crime, District 150 improvements, employers and job growth, investment in infrastructure and transportation, support sustainability, reinvestment in neighborhoods, maintain taxes and fees at a competitive level, and government efficiency. He also discussed details and changes made to the Future Land Use Map. He pointed out that implementation should receive the most attention, but would require a circle of activity that would begin with implementation, then revisions, Council adoption of the changes, and then back to implementation. He said this process would keep the plan fresh so another major re-write of the plan would not be needed for a long period of time.

Mayor Ardis granted Privilege of the Floor to those who wished to address the City Council regarding this issue.

Roger Sparks, a Peoria resident and a member of the Mayor's Advisory Committee for the Disabled, expressed concern that he did not feel the Comprehensive Plan adequately addressed the needs of disabled pedestrians. He pointed out the ADA law was adopted more than twenty years ago, but many curb cuts, sidewalks, and other accommodations for wheel chairs had not been addressed.

Savino Sierra, a Peoria resident, encouraged those making recommendations for the proposed Comprehensive Plan to meet with the Hispanic community. He also stated he felt the Comprehensive Plan neglected the Southside of Peoria and he expressed concern that so many schools and businesses had closed and the impact this would have on neighborhoods.

Peg Pendel, a Peoria resident, requested increased inclusion for persons with invisible disabilities. She said an education plan and an anti-discrimination plan was needed because persons with disabilities were sometimes targeted.

Steve Holder, a Peoria resident, said he was disabled and he expressed concern that he had stored two riding mowers at a neighbor's house and the City removed the mowers. He requested that his property be returned.

Kenny Carrigan, a Peoria resident, commended the City Staff and the Planning Commission for their work on the Comprehensive Plan. He said he felt this would set the tone for businesses and employers in the City to work to retain jobs and for growth to attract new jobs. He said he felt this plan would take the City in the right direction.

In discussion with Mayor Ardis, Director Landes discussed the outreach program that was used. She said the process targeted the disabled and Hispanic communities and they used many avenues to gain input from the public.

Assistant Director of Planning and Growth Management Ross Black further explained the attempt that was made to reach everyone who lived in Peoria, which was a core goal. He added the adoption of the Comprehensive Plan was not the end of the process. He said if there were organizations or individuals who felt they were not able to participate, the Commission would invite them to discuss this further. He said the plan would be revised as time passed and this would keep the document fresh.

Chairman Lees said he agreed with Assistant Director Black's comments. He stated the Commission's process was all about public input and they would not refuse anyone who wished to provide input.

By general consensus, the Public Hearing closed at 7:20 P.M.

(11-142) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Adopting the COMPREHENSIVE PLAN and FUTURE LAND USE MAP for the CITY OF PEORIA and to Receive and File the SUMMARY of the COMPREHENSIVE PLAN (Attachment A).

Council Member Spain moved to adopt the Ordinance adopting the Comprehensive Plan and Future Land Use Map for the City of Peoria and to receive and file the summary of the Comprehensive Plan; seconded by Council Member Montelongo.

In discussion with Council Member Sandberg regarding his concern that the City had lost much of its middle class residents in the past 40 years and his desire to attract those residents back into Peoria, Assistant Director Black said the mission statement focused on public safety, education, and economic development, which were the leading reasons people left certain areas of the City. He said if those factors were addressed, Peoria would attract jobs and those workers would be attracted to live in the City of Peoria.

Council Member Riggensbach said he would agree that maintaining the strong middle class was the key to the long-term health of the City. He said he would like to think the critical success factors, which were specific, would allow the City to grow. He said he felt this was a work in process with specific time frames and he thanked the Commission for their efforts.

Mayor Ardis commended the City Staff and Commission for their efforts over the past three years. He said he wanted to acknowledge the weight that had been on the Commission for a long period of time to come forward with a working document. He said the citizens would appreciate the work that had been completed.

ORDINANCE NO. 16,679 adopting the Comprehensive Plan and Future Land Use Map for the City of Peoria and to receive and file the summary of the Comprehensive Plan was adopted by roll call vote.

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

Nays: Sandberg - 1.

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

- (11-143) **NOTICE of LAWSUIT Filed on Behalf of WESTMINSTER PRESBYTERIAN CHURCH Regarding a Complaint Pertaining to a Demolition Permit for Westminster House, with Recommendation to Receive for Information and Refer to the Legal Department.**
- (11-144) **NOTICE of LAWSUIT Filed on Behalf of RICHARD P. LINTHICUM Regarding a Complaint Against the City Pertaining to a Duty-Related Injury and Allegedly Violating the Public Employee Disability Act, with Recommendation to Receive for Information and Refer to the Legal Department.**
- (11-145) **Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,680 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to the USE of STATE MOTOR FUEL TAX FUND BALANCE, in the Amount of \$50,000.00, to Complete the NORTH ROCKWOOD ROAD RECONSTRUCTION PROJECT from W. SCENIC DRIVE to N. BIG HOLLOW ROAD.**
- (11-146) *** Communication from the Interim City Manager and Director of Public Works Requesting Approval of the Following: (Amends Item No. 10-407)**
- A. **FINAL PAY ESTIMATE, in the Amount of \$107,965.06 (\$41,853.68 or 6% Over the Awarded Amount of \$694,129.28) for a Total Contract Amount of \$735,982.96; and**
- B. **SUPPLEMENTAL MFT RESOLUTION, in the Amount of \$50,000.00, for CONSTRUCTION and ENGINEERING COSTS for the NORTH ROCKWOOD ROAD RECONSTRUCTION PROJECT (W. SCENIC DRIVE to N. BIG HOLLOW ROAD).**
- (11-147) **Communication from the Interim City Manager and Director of Public Works with Request to Award the CONTRACT to the LOWEST and MOST RESPONSIBLE BIDDER, DAVE'S WINDOW CLEANING for the ANNUAL WINDOW CLEANING CONTRACT for the Estimated Annual Cost of \$6,490.00, with a Three-Year Cost of \$19,470.00.**
- (11-148) **Communication from the Interim City Manager and Director of Public Works with Request to Award a THREE-YEAR CONTRACT to the LOWEST and MOST RESPONSIBLE BIDDER, KONEMATIC d/b/a DOOR SYSTEMS, for the ANNUAL OVERHEAD MAINTENANCE CONTRACT for a Total Amount of \$25,000.00 per Year. (The Annual Inspection Cost of \$1,908.00 is included in the \$25,000.00)**

- (11-149)
** Communication from the Interim City Manager and Director of Public Works with Request to EXTEND the CURRENT LEASE AGREEMENT (Dated May 15, 2010) with R&R SERVICES OF ILLINOIS, INC. for a Period of ONE (1) YEAR Beginning MAY 15, 2011, for a SECTION OF PROPERTY Located at 2201 S. DARST STREET, and to Authorize the City Manager to Execute the Documents. (Extends Item No. 09-293)
- (11-150) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE NO. 16,681 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY STATE and TRIBAL ASSISTANCE GRANT (STAG), in the Amount of \$625,300.00, and REIMBURSEMENT from the GREATER PEORIA SANITARY DISTRICT, in the Amount of \$603,700.00, for the CONSTRUCTION of THE FARGO RUN TRUNK SEWER SEGMENT 13-15 for a COMBINED CONSTRUCTION and CONSTRUCTION ENGINEERING COST OF \$1,229,000.00.
- (11-151) Communication from the Interim City Manager and Director of Public Works with Request to Concur in the Selection of the OPTION 2 PROJECT DESIGN for the FARGO RUN TRUNK SEWER SEGMENT 13-15 and to Award the CONSTRUCTION CONTRACT to the LOW BIDDER, STARK EXCAVATING, INC., in the Amount of \$1,036,206.00. (Refer to Item No. 09-539)
- (11-152) Communication from the Interim City Manager and Police Chief Requesting Approval for a TWO-YEAR CONTRACT with HARRIS S UNIFORMS for CIVILIAN PERSONNEL and PARKING ENFORCEMENT OFFICERS, in the Amount of \$10,000.00.
- (11-153) Communication from the Interim City Manager and Interim Director of Human Resources Requesting Authorization for the City Manager to Execute the COLLECTIVE BARGAINING AGREEMENT Negotiated Between the City of Peoria and IAFF LOCAL 50 to Cover the Period from January 1, 2011, through December 31, 2012.
- (11-154)
*** Communication from the Interim City Manager Requesting Approval of a CONTRACT with LYLE SUMEK ASSOCIATES of PALM COAST, FLORIDA, to PLAN and FACILITATE a LEADERSHIP and STRATEGIC PLANNING WORKSHOP for the Mayor and City Council as Soon as Practicable in the April to May 2011 Time Period.
- (11-155) Communication from the Interim City Manager Requesting Authorization to SUBMIT an APPLICATION to the STATE of ILLINOIS DEPARTMENT of COMMERCE and ECONOMIC OPPORTUNITY (DCEO); and Requesting Adoption of ORDINANCE NO. 16,682 Amending Ordinance No. 11,051 and 11,637 to Add NEW NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODES to the ENTERPRISE ZONE PROPERTY TAX ABATEMENT PROGRAM and to UPDATE EXISTING CODES.
- (11-156) Communication from the Interim City Manager Requesting Adoption of an ORDINANCE NO. 16,683 Reserving 2011 PRIVATE ACTIVITY BOND VOLUME CAP, in the Amount of \$10,974,400.00.

- (11-157) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from Staff to Adopt an ORDINANCE NO. 16,684 Approving the FINAL PLAN of HARRISON HOMES PLANNED UNIT DEVELOPMENT PHASE 3, which is a SPECIAL USE, Ordinance No. 16,425, for a PLANNED UNIT DEVELOPMENT for Properties Generally Bounded by KRAUSE STREET on the North, GRISWOLD AVENUE on the East, MONTANA STREET on the South, and OREGON STREET on the West, Commonly Known as Harrison Homes and Include 2516 W. KRAUSE AVENUE and 2503 - 2603 W. SEIBOLD STREET.
- (11-158) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,685 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to IEMA CITIZEN CORPS GRANT, in the Amount of \$4,500.00.
- (11-159) Communication from the Interim City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,686 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to EAST BLUFF NEIGHBORHOOD HOUSING SERVICES SPECIAL SERVICE DISTRICT for FY2011, in the Amount of \$67,300.00
- (11-160) Communication from Mayor Ardis Requesting that the City Council Concur with the Recommendation to APPOINT a REDISTRICTING COMMITTEE Comprised of District #4 Council Member Bill Spears (Chair), District #1 Council Member Clyde Gulley, District #2 Council Member Barbara Van Auken, District #3 Council Member Tim Riggerbach, and District #5 Council Member Dan Irving.
- (11-161) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE at 1601 W. NORTHMOOR, EXPOSITION GARDENS, for a FUNDRAISER on FRIDAY, JUNE 10, 2011.

- (11-162) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the SITE APPLICATION to EXPAND the FOOTPRINT for the CLASS N (Riverfront Business District) LIQUOR LICENSE at 200 WATER STREET, with Recommendation from the Liquor Commission to Approve.
- (11-163) APPOINTMENT by Mayor Jim Ardis to the PEORIA MUNICIPAL BAND COMMISSION, with Request to Concur:

LYNN BARNETT (Voting) - Term Expires 6/30/2013
- (11-164) REPORT of the CITY TREASURER PATRICK A. NICHTING for the Month of FEBRUARY 2011, 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 Gulley requested Item No. 11-149 be removed from the Consent Agenda for further discussion.

Council Member Irving requested Item No. 11-161 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested Item No. 11-154 be removed from the Consent Agenda for further discussion.

Council Member Spears requested Item No. 11-146 be removed from the Consent Agenda for further discussion.

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

Items No. 11-143 through 11-164 (excluding Item Nos. 11-146, 11-149, 11-154, and 11-161 which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(11-146) * Communication from the Interim City Manager and Director of Public Works Requesting Approval of the Following: (Amends Item No. 10-407)

- A. FINAL PAY ESTIMATE, in the Amount of \$107,965.06 (\$41,853.68 or 6% Over the Awarded Amount of \$694,129.28) for a Total Contract Amount of \$735,982.96; and**
- B. SUPPLEMENTAL MFT RESOLUTION, in the Amount of \$50,000.00, for CONSTRUCTION and ENGINEERING COSTS for the NORTH ROCKWOOD ROAD RECONSTRUCTION PROJECT (W. SCENIC DRIVE to N. BIG HOLLOW ROAD).**

Council Member Spears commended the contractor on this project along with the Public Works Department for getting the job finished on time and for making sure the businesses along the roadway were able to operate. He said the work and traffic signaling was completed in a manner that did not disrupt local businesses.

In discussion with Council Member Spears regarding the remaining funds after the payout was made, Director of Public Works Dave Barber confirmed the MFT Resolution authorized a not to exceed number and the Department would not spend any more than the payout amount.

Council Member Spears moved to approve the Final Pay Estimate, in the amount of \$107,965.06 (\$41,853.68 or 6% over the awarded amount of \$694,129.28) for a total contract amount of \$735,982.96; and to approve the Supplemental MFT Resolution, in the amount of \$50,000.00, for construction and engineering costs for the North Rockwood Road Reconstruction Project (W. Scenic Drive to N. Big Hollow Road); seconded by Council Member Van Auken.

Motion to approve the Final Pay Estimate, in the amount of \$107,965.06 (\$41,853.68 or 6% over the awarded amount of \$694,129.28) for a total contract amount of \$735,982.96; and to approve the SUPPLEMENTAL MFT RESOLUTION NO. 11-146, in the amount of \$50,000.00, for construction and engineering costs for the North Rockwood Road Reconstruction Project (W. Scenic Drive to N. Big Hollow Road) was approved by roll call vote.

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

Nays: None.

- (11-149)**
** **Communication from the Interim City Manager and Director of Public Works with Request to EXTEND the CURRENT LEASE AGREEMENT (Dated May 15, 2010) with R&R SERVICES OF ILLINOIS, INC. for a Period of ONE (1) YEAR Beginning MAY 15, 2011, for a SECTION OF PROPERTY Located at 2201 S. DARST STREET, and to Authorize the City Manager to Execute the Documents. (Extends Item No. 09-293)**

Director of Public Works Dave Barber distributed a copy of a color map of the area to all members of the City Council.

Council Member Gulley stated he would be abstaining from the discussion and voting on this item due to a business relationship with the project.

Council Member Spain moved to extend the current Lease Agreement (dated May 15, 2010) with R&R Services of Illinois, Inc. for a period of one (1) year beginning May 15, 2011, for a section of property located at 2201 S. Darst Street, and to authorize the City Manager to execute the documents; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None;

Abstentions: Gulley -1.

- (11-154)**
*** **Communication from the Interim City Manager Requesting Approval of a CONTRACT with LYLE SUMEK ASSOCIATES of PALM COAST, FLORIDA, to PLAN and FACILITATE a LEADERSHIP and STRATEGIC PLANNING WORKSHOP for the Mayor and City Council as Soon as Practicable in the April to May 2011 Time Period.**

Council Member Sandberg expressed concern that the last time this consultant was hired by the City ten years ago, the resulting document was never used by the City. He also expressed concern that an out-of-town consultant would be used when there were local consultants available who did strategic planning. He said he was not aware of any local consultants who had been contacted to inquire if they could perform this service.

Interim City Manager Henry Holling explained this would not be the same exercise which had been conducted with the City Council in the past. He said there would be strategic planning and leadership discussion with the Council to dovetail with the Comprehensive Plan that was just adopted. He said the discussion would include how the City Council could align its priorities with the new City Manager and his expectations and to implement the Comprehensive Plan, as well as other policies and procedures. He said it was made clear in the interview process with the new City Manager that there would be a request to have a strategic planning exercise. He said, in the past, Mr. Sumek had provided a valuable service to the incoming City Manager in his role as County Administrator and there were good results.

Mayor Ardis spoke in support of contracting with Mr. Sumek, but he did express concern regarding the previous process and when the final report was written. He said he felt there was no buy-in by the Council regarding how the information was brought together. He said he expected the process to be much different this time. He added the process would include a citizens' summit portion to gain input on finalizing the goals, which was different from the previous process.

Council Member Riggerbach stated, as a former County Board Member, he could assure the City Council they would get as much out of the process as was committed to it. He said the money the County spent in the last six years helped put them on the trajectory they had been on the past few years. He encouraged the Council to vote in favor of a motion to approve.

Council Member Spears said he agreed the Council needed the process, but he did not agree with contracting again with this consultant. He said he would vote against a motion to approve.

Council Member Gulley said he supported the Council going through a process of this type, but he expressed concern that the information given to the Council looked much like the information received ten years ago. He said he did not want to be in a hurry to contract with a consultant who would be taking on such a monumental task. He added the information he read indicated the citizens' summit was an option and he said he would need more confirmation regarding this issue.

Council Member Spain said the incoming City Manager indicated there was a need to change the culture of the City Council, which sometimes gravitated towards micromanagement of the City Manager and the City Staff. He said he trusted the judgment of the new City Manager and he appreciated the recommendation.

Council Member Spain moved to approve contracting with Lyle Sumek Associates of Palm Coast, Florida, to plan and facilitate a Leadership and Strategic Planning Workshop for the Mayor and City Council as soon as practicable in the April to May 2011 time period; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Gulley, Sandberg, Spears - 3.

**(11-161) Communication from the Interim City Manager and Corporation Counsel
**** Requesting Approval of the APPLICATION for a CLASS H (Temporary
 Outdoor) LIQUOR LICENSE at 1601 W. NORTHMOOR, EXPOSITION
 GARDENS, for a FUNDRAISER on FRIDAY, JUNE 10, 2011.**

Following a brief comment, Council Member Irving moved to defer this item until the April 26, 2011, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until April 26, 2011, was approved by roll call vote.

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

Nays: None.

**(11-165) Communication from the Interim City Manager and Director of Public
 Works Requesting Authorization for the Interim City Manager to Execute
 the ADDENDUM AGREEMENT with the ILLINOIS DEPARTMENT of
 TRANSPORTATION (IDOT) for a Contribution of \$150,000.00 to Assist with
 the Funding of the ALTA LANE and RADNOR ROAD INTERSECTION
 IMPROVEMENT PROJECT in Return for Providing 42 Additional Monthly
 Parking Spaces for a Term of Five Years in City-Owned Parking Facilities.
 (Amends Item No. 10-264)**

Council Member Irving moved to approve the Addendum Agreement with the Illinois Department of Transportation (IDOT) for a contribution of \$150,000.00 to assist with the funding of the Alta Lane and Radnor Road Intersection Improvement Project in return for providing 42 additional monthly parking spaces for a term of five years in City-owned parking facilities; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Irving, Montelongo, Riggensbach, Sandberg, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Gulley, Spain - 2.

(11-166) Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Approval of the REVISED DESIGN CONCEPTS for the CATERPILLAR VISITOR CENTER. (Amends Item No. 10-410)

Council Member Gulley stated he would be abstaining from the discussion and voting on this item due to a business relationship with the project.

Council Member Turner moved to approve the Revised Design Concepts for the Caterpillar Visitor Center; seconded by Council Member Riggensbach.

Approved by roll call vote.

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

Nays: None;

Abstentions: Gulley -1.

(11-167) Communication from the Interim City Manager and Director of Public Works with Recommendation from the Staff to SUPPORT the ROUNDABOUT DESIGN for the INTERSECTIONS of ALTA LANE, RADNOR ROAD, ALLEN ROAD, and HICKORY GROVE ROAD, and to Direct Staff to Pursue Other Opportunities for Roundabout Installation within the City of Peoria.

Council Member Irving thanked the Public Works Staff regarding their efforts to obtain information regarding roundabout designs and costs. He stated comparison costs for a roundabout and a regular four-way signaled intersection determined costs were the same. He pointed out the City would have to pay \$225,000 to \$300,000 to signalize the intersection in approximately ten years, but by constructing a roundabout design, it would eliminate future costs of traffic signals at that location. He added maintenance costs of a roundabout were reduced and roundabouts added to vehicle and pedestrian safety while retaining traffic flow. He said studies had shown that roundabouts reduced intersection delays by 70% compared to four-way or stop sign intersections.

Council Member Irving moved to concur with the recommendation to support the Roundabout Design for the intersections of Alta Lane, Radnor Road, Allen Road, and Hickory Grove Road and to direct Staff to pursue other opportunities for Roundabout installation within the City of Peoria; seconded by Council Member Sandberg.

Approved by roll call vote.

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

Nays: None.

(11-168) Communication from the Interim City Manager and Corporation Counsel Recommending Adoption of an ORDINANCE Amending CHAPTER 20 of the Code of the City of Peoria Pertaining to LIVE SEX ACT BUSINESSES.

Council Member Turner moved to adopt the Ordinance amending Chapter 20 of the Code of the City of Peoria pertaining to Live Sex Act Businesses; seconded by Council Member Riggenschach.

Following several comments, Council Member Sandberg stated he would not support the motion because he felt the proposed Ordinance was over-reach on property rights.

ORDINANCE NO. 16,687 was adopted by roll call vote.

Yeas: Gulley, Irving, Montelongo, Riggenschach, Spain, Spears, Turner, Van Auker,
Mayor Ardis - 9;

Nays: Sandberg - 1.

UNFINISHED BUSINESS

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

(11-029) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission and Staff to Adopt an ORDINANCE Amending APPENDIX A of the Code of the City of Peoria Relating to FEES for SUBDIVISIONS and SURVEY PLATS (New Communication and Ordinance) (Refer to Item No. 10-465)

Council Member Van Auker moved to adopt the Ordinance amending Appendix A of the Code of the City of Peoria relating to Fees for Subdivisions and Survey Plats; seconded by Council Member Turner.

ORDINANCE NO. 16,688 was adopted by roll call vote.

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

Nays: None.

(11-030) Communication from the Interim City Manager and Director of Planning and Growth Management with Request to Adopt ONE of the Following: (New Communication and Ordinance) (Refer to Item No. 10-465)

A. Concur with the New Recommendation from the Historic Preservation Commission to Adopt ORDINANCE "A" Amending CHAPTER 16 of the Code of the City of Peoria Relating to CERTIFICATE of APPROPRIATENESS FEES; OR

B. Concur with the Previously Considered Fee Increases and Adopt ORDINANCE "B" Amending CHAPTER 16 of the Code of the City of Peoria Relating to CERTIFICATE of APPROPRIATENESS FEES.

An e-mail from a citizen regarding fees was distributed to all members of the City Council.

Council Member Van Auker moved to defer this item until the last Council Meeting in May, which would be the May 24, 2011, Regular City Council Meeting; seconded by Council Member Riggenschach.

Motion to defer this item until May 24, 2011, was approved by roll call vote.

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

Nays: None.

(11-031) Communication from the Interim City Manager and Director of Planning and Growth Management with Request to Adopt ONE of the Following: (New Communication and New Ordinance) (Refer to Item No. 10-465)

- A. Concur with the New Recommendation from the Zoning Commission to Adopt ORDINANCES "A" and "B" Amending APPENDIX B and APPENDIX C of the Code of the City of Peoria Relating to FEES; OR**
- B. Concur with the Previously Approved Fee Increases and Adopt ORDINANCES "C" and "D" Amending APPENDIX B and APPENDIX C of the Code of the City of Peoria Relating to FEES.**

Council Member Van Auken moved concur with the recommendation from the Zoning Commission to adopt Ordinances "A" and "B" amending Appendix B and Appendix C of the Code of the City of Peoria relating to Fees; seconded by Council Member Turner.

Council Member Sandberg expressed concern regarding the raise in fees for Site Plan Review and for the Fence Application. He said the City should be encouraging citizens to invest in their properties and he felt raising these fees was wrong.

ORDINANCE NO. 16,689 amending Appendix B of the Code of the City of Peoria relating to Fees and ORDINANCE NO. 16,690 amending Appendix C of the Code of the City of Peoria relating to Fees were adopted by roll call vote.

Yeas: Irving, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Gulley, Sandberg - 2.

(11-037) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendations as Follows:

- A. Concur with the Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Amending APPENDIX B Relating to the LENGTH of DISPLAY for TEMPORARY EVENT SIGNS; and**

Council Member Van Auken moved to concur with the recommendation from the Zoning Commission and Staff to adopt an Ordinance amending Appendix B relating to the length of display for Temporary Event Signs; seconded by Council Member Spain.

ORDINANCE NO. 16,691 was adopted by roll call vote.

Yeas: Irving, Montelongo, Riggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Gulley, Sandberg - 2.

- B. Concur with the Recommendation from the Zoning Commission to Adopt ORDINANCE "A" Amending APPENDIX B of the Code of the City of Peoria Relating to INFLATABLE SIGNS for BUSINESS GRAND OPENINGS OR to Concur with the Recommendation from Staff to Adopt ORDINANCE "B" Amending APPENDIX B of the Code of the City of Peoria Relating to INFLATABLE SIGNS for BUSINESS GRAND OPENINGS.**

Council Member Van Auken moved to concur with the recommendation from the Zoning Commission to adopt Ordinance "A" amending Appendix B of the Code of the City of Peoria relating to Inflatable Signs for Business Grand Openings; seconded by Council Member Irving.

ORDINANCE NO. 16,692 was adopted by roll call vote.

Yeas: Irving, Montelongo, Rigggenbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Gulley, Sandberg - 2.

(11-038) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendations to Adopt ONE of the Following (New Communication and Ordinance):

- A. **Concur with the New Recommendation from the Historic Preservation Commission to Adopt ORDINANCE "A" Amending CHAPTER 16 of the Code of the City of Peoria Relating to DESIGNATION FEES: OR**
- B. **Concur with the Previously Considered Fee Increases to Adopt ORDINANCE "B" Amending CHAPTER 16 of the Code of the City of Peoria Relating to DESIGNATION FEES.**

An e-mail from a citizen regarding fees was distributed to all members of the City Council.

Council Member Van Auken moved to defer this item until the last Council Meeting in May, which would be the May 24, 2011, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until May 24, 2011, was approved by roll call vote.

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

Nays: None.

(11-065) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an AMENDMENT to the CITY MANAGER AGREEMENT with F. PATRICK URICH by Changing the Starting Date from April 18 to April 13, 2011.

Council Member Spain moved to approve an amendment to the City Manager Agreement with F. Patrick Ulrich by changing the starting date from April 18 to April 13, 2011; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS

COMMENDATION for a RANDOM ACT OF KINDNESS

Council Member Turner commended a random act of kindness to Mr. Savino Sierra following the last Council Meeting. He explained that Mr. Sierra had a flat tire and Fire Chief Kent Tomblin, Council Member-Elect Chuck Weaver, Ken Carrigan, and Director of Inspections John Kunski helped to change the tire.

**(11-169) REQUEST for a RECOMMENDATION from the PLANNING DEPARTMENT
Regarding TEAR DROP FLAG SIGNS.**

Council Member Spears stated he received calls regarding tear drop signs being displayed, which were illegal, but he felt it was time for the City to decide if it should be a legal practice or not. He requested that the Planning Department come back to Council with recommendations for tear drop flag-type signs.

COMMENDATION to INTERIM CITY MANAGER HENRY HOLLING for his SERVICE to the CITY

Council Member Spain stated this Council Meeting was the last for Interim City Manager Henry Holling and he expressed his appreciation for Mr. Holling's leadership during two different terms of service. He said new City Manager Patrick Urich would be sworn in at City Hall in the morning, but he felt it was fitting to recognize Mr. Holling for a job well done and he thanked him for his service.

Mayor Ardis thanked Mr. Holling for his time and service, which came from his love for the City of Peoria.

Interim City Manager Holling expressed his appreciation to the Mayor and Council for their support. He said it had been a privilege to serve the public and to work with those who had the courage to run for public office. He also stated he enjoyed working with the City employees and he thanked the Council for their words of gratitude to the City Staff during the Council Meeting. He added he knew that Patrick Urich would do a wonderful job as the new City Manager for the City of Peoria.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

There were no citizens who wished to address the City Council.

EXECUTIVE SESSION

- (11-170) Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss 2(c)(5) The purchase or lease of real property for the use of 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 such an action is probable or imminent; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Riggensbach moved to enter into Executive Session to discuss 2(c)(5) The purchase or lease of real property for the use of 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 such an action is probable or imminent; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Van Auken.

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 Regular City Council Meeting; 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.

The meeting adjourned at 8:45 P.M.

bb

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