

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

Council Chambers, Peoria, Illinois, August 9, 2011, 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: Akeson, Gulley (arrived at 6:45 P.M.), Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: DR. AMIR AL-KHAFAJI

PROCLAMATION: FIRST BAPTIST CHURCH 175TH ANNIVERSARY

PROCLAMATION: NATIONAL NIGHT OUT AGAINST CRIME RECOGNITION

PRESENTATION: MASTER CHEN RUNCHENG from CHINA – HONORARY CITIZENSHIP

MINUTES

Council Member Spain moved to approve the minutes of the Joint City Council & Town Board Meeting held on July 26, 2011, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (11-330) Communication from the City Manager and Director of Public Works with
* Request to Award a CONTRACT to the LOWEST RESPONSIBLE BIDDER,
 WM. AUPPERLE AND SONS, INC., for an Amount Not to Exceed \$92,800.00
 (Including Waterproofing the Foundation Along the Parking Lot), to
 RECONSTRUCT the ADA RAMP into the CITY HALL BUILDING.

- (11-331) Communication from the City Manager and Police Chief Requesting Approval for the **SOLE SOURCE PURCHASE** of **TWENTY (20) PREDATOR #2 BALLISTIC BODY ARMOR VESTS** and **FORTY (40) BODY ARMOR PLATES** for the **PEORIA POLICE DEPARTMENT SPECIAL RESPONSE TEAM'S DUTY USE** from **DIAMONDBACK TACTICAL BODY ARMOR**, in the Amount of **\$47,700.00**, with Funds being used from the **Federal Asset Forfeiture Account**.
- (11-332) Communication from the City Manager and Assistant Fire Chief Requesting Approval of the **PURCHASE** of a **FIRE RESCUE BOAT** from the **LOW BID** of **THOMAS MARINE**, in the Amount of **\$166,125.00** from the **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PORT SECURITY GRANT PROGRAM**.
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- (11-333) Communication from the City Manager and Assistant Fire Chief Requesting Approval for the Acceptance of **TWO (2) SIDE SONAR PACKAGES** from **THE BASS PRO SHOP** at **NO CHARGE TO THE CITY**.

- (11-334) Communication from the City Manager and Assistant Fire Chief Requesting Approval for the **PURCHASE** of **DIVE EQUIPMENT** and **TRAINING** from the **LOW BID** of **DEEP BLUE ADVENTURE**, in the Amount of **\$24,160.00**, from the **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PORT SECURITY GRANT PROGRAM**.

- (11-335) Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of the **INVESTMENT** of **\$400,000.00** in **CDBG** and **HOME FUNDS** for the **HARRISON SCHOOL IMPACT ZONE HOUSING PROGRAM** as Outlined.

- (11-336) Communication from the City Manager and Finance Director/Comptroller Requesting Action as Follows:
- A. **ADOPT ORDINANCE NO. 16,722** Amending the City of Peoria Budget for Fiscal Year 2011 Relating to the Use of the **1% HOTEL TAX COLLECTED** within the **BUSINESS DEVELOPMENT DISTRICT** in the **HOSPITALITY IMPROVEMENT ZONE TIF** for **CAPITAL IMPROVEMENTS** to the **MARK TWAIN HOTEL**, in the Amount of **\$27,321.00**;
 - B. **APPROVE** the **REIMBURSEMENT** to the **MARK TWAIN HOTEL**, in the Amount of **\$27,320.22**, from Their **1% Hotel Tax Collected** within the **Business Development District** for **Capital Improvements** to the **Facility**.
- (11-337) Communication from the City Manager and Finance Director/Comptroller Requesting Action as Follows:

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- A. **ADOPT** an **ORDINANCE** Amending the City of Peoria Budget for Fiscal Year 2011 Relating to the Use of the **1% HOTEL TAX COLLECTED** within the **BUSINESS DEVELOPMENT DISTRICT** in the **HOSPITALITY IMPROVEMENT ZONE TIF** for **CAPITAL IMPROVEMENTS** to the **HOTEL PERE MARQUETTE**, in the Amount of **\$15,702.00**;

- B. APPROVE the REIMBURSEMENT to HOTEL PERE MARQUETTE, in the Amount of \$15,702.00, from Their 1% Hotel Tax Collected within the Business Development District for Capital Improvements to Their Facility.

- (11-338) Communication from the City Manager and Corporation Counsel

**
Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE at 60 STATE STREET (Tonti Park) for the CHILDREN'S HOME OF ILLINOIS on THURSDAY, SEPTEMBER 8, 2011.
- (11-339) Communication from the City Manager and Corporation Counsel

Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE at EXPOSITION GARDENS for a FUNDRAISER on AUGUST 20, 2011.
- (11-340) Communication from the City Manager and Corporation Counsel
Requesting Approval of a SITE APPLICATION for a CLASS G (Restaurant, Wine & Beer Only) LIQUOR LICENSE at 2601 W. LAKE, SUITES A-2B/A-2C, with Recommendation from the Liquor Commission to Approve.
- (11-341) Communication from the City Manager and Corporation Counsel
Requesting Approval of a SITE APPLICATION for a CLASS G (Restaurant, Wine & Beer Only) LIQUOR LICENSE at 618 W. GLEN AVENUE, with Recommendation from the Liquor Commission to Approve.
- (11-342) APPOINTMENT by Mayor Jim Ardis to the SPRINGDALE CEMETERY MANAGEMENT AUTHORITY, with Request to Concur:
- Robert Manning (Voting) - Term Expires 6/30/2013
- (11-343) Communication from Mayor Jim Ardis APPOINTING COUNCIL MEMBER TIM RIGGENBACH to the CITY-COUNTY SOLID WASTE DISPOSAL COMMITTEE (LANDFILL), Replacing Council Member Dan Irving, with Request to Concur.
- (11-344) REPORT of the CITY TREASURER, PATRICK A. NICHTING, for the MONTH of JUNE 2011, with Request to Receive and File.
- (11-345) ADOPTION of COMMITTEE REPORT Regarding a REVIEW of a DRAFT

PLAN for IMPROVING WASHINGTON STREET (US 24) Between I-74 and EDMUND STREET, and to PROVIDE DIRECTION Regarding Any Changes to the Draft Plan and Steps to Implement the First Construction Project.

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

Council Member Turner requested that Item No. 11-339 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item Nos. 11-337 and 11-345 be removed from the Consent Agenda for further discussion.

Council Member Weaver requested that Item Nos. 11-330, 11-332, 11-333, 11-334, and 11-338 be removed from the Consent Agenda for further discussion.

Council Member Van Auken requested that Item No. 11-335 be removed from the Consent Agenda for further discussion.

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

Items No. 11-330 through 11-345 (excluding Item Nos. 11-330, 11-332, 11-333, 11-334, 11-335, 11-337, 11-338, 11-339, and 11-345 which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(11-330) * Communication from the City Manager and Director of Public Works with Request to Award a CONTRACT to the LOWEST RESPONSIBLE BIDDER, WM. AUPPERLE AND SONS, INC., for an Amount Not to Exceed \$92,800.00 (Including Waterproofing the Foundation Along the Parking Lot), to RECONSTRUCT the ADA RAMP into the CITY HALL BUILDING.

Council Member Weaver said he could not support the high cost of the proposed ramp, even though waterproofing was a part of the costs. He suggested that Staff find another way to resolve this problem.

Council Member Sandberg questioned if there was a cost study conducted to determine if the Madison Street entrance could be accessible as compared to installing a new ramp on the parking lot side of City Hall. He said the current ramp was installed prior to construction of the Civic Center so there was no sidewalk on the Madison Street side of the building at that time. He said he understood there were currently two handicapped parking spaces by the current ramp, but handicapped parking could be provided on the street nearest the Madison Street entrance.

Director of Public Works Dave Barber explained the focus was placed on the ramp in the City Hall Parking Lot so the ramp would be in close proximity to the handicapped parking spaces so the distance to the door would be as short as possible. He said the alternatives reviewed were in the area of the City Hall Parking Lot.

In discussion with Council Member Gulley regarding the costs for waterproofing, Director Barber stated there were no current water problems but, due to the age of the building and potential problems, and since his department would be constructing a ramp on that side of City Hall, he felt it made sense to handle waterproofing with this project and take preventative measures for the future.

Director Barber also stated there were safety factors involved with providing handicapped parking spaces in the parking lot versus on Fulton Street. He said building the ramp to the parking lot entrance would also be less disruptive to entrances to the building. He said this ramp would also be used to unload materials that came into the building and was near the elevator to the basement. He said the parking lot entrance was the only entrance they considered due to these reasons.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Mr. Roger Sparks.

Roger Sparks, a Peoria resident and member of the Mayor's Advisory Committee for the Disabled, expressed concern regarding the location of the proposed ramp due to safety concerns. He suggested the ramp be built at the Fulton Street entrance, which was the main entrance, so everyone would have access to the Welcome Center to be directed to appropriate locations of offices and to handicapped restroom facilities.

Mayor Ardis said he felt it would make sense to review the proposed project to construct the ramp at the best possible entrance and to review what the costs would be to make some changes to the proposed ramp location.

Council Member Van Auken moved to defer this item until the second meeting in September, which would be the September 27, 2011, Regular City Council Meeting; seconded by Council Member Spain.

Motion to defer this item until September 27, 2011, was approved by roll call vote.

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

Nays: None.

**(11-332) Communication from the City Manager and Assistant Fire Chief Requesting
** Approval of the PURCHASE of a FIRE RESCUE BOAT from the LOW BID of
 THOMAS MARINE, in the Amount of \$166,125.00 from the FEDERAL
 EMERGENCY MANAGEMENT AGENCY (FEMA) PORT SECURITY GRANT
 PROGRAM.**

In discussion with Council Member Weaver regarding a suggestion that this boat be shared with the County for their use, Fire Chief Kent Tomblin explained their mutual aid agreements with Peoria County and other counties, and he explained the dive teams standards for training and for safety.

In further discussion, Council Member Weaver ascertained the City needed to purchase their own Fire Rescue Boat.

Council Member Weaver moved to approve the purchase of a Fire Rescue Boat from the low bid of Thomas Marine, in the amount of \$166,125.00, from the Federal Emergency Management Agency (FEMA) Port Security Grant Program; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

**(11-333) Communication from the City Manager and Assistant Fire Chief Requesting
*** Approval for the Acceptance of TWO (2) SIDE SONAR PACKAGES from
 THE BASS PRO SHOP at NO CHARGE TO THE CITY.**

Following a clarification, Council Member Weaver moved to accept the two Side Sonar Packages from the Bass Pro Shop at no charge to the City; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

- (11-334)**

Communication from the City Manager and Assistant Fire Chief Requesting Approval for the PURCHASE of DIVE EQUIPMENT and TRAINING from the LOW BID of DEEP BLUE ADVENTURE, in the Amount of \$24,160.00, from the FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PORT SECURITY GRANT PROGRAM.

Following a clarification, Council Member Weaver moved to approve the purchase of Dive Equipment and Training from the low bid of Deep Blue Adventure, in the amount of \$24,160.00, from the Federal Emergency Management Agency (FEMA) Port Security Grant Program; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None.

- (11-335)**

Communication from the City Manager and Director of Planning and Growth Management Requesting Approval of the INVESTMENT of \$400,000.00 in CDBG and HOME FUNDS for the HARRISON SCHOOL IMPACT ZONE HOUSING PROGRAM as Outlined.

Director of Planning and Growth Management Pat Landes distributed a replacement Council communication changing the dollar amount of available HOME funds to \$200,000.00.

Council Member Van Auken moved to approve the investment of \$400,000.00 in CDBG and HOME Funds for the Harrison School Impact Zone Housing Program, as amended, and as outlined; seconded by Council Member Riggensbach.

Approved by roll call vote.

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

Nays: None.

- (11-337)**

Communication from the City Manager and Finance Director/Comptroller Requesting Action as Follows:

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- A. ADOPT an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2011 Relating to the Use of the 1% HOTEL TAX COLLECTED within the BUSINESS DEVELOPMENT DISTRICT in the HOSPITALITY IMPROVEMENT ZONE TIF for CAPITAL IMPROVEMENTS to the HOTEL PERE MARQUETTE, in the Amount of \$15,702.00;**
- B. APPROVE the REIMBURSEMENT to HOTEL PERE MARQUETTE, in the Amount of \$15,702.00, from Their 1% Hotel Tax Collected within the Business Development District for Capital Improvements to Their Facility.**

Council Member Sandberg expressed concern that this would use the hotel tax for a capital improvement at the Hotel Pere Marquette. He said he felt it was imprudent to spend this money if there was a valid agreement. He said this money was part of a nest egg to pay G.O. bonds during the construction period. He suggested this money should not be spent to assist with building the nest egg that will be needed.

City Manager Patrick Ulrich provided an explanation of the intent of the request and he said this was a policy decision regarding how the Council wished to proceed in light of the redevelopment agreement.

In discussion with Mayor Ardis regarding any stipulations in the agreement, Corporation Counsel Randy Ray explained, if the request was approved, the Council would not be violating any contract.

Council Member Van Auken moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2011 relating to the use of the 1% hotel tax collected within the Business Development District in the Hospitality Improvement Zone TIF for capital improvements to the Hotel Pere Marquette, in the amount of \$15,702.00; seconded by Council Member Gulley.

In discussion with Council Member Gulley regarding whether or not the agreement would allow some time before payments needed to begin, Corporation Counsel Ray explained the agreement obligated the City to issue the bonds, but the bonds could be structured to capitalize interest or be capitalized to be repaid from funds available. He said the redevelopment agreement did not dictate that structure.

Council Member Spain suggested a two week deferral so more information could be provided.

Council Member Sandberg pointed out the City would have to pay \$3.5 million to \$3.75 million toward the Bond in the first year.

Motion to adopt ORDINANCE NO. 16,723 amending the City of Peoria Budget for Fiscal Year 2011 relating to the use of the 1% hotel tax collected within the Business Development District in the Hospitality Improvement Zone TIF for capital improvements to the Hotel Pere Marquette, in the amount of \$15,702.00, was approved by roll call vote.
Yeas: Gulley, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 8;
Nays: Akesson, Irving, Sandberg - 3.

Council Member Van Auken moved to approve the reimbursement to Hotel Pere Marquette, in the amount of \$15,702.00, from their 1% hotel tax collected within the Business Development District for capital improvements to their facility; seconded by Council Member Gulley.

Approved by roll call vote.

Yeas: Gulley, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 8;
Nays: Akesson, Irving, Sandberg - 3.

**(11-338) Communication from the City Manager and Corporation Counsel
***** Requesting Approval of the APPLICATION for a CLASS H (Temporary
** Outdoor) LIQUOR LICENSE at 60 STATE STREET (Tonti Park) for the
CHILDREN'S HOME OF ILLINOIS on THURSDAY, SEPTEMBER 8, 2011.**

Council Member Weaver stated he would abstain from the discussion and voting because he was a Board Member of the Children's Home of Illinois.

Council Member Van Auken moved to approve the application for a Class H (Temporary Outdoor) Liquor License at 60 State Street (Tonti Park) for the Children's Home of Illinois on Thursday, September 8, 2011; seconded by Council Member Riggensbach.

Motion to approve the application for a Class H (Temporary Outdoor) Liquor License at 60 State Street (Tonti Park) for the Children's Home of Illinois on Thursday, September 8, 2011, was approved by roll call vote.

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

Nays: None;

Abstention: Weaver - 1.

**(11-339) Communication from the City Manager and Corporation Counsel
***** Requesting Approval of the APPLICATION for a CLASS H (Temporary
*** Outdoor) LIQUOR LICENSE at EXPOSITION GARDENS for a FUNDRAISER
on AUGUST 20, 2011.**

Council Member Turner said he attended the Willow Knolls Neighborhood Association Meeting recently and the members expressed concerns regarding the noise levels from Exposition Gardens during events they hosted. He requested that Exposition Gardens work with the Peoria Police Department regarding these issues to lessen the impact on surrounding neighborhoods.

Council Member Irving pointed out this event would end by 10:00 P.M. and they would have security in place.

Council Member Turner moved to approve the application for a Class H (Temporary Outdoor) Liquor License at Exposition Gardens for a fundraiser on August 20, 2011; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None.

**(11-345) ADOPTION of COMMITTEE REPORT Regarding a REVIEW of a DRAFT
***** PLAN for IMPROVING WASHINGTON STREET (US 24) Between I-74 and
***** EDMUND STREET, and to PROVIDE DIRECTION Regarding Any Changes to
the Draft Plan and Steps to Implement the First Construction Project.**

Following a brief discussion with Council Member Sandberg reiterating several points he made during the Policy Session regarding street and sidewalk designs to encourage pedestrian traffic, Council Member Spain moved to adopt the Committee Report regarding a review of a draft plan for improving Washington Street (US 24) between I-74 and Edmund Street, and to provide direction regarding any changes to the draft plan and steps to implement the first construction project; seconded by Council member Van Auken.

Approved by roll call vote.

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

Nays: None.

- (11-346) Communication from the City Manager and Director of Public Works Requesting Approval of CHANGE ORDER NO. 1 to the CONSTRUCTION CONTRACT with R.A. CULLINAN & SON, a Division of United Contractors Midwest, Inc., for the GLEN AVENUE and UNIVERSITY STREET INTERSECTION IMPROVEMENT PROJECT, for an Additional Amount of \$133,893.19 (8.02% of Original Authorization Amount of \$1,668,488.44), for a Total Amended Authorization of \$1,802,381.63. (Amends Item No. 11-266)**

Council Member Riggenbach moved to approve Change Order No. 1 to the construction contract with R.A. Cullinan & Son, a division of United Contractors Midwest, Inc., for the Glen Avenue and University Street Intersection Improvement Project, for an additional amount of \$133,893.19 (8.02% of original authorization amount of \$1,668,488.44), for a total amended authorization of \$1,802,381.63; seconded by Council Member Spain.

Approved by roll call vote.

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

Nays: None.

- (11-347) Communication from the City Manager and Director of Public Works with Request to Award a CONTRACT to the MOST RESPONSIBLE BIDDER, SECURITY PARKING SYSTEMS, for REPLACEMENT of all PARKING ACCESS REVENUE CONTROL EQUIPMENT in the Four (4) City-Owned Parking Decks, in an Amount Not to Exceed \$347,061.86.**

Council Member Gulley moved to award a contract to the most responsible bidder, Security Parking Systems, for replacement of all parking access revenue control equipment in the four (4) City-owned parking decks, in an amount not to exceed \$347,061.86; seconded by Council Member Turner.

Council Member Sandberg expressed concern that corporate dollars were used for these projects, rather than relying on the TIF money. He said TIF dollars could be spent on these kinds of projects.

Finance Director/Comptroller Jim Scroggins confirmed that \$55,000.00 was being used from the CIP funds and the remaining would be from TIF funds.

In discussion with Council Member Sandberg regarding the cost for car charging units proposed to be installed in the parking decks, Director of Public Works Dave Barber explained this was an attempt to move in a "green" direction in the parking decks. He said the units would be charged based on use and the users would pay for the cost.

In discussion with Council Member Weaver, Director Barber stated the car charging units could be removed from this project and added back in at a later date when more information regarding costs was known.

Council Member Weaver moved for a substitute motion to award a contract to the most responsible bidder, Security Parking Systems, for replacement of all parking access revenue control equipment in the four (4) City-owned parking decks, in an amount not to exceed \$347,061.86, as amended, to remove the portion relating to the installation of the car charging stations; seconded by Council Member Sandberg.

When the car charging stations came back to Council, Council Member Weaver said a policy would be needed regarding how the City should charge for the electricity used and the amount to be charged to cover the units' costs. He added it should be decided if the City would install these units in just the City's parking decks or in other locations around the City.

Council Member Spain spoke in support of improvements and modernization of the City's parking decks, but he said he would not be in favor of either motion that had been stated. He explained there would still be employee costs to monitor the decks and take tickets, etc. He said most communities were moving toward fully automated systems, which might not be a universal solution for Peoria at this time especially during big Civic Center events. He said most people who parked in decks were monthly-paid deck users. He said he felt a better solution would be to cut personnel costs at the City decks.

In discussion with Council Member Spears regarding installing a fully automated system, Director Barber said the monthly parking fees were usually higher in order to pay for the automated system. He said the City currently had a \$6.00 a day maximum fee and this amount would not be cost effective. He said the current equipment was no longer manufactured or maintained and there were problems with users getting into and out of the parking decks with the current card system.

Council Member Spears suggested deferring this item until a cost estimate for an automated system could be determined. He said the automated system would be more efficient.

Council Member Spears moved to Table this item until a report back was generated providing a cost estimate for an automated system; seconded by Council Member Gulley.

Motion to Table this item until a report back was generated was approved by roll call vote.

Yeas: Akesson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,
Van Auker, Weaver, Mayor Ardis - 11;

Nays: None.

(11-348) Communication from the City Manager and Finance Director/Comptroller Requesting Approval for the City Manager to Enter into an AGREEMENT with GOOD ENERGY, L.P. to Provide PROFESSIONAL ENERGY CONSULTING SERVICES for the City of Peoria for the PROCUREMENT of ELECTRICITY for the City of Peoria Residential and Small Commercial Accounts Otherwise Known as an ELECTRICITY RESIDENTIAL OPT-OUT PROGRAM.

Council Member Spears suggested a deferral of this item. He assured the citizens that the City was reviewing this and taking the program seriously. He said he felt this would be a great program for everyone concerned, but he urged citizens to take their time and not to sign up for anything until more information was provided. He said this could be a savings for all citizens.

Council Member Spears moved to defer this item until the September 13, 2011, Regular City Council Meeting to allow time for Staff to consider other options by way of Requests for Qualifications or Requests for Proposals and to make sure the City was taking the right course of action; seconded by Council Member Irving.

Motion to defer this item until September 13, 2011, was approved by roll call vote.

Yeas: Akesson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,
Van Auker, Weaver, Mayor Ardis - 11;

Nays: None.

- (11-349) **Communication from the City Manager and Director of Public Works Requesting Action on the Following:**
- A. **ADOPT an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2011 Relating to the USE of WAREHOUSE DISTRICT TIF FUND BALANCE, in the Amount of \$50,000.00, to Serve as the 20% Local Match Necessary for the Illinois Department of Transportation Grant Awarded to Tri-County Regional Planning Commission;**
 - B. **AUTHORIZE the City to CONTRIBUTE \$50,000.00 from the WAREHOUSE DISTRICT TIF to Serve as the Local Match to an Illinois Department of Transportation Grant Received by the Tri-County Regional Planning Commission to Conduct Specific Planning Tasks in the Warehouse District, and Authorize the City Manager to Execute the Necessary Documents.**

Director of Public Works Dave Barber distributed a copy of the contract between Tri-County Regional Planning Commission and the City of Peoria to all members of the City Council.

Council Member Gulley moved to adopt an Ordinance amending the City of Peoria Budget for Fiscal Year 2011 relating to the use of Warehouse District TIF Fund balance, in the amount of \$50,000.00, to serve as the 20% local match necessary for the Illinois Department of Transportation Grant awarded to Tri-County Regional Planning Commission; seconded by Council Member Spain.

In discussion with Council Member Sandberg, Special Projects Manager Chris Setti explained the list developed regarded Washington Street, sidewalk cafes, maintenance issues, snow control, landscaping, etc., as discussed at the Policy Session. He said this list of requirements was similar to what other developed warehouse areas followed. He said these activities included the areas where the private property ended, but there was still interaction with the public street. He said the City contacted Terry Kohlbus of the Tri-County Planning Commission to find funding and he was successful in doing so.

Council Member Sandberg expressed concern that the Council communication did not discuss or develop policy.

Council Member Spears said this proposal would generate the best policies for the Warehouse District so policies would be in place when the road construction was completed to help make the area a success.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Mr. Terry Kohlbus.

Terry Kohlbus, Director of the Tri-County Regional Planning Commission, stated he had discussions with City Manager Patrick Urich regarding the specific points made by Council Member Spears at the Policy Session regarding Washington Street and the emphasis needed on the development of policies and Ordinances. He said the policies were not in the scope of work, but he would develop the needed policies with the Council's direction. He said he wanted it made clear that the City Manager was emphatic that these policies be created as requested by Council Member Spears.

City Manager Patrick Ulrich referred to Task 2 in the list of tasks and he stated this was the interface between public and private property. He said this would be an opportunity to address concerns raised by the Council in the Policy Session, and would address maintenance issues, capacities within the existing system, etc. He said he felt there would not be a master developer of the area, but he predicted there would be individual property owners who developed individual pieces of property.

Mr. Kohlbus gave some background regarding how the money became available and he thanked Senator Dave Koehler for his efforts. He stated Senator Koehler and his relationship with the Illinois Department of Transportation was key to making this happen. He said this money was for the City of Peoria to use on a project in the Warehouse District, but his firm did not have the expertise of performing sophisticated new urbanism planning. He proposed his firm would work with the consultant team and support those who had the planning expertise.

Mr. Kohlbus explained he was requested by the City to find funding for this project and the City was simply being asked to provide a match.

Following a clarification, Council Member Akeson said she hoped City Staff would develop the planning expertise for these kinds of projects so outside consultants would not have to be hired.

In discussion with Council Member Weaver, City Manager Ulrich stated at the August 23, 2011, Regular City Council Meeting, Staff would have a presentation that would discuss the 14 items identified in the Policy Session and provide suggestions regarding how the project could be financed, as well as all the work to be done with the Tiger II funds to manage the side streets in the area.

Council Member Weaver said he wanted to make sure no funding would be spent on the Washington Project until it was known how large the project would be and what the next focus would be on the project.

Council Member Spain thanked Mr. Kohlbus for his efforts in obtaining the funding. He said there were many development teams now interested in the Warehouse District because of the work of this Council and because of the partnerships formed at the State and Federal levels. He said these activities discussed could get lost if a master plan for the Warehouse District did not come forward. He said another concern was how to accommodate off-street parking for these buildings in the Warehouse District. He said each building could have 60 to 100 units so all the parking expectations would not be realized for those units on the street. He stated there were a number of things involved and policies were needed to make this district successful.

Council Member Riggerbach said he agreed with comments and points made by Council Member Spain and Council Member Spears. He said he was not as familiar with previous plans as others on the Council, but he agreed it was important to take these plans and implement them and finalize basic concepts that would be specific to the Warehouse District area. He said he felt this would be money well-spent for the City. He thanked Mr. Kohlbus for his efforts regarding this funding opportunity.

Following additional discussion and an explanation by Mr. Kohlbus regarding how the money would be reimbursed from IDOT, Mayor Ardis said he had full confidence in the discussions that had been held and the details of these plans would be worked out between the City Staff and Mr. Kohlbus before the work would be done. He urged the Council to keep the momentum of this development moving forward. He requested that the City Manager bring back the details of these policies when they were completed for the Council to review.

Motion to adopt ORDINANCE NO. 16,724 amending the City of Peoria Budget for Fiscal Year 2011 relating to the use of Warehouse District TIF Fund balance, in the amount of \$50,000.00, to serve as the 20% local match necessary for the Illinois Department of Transportation Grant awarded to Tri-County Regional Planning Commission was approved by roll call vote.

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

Nays: Sandberg - 1.

Council Member Gulley moved to authorize the City to contribute \$50,000.00 from the Warehouse District TIF to serve as the local match to an Illinois Department of Transportation Grant received by the Tri-County Regional Planning Commission to conduct specific planning tasks in the Warehouse District, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Van Auken.

Council Member Spears said he had full confidence that Mr. Kohlbus, after working with the City Manager, would bring back suggested policies for the Warehouse District for the Council's consideration.

Approved by roll call vote.

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

Nays: Sandberg - 1.

(11-350) Communication from the City Manager and Assistant Director of Planning and Growth Management Requesting a REVIEW of EXAMPLE MAPS for REDISTRICTING and Provide Direction to the AD HOC COMMITTEE of the CITY COUNCIL on REDISTRICTING and/or the Administration.

Council Member Spears explained the Committee was charged with realigning the boundaries of five Council Districts. He said citizens discussed the possibility of dividing the City into a larger number of districts so the districts would not be so large, but he said he did not feel the Committee had been charged with that task. He added the Committee felt those discussions should involve the entire Council. He said the Ad Hoc Committee had suspended continuation of their meetings until this issue was resolved.

Director of Planning and Growth Management Pat Landes explained why the discussion of realigning Council Districts was being held, which related to the recent census. She explained the criteria used to realign the Districts and she discussed the process. She said citizens requested to keep neighborhoods together and to establish district boundary lines that were recognizable, such as a thoroughfares, railroads, etc. She said 13 maps were drawn and were given an extensive review by the public. She stated citizens selected Map #12 as a good example of what five Council Districts should look like, and Map #12 would be coming back to Council for their consideration. She said further discussion was held at the West Bluff Council Meeting regarding what the City District map would look like with eight or ten Council Districts, so Staff was directed to draw those maps, which were provided to the Council for their review. She said Corporation Counsel Randy Ray explained the process of changing the number of Council Districts to citizens at the Committee meetings. She said, if the Council wanted to explore the issue of establishing more Council Districts than five, there would be time to do this. She said the Council was given a recommendation from the Committee for a five Council District map, and the Council was also given maps showing eight and ten Council Districts. She said the Committee was waiting for direction from the Council.

Mayor Ardis explained new Council District maps would not need to be confirmed until November 2012, so there was time for the Council to consider possible changes. He suggested community discussions be held and he urged the Council to delay their discussions and encourage the community to take ownership of the discussion regarding the At-Large Council Member system and cumulative voting and provide feedback to the Council. He said there were many questions regarding how the changes could occur and how transitions would happen, and he suggested that the City's Corporation Counsel provide information regarding these issues.

Council Member Van Auken pointed out this was not the first time these discussions regarding boundary changes had occurred. She explained the City was mandated to review boundaries every ten years under the Federal Constitution. She further stated, in the past, there was not much interest because the Council maps did not change that much and there were few questions involved.

Council Member Van Auken moved to defer this item until the first meeting in October, which would be the October 11, 2011, Council Meeting, so neighborhood organizations would have an opportunity to provide input; seconded by Council Member Weaver.

Council Member Sandberg said he felt a thorough discussion should be held regarding the advantages and disadvantages of the At-Large Council Member system. He said there needed to be a clear consensus for change, if changes were going to be made.

Council Member Akeson expressed concern that citizens may be confused regarding the details of cumulative voting, keeping Districts as they were, At-Large representation, and changing the number of Districts. She said she agreed the public needed to be involved in the discussions, but they could not be involved in informed conversations unless they had information. She said she felt there was also confusion in the timing of when the map needed to be completed and there were questions regarding how the transition would be handled. She said the City should provide citizens with a bullet list regarding time frames, information on referendums, etc.

Corporation Counsel Randy Ray clarified the deadline for drawing these maps was 30 days prior to District Candidates filing their candidacy, which would be November 2012. He said, if there was to be a referendum on the ballot in March, the Council would need to approve a map in 2011.

Mayor Ardis agreed Staff should provide a list of broad guidelines or discussion points to assist groups in facilitating their discussions. He suggested holding a public hearing at the beginning of the October 11th Council Meeting to allow additional public input before the Council took action.

Council Member Spain said he felt there was confusion regarding what type of latitude the Council had when considering the voting rights lawsuit. He said he would like to better understand the legal issues involved in changing the number of Council Districts.

Motion to defer this item for until the October 11, 2011, Council Meeting, so neighborhood organizations would have an opportunity to provide input, was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

- (11-246) Communications from the City Manager and Mayor Ardis with Recommendations as Follows:**
- A. Communication from the City Manager with Request to Receive and File a REPORT on ISSUES Involving SPRINGDALE HISTORIC CEMETERY;**
 - B. REAPPOINTMENT and APPOINTMENT by Mayor Jim Ardis to the SPRINGDALE CEMETERY MANAGEMENT AUTHORITY, with Request to Concur:**

REAPPOINTMENT:
Kent Rotherham (Voting) - Term Expires 6/30/2015

APPOINTMENT:
Floyd C. Dailey, Jr. (Voting) - Term Expires 6/30/2015

Council Member Riggensbach moved to receive and file the report on issues involving Springdale Historic Cemetery and to concur with the reappointment of Kent Rotherham and the appointment of Floyd C. Dailey, Jr. to the Springdale Cemetery Management Authority; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: Sandberg - 1.

- (11-255) Communication from the City Manager and Director of Public Works with Request to Direct Staff to IMPLEMENT the DESIGN and CONSTRUCTION to CONVERT LOUCKS AVENUE, Between Sheridan Road and McClure Avenue, from a ONE-WAY STREET to a TWO-WAY STREET, with Supplemental Information.**

Council Member Van Auken said the Council had received an e-mail from Kathy Craig, area business owner and President of the Sheridan Triangle Business Association, and she said the businesses in the group gave their full support to the proposal. She said neighborhood association members also agreed with the design.

Council Member Van Auken moved to direct Staff to implement the design and construction to convert Loucks Avenue, between Sheridan Road and McClure Avenue, from a one-way street to a two-way street, and to receive and file the supplemental information; seconded by Council Member Turner.

Council Member Sandberg spoke in support of converting Loucks to a two-way street as outlined, with the exception of the area of Loucks Avenue that meets McClure Avenue. He said he was opposed to the no left turn from Loucks onto McClure Avenue. He suggested changing that portion of the design to allow left turns as well as right turns at that location.

Director of Public Works Dave Barber said there were concerns there would be cut-through traffic from Sheridan to McClure using Loucks Avenue.

Council Member Sandberg displayed a PowerPoint presentation showing alternative designs. He said a change in the plan would solve parking issues for businesses and would solve cut-through traffic.

Council Member Akeson also spoke in support of allowing left turns onto McClure Avenue from Loucks Avenue. In discussion, she stated there should be circulation patterns that provided choices for drivers for this location.

Council Member Weaver questioned if this was the best place to spend the money first, and he questioned how long it would take to finish the project.

Director Barber explained in the five-year CIP plan, there was no funding for further improvements. He said this proposal was brought forward by the businesses and residents who lived in the area and they supported changing Loucks back to two-way traffic. He said this was the project his Department was requested to bring to Council for consideration.

Council Member Van Auken stated there was still facade improvement money that was being used by those businesses. She said the businesses had been patient with the City and Engineers had reviewed the plans several times, and she felt the proposal was the safest plan for the area.

In discussion with Mayor Ardis regarding safety issues of allowing left turns from Loucks Avenue onto McClure Avenue, Director Barber explained there was reduced site distance where Flora Avenue joined with McClure Avenue. He said there would be overlapping turning movements at this location and the proposal would maintain walk ability in that area. He said allowing a left turn from Loucks onto McClure would encourage drivers to cut-through the neighborhood.

Following further discussion, Council Member Van Auken moved to amend her motion to direct Staff to implement the design and construction to convert Loucks Avenue, between Sheridan Road and McClure Avenue, from a one-way street to a two-way street, changing the no left turn design from Loucks Avenue to McClure Avenue to allow left turns as well as right turns, and to request a report back after a trial basis, and to receive and file the supplemental information; seconded by Council Member Turner.

Director Barber suggested a one-year trial basis. No objections were heard.

Amended motion to direct Staff to implement the design and construction to convert Loucks Avenue, between Sheridan Road and McClure Avenue, from a one-way street to a two-way street, changing the No Left Turn design from Loucks Avenue to McClure Avenue to allow left turns as well as right turns, and request a report back after a one-year trial basis, and to receive and file the supplemental information was approved by roll call vote.

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

Nays: None.

(11-283) Communication from the City Manager and Corporation Counsel Requesting DEFERRAL of the Adoption of an ORDINANCE Amending CHAPTER 20 of the Code of the City of Peoria ADDING SECTION 20-111 Pertaining to POSSESSION of CANNABIS or DRUG PARAPHERNALIA until the SEPTEMBER 13, 2011, REGULAR CITY COUNCIL MEETING.

Council Member Spain moved to defer this item until the September 13, 2011, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until September 13, 2011, was approved by roll call vote.

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

Nays: None.

- (11-312) REQUEST to RECONSIDER the VOTE TAKEN on JULY 26, 2011, on ORDINANCE NO. 16,715 and, if the Reconsideration Passes, REQUEST ADOPTION of a REPLACEMENT ORDINANCE Approving a SPECIAL USE in a Class R-4 (Single Family Residential) District for Existing Legal Non-Conforming OFFICES, and to ADD a CHURCH with Existing Site Conditions for the Property Located at 1716 N. UNIVERSITY STREET, with Conditions.**

MOTION ON THE FLOOR: Adopt Original Ordinance

Following a brief comment, Council Member Van Auken moved to reconsider the vote taken at the July 26, 2011, Regular City Council Meeting on Ordinance No. 16,715; seconded by Council Member Spain.

Motion to reconsider Ordinance No. 16,715 was approved by roll call vote.

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

Nays: None.

Council Member Van Auken moved for a substitute motion to adopt the replacement Ordinance approving a Special Use in a Class R-4 (Single Family Residential) District for existing legal non-conforming offices and to add a church with existing site conditions for the property located at 1716 N. University Street, with conditions; seconded by Council Member Turner.

ORDINANCE NO. 16,725 was adopted by roll call vote.

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

Nays: None.

- (11-320) Communication from the City Manager and Director of Public Works Requesting Adoption of a REPLACEMENT ORDINANCE Amending CHAPTER 26 of the Code of the City of Peoria Adding ARTICLE IX to Section 26 Pertaining to FIBER OPTIC LICENSING AGREEMENTS, Allowing for Licensing Agreements for the Longer Term Use of City Rights-of-Way and Approval to Allow the City Manager to Execute the Respective Agreements (New Ordinance, New Agreement, and Supplemental Information.)**

MOTION ON THE FLOOR: Adopt the original Ordinance amending Chapter 26 and Authorize the City Manager to Execute the Agreements.

City Manager Patrick Ulrich explained the new Ordinance modified (I) in the Ordinance to require that, if there was any waiver from minimum or less than minimum for fees, it would require Council approval. He also explained the two options for the agreements. He said this would meet the intent of Council discussion held two weeks ago to improve the modifications.

Council Member Spain moved for a substitute motion to adopt the replacement Ordinance amending Chapter 26 of the Code of the City of Peoria adding Article IX to Section 26 pertaining to Fiber Optic Licensing Agreements, allowing for licensing agreements for the longer term use of City rights-of-way and approval to allow the City Manager to execute the respective agreements; seconded by Council Member Turner.

Substitute motion to adopt ORDINANCE NO. 16,726 amending Chapter 26 of the Code of the City of Peoria adding Article IX to Section 26 pertaining to Fiber Optic Licensing Agreements, allowing for licensing agreements for the longer term use of City rights-of-way and approval to allow the City Manager to execute the respective agreements was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

(11-351) REQUEST from Council Member Gulley to Provide a REPORT BACK Regarding the SPECIFIC MATERIALS USED by the CITY to BOARD-UP PROPERTIES.

Council Member Gulley requested a report back from the City Manager regarding specific materials used by the City of Peoria to board-up properties. He said the Ordinance required the use of certain materials and he questioned if the Ordinance requirements were being followed.

No objections were heard.

REQUEST by MAYOR ARDIS to PLAN a CITIZENS' SUMMIT in Relation to the COUNCIL'S STRATEGIC PLANNING SESSIONS

Mayor Ardis referred to the Council's Strategic Planning sessions held with Mr. Sumek and he requested the City Manager to plan a Citizens' Summit prior to the City Manager bringing a final recommendation to the City Council for consideration. He requested the Council to concur that a summit needed to be held soon to gain citizen input.

No objections were heard.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

(11-352) REQUEST from CITIZENS to Address the CITY COUNCIL/TOWN BOARD 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, expressed concern regarding mob actions in some portions of the City and he urged the City's law enforcement to be vigilant regarding these matters.

Taura Edwards, a Peoria resident, urged citizens to oppose the islands being built in the Illinois River. She said silt would build up and would impact the Peoria Riverfront.

Peg Pandal, a Peoria resident, commended the efforts by the Council regarding transparency and she discussed a new project called "Tell Your Story" regarding the City's policies and how they impacted citizens.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

Council Member Van Auken moved to adjourn the Regular City Council Meeting; seconded by Council Member Rigggenbach.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Rigggenbach, Sandberg, Spain, Spears, Turner,
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

The meeting adjourned at 9:32 P.M.

bb

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