

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

Council Chambers, Peoria, Illinois, August 23, 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, 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: IRIS AWARDS for HOMEOWNERS AND NEIGHBORHOOD ASSOCIATIONS

PROCLAMATION: PETE VONACHEN "MR. BASEBALL" DAY – AUGUST 23, 2011

PROCLAMATION: FOOT STEPS AGAINST CYSTIC FIBROSIS DAY – AUGUST 27, 2011

PROCLAMATION: WORLDFEST 2011 DAY - SEPTEMBER 10, 2011

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on August 9, 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

(11-353) PUBLIC HEARING to Consider the Approval of the AMENDED DEVELOPMENT PLAN for the DESIGNATION of the HOSPITALITY IMPROVEMENT ZONE BUSINESS DISTRICT.

Council Member Spain moved to open the Public Hearing to consider the approval of the Amended Development Plan for the designation of the Hospitality Improvement Zone Business District; seconded by Council Member Riggerbach.

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

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

Nays: None.

The Public Hearing opened at 6:41 P.M.

City Manager Patrick Ulrich requested that Development Specialist Bobby Gray open the Public Hearing with general comments regarding the proposed amendment.

Development Specialist Bobby Gray said Camiros, Ltd was hired in 2008 to study the land use, buildings and infrastructure to determine if the area qualified. He said qualifications were determined and the Hospitality Improvement Zone Business District Development Plan was written. He said, at that time, all hotels were included with the exception of the Staybridge Suites. He stated Staybridge Suites determined they needed to make major improvements to their property and they requested to be included in the zone. He explained Ms. Jeanne Lindwall from Camiros, Ltd. would report their findings.

Jeanne Lindwall, Consultant with Camiros, Ltd., said approximately one year ago, the State Statutes were amended to clarify language regarding the Public Hearing, an expansion of the definitions regarding blight, underutilization of property, and developing a list of business district development project costs, along with other changes. She said the amendment would include the Staybridge Suites. She discussed the changes and stated they were made to encourage private investment and to support existing businesses and local jobs. She further discussed the nature of the Business District Development Plan, which had not changed, was to support the Civic Center. She said it was determined the area was blighted and she explained the condition of the parking lot and the improvements needed for Staybridge Suites.

Ed Croom, of Janko Hospitality representing Staybridge Suites, stated the hotel was eleven years old and employed 30 people. He said their firm planned to invest approximately \$2 million in renovations to bring the hotel up to higher standards. He requested the Council support the request for Staybridge Suites to be included in the Hospitality Improvement Zone.

Bob Marx, CEO of the Convention and Visitor's Bureau, spoke in support of the expansion of the Hospitality Improvement Zone to include Staybridge Suites. He said the downtown area needed every economic advantage for Peoria to compete favorably and bring dollars to the City.

C.J. Summers, a Peoria resident, said he had no problem with Staybridge Suites being included in the Hospitality Improvement Zone, but he said he had concerns regarding the definition of blight and the increase of estimated project costs of \$12 million rather than \$6 million. He said he felt the public should have a clear understanding of the costs.

In discussion with Council Member Sandberg regarding the increase of estimated project costs to \$12 million, Development Specialist Bobby Gray explained \$6 million was for public improvements and \$2 million was for the Staybridge Suites project. He explained, after a review of the area, it was determined this would be an opportunity to increase the budget to include a project or projects that were unknown at this time. He said this action would prevent Staff from having to come back to Council in the near future to include other projects or if there were additional costs relating to the other properties.

Upon request by City Manager Ulrich, Ms. Lindwall explained the \$6 million represented an estimate of hotel and sales tax that was expected to be generated over the life of the Business Development District. She stated revenues could also be generated from another hotel that could possibly be built in the parking lot of the Civic Center. She added the \$12 million was an updated estimate of the revenue streams over the 23 year life of the Business Development District. She said all the other hotels were located within the Hospitality Improvement Zone TIF, but the Staybridge Suites was located in the Southtown TIF

In discussion with Council Member Sandberg, City Manager Ulrich explained an outline regarding how the funds could be spent was in the project agreement and the development plan. He stated this would set an upper ceiling on the amount of funds that were generated from the hotel tax that could be spent within this specific area. He said each hotel was allowed to spend the money they generated.

In discussion with Council Member Akeson regarding taxes charged by hotels and how this evolved, Mr. Croom, representing Staybridge Suites, explained it started as a way to finance the City's ability to market their communities to draw more visitors. He said the first funding went toward the Convention and Visitor's Bureau to assist with drawing more visitors to Peoria. He said, in other communities, it could be expanded for other public uses or those taxes would go to the governing body.

Following the third call by Mayor Ardis for citizens to address the City Council and after determining that no one else wished to address this issue, Council Member Spain moved to close the Public Hearing to consider the approval of the Amended Development Plan for the Designation of the Hospitality Improvement Zone Business District; seconded by Council Member Weaver.

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

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

Nays: None.

The Public Hearing closed at 7:11 P.M.

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

- (11-354) Communication from the City Manager and Police Chief Requesting Approval to DONATE SQUAD CAR #569, a 1994 CHEVY CAPRICE with 71,000 Miles, to the WHEELS O' TIME MUSEUM.**
- (11-355) Communication from the City Manager and Police Chief Requesting Approval for the PURCHASE of 15 PANASONIC TOUGHBOOK LAPTOP COMPUTERS, for Use in Squad Cars, from CDS OFFICE TECHNOLOGIES, in the Amount of \$58,950.00, from Approved Capital Improvement Plan Funds.**
- (11-356) Communication from the City Manager and Director of Planning and Growth Management with Request to Award the 2011 ADOPT-A-RAMP PROGRAM to S. F. PAULI BUILDERS, in the Amount of \$70,000.00, from the 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**
- (11-357) Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE REAL ESTATE Located at 607 EAST ARMSTRONG AVENUE, in the Amount of \$50,000.00, for the IMPROVEMENT of PENNSYLVANIA AVENUE from Berkeley Avenue to Glen Oak Avenue.**
- (11-358) Communication from the City Manager and Director of Public Works Requesting Approval of an EXCHANGE of REAL ESTATE Located at 801 N.E. GLEN OAK AVENUE for a PORTION of the Property at 815 and 833 N.E. GLEN OAK AVENUE, for the IMPROVEMENT of PENNSYLVANIA AVENUE from Berkeley Avenue to Glen Oak Avenue.**

- (11-359) Communication from the City Manager and Director of Public Works with Request to Approve the EXCHANGE of REAL ESTATE Located at 1307 W. GLEN AVENUE for a Portion of the EXISTING RIGHT-OF-WAY Along the UNIVERSITY STREET SIDE of the Property, for the IMPROVEMENT of the UNIVERSITY STREET and GLEN AVENUE INTERSECTION and to ADOPT ORDINANCE NO. 16,727 VACATING a Portion of the UNIVERSITY STREET RIGHT-OF-WAY Adjacent to the East Side of the Property Located at 1307 W. GLEN AVENUE.
- (11-360) Communication from the City Manager and Corporation Counsel Requesting Authorization to RETAIN the FIRM of HEYL, ROYSTER to Represent the City in the Case of JOHNSON, ET AL. VS. CITY OF PEORIA.
- (11-361)
* Communication from the City Manager Requesting Approval of the 2011 CONTRACT Between the City of Peoria and the ECONOMIC DEVELOPMENT COUNCIL for CENTRAL ILLINOIS.
- (11-362) Communication from the City Manager and Director of Public Works Requesting Approval of an AMENDMENT to the PEORIA/PEKIN URBANIZED AREA TRANSPORTATION STUDY (PPUATS) FY 2012 AGREEMENT, in the Amount of \$5,413.95. (Amends 11-236)
- (11-363)
** Communication from the City Manager and Director of Public Works with Request to AWARD the CONTRACT to the LOWEST RESPONSIBLE BIDDERS, TAZEWEEL COUNTY ASPHALT, INC. (TCA), in the Amount of \$16,825.00, and PA ATHERTON CONTRUCTION, INC. (PAAC), in the Amount of \$20,000.00, for the PARKING SEALANT and DRY-WELLS in the POLICE HEADQUARTERS and MUNICIPAL SERVICES BUILDING PARKING LOTS, as Outlined.
- (11-364)
*** Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Amending Ordinance No. 13,932, as Amended, in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Add a GROCERY STORE, GAS STATION, CONVENIENCE STORE, and CAR WASH, and to Remove a Previously Approved Condition for the Property Commonly Known as the SHOPPES at GRAND PRAIRIE Located at 5201 W. WAR MEMORIAL DRIVE, with Conditions.
- (11-365) Communication from the City Manager and Finance Director/Comptroller Recommending Adoption of ORDINANCE NO. 16,728 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to the Target Corporation Donation, in the Amount of \$1,000.00; the Illinois Emergency Management Agency (IEMA) Grant, in the Amount of \$4,000.00; the Emergency Operations Center (EOC) Technology Grant, in the Amount of \$18,832.00; and the East Bluff Rebound Basketball Team Methodist Gift, in the Amount of \$1,000.00.
- (11-366) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,729 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2011 Relating to the ICJIA DOMESTIC VIOLENCE MULTI-DISCIPLINARY TEAM GRANT, in the Amount of \$54,359.00.

- (11-367) **Communication from the City Manager and 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 NO. 16,730 Amending APPENDIX B of the Code of the City of Peoria Relating to ZONING CERTIFICATES Being Void Within One Year if Not Acted Upon;**
- B. **ORDINANCE NO. 16,731 Amending APPENDIX C of the Code of the City of Peoria Relating to ZONING CERTIFICATES Being Void Within One Year if Not Acted Upon.**
- (11-368) **Communication from the City Manager with Request to Direct Staff to**
**** **CHANGE the PROCESS of ENTERPRISE ZONE EXPANSION REVIEW and PUBLIC HEARING by Removing it from the Responsibility of the Planning Commission and Returning it to the Responsibility of the Designated Zone Organization.**
- (11-369) **APPOINTMENT by Mayor Jim Ardis to the MAYOR'S ADVISORY COMMITTEE for the DISABLED, with Request to Concur:**
- John Block (Voting) - Term Expires 6/30/2014**
- (11-370) **Communication from the City Manager and City Treasurer Requesting Adoption of the REVISED CITY OF PEORIA INVESTMENT POLICY.**
- (11-371) **Communication from the City Manager and Finance Director/Comptroller Regarding the MONTHLY FINANCIAL REPORT for JULY 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 Spain requested that Item No. 11-361 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item Nos. 11-363, 11-364, and 11-368 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. 11-354 through 11-371 (excluding Item Nos. 11-361, 11-363, 11-364, and 11-368 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.

- (11-361) **Communication from the City Manager Requesting Approval of the 2011**
* **CONTRACT Between the City of Peoria and the ECONOMIC DEVELOPMENT COUNCIL for CENTRAL ILLINOIS.**

Council Member Spain stated he would be abstaining from discussion and voting due to the business relationship the Economic Development Council for Central Illinois had with his employer.

Council Member Van Auken moved to approve the 2011 contract between the City of Peoria and the Economic Development Council for Central Illinois; seconded by Council Member Riggerbach.

Approved by roll call vote.

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

Nays: None;

Abstention: Spain - 1.

**(11-363) Communication from the City Manager and Director of Public Works with
** Request to AWARD the CONTRACT to the LOWEST RESPONSIBLE
 BIDDERS, TAZEWell COUNTY ASPHALT, INC. (TCA), in the Amount of
 \$16,825.00, and PA ATHERTON CONTRUCTION, INC. (PAAC), in the
 Amount of \$20,000.00, for the PARKING SEALANT and DRY-WELLS in the
 POLICE HEADQUARTERS and MUNICIPAL SERVICES BUILDING PARKING
 LOTS, as Outlined.**

In discussion with Council Member Sandberg regarding his concern pertaining to the cost of the dry-well installation and his suggestion that the money could be used on another project, Director of Public Works Dave Barber explained the City's obligation to address the quality of the water that flowed into the river.

Following further discussion, Council Member Weaver moved to separate the question; seconded by Council Member Akeson.

Motion to separate the question was approved by roll call vote.

Yeas: Akeson, Gulley, Riggerbach, Sandberg, Spain, Spears, Weaver, Mayor Ardis - 8;

Nays: Irving, Turner, Van Auken - 3.

Council Member Weaver moved to award a contract to the lowest responsible bidder, Tazewell County Asphalt, Inc., (TCA), in the amount of \$16,825.00 for parking sealant in the Police Headquarters and Municipal Services Building Parking Lots, as outlined; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: Spain - 1.

Council Member Van Auken moved to award a contract to the lowest responsible bidder, P.A. Atherton Construction, Inc. (PAAC), in the amount of \$20,000.00, for dry-wells in the Police Headquarters and Municipal Services Building Parking Lots, as outlined; seconded by Council Member Gulley.

In discussion with Council Member Van Auken, City Manager Patrick Urich confirmed that the proposal to install the dry-wells was part of the plan to be compliant with the Clean Water Act. He said the City was obligated to clean the water that was discharged. He said this was a Federal mandate the City was trying to follow whenever the opportunity presented itself.

In further discussion with Council Member Gulley, Director Barber further explained the City had to take steps to become compliant whenever possible. He said storm water was no longer considered clean water. He explained storm water was found to be polluted and contained oils, greases, debris, etc. and this was a way to begin the process. He added the Clean Water Act covered all aspects of discharged water through pipes including storm water and sewer discharges, or sanitary sewer overflows, which were all considered discharged water and all had to be addressed.

Council Member Spain said he would be voting against the motion because he felt the City needed to start getting away from surface parking lots on major street frontages and the money should not be going toward this type of parking lot.

Council Member Gulley pointed out, if the City of Peoria did not enforce their own regulations for their own parking lots, the City should not require business owners and other citizens to follow the City's regulations.

Mayor Ardis spoke in support of the motion to approve and he encouraged the Council to concur.

In further discussion with Mayor Ardis relating to whether or not the City would be viewed more favorably by the Federal Government when a proactive solution to a discharge water situation was implemented, Corporation Counsel Randy Ray said he felt it would be taken into consideration when penalties were addressed.

Council Member Sandberg stated he felt the proposal for dry-wells in this area would have little effect.

Council Member Spears said he was also concerned about spending this money on dry-wells, but the City of Peoria was built on a river and they had an obligation to keep it as clean as possible, even though steps were taken in increments. He said he felt it was important for everyone to view this situation in this manner. He urged the Council to support the motion.

Motion to award a contract to the lowest responsible bidder, P.A. Atherton Construction, Inc. (PAAC), in the amount of \$20,000.00, for dry-wells in the Police Headquarters and Municipal Services Building Parking Lots, as outlined, was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Sandberg, Spain, Weaver - 3.

**(11-364) Communication from the City Manager and Director of Planning and
*** Growth Management with Recommendation from the Zoning Commission
 and Staff to Adopt an ORDINANCE Amending Ordinance No. 13,932, as
 Amended, in a Class C-2 (Large Scale Commercial) District for a SHOPPING
 CENTER to Add a GROCERY STORE, GAS STATION, CONVENIENCE
 STORE, and CAR WASH, and to Remove a Previously Approved Condition
 for the Property Commonly Known as the SHOPPES at GRAND PRAIRIE
 Located at 5201 W. WAR MEMORIAL DRIVE, with Conditions.**

Council Member Sandberg said part of the Special Use included a wide bike trail along the East side of Orange Prairie Road, except for a small portion that was part of a lot that had yet to be developed. He further explained there would be a sidewalk for a quarter of a mile except for approximately 150 feet in the middle, and he said he felt the two areas should be connected by a continuous sidewalk or wide bike trail. He proposed that these sidewalks be installed with this project.

Council Member Irving said even though Council Member Sandberg was correct there would be a gap in the sidewalks, he requested Assistant Director of Planning and Growth Management Ross Black to explain the City's Sidewalk Policy for new developments.

Assistant Director of Planning and Growth Management Ross Black explained sidewalks and/or bike trails were installed at the time of development. He said the parcel on the corner of American Prairie Drive and Orange Prairie Road was not yet developed, but when the parcel was developed, sidewalks would be installed to make the connection. He also explained the 80% sidewalk build-out policy for the exteriors of new subdivisions.

Council Member Irving spoke in support of the Hy-Vee project and he thanked them for being a good partner in Peoria and he thanked Cullinan Properties for bringing the deal forward. He said he felt this would be the beginning of a major economic corridor and would be good for the City of Peoria.

Following discussion regarding the importance of this project to the area, Council Member Irving moved to concur with the recommendation from the Zoning Commission and Staff to adopt the Ordinance amending Ordinance No. 13,932, as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add a grocery store, gas station, convenience store, and car wash, and to remove a previously approved condition for the property commonly known as the Shoppes at Grand Prairie located at 5201 W. War Memorial Drive, with conditions; seconded by Council Member Turner.

Mayor Ardis commended Council Member Irving's efforts on this project and he said he looked forward to the development.

Council Member Akeson said it was unfortunate that the Shoppes of Grand Prairie was designed without exterior sidewalks. She spoke in support of developments promoting walkable communities. She said she supported installing sidewalks in all developments that came before the Council. She suggested the Council hold a high level discussion regarding sidewalks so, as developers conceived ideas for the future, they could factor this into their costs. She said she felt installation of sidewalks would be an economic development driver. She questioned if the Shoppes of Grand Prairie would forever be autocentric.

Corporation Counsel Randy Ray stated it was difficult to add regulations into a development after it had been developed. He said changes could be made going forward for new developments, but he was not sure how this would impact the Shoppes of Grand Prairie development. He said it would be difficult to incorporate sidewalks because, up until this time, the policy did not require sidewalks.

Motion to concur with the recommendation from the Zoning Commission and Staff to adopt ORDINANCE NO. 16,732 amending Ordinance No. 13,932, as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add a grocery store, gas station, convenience store, and car wash, and to remove a previously approved condition for the property commonly known as the Shoppes at Grand Prairie located at 5201 W. Ware Memorial Drive, with conditions, was approved by roll call vote.
Yeas: Akeson, Guley, Irving, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 10;
Nays: Sandberg - 1.

- (11-368) ***** Communication from the City Manager with Request to Direct Staff to CHANGE the PROCESS of ENTERPRISE ZONE EXPANSION REVIEW and PUBLIC HEARING by Removing it from the Responsibility of the Planning Commission and Returning it to the Responsibility of the Designated Zone Organization.**

Council Member Sandberg expressed concern that making the proposed change would cause the process to be less transparent. He said the proposed changes would reduce the number of Public Hearings and amount of notice for Enterprise Zone discussions. He said he would not support a motion to approve.

Council Member Van Auken moved to direct Staff to change the process of Enterprise Zone Expansion Review and Public Hearing by removing it from the responsibility of the Planning Commission and returning it to the responsibility of the Designated Zone Organization; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Gulley, Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9;

Nays: Akeson, Sandberg - 2.

- (11-372) Communication from the City Manager and Director of Public Works Recommending Approval of the LOW BID of R. A. CULLINAN & SON, in the Amount of \$3,788,074.54, with Authorization up to \$4,091,000.00 (Additional 8% for contingencies) for ORANGE PRAIRIE ROAD EXTENSION.**

Council Member Weaver said he would be abstaining from the discussion and voting due to his ownership of property in the area.

Council Member Irving moved to approve the low bid of R. A. Cullinan & Son, in the amount of \$3,788,074.54, with authorization up to \$4,091,000.00 (additional 8% for contingencies) for Orange Prairie Road Extension; seconded by Council Member Turner.

In discussion with Council Member Sandberg, Director Barber said the weekly City Manager's Issues Updates provided the status of construction projects and he would include information regarding any extra contingency costs. He said he did not feel there would be extra costs for this project unless there were soil problems in the area.

Approved by roll call vote.

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

Nays: None.

Abstentions: Weaver - 1

- (11-373) Communication from the City Manager and Director of Public Works Requesting Approval of an INTERGOVERNMENTAL AGREEMENT Between the City of Peoria and DUNLAP COMMUNITY SCHOOL DISTRICT 323 Regarding the CONSTRUCTION of the INTERSECTION of HICKORY GROVE ROAD and ALLEN ROAD.**

Council Member Irving stated he appreciated the partnership and cooperation with Dunlap School Board regarding this project.

Council Member Irving moved to approve an Intergovernmental Agreement between the City of Peoria and Dunlap Community School District 323 regarding the construction of the intersection of Hickory Grove Road and Allen Road; 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.

(11-374) Communication from the City Manager and Corporation Counsel Requesting Action on the SITE APPLICATION to Add a SUBCLASS 1 (4:00 A.M.) LICENSE to a CLASS A (Tavern) with a SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE at 1801 S. W. ADAMS, with No Recommendation from the Liquor Commission.

Council Member Gulley said he would be abstaining from discussion and the vote due to a possible conflict of interest and the relationship between this item and Item No. 11-375.

Council Member Turner moved to approve the Site Application to add a Subclass 1 (4:00 A.M.) License to a Class A (Tavern) with a Subclass 2 (Live Entertainment) Liquor License at 1801 S. W. Adams; seconded by Council Member Sandberg.

Motion to approve was DEFEATED by roll call vote.

Yeas: Sandberg, Spears, Turner – 3;

Nays: Akeson, Irving, Riggerbach, Spain, Van Auken, Weaver, Mayor Ardis - 7;

Abstentions: Gulley – 1.

(11-375) Communication from the City Manager and Corporation Counsel Requesting Action on the SITE APPLICATION for a CLASS A (Tavern) with a SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE at 315 MAIN STREET, with Recommendation from the Liquor Commission to DENY.

Council Member Gulley said he would be abstaining from discussion and the vote due to his relationship to the Petitioner.

Council Member Turner moved to approve the Site Application for a Class A (Tavern) with a Subclass 2 (Live Entertainment) Liquor License at 315 Main Street; seconded by Council Member Spain.

Corporation Counsel Randy Ray clarified the motion pertained to the Class A (Tavern) with a Subclass 2 (Live Entertainment) Liquor License and would have a 1:00 A.M. closing. He said the Petitioner had submitted a pending application that would go back to the Liquor Commission so they could stay open until 2:00 A.M. He said the Petitioner had withdrawn his request for a Subclass 1 (4:00 A.M.).

Motion to approve the Site Application as outlined was approved by roll call vote.

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

Nays: None;

Abstentions: Gulley – 1.

(11-376) Communication from the City Manager and Director of Public Works Regarding a REPORT that ADDRESSES QUESTIONS RAISED at the WASHINGTON STREET PROJECT POLICY SESSION on July 19, 2011, with Request to Receive and File, and Request to PROVIDE DIRECTION to STAFF on the LIMITS of the PROPOSED CONSTRUCTION PROJECT.

City Manager Patrick Ulrich stated this Council communication was a report back from the Policy Session held on July 19, 2011. He explained there were twelve memoranda included in this communication. He said his comments would center around Memorandum #1, which focused on the financing information and funding scenarios from Harrison Street to Maple, Maple to Main Street, and Maple to Hamilton Boulevard. He gave a brief overview of all three options. He stated it was Staff's perspective that the project could be financed using the TIF funds currently generated in the Downtown TIF and the future increment from the Warehouse District TIF could be used to finance the road projects to include the matching funds for the Tiger II grant and to construct Washington Street to Maple Street. He said there were eleven more memoranda to discuss, if that was the desire of the Council.

Council Member Spain commended the Administration for their efforts over the last thirty days regarding financing options. He thanked Senator Dave Koehler for his assistance with the funding for this project over the next year. He also commended Staff for providing three options which retained the focus on the core part of the Warehouse District, which was clearly a priority for the Council. He said the roundabout and narrowing traffic was important for the Warehouse District and its success.

Council Member Spain moved to approve and move forward with Option #1, which would begin road improvements at the Harrison Street roundabout and move south through the Warehouse District to Maple Street, with an estimated cost of \$8,634,000 for remaining engineering and construction work and would leave a balance of \$9,730,000 available, and to receive and file the report addressing questions raised at the Washington Street Project Policy Session; seconded by Council Member Van Auken.

Following further discussion, Council Member Sandberg pointed out the City would be responsible for resurfacing Washington Street from Maple to Bartonville. He said this would increase capital maintenance costs. He said he would like to see a new street in front of the Museum and down to Hamilton if the City could afford it. He said he would like to see TIF money used to complete the infrastructure rather than using General Obligation money or tax money.

Council Member Weaver requested a report back regarding some numbers regarding funding for the next piece.

Motion to approve and move forward with Option #1, which would begin road improvements at the Harrison Street roundabout and move south through the Warehouse District to Maple Street, with an estimated cost of \$8,634,000 for remaining engineering and construction work and would leave a balance of \$9,730,000 available, and to receive and file the report addressing questions raised at the Washington Street Project Policy Session, was approved by roll call vote.

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

Nays: None.

Later in the meeting, Council Member Sandberg indicated he did not feel Memoranda #2 through #11 addressed information he had requested. He expressed concern that information was not provided regarding when the City Council designated Washington Street as an urban arterial street.

Director Barber explained Washington Street was an arterial street in an urban environment and there may have been an inappropriate designation in the Council communication. He added it matched the guidelines for an arterial street and they had consistently referred to Washington Street as an arterial street in past street plans.

Council Member Sandberg stated the Duany Plan, which was adopted by the Council in 2003, designated street widths less than eleven feet.

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

**(11-327) Communication from the City Manager and Director of Public Works with
REPORT BACK Regarding FUNDS SPENT on SIDEWALKS for the GLEN
OAK SCHOOL AREA and the Amount that has been Committed for the
HARRISON SCHOOL AREA, with Request to Receive and File.**

Council Member Rigganbach moved to receive and file the Report Back regarding funds spent on sidewalks for the Glen Oak School Area and the amount that had been committed for the Harrison School Area; seconded by Council Member Van Auker.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS

There was no New Business that came before the Council.

PRESENTATION

**(11-377) PRESENTATION Regarding the COMPREHENSIVE LABOR STUDY FOR
PEORIA METRO, with Request to Receive and File.**

The Economic Development Council distributed a copy of the Comprehensive Labor Study for Peoria Metro to all members of the Council.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Ms. Vicki Clark.

Vicki Clark, representing the Economic Development Council, said a review would be provided regarding the report. She said this was a three-part study used for site selectors for the Peoria region and it was used for businesses already located in Peoria in looking at the kind of skilled workforces here and comparing the quality of workforces. She added it could be used by the leaders of the community to determine workforce needs for business and growth.

Jessica Marose, Director of Research for the Economic Development Council, explained the goals, how the study would be used, and implementation.

Council Member Irving moved to receive and file the presentation regarding the Comprehensive Labor Study for Peoria Metro; seconded by Council Member Rigganbach.

Approved by roll call vote.

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

Nays: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD**(11-378) 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 that the request by La Copacabana for a 4:00 A.M. Liquor License was denied and he spoke in support of the petitioners. He also expressed concern for the safety of children as they walked to school. He suggested that a traffic signal be installed at the intersection of Griswold and Krause Streets.

LaVetta Ricca, President of Olde Towne South Neighborhood Association, memorialized Eddie Fosco, who recently passed away. She discussed his life, his personal friendships with those in his neighborhood, and his legacy in the community.

EXECUTIVE SESSION**(11-379) Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss 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 Irving moved to enter into Executive Session to discuss 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 Turner.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by roll call vote.

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

Nays: None.

The meeting adjourned at 8:44 P.M.

bb

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

By:

Beth Ball, Chief Deputy City Clerk