

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

Council Chambers, Peoria, Illinois, October 25, 2011, a Joint City Council/Town Board Meeting was held this date at 6:16 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, Irving, Riegenbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 10. Absent: Gulley - 1.

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: STAATS APPLIANCE – 62ND YEAR ANNIVERSARY

PROCLAMATION: CAMEO HAZLEWOOD DAY – OCTOBER 25, 2011 – ANTI-BULLYING INITIATIVE

MINUTES

Council Member Spain moved to approve the minutes of the City Council Meeting held on October 11, 2011, and the Special City Council Meeting held on October 17, 2011, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (11-449) Communication from the City Manager and Police Chief Requesting Approval to PURCHASE FIVE (5) USED VEHICLES (Including Three Four-Wheel Drive) from FINISH LINE FORD for the POLICE DEPARTMENT'S VICE & NARCOTICS UNIT for a Total Amount of \$86,600.00 (Includes Two Trade-Ins).
- (11-450) Communication from the City Manager and Director of Planning and Growth Management with Request to AWARD the 2011 ROOF REPLACEMENT CONTRACT for the HARRISON SCHOOL NEIGHBORHOOD IMPACT ZONE to BRUCE EKHOFF BUILDERS, in an Amount Not to Exceed \$200,000.00, from the 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

- (11-451) Communication from the City Manager and Director of Public Works Requesting Approval of the PROFESSIONAL SERVICES AGREEMENT with HANSON PROFESSIONAL SERVICES, INC. / FARNSWORTH GROUP, INC., a Joint Venture, in an Amount Not to Exceed \$1,145,062.00, for PHASE II ENGINEERING SERVICES for the WAREHOUSE DISTRICT, TIGER II PROJECT.
- (11-452) Communication from the City Manager and Director of Public Works Requesting Approval of the Following:
- A. PHASE 2 AMENDMENT with the U.S. DEPARTMENT of TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION for TIGER II FUNDS (Amends Item No. 11-084); and
 - B. AMENDMENT #1 to the AGREEMENT with the ILLINOIS DEPARTMENT of TRANSPORTATION (IDOT) for the Funding of PHASE II PRELIMINARY ENGINEERING in the WAREHOUSE DISTRICT, TIGER II PROJECT (Amends Item No. 11-085).
- (11-453) Communication from the City Manager and Finance Director/Comptroller Requesting Authorization for the City Manager to Enter into an AGREEMENT with McGLADREY & PULLEN, LLP to Provide ANNUAL AUDITING SERVICES for FISCAL YEAR 2011 and FISCAL YEAR 2012 for a Total Amount Not to Exceed \$240,000.00; \$120,000.00 Guaranteed Maximum Annual Audit Fees for Two Years, as Outlined.
- (11-454) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from Staff to Adopt ORDINANCE NO. 16,750 Approving the PRIVATE STREETS, PRIVATE STREET NAMES, and PRIVATE STREET MAINTENANCE AGREEMENTS for NORTH TOBIAS LANE, NORTH HAUSSLER LANE, NORTH CLARISSA COURT, and NORTH AJ ROBERTSON COURT for the BRADLEY UNIVERSITY CAMPUS Per the Amended Bradley University Institutional Plan.
- (11-455)
* Communication from the City Manager and Director of Planning and Growth Management with Recommendation from Staff to Adopt an ORDINANCE Amending Ordinance No. 15,335 to REPLACE the PRIVATE STREET MAINTENANCE AGREEMENT Previously Approved for AUGUSTA DRIVE, Located in Augusta Estates Identified as Parcel No. 09-19-252-001.
- (11-456)
** 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. 15,418, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Add TWO COMMERCIAL BUILDINGS and PARKING AREAS for Properties Identified as Parcel ID Nos. 14-20-401-033, 14-20-401-034, 14-20-401-035, and 14-20-451-012, with an Address of 4606-4612 N. UNIVERSITY STREET, with Conditions.
- (11-457) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,751 Correcting the MISIDENTIFICATION of a ZONING DISTRICT on the OFFICIAL CITY OF PEORIA ZONING MAP from a Class C-2 (Large Scale Commercial) District to a Class O-2 (Exclusive Office Park) District for Property Located at 2327 W. WILLOW KNOLLS ROAD.

- (11-458) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,752 Amending Ordinance No. 13,932, as Amended, an EXISTING SPECIAL USE, in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to REVISE the LOCATION of an EXISTING RIGHT-OF-WAY ENTRANCE and ADD a NEW RIGHT-OF-WAY ENTRANCE OFF of ORANGE PRAIRIE ROAD for Property Commonly Known as the SHOPPES at GRAND PRAIRIE and Located at 5201 W. WAR MEMORIAL DRIVE.
- (11-459) Communication from the City Manager with Recommendation from the Zoning Commission to Adopt ORDINANCE NO. 16,753 Amending APPENDIX B of the Code of the City of Peoria Relating to PLANNING COMMISSION REVIEW of ENTERPRISE ZONE EXPANSIONS and to RETURN the DUTIES to the DESIGNATED ZONE ORGANIZATION.
- (11-460) Communication from the City Manager and Director of Public Works Requesting Approval to HOLD a POLICY SESSION at the NOVEMBER 8, 2011, REGULAR CITY COUNCIL MEETING to Discuss the PRELIMINARY PLANS for IMPROVING the WAREHOUSE DISTRICT Per the FEDERAL TIGER II AGREEMENT.
- (11-461) Communication from the City Manager with Request to SET a DATE for a SPECIAL CITY COUNCIL MEETING to Further discuss the FY2012 CITY OF PEORIA BUDGET and Other Matters on TUESDAY, NOVEMBER 15, 2011, at 6:15 P.M. to be Held at City Hall, Council Chambers, 419 Fulton Street, Peoria, Illinois.
- (11-462) Communication from the City Manager and City Treasurer with Request to AMEND the CITY OF PEORIA INVESTMENT POLICY, as Outlined.
- (11-463) GREATER PEORIA MASS TRANSIT DISTRICT FINANCIAL STATEMENTS, Including Independent Auditors' Report, as of and for the Years Ended June 30, 2011 and 2010, with Request to Receive and File. (Report is on File in the City Clerk's Office)

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

Council Member Akeson requested that Item No. 11-456 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 11-455 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 Weaver.

Items No. 11-449 through 11-463 (excluding Item Nos. 11-455 and 11-456, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (11-455)** **Communication from the City Manager and Director of Planning and Growth Management with Recommendation from Staff to Adopt an**
* **ORDINANCE Amending Ordinance No. 15,335 to REPLACE the PRIVATE STREET MAINTENANCE AGREEMENT Previously Approved for AUGUSTA DRIVE, Located in Augusta Estates Identified as Parcel No. 09-19-252-001.**

Council Member Sandberg expressed concern regarding an inconsistency between a date on the proposed Ordinance and the cover memo for this communication. He also questioned whether or not the City Council or Administration had ever approved gates at this location.

Director of Planning and Growth Management Pat Landes clarified there had been a Staff error which listed an incorrect date in the Ordinance. She noted, if this Ordinance was passed by Council, the date could be corrected. She also confirmed the City Council nor Administration had never approved gates in this area.

Council Member Sandberg said he felt he could not support the item because he felt City Staff should not have missed this error.

Council Member Irving noted he had lived in the vicinity for a long period of time and there had always been a gate at this location; however, the gate was always open. He said residents had approached the City about closing this gate during construction.

Council Member Irving moved to adopt an Ordinance amending Ordinance No. 15,335 to replace the Private Street Maintenance Agreement previously approved for Augusta Drive, located in Augusta Estates identified as Parcel No. 09-19-252-001; seconded by Council Member Turner.

ORDINANCE NO. 16,754 was adopted by roll call vote.

Yeas: Akeson, Irving, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 8;

Nays: Riggensbach, Sandberg – 2.

- (11-456)** **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. 15,418, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Add TWO COMMERCIAL BUILDINGS and PARKING AREAS for Properties Identified as Parcel ID Nos. 14-20-401-033, 14-20-401-034, 14-20-401-035, and 14-20-451-012, with an Address of 4606-4612 N. UNIVERSITY STREET, with Conditions.**

Council Member Akeson expressed concern regarding the sustainability of the new projects being brought forward to City Council for approval, especially in regard to surface parking. She noted the University Street project was a good example of this and she questioned Director Landes what her recommendation would be to minimize this kind of development moving forward.

Director Landes said this was an item that could be discussed more in-depth, perhaps through a policy discussion. She said she could research it further and report back information to the Council.

Council Member Riggensbach moved to adopt an Ordinance amending Ordinance No. 15,418, an existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add two commercial buildings and parking areas for properties identified as Parcel ID Nos. 14-20-401-033, 14-20-401-034, 14-20-401-035, and 14-20-451-012, with an address of 4606-4612 N. University Street, with conditions; seconded by Council Member Van Auken.

ORDINANCE NO. 16,755 was adopted by roll call vote.

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

Nays: None.

- (11-464) Communication from the City Manager and Finance Director/Comptroller Requesting Authorization for the City Manager to Enter into an AGREEMENT with PEORIA COMMUNITY BANK to Provide Banking Services for Three Years Commencing January 1, 2012, with Optional Annual Renewal for Up to Two Additional Years, as Outlined.**

City Manager Ulrich distributed a replacement communication to members of the City Council.

Council Member Riggenbach said he would be abstaining from discussion and voting on this item due to his employer's participation in the bidding process for this contract.

Council Member Sandberg moved to authorize the City Manager to enter into an agreement with Peoria Community Bank to provide banking services for three years commencing January 1, 2012, with optional annual renewal for up to two additional years, as amended; seconded by Council Member Van Auken.

Approved, as amended, by roll call vote.

Yeas: Akeson, Irving, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Riggenbach – 1.

- (11-465) Communication from the City Manager and Finance Director/Comptroller Requesting Authorization for the City Manager to Enter into an AGREEMENT with ILLINOIS NATIONAL BANK to Provide Banking Services for Three Years Commencing January 1, 2012, with Optional Annual Renewal for Up to Two Additional Years, as Outlined.**

City Manager Ulrich distributed a replacement communication to members of the City Council.

Council Member Riggenbach said he would be abstaining from discussion and voting on this item due to his employer's participation in the bidding process for this contract.

Council Member Sandberg moved to authorize the City Manager to enter into an agreement with Illinois National Bank to provide banking services for three years commencing January 1, 2012, with optional annual renewal for up to two additional years, as amended; seconded by Council Member Turner.

Approved, as amended, by roll call vote.

Yeas: Akeson, Irving, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 9;

Nays: None;

Abstentions: Riggenbach – 1.

- (11-466) Communication from the City Manager and City Treasurer Requesting Approval of a RESOLUTION Authorizing NAMED BANKS to HONOR CHECKS, DRAFTS, ETC. of the City of Peoria, Authorizing the City Treasurer, the City Manager, and the Finance Director/Comptroller to Accept and Release Securities for Safekeeping Held by a Third Party, and REPEALING Resolution No. 09-189.**

Council Member Sandberg moved to approve a Resolution authorizing named banks to honor checks, drafts, etc, of the City of Peoria, authorizing the City Treasurer, the City Manager, and the Finance Director/Comptroller to accept and release securities for safekeeping held by a third party, and repealing Resolution No. 09-189; seconded by Council Member Van Auken.

RESOLUTION NO. 11-466 was approved by roll call vote.

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

Nays: None.

**(11-467) Communication from the City Manager and Corporation Counsel
Requesting Adoption of the Following:**

- A. **RESOLUTION Pertaining to the HIRING of CITY EMPLOYEES by CITY CONTRACTORS; and**
- B. **ORDINANCE Amending CHAPTER 2 of the Code of the City of Peoria Pertaining to OFFICERS' and EMPLOYEES' ETHICS.**

In discussion with Council Member Van Auken who expressed concern that the proposed Resolution and the proposed Ordinance were not consistent, Corporation Counsel Randy Ray clarified the Resolution was designed to address prospective employers of City employees affected by the Early Retirement Incentive or the Reduction In Force and the Ordinance was specific to City employees. He said the Resolution communicated to prospective employers that they would not risk penalties for hiring former City employees who were seeking employment due to the ERI or the RIF.

In further discussion with Council Member Van Auken, Corporation Counsel Ray explained an employee would have to demonstrate to the Fair Employment and Housing Commission that their circumstances for new employment were due to the layoffs or early retirement and there was no special incentive offered for the position.

Council Member Van Auken moved to approve the Resolution pertaining to the hiring of City employees by City contractors; seconded by Council Member Riggensbach.

In discussion with Council Member Sandberg, Corporation Counsel Ray clarified the FEHC would make final decisions based on the believability of the individual employee through direct testimony. He said the conditions were not meant to be insurmountable. He also confirmed the \$25,000.00 penalty to prospective employers was eliminated through the Resolution, if approved; however, an employee who violated the provisions of the Ordinance would be penalized \$1,000.00.

RESOLUTION NO. 11-467A pertaining to the hiring of City employees by City contractors was approved by roll call vote.

Yeas: Akeson, Irving, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 9;

Nays: Sandberg – 1.

Council Member Van Auken moved to adopt an Ordinance amending Chapter 2 of the Code of the City of Peoria pertaining to officers' and employees' ethics; seconded by Council Member Riggensbach.

ORDINANCE NO. 16,756 was adopted by roll call vote.

Yeas: Akeson, Irving, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 9;

Nays: Sandberg – 1.

- (11-468) **Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to DENY a Request to REZONE Property Located at 3210, 3214, and 3216 N. KNOXVILLE AVENUE from a Class R-3 (Single Family Residential) District to a Class C-N (Neighborhood Commercial) District.**

Following a brief comment regarding the Petitioner's desire to have this item withdrawn, Council Member Riggensbach moved to withdraw this item; seconded by Council Member Sandberg.

Motion to withdraw was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

- (11-298) **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 Receive and File the REPORT BACK and to Adopt the Following:**
- A. **ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to FRONT YARD FENCES;**
 - B. **ORDINANCE Amending APPENDIX C of the Code of the City of Peoria Relating to FRONT YARD FENCES.**

Council Member Van Auken moved to receive and file the report back and to defer this item until the Regular City Council Meeting on November 8, 2011, with a request for Staff to draft an Ordinance which prohibits fences in front yards unless 1) the property is subject to development review by the Historic Preservation Commission; 2) the fence is located within a corner side yard, fronting on a thoroughfare, and an Administrative permit is approved for fences that are no taller than 6 feet, setback a minimum of 5 feet from the property line and is not chain link, wire or barbed wire; 3) approval is granted by the Zoning Board of Appeals; and include the following language, "exempts enforcement for front yard fences that meet the current standards for height, design and placement that would permit those fences that were constructed in many cases by the previous owner without required approval;" seconded by Council Member Riggensbach.

In discussion with Council Member Sandberg, Director of Planning and Growth Management Landes clarified because no parties had shown any interest, there had been no discussion of different zoning district scenarios to establish fence guidelines. She said current homeowners with fences would be covered under an escape clause, as long as the height and setback requirements were met, because enforcement of fence regulations for existing fences would be difficult. She said those parties would be required to keep their fences in good repair, but if replacement was required, the homeowners would be expected to follow the new standards established by the City. She added the burden of proof to illustrate when a fence was erected would be on the homeowner, who would need to produce dated receipts for materials or affidavits.

Motion to receive and file the report back and to defer this item until November 8, 2011, and for Staff to draft an Ordinance which prohibits fences in front yards unless 1) the property is subject to development review by the Historic Preservation Commission; 2) the fence is located within a corner side yard, fronting on a thoroughfare, and an Administrative permit is approved for fences that are no taller than 6 feet, setback a minimum of 5 feet from the property line and is not chain link, wire or barbed wire; 3) approval is granted by the Zoning Board of Appeals; and include the following language, "exempts enforcement for front yard fences that meet the current standards for height, design and placement that would permit those fences that were constructed in many cases by the previous owner without required approval" was approved by roll call vote.

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

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.**

MOTION ON THE FLOOR: Enter into an Agreement with Blue Star 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 Electricity Residential Opt-Out Program.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to the representatives of the Energy Consulting firms.

In discussion with Council Member Van Auken, City Manager Patrick Urich indicated his office had forwarded follow-up letters to the bidding firms which contained questions specific to working in tandem with other consulting firms. He said most responded there would be inherent difficulties in doing so, but they would try.

Phillip Carr, Business Development Director for Good Energy, commended City Staff for the excellent bid process. He outlined the City's advantages to hiring Good Energy as its Energy Consultant. He said Peoria would join the largest buying group in the region, joining 11 municipalities. He said Good Energy could bring maximum competition to the bid process which would, in turn, bring the greatest savings to Peoria's residents. He noted marketing the program would be a global effort, utilizing mainstream media as well as the Internet. He added all marketing would be at no cost to the City. He said, if Good Energy received the contract, they would open and staff a Peoria office location. He added the company was pro-Veteran, providing employment opportunities to Veterans when possible.

Aaron Rasty, of Blue Star Energy, complimented the City's thorough bid process. He said Blue Star was Illinois-based, with an office in Peoria since 2003. He said they were also an active part of the community. He pointed out City Staff, as well as a citizen panel, had recommended Blue Star be awarded the contract. He noted Blue Star knew the supplier side of energy, in addition to the purchasing side. He said they had a focus on renewable energy and could assist customers in this area. He noted their good performance record.

In discussion with Council Member Sandberg, Mr. Rasty confirmed their job as consultant was to find a permanent fixed price for energy for the duration of the agreement and that price would not waiver. He said a big misconception in the energy industry was those companies on the retail side were not able to negotiate fair pricing. He said they were able to see the underlying procurement prices.

In discussion with Council Member Irving, Mr. Rasty said their operation was previously located on Detweiller Drive and Glen Park Place, but was now established at 401 Water Street. He said they had two employees at that location. He added the company headquarters was in Chicago and employed 110 staff.

In discussion with Council Member Akeson regarding marketing efforts, Mr. Rasty said the costs to market the Opt-Out Program would be covered by the consultant. He noted, if the referendum failed at the polls, the City had no risk of losing money. He said traditional and social media would be utilized to market the concept, as well as billboards, inserts in water bills, etc. He added public education efforts could also possibly work through the school district, local extension office, and other civic organizations throughout the community.

Motion to enter into an agreement with Blue Star 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 Electricity Residential Opt-Out Program was DEFEATED by roll call vote.

Yeas: Spain, Spears, Van Auken, Mayor Ardis – 4;

Nays: Akeson, Irving, Riggerbach, Sandberg, Turner, Weaver – 6.

Council Member Turner moved to enter into an agreement with Good Energy 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 Electricity Residential Opt-Out Program; seconded by Council Member Irving.

Council Member Spears encouraged his colleagues not to support an agreement with Good Energy. He expressed concern regarding his recent attempts to contact the company and he said this was not the kind of customer service he wanted for citizens. He said residents needed a company that also understood Ameren's rates.

Council Member Van Auken concurred with Council Member Spears. She expressed concern that Good Energy was a New York-based company and she added she wanted Peoria's citizens to receive good customer service. She pointed out the panel had chosen Blue Star.

Council Member Irving noted his experience with Good Energy was quite different. He said he received a good response to his attempts to contact them. He added Blue Star was also gracious. He said he felt utilizing Good Energy was a way to embrace a regional effort to secure a good price for energy.

Council Member Sandberg said he met with Blue Star and was impressed that their operation was very utilitarian. He said it was refreshing to see Staff working in cubicles, rather than a fancy office. He said Blue Star already had an established presence in Peoria and he felt confident, if selected, Good Energy would do this as well.

In response to a question by Mayor Ardis regarding timing, Corporation Counsel Ray noted the last day to place a referendum on the ballot was January 2, 2012. He said the Election Board indicated they would like to get the language as soon as possible so ballots could be printed.

Mayor Ardis said he felt the message for the referendum would be consistent regardless of which company was selected. He said he preferred to support local businesses and he had total confidence in Blue Star. He said he did not feel the concerns of the Council should be taken lightly, but he felt the agreement needed to move forward and he would be supporting the new motion.

Council Member Spears moved for a Substitute Motion that as a pre-condition to entering into an agreement with Good Energy, the City should receive documentation showing the cost of energy purchased as a result of the 2008 contract; seconded by Council Member Van Auken.

Council Member Spain noted customer service and past practices were important in determining to whom to award the Energy Consultant bid. He said he would like to see information regarding comparable municipalities and to determine why cities such as Bloomington/Normal and the Champaign/Urbana area were in the Ameren service area and had not switched over to participate in the aggregation process. He said he preferred to wait for this information, as well as the information being requested by Council Member Spears.

City Manager Ulrich confirmed he did not have comparables at the present time and he said he felt other cities were waiting to see what direction the City of Peoria would take to secure better energy pricing.

Council Member Van Auken said she also preferred to work with a local company, but she said she wanted the best aggregation possible for citizens. She said she was also interested in obtaining information from other cities. She commended City Administration for the process, but said she felt the item should be deferred.

Mr. Carr from Good Energy confirmed they would be happy to comply with the conditions of the agreement.

Council Member Spears said it was important to remind citizens the program was an "opt-out" program and they would still be able to select from whom to obtain their energy, regardless of who was awarded the contract.

Council Member Spears withdrew the Substitute Motion with no objections from the seconder.

Motion to enter into an agreement with Good Energy 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 Electricity Residential Opt-Out Program was approved by roll call vote.

Yeas: Akeson, Irving, Riggensbach, Sandberg, Spain, Turner, Weaver, Mayor Ardis – 8;
Nays: Spears, Van Auken – 2.

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

(11-469) TOWN of the CITY of PEORIA FINANCIAL REPORT for PERIOD ENDING 9/30/2011, with Request to Receive and File.

Trustee Irving moved to receive and file the Town of the City of Peoria Financial Report for the period ending 9/30/2011; seconded by Trustee Turner.

Approved by roll call vote.

Yeas: Akeson, Irving, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Chairman Ardis – 10;

Nays: None.

NEW BUSINESS

CONGRATULATIONS TO COUNCIL MEMBER RIGGENBACH ON THE LATEST ADDITIONS TO HIS FAMILY

Mayor Ardis congratulated Council Member Riggensbach on the addition of two sons to the Riggensbach family. He wished him and his family much happiness and joy.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

**(11-470) 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, Peoria resident, expressed concern regarding the elimination of the Communication Manager's position. He also recommended the City target and fine those citizens who were littering. He expressed concern regarding the large mobs of teenagers hanging around in the streets and he said they should utilize the sidewalks. He said he felt the City could make money by enforcing the Ordinances already in place.

Phyllis Pryde, Peoria resident, encouraged the City Council to support the agreement for the downtown hotel, noting it would be an asset to the City and help to bring in much-needed revenue.

EXECUTIVE SESSION

It was determined an Executive Session was not needed.

ADJOURNMENT

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

Approved by roll call vote.

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

Nays: None.

The meeting adjourned at 8:43 P.M.

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

By:

Beth Ball, MMC
Chief Deputy City Clerk

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