

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

Council Chambers, Peoria, Illinois, March 13, 2012, a Regular City Council Meeting was held this date at 6:19 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, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 10. Absent: Spain - 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.

PROCLAMATIONS: FOR THE CITY HALL EXHIBIT PROJECT: Myrna Harms, The First Woman Elected to the Peoria City Council - Patricia Harms Bennett, George "Cub" and Paula Harms, Deloris Harms Cash

PROCLAMATIONS: FOR THE SISTER CITY EXHIBITS - Leo and Jo Jordan, Friends of Clonmel

PROCLAMATIONS: Marianne Bibb-Russel and Peter Couri

PROCLAMATION: AMERICORPS WEEK - March 10 - 17, 2012

MINUTES

Council Member Van Auken moved to approve the minutes of the Regular City Council Meeting held on February 28, 2012, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**(12-090) PUBLIC HEARING Regarding CITY SEWER RATE ADJUSTMENTS.**

Council Member Riggerbach moved to open the Public Hearing regarding City Sewer Rate Adjustments; seconded by Council Member Van Auken.

Approved by viva voce vote.

The Public Hearing opened at 6:48 P.M.

Following a third call for comments from the public, Mayor Ardis requested Director of Public Works Dave Barber give a presentation regarding sewer rates.

Director of Public Works Dave Barber distributed a copy of the PowerPoint presentation to all members of the City Council.

Director of Public Works Dave Barber provided a PowerPoint presentation and discussed sewer billing methodology, proposed City rate increases, and residential customer impact.

In response to Council Member Turner's concerns regarding the large increase in sewer fees, Director Dave Barber stated the amount is not unusually high and would have increased in smaller percentages had it been reviewed annually.

In discussion with Director Dave Barber Council Member Irving determined that City lateral rate increases would be necessary because of customers who would be lost once rehabilitated pipes were turned over to the Greater Peoria Sewer District. He also determined customers in the Northern portion of the City were currently paying, and would continue to pay, higher sewer rates than customers in the Southern portion of the City.

Mayor Ardis commented that Council did not raise fees over the last several years mainly because of other expenses. He stated the City was not making money on these fees, but the fee increases would allow the City to break even.

Council Member Sandberg stated older portions of town needed investment and he suggested the rehabilitation fee be raised when rehabilitation of the sewer pipes was necessary. He added the lateral fee should be raised in concert with the Greater Peoria Sanitary District.

Council Member Spears stated he would prefer to see the rates listed per person instead of per household and he said he believed the costs would be higher than estimated.

Council Member Van Auken moved to close the Public Hearing; seconded by Council Member Weaver.

Approved by viva voce vote.

The Public Hearing closed at 7:22 P.M.

**(12-091) Communication from the City Manager and Director of Public Works
Requesting Approval of the Following:**

- A. **RESOLUTION Amending Resolution No. 06-194 SETTING FEES for the
PEORIA COMBINED AND SANITARY SEWER DISTRICT, Effective May 1,
2012;**

Council Member Van Auken moved to approve a Resolution amending Resolution No. 06-194 setting fees for the Peoria Combined and Sanitary Sewer District, effective May 1, 2012; seconded by Council Member Weaver.

RESOLUTION NO. 12-091-A was approved by roll call vote.

Yeas: Akesson, Gulley, Riggerbach, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 8;

Nays: Sandberg, Irving – 2.

- B. **RESOLUTION Amending Resolution No. 00-117-B SETTING FEES for the PEORIA SANITARY SEWER REHABILITATION DISTRICT, Effective May 1, 2012.**

Council Member Van Auken moved to approve a Resolution amending Resolution No. 00-117-B setting fees for the Peoria Sanitary Sewer Rehabilitation District, effective May 1, 2012; seconded by Council Member Weaver.

RESOLUTION NO. 12-091-B was approved by roll call vote.

Yeas: Akeson, Guley, Riggenbach, Sandberg, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9;

Nays: Irving – 1.

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

- (12-092) **NOTICE OF LAWSUIT Filed on Behalf of PEGGY PENDELL Regarding a Complaint of Discrimination in Violation of the 4th Amendment, Unreasonable Search and Seizure of Property, and Abuse of Warrant, with Request to Receive for Information and Refer to the Legal Department.**
- (12-093) **Communication from the City Manager and Director of Public Works Requesting Approval of a CONTRACT with HEARN'S UNLIMITED LANDSCAPING for the LOW BID, in the Amount of \$50,000.00 for MOWING City of Peoria Facilities Grounds, Public Boulevards, and Rights-of-Way for 2012, and to Authorize the City Manager to Approve a CONTRACT to the Second Lowest Bidder (PRYDE CONSTRUCTION) if the First Lowest Bidder is Unable to Perform or Perform to Standard.**
*
- (12-094) **Communication from the City Manager and Director of Public Works Requesting Approval of a CONTRACT with HULSE LAWN CARE for the LOW BID, in the Amount of \$12,000.00, for the 2012 MOWING of PUBLICLY-OWNED VACANT LOTS; and to Authorize the City Manager to Approve a CONTRACT with the Second Lowest Bidder (COMMERCIAL GROUNDS MAINTENANCE) if the First Lowest Bidder Does Not Perform to Standards.**
**
- (12-095) **Communication from the City Manager and Director of Public Works Requesting Approval of the Following Contracts to the LOW BIDDERS for the 2012 TREE and STUMP REMOVAL and TREE TRIMMING PROGRAM:**
- A) **For the Identified TREE REMOVAL SERVICES of 229 TREES:**
A. DURDEL & SONS, in the Amount of \$84,700.00;
B. TED DURDEL TREE SERVICE, in the Amount of \$876.00;
C. K & P TREE, in the Amount of \$525.00.
- B) **For the TREE REMOVAL by SIZE CONTRACTS, Not to Exceed \$30,000.00 for this Category:**
A. K & P TREE for \$248.00 Per 18" Diameter Tree and \$525.00 Per 19" - 30" Diameter Tree
B. DURDEL & SONS for \$925.00 Per 31"-42" Diameter Tree and \$1,400.00 Per Tree Over 43" Diameter.

- C) For MISCELLANEOUS WORK by the Hour Contracts, Not to Exceed \$4,000.00 in this Category:
 - A. AFFORDABLE TREE for \$165.00 Per Person, Per Hour
 - B. DURDEL & SONS for \$215.00 Per Person, Per Hour
- D) For EMERGENCY TREE REMOVAL by the Hour Contracts, Not to Exceed \$5,000.00 in this Category:
 - A. AFFORDABLE TREE for \$200.00 Per Person, Per Hour
 - B. DURDEL & SONS for \$230.00 Per Person, Per Hour
- E) For STUMP & ROOT REMOVAL CONTRACT, Not to Exceed \$15,000.00: HEARTLAND TRUCKING for \$2.50 Per Stump Inch and \$10.00 Per Lineal Foot for Root Removal.

(12-096) Communication from the City Manager and Director of Public Works Requesting Approval of the LOCAL AGENCY AGREEMENT with the Illinois Department of Transportation for a Total Project, in the Amount of \$2,520,000.00 for the Construction of NORTHMOOR ROAD Between University Street and Sheridan Road[Stage 2]; and Approval of MFT Resolution NO. 12-096, in the Amount of \$945,000.00, to Pay for the City's Portion of the Construction. (Refer to 05-609, 08-052, and 10-101).

(12-097) Communication from the City Manager and Director of Public Works Requesting Approval of the WETLAND CREDIT AGREEMENT with the Illinois Department of Transportation for the PURCHASE of 4.921 ACRES of WETLAND CREDIT, in the Amount of \$73,815.00 for the Purpose of Banking Off-Site Wetland with the State of Illinois to Fulfill the Wetland Mitigation Requirements of the Orange Prairie Road Extension Project.

(12-098) Communication from the City Manager and Director of Public Works Requesting to Concur with Staff's Recommendation to Apply for UNITED STATES ENVIRONMENTAL PROTECTION AGENCY STATE and TRIBAL ASSISTANCE GRANT FUNDS, in the Amount of \$300,000.00 with a City Match of \$245,500.00 to Use for Construction of the SANITARY SEWER REHABILITATION PROJECT 2299.

(12-099) Communication from the City Manager and Finance Director/Comptroller
*** with the Following Recommendations:

- A) ADOPTION of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2012 Relating to the Use of the 1% HOTEL TAX Collected within the Business Development District in the HOSPITALITY ZONE TIF for Capital Improvements to the FOUR POINTS BY SHERATON, in the Amount of \$98,127.00;
- B) APPROVAL to REIMBURSE the FOUR POINTS BY SHERATON, in the Amount of \$98,126.50 from their 1% HOTEL TAX Collected within the Business Development District for Capital Improvements to Their Facility.

- (12-100) **Communication from the City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,800 Amending the LEGAL DESCRIPTION in Ordinance No. 16,799, Which Rezoned the Property Located at 1808 N. SHERIDAN ROAD from a CLASS C-N (Neighborhood Commercial) District to a CLASS R-4 (Single Family Residential) District.**
- (12-101) **Communication from the City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE from the NATIONAL MS SOCIETY for an Event at 418 S.W. WATER STREET (Hooter's Parking Lot) on SATURDAY, MARCH 17, 2012.**
- (12-102) **REPORT of the CITY TREASURER PATRICK A. NICHTING for the MONTH of JANUARY 2012, 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 Turner requested that item No. 12-094 be removed from the Consent Agenda for further discussion.

Council Member Irving requested that item No. 12-093 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that item No. 12-099 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. 12-092 through 12-102 (excluding Item Nos. 12-093, 12-094 and 12-099, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (12-093) **Communication from the City Manager and Director of Public Works Requesting Approval of a CONTRACT with HEARN'S UNLIMITED LANDSCAPING for the LOW BID, in the Amount of \$50,000.00 for MOWING City of Peoria Facilities Grounds, Public Boulevards, and Rights-of-Way for 2012, and to Authorize the City Manager to Approve a CONTRACT to the Second Lowest Bidder (PRYDE CONSTRUCTION) if the First Lowest Bidder is Unable to Perform or Perform to Standard.**
- *

In discussion with Council Member Irving, Director of Public Works Dave Barber stated a mowing contractor was replaced last year because of poor performance and, as a result, Staff would like to be prepared ahead of time with a replacement contractor this year. He stated no problems were expected with this year's contract.

Council Member Irving moved to approve the contract with Hearn's Unlimited Landscaping for the low bid, in the amount of \$50,000.00 for mowing City of Peoria facilities grounds, public boulevards, and rights-of-way for 2012, and to authorize the City Manager to approve a contract to the second lowest bidder (Pryde Construction) if the first lowest bidder is unable to perform or perform to standard; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(12-094) Communication from the City Manager and Director of Public Works
** Requesting Approval of a CONTRACT with HULSE LAWN CARE for the
LOW BID, in the Amount of \$12,000.00, for the 2012 MOWING of PUBLICLY-
OWNED VACANT LOTS; and to Authorize the City Manager to Approve a
CONTRACT with the Second Lowest Bidder (COMMERCIAL GROUNDS
MAINTENANCE) if the First Lowest Bidder Does Not Perform to Standards.**

Director of Public Works Dave Barber clarified for Council Member Turner this contract was for City-owned lots that would be mowed on a regular cycle.

Council Member Turner moved to approve the contract with Hulse Lawncare for the low bid, in the amount of \$12,000.00, for the 2012 mowing of publicly-owned vacant lots; and to authorize the City Manager to approve a contract with the second lowest bidder (Commercial Grounds Maintenance) if the first lowest bidder does not perform to standards; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None.

**(12-099) Communication from the City Manager and Finance Director/Comptroller
*** with the Following Recommendations:**

**A) ADOPTION of an ORDINANCE Amending the City of Peoria Budget for
Fiscal Year 2012 Relating to the Use of the 1% HOTEL TAX Collected
within the Business Development District in the HOSPITALITY ZONE TIF
for Capital Improvements to the FOUR POINTS BY SHERATON, in the
Amount of \$98,127.00;**

Council Member Sandberg voiced his concerns that the tax moneys were being spent on new signs for the hotel.

In discussion with Council Member Sandberg and Mayor Ardis, Finance Director/Comptroller Jim Scroggins stated \$48,897.00 in hotel taxes had been collected to this point. He added the remaining balance will be paid as the tax money comes in.

Mayor Ardis clarified the tax money was paid by those individuals who stayed in the hotels. He added, although he would prefer to see the money spent in another way, the Four Points Hotel had been reinvesting in its property in other ways on its own.

Council Member Van Auken moved to adopt an Ordinance amending the City of Peoria Budget for fiscal year 2012 relating to the use of the 1% hotel tax collected within the Business Development District in the Hospitality Zone TIF for capital improvements to the Four Points by Sheraton, in the amount of \$98,127.00; seconded by Council Member Turner.

In response to Council Member Akeson's concerns regarding guidelines for the tax money, Finance Director/Comptroller Jim Scroggins clarified in June of 2011 the City Council approved signage as an eligible expenditure under this program. In response to a question by Council Member Riggerbach, Finance Director/Comptroller Jim Scroggins stated the Four Points by Sheraton had spent over \$2 million on improvements to the hotel and many of these could have qualified for reimbursement.

Council Member Sandberg shared his concern this expenditure could set a precedent for other hotels.

Motion to adopt ORDINANCE NO. 16,801 amending the 2012 City of Peoria Budget was approved by roll call vote.

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

Nays: Sandberg - 1.

B) APPROVAL to REIMBURSE the FOUR POINTS BY SHERATON, in the Amount of \$98,126.50 from their 1% HOTEL TAX Collected within the Business Development District for Capital Improvements to Their Facility.

Council Member Van Auken moved to reimburse the Four Points by Sheraton, in the amount of \$98,126.50, from their 1% hotel tax collected within the Business Development District for capital improvements to their facility; seconded by Council Member Weaver.

Approved by roll call vote.

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

Nays: Sandberg - 1.

UNFINISHED BUSINESS

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

- (11-472) Communication from the City Manager with Request to Receive and File the PRESENTATION from Staff Regarding an UPDATE on the STATUS of the AMENDED and RESTATED REDEVELOPMENT AGREEMENT by and Among the City of Peoria and EM PROPERTIES, LTD. and PERE MARQUETTE HOTEL, LLC and PERE MARQUETTE TIF, INC., as Amended, as of MARCH 13, 2012. (Refer to 12-035 and 12-083)**

Corporation Counsel Randy Ray reported the City's loan documents with the developer including the note, mortgage, assignment of leases and rents, security agreement and assignment of contracts and guarantees had been agreed to and sent to the developer for signatures. He added the diocese and hotel had reached agreement. He also said the diocese and senior lender had reached agreement as to the language of the certificate necessary for the project to move forward. He reported an escrow agreement and a subordination and non-disturbance agreement were still being negotiated between the tax credit investor and the senior

lender and hopefully these documents would be agreed to in the next couple of days. He added that an issue remained in the creditor agreement concerning the City and the senior lender and it was anticipated this would be worked through in the near future.

City Manager Patrick Ulrich stated many of the documents referenced were currently being executed by the redeveloper and the most critical piece was finalizing the escrow agreement. He said the process was moving forward and everyone was working diligently to get it completed as soon as possible.

In response to a question by Council Member Sandberg, Corporation Council Randy Ray stated drawings had been submitted and approved and the building permit awaited payment of the fee.

Council Member Van Auken moved to receive and file the presentation from Staff regarding an update on the status of the Amended and Restated Redevelopment Agreement by and among the City of Peoria and EM Properties, LTD. and Pere Marquette Hotel, LLC and Pere Marquette TIF, Inc., as amended, as of March 13, 2012; seconded by Council Member Turner.

In response to a question from Council Member Irving, City Manager Patrick Ulrich stated that Staff would be working toward putting out an RFP for a Project Manager in the near future.

Motion to receive and file was approved by roll call vote.

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

Nays: None.

(12-033) Communication from the City Manager Requesting Approval of a SIX-MONTH CONTRACT EXTENSION with the ECONOMIC DEVELOPMENT COUNCIL of CENTRAL ILLINOIS for \$17,500.00 to Provide REGIONAL MARKETING and TECHNICAL ASSISTANCE. (Replacement Communication)

A memo and 2011 EDC Regional Performance & Activities Overview were distributed to all City Council Members from Economic Development Council President, Vickie Clark.

Council Member Van Auken moved to approve a six-month contract extension with the Economic Development Council of Central Illinois for \$17,500.00 to provide regional marketing and technical assistance; seconded by Council Member Riggensbach.

Approved by roll call vote.

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

Nays: None.

(12-070) Communication from the City Manager and Director of Public Works Requesting Approval of a MEMORANDUM OF UNDERSTANDING Between the City of Peoria and the PEORIA CITY/COUNTY HEALTH DEPARTMENT Concerning Providing Assistance as a Backup Agency with the Transportation of Medical CounterMeasures as a Result of a FEDERAL and/or STATE DECLARED EMERGENCY.

At the request of Council Member Sandberg, City Manager Patrick Ulrich reported on what has transpired since this item was deferred. City Manager Patrick Ulrich reported he spoke with the City/County Health Department regarding management of a licensing program for restaurants that do not serve liquor. He stated the concern was to ensure these restaurants were paying the

restaurant portion of the HRA tax. He explained liquor licenses can be used to gain compliance from restaurants serving liquor, but there was not the same level of compliance from restaurants that do not serve liquor. He stated the City had tried a number of things including establishing a separate license for those restaurants. He said the Health Department suggested the City talk to their Board of Health about this issue. He added Staff had done research and found Champaign County had a unified licensing structure managed by the Champaign County Health Department. He reported Staff intended to work toward modeling a program off of Champaign County's in order to eliminate duplication of effort. He said he intended to speak with the Board of Health and come back to Council with a Resolution and change the Ordinance.

Council Member Sandberg moved to approve a Memorandum of Understanding between the City of Peoria and the Peoria City/County Health Department concerning providing assistance as a backup agency with the transportation of medical countermeasures as a result of a federal and/or state declared emergency; seconded by Council Member Weaver.

Approved by roll call vote.

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

Nays: None.

(12-082) Communication from the City Manager and Director of Public Works Requesting Approval of the SELECTION PROCESS and RESULTS for VARIOUS ENGINEERING CONSULTANT JOBS and Direct Staff to Negotiate Contracts and Bring Them to Council for Individual Consideration.

City Manager Patrick Ulrich stated that this item requested approval of the process for selecting engineering firms to provide services that City Staff used to provide. He said one of the recommendations made during the restructuring process was to utilize private sector engineering services. He reported, prior to 2003, the City had 36 Engineers and Engineering Technicians and that number was now down to seven.

Director of Public Works Dave Barber discussed the responsibilities of the current Engineering Staff and stated that a team was necessary. He said after 2003 the City began using outside consultants and now a move was being made to almost all of the work being done by consultants. He discussed the steps Staff had taken in the selection process up to this point. He said input from Council was requested prior to completing the negotiations and contracts and this would be brought back to Council as negotiations were completed. In response to a question from Council Member Van Auken, he stated the standard procedure for a qualification based selection process was being followed.

In conversation with Director of Public Works Dave Barber, Council Member Spears ascertained local firms would be used in this instance because this was a professional service selection process and in other situations, where firms outside the local area were hired, an open bid process was used.

Director Dave Barber confirmed the action requested was to accept the recommendation to move forward with negotiations.

In discussion with City Engineer Jeff Smith, Council Member Gary Sandberg discovered the highest rated firms were not always chosen because some firms were rated high in numerous categories and their limited capacity would not allow them to complete all of the work. He also discovered rates may differ depending on the size of the firm and quality of their staff.

In discussion with Council Member Irving, Director of Public Works Dave Barber stated cost information was not currently included because proposals had not yet been requested. He also stated consideration was being given to including minority firms and several minority firms were already involved. He stated his belief the selected firms had staffed offices in Peoria and the majority of the work would be done in town. He also confirmed the job description of the City Staff overseeing the work was adequate and did not currently need to be revised.

Council Member Weaver moved to approve the selection process and results for various engineering consultant jobs and direct Staff to negotiate contracts and bring them to Council for individual consideration; seconded by Council Member Riggenschach.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS

There was no New Business to come before the Council.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

(12-103) 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, discussed the hotel project and stated that he was encouraged by the report on progress being made.

Roger Sparks, a Peoria resident, discussed his concerns regarding roundabouts in residential areas because of safety issues for disabled pedestrians.

Joseph Keck, a Peoria resident, stated he forwarded an email to Council last week from the Peace Alliance which requested that Council create a resolution in support of a Cabinet level Department of Peace. He said 39 other cities including Chicago had passed a similar resolution. He stated that he would resend the link.

EXECUTIVE SESSION

(12-104) 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 of 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 Akeson 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 of 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 Irving.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

Council Member Riggerbach moved to adjourn the Regular City Council Meeting; seconded by Council Member Weaver.

Approved by roll call vote.

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

Nays: None.

The Regular City Council Meeting adjourned at 8:35 P.M.