

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

Council Chambers, Peoria, Illinois, March 27, 2012, a Joint City Council and Town Board Meeting was held this date at 6:20 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were physically present: Akeson, Gulley (arrived 6:50), 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.

PROCLAMATIONS: PEORIA HIGH BOYS BASKETBALL TEAM – 2012 IHSA 3A STATE CHAMPIONS

PROCLAMATIONS: FARMING MONTH – MARCH 2012

PROCLAMATION: ARTS IN EDUCATION SPRING CELEBRATION – APRIL 16 – MAY 25, 2012

PROCLAMATION: CHILD ABUSE AWARENESS MONTH – APRIL 2012

MINUTES

Council Member Spain moved to approve the minutes of the Regular City Council Meeting held on March 13, 2012, as printed, with a clarification on page 29962, second paragraph, in the second sentence it should be noted that City Manager Patrick Urich responded to Council Member Riggerbach's question rather than Finance Director/Comptroller Jim Scroggins; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Irving, Riggerbach, 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:

- (12-105) NOTICE of LAWSUIT on Behalf of DONNA M. PATTERSON Regarding a Claim of Bodily Injury from an Accident at Starr Street on March 2, 2011, with Request to Receive for Information and Refer to the Legal Department.**

- (12-106) Communication from the City Manager and Interim Director of Planning and Growth Management Requesting Approval of the Recommendation from the Human Resources Commission (HRC) to ADJUST the 2012 PUBLIC SERVICE GRANT AWARDS to Reflect the Decrease in the 2012 Community Development Block Grant (CDBG) Allocation from HUD.
- (12-107) Communication from the City Manager Requesting Authorization for the City Manager to Execute a QUIT CLAIM DEED Conveying Property at N. E. MONROE STREET, PIN #18-03-206-040, for Consideration of \$500.00 Plus Closing Costs to JOHN WETZEL of PHD Services L.L.C.
- (12-108) Communication from the City Manager and Interim Director of Planning and Growth Management Requesting Approval to ISSUE a REQUEST FOR PROPOSALS (RFP) for a SENIOR HOUSING REHABILITATION PROGRAM from ELIGIBLE NOT FOR PROFIT ORGANIZATIONS Utilizing \$35,000.00 of Federal Community Development Block Grant Funds.
- (12-109)
* Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE (1) FULLY EQUIPPED FORESTRY BOOM TRUCK from BOB RIDINGS FORD, INC. for the LOW BID of \$102,675.00 Minus Trade-In Value of \$7,500.00 for the Total Amount Not to Exceed \$95,175.00.
- (12-110)
** Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE FULLY-EQUIPPED ELECTRICAL BOOM TRUCK for the LOW BID from BOB RIDINGS FORD, INC., in the Amount of \$84,945.00.
- (12-111)
*** Communication from the City Manager and Director of Public Works with Request to ACCEPT the LOW BID of KEY EQUIPMENT & SUPPLY for the PURCHASE of ONE (1) THREE-WHEEL STREET SWEEPER, at a Cost of \$179,591.00, Less the Trade-In Value of \$17,600.00 for a Total Cost Not to Exceed \$161,991.00.
- (12-112)
**** Communication from the City Manager and Director of Public Works Requesting Approval of VENDORS for 2012 STREET MAINTENANCE MATERIALS, as Outlined.
- (12-113) Communication from the City Manager and Equal Opportunity Office Manager Requesting Approval to Enter into a ONE YEAR CONTRACT with HUMAN CAPITAL DEVELOPMENT for COMPLIANCE TRACKING and MINORITY/WOMAN BUSINESS ENTERPRISE OUTREACH SERVICES, in the Amount of \$12,000.00.
- (12-114) Communication from the City Manager and Interim Director of Planning and Growth Management Requesting Approval to Enter into a CONTRACT with the CITY/COUNTY HEALTH DEPARTMENT for JOINT LEAD HAZARD CONTROL SERVICES.
- (12-115)
***** Communication from the City Manager and Director of Public Works Requesting Approval of an AMENDMENT to INTERGOVERNMENTAL AGREEMENT NO. 11-373 Between the City of Peoria and DUNLAP COMMUNITY SCHOOL DISTRICT 323 Regarding the Construction of the INTERSECTION of HICKORY GROVE ROAD and ALLEN ROAD.

- (12-116) Communication from the City Manager and Director of Public Works Requesting Approval of MFT RESOLUTION NO. 12-116, in the Amount of \$454,150.60, for the City's Remaining share of the Cost of the IMPROVEMENTS to the WILHELM ROAD and ALLEN ROAD INTERSECTION, and WILHELM ROAD Between ALLEN ROAD and NORTHTRAIL DRIVE. (Refer to Item Nos. 02-617, 05-691, 07-251, and 08-106)**
- (12-117) Communication from the City Manager and Director of Public Works Requesting Adoption of ORDINANCE NO. 16,802 Vacating Approximately 766.59 feet of the OLD WILHELM ROAD RIGHT-OF-WAY Between the WESTERN EDGE of KNOXVILLE AVENUE and the EASTERN END of DANA ROAD.**
- (12-118) Communication from the City Manager, Interim Director of Planning and Growth Management, and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,803 Amending the CITY OF PEORIA BUDGET for Fiscal Year 2012 Relating to the 2012 CDBG, HOME, and ESG BUDGETS to Reflect the Actual 2012 Allocation from the UNITED STATES DEPARTMENT of HOUSING and URBAN DEVELOPMENT (HUD).**
- (12-119) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of ORDINANCE NO. 16,804 Amending the CITY OF PEORIA BUDGET for Fiscal Year 2012 Relating to the Department of Homeland Security Grant Passed Through the Illinois Emergency Management Agency (IEMA) Received, in the Amount of \$4,000.00.**
- (12-120) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,805 Amending Ordinance No. 16,477, an EXISTING SPECIAL USE, in a Class R-4 (Single Family Residential) District for a CHURCH to Request an EXTENSION OF TIME to Establish the Special Use for Property Located at 1505 W. MARTIN STREET.**
- (12-121) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,806 Granting a SPECIAL USE in a Class C-1 (General Commercial) District for a BEER GARDEN Including Existing Conditions for Properties Located at 2232-2238 W. GLEN AVENUE, with Conditions.**
- (12-122) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,807 Rezoning Property Located at 2928 W. LAKE AVENUE from the Present Class R-1 (Single Family Residential) to a Class C-1 (General Commercial) District.**

- (12-123) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Rezoning a Portion of 824 W. MOSS AVENUE from the Present Class R-1 (Single Family Residential) District to a Class R-6 (Multi-Family Residential) District and a Portion of Properties Located at 844 and 900 W. MOSS AVENUE from the Present Class R-6 (Multi-Family Residential) District to a Class R-1 (Single Family Residential) District and Grant a SPECIAL USE in a Class R-6 (Multi-Family Residential) District for the EXPANSION of a NON-CONFORMING MULTI-FAMILY RESIDENTIAL DEVELOPMENT Including Existing Conditions for Properties Located at 844 and 900 W. MOSS AVENUE, with Conditions and Waiver.**
- *****
*
- (12-124) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt ORDINANCE NO. 16,808 Rezoning from the Present Class R-2 (Single Family Residential) District to a Class R-3 (Single Family Residential) District for Property Identified as Parcel ID No. 09-29-326-001 and Amending Ordinance No. 9,126, as Amended, an EXISTING SPECIAL USE, in Class R-2 (Single Family Residential) District for a CHURCH to Add Property Identified as Parcel ID No. 09-29-177-002 and Construct ADDITIONAL SCHOOL BUILDINGS, PARKING LOT EXPANSION, and RECREATIONAL FIELDS for Property Located at 10811 N. KNOXVILLE AVENUE, with Conditions.**
- (12-125) **Communication from City Manager and Corporation Counsel Request Approval of a SITE APPLICATION for a CLASS A (Tavern) LIQUOR LICENSE at 619 WEST MAIN STREET, with Recommendation from the Liquor Commission to Approve.**
- (12-126) **Communication from the City Manager and Finance Director/Comptroller Regarding the QUARTERLY FINANCIAL REPORT for the QUARTER ENDED DECEMBER 31, 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. 12-111 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that item Nos. 12-109, 12-110, and 12-112 be removed from the Consent Agenda for further discussion.

Council Member Irving requested that item No. 12-115 be removed from the Consent Agenda for further discussion.

Council Member Van Auken requested that item No. 12-123 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 Turner.

Items No. 12-105 through 12-126 (excluding Item Nos. 12-109, 12-110, 12-111, 12-112, 12-115, and 12-123 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

(12-109) * Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE (1) FULLY EQUIPPED FORESTRY BOOM TRUCK from BOB RIDINGS FORD, INC. for the LOW BID of \$102,675.00 Minus Trade-In Value of \$7,500.00 for the Total Amount Not to Exceed \$95,175.00.

In discussion with Council Member Sandberg, Public Works Director Dave Barber determined the requested equipment would be used by City Staff to continue the tree service program during the winter months when they were not working on snow removal. He also determined there were few bids received for any of the three pieces of equipment on the agenda and none were local because they were all specialized and there were only a few vendors for this type of equipment.

In discussion with Council Member Spears, Public Works Director Barber stated the bid was not split up into parts because having one vendor allowed for better control and simplified the process of resolving repair problems.

Council Member Irving requested future equipment purchase requests include repair costs on current equipment in comparison to the cost of purchasing new equipment.

Council Member Van Auken moved to approve the purchase of one (1) fully equipped forestry boom truck from Bob Ridings Ford, Inc. for the low bid of \$102,675.00 minus trade-in value of \$7,500.00 for the total amount not to exceed \$95,175.00; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Irving, Riggerbach, Spain, Turner, Van Auken, Weaver, Mayor Ardis - 8;

Nays: Sandberg, Spears – 2.

(12-110) ** Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE FULLY-EQUIPPED ELECTRICAL BOOM TRUCK for the LOW BID from BOB RIDINGS FORD, INC., in the Amount of \$84,945.00.

Council Member Sandberg discussed his concerns regarding the lack of local bids on this item as well as the bid amounts.

Council Member Van Auken moved to approve the purchase of one (1) fully equipped electrical boom truck for the low bid from Bob Ridings Ford, Inc. of \$84,945.00; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Irving, Riggerbach, Spain, Turner, Van Auken, Weaver, Mayor Ardis - 8;

Nays: Sandberg, Spears – 2.

(12-111) **Communication from the City Manager and Director of Public Works with**
*** **Request to ACCEPT the LOW BID of KEY EQUIPMENT & SUPPLY for the**
 PURCHASE of ONE (1) THREE-WHEEL STREET SWEEPER, at a Cost of
 \$179,591.00, Less the Trade-In Value of \$17,600.00 for a Total Cost Not to
 Exceed \$161,991.00.

Council Member Gulley arrived at 6:50 P.M.

Council Member Spain stated, due to the lack of response to the bid, he was concerned the bid specifications were overly narrow. In discussion with Public Works Director Dave Barber, he determined only one model of street sweeper was considered in order to maintain a fleet of identical equipment and because it was preferred by Staff. He requested that the Council be kept apprised of pending requests for fleet recapitalization through periodic updates.

In discussion with Council Member Sandberg, Public Works Director Dave Barber explained a standardized fleet of street sweepers was maintained so all the sweepers could be repaired with the same parts and to avoid stocking multiple types of parts for different sweepers. He also stated the street sweeper being purchased used the same parts as those in the fleet manufactured in past years.

Council Member Van Auken moved to accept the low bid of Key Equipment & Supply for the purchase of one (1) three-wheel street sweeper, at a cost of \$179,591.00, less the trade-in value of \$17,600.00 for a total cost not to exceed \$161,991.00; seconded by Council Member Turner.

Mayor Ardis requested an explanation be included in the future whenever there were a small number of bid responses for big ticket items. He also requested additional information on maintenance and repair costs be included when purchasing new equipment, and he asked Staff to look at modifying the parameters in the future to allow for bids on components in order to potentially lower the costs.

Motion to accept was approved by roll call vote.

Yeas: Akeson, Gulley, Riggerbach, Turner, Van Auken, Weaver, Mayor Ardis - 7;

Nays: Irving, Sandberg, Spain, Spears – 4.

In response to a question from Council Member Sandberg, Corporation Counsel Randy Ray explained the sole source purchase process and added, the fact a manufacturer was specified did not make it a sole source bid.

(12-112) **Communication from the City Manager and Director of Public Works**
**** **Requesting Approval of VENDORS for 2012 STREET MAINTENANCE**
 MATERIALS, as Outlined.

Council Member Sandberg discussed his concerns that transportation costs be considered in determining the low bidder. He asked that quantities be included in future requests.

Council Member Van Auken moved to defer this item until the April 10, 2012, Regular Council Meeting in order to give Director Dave Barber time to determine whether transportation costs were taken into account and to bring back information on quantities being purchased to the Council; seconded by Council Member Spain.

Motion to defer this item until April 10, 2012, was approved by roll call vote.

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

Nays: None.

**(12-115) Communication from the City Manager and Director of Public Works
***** Requesting Approval of an AMENDMENT to INTERGOVERNMENTAL
AGREEMENT NO. 11-373 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 moved to defer this item until the April 10, 2012, Regular Council Meeting.

Council Member Irving discussed community concerns regarding a lack of opportunity for public input on this item and reported Dunlap School District was interested in holding a public engagement. He requested Staff come forward at the April 10th meeting to address these community concerns, specifically the 17 week road closure for Allen Road and pedestrian safety at the proposed intersection. He also asked that a process be developed for the April 10th meeting to begin engaging the public and to move the project forward.

The deferral was seconded by Council Member Turner.

Motion to defer this item to April 10, 2012, was approved by roll call vote.

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

Nays: None.

**(12-123) Communication from the City Manager and Interim Director of Planning and
***** Growth Management with Recommendation from the Zoning Commission
* and Staff to Adopt an ORDINANCE Rezoning a Portion of 824 W. MOSS
AVENUE from the Present Class R-1 (Single Family Residential) District to
a Class R-6 (Multi-Family Residential) District and a Portion of Properties
Located at 844 and 900 W. MOSS AVENUE from the Present Class R-6
(Multi-Family Residential) District to a Class R-1 (Single Family Residential)
District and Grant a SPECIAL USE in a Class R-6 (Multi-Family Residential)
District for the EXPANSION of a NON-CONFORMING MULTI-FAMILY
RESIDENTIAL DEVELOPMENT Including Existing Conditions for Properties
Located at 844 and 900 W. MOSS AVENUE, with Conditions and Waiver.**

Interim Director of Planning and Growth Management Ross Black distributed a handout of color maps for clarification.

Council Member Van Auken moved to concur with the recommendation from the Zoning Commission and Staff to adopt an Ordinance rezoning a portion of 824 W. Moss Avenue from the present Class R-1 (Single Family Residential) District to a Class R-6 (Multi-Family Residential) District and a portion of properties located at 844 and 900 W. Moss Avenue from the present Class R-6 (Multi-Family Residential) District to a Class R-1 (Single Family Residential) District and grant a special use in a Class R-6 (Multi-Family Residential) District and grant a Special Use in a Class R-6 (Multi-Family Residential) District for the expansion of a non-conforming multi-family residential development including existing conditions for properties located at 844 and 900 W. Moss Avenue, with conditions and waiver; seconded by Council Member Turner.

ORDINANCE NO. 16,809 was adopted by roll call vote.

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

Nays: None.

(12-127) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and Staff to Adopt an ORDINANCE Granting a SPECIAL USE in a Class R-3 (Single Family Residential) District for a PRIVATE SCHOOL and RECREATIONAL FACILITIES for Property Identified as Parcel ID Nos. 14-07-100-012, 14-07-100-013, 14-07-100-024, 14-07-100-025, 14-07-100-028, and 14-07-100-029 with a Temporary Address of 7600 N. VILLA LAKE DRIVE, with Conditions.

Council Member Irving moved to concur with the recommendation from the Zoning Commission to adopt an Ordinance granting a Special Use in a Class R-3 (Single Family Residential) District for a private school and recreational facilities for property identified as Parcel ID Nos. 14-07-100-012, 14-07-100-013, 14-07-100-024, 14-07-100-025, 14-07-100-028, and 14-07-100-029 with a temporary address of 7600 N. Villa Lake Drive, with conditions; seconded by Council Member Turner.

Council Member Irving discussed numerous concerns regarding noise, dirt, and heavy machinery traffic brought forward during two meetings with citizens. He said the Diocese and school had committed to the possibility of two additional entrances into the project area that would divert all construction travel away from the Villa Lake Drive area. He said another concern of citizens was the volume of traffic once the project was complete. He stated there was currently only one entrance and exit out of the area, but a potential Pioneer Parkway extension could improve the situation. He added Fire and Police representatives attended a meeting with citizens to assure them emergency vehicles would be able to access the area during sporting events if there was a need. He also reported Notre Dame committed to work with local law enforcement to direct traffic if necessary. He said there was still a concern about a stoplight and traffic counts in the area but overall, citizens were in favor of this project.

Council Member Sandberg stated, because of the location of the parking lot, there could be no access through Pioneer Parkway, traffic would remain on the residential street, and homes would become less viable as homeowner occupied. He also stated the use of law enforcement would entail long-term operational costs.

In response to Council Member Van Auken's concerns regarding the residential street being used as a thoroughfare, Council Member Irving stated, when Pioneer Parkway is extended, two additional entrances and exits will be added. He said pressure on Villa Lake would be relieved

by at least one access point being added onto Pioneer Parkway by the time the school was opened. He added the Diocese had donated the right-of-way to the City for construction of the road. He stated Villa Lake would not be a primary route for busses or traffic and the main entrance would be further to the North off the Pioneer Parkway extension.

ORDINANCE NO. 16,810 granting a Special Use in a Class R-3 (Single Family Residential) District for a private school and recreational facilities for property identified as Parcel ID Nos. 14-07-100-012, 14-07-100-013, 14-07-100-024, 14-07-100-025, 14-07-100-028, and 14-07-100-029 with a temporary address of 7600 N. Villa Lake Drive, with conditions was adopted by roll call vote.

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

Nays: Akeson, Sandberg - 2.

(12-128) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to ADOPT OR with Recommendation from the Staff to DENY an ORDINANCE Amending Ordinance No. 16,262, an EXISTING SPECIAL USE, in a Class O-1 (Arterial Office) District for a FINANCIAL INSTITUTION with a DRIVE-UP FACILITY to Reduce the Required Front Yard Setback from 20 Feet to 6 Feet and Increase the Height of a Monument Sign from 5 Feet to 8 Feet for Property Located at 4518 N. SHERIDAN ROAD.

Council Member Riggenbach moved to approve the recommendation from the Zoning Commission to adopt an Ordinance amending Ordinance No. 16,262, an Existing Special Use, in a Class O-1 (Arterial Office) District for a financial institution with a drive-up facility to reduce the required front yard setback from 20 feet to 6 feet and increase the height of a monument sign from 5 feet to 8 feet for property located at 4518 N. Sheridan Road; seconded by Council Member Weaver.

Council Member Sandberg stated this area was a Controlled Thoroughfare Zoning area and, when concessions were made several years ago, the desire was still to keep this area different than the rest of Sheridan where cars are parked right up to sidewalks and right-of-ways. He stated the sign height needed to be increased because additional parking spaces would block the current sign and he encouraged the Council to vote for the administration's recommendation.

Mayor Ardis stated there were only three or four residential sections remaining on Sheridan between Lake and Glen and he added the time was past for developing a vision for the area.

Council Member Sandberg discussed the importance of building trust with people who are stockholders by following through on promises of protection.

Council Member Riggenbach reported he lived in the neighborhood to the east of this location and only one person had moved out since the bank was built. He discussed the attractive landscaping and other features of South Side Bank and he reported the proposed location was the least obtrusive place for the additional parking needed. He added the proposed parking spaces would not protrude in front of the sidewalk and there would still be five or six feet of grass from the sidewalk to the curb. He asked for the Council's support, stating approval would allow the business to expand while maintaining the aesthetics.

ORDINANCE NO. 16,811 amending Ordinance No. 16,262, an Existing Special Use, in a Class O-1 (Arterial Office) District for a financial institution with a drive-up facility to reduce the required front yard setback from 20 feet to 6 feet and increase the height of a monument sign from 5 feet to 8 feet for property located at 4518 N. Sheridan was adopted by roll call vote.

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

Nays: Akeson, Sandberg - 2.

(12-129) PRESENTATION of the 2012 GREATER PEORIA ECONOMIC SCORECARD, with Request to Receive and File.

Council Member Spain distributed a Scorecard pamphlet to all Council Members.

Council Member Spain gave a presentation on the 2012 Greater Peoria Economic Scorecard, and he reported it was a Heartland Partnership project with no public dollar contributions. He said the intent was to compare the five County MSA (Metropolitan Statistical Area) of which Peoria was a part, with similar Midwest and other leading regions. He discussed the categories of Economic Performance, People, Innovation, Business & Entrepreneurship, and Livability.

Mayor Ardis encouraged the public to read the report at GreaterPeoriaScorecard.com and he stated hard copies were available around the community. He also thanked the EDC and Heartland Partnership for developing the report and he discussed the importance of being able to compare specific data with other cities.

Council Member Spain stated Bradley University completed the analysis for this report using statistical techniques to ensure there was interdependency between these issues and strong levels of correlation.

Council Member Turner moved to receive and file a presentation of the 2012 Greater Peoria Economic Scorecard; seconded by Council Member Irving.

Approved by roll call vote.

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

Nays: None.

(12-130) Communication from the City Manager Regarding a REPORT Concerning the PROGRESS on the CITY COUNCIL'S 2011-2026 STRATEGIC PLAN, with Request to Receive and File.

City Manager Patrick Ulrich distributed the report to all Council Members.

City Manager Patrick Ulrich stated the report was sent to Council last week and it would be made available on the website as well. He gave a brief overview of the report and he said it categorized the key elements of the strategic plan and included a status report on each of those items.

Council Member Riggensbach expressed his appreciation for the City Manager putting this report together and bringing it to the Council.

Council Member Van Auken commented it was timely to have this document follow the previous agenda item and she said it was a very valuable report.

Council Member Weaver moved to receive and file a report concerning the progress on the City Council's 2011-2026 Strategic Plan; seconded by Council Member Riggerbach.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

(11-472) PRESENTATION by 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 27, 2012, with Request to Receive and File.

City Manager Patrick Ulrich reported the second amendment to the Amended and Restated Redevelopment Agreement was amended in Section 8.7 to require the City to initiate the process of selling and issuing the bonds as soon as reasonably possible after all the conditions precedent to closing were met. He said these conditions included the redeveloper having made all deliveries to the escrow agent and City, the redeveloper and senior lender having sent the City a Notice to Proceed with the Financing Closing, and having requested that the City initiate the process of selling the bonds and confirming they were prepared to close. He said it was anticipated to take 14 to 21 days to sell and issue the bonds. He added the financing closing date would be when bonds were issued, funds were deposited in a construction escrow account, and when the redeveloper closed on all the property and began to draw down on all the other financing. He stated there were no business concerns or negotiating points left to discuss and the executed documents were currently being delivered simultaneously to the escrow agent and the City. He said the executed documents were coming from entities in Washington D.C., Louisiana, and Florida and it was expected all would be in escrow before the Friday deadline. He said the process of selling and issuing bonds would begin as soon as all documents were verified as delivered. He related all documents were anticipated to be in place prior to the deadline.

In discussion with Mayor Ardis, City Manager Ulrich affirmed it was anticipated the deadline at the end of the month would be met and he communicated an email would be sent when all documents had been received and direction had been given for the bond sale. In response to a question from Council Member Sandberg, he related the agreement would terminate if all documents were not received by 5:00 P.M. on March 31st.

Council Member Van Auken moved to receive and file a Presentation by 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 27, 2012; 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.

- (12-007) Communication from the City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 31, SCHEDULE A, of the Code of the City of Peoria Prohibiting the Use of Groundwater as a Potable Water Supply Wells or by Any Other Method, and with Request to Receive and file the SUPPLEMENTAL COMMUNICATION.**

Council Member Riggerbach moved to adopt an Ordinance amending Chapter 31, Schedule A, of the Code of the City of Peoria Prohibiting the Use of Groundwater as a Potable Water Supply Wells or by any other Method, and to receive and file the supplemental communication; seconded by Council Member Weaver.

In discussion with Council Member Riggerbach, Corporation Council Randy Ray confirmed it was his understanding the concerns expressed by a property owner had been addressed appropriately and she was now satisfied with this item moving forward. He also confirmed this was documented in an email from the property owner.

Council Member Sandberg read a direct statement from the one person who had concerns, "Hi Gary, and thanks for your help with this. We have talked to several people and had several others refuse to talk with us about this and it seems no one is overly concerned about the effect on our property should this Ordinance pass. The gentleman representing BP says the gas station property would be virtually unsellable without the passage, due to lenders being unwilling to lend with open EPA cases." He indicated this person had given up and he shared his concerns about this Ordinance affecting people's property rights. He declared this was a taking by government of a person's property rights without compensation and he suggested an alternative of removing the contamination in order to sell the property.

ORDINANCE NO. 16,812 amending Chapter 31, Schedule A and to receive and file the supplemental communication was adopted by roll call vote.

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

- (12-086) Communication from the City Manager and Corporation Counsel Requesting Approval of a HIGHWAY AUTHORITY AGREEMENT Between the City of Peoria and BP PRODUCTS NORTH AMERICA, INC. for Property Known as 1514 N. KNOXVILLE AVENUE.**

Council Member Riggerbach moved to approve the Highway Authority Agreement between the City of Peoria and BP Products North America, Inc. for property known as 1514 N. Knoxville Avenue; seconded by Council Member Van Auken.

Council Member Sandberg expressed concern that giving away the rights to this location increased the potential cost of fixing the sewer line in the future.

Motion was approved by roll call vote.

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

PETITIONS, REMONSTRANCES & COMMUNICATIONS – TOWN OF THE CITY OF PEORIA**(12-131) Communication from the Town Clerk Requesting Approval of AGENDAS for the ANNUAL TOWN MEETING.**

Trustee Irving moved to approve the agendas for the Annual Town Meeting; seconded by Trustee Turner.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS**(12-132) Discussion Regarding a REPEAT ORDINANCE VIOLATION Involving an Auto Repair Business in a Residential Area.**

Council Member Turner brought up an issue discussed six months ago regarding an individual servicing cars out of a garage on Arcadia and parking cars in front of homes on that street. He said tickets had been issued and this person had moved 2 to 3 blocks away and was again servicing cars on another street. He remarked the Ordinance was not strong enough for dealing with this situation. He stated Interim Director of Planning and Growth Management Ross Black had done everything he could to respond to this situation and he asked the Council to share any ideas they had. In response to a question from Council Member Gulley, he explained it was not just a matter of finding an improved Ordinance, but of finding something other communities had to help deal with this type of issue.

In discussion with Council Member Sandberg, Interim Director Black explained the issue several months ago involved the difficulty in determining if there was compensation involved. He recounted someone was eventually able to speak to a customer who said he was paying for the car repair service and that evidence allowed the City to shut down the business. He stated the individual started operating again a couple of weeks ago and collaboration was going on with the Police Department to determine the necessary evidence to close the business again. He stated he would follow up on a suggestion from Council Member Sandberg of gathering evidence by bringing a vehicle to this individual for service.

Council Member Van Auken discussed concerns that, if fined again, the individual would continue to move his business and the process would be repeated.

In response to a question from Council Member Van Auken, Interim Director Black responded the penalty for this individual would be escalated as he continued to engage in the same behavior. He stated the City intended to do everything necessary to shut down this business.

In response to Council Member Akeson's question, regarding whether or not vehicles being repaired could legally be impounded, Corporation Council Randy Ray responded that idea could be reviewed. He advised, if there was not an adequate remedy of law to address a zoning violation moving from neighborhood to neighborhood, it would be possible to acquire a court injunction addressing the problem.

Later in the meeting, in discussion with Council Member Gulley and Mayor Ardis, City Manager Patrick Urich indicated he would be bringing information back to Council at a later date regarding the situation with the illegal auto repair business.

ANNOUNCEMENT Regarding GLEN OAK BUSINESS OWNERS ASSOCIATION 'TAKE BACK OUR NEIGHBORHOOD' Event

Council Member Riggerbach announced the Glen Oak Business Owners Association was hosting another Take Back Our Neighborhood event at Glen Oak School on April 12, 2012 at 6:00 P.M. He said this was the third in a series of meetings and he added there had been a great outpouring of support from the East Bluff Neighborhood.

REMINDER to COUNCIL MEMBERS to RSVP for a MEETING APRIL 5, 2012

Council Member Gulley said he had sent an email to Council Members regarding a meeting proposed for 6:00 P.M. on April 5, 2012, at Carver Community Center for a report back from the Steering Committee working with the Southtown TIF. He encouraged Council Members to report back if they were planning to attend so that the meeting could be officially noticed and Staff could be present if necessary.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

(12-133) 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, requested the City painters stripe the walkways during good weather. He also expressed concerns regarding the operation of School District 150 and he requested that the Council create a watchdog committee.

Lavetta Ricca, a Peoria resident, discussed the history of the City of Peoria sewers.

Joseph Keck, a Peoria resident, discussed his desire for peace on earth.

Council Member Sandberg requested Staff research if it was possible for citizens to add items to the Council agenda.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

Council Member Van Auken moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Weaver.

Approved by roll call vote.

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

Nays: None.

The Joint City Council and Town Board Meeting adjourned at 8:38 P.M.