

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

Council Chambers, Peoria, Illinois, May 8, 2012, a Joint City Council and Town Board Meeting was held this date at 6:15 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Chairman Pro Tem Ryan Spain presiding, and with proper notice having been posted.

**ROLL CALL**

Roll Call showed the following Council Members were physically present: Akeson, Gulley (arrived 6:29), Irving, Riggerbach, Sandberg, Spears, Turner, Van Auker, Weaver, Chairman Pro Tem Spain - 10. Absent: Mayor Ardis.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Chairman Pro Tem Spain requested a moment of silent prayer or silent reflection, and then he led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** BRADLEY UNIVERSITY'S SPEECH TEAM - Recognition

**PROCLAMATION:** APOSTOLIC CHRISTIAN SKYLINES - 100th Anniversary

**PROCLAMATION:** MAYOR'S LITTER CAMPAIGN LEADER - Mr. Mark Johnson

**PROCLAMATION:** POPPY DAYS - May 17 - 19, 2012

**PROCLAMATION:** NATIONAL PUBLIC WORKS WEEK - May 20 - 26, 2012

Director of Public Works Dave Barber discussed the City-wide activities his department would be involved in for National Public Works Week and he discussed the garbage toter program. He said toters would begin to be delivered to citizens on May 15, 2012.

**MINUTES**

Council Member Riggerbach moved to approve the minutes of the Regular City Council Meeting held on April 24, 2012, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auker, Weaver, Chairman Pro Tem Spain - 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:**

**(12-190)**      **Communication from the City Manager and Corporation Counsel**  
\*                **Requesting Approval of a Request to DEVIATE FROM the APPROVED**  
                  **CONSTRUCTION PLANS of FIELDS CROSSING SUBDIVISION by Not**  
                  **Installing Street for future Connection to the North.**

- (12-191) Communication from the City Manager and Director of Public Works Requesting Approval of the LOW BID of OBERLANDER ALARM SYSTEMS, INC. for the ANNUAL CITY-WIDE FIRE and INTRUSION DETECTION CONTRACT, in an Amount Not to Exceed \$18,000.00 Annually, with an Initial Contract Term of Two Years with Two One-Year Extensions.
- (12-192) Communication from the City Manager and Director of Public Works Requesting Approval of the LOW BID of CRAWFORD & BRINKMAN DOOR and WINDOW COMPANY for the ANNUAL CITY-WIDE OVERHEAD DOOR MAINTENANCE and INSPECTION CONTRACT, in an Amount Not to Exceed \$25,000.00 Annually, for an Initial Period of Three Years with Two One-Year Extensions Based on Performance.
- (12-193) Communication from the City Manager and Director of Public Works  
\*\* Requesting Approval of the LOW BID of ILLINOIS CIVIL CONTRACTORS, INC. and Award the CONTRACT, in the Amount of \$148,723.00 with Additional Authorization of \$14,472.30 (10% for Contingencies) for the LOUCKS AVENUE and McCLURE AVENUE INTERSECTION RECONSTRUCTION and REALIGNMENT PROJECT.
- (12-194) Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE (1) NEW BACKHOE LOADER from ALTORFER INC. for the LOWEST QUALIFIED BID, in the Amount of \$64,375.00, Including Trade-In Value of One (1) Backhoe Loader.
- (12-195) Communication from the City Manager and Director of Public Works Requesting Approval to PURCHASE ONE (1) WHEEL LOADER from ALTORFER INC. for the LOWEST QUALIFIED BID, in the Amount of \$103,195.00, Including the Trade-In Value of One (1) 1992 Wheel Loader.
- (12-196) Communication from the City Manager and Police Chief Requesting Approval for the SOLE SOURCE PURCHASE of an ELECTRONIC ACCIDENT REPORTING MODULE from APPLICATION DATA SYSTEMS, INC. (ADSI), in the Amount of \$51,070.00, from Previously Approved CIP Funds.
- (12-197) Communication from the City Manager and Interim Director of Planning and Growth Management with Request to Award the 2012 SENIOR HOUSING REHABILITATION CONTRACT to REBUILDING TOGETHER PEORIA, INC., in an Amount Not to Exceed \$35,000.00, from Federal Community Development Block Grant Funds.
- (12-198) Communication from the City Manager and Director of Public Works Requesting Approval of a SOLE SOURCE CONTRACT with WAYNE STOHL and SONS PLASTERING COMPANY, in the Amount of \$16,000.00, for Re-Plastering City Hall Rooms 404 and 405.
- (12-199) Communication from the City Manager and Director of Human Resources Requesting Approval to RENEW the CONTRACT with HOLMES MURPHY & ASSOCIATES for HEALTH CARE CONSULTING SERVICES to the City for an Additional Two-Year Period through 12/31/2014.

- (12-200)  
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Communication from the City Manager and Corporation Counsel with Request to EXTEND the CONTRACT of GPS-TV and FOCAL POINT VIDEO to Operate the City's Public Access Television Station Channels 20 and 22 and Production of Two Monthly Meetings of the Peoria City Council for a Period of One Year and to Authorize the City Manager to Execute the Agreement.
- (12-201)  
Communication from the City Manager and Director of Public Works Requesting Approval of the FIRST AMENDMENT to LANDFILL AGREEMENT NO. 09-582 Among the COUNTY OF PEORIA, CITY OF PEORIA, the JOINT CITY OF PEORIA-COUNTY OF PEORIA SOLID WASTE DISPOSAL FACILITY BOARD, and PEORIA CITY/COUNTY LANDFILL, INC., to Incorporate the SITING CERTIFICATE into the Document Per Article 6.3 of the Agreement.
- (12-202)  
Communication from the City Manager and Police Chief Requesting Authorization for the City Manager to Execute an INTERGOVERNMENTAL AGREEMENT, GMS APPLICATION: 2012-H1659-IL-DJ, Between the City of Peoria and County of Peoria under the EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2012 Local Solicitation, in the Amount of \$95,824.00.
- (12-203)  
Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Planning Commission and Staff to Approve RESOLUTION NO. 12-203 Amending the CITY OF PEORIA COMPREHENSIVE PLAN and FUTURE LAND USE PLAN (MAP) to Change the FUTURE LAND USE DESIGNATION of the Following Properties: 2928 W. LAKE AVENUE from Office to Commercial; 3004 W. LAKE AVENUE from Office to Commercial; 7417 N. KNOXVILLE AVENUE from Low Density Residential to Office; 7425 N. KNOXVILLE AVENUE from Low Density Residential to Office; and 6210 N. UNIVERSITY STREET from Office to High Density Residential.
- (12-204)  
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Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission and Staff to Approve a RESOLUTION Amending the OFFICIAL COMPREHENSIVE PLAN for the City of Peoria to CHANGE the FUTURE LAND USE DESIGNATION from LOW DENSITY RESIDENTIAL to COMMERCIAL for Properties Identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024, and are Generally Located at the NORTHEAST CORNER of ORANGE PRAIRIE ROAD and WOODSAGE ROAD.
- (12-205)  
\*\*\*\*\*  
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 as Follows AND to Add BUILDINGS and DESIGN ELEMENTS for Property Generally Located at the NORTHEAST CORNER of ORANGE PRAIRIE ROAD and WOODSAGE ROAD, with Addresses within the 5200 to 5300 Block of W. WOODSAGE ROAD and 8900 to 9000 Block of N. SCRIMSHAW DRIVE, with Waivers and Conditions:
- A. Rezoning Property Identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024 from the Present Class R-3 (Single Family Residential) District to a Class C-1 (General Commercial) District;

- B. Approving the FINAL PLAN for VILLAS at GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 2;
- C. Amending an EXISTING SPECIAL USE Ordinance No. 16,376, as amended, for a PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN, and;
- D. Amending Ordinance No. 16,467, as Amended, for a FINAL PLAN for VILLAS at GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 1.

(12-206) APPOINTMENT by Mayor Jim Ardis to the EAST VILLAGE GROWTH CELL COMMITTEE, with Request to Concur:

Michael Sims (Voting) - No Term Expiration

(12-207) APPOINTMENT by Mayor Jim Ardis to the LIQUOR COMMISSION, with Request to Concur:

Christopher McCall (Voting) - Term Expires 6/30/2014

(12-208) APPOINTMENT by Mayor Jim Ardis to the ADVISORY COMMITTEE on POLICE-COMMUNITY RELATIONS, with Request to Concur:

Demario Boone (Voting) - Term Expires 6/30/2014

Chairman Pro Tem Spain questioned if the Council wished to have any of the Consent Agenda items removed for further discussion.

Council Member Sandberg requested that item No. 12-200 be removed from the Consent Agenda for further discussion.

Council Member Weaver requested that item Nos. 12-190, 12-204, and 12-205 be removed from the Consent Agenda for further discussion.

Council Member Van Auken requested that item No. 12-193 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. 12-190 through 12-208 (excluding Item Nos. 12-190, 12-193, 12-200, 12-204, and 12-205, 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, Chairman Pro Tem Spain - 10;

Nays: None.

(12-190) \* Communication from the City Manager and Corporation Counsel Requesting Approval of a Request to DEVIATE FROM the APPROVED CONSTRUCTION PLANS of FIELDS CROSSING SUBDIVISION by Not Installing Street for future Connection to the North.

Corporation Counsel Randy Ray distributed an expanded map showing the stub street that would not be built to all Members of the City Council.

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

Council Member Van Auken moved to approve the request to deviate from the approved construction plans of Fields Crossing Subdivision by not installing a street for future connection to the north; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken,  
Chairman Pro Tem Spain - 9;

Nays: None;

Abstentions: Weaver - 1.

**(12-193)      Communication from the City Manager and Director of Public Works  
\*\*      Requesting Approval of the LOW BID of ILLINOIS CIVIL CONTRACTORS,  
INC. and Award the CONTRACT, in the Amount of \$148,723.00 with  
Additional Authorization of \$14,472.30 (10% for Contingencies) for the  
LOUCKS AVENUE and McCLURE AVENUE INTERSECTION  
RECONSTRUCTION and REALIGNMENT PROJECT.**

Director of Public Works Dave Barber distributed a map showing the intersection to all members of the City Council.

Council Member Van Auken moved to approve the low bid of Illinois Civil Contractors, Inc. and award the contract, in the amount of \$148,723.00 with additional authorization of \$14,472.30 (10% for contingencies) for the Loucks Avenue and McClure Avenue Intersection Reconstruction and Realignment Project; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken,  
Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

**(12-200)      Communication from the City Manager and Corporation Counsel with  
\*\*\*      Request to EXTEND the CONTRACT of GPS-TV and FOCAL POINT VIDEO  
to Operate the City's Public Access Television Station Channels 20 and 22  
and Production of Two Monthly Meetings of the Peoria City Council for a  
Period of One Year and to Authorize the City Manager to Execute the  
Agreement.**

A listing of DVD drop site locations and studio space to videotape programs (by appointment) was distributed to all members of the Council.

Council Member Sandberg noted the motion to approve the original contract with GPS-TV and Focal Point Video was contingent upon securing a Peoria facility. He referred to a 2012 news article which indicated the Peoria Public Library suspended a weekly half-hour program, which they had run for 16 years on cable, because there was no production facility available and they would have to shoot their own video or hire someone to do so. He said GPS would also charge \$10.00 for airing a half-hour show to cover basic costs.

Sam Wagner, Board Member of GPS TV, explained there were three locations of studio space to videotape programs with production equipment being located at Vidicom Productions. He said production equipment could be set up at the other two locations listed on the handout. He said they found it to be more convenient to take production equipment to locations rather than trying to have a location in a studio. He stated Comcast provided studio space for production also and he said he was working with the Public Library to arrange taping their program at the Library for their convenience. He said he had a production company in Washington, Illinois, and equipment was there also.

Council Member Sandberg expressed concern that production equipment was not located at the other locations as stipulated in the motion to approve the agreement. He said he felt GPS-TV should have a production company located in the City of Peoria and anything short of that would not meet the standard. He said he could not support a motion to approve.

In discussion with Chairman Pro Tem Spain, City Manager Urich confirmed that GPS-TV provided the Public Access Channel 20 and 22 and Focal Point Video provided live streaming on the internet.

Council Member Van Auken suggested that until better services were found, the City should continue with this contract. She said she supported providing as much quality as possible with as much ease as possible. She said she felt Mr. Wagner had worked out a plan with the Library and she stated she agreed the Library would be a great setting.

Council Member Van Auken moved to extend the contract of GPS-TV and Focal Point Video to operate the City's Public Access Television Station Channels 20 and 22 and production of two monthly meetings of the Peoria City Council for a period of one year, and to authorize the City Manager to execute the agreement; seconded by Council Member Turner.

Council Member Spears expressed his concern regarding the contract with GPS-TV over the past couple of years. He said there were other cities who had stepped up their public access channels to provide community announcements and notify citizens of community programs. He said the Public Access Channel should be used for the City's benefit. He suggested deferring or tabling this item until Staff could come back with ideas for changes.

Council Member Spears moved for a substitute motion to Table this item until Staff came back with ideas for changes; seconded by Council Member Sandberg.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken, Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

**(12-204)**  
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**Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission and Staff to Approve a RESOLUTION Amending the OFFICIAL COMPREHENSIVE PLAN for the City of Peoria to CHANGE the FUTURE LAND USE DESIGNATION from LOW DENSITY RESIDENTIAL to COMMERCIAL for Properties Identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024, and are Generally Located at the NORTHEAST CORNER of ORANGE PRAIRIE ROAD and WOODSAGE ROAD.**

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

Council Member Van Auken moved to concur with the recommendation from the Planning Commission and Staff to approve a Resolution amending the Official Comprehensive Plan for the City of Peoria to change the Future Land Use Designation from Low Density Residential to Commercial for properties identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024, and are generally located at the northeast corner of Orange Prairie Road and Woodsage Road; seconded by Council Member Turner.

RESOLUTION NO. 12-204 was approved by roll call vote.

Yeas: Akesson, Gulley, Irving, Riggensbach, Sandberg, Spears, Turner, Van Auken,  
Chairman Pro Tem Spain - 9;

Nays: None;

Abstentions: Weaver - 1.

**(12-205)**  
\*\*\*\*\*  
**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 as Follows AND to Add BUILDINGS and DESIGN ELEMENTS for Property Generally Located at the NORTHEAST CORNER of ORANGE PRAIRIE ROAD and WOODSAGE ROAD, with Addresses within the 5200 to 5300 Block of W. WOODSAGE ROAD and 8900 to 9000 Block of N. SCRIMSHAW DRIVE, with Waivers and Conditions:**

- A. Rezoning Property Identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024 from the Present Class R-3 (Single Family Residential) District to a Class C-1 (General Commercial) District;**
- B. Approving the FINAL PLAN for VILLAS at GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 2;**
- C. Amending an EXISTING SPECIAL USE Ordinance No. 16,376, as amended, for a PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN, and;**
- D. Amending Ordinance No. 16,467, as Amended, for a FINAL PLAN for VILLAS at GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 1.**

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

Council Member Van Auken moved to concur with the recommendation from the Zoning Commission and Staff to adopt an Ordinance to rezone property identified as Parcel ID Nos. 13-02-100-007, 13-02-100-016, and 13-02-100-024 from the Present Class R-3 (Single Family Residential) District to a Class C-1 (General Commercial) District; to approve the Final Plan for Villas at Grand Prairie Planned Unit Development Phase 2; to amend an Existing Special Use Ordinance No. 16,376, as amended, for a Planned Unit Development Preliminary Plan, and to amend Ordinance No. 16,467, as amended, for a Final Plan for Villas at Grand Prairie Planned Unit Development Phase I, and to add buildings and design elements for property generally located at the northeast corner of Orange Prairie Road and Woodsage Road, with addresses within the 5200 to 5300 Block of W. Woodsage Road and 8900 to 9000 Block of N. Scrimshaw Drive, with waivers and conditions: seconded by Council Member Turner.

ORDINANCE NO. 16,817 was adopted by roll call vote.

Yeas: Akesson, Gulley, Irving, Riggensbach, Sandberg, Spears, Turner, Van Auken,  
Chairman Pro Tem Spain - 9;

Nays: None;

Abstentions: Weaver - 1.

**(12-209) Communication from Council Member Tim Riggerbach Regarding a STATUS REPORT Pertaining to the EAST BLUFF NEIGHBORHOOD HOUSING SERVICES (EBNHS) ACTIVITIES Related to the EBNHS SPECIAL SERVICE DISTRICT, with Request to Receive and File.**

Council Member Riggerbach moved to receive and file the Status Report pertaining to the East Bluff Neighborhood Housing Services (EBNHS) Activities related to the EBNHS Special Service District; seconded by Council Member Weaver.

Council Member Riggerbach said the benchmarks and progress had been reviewed. He stated there was a specific and measurable life and safety loan program being proposed, which was outlined in the Council communication. He stated the EBNHS was currently investigating potential partnerships with local and national community development intermediaries and would be working in partnership with the Peoria Opportunities Foundation and VISTA. He said EBNHS had been the lead agency in the "Taking Back your Neighborhood" event and they planned to submit three grant applications by June 30, 2012, and they planned to submit a total of ten grant applications by the end of 2012. He stated there was a marked difference in the activities generated and there was a new energy. He said they were getting information and were continually working on a relationship.

Chairman Pro Tem Spain thanked Council Member Riggerbach for his leadership with East Bluff Neighborhood Housing Services and he thanked the volunteers for their work to create the progress. He said the next step in June would be to release funds for the Health and Safety Loan Program.

Motion to receive and file the Status Report pertaining to the East Bluff Neighborhood Housing Services (EBNHS) Activities related to the EBNHS Special Service District was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken, Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

**(12-210) Communication from the City Manager and Director of Public Works Requesting Adoption of an ORDINANCE Providing for the TRANSFER of a Portion of WASHINGTON STREET (US24) (from the Southwest Edge of Pavement of Hamilton Boulevard Southwesterly to the Northeast Edge of Pavement of MacArthur Boulevard), a Portion of JEFFERSON STREET (from the Southwest Edge of Pavement of Fayette Avenue Southwesterly to the Northeast Edge of Pavement of Hamilton Boulevard), and a Portion of HAMILTON BOULEVARD (from the Northwest Edge of Pavement of Jefferson Street Southeasterly to the Southeast Edge of pavement of Washington Street) from the STATE HIGHWAY SYSTEM to the MUNICIPAL STREET SYSTEM.**

Council Member Gulley moved to adopt an Ordinance providing for the transfer of a portion of Washington Street (US24) (from the southwest edge of pavement of Hamilton Boulevard southwesterly to the northeast edge of pavement of MacArthur Boulevard), a portion of Jefferson Street (from the southwest edge of pavement of Fayette Avenue southwesterly to the northeast edge of payment of Hamilton Boulevard), and a portion of Hamilton Boulevard (from the northwest edge of pavement of Jefferson Street southeasterly to the southeast edge of pavement of Washington Street) from the State Highway System to the Municipal Street System, and to approve the Local Agency State agreements; seconded by Council Member Turner.



Council Member Irving requested a point of order to address whether or not these Jurisdictional Transfers were previously deferred. It was determined by Chairman Pro Tem Spain and City Manager Urich that these were not the pieces of Washington Street that were deferred to the May 22, 2012, Regular City Council Meeting.

Director of Public Works Dave Barber explained the Jurisdictional Transfer needed to be completed so the City could bid the project that pertained to the front of the museum without it being on a State let bid so the City could keep on schedule with the project. He said the Council would be discussing at the next Regular Meeting how the \$904,000.00 would be used, which was a separate issue.

Council Member Sandberg expressed concern that the proposed portion of Washington Street was not located in the Warehouse District. He also pointed out that bids would only be let for the first two blocks of Washington Street.

Director Barber said this section would be funded by City and County money, not with IDOT funds. He stated the City funds were coming from the overlay project and he confirmed that \$1 million would come from the County.

City Manager Urich explained the downtown overlay funds were not Warehouse District dollars. He said the portion of improvements in front of the museum was being funded by either downtown TIF dollars or with the \$1 million from the County. He said this needed to be under local control in order for the project to move forward so it would meet the opening of the museum project.

In discussion with Council Member Sandberg, Director Barber stated negotiations had been held with IDOT and it was determined the City would not have to take all of the roadway at one time. He stated pieces of the roadway could be taken as construction was done and, if the City did not complete further construction, the City would not have to take the remaining portion of the roadway.

Council Member Sandberg stated he wanted to make sure the City had money to deal with the rest of Route 24, otherwise the City was buying a liability. He questioned if this was a good deal for the City.

In discussion with Chairman Pro Tem Spain, City Manager Urich confirmed there was nothing to obligate the City for future inheritance of what was now called Route 24.

ORDINANCE NO. 16,818 providing for the transfer of a portion of Washington Street (US24) (from the southwest edge of pavement of Hamilton Boulevard southwesterly to the northeast edge of pavement of MacArthur Boulevard), a portion of Jefferson Street (from the southwest edge of pavement of Fayette Avenue southwesterly to the northeast edge of payment of Hamilton Boulevard), and a portion of Hamilton Boulevard (from the northwest edge of pavement of Jefferson Street southeasterly to the southeast edge of pavement of Washington Street) from the State Highway System to the Municipal Street System, and to approve the Local Agency State agreements, was adopted by roll call vote.

Yeas: Akeson, Gulley, Riggerbach, Sandberg, Spears, Turner, Van Auken, Weaver,  
Chairman Pro Tem Spain - 9;

Nays: Irving - 1.

**UNFINISHED BUSINESS**

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

- (12-151) Communication from the City Manager Requesting Approval of the Recommendation of the Ad Hoc Committee of the City Council on Redistricting to Adopt an ORDINANCE Establishing the PROPOSED MAP as the NEW CITY COUNCIL DISTRICT BOUNDARIES. (New Communication and Ordinance)**

Interim Director of Planning and Growth Management Ross Black distributed Map F to all members of the Council that was marked as "Exhibit F."

In discussion with Chairman Pro Tem Spain, Corporation Counsel Randy Ray confirmed that Map F was on the Council Agenda and no other maps were included on the Agenda.

Council Member Spears moved to grant Privilege of the Floor to those who wished to address the Council.

Council Member Van Auken explained she planned to defer this item and remand this back to the Ad Hoc Committee of the City Council on Redistricting in order to have some additional options available that would not divide recognized neighborhoods. She questioned how the Council wished to proceed.

Following a brief discussion, Council Member Van Auken moved to remand this item back to the Ad Hoc Committee of the City Council on Redistricting with direction to Staff to give the Committee options other than Map F that would satisfy the guideline to not divide recognized neighborhood groups.

Clerk's Note: No second was heard.

Council Member Sandberg pointed out that all maps proposed to the Council had divided neighborhoods in some form, and he said district neighborhoods should share common interests. He said it was time to make a decision and move forward, so he would support the motion to remand this back to the Committee. He stated there could be advantages to some neighborhoods being represented by two District Council Members. He suggested the Council vote Map F up or down.

Council Member Riggensbach stated he met with the East Bluff neighborhood representatives and he said there was no support for Map F. He said the East Bluff was more than a neighborhood, but was a segment of the City and generated activity toward common goals. He said he made it clear at the last Redistricting Meeting that he would need to meet with that group prior to voting on Map F to determine if there was any support. He said he supported bringing back Map B. He said the Council should keep in mind, if each area was at 23,001 plus or minus 1%, it would meet the requirements. He explained the law provided this window for the very reason to preserve neighborhoods and neighborhoods of interest could be kept together.

Council Member Akeson read from a Census Tract Executive Summary that was presented at the May 12 Committee Meeting, which indicated District #1 had enjoyed an increase in population coupled with the fact that a considerable investment was being made in the Warehouse District. She said, knowing there were projects coming forward that were not yet defined, she felt Map B could be endorsed, which was a preferable map and was an excellent choice. She requested Staff to bring back Map B for Council consideration.

Council Member Van Auken commended Council Member Spears as Chairman of the Ad Hoc Committee. She said he had kept the Committee focused on making decisions regarding growth trends for now and the future. She said these guidelines were required by local Ordinances, the State Constitution and the United States Constitution. She requested that the Council support the motion to remand this back to the Committee for further discussion.

In discussion with Council Member Weaver regarding the duty to consider the 5% when the maps were drawn or for the future, Corporation Counsel Ray explained the duty was to balance the population as of the date the maps were drawn. He said there was no provision for expectations of future growth and only in the narrow confines of the variances allowed should future growth be a consideration. He added the Committee's charge was to create a District Map that was compact, contiguous and had equal population.

Council Member Weaver stated he felt Map B met the requirements of the law. He said this was all about keeping neighborhoods intact and he requested discussion on the possibility of bringing back Map B to the next Council Meeting for a vote. He said keeping the West Bluff and East Bluff neighborhoods intact was critical and Map B accomplished this.

Council Member Gulley stated he would like a vote to eliminate Map F and then direct Staff to bring Map B back for Council consideration. He said Map B was within the 5% guidelines and there was growth anticipated for the Warehouse District. He said he did not favor remanding this item back to the Committee.

Council Member Gulley moved to reject Map F.

Chairman Pro Tem Spain said he would like to open the Floor for citizens' comments and he discussed how to proceed. He said it was his opinion either remanding this back to the Committee or a motion to bring another map back before the Council would provide clear direction.

Council Member Turner spoke in support of bringing back Map B to the next Council Meeting for consideration.

Council Member Akeson shared Mayor Ardis' comments that he would like to have Map F voted up or down, and if the vote failed, it should go back to the Committee for further discussion.

Council Member Gulley restated his motion to reject Map F; seconded by Council Member Weaver.

Hearing no objections, Chairman Pro Tem Spain granted Privilege of the Floor to those who wished to address the Council.

Richard Mitchell, resident of East Bluff neighborhood, spoke in support of keeping the East Bluff neighborhood together. He said the neighborhood had a long history and the neighborhood was working together with the Police Department and organizations on programs and the residents were all proud to live in the East Bluff.

Jessie McGown, a Peoria resident, urged the Council to vote to reject Map F because a large part of the East Bluff would be in the First District. He said this should go back before the Committee.

Conrad Stinnett, resident of the West Bluff, spoke in support of those not in favor of Map F. He urged the Council to reconsider Map B and let the matter rest.

Savino Sierra, a Peoria resident, spoke in support of not splitting neighborhoods. He urged the Council to do what was right.

Jim Combs, President of the East Bluff Serenity Neighborhood Association, spoke in support of the East Bluff United Neighborhood Association and the Glen Oak Park Neighborhood Association who wanted no division in their neighborhoods. He said neighborhoods were working hard to stabilize themselves and a change would upset the neighborhoods at this time. He said their concerns centered around keeping things calm, and keeping things going and developing.

Greg Speck, President of University East Neighborhood Association, said there were mixed feelings about dividing neighborhoods. He said he was not opposed to the West Bluff being a part of District #1. He said remanding this back to the Committee would not serve any purpose and he said he could support Map F.

Council Member Spears said any of the proposed maps divided neighborhoods in some way. He stated these were not easy decisions and he knew there was a move on to promote the idea of establishing ten Council Districts, so any map approved by the Council would be a moot point. He said Map F met the qualifications even though it divided some neighborhoods. He encouraged the Council to support Map F.

Motion to reject Map F was approved by roll call vote.

Yeas: Akeson, Gulley, Riggensbach, Turner, Van Auken, Weaver, Chairman Pro Tem Spain - 7;

Nays: Irving, Sandberg, Spears - 3.

Council Member Turner moved to bring back Map B for Council consideration at the May 22, 2012, Regular City Council Meeting.

Corporation Counsel Ray said with Map F defeated, it would not change the fact the Council was charged with redistricting and the Council had to proceed to redistrict. He stated it would be appropriate for the Council to provide some guidance as to how they expected the Staff to proceed.

Council Member Van Auken moved to remand this back to the Committee without Map F, which had been defeated.

Council Member Turner requested a Point of Order because he made a motion to bring back Map B.

Council Member Weaver seconded the motion to bring back Map B for Council consideration at the May 22, 2012, Regular City Council Meeting.

Council Member Van Auken requested a Point of Order regarding whether or not a motion to bring back Map B could be entertained by the Council.

Corporation Counsel Ray stated some action had to be taken. He suggested an item be placed on the May 22, 2012, Council Agenda requesting direction on how to proceed, which may not allow the matter to be resolved on May 22, 2012. He said a rule of necessity would allow the Council to do something to direct this to move forward.

Further discussion was held regarding this issue and it was pointed out Map B had been brought before the Council at the April 10, 2012, Council Meeting, and there was only a motion to defer the item for one month. It was determined that Map B was brought before the City Council for consideration, but no motion was made at that time to approve Map B.

In further discussion, it was determined that any Council Member could request a map to be brought back before the Council at the May 22, 2012, Meeting, but Corporation Counsel Ray advised that maps needed to be included on the Agenda so one could be approved. He added Map F could also come back with a variation.

Council Member Weaver referred to Map B and he said any delay that had occurred was to allow time for citizens to have input into the process and the selection of a map.

Motion to bring back Map B for Council consideration at the May 22, 2012, Regular City Council Meeting was approved by roll call vote.

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

Nays: Sandberg, Chairman Pro Tem Spain - 2.

**(12-153) Communication from the City Manager and Corporation Counsel Requesting Adoption of the Following (New Communication):**

- A. **ORDINANCE Amending CHAPTER 18 of the Code of the City of Peoria Pertaining to LICENSING of MOBILE FOOD VEHICLES (New Ordinance); and**
- B. **ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Pertaining to HOODS for PARKING METERS (New Ordinance).**

Two maps showing proposed locations for mobile food vehicles was distributed to all members of the City Council.

Council Member Van Auken stated mobile food vehicles would be an addition to the mix of sidewalk food vendors and bricks and mortar restaurants, etc. She said she found it inconsistent to allow a food service vehicle in the areas of downtown and Warehouse District to compete with businesses the City had worked to attract, with even more businesses being encouraged to locate in these areas. She said she felt the fees were too low compared to property taxes and HRA taxes collected from the bricks and mortar establishments. She said she felt there were areas which may benefit from a mobile food vehicle outside the downtown area or the Warehouse District. She said she felt the proposed Ordinance needed more work. She stated mobile food vehicles were usually in larger cities, but they were even tightening their rules.

Special Projects Manager Christopher Setti said public input was gathered through two public meetings. He said they mailed notices of the meetings to all restaurants in the City and they received input at the meetings and by e-mail, phone calls, and written communications. He stated the exclusive commentary received in opposition was from downtown establishments. He said he did not hear from any restaurant outside of downtown. He said the fees were changed to mirror the Sidewalk Food Vendor fees and the definition of the downtown area was expanded to include the Warehouse District.

Council Member Sandberg expressed concern regarding the definition of a food vehicle because he felt it was lacking standards. He stated he was concerned about enforcement issues.

Manager Setti explained the Ordinance defined a food vehicle as something commercially manufactured and was not intended to mean any vehicle that was converted. He stated there were cities who regulated the standards for the vehicle as well as the menu. He stated Council Member Sandberg's concern would be reviewed.

Council Member Weaver spoke in support of the Ordinance altered to include guidelines that would not hurt current downtown restaurants. He said there were twelve permits for sidewalk vendors with only seven currently in use. He suggested reducing the number to ten and allowing mobile food vehicles to use those locations that were not currently being used, but to stay within those numbers. He said there were some Health Department concerns and he stated he spoke with the Health Department and they confirmed these vendors were inspected once a month. He said a determination would need to be made regarding trailers. He said he would also like to set standards for the quality of the vehicle to be easily maintained and there would be no rust. He said 100 feet from the door of a restaurant was too close. He noted he received a report that some sidewalk vendors were selling items that were not rung up on a register, so this needed to be addressed in an audit, and he said he felt audits should be without notice and there should be guidelines as to how often vendors were audited.

Council Member Akeson discussed her research into mobile food vehicles in cities across the country. She stated cities were having problems with mobile food vehicles, but they were working them out. She said there was healthy competition, but food vehicles could not sell similar types of food in the vicinity of an established restaurant. She said an Ordinance would need to be specific about these things. She said the Health Department controlled the quality of the vehicle. She discussed the permit costs and she suggested it may be possible a mobile food vehicle business may be encouraged to build a bricks and mortar restaurant in the area. She stated competition only made the other businesses in their area better and she challenged the downtown businesses to rise to the occasion and accept the competition. She urged the Administration to work through these issues so an Ordinance could be adopted.

Council Member Van Auken moved to defer action on Ordinances A and B until the June 12, 2012, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer these items until June 12, 2012, was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spears, Turner, Van Auken, Weaver,  
Chairman Pro Tem Spain - 9;

Nays: Sandberg - 1.

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

##### **(12-211) TOWN of the CITY of PEORIA FINANCIAL REPORT for the Period Ending 3/31/2012, 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 3/31/2012; seconded by Trustee Van Auken.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken,  
Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

**NEW BUSINESS****REQUEST for the Council to Discuss INTERNAL FINANCIAL CONTROLS**

Council Member Spears referred to the situation in Dixon, Illinois, regarding their Comptroller and the theft of \$53 million from the City of Dixon and he said he felt the City of Peoria should set a policy to make sure the City of Peoria was protected. He suggested holding a Policy Session in the future to discuss this issue.

**REQUEST for a REPORT BACK Regarding an AUDIT on the GARBAGE FEE**

Council Member Spears expressed concern that some citizens were paying the garbage fee and some were not. He requested an update regarding an audit.

**COMMENTS Regarding ONLINE CHECKBOOK**

In discussion with Council Member Irving regarding an online checkbook, City Manager Patrick Ulrich explained this would be coming with the OneSolution installation.

**CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD****(12-212) 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 electrical outlets in the Council Chambers and his concern regarding the maintenance of District #150 school buildings.

**EXECUTIVE SESSION****(12-213) Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss; 2(c)(5) The purchase or lease of real property for the use of the public body; 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 Riggensbach moved to enter into Executive Session to discuss; 2(c)(5) The purchase or lease of real property for the use of the public body; 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 Weaver.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggensbach, Sandberg, Spears, Turner, Van Auken, Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

**ADJOURNMENT**

Council Member Turner moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Irving.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spears, Turner, Van Auken, Weaver, Chairman Pro Tem Spain - 10;

Nays: None.

The Joint City Council and Town Board Meeting adjourned at 9:11 P.M.

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