

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

Council Chambers, Peoria, Illinois, March 25, 2008, a Regular City Council Meeting was held this date at 6:15 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding.

ROLL CALL

Roll call showed the following Council Members were physically present: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10; Absent: Jacob – 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ardis requested a moment of silent prayer or silent reflection, and Boy Scout Troop #156 from St. Vincent DePaul Elementary School led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: PIMITEOUI STORYTELLING FESTIVAL DAY - April 5, 2008

PROCLAMATION: THE CENTER FOR PREVENTION OF ABUSE: SEXUAL ASSAULT AND CHILD ABUSE PREVENTION AWARENESS MONTH - April 2008

MINUTES

Council Member Nichting moved to approve the minutes of the Special City Council Meeting held on March 18, 2008, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,
Van Auken, Mayor Ardis – 10;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**UNFINISHED BUSINESS**

(08-012) PUBLIC HEARING Regarding the PROPOSED ANNEXATION of 1500 W. WILHELM ROAD (Parcel ID #09-29-326-002) Adjourned to this Date.

Council Member Nichting moved to adjourn the Public Hearing regarding the proposed annexation of 1500 W. Wilhelm Road (Parcel ID #09-29-326-002) to the April 22, 2008, Regular City Council Meeting at 6:15 P.M. at City Hall in the Council Chambers; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,
Van Auken, Mayor Ardis – 10;

Nays: None.

REGULAR BUSINESS

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

- (08-122) NOTICE of LAWSUIT on Behalf of TODD A. STRONG Regarding a Claim Pertaining to Property Located at 717 W. COLUMBIA TERRACE, which was DEMOLISHED.**
- (08-123) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of C&G CONCRETE, in the Amount of \$210,122.10, for SINR CONTRACT #33 for SIDEWALK REPLACEMENT on GEORGE STREET, HELEN STREET, and S.W. JEFFERSON STREET TRIANGLE and Miscellaneous Addresses as Outlined.**
- (08-124) Communication from the Interim City Manager and Director of Public Works Requesting Approval to PURCHASE SEVEN (7) PICKUP TRUCKS for ROUTINE FLEET REPLACEMENT, in the Amount of \$184,186.00, Through the State of Illinois Contract Bid Process as Outlined (Two (2) Ford F-250, in the Amount of \$42,588.00; One (1) Ford F-550 with Versalift Aerial Platform Lift, in the Amount of \$69,733.00 from Bob Riding, Inc.; Four (4) Ford F-150, in the Amount of \$71,865.00 from Morrow Brothers Ford.)**
- (08-125) Communication from the Interim City Manager and Fire Chief Requesting Approval of the LOW BID of SCBAS, INC., for the PURCHASE of a BREATHING AIR COMPRESSOR and FILL STATION, in the Amount of \$33,325.00.**
- (08-126) Communication from the Interim City Manager and Fire Chief Requesting Approval to PURCHASE TWO UTILITY VEHICLES and ONE CHIEF OFFICER EMERGENCY RESPONSE VEHICLE from LANDMARK FORD, INC., in the Amount of \$115,838.00 Through the State of Illinois Joint Purchasing Bid.**
- (08-127) Communication from the Interim City Manager and Fire Chief Requesting Approval of a SOLE-SOURCE PURCHASE of FIVE AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDs) from MEDTRONIC EMERGENCY RESPONSE SYSTEM, in the Amount of \$90,820.00.**
- (08-128) Communication from the Interim City Manager and Director of Information Systems Requesting Approval of a PURCHASE of SPECTRALOGIC TAPE BACKUP EQUIPMENT, in the Amount of \$17,670.64, from S.E.A. GROUP, INC.**
- (08-129) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the FINAL PAY ESTIMATE, in the Amount of \$9,899.05 (or 1.55% Over Contract) to ILLINOIS CIVIL CONTRACTORS, INC., for the ALLEYS Between INSTITUTE PLACE and GLENWOOD AVENUE IMPROVEMENT PROJECT.**
- (08-130) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a NEW FACADE IMPROVEMENT PROGRAM for the Area Bordered by MacARTHUR to the North, WESTERN AVENUE to the South, Then West and East from JEFFERSON STREET to WASHINGTON STREET, to be Called The SOUTHERN GATEWAY FACADE IMPROVEMENT PROGRAM.**

- (08-131)
* Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a FACADE IMPROVEMENT PROGRAM for UFS FACADE INVESTMENT Totaling \$140,000.00 (\$20,000 from City Facade Grant) as Stipulated by the SOUTHERN GATEWAY FACADE IMPROVEMENT PROGRAM.
- (08-132)
** Communication from the Interim City Manager and Corporation Counsel Requesting Authorization to RETAIN the Firm of ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER to Defend the City in Litigation Filed by BRIMSTONE STEAK, INC., AND BIG BAD WOLF, INC., at an Hourly Rate of \$200.00 Per Hour.
- (08-133)
*** Communication from the Interim City Manager and Director of Economic Development Requesting Approval to Enter into a TIF REDEVELOPMENT AGREEMENT with JWE PROPERTIES, INC., ENGLER, MEIER & JUSTUS, INC., d/b/a WESTMONT INTERIOR SUPPLY HOUSE for a Project Located in the EAGLE VIEW TIF DISTRICT, and Requesting Authorization for the Interim City Manager to Execute the Necessary Documents.
- (08-134) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of ORDINANCE NO. 16,253 RESERVING 2008 PRIVATE ACTIVITY BOND VOLUME CAP.
- (08-135) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,254 Amending Ordinance No. 13,932 a SPECIAL USE for a SHOPPING CENTER in a Class C-2 (Large Scale Commercial) District for a HOTEL to EXCEED the 45-Foot BUILDING HEIGHT for Property Located at 7601 N. ORANGE PRAIRIE ROAD, with Conditions.
- (08-136)
**** Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of an ORDINANCE Granting a SPECIAL USE in a Class O-1 (Arterial Office) District Subject to the SHERIDAN ROAD CONTROLLED THOROUGHFARE OVERLAY DISTRICT REQUIREMENTS to Allow a BRANCH BANK for Property Located at 4518-4526 N. SHERIDAN ROAD, with Conditions.
- (08-137) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,255 Amending Ordinance No. 13,807, a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to ALLOW EXTERIOR PLANT SALES in the PARKING LOT Located at 8113-8115 N. KNOXVILLE AVENUE, with Conditions and with a Stipulation that Plant Sales at the Subject Property Only be in Operation During the Months of April to August 31.
- (08-138) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt ORDINANCE NO. 16,256 Amending APPENDIX C of the Code of the City of Peoria Relating to PORCHES and DEFINITIONS. (Refer to Item No. 07-659)

- (08-139) **Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the DATES for SCHEDULED EVENTS SPONSORED by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E) in RIVERFRONT FESTIVAL PARK, Subject to Their Filing the Necessary Permits and Approval as Required by the City Code, as Follows: Steamboat Festival on June 12 through 14, 2008, Taste of Peoria on August 13, 2008 (Rain Date of August 14, 2008), Labor Day Picnic on September 1, 2008, and Ribfest Cookoff on October 3 and 4, 2008.**
- (08-140) **Communication from the Interim City Manager and Equal Opportunity ***** Office Manager with Recommendation from the Fair Employment and Housing Commission to Receive and File a COMBINED REPORT for CALENDAR YEARS 2006 and 2007.**
- (08-141) **Communication from the Interim City Manager and Director of Planning and ***** Growth Management Regarding a REPORT BACK on the FINAL RESULTS * of the 2007 SPECIAL CENSUS and LOCAL UPDATE of CENSUS ADDRESSES (LUCA), with Request to Receive and File. (Refer to Item No. 07-079)**
- (08-142) **Communication from the Interim City Manager, Director of Information Systems, and Communications Manager with a REPORT BACK Regarding WEBSITE MAINTENANCE and CONTENT MANAGEMENT, with Request to Receive and File. (Refer to Item 08-067)**
- (08-143) **REPORT of the CITY TREASURER REGINALD A. WILLIS for the Month of JANUARY 2008, 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 Nos. 08-131 and 08-140 be removed from the Consent Agenda for further discussion.

Council Member Spears requested that Item No. 08-141 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 08-132 be removed from the Consent Agenda for further discussion.

Council Member Manning requested that Item No. 08-136 be removed from the Consent Agenda for further discussion.

Council Member Gulley requested that Item No. 08-133 be removed from the Consent Agenda for further discussion.

Council Member Nichting moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Van Auken.

Item Nos. 08-122 through 08-143 (excluding Item Nos. 08-131, 08-132, 08-133, 08-136, 08-140 and 08-141 which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-131)**
* **Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a FACADE IMPROVEMENT PROGRAM for UFS FACADE INVESTMENT Totaling \$140,000.00 (\$20,000 from City Facade Grant) as Stipulated by the SOUTHERN GATEWAY FACADE IMPROVEMENT PROGRAM.**

Council Member Turner commended the Administration and Development Specialist Rachel Parker for their efforts in this matter. He also thanked Council Member Van Auken for her support. He said the UFS Company decided to retain their location on the South side of Peoria and help to revitalize this area.

Council Member Turner moved to approve a Facade Improvement Program for UFS Facade Investment totaling \$140,000.00 (\$20,000 from City Facade Grant) as stipulated by the Southern Gateway Facade Improvement Program; seconded by Council Member Gulley.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-132)**
** **Communication from the Interim City Manager and Corporation Counsel Requesting Authorization to RETAIN the Firm of ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER to Defend the City in Litigation Filed by BRIMSTONE STEAK, INC., AND BIG BAD WOLF, INC., at an Hourly Rate of \$200.00 Per Hour.**

Council Member Sandberg said he would be abstaining from the discussion and voting due to a business relationship.

Council Member Nichting moved to authorize retaining the firm of Ancel, Glink, Diamond, Bush, Diciani & Krafthefer to defend the City in litigation filed by Brimstone Steak, Inc., and Big Bad Wolf, Inc., at an hourly rate of \$200.00 per hour; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;

Nays: None;

Abstentions: Sandberg - 1.

- (08-133)**
*** **Communication from the Interim City Manager and Director of Economic Development Requesting Approval to Enter into a TIF REDEVELOPMENT AGREEMENT with JWE PROPERTIES, INC., ENGLER, MEIER & JUSTUS, INC., d/b/a WESTMONT INTERIOR SUPPLY HOUSE for a Project Located in the EAGLE VIEW TIF DISTRICT, and Requesting Authorization for the Interim City Manager to Execute the Necessary Documents.**

Council Member Gulley said he would be abstaining from the discussion and voting due to ownership of property in the Eagle View TIF District.

Council Member Nichting moved to enter into a TIF Development Agreement with JWE Properties, Inc., Engler, Meier & Justus, Inc., d/b/a Westmont Interior Supply House for a project located in the Eagle View TIF District, and authorize the Interim City Manager to execute the necessary documents; seconded by Council Member Van Auken.

Motion to enter into a TIF Development Agreement with JWE Properties, Inc., Engler, Meier & Justus, Inc., d/b/a Westmont Interior Supply House for a project located in the Eagle View TIF District, and authorize the Interim City Manager to execute the necessary documents, was approved by roll call vote.

Yeas: Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;

Nays: None;

Abstentions: Gulley - 1.

- (08-136)** **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of an ORDINANCE Granting a SPECIAL USE in a Class O-1 (Arterial Office) District Subject to the SHERIDAN ROAD CONTROLLED THOROUGHFARE OVERLAY DISTRICT REQUIREMENTS to Allow a BRANCH BANK for Property Located at 4518-4526 N. SHERIDAN ROAD, with Conditions.**

Director of Planning and Growth Management Pat Lades distributed a replacement Ordinance to all members of the City Council.

Council Member Manning moved to defer this item until the April 8, 2008, Regular City Council Meeting; seconded by Council Member Van Auken.

Motion to defer this item until April 8, 2008, was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-140)** **Communication from the Interim City Manager and Equal Opportunity Office Manager with Recommendation from the Fair Employment and Housing Commission to Receive and File a COMBINED REPORT for CALENDAR YEARS 2006 and 2007.**

Council Member Turner expressed concern that the report did not include adequate information. He said he would like to know what progress had been made in this area. He requested that the next report provide this information, or he suggested that a supplemental report be provided.

Mayor Ardis said he had several discussions with community members who had expressed concerns regarding fair employment and housing issues. He said these citizens had also requested statistics relating to minority hiring compared with City goals. He said he discussed this with the Interim City Manager Henry Holling and he reported City Staff was in the process of compiling the information, and the information would be distributed to the City Council in the near future.

Council Member Turner moved to receive and file the Fair Employment and Housing Combined Report for the Calendar Years of 2006 and 2007; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-141)** **Communication from the Interim City Manager and Director of Planning and Growth Management Regarding a REPORT BACK on the FINAL RESULTS of the 2007 SPECIAL CENSUS and LOCAL UPDATE of CENSUS ADDRESSES (LUCA), with Request to Receive and File. (Refer to Item No. 07-079)**

*

Council Member Spears commended the Planning and Growth Department Staff for their efforts on this project, and he requested that the Staff provide further information regarding this issue.

Senior Urban Planner Leah Allison explained areas selected for the 2007 Special Census were located in the North and Northwest portions of the City. She said the Special Census began October 19, 2007, and concluded on December 5, 2007. She stated the results showed 6,055 persons and 2,618 housing units, which was growth of more than 3,000 people and 1,300 housing units. She stated for the next three years, the total projected revenue from this growth was estimated to be more than \$1 million to the City of Peoria. She thanked the Council for their support.

Director of Planning and Growth Management Pat Landes said she felt this was a positive sign from interested developers in the City, and she requested that Urban Planner Josh Naven provide an update regarding LUCA, which was important for the future of the community.

Urban Planner Josh Naven discussed the update to the Census Bureau's Master Address File for the City through the LUCA process. He said addresses were reviewed for accuracy and completeness and the updated list would be used to impact future revenue for the City, and would also be used by a wide range of stake holders in the community to secure grant funding for various services and marketing purposes. He said current review produced 1,957 address additions to the list, 3,292 address changes, and 557 boundary and/or street changes for the City.

Director Landes thanked the Council for their support regarding these projects.

Mayor Ardis commended Council Member Spears for his leadership in this matter and Director Landes for undertaking these projects. He said the net revenue generated for the City by the 2004 and 2007 Special Census was over \$4 million, with project costs in the amount of \$287,000.

Council Member Spears stressed the importance of counting every citizen in the 2010 census, and he moved to receive and file the report back on the final results of the 2007 Special Census and Local Update of Census Addressed (LUCA); seconded by Council Member Manning.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-144)** **Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS C-1 (Package Liquor) Liquor License for 3315 N. UNIVERSITY STREET, with Recommendation from the Liquor Commission to Approve.**

Corporation Counsel Randy Ray distributed a communication regarding suitability of a site for a liquor establishment to all members of the City Council.

Council Member Van Auken moved to grant Privilege of the Floor to Attorney Harlan Powell; seconded by Council Member Turner.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Attorney Harlan Powell.

Mr. Harlan Powell, Attorney representing Walmart at 3315 N. University Street, said his client anticipated installing a single aisle of packaged beer and wine only, which would not be refrigerated. He said most Walmart store's who held a liquor license had sales that equated to approximately 1% of their overall sales. He discussed extensive security measures that would be in place, if a liquor license was issued for this location, which included carding any customer who appeared to be under the age of 40 years. He said each employee over the age of 21 were required to take an extensive in-house training program and each employee was required to score 100% on the test prior to engaging in the sale of any alcoholic beverage. He said their security measures had proven to be effective in other Walmart stores. He said he did not feel the issue of the proposed Liquor License would pose any risk to public safety in the area.

In discussion with Council Member Sandberg regarding security officers and their duties, Mr. Powell stated the Private Security Officers did not have arrest abilities, but the Private Security Officers had the right to detain a person until the Peoria Police Department was notified and one of their Officers appeared on the scene. He added Walmart, located at 3315 N. University, had received no reports from the Police Department regarding illegal activity in the past 18 months.

Council Member Sandberg said he had a constituent who had witnessed a fight in the parking lot during the past weekend.

Mr. Powell said, if the store had been aware of the incident, there would have been protocols that would have been taken to abate the situation.

Council Member Van Auken expressed concern that the applicant had not contacted her prior to this meeting. She said there had been four other applications for liquor licenses in the past couple of years in this area and she said the surrounding residential and commercial neighborhoods were not in favor of another liquor establishment in the area. She said she also discussed potential sites with the Police Chief or the Police Liquor Investigator. She stated, in this case, she could have arranged a meeting with neighbors or at least provided a sense of how the surrounding community felt about this situation. She said she opposed the proposed site for a liquor establishment, due to the opposition of the residential and commercial neighbors in the area. She further discussed reports that there were problems late at night in the Walmart parking lot on a regular basis. She also recommended that the Liquor Commission hold some of their meetings later in the day to accommodate those citizens who were unable to attend during daytime hours due to work schedules.

Council Member Van Auken moved to DENY the Application for a Class C-1 (Package Liquor) Liquor License for 3315 N. University Street; seconded by Council Member Sandberg.

Council Member Turner said he had not received any calls from neighborhood residents or commercial establishments who were opposed to Walmart's request. He said the other applicants for liquor licenses were located on the other side of University Street and were located in close proximity to residential neighborhoods, and he said he was concerned the effect liquor stores would have on those neighborhoods. He said Walmart was located in a commercial area and there were no residential neighborhoods in the immediate vicinity. He requested that the Council provide a fair opportunity for Walmart to be competitive.

Mayor Ardis said he received a number of calls from business owners and residents who expressed concern about additional liquor sales in the area. He said he would support the District Council Member on this issue, due to the neighborhoods' opposition.

Motion to DENY the Application for a Class C-1 (Package Liquor) Liquor License for 3315 N. University Street was approved by roll call vote.

Yeas: Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Van Auken,
Mayor Ardis – 8;

Nays: Gulley, Turner - 2.

Council Member Sandberg left the Council Chambers.

(08-145) Communication from the Interim City Manager and Corporation Counsel Requesting Council Action on the APPLICATION for a CLASS B (Restaurant, Full-Service Bar) Liquor License, with a Subclass 1A (2:00 A.M. Closing) and Subclass 2 (Live Entertainment), for 7807 N. UNIVERSITY STREET, with Recommendation from the Liquor Commission to DENY.

Corporation Counsel Randy Ray distributed a communication regarding suitability of a site for a liquor establishment and a communication regarding the issue of Ordinance No. 15,518, and how it related to this matter, to all members of the City Council.

Council Member Turner moved to DENY the Application for a Class B (Restaurant, Full-Service Bar) Liquor License, with a Subclass 1A (2:00 A.M. Closing) and Subclass 2 (Live Entertainment), for 7807 N. University Street; seconded by Council Member Montelongo.

Motion to DENY was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Spain, Spears, Turner, Van Auken,
Mayor Ardis – 9;

Nays: None.

Council Member Sandberg returned to the Council Chambers.

(08-146) Communication from the Interim City Manager and Communications Manager Requesting Approval of CONVERSE MARKETING to PERFORM DESIGN SERVICES for a LOGO and REBRANDING for the CITY OF PEORIA.

Interim City Manager Henry Holling explained that development of the 2008 City of Peoria Budget included funds for design of a new corporate identity or logo. He stated it was felt the Indian Head Logo, adopted in 1975, had served the community well but needed to be refreshed, updated, and revitalized in order to reflect the progressiveness, growth, energy, diversity, and vision of a modern urban community. He added the Peoria of 2008 was much different than the Peoria of 1975. He said those in the private sector recognized that an ounce of image is worth a pound of performance and many locally based firms had redesigned their logos two or even three times in the past 30 years. He said the City of Peoria Corporation could not project and effectively communicate the dynamic and changing dimensions of our progress using decades old tools. He said the Marketing Committee established to select a firm to redesign the city's logo consisted of people both within and outside the City's employment. He said the committee followed due process in reviewing proposals and careful due diligence in recommending the firm of Converse Marketing.

Interim City Manager Holling said he was informed that the Indian Head logo expense in 1975 was \$30,000, which equated to \$118,000 in today's dollars. He said the process to be

implemented by the recommended firm would use broad citizen involvement, focus groups, and interviews, and Converse Marketing had pledged to generate multiple designs for the Council's review, input and discussion until a final version was accepted.

Interim City Manager Holling said once the logo design had been selected, implementation would occur in the 2009 Budget.

Council Member Spain moved to approve Converse Marketing to perform design service for a logo and rebranding for the City of Peoria; seconded by Council Member Nichting.

Council Member Turner said he would support the motion, but he expressed concern regarding further costs involved with replacing the logo design on everything involving the City.

Following several comments of support by Council Members, Mayor Ardis granted Privilege of the Floor to those who wished to address this issue.

Mr. Sevino Sierra, a Peoria resident, spoke in opposition to redesigning the City's logo due to the costs. He said there were better uses for the money. He spoke in support of retaining the present Indian Head logo.

Mr. Jason Sires, representing Converse Marketing, thanked the Council for the ability to be involved with the process of redesigning the City's logo. He said he looked forward to working with the City.

Motion to approve Converse Marketing to perform design service for a logo and rebranding for the City of Peoria was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,
Van Auken, Mayor Ardis – 10;

Nays: None.

**(08-147) Communication from the Interim City Manager and Corporation Counsel
Requesting Adoption of an ORDINANCE Amending CHAPTER 27 of the
Code of the City of Peoria Pertaining to the HOTEL TAX.**

Council Member Sandberg moved to adopt the Ordinance amending Chapter 27 of the Code of the City of Peoria pertaining to the Hotel Tax; seconded by Council Member Manning.

Council Member Spain said the proposed Ordinance was a tax increase, which was uniquely targeted to non-citizens of Peoria that came to Peoria for special events. He proposed clarifying language that would highlight the intent of the Ordinance. He suggested a friendly amendment to the proposed Ordinance to amend language in the second "Whereas" in the fourth line to change the wording to "...therefore, benefit communities in the greater Peoria area that adopt similar tourism funding strategies;". He explained this would be a regional participation.

Council Member Sandberg agreed to the friendly amendment, and Council Member Manning, the seconder, also agreed.

Council Member Nichting said the Convention and Visitors Bureau was not a marketing effort of the City of Peoria alone. He expressed concern that the City would be raising taxes on those who came to Peoria, which would affect the marketing of Peoria to other communities. He said he felt other communities should share funding of the Convention and Visitors Bureau equally. He stated he felt the funds generated by the proposed Ordinance should be clearly ear-marked for the marketing of the City of Peoria only.

Mayor Ardis commended the efforts of Convention and Visitors Bureau President Brent Lonteen in bringing these other communities to the negotiating table. He said other communities were looking to the City of Peoria for their leadership in these matters. He said he was encouraged with the dialogue that had been occurring.

Motion to adopt ORDINANCE NO. 16,257 amending Chapter 27 of the Code of the City of Peoria pertaining to the Hotel Tax, as amended, in the second "Whereas" in the fourth line to change the wording to "...therefore, benefit communities in the greater Peoria area that adopt similar tourism funding strategies;" was approved by roll call vote.

Yeas: Gulley, Manning, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;
Nays: Montelongo, Nichting - 2.

UNFINISHED BUSINESS

(08-056) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of a RESOLUTION Amending Resolution No. 07-677 Pertaining to PARKING RATES at CITY-OWNED PARKING FACILITIES, Effective April 1, 2008.

Council Member Turner moved to Table this item; seconded by Council Member Manning.

Motion to Table this item was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Spain, Spears, Turner, Van Auken, Mayor Ardis – 9;
Nays: Sandberg - 1.

(08-057) Communication from the Interim City Manager and Director of Public Works Requesting Adoption of an ORDINANCE to VACATE GLEN ELM DRIVE (Manor Care Health Services), Lying Adjacent to Lots 1 and 2 in MARY JO-ALYCE MANOR RESUBDIVISION.

Council Member Manning moved to defer this item until the April 8, 2008, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until April 8, 2008, was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

(08-067) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2008 Relating to PARKING REVENUE INCREASE in the Amount of \$35,000.00 and WEB MAINTENANCE AGREEMENT EXPENDITURE, in the Amount of \$24,000.00.

Council Member Turner moved to Table this item; seconded by Council Member Manning.

Motion to Table this item was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;
Nays: None.

- (08-088) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation to SEND an AMENDED REQUEST from the CENTRAL ILLINOIS LANDMARKS FOUNDATION (CILF) Regarding DEMOLITION APPROVAL for CERTAIN PROPERTIES to the HISTORIC PRESERVATION COMMISSION for Review and Recommendation.**

Council Member Sandberg said, since this item was deferred the last time, City Staff had met with the Central Illinois Landmarks Association and had a better understanding of the issues this Association wanted the Historic Preservation to review in its entirety prior to a recommendation coming back to the City Council. He stated it was agreed to send this request back to the Historic Preservation Commission to tailor a recommendation regarding Central Illinois Landmarks Foundation's request.

Council Member Sandberg moved to remand this item back to the Administration for further consideration; seconded by Council Member Manning.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10;

Nays: None.

- (08-091) Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 3 of the Code of the City of Peoria Relating to the RETAIL SALE of ALCOHOLIC BEVERAGES Increasing the Amount of Surety Bonds and Other Amendments, with Supplemental Communication. (New Ordinance)**

Council Member Turner moved to adopt the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to the Retail Sale of Alcoholic Beverages increasing the amount of Surety Bonds and other amendments, and receive and file the supplement communication; seconded by Council Member Manning.

Council Member Sandberg said the current definition of the term "restaurant" was consistent with the State Statutes, but if the motion before the Council passed, there would be an inconsistent definition between the State Statute and the City of Peoria. He said he could not support the motion because of the micro-managing of the definition of the term "restaurant." He expressed concern regarding the requirement for an oven or other types of specific equipment to define a restaurant.

Council Member Turner explained the definition was needed to resolve some issues with the B-1 (restaurant) licenses, and he urged the Council to support the motion.

Mayor Ardis suggested changing the term "oven" to "commercial heating device" to address these concerns.

Council Member Gulley expressed concern these changes would deter small business development. He spoke in opposition to the increase of the bond amount from \$1,000 to \$10,000 and associated requirements.

Motion to adopt ORDINANCE NO. 16,258 amending Chapter 3 of the Code of the City of Peoria relating to the Retail Sale of Alcoholic Beverages increasing the amount of Surety Bonds and other amendments, and receive and file the supplement communication, was approved by roll call vote.

Yeas: Manning, Montelongo, Nichting, Spain, Turner, Mayor Ardis – 6;

Nays: Sandberg, Spears, Van Auken - 3.

Clerk's Note: Council Member Gulley did not vote.

NEW BUSINESS

ANNOUNCEMENT Regarding ICAT CONFERENCE

Council Member Van Auken said she and Council Member Turner would be attending a conference on April 1, 2008, at 9 :00 A.M. at the Par-A-Dice in East Peoria for the ICAT Conference to discuss transportation, paving, and asphalt. She said anyone wishing to attend could contact the Civil Engineering Department at Bradley University.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(08-148) Request for CITIZENS to ADDRESS the CITY COUNCIL Regarding VARIOUS ISSUES.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council.

Mr. David Henderson, a Peoria resident, spoke against smoking and drinking, discussed pot holes in the City, the City's logo, and the need for a museum.

Ms. LeVetta Ricca, President of the Olde Town South Neighborhood Association, said she felt that the South side of Peoria was omitted when the Council and Administration discussed plans for the City. She said she felt everyone needed to adjust their attitudes toward the South side of Peoria and the adjustment needed to begin with the Council.

John Bateman, Boy Scout representing Scout Troop #156 from St. Vincent DePaul Elementary School, said they were attending the Council Meeting to earn their merit badge for Citizenship in the Community. He referred to the discussion regarding the logo, the various points of view, and what it meant to be part of a community, and he said this was what the Scout Troop was supposed to learn while earning their merit badge.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

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

Approved by viva voce vote.

The City Council Meeting adjourned at 8:32 P. M.

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