

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

Council Chambers, Peoria, Illinois, May 13, 2008, a Regular City Council Meeting was held this date at 6:18 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: Gulley (arrived at 6:20 P.M.), Jacob, Manning, Montelongo, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 10; Absent: Nichting - 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection and he requested that the Family of Ray Johnson, a neighborhood advocate and leader, be remembered due to his recent passing. Mayor Ardis and members of Boy Scout Troop #88 from Dunlap led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** TERRY DOYLE AUTOMOTIVE SERVICE & PARTS: TERRY DOYLE

**PROCLAMATION:** JEWISH FEDERATION OF PEORIA: THE 60th ANNIVERSARY OF THE STATE OF ISRAEL

**PROCLAMATION:** MENTAL HEALTH ASSOCIATION OF ILLINOIS VALLEY, INC.: SAY IT OUT LOUD CAMPAIGN

**PROCLAMATION:** ALPHA KAPPA ALPHA SORORITY: ALPHA KAPPA ALPHA WEEK - MAY 11-17, 2008

**PROCLAMATION:** AMERICAN LEGION AND AMERICAN LEGION AUXILIARY: POPPY DAYS - MAY 15-17, 2008

**PROCLAMATION:** PEORIA MEMORIAL ASSOCIATION OF PEORIA: MEMORIAL DAYS - MAY 20-26, 2008

**PROCLAMATION:** SPRINGDALE CEMETERY: SOLDIER HILL REDEDICATION DAY - MAY 25, 2008

**MINUTES**

Council Member Jacob moved to approve the minutes of the Annual Town Meeting and Annual Meeting of the Board of Town Trustees held on April 8, 2008, and the Joint City Council & Town Board meeting and Executive Sessions held on April 22, 2008, as printed, with a correction to the April 22<sup>nd</sup> minutes on page 28492 under Mayor's Welcome to change the name of Park Board Trustee Robert Thompson to Robert Johnson; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****(08-196) PUBLIC HEARING Regarding the PROPOSED ANNEXATION of 6627 SOUTHPORT ROAD.**

Council Member Turner moved to open the Public Hearing regarding the proposed annexation of 6627 Southport Road; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

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

Following the third call by Mayor Ardis for citizens to address the City Council, Council Member Turner moved to adjourn the Public Hearing regarding the proposed annexation of 6627 Southport Road until the June 10, 2008, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to adjourn this item until June 10, 2008, was approved by roll call vote.

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

Nays: None.

**(08-197) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting to Concur with the Unanimous Recommendation from the Planning Commission and Staff to DENY a RESOLUTION Approving the FIRST AMENDMENT to the ANNEXATION AGREEMENT for the SMART PROPERTY, a Residential Development Located West of Koerner Road, North of Illinois Route 8 (Southport Road) and South of Interstate 74 with a Previous Address of 6627 SOUTHPORT ROAD, Identified as Parcel Numbers 13-22-300-006, 13-22-300-007, and 13-22-300-008, all Located Within One and One-Half Miles of the City of Peoria.**

Council Member Turner moved to defer this item until the June 10, 2008, Regular City Council Meeting; seconded by Council Member Montelongo.

Motion to defer this item until June 10, 2008, was approved by roll call vote.

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

Nays: None.

**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:****(08-198) NOTICE of LAWSUIT Filed on Behalf of CHARLENE MADLOCK, as Administrator of the Estate of JAMES LEE, Deceased and JESSICA FLOWERS, Regarding an Incident on April 26, 2007, with Recommendation to Receive and File and Refer to the Legal Department.**

- (08-199) NOTICE of LAWSUIT Filed on Behalf of KEVIN SIMMERS Regarding Injuries Received from an Accident with a City Vehicle on August 7, 2007, with Recommendation to Receive and File and Refer to the Legal Department.
- (08-200) Communication from the Interim City Manager, Chief of Police, and Information Systems Director Requesting Approval to PURCHASE HP PERSONAL COMPUTERS from CDW-G, in the Amount of \$91,436.88, and LAPTOPS from DELL MARKETING, L.P., in the Amount of \$53,649.00 as Part of the Annual Information Technology Refreshment Plan.
- (08-201) Communication from the Interim City Manager and Chief of Police Requesting Approval for the PURCHASE of PANASONIC RUGGED LAPTOP COMPUTERS and RELATED HARDWARE from CDS TECHNOLOGIES, in the Amount of \$373,192.00 for Use in marked Police Squad Cars, as Part of an Ongoing Replacement Process.
- (08-202) Communication from the Interim City Manager and Chief of Police Requesting Approval for the PURCHASE of ELECTRONIC SURVEILLANCE EQUIPMENT and SOFTWARE for the Peoria Police Department Special Investigations Unit, Vice & Narcotics from JAMES MILLER & ASSOCIATES, in the Amount of \$19,315.50.
- (08-203) Communication from the Interim City Manager and Chief of Police Requesting Approval of the PURCHASE of ONE New 2008 FLHTP ELECTRA GLIDE MOTORCYCLE from REIMAN'S HARLEY-DAVIDSON, in the Amount of \$16,391.95.
- (08-204) Communication from the Interim City Manager and Chief of Police Requesting Approval for the PURCHASE of ONE CHEVROLET IMPALA through the State of Illinois Contract Bid Process from JACOBS CHEVROLET, in the Amount of \$19,450.00.
- (08-205) Communication from the Interim City Manager and Director of Public Works Requesting Approval for the PURCHASE of MOWING EQUIPMENT from the Low Bidder on the State Contract, FLIGINGER'S EQUIPMENT, INC., in the Total Amount of \$12,899.00.
- (08-206)  
\* Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of MARK RITE EQUIPMENT CO, in the Amount of \$366,125.00, Less Trade-In Value of \$12,500.00, for a Total Not-to-Exceed Cost of \$353,625.00 for the PURCHASE of a 2008 GMC T-8500 TRUCK with a Mounted Thermoplastic Pavement Marking Apparatus for Fleet Capitalization.

- (08-207) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of AMERICAN ASPHALT SURFACE RECYCLING, in the Total Amount of \$52,080.98, and Award a CONTRACT for the 2008 HEATER SCARIFICATION PROGRAM, and Requesting Authorization for the Interim City Manager to Enter Into an INTERGOVERNMENTAL AGREEMENT with the City of Marquette Heights to Partner in the Unit Prices of the Contract.
- (08-208) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of J.C. DILLON, INC., for the ANNUAL PLUMBING MAINTENANCE CONTRACT for a TWO-YEAR PERIOD from JUNE 1, 2008, through MAY 31, 2010, with an Estimated Annual Cost of \$52,000.00.
- (08-209) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a CONTRACT with TAZEWEILL COUNTY ASPHALT, INC. for the 2008 Bituminous PARKING LOT REPAIRS for the Base Bid Amount of \$74,933.00, and Approval of a CONTRACT with ILLINOIS CIVIL CONTRACTORS, INC., for the 2008 CONCRETE REPAIRS, for the Base Bid Amount of \$22,458.00.
- (08-210) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a ONE-YEAR CONTRACT EXTENSION for the MAINTENANCE of FIRE SPRINKLERS with PREVENTION FIRE PROTECTION for an Annual Cost of \$6,000.00. (Extends 05-395 to July 2009)
- (08-211) Communication from the Interim City Manager and Director of Public Works Requesting Approval of the JOINT AGREEMENT with IDOT for TRAFFIC SIGNAL WORK to Ground Existing Traffic Signal Installations at Various Intersections on IL 29, IL 40 and US 24, and Approval of the EXPENDITURE of up to \$5,000.00 for the City's Portion of the Project.
- (08-212)  
\*\* Communication from the Interim City Manager and Director of Public Works Requesting Approval to Enter Into a LEASE AGREEMENT with R & R SERVICES OF ILLINOIS, INC., for a Period of ONE YEAR, Beginning May 15, 2008, for a Section of Property Located at 2201 S. DARST STREET, and Requesting Authorization for the Interim City Manager to Execute the Agreement.
- (08-213)  
\*\*\* Communication from Corporation Counsel Requesting Approval of the LEASE AGREEMENT with CATERPILLAR, INC. for EMPLOYEE PARKING on the MUSEUM BLOCK During Reconstruction of Their Parking Deck, and Requesting Authorization for the Mayor to Execute the Agreement.
- (08-214) Communication from the Interim City Manager and Interim Human Resources Director Requesting Authorization for the Interim City Manager to Enter Into a LEASE AGREEMENT for OFFICE SPACE at TWIN TOWERS, SUITE 400.

- (08-215)  
\*\*\*\*  
Communication from the Interim City Manager and Interim Human Resources Director Requesting Authorization for the Interim City Manager to Enter Into an AGREEMENT for LOSS CONTROL SERVICES with BICKMORE RISK SERVICES, at a Cost Not to Exceed \$75,000.00 for the First Year, with Two ONE-YEAR Renewal Options at the City's Request.
- (08-216)  
\*\*\*\*\*  
Communication from the Interim City Manager and Interim Human Resources Director Requesting Authorization to RENEW Existing LIABILITY COVERAGES and AUTO PHYSICAL DAMAGE COVERAGE with TRAVELERS INSURANCE and GREAT AMERICAN Through MESIROW FINANCIAL at an Annual Cost of \$198,728.00, with Two ONE-YEAR OPTIONS to Renew, and to INCREASE the UMBRELLA to Obtain an Additional \$4 Million in Coverage, in the Amount of \$29,221.00.
- (08-217)  
Communication from the Interim City Manager and Director of Public Works Requesting to Concur with Staff Recommendations to (A) REPROGRAM FUNDS for the AIKEN AVENUE IMPROVEMENT PROJECT to a Proposed Lincoln Avenue Sidewalk Improvement Project; (B) RECONSIDER a REVISED SCOPE for the AIKEN AVENUE PROJECT During the 2009 CIP Process; (C) REVISE the SCOPE of the GRISWOLD STREET PROJECT and REPROGRAM the Remainder of those CDBG FUNDS for the Proposed LARAMIE STREET SIDEWALK IMPROVEMENT PROJECT.
- (08-218)  
Communication from the Interim City Manager and Director of Planning and Growth Management Requesting to Concur with the Recommendation from the Administration to Award the 2008 NEIGHBORHOOD NEWSLETTER GRANTS to the Following NEIGHBORHOOD ASSOCIATIONS: Altamont Park, Arbor District, Columbia Terrace North, Glen Oak Park, Hamilton Park, Hawley Hills, Heart of Peoria, Jackson Corners, Madison Manor, Moss Bradley, Olde Towne South, Parkview Addition, Parkview Association, Rolling Acres, Sheridan Neighbors, Sterling Oaks, Wardcliffe, Willow Knolls, in the Total Amount of \$3,906.00 in COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, and \$2,321.00 in CORPORATE FUNDS.
- (08-219)  
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Communication from the Interim City Manager and Director of Public Works Requesting Approval of a RESOLUTION Accepting the Designation for the City of Peoria to be the LOCAL GOVERNMENT RECIPIENT of FUNDING for the ILLINOIS RIVER ROAD NATIONAL SCENIC BYWAY from the National Scenic Byways Program of the Federal Highway Administration.
- (08-220)  
Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Approval of RESOLUTION NO. 08-220 Authorizing TAXABLE EXPENSE ALLOWANCES as Earnings Reportable to Illinois Municipal Retirement Fund (IMRF).
- (08-221)  
Communication from the Interim City Manager and Director of Public Works Requesting Adoption of ORDINANCE NO. 16,268 Providing for the IMPROVEMENT of the KNOLLS SUBDIVISION ORNAMENTAL STREET LIGHTING IMPROVEMENT PROJECT.

- (08-222) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,269 Amending the City of Peoria Budget for Fiscal Year 2008 Relating to the PURCHASE of ONE REPLACEMENT VEHICLE, in the Amount of \$19,450.00 from Capital Fund Balance.
- (08-223) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,270 Amending the City of Peoria Budget for Fiscal Year 2008 Relating to the HELP AMERICA VOTE ACT (HAVA) GRANT, in the Amount of \$115,888.00, Various POLICE GRANTS (IDOT TRAFFIC LAW ENFORCEMENT PROGRAM, TOBACCO ENFORCEMENT, DOMESTIC VIOLENCE MULTI-DISCIPLINARY TEAM, and ANTI-GANG INITIATIVE), in the Amount of \$159,509.00, and S.L.A.T.E., in the Amount of \$387,308.00.
- (08-224) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,271 Amending the City of Peoria Budget for Fiscal Year 2008 Relating to the Use of Restricted Donations for the PEORIA ANIMAL WELFARE SHELTER to Replace Floor Coverings, Install Sound Proofing in Public Areas, and Construct Shelter for Animals and People, in the Amount of \$40,000.00.
- (08-225) Communication from the Interim City Manager and Finance Director/ \*\*\*\*\*  
\*\* Comptroller Requesting Adoption of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2008 Relating to the ILLINOIS RIVER ROAD NATIONAL SCENIC BYWAY from the National Scenic Byways Program of the Federal Highway Administration, in the Amount of \$170,000.00.
- (08-226) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a STREET LIGHT REQUEST, in the Total Amount of \$97.56 Annually for the Location of 2009 NORTH WISCONSIN AVENUE.
- (08-227) Communication from the Interim City Manager and Corporation Counsel \*\*\*\*\*  
\*\*\* Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE for the AMERICAN DIABETES ASSOCIATION to be Held at 418 S.W. WATER on June 7, 2008.
- (08-228) Communication from the Interim City Manager and Corporation Counsel \*\*\*\*\*  
\*\*\*\* Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE for the AMERICAN DIABETES ASSOCIATION to be Held at 418 S.W. WATER on July 26, 2008.
- (08-229) Communication from the Interim City Manager and Corporation Counsel \*\*\*\*\*  
\*\*\*\*\* Requesting Approval of an APPLICATION for a CLASS B-1 (Restaurant, 25% Food Sales) and a SUBCLASS 1A (2:00 a.m. Closing), SUBCLASS 2 (Live Entertainment), SUBCLASS 3 (Beer Garden) LIQUOR LICENSE for 7719 N. UNIVERSITY, with a Recommendation from the Liquor Commission to APPROVE.

**(08-230) PEORIA PUBLIC LIBRARY FINANCIAL and STATISTICAL REPORT- MARCH 31, 2008.**

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. 08-213, 08-215, and 08-216 be removed from the Consent Agenda for further discussion.

Council Member Manning requested that Item No. 08-206 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 08-213 be removed from the Consent Agenda for further discussion.

Council Member Gulley requested that Item No. 08-212 be removed from the Consent Agenda for further discussion.

Council Member Montelongo requested that Item No. 08-229 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested that Item Nos. 08-227, 08-228, and 08-229 be removed from the Consent Agenda for further discussion.

Council Member Spain requested that Item Nos. 08-219 and 08-225 be removed from the Consent Agenda for further discussion.

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

Item Nos. 08-198 through 08-230 (excluding Item Nos. 08-206, 08-212, 08-213, 08-215, 08-216, 08-219, 08-225, 08-227, 08-228, and 08-229, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(08-206) \* Communication from the Interim City Manager and Director of Public Works Requesting Approval of the LOW BID of MARK RITE EQUIPMENT CO, in the Amount of \$366,125.00, Less Trade-In Value of \$12,500.00, for a Total Not-to-Exceed Cost of \$353,625.00 for the PURCHASE of a 2008 GMC T-8500 TRUCK with a Mounted Thermoplastic Pavement Marking Apparatus for Fleet Capitalization.**

Director of Public Works Dave Barber distributed a revised communication showing the Company's corrected EOO Certification number to all members of the City Council.

Council Member Manning moved to approve the low bid of Mark Rite Equipment Co., in the amount of \$366,125.00, less trade-in value of \$12,500.00, for a total not-to-exceed cost of \$353,625.00 for the purchase of a 2008 GMC T-8500 Truck with a mounted thermoplastic pavement marking apparatus for fleet capitalization; seconded by Council Member Van Auken.

Motion to approve the low bid of Mark Rite Equipment Co., in the amount of \$366,125.00, less trade-in value of \$12,500.00, for a total not-to-exceed cost of \$353,625.00 for the purchase of a 2008 GMC T-8500 Truck with a mounted thermoplastic pavement marking apparatus for fleet capitalization was approved by roll call vote.

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

Nays: None.

- (08-212)**      **Communication from the Interim City Manager and Director of Public Works Requesting Approval to Enter Into a LEASE AGREEMENT with R & R SERVICES OF ILLINOIS, INC., for a Period of ONE YEAR, Beginning May 15, 2008, for a Section of Property Located at 2201 S. DARST STREET, and Requesting Authorization for the Interim City Manager to Execute the Agreement.**  
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Council Member Gulley moved to approve entering into a Lease Agreement with R & R Services of Illinois, Inc., for a period of one year, beginning May 15, 2008, for a section of property located at 2201 S. Darst Street and authorizing the Interim City Manager to execute the agreement; seconded by Council Member Sandberg.

In discussion with Council Member Gulley regarding clarity on the location, Director of Public Works Dave Barber indicated the entry by City vehicles into the proposed site would take place off of Darst Street rather than Clark Street. He said his department would coordinate the gate being open at the appropriate times.

Following discussion with Director of Public Works Dave Barber and Director of Economic Development Craig Hullinger, Council Member Gulley thanked them for clarification. He said his concern regarded possibilities for future development.

Motion to approve entering into a Lease Agreement with R & R Services of Illinois, Inc., for a period of one year, beginning May 15, 2008, for a section of property located at 2201 S. Darst Street and authorizing the Interim City Manager to execute the agreement was approved by roll call vote.

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

Nays: None.

- (08-213)**      **Communication from Corporation Counsel Requesting Approval of the LEASE AGREEMENT with CATERPILLAR INC. for EMPLOYEE PARKING on the MUSEUM BLOCK During Reconstruction of Their Parking Deck, and Requesting Authorization for the Mayor to Execute the Agreement.**  
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Corporation Counsel Randy Ray distributed attachment Exhibits A, B and C, and Pages 2, 3, and 4 of the Lease Agreement with Caterpillar Inc. to all members of the City Council.

Council Member Sandberg said he suggested in Executive Session that the City should be looking at this venture more like a business entity. He said the proposed length of the agreement went from a five month period to a seven month period and the amount of investment the lessee would be making was a wash with rent that should be charged in the



market place for the five month period. He expressed concern regarding an extension of the agreement to seven months and that the change was distributed to the Council just prior to this meeting. He said he would not be supporting an extension of the agreement because he felt the City should begin treating their assets with a business sense.

In discussion with Council Member Van Auken regarding the proposed extension of time in the lease agreement, Mr. Mark Johnson, representing Caterpillar Inc. explained the contractors had begun to work on the deck after 45 years of patching. He said the contractors would be conducting a major over haul of the deck and he felt the job would be completed by the end of 2008. He said he expected that the length of time was extended to provide some additional time if the completion took longer than expected.

Council Member Turner stated he would be abstaining from the vote due to his employment with Caterpillar, Inc.

Council Member Van Auken moved to approve the lease agreement with Caterpillar Inc. for Employee Parking on the Museum Block during reconstruction of their parking deck, and authorize the Mayor to execute the agreement; seconded by Council Member Manning.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Spain, Spears, Van Auken, Mayor Ardis – 8;

Nays: Sandberg - 1;

Abstentions: Turner - 1.

**(08-215)**      **Communication from the Interim City Manager and Interim Human  
\*\*\*\* Resources Director Requesting Authorization for the Interim City Manager  
to Enter Into an AGREEMENT for LOSS CONTROL SERVICES with  
BICKMORE RISK SERVICES, at a Cost Not to Exceed \$75,000.00 for the  
First Year, with Two ONE-YEAR Renewal Options at the City's Request.**

Council Member Turner moved to defer this item until the May 27, 2008, Regular City Council Meeting; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

**(08-216)**      **Communication from the Interim City Manager and Interim Human  
\*\*\*\*\* Resources Director Requesting Authorization to RENEW Existing  
LIABILITY COVERAGES and AUTO PHYSICAL DAMAGE COVERAGE with  
TRAVELERS INSURANCE and GREAT AMERICAN Through MESIROW  
FINANCIAL at an Annual Cost of \$198,728.00, with Two ONE-YEAR  
OPTIONS to Renew, and to INCREASE the UMBRELLA to Obtain an  
Additional \$4 Million in Coverage, in the Amount of \$29,221.00.**

Council Member Turner said there were issues regarding savings that the City could benefit from and he requested more information regarding these savings.

Interim Human Resources Director Kimberly King said the City had realized approximately \$70,000 in savings with the new premium with the current agreement. She stated the

Administration would like the Council to consider increasing some of the coverages under the existing liability insurance while the savings were available to us. She said it was not clear if the options were clear to the Council.

Mayor Ardis said the additional on the umbrella coverage for \$30,000 seemed like a reasonable amount.

Interim Human Resources Director King agreed she felt the increase in the umbrella was the area that was most critical and she recommended approval of the option.

Council Member Turner moved to authorize the Interim City Manager to renew existing liability coverages and auto physical damage coverage with Travelers Insurance and Great American through Mesirow Financial at an annual cost of \$198,728.00 with two one-year options to renew and to increase the umbrella to obtain the additional \$4 million in coverage, in the amount of \$29,221.00; seconded by Council Member Montelongo.

Approved by roll call vote.

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

Nays: None.

**(08-219)**      **Communication from the Interim City Manager and Director of Public**  
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\*                **Works Requesting Approval of a RESOLUTION Accepting the**  
                  **Designation for the City of Peoria to be the LOCAL GOVERNMENT**  
                  **RECIPIENT of FUNDING for the ILLINOIS RIVER ROAD NATIONAL SCENIC**  
                  **BYWAY from the National Scenic Byways Program of the Federal Highway**  
                  **Administration.**

Council Member Spain said he would be abstaining from the vote due to his employer being involved with this project.

Council Member Manning moved to approve a Resolution accepting the Designation for the City of Peoria to be the Local Government Recipient of Funding for the Illinois River Road National Scenic Byway from the National Scenic Byways Program of the Federal Highway Administration; seconded by Council Member Van Auken.

RESOLUTION NO. 08-219 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Sandberg, Spears, Turner, Van Auken,  
Mayor Ardis – 9;

Nays: None;

Abstentions: Spain - 1.

**(08-225)**      **Communication from the Interim City Manager and Finance Director/**  
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\*\*                **Comptroller Requesting Adoption of an ORDINANCE Amending the**  
                  **City of Peoria Budget for Fiscal Year 2008 Relating to the ILLINOIS RIVER**  
                  **ROAD NATIONAL SCENIC BYWAY from the National Scenic Byways**  
                  **Program of the Federal Highway Administration, in the Amount of**  
                  **\$170,000.00.**

Council Member Spain said he would be abstaining due to his employer being involved with this project.

Council Member Manning moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2008 Relating to the Illinois River Road National Scenic Byway from the National Scenic Byways Program of the Federal Highway; seconded by Council Member Van Auken.

ORDINANCE NO. 16,272 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Sandberg, Spears, Turner, Van Auken,  
Mayor Ardis – 9;

Nays: None;

Abstentions: Spain - 1.

**(08-227) Communication from the Interim City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of an APPLICATION for a CLASS H (Temporary  
\*\*\* Outdoor) LIQUOR LICENSE for the AMERICAN DIABETES ASSOCIATION to  
be Held at 418 S.W. WATER on June 7, 2008.**

Council Member Jacob said he would be abstaining from voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Manning moved to approve an application for a Class H (Temporary Outdoor) Liquor License for the American Diabetes Association to be held at 418 S.W. Water on June 7, 2008; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

**(08-228) Communication from the Interim City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of an APPLICATION for a CLASS H (Temporary  
\*\*\*\* Outdoor) LIQUOR LICENSE for the AMERICAN DIABETES ASSOCIATION to  
be Held at 418 S.W. WATER on July 26, 2008.**

Council Member Jacob said he would be abstaining from voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Manning moved to approve an application for a Class H (Temporary Outdoor) Liquor License for the American Diabetes Association to be held at 418 S.W. Water on July 26, 2008; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None;

Abstentions: Jacob – 1.

- (08-229)**      **Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an APPLICATION for a CLASS B-1 (Restaurant, 25% Food Sales) and a SUBCLASS 1A (2:00 a.m. Closing), SUBCLASS 2 (Live Entertainment), SUBCLASS 3 (Beer Garden) LIQUOR LICENSE for 7719 N. UNIVERSITY, with a Recommendation from the Liquor Commission to APPROVE.**
- \*\*\*\*\*
- \*\*\*\*\*

Council Member Jacob said he would be abstaining from voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Sandberg said he would be abstaining due to a professional relationship with the Petitioner.

Council Member Montelongo moved to defer this item until the May 27, 2008, Regular City Council Meeting; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;

Nays: None;

Abstentions: Jacob, Sandberg – 2.

- (08-231)**      **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of an ORDINANCE CREATING the GLEN OAK SCHOOL NEIGHBORHOOD IMPACT ZONE and a REVISED TIMELINE for ZONE IMPLEMENTATION.**

Council Member Jacob moved to adopt an Ordinance creating the Glen Oak School Neighborhood Impact Zone and a Revised Timeline for Zone Implementation; seconded by Council Member Manning.

Council Member Jacob commended the efforts of City Staff in the Police and Fire Departments, Planning and Growth Management, Code Enforcement, and Public Works for a starting point and a plan to impact the area. He said this would be a concept that could be taken to additional school sites. He added this was just the beginning of the process and neighborhood involvement was needed, and he said the process needed to engage faith-based organizations as well as businesses, neighborhood organizations and residents. He stated he appreciated the Committee's effort and the support of the Mayor and other Council Members.

Council Member Manning said this concept answered the pleas from neighborhood organizations for the City's assistance with neighborhoods and City schools. He added this was a coordination of existing City resources and services, but was also a commitment to revitalize the older neighborhoods and to support the significant investment of public tax dollars that would be committed to schools.

In discussion with Council Member Gulley regarding funding, Director of Planning and Growth Management Pat Landes confirmed the proposed Ordinance was not approving any funding.

Motion to adopt ORDINANCE NO. 16,273 creating the Glen Oak School Neighborhood Impact Zone and a Revised Timeline for Zone Implementation was approved by roll call vote.

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

Nays: None.

**(08-232) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting to Concur with the Recommendation from the Administration to MODIFY VARIOUS NEIGHBORHOOD PROGRAMS in the GLEN OAK SCHOOL NEIGHBORHOOD IMPACT ZONE, as Outlined.**

Council Member Manning moved to concur with the recommendation from the Administration to modify various neighborhood programs in the Glen Oak School Neighborhood Impact Zone, as outlined; seconded by Council Member Van Auken.

In discussion with Council Member Gulley, Director of Planning and Growth Management Pat Landes confirmed this request was in response to the March 3, 2008, City Council Policy Session on HOME Funds. She said the Council directed her department to prioritize unallocated HOME Funds and this represented a program that would be available in the focus area only. She said they planned to rehab nine to eleven homes and she confirmed this would not impact any funding for the Southern Gateway.

Motion to concur with the recommendation from the Administration to modify various neighborhood programs in the Glen Oak School Neighborhood Impact Zone, as outlined, was approved by roll call vote.

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

Nays: None.

**UNFINISHED BUSINESS**

**(08-014) Request to Approve a MOTION to REMOVE FROM THE TABLE and PLACE ON THE MAY 27, 2008, CITY COUNCIL AGENDA, a Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission and Staff to Approve a RESOLUTION Approving the PRELIMINARY PLAT of KNOXVILLE CROSSING SUBDIVISION, Located at the SOUTHWEST CORNER of WILHELM ROAD and IL ROUTE 40, Identified as Parcel ID Nos. 09-29-352-012, 09-29-352-008, 09-29-376-004, 09-29-376-005, 09-29-376-006, 09-29-376-009, 09-29-326-002, and 09-29-376-010, with Conditions.**

Council Member Spain moved to remove this item from the Table and place on the May 27, 2008, City Council Agenda, a communication from the Interim City Manager and Director of Planning and Growth Management with recommendation from the Planning Commission and Staff to approve a Resolution approving the Preliminary Plat of Knoxville Crossing, located at the Southwest Corner of Wilhelm Road and IL Route 40, identified as Parcel ID Nos. 09-29-352-012, 09-29-352-008, 09-29-376-004, 09-29-376-005, 09-29-376-006, 09-29-376-009, 09-29-326-002, and 09-29-376-010, with Conditions; seconded by Council Member Turner

Motion to remove this item from the Table and place this item on the May 27, 2008, City Agenda was approved by roll call vote.

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

Nays: None.

- (08-015) Request to Approve a MOTION to REMOVE FROM THE TABLE and PLACE ON THE MAY 27, 2008, CITY COUNCIL AGENDA, a Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt ORDINANCE “A” OR with Recommendation from the Staff to Adopt ORDINANCE “B” Amending APPENDIX B Rezoning Property Located at 10500 N. KNOXVILLE AVENUE (Temporary Address) from the Present Peoria County Class A2 District to a Class C-2 (Large Scale Commercial) District, and AMENDING Ordinance No. 14,023, as Amended, a SPECIAL USE in the C-2 (Large Scale Commercial) District to Allow a SHOPPING CENTER and Approving Local Sign Regulations, with Conditions.**

Council Member Spain moved to remove this item from the Table and place on the May 27, 2008, City Council Agenda, a Communication from the Interim City Manager and Director of Planning and Growth Management with recommendation from the Zoning Commission to adopt Ordinance “A” OR with recommendation from the Staff to adopt Ordinance “B” amending Appendix B rezoning property located at 10500 N. Knoxville Avenue (Temporary Address) from the present Peoria County Class A2 District to a Class C-2 (Large Scale Commercial) District, and Amending Ordinance No. 14,023, as amended, a Special Use in the C-2 (Large Scale Commercial) District to Allow a Shopping Center and approving local sign regulations, with conditions; seconded by Council Member Turner.

Motion to remove this item from the Table and place on the May 27, 2008, City Council Agenda, was approved by roll call vote.

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

Nays: None.

- (08-190) Communication from the Interim City Manager and Corporation Counsel Regarding an APPLICATION for a CLASS A (Tavern) LIQUOR LICENSE, with a Subclass 1A (2:00 A.M. Closing) and Subclass 2 (Live Entertainment), for 7807 N. UNIVERISTY, with Recommendation from the Liquor Commission to DENY.**

Council Member Jacob said he would be abstaining from voting on this item because he was a liquor licensee and was prohibited from voting on liquor related matters by State Statute 235 ILCS 5/6-2.

Council Member Sandberg said he would be abstaining due to a professional relationship with the Petitioner.

Council Member Montelongo moved to defer this item until the May 27, 2008, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until May 27, 2008, was approved by roll call vote.

Yeas: Gulley, Manning, Montelongo, Spain, Spears, Turner, Van Auken, Mayor Ardis – 8;

Nays: None;

Abstentions: Jacob, Sandberg - 2.

**NEW BUSINESS****COMMENTS Regarding the AGENDA PROCESS**

Council Member Sandberg expressed concern regarding the Agenda process and that his Council Agenda Packet was received at 4:30 P.M. on the Wednesday prior to the Tuesday Council Meeting. He referred to the former Draft Agenda process and expressed further concern that some replacement items were distributed just prior to the Council Meeting.

**ANNOUNCEMENT Regarding MEDITERRANEAN FOOD FESTIVAL & BAKE SALE**

Council Member Jacob announced the Mediterranean Food Festival and Bake Sale would be held on May 15, 16, and 17, 2008, from 11:00 A.M. until 8:00 P.M. at the All Saints Greek Orthodox Church on North Prospect Road. He invited the public to attend.

**COMMENTS Regarding PRESENTATIONS TO HIGH SCHOOL STUDENTS by PLANNING COMMISSION MEMBERS AND PLANNING AND GROWTH MANAGEMENT STAFF**

Council Member Spain thanked Planning Commissioner Ray Lees and the members of the Planning Commission, and City Staff within the Planning and Growth Management Department for facilitating the activities with high school students in the community. He said high school students were presented with information regarding this career path and he felt it was a great experience for these students. He said it reiterated the fact that young people were important to the City's future.

**COMMENTS Regarding ENFORCEMENT of the NOISE ORDINANCE**

Council Member Van Auken thanked the Police Department for their recent enforcement of the vehicle noise and loud music Ordinance. She said, with summer approaching and residents being outside more, peace and quiet in the neighborhoods were greatly appreciated.

**CONGRATULATIONS to NEWLY APPOINTED POLICE CAPTAIN ROBERT BAER**

Mayor Ardis congratulated Police Captain Robert Baer on his recent promotion and he wished him well in his career and his future with the City.

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

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

- (08-233)      **Communication from the Supervisor of General Assistance and Town Treasurer Requesting Approval of the RESOLUTION Repealing Resolution No. 08-193-A Authorizing NAMED BANKS to ACT as DEPOSITORIES, ETC., of the Town of the City of Peoria and Authorizing the Town of the City of Peoria to ACCEPT and RELEASE SECURITIES for SAFEKEEPING Held by a Third Party and Authorizing Named Banks to Honor Checks, Drafts.**

Trustee Jacob moved to approve a Resolution repealing Resolution No. 08-193-A, authorizing named banks to act as depositories, etc., of the Town of the City of Peoria and authorizing the Town of the City of Peoria to accept and release securities for safekeeping held by a third party and authorizing named banks to honor checks, drafts; seconded by Trustee Spain.

RESOLUTION NO. 08-233, appealing Resolution No.193-A, was approved by roll call vote.

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

Nays: None.

**(08-234) TOWN of the CITY of PEORIA FINANCIAL REPORT - Period Ending 3/31/2008, with Recommendation to Receive and File.**

Trustee Jacob moved to receive and file the Town of the City of Peoria Financial Report – period ending 3/31/08; seconded by Trustee Spain.

Approved by roll call vote.

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

Nays: None.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(08-235) 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 in support of the downtown Library and urged citizens to use the Library. He referred to the development of the Riverfront in the downtown area and he suggested the development of a beachfront trail from the Bartonville Aqua duct to Galena Road.

Mr. Terry Knapp, a Peoria resident, distributed a Report of the Structural Budget Imbalance Task Force to all members of the City Council. He said he felt the education of children was more important than roads and streets. He spoke in opposition to shorter school days for children and he felt to impose that on certain areas of the City would negatively impact property values. He said those making the recommendation did not live in the City of Peoria and he urged the Council to review the document he distributed.

Mr. Robert Johnson, a Peoria resident and a Park Board Trustee, discussed quality of life issues in the southern portion of the City. He referred to the recent shooting incident at Club Apollo and he urged the Council to not extend their 4:00 A.M. Liquor License. He requested that the Council review this situation.

**EXECUTIVE SESSION**

**(08-236) REQUESTING APPROVAL of a MOTION for the CITY COUNCIL to go into EXECUTIVE SESSION to Discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent.**

Council Member Jacob moved that the City Council go into Executive Session to Discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; seconded by Council Member Montelongo.



Motion that the City Council go into Executive Session to Discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent was approved by roll call vote.

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

Nays: None.

**ADJOURNMENT**

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

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 8:00 P. M.

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