

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

Council Chambers, Peoria, Illinois, May 27, 2008, a Regular City Council Meeting was held this date at 6:17 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, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11; Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection and then he led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PRESENTATION:** ROOSEVELT SCHOOL: THIRD and FOURTH GRADE CHOIR

**PRESENTATION:** PEORIA CHINESE ASSOCIATION: CHINA EARTHQUAKE RELIEF EFFORT

**PROCLAMATION:** STERLING MERIT AWARD WINNERS

**PROCLAMATION:** RICHWOODS HIGH SCHOOL PRINCIPAL JOHN MEISINGER

**PROCLAMATION:** RICHWOODS HIGH SCHOOL ASSISTANT PRINCIPAL STEVE SCHOCK

**PROCLAMATION:** PEORIA CHRISTIAN HIGH SCHOOL: ACT RED QUILL AWARD

**PROCLAMATION:** PUBLIC WORKS DEPARTMENT AND NATIONAL PUBLIC WORKS WEEK: May 18 – 24, 2008

**PROCLAMATION:** CENTRAL ILLINOIS WORKFORCE DEVELOPMENT BOARD AND TALENT FORCE 21 PARTNERSHIP: EXCELLENCE IN INNOVATION PARTNERSHIP AWARD

**ANNOUNCEMENT REGARDING THE PEORIA MUNICIPAL BAND**

Mayor Jim Ardis stated the Peoria Municipal Band would begin their 71<sup>st</sup> season with a performance at the Glen Oak Park Amphitheater on Sunday, June 1, 2008. He said the Municipal Band's schedule of future performances would include three performances in July on the Peoria Riverfront and various out-of-town locations. He congratulated Dr. David Vroman and the members of the Municipal Band for their annual summer performances at Glen Oak Park.

MINUTES

Council Member Nichting moved to approve the minutes of the Joint City Council & Town Board Meeting and Executive Session held on May 13, 2008, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

REQUEST TO MOVE AGENDA ITEM

Council Member Van Auken moved to move Agenda Item #8 forward regarding the Ordinance providing for the issuance of General Obligation Library Bonds, Series 2008A, authorizing the execution of a Bond Order in connection therewith and providing for the Levy and collection of a Direct Annual Tax for the payment of the principal and interest on said bonds, so this item could be handled at this time; seconded by Council Member Gulley.

Following a brief explanation, Council Member Sandberg said he would not be supporting the motion.

Motion to move Agenda Item #8 forward regarding the Ordinance providing for the issuance of General Obligation Library Bonds, Series 2008A, authorizing the execution of a Bond Order in connection therewith and providing for the Levy and collection of a Direct Annual Tax for the payment of the principal and interest on said bonds was approved by roll call vote.

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

Nays: Sandberg – 1.

**(08-237) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of an ORDINANCE Providing for the ISSUANCE of GENERAL OBLIGATION LIBRARY BONDS, SERIES 2008A, Authorizing the Execution of a Bond Order in Connection Therewith and Providing for the Levy and Collection of a Direct Annual Tax for Payment of the Principal and Interest on Said Bonds.**

Council Member Van Auken explained the Library Board had requested this item be deferred until the second meeting in June 2008 so they could respond to additional questions raised by the Council regarding the Library's Comprehensive Plan. She said the Council's list of questions would be presented to the Library Board and Planning Committee for their review on Friday, May 30, 2008.

Council Member Van Auken moved to defer this item until the June 24, 2008, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until the June 24, 2008, Regular City Council Meeting was approved by roll call vote.

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

Nays: Sandberg – 1.

**RECESS**

Mayor Ardis called for a recess at 7:02 P.M.

**RECONVENING OF THE CITY COUNCIL**

City Clerk Mary Haynes noted the following Council Members were physically present: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11; Absent: None.

The City Council reconvened at 7:05 P.M.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****UNFINISHED BUSINESS****(08-012) PUBLIC HEARING Regarding PROPOSED ANNEXATION of 1500 W. WILHELM ROAD (Parcel ID #09-29-326-002).**

Council Member Nichting moved to open the Public Hearing regarding the proposed annexation of 1500 W. Wilhelm Road (Parcel ID #09-29-326-002); seconded by Council Member Turner.

No objections were heard.

The Public Hearing opened at 7:05 P.M.

Mr. Bill Lewis, a Peoria resident, expressed his appreciation to Council Members and City Staff who worked with residents in an effort to arrive at a reasonable solution regarding the proposed development, but he felt there was no compatible resolution. He expressed concern regarding the methods used to notify the public of proposed neighborhood developments. He said he felt it was not possible to buffer a residential neighborhood sufficiently enough to shield it from two large scale commercial buildings. He asked the Council to reconsider the public ordinance regarding notifying the public about neighborhood developments, reconsider the minimum transitional buffer yards required by the City, and consider the problems occurring from rezoning agricultural areas to commercial.

Following the third call by Mayor Ardis for citizens to address the City Council, Council Member Nichting moved to close the Public Hearing regarding the proposed annexation of 1500 W. Wilhelm Road (Parcel ID #09-29-326-002); seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

The Public Hearing adjourned at 7:10 P.M.

**(08-013-A) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting the Following:****A. Remove Item 08-013-A from the Table;**

Council Member Nichting moved to remove Item No. 08-013-A from the table; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- B. Approve a RESOLUTION Approving the ANNEXATION AGREEMENT for Property Located at the SOUTHWEST CORNER of WILHELM ROAD and IL ROUTE 40, Identified as Parcel ID Number 09-29-326-002, all Located within One and One-Half Miles of the City of Peoria;**

Director of Planning and Growth Management Pat Landes distributed a single page handout to be inserted after page 21 of Exhibit G of the Annexation Agreement to all members of the City Council.

Council Member Nichting explained the two parcels involved in the development included the Methodist proposal located at the intersection of Wilhelm Road and Knoxville Avenue, and the second parcel for consideration was to the south, located at the intersection of Alta Road and Knoxville Avenue. He said this Resolution pertained to the proposal from Methodist whereby they had initially requested a commercial zoning change for the construction of a hospital with the intention of establishing a future medical facility associated with the hospital. He said following lengthy discussions, Methodist changed their zoning request from commercial to office, in an effort to minimize the impact of the proposed development to the adjacent residential area.

Council Member Nichting moved to approve a Resolution, as amended, approving the Annexation Agreement for property located at the Southwest corner of Wilhelm Road and IL Route 40, identified as Parcel ID Number 09-29-326-002, all located within one and one-half miles of the City of Peoria; seconded by Council Member Turner.

In response to Council Member Sandberg regarding a Special Use request for a shopping center, Director of Planning and Growth Management Pat Landes said there was a zoning error in the cover memo regarding the zoning classifications, and the property should be zoned C-2 and O-2. She explained that Item B was only requesting approval of an Annexation Agreement to annex a parcel of land approximately fourteen acres north of an area currently approved for a Special Use. She said there was no special use consideration on tonight's Council Agenda.

Attorney Robert Hall, Miller, Hall and Triggs, representing the petitioner, stated the Annexation Agreement under Item B was only requesting annexation of the northern section of the parcel between Wilhelm Road and Alta Road, and a rezoning Class C-2 along the front portion and Class O-2 along the back. He said there was currently a Special Use granted for a shopping center based upon a specific site plan in 1995, which he said he felt would be coming back to the Council to be amended in the near future.

Director Landes further stated that the Resolutions and Ordinances listed on this Agenda for Council approval did not reflect any request for a Special Use.

Motion to approve RESOLUTION NO. 08-013-A, as amended, approving the annexation agreement for property located at the Southwest corner of Wilhelm Road and IL Route 40, identified as Parcel ID Number 09-29-326-002, all located within one and one-half miles of the City of Peoria was approved by roll call vote.

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

Nays: Sandberg – 1.

- C. **Approve a RESOLUTION Approving the FIFTH AMENDMENT to an ANNEXATION AGREEMENT, which Includes an Amendment to Resolution No. 95-597-B for Property Located at the Northwest Corner of Alta Road and IL Route 40, Identified as Parcel ID Numbers 09-29-352-012, 09-29-352-008, 09-29-376-004, 09-29-376-005, 09-29-376-006, 09-29-376-009, and 09-29-376-010, all Located within the City of Peoria. (New Communication and Resolutions)**

Council Member Nichting explained the Resolution approving the Fifth Amendment pertained to the previous annexation approved in 1995 dealing with issues of lighting, signage, and buffer yard issues that had been discussed with the neighborhood residents. He said if this Resolution was approved, the southern parcel with the Special Use previously discussed, would come back to the Council in June or July 2008, after additional meetings had been held to address elevations of the site plan and other issues.

Council Member Nichting moved to approve a resolution approving the Fifth Amendment to an Annexation Agreement, which Includes an Amendment to Resolution No. 95-597-B for property located at the Northwest Corner of Alta Road and IL Route 40, identified as Parcel ID Numbers 09-29-352-012, 09-29-352-008, 09-29-376-004, 09-29-376-005, 09-29-376-006, 09-29-376-009, and 09-29-376-010, all located within the City of Peoria; seconded by Council Member Turner.

RESOLUTION NO. 08-013-B was approved by roll call vote.

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

Nays: Sandberg – 1.

- (08-014) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Approval of 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 Numbers 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. (New Communication and Resolution)**

Council Member Nichting moved 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 Numbers 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, as outlined; seconded by Council Member Turner.

RESOLUTION NO. 08-014 was approved by roll call vote.

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

Nays: Sandberg – 1.

- (08-015) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting the Following:**

- A. **Adopt an ORDINANCE Rezoning LOTS 1, 2, and 3 of KNOXVILLE CROSSING SUBDIVISION from the Present Peoria County Class A2 District to a Class C-2 (Large Scale Commercial) District and Rezoning LOT 4 in KNOXVILLE CROSSING SUBDIVISION from the Present Peoria County Class A-2 to a Class O-2 (Exclusive Office Park) District (New Ordinance);**

Council Member Nichting moved to adopt an Ordinance rezoning Lots 1, 2, and 3 of Knoxville Crossing Subdivision from the present Peoria County Class A-2 District to a Class C-2 (Large Scale Commercial) District and rezoning Lot 4 in Knoxville Crossing Subdivision from the present Peoria County Class A2 to a Class O-2 (Exclusive Office Park) District; seconded by Council Member Turner.

ORDINANCE NO. 16,274 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**B. TABLE the ORDINANCE Amending Ordinance No. 14,023, a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER and Approving Local Sign Regulations for Property Located at 10500 N. KNOXVILLE AVENUE (Temporary Address).**

Following a brief comment, Council Member Nichting moved to Table the Ordinance amending Ordinance No. 14,023, a Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center and approving local sign regulations for property located at 10500 N. Knoxville Avenue (temporary address); seconded by Council Member Turner.

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

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**REGULAR BUSINESS**

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

- (08-238) \* Communication from the Interim City Manager and Director of Public Works Requesting Approval to LAUNCH the 2008 MAYOR'S YOUTH CORPS (MYC) SUMMER EMPLOYMENT PROGRAM with a Cost Not to Exceed \$200,000.00.
- (08-239) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a TWO YEAR EXTENSION to MAY 31, 2010, of MONITORING and PREVENTIVE MAINTENANCE CONTRACT for FIRE and INTRUSION DETECTION and Accept the LOW BID of OBERLANDER ALARM SYSTEMS for an Estimated Annual Cost of \$18,000.00. (Extends Item No. 07-155)
- (08-240) Communication from the Interim City Manager and Director of Public Works Requesting Approval and Authorization for the Interim City Manager to Sign the PARTIAL RELEASE of a STORM SEWER EASEMENT on LOT 75 SOMMER PLACE - Section 1 (6806 N. SUMAC ROAD).
- (08-241) \*\* Communication from the Interim City Manager and Director of Economic Development Requesting Adoption of an ORDINANCE Superseding Ordinance No. 16,138 to Allow PROPERTY TAX ABATEMENT for "MIXED USE" PROJECTS Within the "HEART OF PEORIA" Boundaries.

- (08-242) **\*\*\*** Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Rezoning Property Identified as ID NO. 14-16-452-004 from the Present Class C-1 (General Commercial) District to a Class C-2 (Large Scale Commercial) District AND Amending Ordinance No.16,082, an EXISTING SPECIAL USE for a SHOPPING CENTER by Adding PARCEL ID NO. 14-16-452-004 as Part of the SPECIAL USE, a NEW ENTRANCE from KNOXVILLE AVENUE and RECONFIGURING the PARKING LOT for Property Located at the SOUTHEAST CORNER of ILLINOIS ROUTE 40 and PROSPECT ROAD, with Conditions.
- (08-243) Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 16,275 Amending Ordinance No. 14,109 for Property Located at 6915 N. ALLEN ROAD, a SPECIAL USE for CHURCH FACILITIES in a Class R-3 (Single-Family Residential) District to Include ADDING LAND for PARKING Obtained from Part of the Abutting Property to the South; AND Amending Ordinance No. 15,927 for Property Located at 6847 N. ALLEN ROAD, a SPECIAL USE in a Class R-6 (Multi-Family Residential) District for a SHELTER for WOMEN, CHILDREN, and CHILDCARE for RESIDENTS and CLIENTS by Subtracting Land Being Added to the Abutting Property to the North, with Conditions.
- (08-244) **\*\*\*\*** Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending Ordinance No. 16,211, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER by Adding an Additional DRIVE THRU and REDUCING the BUILDING SQUARE FOOTAGE of the SHOPPING CENTER for Property Located at 10001 N. KNOXVILLE AVENUE, with Condition.
- (08-245) Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 16,276 Amending Ordinance No. 13,410, an EXISTING SPECIAL USE in a Class R-2 (Single Family Residential) District for a CEMETERY and MAUSOLEUM by Adding a GARDEN MAUSOLEUM for Property Located at 2001 N. UNIVERSITY, with Condition.
- (08-246) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,277 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2008 Relating to the Approval to LAUNCH the 2008 MAYOR'S YOUTH CORPS (MYC) SUMMER EMPLOYMENT PROGRAM Authorizing the Use of Capital Fund Balance, in the Amount of \$50,000.00.
- (08-247) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,278 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2008 Relating to the Department of Commerce, Fiscal Year 2007 Public Safety Interoperable Communications Grant Program, in the Amount of \$1,000,000.00 and the 20% Matching Requirement from Other Jurisdictions, in the Amount of \$214,000.00.

- (08-248) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,279 Amending the CITY OF PEORIA BUDGET for FISCAL YEAR 2008 Relating to the Neighborhood Initiative Grant/Southern Gateway Revitalization Project, in the Amount of \$99,200.00.
- (08-249) Communication from the Interim City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE in the PARKING LOT on STATE and WATER STREETS to WALNUT STREET for the BOYS & GIRLS CLUB OF PEORIA and ST. JUDE MIDWEST AFFILIATE on Friday, June 20, 2008, and Saturday, June 21, 2008.
- (08-250) Communication from the Interim City Manager and Corporation Counsel  
\*\*\*\*\* Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE for the PEORIA PARK DISTRICT as a Fundraiser for the 2009 FIREWORKS to be Held at FESTIVAL PARK on THURSDAY, JULY 3, 2008.  
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- (08-251) REAPPOINTMENTS by Mayor Jim Ardis to the ANIMAL REVIEW BOARD, with Recommendation to Concur:
- Lynn Brender (Voting) - Term Expires 6/30/2010  
Roslyn Gott (Voting) - Term Expires 6/30/2010  
Chris Kelly (Voting) - Term Expires 6/30/2010  
Ronald C. Theobald (Voting) - Term Expires 6/30/2010
- (08-252) REAPPOINTMENTS by Mayor Jim Ardis to the CONSTITUTION GARDEN ADVISORY COMMITTEE, with Recommendation to Concur:
- Dr. Joan L. Brune (Voting) - Term Expires 6/30/2011  
Francis S. Duren (Voting) - Term Expires 6/30/2011  
Carol Van Winkle (Voting) - Term Expires 6/30/2011  
J. Howard Yates (Voting) - Term Expires 6/30/2011
- (08-253) REAPPOINTMENTS by Mayor Jim Ardis to the CONSTRUCTION COMMISSION, with Recommendation to Concur:
- Michael V. Lewis (Voting) - Term Expires 6/30/2012  
Dennis Shoemaker (Voting) - Term Expires 6/30/2012
- (08-254) REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMITTEE FOR THE DISABLED, with Recommendation to Concur:
- Deborah K. Limer Hannon (Voting) - Term Expires 6/30/2011  
Steve Tippet (Voting) - Term Expires 6/30/2011
- (08-255) REAPPOINTMENTS by Mayor Jim Ardis to the ADVISORY COMMISSION ON HUMAN RESOURCES, with Recommendation to Concur:
- Shirley A. Jones (Voting) - Term Expires 6/30/2011  
James N. McCormick (Voting) - Term Expires 6/30/2011  
James Simkins (Voting) - Term Expires 6/30/2011



- (08-256)** REAPPOINTMENTS by Mayor Jim Ardis to the PLANNING COMMISSION,  
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Michele Anderson (Voting) - Term Expires 6/30/2011  
Fred D. Grafton (Voting) - Term Expires 6/30/2011  
Joseph Richey, Jr. (Voting) - Term Expires 6/30/2011
- (08-257)** REAPPOINTMENT by Mayor Jim Ardis to the POLICE PENSION FUND  
BOARD OF TRUSTEES, with Recommendation to Concur:  
John P. Edmonds (Voting) - Term Expires 5/11/2010
- (08-258)** REAPPOINTMENTS by Mayor Jim Ardis to the SISTER CITY COMMISSION,  
with Recommendation to Concur:  
Rex K. Linder (Voting) - Term Expires 6/30/2011  
David Commanday (Voting) - Term Expires 6/30/2011  
Bradford B. Ingram (Voting) - Term Expires 6/30/2011  
William B. Roeder (Voting) - Term Expires 6/30/2011
- (08-259)** REAPPOINTMENTS by Mayor Jim Ardis to the SOLID WASTE DISPOSAL  
COMMITTEE, with Recommendation to Concur:  
Council Member Patrick Nichting (Voting) - Term Expires 6/30/2009  
Council Member Ryan Spain (Voting) - Term Expires 6/30/2009
- (08-260)** REPORT of the CITY TREASURER REGINALD A. WILLIS for the Month of  
MARCH 2008, with Recommendation 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 Montelongo requested that Item No. 08-238 be removed from the Consent Agenda for further discussion.

Council Member Spain requested that Item No. 08-241 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 08-242 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested that Item No. 08-244 be removed from the Consent Agenda for further discussion.

Council Member Jacob requested that Item Nos. 08-249, 08-250, and 08-256 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 Turner.

Item Nos. 08-238 through 08-260 (excluding Item Nos. 08-238, 08-241, 08-242, 08-244, 08-249, 08-250, and 08-256. which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(08-238)      Communication from the Interim City Manager and Director of Public  
\*                Works Requesting Approval to LAUNCH the 2008 MAYOR'S YOUTH CORPS  
                     (MYC) SUMMER EMPLOYMENT PROGRAM with a Cost Not to Exceed  
                     \$200,000.00.**

In response to Council Member Montelongo's inquiry regarding if there was a designated age for participants in the program, Director of Public Works Dave Barber said the program initially targeted youths residing in the City of Peoria between sixteen and nineteen years of age.

Council Member Montelongo suggested increasing the age of participation to twenty-one to include college students returning home for the summer who may be in need of a job.

Council Member Turner explained that Workforce Development was formerly responsibility for these jobs, but they no longer had funds to continue the program. He said the City took on the program that primarily was aimed at hiring high school students in the community who desperately needed a job and did not have the opportunity or capability of finding jobs for the summer.

Council Member Spain said in his recent visit to local area High Schools, many seventeen and eighteen year old students explained they were having difficulty in finding summer job opportunities because some establishments had a required hiring age of eighteen. He suggested any vacancies could be filled by college students.

Mayor Ardis further noted that in previous years, Workforce Development and the Chamber of Commerce had coordinated a Mayor's summer employment program where forty plus businesses had interviewed high school students and created job opportunities for them, and due to cut-backs, Workforce Development was not able to fund the program. He said this was the City's first year to undertake this venture, and he requested that the Council focus on providing jobs for high school students. He added the program could be modified in the future, if necessary.

Council Member Jacob moved to launching the 2008 Mayor's Youth Corps (MYC) Summer Employment Program with a cost not to exceed \$200,000.00; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,  
Van Auken, Mayor Ardis – 11;

Nays: None.

**(08-241)      Communication from the Interim City Manager and Director of Economic  
\*\*                Development Requesting Adoption of an ORDINANCE Superseding  
                     Ordinance No. 16,138 to Allow PROPERTY TAX ABATEMENT for "MIXED  
                     USE" PROJECTS Within the "HEART OF PEORIA" Boundaries.**

In discussion with Director of Economic Development Craig Hullinger, Council Member Spain determined that all taxing bodies in the City were currently participating in the Enterprise Zone, with the exception of Dunlap School District and Peoria School District #150. He also determined that approval of the Ordinance before them tonight would not require additional action with the taxing industries that had agreed to participate.

Director Hullinger explained that without School District #150, the property tax abatement for the new construction for five years would be approximately forty-five percent. He said support from District #150 would help redevelopment, and the State would return their money within a two-year waiting period. He encouraged School District #150 to consider participating in the Enterprise Zone.

Council Member Spain moved to approve an Ordinance superseding Ordinance No. 16,138 to allow property tax abatement for "Mixed Use" projects within the "Heart of Peoria" boundaries; seconded by Council Member Turner

ORDINANCE NO. 16,280, superseding Ordinance No. 16,138, was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(08-242) Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE  
\*\*\* Rezoning Property Identified as ID NO. 14-16-452-004 from the Present Class C-1 (General Commercial) District to a Class C-2 (Large Scale Commercial) District AND Amending Ordinance No.16,082, an EXISTING SPECIAL USE for a SHOPPING CENTER by Adding PARCEL ID NO. 14-16-452-004 as Part of the SPECIAL USE, a NEW ENTRANCE from KNOXVILLE AVENUE and RECONFIGURING the PARKING LOT for Property Located at the SOUTHEAST CORNER of ILLINOIS ROUTE 40 and PROSPECT ROAD, with Conditions.**

Council Member Sandberg referred to two handicapped parking spaces illustrated on the site plan found on Attachment "A" of the proposed Ordinance in the Council packet. He expressed concern that no visible State approved signage was in place at either of these two parking spaces. He said he would not be supporting the Ordinance.

Director of Planning and Growth Management Pat Landes said she was unaware there was no proper signage placed at these two handicapped spaces and she assured the Council this would be corrected immediately.

Council Member Manning moved to adopt an Ordinance rezoning property identified as ID No. 14-16-452-004 from the present Class C-1 (General Commercial) District to a Class C-2 (Large Scale Commercial) District and amending Ordinance No.16,082, an Existing Special Use for a Shopping Center by adding Parcel ID No. 14-16-452-004 as part of the Special Use, a new entrance from Knoxville Avenue and reconfiguring the parking lot for property located at the Southeast corner of Illinois Route 40 and Prospect Road, with conditions; seconded by Council Member Van Auken.

ORDINANCE NO. 16,281 was approved by roll call vote.

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

Nays: Sandberg – 1.

- (08-244)**  
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**Communication from the Interim City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending Ordinance No. 16,211, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER by Adding an Additional DRIVE THRU and REDUCING the BUILDING SQUARE FOOTAGE of the SHOPPING CENTER for Property Located at \*9001 N. KNOXVILLE AVENUE, with Condition.**

Director of Planning and Growth Management Pat Landes distributed a replacement Ordinance changing the address from \*10001 N. Knoxville to 9001 N. Knoxville Avenue to all members of the Council.

Council Member Nichting moved to approve an Ordinance amending Ordinance No. 16,211, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center by adding an additional Drive Thru and reducing the building square footage of the Shopping Center for property located at 9001 N. Knoxville Avenue, with condition; seconded by Council Member Turner.

ORDINANCE NO. 16,282 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- (08-249)**  
\*\*\*\*\*  
**Communication from the Interim City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE in the PARKING LOT on STATE and WATER STREETS to WALNUT STREET for the BOYS & GIRLS CLUB OF PEORIA and ST. JUDE MIDWEST AFFILIATE on Friday, June 20, 2008, and Saturday, June 21, 2008.**

Council Member Jacob said he would be abstaining from discussion and 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 Nichting moved to approve the Application for a Class H (Temporary Outdoor) Liquor License in the parking lot on State and Water Streets to Walnut Street for the Boys & Girls Club of Peoria and St. Jude Midwest Affiliate on Friday, June 20, 2008, and Saturday, June 21, 2008; 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;

Abstentions: Jacob – 1.

- (08-250)**  
\*\*\*\*\*  
\*  
**Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE for the PEORIA PARK DISTRICT as a Fundraiser for the 2009 FIREWORKS to be Held at FESTIVAL PARK on THURSDAY, JULY 3, 2008.**

Council Member Jacob said he would be abstaining from discussion and 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 Nichting moved to approve the application for a Class H (Temporary Outdoor) Liquor License for the Peoria Park District as a fundraiser for the 2009 Fireworks to be held at Festival Park on Thursday, July 3, 2008; 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;

Abstentions: Jacob – 1.

**(08-256) REAPPOINTMENTS by Mayor Jim Ardis to the PLANNING COMMISSION,  
\*\*\*\*\* with Recommendation to Concur:**

**\*\***

**Michele Anderson (Voting) - Term Expires 6/30/2011**

**Fred D. Grafton (Voting) - Term Expires 6/30/2011**

**Joseph Richey, Jr. (Voting) - Term Expires 6/30/2011**

Council Member Jacob commended the members of the Planning Commission for their tremendous efforts in reaching out and working with the youth and high school students throughout the community.

Council Member Jacob moved to concur with the recommendation of Mayor Ardis to reappoint Michele Anderson, Fred D. Grafton, and Joseph Richey, Jr. to the Planning Commission; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,  
Van Auken, Mayor Ardis – 11;

Nays: None.

**(08-261) Communication from the Interim City Manager and Director of Public  
Works Requesting Approval of a CONTRACT with CHRISTOPHER B.  
BURKE ENGINEERS, LTD. (CBBEL), in the Amount of \$54,328.32, to STUDY  
the U.S. 24 CORRIDOR Through the City from I-474 to I-74. (Refer to Item  
No. 08-007)**

Following a brief comment, Council Member Gulley moved to approve a contract with Christopher B. Burke Engineers. Ltd. (CBBEL), in the amount of \$54,328.32, to study the U.S. 24 Corridor through the City from I-474 to I-74; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner,  
Van Auken, Mayor Ardis – 11;

Nays: None.

- (08-262) Communication from the Interim City Manager and Director of Economic Development Requesting Authorization for the Interim City Manager to Enter into an AGREEMENT with CAMIROS, LTD, in the Amount of \$12,000.00 to CONDUCT a TAX INCREMENT FINANCING (TIF) ELIGIBILITY STUDY and a BUSINESS DEVELOPMENT DISTRICT (BDD) ELIGIBILITY STUDY for the Proposed HOSPITALITY IMPROVEMENT ZONE (HIZ).**

Council Member Gulley moved to authorize the Interim City Manager to enter into an agreement with Camiros, Ltd., in the amount of \$12,000.00, to conduct a Tax Increment Financing (TIF) Eligibility Study and a Business Development District (BDD) Eligibility Study for the proposed Hospitality Improvement Zone (HIZ); seconded by Council Member Van Auken.

In discussion with Director of Economic Development Craig Hullinger, Council Member Sandberg determined a matrix had been prepared for the five consultants considered on this project, but had been inadvertently omitted from the packet. He further determined that the firm of Camiros, Ltd. had been involved in the Warehouse District Project and the Eagleview TIF Project.

Council Member Sandberg pointed out that the proposed TIF project was adjacent to the Downtown TIF, the Southtown TIF, and near the Riverfront TIF, and he said he was not in support of another TIF project in this area.

Motion to authorize the Interim City Manager to enter into an agreement with Camiros, Ltd., in the amount of \$12,000.00, to conduct a Tax Increment Financing (TIF) Eligibility Study and a Business Development District (BDD) Eligibility Study for the proposed Hospitality Improvement Zone (HIZ), was approved by roll call vote.

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

Nays: Sandberg – 1.

- (08-263) Communication from the Interim City Manager and Director of Economic Development Requesting Approval of a RESOLUTION Providing for a FEASIBILITY STUDY and HOUSING IMPACT STUDY on the Designation of a Portion of Peoria Known as THE HOSPITALITY IMPROVEMENT ZONE REDEVELOPMENT PROJECT AREA and To Induce Development within the Area.**

Council Member Gulley moved to approve a Resolution providing for a Feasibility Study and Housing Impact Study on the designation of a portion of Peoria known as the Hospitality Improvement Zone Redevelopment Project Area and to induce development within the area; seconded by Council Member Manning.

RESOLUTION NO. 08-263 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

- (08-264) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt an ORDINANCE Amending Ordinance No. 16,003, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER by ADDING a DRIVE-UP ATM LOCATION in the Existing Parking Lot for Property Located at 9219 N. LINDBERGH DRIVE.**

Council Member Nichting moved to adopt an Ordinance amending Ordinance No. 16,003, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center by adding a Drive-Up ATM location in the existing parking lot for property located at 9219 N. Lindbergh Drive; seconded by Council Member Turner.

ORDINANCE NO. 16,283 was approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

**(08-265) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of an APPLICATION for a Class C (Package Liquor) LIQUOR LICENSE for 8305 NORTH ALLEN ROAD, with Recommendation from the Liquor Commission to Approve.**

Council Member Jacob said he would be abstaining from discussion and 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.

No one offered a motion for this item.

In discussion with Corporation Counsel Randy Ray, Mayor Ardis stated that in the absence of a motion to approve this item, the record would reflect that the item would be disposed.

**UNFINISHED BUSINESS**

**(08-215) 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. UNIVERSITY, with Recommendation from the Liquor Commission to DENY.**

Council Member Turner moved to approve 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. University.

Council Member Sandberg said he would be abstaining from discussion and voting on this item due to a professional relationship with the petitioner.

Council Member Jacob said he would be abstaining from discussion and 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.

Following a brief explanation, Council Member Turner withdrew his motion.

Council Member Spain moved to defer this item for two weeks until the June 10, 2008, Regular City Council Meeting; seconded by Council Member Manning.

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

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

Nays: None;

Abstentions: Jacob, Sandberg – 2.

**(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 \$66,000.00 for the First Year, with Two ONE YEAR RENEWAL OPTIONS, But Only at the City's Request. (New Communication)**

Council Member Van Auken moved to authorize the Interim City Manager to enter into an agreement for Loss Control Services with Bickmore Risk Services at a cost not to exceed \$66,000.00 for the first year, with two one-year renewal options, but only at the City's request; seconded by Council Member Nichting.

In response to Council Member Gulley's request for clarification between "all inclusive prices" and "base prices" referred to on the Request for Proposal, Interim Human Resources Director Kimberly King explained the RFP included two separate sections pertaining to pricing. She said the first section requested a total all inclusive price for risk management services, and the second section was a request for additional services agreed to by the City, and these services would be performed at the same rate outlined in the total all inclusive fee schedule.

Council Member Sandberg noted the City employed a risk manager and he questioned why it was necessary to hire a consultant.

Interim Director King explained the purpose of the RFP was to hire a firm to assist the Risk Manager in developing a methodology that would help train workforce personnel in terms of dealing with how to prevent injuries within the work place. She added on completion of the training period, the consultant would no longer be necessary, and Staff would then be able to initiate their training techniques within the working environment.

Mayor Ardis said to have the record reflect that upon completion of the one-year contract, a report regarding the results of the firm's performance would be presented to the Council for review before exercising the option to renew. He requested this condition be included in the motion.

The maker and seconder of the motion agreed.

In response to Council Member Gulley, Interim Director King stated there was a current contract with CCMSI to review and process claims made against the City.

In discussion with Council Member Gulley regarding a possible conflict, Corporation Counsel Randy Ray said he did not believe there was any conflict, but the situation could be reviewed periodically.

Motion to authorize the Interim City Manager to enter into an agreement for Loss Control Services with Bickmore Risk Services at a cost not to exceed \$66,000.00 for the first year, with two one-year renewal options, but only at the City's request, with the condition that on completion of the one-year contract, a report regarding the results of the firm's performance would be presented to the Council for review before exercising the option to renew the contract, was approved by roll call vote.

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

Nays: Sandberg – 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 Recommendation from the Liquor Commission to Approve.**

Council Member Turner moved to concur with the recommendation from the Liquor Commission to approve 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; seconded by Council Member Manning.

Council Member Jacob said he would be abstaining from discussion and 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 from discussion and voting on this item due to a professional relationship with the petitioner.

Motion to concur with the recommendation from the Liquor Commission to approve 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, was approved by roll call vote.

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

Nays: None;

Abstentions: Jacob, Sandberg – 2.

### **NEW BUSINESS**

#### **ANNOUNCEMENT Regarding MEETING to Discuss NEW CITY LOGO**

Mayor Ardis announced the City would be holding a forum to listen to comments and suggestions regarding the new City logo. He said the meeting would be held on Monday, June 2, 2008, at 6:00 P.M. at the Peoria Civic Center in Room 220. He encouraged the public to attend.

### **CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

- (08-266) 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.

David Henderson, a Peoria resident, commented on deferral of the Library Agenda item. He suggested several locations where library facilities could be expanded. He said he felt the downtown area was the primary location for the entire Peoria area, and was the epicenter for all learning and knowledge.

Roger Sparks, Member of Mayor's Advisory Commission for the Disabled, expressed concern regarding the absence of signage at handicapped parking spaces, and incomplete spaces. He discussed the problems involved when cars parked in front of curb cuts, an example area being Fire Central on Monroe Street, along with other downtown area businesses. He requested information regarding these issues.

Mayor Ardis requested Interim City Manager Henry Holling to address the issues brought forward by Mr. Sparks. Mr. Holling said he would follow up on the issues and contact Mr. Sparks.

### **EXECUTIVE SESSION**

**(08-267) 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 Manning moved 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; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis – 11;

Nays: None.

### **ADJOURNMENT**

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

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 8:25 P.M.

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

