

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

Council Chambers, Peoria, Illinois, June 24, 2008, a Joint City Council & Town Board Meeting was held this date at 6:15 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 6:18 P.M.), 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.

COMMENDATION: APPRECIATION OF SPONSORS of the MAYOR'S YOUTH CORPS SUMMER EMPLOYMENT PROGRAM

PROCLAMATION: CITY ENGINEER GENE HEWITT

WELCOME to WCBU NEWS REPORTER, TANYA KOONCE

Mayor Ardis welcomed WCBU News Reporter Tanya Koonce, who would be broadcasting and narrating the City Council Meeting on WCBU Radio.

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting and Executive Sessions held on June 10, 2008, as printed; seconded by Council Member Turner.

Council Member Manning referred to the minutes of the Regular City Council Meeting dated June 10, 2008, Page 28551, under Item No. 08-237, and he requested that the third paragraph be deleted that read "Council Member Manning expressed concerns regarding added costs during a period when the City was also assisting in the payment of bonds for a Riverfront Museum and other projects plus a budget deficit." and replaced with the following words inserted as the third paragraph under Item No. 08-237, "In discussion with Executive Director Ed Szynaka and Library Board President Mike McKenzie, Council Member Manning asked about proposed technology improvements and questioned projected operating expenses. He referred to decreased door counts at branches. He noted that a new north branch would likely draw users away from the Lakeview branch and questioned the need then for doubling the size of the Lakeview Branch. He outlined a number of public projects that may require up to \$300 million of new bond financing and the City's structural budget deficits."

Motion to approve the minutes of the Regular City Council Meeting and Executive Sessions held on June 10, 2008, as printed, with a change to the minutes of the Regular City Council Meeting dated June 10, 2008, Page 28551, under Item No. 08-237, that the third paragraph be deleted that read "Council Member Manning expressed concerns

regarding added costs during a period when the City was also assisting in the payment of bonds for a Riverfront Museum and other projects plus a budget deficit.” and replaced with the following words inserted as the third paragraph under Item No. 08-237, “In discussion with Executive Director Ed Szynaka and Library Board President Mike McKenzie, Council Member Manning asked about proposed technology improvements and questioned projected operating expenses. He referred to decreased door counts at branches. He noted that a new north branch would likely draw users away from the Lakeview branch and questioned the need then for doubling the size of the Lakeview Branch. He outlined a number of public projects that may require up to \$300 million of new bond financing and the City’s structural budget deficits.” was approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

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

- (08-289) NOTICE OF LAWSUIT Filed on Behalf of PAUL GULLEY Alleging Injuries Sustained in a Fall in an Alleyway Behind 2212 N. Sheridan Road, with Recommendation to Receive and File and Refer to the Legal Department.**
- (08-290) NOTICE of LAWSUIT Filed on Behalf of BRENDA JONES Alleging Injuries Sustained from a Fall on a Walkway in the 2700 Block of Nebraska Avenue, with Recommendation to Receive and File and Refer to the Legal Department.**
- (08-291) Communication from the Interim City Manager and Director of Public Works Requesting Approval to PURCHASE ONE (1) F550 SUPER-DUTY TRUCK Fully Equipped with DUMP BOX, SNOW PLOW, and SALT SPREADERS, from LANDMARK AUTOMOTIVE GROUP, Utilizing the State Contract Bidding Process for the Total Amount of \$63,661.00.**
- (08-292) Communication from the Interim City Manager, Police Chief, and Director of Information Systems Requesting Approval of the PURCHASE of AIRLINK PINPOINT MODEMS and ACENET SOFTWARE from QUALITY COMMUNICATIONS, in the Amount of \$50,845.00, for Use in Marked Police Squad Cars.**
- (08-293) Communication from the Interim City Manager and Police Chief Requesting Approval of a SOLE-SOURCE PURCHASE of 250 TASER CAMERAS and ASSOCIATED EQUIPMENT, in the Total Amount of \$99,987.50, from RAY O'HERRON COMPANY, INC.**
- (08-294) Communication from the Interim City Manager and Director of Economic Development Requesting Approval for the SALE of a CITY-OWNED VACANT LOT Located at 1233 E. VIRGINIA, in the Amount of \$250.00 Plus Closing Costs, and Requesting the Interim City Manager to Execute the Necessary Documents.**

- (08-295)
* Communication from the Interim City Manager and Director of Planning and Growth Management Requesting CATERPILLAR INC to CONFIRM that the SIGNAGE is Consistent with the SPECIAL USE (Item No. 06-421) for Local Sign Regulation Along a CONSTRUCTION FENCE for Property Bounded by WASHINGTON, MAIN, WATER and LIBERTY STREETS, located at a Temporary Address of 200 S. W. WASHINGTON STREET.
- (08-296) Communication from the Interim City Manager and Corporation Counsel Requesting Approval of RESOLUTION NO. 08-296 Regarding the RELEASE of EXECUTIVE SESSION MINUTES.
- (08-297) Communication from the Interim City Manager and Finance Director/ Comptroller Requesting Adoption of ORDINANCE NO. 16,287 Amending the City of Peoria Budget for Fiscal Year 2008 Relating to the LIBRARY GRANTS, GIFTS and MEMORIALS, in the Amount of \$92,478.00, and USE of CAPITAL DEVELOPMENT FUNDS, in the Amount of \$171,553.00.
- (08-298)
** Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Pertaining to WINDSHIELDS and WINDOW TINTING Effective August 1, 2008.
- (08-299)
*** Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Providing for a MORATORIUM on ZONING CERTIFICATES for PAYDAY and TITLE LOAN STORES.
- (09-300) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,288 Granting a SPECIAL USE in a Class I-3 (General Industrial) District for PETROLEUM PRODUCTS STORAGE for Property Located at 2200 S. DARST STREET, with Conditions.
- (08-301) Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of ORDINANCE NO. 16,289 Amending Ordinance No. 16,003, an EXISTING SPECIAL USE in a Class CG (General Commercial) District for the EXPANSION of a NONCONFORMING USE with RESPECT FOR SETBACKS with the CONSTRUCTION of FENCE/WALLS for Property Located at 710 N. E. JEFFERSON, with Conditions.
- (08-302)
**** Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of an ORDINANCE Amending Ordinance No. 15,837, an EXISTING SPECIAL USE in a Class R-4 (Single-Family Residential) District for SINGLE-FAMILY DISTRICT MULTIPLE DWELLING UNIT STRUCTURE to Include the ADDITION of a TWO-LEVEL PARKING STRUCTURE for Property Located at 1505 N. PEORIA AVENUE, with Conditions.
- (08-303) REAPPOINTMENT by Mayor Jim Ardis to the ADVISORY COMMITTEE for the DISABLED, with Recommendation to Concur:

Kelley C. McGownd-Mammen (Voting) - Term Expires 6/30/2011

- (08-304) APPOINTMENT and REAPPOINTMENT by Mayor Jim Ardis to the FIRE AND POLICE COMMISSION, with Recommendation to Concur:

APPOINTMENT:

Lance W. High (Voting) - Term Expires 6/30/2011

REAPPOINTMENT:

Alexandria (Lynn) Scott Pearson (Voting) - Term Expires 6/30/2011

- (08-305) REAPPOINTMENTS by Mayor Jim Ardis to the PEORIA URBAN FORESTRY ADVISORY BOARD, with Recommendation to Concur:

Nancy Crawford (Voting) - Term Expires 6/30/2011

Norma Ellington (Voting) - Term Expires 6/30/2011

Terry N. Tate (Voting) - Term Expires 6/30/2011

Michael Gary Wilkins (Voting) - Term Expires 6/30/2011

- (08-306) APPOINTMENTS by Mayor Jim Ardis to the ZONING COMMISSION, with Recommendation to Concur:

Gregory A. Hunziker (Voting) - Term Expires 6/30/2011

Curt Davis (Voting) - Term Expires 6/30/2011

- (08-307) Communication from the Interim City Manager and Director of Public Works Regarding STATUS UPDATE on the COMBINED SEWER OVERFLOW (CSO) LONG TERM CONTROL PLAN, with Request to Receive and File.

- (08-308) ***** Communication from the Interim City Manager and Director of Economic Development Regarding DOCUMENTATION from the ECONOMIC DEVELOPMENT COUNCIL Pertaining to the FIRST QUARTER 2008 PERFORMANCE INITIATIVES, Under the Scope of Work for the Contractual Agreement Between the City of Peoria, County of Peoria, and the Heartland Partnership, with Recommendation to Receive and File.

- (08-309) REPORT of the CITY TREASURER REGINALD A. WILLIS for the MONTH of APRIL 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 Turner requested that Item No. 08-295, 08-298, and 08-299 be removed from the Consent Agenda for further discussion.

Council Member Manning requested that Item No. 08-302 be removed from the Consent Agenda for further discussion.

Council Member Spain requested that Item No. 08-308 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. 08-289 through 08-309 (excluding Item Nos. 08-295, 08-298, 08-299, 08-302, and 08-308, 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.

(08-295) **Communication from the Interim City Manager and Director of Planning and Growth Management Requesting CATERPILLAR INC to CONFIRM that the SIGNAGE is Consistent with the SPECIAL USE (Item No. 06-421) for Local Sign Regulation Along a CONSTRUCTION FENCE for Property Bounded by WASHINGTON, MAIN, WATER and LIBERTY STREETS, located at a Temporary Address of 200 S. W. WASHINGTON STREET.**
*

Council Member Turner said he would be abstaining from the discussion and voting due to his employment with Caterpillar Inc.

Council Member Nichting moved to confirm that the signage is consistent with the Special Use (Item No. 06-421) for local sign regulation along a construction fence for property bounded by Washington, Main, Water and Liberty Streets, located at a temporary address of 200 S. W. Washington Street; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None

Abstentions: Turner - 1.

(08-298) **Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Pertaining to WINDSHIELDS and WINDOW TINTING Effective August 1, 2008.**
**

Council Member Turner thanked Police Chief Settingsgaard and Sgt. Sam Hoskins for their work on the proposed Ordinance. He said this was an issue of Police Officer safety, which he supported.

Council Member Turner moved to adopt the Ordinance amending Chapter 28 of the Code of the City of Peoria pertaining to Windshields and Window Tinting to become effective August 1, 2008; seconded by Council Member Manning.

Council Member Gulley questioned how the proposed Ordinance would be enforced if adopted, and he questioned the number of tickets that could be written in different scenarios.

Corporation Counsel Randy Ray explained the details of the proposed Ordinance and how it would be enforced.

Motion to adopt ORDINANCE NO. 16,290 amending Chapter 28 of the Code of the City of Peoria pertaining to Windshields and Window Tinting to become effective August 1, 2008, was approved by roll call vote.

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

Nays: Gulley - 1.

(08-299)

**Communication from the Interim City Manager and Corporation Counsel
Requesting Adoption of an ORDINANCE Providing for a MORATORIUM on
ZONING CERTIFICATES for PAYDAY and TITLE LOAN STORES.**

A copy of a letter from Regional Supervisor John Johnson of Title Cash of Illinois, Inc. was distributed to all Members of the Council requesting that the application he submitted to the City on May 14, 2008, not be included in the proposed moratorium.

Council Member Turner moved to grant Privilege of the Floor to Rev. Tony Pierce; seconded by Council Member Gulley.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Rev. Tony Pierce.

Rev. Tony Pierce, representing Central Illinois Organizing Project, spoke in support of the proposed Ordinance providing for a moratorium on Zoning Certificates for Payday and Title Loan Stores. He also requested that the Council support the State's legislation to further restrict these establishments.

Council Member Van Auken stated currently 13 States and the District of Columbia outlawed these kinds of establishments from operating. She said she planned to come forward in the future with a Resolution for the State Legislature to do more to regulate the operation. She said the moratorium was not intended to regulate the business practices, but to regulate the number of establishments and their locations.

Council Member Van Auken moved to adopt the Ordinance providing for a moratorium on Zoning Certificates for Payday and Title Loan Stores; seconded by Council Member Gulley.

Council Member Sandberg stated he supported more restrictive regulations, but he expressed concern regarding the issue of a moratorium because only six of 27 establishments had applied for a Zoning Certificate. He said any located in Shopping Centers would not be affected. He urged the Council to change the law through a Public Hearing process to address land use issues to avoid a lawsuit regarding property rights.

Corporation Counsel Randy Ray stated moratoriums were not generally favored, but they had been upheld in Court in various circumstances. He said the key was not to prolong the length of a moratorium and he stated he concurred that this should be brought back as soon as possible.

Council Member Van Auken said additional definitions and building permit requirements to capture those entities that were located in shopping centers would be reviewed. She said research revealed that only 15 of the 27 current locations held State licenses to operate. She said she would be working to immediately to identify flaws in the process.

In discussion with Council Member Spears, Director of Planning and Growth Management Pat Landes said, in the past when there were changes in the law or moratoriums issued, an application filed by anyone prior to that date would be processed.

Motion to adopt ORDINANCE NO. 16,291 providing for a moratorium on Zoning Certificates for Payday and Title Loan Stores was approved by roll call vote.

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

Nays: Sandberg - 1.

- (08-302)**

Communication from the Interim City Manager and Director of Planning and Growth Management Requesting Adoption of an ORDINANCE Amending Ordinance No. 15,837, an EXISTING SPECIAL USE in a Class R-4 (Single-Family Residential) District for SINGLE-FAMILY DISTRICT MULTIPLE DWELLING UNIT STRUCTURE to Include the ADDITION of a TWO-LEVEL PARKING STRUCTURE for Property Located at 1505 N. PEORIA AVENUE, with Conditions.

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

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

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

Nays: None.

- (08-308)**

Communication from the Interim City Manager and Director of Economic Development Regarding DOCUMENTATION from the ECONOMIC DEVELOPMENT COUNCIL Pertaining to the FIRST QUARTER 2008 PERFORMANCE INITIATIVES, Under the Scope of Work for the Contractual Agreement Between the City of Peoria, County of Peoria, and the Heartland Partnership, with Recommendation to Receive and File.

Council Member Spain said he would be abstaining from the discussion and voting on this item due to his employment with Heartland Partnership.

Council Member Nichting moved to receive and file the First Quarter 2008 Performance Initiatives, under the Scope of Work for the Contractual Agreement between the City of Peoria, County of Peoria, and the Heartland Partnership; seconded by Council Member Van Auken.

Approved by roll call vote.

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

Nays: None;

Abstentions: Spain - 1.

- (08-310)**
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 A-1 (Agricultural) District for a PRE-K, PRIMARY, MIDDLE SCHOOL, DAYCARE, and PLACE OF WORSHIP for Property Located at 4213 W. CHARTER OAK ROAD, with Conditions.

Council Member Spears moved to adopt an Ordinance granting a Special Use in a Class A-1 (Agricultural) District for a Pre-K, Primary, Middle School, Daycare, and Place of Worship for property located at 4213 W. Charter Oak Road, with conditions; seconded by Council Member Van Auken.

ORDINANCE NO. 16,292 was approved by roll call vote.

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

Nays: None.

- (08-311) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to ADOPT or with Recommendation from City Staff to DENY an ORDINANCE Amending the LAND DEVELOPMENT CODE of the City of Peoria by REZONING Property Located at 2205, 2209, and 2113 N. UNIVERSITY STREET from the Present Class CN (Neighborhood Commercial) District and R-3 (Single-Family Residential) District to a Class CG (General Commercial) District.**

Council Member Van Auken moved to defer this item until the July 22, 2008, Regular City Council Meeting; seconded by Council Member Sandberg.

Motion to defer this item until July 22, 2008, was approved by roll call vote.

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

Nays: None.

- (08-312) Communication from the Interim City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to DENY or with Recommendation from the City Staff to ADOPT an ORDINANCE Granting a SPECIAL USE in a Class R-3 (Single Family Residential) District for a MONASTERY for Property Located at 930 N. E. GLEN OAK AVENUE, with Conditions.**

Council Member Manning moved to adopt the Ordinance granting a Special Use in a Class R-3 (Single Family Residential) District for a Monastery for property located at 930 N.E. Glen Oak Avenue, amending the conditions so Condition No. 1 would read "Per the submitted site plan with the drive and parking area to be paved within 120 days." and deleting Condition No. 2 so that Condition No. 2 would read "Once the use of the property as a monastery ceases, the only use of the property would be as a single-family residence."; seconded by Council Member Van Auken.

Motion to adopt ORDINANCE NO. 16,293, as amended, was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

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

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.

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

Motion to defer this item until July 8, 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.

(08-237) 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, with LETTER from PEORIA PUBLIC LIBRARY BOARD OF TRUSTEES PRESIDENT in Answer to Questions from the June 10, 2008, City Council Meeting.

Mayor Ardis thanked the Library Board for their due diligence and the many hours of work in bringing their proposals to the Council. He said he and Council Member Spears met with Library Board President Mike McKenzie to provide the best plan possible for the citizens. He stated it was not the intention of the Council to dictate a location for a north branch of the library. He stated the proposal he, Council Member Spears, and Library Board President McKenzie supported was to approve \$28 million for bonding with no strings attached.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Library Board President Mike McKenzie.

Mr. Mike McKenzie, President of the Peoria Public Library Board, said he had spoken individually with each Library Board Member regarding the \$28 million proposal, and he commended the efforts of the Library Board Members for their dedication to this project. He said it was agreed that the \$28 million plan was the best plan for the City at this time, and it was his hope the Library Board could continue working together with the City Council in the future.

Council Member Spears moved to adopt an Ordinance, as amended in the amount of \$28 million, 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, and receive and file a letter from the Peoria Public Library Board of Trustees President in answer to questions from the June 10, 2008, City Council Meeting; seconded by Council Member Manning.

Clerk's Note: Corporation Counsel Randy Ray said, if the Ordinance was adopted, every page in the Ordinance that referred to \$35 million would be replaced to reflect \$28 million.

Council Member Turner stated this was an important step for the Council in recognizing the will of the people. He said this had been a three-year inclusive process prior to appearing on the ballot. He said the citizens were clear by evidence of their vote of 72% in favor of the Library.

Council Member Sandberg discussed the value of libraries to the community and he expressed concern regarding the decrease in funding.

In discussion regarding reductions in the plan due to the decreased funding, Library Board President McKenzie explained some part of the plan would need to be postponed. He said, if the reduction was taken from the Lakeview Branch, that Branch would still need work performed such as heating and air conditioning upgrades.

Council Member Gulley requested that the reductions not affect the Lincoln Branch expansion.

In discussion, the Council expressed their appreciation for the time and efforts of the Library Board.

Motion to adopt ORDINANCE NO. 16,294, as amended in the amount of \$28 million, 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, and receive and file a letter from the Peoria Public Library Board of Trustees President in answer to questions from the June 10, 2008, 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.

(08-274) Communication from the Interim City Manager and Director of Public Works Requesting Approval of a CONTRACT with AVIS RENT-A-CAR SYSTEM to RENT SIX 12-PASSENGER VANS for the MAYOR'S YOUTH CORPS SUMMER EMPLOYMENT PROGRAM. (Replacement Communication)

Council Member Jacob moved to approve a contract with Avis Rent-A-Car System to rent six 12-passenger vans for the Mayor's Youth Corps Summer Employment Program; 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.

(08-285) Communication from the Interim City Manager and Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTERS 15 and 20 of the Code of the City of Peoria Pertaining to VEHICLE IMPOUNDMENT, with SUPPLEMENTAL COMMUNICATION and REPLACEMENT ORDINANCE.

Council Member Spain moved to adopt an Ordinance amending Chapters 15 and 20 of the Code of the City of Peoria pertaining to vehicle impoundment; seconded by Council Member Turner.

ORDINANCE NO. 16,295 amending Chapters 15 and 20 of the Code of the City of Peoria was approved by roll call vote.

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

Nays: None.

- (08-197) **REQUEST for RECONSIDERATION of the Vote Taken at the June 10, 2008, Regular City Council Meeting Regarding the 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, and PLACE THIS ITEM on the JULY 8, 2008, CITY COUNCIL AGENDA.**

Council Member Manning moved to reconsider the vote taken at the June 10, 2008, Regular City Council Meeting regarding the 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, and place this item on the July 8, 2008, City Council Agenda; seconded by Council Member Van Auken.

Motion to reconsider the vote taken on Item No. 08-197 Regarding the Resolution approving the First Amendment to the Annexation Agreement for the Smart Property and place this item on the July 8, 2008, City Council Agenda, was approved by roll call vote.
Yeas: Gulley, Jacob, Manning, Montelongo, Nichting, Sandberg, Spain, Spears, Turner, Van Auken – 10;
Nays: Mayor Ardis - 1.

NEW BUSINESS

ANNOUNCEMENT Regarding MAJOR DISASTER TRAINING for the PEORIA AREA AMATEUR RADIO CLUB

Council Member Manning said the Peoria Area Amateur Radio Club would be participating in a national training exercise to simulate a major disaster and emergency training at Robinson Park on Mossville Road on June 28 and 29, 2008.

ANNOUNCEMENT Regarding SUMMER COOKOUT '08 on JUNE 28, 2008

Mayor Ardis invited the public to attend the Summer Cookout '08 on Saturday, June 28, 2008, at 11:00 A.M. and join the Dream Center Peoria and local churches for a pre-4th of July Cookout. He said the event would be held at the Peoria Outreach Center located at 837 W. Main Street.

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

- (08- 313) **Communication from the Town Clerk Regarding the FINAL ANNUAL TOWN FINANCIAL REPORT (April 1, 2007, to March 31, 2008) for the Town of the City of Peoria, with Recommendation to Receive and File.**

Trustee Nichting moved to receive and file the Final Annual Town Financial Report (April 1, 2007, to March 31, 2008) for the Town of the City of Peoria; seconded by Trustee Spain.

Approved by roll call vote.

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

Nays: None.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL**(08- 314) 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. Roger Sparks, a Peoria resident, referred to Item No. 08-242 regarding an Ordinance rezoning property and granting a Special Use for a Shopping Center at the corner of Illinois Route 40 and Prospect Road and a Certificate of Occupancy issue. He also discussed an issue regarding a residential property, which was rezoned to commercial property. He said the Zoning Certificate required the installation of a paved parking lot, and it was still not in compliance. He expressed concern that there was only one City employee assigned to check on these issues.

Mr. Gordon Seibold, a Peoria resident, discussed the neighborhood nuisance of motorcycles with no mufflers and the noise generated.

EXECUTIVE SESSION**(08-315) 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 Van Auken 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 Gulley.

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 Joint City Council and Town Board Meeting; seconded by Council Member Montelongo.

Approved by viva voce vote.

The Regular City Council Meeting adjourned at 7:52 P. M.