

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

Council Chambers, Peoria, Illinois, February 18, 2003, a Regular Meeting of the City Council was held this date at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, Mayor David P. Ransburg presiding.

**ROLL CALL**

Roll call showed the following Council Members present: Gulley (arrived at 6:20 P.M.), Morris, Nichting, Sandberg, Spears (arrived at 6:20 P.M.), Teplitz, Thetford, Turner, Mayor Ransburg – 9; Absent: Ardis, Grayeb - 2.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ransburg requested that the Family of Mr. Ted Kress be remembered during the moment of silent prayer and he then led the Pledge of Allegiance.

**MINUTES**

Council Member Nichting moved to approve Minutes of the Regular City Council Meeting and Executive Sessions held on February 11, 2003, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Morris, Nichting, Sandberg, Teplitz, Thetford, Turner, Mayor Ransburg - 7;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS****CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.**

- (03-079) **BIDS for ANNUAL THERMOPLASTIC PAVEMENT MARKING, Recommending the Low Bid of DOBCO, as Outlined.**
- (03-080) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECTS: PHASE I CONSTRUCTION FOR CHARTER OAK ROAD EXTENSION (Roadway embankment construction along Charter Oak Road and along Big Hollow Road – North, construction of a dual box culvert to carry the proposed Charter Oak Road roadway extension over a Big Hollow Creek tributary, staged construction of a two-span railroad bridge/roadway underpass carrying the existing UPRR dual mainline trackage over the proposed Charter Oak Road roadway extension.) FREESEN, INC. – PAY ESTIMATE #3: \$294,195.37; TOTAL AUTHORIZATION APPROVED: \$294,195.37. (For Information Only)**
- (03-081) **Communication from Corporation Counsel with RESOLUTION NO. 03-081 Regarding the RELEASE of EXECUTIVE SESSION MINUTES.**
- (03-082) **ADOPTION OF COMMITTEE REPORT Relating to the EXTENSION of the ENTERPRISE ZONE PROGRAM EXPIRATION DATE.**

Council Member Nichting moved to approve the Consent Agenda items as outlined in the communications; seconded by Council Member Turner.

Item Nos. 03-079 through 03-082 were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Morris, Nichting, Sandberg, Teplitz, Thetford, Turner, Mayor Ransburg - 7;

Nays: None.

Council Member Gulley and Council Member Spears arrived at 6:20 P.M.

**(03-083) Communication from Director of Public Works Requesting Authorization to HIRE ONE TEMPORARY ELECTRICIAN for the Remainder of 2003 or Until the Full-Time Electrician Returns from Active Duty in the United States Navy.**

Council Member Nichting moved to authorize the hiring of one temporary electrician for the remainder of 2003 or until the full-time electrician returns from Active Duty in the United States Navy; seconded by Council Member Sandberg.

Council Member Sandberg requested a friendly amendment to add that the position would remain for as long as the position was authorized by the Government Restructuring Task Force.

Council Member Nichting agreed to the friendly amendment.

Motion to authorize the hiring of one temporary electrician for the remainder of 2003 or until the full-time electrician returns from Active Duty in the United States Navy, and as amended, or for as long as the position was authorized by the Government Restructuring Task Force was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**(03-084) Communication from Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Approve a NEW COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) POLICY.**

Council Member Thetford said she felt the new policy was a step in the right direction. She expressed concern with some discrepancies that had occurred in the past, which she felt the new policy would address in future situations.

Council Member Thetford moved to concur with the recommendation of the Neighborhood Development Commission to approve a New Community Housing Development Organization (CHDO) Policy; seconded by Council Member Turner.

In discussion with Council Member Sandberg, Neighborhood Development Manager Jim Lambert explained the change in policies over the past couple of years.

Motion to concur with the recommendation of the Neighborhood Development Commission to approve a New Community Housing Development Organization (CHDO) Policy was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- (03-085) Communication from Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to AWARD FUNDING to COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOs), as Outlined to PCCEO, COMMON PLACE, UPGRADE, and CHRISTIAN FAMILY CENTER.**

Council Member Gulley moved to concur with the recommendation from the Neighborhood Development Commission to award funding to Community Housing Development Organizations (CHDOs), as outlined, to PCCEO, Common Place, Upgrade, and Christian Family Center; seconded by Council Member Thetford.

Approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- (03-086) Communication from Director of Public Works Regarding the VACATION of PART of COMMERCIAL STREET as Part of the REDEVELOPMENT of the inPLAY PROJECT at 316, 318 and 320 S. W. WASHINGTON STREET, Requesting Consideration of the Following:**

- A. Acceptance of the PROPOSAL, as Outlined in the Council Communication, and the DEVELOPER'S PAYMENT of \$2,630.00 in EXCHANGE for the VACATED LAND;**

Council Member Gulley moved to accept the proposal, as outlined, and the developer's payment of \$2,630.00 in exchange for the vacated land, relating to the inPlay Project at 316, 318 and 320 S. W. Washington Street; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- B. ORDINANCE to VACATE PART of COMMERCIAL STREET Between LIBERTY AND HARRISON STREETS.**

Council Member Gulley moved to adopt the Ordinance to vacate part of Commercial Street between Liberty and Harrison Streets, relating to the inPlay Project at 316, 318 and 320 S. W. Washington Street; seconded by Council Member Morris.

ORDINANCE NO. 15,433 was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- (03-087) Communication from Finance Director/Comptroller Recommending Adoption of the Following:**

- A. ORDINANCE Amending the BUDGET for Fiscal Year 2003 Relating to ENCUMBRANCES;**

Council Member Nichting moved to adopt the Ordinance amending the Budget for Fiscal Year 2003 relating to encumbrances; seconded by Council Member Turner.

ORDINANCE NO. 15,434 was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**B. ORDINANCE Amending the BUDGET for Fiscal Year 2003 Relating to REDUCTION in CAPITAL PROJECTS;**

Council Member Turner moved to adopt the Ordinance amending the Budget for fiscal year 2003 relating to reduction in capital projects; seconded by Council Member Morris.

In discussion with Council Member Sandberg, Finance Director/Comptroller Ellie Hogan explained this grant was included in the 2003 Budget and was anticipated, but it did not materialize. She said the grant was not signed when the Budget was adopted. She further explained that grant eligible expenses were not projects that needed to be done immediately and could be done in 2004.

Council Member Spears expressed concern that he did not feel this grant was discussed in the Budget process in this manner.

Council Member Sandberg said it was his understanding the grant was for the Bio-Initiatives rather than paying for expenses for capital needs for roof repairs, a fire rescue vehicle, etc. He said he felt the grant was just for the Bio-Initiatives.

Council Member Nichting requested that the Council be advised of the changes in the fund balance whenever a Budget amendment was before the Council.

Motion to adopt ORDINANCE NO. 15,435 amending the Budget for fiscal year 2003 relating to reduction in capital projects was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;  
Nays: None.

**C. ORDINANCE Amending the BUDGET for Fiscal Year 2003 Relating to DEPARTMENTAL MOVE from JEFFERSON STREET.**

Council Member Nichting moved to adopt the Ordinance amending the Budget for Fiscal Year 2003 relating to the departmental move from Jefferson Street; seconded by Council Member Turner.

ORDINANCE NO. 15,436 was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;  
Nays: None.

**D. ORDINANCE Amending the BUDGET for Fiscal Year 2003 Relating to CITY MANAGER'S SALARY and EXECUTIVE SEARCH.**

Council Member Turner moved to adopt the Ordinance amending the Budget for Fiscal Year 2003 relating to the City Manager's salary and executive search; seconded by Council Member Teplitz.

ORDINANCE NO. 15,437 was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;  
Nays: None.

**(03-088) Communication from Corporation Counsel and Finance Director/Comptroller Regarding the PROPOSED BUSINESS LICENSING of GASOLINE STATIONS and RESTAURANTS, Requesting Concurrence that the Administration Bring Back Ordinances Consistent with the Report, and Direct Staff to Contact Persons Regarding these Proposals.**

Council Member Turner moved to concur that the Administration bring back Ordinances regarding the proposed business licensing of gasoline stations and restaurants, consistent with the report, and direct Staff to contact persons regarding these proposals; seconded by Council Member Teplitz.

In discussion with Council Member Spears regarding the fee, Corporation Counsel Randy Ray said the fee would probably be \$10.00. He explained the purpose of the licensing was not to make money, but to have a mechanism in place to insure compliance of the Ordinances.

Council Member Spears suggested there be no charge because the licensees would be collecting the taxes for the City.

Council Member Teplitz said it was general procedure for the City to cover their costs for administering licenses, and she indicated she supported the motion.

Council Member Sandberg referred to the restaurants and he said he felt they were already heavily licensed. He suggested that there be discussions with the County, who currently licensed restaurants, to suggest they enact a law that by certified copy from the City that licenses could be with held. He indicated he did not support another bureaucracy and he did not feel another licensing process was business-friendly. He also suggested reviewing the place of assembly permit process to determine if this process could be used to encourage compliance.

Corporation Counsel Randy Ray said he had made initial contact with the County Health Department and he would follow up on this in the near future.

Council Member Nichting suggested sending a letter to those not in compliance informing them that litigation would be brought against them if they did not comply. He said he did not feel those in compliance should be punished by having to pay a \$10.00 fee.

Motion to concur that the Administration bring back Ordinances regarding the proposed business licensing of gasoline stations and restaurants, consistent with the report, and direct Staff to contact persons regarding these proposals was approved by roll call vote.

Yeas: Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 8;

Nays: Nichting - 1.

**(03-089) CITY MANAGER REPORT to CITY COUNCIL.**

Council Member Turner moved to receive and file the City Manager Report to the City Council; seconded by Council Member Gulley.

Discussion was held regarding the Nuisance Ordinance Report, the Problem Property Response Report, and the N.E.A.T. Report.

Council Member Thetford requested that the N.E.A.T. Report be provided at the same time the Nuisance Ordinance Report was provided to the Council.

Superintendent of Police said he would meet with the other Departments involved and determine if these reports could be coordinated.

Motion to receive and file the City Manager Report to the City Council was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**NEW BUSINESS**

**ANNOUNCEMENT REGARDING NEIGHBORHOOD DEVELOPMENT MANAGER, JIM LAMBERT**

Council Member Thetford announced that Neighborhood Development Manager Jim Lambert had notified the City he would be leaving his current position. She commended Mr. Lambert on his work with the Neighborhood Development Commission and wished him the best in his future.

**ANNOUNCEMENT REGARDING CITY TREASURER MARY ULRICH AND SUCCESSFUL DOUBLE KNEE SURGERY**

City Clerk Mary Haynes reported that City Treasurer Mary Ulrich's double knee surgery was a success and she was doing very well. She said Ms. Ulrich sent her regards to the Council.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(03-090) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding VARIOUS ISSUES.**

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to those who wished to address the Council.

Mr. John White, 1309 E. Elmhurst, distributed a list of suggestions regarding Economic Development Enhancements to all members of the City Council. He encouraged the Council to review the list and he said he would be glad to discuss it with them.

Mr. Lyntee Curly, 1005 N. Flora, expressed concern because a search warrant had been issued for his apartment and he was detained at the Police Department even though no drugs were found.

Superintendent of Police John Stenson said he had meet with Mr. Curly every business day since the day of the search warrant, which was authorized by a Judge. He said money and a car was confiscated at the scene and Mr. Curly was informed of his due process rights. He added that Mr. Curly would have a day in Court to determine the validity of his case.

**EXECUTIVE SESSION**

**(03-091) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.**

Council Member Turner moved that the City Council go into Executive Session to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; seconded by Council Member Teplitz.

Approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**ADJOURNMENT**

Council Member Turner moved to adjourn the Council Meeting; seconded by Council Member Teplitz.

Approved by viva voce vote.

The Council Meeting adjourned at 7:21 P.M.

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

