

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

Council Chambers, Peoria, Illinois, June 3, 2003, a Regular Meeting of the City Council was held this date at 6:15 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: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10; Absent: Ardis - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ransburg requested a moment of silent prayer then he led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: DR. JOHN DAVIDSON and the PEORIA HIGH SCHOOL HISTORY CLASS

PROCLAMATION: STEAMBOAT CLASSIC – JUNE 7, 2003

PROCLAMATION: 2003 AMERON-CILCO SUMMER SERANADE CONCERT SERIES

PRESENTATION: AWARD to OLDE TOWNE SOUTH NEIGHBORHOOD ASSOCIATION for MOST BAGS OF GARBAGE COLLECTED During LITTER AWARENESS MONTH – MAY, 2003

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting and Executive Session held on May 27, 2003, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg – 10;

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

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

(03-290) PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: 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 #8: \$155,098.61; TOTAL AUTHORIZATION APPROVED: \$155,098.61. (For Information Only)

- (03-291) **Communication from Director of Public Works Recommending Adoption of ORDINANCE NO. 15,479 Providing for the IMPROVEMENT of MAIN STREET (from Sheridan Road to North Street and from University Street to North Street) and SHERIDAN ROAD (on the West Side from Windom Street to Main Street).**
- (03-292) **Communication from Finance Director/Comptroller Recommending Adoption of ORDINANCE NO. 15,480 Amending the BUDGET for Fiscal Year 2003 Relating to HEALTH PLAN STUDY CONSULTING FEES, FEMA CITIZEN CORPS GRANT, and URBAN FORESTRY GRANT.**
- (03-293) **Communication from Director of Public Works Requesting Authorization to INCREASE INTENSITY of EXISTING LIGHTING in the 1200 and 1300 BLOCKS of N. E. MADISON AVENUE.**
- (03-294) **APPLICATION for CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE for the PEORIA ZOOLOGICAL SOCIETY on June 20, 2003.**
- (03-295) **Communication from Corporation Counsel Requesting Approval to AMEND the DATES for SCHEDULED EVENTS SPONSORED by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E.) to Include SATURDAY, JUNE 14, 2003, for the STEAMBOAT FESTIVAL.**

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

Item Nos. 03-290 through 03-295 were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10;

Nays: None.

- (03-296) **BRIEFING by INTERIM CITY MANAGER H. B. EWERT Regarding CURRENT BUDGET ISSUES.**

Council Member Nichting distributed a copy of a letter to all members of the Council from the Briardale Homeowner’s Association opposing cuts in funding for operations of the Police and Fire Departments.

Interim City Manager Bern Ewert said on June 17, 2003, he would be presenting a comprehensive Budget proposal to the Council which would address the 2003 and 2004 Budgets. He said the Budget proposal would be released to the Council and the public on June 13, 2003. He discussed the budgeting issues that faced the City Administration and the Council. He said the budget gap was over \$6 million over the next two years. He added he was originally informed that the budget gap was \$4 million. He said there was an uncertain nature of State revenue sharing for 2004, and the latest projection from the Illinois Municipal League indicated that Income Tax Revenues from the State would drop another 9%, or \$650,000, in 2004.

Interim City Manager Ewert said the decisions that would need to be made would not be easy or popular, but would be necessary in order to maintain organizational structure that would be sustainable in the long-term, deliver services demanded by citizens and was constructed in such a way to maintain the City’s sound financial condition.

Interim City Manager Ewert said the problem facing the City was not a short term problem. He said he would be presenting information on a five-year Budget and a ten-year Capital program. He said the Council and the Administration would have to look beyond the 2004 Budget to solve service and financial problems. He stated all City Departments had reformatted their existing 2003 Budgets to clearly define activities and their associated costs and outcomes. He said he had worked with each department to identify cuts that could be made to close the Budget gap. He said all areas of the City had been considered and would be impacted. He said the Council would be provided information on the impact each of the proposed cuts would have on Peoria's service levels. Unfortunately, he said, most revenue sources were projected to remain flat through 2004. He added he would also be proposing various revenue proposals designed to increase and diversify the City's revenue streams.

Interim City Manager Ewert pointed out there was virtually no funding available for capital maintenance and replacement, no funding for police cars, fire engines and little for building maintenance and equipment. He said he would be presenting a plan to bring capital expenditures to a sustainable level and provide for the City's ongoing and future needs beginning next year. He added he felt the right-sizing would take the City approximately ten years to achieve for the entire capital budget.

Interim City Manager Ewert explained the guidelines and standards for the proposal. He said the proposal would be fair, balanced, would have fiscal integrity, right-sized programs and departments, and efficiency. He said the critical services of Fire, Police, Public Works, and Inspections would have some reductions, but he added there would be no cuts to jeopardize the citizens' public safety.

In discussion with Council Member Nichting regarding a line-by-line Budget, Interim City Manager Ewert stated he would provide a line-by-line Budget, but it was his hope the Council would vote on the proposal as a package.

In discussion with Council Member Grayeb regarding a tax increase and public safety concerns, Interim City Manager Ewert indicated that he would be recommending revenues, as well as expenditures, and that public safety would not jeopardized.

Council Member Nichting moved to receive and file the Budget report from Interim City Manager H. B. Ewert; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg – 10;

Nays: None.

(03-297) Communication from Finance Director/Comptroller Recommending Adoption of an ORDINANCE Expressing OFFICIAL INTENT Regarding CERTAIN CAPITAL EXPENDITURES to be REIMBURSED from PROCEEDS of an OBLIGATION.

Council Member Nichting moved to adopt the Ordinance expressing Official Intent regarding certain capital expenditures to be reimbursed from proceeds of an obligation; seconded by Council Member Morris.

ORDINANCE NO. 15,481 was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg – 10;

Nays: None.

UNFINISHED BUSINESS

(03-255) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Relating to TRAFFIC AND MOTOR VEHICLES and PARKING VIOLATIONS and FINE PENALTY for BICYCLE RELATED OFFENSES, with Supplemental Information and a Replacement Ordinance.

Corporation Counsel Randy Ray suggested that the replacement Ordinance be amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law."

Council Member Thetford moved to adopt the replacement Ordinance amending Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and parking violations and fine penalty for Bicycle related offenses, as amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law." and receive and file the supplemental information; seconded by Council Member Teplitz.

Council Member Sandberg moved to divide the four sections of the Ordinance and vote on each section separately; seconded by Council Member Morris.

Motion to divide the four sections of the Ordinance and vote on each separately was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Thetford, Turner - 8;

Nays: Teplitz, Mayor Ransburg - 2.

Motion to adopt ORDINANCE NO. 15,482 amending Section 28-81 of Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and Citations, as amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law." and receive and file the supplemental information, Approved by roll call vote.

Yeas: Grayeb, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 8;

Nays: Gulley, Sandberg - 2.

Discussion was held regarding proposed changes to Section 28-274 of Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and parking vehicles on private property.

In discussion with Council Member Nichting regarding commercial lots, Corporation Counsel Randy Ray said the intent of the proposed Ordinance was not to change any parking situation that presently existed under the Zoning Ordinance. He said this would shift the liability from the owner of the property to the owner of the vehicle. He added this did not change any laws under towing.

Discussion was held regarding several points of clarification regarding the details of the Ordinance. Several Council Members expressed concern regarding how the proposed Ordinance would be enforced. Concern was also expressed regarding those residents who could not afford to comply with the proposed stipulations of the proposed Ordinance.

Director of Planning and Growth Management Wayne Anthony explained that residentially zoned property and properties that were developed prior to 1972, and had gravel parking, would be grandfathered and could continue to park on graveled surfaces and not be required to have them paved. He added that those areas would not be allowed to be expanded or relocated.

Following further discussion, Council Member Thetford moved to grant Privilege of the Floor to Ms. Levetta Ricca; seconded by Council Member Teplitz.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Levetta Ricca.

Mr. Levetta Ricca, 711 S. Greenlawn, indicated parking in yards was a problem in her neighborhood, and she encouraged the Council to vote in favor of the proposed Ordinance.

Council Member Thetford moved to defer the Ordinance amending Section 28-274 of Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and Parking Vehicles on Private Property, as amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law." for one week until the June 10, 2003, Regular City Council Meeting; seconded by Council Member Teplitz.

Motion to defer the Ordinance amending Section 28-274 until June 10, 2003, as amended, was approved by roll call vote.

Yeas: Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 7;

Nays: Grayeb, Nichting, Sandberg – 3.

Motion to adopt ORDINANCE NO. 15,483 amending Section 28-302 of Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and Hoods for Meters, as amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law." was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10;

Nays: None.

Motion to adopt ORDINANCE NO. 15,484 amending Section 28-506 of Chapter 28 of the Code of the City of Peoria relating to Traffic and Motor Vehicles and Penalty for Violation of Article, as amended to reflect a change under Section 2, to change the wording to read "This ordinance shall be in full force and effect ten days after publication according to law." was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Sandberg - 1.

(03-190) Communication from Director of Planning and Growth Management with Recommendation from the Planning Commission to APPROVE and Recommendation from City Staff to DENY a RESOLUTION Approving the PRELIMINARY PLAT of MEDINA CROSSING SUBDIVISION, an Industrial Development Located North of IL Route 6 and West of IL Route 29, along N. State Street.

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

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

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10;

Nays: None.

NEW BUSINESS**COMMENTS Regarding SUMMER NOISE PROBLEMS**

Council Member Thetford indicated summer noise problems were beginning again in areas of her District and she requested the Police Department address these issues.

Council Member Gulley agreed that solutions needed to be found to some of these kinds of noise problems, and other problems in neighborhood. He said there would be a press conference on June 4, 2003, at 4:30 P.M. in the 200 Block of MacArthur to announce the kick-off of a campaign to get citizens to work together to deal with these issues.

REQUEST for a MONTHLY REPORT from the POLICE DEPARTMENT Regarding HIGH-SPEED BICYCLE EVENTS and the NUMBER OF TICKETS ISSUED.

Council Member Sandberg requested that, as part of the monthly Police Department Report, he would like to have the number of high-speed bicycle events there were each year, and he requested a report of the number of tickets issued on an annual basis.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL**(03-298) 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.

Ms. June Moore, 1409 W. Millman, invited the Council to attend a joint Block Party with At. Anne's Church, Olde Towne South Neighborhood Association and Station House #4 to promote involvement in neighborhoods. She said the event would be held on Saturday, June 7, 2003.

Mr. James Hollands, 1408 S. Western Avenue, explained an incident he was involved in with the Police Department. He said he was issued a ticket and felt he was unjustly treated.

Police Chief John Stenson explained why the ticket was issued and that Mr. Hollands had been given an opportunity to make a complaint at the Police Department.

Mr. Floyd Nolan, 1332 N. Machin, spoke in support of the proposed Ordinance eliminating vehicles being parked on the grass. He indicated there were other parking issues that also needed to be addressed.

EXECUTIVE SESSION**(03-299) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(6) The setting of a price for sale or lease of property owned by the public body.**

Council Member Turner moved that the City Council go into Executive Session to discuss 2(c)(6) The setting of a price for sale or lease of property owned by the public body; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg – 10;

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:32 P.M.

bb

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