

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

Council Chambers, Peoria, Illinois, June 10, 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: Ardis, Grayeb, Gulley (arrived at 6:25 P.M.), Morris, Nichting, Sandberg, Spears (arrived at 6:21 P.M.), Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**MINUTES**

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting and Executive Session held on June 3, 2003, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Morris, Nichting, Sandberg, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS****CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for City of Peoria, with Recommendations as Outlined:**

- (03-300) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: MAIN STREET SIDEWALK IMPROVEMENT (Phase I) (University to Sheridan) (Removal of existing comb. Curb and gutter, sidewalks, steps and driveway approaches and construction of concrete sidewalks, comb. Curb-sidewalks, pc.c. gutter, driveway pavement, storm sewer, traffic signals and an ornamental street lighting system.) R. A. CULLINAN & SON, INC. – PAY ESTIMATE #2: \$243,282.76; TOTAL AUTHORIZATION APPROVED: \$243,282.76. (For Information Only)**
- (03-301) **Communication from Director of Public Works Requesting Approval of an OFFER, in the Amount of \$2,750.00, from the ILLINOIS DEPARTMENT OF TRANSPORTATION to PURCHASE PROPERTY Located Between Machin Street and Broadway Street, for the INTERSTATE 74 RECONSTRUCTION PROJECT, and Requesting Approval of a CORPORATE RESOLUTION Authorizing the City Manager to Sign the Necessary Documents.**
- (03-302) **Communication from Director of Public Works Requesting Approval of an OFFER, in the Amount of \$1,775.00, from the ILLINOIS DEPARTMENT OF TRANSPORTATION to PURCHASE PROPERTY Located Between Machin Street and the Alley to the West, for the INTERSTATE 74 RECONSTRUCTION PROJECT, and Requesting Approval of a CORPORATE RESOLUTION Authorizing the City Manager to Sign the Necessary Documents.**

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

Item Nos. 03-300 through 03-302 were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Grayeb, Morris, Nichting, Sandberg, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-303) Communication from Director of Economic Development with Recommendation from Staff and the Designated Zone Organization to Adopt an ORDINANCE Amending Ordinance No. 11,051 EXTENDING THE LIFE of the ENTERPRISE ZONE of the City of Peoria for Another Ten Years, AND Amending Ordinance No. 11,637 ESTABLISHING PROPERTY TAX ABATEMENT as an ENTERPRISE ZONE INCENTIVE and ELIMINATING CERTAIN TERRITORY within the Zone.**

Director of Economic Development Dave Dobson distributed a replacement Ordinance to all members of the City Council. Following a brief explanation, Director Dobson recommended adoption of the replacement Ordinance.

Council Member Spears arrived at the meeting at 6:21 P.M.

Council Member Teplitz moved to adopt the replacement Ordinance amending Ordinance No. 11,051, extending the life of the Enterprise Zone of the City of Peoria for another ten years, and amending Ordinance No. 11,637 establishing Property Tax Abatement as an Enterprise Zone Incentive and eliminating certain territory within the zone, and further move to direct the Administration to file an application with the State of Illinois Department of Commerce and Economic Opportunity and for the Interim City Manager to execute the necessary documents; seconded by Council Member Turner.

Council Member Gulley arrived at the meeting at 6:25 P.M.

Motion to adopt ORDINANCE NO. 15,485 amending Ordinance No. 11,051, extending the life of the Enterprise Zone of the City of Peoria for another ten years, and amending Ordinance No. 11,637 establishing Property Tax Abatement as an Enterprise Zone Incentive and eliminating certain territory within the zone, and further move to direct the Administration to file an application with the State of Illinois Department of Commerce and Economic Opportunity and for the Interim City Manager to execute the necessary documents was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11;

Nays: None.

#### **UNFINISHED BUSINESS**

**(03-255) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending CHAPTER 28, SECTION 28-274, of the Code of the City of Peoria Relating to TRAFFIC AND MOTOR VEHICLES and Parking Vehicles on Private Property.**

Council Member Thetford moved to adopt the Ordinance amending Chapter 28, Section 28-274, of the Code of the City of Peoria relating to Traffic and Motor Vehicles and parking vehicles on Private Property; seconded by Council Member Teplitz.

In discussion with Council Member Turner regarding the impact on citizens who may not have driveways or who live on streets that were so narrow that the citizen had to park in their front yard or side yard, Director of Inspections John Kunski said the proposed Ordinance would not change any of the existing requirements of Appendix B of the Code. He said currently the Ordinance was enforced and the level of enforcement would not be changed. He said the proposed Ordinance added the requirements of Appendix B to Chapter 28 of the Code transferring the responsibility of enforcement to Police Officers and Code Enforcement Officers.

Corporation Counsel Randy Ray suggested that citizens who lived in areas where there were no driveways or on narrow streets should be advised about the location of the right-of-way because it was legal to park on the right-of-way. He added that, in areas where there were no sidewalks, the right-of-way was not clearly defined.

Council Member Sandberg expressed concern that there would be confusion regarding the legalities of parking in the right-of-way on the grass and parking in the right-of-way off the grass. He said he was also concerned that the proposed Ordinance would change the locations where citizens could park, and he pointed out that the proposed Ordinance changed the enforcement and the process significantly. He said he understood the reason behind the proposed Ordinance, but he felt there may be unintended consequences to deal with after the Ordinance was adopted.

In further discussion with Council Member Sandberg regarding regulations for those properties annexed in 1961, Director Kunski said Code Enforcement and the Police Department would refer those cases to the Planning and Growth Department and each case would be evaluated on an individual basis by the Zoning Officer.

In discussion with Council Member Spears regarding parking on the grass on property annexed in 1961, Director Kunski explained the proposed Ordinance established was that no one would be allowed to park in their front yard.

Corporation Counsel Randy Ray said it would not be legal to park in a front yard, whether the property was annexed before or after 1961. He said the grandfathered portion of the Zoning Code was applicable to gravel only.

Council Member Gulley expressed concern regarding enforcement issues. He suggested that warning tickets be issued initially.

Council Member Turner expressed concern regarding those citizens who may fall through the cracks regarding enforcement and he did not want those citizens to be unjustly treated.

Council Member Teplitz said it had been standard procedure by the N.E.A.T. to issue verbal warnings under most circumstances prior to a ticket being written. She added that if the Ordinance was not being enforced in a positive manner for the majority of the citizens, then a change would need to be made to the Ordinance.

In discussion with Council Member Grayeb regarding different types of paved surfaces, Director Kunski indicated that Subsection C did not prohibit the use of pavers, which was a less expensive solution, as long as Zoning Ordinance requirements were followed.

Motion to adopt ORDINANCE NO. 15,486 amending Chapter 28, Section 28-274, of the Code of the City of Peoria relating to Traffic and Motor Vehicles and parking vehicles on Private Property was approved by roll call vote.

Yeas: Ardis, Grayeb, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg – 8;

Nays: Gulley, Sandberg, Spears - 3.

NEW BUSINESS**(03-304) REQUEST to SCHEDULE a PRESENTATION by the N.E.A.T. TEAM.**

Council Member Thetford requested that a presentation by the N.E.A.T. Team be scheduled following the budget discussion meetings.

No objections were heard.

**(03-305) REQUEST to SET A DATE for the JOINT MEETING with the COUNTY BOARD Regarding the LANDFILL.**

Council Member Grayeb referred to the proposed Joint Meeting with the County Board regarding the landfill, which had been listed on the front of the Council Agenda under No Dates Set, and requested that either that meeting be scheduled, or if no one was interested in having the meeting, be dispensed with.

Council Member Sandberg stated, on behalf of Mr. Tom Edwards who he knew wanted this meeting to be held, that he did not want the meeting to be cancelled.

Council Member Grayeb moved to remove the Joint Meeting with the County Board regarding the Landfill from the No Dates Set section of the Council Agenda. No second was heard.

Council Member Grayeb suggested that the City Manager contact the County and arrange a date for the meeting be set in the near future. No objections were heard.

**(03-306) REQUEST for REMOVAL of a POLICY SESSION Regarding the Availability of Parking for Future Uses in the Area South of Jefferson Street, East of Persimmon Street and West of Liberty Street (Ball Stadium Area) under NO DATES SET on the Council Agenda.**

Council Member Nichting moved to remove the Policy Session regarding the availability of parking for future uses in the area South of Jefferson Street, East of Persimmon Street and West of Liberty Street (Ball Stadium Area) under No Dates Set on the Council Agenda; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: Gulley - 1.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL****(03-307) 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, referred to the City's \$6 million Budget deficit and he presented a financial plan to the Council. He distributed a copy to all members of the Council.

**EXECUTIVE SESSION**

- (03-308) 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 Grayeb 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 Sandberg.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11;

Nays: None.

**ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:03 P.M.

bb

---

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