

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

Council Chambers, Peoria, Illinois, July 15, 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: Ardis, Gulley, Morris (arrived at 6:20 P.M.), Sandberg (arrived at 6:25 P.M.), Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9; Absent: Grayeb, Nichting – 2.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**2<sup>ND</sup> ANNUAL PEORIA MUNICIPAL BAND PERFORMANCE AT O'BRIEN FIELD**

Council Member Thetford and Council Member Turner invited the public to attend the 2<sup>nd</sup> Annual Peoria Municipal Band Plays O'Brien Field on Sunday, July 20, 2003, at 7:30 P.M. Council Member Thetford stated the theme of this event would be "Peanuts and Cracker Jacks." She added the event would feature a vocal performance by Ms. Connie Tumminelli and Mr. Robert McLaughlin singing highlights from Phantom of the Opera. She invited the public to attend this family event which included free refreshments and a drawing for prizes.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: PEORIA FIRE EXPLORERS POST 2050 – Awarded First Place Trophy for Arson Investigation.

**MINUTES**

Council Member Ardis moved to approve the minutes of the Regular City Council Meeting held on July 8, 2003, and the Executive Sessions held on July 8 and July 10, 2003, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA****(03-391) PUBLIC HEARING Regarding PROPOSED PROPERTY TAX LEVY INCREASE for the City of Peoria for 2003.**

Mayor Ransburg opened the Public Hearing at 6:31 P.M.

Following Mayor Ransburg's third call for public comment, and after he determined that no one wished to address this issue, Council Member Turner moved to close the Public Hearing; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

The Public Hearing closed at 6:32 P.M.

**(03-392) PUBLIC HEARING Regarding ANNEXATION of Property at Approximately 7800 NORTH ROUTE 91 Located Immediately South of a Five-Acre Parcel Previously Annexed.**

Council Member Ardis moved to open the Public Hearing regarding the Annexation of property at approximately 7800 North Route 91 located immediately south of a five-acre parcel previously annexed; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

The Public Hearing opened at 6:34 P.M.

Ms. Sandra Birdsall, 124 S.W. Jefferson, said she represented the petitioner, Cullinan Properties. She gave a brief description of the property to be annexed and requested Council approval for the Annexation Agreement of the proposed site plan and the C-2 Special Use, which would ultimately result in a zoning ordinance that would add fifteen acres in accordance with the use proposed by the City's Comprehensive Plan.

Following the third call for public comment, and after Mayor Ransburg determined that no one else wished to address this issue, Council Member Turner moved to close the Public Hearing regarding the Annexation of property at approximately 7800 North Route 91 located immediately south of a five-acre parcel previously annexed; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

The Public Hearing closed at 6:38 P.M.

**(03-393) Communication from Interim Director of Planning and Growth Management Recommending Adoption of the Following:**

- A. RESOLUTION Approving the ANNEXATION AGREEMENT for Certain Property Located at an APPROXIMATE ADDRESS OF 7800 NORTH ROUTE 91, Immediately South of a Five-Acre Parcel Previously Annexed, All Located within One and One-Half Miles of the City of Peoria;**

Corporation Counsel Randy Ray said the administration was requesting Council action to approve Item A, which was the resolution approving the Annexation Agreement and, per the terms of the annexation agreement, defer Item B and Item C until the developer closed on the purchase of the property from the owner.

Council Member Ardis moved to approve the Annexation Agreement for certain property located at an approximate address of 7800 North Route 91, immediately south of a five-acre parcel previously annexed, all located within one and one-half miles of the City of Peoria; seconded by Council Member Turner.

RESOLUTION NO. 03-393 was approved by roll call vote.

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

Nays: None.

**B. ORDINANCE ANNEXING Territory Contiguous to the City of Peoria – APPROXIMATE ADDRESS of 7800 NORTH ROUTE 91, Immediately South of a Five-Acre Parcel Previously Annexed**

Council Member Ardis moved to defer the Ordinance annexing territory contiguous to the City of Peoria with an approximate address of 7800 North Route 91, immediately south of a five-acre parcel previously annexed, for three weeks until the August 5, 2003, Regular City Council Meeting; seconded by Council Member Turner

\*Motion to defer this item until August 5, 2003, was approved by roll call vote.

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

Nays: None.

\*Clerk's Note: Due to cancellation of the August 5, 2003, Council Meeting, there will likely be a motion made at the meeting on July 29, 2003, to defer this item until the August 12, 2003, Regular City Council Meeting.

**C. ORDINANCE Rezoning a 15-ACRE SHOPPING CENTER for the Property Located at the NORTHEAST CORNER of the INTERSECTION of ROUTE 91 and WAR MEMORIAL DRIVE From the Present Class A-2 (Agriculture) District in the County to a Class C-2 (Large Scale Commercial) District and Granting a SPECIAL USE.**

Council Member Ardis moved to defer the Ordinance rezoning a 15-acre Shopping Center for the property located at the northeast corner of the intersection of Route 91 and War Memorial Drive from the Present Class A-2 (Agriculture) District in the County to a Class C-2 (Large Scale Commercial) District and Granting a Special Use, for three weeks until the August 5, 2003, Regular City Council Meeting; seconded by Council Member Turner.

\*Motion to defer this item until August 5, 2003, was approved by roll call vote.

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

Nays: None.

\*Clerk's Note: Due to cancellation of the August 5, 2003, Council Meeting, there will likely be a motion made at the meeting on July 29, 2003, to defer this item until the August 12, 2003, Regular City Council Meeting.

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

**(03-394) 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, p.c.c. gutter, driveway pavement, storm sewer, traffic signals and an ornamental street lighting system.) R.A. CULLINAN & SON, INC. – PAY ESTIMATE #3: \$108,832.51; TOTAL AUTHORIZATION APPROVED: \$108,832.51. (For Information Only)**

- (03-395) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENTS 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 #10: \$318,683.37; TOTAL AUTHORIZATION APPROVED: \$318,683.37. (For Information Only)**
- (03-396) **Communication from Director of Public Works Recommending Approval of a SUPPLEMENTAL STATE MOTOR FUEL TAX GENERAL MAINTENANCE RESOLUTION NO. 03-396 for 2000 CONTRACTS in the Amount of \$35,477.87.**
- (03-397) **Communication from Corporation Counsel Requesting Concurrence with the Water Selection Committee Recommendation to Select MORGAN, STANLEY & COMPANY and BANC ONE as Senior Managers and Appoint A.G. EDWARDS as Co-Manager for the Underwriting of the Proposed Bonds to Purchase the Waterworks.**
- (03-398) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15, 495 Granting a SPECIAL USE in a Class R-2 (Single -Family Residential) District for a CHURCH and CHURCH FACILITIES for the Property Located at the Southside of the 3000 BLOCK of RICHWOODS BOULEVARD, with Conditions.**
- (03-399) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Granting a SPECIAL USE in a Class C-1 (General Commercial) District for an OUTDOOR BEER GARDEN for the Property Located at 7719 N. UNIVERSITY AVENUE, As Outlined.**
- \* (03-400) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,496 Rezoning Property Located at 6300 N. UNIVERSITY AVENUE from the Present Class R-2 (Single -Family Residential) District to a Class O-1 (Arterial Office) District.**
- (03-401) **Communication from Mayor David P. Ransburg Recommending Approval of RESOLUTION NO. 03-401 Pertaining to APPOINTMENT, REAPPOINTMENTS and TERMS of the TRAFFIC COMMISSION:**
- APPOINTMENT:**
- |                                   |                              |
|-----------------------------------|------------------------------|
| <b>Mr. W. Joe Hudson (Voting)</b> | <b>Term to be Determined</b> |
|-----------------------------------|------------------------------|
- REAPPOINTMENTS:**
- |                                       |                              |
|---------------------------------------|------------------------------|
| <b>Mr. Charles T. Carson (Voting)</b> | <b>Term to be Determined</b> |
| <b>Mr. Charles W. Kreie (Voting)</b>  | <b>Term to be Determined</b> |
| <b>Mr. Greg Mettlach (Voting)</b>     | <b>Term to be Determined</b> |
- (03-402) **REAPPOINTMENT by Mayor David P. Ransburg to the GIS POLICY COMMITTEE:**
- |   |                             |
|---|-----------------------------|
| <b>Council Member Marcella Teplitz (Voting)</b> | <b>Term Expires 4/30/06</b> |
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**(03-403) APPOINTMENT and REAPPOINTMENTS by Mayor David P. Ransburg to the PLANNING COMMISSION:**

**APPOINTMENT:**

**Mr. Ian B. Trahan (Voting)**

**Term Expires 6/30/05**

**REAPPOINTMENTS:**

**Mr. Raymond W. Lees (Voting)**

**Term Expires 6/30/06**

**Mrs. Nancy J. Lawless (Voting)**

**Term Expires 6/30/06**

**Mr. Bernard G. Templin (Voting)**

**Term Expires 6/30/05**

**(03-404) APPOINTMENT and REAPPOINTMENTS by Mayor David P. Ransburg to the ADVISORY COMMITTEE on POLICE-COMMUNITY RELATIONS:**

**APPOINTMENT:**

**Ms. Sheila L. Ryan-Watson (Voting)**

**Term Expires 6/30/06**

**REAPPOINTMENTS:**

**Mr. W. Joe Hudson (Voting)**

**Term Expires 6/30/06**

**Mr. Ira Goggins (Voting)**

**Term Expires 6/30/06**

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

Council Member Sandberg requested Item No. 03-399 be removed from the Consent Agenda for further discussion.

Item Nos. 03-394 through 03-404 (excluding Item No. 03-399 which was removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-399) Communication from Interim Director of Planning and Growth Management  
\* Recommending Adoption of an ORDINANCE Granting a SPECIAL USE  
in a Class C-1 (General Commercial) District for an OUTDOOR BEER GARDEN  
for the Property Located at 7719 N. UNIVERSITY AVENUE, As Outlined.**

A handout of Attachment B of the Ordinance, which was the Parking Agreement, was distributed to all members of the Council.

Council Member Sandberg said he would abstain from voting on this item due to a working relationship with the petitioner.

Council Member Turner moved to adopt the Ordinance granting a Special Use in a Class C-1 (General Commercial) District for an Outdoor Beer Garden for the property located at 7719 N. University Avenue, as amended, adding Attachment B; seconded by Council Member Thetford.

Motion to adopt ORDINANCE NO. 15,497, as amended, adding Attachment B, was approved by roll call vote.

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

Nays: None.

Abstention: Sandberg – 1.

**(03-405) Communication from Interim Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Adopt the NEIGHBORHOOD BLUEPRINT PLAN, as Outlined.**

Following a brief explanation of the history of how the Neighborhood Blueprint Plan came into existence, and recognizing and commending the efforts of those citizens who worked to put together this plan, Council Member Gulley moved to concur with the recommendation from the Neighborhood Development Commission to adopt the Neighborhood Blueprint Plan; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

**(03-406) Communication from Interim Director of Planning and Growth Management with Request from the Neighborhood Development Commission (NDC) to IMPLEMENT a PROPOSAL for the SOLICITATION of DEVELOPMENT CONCEPTS for the Use of \$1 Million in HOME FUNDS for the Affordable Housing Plan.**

A handout regarding additional information pertaining to this item was distributed to all members of the Council.

Following a brief explanation regarding one of the concepts of affordable housing funds, Council Member Gulley moved to concur with the request from the Neighborhood Development Commission (NDC) to authorize the implementation of a proposal for the solicitation of development concepts for the use of the One Million Dollars in Home Funds for the Affordable Housing Plan; seconded by Council Member Teplitz.

Interim Planning and Growth Management Director Pat Landes said this was an incredible opportunity for the City of Peoria. She explained one way to address the issue of the City's low percentile of home ownership was to commission a study on affordable housing to determine what working families in the City needed for rental housing, ownership housing and also for the quality of housing. She said there was a concern regarding how to leverage Federal funds so there would be a maximum impact in the community. She said by working with various community groups, the City put forth a proposal of one million dollars to entice developers to work with the City to develop housing for the City's working families. She added the City wanted to hear the community's concepts on how the money should be spent. She said these concepts would be re-evaluated by groups who were familiar with the affordable housing plan and housing development, and the final recommendation would be brought back to Council for approval.

Interim City Manager Ewert said there existed in the City a 30% affordable rate and a 70% market rate. He said prior to his arrival in Peoria, he had worked with developers regarding these kinds of projects, and he said he felt the proposed recommendation was the best procedure to follow to achieve an affordable housing program.

Council Member Thetford referred to the list of criteria outlined in the communication. She described three of the criteria she felt would be most important, which included the leverage of private funds; the appearance and aesthetics of the development; and return of the Home investment in the project.

Motion to concur with the request from the Neighborhood Development Commission (NDC) to authorize the implementation of a proposal for the solicitation of development concepts for the use of the One Million Dollars in Home Funds for the Affordable Housing Plan was approved by roll call vote.

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

Nays: None.

**(03-407) Communication from Interim Director of Planning and Growth Management with Recommendations from the Neighborhood Development Commission (NDC) to Implement the NEIGHBORHOOD BLUEPRINT PLAN; Receive and File PRIORITIES and STRATEGIES from the NEIGHBORHOOD SERVICES and HOUSING QUALITY AD-HOC COMMITTEE; and Direct the City Manager to ADDRESS PRIORITIES and STRATEGIES to the Appropriate City Departments, and Report Back on the City's Ability to Implement the Strategies as Outlined.**

Council Member Gulley stated citizens had expressed concern regarding delays in implementing the blueprint plan following approval by Council. He said out of the seven components outlined in the Blueprint Plan, the Neighborhood Development Commission had prioritized three, which were public safety, housing and infrastructure. He requested the City Manager report Back to the Neighborhood Development Commission regarding which of these concepts the City could or could not implement, to allow the Blueprint Plan to be accomplished. He added these concepts would be incorporated into his motion.

Following a brief explanation, Council Member Gulley moved to receive and file the priorities and strategies from the Neighborhood Services and Housing Quality Ad-Hoc Committee and to direct the City Manager to address the priorities and strategies to the appropriate City Departments and Report Back on the City's ability to implement the strategies as outlined, with a further request that the City Manager Report Back to the Neighborhood Development Commission regarding whether the City could or could not implement the three prioritized concepts, which were public safety, housing and infrastructure, to allow the Blueprint Plan to be accomplished; seconded by Council Member Teplitz.

Council Member Sandberg said there were a number of issues and sub-topics included within the Council communication and requested clarification if the issues would be approved tonight or would they be brought back to Council at a later date for discussion.

Interim Director of Planning and Growth Management Landes said the Council was being asked to receive and file the document which reflected the Neighborhood Blueprint previously adopted. She said the Commission had suggested some priorities and requested a report back from the City Manager on the City's ability to implement the strategies stating which items could or could not be addressed with the City's current resources.

Council Member Sandberg said there was an expansion of certain programs being considered by the blueprint. He said his main concern was the heartiness and stability within the neighborhoods, and said he would like to see effective and efficient program deliveries to measure the productivity and results in the neighborhoods.

Interim City Manager Ewert said it would be possible within the next thirty days to bring back to Council a schedule dealing with the implementations stating how Council could be involved and when they would receive progress updates.

Council Member Sandberg expressed concern regarding completion of previously budgeted capital improvement projects.

Interim Planning and Growth Management Director Landes pointed out when the capital improvement plan was reviewed, the citizens stated their primary interest was to make sure there continued to be capital investment in the City's older neighborhoods.

Interim City Manager Ewert explained he had currently approved a memo to all Department Heads that dealt with schedules for capital improvement projects, which was a \$6.5 million dollar capital improvement plan. He said he would receive information back within two weeks regarding these projects for his review, and then would be able to bring them to Council for approval.

Motion to receive and file the priorities and strategies from the Neighborhood Services and Housing Quality Ad-Hoc Committee and to direct the City Manager to address the priorities and strategies to the appropriate City Departments and Report Back in thirty days the City's ability to implement the strategies, as outlined, with a further request that the City Manager Report Back to the Neighborhood Development Commission regarding whether the City could or could not implement the three prioritized concepts, which were public safety, housing and infrastructure, to allow the Blueprint Plan to be accomplished, was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-408) Communication from Interim Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission (NDC) to Receive and File the HOUSING QUALITY and VALUE AD-HOC COMMITTEE'S RESEARCH and RECOMMENDATIONS.**

Council Member Gulley moved to receive and file the Housing Quality and Value Ad-Hoc Committee's Research and Recommendations; seconded by Council Member Turner.

Motion to receive and file the Housing Quality and Value Ad-Hoc Committee's Research and Recommendations was approved by roll call vote.

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

Nays: None.

**(03-409) Communication from Director of Public Works Recommending Adoption of an ORDINANCE Providing for the IMPROVEMENT of the HEART OF PEORIA NEIGHBORHOOD (NORTH STREET, BIGELOW STREET, LINN STREET, ARCADIA AVENUE, REPUBLIC STREET, BEVERLY COURT).**

Council Member Teplitz moved to adopt an Ordinance providing for the improvement of the Heart of Peoria Neighborhood (North Street, Bigelow Street, Linn Street, Arcadia Avenue, Republic Street, Beverly Court); seconded by Council Member Sandberg.

Motion to adopt ORDINANCE NO. 15,498 was approved by roll call vote.

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

Nays: None.

**(03-410) Communication from Interim Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending Ordinance No. 15,306 (As Amended), AN OFFICIAL DEVELOPMENT PLAN in a Class N-1 (Institutional) District for Property Located at 530 N.E. GLEN OAK AVENUE.**

Council Member Thetford moved to adopt an Ordinance amending Ordinance No. 15,306 (as Amended), an Official Development Plan in a Class N-1 (Institutional) District for property located at 530 N.E. Glen Oak Avenue; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,499 was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-411) Communication from Interim Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Granting a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER for Property Located at the Southeast Corner of the Intersection of WILLOW KNOLLS ROAD and BRADFORD PLACE, with Condition.**



Council Member Ardis moved to adopt an Ordinance granting a Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center for property located at the Southeast corner of the intersection of Willow Knolls Road and Bradford Place; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,500 was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-412) Communication from Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and Recommendation from City Staff to DENY Adoption of an ORDINANCE Rezoning Property at 2610 N. KNOXVILLE AVENUE from the Present Class O-1 (Arterial Office) District to a Class R-4 (Single Family Residential) District and Granting a SPECIAL USE for a DAY CARE CENTER.**

Council Member Thetford moved defer this item for two weeks until the July 29, 2003, Regular City Council Meeting; seconded by Council Member Morris.

Council Member Sandberg expressed concern regarding the current zoning ordinance which did not allow for office zoning residential above the first floor. He said Staff would be processing a change in the next zoning process in August, 2003.

In discussion with Interim Director of Planning and Growth Management Landes, Council Member Sandberg determined a zoning change in a thoroughfare district would require an amendment, and therefore, would not be on the upcoming agenda for August.

Council Member Sandberg said he felt this property needed to be zoned office and not residential. He indicated there were several locations in the City that contained areas where new urbanism could flourish if the City's ordinances would allow.

Council Member Thetford requested a Report Back regarding whether or not a day-care facility could be located within an office zoned area, before this item comes back to Council in two weeks.

Motion to defer this item until July 29, 2003, was approved by roll call vote.

Yeas: Ardis, Gulley, Morris,, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: None.

**(03-413) Communication from Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and Recommendation from City Staff to DENY Adoption of an ORDINANCE Rezoning Property Located at 3312 N. UNIVERSITY AVENUE, from the Present Class R-3 (Single Family Residential) District to a Class C-1 (General Commercial) District and Class P-1 (Parking) District.**

Council Member Teplitz moved to defer this item for two weeks until the July 29, 2003, Regular City Council Meeting; seconded by Council Member Thetford.

Council Member Sandberg stated he would be abstaining from the vote due to a working relationship with the petitioner.

Motion to defer this item until July 29, 2003 was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 8;

Nays: None.

Abstention: Sandberg – 1.

UNFINISHED BUSINESS

There were no unfinished items brought forth.

NEW BUSINESS

- (03-414) Communication from Director of Planning and Growth Management With Recommendation from the Administration to Remand Back to the Zoning Commission the Request from the City of Peoria to Rezone Certain Property from a Class C-1 (General Commercial) District, C-2 (Large Scale Commercial) District, I-2 (Railroad/Warehouse Industrial) District and I-3 (General Industrial) District to a Class B-1 (Central Business) District for Properties Located in an Area Bordered by the Bob Michel Bridge, the 500 Block of the South Side of Water Street, 100-200 Blocks of the West Side of Walnut Street, 600-700 Blocks of South Side Adams Street, 300 Block of West Side of Oak Street, 800-1300 Blocks of South Side Jefferson Street, 300 Block of East Side of Cedar Street South to the Illinois River, and the Illinois River Northeast to the Bob Michel Bridge, District 1. (Refer to Item No. 03-273)**

A handout from the Interim Director of Planning and Growth Management regarding a recommendation from the Administration to remand back to Zoning Commission the request from the City to rezone certain properties in the areas of Water, Walnut, Adams, Oak, Jefferson, and Cedar Streets, as outlined, was distributed to members of the Council.

Council Member Gulley moved to remand back to Zoning Commission the request from the City to rezone certain properties in the areas of Water, Walnut, Adams, Oak, Jefferson, and Cedar Streets, excluding 736 Washington, as outlined; seconded by Council Member Morris.

Council Member Sandberg requested a brief clarification from Staff the reason for this action was to reassure property owners in the area that the City was aware of their concerns.

Interim Director Planning and Growth Management Landes said recent discussion regarding the elimination of a parking requirement in the B-1 area prompted the Zoning Commission to request a text change. She said during a public hearing, the City realized that rezoning of the B-1 District of this large area contained many industrial uses and would put an undue burden on those existing business. She said by remanding these properties back for rezoning, with the exception of 736 Washington, it would allow Staff to draft a Warehouse Overlay District. She said the concept of integration of mixed uses in buildings that were initially not built for those uses would allow residential office and commercial to be on any floor in these buildings. She added Staff would meet with the Zoning Commission the first week in August to introduce the overlay district for warehouses and the application of that concept to the area, and then process a plan through the Planning Commission. She stated Staff would be holding informational meetings to make sure the City had the most effective and timely communication with the property owners.

Interim City Manager Ewert said he regretted the delay. He said the information provided would allow Staff to have a more effective approach, and he requested Council to support the motion.

Motion to remand back to Zoning Commission the request from the City to rezone certain properties in the areas of Water, Walnut, Adams, Oak, Jefferson, and Cedar Streets, excluding 736 Washington, as outlined, was approved by roll call vote.

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

**DISCUSSION by COUNCIL MEMBERS Regarding EXECUTIVE SESSION  
INFORMATION Appearing in the PEORIA JOURNAL STAR NEWSPAPER.**

Council Member Ardis expressed concern regarding information regarding the hiring of a new City Manager that had been discussed in Executive Session had appeared in the newspaper. He said he felt issues discussed in an Executive Session should remain private and confidential. He said he felt it was important the public be informed that when the search for a new City Manager began, Council had been advised that the Interim City Manager should not be considered for the full-time position so as not to deter any potential strong candidates from applying for the job. He said he felt the information released jeopardized the hiring process of the new City Manager. He said it was further discussed during the meeting, the importance that after a decision had been made and a consensus was reached, that the Council should show full support in public for the candidate that was chosen. He made the suggestion that, in the future, if there was no reason to hold matters discussed in Executive Session in private, then the Council should not go into an Executive Session and discuss them on the open floor.

Council Member Teplitz said she was unaware there was a resolution of unanimity reached and she said she had a clear conscience in stating her opinions and beliefs.

Council Member Morris stated that the hiring of a City Manager was perhaps the single most important thing the Council did. He said he would not make excuses regarding how the leaks occurred. He said many executive searches by public bodies that represented tax payers introduced the candidates in a more public fashion. While he agreed with Council Member Ardis that matters of discretion in Executive Session were important, he said the idea that the Public knew of the Council's divisiveness in private was not necessarily a bad thing, since this was a very public matter.

Council Member Sandberg said he felt it was important to note that before the Interim City Manager was hired, the Council had voted unanimously that he would not be considered for the full-time position. He added, however, this information was not given to the news media. He indicated some members of the Council who were not supportive of the majority candidate, had voted to hire the present Interim City Manager temporarily, but not for the full-time position.

Council Member Thetford said the current Council had never been unanimous of any City Manager, and she said she felt that possibility would be very remote. She said her goal in this process was to hire the best City Manager. She said when the article appeared in the newspaper, she felt the Council should have felt free to express their concerns, at that point in time. She said she felt she was quoted very accurately. She said she felt by not providing the information to the candidate would be a disservice.

Council Member Gulley expressed concern that some of the current discussions were part of the Executive Session and not open for discussion. He requested clarification from Corporation Counsel regarding the legality of these discussions.

Corporation Counsel Randy Ray said a discussion of a matter in an Executive Session would not be a prohibition on discussion on the Council floor on the same subject. He said, in fact, final action could not be taken in an Executive Session, so at some point, on most matters, there had to be some comment on the Council floor regarding what final action would be taken.

**REQUEST for REPORT BACK Regarding PROPOSED ADULT USE on UNIVERSITY**

Following a brief discussion regarding citizens concerns with a proposed adult use establishment, Council Member Teplitz moved for a Report Back from Corporation Counsel in two weeks to explore options under the current adult use ordinance as well as the liquor code that would give some solace to the neighbors in the area and to amend either or both ordinances to prohibit adult use establishments from having a liquor license anywhere else in the City, with the exception of those located within the downtown district; seconded by Council Member Thetford.

Motion for a Report Back from Corporation Counsel in two weeks to explore options under the current adult use ordinance as well as the liquor code that would give some solace to the neighbors in the area and to amend either or both ordinances to prohibit adult use establishments from having a liquor license anywhere else in the City, with the exception of those located within the downtown district, was approved by roll call vote.

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

Nays: None.

Council Member Spears requested a Report Back regarding what the City could control within a mile and a half outside the City's Borders.

Council Member Ardis said the proposed adult use establishment was not a done deal. He said Council was reviewing options that would protect the integrity for the neighborhood.

**(03-415) 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. Marlene Cook, 4239 N. Gate Ridge Road, referred to, and spoke in support of, an article that appeared in the Peoria Journal Star on July 12, 2003, written by former Council Member Lester Bergsten, regarding dedicating the downtown museum to Caterpillar equipment and history.

Mr. Bill Beckman, 1116 W. Florence Ave., spoke in support of upgrading fire and rescue services and basic life services in the City's Fire Department.

Ms. Levetta Ricca, 711 S. Greenlawn, spoke in support of safe neighborhoods and the Neighborhood Blueprint Plan.

Dr. John Carroll, 2727 W. Heading Avenue, discussed the three types of life support in the City of Peoria, which are basic, intermediate and advanced life support, or paramedic support. He further spoke in support of Fire House Precinct #11 and the Fire Department having the ability to offer Advanced Life Support and, therefore, increase their revenue, since AMT earned over seven million dollars annually.

**EXECUTIVE SESSION**

**(03-416) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(5) The purchase or lease of real property for the use of the public body; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; and 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 Turner moved that the City Council go into Executive Session to Discuss 2(c)(5) The purchase or lease of real property for the use of the public body; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; and 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 Morris.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:00 P.M.

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

/js