

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

Council Chambers, Peoria, Illinois, November 18, 2003, a Joint Regular Meeting of the City Council and Town Board was held this date at 6:16 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 6:45 P.M.), Morris, Nichting, Sandberg (arrived at 6:33 P.M.), Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ransburg requested a moment of silent prayer and then Boy Scout Troop #225 from St. Mark's Grade School and Troop #333 from Rolling Acres Edison Grade School lead the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: CHARTER OAK SCHOOL: NO CHILD LEFT BEHIND BLUE RIBBON SCHOOL AWARD WINNER

PROCLAMATION: SPRINGDALE CEMETERY

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meetings held on November 4 and 11, 2003, and the Executive Sessions held on November 4, 2003, as printed; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

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:

(03-633) NOTICE OF LAWSUIT on Behalf of INEZ HOWARD Regarding Personal Injuries Suffered in an incident on November 4, 2002.

(03-634) BIDS for DIGITAL CAMERA EQUIPMENT for POLICE AND FIRE DEPARTMENTS, Recommending the Bid of LAUBE IMAGING, in the Total Amount of \$10,986.00.

- (03-635) **Communication from Superintendent of Police Requesting Approval for a SOLE SOURCE PURCHASE of TRANSMITTER UPGRADES from MOBILE-VISION, in the Amount of \$69,775.00.**
- (03-636) **Communication from Superintendent of Police Requesting Approval for a SOLE SOURCE PURCHASE of MOBILE DATA COMPUTER UPGRADES from ITRONIX CORPORATION, in the Amount of \$527,620.00.**
- (03-637) **Communication from City Manager Recommending Approval of RESOLUTION NO. 03-637 Authorizing the SALVATION ARMY to Submit an APPLICATION to the ILLINOIS DEPARTMENT of COMMERCE AND ECONOMIC OPPORTUNITY for GRANT FUNDING Available Through the ILLINOIS EMERGENCY SHELTER GRANTS PROGRAM.**
- (03-638) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,544 Amending the Legal Description in Ordinance No. 15,542 which REZONED Three Parcels of Land in a CONTROLLED THOROUGHFARE OVERLAY DISTRICT from a Class C-1 (General Commercial) District and a Class R-7 (Multi-Family Residential) District to a Class C-2 (Large Scale Commercial) District for Properties Located at 718 W. GLEN AVENUE and 4823 N. SHERIDAN ROAD; Removed Two of the Said Parcels from the Controlled Thoroughfare Overlay District for the Property Located at 4823 N. SHERIDAN ROAD and the Eastern Most Portion of 718 W. GLEN AVENUE; and Granted Approval for a SPECIAL USE in a Class C-2 (Large Scale Commercial) District in a CONTROLLED THOROUGHFARE OVERLAY DISTRICT for a DRIVE UP RESTAURANT Located at the Western Most Portion of 718 W. GLEN AVENUE.**
- (03-639) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,545 Rezoning Property Located at 412 W. MAIN from the Present Class C-1 (General Commercial) District to a Class R-3 (Single -Family Residential) District.**
- (03-640) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE 15,546 Rezoning Property Located at 4600, 4700, 4716, 4810 and 4820 N. KNOXVILLE AVENUE from the Present Class R-6 (Multi-Family Residential) District to a Class RE (Estate Residential) District, and Rezoning Property Located at 4530 N. KNOXVILLE AVENUE from the Present Class R-3 (Single -Family Residential) District to a Class RE (Estate Residential) District.**
- (03-641) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,547 Rezoning Property Located at 8800-9100 BLOCK of the WEST SIDE of ROUTE 91 from the Present Class R-2 (Single -Family Residential) District to a Class R-3 (Single -Family Residential) District.**

- (03-642) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,548 Granting a NON-CONFORMING USE CHANGE in a Class R-4 (Single -Family Residential) District for an OFFICE for Property Located at 2421 N. ATLANTIC AVENUE.**
- (03-643) **Communication from Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,549 Granting SITE APPROVAL for OFFICE EXPANSION Through the SPECIAL USE PROCESS in a CONTROLLED THOROUGHFARE CORRIDOR OVERLAY DISTRICT for Property Zoned O-1 (Arterial Office) Located at 843 W. GLEN AVENUE.**
- (03-644) **Communication from Corporation Counsel Regarding the REPORT on BILLS SUBMITTED to PAAG for PAYMENT, with Recommendation to Receive and File.**
- (03-645) **Communication from Interim Director of Planning and Growth Management**
* **Recommending Approval of FUNDING of the 2004 FEDERAL EMERGENCY SHELTER GRANTS (ESG) in the Total Amount of \$87,000.00.**

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

On behalf of Council Member Gulley who was absent, Council Member Turner requested Item No. 03-645 be removed from the Consent Agenda for further discussion.

Item Nos. 03-633 through 03-645 (excluding Item No. 03-645 which was removed from the Consent Agenda for further discussion) were approved by roll call vote.

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

- (03-645) **Communication from Interim Director of Planning and Growth Management**
* **Recommending Approval of FUNDING of the 2004 FEDERAL EMERGENCY SHELTER GRANTS (ESG) in the Total Amount of \$87,000.00.**

On behalf of Council Member Gulley who was absent, Council Member Turner moved to remand this item back to the Planning and Growth Management Department for funding consideration for their programs; seconded by Council Member Thetford.

In further discussion with Council Member Ardis, Interim Director of Planning and Growth Management Pat Landes said it was her understanding there was some concern that not all applications received funding with a competitive process and not one application received 100% funding. She added there was some concern that there were two programs which were traditional in the community, and she said it may be necessary to have another review.

Council Member Nichting indicated he would not support the motion because many of these organizations had a track record of being able to provide the service on their own.

Council Member Sandberg arrived at 6:33 P.M.

Motion to remand this item back to the Planning and Growth Management Department for Funding consideration for their programs was approved by roll call vote.

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

Nays: Grayeb, Nichting - 2.

- (03-646) Communication from Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and Recommendation from City Staff to DENY the ORDINANCE Amending Ordinance No. 14,483, an EXISTING SPECIAL USE in a Class R-3 (Single-Family Residential) District for CHURCH FACILITIES to Include a 32 SQUARE-FOOT, 6-FOOT HIGH FREE STANDING SIGN for Property Located at 1509 E. PARIS AVENUE.**

Council Member Thetford moved to concur with the Zoning Commission to adopt the Ordinance amending Ordinance No. 14,483, an Existing Special Use in a Class R-3 (Single-Family Residential) District for Church Facilities to include a 32-square foot, 6-foot high free standing sign for property located at 1509 E. Paris Avenue; seconded by Council Member Nichting.

Motion to concur with the Zoning Commission to adopt ORDINANCE NO. 15,550 amending Ordinance No. 14,483 was approved by roll call vote.

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

Nays: None.

- (03-647) Communication from Corporation Counsel Outlining THREE PROPOSED PLANS INCREASING LIQUOR LICENSE FEES and/or IMPOSING PRIVILEGE TAX on the PURCHASE OF PACKAGED LIQUOR, with Recommendation from the Liquor Commission to Approve PLAN B and Requesting that the Council Select Plan A, B, or C as Follows:**

**

- A. ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to LICENSES TO SELL ALCOHOLIC LIQUOR AT RETAIL (All full Class Liquor License Fees would increase to \$1,000.00 except Class E "Club" License (with membership of 200 or less), which would increase to \$775.00. Application Fees would increase to \$400.00, and License fees for all Subclasses, except Subclass 1 [4:00 a.m.] would increase.);**
- B-1. ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to LICENSES TO SELL ALCOHOLIC LIQUOR AT RETAIL (House-Keeping changes and increase Liquor License Application fees to \$500.00);**
- B-2. ORDINANCE Amending Chapter 27 of the Code of the City of Peoria Relating to TAXATION (New article would levy and impose a privilege tax of 2% of the purchase price on the purchase of packaged alcoholic beverages);**

- C-1. ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to LICENSES TO SELL ALCOHOLIC LIQUOR AT RETAIL (House-Keeping changes and increase Liquor License Application fees to \$500.00);**
- C-2. ORDINANCE Amending Chapter 27 of the Code of the City of Peoria Relating to TAXATION (New article would levy and impose a privilege tax of 1½% of the purchase price on the purchase of packaged alcoholic beverages).**

Council Member Turner explained the previous Interim City Manager had brought forth liquor license fee increases that were sent back to the Liquor Commission for review. He said a Committee was formed and they came up with a set of recommendations, but the retail package liquor license holders were left out of that equation. He said a meeting had been set for Wednesday, November 26, 2003, at 10:30 A.M. in Room 404 at City Hall to discuss retail package liquor issues and to listen to license holder input and come back to the Council with a recommendation in two weeks with a full report.

Council Member Turner moved to defer this item for two weeks until the December 2, 2003, Regular City Council Meeting; seconded by Council Member Morris.

Council Member Ardis expressed concern that calling a Special Meeting for Class "C" license holders the week of Thanksgiving was a problem because the day before Thanksgiving was a very busy day for these merchants. He apologized to the business people and he requested that City Clerk Mary Haynes explain what would be the most advantageous way for future Councils to bring forward liquor related increases or other increases which impacted the City Clerk's office's ability to send proper notification to liquor license holders. He said, as a former liquor license holder, he understood how much work a change in liquor fees was for the City Clerk's office especially now there were less people in that office to perform the work.

City Clerk Mary Haynes said in order to serve the licensees fairly, license holders had asked that the City Clerk's office mail renewal notices about this time of the year each year because it took some time for licensees to get leases signed by owners who may leave town for the holidays or for the winter. She said some time between July and August would be a good time to hold public hearing meetings for licensees to get their input on raising fees. She said fees had not been raised for a number of years and she felt the licensees felt they did not have enough input in the fee setting process. She advised it would be helpful if fee increases were adopted by the Council by October so the renewal book of instructions and other forms could be prepared. She said generally liquor license fee information was scattered throughout the book of instructions and the book could not be finalized until the fees were known.

In discussion with Mayor Ransburg regarding the deadline for liquor renewal fees, City Clerk Mary Haynes explained all documents and fees must be received in her office by January 31 in order to not incur a penalty.

Council Member Turner said there were some large fee increases proposed and the Council felt that these increases should have further review so there would be a level playing field for every license holder. He said there had not been liquor fee increases for over ten years.

Motion to defer this item until December 2, 2003, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg - 10;

Nays: None.

Clerk's Note: See Page 26330 for additional discussion

Council Member Gulley arrived at 6:45 P.M.

(03-648) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to LICENSES to SELL ALCOHOLIC LIQUOR AT RETAIL and INCREASING FEES for INDOOR and OUTDOOR SPECIAL EVENT LIQUOR LICENSES.

Council Member Turner moved to defer this item for two weeks until the December 2, 2003, Regular City Council Meeting; seconded by Council Member Grayeb.

Motion to defer this item until December 2, 2003, was approved by roll call vote.

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

Nays: None.

(03-649) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to ALCOHOLIC BEVERAGES Regarding PRODUCT TASTING (Subclass 6) SUPPLEMENTAL LICENSE.

Council Member Turner moved to adopt the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages regarding Product Tasting (Subclass 6) Supplemental License; seconded by Council Member Teplitz.

Motion to adopt ORDINANCE NO. 15,551 was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(03-625) Communication from Director of Human Resources Communication from Director of Human Resources Requesting Authorization to PAY THE COST of the MEDICARE PART B PREMIUM at the Rate of \$66.60 per Month for Those Retired City Employees and their Spouses on the HEALTHCARE PLAN Who are Age 65 and Over and Eligible for Medicare for the Budget Year 2004 at a Cost of Approximately \$268,531. (New Communication)

(03-375) Communication from Interim City Manager Regarding BUDGET RECONCILIATION PLAN – 2004 BUDGET, with Recommendations for Council Action as Outlined in the Communication. (Refer to Item Nos. 03-333 and 03-558)

Finance Director Jim Scroggins distributed a memo to all members of the City Council regarding additional information relative to the proposed Budget Reconciliation Plan.

(03-375-B) Communication from Assistant City Manager Regarding a REPORT BACK on GATEWAY BUILDING OPERATIONS.

(03-333) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending Chapter 13 of the Code of the City of Peoria Relating to FEES for COLLECTION of REFUSE and ESTABLISHING APPROVED METHOD for DISPOSITION of GARBAGE AND REFUSE. (Refer to Item No. 03-375)

Corporation Counsel Randy Ray distributed a replacement Ordinance to all members of the City Council amending Chapter 13 of the Code of the City of Peoria relating to fees for Collection of Refuse and establishing approved method for disposition of Garbage and Refuse.

Council Member Thetford moved to defer Item Nos. 03-625, 03-375, 03-375-B, and 03-333 for one week until the November 25, 2003, Regular City Council Meeting; seconded by Council Member Teplitz.

In discussion with Mayor Ransburg, Interim City Manager Steve Van Winkle urged the Council to consider a portion of the recommendation under 03-375 regarding the Budget Reconciliation Plan for the 2004 Budget pertaining to the garbage user fee of \$6.00 and the alternative which was an increase in property taxes. He said this action would assist in determining what should be done with the Water Company to impose the fee, if approved, on January 1, 2004. He said it was critical that this be determined by the Council because next week was the Thanksgiving holiday week and the City needed to work with the Water Company regarding setting up billing to begin the first of the year.

Council Member Thetford said she recognized the time constraints, however, she felt it was difficult to vote on some issues and not all of them. She said she felt the budget needed to be looked at in total which included the consideration whether or not a garbage fee would be imposed or there would be a property tax increase. She stated her analysis over the weekend on the budgetary issues were disappointing. She said after a month and a half studying this, what was being presented was the same as what was provided on September 30, 2003, and she continued to have a number of questions about various aspects. She said some items that she had serious problems with were still in the budget. She said she would like to have an opportunity to ask additional questions and get additional information. She said she appreciated the budget items being provided to the Council on Thursday evening but nothing had changed much. She said another week was needed. She added for the Council to propose some fixes for some of these things at this meeting was not a good way to conduct business. She said she would not speak to the merits of these proposals because she did not feel it was appropriate.

Council Member Sandberg expressed concern regarding the process and how it would work. He questioned if citizens would have to pay through their water bill for the garbage fee, and would citizens' water be turned off if the fee was not paid. He said these kinds of issues needed to be resolved. He said this was a non-user user fee and he needed to understand how it would impact lower income citizens. He said he would like to know how the process would work before he voted.

Council Member Nichting said he felt it was important for the Council to talk about the Budget and unless the Council held discussion, none of the questions would get answered. He said it had been more than four weeks since the Budget was proposed and if there were still questions, he did not know how those questions would be answered if Council did not hold a discussion. He said during discussion, every Council Member, including the public, could learn the answers to the questions at the same time.

Council Member Nichting moved to separate the four Budget items and vote separately on each; seconded by Council Member Grayeb.

Council Member Morris questioned if there were legal issues regarding bringing these items back in a week.

Mayor Ransburg said it was an administrative issue.

Council Member Morris said he would oppose dividing the issues and he would support deferring all items one week.

Council Member Spears said he would support the motion to defer these items for a week, but in the interim period, he questioned if a Special Council Meeting would be held prior to November 25, 2003, so questions regarding the Budget could be answered in an informal setting. He said he felt a discussion would assist in clearing up questions about the Budget.

Council Member Ardis said he agreed with Council Member Spears' comments. He expressed concern that if an additional meeting was not called, Council would be asking the same questions at the November 25, 2003, Council Meeting. He said he would be interested in having an informational meeting. He expressed concern that budget discussions had not started in August or September. He said he shared Council Member Nichting's frustration and he agreed the Interim City Manager should be given some direction at this point, but he felt there would be more merit in setting a Special Meeting when the Council could have questions answered by the Staff.

Council Member Nichting said the Council has had four weeks to have their questions answered and at some point, the process needed to move forward to bring the Budget to closure.

Council Member Grayeb said the Council has had many months to deliberate on these important Budget issues which affected every citizen in the City of Peoria. He said he would not vote for a deferral. He said if Council Members did not know where they stood on these issues by now, then there was a problem. He said questions could be asked at this meeting because the City Manager and Staff members were present and questions should be asked in front of the public. He said invisible meetings or Special Meetings were not needed. He stated the Council needed to do the business of the City and it needed to begin now, and Council needed to start making the difficult decisions. He said he would not vote to defer these items.

Motion to separate the four items and vote separately on each was DEFEATED by roll call vote.

Yeas: Ardis, Grayeb, Nichting, Sandberg - 4;

Nays: Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 7.

Council Member Nichting questioned if a Special Meeting would be scheduled so Council Members could have questions answered.

Council Member Thetford said setting a Special Meeting was not part of her motion.

Motion to defer Item Nos. 03-625, 03-375, 03-375-B, and 03-333 for one week until the November 25, 2003, Regular City Council Meeting was approved by roll call vote.

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

Nays: Ardis, Grayeb, Nichting - 3.

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

- (03-650) Communication from Supervisor of General Assistance and Town Treasurer Recommending Approval of a BANK RESOLUTION Authorizing the TOWNSHIP OFFICIALS to be Approved Agents to Sign for Bank Transactions at COMMERCE BANK.**

Trustee Nichting moved to approve a Bank Resolution authorizing the Township Officials to be approved agents to sign for bank transactions at Commerce Bank; seconded by Trustee Turner.

RESOLUTION NO. 03-650 was approved by roll call vote.

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

Nays: None.

- (03-651) Communication from Town Officials Budget Committee Requesting Approval of the ESTIMATE of TAXES in the Amount of \$1,759,849 to be LEVIED for the Town of the City of Peoria and Entered into the Permanent Record.**

Trustee Nichting moved to approve the estimate of taxes in the amount of \$1,759,849 to be levied for the Town of the City of Peoria and entered into the permanent record; seconded by Trustee Turner.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS

- (03-652) Request to SET a SPECIAL CITY COUNCIL MEETING to hold a 2004 BUDGET HEARING on SATURDAY, NOVEMBER 22, 2003, from 8:00 A.M. until 12:00 noon with City Staff in COUNCIL CHAMBERS at CITY HALL.**

Council Member Spears moved to set a Special City Council Meeting to hold a 2004 Budget Hearing on Saturday, November 22, 2003, from 8:00 A.M. until 12:00 noon with City Staff at Council Chambers at City Hall; seconded by Council Member Ardis.

Council Member Morris said he would not be able to participate on that day.

Council Member Sandberg said three weeks ago he discussed a reversed mandate from Workforce Development. He explained the City had been absorbing at least \$100,000 a year for five years in costs that would be eligible to be reimbursed to the City. He said he checked the Intergovernmental Agreement in the City Clerk's Office and he did not find where the City of Peoria should be absorbing those costs. He requested a legal disposition regarding whether or not these costs had to be absorbed. He said this would mean \$100,000 per year for the City of Peoria in added revenue and \$100,000 per year for the last five years. He requested this report back be provided at the November 22, 2003, Special Council Meeting.

Council Member Thetford said whether or not the motion to hold the November 22nd meeting passed or failed, she agreed this information needed to be provided to the Council as soon as possible.

Motion to set a Special City Council Meeting to hold a 2004 Budget Hearing on Saturday, November 22, 2003, from 8:00 A.M. until 12:00 noon with City Staff in Council Chambers at City Hall was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Sandberg, Spears, Turner - 7;

Nays: Grayeb, Teplitz, Thetford, Mayor Ransburg - 4.

Council Member Morris said he felt a substantial number of Council Members did not seem to want to meet on Saturday, November 22, 2003. He said no decisions would be made at that meeting and no votes could be taken.

City Clerk Mary Haynes said some clarification would be needed to know if Council action would be taken.

Council Member Morris said he understood that Council action could be taken on an advisory basis. He said he felt there was a substantial number of Council Members that did not want to have the November 22nd Special Meeting and, if some Council Members could not make the meeting, he did not see that action being taken on Saturday was a healthy thing. He said he wouldn't mind holding a hearing with interaction with Staff.

Council Member Spears expressed concern that the Council was not moving in any direction at all and Staff was looking for six votes on any one issue. He said no final action would take place until the Tuesday, November 25, 2003, Council Meeting. He said the Council had not moved on the Budget at all and he felt a Special Meeting would assist in those actions. He said Council Members could make decisions regarding what items they supported and what items they would not support.

Council Member Morris said not all Council Members may be in attendance and there may some advisory votes taken that the lack of attendance of Council Members would influence. He urged other Council Members to support the motion to reconsider and vote against holding a November 22, 2003, Special Meeting.

Council Member Morris moved to reconsider the vote setting the Special Meeting for Saturday, November 22, 2003, from 8:00 A.M. until 12:00 noon; seconded by Council Member Turner.

Motion to reconsider was approved by roll call vote.

Yeas: Ardis, Morris, Teplitz, Thetford, Turner, Mayor Ransburg - 6;

Nays: Grayeb, Gulley, Nichting, Sandberg, Spears - 5.

Council Member Morris said he felt past advisory motions of this Council quickly became the policy that would be considered. He said the Budget was far too important for the Council to play around with advisory motions. He urged the Council, who had respect for the entire Council being involved in the process, to vote against a Special Meeting. He urged the Council to review the materials and meet with Staff during the week to get answers to their questions.

Council Member Ardis said he did not recall advisory motions ever becoming the policy of the Council. He said the lack of Budget discussions by this Council and their inability to have open public discussions about decisions regarding public money needed to stop at some point. He said he supported holding the November 22, 2003, Special Meeting. He expressed concern regarding the suggestion that any advisory votes would constitute Council policy.

Council Member Sandberg agreed with Council Member Ardis' comments. He expressed concern that at Council Meetings, when all Council Members were present for discussion about the Budget, there was a motion to defer discussion, but if not all members could be present, then it was suggested that the meeting be cancelled so there was no discussion in a community manner. He said the majority of the Council talked one-on-one with the Administration and there was no inter-Council communication, and he said items were deferred or denied until enough votes were secured. He expressed concern that members of the Council would be paranoid enough to think that advisory votes would create some sort of a mandate of philosophy and policy positions for the Council. He said there were some Council Members who wanted to sit down and discuss the Budget.

Council Member Morris said the Council had been deliberating this Budget longer than any Budget in many years. He said there had been plenty of hearings and discussions. He said the Council needed an opportunity to study the Budget and discuss it together. He added there was not a subversive government going on if Council Members discussed issues outside the Council Chambers. He said he felt it was good government for Council Members to discuss issues outside the Council Chambers and try to talk to each to build alliances.

Council Member Nichting said the Budget had been presented but he did not feel the Council had held any deliberations. He said he felt that no one wanted to address the Budget. He said without discussion and direction, the Interim City Manager had no choice but to bring the same Budget back to the Council.

Motion to set a Special City Council Meeting to hold a 2004 Budget Hearing on Saturday, November 22, 2003, from 8:00 A.M. until 12:00 noon with City Staff at Council Chambers at City Hall was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Spears, Turner - 6;

Nays: Morris, Sandberg, Teplitz, Thetford, Mayor Ransburg - 5.

(03-653) ANNOUNCEMENT Regarding PUBLIC SAFETY JOB FAIR to be Held on SATURDAY, NOVEMBER 22, 2003, from 9:00 A.M. until 12:00 Noon.

Council Member Turner said that a Public Safety Job Fair would be held at City Hall on Saturday, November 22, 2003, from 9:00 A.M. until 12:00 Noon at City Hall, Room 404 and at St. Paul Baptist Church, 603 W. Nebraska, on Tuesday, December 2, 2003, from 5:00 P.M. until 7:00 P.M. He said this Job Fair was designed to attract applicants for Police Recruits, Firefighters, and 9-1-1 Dispatchers. He invited the public to attend.

(03-654) ANNOUNCEMENT Regarding SURPLUS MONEY COMING BACK TO THE CITY from the ELECTION COMMISSION, in the Amount of \$175,000.

Council Member Turner moved to grant Privilege of the Floor to Mr. Gene Wittry, Chairman of the Election Commission Board; seconded by Council Member Nichting.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Gene Wittry.

Mr. Eugene Wittry, 623 W. Timothy Drive, Chairman of the Election Commission, said Budgets were difficult and frustrating. He said ten years ago, the Council was asked for their support in purchasing a mark-sense voting system and for five years, the Election Commission paid for the system and the Election Commission's office was supplemented with income by the City. He said the system was now paying the City back. He said for the last six years, the Election Commission has run in the black and surplus money would go back into the City's General Fund in the amount of \$175,000.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(03-655) 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. Mike Mitchell, 721 E. Illinois, member of the East Bluff United Neighborhood Association, expressed concern regarding Code enforcement problems and he said there was some confusion regarding City Codes. He requested clarification.

Mayor Ransburg suggested that Mr. Mitchell contact the Legal Department or the Inspections Department for clarification about these issues. City Clerk Mary Haynes advised that the Code for City of Peoria was available in her Office for review. She added that the Code could be accessed on the internet through the City of Peoria Web Site or at the Peoria Library.

Council Member Thetford said many of the issues in the East Bluff had been addressed but she strongly encouraged Mr. Mitchell to request that City Inspection Staff be invited to their neighborhood association meetings to provide information and explain the Code. She said this was helpful for new homeowner associations and assisted them in their understanding of the Code. She said the neighborhood association's concerns could also be discussed with the Inspections Staff at their meeting.

Mr. Jimmy Boucher, owner of a General Contracting Company in the City and a landlord, commended the City of Peoria for providing the landlord conference on Code enforcement. He indicated he learned a great deal to make him a better landlord. He said the conference should have been held for two days rather than just one day. He said the speakers were very informative and professional. He said landlords needed more of these kinds of tools. He urged the Council not to lay off any more personnel in Zoning, Code Enforcement, and Inspections. He said he did not want to wait six months to begin a project because there was a delay at City Hall. He urged the Council to put their feelings aside because they worked for the City of Peoria. He said the Interim City Manager needed direction from the City Council regarding the Budget, and he urged the Council to stop stalling.

UNFINISHED BUSINESS

- (03-647) **DISCUSSION Regarding INCREASING LIQUOR LICENSE FEES and Request to
** CHANGE TIME of the NOVEMBER 26, 2003, MEETING with CLASS "C"
PACKAGE LIQUOR LICENSE HOLDERS.**

Mr. Stan Komen, owner of a retail package liquor store for 33 years, expressed concern that the Liquor Meeting scheduled for November 26, 2003, at 10:30 A.M. was scheduled for the second busiest day of the year for packaged liquor stores. He said he was concerned that attendance would be down because of the timing of the meeting. He suggested that the meeting be held at 8:30 A.M. rather than 10:30 A.M. He said if this could be worked out, he would be glad to assist in a remailing of the notices from the City.

In discussion with Council Member Turner, Corporation Counsel Randy Ray said the letters could be sent again changing the time of the meeting if a time change to 8:30 A.M. would be more convenient for the package liquor license holders.

No objections were heard.

EXECUTIVE SESSION

- (03-656) **Recommendation to Approve 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 Thetford 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 Spears.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

Council Member Thetford moved to adjourn the Council Meeting; seconded by Council Member Spears.

Approved by viva voce vote.

The Council Meeting adjourned at 7:35 P.M.

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