

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

Council Chambers, Peoria, Illinois, October 8, 2002, a Regular Meeting of the City Council was held this date at 6:15 P.M., at City Hall, 419 Fulton Street, Mayor David P. Ransburg presiding.

**ROLL CALL**

Roll call showed the following Council Members present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: FIRE PREVENTION WEEK – October 6 –12, 2002

**MINUTES**

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on October 1, 2002, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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

**(02-680) TAG DAY REQUEST from the LIONS CLUB OF PEORIA to Reschedule, Due to Rain, to Sell CANDY on the Streets of Peoria to Benefit the Blind, Visually Impaired, Deaf and Hearing Impaired on OCTOBER 18, 2002. (Date is open.)**

**(02-681) TAG DAY REQUEST from the KOREAN WAR VETERANS ASSOCIATION, PEORIA CHAPTER #243 to Sell DAISIES on the Streets of Peoria on NOVEMBER 8 and 9, 2002. (Dates are open.)**

**(02-682) PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS: ALLEN ROAD IMPROVEMENT (from Park 74 Drive to just North of Illinois Route 6) (PCC widening , bituminous base course and base course widening, bituminous resurfacing, storm sewers, earthwork, traffic signals and other miscellaneous work.) P. J. HOERR, INC. – PAY ESTIMATE #5: \$520,140.84; NORTH WYCLIFFE ROAD (Lake Avenue to Hines Place) (Removal of existing curb & gutter, sidewalk & driveway approaches and constructing PCC combination curb & gutter, combination curb & sidewalk, sidewalk, driveway pavement and a bituminous concrete pavement overlay.) P. A. ATHERTON CONSTRUCTION – PAY ESTIMATE #1: \$40,370.40; TOTAL AUTHORIZATION APPROVED: \$560,511.24. (For Information Only)**

- (02-683) Communication from Finance Director/Comptroller Requesting Authorization to DISPOSE OF CITY PROPERTY at a PUBLIC AUCTION to be Held on October 26, 2002.
- (02-684) Communication from Director of Public Works Requesting Approval of a TEMPORARY EASEMENT and PAYMENT OF DAMAGES to the Property Owner at 1123 EAST NORWOOD AVENUE, in the Total Amount of \$6,000.00, to Allow Sanitary District Staff to Make Sanitary Sewer Main Repairs.
- (02-685) Communication from Director of Public Works with ORDINANCE NO. 15,371 Providing for the IMPROVEMENT of MAIN STREET (from University Street to Sheridan Road); GARFIELD AVENUE (from Windom Street to Main Street); and DOUGLAS STREET on the East Side (from Main Street to 80 Feet South of Russell Street).
- (02-686) COMMERCIAL SIDEWALK PARTICIPATION: VERIZON WIRELESS SITE at 1615 S. W. WASHINGTON, in the Amount of \$10,437.60.
- (02-687) APPOINTMENTS by Mayor David P. Ransburg to the SPRINGDALE CEMETERY MANAGEMENT AUTHORITY:
- |                             |                      |
|-----------------------------|----------------------|
| James W. Baldwin (Voting)   | Term Expires 6/30/07 |
| Todd R. Davis (Voting)      | Term Expires 6/30/07 |
| Suzanne Love Smith (Voting) | Term Expires 6/30/05 |
- (02-688) REAPPOINTMENTS by Mayor David P. Ransburg to the ADVISORY COMMITTEE ON POLICE COMMUNITY RELATIONS:
- |                              |                      |
|------------------------------|----------------------|
| Gary V. Sandberg (Voting)    | Term Expires 6/30/05 |
| Rev. Gary J. Wilson (Voting) | Term Expires 6/30/05 |
| Edwin E. Cook (Voting)       | Term Expires 6/30/05 |
- (02-689) REAPPOINTMENTS by Mayor David P. Ransburg to the PEORIA CIVIC CENTER AUTHORITY:
- |                                |                     |
|--------------------------------|---------------------|
| Kenneth L. Goldin (Voting)     | Term Expires 7/1/07 |
| Charles V. Grayeb (Non-Voting) | Term Expires 7/1/04 |
| Keith Arnold (Non-Voting)      | Term Expires 7/1/04 |
| Jane B. Converse (Non-Voting)  | Term Expires 7/1/04 |

**CONSIDERATION of REPORT BACKS as Follows:**

- (02-669) Communication from Superintendent of Police with REPORT BACK Regarding POLICE UNIFORM BID SPECIFICATIONS.

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

Item Nos. 02-680 through 02-689, and 02-669 were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

UNFINISHED BUSINESS**(02-598) Communication from Director of Planning and Growth Management with REPORT BACK Regarding BANNERS on PRIVATE PROPERTY.**

In discussion with Council Member Sandberg regarding temporary banners on private property, Assistant Director of Planning and Growth Management Pat Landes explained anything could be printed on banners that were not considered commercial speech, such as celebrating a holiday. She said this language came directly from the Zoning Ordinance regarding the regulation of signs. She stated there was one level of regulation for signs relating to commercial speech, and other regulations for others. She said if banners had commercial advertising, they could be considered a billboard, so commercial speech was not allowed. She added there was also sign regulations that addressed civic and public events.

Council Member Sandberg moved to receive and file the report back regarding Banners on Private Property; seconded by Council Member Turner.

In further discussion with Council Member Nichting, Assistant Director Landes said banners were permitted, subject to the regulation for size, period of display, in non-residential areas, and for special uses in residential areas such as for church events. She further explained that there was a \$20 application fee for these kinds of banners.

Director of Public Works Steve Van Winkle said there was still a need for Council to act on the District Identification Program and he requested that this issue be resolved by Council.

Mayor Ransburg suggested that the District Identification Program be placed on the October 15, 2002, Regular City Council Agenda.

City Manager Michael McKnight agreed the District Identification Program would be on the October 15<sup>th</sup> Council Agenda.

Motion to receive and file the report back regarding Banners on Private Property was approved by roll call vote.

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

Nays: None.

**(02-665) Communication from Director of Planning and Growth Management with Zoning Commission Recommendation to Approve and City Staff Recommendation to DENY an ORDINANCE Granting a SPECIAL USE in a Class R-6 (Multi-Family Residential) and an R-4 (Single -Family Residential) Districts for a CHILD CARE CENTER for Property Located at 1201 and 1221 N. E. GLEN OAK AVENUE.**

Following a brief comment, Council Member Thetford moved to defer this item for three weeks until the October 29, 2002, Regular City Council Meeting; seconded by Council Member Sandberg.

Motion to defer this item until October 29, 2002, was approved by roll call vote.

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

Nays: None.

**(02-673) Communication from Finance Director/Comptroller Regarding the CAPITAL IMPROVEMENT PROGRAM FIRST PERIOD 2002 CAPITAL PROJECTS STATUS REPORT. (For Information Only)**

Council Member Sandberg moved to receive and file the Capital Improvement Program First Period 2002 Capital Projects Status Report; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(02-173) REQUEST to REMOVE from the TABLE the ORDINANCE Amending Ordinance No. 15,130, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Include an ADDITION to the FENCED AREA for LOWE'S HOME CENTERS, INC. for the Property Located at 5001 N. BIG HOLLOW ROAD, with Condition, and Place this item on the October 15, 2002, Regular City Council Agenda.**

Council Member Spears moved to remove from the Table the Ordinance amending Ordinance No. 15,130, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to include an addition to the fenced area for Lowe's Home Centers, Inc., for property located at 5001 N. Big Hollow Road, with condition, and place this item on the October 15, 2002, Regular City Council Agenda; seconded by Council Member Turner.

Motion to remove this item from the Table and place this item on the October 15, 2002, Regular City Council Agenda was approved by roll call vote.

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

Nays: None.

**NEW BUSINESS**

**(02-690) REQUEST for REPORT BACK Regarding NOISE AND LITTER VIOLATIONS, AND FINES, and the Issue of ABANDONED CARS.**

Council Member Grayeb said he had been contacted by citizens regarding loud stereo noises coming from passing vehicles which disturbed people inside their homes, businesses and churches. He requested a report back regarding how many citations had been written, since January 1, 2002, to individuals regarding this noise problem, and whether or not the current fine was effective and if everything that could be done had been done to enforce the Noise Ordinance.

Superintendent of Police John Stenson said a report was provided in the City Manager's Report to City Council at the October 1, 2002, Council Meeting. He said the number of noise violations was listed in the report, but the report did not reflect the number of Illinois Vehicle Code traffic tickets that were issued for noise. He said he would report back regarding these numbers.

Council Member Grayeb requested that the report back include an explanation of what type of support was provided when these issues went to court. He questioned if a concerted effort had been made in neighborhoods to eliminate these kinds of noise problems.

Discussion was held regarding the level of fines and Council Member Grayeb requested the report back include Police Superintendent Stenson's recommendation regarding increasing fines.

Council Member Gulley requested the report back include litter violations and that enforcement of the Litter Ordinance be increased.

Council Member Spears referred to abandoned cars that were discovered during neighborhood sweeps, and he questioned if there was anything that could be done so the City could be reimbursed for administrative expenses. He said he thought there were other municipalities in the State that used a process to take an abandoned car owner to court and revenue was paid to the City.

Superintendent of Police Stenson said he would provide that information also.

### **CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

#### **(02-691) 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, thanked those responsible for resolving the trash problem in her neighborhood.

### **EXECUTIVE SESSION**

#### **(02-692) Consideration of 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 Nichting 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 Grayeb.

Approved by roll call vote.

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

Nays: None.

### **ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 6:50 P.M.