

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

Council Chambers, Peoria, Illinois, May 15, 2001, 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 led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: RESPECT FOR LAW WEEK – May 14 through 19, 2001

PROCLAMATION: MEMORIAL DAYS – May 24 through 30, 2001

PROCLAMATION: NATIONAL BICYCLE MONTH – May, 2001

**MINUTES**

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on May 8, 2001, as printed; seconded by Council Member Turner.

Approved by viva voce vote.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS - TOWN OF THE CITY OF PEORIA**

**(01-292) Communication from Town Collector with RESOLUTION Authorizing NAMED BANKS to ACT AS DEPOSITORIES, Etc. of the Town of the City of Peoria, and Authorizing the Town to ACCEPT and RELEASE SECURITIES for SAFEKEEPING Held by a Third Party and Authorizing NAMED BANKS TO HONOR CHECKS, DRAFTS, ETC., and Repealing Resolution No. 99-020.**

Trustee Nichting moved to approve the Resolution authorizing Named Banks to act as depositories, etc. of the Town of the City of Peoria, and authorizing the Town to accept and release securities for safekeeping held by a third party and authorizing named banks to honor check, drafts, etc., and repealing Resolution No. 99-020; seconded by Trustee Grayeb.

RESOLUTION NO. 01-292 was approved by roll call vote.

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

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS - CITY OF PEORIA****CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE:**

- (01-293) **PAYMENT ESTIMATES for PUBLIC IMPROVEMENT PROJECTS: IMPERIAL DRIVE, RIVIERA DRIVE, RIVIERA COURT & ELDORADO DRIVE ROADWAY IMPROVEMENT (Removing existing curb, gutter, sidewalks and driveway approaches and constructing concrete sidewalks, combination curb and sidewalks, combination curb and gutter driveway pavement, storm sewer, and a bituminous concrete pavement overlay and all necessary adjustments, incidentals and appurtenances.) – COULTER CONSTRUCTION COMPANY – Pay Estimate #1: \$14,715.95; WEST WARWICK DRIVE ROADWAY IMPROVEMENT (Removing existing curb, gutter, sidewalks & driveway approaches and constructing P.C.C. combination curb & sidewalks, gutter flag and driveway approaches, a bituminous concrete overlay, and installing a storm sewer system, along with all necessary adjustments, incidentals and appurtenances.) – COULTER CONSTRUCTION COMPANY – Pay Estimate #1: \$27,111.08; TOTAL AUTHORIZATION: \$41,827.03. (For Information Only)**
- (01-294) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: R. B. GARRETT AVENUE WIDENING IMPROVEMENT (RICHARD ALLEN DRIVE TO WILLIAM KUMPF BLVD.) (Widening existing pavement on Garrett Avenue to 55'; New combination concrete curb & gutter, p.c.c. drives and sidewalks; New storm sewers; Replacing existing street lights with combination ornamental/street lighting system; Widening intersection approach at Kumpf Blvd. to match existing pavement; modifying existing traffic signals for new intersection width; and Landscaping parkway with trees and sod.) R. A. CULLINAN & SON, INC. – Pay Estimate #13: \$58,668.16; TOTAL AUTHORIZATION APPROVED: \$58,668.16. (For Information Only)**
- (01-295) **BIDS for a STEEL-TYPE ROLLER, Recommending the Low Bid of ALTORFER, INC., in the Amount of \$24,863.00.**  
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- (01-296) **BIDS for MAINTENANCE CONTRACTS AND MATERIALS, Recommending the Bids from FREESEN, INC., in the Amount of \$921,665.05, and from NATIONAL ASPHALT, in the Amount of \$141,278.71.**
- (01-297) **Communication from Director of Public Works Requesting Authorization to PURCHASE Approximately 0.006 ACRES of REAL ESTATE Located at 120 EATON STREET, in the Amount of \$8,250.00 for Use as RIGHT-OF-WAY for the RIVERPLEX PROJECT and the RELOCATION of EATON STREET.**  
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- (01-298) **Communication from Corporation Counsel and Finance Director/Comptroller Regarding the DECISION EXEMPTING WIRELESS FIRMS from MUNICIPAL TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEES. (For Information Only)**
- (01-299) **Communication from City Treasurer with RESOLUTION NO. 01-299 Authorizing NAMED BANKS to HONOR CHECKS, DRAFTS, ETC. of the City of Peoria, Authorizing the City Treasurer, the City Manager and the Finance Director/Comptroller to ACCEPT and RELEASE SECURITIES for SAFEKEEPING Held by a Third Party, and Repealing Resolution No. 98-995.**

- (01-300) Communication from Finance Director/Comptroller with **ORDINANCE NO. 15,138** Expressing **OFFICIAL INTENT** Regarding **CERTAIN CAPITAL EXPENDITURES** Within the **NORTHSIDE RIVERFRONT TIF DISTRICT** to be Reimbursed from Proceeds of an Obligation.
- (01-301) \*\*\* Communication from Corporation Counsel with **ORDINANCE** Amending **CHAPTER 3** of the Code of the City of Peoria Relating to **ALCOHOLIC BEVERAGES** Creating a **CLASS "N" LIQUOR LICENSE** for the **RIVERFRONT BUSINESS DISTRICT**.
- (01-302) **APPLICATION FOR CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE** for **PEO-TAZ CHAPTER of A.B.A.T.E. OF ILLINOIS** for August 18, 2001.
- (01-303) **APPLICATION FOR CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE** for **HOLY FAMILY ROMAN CATHOLIC CHURCH** for May 31, June 1 and 2, 2001.
- (01-304) \*\*\*\* **APPOINTMENT** by Mayor David P. Ransburg to the **PEORIA HOUSING AUTHORITY BOARD OF DIRECTORS:**

Mr. Joseph H. Johnson

- (01-305) **REPORTS:**
- A. **ANNUAL REPORT of MAJOR ELECTRIC UTILITIES, LICENSEES AND OTHERS – CENTRAL ILLINOIS LIGHT COMPANY – December 31, 2000.**

**CONSIDERATION of REPORT BACKS as Follows:**

- (01-214) Communication from Corporation Counsel with **REPORT BACK** Regarding a Request to Review and/or Create an Ordinance **BANNING THE WEARING OF HOODS AND MASKS** by Individuals at Rallies Held on Public Property.

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

Council Member Sandberg requested that Item Nos. 01-297 and 01-301 be removed from the Consent Agenda for further discussion.

Council Member Turner requested that Item No. 01-295 be removed from the Consent Agenda for further discussion.

Council Member Teplitz requested that Item No. 01-304 be removed from the Consent Agenda for further discussion.

Item Nos. 01-293 through 01-305, and 01-214 (excluding Item Nos. 01-295, 01-297, 01-301 and 01-304 which were removed from the Consent Agenda for further discussion) 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.

**(01-295) BIDS for a STEEL-TYPE ROLLER, Recommending the Low Bid of ALTORFER, INC., in the Amount of \$24,863.00.**  
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Council Member Turner said he would be abstaining from the vote and discussion due to his employment with Caterpillar, Inc.

Council Member Nichting moved to accept the low bid of Altorfer, Inc., in the amount of \$24,863.00, for a steel-type roller; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None;

Abstention: Turner - 1.

**(01-297) Communication from Director of Public Works Requesting Authorization to PURCHASE Approximately 0.006 ACRES of REAL ESTATE Located at 120 EATON STREET, in the Amount of \$8,250.00 for Use as RIGHT-OF-WAY for the RIVERPLEX PROJECT and the RELOCATION of EATON STREET.**  
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Following a brief discussion regarding costs, Council Member Sandberg moved to defer this item for one week until the May 22, 2001, Regular City Council Meeting; seconded by Council Member Nichting.

Motion to defer this item until May 22, 2001, was approved by roll call vote.

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

Nays: Grayeb - 1.

**(01-301) Communication from Corporation Counsel with ORDINANCE Amending CHAPTER 3 of the Code of the City of Peoria Relating to ALCOHOLIC BEVERAGES Creating a CLASS “N” LIQUOR LICENSE for the RIVERFRONT BUSINESS DISTRICT.**  
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Council Member Sandberg moved to grant Privilege of the Floor to those who wished to address this issue; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to those who wished to speak.

Deputy Corporation Counsel Jim Murphy explained The Landing on the Riverfront was being operated by G & G Packet Company as a Beer Garden attached to the Katie Hooper. He said since the Katie Hooper was going to operate as a Class “B-1” Restaurant, which did not allow for minors on the premises after 8:00 P.M. unless accompanied by their parents, they would not have a Beer Garden. He said after holding a discussion with all parties involved, the Park District agreed to apply for a liquor license class which would be limited to the Riverfront Business District and to the public entity operating the site. He said there would be a lease-back arrangement whereby the Park District controlled the area, but would have a management contract with G & G Packet Company.

In discussion with Council Member Sandberg, Mr. Murphy confirmed that whether this Ordinance was adopted or not, it would not affect the current ability for caterers to work within the Gateway Building. He indicated this was an expansion of the license into outdoor public space.

Mr. Tom Edwards, 2702 N. Peoria Avenue, spoke in support of family events being held on the Riverfront, with no liquor sales involved. He said the Park District had planned about 90 family events for this year. He said, in addition, there would be temporary liquor licenses issued for other events on the Riverfront. He said the public body should set a good example.

Council Member Sandberg said he would not support the proposed Class “N” and the City needed to decide if the Riverfront would be family oriented or not. He said liquor sales at outdoor events should be stopped and the expansion should not occur.

Council Member Morris moved to table this item, but following further discussion and explanation, Council Member Morris withdrew his motion to table.

Council Member Thetford said the proposed Class “N” License would correct a problem which has existed on the Riverfront and at the events that have been held. She pointed out that, if the Katie Hooper was sold or moved, there would be no licensed premise to which this could be attached. She said if the Class “N” was not approved, there would be an area in the middle of the event area in which no alcohol would be allowed. She added that the proposed Class “N” should be approved prior to the events being held this summer.

Following further discussion, Council Member Turner moved to adopt the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages creating a Class “N” Liquor License for the Riverfront Business District; seconded by Council Member Teplitz.

Mr. Bill Roeder, Superintendent of Riverfront Operations, said he welcomed the opportunity to discuss this issue at a Policy Session. He explained this proposal was not an expansion, but would provide better control for the Park District regarding alcoholic beverages in the Riverfront area. He urged the Council to adopt the Ordinance, but he indicated if a better plan came forward, he would be willing to review suggested changes.

Council Member Morris left the Council Chambers.

Motion to adopt ORDINANCE NO. 15,139 amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages creating a Class “N” Liquor License for the Riverfront Business District was approved by roll call vote.

Yeas: Ardis, Grayeb, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg –7;

Nays: Gulley, Sandberg, Spears - 3.

**(01-304) APPOINTMENT by Mayor David P. Ransburg to the PEORIA HOUSING  
\*\*\*\* AUTHORITY BOARD OF DIRECTORS:**

**Mr. Joseph H. Johnson**

Following a brief comment of support, Council Member Teplitz moved to concur with the appointment of Mr. Joseph H. Johnson to the Peoria Housing Authority Board of Directors; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

- (01-306) Communication from Director of Public Works Requesting Concurrence in the Greater Peoria Sanitary District's Award of ENGINEERING SERVICES CONTRACTS with CLARK-DIETZ, INC., in the Amount of \$573,400.00, MAURER-STUTZ, INC., in the Amount of \$456,000.00, and CRAWFORD, MURPHY & TILLY, INC., in the Amount of \$1,136,000.00 for PHASE I SERVICES for the CITY OF PEORIA'S COMPREHENSIVE SANITARY SEWER REHABILITATION PROJECT.**

Council Member Nichting moved to concur in the Greater Peoria Sanitary District's award of Engineering Services Contracts with Clark-Dietz, Inc., in the amount of \$573,400.00, Maurer-Stutz, Inc., in the Amount of \$456,000.00, and Crawford, Murphy & Tilly, Inc., in the amount of \$1,136,000.00 for Phase I services for the City of Peoria's Comprehensive Sanitary Sewer Rehabilitation Project; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

- (01-307) Communication from Director of Public Works with RESOLUTION Supporting EFFORTS TO RETAIN LONG-TERM COST-EFFECTIVE, DIRECT RAIL SERVICE to PIONEER INDUSTRIAL PARK and FUTURE RAIL SERVICE to GROWTH CELL #2 Via the Existing UNION PACIFIC SPUR from the West.**

Council Member Nichting moved to approve the Resolution supporting efforts to retain long-term cost-effective, direct rail service to Pioneer Industrial Park and future rail service to Growth Cell #2 via the existing Union Pacific Spur from the West; seconded by Council Member Turner.

RESOLUTION NO. 01-307 was approved by roll call vote.

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

Nays: None.

- (01-308) Communication from Corporation Counsel with RESOLUTION Pertaining to COUNCIL RULES and the POWER to ESTABLISH RULES and the ORDER OF BUSINESS of the City Council.**

Following a brief clarification, Council Member Thetford moved to approve the Resolution pertaining to Council rules and the power to establish rules and the order of business of the City Council; seconded by Council Member Teplitz.

RESOLUTION NO. 01-308 was approved by roll call vote.

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

Nays: None.

**UNFINISHED BUSINESS**

- (00-864) Communication from Director of Planning and Growth Management with REPORT BACK on the STAFF REVIEW of the EXISTING USES and COMPLIANCE ISSUES for Property Located at 2022 N. WISCONSIN AVENUE.**

Council Member Thetford said the property owner had submitted a preliminary site plan and some progress had been made toward compliance with the Special Use, but there were still some issues that needed to be addressed regarding striping, paving, etc.

Council Member Thetford moved to receive and file this communication, with a request that a report back be provided by June 26, 2001, regarding full compliance; seconded by Council Member Nichting.

Approved by roll call vote.

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

Nays: None.

- (01-152) REQUEST to CHANGE DATE SET of the POLICY/WORKSHOP SESSION Regarding RETAIL PACKAGE LIQUOR SALES at GASOLINE STATIONS and CONVENIENT STORES to JUNE 12, 2001.**

Council Member Turner moved to change the date set of the Policy/Workshop Session regarding Retail Package Liquor Sales at Gasoline Stations and Convenient Stores from May 22, 2001, to June 12, 2001, immediately following the Regular City Council Meeting; seconded by Council Member Nichting.

Approved by roll call vote.

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

Nays: None.

**NEW BUSINESS**

- (01-309) DISCUSSION Regarding FUNDRAISER for the WORLD WAR II MEMORIAL to be Placed at the Peoria County Courthouse.**

Council Member Turner distributed an invitation to all members of the City Council to attend a premiere showing of the new movie “Pearl Harbor” at Landmark Cinemas on May 25, 2001. He explained the proceeds would be donated to the World War II Memorial that would be placed at the Peoria County Courthouse.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

- (01-310) REQUEST by MR. BILL KING to Address the City Council Regarding REDISTRICTING of the COUNCIL DISTRICTS.**

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Bill King.

Mr. Bill King, 2225 N. University, suggested changing the method of electing City representatives for better representation. He said he felt the City should be reconfigured into six districts, to include three at-large council people, each to represent only two of the six districts. He said this would allow people more contact with their elected official and the Mayor would serve as Chairman of the Board.

**(01-311) REQUEST by REV. ANDREW JOWERS to Address the City Council Regarding a PARKING PROBLEM and an ARREST.**

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Rev. Andrew Jowers.

Rev. Andrew Jowers, 1416 N. E. Madison Avenue, expressed concern that he had not had a response from the City or his Council representative regarding a problem that he had previously brought before the Council. He discussed a prior arrest resulting from a parking problem. He said the manner in which this was handled was still an issue with him.

**EXECUTIVE SESSION**

The Executive Session was cancelled.

**ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:10 P.M.

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

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