

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

Council Chambers, Peoria, Illinois, June 5, 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: GALE AVENUE LITTER PROGRAM

PRESENTATION: PRESENTATION OF HISTORIC FLAGS FOR CONSTITUTION GARDEN –  
CONSTITUTION GARDEN COMMITTEE AND THE SOUTHWEST  
KIWANIS CLUB

**MINUTES**

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on May 22, 2001, 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**

**(01-334) PUBLIC HEARING Regarding ANNEXATION of 2601 W. Altorfer Drive  
(Temporary Address).**

Council Member Nichting moved to open the Public Hearing regarding annexation of 2601 W. Altorfer Drive (Temporary Address); 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.

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

Following the third call by Mayor Ransburg and determining that no one wished to address this issue, Council Member Nichting moved to close the Public Hearing; 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.

The Public Hearing closed at 6:33 P.M.

**(01-335) Communication from Director of Planning and Growth Management  
Recommending Adoption of the Following:**

- A. RESOLUTION Approving the ANNEXATION AGREEMENT for Certain Property Generally Located NORTH OF ALTORFER DRIVE Extended, and Having an Approximate Address of 2601 W. ALTORFER DRIVE, all Located within One and One -Half Miles of the City of Peoria;**

Council Member Nichting moved to approve the Resolution approving the Annexation Agreement for certain property generally located North of Altorfer Drive extended, and having an approximate address of 2601 W. Altorfer Drive, all located within one and one-half miles of the City of Peoria; seconded by Council Member Turner.

RESOLUTION NO. 01-335 was approved by roll call vote.

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

Nays: None.

- B. ORDINANCE Annexing Territory Contiguous to the City of Peoria  
(Temporary Address of 2601 W. ALTORFER DRIVE);**

Council Member Nichting moved to adopt the Ordinance annexing territory contiguous to the City of Peoria (Temporary address of 2601 W. Altorfer Drive); seconded by Council Member Grayeb.

ORDINANCE NO. 15,143 was adopted by roll call vote.

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

Nays: None.

- C. ORDINANCE Rezoning Property Located at 2601 W. ALTORFER DRIVE  
from the Present Class I-1 (County) District to a Class I-1 (Industrial  
Park{City}) District.**

Council Member Nichting moved to adopt the Ordinance rezoning property located at 2601 W. Altorfer Drive from the present Class I-1 (County) District to a Class I-1 (Industrial Park{City}) District; seconded by Council Member Grayeb.

ORDINANCE NO. 15,144 was adopted by roll call vote.

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

Nays: None.

**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.**

- (01-336) PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS: WEST GILBERT AVENUE ROADWAY IMPROVEMENT PROJECT (Sterling Avenue to Gale Avenue) (Removing existing curb, sidewalk, and driveway approaches; constructing combination concrete curb and sidewalk, driveway approaches, and a bituminous concrete overlay over existing roadway. Additionally, a storm sewer system will be installed.) R. A. CULLINAN & SON, INC. – PAY ESTIMATE #5: \$48,577.73; WILLOW KNOLLS ROAD STREET LIGHTING IMPROVEMENT PROJECT (Allen Road to US Route 150) (Construction of concrete street light foundations, 2" PVC conduit, and seeding and mulching of all disturbed earth areas) OBERLANDER ELECTRIC – PAY ESTIMATE #1: \$23,100.48; TOTAL AUTHORIZATION APPROVED: \$71,678.21. (For Information Only)**

- (01-337) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: WEST ARMSTRONG AVENUE ROADWAY & STREET LIGHTING IMPROVEMENT (North Street to I-74 Bridge (Removing existing curb, sidewalks & driveway approaches and constructing concrete combination curb & sidewalks, driveway pavement, a bituminous overlay and a City-standard ornamental street lighting system.) C&G CONCRETE CONSTRUCTION – PAY ESTIMATE #3 & FINAL: \$23,229.50; TOTAL AUTHORIZATION APPROVED: \$23,229.50. (For Information Only)**
- (01-338) **BIDS for CENTRAL FIRE STATION ADDITION, Recommending the Low Bid of HAEFLI & SONS, in the Amount of \$936,477.00.**
- (01-339) **BIDS for BUILDING DEMOLITIONS at 611, 621, 633, 701, 703, 705 and 707 S. W. ADAMS STREET and 305 STATE STREET, Recommending the Bid of KAKK CONSTRUCTION, INC., in the Amount of \$38,469.00.**  
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- (01-340) **Communication from Director of Public Works and Finance Director/Comptroller Requesting Authorization to PURCHASE THREE 42,000 GVW TRUCK CHASSIS for DUMP TRUCK CONVERSION, Recommending the Low Bid of DAVE GILL TRUCKS, in the Amount of \$116,768.00.**
- (01-341) **Communication from Superintendent of Police Requesting Authorization to PURCHASE BOMB SQUAD VEHICLE, Using Tech Grant Funds, in the Amount of \$10,000.00.**  
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- (01-342) **Communication from Director of Public Works Requesting Approval to REPROGRAM SPECIAL ASSESSMENT PROJECT FUNDS in the Amount of \$17,772.00 from the WEST LAWNDALE ORNAMENTAL LIGHTING PROJECT to STONEGATE ROAD PROJECT.**
- (01-343) **Communication from Director of Planning and Growth Management Requesting Approval of the Movement of \$1,000.00 for the AVERYVILLE NEIGHBORHOOD ASSOCIATION and \$1,000.00 for the ALTAMONT PARK NEIGHBORHOOD ASSOCIATION PROJECTS for Neighborhood Signs from Entitlement Corporate Funds to Available Corporate Funds.**
- (01-344) **Communication from Director of Inspections and Finance Director/Comptroller Requesting Authorization for the City Manager to Enter into a TWO-YEAR RODENT CONTROL BAITING CONTRACT with ORKIN PEST CONTROL, as Outlined.**
- (01-345) **Communication from Corporation Counsel Requesting Approval to RETAIN the FIRM OF HASSELBERG, WILLIAMS, GREBE & SNODGRASS as WORKERS' COMPENSATION COUNSEL for Calendar Years 2001, 2002 and 2003.**  
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- (01-346) **Communication from Director of Public Works Requesting Approval of the PEORIA/PEKIN URBANIZED AREA TRANSPORTATION STUDY (PPUATS) FUNDING AGREEMENT, with MFT RESOLUTION in the Amount of \$29,469.59.**
- (01-347) **Communication from Finance Director/Comptroller with ORDINANCE NO. 15,145 EXPRESSING OFFICIAL INTENT Regarding FY2001 CAPITAL EXPENDITURES to be Reimbursed from Proceeds of an Obligation.**
- (01-348) **Communication from Corporation Counsel with ORDINANCE NO. 15,146 Amending Ordinance No. 13,424 Relating to COMMISSIONERS of the PEORIA HOUSING AUTHORITY.**

- (01-349) Communication from Director of Planning and Growth Management with **ORDINANCE NO. 15,147 REDUCING the 100 FOOT SETBACK from CENTERLINE Along STERLING AVENUE for Property Located at the SOUTHWEST CORNER of STERLING AVENUE and RICHWOODS BOULEVARD, to 70 FEET.**
- (01-350) Communication from Director of Planning and Growth Management with  
\*\*\*\* **ORDINANCE REDUCING the 100 FOOT SETBACK from CENTERLINE Along S. W. ADAMS STREET for Property Addressed as 911 S. W. ADAMS STREET, to 58.5 FEET.**
- (01-351) **ORNAMENTAL STREET LIGHTING – 237 N. E. MONROE STREET, in the Amount of \$5,858.75.**
- (01-352) **SIDEWALK PARTICIPATION REQUEST – COMMUNITY ACTION AGENCY, 711 W. McBEAN STREET for Work on JOHNSON STREET, SHERIDAN ROAD and MERRIMAN STREET, in the Amount of \$17,566.28.**
- (01-353) **SIDEWALK PARTICIPATION at 3514 N. PROSPECT ROAD, 1501 S. W. JEFFERSON AVENUE, 813 E. FRYE AVENUE, 711 W. McBEAN STREET, and 839 W. MOSS AVENUE, as Outlined.**
- (01-354) **STREET LIGHTING REQUESTS – 1300 BLOCK W. MILLMAN STREET; 3100-3400 BLOCKS N. PROSPECT ROAD; and 10,300 BLOCK N. CHURCHILL DRIVE, as Outlined.**
- (01-355) APPLICATION for CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE  
\*\*\*\*\* for RIVER CITY BLUES SOCIETY for August 31 and September 1, 2001.
- (01-356) APPLICATION for CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE for ILLINOIS VALLEY STRIDERS for July 4, 2001.
- (01-357) SITE APPROVAL for a CLASS “B” (Restaurant) LIQUOR LICENSE at 305 S. W. WATER, UNIT B1, with Recommendation of the Liquor Commission to Approve.
- (01-358) SITE APPROVAL for a CLASS “E” (Private Club) LIQUOR LICENSE at 7403 N. RADNOR ROAD, with Recommendation of the Liquor Commission to Approve.
- (01-359) SITE APPROVAL for a CLASS “B” (Restaurant) LIQUOR LICENSE at 4100 W. WILLOW KNOLLS ROAD, with Recommendation of the Liquor Commission to Approve.
- (01-360) Communication from Director of Economic Development and Director of Public Works Requesting a SIDEWALK CAFEç for JOE’S CRAB SHACK at 110 S. W. WATER STREET (Riverfront Village), that a Permit be Issued in Concurrence  
\*\*\*\*\* with Action Taken by the Riverfront Commission and the City Council, and  
\* Authorization for the City Manager to Execute a Rental Agreement in Accordance with the Approved Rental Terms.
- (01-361) Communication from Director of Public Works Regarding the CONSTRUCTION  
\*\*\*\*\* SCHEDULE for PORTIONS of UNIVERSITY STREET and FORREST HILL  
\*\* AVENUE. (For Information Only)

**(01-362) REPORTS:**

**A. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – April 30, 2001.**

**B. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – April 30, 2001.**

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

Council Member Ardis requested that Item Nos. 01-360 and 01-361 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested that Item No. 01-339 be removed from the Consent Agenda for further discussion.

Council Member Grayeb requested that Item No. 01-341 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 01-350 be removed from the Consent Agenda for further discussion.

Council Member Teplitz requested that Item No. 01-345 be removed from the Consent Agenda for further discussion.

Council Member Spears requested that Item No. 01-355 be removed from the Consent Agenda for further discussion.

Item Nos. 01-336 through 01-362 (excluding Item Nos. 01-339, 01-341, 01-345, 01-350, 01-355, 01-360, and 01-361 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.

**(01-339) BIDS for BUILDING DEMOLITIONS at 611, 621, 633, 701, 703, 705 and 707 S. W. ADAMS STREET and 305 STATE STREET, Recommending the Bid of KAKK CONSTRUCTION, INC., in the Amount of \$38,469.00.**  
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Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Ball Stadium.

Council Member Morris moved to accept the bid of KAKK Construction, Inc. in the amount of \$38,469.00 for building demolitions at 611, 621, 633, 701, 703, 705 and 707 S. W. Adams Street and 305 State Street; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None;

Abstention: Nichting - 1.

**(01-341)      Communication from Superintendent of Police Requesting Authorization to  
\*\*      PURCHASE BOMB SQUAD VEHICLE, Using Tech Grant Funds, in the Amount  
\*\*\*      of \$10,000.00.**

In discussion with Council Member Grayeb, Superintendent of Police John Stenson explained the vehicle to be purchased was twelve years old but would provide the Department with a newer vehicle with a larger capacity, plus additional equipment which was safer.

Council Member Grayeb moved to authorize the purchase of the bomb squad vehicle, using Tech Grant Funds, in the amount of \$10,000.00; 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.

**(01-345)      Communication from Corporation Counsel Requesting Approval to RETAIN the  
\*\*\*      FIRM OF HASSELBERG, WILLIAMS, GREBE & SNODGRASS as WORKERS'  
COMPENSATION COUNSEL for Calendar Years 2001, 2002 and 2003.**

Council Member Teplitz stated she would be abstaining from the vote due to a business relationship with the firm.

Council Member Morris moved to approve retaining the firm of Hasselberg, Williams, Grebe & Snodgrass as Workers' Compensation Counsel for Calendar years 2001, 2002 and 2003; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None;

Abstention: Teplitz - 1.

**(01-350)      Communication from Director of Planning and Growth Management with  
\*\*\*\*      ORDINANCE REDUCING the 100 FOOT SETBACK from CENTERLINE Along  
S. W. ADAMS STREET for Property Addressed as 911 S. W. ADAMS STREET, to  
58.5 FEET.**

Following a brief explanation by Assistant Director of Planning and Growth Management Pat Landes, Council Member Sandberg moved to adopt the Ordinance reducing the 100 foot setback from the centerline along S. W. Adams Street for property addressed as 911 S. W. Adams Street, to 58.5 feet; seconded by Council Member Morris.

ORDINANCE NO. 15,148 was adopted by roll call vote.

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

Nays: None.

**(01-355)      APPLICATION for CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE  
\*\*\*\*\*      for RIVER CITY BLUES SOCIETY for August 31 and September 1, 2001.**

Council Member Spears moved to approve the application for a Class "H" Temporary Outdoor Liquor License for River City Blues Society for August 31 and September 1, 2001; seconded by Council Member Morris.

Council Member Spears requested a report back from the Legal Department regarding if there was a limited number of alcohol related events that could be held on the Riverfront each year.

Motion to approve the application for a Class "H" Temporary Outdoor Liquor License for River City Blues Society for August 31 and September 1, 2001, was approved by roll call vote.

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

Nays: None.

**(01-360) Communication from Director of Economic Development and Director of Public Works Requesting a SIDEWALK CAFE for JOE'S CRAB SHACK at 110 S. W. WATER STREET (Riverfront Village), that a Permit be Issued in Concurrence with Action Taken by the Riverfront Commission and the City Council, and Authorization for the City Manager to Execute a Rental Agreement in Accordance with the Approved Rental Terms.**

Council Member Turner moved to approve a Sidewalk Cafe' for Joe's Crab Shack at 110 S. W. Water Street (Riverfront Village), a permit be issued in concurrence with action taken by the Riverfront Commission and the City Council, and approve authorization for the City Manager to execute a rental agreement in accordance with the approved rental terms; seconded by Council Member Teplitz.

A clarification was made by Council Member Ardis regarding the Council communication and the Riverfront Commission's support of Joe's Crab Shack renting additional space on the Riverfront platform from the City according to current market rates. He discussed the rates for pushcarts and did not feel it was a fair comparison. He said he felt it was in the best interest of the City not to go along with the lower amount. He said he would not be supporting the motion on the floor.

Council Member Nichting expressed concern regarding the proposed amount and the amount charged to push cart owners. He suggested that the space to be rented by Joe's Crab Shack should be subject for consideration in 2002 and the amount should be increased closer to market rate. He further suggested that it should be determined what market rate would be for the platform and prices should be set accordingly. He expressed concern how this would affect other Riverfront restaurants.

Council Member Nichting moved to amend the motion to accept the \$600.00 this year, increasing the amount to \$800.00 for 2002, and increasing the amount to \$1,000.00 for 2003, with a review by Council in 2002 at the \$800.00 level. The Chair declared this motion was not under consideration due to the lack of a second.

Council Member Sandberg expressed concern that Damon's, also located on the platform, paid rent twelve months of the year, not four months out of the year as proposed for Joe's. He said he would only support market rate which, it was his understanding, was \$18.00 a square foot paid over a twelve-month period.

Council Member Gulley agreed that the cost should be at market rate and he said there were other costs that were lower than what the City should be getting from valuable property on the Riverfront. He said, at the same time, there were businesses on the Riverfront that were struggling. He said today the Riverfront was not at the point he would like it to be, but that time would come. He said next year or two years down the road, the City would be in a better position to charge market rate, and in a year's time, the Council would be revisiting this issue. He said he would rather accept the \$600.00 this year and consider a change in a year.

Council Member Spears moved for a substitute motion that the City provide the additional space on the platform free-of-charge to Joe's Crab Shack until such time the developer's guarantee quits coming in and then go to market value. The Chair declared this substitute motion was not under consideration due to the lack of a second.

Motion to approve a Sidewalk Cafe' for Joe's Crab Shack at 110 S. W. Water Street (Riverfront Village), a permit be issued in concurrence with action taken by the Riverfront Commission and the City Council, and approve authorization for the City Manager to execute a rental agreement in accordance with the approved rental terms was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Teplitz, Thetford, Turner, Mayor Ransburg – 7;

Nays: Ardis, Nichting, Sandberg, Spears - 4.

**(01-361) Communication from Director of Public Works Regarding the CONSTRUCTION SCHEDULE for PORTIONS of UNIVERSITY STREET and FORREST HILL AVENUE. (For Information Only)**  
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Council Member Ardis moved to receive and file the construction schedule for portions of University Street and Forrest Hill Avenue; seconded by Council Member Turner.

In discussion with Council Member Ardis, Director of Public Works Steve Van Winkle explained work on the intersection of University and Forrest Hill was currently under contract and would be reconstructed to add lanes and replace the surface. He added the roadway on University between Forrest Hill and War Memorial would be resurfaced this summer. He further discussed other improvement projects in the general vicinity of the Gale and Forrest Hill intersection.

In discussion with Council Member Spears regarding coordination of improvements on Forrest Hill and Gale and improvements to I-74, Mr. Van Winkle explained the contract for Gale will extend into 2003 so it would not be finished before the I-74 work was started.

Council Member Teplitz said it was her understanding there was a plan for IDOT to make a presentation to the Council in the near future regarding the reconstruction of I-74 and how it would impact the community. She added there would be on-going meetings with residents in the Second District to keep them informed.

Motion to receive and file the construction schedule for portions of University Street and Forrest Hill Avenue was approved by roll call vote.

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

Nays: None.

**(01-363) Communication from Corporation Counsel Requesting Approval to Retain ATTORNEY JACK TEPLITZ to Represent the City in the DOWNTOWN STADIUM CLOSING.**

Council Member Teplitz stated she would be abstaining from the vote due to her family relationship to Attorney Jack Teplitz.

Mayor Ransburg pointed out that he no longer held an ownership position in the Peoria Chiefs, and he would be free to discuss and vote on related issues.

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Stadium.

Council Member Gulley moved to retain Attorney Jack Teplitz to represent the City in the Downtown Stadium closing; seconded by Council Member Morris.

Council Member Sandberg stated he would not support the motion. He expressed concern that Council Member Teplitz would be voting on future issues relating to the Downtown Stadium even though she was abstaining from this vote. He said the concern of spousal relationships was a sensitive issue.



Motion to retain Attorney Jack Teplitz to represent the City in the Downtown Stadium closing was approved by roll call vote.

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

Nays: Sandberg – 1;

Abstention: Nichting, Teplitz - 2.

**(01-364) Communication from Corporation Counsel Requesting Authorization to Enter into a CONVEYANCE and PARKING AGREEMENT with CATERPILLAR Pertaining to the KUMPF and JEFFERSON STREET LOT.**

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Stadium.

Council Member Turner stated he would be abstaining from the vote due to his employment with Caterpillar, Inc.

Corporation Counsel Randy Ray distributed a supplemental communication to all members of the City Council.

Council Member Gulley moved to authorize the City Manager to enter into a conveyance and parking agreement with Caterpillar pertaining to Kumpf and Jefferson Street Lot consistent with the terms as outlined in the supplemental communication; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: Sandberg – 1;

Abstention: Nichting, Turner - 2.

**(01-365) Communication from Director of Economic Development Requesting Approval of the FIRST AMENDMENT to the CITY OF PEORIA/DOWNTOWN STADIUM REDEVELOPMENT AGREEMENT.**

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Stadium.

Director of Economic Development Dave Dobson distributed a replacement First Amendment to the City of Peoria/Downtown Stadium Redevelopment Agreement to all members of the Council for their review.

Council Member Gulley moved to approve the replacement first amendment to the City of Peoria/Downtown Stadium Redevelopment Agreement; seconded by Council Member Morris.

Mr. Dobson gave a brief overview of the proposed changes to the agreement. In discussion with Council Member Sandberg, Mr. Dobson explained that the construction of the bus drop-off right-of-way would be at the expense of the City. He said it was felt the costs for the right-of-way construction would fall within the present Jefferson Street relocation budget.

Council Member Sandberg expressed concern regarding the City's tight budget for 2001 and unknown costs that the City may have to incur on this project.

Motion to approve the replacement first amendment to the City of Peoria/Downtown Stadium Redevelopment Agreement was approved by roll call vote.

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

Nays: Sandberg – 1;

Abstention: Nichting - 1.

**(01-366) Communication from Director of Economic Development Requesting Approval of the FIRST AMENDED CITY OF PEORIA/DOWNTOWN STADIUM SPECIAL SERVICE AREA AGREEMENT.**

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Stadium.

Director of Economic Development Dave Dobson distributed a replacement First Amended City of Peoria/Downtown Stadium Special Service Area Agreement to all members of the Council for their review.

Council Member Gulley moved to approve the replacement first amended City of Peoria/Downtown Stadium Special Service Area Agreement; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Nichting – 1.

**REQUEST TO MOVE AGENDA ITEM**

Council Member Gully moved to move Item No. 11 regarding an Ordinance vacating all the rights-of-way within the blocks to be redeveloped as the Downtown Stadium forward on the Council Agenda to be discussed at this time; seconded by Council Member Morris.

Motion to move Item No. 11 to be discussed at this time was approved by viva voce vote.

**(01-367) Communication from Corporation Counsel with ORDINANCE Vacating ALL the RIGHTS-OF-WAY within the BLOCKS to be REDEVELOPED as the DOWNTOWN STADIUM, Effective June 20, 2001.**

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in the vicinity of the Downtown Stadium.

Council Member Gulley moved to adopt the Ordinance vacating all the rights-of-way within the blocks to be redeveloped as the Downtown Stadium, effective June 20, 2001; seconded by Council Member Morris.

ORDINANCE NO. 15,149 was adopted by roll call vote.

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

Nays: Sandberg – 1;

Abstention: Nichting - 1.

**(01-368) Communication from Director of Economic Development Requesting Acceptance and Approval of the REVITALIZATION STRATEGY for the SOUTHERN GATEWAY AREA.**

Council Member Gulley moved to accept and approve the Revitalization Strategy for the Southern Gateway Area; seconded by Council Member Teplitz.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Roger John, Fred Walton, Ron Sanford and Bill Whitman.

Mr. Fred Walton, of Peckman, Guyton, Albers & Viets, and Mr. Roger John, Executive Director of the Peoria Housing Authority provided presentation slides showing the present condition of the Southern

Gateway Area. Mr. Ron Sanford and Mr. Bill Whitman of Telesis Corporation provided and discussed the conceptual site plan. Mr. Whitman indicated that the overall project would cost \$150 million. He said the grant would provide a positive change in the quality of housing and improvements to neighborhoods on the Southside of Peoria. He indicated his feeling that their grant application was very competitive, even though he felt the competition would be high.

Council Member Grayeb expressed concern regarding the aesthetics of the areas where the junk yards were located and he said that other communities did not tolerate this type of blight. He suggested that screening be provided, and he felt these establishments should be contacted to determine what these owners would do voluntarily.

Council Member Grayeb stated he intended to advance legislation, before fall, that would require screening of junk yards, if it was not done voluntarily by the business-owners.

Motion to accept and approve the Revitalization Strategy for the Southern Gateway Area was approved by roll call vote.

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

Nays: None.

**(01-369) Communication from Director of Economic Development with RESOLUTION in SUPPORT of the PEORIA HOUSING AUTHORITY'S HOPE VI GRANT APPLICATION to the UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

Director of Economic Development Dave Dobson distributed a replacement Resolution and a copy of a Resolution of Support for the Revitalization of Harrison Homes and the Southern Gateway approved by the School District #150 Board to all members of the City Council.

Council Member Gulley moved to approve the replacement Resolution in support of the Peoria Housing Authority's HOPE VI Grant Application to the United States Department of Housing and Urban Development; seconded by Council Member Teplitz.

RESOLUTION NO. 01-369 was approved by roll call vote.

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

Nays: None.

**(01-370) Communication from City Manager with ORDINANCE Amending the BUDGET for Fiscal Year 2001 of the City of Peoria Relating to FUNDING for the NATIONAL LEAGUE OF CITIES and the U. S. CONFERENCE OF MAYORS MEMBERSHIPS.**

Council Member Morris moved to adopt the Ordinance amending the Budget for the Fiscal Year 2001 of the City of Peoria relating to funding for the National League of Cities and the U. S. Conference of Mayors membership; seconded by Council Member Turner.

ORDINANCE NO. 15,150 was adopted by roll call vote.

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

Nays: None.

- (01-371) SITE APPROVAL for a CLASS “N” (Riverfront Business District) LIQUOR LICENSE for 200 N. E. WATER STREET, with Recommendation of the Liquor Commission to Approve.**

Council Member Gulley moved to approve the Site for a Class “N” (Riverfront Business District) Liquor License for 200 N. E. Water Street; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Sandberg - 1.

- (01-372) SITE APPROVAL for a CLASS “B” (Restaurant) with a SUBCLASS 1 (4:00 A.M.) LIQUOR LICENSE for 114 S. W. JEFFERSON, with Recommendation of the Liquor Commission to Approve and the Peoria Police Department to DENY.**

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

Council Member Gulley moved to approve the Site for a Class “B” (Restaurant) with a Subclass 1 (4:00 A.M.) Liquor License for 114 S. W. Jefferson; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

- (01-373) Communication from Director of Public Works Requesting an ALTERATION in the CURRENT CENTRAL BUSINESS DISTRICT (CBD) STREETSCAPE POLICY to Permit Public Participation in Landscape Costs at the Standard Rate Throughout the Central Business District (CBD) Boundaries.**

Council Member Gulley moved to approve the alteration in the current Central Business District (CBD) Streetscape Policy to permit public participation in landscape costs at the standard rate throughout the Central Business District (CBD) boundaries; seconded by Council Member Morris.

In discussion with Council Member Nichting regarding expansion to the Warehouse District of the downtown area, Director of Public Works Steve Van Winkle said if it was the Council’s desire to expand the area from the Central Business District to other adjacent areas, he could support the change. He said he would like to know costs and other implications before expanding the downtown area streetscape plan.

Council Member Spears suggested that the boundaries could be expanded this year and then in 2002, the opportunities should be limited so this work would be completed.

Mr. Van Winkle expressed concern that there would be an inconsistent look to the downtown area and would take away from the appearance that was the goal, if businesses did not take advantage of the opportunity.

Motion to approve the alteration in the current Central Business District (CBD) Streetscape Policy to permit public participation in landscape costs at the standard rate throughout the Central Business District (CBD) boundaries was approved by roll call vote.

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

Nays: None.

**(01-374) CBD STREETSCAPE IMPROVEMENT – 207 N. E. MONROE STREET, as Outlined.**

Council Member Gulley moved to approve the CBD Streetscape Improvement for 207 N. E. Monroe Street, as outlined; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

**(01-375) Communication from Director of Economic Development with ORDINANCE  
\*\*\*\*\* Authorizing USE of CONDEMNATION and QUICK-TAKE PROCEEDINGS  
\*\*\* within the MIDTOWN PLAZA TAX INCREMENT FINANCE (TIF)  
REDEVELOPMENT AREA.**

Council Member Thetford moved to defer this item until after the Executive Session; seconded by Council Member Turner.

Motion to defer this item until after the Executive Session was approved by roll call vote.

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

Nays: None.

Clerk's Note: See Page 25237 for further discussion.

**UNFINISHED BUSINESS**

**(00-845) REQUEST for REPORT BACK Regarding Costs and Status of CALEA CREDITATION for the POLICE DEPARTMENT.**

Council Member Nichting said the City and Police Department had started the CALEA Creditation Program and he questioned the status of that program. He requested a report back regarding costs, the assessment, etc.

City Manager Michael McKnight stated he would provide information at an Executive Session scheduled for next week.

**NEW BUSINESS**

**(01-376) REQUEST for REPORT BACK Regarding PROS and CONS, and PROJECTION OF REVENUE of LEASING a PORTION of the RIVERFRONT BOAT DOCKS.**

Council Member Nichting referred to the Riverfront boat docks which were being rented like parking spaces, and he requested a report back regarding the revenue that had been generated, whether there would be a market to lease out a percentage of the slips, what kind of revenue would be generated, and the pros and cons to a policy change.

**APPRECIATION EXPRESSED TO CITY COUNCIL AND CITY STAFF for ASSISTANCE Regarding the DOWNTOWN STADIUM PROJECT**

Director of Economic Development Dave Dobson thanked all members of the City Staff who worked with him on the process of developing the Downtown Stadium Project. He also thanked the Council for their courage and support throughout the process.

**(01-377) CONSIDERATION of a MOTION to FORM A COMMITTEE to Review NAMING CITY PROPERTY for PEOPLE Who Needed to be Acknowledged and Come Back to Council with a Policy.**

Mayor Ransburg referred to past discussion regarding honoring people, specifically naming streets, buildings, or other kinds of honors, and it was suggested by the prior Council to form a committee to determine a policy.

Council Member Morris moved to form a committee to have a broader look at naming City property for people who needed to be acknowledged, whether it be a street, park, etc., and come back to Council with a policy, not just a procedure; seconded by Council Member Gulley.

Motion to form a committee to have a broader look at naming City property for people who needed to be acknowledged, whether it be a street, park, etc., and come back to Council with a policy, not just a procedure was approved by roll call vote.

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

Nays: None.

Mayor Ransburg stated he distributed a list of people for the committee and if any Council Member had a comment regarding the list, they should contact him since he would be naming members to the committee in the very near future.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(01-378) REQUEST from CITIZENS to Address the COUNCIL Regarding CONCERNS About HOUSING COURT VIOLATIONS and FAIRNESS of the Process.**

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

Mr. Sheldon Smith, 1601 N. E. Glendale, gave a brief history of his experience in the City's Housing Court system. He explained he did not have the funding to completely repair his house, but a lien had been placed on the property and he had been fined \$1,500.00 because of violations. He said he did not have the money to pay fines and repair his property.

Mr. Brian Hennen, 412 E. Melbourne, said he had encountered similar problems with the City. He said he felt there was harassment and selective enforcement by the City's Inspections Department. He said the harassment increased if there was a complaint made.

Mayor Ransburg requested that City Manager Michael McKnight review these situations and report back to the City Council.

**EXECUTIVE SESSION**

**(01-379) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(5) The purchase or lease of real property for the use of the public body; 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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Thetford moved that the City Council go into Executive Session to discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(5) The purchase or lease of real property for the use of the public body; 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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Teplitz.

Motion that the City Council go into Executive Session to discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(5) The purchase or lease of real property for the use of the public body; 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; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06 was approved by roll call vote.

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

Nays: None.

The Council moved to Room 404 in City Hall for an Executive Session at 8:55 P.M.

#### **RECONVENING OF THE CITY COUNCIL**

City Clerk Mary Haynes noted the following Council Members present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

The City Council reconvened at 9:21 P.M.

#### **UNFINISHED BUSINESS**

**(01-375) Communication from Director of Economic Development with ORDINANCE  
\*\*\*\*\* Authorizing USE of CONDEMNATION and QUICK-TAKE PROCEEDINGS  
\*\*\* within the MIDTOWN PLAZA TAX INCREMENT FINANCE (TIF)  
REDEVELOPMENT AREA.**

Council Member Thetford moved to grant Privilege of the Floor to Mr. John Michael LaHood Bashara; seconded by Council Member Teplitz.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. John Michael LaHood Bashara.

Mr. John Michael LaHood Bashara, 1825 N. Deckman, said he had not sold his property to Developer David Joseph because he felt he had not been offered the amount he felt his property was worth, compared to other projects in the City where property had been purchased.

Director of Economic Development Dave Dobson indicated that he had been unable to meet with Mr. Bashara but had written him several letters. He said the most recent letter to Mr. Bashara informed him of the proposed action before the City Council at this meeting.

Council Member Sandberg expressed concern that there had been an increase in crime in the area due to the many vacant properties. He said this was a problem for those who still lived in the neighborhood. He said he would not support the motion. He spoke in opposition of the City taking citizens' property for a private project in an area that he felt was not blighted.

Council Member Thetford moved to adopt the Ordinance authorizing the use of condemnation and quick-take proceedings within Midtown Plaza Tax Increment Finance (TIF) Redevelopment Area; seconded by Council Member Teplitz.

Motion to adopt the ORDINANCE NO. 15,151 authorizing the use of condemnation and quick-take proceedings within Midtown Plaza Tax Increment Finance (TIF) Redevelopment Area was adopted by roll call vote.

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

Nays: Sandberg - 1.

### **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 9:35 P.M.

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

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