

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

Council Chambers, Peoria, Illinois, September 4, 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: COMMON PLACE: COMMON PLACE WEEK – SEPTEMBER 2-8, 2001

PROCLAMATION: HULT HEALTH EDUCATION CENTER: HEALTH EDUCATION MONTH – SEPTEMBER 2001

Council Member Thetford left the Council Chambers.

MINUTES

Council Member Nichting moved to approve the Minutes of the Executive Sessions held on August 21 and 28, 2001, and the Regular City Council Meeting held on August 28, 2001 as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

Council Member Thetford returned to the Council Chambers.

WELCOME TO COUNTY BOARD MEMBER

Mayor Ransburg welcomed County Board Member Mike Mason to the Council Meeting. He also stated that Mr. Mason was the Chairman of the Land Use Committee.

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

(01-597) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: 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 #6: \$144,946.71; TOTAL AUTHORIZATION APPROVED: \$144,946.71. (For Information Only)**

- (01-598) * Communication from Corporation Counsel with **RESOLUTION** In Support of YWCA of PEORIA HEALTH PROMOTION EXPANSION PROJECT.
- (01-599) Communication from Director of Economic Development with **ORDINANCE NO. 15,190** Amending Ordinance 14,593 as Adopted on October 6, 1998, **EXPANDING** the **BOUNDARIES** of the **ENTERPRISE ZONE**.
- (01-600) ** **APPLICATION** for **CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE** for **PEORIA PARK DISTRICT** at **7815 N. Radnor Road (GOLF LEARNING CENTER)** for **Saturday, September 22, 2001, and Sunday, September 23, 2001.**
- (01-601) **SITE APPROVAL** for a **CLASS "B" (RESTAURANT) LIQUOR LICENSE** for **2515 W. LAKE AVENUE**, with Recommendation from the Liquor Commission to Approve.
- (01-602) *** **SITE APPROVAL** for a **CLASS "C" (PACKAGE GOODS) LIQUOR LICENSE** for **1401 W. GLEN, SUITE C**, with Recommendation from the Liquor Commission to Approve.
- (01-603) **REPORTS:**
- A. Communication from Finance Director/Comptroller Regarding the **JULY 2001 REVENUE and OPERATING EXPENDITURE REPORT UNAUDITED.**
 - B. **PEORIA CIVIC CENTER REPORT – July, 2001.**
 - **** C. **PEORIA PUBLIC LIBRARY FINANCIAL REPORT – June 30, 2001.**
 - D. **PEORIA PUBLIC LIBRARY FINANCIAL REPORT – July 31, 2001.**
 - E. **PEORIA PUBLIC LIBRARY STATISTICAL REPORT – May 31, 2001 (Corrected)**
 - F. **PEORIA PUBLIC LIBRARY STATISTICAL REPORT – June 30, 2001.**
 - G. **PEORIA PUBLIC LIBRARY STATISTICAL REPORT – July 31, 2001.**
 - H. **TOWN OF THE CITY OF PEORIA FINANCIAL REPORT - Period Ending June 30, 2001**

CONSIDERATION of REPORT BACK as Follows:

- (01-583) ***** Communication from Director of Public Works with **REPORT BACK** Regarding **CAPITAL PROJECTS STATUS REPORT - JEFFERSON STREET CLOSURE & OAK STREET LIGHTING. (For Information Only)**

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

Council Member Grayeb requested that Item No. 01-598 be removed from the Consent Agenda for further discussion.

Council Member Turner requested that Item No. 01-600 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item No. 01-583 be removed from the Consent Agenda for further discussion.

Council Member Spears requested that Item No. 01-603-C be removed from the Consent Agenda for further discussion.

Council Member Nichting requested that Item No. 01-602 be removed from the Consent Agenda for further discussion.

Item Nos. 01-597 through 01-603 (excluding Item Nos. 01-598, 01-600, 01-602, 01-603-C and 01-583) 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.

**(01-598) Communication from Corporation Counsel with RESOLUTION In Support of
* YWCA of PEORIA HEALTH PROMOTION EXPANSION PROJECT.**

In discussion with Council Member Grayeb, Corporation Counsel Randy Ray explained this expansion would nearly double the size of the YWCA at Lakeview by adding 22,000 square feet of space.

Council Member Grayeb moved to approve the Resolution in support of the YWCA of Peoria Health Promotion Expansion Project; seconded by Council Member Turner.

RESOLUTION NO. 01-598 was approved by roll call vote.

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

Nays: None.

**(01-600) APPLICATION for CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE
** for PEORIA PARK DISTRICT at 7815 N. Radnor Road (GOLF LEARNING
 CENTER) for Saturday, September 22, 2001, and Sunday, September 23, 2001.**

In response to citizen concern regarding this proposed event, Council Member Turner explained the event would be a fundraiser for the Park District’s Golf Learning Center. He said the two-day event would be held on the Park District’s property in a tent and a fenced area.

Council Member Turner moved to approve the application for a Class “H” Temporary Outdoor Liquor License for Peoria Park District at 7815 N. Radnor Road (Golf Learning Center) for Saturday, September 22, 2001, and Sunday, September 23, 2001; seconded by Council Member Nichting.

Approved by roll call vote.

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

Nays: None.

**(01-602) SITE APPROVAL for a CLASS “C” (PACKAGE GOODS) LIQUOR LICENSE
*** for 1401 W. GLEN, SUITE C, with Recommendation from the Liquor Commission
 to Approve.**

Corporation Counsel Randy Ray distributed a corrected communication to all members of the City Council changing the Class to a Class “C” (Package Goods) Liquor License.

Council Member Nichting moved to approve the Site Approval for a Class "C" (Package Goods) Liquor License for 1401 W. Glen, Suite C; 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.

(01-603) REPORTS:

****** C. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – June 30, 2001.**

Council Member Spears requested that money be appropriated in the 2002 City Budget for the Library to purchase property in the North end of Peoria.

Council Member Spears moved to receive and file the Peoria Public Library Financial Report for June 30, 2001; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

**(01-583) Communication from Director of Public Works with REPORT BACK Regarding
***** CAPITAL PROJECTS STATUS REPORT - JEFFERSON STREET CLOSURE &
 OAK STREET LIGHTING. (For Information Only)**

Council Member Sandberg questioned when Jefferson Street would be reopened for traffic. He said he thought the original reopening was planned for September 1, 2001, but bids would not be advertised until mid-September or early October. He said the goal was to have full service traffic on Jefferson before winter, and he questioned what the schedule was to reopen Jefferson Street.

Director of Public Works Steve Van Winkle said like other construction projects, it was impossible to project when work could be completed to a certain point since weather and other factors could not be controlled. He said they were working in close coordination with the contractor constructing the Ball Stadium. He pointed out the entire project was delayed for months and it was uncertain up to the closing date whether or not there was going to be a project. He said his department held off doing the engineering until they were certain the project was going to move forward, since the City would be funding this portion of the project. He added he was also aware there was going to be a period of time when no work on this portion of Jefferson could be completed due to retaining wall work, etc. on the Ball Stadium. He said the projected dates were the best estimates and it was his goal to have the roadway open at the end of the construction season in mid-December.

Council Member Sandberg expressed concern regarding that the bidding process had taken so long and had yet to take place, when it seemed that in September, 2000, the Administration was in a hurry to complete it at that time.

Mr. Van Winkle referred to delays caused by the uncertainty of whether the Ball Stadium project would actually move forward between September, 2000, and June, 2001. He said the intent of using a consultant was for the design of the relocation of Jefferson Street, but the work was delayed until it was known whether or not the project would move forward, otherwise the City would be paying for plans possibly with no Ball Stadium and no reason to relocate the road.

Council Member Sandberg moved to receive and file the report back regarding Capital Projects Status Report – Jefferson Street Closure and Oak Street Lighting; seconded by Council Member Turner.

Council Member Sandberg further stated the closing of Jefferson Street has had an undesirable impact on businesses further down Jefferson Street.

Mr. Van Winkle and Director of Economic Development Dave Dobson indicated that the City did not own the property to be improved until June 15, 2001. Mr. Dobson reiterated that there were a number of delays beyond the control of City Staff and they were now proceeding with the project as quickly as possible. He added he would be glad to contact any business that was in need of assistance.

Motion to receive and file the report back regarding Capital Projects Status Report – Jefferson Street Closure and Oak Street Lighting was approved by roll call vote.

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

Nays: None.

(01-604) TAG DAY REQUEST from THE INTERNATIONAL UNION of PAINTERS and ALLIED TRADES to Solicit Donations at High Traffic Intersections on SEPTEMBER 8, 2001, for PATCH DAY to aid Children's Charities throughout North America.

Council Member Grayeb indicated his support for Patch Day, but he expressed concern that fundraising would occur at high traffic intersections. He said he felt this was a public safety problem and he did not feel organizations should be approaching motorists in the street. He further discussed his reluctance to support the request, but would because of their fundraising cause.

Council Member Grayeb moved to approve the Tag Day Request from the International Union of Painters and Allied Trades to solicit donations at high traffic intersections on September 8, 2001, for Patch Day to aid Children's Charities throughout North America; seconded by Council Member Turner.

Council Member Spears said the Police Department did not support soliciting donations at intersections and he suggested changing the word "intersections" to "street corners."

Council Member Spears moved for a substitute motion to approve the Tag Day Request from the International Union of Painters and Allied Trades to solicit donations at high traffic street corners on September 8, 2001, for Patch Day to aid Children's Charities throughout North America; seconded by Council Member Nichting.

The motion, as amended, was approved by roll call vote.

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

Nays: None.

(01-605) Communication from Director of Public Works Requesting the Council's Direction on Cost Sharing for the Proposed ADDITIONAL DECORATIVE LIGHTING for the MURRAY BAKER BRIDGE LIGHTING PROJECT, as Outlined.

Council Member Grayeb moved to approve Option "A" as recommended to make a larger financial commitment than existed today for managing enhanced decorative lighting on the Murray Baker Bridge, as status quo; seconded by Council Member Teplitz.

Council Member Grayeb explained his motion would continue existing agreements and the percentage of total annual costs for each agency.

Council Member Sandberg expressed concern regarding the costs. He pointed out that, since 1991, under the current proposal, the town of East Peoria, Peoria County and Tazewell County had contributed \$6,250.00 over a ten-year period to the lighting and maintenance of the bridge lighting, while the City of Peoria had contributed \$63,000 during the same time frame.

Council Member Sandberg further stated if the proposed motion passed, the City would have double utility costs because of additional planned lighting, if utility costs stayed the same. He added with improvements planned for I-74, he estimated that relamping costs would be more than what the City originally paid.

Following a brief discussion, Council Member Teplitz withdrew her second to the motion.

Council Member Morris seconded Council Member Grayeb's motion.

In discussion with Council Member Nichting, City Manager Michael McKnight indicated that these costs would be included in 2002 Budget discussions.

In further discussion, Mr. Van Winkle indicated that he could discuss this issue further with IDOT and determine if the decision could be delayed until after the Budget process.

In discussion with Council Member Gulley regarding what control over the lighting, once installed, the City would have, Mr. Van Winkle stated he assumed the City would be able to remove fixtures or not use some of the lighting. He said the agreement with the other entities may need to be reviewed regarding this measure to conserve costs.

Council Member Thetford moved for a substitute motion to direct Staff that the Council would support Option "B" and place this item into the Budget process, asking if Director of Public Works found the grant would be jeopardized that he bring this back to Council with that information as soon as possible; seconded by Council Member Teplitz.

Following a brief discussion Council Member Spears moved for a substitute motion to table this item while the Director of Public Works negotiated with IDOT regarding a time line; seconded by Council Member Nichting.

Motion to table was approved by roll call vote.

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

Nays: Grayeb, Thetford - 2.

(01-606) Communication from Director of Public Works Requesting Authorization to PURCHASE REAL ESTATE for RIGHT-OF-WAY at 5516 N. BIG HOLLOW ROAD (PARTIAL) for the CHARTER OAK ROAD EXTENSION PROJECT from JAMES B. and PATRICIA JO GRAVES, in the Amount of \$23,500.00.

Following a brief discussion, Council Member Nichting moved to authorize the purchase of real estate for right-of-way at 5516 N. Big Hollow Road (partial) for the Charter Oak Road Extension Project from James B. and Patricia Jo Graves, in the amount of \$23,500.00; 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.

(01-607) Communication from Director of Public Works with ORDINANCE AUTHORIZING the CORPORATION COUNSEL to COMMENCE a CONDEMNATION PROCEEDING for Property Located at the INTERSECTION of CHARTER OAK ROAD and BIG HOLLOW ROAD for the CHARTER OAK ROAD EXTENSION PROJECT.

Council Member Nichting moved to adopt the Ordinance authorizing the Corporation Counsel to commence a Condemnation Proceeding for property located at the intersection of Charter Oak Road and Big Hollow Road for the Charter Oak Road Extension Project; seconded by Council Member Morris.

Motion to adopt ORDINANCE NO. 15,191 authorizing the Corporation Counsel to commence a Condemnation Proceeding for property located at the intersection of Charter Oak Road and Big Hollow Road for the Charter Oak Road Extension Project was adopted by roll call vote.

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

Nays: None.

**(01-608) Communication from Director of Planning and Growth Management
Recommending Adoption of the Following:**

**A. ORDINANCE Annexing Territory Contiguous to the City of Peoria, Illinois,
for Property Located at 9017 N. ALLEN ROAD;**

Council Member Nichting moved to adopt the Ordinance annexing territory contiguous to the City of Peoria, Illinois, for property located at 9017 N. Allen Road; seconded by Council Member Morris.

ORDINANCE NO. 15,192 was adopted by roll call vote.

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

Nays: None.

**B. ORDINANCE Rezoning Property Located at 9017 N. ALLEN ROAD from
the Present Class I-1 (County Industrial) District to a Class C-2 (Large
Scale Commercial)(40 Acres) and a Class I-1 (Industrial/Business Park)
District (38.1 Acres).**

Council Member Nichting moved to adopt the Ordinance rezoning property located at 9017 N. Allen Road from the present Class I-1 (County Industrial) District to a Class C-2 (Large Scale Commercial)(40 acres) and a Class I-1 (Industrial/Business Park) District (38.1 acres); seconded by Council Member Morris.

ORDINANCE NO. 15,193 was adopted by roll call vote.

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

Nays: None.

**(01-609) Communication from Mayor David P. Ransburg with RESOLUTION Pertaining to
the SALARY of the CITY MANAGER.**

Council Member Morris moved to approve the Resolution pertaining to the Salary of the City Manager; seconded by Council Member Teplitz.

RESOLUTION NO. 01-609 was approved by roll call vote.

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

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

UNFINISHED BUSINESS

**(01-417) Communication from Corporation Counsel with a Revised RESOLUTION
Requesting a CHANGE IN THE ILLINOIS DEPARTMENT OF
TRANSPORTATION'S BUSINESS LOGO SIGNING PROGRAM on
INTERSTATE 74.**

Council Member Spears moved to approve the revised Resolution requesting a change in the Illinois Department of Transportation's Business Logo Signing Program on Interstate 74; seconded by Council Member Morris.

Motion to approve RESOLUTION NO. 01-417, as revised, requesting a change in the Illinois Department of Transportation's Business Logo Signing Program on Interstate 74 was approved by roll call vote.

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

Nays: None.

(01-517-B) Communication from Corporation Counsel Regarding COUNCIL RULES and SUPER-MAJORITY VOTING ISSUES.

Corporation Counsel Randy Ray distributed copies of Resolutions which govern the conduct of Policy Sessions to all members of the City Council.

Council Member Turner moved to accept Choice #3 regarding super-majority voting options as outlined in the communication; seconded by Council Member Teplitz.

Council Member Sandberg expressed concern that the Budget could be amended by six votes, and he questioned why funding for Workforce Development would need two-thirds vote.

In discussion with Council Member Sandberg, Council Member Teplitz explained the intent of proposed changes would have the heaviest impact on development issues in the older neighborhoods. She said it was never the intent to exclude or address everything. She said too often the Council had bound itself unnecessarily on development issues in the older neighborhoods.

Council Member Sandberg agreed this requirement had been a hampering of development. He said, but for, that Council rule since before 1950, the citizens of Peoria would have paid \$14 million for a Ball Stadium. He added the only reason there was any ability to negotiate and get the best deal for the taxpayers of Peoria, was the sale of land that the City owned and vacation of streets and alleys. He said these kinds of actions should not be given up on the whim of six Council votes.

Council Member Nichting moved for a substitute motion to approve Choice #1 regarding super-majority voting options as outlined in the communication; seconded by Council Member Ardis.

Council Member Sandberg requested the maker of the motion to consider the definition of what was meant by twenty years. He requested a friendly amendment to the substitute motion to include the definition of the twenty-year lease.

Council Member Nichting, the maker of the motion, agreed to include the definition of the twenty-year lease that at the end of twenty years, if the lease was not renewed, the leaser would have the building and the City would have the property. The seconder agreed.

Motion to approve Choice #1 regarding super-majority voting options, including the definition of a twenty-year lease was DEFEATED by roll call vote.

Yeas: Ardis, Nichting, Sandberg – 3;

Nays: Grayeb, Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 8.

After noting that the motion on the Floor was Council Member Turner's motion to accept Choice #3 regarding super-majority voting options, as outlined in the communication, Council Member Turner amended his motion to include the definition of the twenty-year lease. The seconder agreed.

Motion to accept Choice #3 regarding super-majority voting options as outlined in the communication, as amended to include the definition of the twenty-year lease was approved by roll call vote.

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

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

Council Member Thetford referred to Amendments and moved to approve Choice #2, which would maintain the current policy in effect; seconded by Council Member Turner.

Council Member Thetford explained whatever amendment proposed would require the affirmative vote with exceptions. She said business would be conducted as in the past, and the only difference was if there was a vacation of a street or alley in the original agreement, it would require six votes to pass.

Motion referring to Amendments to approve Choice #2, which would maintain the current policy in effect was approved by roll call vote.

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

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

Council Member Thetford referred to Reconsideration and moved to approve Choice #1; seconded by Council Member Turner.

Motion to approve Choice #1 regarding Reconsideration was approved by roll call vote.

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

Nays: None.

Corporation Counsel Randy Ray said he would be bringing an Ordinance before the Council in the near future incorporating these changes into the Council Rules for the Council's consideration.

(01-527) Communication from ESDA Director Regarding the LEASE AGREEMENT with ILLINOIS RSA #3, INC., d/b/a U.S. CELLULAR for a MONOPOLE TOWER to be Located on City Property at 102 MOUND STREET, with Supplemental Report Back.

City Clerk Mary Haynes said the motion on the floor was to approve the Lease Agreement with Illinois RSA #3, Inc. d/b/a U. S. Cellular for a monopole tower to be located on City property at 102 Mound Street.

Council Member Thetford moved to defer this item for two weeks until the September 18, 2001, Regular City Council Meeting; seconded by Council Member Teplitz.

Motion to defer this item until September 18, 2001, was approved by roll call vote.

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

Nays: None.

(01-563) Communication from Director of Planning and Growth Management Regarding REPORT BACK on GROWTH CELL ONE.

Director of Planning and Growth Management Wayne Anthony distributed a report back regarding Cell One Graph Tax Information to all members of the City Council.

Mr. Anthony explained the report back isolated the major differences between the Tri-County Planning Commission's report and the Administration's report regarding Growth Cell One. He said he went back to the Finance Director, Police Department and Fire Department and replaced any estimates with actual numbers where possible. He said the basic results were the same. He said the basic difference was narrowed to how much of the cost of the Fire Station and operations was designated for Growth Cell One. He said the Tri-County Planning report designated 100% of those costs to Growth Cell One and the Administration's report designated 31% of those costs. He said the other major difference was the tax rates used. He said the City used the tax rate and the rate for the pensions minus the Library, and the Tri-County report used the tax rate for the City and stripped out the pension amounts.

Mr. Anthony said the graph indicated, under any taxing scenario, by 2008, all of those would cross the line which would indicate that more revenue than expenditures would be created.

Council Member Thetford said it was her understanding that a representative from the Tri-County Planning Commission would be coming to a Council meeting to more fully discuss the issue of their report. She distributed charts to all members of the Council for their review. She pointed out that some revenues would be dropping off and she indicated she would like to hear discussion regarding this issue.

Following a brief discussion, Council Member Morris moved to receive and file the report back on Growth Cell One and the report back regarding Cell One Graph Tax Information; 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.

Council Member Thetford moved to grant Privilege of the Floor to Mr. Terry Kohlbus; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Terry Kohlbus.

Mr. Terry Kohlbus, representing the Tri-County Planning Commission, 411 Hamilton Street, distributed a booklet regarding Peoria Future Landscape: A Summary of the Preliminary Findings of Residential Growth Patterns in the City of Peoria to all members of the City Council. He explained the report did not offer any conclusions and only made some assumptions, which needed some review. He said the report was not intended to be an argument against Growth Cell One.

Mr. Kohlbus discussed the need to control how cities grow on their boundaries to generate resources and not to drain the older established resources. He further discussed the assumptions and analysis of the reports.

Fire Chief Roy Modglin indicated that Fire Station #20 was built to serve more purposes than just for the Growth Cell One.

(01-573) Communication from Director of Public Works Requesting Approval of the FROSTWOOD PARKWAY AGREEMENT with the GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT, and Authorization for the City Manager to Execute the Document. (New Communication and Revised Agreement)

Council Member Nichting moved to approve the revised Frostwood Parkway Agreement with the Greater Peoria Sanitary and Sewage Disposal District, and authorize the City Manager to execute the document; seconded by Council Member Grayeb.

Approved, as revised, by roll call vote.

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

Nays: None.

**(01-574) Communication from Director of Planning and Growth Management
Recommending Adoption of the Following:**

- A. ORDINANCE Approving the FINAL PLAN of PRAIRIE LAKES APARTMENTS, an Apartment Development Located at 9909 N. KNOXVILLE AVENUE, with Conditions;**

Council Member Nichting moved to defer this item for four weeks until the October 2, 2001, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until October 2, 2001, was approved by roll call vote.

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

Nays: None.

- B. ORDINANCE Approving the PRIVATE STREETS, PRIVATE STREET NAMES, and PRIVATE STREET MAINTENANCE AGREEMENT for PRAIRIE LAKES APARTMENTS, Located at the NORTHWEST CORNER of KNOXVILLE AVENUE and ROUTE HIGHWAY SIX.**

Council Member Nichting moved to defer this item for four weeks until the October 2, 2001, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until October 2, 2001, was approved by roll call vote.

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

Nays: None.

**(01-579) Communication from Director of Planning and Growth Management with
ORDINANCE Amending ARTICLES 2 and 15 of APPENDIX B of the ZONING
ORDINANCE of the Code of the City of Peoria Regarding HANDICAP/
ACCESSIBLE PARKING, with Supplemental Report Back.**

Council Member Ardis moved to defer this item for two weeks until the September 18, 2001, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until September 18, 2001, was approved by roll call vote.

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

Nays: None.

**(01-590) Communication from Director of Planning and Growth Management with
Recommendation from the Zoning Commission to DENY and Staff
Recommendation to Approve an ORDINANCE Granting a SPECIAL USE in a
Class R-3 (Single Family Residential) District for a RESIDENTIAL CLUSTER
DEVELOPMENT for Property Located at LOT 23 in ANCIENT OAKS
SUBDIVISION Commonly Known as VILLAGE GRANDE.**

Director of Planning and Growth Management Wayne Anthony distributed a replacement plan for the Ordinance to all members of the City Council.

Council Member Nichting moved to grant Privilege of the Floor to those who wished to speak; seconded by Council Member Morris.

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

Mr. Mike Lewis, 6101 N. Eagle Bend Court, said a revised plan was distributed to the Council showing that the lots in question were duplexes only. He said all City building codes would be met on this project. He said there was concern about the removal of trees, but he explained this was all part of construction and almost \$500,000 of new landscaping would be installed with the new project. He urged the Council to approve the Ordinance with the revised plan.

Mr. Kyle Spitzer, 5812 W. Parkside Circle, expressed concern that Mr. Lewis had changed the original plat to include cluster-type housing. He said he felt Mr. Lewis should be held to the original plan approved by the City Council on June 19, 2001, without waiving of any codes.

Mr. Jim Hafele, 5804 W. Parkside Circle, said he felt the revised plan was different and he felt the proposed change was questionable.

In discussion with Council Member Nichting, Mr. Anthony confirmed there was no waiving of any City Code requirements. He also confirmed that the change in the revised plan was to show a separation of units.

In further discussion with Council Member Nichting regarding erosion control and storm water retention, Director of Public Works Steve Van Winkle indicated this developer was either in compliance or was in the process of complying with erosion control measures. He said he felt the project would meet the City's expectations.

Council Member Nichting requested a report back in writing regarding which Code requirements the developer had complied with and the requirements that would be met regarding erosion control measures.

Council Member Nichting moved to adopt the Ordinance granting a Special Use in a Class R-3 (Single Family Residential) District for a Residential Cluster Development for property located at Lot 23 in Ancient Oaks Subdivision commonly known as Village Grande, including the revised plan (Attachment A); seconded by Council Member Ardis.

In discussion with Council Member Sandberg, Mr. Anthony explained the original plan included the traditional duplex-types of units. He changed the plan to provide for some of those types, but the remainder became single-family-attached units with zero lot lines.

Mr. Spitzer expressed concern regarding erosion that was occurring because of the construction project.

Mr. Lewis explained that, during construction, there would be temporary erosion and water run off. He said erosion controls were used during construction, but there would still be some run off. He pointed out that no water ran to the North.

Motion to adopt ORDINANCE NO. 15,194, as amended, granting a Special Use in a Class R-3 (Single Family Residential) District for a Residential Cluster Development for property located at Lot 23 in Ancient Oaks Subdivision commonly known as Village Grande was adopted by roll call vote.

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

Nays: Grayeb, Sandberg, Teplitz - 3.

NEW BUSINESS**(01-610) REQUEST for WALKING BEAT POLICE OFFICERS to be Assigned to the Downtown Area to Deter Crime and Gang Related Violence.**

Council Member Turner expressed concern regarding a shooting that occurred in the downtown area recently. He said a clear message needed to be sent that gang-type activities would not be tolerated. He requested the Police Superintendent to assign walking beat police officers to the downtown area between Jefferson and Monroe Streets during the months of June through September of each year.

Council Member Thetford requested that Police Officers assigned to older neighborhoods be allowed to remain in those Districts and not be reassigned to the downtown area.

Council Member Teplitz said Police Officers needed to show their presence by walking those areas, and not just patrolling in their squad cars. She stressed the importance of safety for those citizens who lived, worked and visited the downtown area.

Council Member Grayeb expressed concern with litter problems in the downtown area and he requested that business owners take responsibility for the appearance of the downtown area.

Council Member Turner requested that City Manager Michael McKnight discuss these issues with the Superintendent of Police.

(01-611) REQUEST for REPORT BACK Regarding the FAILURE of the REVERSE 911 SYSTEM during the CHEMICAL PLANT FIRE in Mapleton.

Council Member Grayeb referred to the recent chemical fire at a Chemical Plant in Mapleton and he questioned what went wrong with the Reverse 911 System. He requested a report back regarding why the failure occurred.

City Manager Michael McKnight indicated there was a software problem, but he said he would provide a written report.

Council Member Nichting requested that the report back include personnel costs for the 911 system and how much of that cost was shared by the County.

DEDICATION of the SISTER CITIES CLOCK Adjacent to City Hall

Council Member Thetford thanked the organizers of the dedication and luncheon for the representatives of Clonmel, Ireland, Friedrichshafen, Germany and Benxi, China. She invited citizens to visit the clock, which represented the partnerships built between the four countries.

COMMENTS Regarding the BLACK ROCK PROGRAM

Council Member Morris commended the Public Works Department on the appearance of the black rock used on improved streets of Peoria. He requested that the City request the County to use the same materials for a uniform look to all streets located within the City.

CITIZENS' REQUESTS for COUNCIL MEETING AGENDAS

City Clerk Mary Haynes said that citizens had contacted her regarding how Council Meeting Agendas could be obtained. She explained that Agendas were posted in her office and on the front door of City Hall, and Agenda packets were available at the five library branches. She said the Agenda could be obtained from the internet or by fax and the Journal Star printed information about upcoming Council Meetings.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL**(01-612) REQUEST from MR. DAVID PITTMAN to Address the Council Regarding GROWTH.**

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. David Pittman.

Mr. David Pittman, 2701 W. Moss Avenue, expressed concern that City Staff used their time working on projects like Growth Cell One when they could be using their time on other City projects. He said he was concerned that proper planning had not occurred in Growth Cell One for parks, pedestrian walkways, traffic and storm water. He spoke in support of a regional approach to growth. He urged the Council to form a task force that would include all parties affected by Growth Cell One.

EXECUTIVE SESSION**(01-613) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss; 2(c)6 The setting of a price for sale or lease of property owned by the public body.**

Council Member Nichting moved for the City Council to go into Executive Session to Discuss 2(c)6 The setting of a price for sale or lease of property owned by the public body; 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.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 9:25 p.m.

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