

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

Council Chambers, Peoria, Illinois, October 16, 2001, a Regular Meeting of the City Council was held this date at 6:20 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 led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: PEORIA PARK DISTRICT: NATIONAL RECREATION AND PARK ASSOCIATION GOLD MEDAL AWARD WINNER

PROCLAMATION: PACE: FIFTH ANNUAL GOSPEL JUBILEE – October 21, 2001

PROCLAMATION: AMERICAN RED CROSS COMMUNITY UNITY DAY – October 21, 2001

PROCLAMATION: FRIENDSHIP HOUSE OF CHRISTIAN SERVICE
50TH ANNIVERSARY CELEBRATION – October 23, 2001

ANNOUNCEMENT of NEW ASSISTANT FIRE CHIEF

Fire Chief Roy Modglin introduced Battalion Chief Kent Tomblin as the new Assistant Chief of the Peoria Fire Department. Chief Modglin stated Mr. Tomblin had been with the Peoria Fire Department for twenty-two years and he said this was a significant achievement for the new Assistant Fire Chief. He gave a brief outline of Firefighter Tomblin's achievements and congratulated him on the Appointment.

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting and Executive Session held on October 9, 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**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.**

(01-681) NOTICE OF LAWSUIT on Behalf of TRACY HORTON Regarding an Incident on July 19, 2001.

- (01-682) BIDS for SINR CONTRACT #17 for the 2500 – 2600 BLOCK of WEST STARR, Recommending the Low Bid of WIEGAND CONCRETE PRODUCTS, INC., in the Amount of \$29,154.90.
- (01-683) BIDS for RAVINWOODS ROAD SLOPE REPAIR, Recommending the Low Bid of OTTO BAUM COMPANY, INC., in the Amount of \$17,152.60.
- (01-684) ANNUAL BIDS for INCIDENTAL CONCRETE REPAIRS on CITY-OWNED FACILITIES, Recommending the Low Bid of BIDWELL CONSTRUCTION, INC., in an Amount up to \$30,000.00.
- (01-685) BIDS for N. E. PERRY AVENUE IMPROVEMENT, Recommending the Low Bid of R. A. CULLINAN & SON, INC., in the Amount of \$268,825.95, with a Request to REPROGRAM CDBG FUNDS, in the Amount of \$45,000.00.
- (01-686) Communication from Director of Public Works Requesting Authorization for the City Manager to Execute the Document to GRANT a PERMANENT UTILITY EASEMENT to CILCO on City-Owned Property in Southtown.
- (01-687) Communication from Director of Public Works Requesting Approval of the IDOT LOCAL AGENCY AGREEMENT for FEDERAL PARTICIPATION, and Authorize the City Manager to Execute the Document for the MAIN STREET TURNAROUND PROJECT.
- (01-688) Communication from Director of Public Works Requesting Approval of the FARGO RUN PHASE II AGREEMENT with the GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT, and Requesting Authorization for the City Manager to Execute the Document.
- (01-689) * Communication from Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Direct the City Manager to Enter into a CONTRACT with S. B. FRIEDMAN & COMPANY for PROFESSIONAL SERVICES, in the Amount of \$49,905.00, for the DEVELOPMENT of an AFFORDABLE HOUSING PLAN.
- (01-690) Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,210 Approving the FINAL PLAT of WOODCREST SUBDIVISION EXTENSION NO. ONE, a Single-Family Residential Development Located to the North of Charter Oak Road off of Frostwood Parkway.
- (01-691) Communication from Director of Planning and Growth Management Recommending Adoption of the Following:
- A. ORDINANCE NO. 15,211 Accepting the DEDICATION of RIGHTS-OF-WAY Along JULIET COURT and Along ALTA ROAD, Both Located within and Adjacent to JANSSEN'S FARM ADDITION to the City of Peoria at the NORTHEAST CORNER of ALTA ROAD and JULIET COURT;
 - B. ORDINANCE NO. 15,212 Vacating RIGHT-OF-WAY Along JULIET COURT Located Adjacent to JANSSEN'S FARM ADDITION to the City of Peoria at the NORTHEAST CORNER of ALTA ROAD and JULIET COURT.

(01-692) **STREET LIGHTING REQUESTS – 1700/1800 BLOCK W. BARKER AVENUE (Alley Lighting); 1600 BLOCK W. BARKER AVENUE (Street/Alley Intersection); 1500 BLOCK W. BARKER AVENUE (Street/Alley Intersection); 800 BLOCK W. CORRINGTON AVENUE (Street/Alley Intersection); 1400 N. ELLIS STREET (Alley/Alley Intersection); 1800 BLOCK W. WILHELM ROAD at DANA DRIVE; 1900 BLOCK W. WILHELM ROAD at NORTHTRAIL; 1900 BLOCK W. WILHELM ROAD at RHONDA WAY; 2000 BLOCK W. WILHELM ROAD at COLLETT DRIVE; 2100 BLOCK W. WILHELM ROAD at NORTHFIELD; 11,500 N. ALLEN ROAD at HICKORY GROVE ROAD; and 11,600 N. ALLEN ROAD at MOLLY ROAD.**

(01-693) **APPOINTMENT and REAPPOINTMENTS by Mayor David P. Ransburg to the CONSTITUTION GARDEN ADVISORY COMMITTEE:**

Appointment:

Bob Siler (Voting) Existing Three-Year Term Expires 6/30/03

Reappointments:

John L. Birks (Voting)	Existing Three-Year Term Expires 6/30/03
Joan Brune (Voting)	Existing Three-Year Term Expires 6/30/02
Helen V. Bruns (Voting)	Existing Three-Year Term Expires 6/30/02
Nancy Crawford (Voting)	Existing Three-Year Term Expires 6/30/04
James F. Hoerr (Voting)	Existing Three-Year Term Expires 6/30/04
Elroy H. Limmer (Voting)	Existing Three-Year Term Expires 6/30/02
Mary Ann Middleton (Voting)	Existing Three-Year Term Expires 6/30/02
Mary Siler (Voting)	Existing Three-Year Term Expires 6/30/03
Dorothy Sinclair (Voting)	Existing Three-Year Term Expires 6/30/04
Julian Smith (Voting)	Existing Three-Year Term Expires 6/30/03

(01-694) **APPOINTMENT by Mayor David P. Ransburg to the AD HOC COMMITTEE ON PET OVERPOPULATION:**

Dr. Keith Peterson (Voting) No Term Limit

(01-695) **REAPPOINTMENT by Mayor David P. Ransburg to the POLICE PENSION FUND BOARD OF TRUSTEES:**

Bernard R. Filzen (Voting) Existing Two-Year Term Expires 5/13/02

(01-696) **REAPPOINTMENTS by Mayor David P. Ransburg to the PUBLIC BUILDING COMMISSION:**

James E. Shadid (Voting)	Existing Five-Year Term Expires 9/30/06
Cleveland Thomas (Voting)	Existing Five-Year Term Expires 9/30/06

(01-697) **APPOINTMENTS by Mayor David P. Ransburg to the SISTER CITY COMMISSION:**

Roger Martin (Voting)	Ex-officio (No Term Limit)
Mary Watkins (Voting)	Ex-officio (No Term Limit)

- (01-698) REAPPOINTMENTS by Mayor David P. Ransburg to the TRAFFIC COMMISSION:**

Mary Jane Crowell (Voting) Existing Three-Year Term Expires 6/30/04
John Haverals (Voting) Existing Three-Year Term Expires 6/30/04

- (01-699) Communication from Director of Public Works with REPORT BACK Regarding PARKING REVENUE ANALYSIS.**

CONSIDERATIONS OF REPORT BACKS as Follows:

- (00-884) Communication from Director of Public Works Regarding TREE TRIMMING by**
**** UTILITIES. (For Information Only)**

- (01-415) Communication from Director of Planning and Growth Management with**
REPORT BACK Regarding OFF-PREMISE SIGNAGE EIGHT SQUARE FEET
OR LESS.

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

Council Member Thetford requested that Items No. 01-689 and 00-884 be removed from the Consent Agenda for further discussion.

Item Nos. 01-681 through 01-699 and 01-415 (excluding Item Nos. 01-689 and 00-884 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.

REQUEST TO MOVE AGENDA ITEM

Council Member Thetford moved to discuss a New Business item regarding an Ordinance amending the budget for fiscal year 2001 of the City of Peoria relating to NDC Contract for Affordable Housing, PAWS Donations/Grants and Workmen Compensation Settlement Payments at this time; 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.

NEW BUSINESS

- (01-700) Communication from Finance Director/Comptroller with ORDINANCE Amending the Budget for Fiscal Year 2001 of the City of Peoria Relating to NDC Contract for Affordable Housing, PAWS Donations/Grants and Workmen Compensation Settlement Payments.**

Finance Director/Comptroller Ellie Hogan distributed a communication with an Ordinance amending the 2001 budget to all members of the City Council.

Council Member Thetford moved to adopt the Ordinance amending the Budget for fiscal year 2001 of the City of Peoria relating to NDC Contract for Affordable Housing, PAWS Donations/Grants and Workmen Compensation Settlement Payments; seconded by Council Member Teplitz.

Council Member Nichting stated the issue of professional services had been discussed and voted on in previous weeks. He inquired what the difference was between the previous vote and what was being voted on at this meeting given the fact that Council now had to vote on a Budget amendment.

Finance Director/Comptroller Ellie Hogan explained that the previous issue brought before the City Council was a request to do an RFQ/RFP process when the Budget amendment was coming forward and the exact dollar amount was known. She said the Council had authorized up to \$50,000.00. She said the amounts differed, and this source of funds was not a reprogramming but a Budget amendment.

In discussion with Council Member Nichting, Finance Director/Comptroller Ellie Hogan clarified that funds for affordable housing were CDBG grant funds and not general funds. She said the Budget amendment was needed for the animal shelter program and workmen's compensation fund.

Council Member Sandberg requested to divide the question to separate the NDC Contract for Affordable Housing from PAWS Donations/Grants and Workmen Compensation Settlement Payments.

The Council concurred.

Motion to adopt ORDINANCE NO. 15,213 amending the Budget for fiscal year 2001 of the City of Peoria relating to NDC Contract for Affordable Housing was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner,

Mayor Ransburg – 10;

Nays: Sandberg – 1.

Motion to adopt ORDINANCE NO. 15,214 amending the budget for fiscal year 2001 of the City of Peoria relating to PAWS Donations/Grants and Workmen Compensation Settlement Payments was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,

Mayor Ransburg – 11;

Nays: None.

**(01-689) Communication from Director of Planning and Growth Management with
* Recommendation from the Neighborhood Development Commission to Direct the
 City Manager to Enter into a CONTRACT with S. B. FRIEDMAN & COMPANY
 for PROFESSIONAL SERVICES, in the Amount of \$49,905.00, for the
 DEVELOPMENT of an AFFORDABLE HOUSING PLAN.**

Council Member Thetford moved to approve the recommendation from the Neighborhood Development Commission to direct the City Manager to enter into a contract with S. B. Friedman & Company for professional services, in the amount of \$49,905.00, for the development of an Affordable Housing Plan as outlined; seconded by Council Member Teplitz.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor

Ransburg – 10;

Nays: Sandberg – 1.

**(00-884) Communication from Director of Public Works Regarding TREE TRIMMING by
** UTILITIES. (For Information Only)**

Council Member Thetford said this communication outlined a law passed by the State. She said there have been numerous inquiries expressing concern regarding tree trimming by CILCO. She inquired if CILCO would be bound by the requirements outlined in the new state law.

Corporation Counsel Randy Ray stated CILCO would be required to comply with the notice provisions listed in the new state law. He said the City was in the process of drafting an Ordinance that would incorporate the necessary requirements which would allow the City to enforce the new law.

Council Member Thetford moved to receive and file the communication regarding tree-trimming by utilities; 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.

**(01-701) Communication from Director of Planning and Growth Management with the
RESULTS of the PUBLIC HEARING, and with ORDINANCE Approving a
STREET NAME CHANGE for 100 – 400 BLOCKS of NORTH SHERIDAN
ROAD, 100 – 200 BLOCK of SOUTH SHERIDAN ROAD, and 400 BLOCK of
PERSIMMON STREET to RICHARD PRYOR PLACE.**

Council Member Gulley said there had been a number of concerns brought forward in the Public Hearings regarding this issue by the community. He said steps had been taken to deal with these concerns as they related to some of the residents and businesses in the proposed area of the street name change location. He further added that the majority of the citizens of Peoria were in favor of this street name change.

Council Member Gulley moved to adopt the Ordinance approving a street name change for 100-400 blocks of North Sheridan Road, 100-200 block of South Sheridan Road and 400 block of Persimmon Street, to Richard Pryor Place; seconded by Council Member Teplitz.

Council Member Nichting said notices had been mailed to property owners in the area of the street name change locations. In response to Council Member Nichting's inquiry as to how many letters of support regarding the street name change were received, Director of Planning and Growth Management stated he had not received any letters.

Council Member Spears said when City Council adopted an ordinance regarding street name changes, he was unaware that these changes were only adopted for one year. He said he would like to start the process of using Honorary Street Names for distinguished personalities to honor Peoria.

In discussion, Council Member Sandberg confirmed there had never been a street named or renamed for someone in the entertainment business. He added that people should decide what the criteria should be for choosing individuals as role models to represent our City.

Council Member Turner said it was time to bring closure to this issue. He said he believed people should be recognized for their achievements and not by our individual expectations of that person.

Council Member Gulley moved to grant Privilege of the Floor to Mr. Dan Leonard; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Dan Leonard.

Dan Leonard, resident of Knox County, spoke in opposition to the street name change. He expressed concern regarding Mr. Pryor's personal actions and moral values.

Council Member Gulley said people should not focus on the negative issues surrounding Mr. Pryor but on the positive things he has done for the City of Peoria. He said recent visitors to Peoria had expressed interest in seeing where Mr. Pryor had been born and raised. He said he felt the street name change would bring visitors and revenue to the Peoria area.

Council Member Thetford said her position on this issue was based on certain negative actions taken by Mr. Pryor.

Council Member Morris said he felt this street name change was an important symbolic gesture and he moved to grant Privilege of the Floor to Mr. Cord Adams; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Cord Adams.

Cord Adams, 522 Windmere Ct., spoke in favor of the street name change. He said the people in the First District wanted to honor Richard Pryor for remembering where he was from and for the contributions he made to the City of Peoria.

Motion to adopt ORDINANCE NO. 15,215 approving a street name change for 100-400 blocks of North Sheridan Road, 100-200 block of South Sheridan Road and 400 block of Persimmon Street, to Richard Pryor Place, was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Teplitz, Turner, Mayor Ransburg – 6;

Nays: Ardis, Nichting, Sandberg, Spears, Thetford – 5.

**(01-702) Communication from Director of Planning and Growth Management with
ORDINANCE REDISTRICTING the FIVE CITY OF PEORIA DISTRICTS and
DEFINING THEIR BOUNDARIES.**

Council Member Grayeb moved to adopt the Ordinance redistricting the Five City of Peoria Districts and defining their boundaries; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,216 was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

DONATION BY GIFT AREA NEIGHBORHOOD ASSOCIATION TO THE JIM FAULKNER FUND.

Council Member Thetford presented a check in the amount of \$100.00 to Chief of Police John Stenson as a donation to the family of Police Officer Jim Faulkner.

NEW BUSINESS

(01-703) REQUEST for PATRIOTIC SONGS to be Performed at City Council Meetings.

Council Member Nichting said the events of September 11th had caused the nation to reflect on many things. He said given the trying times and the seriousness of the nation's military forces home and abroad, he suggested various groups in the Peoria area be present at the Council Meeting to perform a patriotic song following the Pledge of Allegiance. He said he felt this would be uplifting to the community.

Council Member Nichting moved that a patriotic song be performed after the Pledge of Allegiance at the Council Meetings; seconded by Council Member Morris.

Council Member Sandberg suggested that Staff, as they had time, research groups willing to volunteer their services on a weekly basis.

Council Member moved to defer this item for three weeks until the November 6, 2001, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until the November 6, 2001, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

Council Member Grayeb left the Council Chambers at 7:35 P.M.

(01-704) MOTION TO WITHDRAW OCTOBER 30, 2001, CITY COUNCIL MEETING

Council Member Morris moved to cancel the October 30, 2001, Regular City Council Meeting. He said there was an important ceremony honoring young leaders of Peoria scheduled for October 30, 2001, which included a special presentation. He said he felt the Council would want to be involved in this ceremony.

Following discussion regarding an upcoming Policy Session and Budget Meetings, Council Member Morris withdrew his motion.

(01-705) REQUEST for ADDITIONAL INFORMATION in FUTURE BUDGET COMMUNICATIONS

Council Member Nichting requested that future budget amendment communications include the fund balance, that being the un-encumbered funds, and the total aggregate amount of money that had gone to fund balance during that budget cycle. He further requested to also include what the decrease in fund balance was over that period of one year so the result of continuing to remove funds from fund balance could be determined.

In response, City Manager Michael McKnight stated the information would be included on the audited fund balance.

UNFINISHED BUSINESS

(01-672) REQUEST for REPORT BACK From EEO DEPARTMENT Regarding COMPLIANCE With SECTION 17.120 by P.J. HOERR CO.

Council Member Gulley moved to request a report back from the EEO Department regarding the Jefferson Avenue Relocation Construction Contract voted on at the October 9, 2001, Regular City Council Meeting, including the time frame and compliance with Section 17.120, which is the affirmative action requirements for City Contracts; seconded by Council Member Sandberg.

EEO Director Kimberly King stated the information Council Member Gulley requested had been requested in writing from P.J. Hoerr, who was the general contractor. She said specific information regarding the affirmative action requirements, both on the sub-contracting opportunities that were available and the individual hours worked. She said her department had not yet received a response from P.J. Hoerr, and they would contact the contractor in an effort to speed things up. She said the Report Back would be presented at the October 30, 2001, meeting, if that meeting was held.

Motion to request a report back from the EEO Department regarding the Jefferson Avenue Relocation Construction Contract voted on at the October 9, 2001, Regular City Council Meeting, including the time frame and compliance with Section 17.120, which is the affirmative action requirements for City Contracts was approved by roll call vote.

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

Nays: None.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No citizens came forward to address the Council.

EXECUTIVE SESSION

(01-706) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent.

Council Member Nichting moved that the Council go into Executive Session to Discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:40 p.m.

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

BY:

Beth Ball, Deputy Clerk
Peoria, Illinois