

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

Council Chambers, Peoria, Illinois, November 20, 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 (Arrived at 6:30 P.M.), 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: PEORIA NOTRE DAME HIGH SCHOOL 2001 BOY'S VARSITY SOCCER TEAM – IHSA SOCCER TOURNAMENT 2ND PLACE FINISH

PROCLAMATION: PACE – SANTA CLAUS PARADE AND YULE LIKE PEORIA DAY – November 23, 2001

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on November 13, 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.**

(01-763) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: N. E. MONROE STREET ROADWAY IMPROVEMENT PROJECT (Spring Street to Abington Street)(Removing existing curb, sidewalks, and driveway approaches; constructing concrete sidewalks, combination curb and sidewalks and driveway pavement; and a bituminous concrete pavement overlay.) FREESEN, INC. – PAY ESTIMATE #5 & SEMI-FINAL: \$110,548.17; TOTAL AUTHORIZATION APPROVED: \$110,548.17. (For Information Only)**

(01-764) **Communication from Director of Public Works Recommending Approval of a VESTIBULE on ADAMS STREET RIGHT-OF-WAY in Front of the MARK TWAIN HOTEL for PIZZERIA UNO, Located at 225 N. E. ADAMS STREET, Subject to Approval from Illinois Department of Transportation and Obtaining a Right-of-Way Usage Permit from the Public Works Department.**

(01-765) **Communication from Corporation Counsel with RESOLUTION in SUPPORT of YWCA of PEORIA'S APPLICATION for DCCA GRANT.**

- (01-766) **Communication from the City Manager with RESOLUTION NO. 01-766 Authorizing the SUBMISSION of an APPLICATION to the ILLINOIS DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS for GRANT FUNDING Available through the ILLINOIS EMERGENCY SHELTER GRANTS PROGRAM.**
- (01-767) **Communication from Corporation Counsel with ORDINANCE NO. 15,221 Amending CHAPTER 24 of the Code of the City of Peoria Relating to POLICE and the UPDATE of the POLICE COMMUNITY RELATIONS ADVISORY COMMITTEE'S MISSION.**
- (01-768) **Communication from Director of Planning and Growth Management with
*** ORDINANCE Granting a SPECIAL USE in a Class O-2 (Exclusive Office Park) District for a PARKING LOT for Property Located at 402 N. PRYOR PLACE, with Condition.**
- (01-769) **Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt an ORDINANCE NO. 15,222 Amending Ordinance No. 14,725, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District to EXTEND the TIME PERIOD an Additional FOUR YEARS for a DEMOUNTABLE TEMPORARY STRUCTURE for MODULAR TEST FACILITIES for Property Located at 3425 N. DRIES LANE.**
- (01-770) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,223 Amending Ordinance No. 14,832, an EXISTING SPECIAL USE in a Class R-7 (Multi-Family Residential) District for a TELECOMMUNICATIONS FACILITY with a 12-FOOT EXTENSION to the MONOPOLE for Property Located at 1601 W. GIFT AVENUE.**
- (01-771) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,224 Amending Ordinance No. 14,984, an EXISTING SPECIAL USE in a Class R-3 (Single Family Residential) District for a RESIDENTIAL CLUSTER DEVELOPMENT Amending the APPROVED SITE PLAN for Property Located at 3838 and 3840 PALMYRA COURT.**
- (01-772) **Communication from Director of Planning and Growth Management Regarding APPLICATIONS Approved for the Department of Commerce & Community Affairs – ILLINOIS FIRST GRANTS. (For Information Only)**
- (01-773) **STREET LIGHTING REQUESTS – 600 BLOCK N. E. WATER STREET and
**** 2400 BLOCK N. SHERIDAN ROAD (Alley/Alley Intersection).**

Clerk's Note: See Page 25420 for further discussion.

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

Council Member Sandberg requested that Item Nos. 01-764, 01-765 and 01-768 be removed from the Consent Agenda for further discussion.

Item Nos. 01-763 through 01-773 (excluding Item Nos. 01-764, 01-765 and 01-768 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.

- (01-764)** **Communication from Director of Public Works Recommending Approval of a**
* **VESTIBULE on ADAMS STREET RIGHT-OF-WAY in Front of the MARK**
 TWAIN HOTEL for PIZZERIA UNO, Located at 225 N. E. ADAMS STREET,
 Subject to Approval from Illinois Department of Transportation and Obtaining a
 Right-of-Way Usage Permit from the Public Works Department.

Council Member Sandberg stated he would be abstaining from the vote because of a business relationship.

Council Member Grayeb moved to approve the vestibule on Adams Street right-of-way in front of the Mark Twain Hotel for Pizzeria Uno, located at 225 N. E. Adams Street, subject to approval from Illinois Department of Transportation and obtaining a right-of-way usage permit from the Public Works Department; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

- (01-765)** **Communication from Corporation Counsel with RESOLUTION in SUPPORT of**
** **YWCA of PEORIA'S APPLICATION for DCCA GRANT.**

Following a brief clarification, Council Member Sandberg moved to approve the Resolution supporting the YWCA of Peoria's Application for DCCA Grant; seconded by Council Member Turner.

RESOLUTION NO. 01-765 was approved by roll call vote.

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

Nays: None.

- (01-768)** **Communication from Director of Planning and Growth Management with**
*** **ORDINANCE Granting a SPECIAL USE in a Class O-2 (Exclusive Office Park)**
 District for a PARKING LOT for Property Located at 402 N. PRYOR PLACE,
 with Conditions.

Council Member Sandberg stated he would be abstaining from the vote because of a business relationship.

Council Member Grayeb moved to adopt the Ordinance granting a Special Use in a Class O-2 (Exclusive Office Park) District for a parking lot for property located at 402 N. Pryor Place, with conditions; seconded by Council Member Morris.

ORDINANCE NO. 15,225 was adopted by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

Clerk's Note: See Page 25419 for further discussion.

- (01-774) Communication from Labor and Management Co-Chairs Requesting Authorization
***** for the City Manager to Enter into an AGREEMENT with WILLIAM HEMBREE
of HEALTH RESEARCH INSTITUTE for CONSULTING SERVICES, for the
Period of November, 2001, through June, 2002, which may be Extended through
December of 2002, with the Total Amount Not to Exceed \$35,000.00, Subject to
Approval of the 2002 City Budget.**

Council Member Thetford moved to authorize the City Manager to enter into an agreement with William Hembree of Health Research Institute for consulting services, for the period of November, 2001, through June, 2002, which may be extended through December, 2002, with the total amount not to exceed \$35,000.00, subject to approval of the 2002 City Budget; seconded by Council Member Morris.

Council Member Nichting moved to defer this item until after the discussion relating to the 2002 City of Peoria Budget to be held later in the meeting; seconded by Council Member Sandberg.

Motion to defer this item until later in the meeting was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Sandberg, Spears, Turner – 7;

Nays: Grayeb, Teplitz, Thetford, Mayor Ransburg - 4.

Clerk's Note: See Page 25418 for further discussion.

- (01-775) Communication from Director of Economic Development Recommending the SALE
of CITY-OWNED PROPERTY Located at 4303 W. LYNNHURST DRIVE,
Formerly Fire Station #19, in the Amount of \$110,000.00 plus Standard Closing
Costs, and Authorize the City Manager to Execute the Necessary Documents.**

Council Member Nichting moved to sell the City-owned property located at 4303 W. Lynnhurst Drive, formerly Fire Station #19, in the amount of \$110,000.00 plus standard closing costs, and authorize the City Manager to execute the necessary documents; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

- (01-776) Communication from Director of Public Works Requesting Approval of the
***** Following:

- A. EXTENSION of RESIDENTIAL REFUSE and YARD WASTE
COLLECTION CONTRACT with WASTE MANAGEMENT;**
- B. EXTENSION of STACKED CONDOMINIUM/CITY BUILDING REFUSE
COLLECTION CONTRACT with PDC SERVICES, INC.**

City Clerk Mary Haynes stated that Mr. Tom Edwards distributed a communication to all members of the City Council.

Council Member Nichting moved to defer this item until after discussion relating to the 2002 City of Peoria Budget to be held later in the meeting; seconded by Council Member Turner.

Motion to defer this item until later in the meeting was approved by roll call vote.

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

Nays: Grayeb - 1.

Clerk's Note: See Page 25419 for further discussion.

- (01-777) Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to DENY an ORDINANCE Rezoning Property Located at 4619 N. KNOXVILLE AVENUE from the Present Class R-1 (Single Family Residential) District to a Class O-1 (Arterial Office) District.**

Council Member Thetford moved to concur with the recommendation of the Zoning Commission and City Staff to deny the Ordinance rezoning property located at 4619 N. Knoxville Avenue from the present Class R-1 (Single Family Residential) District to a Class O-1 (Arterial Office) District; seconded by Council Member Turner.

Motion to DENY was approved by roll call vote.

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

Nays: None.

- (01-778) Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to DENY an ORDINANCE Rezoning Property Located at 831 W. NORTH LANE from the Present Class R-3 (Single Family Residential) District to a Class O-1 (Arterial Office) District, with Petitions Bearing 14 Signatures Protesting the Rezoning which Forces the Two-Thirds Vote.**

City Clerk Mary Haynes distributed a copy of a letter from the Petitioner to all members of the City Council requesting that this item be withdrawn.

Council Member Nichting moved to concur with the Petitioner's request to withdraw this item from the Council Agenda; seconded by Council Member Sandberg.

Motion to withdraw this item was approved by roll call vote.

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

Nays: None.

- (01-779) Communication from Director of Planning and Growth Management with Zoning Commission Recommendation to Approve and Staff Recommendation to DENY an ORDINANCE Rezoning Property Located at 6522 and 6600 N. UNIVERSITY STREET from the Present Class R-7 (Multi-Family Residential) District to a Class C-1 (General Commercial) District.**

Council Member Nichting moved to defer this item for one week until the November 27, 2001, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until November 27, 2001, 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: Refer to Page 25411 for further discussion.

- (01-780) Communication from Finance Director/Comptroller Requesting Approval of the TENTATIVE 2002 BUDGET, and Make it Available for Public Inspection, and Set the PUBLIC HEARING for DECEMBER 4, 2001, at 6:15 P.M.**

Council Member Thetford moved to defer this item until after discussion relating to the 2002 City of Peoria Budget to be held later in the meeting; seconded by Council Member Turner.

Motion to defer consideration of approval of a tentative 2002 Budget, make it available for public inspection, and setting a date for the Public Hearing on December 4, 2001, at 6:15 P.M. until later in the meeting 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 25418 for further discussion.

UNFINISHED BUSINESS

- (01-779)** **Consideration of a Motion to Reconsider the Communication from Director of Planning and Growth Management with Zoning Commission Recommendation to Approve and Staff Recommendation to DENY an ORDINANCE Rezoning Property Located at 6522 and 6600 N. UNIVERSITY STREET from the Present Class R-7 (Multi-Family Residential) District to a Class C-1 (General Commercial) District.**

**

Following a request by City Manager Michael McKnight regarding the date of deferral because of the upcoming Thanksgiving Holiday, Council Member Nichting moved to reconsider this item; seconded by Council Member Morris.

Motion to reconsider was approved by roll call vote.

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

Nays: None.

Council Member Nichting moved to defer this item for two weeks until the December 4, 2001, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until December 4, 2001, was approved by roll call vote.

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

Nays: None.

- (01-759)** **CITY OF PEORIA BUDGET OVERVIEW for the Year 2002:**

- A. Communication from the City Manager Regarding the 2002 BASE OPERATING BUDGET;**
 - B. Communication from the City Manager Regarding the 2002 BASE CAPITAL IMPROVEMENT BUDGET;**
 - C. Communication from Mayor David P. Ransburg Regarding the 2002 CITY OF PEORIA BUDGET OVERVIEW, Including Exceptions.**
 - 1) Communication from Finance Director/Comptroller Regarding ADDITIONAL EXCEPTIONS for 2002 DEPARTMENTAL REQUESTS BUDGET.**
 - D. (Previously Deferred – Will be Considered at the November 27, 2001, Council Meeting.)**

City Manager Michael McKnight distributed a revised 2002 Base Operating Budget to all members of the City Council.

Director of Public Works Steve Van Winkle distributed a communication regarding the 2002 Capital Budget – Fleet Replacement (For Information Only) and a communication regarding Facilities Operations 2002 CIP Prioritization Proposals (For Information Only) to all members of the City Council.

Mayor Ransburg distributed Version #2 of the 2002 City of Peoria Budget Overview to all members of the City Council.

Mayor Ransburg explained the revised summary of proposals reflected in Version #2 of the 2002 City of Peoria Budget Overview. He said revenue revisions pertained to an increase of fines, fees, etc. by approximately \$600,000 per year; an increase in home rule sales tax by .5%; maintain the sales tax rebate program; transfer the remaining 2% of utility tax over time to the capital fund so it can be used to fund capital expenditures; and increase parking rates by \$400,000 per year. He further stated that revised expenditures pertained to \$200,000 per year on economic development; an additional \$100,000 for Council discretion which would include some planning money and hire consultants to help the City obtain funds in Springfield or Washington, D.C.; \$100,000 for 2002 and 2003 for developing plans for the City to increase efficiency in the years ahead; and a directive to the City Manager to reduce operating expenses by \$750,000 in 2002 as outlined.

Following a brief discussion regarding an increase of user fees, Council Member Nichting moved to direct the Directors of the Planning and Growth Department, Inspections Department, Public Works and Finance to review their fee structures, make comparisons with County user fees, and bring this information to the Council for the November 27, 2001, Regular City Council Meeting. No second was heard.

Council Member Nichting also suggested an increase of \$10.00 on parking fines.

Council Member Sandberg discussed dispatching fees and the increase of parking rates. It was determined that parking rate increases would need to be further discussed to decide the details of the increases.

Corporation Counsel Randy Ray stated, from a legal point of view regarding what needed to be done in the next three weeks, numbers needed to be reviewed for a realistic projection regarding fines, fees, etc., but the Budget process did not necessitate that every Ordinance already be passed. He explained the proposed sales tax would not become effective until July 1, 2002, so the Council could pass a Budget projecting certain amounts in fees, fines, etc., and adopt Ordinances for those increases in January, 2002. He said a Budget needed to be passed detailing what would happen, but not every last detail had to be enacted before the Budget was approved by Council. He said the Council needed to make sure the property tax levy was on time and approved on December 11, 2001.

Council Member Morris expressed concern that of a \$92 million City of Peoria Budget, only approximately \$500,000 was designated for the Economic Development Department to promote City growth and to attract jobs to Peoria, which was a critical issue. He said the City was not growing sufficiently to bring in new revenue and he spoke in support of additional long-term planning for the City.

In discussion with Council Member Nichting regarding whether or not the Sales Tax Rebate Program would apply to the proposed additional half-cent sales tax, Mayor Ransburg indicated this would need to be a policy decision made by the Council. Mayor Ransburg further stated that the current proposed version of the 2002 Budget did not include a rebate on the new half-cent sales tax, but did include a 1% rebate on the initial one cent home rule sales tax.

Clerk's Note: See Page 25415 for additional discussion.

E. Consideration of BUDGET REPORT BACKS:**1. Communication from Director of Human Resources Regarding REPORT BACK – VACANT POSITIONS. (For Information Only)**

Following a brief overview of the vacancies by Director of Human Resources Pat Parsons and Director of Inspections John Kunski, Council Member Thetford moved to receive and file the report back regarding vacant positions; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

2. Communication from Director of Human Resources and Director of Inspections Requesting an Exception to the Hiring Freeze and Requesting Approval to FILL the VACANT BUILDING INSPECTOR I POSITION.

In discussion with Council Member Thetford regarding the status of the vacant Building Inspector I position, Director of Inspections John Kunski indicated the candidate had been selected prior to the hiring freeze, but no official offer had been made.

Council Member Thetford moved to approve the exception to the hiring freeze to fill the vacant Building Inspector I position; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Nichting - 1.

3. Communication from ESDA Director Requesting an Exception to the Hiring Freeze and Requesting Approval to Continue the HIRING PROCESS to Employ THREE ADDITIONAL EMERGENCY COMMUNICATION TELECOMMUNICATORS (ECTs) for a January 6, 2002 Hire Date.

Following a brief clarification, Council Member Grayeb moved to approve the exception to the hiring freeze and approve continuation of the hiring process to employ three additional Emergency Communication Telecommunicators (ECTs) for a January 6, 2002, hire date; seconded by Council Member Turner.

Discussion was held regarding the difficulties in finding qualified applicants, scheduling of the tests, and time involved with the hiring process.

Motion to approve the exception to the hiring freeze and approve continuation of the hiring process to employ three additional Emergency Communication Telecommunicators (ECTs) for a January 6, 2002, hire date was approved by roll call vote.

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

Nays: None.

3a. Communication from Finance Director/Comptroller Requesting Authorization to HIRE a TEMPORARY EMPLOYEE in the PURCHASING DIVISION until January, 2002.

Finance Director/Comptroller Ellie Hogan distributed a copy of this communication to all members of the City Council.

In discussion, Ms. Hogan explained this was a busy time of year for the Purchasing Division and the permanent employee who filled this position was absent due to medical leave.

Council Member Turner moved to hire a temporary employee in the Purchasing Division until January, 2002; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: Nichting - 1.

In discussion with Council Member Nichting, Ms. Hogan indicated the temporary employee would be paid \$14.00 an hour for approximately six weeks, for an approximate total of \$3,500.00.

4. Communication from Finance Director/Comptroller Regarding a REPORT BACK Answering Questions Asked by Council Member Nichting.

Council Member Nichting referred to MFT funding and the basis for collection, and he requested a report back regarding the State Motor Fuel Tax, their rate of collection and how it was distributed. He expressed concern that some of Peoria's zip codes had a Dunlap address and he questioned if these funds were being properly collected.

Council Member Nichting moved to receive and file the report back; 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.

5. Communication from Director of Public Works Regarding CHARTER OAK ROAD EXTENSION – REPORT BACK.

Council Member Spears expressed concern that this project, as of the year 2000, had been totally funded. He pointed out there was a \$4.7 million increase.

Director of Public Works Steve Van Winkle explained the previous estimate was early in the project and was the best estimate Staff could project without knowing specific design and before agreements with the railroad were finalized. He said in 2001, there was not enough additional information to change the projections so extra funding was not requested. He said, for 2002, the project became much clearer in terms of costs and State funding. He said there had also been increased costs since the original projections and additional funding for the Union Pacific, so the out-of-pocket costs had increased by about \$1.7 million based on the latest estimate. He also explained the difficulty in projecting costs for the railroad bridge, and based on the information obtained at the time of the original estimate, the projections were as accurate as possible.

Council Member Grayeb moved to receive and file the Charter Oak Road Extension Report Back; seconded by Council Member Turner.

Council Member Spears pointed out he would vote to receive and file the communication, but did not want that vote to indicate he approved of the new estimates to total approximately \$15 million for the Charter Oak Road Extension.

Council Member Nichting requested that Mr. Van Winkle forward a letter to the Illinois Commerce Commission asking the amount of funding the City would be receiving for this project.

Mr. Van Winkle said he would send a letter urging that an ICC hearing take place in January and request specific information regarding funding.

Council Member Sandberg referred to the \$1,635,000 spent on the Charter Oak Road Extension to-date, and he requested a report back regarding the amounts spent for consulting and acquisition.

Motion to receive and file the Charter Oak Road Extension Report Back was approved by roll call vote.

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

Nays: None.

6. Communication from Finance Director/Comptroller with REPORT BACK – STADIUM CAPITAL PROJECT.

Following a brief clarification, Council Member Spears moved to receive and file the Report Back regarding the Stadium Capital Project; 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.

(01-759) CITY OF PEORIA BUDGET OVERVIEW for the Year 2002:

- A. Communication from the City Manager Regarding the 2002 BASE OPERATING BUDGET;**
- B. Communication from the City Manager Regarding the 2002 BASE CAPITAL IMPROVEMENT BUDGET;**
- C. Communication from Mayor David P. Ransburg Regarding the 2002 CITY OF PEORIA BUDGET OVERVIEW, Including Exceptions.**
 - 1) Communication from Finance Director/Comptroller Regarding ADDITIONAL EXCEPTIONS for 2002 DEPARTMENTAL REQUESTS BUDGET.**
- D. (Previously Deferred – Will be Considered at the November 27, 2001, Council Meeting.)**

Council Member Thetford moved to approve the revised 2002 base Operating Budget, the 2002 base Capital Improvement Budget, receive and file the communication regarding 2002 Capital Budget – Fleet Replacement and the communication regarding Facilities Operations 2002 CIP Prioritization Proposals; approve Version #2 of the 2002 City of Peoria Budget Overview, including exceptions, and the additional exceptions for 2002 Departmental Requests Budget, as the preliminary Budget and remand this back to the Administration to be brought back at the November 27, 2001, Regular City Council Meeting; seconded by Council Member Teplitz.

Council Member Ardis discussed potential savings in the Operations Budget that could be derived from a management salary freeze and the elimination of longevity for management.

Council Member Turner explained a wage freeze would result in salary compression problems for those in management, would remove any incentive for employees to move into management positions, and would create inequities. It was also pointed out that there would be some impact on the lawsuit that was settled with employees and the administration of salaries.

Mr. Parsons explained when the lawsuit was settled, the point count system that was set up included management and union and they were on the same system. He said this would significantly distort the system that the City paid approximately \$800,000 for, and the system was brought in to make sure there was equivalent pay for all jobs. He said a change would cause significant employee issues and would open the potential for additional lawsuits.

In further discussion with Council Member Turner regarding the potential elimination of longevity, Mr. Parsons explained the City's comparables all had longevity and arbitrators had determined that just because a jurisdiction imposed a restriction or took away a benefit or wage, such as longevity, it was not a precedent for the bargaining unit. He indicated past efforts proved that longevity was not removed from any of the bargaining units.

Council Member Grayeb moved to grant Privilege of the Floor to Mr. Robert Sollberger; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Robert Sollberger.

Mr. Robert Sollberger, President of Fire Fighters Local #50, discussed concessions made by employees. He pointed out costs, in the amount of \$1.1 million, would be shifted from the City to the members in the revisions of the healthcare plan.

Council Member Grayeb pointed out that some of the larger departments were having problems now retaining employees because of salary and benefits provided by corporations.

Council Member Thetford moved to amend her motion that the motion include the approval of a Resolution concerning Guidelines for the City of Peoria's 2002 Budget, which was distributed. The seconder agreed.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Sandra Birdsall.

Ms. Sandra Birdsall, Chairman of the Board of the Peoria Area Chamber of Commerce, read a prepared statement:

"The Peoria Area Chamber of Commerce, on behalf of our 1200+ member companies, remains opposed to an increase in the sales tax and the elimination of the sales tax rebate program. We have had several opportunities to meet with Mayor Ransburg since these proposals were first introduced on November 16th, with the most recent meeting being earlier this afternoon. Additionally, we have had conversations with most of the council members either in person, by phone or by email. I do want to thank all of you for listening to our interests and concerns.

"It is obvious from the revised proposal before you this evening that you have, in fact listened to the suggestions we made and concerns we expressed. I suspect they are not much different from what you have heard from others.

“The sales tax increase combined with repeal of the rebate is simply too much of a solution for the cash flow problem that exists today.

“Cost reductions are absolutely necessary. In these times, both individuals and businesses are looking at cost reductions. The city must do the same thing. With business and personal pocketbooks stretched, now is not the time to add taxes.

“The economic development or business attraction/retention message that would be sent by being among the highest sales tax communities in the state is extremely negative. Our city taxes are already high.

“Shift will take place in buying patterns with a sales tax increase. There are options outside the City of Peoria in our area and there are options in the world beyond Central Illinois – starting with the internet. You have estimated that a 1-cent tax would shift \$1 million in sales tax revenues. This is \$100 million in shifted sales – sales lost from local businesses.

“Since last Monday, chamber staff has spoken with over 175 member companies. Board members have probably doubled that number of contacts. These companies represent both retail and non-retail members. With only one exception, these people have been opposed to the sales tax increase – and the most common comment we hear is that their business is making hard decisions and cuts, the city needs to do the same.

“In our discussions with the Mayor and others, it has been said to us more than once that the City could probably get by with no new revenue sources for one more year.” If that is the case, even though it would cause some painful decisions, we believe that is what the city must do. In business there are two ways to balance the budget – raise revenues and cut costs. Cutting costs is where you start. Keep the pressure on all parties – council, management and employees – to find creative ways to increase efficiency, reduce costs, prioritize programs and services and develop a true long range financial plan.

“You should start now working on this – and we are ready to help with that effort. Then, in the fall of 2002 as you begin the 2003 budget, you will be able to lay out for the community your programmatic goals, efficiency measures and your priorities at the same time as you make recommendations regarding revenues.

“We ask that you not increase the sales tax and that you keep the sales tax rebate program in place.”

Council Member Nichting moved to enter Ms. Birdsall’s comments into the record and make this a part of the permanent record; seconded by Council Member Sandberg.

Approved by roll call vote.

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

Nays: None.

Council Member Morris spoke in support of maintaining the Sales Tax Rebate Program and he questioned what the impact on the Budget would be if the entire 1.5% remained in the Rebate Program. He requested a report back.

Council Member Sandberg expressed concern for the smaller retail businesses and their economic viability.

Council Member Ardis expressed concern regarding the restaurant component of the sales tax. He said the restaurants paid an additional two percent on top of their regular sales tax for HRA and the retirement of the Civic Center bonds.

Council Member Ardis moved for a substitute motion that the half percent not apply to those in the restaurant classification; seconded by Council Member Sandberg.

Corporation Counsel Randy Ray advised this could only be done by reducing the restaurant tax by 1% and making some sort of arrangement with the Civic Center to remit the money back to the restaurants. He said he did not feel the City could have one sales tax for one group of businesses and another sales tax for others. He said he felt this could be accomplished in another manner. He added, since the motion was for guidance, he encouraged the Council to move forward with voting on the motion.

Motion for a substitute motion that the half percent not apply to those in the restaurant classification was DEFEATED by roll call vote.

Yeas: Ardis, Nichting, Sandberg, Spears – 4;

Nays: Grayeb, Gulley, Morris, Teplitz, Thetford, Turner, Mayor Ransburg – 7.

In discussion with Council Member Spears, Mayor Ransburg stated there would still be a Sales Tax Rebate on the first 1% and would not be a rebate on the one-half percent.

Council Member Spears indicated he could not support the increase in the sales tax rate. He suggested only a .25% increase rather than the .50%, and review efficiencies.

Motion, as amended, to approve the revised 2002 base Operating Budget, the 2002 base Capital Improvement Budget, receive and file the communication regarding 2002 Capital Budget – Fleet Replacement and the communication regarding Facilities Operations 2002 CIP Prioritization Proposals; approve Version #2 of the 2002 City of Peoria Budget Overview, including exceptions, and the additional exceptions for 2002 Departmental Requests Budget, as the preliminary Budget and remand this back to the Administration to be brought back at the November 27, 2001, Regular City Council Meeting, and as amended to approve RESOLUTION NO. 01-759 concerning Guidelines for the City of Peoria's 2002 Budget was approved by roll call vote.

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

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

(01-780) Communication from Finance Director/Comptroller Requesting Approval of the TENTATIVE 2002 BUDGET, and Make it Available for Public Inspection, and Set the PUBLIC HEARING for DECEMBER 4, 2001, at 6:15 P.M.

Council Member Thetford moved to approve the tentative 2002 Budget, make it available for public inspections, and set the Public Hearing for December 4, 2001, at 6:15 P.M.; seconded by Council Member Morris.

Approved by roll call vote.

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

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

(01-774) Communication from Labor and Management Co-Chairs Requesting Authorization for the City Manager to Enter into an AGREEMENT with WILLIAM HEMBREE of HEALTH RESEARCH INSTITUTE for CONSULTING SERVICES, for the Period of November, 2001, through June, 2002, which may be Extended through December of 2002, with the Total Amount Not to Exceed \$35,000.00, Subject to Approval of the 2002 City Budget.

Council Member Thetford moved to authorize the City Manager to enter into an agreement with William Hembree of Health Research Institute for consulting services, for the period of November, 2001, through June, 2002, which may be extended through December, 2002, with the total amount not to exceed \$35,000.00, subject to approval of the 2002 City Budget; seconded by Council Member Morris.

Motion to authorize the City Manager to enter into an agreement with William Hembree of Health Research Institute for consulting services, for the period of November, 2001, through June, 2002, which may be extended through December, 2002, with the total amount not to exceed \$35,000.00, subject to approval of the 2002 City Budget was approved by roll call vote.

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

Nays: Ardis - 1.

(01-776) Communication from Director of Public Works Requesting Approval of the Following:

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- A. EXTENSION of RESIDENTIAL REFUSE and YARD WASTE COLLECTION CONTRACT with WASTE MANAGEMENT;**
- B. EXTENSION of STACKED CONDOMINIUM/CITY BUILDING REFUSE COLLECTION CONTRACT with PDC SERVICES, INC.**

Council Member Nichting moved to approve the extension of the Residential Refuse and Yard Waste Collection Contract with Waste Management and the extension of the Stacked Condominium/City Building Refuse Collection Contract with PDC Services, Inc.; seconded by Council Member Morris.

Council Member Sandberg requested that Staff attempt to renegotiate the portion of the contract regarding garbage pick up at occupied houses only. He pointed out that garbage was often times left or dumped at vacant buildings and left there long term, and he felt this practice needed to be reviewed.

Director of Public Works Steve Van Winkle agreed that he would be interested in pursuing this issue with Waste Management also.

Motion to approve the extension of the Residential Refuse and Yard Waste Collection Contract with Waste Management and the extension of the Stacked Condominium/City Building Refuse Collection Contract with PDC Services, Inc. was approved by roll call vote.

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

Nays: None.

(01-768) Consideration of a Motion to Reconsider the Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class O-2 (Exclusive Office Park) District for a PARKING LOT for Property Located at 402 N. PRYOR PLACE, with Condition.

Council Member Gulley moved to reconsider this item; seconded by Council Member Morris.

Council Member Sandberg stated he would be abstaining from the vote due to a business relationship.

Motion to reconsider this item was approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

Council Member Gulley moved to adopt the Ordinance granting a Special Use in a Class O-2 (Exclusive Office Park) District for a parking lot for property located at 402 N. Pryor Place, with condition, as amended by deleting Condition No. 2 which related to a ten-foot front yard along Pryor Place; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,226 granting a Special Use in a Class O-2 (Exclusive Office Park) District for a parking lot for property located at 402 N. Pryor Place, with condition, as amended by deleting Condition No. 2 which related to a ten-foot front yard along Pryor Place was approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

**(01-773) Consideration of a Motion to Reconsider STREET LIGHTING REQUESTS – 600
**** BLOCK N. E. WATER STREET and 2400 BLOCK N. SHERIDAN ROAD
 (Alley/Alley Intersection).**

Council Member Teplitz moved to reconsider the motion regarding Street Lighting Requests for the 600 Block of N. E. Water Street and the 2400 Block of N. Sheridan Road (Alley/Alley Intersection); seconded by Council Member Ardis.

Motion to reconsider was approved by roll call vote.

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

Nays: None.

Council Member Teplitz moved to approve Street Lighting Requests for the 600 Block of N. E. Water Street and the 2400 Block of N. Sheridan Road (Alley/Alley Intersection) and install a street light in the alley between McClure Avenue and McQueen Street, as requested, but increasing the lumen hps from 9500 to 16,000 lumen hps; seconded by Council member Ardis.

Director of Public Works Steve Van Winkle pointed out the costs would change from \$65.01 to \$71.37 for that item.

Motion to approve Street Lighting Requests for the 600 Block of N. E. Water Street and the 2400 Block of N. Sheridan Road (Alley/Alley Intersection) and install a street light in the alley between McClure Avenue and McQueen Street, as requested, but increasing the lumen hps from 9500 to 16,000 lumen hps was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

**(01-781) Communication from Finance Director/Comptroller with ORDINANCE Amending
 CHAPTER 27 of the Code of the City of Peoria Pertaining to TAXATION RATE
 for RETAILERS OCCUPATION TAX and SERVICE OCCUPATION TAX
 Adding a One Cent Sales Tax and with Motion to Approve.**

Finance Director/Comptroller Ellie Hogan distributed a revised Ordinance reflecting a half cent sales tax increase to all members of the Council.

Council Member Thetford moved for a substitute motion to adopt the revised Ordinance amending Chapter 27 of the Code of the City of Peoria pertaining to taxation rate for Retailers Occupation Tax and Service Occupation Tax adding a half cent sales tax, effective July 1, 2002; seconded by Council Member Teplitz.

ORDINANCE NO. 15,227 to reflect a half cent sales tax increase, was approved by roll call vote.

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

Nays: Ardis, Nichting, Sandberg Spears - 4.

(01-782) Communication from Finance Director/Comptroller with ORDINANCE Rescinding Ordinance No. 13,102, Providing for the Offer of a Rebate of the Home Rule Municipal Retailers Occupation Tax and the Home Rule Municipal Service Occupation Tax on Sales of Tangible Personal Property or Sales of Service Exceeding One Thousand Dollars (\$1,000.00) or Made by Mail Order.

Council Member Morris moved to receive and file the Ordinance rescinding Ordinance No. 13,102, providing for the offer of a rebate of the Home Rule Municipal Retailers Occupation Tax and the Home Rule Municipal Service Occupation Tax on sales of tangible personal property or sales of service exceed one thousand dollars (\$1,000.00) or made by mail order; seconded by Council Member Gulley.

Motion to receive and file was approved by roll call vote.

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

Nays: None.

(01-783) Communication from Finance Director/Comptroller with ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Relating to TRAFFIC and MOTOR VEHICLES and an INCREASE in FINES AND FEES.

Council Member Thetford moved to adopt the Ordinance amending Chapter 28 of the Code of the City of Peoria relating to traffic and motor vehicles and an increase in fines and fees, effective January 1, 2002; seconded by Council Member Teplitz.

ORDINANCE NO. 15,228 was approved by roll call vote.

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

Nays: None.

(01-784) Communication from Director of Human Resources and Finance Director/Comptroller with ORDINANCE Adopting an EARLY RETIREMENT INCENTIVE PROGRAM for EMPLOYEES.

Council Member Nichting moved to deny the Ordinance adopting an Early Retirement Incentive Program for employees; seconded by Council Member Sandberg.

Motion to DENY was approved by roll call vote.

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

Nays: None.

(01-785) REQUEST for Staff to Prepare a RESOLUTION Supporting a STATE OF ILLINOIS LOAN to KEYSTONE CONSOLIDATED INDUSTRIES, INC., and Present it for Consideration at the November 27, 2001, Council Meeting.

Council Member Spears moved to direct the Corporation Counsel to draft a Resolution supporting a State of Illinois loan to Keystone Consolidated Industries, Inc. and present it for consideration at the November 27, 2001, City Council Meeting; 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.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No citizens came forward.

EXECUTIVE SESSION

An Executive Session was not needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 9:25 P.M.

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

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