

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

Council Chambers, Peoria, Illinois, June 27, 2000, a Regular Meeting of the City Council was held this date at 6:16 P.M., at City Hall, 419 Fulton Street, Mayor Pro Tem Gale S. Thetford presiding.

**ROLL CALL**

Roll call showed the following Council Members present: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10; Absent: Mayor Grieves - 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Thetford requested a moment of silent prayer, and then led the Pledge of Allegiance.

**MINUTES**

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting and the Executive Sessions held on June 20, 2000, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

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

- (00-497) PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS: WEST AYRES AVENUE & WEST SHERMAN AVENUE ORNAMENTAL LIGHTING IMPROVEMENT PROJECT (Installing City of Peoria standard ornamental street lighting system, along with all necessary adjustments, incidentals and appurtenances.) OBERLANDER ELECTRIC – PAY ESTIMATE #3 & FINAL - \$39,354.23; TOTAL AUTHORIZATION APPROVED: \$39,354.23. (FOR INFORMATION ONLY)**
- (00-498) BID for PARKING METER MECHANISMS, COMMUNICATORS, HOUSINGS, TRAINING AND SOFTWARE, with Recommendations as Outlined.**  
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- (00-499) Communication from Fire Chief Requesting Approval to PURCHASE SEVEN ISG K-90 TALISMAN THERMAL IMAGING CAMERAS from a SOLE-SOURCE PROVIDER, MGS MARKETING, INC., in the Amount of \$102,200.00.**
- (00-500) Communication from Director of Public Works Requesting Authorization to PURCHASE Approximately 6,676 Square Feet of REAL ESTATE Located at 3109 N. UNIVERSITY STREET from AUTOZONE, INC., for the Amount of \$114,820.00 for Use as Right-of-Way for the WEST FORREST HILL AVENUE AND UNIVERSITY STREET INTERSECTION IMPROVEMENT PROJECT.**
- (00-501) Communication from Corporation Counsel with ORDINANCE Ascertaining the PREVAILING RATE OF WAGES for LABORERS, WORKMEN and MECHANICS Employed on Public Works in the City of Peoria.**  
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Council Member Grayeb moved to defer this item for six weeks until August 8, 2000; seconded by Council Member Spears.

In discussion with Council Member Ardis regarding the impact a delay would have on the proposed bid, City Manager Michael McKnight stated it was his understanding every available meter was being used for parking on the Riverfront and there was no backup which was the intent of this purchase. He said a decision would be needed soon.

Council Member Ardis suggested the deferral time be shortened.

Council Member Sandberg questioned if the bid period would be placed in jeopardy, if there was a deferral.

Mr. McKnight stated he was unsure when the bids were placed, but there was normally a 30 day holding period.

Council Member Sandberg moved for a substitute motion that this item be deferred for two weeks to allow the Administration to review the situation; seconded by Council Member Spears.

Motion to defer this item for two weeks until July 11, 2000, was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-501)      Communication from Corporation Counsel with ORDINANCE Ascertaining the  
\*\*            PREVAILING RATE OF WAGES for LABORERS, WORKMEN and  
              MECHANICS Employed on Public Works in the City of Peoria.**

Council Member Spears stated he would be abstaining from the discussion and vote due to his employment.

Council Member Nichting moved to adopt the Ordinance ascertaining the Prevailing Rate of Wages for Laborers, Workmen and Mechanics employed on Public Works in the City of Peoria; seconded by Council Member Turner.

ORDINANCE NO. 14,955 was adopted by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Turner, Mayor Pro Tem Thetford – 9;

Nays: None;

Abstention: Spears - 1.

**(00-505)      Communication from Director of Public Works Regarding the CONDITION of the  
\*\*\*            RIVER CENTER PARKING DECK (Formerly the Sears Deck).**

Council Member Sandberg moved to defer this item until the end of the meeting so discussion could be held when Director of Public Works Steve Van Winkle was present; seconded by Council Member Nichting.

Motion to defer this item until the end of the meeting was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

Clerk's Note: See Page 24793 for further discussion.

**(99-544) Communication from Director of Public Works Regarding GEOGRAPHIC  
\*\*\*\* INFORMATION SYSTEM (GIS) STATUS – REPORT BACK.**

In discussion with Council Member Nichting regarding the possible sale of GIS information, City Engineer Gene Hewitt stated there were communities and counties in the State that were currently charging for information from the costs to reproduce to the costs of recovery. He said the issue of charging for the information was still under consideration at the State level. He said there were desires on the part of the Municipal League and similar county associations to make changes in the Freedom of Information Act to address the issue directly so revenues could offset costs.

Corporation Counsel Randy Ray stated that while citizens were entitled to certain information from public bodies, the packaging of this was expensive for the municipality and there was a strong argument that municipalities should be able to charge for the information.

Mr. Hewitt stated they were doing everything possible to make the State Legislators aware of the problem.

Hearing no objections, Mayor Pro Tem Thetford granted Privilege of the Floor to Mr. Matt Jones.

Mr. Matt Jones, Attorney and part time lobbyist, discussed the passage of Bill #1582 and he said several governmental entities were attempting to address the same issues as presented by Mr. Hewitt. He said GIS could be a powerful and useful public tool, but units of local government faced the problems of expending great amounts of money to put things into a useful form and not being able to recoup the full costs of the value of that information. He said this was public information that the public had a right to, but the public did not necessarily have a right to ask for the information in a commercial viable format, and this was what was at issue. He said there had not been a consensus to be able to address this issue. He urged the Council to be cautious on the reliance of Bill #1582 and be cautious in assuming that full costs of a GIS program could be reimbursed. He said he would be continuing to work on this because of the importance of the issue.

Council Member Turner moved to receive and file the Geographic Information System (GIS) Status Report Back; seconded by Council Member Duncan.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-507) Communication from Director of Public Works Recommending Approval of the  
Following:**

**A. BIDS for FROSTWOOD PARKWAY EXTENSION PROJECT (to  
Charter Oak Road, Woodcrest Subdivision), Recommending the Low bid of  
OTTO BAUM COMPANY, INC., in the Amount of \$1,047,304.30;**

Following a brief explanation by the Director of Public Works Steve Van Winkle, Council Member Nichting moved to approve the low bid of Otto Baum Company, Inc., in the amount of \$1,047,304.30, for Frostwood Parkway Extension Project (to Charter Oak Road, Woodcrest Subdivision); seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**B. CONSTRUCTION AGREEMENT with ILLINOIS-AMERICAN WATER COMPANY for Water Main Extension and Transfer of Ownership, and Authorize the City Manager to Execute the Agreement.**

Council Member Nichting moved to approve the construction agreement with Illinois-American Water Company for water main extension and transfer of ownership, and authorize the City Manager to execute the agreement; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-508) Communication from Director of Public Works Requesting Approval of the CONTRACT with ZUMWALT AND ASSOCIATES, INC. to Provide Consulting Services for Construction Staking, Construction Observation, and Testing Services for the FROSTWOOD PARKWAY EXTENSION PROJECT.**

Council Member Nichting moved to approve the contract with Zumwalt and Associates, Inc. to provide consulting services for construction staking, construction observation, and testing services for the Frostwood Parkway Extension Project; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-509) Communication from Corporation Counsel Requesting Approval of the AGREEMENT with PEORIA CONVENTION AND VISITORS BUREAU, the AMENDMENT to the 1996 INTERGOVERNMENTAL AGREEMENT Between the City and the Peoria Civic Center Authority, and Authorize the City Manager to Execute these Documents.**

Charts showing the impact of PACVB marketing efforts, a comparison of CVBs competing in the same markets as PACVB, and PACVB office space comparisons for the year 2000 was distributed to all members of the City Council.

Hearing no objections, Mayor Pro Tem Thetford granted Privilege of the Floor to Mr. Brad McMillan.

Mr. Brad McMillan, 502 W. Richwoods, Chairman of the Peoria Area Visitors and Conventions Bureau, discussed PACVB's need to move to the Twin Towers. He explained the biggest portion of their business was booking conventions for the Civic Center so the Twin Towers location would be ideal. He further stated the Bureau received only 49% of its funding from the Hotel tax in comparison to other similarly situated communities which received a much greater percentage of their Hotel tax. He added with the additional 4% over the six year period, the Bureau would then own the new space.

Council Member Grayeb moved to approve the agreement with the Peoria Area Convention and Visitors Bureau, approve the amendment to the 1996 intergovernmental agreement between the City and the Peoria Civic Center Authority, and authorize the City Manager to execute these documents; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-510) Communication from Director of Public Works with ORDINANCE Amending ARTICLES I & II of Chapter 14 of the Code of the City of Peoria Regarding the HARBOR to Allow Watercraft other than Steamboats to Dock at the Public Landing, Provide a Fee Schedule for Paid Docking, and Establish the Authority for Issuance of Citations by Parking Enforcement Officers.**

Council Member Grayeb requested that the Council consider the ramifications of this before a decision was made. He suggested that a sign be posted notifying the public how long parking was permitted and then, if the boat was docked longer than permitted, tickets would be issued. He indicated he felt this was premature. He said he felt parking fees were never intended to be revenue raisers, but only to encourage turn over. He said he felt parking fees for boats and for Riverfront parking made it difficult for people to access the Riverfront.

Council Member Turner expressed concern that extra parking enforcement personnel would have to be present on the Riverfront to enforce the Ordinance.

Council Member Gibson indicated parking fees for boats was a different situation compared to on-street parking fees. She agreed on-street parking fees were initiated to encourage turn over. She questioned if the parking fees for boats were planned for from the inception of the Riverfront marina, why was revenue enhancement needed, how were the docks being utilized and was there a problem with turn over, and the costs for personnel to police the boat dock area. She further questioned if there was any other way to handle this matter. She said the boat docks had not been on the Riverfront too long and until the Council was sure there was an absolute need for these charges and monitoring, she suggested that the City proceed slowly.

Council Member Sandberg stated it was his understanding the proposed fees had been discussed early in the process during the construction as an initial funding revenue source.

Mr. McKnight agreed this issue had been discussed, although the revenue projected was not too much. He further agreed this revenue was factored into the project, but he did not feel the fees needed to begin immediately. He stated he felt eventually there would be more congestion in the docking area, if the Riverfront continued to grow as planned.

Council Member Sandberg spoke in support of the proposed Ordinance. He pointed out the dock parking equipment had already been purchased and boat docking fees had been planned for years.

Director of Public Works Steve Van Winkle discussed the expense of both marinas on the Riverfront. He said it had been anticipated to charge for boat parking since the inception of the plan. He said it was felt this would be consistent with the other parking issues on the Riverfront. He said with the Council's approval of the purchase for equipment and the plans that proceeded the proposed Ordinance, he was led to believe the Council was in agreement with the concept. He said it would be more difficult to manage parking at the boat docks without charging for parking, and enforcement would still be required. He questioned if the Council agreed with the parking amounts proposed in the Ordinance. He added there were very few public operated marinas to compare this to and most were permit oriented.

Council Member Duncan moved to adopt the Ordinance amending Articles I & II of Chapter 14 of the Code of the City of Peoria regarding the Harbor to allow watercraft other than steamboats to dock at the public landing, provide a fee schedule for paid docking, and establish the authority for issuance of citations by Parking Enforcement Officers; seconded by Council Member Sandberg.

In discussion with Council Member Spears, Mr. McKnight indicated this project was funded by the gaming receipts and a bond issue in 1997. Mr. Van Winkle added that it was difficult to project revenue from boat docking fees, since there was no previous experience to draw from.

Council Member Spears requested a report back regarding the projected revenue that was anticipated from boat docking fees that was reflected in the City's Budget. He said he supported the idea of a user fee and the turn over idea, but he said he would support a sign regulating parking, rather than meters. He indicated he felt the City should move slowly into charging for boat docking. He suggested that if revenue was projected in the 2000 Budget, the Budget may have to be adjusted if no parking fees were received. He suggested a deferral so more information could be obtained.

Motion to adopt ORDINANCE NO. 14,956 amending Articles I & II of Chapter 14 of the Code of the City of Peoria regarding the Harbor to allow watercraft other than steamboats to dock at the public landing, provide a fee schedule for paid docking, and establish the authority for issuance of citations by Parking Enforcement Officers was approved by roll call vote.

Yeas: Ardis, Duncan, Morris, Nichting, Sandberg, Mayor Pro Tem Thetford – 6;

Nays: Gibson, Grayeb, Spears, Turner – 4.

**(00-511) CITY MANAGER REPORT TO CITY COUNCIL.**

Council Member Duncan moved to receive and file the City Manager Report to the City Council; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**UNFINISHED BUSINESS**

**(00-026) Communication from Director of Public Works with REPORT BACK Regarding PEORIA CHRISTIAN SCHOOL TRAFFIC ISSUES, with Recommendations.**

Director of Public Works Steve Van Winkle said this was a semi-final report, which covered most of the issue, but there were still some things that needed to be worked out with the school. He said Peoria Christian School was ever changing and expanding, and it was his intent to plan ahead so anticipated issues could be addressed early to eliminate potential problems regarding traffic, etc. He said it was apparent a traffic signal at War Memorial and California would be needed and that request was being made to IDOT. He added his Department would be doing some things between Forrest Hill and War Memorial Drive to discourage cut-through traffic and better control speed. He further discussed Indiana Street and traffic control devices. He also discussed the intent of the school to transport students from one school to the other school on Monroe. He expressed concern that additional congestion would be caused by all students being dropped off at an already crowded location. He said this would be further discussed with school officials.

Council Member Duncan moved to approve the recommendations outlined in the Council communication regarding Peoria Christian School; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-365) Communication from Director of Planning and Growth Management with Recommendations from the Neighborhood Development Commission Regarding the ALLOCATION of AVAILABLE AND ADDITIONAL ENTITLEMENT FUNDS. (New Communication)**

Council Member Morris moved to approve the recommendations from the Neighborhood Development Commission regarding the allocation of available and additional entitlement funds; seconded by Council Member Nichting.

Council Member Turner clarified that the Summer Youth Program he supported was endorsed by the Neighborhood Development Commission, but funding came by City Manager Michael McKnight finding a funding source for the program. He thanked Mr. McKnight for his assistance.

In discussion with Council Member Duncan, Assistant Director of Planning and Growth Management Pat Landes confirmed that funding for the Spring Street Greenway was \$70,000 rather than \$10,000.

Council Member Sandberg stated he would be abstaining from discussion and voting due to a business relationship.

Motion to approve the recommendations from the Neighborhood Development Commission regarding the allocation of available and additional entitlement funds was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Spears, Turner, Mayor Pro Tem Thetford – 9;

Nays: None;

Abstention: Sandberg - 1.

**(00-489) Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class C-1 District (General Commercial) for a BEER GARDEN for the Property Located at 426 E. WAR MEMORIAL DRIVE, with Conditions.**

City Clerk Mary Haynes stated the motion on the floor was to adopt the Ordinance granting a Special Use in a Class C-1 District (General Commercial) for a Beer Garden for property located at 426 E. War Memorial Drive, with conditions, to include a condition that there be no music whatsoever, live or electronic, or an exterior speaker system.

Council Member Sandberg moved to grant Privilege of the Floor to those who wished to address this issue; seconded by Council Member Grayeb.

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

Mr. Dan Cusack, Attorney for Crusens, explained their plan for a Beer Garden which would have no music and would hold 60 people. He said the Beer Garden would be surrounded by a six foot fence located in the farthest possible area away from the neighborhood. He presented Petitions, bearing 504 signatures supporting a Beer Garden and two letters of support to the City Clerk.

In discussion with Council Member Duncan, Mr. Cusack stated that the Petitions were signed by Crusens' customers, with some customers also being neighborhood residents.

Council Member Duncan suggested if the proposed Ordinance was approved, the Beer Garden should close at 10:00 P.M.

Mr. Cusack expressed concern that 10:00 P.M. was too early since many of Crusens' customers were ball players from across the street at Peoria Stadium.



Mr. Holland Perkins, owner of property adjacent to Crusens, expressed concern regarding people drinking and becoming rowdy outside the establishment, which caused property damage to his property and disturbance late at night. He said music from inside Crusens could be heard throughout the neighborhood.

Ms. Jill Perlier, Paris Street, spoke in support of Crusens being granted a Beer Garden. She said she could not hear noise or loud music that supposedly was a problem even though she spent a great deal of time outdoors in the evening. She added that a great deal of traffic was going to the tanning salon next door to Crusens.

Mr. Ron Jones, 616 E. Paris, spoke in opposition to any Beer Garden being located in the neighborhood. He said the neighborhood had not been informed about the proposed Beer Garden and only heard about it by accident. He urged the Council to vote against the Ordinance, but he said if the Ordinance was approved, the Beer Garden should not be open later than 10:00 P.M.

Ms. Patricia Nichols, 513 E. Paris, expressed concern regarding property damage caused by patrons of Crusens and late night noise. She indicated she was concerned about safety in the neighborhood for her children. She urged the Council to vote against the requested Beer Garden.

Mr. Lester Peebles spoke in support of the Crusens establishment and stated it was his opinion that Crusens tried to be a good neighbor and they cared about the neighborhood.

Ms. Monica Jones, 616 E. Paris, said she obtained a list of police calls for the last three years for the Crusens establishment. She said there had been 194 police calls and she read a list of the different violations, which included fights, aggravated battery, vehicle burglaries, guns, vandalism, etc.. She said these calls did not include the police calls in the 400 to 900 Blocks of Paris. She said she did not want this kind of activity in her neighborhood. She urged the Council to vote against the proposed ordinance.

Ms. Vinita Sargeant, 615 E. Paris, expressed concern regarding traffic caused by the Crusens establishment and she said residents of the neighborhood had lived with this problem a long time. She said her children and other pedestrians were not safe and the traffic caused problems for the neighborhood. She urged the Council not to support the requested Beer Garden.

Mr. Joe Montgomery, 424 E. Paris, questioned when would the Council's support of Crusens' activities end. He described property damage which had been caused by patrons of the establishment, noise and traffic problems. He urged the Council to vote no.

Mr. Don Crusen, co-owner of Crusens, explained the operation of his establishment and he indicated he felt he had listened to the concerns of the neighborhood in the past. He discussed the improvements he had made to the property to enhance the neighborhood. He said he placed the majority of the calls to the Police for them to come to his establishment. He urged the Council to approve the Ordinance allowing a Beer Garden on his property.

In discussion with Council Member Ardis, Mr. Crusen said in fifteen years, he had one violation which regarded the sale of alcohol to a minor and he had placed the call to the Police himself.

A Citizen said he had improved his property, but there were no sidewalks in the neighborhood. He said he was concerned about safety issues for children and other pedestrians in the neighborhood because of the traffic caused by Crusens' patrons. He also stated there were noise problems for the neighborhood. He urged the Council to listen to the neighborhood residents.

Ms. Feliza Hannah, 429 E. Paris, expressed concern regarding safety for her children. She said vehicles had driven through her yard, trash had been thrown in her yard, and there were considerable noise problems coming from the Crusens establishment.

Mr. Jim Bachman, 3216 N. California, said he lived three blocks from Crusens and he was concerned about the traffic problems caused by Crusen patrons. He said trash was thrown in his yard.

Mr. Bill King said he had known the Crusen family many years and he knew them to be responsible business owners. He said the Council should support their request since they paid a great deal of taxes to the City and this was a locally owned establishment.

Council Member Turner discussed his commitment to neighborhoods. He said he found Crusens to be a fine establishment, but that was not what was at issue, and he indicated he would have to support what he was hearing from the residents who lived nearby.

Following further discussion, Council Member Duncan moved to grant Privilege of the Floor to Ms. Monica Jones; seconded by Council Member Sandberg.

Hearing no other objections, Mayor Pro Tem Thetford granted Privilege of the Floor to Ms. Monica Jones.

Ms. Monica Jones, 616 E. Paris, pointed out that many of the residents of the neighborhood had called the Police about noise and problems with Crusens. She also stated that residents of the neighborhood also paid taxes to the City.

Ms. Karen Urquhart, Manager of Crusens for ten years, spoke in support of the Crusens establishment. She said the Beer Garden would provide additional seating and she urged the Council's support.

Mr. Steve Crusen, Co-owner of Crusens, said their establishment had tried to work with the neighborhood, they had improved their property, and he felt a Beer Garden would not be a detriment.

Ms. Eva Jackson, Paris Street, expressed concern regarding the safety of the neighborhood and safety for pedestrians. She urged the Council to vote no.

Mayor Pro Tem Thetford agreed that these neighborhoods needed sidewalks for pedestrians to walk more safely. She indicated that she had not received any calls about the problems she was listening to at this meeting. She also indicated that she did not feel some of the problems addressed were caused by Crusens alone. She also agreed that noise problems needed to be addressed.

Council Member Sandberg moved for a substitute motion to adopt the Ordinance granting a Special Use in a Class C-1 District (General Commercial) for a Beer Garden for property located at 426 E. War Memorial Drive, with conditions, to include a condition that there be no music whatsoever, live or electronic, or an exterior speaker system in the Beer Garden, per the submitted site plan and that the Beer Garden close two hours prior to the closing of the tavern; seconded by Council Member Ardis.

ORDINANCE NO. 14,957, as amended, was adopted by roll call vote.

Yeas: Ardis, Gibson, Morris, Nichting, Sandberg, Spears, Mayor Pro Tem Thetford – 7;

Nays: Duncan, Grayeb, Turner - 3.

**(00-505)      Communication from Director of Public Works Regarding the CONDITION of the  
\*\*\*           RIVER CENTER PARKING DECK (Formerly the Sears Deck).**

Following a brief clarification regarding the number of committed spaces, Council Member Sandberg moved to receive and file the communication regarding the condition of River Center Parking Deck (formerly the Sears Deck); seconded by Council Member Duncan.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

NEW BUSINESSCOMMENTS REGARDING THE CITY'S 1999 ANNUAL REPORT

Council Member Duncan commended the City Manager on the appearance and information in the City's 1999 Annual Report.

City Manager Michael McKnight stated the quality of the annual report had gone up, but the price had remained almost the same at \$9,100.00.

**(00-512) CONSIDERATION of a MOTION to CANCEL the REGULAR CITY COUNCIL MEETING SCHEDULED for JULY 4, 2000.**

Council Member Nichting moved to cancel the Regular City Council Meeting scheduled for July 4, 2000; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**(00-513) REQUEST for REPORT BACK Regarding the MONROE STREET SIDEWALK PROJECT.**

Mayor Pro Tem Thetford requested a report back regarding the status of the Monroe Street Sidewalk Project.

**(00-514) REQUEST for REPORT BACK Regarding How BASKETBALL HOOPS Being Placed on City Streets were Being Enforced.**

Mayor Pro Tem Thetford referred to the issue of basketball hoops being located on the streets of Peoria, and she requested a report back regarding how this was being handled.

**(00-515) REQUEST for COUNCIL DISCUSSION Regarding NOISE PROBLEMS**

Mayor Pro Tem Thetford referred to noise problems in neighborhoods, and the return of those same problems after the Police had been called. She said this, along with enforcement, should be discussed by the Council.

**(00-516) REQUEST for REPORT BACK Regarding the Possibility of Establishing a SPECIAL SERVICE DISTRICT to Assist with Funding of the Stadium.**

Council Member Spears moved for a Report Back regarding funding for the Stadium and if there would be a possibility to use a Special Service District which would include Washington Street, Oak Street, along John Gwynn Avenue, Kumpf Boulevard to Monroe, Monroe down to I-74 to Washington, to help fund the Stadium; seconded by Council Member Sandberg.

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

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 9;

Nays: None;

Abstention: Nichting - 1.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL****(00-517) REQUEST by MR. DEL BERTSCHY to Address the Council Regarding WHISPERING POINT APARTMENTS near WEAVERRIDGE.**

Mr. Del Bertschy, 4415 W. Longmeadow Court, requested a ruling from the Legal Department whether or not the proposed Whispering Point rentals and the plan for those apartments were considered a Special Use or not. He expressed concern that this question had not yet been answered. He said this would assist the neighborhood in making their plan to oppose the project.

In discussion with Council Member Nichting, Corporation Counsel Randy Ray said he expected a decision would be made prior to the Council voting. He said he felt, at this time, he would be able to report back on July 11, 2000. He said he expected the site plan to come before the Council on July 18, 2000.

Council Member Nichting moved to request a report back regarding a ruling from the Legal Department whether or not the proposed Whispering Point rentals and the plan for those apartments was considered as a Special Use or not; seconded by Council Member Sandberg.

Council Member Nichting requested that the report back include the definition of "senior living" and was this a definition used by the State, just locally, or nationally. The seconder agreed.

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

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

Mr. Bertschy requested an updated plan so they would understand what was being considered.

**EXECUTIVE SESSION****(00-518) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(5) The purchase or lease of real property for the use of the public body.**

Council Member Nichting moved that the Council go into an Executive Session to discuss 2(c)(5) The purchase or lease of real property for the use of the public body; seconded by Council Member Ardis.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Turner, Mayor Pro Tem Thetford – 10;

Nays: None.

**ADJOURNMENT**

Council Member Sandberg moved to adjourn the Council Meeting; seconded by Council Member Duncan.

Approved by viva voce vote.

The Council Meeting adjourned at 9:10 P.M.

