

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

Council Chambers, Peoria, Illinois, August 15, 2000, a Regular Meeting of the City Council was held this date at 6:20 P.M., at City Hall, 419 Fulton Street, Mayor Lowell G. Grieves presiding.

ROLL CALL

Roll call showed the following Council Members present: Ardis, Duncan (left at 9:55 P.M.), Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Grieves requested a moment of silent prayer, and then led the Pledge of Allegiance.

WORD OF THE WEEK “IMPARTIAL”**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: PEORIA JAYCEES WEEK – August 14-20, 2000

MINUTES

Council Member Nichting moved to approve the Minutes of the Executive Session and the Regular City Council Meeting on July 25, 2000, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner,
Mayor Grieves – 11;

Nays: None.

REQUEST TO MOVE AGENDA ITEM

Council Member Nichting moved to bring Unfinished Business Item No. 99-812 forward on the Council Agenda to be discussed at this time; seconded by Council Member Duncan.

Several Council Members expressed concern that there were citizens interested in this item who had not yet arrived, and citizens had been informed that this item would be near the end of the Agenda.

Motion to move Unfinished Business Item No. 99-812 forward on the Council Agenda was
DEFEATED by roll call vote.

Yeas: Duncan, Gibson, Nichting, Turner, Mayor Grieves – 5;

Nays: Ardis, Grayeb, Morris, Sandberg, Spears, Thetford - 6.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(00-600) Communication from Council Member Grayeb Requesting Placement on the Agenda of a Communication from Corporation Counsel Requesting Authorization for the City Manager to Execute the AMENDMENT to the 1996 INTER-GOVERNMENTAL AGREEMENT with PEORIA CIVIC CENTER AUTHORITY to Allocate 2.5% of Collected Restaurant Tax to ARTSPARTNERS.

Council Member Grayeb gave a brief overview of the request of 2.5% of collected restaurant tax to be used for the promotion, marketing and support of cultural arts programs and activities to increase tourism

and maintain a strong cultural base in the community. He said this would take effect September 1, 2000, for a period of two years, renewable biannually by discretion of the Council.

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

Hearing no objections, Mayor Grieves granted Privilege of the Floor to those who wished to address the Council.

Ms. Rebecca Bourland, President of the Board of Directors for Artspartners of Central Illinois, Inc., introduced members of the Board who were in attendance. She gave a brief history of the task force and she discussed her belief that arts and cultural activities had a great economic impact on a community. She said Artspartners were working to bring state art conventions to the City and other events that were presently being cultivated. She said she felt this money was not a contribution, but an investment in the community.

In discussion with Council Member Grayeb, Ms. Bourland indicated that Artspartners would report to the Civic Center Authority and the City Council quarterly, or more often if necessary.

Council Member Grayeb moved to authorize the City Manager to execute the amendment to the 1996 Intergovernmental Agreement with the Peoria Civic Center Authority to allocate 2.5% of collected restaurant tax to Artspartners; seconded by Council Member Morris.

Council Member Gibson spoke in support of Artspartners and their proposed concept. She expressed concern there was no provision in the proposed document for accountability or reporting. She said if the agreement was passed as proposed, this allocation would be the only use of public funds that would have no formal reporting system between the group and a public body. She said she felt this needed to be addressed. She also said there was a lack of specifics in measurable goals and objectives. She said it was her understanding that the group was in the process of formulating goals and objectives, but she felt some specifics needed to be a part of the motion. She suggested a friendly amendment to the motion to include that Artspartners come back before the Council in a three month period with a proposal of accountability of funds, a reporting relationship and a proposal for measurable goals and objectives.

Council Member Grayeb, and the seconder, agreed to the friendly amendment.

Council Member Thetford requested a friendly amendment to the motion that Artspartners should have a Council liaison appointed to their Board.

Council Member Grayeb, and the seconder, agreed to the friendly amendment.

Discussion was held regarding whether or not this item should be deferred. Council Member Spears, as well as other Council Members, felt that Artspartners should present a plan to the Council before any funds were expended to them.

Ms. Bourland assured the Council that a plan and reporting mechanism was in place. She explained there was a two-year program of work and many of the items were specifically measurable. She said there were some programs not measurable, such as setting up their web site, installing the 800 arts line, etc., but she said the Board would provide progress reports and results of these programs. She said the reporting mechanism was in place and she said the Board would be glad to report quarterly. She added a liaison would be welcomed from the City Council, as well as the Civic Center Authority.

Council Member Nichting requested a friendly amendment to add a condition that Artspartners present a copy of their budget and plan to the City Council at the August 22, 2000, Council Meeting.

Council Member Grayeb, and the seconder, agreed.

Mr. Frank Renner, President of the Civic Center Authority, said it was understood this would be a diversion of funds, but he felt Artspartners would be addressing a portion of the charge given to the Civic Center to increase the cultural arts experience in Peoria. He said he felt this was an extension of the Civic Center's mission. He said the Civic Center was prepared to forego approximately \$90,000 per year for two years to engage in this experiment.

Motion to authorize the City Manager to execute the amendment to the 1996 Intergovernmental Agreement with the Peoria Civic Center Authority to allocate 2.5% of collected restaurant tax to Artspartners, as amended, with a condition that Artspartners present their budget and plan to the City Council at the August 22, 2000, Council Meeting, a proposal of accountability of funds, a reporting relationship and a proposal for measurable goals and objectives, and that Artspartners have a Council liaison appointed to their Board was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-601) Communication from Finance Director/Comptroller Regarding CITY OF PEORIA AUDIT PRESENTATION.

Hearing no objections, Mayor Grieves granted Privilege of the Floor to Ms. Helen Barrick.

Ms. Helen Barrick, representing auditors Clifton Gunderson L.L.C., discussed the 1999 Financial Statements. She pointed out the opinion, regarding the financial statements, was unqualified as it pertained to the primary government financial statements of the City of Peoria. She said this was the best opinion to be received by the City. She said it meant that the financial statements were presented fairly in accordance with general accepted accounting principals. She said this was the fourth year the City had received the unqualified opinion.

Ms. Barrick referred to the management letter and she said there were several items that needed improvement in the accounting system. She said there were no material weaknesses. She added there were no specific findings in the single audit regarding federal programs and all had clean opinions.

Mayor Grieves pointed out the City's reliance on real estate tax had dropped since the early 90's. He further discussed the expenses of the Police Department and the steady increase in the department. He added that the benefits lead by health insurance was also a big percentage increase.

City Manager Michael McKnight commended Finance Director/Comptroller Ellie Hogan and her Staff for their efforts.

In discussion with Council Member Thetford regarding CIP audits, Ms. Barrick indicated that multi-year audits on particular programs would be difficult for them to accomplish. She indicated the Finance Department would be able to review any given multi-year project by project code.

Mr. McKnight clarified the Semi-Annual Capital Expenditure Report was initiated to address this issue. He said the report indicated a project's budget and the current status to satisfy this concern.

Council Member Nichting moved to receive and file the City of Peoria Audit Presentation; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE:

- (00-602) **Communication from Superintendent of Police Requesting Authorization to CONTRACT with SUPREME RADIO, in the Amount of \$19,500.00, for the INSTALLATION of 30 LAPTOP COMPUTERS and to PURCHASE RECHARGEABLE FLASHLIGHTS from CUSTOM ORDERED, in the Amount of \$14,067.02, Using Tech Grant III Funding.**
- (00-603) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: WILLIAM KUMPF BOULEVARD ORNAMENTAL STREET LIGHTING IMPROVEMENT (Adams Street to Main Street) (Install City Std. Ornamental lighting system, rewiring of existing davit lighting system, install electric conductors, conduits, handholes, and electrical junction boxes.) OBERLANDER ELECTRIC – PAY ESTIMATE #4 and FINAL - \$4,016.88; TOTAL AUTHORIZATION APPROVED: \$4,016.88. (For Information Only)**
- (00-604) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: MacARTHUR HIGHWAY GREENWAY - PHASE III (Hurlburt Street to McBean Street) (Removal of existing curb, sidewalk and driveway approach pavement and construction of PCC curb, sidewalk, combination curb & sidewalk, and driveway pavement; planting trees; additionally, installation of conduit, street light foundations and concrete handholes for a proposed lighting system will be installed.) P.J. HOERR, INC. - PAY ESTIMATE #4 and FINAL - \$4,301.20: TOTAL AUTHORIZATION APPROVED: \$4,301.20. (For Information Only)**
- (00-605) **PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: MacARTHUR - R.B. GARRETT OFF-RAMP & INTERSECTION IMPROVEMENT (Construction of concrete retaining walls for right turn lane from MacArthur Highway Bridge (southbound), realigning & constructing new 10" p.c.c. pavement on Richard Allen Dr. & Saratoga Street, widening & constructing new 10" p.c.c. pavement on R.B. Garrett Avenue connecting Saratoga to Fourth, constructing new p.c.c. drives & sidewalks, along with new storm sewers and replacing street lighting system.) - OTTO BAUM COMPANY, INC.- PAY ESTIMATE #8: \$56,739.07; R.B. GARRETT AVENUE WIDENING IMPROVEMENT (RICHARD ALLEN DR. TO WILLIAM KUMPF BLVD.) (Widening existing pavement on Garrett Avenue to 55'; New combination concrete curb & gutter, p.c.c. drives and sidewalks; New storm sewers; Replacing existing street lights with combination ornamental/street lighting system; Widening intersection approach at Kumpf Blvd. to match existing pavement; modifying existing traffic signals for new intersection width; and Landscaping parkway with trees and sod.) - R.A. CULLINAN & SON, INC. - PAY ESTIMATE #1: \$95,337.71; TOTAL AUTHORIZATION APPROVED: \$152,076.78. (For Information Only)**
- (00-606) **Communication from Director of Public Works Requesting Approval of the Developer's Request to Provide RIGHT OF WAY USAGE at the 401 WATER STREET PROJECT, as Outlined.**
*
- (00-607) **Communication from Director of Public Works Requesting Approval of a CONTRACT with HANSON ENGINEERS, INC., in an Amount Not to Exceed \$15,600.00 to Develop Plans for Slope Repair on RAVINSWOOD ROAD.**
- (00-608) **Communication from Corporation Counsel with RESOLUTION NO. 00-608 Amending Resolution No. 00-465 Expressing OFFICIAL INTENT Regarding Expenditures to Be Reimbursed from Proceeds of an Obligation - O'BRIEN ENTERPRISES, L.L.C.**

- (00-609) **Communication from Director of Planning and Growth Management Recommending Approval of the Following:**
- A. RESOLUTION NO. 00-609 Approving the PRELIMINARY and FINAL PLAN of KNOXVILLE POINTE CONDOMINIUMS, a Multi-Family Development Located East of Northtrail Meadows Subdivision and South of Hickory Grove Road;**
 - B. ORDINANCE NO. 14,972 Approving the PRIVATE STREETS, PRIVATE STREET NAMES and PRIVATE STREET MAINTENANCE AGREEMENT for “ASTER LANE”, “DAISEY DRIVE”, “TULIP TRAIL” and “SUNFLOWER STREET.”**
- (00-610) **Communication from Director of Public Works with ORDINANCE NO. 14,973 VACATING all of the ALLEY in the Remaining Part of BLOCK 11 of EAST CLARENDON SUBDIVISION, Lying East of Ellis Street and West of Woodruff Boulevard.**
- (00-611) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 14,974 Amending Ordinance No. 14,860, an EXISTING SPECIAL USE in a Class R-4 District (Single Family Residential) for CHURCH FACILITIES to Include a PARKING LOT for the Property Located at 1820 N. ELLIS STREET, 514, 603 W. NEBRASKA AVENUE, with Conditions.**
- (00-612) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 14,975 Approving the FINAL PLAT of CHURCHILL PARK EXTENSION NO. THREE, a Single-Family Residential Subdivision Located North of Alta Road and to the West of Churchill Park Subdivision.**
- (00-613) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 14,976 Approving the FINAL PLAT of DOVER POINTE SECTION EIGHT, a Single-Family Residential Subdivision Located North of Wilhelm Road and to the East of Allen Road.**
- (00-614) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 14,977 Approving with a VARIANCE the FINAL PLAT of FIELDSTONE ESTATES EXTENSION NO. ONE, A Re-Subdivision of Lot 83C and Outlot “F” of Fieldstone Estates, a Residential Subdivision Located to the East of Orange Prairie Road, to the West of Stalworth Drive and South of Flagstone Drive.**
- (00-615) **Communication from Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Award \$157,800.00 of HOME FUNDS for Year 2000 CHDO (Community Housing Development Organization) Investment to the East Bluff Neighborhood Housing Services (EBNHS), Subject to Staff Review in December, 2000.**
- (00-616) **Communication from Director of Planning and Growth Management regarding DESIGN GUIDELINES for PEORIA’S LOCAL HISTORIC DISTRICTS AND LANDMARKS. (For Information Only)**
- (00-617) **Communication from Fire Chief Regarding MORATORIUM on HAZARDOUS MATERIAL PERMITS for Special Events.**

- (00-618) APPOINTMENT and REAPPOINTMENT by Mayor Lowell G. Grieves to the
** RIVERFRONT BUSINESS DISTRICT COMMISSION:**

Appointment: Dr. Gary W. Lasken

Reappointment: Mr. Joseph T. Henderson

- (00-619) REAPPOINTMENT by Mayor Lowell G. Grieves to the CIVIC CENTER
AUTHORITY:**

Dr. Peter J. Couri, Jr.

- (00-620) REAPPOINTMENTS by Mayor Lowell G. Grieves to the COMBINED
CONSTRUCTION COMMISSION EXECUTIVE COUNCIL:**

**Mr. Mark Ackerman
Mr. Mike Lewis**

- (00-621) Communication from Labor Co-Chairs Regarding 2000 FIRST QUARTER &
MID-YEAR HEALTHCARE REPORTS. (For Information Only)**

- (00-622) REPORTS:**

A. CITY TREASURER'S REPORT - JUNE, 2000

**B. Communication from Finance Director/Comptroller Regarding JUNE 2000
REVENUE and OPERATING EXPENDITURE REPORT – UNAUDITED.**

CONSIDERATION OF REPORT BACKS AS FOLLOWS:

- (00-538) Communication from Director of Planning and Growth Management with
REPORT BACK Regarding RECREATION FEE ACCOUNT BALANCE.**

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

On behalf of Mayor Grieves and Director of Public Works Steve Van Winkle, Council Member Nichting requested that Item No. 00-606 be removed from the Consent Agenda for further discussion.

Council Member Morris requested that Item No. 00-618 be removed from the Consent Agenda for further discussion.

Item Nos. 00-602 through 00-622, and 00-538 (excluding Item Nos. 00-606 and 00-618 which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- (00-606) Communication from Director of Public Works Requesting Approval of the
* Developer's Request to Provide RIGHT OF WAY USAGE at the 401 WATER
STREET PROJECT, as Outlined.**

Mayor Grieves stated he would be abstaining from discussion and the vote due to his business interests on the Riverfront.

Director of Public Works Steve Van Winkle referred to the recommendation on the Council communication and requested that the recommendation be changed to read "The Administration respectfully requests the City Council's approval of the developer's request to provide access to the first floor of the 401 Water Street project along Harrison Street via a raised sidewalk four feet (4') in width, an awning six feet (6') in width located within the public right-of-way of Harrison Street and Water Street, balconies extending six feet (6') within the public right-of-way along both Water and Harrison Streets, and authorize the administration to develop, execute, and record an agreement for right-of-way usage covering this work."

Mr. Van Winkle referred to the drawing and stairs with a raised platform along Water Street, and he said this was not included in the recommendation so the stairs with a raised platform should not be considered.

Council Member Nichting moved to approve the developer's request to provide access to the first floor of the 401 Water Street project along Harrison Street via a raised sidewalk four feet (4') in width, an awning six feet (6') in width located within the public right-of-way of Harrison Street and Water Street, balconies extending six feet (6') within the public right-of-way along both Water and Harrison Streets, and authorize the administration to develop, execute, and record an agreement for right-of-way usage covering this work, and discard the stairs with a raised platform as outlined in the drawing; seconded by Council Member Thetford.

Approved by roll call vote, as amended.

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

Nays: None;

Abstention: Mayor Grieves - 1.

**(00-618) APPOINTMENT and REAPPOINTMENT by Mayor Lowell G. Grieves to the
** RIVERFRONT BUSINESS DISTRICT COMMISSION:**

Appointment: Dr. Gary W. Lasken

Reappointment: Mr. Joseph T. Henderson

Following a brief clarification, Council Member Morris moved to concur with the appointment of Dr. Gary W. Lasken and the reappointment of Mr. Joseph T. Henderson to the Riverfront Business District Commission; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

**(00-623) BID for SALT CONVEYOR, Recommending the Bid of KIMCO USA, in the
Amount of \$60,750.00, for Installation of a SALT CONVEYOR for the Existing Salt
Dome at the City of Peoria Public Works Facility, Located at 3505 N. DRIES
LANE.**

Council Member Nichting moved to accept the bid of Kimco USA for a salt conveyor, in the amount of \$60,750.00, for the existing dome at the City of Peoria Public Works Facility, located at 3505 N. Dries Lane; seconded by Council Member Ardis.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- (00-624) Communication from Director of Public Works Requesting to Award the SOLE SOURCE Proposal in the Amount of \$23,205.00 for STRUCTURAL RETROFIT of EXISTING DOME at the City of Peoria Public Works Facility, Located at 3505 N. DRIES LANE.**

Council Member Nichting moved to award the sole source proposal, in the amount of \$23,205.00, for structural retrofit of the existing dome at the City of Peoria Public Works Facility, located at 3505 N. Dries Lane; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- (00-625) Communication from Director of Planning and Growth Management with RESOLUTION Approving the PRELIMINARY PLAT of KNOXVILLE PLACE, an Office and Multi-Family Subdivision Located North of Victoria Villas, West of Knoxville Avenue, East of the Kellar Branch Railroad Tracks, and South of Crestline Drive, with Conditions.**

Council Member Nichting moved to defer this item for one week until the August 22, 2000, Regular City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until August 22, 2000 was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- (00-626) Communication from Finance Director/Comptroller with ORDINANCE Amending the BUDGET for FISCAL YEAR 2000 of the City of Peoria Relating to RIVER CENTER PROPERTY TAXES AND PARKING DECK REPAIRS.**

Mayor Grieves stated he would be abstaining from the vote due to his business interests on the Riverfront.

Mayor Pro Tem Thetford moved to adopt the Ordinance amending the Budget for fiscal year 2000 of the City of Peoria relating to River Center property taxes and parking deck repairs; seconded by Council Member Turner.

ORDINANCE NO. 14,978 was adopted by roll call vote.

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

Nays: None;

Abstention: Mayor Grieves - 1.

- (00-627) Communication from Finance Director/Comptroller with ORDINANCE Amending the BUDGET for FISCAL YEAR 2000 of the City of Peoria Relating to ROUTE 150 & IL 91 IMPROVEMENTS and FIRE DEPARTMENT LCD EQUIPMENT.**

Council Member Nichting moved to adopt the Ordinance amending the Budget for fiscal year 2000 of the City of Peoria relating to Route 150 and IL 91 improvements and Fire Department LCD equipment; seconded by Council Member Grayeb.

ORDINANCE NO. 14,979 was adopted by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-628) BID for TWO FIRE DEPARTMENT LCD PROJECTORS, Recommending the bid of PRATT AUDIO in the Amount of \$10,800.00.

Council Member Nichting moved to accept the bid of Pratt Audio, in the amount of \$10,800.00, for two Fire Department LCD projectors; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-629) Communication from Director of Public Works with Requesting to Approve the Following:

- A. CONTRACT for ENGINEERING SERVICES with CLARK ENGINEERS, INC., in an Amount not to Exceed \$465,335.00 for the Design of the State Improvements for U.S. 150 (WAR MEMORIAL DRIVE) and IL ROUTE 91, and the City's Share of the Engineering for SUMMERSHADE CIRCLE; and**

Council Member Nichting moved to approve the contract for engineering services with Clark Engineers, Inc., in an amount not to exceed \$465,335.00 for the design of the State improvements for U. S. 150 (War Memorial Drive) and IL Route 91, and the City's share for the engineering for Summershade Circle; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- B. MFT RESOLUTION in the Amount of \$7,000.00 for the City's Share of SUMMERSHADE CIRCLE ENGINEERING WORK.**

Council Member Nichting moved to approve the MFT Resolution, in the amount of \$7,000.00, for the City's share of the Summershade Circle engineering work; seconded by Council Member Turner.

MFT RESOLUTION NO. 00-629 was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-630) Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class R-3 District (Single-Family Residential) for CHURCH FACILITIES and a PARKING LOT for the Property Located at 3417 N. LEROY AVENUE.

Council Member Spears moved to adopt the Ordinance granting a Special Use in a Class R-2 District (Single-Family Residential) for Church Facilities and a Parking Lot for the property located at 3417 N. Leroy Avenue; seconded by Council Member Turner.

ORDINANCE NO. 14,980 was adopted by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-631) Communication from Director of Planning and Growth Management with Recommendation from the Historic Preservation Commission to Adopt the ORDINANCE Approving the DESIGNATION of the ROANOKE APARTMENT BUILDING Located at 1319 N. HAMILTON as a LOCAL HISTORIC LANDMARK.

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

Motion to grant Privilege of the Floor was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

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

Mr. Jeff Rock, representing Trinity Lutheran Church, stated the Church opposed the granting of any landmark status to the proposed structure, and he said it would place an undue burden on the church. He expressed concern that a private entity could confine the property owner in this manner. He said the application filed by the neighborhood would prevent the Church from doing anything with this particular property. He said it was the opinion of two independent architects in the City that the property did not comply with the designation criteria. He also discussed the provision for economic hardship and he indicated he felt the Church qualified. He urged the Council to vote against the proposed Ordinance.

Mr. James Bateman, 1100 N. Parkside Drive, Vice-Chairman of the Historic Preservation Commission, discussed the proximity of the proposed property to other historic sites, that would, in due course, become historic districts. He discussed the criteria and he said the Commission felt the property qualified under the standards of the Ordinance. He indicated that the Commission did not feel the church would have economic hardship and the Commission did not feel the church's plan for the property in the future was viable. He expressed concern about historic properties in the past that had been demolished or poorly maintained.

Mr. Larry Franzen, 809 W. Bennett Court, Executive Director of Trinity Lutheran Church, discussed the church's plans to install a day care and preschool in the building. He said members of the church would be meeting soon to reassess their vision for the church and their programs for the future. He said the church would need to propose changes to the building for the day care and preschool. He added the church felt that the evidence for landmark status was less than overwhelming and he urged the Council to vote no.

Mr. Tim Vega, President of the Randolph-Roanoke Homeowners Association, discussed the proposed landmark status and he urged the Council to support the request.

Mr. Randy Neff, member of Trinity Lutheran Church, discussed the work performed by the church's task force and their plan for a future early childhood education program. He expressed further concern that an outside group could press their will on a property owner, and he felt this was a violation of property rights.

Mr. Jack Teplitz, 240 N. E. Randolph, President of the Randolph-Roanoke Revolving Loan Fund, discussed the neighborhood's efforts to reclaim their neighborhood and continue the stabilizing force. He urged the Council to support the proposed landmark status.

Mr. Les Kenyon, President of the Central Illinois Landmark Association, displayed slides of Trinity Lutheran Church and the apartment building, and discussed the historic value of each.

Mr. Bill Wagner, Property Director for Trinity Lutheran Church, discussed the church's ministry and their outreach to the neighborhood. He further discussed the church's handicap accessible facility and programs, and the church's recent investment of \$2 million in their structure to maintain the integrity of the buildings. He urged the Council to vote against the proposed landmark designation.

Ms. Marilyn Trinder, 220 Columbia Terrace, discussed the merits of the structure and stated that this district was a National District which was special. She said the diversity of the structure and its materials of the building made it very special and if the Council voted for landmark status, they would be maintaining a portion of the National Registry.

Ms. Marcella Teplitz, 240 N. E. Randolph, indicated that the neighborhood was willing to work with the church in whatever capacity needed, even finding a buyer.

Council Member Gibson moved to adopt the Ordinance approving the designation of the Roanoke Apartment Building located at 1319 N. Hamilton as a local historic landmark; seconded by Council Member Sandberg.

Council Member Turner spoke in support and he indicated that he felt the designation of the proposed property as a local historic landmark was in line with Council goals and objective to stabilize neighborhoods.

Several other Council Members spoke in support and Council Member Ardis indicated his lack of support and suggested that this item be deferred until an unbiased opinion was provided to the Council.

ORDINANCE NO. 14,981 was adopted by roll call vote.

Yeas: Gibson, Grayeb, Morris, Sandberg, Thetford, Turner, Mayor Grieves – 7;

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

(00-632) Communication from Director of Planning and Growth Management with ORDINANCE Amending Ordinance No. 13,045, an EXISTING SPECIAL USE in a Class C-2 District (Large Scale Commercial) for a SHOPPING CENTER to Include a SEASONAL DISPLAY AREA for Property Located at 5001 N. BIG HOLLOW ROAD, with Conditions.

Council Member Spears moved to adopt the Ordinance amending Ordinance No. 13,045, an Existing Special Use in a Class C-2 District (Large Scale Commercial) for a Shopping Center to include a Seasonal Display Area for property located at 5001 N. Big Hollow Road, with Conditions; seconded by Council Member Ardis.

ORDINANCE NO. 14,982 was adopted by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(00-633) 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 1901-03 N. PROSPECT ROAD from a Class R-4 District (Single-Family Residential) to a Class O-1 District (Arterial Office).

Council Member Thetford moved to adopt the Ordinance rezoning property located at 1901-03 N. Prospect Road from a Class R-4 District (Single-Family Residential) to a Class O-1 District (Arterial Office); seconded by Council Member Sandberg.

Motion to adopt ORDINANCE NO. 14,983 rezoning property located at 1901-03 N. Prospect Road from a Class R-4 District (Single-Family Residential) to a Class O-1 District (Arterial Office) was adopted by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

UNFINISHED BUSINESS

(99-812) Communication from Director of Public Works Regarding RAIL SERVICE to PIONEER PARK and Requesting Approval as Follows:

- 1. Authorization to Develop and Bring Back to City Council on September 26, 2000, a CONTRACT with Each of the Proposers Based Upon Their Proposal and any Negotiated Changes; and**
- 2. Authorization to Continue Negotiations with the Union Pacific Railroad and Bring Back to Council on September 26, 2000, a CONTRACT (or Terms of a Contract) for the Purchase of the PIONEER INDUSTRIAL LEAD and Other Issues Related to Rail Service to PIONEER INDUSTRIAL PARK and GROWTH CELL #2. (New Communication)**

Director of Public Works Steve Van Winkle introduced Mr. Gary Williams of the Division of Railroads for I.D.O.T., former Mayor Dick Carver, and State Representative David Leitch. Mr. Van Winkle recognized representatives of Pioneer Industrial Railway Company, DOT Rail Service, and Burlington Junction Railway, and representatives from companies who used the rail service.

Former Mayor Dick Carver discussed the opportunity for a win/win result in the rail service. He commended Mr. Van Winkle and those who had joined with him to cultivate this opportunity. He said the real issue was the decision made by the Peoria City Council to move forward with the development of Growth Cell #2. He projected this rail opportunity would add great amounts of new industrial development and investment, and rail was a portion of the way this could be accomplished. He thanked and commended those involved in urging Union Pacific Railroad to meet with representatives of the City of Peoria. He said there had also been discussion about a hiking/biking trail and he felt the area's natural resources would be used to make it a world class trail. He encouraged the Council to allow this task to be continued.

Mr. Van Winkle discussed a few details of the communication and he said it would be premature to discuss the proposals at this time. He said the sum total of the proposals offered an opportunity to provide service from the West that would be equal to or better than what was offered over the Keller Branch in terms of service delivery and cost. He said until this was reduced to a contractual form, details were unknown. He said a main goal was that this endeavor be a team effort. He discussed the amount of needed funding to extend the track into the park and provide a way for siding that would allow cars to be dropped off in an effective manner off the main line. He indicated that the extension of the line into Pioneer Park, including grate crossing, the siding, and anything needed to upgrade the track in the park could be accomplished for about \$750,000. He also discussed a possible purchase of the spur for \$175,000.

State Representative David Leitch discussed the \$875,000 secured for this project several years ago. He said he felt the City was well positioned to take advantage of this economic opportunity. He said there was great economic potential for this large tract of land that would have rail, interstate, and airport access. He assured the Council he would do everything possible to make this promising potential come to fruition.

Former Mayor Dick Carver pointed out the Growth Cell may be one the largest pieces of land in the country available for this kind of development.

Council Member Nichting moved to approve authorization to develop and bring back to the City Council on September 26, or the first half of October, 2000, a contract with each of the proposers based upon their proposal and any negotiated changes; and approve authorization to continue negotiations with the Union Pacific Railroad and bring back to Council on September 26, or the first half of October, 2000, a contract (or terms of a contract) for the purchase of the Pioneer Industrial Lead and other issues related to rail service to Pioneer Industrial Park and Growth Cell #2; seconded by Council Member Sandberg.

In discussion with Council Member Sandberg, Mr. Willams confirmed that proposals could be accepted from non-common line carriers, if the proposer would be a switching carrier.

Council Member Thetford indicated even though the bike trail was not included in the discussion at this time, the bike trail was an important component of the entire project.

Motion to approve authorization to develop and bring back to the City Council on September 26, or the first half of October, 2000, a contract with each of the proposers based upon their proposal and any negotiated changes; and approve authorization to continue negotiations with the Union Pacific Railroad and bring back to Council on September 26, or the first half of October, 2000, a contract (or terms of a contract) for the purchase of the Pioneer Industrial Lead and other issues related to rail service to Pioneer Industrial Park and Growth Cell #2 was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

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

Mr. David Pittman, 2701 W. Moss, thanked the Council for the unanimous vote of support in concept. He added that over 2,000 citizens signed petitions to urge the Council to focus on this issue, and he wanted the Council to be reminded that those citizens began the process.

Council Member Duncan left the Council Chambers at 9:55 P.M.

(00-574) Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class R-3 District (Single Family Residential) for a RESIDENTIAL CLUSTER DEVELOPMENT for Property Located at Lot 247 of LEXINGTON HILLS SUBDIVISION, with Conditions.

Attorney Matt Jones distributed a copy of a communication to Mr. Joseph J. Solls to all members of the City Council.

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

Hearing no objections, Mayor Grieves granted Privilege of the Floor to those who wished to speak.

Mr. Joseph Solls, Attorney representing Becker Brothers, gave a brief explanation of the project. He said the request was for 22 units in the development and had been approved by the Zoning Commission. He said Becker Brothers would comply with all the regulations of the City on this project.

Mr. Matt Jones, representing residents of the area, stated it was his opinion there were inadequate setbacks, the area would be too densely populated, would increase traffic congestion and there was inadequate parking. He urged the Council to consider these concerns.

Council Member Spears discussed his difference with the Staff recommendation on this issue. He agreed this project would add density to the neighborhood, and he did not feel this would be good planning for a neighborhood, but it could not be changed.

Council Member Spears moved to adopt the Ordinance granting a Special Use in a Class R-3 District (Single Family Residential) for a Residential Cluster Development for property located at Lot 247 of Lexington Hills Subdivision, with conditions, and as amended that the Site Plan reflect another five feet so the cluster of condos do not go five feet from the property line, but move the side entrance to the houses farther to the West another five feet, which would give more space between the condos; seconded by Council Member Sandberg.

In discussion, Mr. Jones indicated that the extra five feet would not help much.

Motion to adopt ORDINANCE NO. 14,984 granting a Special Use in a Class R-3 District (Single Family Residential) for a Residential Cluster Development for property located at Lot 247 of Lexington Hills Subdivision, with conditions, and as amended that the Site Plan reflect another five feet so the cluster of condos do not go five feet from the property line, but move the side entrance to the houses farther to the West another five feet, which would give more space between the condos was approved by roll call vote.

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

Nays: None.

(00-634) REQUEST FOR UPDATE OF the STATUS REGARDING STREET LIGHTING FOR WILLOW KNOLLS ROAD.

Council Member Nichting referred to the completion of Willow Knolls about a year ago, and lighting was discussed at that time. He said the lighting was part of the concept and he questioned the status of the lights.

Director of Public Works Steve Van Winkle explained the City had decided to assist 50% with lighting even though Willow Knolls Road was a County highway. He said the lighting project had not developed as anticipated, but the City was within a week of completing the design on the project and an intergovernmental agreement with the County was currently being reviewed, and would be coming before the Council shortly. He said he anticipated the project would be completed within six months.

COMMENTS REGARDING NATIONAL NIGHT OUT

Council Member Thetford thanked those neighborhoods who participated in the National Night Out. She said the event was very successful.

**(00-075) DISCUSSION Regarding CONCERNS REGARDING RIVERFRONT PARKING
(00-140) FEES and a Request for REVIEW.**

Council Member Turner expressed concern regarding Riverfront parking fees. He said it was his understanding that the Illinois Antique Center, Crooked Waters and the River Station were all for sale and he felt that patrons being charged to park on the Riverfront was one of the problems. He said it had been brought to his attention that there were other businesses on the Riverfront that were feeling the effects of parking fees. He requested that the Administration review this situation.

Council Member Grayeb agreed with Council Member Turner and indicated that that parking should be free.

Council Member Thetford also agreed the Administration should review the situation. She suggested that patrons should be given two hours of parking free.

Council Member Nichting questioned if the developer had provided any suggestions about the problem.

City Manager Michael McKnight stated that projections would be reviewed and a full report would be provided to the Council in the near future.

NEW BUSINESS**(00-635) REQUEST for Council Discussion Regarding a POSSIBLE MORATORIUM BEING PLACED on OUTDOOR BILLBOARD OFF-PREMISE SIGNS.**

Council Member Grayeb expressed concern about new outdoor billboard off-premise signs that had been erected in the area. He said many of the signs were by firms from other states. He suggested that this item be placed on the Council Agenda for next week so discussion could be held regarding a possible moratorium being placed on outdoor billboard off-premise signs.

The Council concurred.

COMMENTS REGARD COUNCIL MEMBER ARDIS' PARTICIPATION IN THE ST. JUDE RUN

Council Member Morris commended Council Member Ardis on his dedicated participation as a member of a group who ran from Memphis to Peoria in the Annual St. Jude Run.

(00-636) Request for REPORT BACK Regarding How Other Communities Handle SERIOUS DOG BITES, Such as by Pit Bulls.

Council Member Turner requested a report back from Animal Shelter Director Lauren Malmberg regarding how other communities handle serious dog bites, such as by Pit Bulls.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 10:52 P.M.

bb

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