

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

Council Chambers, Peoria, Illinois, November 7, 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, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 10; Absent: Duncan - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

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

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

PRESENTATION: MAYOR LIU GUOQIANQ – CITY OF BENXI, PEOPLE’S REPUBLIC OF CHINA

PROCLAMATION: KEY CLUB INTERNATIONAL WEEK

PROCLAMATION: 35TH ANNIVERSARY OF PLANNED PARENTHOOD – HEART OF ILLINOIS

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on October 31, 2000, as printed, with an addition to the minutes on Page 24961, in the fifth paragraph, the words “of the real estate tax revenue” should be inserted in the fourth line to read, “...of which 54% of the real estate tax revenue would go to School District #150”; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(00-812) PUBLIC HEARING For the Purpose of Obtaining Comment on the Use of QUICK-TAKE PROCEEDINGS to ACQUIRE PROPERTY by EMINENT DOMAIN for the DOWNTOWN STADIUM PROJECT SITE which is Generally Described as Bounded on the West by Jefferson Avenue, on the North Approximately 100 Feet South of Walnut Street, on the East by Adams Street, and on the South by Oak Street.

Council Member Nichting stated he would be abstaining from the vote because of his ownership of property in the vicinity of the Downtown Stadium Project Site.

Council Member Ardis moved to open the Public Hearing and defer discussion until after Item No. 00-826 on the Council Agenda; seconded by Council Member Turner.

Motion to open the Public Hearing and defer discussion until after Item No. 00-826 on the Council Agenda was approved by roll call vote.

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

Nays: None.

The Public Hearing opened at 6:40 P.M. and was deferred until later in the Agenda.

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE:

- (00-813) **TAG DAY REQUEST from the KIWANIS CLUBS OF PEORIA, to Hold their 2001 KIWANIS KIDS DAY/PEANUT DAY and Collect Donations on the Streets of Peoria on Thursday, Friday, and Saturday, September 27, 28, and 29, 2001. (Dates are Open)**
- (00-814) **Communication from ESDA Director and Fire Chief Requesting Authorization to PURCHASE 15 FIRE DEPARTMENT PUMP PANEL HEADSET SYSTEMS from RAGAN COMMUNICATIONS, in the Amount of \$10,784.25.**
- (00-815) **Communication from Director of Public Works and Finance Director/Comptroller Requesting Authorization for a SOLE SOURCE PURCHASE of the SENTRY VI UPGRADE PACKAGE from TRAK ENGINEERING, INC. at a Cost of \$33,599.00.**
*
- (00-816) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: COTTAGE DISTRICT ORNAMENTAL LIGHTING IMPROVEMENT PROJECT (Windom St., St. James St., Garfield Ave., Orange St., Douglas St., Sheridan Rd.) (Installing a City of Peoria standard ornamental street lighting system, along with all necessary adjustments, incidentals and appurtenances.) - OBERLANDER ELECTRIC - PAY ESTIMATE #4 and FINAL: \$3,507.99; TOTAL AUTHORIZATION APPROVED: \$3,507.99. (For Information Only)**
**
- (00-817) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: MacARTHUR - R.B. GARRETT OFFRAMP & 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 #11: \$23,535.29; 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 #6 - \$81,619.28; TOTAL AUTHORIZATION APPROVED: \$105,154.57. (For Information Only)**
- (00-818) **Communication from Finance Director/Comptroller Regarding the SERIES 2000C GENERAL OBLIGATION BOND PRELIMINARY OFFICIAL STATEMENT.**

- (00-819) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,029 Approving the FINAL PLAT of EAGLE POINT SUBDIVISION, Located to the West of Radnor Road, to the East of the Union Pacific Railroad, and to the South of Golf Creek Subdivision.**
- (00-820) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,030 Approving the FINAL PLAT of DEVONSHIRE ESTATES SECTION TWO SUBDIVISION.**
- (00-821) **STREET LIGHTING REQUESTS – 1200 BLOCK S. MADISON PARK
**** TERRACE; 300-400 BLOCK E. THRUSH AVENUE ALLEY LIGHTING.**
- (00-822) **Communication from Public Works Director Regarding CITY-WIDE DRAINAGE PROJECTS – Recent Past, Present and Near Future. (For Information Only)**

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

Council Member Thetford requested that Item No. 00-821 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that Item Nos. 00-815, 00-816, and 00-818 be removed from the Consent Agenda for further discussion.

Item Nos. 00-813 through 00-822, excluding Item No. 00-815, 00-816, 00-818, and 00-821 (which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (00-815) **Communication from Director of Public Works and Finance Director/Comptroller
* Requesting Authorization for a SOLE SOURCE PURCHASE of the SENTRY VI UPGRADE PACKAGE from TRAK ENGINEERING, INC. at a Cost of \$33,599.00.**

Following a brief discussion and a request for a report back regarding why this was considered in the 2001 CIP and went through the process, Council Member Sandberg moved to defer this item for one week until the November 14, 2000, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until November 14, 2000, was approved by roll call vote.

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

Nays: None.

- (00-816) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: COTTAGE
** DISTRICT ORNAMENTAL LIGHTING IMPROVEMENT PROJECT (Windom St., St. James St., Garfield Ave., Orange St., Douglas St., Sheridan Rd.) (Installing a City of Peoria standard ornamental street lighting system, along with all necessary adjustments, incidentals and appurtenances.) - OBERLANDER ELECTRIC - PAY ESTIMATE #4 and FINAL: \$3,507.99; TOTAL AUTHORIZATION APPROVED: \$3,507.99. (For Information Only)**

Council Member Sandberg referred to the 800 Block of Windom and said this block did not have any ornamental lighting. He requested information regarding why this block was not included in the ornamental lighting program for this area.

Director of Public Works Steve Van Winkle stated there would be another lighting project soon that would include lighting for the 800 Block of Windom, but in the interim a CILCO light had been installed.

Council Member Sandberg expressed concern regarding the length of time these projects take, sometimes as long as five years, to get through the system. He requested a report back regarding why the 800 Block of Windom was not included in the Ornamental Lighting Project for the Cottage District.

Council Member Sandberg moved to approve the Payment Estimate for Public Improvement Project: Cottage District Ornamental Lighting Improvement Project (Windom St., St. James St., Garfield Ave., Orange St., Douglas St., Sheridan Rd.) (Installing a City of Peoria standard ornamental street lighting system, along with all necessary adjustments, incidentals and appurtenances.) - Oberlander Electric - Pay Estimate #4 and Final: \$3,507.99; Total Authorization Approved: \$3,507.99. (For Information Only); seconded by Council Member Ardis.

Approved by roll call vote.

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

Nays: None.

**(00-818) Communication from Finance Director/Comptroller Regarding the SERIES 2000C
*** GENERAL OBLIGATION BOND PRELIMINARY OFFICIAL STATEMENT.**

Council Member Sandberg moved to grant Privilege of the Floor to Ms. Virginia Epley; seconded by Council Member Turner.

Hearing no objections, Mayor Grieves granted Privilege of the Floor to Ms. Virginia Epley.

Ms. Virginia Epley thanked those Council Members who lended their support in voting against the rezoning for Midtown Plaza. She spoke against the Midtown Project and discussed the harm she felt the project would do to the neighborhood. She said the property owners who would be displaced would not have enough money to replace their homes. She expressed concern about the Ordinance passed the previous week that changed Council rules, and she discussed Rule #19 and super-majority voting. She said she felt the vote to pass the Ordinance to rezone the property should have required nine affirmative votes, and she contended that the vote of 8 affirmative on the Ordinance to rezone did not affect a change in zoning. She pointed out that an Ordinance to rezone had to successfully pass in order for the G. O. Bond to be considered.

Corporation Counsel Randy Ray reaffirmed that the Ordinance to rezone the property for Midtown Plaza passed with eight affirmative votes, because of the Petitions that were filed. He explained the zoning provision for how many affirmative votes were needed where a Petition had been filed by 20% of the frontage property owners. He said the original contract obligated the City to vacate the streets, not the rezoning that occurred two weeks ago and not the bond ordinance that would be considered by the Council this evening.

Council Member Thetford moved to receive and file the Series 2000C General Obligation Bond Preliminary Official Statement; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Nichting, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: Sandberg - 1.

**(00-821) STREET LIGHTING REQUESTS – 1200 BLOCK S. MADISON PARK
**** TERRACE; 300-400 BLOCK E. THRUSH AVENUE ALLEY LIGHTING.**

Following a brief comment, Council Member Thetford moved to approve the Street Lighting Requests for the 1200 Block of S. Madison Park Terrace; 300-400 Block of E. Thrush Avenue Alley Lighting; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(00-823) Communication from Finance Director/Comptroller with ORDINANCE Providing
for the ISSUANCE of \$5,500,000 GENERAL OBLIGATION BONDS, SERIES
2000C, for the Purpose of Paying for Certain Redevelopment Project Costs, and
Providing for the Levy and Collection of a Direct Annual Tax for the Payment of
the Principal of and Interest on said Bonds; and Authorization for the Mayor or
City Manager to Execute an AGREEMENT that the City will not Withhold its
Consent to a Transfer without Bond Counsel Approval.**

Finance Director/Comptroller Ellie Hogan distributed a replacement Ordinance and a letter from Mr. Kevin W. McCanna, President of Speer Financial, Inc., outlining the bids for the \$5,500,000 General Obligation Bonds, Series 2000C to all members of the Council.

Council Member Grayeb moved to adopt the Ordinance providing for the issuance of \$5,500,000 General Obligation Bonds, Series 2000C, for the purpose of paying for certain redevelopment project costs, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds; and authorization for the Mayor or City Manager to execute an agreement that the City will not withhold its consent to a transfer without Bond Counsel approval, and accept the low bid of Dean Witter Reynolds Inc., Chicago at 5.3892%; seconded by Council Member Turner.

Mr. Kevin W. McCanna, President of Speer Financial, Inc. reported six bids were received with Dean Witter Reynolds Inc., Chicago being the low bid at 5.3892%. He said bids were also received from Banc of America Securities LLC, Charlotte at 5.4334%; Banc One Capital Markets, Chicago at 5.4783%; Dain Rauscher, Chicago at 5.4601%; Harris Trust & Savings Bank, Chicago at 5.4550%; and Legg Mason Wood Walker, Chicago at 5.4500%. He added the City's Double "A" Bond Rating was affirmed by both ratings services indicating the City's role as an economic center, sound financial operations, with benefit from home rule status and moderate debt positions. He said the City received a good report on their financial operations.

In discussion with Council Member Sandberg, Corporation Counsel Randy Ray said the agreement for Midtown was written in a manner that would contemplate there would be a vacation of the streets until such time as the entire project was owned by one owner.

Motion to adopt ORDINANCE NO. 15,031 providing for the issuance of \$5,500,000 General Obligation Bonds, Series 2000C, for the purpose of paying for certain redevelopment project costs, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds; and authorization for the Mayor or City Manager to execute an agreement that the City will not withhold its consent to a transfer without Bond Counsel approval, and accept the low bid of Dean Witter Reynolds Inc., Chicago at 5.3892% was approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Nichting, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: Sandberg - 1.

(00-824) Communication from Director of Planning and Growth Management Requesting Approval of the Following:

A. ORDINANCE Annexing Territory Contiguous to the City of Peoria Located at 7222 NORTH KOERNER/TRIGGER ROAD;

Council Member Nichting moved to adopt the Ordinance annexing territory contiguous to the City of Peoria located at 7222 N. Koerner/Trigger Road; seconded by Council Member Turner.

ORDINANCE NO. 15,032 was adopted by roll call vote.

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

Nays: None.

B. ORDINANCE Approving the FINAL PLAT of CHADWICK PLACE SECTION ONE SUBDIVISION, Located at 7222 N. KOERNER/TRIGGER ROAD;

Council Member Nichting moved to adopt the Ordinance approving the Final Plat of Chadwick Place Section One Subdivision, located at 7222 N. Koerner/Trigger Road; seconded by Council Member Turner.

ORDINANCE NO. 15,033 was adopted by roll call vote.

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

Nays: None.

C. ORDINANCE Rezoning Property Located at 7222 N. KOERNER ROAD from the Present Class A-2 District (Peoria County Agriculture) to a Class R-2 District (Single Family Residential).

Council Member Nichting moved to adopt the Ordinance rezoning property located at 7222 N. Koerner Road from the Present Class A-2 District (Peoria County Agriculture) to a Class R-2 District (Single Family Residential); seconded by Council Member Turner.

ORDINANCE NO. 15,034 was adopted by roll call vote.

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

Nays: None.

(00-825) Communication from Finance Director/Comptroller with ORDINANCE Amending the BUDGET for Fiscal Year 2000 of the City of Peoria Relating to LEGAL FEES, PAWS PROGRAM, POLICE TOBACCO GRANT, STATION 19 LAND PURCHASE, RIVERFRONT CAPITAL PURCHASE and INTRA-FUNDS TRANSFER.

Council Member Nichting stated he would be abstaining from the vote because a portion of the proposed Ordinance dealt with the Downtown Stadium Project Site, and he owned property in that vicinity.

Council Member Thetford moved to adopt the Ordinance amending the Budget for fiscal year 2000 of the City of Peoria relating to legal fees, PAWS Program, Police Tobacco Grant, Station 19 land purchase, Riverfront Capital Purchase and intra-funds transfer; seconded by Council Member Grayeb.

Council Member Sandberg requested that the issues of legal fees and Station 19 land purchase be voted on separately.

Following further discussion, Council Member Sandberg moved to defer this item for one week until the November 14, 2000, Regular City Council Meeting so the proposed Ordinance could be divided into several Ordinances and brought back before the Council; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Gibson, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 8;

Nays: Grayeb – 1;

Abstention: Nichting - 1.

(00-826) Communication from Director of Economic Development with Request to Adopt the Following:

A. ORDINANCE Approving the DOWNTOWN STADIUM TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT;

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Morris moved to adopt the Ordinance approving the Downtown Stadium Tax Increment Redevelopment Plan and Project; seconded by Council Member Turner.

ORDINANCE NO. 15,035 was adopted by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Spears, Thetford, Turner, Mayor Grieves – 8;

Nays: Sandberg – 1;

Abstention: Nichting - 1.

B. ORDINANCE Designating the DOWNTOWN STADIUM REDEVELOPMENT PROJECT AREA;

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Morris moved to adopt the Ordinance designating the Downtown Stadium Redevelopment Project Area; seconded by Council Member Turner.

ORDINANCE NO. 15,036 was adopted by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Spears, Thetford, Turner, Mayor Grieves – 8;

Nays: Sandberg – 1;

Abstention: Nichting - 1.

C. ORDINANCE Adopting the TAX INCREMENT FINANCING for the City of Peoria, Peoria County, Illinois, in Connection with the Designation of the DOWNTOWN STADIUM REDEVELOPMENT PROJECT AREA.

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Morris moved to adopt the Ordinance adopting the Tax Increment Financing for the City of Peoria, Peoria County, Illinois, in connection with the designation of the Downtown Stadium Redevelopment Project Area; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,037 adopting the Tax Increment Financing for the City of Peoria, Peoria County, Illinois, in connection with the designation of the Downtown Stadium Redevelopment Project Area was adopted by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Spears, Thetford, Turner, Mayor Grieves – 8;

Nays: Sandberg – 1;

Abstention: Nichting - 1.

UNFINISHED BUSINESS

(00-812) PUBLIC HEARING For the Purpose of Obtaining Comment on the Use of QUICK-TAKE PROCEEDINGS to ACQUIRE PROPERTY by EMINENT DOMAIN for the DOWNTOWN STADIUM PROJECT SITE which is Generally Described as Bounded on the West by Jefferson Avenue, on the North Approximately 100 Feet South of Walnut Street, on the East by Adams Street, and on the South by Oak Street.

At 7:12 P.M., hearing no objections, Mayor Grieves granted Privilege of the Floor to those who wished to address this issue.

Mr. Lee Graves, Attorney representing the owners of Eagle Cleaners, stated he reviewed the proposed Ordinances and he said he found them too conclusory and not factual, and it was his opinion they would be found to be invalid for meeting the criteria. He objected to discussion regarding the Enterprise Zone, which was not part of the Council Agenda at this meeting, and he said he felt that the Enterprise Zone would be challenged in litigation. He added he objected to the use of eminent domain under tax increment financing. He expressed concern regarding the manner in which the City had dealt with this matter. He said he considered this a government taking of a private business for another private business. He indicated there was a big difference in their perceived values of the property. He discussed negotiations which were held with the City over the past months.

Mr. Jamal Bourazak, owner and operator of the Eagle Cleaners, said his family started the business in Peoria in 1911 and had passed it down to family members over the 90 years in business. He said he felt there was no reason for him to move. He indicated the current residential development in the area would enhance his business. He said in negotiations with the City, he was told he was too expensive to move. He said contractors, who were chosen by the City, made their estimates which were higher than expected, and now the City wanted to use eminent domain and quick-take on his property. He said he had never received an offer from the City. He urged the Council to vote against the proposed ordinances.

After the third call and Mayor Grieves determining that no one else wished to address this issue, Council Member Sandberg moved to close the Public Hearing; seconded by Council Member Morris.

Motion to close the Public Hearing was approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: None;

Abstention: Nichting - 1.

The Public Hearing closed at 7:29 P.M.

(00-827) Communication from Director of Economic Development Regarding Condemnation Proceedings and the Use of Quick-Take within the DOWNTOWN STADIUM TAX INCREMENT FINANCING (TIF) AREA:

A. ORDINANCE Authorizing the City to Commence CONDEMNATION PROCEEDINGS;

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Sandberg said never before had the City Council ever considered the use of quick-take on any project, even though eminent domain had been used on occasion. He discussed the process of quick-take and the length of time the City had been negotiating with the owners of Eagle Cleaners. He questioned if there had been good faith negotiations, and fairness in the acquisition process. He said he did not support the use of quick-take because of liability for the City. He also expressed concern that the law firm of Quinn Johnston Henderson & Pretorius had been used for legal counsel on eminent domain, since the Council had not contracted with them since 1998. He said the City had paid the firm of Quinn Johnston Henderson & Pretorius \$58,125.92 in the year 2000, and about \$23,500.00 in 1999, all with no authorization by the City Council.

Mayor Grieves said a delay in the schedule would greatly impact the stadium project. He discussed past negotiations with different businesses and he said he felt the City always negotiated in good faith. He said he felt it was unfortunate that the City had no alternative, and this situation was at this point in negotiations.

In discussion with Council Member Turner, City Manager Michael McKnight said his only recollection of the City using quick-take proceedings was an apartment building on Kumpf in Southtown. He discussed the process of quick-take and said an appraisal had to be conducted first. In further discussion, Mr. McKnight stated condemnation could be done without quick take, but it would depend on the time line. He said no matter which procedure was used, an appraisal of the property was needed.

In discussion with Council Member Thetford, Economic Development Director Dave Dobson said a schedule of activity for this project had been established with special legal counsel in order to get to the March 1, 2001, deadline. He indicated the schedule was very tight and he said he was hopeful quick-take would not be needed, but he felt the authorization was needed to move forward quickly, if necessary.

Mayor Grieves said it was important that the City provide the tools to the Staff, and hopefully these tools would not need to be used.

In discussion with Council Member Grayeb, Corporation counsel Randy Ray confirmed that it was his understanding that the City had not been allowed to obtain an appraisal on the Eagle Cleaners property.

Mr. Graves indicated he felt the intention of the City was to obtain an appraisal to intimidate the owner with condemnation. He said this would be brought up in litigation, if needed. He said the City needed to focus on the costs to relocate the business. He said he did not feel a real estate appraisal was essential to the City's process.

In further discussion, Mr. Ray stated that the entire process began with a real estate appraisal.

Council Member Gibson moved to adopt the Ordinance authorizing the City to commence condemnation within the Downtown Stadium Tax Increment Finance (TIF) Area; seconded by Council Member Morris.

Motion to adopt ORDINANCE NO. 15,038 authorizing the City to commence condemnation within the Downtown Stadium Tax Increment Finance (TIF) Area was approved by roll call vote.
Yeas: Ardis, Gibson, Grayeb, Morris, Thetford, Turner, Mayor Grieves – 7;
Nays: Sandberg, Spears - 2;
Abstention: Nichting - 1.

B. ORDINANCE Authorizing the City's Use of QUICK-TAKE PROCEEDINGS.

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Gibson moved to adopt the Ordinance authorizing the City's use of Quick-Take Proceedings; seconded by Council Member Morris.

ORDINANCE NO. 15,039 was adopted by roll call vote.

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

Nays: Sandberg, Spears - 2;

Abstention: Nichting - 1.

(00-828) Communication from Director of Economic Development Regarding ACQUISITION OF REAL ESTATE Requesting Approval of the Settlement Offer for 703 S.W. ADAMS STREET (Downtown Stadium Project) for \$110,000, and Authorization for the City Manager to Execute the Necessary Documents.

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Grayeb moved to approve the settlement offer for the acquisition of real estate located at 703 S. W. Adams Street (Downtown Stadium Project) for \$110,000, and authorize the City Manager to execute the necessary documents; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: None;

Abstention: Nichting - 1.

(00-829) Communication from Director of Economic Development Regarding ACQUISITION OF REAL ESTATE Requesting Approval of the Settlement Offer for 631 S.W. ADAMS STREET (Downtown Stadium Project) for \$400,000 and Authorization for the City Manager to Execute the Necessary Documents.

Council Member Nichting stated he would be abstaining from the vote due to his ownership of property in that vicinity of the Downtown Stadium Project Site.

Council Member Turner moved to approve the settlement offer for the acquisition of real estate for property at 631 S. W. Adams (Downtown Stadium Project) for \$400,000 and authorize for the City Manager to execute the necessary documents; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: None;

Abstention: Nichting - 1.

(00-830) Communication from Corporation Counsel with ORDINANCE Amending Ordinance No. 14,868 Amending the Final Plat of WOODCREST SUBDIVISION with a Condition Pertaining to Rescinding the CLOSURE of the BRIDGE on BIG HOLLOW ROAD. (Refer to 00-035)

Council Member Nichting said he was requesting a temporary delay in the closure of Big Hollow Road. He said when this was originally done, it was attached to a residential subdivision via the extension of Frostwood Parkway. He said the extension of Frostwood Parkway was multi-faceted to provide Fire Protection and address the issue of Charter Oak Road. He said he supported the closure of Big Hollow Road at the Bridge, but only when Charter Oak Road was extended. He said he was responding to the needs of the Fifth District. He said he would not ask that the Road remain permanently open.

In discussion with Mayor Grieves, Council Member Nichting said it was his understanding that construction of Charter Oak Road Extension would take approximately twenty-four months.

In discussion with Council Member Spears, Director of Public Works Steve Van Winkle stated presently, there was a weight limit on the bridge and it must be closed by 2005. He said he would like to close it before then.

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

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

Mr. Jerry Weaver, WeaverRidge Golf Club, stated the majority of his clients used Big Hollow Road to get to WeaverRidge, and he said closing the road would be a big inconvenience. He urged the Council to delay the closure until after Charter Oak Road was completed.

Ms. Shirley Sheridan, 5332 Big Hollow Road, expressed concern because she could not get out of her driveway due to traffic on Big Hollow Road, and she felt the traffic made the road dangerous. She urged the Council to close Big Hollow Road at the Bridge.

Mr. Ed Watt, 5308 N. Big Hollow Road, discussed the poor condition of the Bridge and that it could not be used by heavy traffic. He said he was concerned about the safety of the neighborhood and those entering and exiting their driveways, and for pedestrian traffic.

Mr. Tom Maulding, 5319 N. Big Hollow Road, spoke in support of leaving Big Hollow Road open until after Charter Oak Road was completed. He agreed the bridge on Big Hollow was in poor condition, but he said he was more concerned about the danger caused if the Road was closed and the impact it would have on traffic flow on the other side. He said Big Hollow Road should be closed in two years after Charter Oak Road was opened.

Mr. Jeff Machacek, 5256 N. Big Hollow Road, spoke on behalf of the residents. He expressed concern regarding the danger of those trying to enter and exit their driveways. He said for those people traveling to WeaverRidge, it would only be 1.5 miles out of their way to travel around, and he did not feel this was unreasonable. He further discussed noise problems and felt this all affected property values in the area.

Mr. Lonnie Bradley, 5853 Big Hollow Road, urged the Council to vote against the proposed Ordinance.

Ms. Mary Ulrich, 5326 N. Big Hollow Road, expressed concern about the danger because of the traffic on Big Hollow Road and urged the Council to close Big Hollow Road.

A lengthy discussion was held about the proposed project regarding traffic flow, the condition of the bridge, and how the proposed delay of the closure of Big Hollow Road would affect the entire area.

In discussion, Council Member Nichting suggested a two week deferral so a compromise could be discussed.

Council Member Nichting moved to adopt the Ordinance amending Ordinance No. 14,868 amending the Final Plat of Woodcrest subdivision with a condition pertaining to rescinding the closure of the Bridge on Big Hollow Road, with an amendment that a number 2) be added to the Ordinance that would read "That upon the opening of the Charter Oak Road Extension at Route 150, then Big Hollow Road be closed at the Bridge for a period of twenty-four months, or which ever comes first"; seconded by Council Member Morris.

Motion to adopt the Ordinance amending Ordinance No. 14,868 amending the Final Plat of Woodcrest subdivision with a condition pertaining to rescinding the closure of the Bridge on Big Hollow Road, with an amendment that a number 2) be added to the Ordinance that would read "That upon the opening of the Charter Oak Road Extension at Route 150, then Big Hollow Road be closed at the Bridge for a period of twenty-four months, or which ever comes first" was DEFEATED by roll call vote.

Yeas: Morris, Nichting, Turner, Mayor Grieves – 4;

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

Council Member Spears moved that the City petition the County to reduce the speed limit to 30 mph on the North side of Big Hollow Road; seconded by Council Member Morris.

Council Member Sandberg moved for a friendly amendment that Staff be directed to work on additional traffic control features on Frostwood Parkway in the vicinity of Mark Bills School.

Council Member Spears agreed to the friendly amendment. The seconder agreed.

Director of Public Works Steve Van Winkle suggested that the Council make the resolution that the County study the speed limit and lower it to the extent they possibly could within the confines of their policies. He added that regardless of any decision, the Staff would be reviewing traffic control features for Mark Bills School.

Motion that the City petition the County to reduce the speed limit to 30 mph on the North side of Big Hollow Road, as amended that the Staff be directed to work on additional traffic control features on Frostwood Parkway in the vicinity of Mark Bills School was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(00-743) Communication from City Manager Regarding:

A. REVISED 2001-2005 CIP DOCUMENT;

B. PRELIMINARY BUDGET/EXCEPTIONS for FISCAL YEAR 2001, with Request from the City Treasurer for a Fiscal Tech 1 Position and Two REPORT BACKS – FY 1999 & 1998 Revenue and Operating Expenditure Reports for the Period September 1 to December 31; and POSITION VACANCIES.

City Clerk Mary Haynes distributed a memo regarding dues and travel for U. S. Conference of Mayors and National League of Cities to all members of the City Council.

City Manager Michael McKnight also distributed a communication to all members of the City Council regarding the Administration's recommendation to balance the 2001 Preliminary Budget.

Council Member Grayeb moved that the City Council review and adopt the revised 2001 – 2005 CIP document; no second was heard.

Mr. McKnight discussed the recommendations submitted to the Council. He urged the Council that if they were not going to hold discussion at this meeting, they should be prepared to discuss it at the November 14, 2000, Regular Council Meeting. He said time was short, and the Budget was three weeks off the schedule at the present time.

Council Member Thetford referred to the Operating Budget and the end of year revenue and operating statements, and she requested a more complete report.

Discussion was held regarding how the Council should proceed and points that should be covered.

Council Member Grayeb moved to defer this item for one week until the November 14, 2000, Council Meeting and remand this back to the Staff; seconded by Council Member Thetford.

Motion to defer this item until November 14, 2000, Council Meeting and remand this back to the Staff was approved by roll call vote.

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

Nays: None.

Council Member Turner left the Council Chambers.

NEW BUSINESS

(00-831) REQUEST for Staff to Prepare a Resolution RELEASING ALL EXECUTIVE SESSION MINUTES REGARDING THE HOOTER'S ISSUE at the November 21, 2000, Council Meeting.

Council Member Sandberg moved to direct Staff to prepare a Resolution to release all Executive Session Minutes regarding the Hooter's issue and bring it before the Council in two weeks, which would be the November 21, 2000, Regular City Council Meeting; seconded by Council Member Spears.

Approved by roll call vote.

Yeas: Ardis, Gibson, Morris, Nichting, Sandberg, Spears, Mayor Grieves – 7;

Nays: Grayeb, Thetford - 2.

**ANNOUNCEMENT REGARDING NEWLY APPOINTED INSPECTIONS DIRECTOR
JOHN KUNSKI**

City Manager Michael McKnight announced that on Monday, November 6, 2000, John Kunski was appointed as the Director of Inspections and he wished him the best in his new position.

Mr. Kunski thanked the Council for their support and he invited them to contact him at any time with questions or concerns.

Council Member Nichting left the Council Chambers and Council Member Turner returned to the Council Chambers.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(00-832) REQUEST by MS. VIRGINIA EPLEY to Address the Council.

Hearing no objections, Mayor Grieves granted Privilege of the Floor to Ms. Virginia Epley.

Ms. Virginia Epley, 1837 N. Dechman, discussed the rules that govern the Council, and how their votes of the issues affected the lives and futures of citizens and their neighborhoods. She urged the Council to listen respectfully to those who addressed them with their problems.

EXECUTIVE SESSION

(00-833) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.

Council Member Morris moved that the City Council go into Executive Session to discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 9;

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 10:25 P.M.

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

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