

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

Council Chambers, Peoria, Illinois, January 13, 2004, a Regular Meeting of the City Council was held this date at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, Mayor David P. Ransburg presiding.

**ROLL CALL**

Roll call showed the following Council Members present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears (arrived at 6:20 P.M.), Teplitz, Thetford, Mayor Ransburg – 10; Absent: Turner – 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ransburg requested a moment of silent prayer and then he led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: PEORIA READS! PROJECT DAY – January 13, 2004

PROCLAMATION: LAKEVIEW MUSEUM: CHIHULY GLASS EXHIBIT

**MINUTES**

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on January 6, 2004, as printed; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford,  
Mayor Ransburg - 10;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS**

**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:**

**(04-010) PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: MAIN STREET SIDEWALK IMPROVEMENT (PHASE II) (Sheridan to North) (Removal of existing combination curb & gutter, sidewalks, steps & driveway approaches and construction of concrete sidewalks, combination curb-sidewalks, p.c.c. gutter, driveway pavement, storm sewer, traffic signals & an ornamental street lighting system. Additionally, the existing bituminous pavement from University to North Street shall be milled two inches (2") then overlaid with two inches (2") of bituminous concrete surface course.) - R. A. CULLINAN & SON, INC. – PAY ESTIMATE #4: \$147,328.23; TOTAL AMOUNT: \$622,864.85, with Recommendation to Receive and File. (For Information Only)**

- (04-011) \* **Communication from the City Manager and the Interim Director of Planning and Growth Management Requesting Concurrence with the Neighborhood Development Commission (NDC) to FUND the 2004 NEIGHBORHOOD ASSOCIATION NEWSLETTER GRANTS from the CDBG Administrative and Planning Funds, in the amount of \$5,893.64.**
- (04-012) \*\* **Communication from the City Manager and the Superintendent of Police Requesting Approval RESOLUTION and AGREEMENT Allowing the PEORIA POLICE DEPARTMENT to JOIN the ILLINOIS LAW ENFORCEMENT ALARM SYSTEM (ILEAS).**
- (04-013) **Communication from the City Manager and Corporation Counsel Requesting Adoption of ORDINANCE NO. 15,569 Amending CHAPTER 3 of the Code of the City of Peoria Relating to LICENSES to SELL ALCOHOLIC LIQUOR at RETAIL.**

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

Council Member Gulley requested Item No. 04-011 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested Item No. 04-012 be removed from the Consent Agenda for further discussion.

Item Nos. 04-010 through 04-013 (excluding 04-011 and 04-012 which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Mayor Ransburg - 10;

Nays: None.

- (04-011) \* **Communication from the City Manager and the Interim Director of Planning and Growth Management Requesting Concurrence with the Neighborhood Development Commission (NDC) to FUND the 2004 NEIGHBORHOOD ASSOCIATION NEWSLETTER GRANTS from the CDBG Administrative and Planning Funds, in the amount of \$5,893.64.**

Council Member Gulley moved to defer this item for one week until the January 20, 2004, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until January 20, 2004, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Mayor Ransburg - 10;

Nays: None.

- (04-012) \*\* **Communication from the City Manager and the Superintendent of Police Requesting Approval RESOLUTION and AGREEMENT Allowing the PEORIA POLICE DEPARTMENT to JOIN the ILLINOIS LAW ENFORCEMENT ALARM SYSTEM (ILEAS).**

Council Member Sandberg referred to February 13, 2003, listed in the communication as the date for the deadline in the background information. He questioned if this was an error.

Superintendent of Police John Stenson said the deadline date was actually February 13, 2004. He said the purpose of the request was to apply for funding, but in order to apply for funding the Peoria Police Department needed to be a member of the Illinois Law Enforcement Alarm System.

Following further discussion, Council Member Sandberg moved to approve the Resolution and Agreement allowing the Peoria Police Department to join the Illinois Law Enforcement Alarm System (ILEAS) with the understanding that the date of the deadline should be amended to February 13, 2004; seconded by Council Member Morris.

Motion to approve RESOLUTION NO. 04-012 and Agreement allowing the Peoria Police Department to join the Illinois Law Enforcement Alarm System (ILEAS) with the understanding that the date of the deadline should be amended to February 13, 2004, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Mayor Ransburg - 10;

Nays: None.

### **UNFINISHED BUSINESS**

**(03-555) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Historic Preservation Commission to Adopt an ORDINANCE Amending CHAPTER 16 of the Code of the City of Peoria Relating to the INCREASE of APPLICATION FEES. (New Communication and New Ordinance)**

Council Member Teplitz moved to concur with the City Staff to adopt the Ordinance Amending Chapter 16 of the Code of the City of Peoria relating to the Increase of Application Fees, which was the revised Ordinance in the Council packet; seconded by Council Member Thetford.

Council Member Sandberg said if the Heart of Peoria Plan was adopted in principal, he questioned what impact these fees would have on encouraging historic preservation.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Kia Vega.

Ms. Kia Vega, 201 W. Columbia Terrace, said the Historic Preservation Commission was presently working with the Med-Tech Commission in order to review historic properties on Main Street. She said some things the Historic Preservation Commission were involved with did over-lap, and she hoped the model could be utilized if the Heart of Peoria Commission was passed. She said the Historic Preservation Commission was against the increase of fees to \$75.00, but a lesser increase was agreed upon. She said the process needed to be streamlined and she hoped that those kinds of ideas could be pursued in the future.

Motion to adopt ORDINANCE NO. 15,570 amending CHAPTER 16 of the Code of the City of Peoria Relating to the increase of application fees, which was the revised Ordinance in the Council packet, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford, Mayor Ransburg - 9;

Nays: Nichting - 1.

**(03-690) Communication from the City Manager and Corporation Counsel Recommending Adoption of the ORDINANCE CREATING the HEART OF PEORIA COMMISSION. (New Communication and New Ordinance)**

City Manager Randy Oliver distributed a replacement Ordinance to all members of the City Council for their consideration.

Following some brief comments, Council Member Gulley moved to adopt the replacement Ordinance creating the Heart of Peoria Commission and direct the City Manager to schedule necessary Policy Sessions to discuss zoning and building code changes; seconded by Council Member Teplitz.

In discussion, Mayor Ransburg said he would welcome suggestions from the City Council regarding appointments that needed to be made for the Commission.

Council Member Nichting pointed out that the Commission would need to be made up of a variety of different types of developers so all aspects of development could be addressed.

Council Member Grayeb questioned what instruction would be given to the proposed Heart of Peoria Commission in the early stages of their formation. He said he wanted to be sure there was complete and total clarity on their part so they would know what the City Council wanted them to do.

City Manager Randy Oliver agreed that Policy Sessions would be held and he said the Council needed to reach a consensus relating to the members of the Commission. He said there were a number of things that the Council would need to provide direction on that had not been anticipated. He said the Commission should hold a meeting or two to develop some policy questions and the Council could be doing the same thing. He said a joint Policy Session meeting could then be held to provide the guidance needed to the Commission.

In further discussion, Mayor Ransburg said the preference would be for the members of the Commission to hold some meetings to review the plan and list policy questions. He said at some point, the Council would then be involved to provide policy guidelines.

City Manager Oliver added that members of the Commission would not be knowledgeable at this point on matters concerning the plan, zoning and the City Code. He said there would have to be some educational measures taken initially to level the playing field. He said the Commission members may need to meet with the Council for several Policy Sessions to provide guidance and to answer questions.

Council Member Ardis urged citizens to review the Heart of Peoria Plan. He said the plan was available at the Peoria Public Library and on the City's web site.

Council Member Sandberg expressed concern that the City would be forming another Commission. He said the plan was specific about recommendations for street reconfigurations, the assignment of "A" and "B" routes, the adoption of a smart code and the regulatory plan after the smart code was adopted. He said the plan indicated if those four things were accomplished, there would be dramatic results in just a few years. He said he felt the Council was setting up a Commission based on past commissions to deal with the specific interventions. He said there was nothing in the goals that gave them the charge to deal with the general controls.

In discussion with Council Member Sandberg, City Manager Oliver confirmed that Exhibit "A" had not changed and was the same as in the plan.

Council Member Sandberg said he felt the proposed Ordinance was not ready for adoption. He also expressed concern that there were residential neighborhoods within three-tenths of a mile which supported the downtown area which was not part of the Heart of Peoria Plan, but the plan indicated there were neighborhoods located 4.5 miles from the downtown area that supported the downtown. He said he did not feel this was good planning or good public policy. He indicated he did not feel comfortable with setting the Heart of Peoria Commission up as a clone of the Riverfront Business Commission.

Council Member Teplitz said she felt the key to the success of the Heart of Peoria Commission would be the positive interaction between the Commission members and the City Council in finding common goals.

Council Member Teplitz commended members of the Council and City Manager Randy Oliver in their efforts of finding common language for the proposed Ordinance.

Council Member Gulley requested that the concerns brought forward by Council Member Sandberg be discussed further in the Policy Sessions that would be scheduled.

Motion to adopt the replacement ORDINANCE NO. 15,571 creating the Heart of Peoria Commission and direct the City Manager to schedule necessary Policy Sessions to discuss zoning and building code changes was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Teplitz, Thetford, Mayor Ransburg - 8;

Nays: Sandberg, Spears - 2.

**(03-276) REQUEST for the ORDINANCE Granting a SPECIAL PERMIT for a ROOFTOP SIGN through the SPECIAL USE PROCESS in a Class I-2 (Railroad/Warehouse Industrial) District for Property Located at 120 EATON STREET to be DEFERRED UNTIL the APRIL 6, 2004, REGULAR CITY COUNCIL MEETING.**

Council Member Gulley said this item was originally requested to be placed on the January 20, 2004, Regular City Council Agenda, but it was determined that additional time would be needed.

Council Member Gulley moved to defer this item until the April 6, 2004, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until April 6, 2004, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Mayor Ransburg - 10;

Nays: None.

**(01-800) REQUEST for the ORDINANCE Amending CHAPTER 3 of the Code of the City of Peoria Relating to ZONING REQUIREMENTS for LIQUOR LICENSE SITE APPROVAL be DEFERRED UNTIL the FEBRUARY 17, 2004, REGULAR CITY COUNCIL MEETING.**

Council Member Thetford said this item was to be placed on the February 3, 2004, Council Agenda, but she said she had a commitment on that date and would not be able to attend that meeting. She explained the proposed Ordinance could have an impact on her District and she would like to be able to attend the meeting when it was considered. She moved to defer this item until the February 10, 2004, Regular City Council Meeting; seconded by Council Member Ardis.

Council Member Sandberg expressed concern that this item was being deferred again after a two-year wait. He added that he was also interested in this item but he would be unable to attend the February 10, 2004, Council Meeting.

Council Member Thetford moved to amend her motion to defer this item until the February 17, 2004, Regular City Council Meeting; seconded by Council Member Ardis.

Motion, as amended, to defer this item until the February 17, 2004, Regular City Council Meeting was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Mayor Ransburg - 9;

Nays: Sandberg - 1.

### **NEW BUSINESS**

#### **ANNOUNCEMENT Regarding JANUARY 29, 2004, TOWN HALL MEETING AT RIVERWEST**

Council Member Gulley announced a Town Hall Meeting would be held at RiverWest on January 29, 2004.

Mayor Ransburg said in an effort to reach out to the entire community, a series of Town Hall Meetings, one in each District, would be held. He said all Council Members were invited as well as citizens in the First District to attend the January 29<sup>th</sup> meeting.

#### **IMPACT of DEPLOYMENT of FIRE EQUIPMENT for FIRE in 1200 BLOCK of W. MacQUEEN**

Council Member Sandberg expressed concern regarding the structural fire in the 1200 Block of W. MacQueen Street, which was in the area of Fire House #11. He explained which fire engines and trucks were deployed to the Fire from other Fire Houses, which technically left that area of the City to the WeaverRidge area without Fire protection equipment.

Council Member Thetford requested that this kind of information be directed to all Council members. She said she did not receive a voice mail about this situation.

Council Member Sandberg said he obtained the information by making inquiries. He indicated that no one had notified him of this situation.

City Manager Randy Oliver said he would follow up and report to the Council in the City Manager's Packet.

### **CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

#### **(04-014) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding VARIOUS ISSUES.**

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

Mr. Mike Mitchell, 721 E. Illinois Avenue, President of the East Bluff United Neighborhood Association, said his neighborhood group was concerned about code violations and they had some questions about the code. He said he was trying to assist his neighborhood because it was in the worst condition ever. He requested Council input.

Mayor Ransburg requested that Mr. Mitchell arrange a meeting with City Manager Randy Oliver to obtain answers to his questions.

Mr. Tom Edwards, 2702 N. Peoria Avenue, expressed concern regarding the proposed contract with Peoria Disposal Company and an issue with a landfill off Route 8. He urged that the agreement be reconsidered.

Council Member Nichting pointed out that this landfill was not the City/County Landfill, but was on private property. He said this property was in the County and it was under their authority.

Council Member Ardis said it was important for the public to understand the private company was not located in the City of Peoria, but the City had an important stake in what might take place there. He said the Director of Public Works would verify that the City had a good relationship with the owner and the City was in close contact with their operation and their intentions. He said he felt it was inappropriate to concern the public when there should be no concern.

Ms. June Moore, 1409 W. Millman, President of Olde Towne South Neighborhood Association, expressed concern that the Kroger Store on Harmon Highway may close and that area would lose their grocery store. She said the residents needed action regarding this issue and she urged the Council to keep this in mind.

### **EXECUTIVE SESSION**

It was determined that an Executive Session was not needed.

### **ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:40 P.M.

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Mary L. Haynes, MMC  
City Clerk, Peoria, IL