OFFICIAL PROCEEDINGS :

OF THE CITY OF PEORIA, ILLINOIS :

Council Chambers, Peoria, Illinois, March 2, 2004, a Regular Meeting of the City Council was held this date at 6:15 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, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT REGARDING AVAILABILITY OF NEW SERVICE TO CITY

Mayor Ransburg announced there was a new service available to the City of Peoria entitled "PEORIACARES LINE", phone number 494-2273 (494-CARE). He encouraged citizens to call this number if they had issues or concerns they felt were not being resolved.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: SMILE AND WAVE DAY – March 3, 2004

PROCLAMATION: NATIONAL PROFESSIONAL SOCIAL WORK MONTH – March, 2004

Council Member Thetford left the Council Chambers.

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on February 17, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: None.

Council Member Thetford returned to the Council Chambers.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(04-069) PUBLIC HEARING Regarding ANNEXATION of Property Located at 6913 N. KOERNER ROAD (Temporary Address).

Council Member Nichting moved to open the Public Hearing Regarding Annexation of Property Located at 6913 N. Koerner Road. There was no second.

Mayor Ransburg opened the Public Hearing at 6:23 P.M.

Hearing no objection Mayor Ransburg granted Privilege of the Floor to those citizens wishing to address this issue.

Sandra Birdsall, 124 S.W. Adams, Attorney representing the petitioner regarding the annexation of 6913 N. Koerner Road, said this was a project involving 168 acres that would be a great asset to the City of Peoria.

Following a third call for public comment, and after Mayor Ransburg determined that no one else wished to address this issue, Council Member Nichting moved to close the Public Hearing; seconded by Council Member Turner.

Approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;
Nays: None.

The Public Hearing closed at 6:25 P.M.

(04-070) Communication from the City Manager and Interim Director of Planning and Growth Management Recommending Adoption of the Following:

A. RESOLUTION Approving the ANNEXATION AGREEMENT for Certain Property Located at an APPROXIMATE ADDRESS of 6913 NORTH KOERNER ROAD, North of Sommer Park, South of War Memorial Drive (U.S. Route 150), Along the West of Koerner/Trigger Road, All Located Within One and One-Half Miles of the City of Peoria.

Interim Director of Planning and Growth Management Pat Landes distributed a replacement Exhibit C of the Annexation Agreement to all Council Members.

Council Member Nichting moved to approve the Resolution approving the Annexation Agreement for certain property located at an approximate address of 6913 North Koerner Road, North of Sommer Park, South of War Memorial Drive (U.S. Route 150), along the West of Koerner/Trigger Road, all located within one and one-half miles of the City of Peoria, including the replaced Exhibit C; seconded by Council Member Turner.

RESOLUTION NO. 04-070, approving the annexation agreement, as amended, was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;
Nays: None.

B. ORDINANCE ANNEXING Territory Contiguous to the City of Peoria – APPROXIMATE ADDRESS of 6913 N. KOERNER ROAD, North of Sommer Park, South of War Memorial Drive (U.S. Route 150), Along the West of Koerner/Trigger Road.

Council Member Nichting moved to adopt the Ordinance annexing territory contiguous to the City of Peoria with the address of 6913 N. Koerner Road, North of Sommer Park, South of War Memorial Drive (U.S. Route 150), along the West of Koerner/Trigger Road, with a correction to Exhibit A referring to "The South One-Half of the Southwest ¼ of Section 10, Township 9 N. Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,588, as amended, with a correction that Exhibit A should read "The South One-Half of the Southwest ¼ of Section 10, Township 9 N, Range 7 E of the Fourth Principal Meridian, Peoria County, Illinois" instead of "The North One-Half of the Southwest ¼ of Section 10, Township 9 N, Range 7 E of the Fourth Principal Meridian, Peoria County, Illinois, was approved by roll call vote.

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

Nays: None.

REQUEST TO MOVE AGENDA ITEM

Council Member Nichting moved to bring forward Agenda Item 04-059 regarding a Sole Source Contract with ExecutivePulse, Inc. listed under Unfinished Business at this time for discussion; seconded by Council Member Morris.

Motion to move Agenda Item 04-059 forward on the Agenda was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(04-059) Communication from the City Manager and the Director of Economic Development Requesting Authorization for the City Manager to Enter into a SOLE SOURCE CONTRACT with EXECUTIVEPULSE, INC. to Provide Business Retention and Expansion Training, Extranet Database Software and Technical Service Support, as Outlined, in the Amount of $17,200, with REPORT BACK.

Council Member Nichting moved to authorize the City Manager to enter into a Sole Source Contract with ExecutivePulse, Inc. to provide business retention and expansion training, Extranet database software and technical service support, as outlined, in the amount of $17,200; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

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

(04-071) LAWSUIT Filed on Behalf of ROGER HEIM Regarding an Appeal from the Zoning Board of Appeals in which the Board Denied Plaintiff a Front Yard Fence on Property Located at 3408 N. Sterling Avenue, with Recommendation to Receive and File and Refer to the Legal Department.

(04-072) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve RESOLUTION NO. 04-072 Approving the PRELIMINARY PLAT for RIVERWEST SOUTH SUBDIVISION, a Residential Development Bound by BUTLER STREET on the North, MACARTHUR HIGHWAY on the East, and NEW STREET on the South.

(04-073) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve RESOLUTION NO. 04-073 Approving the REVISED PRELIMINARY PLAN, Amending Resolution No. 03-444, for the Previously Approved Preliminary Plan of WILLIAMSBURG OAKS TOWNHOUSES, a Multi-Family Residential Development Located North of Illinois Route 150 (War Memorial) and East of Gloucester Court.**

(04-074) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to Adopt ORDINANCE NO. 15,589 Amending Ordinance No. 13,449, an EXISTING SPECIAL USE in a Class C-1 (General Commercial) District for an AUTOBODY SHOP to Include AUTO SALES for Property Located at 1009 W. WINDOM.**

(04-075) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Planning Commission to Adopt ORDINANCE NO. 15,590 Amending APPENDIX A of the Code of the City of Peoria Relating to the PROVISION of SANITARY SEWERAGE.**

(04-076) **APPLICATION for a SUBCLASS 1A (2:00 A.M.) LIQUOR LICENSE for 2509 N. SHERIDAN ROAD, with Recommendation from the Liquor Commissioner to Approve.**

(04-077) **APPLICATION for a CLASS B (Restaurant), SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE for 5025 AMERICAN PRAIRIE DRIVE, with Recommendation from the Liquor Commission to Approve.**

(04-078) **Communication from the City Manager and Corporation Counsel Requesting Approval of DATES for SCHEDULED EVENTS SPONSORED by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E.), Which Includes JUNE 17-18-19, 2004; AUGUST 11, 2004 (with Rain Date of AUGUST 12, 2004); SEPTEMBER 1, 2004; and SEPTEMBER 10-11, 2004, Subject to the Filing of Necessary Permits and Approval as Required by the City Code.**

(04-079) **REPORTS, with Recommendation to Receive and File:**

A. REPORT of CITY TREASURER REGINALD A. WILLIS – January, 2004.

B. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – January 31, 2004

C. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – January 31, 2004

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

Item Nos. 04-071 through 04-079 were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

(04-080) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to Adopt an ORDINANCE Granting a SPECIAL USE in a Class B-1 (Central Business) District for a FARMER'S MARKET for Property Located at the 300 BLOCK of S.W. WATER STREET, 0-100 BLOCK of HARRISON STREET and the 0-100 BLOCK of LIBERTY STREET (Commonly Known as LIBERTY PARK).

Council Member Gulley moved to concur with the recommendation from the Zoning Commission and

City Staff to adopt an Ordinance granting a Special Use in a Class B-1 (Central Business) District for a Farmer's Market for property located at the 300 Block of S.W. Water Street, 0-100 Block of Harrison Street and the 0-100 Block of Liberty Street (Commonly known as Liberty Park); seconded by Council Member Thetford.

Council Member Sandberg referred to Item No. 3 in the proposed Ordinance regarding the operable time and day for the Farmer's Market. He questioned why the hours were restricted to 7:00 A.M. to 2:00 P.M. He suggested approving the ordinance in its location and allowing the Farmer's Market to operate at its fullest potential.

Interim Director of Planning and Growth Management Pat Landes said representatives from the Farmer's Market were in the audience and would like to address this issue.

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

Ms. Val Berry, 401 Water St., displayed the Farmer's Market Sign.

Mr. Dan Phillips, 311 S.W. Water St. (business address) addressed the Council on behalf of the Peoria Riverfront Association. He said this was a seasonal market that would be on the Riverfront every Saturday from June 5, 2004 through October, 2004. He said the marketplace would feature locally produced items and it was their intent to make the marketplace an outdoor festival by including arts for the entertainment aspect. He said the various entities involved felt a morning market was what the farmers preferred. He said the location was also home to other businesses, restaurants and attractions and they did not want to create any type of bottle-neck in this area. He said he felt the hours presented would best serve the needs of the participants involved and would be a good neighbor gesture to the local businesses in the area. He said there were approximately one-hundred vendors who were interested in participating in the marketplace project. Mr. Phillips said the hours listed in the Ordinance were acceptable to everyone associated with the project.

Following further discussion and comments from several Council Members, Council Member Morris moved to amend the ordinance by eliminating the time and day restrictions listed in the Ordinance; seconded by Council Member Turner.

Motion to approve the amendment to the ordinance to eliminate the time and day restrictions was approved by roll call.

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

Nays: None.

Motion to adopt ORDINANCE NO. 15,591 granting a Special Use in a Class B-1 (Central Business) District for a Farmer's Market for property located at the 300 Block of S.W. Water Street, 0-100 Block of Harrison Street and the 0-100 Block of Liberty Street (Commonly known as Liberty Park), as amended to eliminate the time and day restrictions was approved by roll call vote.

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

Nays: None.

(04-081) Communication from the City Manager and Assistant City Manager Recommending Authorization for the City Manager to Issue a REQUEST for QUALIFICATIONS (RFQ) for CONSULTANTS to Perform a COMPREHENSIVE MANAGEMENT and OPERATIONS STUDY Regarding CURRENT FIRE and OPERATIONS STUDY Pertaining to FIRE AND EMERGENCY MEDICAL SERVICES within the City of Peoria.

Council Member Teplitz moved to authorize the City Manager to issue a Request for Qualifications (RFQ) for Consultants to perform a Comprehensive Management and Operations Study regarding Current Fire and Operations Study pertaining to Fire and Emergency Medical Services within the City of Peoria; seconded by Council Member Morris.

Council Member Sandberg inquired if this specific type of planning and evaluation was performed by a subculture group of professionals or a broader based group of consultants.

City Manager Randy Oliver stated the RFP provided that in order to qualify for this engagement, the firm would need to perform the same type of consulting engagement for three jurisdictions the size of Peoria or larger. He said there were several firms that would meet these requirements.

In discussion with Council Member Sandberg and City Manager Oliver regarding Peoria's ambulance response times in comparison with national averages, it was determined the RFP should include a clarification that the cities needed to be comparable in size.

Council Member Sandberg expressed concern that he was unable to locate any type of standards listed within the provisions for fire services. He said he felt the consultants hired needed to be knowledgeable with FLSA, NFPA, OSHA and IDPH matters, experienced in NFPA Standard 17-10, which provides for organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by career fire departments, and should also be aware of the standards established by the City of Peoria.

There was discussion with several Council Members regarding what the criteria should be used in hiring a consultant to perform a comprehensive management and operations study of the current Fire, EMS, and Ambulance services within the City of Peoria. It was determined that when the selection committee received the RFP responses, they would bring recommendations relating to the consultant applicants to Council for approval.

In further discussion between Council Member Nichting and City Manager Oliver, it was determined that Staff would include an additional provision under "Fire Service" that the consultant must be familiar with all applicable NFPA standards including standard 17-10. Council Member Nichting requested this as a friendly amendment.

The maker of the motion and the seconder agreed.

Motion to authorize the City Manager to issue a Request for Qualifications (RFQ) for Consultants to perform a Comprehensive Management and Operations Study regarding Current Fire and Operations Study pertaining to Fire and Emergency Medical Services within the City of Peoria, and include an additional provision under "Fire Service" that the consultant must be familiar with all applicable NFPA standards which would include standard 17-10, was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(01-800) A. Communication from City Manager and Corporation Counsel Regarding an ORDINANCE Amending CHAPTER 3 of the City Code Relating to Zoning Requirement for Liquor License Site Approval (Replacement Ordinance for Ordinance brought 11/27/01);

This ordinance was not adopted.

B. Communication from the City Manager Recommending Adoption of ORDINANCES Amending CHAPTER 3 of The Code of the City of Peoria Relating to LICENSES to SELL ALCOHOLIC BEVERAGES and PROVIDE for the SALE of GASOLINE and ALCHOHOL at the SAME LOCATION.

Corporation Counsel Randy Ray distributed five replacement ordinances to the City Council relating to this Item.

Council Member Teplitz distributed a listing of standards for a Special Use Permit to all members of the City Council.

Council Member Turner gave a brief overview describing the rules and regulations pertaining to the replacement ordinances. He said sufficient control was included in the Ordinances to protect the neighborhoods.

Corporation Counsel Randy Ray explained the replacement Ordinances before the Council provided two different Ordinances allowing liquor licenses in grocery stores that sold gasoline, and he described the different requirements listed in the Ordinances.

Council Member Turner moved to adopt the Ordinances amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding Class C-2 License, Class C-3 License, Class C-4 License, Class C-5 License, and Sections 3-63(28) and 3-92(b)(6) License; seconded by Council Member Morris.

Council Member Sandberg said there was a lengthy and costly process associated with obtaining a Special Use Permit and he inquired why establishments in the newer environments needed to go through the Special Use Process when they had already met the requirements of the Zoning Ordinance. He expressed concern regarding what he felt was over-regulation and mutation that had taken place with these Ordinances.

City Manager Oliver said he did not know what the requirements were in other communities regarding this issue, but a gasoline station located in an area other than a C-1 District would need to apply for a Special Use permit anyway, so the only area in question would be a C-2 District.

Council Member Teplitz said she would support the proposed Ordinances because she felt there had been extraordinary levels of protection built in for the neighborhoods and existing businesses. She said she felt in reality there would not be many gasoline stations that would elect to go through the Special Use Process. Referring to the handout from the Legal Department regarding Special Uses, she said she felt the standards for a Special Use were both thorough and flexible, and enabled the City to impose additional restrictions, if needed. She said the second major hurdle was the Site Approval Process that also came before the Council ultimately for approval. She said she was satisfied with the conditions that existed within the Ordinances and afforded an opportunity for citizens to make an investment in their businesses without having a negative impact on the surrounding residential area.

Council Member Turner stated his motion was for approval of all five ordinances.

Council Member Thetford said she could not agree to subject the neighborhoods in her District to the problems these Ordinances might possibility create. She expressed concern regarding the inability to monitor the amount of liquor sold. She said she would not be supporting the motion.

Council Member Spears said he felt using the Special Use Process as a way to legislate whether or not alcohol should be sold was not a good process. He said he would be supporting the motion, but he felt these Ordinances were made for the big businesses and not for the small family operations.

Council Member Gulley expressed concern regarding control of the Ordinances relating to the issues of loitering and littering. He said because single servings of alcohol could not be sold, there would be more people and more traffic at liquor establishments.

In response to Council Member Gulley's inquiry regarding what convenient stores were included in these ordinances, City Manager Oliver said the requirements for convenient stores that did not sell gasoline would not change from what they were.

Motion to adopt ORDINANCE NO. 15,592 amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding the Class C-2 License was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: Thetford – 1.

Motion to adopt ORDINANCE NO. 15,593 amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding the Class C-3 License was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: Thetford – 1.

Motion to adopt ORDINANCE NO. 15,594 amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding the Class C-4 License was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: Thetford – 1.

Motion to adopt ORDINANCE NO. 15,595 amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding the Class C-5 License was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: Thetford – 1.

Motion to adopt ORDINANCE NO. 15,596 amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic beverages in grocery stores where a gasoline station is attached regarding Section 3-63 (28) and 3-92(b)(6) was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10;
Nays: Thetford – 1.

(04-054) **A. Communication from the City Manager and Corporation Counsel Recommending Adoption of an ORDINANCE Amending CHAPTER 18 of the Code of the City of Peoria Delegating to the CITY MANAGER the RESPONSIBILITY for ESTABLISHING ADULT BUSINESS LICENSE FEES Pursuant to Section 18-82 of the Code of the City of Peoria;**

B. Request for Approval of a RESOLUTION Establishing ADULT BUSINESS LICENSE FEES Pursuant to Section 18-82 of the Code of the City of Peoria.

Council Member Teplitz moved to adopt the Ordinance amending Chapter 18 of the Code of the City of Peoria delegating to the City Manager the responsibility for establishing Adult Business License Fees pursuant to Section 18-82 of the Code of the City of Peoria; seconded by Council Member Morris.

Council Member Nichting requested Privilege of the Floor for Ms. Sandra Fritz.

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

Ms. Sandra Fritz, 2449 W. Imperial Drive, distributed a letter to all members of the City Council along with a chart depicting the number of sexually transmitted diseases in numerous cities in Illinois. She discussed several reasons why she felt these businesses should be regulated. She requested that licensing fees not be lowered just for dishwashers. Ms. Fritz submitted the letter along with 166 petitions bearing signatures of citizens requesting the regulation of sexually oriented businesses in the City of Peoria, bringing the total of signatures letters to 1900, and she requested they be entered into public record. She further requested clarification regarding the difference between A and B.

In response to Ms. Fritz's inquiry, City Manager Oliver explained that the Ordinance in Item A would delegate the authority of setting the fees to the City Manager, and the Resolution in Item B would provide what the City Manager would recommend establishing those fees at, and with the exception of dishwashers and cooks, but not including the waitstaff, the initial and annual renewal fees would be set at the maximum allowed by the Ordinance as adopted by this Council. Mr. Oliver said his recommendation for the kitchen staff including dishwashers and cooks, but not including waitstaff, would be $50.00.

Council Member Nichting said he felt all fee issues should be discussed and approved by the Council and not deferred to the administration for their approval, and for this reason he would not be supporting Item A. He said Item B allowed the citizens to address their concerns to the Council and Council would then have the authority to approve or defer the issue. Following this explanation, Council Member Nichting moved for a substitute motion to approve Item B, a Resolution establishing Adult Business License Fees pursuant to Section 18-82 of the Code of the City of Peoria; seconded by Council Member Sandberg.

Council Member Morris requested Corporation Counsel to comment on a previous memorandum stating that a substitute motion which centrally resulted in the direct defeat of the initial motion may be problematic from a parliamentary prospective.

Corporation Counsel said if Item B was approved, then Item A would be defeated. He recommended if the Council wanted to approve Item B, they would need to defeat the motion on Item A and then proceed with Item B.

Council Member Morris stated his main concern had to do with the roles of the Council and the City Manager and their interaction in solving this issue. He said he felt the City Manager should have some authority on these regulatory fees.

Council Member Teplitz withdrew her original motion to adopt the Ordinance amending Chapter 18 of the Code of the City of Peoria Delegating to the City Manager the responsibility for establishing adult business license fees pursuant to Section 18-82 of the Code of the City of Peoria; the seconder agreed.

Council Member Nichting moved for a substitute motion to approve the Resolution establishing Adult Business License Fees pursuant to Section 18-82 of the Code of the City of Peoria; seconded by Council Member Morris.

RESOLUTION NO. 04-054 was approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;
Nays: None.

(04-061) Communication from the City Manager and the Director of Public Works Requesting Approval of the Following:

A. SEWER IMPROVEMENT AGREEMENT Between the GREATER PEORIA SANITARY DISTRICT and the City of Peoria;

Following a brief explanation, Council Member Gulley moved to approve the Sewer Improvement Agreement between the Greater Peoria Sanitary District and the City of Peoria; seconded by Council Member Thetford.

Approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;
Nays: None.

B. CONTRACT with NATIONAL POWER RODDING CORPORATION, in the Amount of $405,445.24, for Televising and Cleaning City of Peoria's Sewer Rehabilitation Design Area 2 – Division A.

Council Member Gulley moved to approve the contract with National Power Rodding Corporation in the amount of $405,445.24, for televising and cleaning City of Peoria's Sewer Rehabilitation Design Area 2 – Division A; seconded by Council Member Thetford.

Approved by roll call vote.
Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;
Nays: None.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(04-082) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding VARIOUS ISSUES.

Mr. Julius Gianakos, P.O. Box 993, expressed concern regarding the $6.00 garbage fee taxed to the City's water bill. He said he did not object to paying the $6.00, but he explained he owned a four-unit apartment building and his understanding was there would be $6.00 fee per structure, not per dwelling unit. He explained some of the problems he had encountered regarding renting property to single families, the Code Enforcement Ordinance and Waste Management.

Mayor Ransburg suggested Mr. Gianakos meet with the City Manager following the Council Meeting to see if these concerns could be resolved.

Mr. Stan Komen, 104 Harbor Pointe Drive, East Peoria, IL, explained he had been a liquor retailer in the City of Peoria for thirty-five years. He expressed some concerns relating to the liquor ordinances adopted by the Council. He questioned if gasoline stations were granted a liquor license and met the requirements, could they then have wine tastings.

In response to Mr. Komen's inquiry, Corporation Counsel Ray said the service stations would have to apply for a subclass 6 in order to have a wine tasting.

Mr. Komen said he felt there were a number of loop holes within the Ordinances adopted at tonight's meeting and they needed to be reviewed more thoroughly.

In reference to the issue of wine tasting at service stations, Council Member Teplitz suggested Council Member Turner schedule a meeting for those citizens who would be interested in obtaining a more in-depth explanation of the Ordinances along with more information.

Council Member Turner said a letter would be sent to interested parties scheduling a meeting to discuss some of the problems.

Ms. Laura Fults, 2601 W. Reservoir, Apt. 906, expressed her gratitude and thanks to the Council and Fire Department who attended a meeting at Sterling Towers on February 13, 2004, to discuss some of the senior citizen concerns regarding the Fire Department. She commended the Fire Department on their dedication in serving the citizens of Peoria.

Ms. June Moore, 1409 W. Millman, President of Olde Town South Neighborhood Association, commended the Police Department for their intervention regarding several incidents involving teenagers who were out on the City streets after curfew causing disturbances. She questioned if the City was going to enforce the Curfew Ordinance.

City Manager Oliver reminded everyone the Curfew Ordinance in light of court decisions had been revised recently.

Police Chief Stenson said the City of Peoria did have a Curfew Ordinance in effect that was adopted two weeks ago. He said police and Bradley University personnel had been notified regarding the Ordinance. He said the teenagers who had been present at the incidents were of curfew age, and some arrests had been made at both of the events. He said there has been some discussion to make sure there was ample security, by either providing on duty police officers or private security officers to be on duty at all events to enforce the Curfew Ordinance and protect the neighborhoods.

In discussion with Police Chief Stenson, Council Member Sandberg determined, for the record, there was an increase of thirty citations relating to all municipal violations.

Mr. Steve King, 5501 Holly Hedges Court, said he owned and operated a wholesale liquor company in the State of Illinois. He stated that he traveled throughout Illinois and explained some of the regulations regarding liquor licensing in other communities. He expressed concern regarding the many problems he felt would arise with the adoption of these liquor ordinances.

Ms. Levetta Ricca, 722 S.W. Greenlawn, expressed concern regarding the need for someone to be held responsible for the criminal activities of the City's teenagers. She said there were many youth programs and activities available for the City's youth to participate in.

Council Member Sandberg inquired who determined that the $6.00 garbage fee should be paid quarterly rather than monthly. He said many citizens were on fixed incomes and under the impression the fee would be paid monthly, and they were shocked to find the quarterly fee charged to their February water bill.

Public Works Director Steve Van Winkle explained he attended a meeting with the previous Interim City Manager and the Water Company Manager, and it was determined the Water Company had intended to charge $ .80 per billing, so the decision was made to pay the fee on a quarterly basis. He said the Council decided late in December whether they were going to approve the $6.00 fee, and therefore, the City had little time to communicate to the public regarding how this user fee would be handled.

ANNOUNCEMENT REGARDING "PEORIACARES"

Council Member Thetford encouraged the citizens to utilize the new program implemented by the City called "PEORIACARES – 494-2273 or 494-CARE."

NEIGHBORHOOD AWARDS BANQUET

Council Member Thetford announced there would be an Annual Neighbors Awards Banquet to be held at the Pere Marquette on Thursday, March 4, 2004, at 8:00 P.M., and encouraged the public to attend. She said one of the prizes would be a "Lunch for Two" with herself and Council Member Teplitz.

EXECUTIVE SESSION

It was determined that no Executive Session was needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:46 P.M.

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

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