

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

Council Chambers, Peoria, Illinois, April 20, 2004, a Regular Meeting of the City Council was held this date at 6:21 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.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: TWENTY-FIFTH ANNIVERSARY of the CENTRAL ILLINOIS CHAPTER of the NATIONAL ASSOCIATION of WOMEN BUSINESS OWNERS – April 21, 2004.

PROCLAMATION: NATIONAL MULTIPLE SCLEROSIS AWARENESS WEEK – April 25 through May 2, 2004

**MINUTES**

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on April 13, 2004, as printed; 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.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS**

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

- (04-159) TAG DAY REQUEST from VFW POST #814 Requesting Permission to Hold its ANNUAL BUDDY POPPY SALE on Friday and Saturday, May 14 and 15, 2004. (Dates are Open.)
- (04-160) Communication from the City Manager and Director of Public Works Requesting Authorization to Accept BIDS from VENDORS, as Outlined, for STREET MAINTENANCE MATERIALS.

- (04-161) Communication from the City Manager and Director of Public Works Requesting Approval of an AGREEMENT with the FAYETTE COMPANIES and BENASSI & BENASSI, P.C. for ORNAMENTAL STREET LIGHTING on FAYETTE STREET Between Perry Avenue and Monroe Street; and Requesting Approval to Accept the SOLE SOURCE BID of LASER ELECTRIC, INC., in the Amount of \$23,443.50 and Expend the Capital Improvement Program Funds from the Sidewalk Program for this Work.
- (04-162) Communication from the City Manager, Assistant City Manager, and Director of the Emergency Communication Center Requesting Authorization for the City Manager to Execute an AGREEMENT with the ILLINOIS LAW ENFORCEMENT ALARM SYSTEM Establishing the CITY OF PEORIA EMERGENCY COMMUNICATIONS CENTER as the Backup Dispatch Center for ILEAS Mutual Aid Calls.
- (04-163)  
\* Communication from the City Manager and Assistant Director of Economic Development Requesting Authorization for the City Manager to Enter into a MEMORANDUM OF AGREEMENT and SITE LEASE with MOTOROLA, INC. for a TOWER at 3615 N. GRANDVIEW DRIVE.
- (04-164)  
\*\* Communication from the City Manager and Corporation Counsel Requesting Authorization for the City Manager to Execute the KELLAR BRANCH INTERIM OPERATING AGREEMENT with DOT RAIL SERVICE.
- (04-165) Communication from the City Manager and Corporation Counsel Recommending Adoption of the ORDINANCE NO. 15,609 Amending CHAPTER 2 of the Code of the City of Peoria Establishing that REGULAR CITY COUNCIL MEETINGS Would be Held on the First and Third Tuesdays of Each Month, and STUDY SESSIONS or POLICY SESSIONS Would be Held on the Second and Fourth Tuesdays of Each Month.
- (04-166) Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE NO. 15,610 Granting a SPECIAL USE in a Class R-3 (Single Family Residential) District for CHURCH FACILITIES to Include a TWENTY-SQUARE FOOT, FIVE-FOOT HIGH SIGN for Property Located at 3331 N. FINNELL.
- (04-167)  
\*\*\* Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Granting a SPECIAL USE in a Class C-1 (General Commercial) District for an AUTO REPAIR SHOP, GASOLINE SERVICE STATION and CONVENIENCE STORE for Property Located at 1213 E. McCLURE AVENUE, with Conditions.
- (04-168)  
\*\*\*\* Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending Ordinance No. 15,347, an EXISTING SPECIAL USE in a Class R-7 (Multi-Family Residential) District for CHURCH FACILITIES to Include a CHILD CARE FACILITY for Property Located at 135 N. E. RANDOLPH.

- (04-169) \*\*\*\*\* Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to ZONING for Various Text Adjustments to Have Retail Sales of Gasoline, Groceries and Liquor on the Same Zoning Lot After Obtaining a Special Use and a Liquor License.
- (04-170) Communication from the City Manager and Assistant Director of Economic Development Recommending Adoption of an ORDINANCE NO. 15,611 Allocating 2004 PRIVATE ACTIVITY BOND VOLUME CAP to Assist the FIRST-TIME HOMEBUYERS DOWN PAYMENT ASSISTANCE PROGRAM.
- (04-171) APPOINTMENTS by Mayor David P. Ransburg to the HEART OF PEORIA COMMISSION:
- |                                  |                      |
|----------------------------------|----------------------|
| Ronald J. Budzinski (Voting)     | Term Expires 6/30/07 |
| Beth A. Akeson (Voting)          | Term Expires 6/30/05 |
| John D. Blossom, Jr. (Voting)    | Term Expires 6/30/05 |
| Timothy E. Criss (Voting)        | Term Expires 6/30/07 |
| Diana J. Hall (Voting)           | Term Expires 6/30/06 |
| Kert A. Huber (Voting)           | Term Expires 6/30/07 |
| Thomas E. Leiter (Voting)        | Term Expires 6/30/07 |
| Michael Maloof (Voting)          | Term Expires 6/30/06 |
| Joseph P. O'Brien (Voting)       | Term Expires 6/30/06 |
| William F. Springer (Voting)     | Term Expires 6/30/05 |
| Patrick T. Sullivan (Voting)     | Term Expires 6/30/07 |
| Daniel Van Buskirk, Jr. (Voting) | Term Expires 6/30/05 |
| Wilson C. Washkuhn (Voting)      | Term Expires 6/30/06 |

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

Council Member Nichting requested that Item Nos. 04-163 and 04-164 be removed from the Consent Agenda for further discussion.

Council Member Teplitz requested that Item No. 04-168 be removed from the Consent Agenda for further discussion.

Council Member Thetford requested that Item Nos. 04-167 and 04-169 be removed from the Consent Agenda for further discussion.

Item Nos. 04-159 through 04-171 (excluding Item Nos. 04-163, 04-164, 04-167, 04-168, and 04-169 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, Turner, Mayor Ransburg - 11;

Nays: None.

**(04-163)      Communication from the City Manager and Assistant Director of Economic  
\*      Development Requesting Authorization for the City Manager to Enter into a  
MEMORANDUM OF AGREEMENT and SITE LEASE with MOTOROLA, INC.  
for a TOWER at 3615 N. GRANDVIEW DRIVE.**

Council Member Nichting commended those involved with the agreement to remove the tower and install a new one, in the amount of approximately \$233,000, but at no cost to the City.

City Manager Randy Oliver agreed and said the agreement came about through the efforts of the Legal Department, the Police Department, Assistant City Manager Alan Pennington, ECC Director Dave Tuttle, and Assistant Fire Chief Kent Tomblin.

Council Member Nichting moved to authorize the City Manager to enter into a Memorandum of Agreement and Site Lease with Motorola, Inc. for a tower at 3615 N. Grandview Drive; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

**(04-164)      Communication from the City Manager and Corporation Counsel  
\*\*      Requesting Authorization for the City Manager to Execute the KELLAR  
BRANCH INTERIM OPERATING AGREEMENT with DOT RAIL SERVICE.**

Corporation Counsel Randy Ray distributed a replacement agreement and a supplemental communication to all members of the City Council.

Council Member Nichting moved to authorize the City Manager to execute the replacement Kellar Branch Interim Operating Agreement with DOT Rail Service, and receive and file the communications; 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.

**(04-167)      Communication from the City Manager and Director of Planning and  
\*\*\*      Growth Management Recommending Adoption of an ORDINANCE Granting  
a SPECIAL USE in a Class C-1 (General Commercial) District for an AUTO  
REPAIR SHOP, GASOLINE SERVICE STATION and CONVENIENCE STORE  
for Property Located at 1213 E. McCLURE AVENUE, with Conditions.**

Council Member Thetford indicated she had received numerous calls regarding the proposed zoning change and she expressed her concerns. She requested that City Staff provide her with a history of the property, which should include code enforcement problems, since 1998. She also requested to know what consequences there would be if the request for a Special Use was not approved by the City Council.

Council Member Thetford moved to defer this item until the May 4, 2004, Regular City Council Meeting; seconded by Council Member Grayeb.

Motion to defer this item until May 4, 2004, was approved by roll call vote.

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

Nays: None.

- (04-168)**  
\*\*\*\*  
**Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending Ordinance No. 15,347, an EXISTING SPECIAL USE in a Class R-7 (Multi-Family Residential) District for CHURCH FACILITIES to Include a CHILD CARE FACILITY for Property Located at 135 N. E. RANDOLPH.**

Following a brief comment, Council Member Teplitz moved to defer this item until the May 18, 2004, Regular City Council Meeting; seconded by Council Member Gulley.

Motion to defer this item until May 18, 2004, was approved by roll call vote.

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

Nays: None.

- (04-169)**  
\*\*\*\*\*  
**Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to ZONING for Various Text Adjustments to Have Retail Sales of Gasoline, Groceries and Liquor on the Same Zoning Lot After Obtaining a Special Use and a Liquor License.**

Council Member Thetford said she would not be voting in favor of the proposed Ordinance.

Council Member Turner moved to adopt an Ordinance amending Appendix B of the Code of the City of Peoria relating to Zoning for various text adjustments to have retail sales of gasoline, groceries and liquor on the same zoning lot after obtaining a Special Use and a Liquor License; seconded by Council Member Sandberg.

ORDINANCE NO. 15,612 was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 9;

Nays: Grayeb, Thetford - 2.

- (04-172)**  
**Communication from the City Manager and Director of Planning and Growth Management with Recommendation to DENY an ORDINANCE Amending an EXISTING NON-CONFORMING USE CHANGE, Ordinance No. 15,548, in a Class R-4 (Single-Family Residential) District for a REAL ESTATE OFFICE to Include Space for a Twelve-Step Narcotics Program Meeting Area for Property Located at 2421 N. ATLANTIC.**

Following a brief explanation regarding the neighborhood's lack of support for the proposed Ordinance, Council Member Thetford moved to concur with the recommendation to deny the Ordinance amending an Existing Non-Conforming Use Change, Ordinance No. 15,548, in a Class R-4 (Single-Family Residential) District for a Real Estate Office to include space for a Twelve-Step Narcotics Program meeting area for property located at 2421 N. Atlantic; seconded by Council Member Teplitz.

Motion to DENY the Ordinance for 2421 N. Atlantic was approved by roll call vote.

Yeas: Ardis, Grayeb, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10;

Nays: Gulley - 1.

- (04-173) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt, and with Recommendation from the City Staff to Adopt with Condition, an ORDINANCE Granting a SPECIAL USE in a Class I-1 (Industrial/Business Park) District for an EXPANSION of a NON-CONFORMING USE for a DRY BATCH CEMENT MIXING PLANT to Include Adding an ADDITIONAL SILO and a DUST COLLECTOR for Property Located at 9016 N. UNIVERSITY.**

Council Member Nichting moved to concur with the Zoning Commission to adopt, without conditions, an Ordinance granting a Special Use in a Class I-1 (Industrial/Business Park) District for an expansion of a Non-Conforming Use for a Dry Batch Cement Mixing Plant to include adding an additional silo and dust collector for property located 9016 N. University; seconded by Council Member Turner.

City Manager Randy Oliver explained that the Staff's recommendation was to require that the lot be paved in accordance with Ordinances which currently exist. He said the motion on the floor would not require the paving which may impact the neighborhood.

Council Member Nichting explained this was a pre-existing operation and had been at this location for over 20 years. He said the change was to make the business more environmentally friendly. He said the business had continued to meet EPA requirements and he did not feel that additional conditions should be placed on the business.

Motion to concur with the Zoning Commission to adopt, without conditions, ORDINANCE NO. 15,613 granting a Special Use in a Class I-1 (Industrial/Business Park) District for an expansion of a Non-Conforming Use for a Dry Batch Cement Mixing Plant to include adding an additional silo and dust collector for property located 9016 N. University was approved by roll call vote.

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

Nays: None.

#### **UNFINISHED BUSINESS**

- (04-118) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt AND with Recommendation from the City Staff to Deny an ORDINANCE Rezoning Property Located at 1901 N. PROSPECT from the Present Class O-1 (Arterial Office) District to a Class C-1 (General Commercial) District.**

Council Member Thetford gave a brief explanation of the background regarding the property. She said the property was currently for sale and was zoned for offices. She expressed concern that in the current Zoning C-1 classification, there were numerous uses that would not work with that neighborhood. She said she hoped the Heart of Peoria Plan Commission and Zoning Commission would begin to explore the concept of neighborhood commercial centers and establish some limited commercial uses that would work with the neighborhoods. She said she felt the only option to the owner at this point would be to maintain this property as office and rent the property or sell it. She said, until neighborhood commercial centers were an option, there was no choice but to deny the request.

Council Member Thetford moved to concur with the City Staff's recommendation to deny the Ordinance rezoning property located at 1901 N. Prospect from the present Class O-1 (Arterial Office) District to a Class C-1 (General Commercial) District; seconded by Council Member Teplitz.

Council Member Thetford said there were other structures like this one in other older neighborhoods. She said this was a good example why it was imperative that the Zoning Commission begin to explore the concept of neighborhood commercial centers and more limited kinds of commercial uses that were not problematic for neighborhoods. She said the current C-1 Zoning presented too many problems for older neighborhoods.

In discussion with Council Member Grayeb regarding his suggestion that this item be tabled until a pragmatic solution was resolved, Council Member Thetford said she did not want to convey any sort of hope that a petition for C-1 zoning, as it currently existed, would be acceptable.

Director of Planning and Growth Management Pat Landes said that tabling the request would allow for more flexibility if any proposed text changes would be accepted by the Council. She said this would send a message to the Petitioner that his request was not acceptable, and it would keep the application alive until text changes were approved.

Council Member Thetford moved to amend her motion to Table the Ordinance rezoning property located at 1901 N. Prospect from the present Class O-1 (Arterial Office) District to a Class C-1 (General Commercial) District; seconded by Council Member Teplitz.

Motion to Table the proposed Ordinance was approved by roll call vote.

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

Nays: None.

**(04-147) Clarification Regarding How It Had Been Determined that the GARBAGE COLLECTION FEE Would be Collected Three Times a Year.**

Council Member Sandberg referred to the response he requested regarding the collection of the garbage fee brought up by Mr. James Saum at the April 6, 2004, City Council Meeting, and he expressed concern that the response was not a Council Agenda item but was written in the weekly City Manager's Issues Update to the City Council in two different segments. He expressed concern that other matters had also been addressed in the City Manager's Issues Update that he felt should have been a Council Agenda item and should be discussed by Council. He questioned again how it had been determined that citizens would be billed for four months each three times a year.

City Manager Randy Oliver explained the Council took action on a document in November, 2003, that provided for the garbage fee to be collected three times a year.

Corporation Counsel Randy Ray further explained that when the Ordinance establishing the garbage collection fee was approved by Council in November, 2003, the communication and the Ordinance specifically indicated the fee would be collected three times a year, and then in December, 2004, when the Water Company agreement and Council communication came before the Council, it was again stated that the fee would be collected three times a year.

**NEW BUSINESS**

**UPDATE Regarding the START OF CONSTRUCTION on the INTERSECTION OF CHARTER OAK ROAD AND BIG HOLLOW ROAD**

In discussion with Council Member Nichting regarding the impact of the start of construction on the intersection of Charter Oak Road and Big Hollow Road, Director of Public Works Steve Van Winkle said he had made notification to the public that beginning April 26, 2004, the intersection

of Charter Oak Road and Big Hollow Road would be closed so that Charter Oak Road could be extended. He said the intersection would be closed during this year's construction season which would be until November or December, or until it was safe for traffic to use the intersection. He said the closure would place heavier traffic on Frostwood Parkway and possibly Orange Prairie Road. He said that Mark Bills School was located on Frostwood Parkway and that speed limits would be enforced, especially in the spring and fall, while school was in session.

In discussion with Council Member Grayeb regarding his concern for safety for the school children who would be present on Frostwood Parkway, Superintendent of Police John Stenson said there had been discussion that the Police Department would place the speed limit trailer in the area of the school and a Police Officer would be present at the school crossing, rather than just a crossing guard.

### **UNFINISHED BUSINESS**

- (04-157) Request to RECONSIDER the Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to Zoning for Various Text Adjustments that all New Buildings and Additions, plus any Façade Improvements in Excess of \$10,000.00, in the WEST MAIN STREET CORRIDOR (As Identified within the Medical and Technology District Boundaries) Shall Require a SPECIAL USE, and Place the Item on the APRIL 27, 2004, COUNCIL AGENDA for Action.**

Council Member Teplitz moved to reconsider the communication from the City Manager and Director of Planning and Growth Management recommending Adoption of an Ordinance amending Appendix B of the Code of the City of Peoria relating to Zoning for various text adjustments that all new buildings and additions, plus any façade improvements in excess of \$10,000.00, in the West Main Street Corridor (as identified within the Medical and Technology District Boundaries) shall require a Special Use, and place this item on the April 27, 2004, Regular City Council Agenda for action; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Sandberg, Spears - 2.

### **NEW BUSINESS**

- (04-174) DISCUSSION Regarding How the HEART OF PEORIA PLAN COMMISSION would Gather Input from the City Council, and Other Issues.**

Council Member Spears referred to the Ordinance Establishing the Heart of Peoria Plan Commission and he questioned how the Commission would gather input from the City Council and Mayor.

City Manager Randy Oliver said there would be a planning meeting with the Commission to acclimate them to the plan and make them aware of the Open Meetings Act and let them get organized. He said if the Council wanted a more formal meeting with the Commission, it could be arranged.

In discussion with Council Member Spears regarding a majority of a quorum, Mayor Ransburg said four members of the thirteen Commissioners would be a majority of a quorum.



City Manager Randy Oliver also confirmed that each of the Commissioners would receive a copy of the Duany Plan.

Council Member Spears also requested that the Commissioners understand that not all of them would be focusing on the downtown area. He said the plan also included neighborhoods in the Northside, Southside and some of the East Bluff and West Bluff neighborhoods.

Mayor Ransburg pointed out that the Heart of Peoria Plan Commission would also be coordinating activities with the Med-Tech District Commission.

Director of Planning and Growth Management Pat Landes said she met with the Chairman of the Heart of Peoria Plan Commission and one of his questions was how would he communicate with the Council regarding the plan. She said it was evident that a work plan would be developed with Council interaction. She added this was a requirement outlined in the Ordinance.

Council Member Sandberg pointed out this Commission would not deal with neighborhoods within a half mile from City Hall, but by the law that was adopted, would include West Peoria and Peoria County. He expressed concern that the plan did not cover the heart of Peoria as suggested in the title.

#### **REQUEST TO MOVE AGENDA ITEM**

Mayor Ransburg suggested that the Council Agenda Item regarding Citizens to Address the Council be moved forward on the Agenda to be heard at this time.

No objections were heard.

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

##### **(04-175) 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.

Ms. June Moore, 1409 W. Millman, President of Olde Towne South Neighborhood Association, commended Police Chief John Stenson for his dedication and many years of service to the southern neighborhoods and his service to the community. She presented him with a plaque from the neighborhood association.

Police Chief Stenson thanked Ms. Moore for the plaque and said government could not solve neighborhood problems without cooperation from the neighborhoods. He urged them to continue their work in their neighborhoods and to work with whomever was appointed the next Police Chief.

Mr. Michael Bushell, 601 W. High Street and President of High Wine Neighborhood Association, expressed concern that the entrance onto High Street from Main Street was changed to a two-way street for only the first 140 feet. He said there were safety concerns at the corner and down High Street. He suggested that if traffic exiting Converse Advertising had difficulty ascertaining that High Street was a one-way street, then additional signs should have been posted for clarity. He urged the Council to return High Street to a one-way street and re-install parking on High Street. He said he would be meeting with the City Manager on Friday at 3:00 P.M. and he invited Mayor Ransburg and Council Member Teplitz to attend.

Council Member Sandberg requested, in writing, what the process was for changing one-way streets to two-way streets. He said it was his understanding that the process was long and difficult. He questioned if this expenditure was a part of the 2004 City Budget. He said he wanted a clear understanding regarding the procedure and he wanted to know where the money came from to make these changes to this street.

Ms. Kimberlee Newby, 401 W. High Street, questioned when the 140 foot portion of High Street was changed to a two-way street, who determined the safety issues, how the study was performed, and what notice was given to the neighborhood. She said she expected the City to do something to rectify this situation. She said she would like the At-Large Council Members and the Journal Star to be present at the Friday meeting at 3:00 P.M. with the City Manager.

### **EXECUTIVE SESSION**

- (04-176) Requesting Approval of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, of deliberations concerning salary schedules for one or more classes of employees; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; and 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent.**

Council Member Nichting moved for the City Council to go into Executive Session to Discuss 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, of deliberations concerning salary schedules for one or more classes of employees; 2(c)(6) The setting of a price for sale or lease of property owned by the public body; and 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

The City Council recessed to Room 404 at City Hall at 7:30 P.M.

### **RECONVENING OF THE CITY COUNCIL**

City Clerk Mary Haynes noted the following Council Members Present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

The City Council reconvened at 8:33 P.M. in the Council Chambers at City Hall.

### **UNFINISHED BUSINESS**

- (04-125) PURSUANT to SECTION 14(n) of the ILLINOIS PUBLIC LABOR RELATIONS ACT, Regarding the Decision of the ARBITRATION PANEL in Case No. ISLRB Case S-MA-02-106 (the Police Residency Arbitration) the Council must Consider and Vote on Reasons for the Rejection of the Decision of the Arbitration Panel.**

Corporation Counsel Randy Ray distributed a copy of the reasons for rejection of the Arbitrator's Opinion and Award to all members of the City Council.

Council Member Teplitz moved, pursuant to Section 14(n) of the Illinois Public Labor Relations Act, to adopt the reasons for the rejection of the decision of the Arbitration Panel in Case No. ISLRB Case S-MA-02-106 (the Police residency arbitration), which reasons that have been distributed including Reasons 1, 2 and 3a through I; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Morris, Sandberg, Teplitz, Thetford, Turner, Mayor Ransburg – 7;

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

### **ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:40 P.M.

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