

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

Council Chambers, Peoria, Illinois, May 4, 2004, a Regular Meeting of the City Council was held this date at 6:20 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 (left the meeting at 7:00 P.M.), Nichting, Sandberg, Spears (arrived at 6:26 P.M.), Teplitz, Thetford (arrived at 6:21 P.M.), 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: MORTON CIVIC CHORUS WEEK – MAY 25-30, 2004

PROCLAMATION: RICHWOODS HIGH SCHOOL DESTINATION IMAGINATION STATE CHAMPIONS

PROCLAMATION: NATIONAL NURSES WEEK – MAY 6-12, 2004

PROCLAMATION: NATIONAL SALVATION ARMY WEEK – MAY 10-15, 2004

PROCLAMATION: TASTE OF THE WEST BLUFF – MAY 16, 2004

PROCLAMATION: MENTAL HEALTH AWARENESS MONTH – MAY, 2004

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on April 27, 2004, and the minutes of the Majority of the Quorum of the City Council who attended the Town Hall Meetings held on April 22nd and 28th, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(04-191) PUBLIC HEARING Regarding ANNEXATION of 4100 W. WILLOW KNOLLS ROAD.

Council Member Nichting moved to open the Public Hearing regarding Annexation of 4100 W. Willow Knolls Road; seconded by Council Member Turner.

Mayor Ransburg opened the Public Hearing at 6:50 P.M.

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

Following a third call for public comment, and after Mayor Ransburg determined no one wished to address the Council regarding 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 6:52 P.M.

(04-192) Communication from the City Manager and the Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve the RESOLUTION Amending Resolution No. 91-075, Approving the SECOND AMENDMENT to the ANNEXATION AGREEMENT for WILLOW KNOLLS COURT SHOPPING CENTER.

Council Member Nichting moved to approve the Resolution amending Resolution No. 91-075, approving the Second Amendment to the Annexation Agreement for Willow Knolls Court Shopping Center; seconded by Council Member Grayeb.

RESOLUTION NO. 04-192 amending Resolution No. 91-075 was 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:

(04-193) NOTICE OF LAWSUIT Filed on Behalf of JONATHON ZUHR Regarding an Alleged Injury which Occurred on Farmington Road on June 8, 2003, with a Recommendation to Receive and File and Refer to the Legal Department.

(04-194) Communication from the City Manager and the Director of Public Works with Recommendation to Approve the Renewal of the LEASE of SIX RESERVED PARKING SPACES in the JEFFERSON PARKING DECK for WMBD at a Rate of 1.5 Times the Current Lease Rate for a Total of \$102.00 per Space per Month, Extending the Period through February 3, 2005.

(04-195) Communication from the City Manager and the Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Modify the 2001 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) CONTRACT (Project 99CHPC) SPRING GROVE, with the Peoria Citizens Committee for Economic Opportunity, Inc., (PCCEO) as Outlined.

(04-196) Communication from the City Manager and the Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to Modify the 2003 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) CONTRACT (Project 02CH06) RIVERWEST OFFSITE, with the Peoria Citizens Committee for Economic Opportunity, Inc., (PCCEO) as Outlined.

(04-197) REAPPOINTMENT by Mayor David P. Ransburg to the POLICE PENSION FUND BOARD OF TRUSTEES:

John P. (Jay) Edmonds (Voting) Term Expires 5/11/06

(04-198) REAPPOINTMENTS by Mayor David P. Ransburg to the ADVISORY COMMITTEE FOR THE DISABLED:

Carolyn Randolph (Voting)	Term Expires 6/30/07
Daniel Shea (Voting)	Term Expires 6/30/07
Barbara Stevenson (Voting)	Term Expires 6/30/07
Dawn R. Weber (Voting)	Term Expires 6/30/07

(04-199) REAPPOINTMENTS by Mayor David P. Ransburg to the CONSTRUCTION COMMISSION:

Michael V. (Mike) Lewis (Voting)	Term Expires 6/30/08
Dennis Shoemaker (Voting)	Term Expires 6/30/08

(04-200) REAPPOINTMENTS by Mayor David P. Ransburg to the FAIR EMPLOYMENT & HOUSING COMMISSION:

Wayne W. Cannon (Voting)	Term Expires 6/30/07
Maria Criss (Voting)	Term Expires 6/30/07

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

Item Nos. 04-193 through 04-200 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.

UNFINISHED BUSINESS

(04-166) Communication from the City Manager and the Director of Planning and Growth Management Regarding the Following:

- A. ORDINANCE 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, Not to Exceed 20 Square Feet, for Property Located at 3331 N. FINNELL (A Motion to Adopt this Ordinance is Before the Council.)

B. SUBSTITUTE ORDINANCE Granting a SPECIAL USE in a Class R-3 (Single Family Residential) District for CHURCH FACILITIES to Include a SIGN, Not to Exceed 24 Square Feet, 5 foot High, for Property Located at 3331 N. FINNELL

A replacement for the Substitute Ordinance, with conditions, was distributed to all members of the Council.

Following a brief explanation regarding the conditions needed for a project to qualify as a Special Use, Council Member Spears moved for a substitute motion to adopt the Replacement Substitute Ordinance, granting a Special Use in a Class R-3 (Single Family Residential) District for Church Facilities to include a Sign, not to exceed 24 Square Feet, 5 Foot High, for property located at 3331 N. Finnell; seconded by Council Member Nichting.

Replacement Substitute ORDINANCE NO. 15,615 was 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 the 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, AND with REPLACEMENT ORDINANCE and REPORT BACK.

Council Member Thetford said she had a discussion with the petitioners and staff regarding expectations and concerns the City and neighborhood had regarding the request for a Special Use for the auto repair shop. She referred to the conditions listed in the replacement ordinance and said the City would be monitoring the site to insure that all the conditions were being met.

Council Member Thetford moved to adopt the replacement 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, and receive and file the Report Back; seconded by Council Member Teplitz.

Motion to adopt ORDINANCE NO. 15,616, and to receive and file the Report Back was approved by roll call vote.

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

Nays: None.

(04-183) Communication from the City Manager and Corporation Counsel Requesting EXPANSION of the SITE for the Class A (Tavern), Subclass 1A (2:00 a.m.) at 807 S.W. ADAMS, with No Recommendation from the Liquor Commission. (New Communication)

Following a brief review regarding concerns pertaining to the beer garden for this site, and with a request for further discussion, Council Member Gulley moved to approve the expansion of the site for the Class A (Tavern), Subclass 1A (2:00) a.m.) at 807 S.W. Adams; seconded by Council Member Grayeb.

Council Member Gulley said what was before the Council was a request for an expansion of the site approval for the upstairs area. He said in addition to the main concern, which was the expansion and change to the beer garden itself, there were other concerns regarding plumbing, certificate of occupancy and access challenges, which would be discussed during another process.

Council Member Turner clarified that the approval of this expansion would not impact the beer garden, which was currently under consideration and negotiation.

Council Member Sandberg said he would be abstaining from voting on this item due to a professional relationship with the petitioner.

In response to Council Member Nichting's request for an explanation regarding what the impact would be if a request for an upstairs expansion or beer garden in the back area was denied, Council Member Turner stated if the petitioner applied for a beer garden, there would need to be an egress from the upstairs down into the beer garden. He said the Fire Department expressed concern there was only one entrance and one exit currently on the site.

Council Member Gulley amended his motion to add the stipulation that the motion was contingent on the Petitioner obtaining a certificate of occupancy.

Following further discussion, Corporation Counsel Randy Ray determined an upstairs expansion would not be approved without a second egress to and from the upstairs area.

Motion, as amended, to approve the expansion of the site for the Class A (Tavern), Subclass 1A (2:00 a.m.) at 807 S.W. Adams, contingent upon the petitioner obtaining a certificate of occupancy, was approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

NEW BUSINESS

(04-201) REQUEST for DONATIONS for NEIGHBORHOOD LEADERS to ATTEND the ANNUAL REGIONAL NEIGHBORHOOD NETWORK CONFERENCE – SEPTEMBER 23-25, 2004.

Council Member Turner stated the Neighborhood Development Commission had a mission to strengthen, maintain and stabilize the City's neighborhoods and there was an annual project for the sponsorship of neighborhood leaders to attend the Regional Neighborhood Network Conference, consisting of eighteen cities throughout the Midwest. He explained the purpose of attending this conference was to learn new ideas and bring them back to introduce to their communities. He said this year the conference was scheduled for September 23 - 25, 2004, and the theme was "Doing Good In The Neighborhood." He said there were approximately thirty neighborhood leaders from Peoria that the NDC would like to send to this conference, and in order to do that they would need to raise \$25,000. He said if any citizens wished to help fund this project, they could send their donations to the Heartland Community and Economic Development Foundation c/o the Peoria Area Chamber of Commerce at 124 S.W. Adams, Suite 300, Peoria, IL 61602, or contact Leslie McKnight at 494-8651.

Council Member Grayeb expressed concern that there were no funds available to allow the neighborhood representatives to attend the Regional Neighborhood Network Conference in September of 2004. He said he felt these funds should be included in the City's budget to provide an opportunity for those people to attend the conference and bring back information that would help enhance and revitalize the City's neighborhoods. He said he felt this should be a priority to be included in the City budget and he requested a report back why funding for such a vital and necessary service was not available.

(04-202) REQUEST For NEW PROPOSED COUNCIL RULES To Be Brought Forward By Staff for COUNCIL VOTE

Council Member Sandberg explained about one year ago, an Ordinance was brought forward stating the City Council would operate under the current Council Rules until the new Council Rules could be discussed and approved. He said there were some new Council Rules that had been proposed to the Administration for the City Council to adopt as part of the required Ordinance for the Seating of the new Council. He requested these proposed new rules be brought forward by the Administration so the current Council could discuss and vote on them.

Council Member Morris left the Council Chambers at 7:00 P.M.

COMMENTS FROM COUNCIL MEMBERS REGARDING DISTRICT TOWN HALL MEETINGS

Council Member Nichting thanked the Mayor, Staff, Council Members and especially the citizens who attended the Town Hall Meeting on Monday evening, May 3, 2004, and Council Member Thetford also expressed her thanks to the Mayor, Staff and Council Members for attending the Town Hall Meeting held on April 28, 2004.

(04-203) REQUEST for REPORT BACK Regarding EMERGENCY RESPONSE VEHICLES and I-74 CONSTRUCTION

Council Member Sandberg referred to a copy of a letter from Fire Chief Modglin regarding some issues brought forward by the fire union regarding the I-74 construction, and the response to that letter. He inquired if the computer system used to dispatch vehicles in emergency situations, as outlined in the letter, were incapable of discerning whether a truck or engine should be sent to the emergency sites.

City Manager Randy Oliver said he would contact Information Systems for further information and provide a report back at next week's meeting. He said some reprogramming of the computer system had been completed and some changes were made.

Council Member Sandberg expressed concern regarding the current construction on Sheridan Road. He said with Sheridan Road and University Street being closed down, he was concerned if the City could react through dispatching to get the proper equipment to the emergency site and he questioned the value of jump crews and if there were other alternatives available to provide fire and basic life support response when needed.

City Manager Oliver indicated Chief Modglin had participated in the discussions regarding the construction site activities and schedules, and he would contact the Chief regarding Council Member Sandberg's concerns and report back to him.

Council Member Sandberg inquired if the construction on Sheridan Road was on schedule, and in response, Director of Public Works Steve Van Winkle stated the contractor was very much on schedule with the other projects and he said he felt the Sheridan Road construction was on schedule.

In response to inquiries from Council Member Nichting, Fire Chief Modglin said he has had previous conversations with Information Systems Staff and the Emergency Communications Center regarding what the system's capabilities were regarding the jump crew issue. He said the technical knowledge and information would need to be supplied by Mr. David Tuttle of ECC or Kathy Roger from IS. He said the computer system could only recommend what was entered into the system, and could not differentiate if there was a jump crew involved, what piece of machinery should be dispatched to an emergency call. Chief Modglin said on a typical fire call response, there were three engine companies and one aerial company on every reported structure fire, but that was subject to change once crews arrive on the scene and determine what added machinery was needed.

Council Member Grayeb expressed concern that the budget cuts which affected the City's fire service intersected with the road construction and made travel on these sites dangerous and difficult.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(04-204) REQUEST from CITIZENS to Address the CITY COUNCIL

Ms. Levetta Ricca, 711 S. Greenlawn, expressed concern that funding was not available for neighborhood representatives to attend the Annual Regional Neighborhood Network Conference in September, 2004. She said Peoria was the only City where the neighborhood representatives had to find sponsors to help fund these trips. She explained more than one representative needed to attend the conference because there were numerous work shops, each one providing information on specific issues. She said she felt if the representatives were better informed, they could better serve their neighborhoods.

Mayor Ransburg said he felt this was a vital service that needed to be included in next year's budget.

Mr. Tony Ardis, President of Firefighters Local #50, 4022 N. Imperial Drive, thanked the Council for their support of the Fire Department and Firefighters. He referred to an informational picket that was held Tuesday morning in support of a firefighter who had been injured in a house fire in July of 2003. He said the firefighter was present in the Council Chambers, and had been released by the City to return to full-duty work status as of May 4, 2004.

Ms. Clara Underwood, Executive Director of the Reginald Autmann Foundation expressed concern regarding unsolved homicides in the City during the past year, including her son. She said a support group called "MASC", Mothers Against Street Crime, had been established to give financial assistance to those who had lost family members and to help the City in their efforts to reduce the violence and crime in neighborhoods.

EXECUTIVE SESSION

(04-205) Requesting Approval of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(5) The purchase or lease of real property for the use of the public body; and 2(c)(6) The setting of a price for sale or lease of property owned by the public body.

Council Member Nichting moved for the City Council to go into Executive Session to Discuss 2(c)(5) The purchase or lease of real property for the use of the public body; and 2(c)(6) The setting of a price for sale or lease of property owned by the public body; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

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 7:30 P.M.

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

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