

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

Council Chambers, Peoria, Illinois, August 17, 2004, a Regular Meeting of the City Council of the City of Peoria was held this date at 6:19 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 (arrived at 6:30 P.M.), Morris, Nichting, Sandberg, Spears, Thetford, Teplitz, 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.**

PRESENTATION: PRESENTATION OF THE OFFICIAL MOON WALKING STICK TO  
MAYOR DAVID P. RANSBURG

PRESENTATION: PEORIA CITY BEAUTIFUL PRESENTATION OF IRIS BEAUTIFICATION  
AWARDS

PROCLAMATION: NEIGHBORHOOD HOUSE: CHILDREN'S NEIGHBORHOOD CLEAN-UP  
PROJECT

**MINUTES**

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on August 2, 2004, and the Executive Sessions held on August 2 and 10, 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 – CITY OF PEORIA**

**(04-437) PUBLIC HEARING Regarding the Proposed ANNEXATION of 6627  
SOUTHPORT ROAD.**

Council Member Nichting moved to open the Public Hearing regarding the proposed annexation of 6627 Southport Road; 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.

Mayor Ransburg opened the Public Hearing at 6:33 P.M.

Ms. Kate Smart, 4240 Northbrook Court, one of the Petitioners, said they were requesting Council approval for the annexation to allow for the construction of a new road and house on their farm.

Following the 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 6:36 P.M.

**(04-438) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Planning Commission to Approve the Following:**

**A. RESOLUTION Approving the ANNEXATION AGREEMENT for Property Located WEST of KOERNER ROAD, NORTH of IL ROUTE 8 (Southport Road), and SOUTH of INTERSTATE 74 With an Address of 6627 SOUTHPORT ROAD, All Located Within One and One-Half Miles of the City of Peoria, Illinois.**

Following a brief explanation that any further division of this property would require the Petitioners to comply with all City ordinances and that no special incentives were being offered or requested by the petitioners, Council Member Nichting moved to approve the Resolution approving the Annexation Agreement for property located West of Koerner Road, North of IL Route 8 (Southport Road), and South of Interstate 74 with an address of 6627 Southport Road, all located within one and one-half miles of the City of Peoria, Illinois; seconded by Council Member Grayeb.

RESOLUTION NO. 04-438-A was approved by roll call vote.

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

Nays: None.

**B. RESOLUTION Approving the PRELIMINARY PLAT of MOUNT CARMEL SUBDIVISION, a Residential Development Located NORTH of IL ROUTE 8 (Southport Road) and SOUTH of INTERSTATE 74 With an Address of 6627 SOUTHPORT ROAD.**

Council Member Nichting moved to approve the Resolution approving the Preliminary Plat of Mount Carmel Subdivision, a Residential Development located North of IL Route 8 (Southport Road) and South of Interstate 74 with an address of 6627 Southport Road; seconded by Council Member Turner.

Motion to approve RESOLUTION NO. 04-438-B approving the Preliminary Plat of Mount Carmel Subdivision, a residential development located North of IL Route 8 (Southport Road) and South of Interstate 74 with an address of 6627 Southport Road was approved by roll call vote.

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

Nays: None.

**(04-439) Communication from the City Manager and Finance Director/Comptroller Regarding the SERIES 2004A DOWNTOWN REDEVELOPMENT PARKING REVENUE REFUNDING BONDS and SERIES 2004B GENERAL OBLIGATION BONDS PRELIMINARY OFFICIAL STATEMENT, with a Recommending to Receive and File.**

Council Member Nichting moved to receive and file the Preliminary Official Statement regarding the Series 2004A Downtown Redevelopment Parking Revenue Refunding Bonds and Series 2004B General Obligation Bonds; seconded by Council Member Turner.

In response to Council Member Sandberg's inquiry, City Manager Randy Oliver said this Bond Ordinance was related only to parking and there was no connection between this Bond Ordinance and Agenda Item No. 11.

In further discussion, Council Member Sandberg stated this bond referenced an Ordinance adopted on July 20, 2004, and he inquired what projects were included in that Ordinance. In response, Director of Finance/Comptroller Jim Scroggins explained the July 20, 2004, Reimbursement Ordinance included \$2,950,000 for special assessment projects, \$2,350,000 for the sanitary sewer rehabilitation project, and \$45,000 of blighted property money which made up the total amount of \$5,390,000.

City Manager Oliver explained that Standard & Poor's Rating Agency had rated these General Obligation Bonds for the City as AA, and that less than five per cent of all municipalities in the United States had a AA rating. He said the rating agency further noted that after experiencing a significant larger than expected general fund deficit in 2001, the City of Peoria implemented budget efficiencies, reduced staff, and instituted a half cent home rule sales tax increase, and as a result of the City's immediate action, a \$3.9 million dollar surplus was recognized in fiscal 2002, which reversed the previous year drawing on the general fund balance. He said the Agency felt these actions demonstrated the City's financial flexibility and political will to maintain healthy operations, and he said addressing these problems was a positive reflection on City Staff and Council.

Motion to receive and file the Preliminary Official Statement regarding the Series 2004A Downtown Redevelopment Parking Revenue Refunding Bonds and Series 2004B General Obligation Bonds Preliminary Official Statement was approved by roll call vote.

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

Nays: None.

(04-440) **Communication from the City Manager and Finance Director/Comptroller with Request to Accept the Recommended Bids to be Announced and to Adopt the Following:**

**A. ORDINANCE Providing for the ISSUANCE of \*\$2,875,000 (Previously Listed as \$2,920,000) DOWNTOWN REDEVELOPMENT PARKING REVENUE REFUNDING BONDS, SERIES 2004A;**

\*Director of Finance/Comptroller Scroggins distributed a copy of a replacement Ordinance and a copy of the bids to all members of the City Council. The bond amount was changed from \$2,920,000 to \$2,875,000.

Ms. Barbara L. Chevalier, Vice President of Speer Financial, Inc., distributed a report that outlined the bids for interest rates were received from Citigroup Global Markets, Inc., Chicago, Illinois, at 2.6676%; Griffin Kubik Stephens & Thompson, Inc., Chicago, Illinois, at 2.9179%; Harris Trust and Savings Bank, Chicago, Illinois, at 2.6117%; and J. P. Morgan Securities, Inc., Chicago, Illinois, at 2.7639%

Ms. Chevalier's report stated that Harris Trust and Savings Bank, Chicago, Illinois, at 2.6117% was the low bid, and she recommended the Bonds be awarded to that bidder at a revised price of \$2,901,275.65, plus accrued interest, being at a revised true interest rate of 2.6024%, and that the bid be accepted. She explained that after the sale, in order to accomplish the refunding, the par amount of the Bonds was adjusted to \$2,875,000, and the present value savings on the refunding of the Bonds was \$128,762.46.

City Manager Oliver stated there was no connection between this Ordinance and Agenda Item No. 11, in response to Council Member Sandberg's inquiry.

Council Member Nichting moved to accept the low bid of Harris Trust and Savings Bank, Chicago, Illinois, at 2.6117% for the sale of \$2,875,000 General Obligation Bonds Series 2004A and to adopt the replacement Ordinance providing for the Issuance of \$2,875,000 Downtown Redevelopment Parking Revenue Refunding Bonds, Series 2004A; seconded by Council Member Turner.

Motion to accept the low bid of Harris Trust and Savings Bank, Chicago, Illinois, at 2.6117% for the sale of \$2,875,000 General Obligation Bonds Series 2004A and adopt ORDINANCE NO. 15,665 was approved by roll call vote.

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

Nays: None.

**B. ORDINANCE Providing for the ISSUANCE of \$5,390,000 GENERAL OBLIGATION BONDS, SERIES 2004B, of the City of Peoria, Peoria County, Illinois, for the Purpose of Paying for Certain Corporate Capital Costs, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds.**

Director of Finance/Comptroller Scroggins distributed a copy of a replacement Ordinance to all members of the City Council.

Council Member Nichting moved to adopt the replacement Ordinance providing for the Issuance of \$5,390,000 General Obligation Bonds, Series 2004B, of the City of Peoria, Peoria County, Illinois, for the purpose of paying for certain corporate capital costs, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds; seconded by Council Member Turner.

ORDINANCE NO. 15,666 was approved by roll call vote.

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

Nays: None.

**(04-441) Communication from the City Manager and Finance Director/Comptroller Recommending Adoption of an ORDINANCE Providing for the Issuance of Not to Exceed \$15,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004C of the City of Peoria, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds.**

Director of Finance/Comptroller Scroggins distributed a copy of a replacement Ordinance to all members of the City Council.

Council Member Grayeb moved to adopt the replacement Ordinance providing for the issuance of not to exceed \$15,000,000 General Obligation Refunding Bonds, Series 2004C of the City of Peoria, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds; seconded by Council Member Turner.

In response to Council Member Nichting's inquiry regarding the amount of the 1997B Bond principal and interest, Finance Director Scroggins stated in the original issue of the 1997B Bond, the new money portion was \$15,000,000, but that was not the current amount due on that Bond.

Council Member Nichting continued that with this motion, there would be a savings by allowing Staff to sell Bonds for a potential savings during the week in which it occurred, but it should be limited to just the 1997B Bond amount for principal and interest so the City would not be creating a slush fund.

Ms. Chevalier explained this Ordinance was setting out the parameters for refunding the portion of the 1997B Bonds and the main criteria would be the savings to the City. She said the Ordinance did not allow the City to use proceeds for anything but the refunding and to pay the cost of issuance. She said by having a \$15,000,000 not to exceed number, when you refund Bonds, the principal of the refunding Bonds fluctuated with market volatility, and unless the City could achieve a present value savings of 5%, the bond issue would not be able to go forward.

In discussion with Ms. Chevalier, Council Member Nichting determined the criteria of selling costs, escrow, administrative costs, plus additional customary charges were embedded in the Ordinance and that would be the "not to exceed" number.

In response to City Clerk Mary Haynes' inquiry if Council Member Nichting's clarification would change the Ordinance, Finance Director Scroggins said the Ordinance was limited to authorizing the City to issue General Obligation Bonds to accomplish the refunding necessary to provide for the issuance, and the Ordinance would not change.

Council Member Sandberg inquired, if during this refunding and with this principal, was it possible the City could end up owing more money at a lower interest rate in the end and, therefore, each year would be paying less per year while owing more money. Ms. Chevalier responded that it was possible.

Discussion was held regarding the various options available to refinance and lower monthly payments while keeping the term for ten years or maintaining the payment at the existing level and continuing to pay for whatever the term. City Manager Oliver said this was a policy decision and the Council needed to make a decision on which option to approve.

City Manager Oliver noted the interest rate on the refunding bonds approved at this meeting was 2.6%.

Motion to adopt ORDINANCE NO. 15,667 Providing for the Issuance of Not to Exceed \$15,000,000 General Obligation Refunding Bonds, Series 2004C of the City of Peoria, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds 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:**

- (04-442) TAG DAY REQUEST from the LIONS CLUB OF PEORIA to Hold Their ANNUAL CANDY DAY on Friday, October 1, 2004. (Date is open.)**
- (04-443) \* BIDS for the NORTH BIGELOW STREET MODULAR RETAINING WALLS and ROADWAY IMPROVEMENT PROJECT (Nebraska Avenue to Richmond Avenue) with Recommendation to Approve the Low Bid of C&G CONCRETE CONSTRUCTION COMPANY, in the Amount of \$224,334.50.**
- (04-444) BIDS for the SAFER SIDEWALK NORTH of TREWYN MIDDLE SCHOOL PROJECT with Recommendation to Approve the Low Bid of WHITAKER CONSTRUCTION, in the Amount of \$16,123.00.**
- (04-445) BIDS for the SAFER SIDEWALK SOUTH of TREWYN MIDDLE SCHOOL PROJECT with Recommendation to Approve the Low Bid of WHITAKER CONSTRUCTION, in the Amount of \$17,920.00.**
- (04-446) \*\* BIDS for the SAFER SIDEWALK HUMBOLDT STREET PROJECT with Recommendation to Approve the Low Bid of WHITAKER CONSTRUCTION, in the Amount of \$24,510.00.**
- (04-447) BIDS for SINR CONTRACT #25 for SIDEWALK REPLACEMENT on ADRIAN HINTON STREET from MacArthur to M. L. King Drive (Including the Area Around Roosevelt Junior High School) with Recommendation to Approve the Low Bid of ORDAZ CONSTRUCTION, in the Amount of \$117,174.37.**

- (04-448)      **Communication from the City Manager and the Interim Police Chief Requesting Authorization for a SOLE SOURCE PURCHASE of Twenty (20) TASERS and PERIPHERAL EQUIPMENT from RAY O'HERRON CO., INC., in the Amount of \$19,991.11, for a Pilot Program.**
- (04-449)      **APPLICATION for a CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE for PEORIA FIREFIGHTERS LOCAL #50 for Saturday, September 11, 2004, in the 600 BLOCK of WATER STREET.**
- (04-450)      **SITE APPROVAL for a CLASS C (Package Goods) LIQUOR LICENSE for  
\*\*\* 1200 W. MAIN STREET (Campustown) with the Condition that Only Beer and Wine Will Be Sold with No Single Package Sales, and Recommendation of the Liquor Commission to Approve.**
- (04-451)      **APPOINTMENT by Mayor David P. Ransburg to the MUNICIPAL BAND COMMISSION:**
- Dr. Laura J. Schelly (Voting)                      Term Expires 6/30/07
- (04-452)      **ADOPTION of COMMITTEE REPORT Regarding a PRESENTATION by the PLANNING and GROWTH MANAGEMENT DEPARTMENT Regarding the HEART of PEORIA PLAN.**

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

Council Member Sandberg requested that Item No. 04-443 be removed from the Consent Agenda for further discussion.

Council Member Gulley requested that Item No. 04-446 be removed from the Consent Agenda for further discussion.

Council Member Teplitz requested that Item No. 04-450 be removed from the Consent Agenda for further discussion.

Item Nos. 04-442 through 04-452 (excluding Item Nos. 04-443, 04-446 and 04-450, 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.

- (04-443)      **BIDS for the NORTH BIGELOW STREET MODULAR RETAINING WALLS and  
\* ROADWAY IMPROVEMENT PROJECT (Nebraska Avenue to Richmond Avenue) with Recommendation to Approve the Low Bid of C&G CONCRETE CONSTRUCTION COMPANY, in the Amount of \$224,334.50.**

Council Member Sandberg said he would be abstaining from voting on this item due to his ownership of property on North Bigelow Street.

Council Member Morris moved to approve bids for the North Bigelow Street Modular Retaining Walls and Roadway Improvement Project (Nebraska Avenue to Richmond Avenue) with recommendation to approve the low bid of C & G Concrete Construction Company, in the amount of \$224,334.50; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None;

Abstention: Sandberg – 1.

**(04-446) BIDS for the SAFER SIDEWALK HUMBOLDT STREET PROJECT with  
\*\* Recommendation to Approve the Low Bid of WHITAKER CONSTRUCTION,  
in the Amount of \$24,510.00.**

Council Member Gulley moved to approve the bids for the Safer Sidewalk Humboldt Street Project with recommendation to approve the low bid of Whitaker Construction, in the amount of \$24,510.00; seconded by Council Member Morris.

Council Member Gulley explained the project was the result of letters written to the City Council by 8<sup>th</sup> Grade Students from Trewyn Middle School on February 17, 2001, requesting the installation of sidewalks in the area so they could walk to and from school, and he requested the names of the students be entered into the permanent record: Samantha Rios, Craitin Mogged, Sonya, Ryan Randalls, Patricia, Ebony, Marilyn Williams, Cornelius, Xavier and Kenny.

Motion to approve the bids for the Safer Sidewalk Humboldt Street Project of Whitaker Construction, in the amount of \$24,510.00, was approved by roll call vote.

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

Nays: None.

**(04-450) SITE APPROVAL for a CLASS C (Package Goods) LIQUOR LICENSE for  
\*\*\* 1200 W. MAIN STREET (Campustown) with the Condition that Only Beer  
and Wine Will Be Sold with No Single Package Sales, and Recommendation  
of the Liquor Commission to Approve.**

Council Member Teplitz moved to approve the site approval for a Class C (Package Goods) Liquor License for 1200 W. Main Street (Campustown) with the condition that only beer and wine would be sold with no single package sales; seconded by Council Member Turner.

Council Member Teplitz moved to grant Privilege of the Floor for those citizens who wished to address the Council regarding this item; seconded by Council Member Nichting.

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

Dr. Bob Davison-Avilas, 1401 W. Moss Avenue, President of Moss Bradley Residential Association, stated the Neighborhood Association opposed granting a liquor license specifically for the Save-A-Lot store. He said he did not feel a business had to sell liquor in order to succeed financially, and did not have to follow guidelines set by previous owners. He expressed concern for the safety and well-being of the neighborhood and he urged the Council to deny the request for a liquor license for Save-A-Lot.



Mr. Armand Ciota, 913 N. Maplewood, President of Arbor District, spoke in opposition of the liquor license. He noted the principle of shopping centers was a big endorsement of the Heart of Peoria Plan, and he felt the sale of liquor would add to the high volume of crime in the area and jeopardize the safety concern in the shopping center. He urged the Council to listen to the neighborhoods and vote no.

Mr. Jerry Jackson, 1017 N. Maplewood, President of Uplands Residential Association, said he agreed with other neighborhood associations in opposing this liquor license. He said the area had lost quality super markets in previous years, and the neighbors were very supportive when Campustown was constructed. He said he felt the package liquor issue created an unhealthy atmosphere which prevented families from utilizing and supporting the shopping center, which he felt resulted in the closing of two previous super markets that were located in Campustown. He, too, urged the Council to deny the liquor license.

Council Member Teplitz said she was aware of the many concerns regarding the negative effects of alcohol in the neighborhoods. She said this site was granted a liquor license in 1991 with full Council approval. She said she felt the problems in the area generally centered on single serving cans of alcohol and hard liquor. After much discussion, she said she felt the business should be allowed the chance to prove itself to be a good neighbor in the community. She said the business needed to be monitored closely; and with the restricted capacity regarding the license, she said she would support the issuance of a liquor license at the Campustown location.

Council Member Sandberg explained that in the past, grocery stores sold liquor in an isolated area, but today's markets sell liquor throughout the store. He said when the previous liquor license was brought to Council and approved, there was no opposition or disapproval by the public, but citizens have since witnessed the problems associated with the sale of liquor in certain areas and are now challenging this Council to use discretion in approving liquor licenses to businesses. He said the Council had repeatedly expressed concern regarding the mixture of the sale of gasoline and alcohol and he would not be supporting this item.

Council Member Grayeb expressed concern regarding the general health safety and welfare of the neighborhoods in the surrounding area if the liquor license was granted. He said he felt it would not be in the best interest of Campustown, the neighborhood, Bradley University students and the administration who dealt consistently with the underage drinking problem, and the City of Peoria.

Council Member Thetford expressed concern regarding the sale of alcohol as being the sole focus in gas stations and convenient stores, whereas, in grocery stores there were other available items to purchase and liquor was not the main focus. She added there was usually more security involving the sale of alcohol. She said she felt the restrictions imposed would be beneficial and she questioned if the establishment had been a major chain store, the objections would be different. She concurred the business needed to be monitored and said she would be supporting the item.

Council Member Ardis said he felt there might be a public perception that because no opposition was expressed by citizens during the public hearings regarding liquor license applications, that there were none. He said for some, the Council meeting offered the first opportunity to address their concerns. He said he would not be supporting this item based on the objections and safety concerns expressed by representatives of some of the larger neighborhood associations at tonight's meeting.

Council Member Turner said he felt this issue was a classic balance between the safety and security of a neighborhood and this Council's commitment to free enterprise and business. He said the restrictions and conditions imposed on the business would create some degree of difficulty in competing with other businesses. He said any owner of an up scale store that decided to become established in the City would apply for a liquor license in order to be on the same playing level and compete with other businesses. He said he felt it was important to support this initiative.

Council Member Morris stated he would concur with the recommendation of the District Council Member and the Deputy Liquor Commissioner because of their experience and hard work in dealing with the concerns expressed by neighborhood associations with respect to liquor violations.

Council Member Gulley said he felt there had been a lack of conversation between the petitioner and the neighborhood regarding this issue, and the petitioner needed to communicate their proposals so neighborhoods could gain some perspective to help alleviate some of their concerns. He said he felt it was important to support businesses and address the concerns of the neighborhoods simultaneously.

Mayor Ransburg said meaning no disrespect to the neighborhoods, he would support the recommendation of the Deputy Liquor Commissioner and the District Council Member.

Motion to approve the site approval for a Class C (Package Goods) Liquor License for 1200 W. Main Street (Campustown) **with the condition that only beer and wine would be sold with no single package sales** was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 8;

Nays: Ardis, Grayeb, Sandberg – 3.

**(04-453) Communication from the City Manager and Senior Staff Attorney with Request to Approve an AMENDMENT to the 1996 INTERGOVERNMENTAL AGREEMENT Between the City of Peoria and the Peoria Civic Center Authority to Extend the Operational Funding for ARTSPARTNERS of CENTRAL ILLINOIS, INC., for Two Years and to Authorize the City Manager to Execute the Document.**

Following a brief explanation, Council Member Morris moved to approve an Amendment to the 1996 Intergovernmental Agreement between the City of Peoria and the Peoria Civic Center Authority to extend the Operational Funding for ArtsPartners of Central Illinois, Inc., for two-years, and authorize the City Manager to execute the necessary documents; seconded by Council Member Teplitz.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Suzette Boulais, Mr. Michael Stephan, and Ms. Rebecca Bourland.

Ms. Suzette Boulais, Executive Director of ArtsPartners, expressed her appreciation for the opportunity for ArtsPartners to serve the City of Peoria by promoting the arts as a vital component of the area's economic and cultural enrichment, and also by promoting Peoria as a rich and vital City in the Arts. She then gave a brief slide presentation depicting public service announcements designed to create arts awareness in the City, consisting of Arts, Ballet, Symphony, Opera, and various Art Exhibits.

Mr. Michael Stefan, Board Chair of ArtsPartners, discussed increasing the vitality of arts and crafts in the Peoria area and helping to secure the viability of the Peoria Area Arts Organization. He described some of the accomplishments of ArtsPartners during the past fiscal year, such as the Welcome to Peoria signs, the implementation of street banners, the promotion of local arts events, exhibits and performances, and he mentioned some objectives for the 2005 fiscal year. Mr. Stefan said the arts were a good investment for the tax dollar and have made over a \$30 million impact in the community, and he thanked the Council for their support.

Ms. Rebecca Bourland, Board Member of ArtsPartners, introduced other board members present. She said in her role as Chairman of the Peoria Civic Center Authority, she studied this refunding very carefully and she felt sharing the "R" tax with ArtsPartners was essential in promoting and supporting the arts in the community. She said the Civic Center Authority unanimously approved this contract and she said she felt this was a great investment for the Civic Center and the City, and she encouraged the Council's support.

City Manager Oliver said in addition to the recommendation from the Civic Center, he added one thing to the language. He explained, in anticipation that the Civic Center would be doing some financing in the future, the agreement would be subordinate to any HRA taxes used to fund or guarantee any debt issued as a general obligation or revenue bond, or other debt secured legally or morally by any portion of the HRA tax, because any distribution provided herein shall be made after payment of debt service.

Council Member Sandberg inquired what the rate of growth was regarding the restaurant portion of the HRA tax, and Ms. Bourland responded with respect to the HRA total, the curve had averaged about 2.6% over the last ten years.

Council Member Sandberg pointed out over and above the commitment of HRA to fund debt service, the City transferred \$2.5 million to the Civic Center each year because the HRA tax over twenty-five years had grown faster than any other revenue source the City relied upon. He said he felt to continually approve money without enforcing some limitations would be a disservice. He suggested the agreement continue funding \$100,000 or up to 2.5%. He said there needed to be some internal discipline and fairness for all agencies requesting funding.

Council Member Morris said he felt it was vital to the community to keep the momentum flowing and continue promoting and maintaining the arts.

Motion to approve an amendment to the 1996 Intergovernmental Agreement between the City of Peoria and the Peoria Civic Center Authority to extend the operational funding for ArtsPartners of Central Illinois, Inc., for two-years, and to authorize the City Manager to execute the necessary documents, was approved by roll call vote.

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

Nays: None.

- (04-454) Communication from Mayor David P. Ransburg with Recommendation to Approve a RESOLUTION SUPPORTING a PROPOSAL by the UNITED STATES ARMY CORPS of ENGINEERS (USACE) Regarding ECOSYSTEM RESTORATION on the ILLINOIS and MISSISSIPPI RIVERS and the IMPROVEMENT of the NAVIGATION SYSTEM, Including the EXPANSION of SEVEN LOCKS on those RIVERS.**

Council Member Nichting moved to approve the Resolution supporting a Proposal by the United States Army Corps of Engineers (USACE) regarding Ecosystem Restoration on the Illinois and Mississippi Rivers and the Improvement of the Navigation System, including the Expansion of Seven Locks on those Rivers; seconded by Council Member Turner.

Mayor Ransburg explained the Illinois River had silted up and the locks and dams needed some major repairs. He said a coalition group had come together to sponsor the restoration improvements on the Illinois and Mississippi Rivers. He stated the Illinois River was one of the City's greatest assets, and he requested the Council to support the efforts of the United States Army Corps of Engineers to improve the navigation system and expansion of the locks on those rivers.

Motion to approve the RESOLUTION NO. 04-454 supporting a Proposal by the United States Army Corps of Engineers (USACE) regarding Ecosystem Restoration on the Illinois and Mississippi Rivers and the Improvement of the Navigation System, including the Expansion of Seven Locks on those Rivers, was approved by roll call vote.

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

Nays: None.

- (04-455) Communication from the City Manager and Finance Director/Comptroller with Request to Approve the PROPOSED \$500,000 INTER-FUND LOAN from the CAPITAL FUND to the GENERAL FUND for Payment of Outside Legal Services, Appraisal Fees and Other Professional Services Associated with the City's Acquisition of ILLINOIS-AMERICAN WATER COMPANY.**

Council Member Turner moved to approved the proposed \$500,000 Inter-Fund Loan from the Capital Fund to the General Fund for payment of outside legal services, appraisal fees and other professional services associated with the City's acquisition of Illinois-American Water Company; seconded by Council Member Grayeb.

In response to Council Member Sandberg's inquiry regarding what capital projects included in the 2004 budget would be completed this year, City Manager Oliver stated the City had general fund capital reserves and general fund operating reserves. He said Staff's recommendation was to take the money out of the \$500,000 that was budgeted in reserve general fund capital. He said he felt taking the money out of general fund operating reserves would have a negative impact on the City in the future, and no impact on projects was expected.

Council Member Sandberg expressed concern that money was being transferred from the capital fund into the general fund, and he felt other funding opportunities could be utilized without impacting the capital fund. He said he felt this was not the best choice to finance the \$500,000, and he would not be supporting this funding source.

Council Member Teplitz said this was a serious issue, and she felt it would be beneficial for the public to understand the reasons surrounding the recommendation made by Staff.

Mayor Ransburg gave a brief history regarding the scenario leading up to the present status of the acquisition of the Illinois-American Water Company. He said approximately six years ago several local businesses made a decision to loan up to \$1,000,000 to the City to pursue the possibility of purchasing the Illinois American Water assets which were sold in 1888. He said former Councils thought it would be an adequate process to prove the validity of the contract, decide whether or not to purchase the company, and determine what the price should be. He said at this point, the entire loan amount of \$1,000,000 had been spent and the majority of the Council felt it was important to determine a price and decide whether the company should be purchased. He stated this would not be a commitment to buy or bond, just to determine a purchase price.

Council Member Spears expressed concern if the City had paid the \$1,000,000 to explore the possibility of purchasing the Water Company six years ago, it would have saved the taxpayers \$180,000, and the City would not be paying back the interest. He commended PAAG and said PAAG was generous enough to reduce the rate and felt this was a good business venture. He said he felt the City should examine the options regarding the purchase of the Water Company and decide whether it would be beneficial for the community, and he would be supporting Staff's recommendation.

Motion to approve the proposed \$500,000 Inter-Fund Loan from the Capital Fund to the General Fund for payment of outside legal services, appraisal fees and other professional services associated with the City's acquisition of Illinois-American Water Company was approved by roll call vote.

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

Nays: Nichting, Sandberg – 2.

**(04-456) Communication from the City Manager and Finance Director/Comptroller with Recommendation to Adopt an ORDINANCE Amending the BUDGET for Fiscal Year 2004 of the City of Peoria Relating to the \$500,000 INTER-FUND LOAN from the CAPITAL FUND to the GENERAL FUND.**

Council Member Turner moved to adopt an Ordinance amending the Budget for Fiscal Year 2004 of the City of Peoria relating to the \$500,000 Inter-Fund Loan from the Capital Fund to the General Fund; seconded by Council Member Grayeb.

Council Member Sandberg inquired if this budget amendment was related to Agenda Item No. 11, and City Manager Oliver responded there was no relation.

Motion to adopt ORDINANCE NO. 15,668 amending the Budget for Fiscal Year 2004 of the City of Peoria relating to the \$500,000 Inter-Fund Loan from the Capital Fund to the General Fund was approved by roll call vote.

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

Nays: Nichting, Sandberg – 2.

**(04-457) Communication from the City Manager and Finance Director/Comptroller Requesting Approval of an ORDINANCE Expressing OFFICIAL INTENT Regarding Certain Capital Expenditures to be Reimbursed from the Proceeds of an Obligation.**

City Manager Oliver explained part of the Internal Revenue's Code stated if money was spent with the anticipation it would be recovered through a subsequent bond issue, you could go back sixty days from the date of the inducement resolution and forward eighteen months to recapture funds. He said if there was no inducement resolution and the City spent the \$500,000, and then went to a subsequent bond in twelve months, then the City would not be permitted to recover the amount of money authorized by the Council as part of that subsequent issue.

In response to Council Member Sandberg, City Manager Oliver explained this Ordinance only provided the City with an opportunity to recover the money at a future date if that was the Council's wish. He said a requirement of the Internal Revenue's Code stated an entity could not do a bond issue and then go back ten years to recuperate the costs.

In discussion with City Manager Oliver, Council Member Sandberg determined the principal amount of \$5,000,000 included the \$1,000,000 from PAAG, the interest, the \$500,000 and any potential internal interest the City charged itself, and the inducement resolution allowed for repayment of the principal to PAAG.

Mayor Ransburg clarified it was the intention of this inducement Ordinance to comply with the Internal Revenue Code and allowed for any expenses the City might incur in their study of whether or not to purchase the Water Company. He said the expenses could then be included in the initial bonding if the Water Company was purchased.

In discussion with City Manager Oliver, Council Member Nichting determined this inducement Ordinance enabled the City to recapture up to \$3,000,000 of eligible expenses as part of the subsequent bond issue under the Internal Revenue Service guidelines, and if the Council voted to purchase the Water Company, the recommendation from Staff would be to exercise the inducement Ordinance in order for the City to repay itself and PAAG.

In further discussion with City Manager Oliver, Council Member Nichting determined if the Council voted not to purchase the Water Company, the inter-fund loan would not be repaid and the issue with PAAG would be resolved, depending whether the contractual terms had been met.

Council Member Turner moved to adopt an Ordinance expressing Official Intent regarding certain capital expenditures to be reimbursed from the proceeds of an obligation; seconded by Council Member Grayeb.

ORDINANCE NO. 15,669 was approved by roll call vote.

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

Nays: Nichting, Sandberg – 2.

- (04-458) Communication from the City Manager and Public Works Director with Request to Authorize the City Manager to Accept the ILLINOIS CLEAN ENERGY COMMUNITY FOUNDATION GRANT AWARD, in the Amount of \$199,980.00, for the INSTALLATION of LED TRAFFIC SIGNAL LIGHTING.**

Council Member Nichting moved to approve authorization for the City Manager to accept the Illinois Clean Energy Community Foundation Grant Award, in the amount of \$199,980.00, for the installation of LED traffic signal lighting; 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.

- (04-459) Communication from the City Manager and Finance Director/Comptroller with Recommendation to Adopt an ORDINANCE Amending the BUDGET for Fiscal Year 2004 of the City of Peoria Relating to the 2004 ENERGY EFFICIENT LED TRAFFIC SIGNAL UPGRADE GRANT PROGRAM.**

Council Member Nichting moved to adopt an Ordinance amending the Budget for Fiscal Year 2004 of the City of Peoria relating to the 2004 Energy Efficient LED Traffic Signal Upgrade Grant Program; seconded by Council Member Turner.

ORDINANCE NO. 15,670 amending the 2004 budget was approved by roll call vote.

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

Nays: None.

- (04-460) Communication from the City Manager and Director of Public Works Regarding an ORDINANCE to VACATE LINDEN STREET Between JEFFERSON STREET and HOWETT STREET, with the Public Works Department making no Recommendation for or against the Ordinance.**

Council Member Sandberg stated for the record he would be abstaining from the discussion and vote regarding this item.

Council Member Gulley moved to adopt an Ordinance to vacate Linden Street between Jefferson Street and Howett Street. No second was heard.

Council Member Gulley moved to defer the Ordinance to vacate Linden Street between Jefferson Street and Howett Street for three weeks until the September 7, 2004, Regular City Council Meeting; seconded by Council Member Teplitz.

Council Member Nichting requested a report back from Staff explaining how the vacation of Linden Street impacted the expansion of a new business in the area, and if any alternatives had been proposed, or whether a variance existed that would address this issue.

Motion to defer this item until September 7, 2004, was approved by roll call vote.

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

Nays: None;

Abstention: Sandberg – 1.

**(04-461) Communication from the City Manager and Director of Public Works with a Request to Approve the CONSULTANT SERVICES CONTRACT with ERES CONSULTANTS to Provide Structural Pavement Evaluation on ALLEN ROAD from Alta Lane to Cedar Hills Drive, in an Additional Amount Not to Exceed \$10,000.00.**

Director of Public Works Steve Van Winkle stated the purpose of this communication was to provide another opinion regarding the structural integrity of the work performance on Allen Road between the curve at Alta Road and Cedar Hills Drive. He gave a brief summary regarding the roadway specifications the contractor failed to provide, and had since been corrected. He said the City was currently negotiating with the contractor regarding the application of a hot mix asphalt overlay to the surface of the roadway. He said there had been significant movement with the project which would allow him to bring a recommendation to the Council to help resolve this issue, and he said he would like to avoid the expenditure on testing to determine whether his efforts would be beneficial. He requested this item be tabled.

Council Member Nichting expressed his disappointment regarding the contractor's performance on the roadway over the last nine months. He said there was public concern in Growth Cell 1 regarding the problems they had to encounter during this period of construction. He requested Staff to provide some reassurance to the Council and the public regarding when the project would be completed and by what means.

Director Van Winkle explained the process utilized was not unusual with respect to any contractual arrangement where specifications and time frames were not met. He said the City had caused the contractor, at great expense to his company, to redo the original work that was faulty, and there were no current performance problems with the roadway. He said he planned to bring this back to Council in three weeks for approval, which would allow for the completion of the project within one week from that time. He said Allen Road was a township road and was not structurally suited to handle the present amount of traffic. He said he felt confident once the overlay had been applied to the surface, the roadway would meet the City's expectations and provide better service to the people in the area.

In response to Council Member Nichting regarding what Staff intended to submit to the Council in three weeks, Director Van Winkle stated he would be requesting the Council to approve a recommendation to overlay the surface of Allen Road from the curve on Alta to Cedar Hills Drive, which in conjunction with the initial foundation constructed earlier in the year, would provide a better quality road.

Council Member Nichting moved to defer this item until the September 7, 2004, Regular City Council Meeting; seconded by Council Member Sandberg.

Council Member Sandberg requested a report back along with the deferral that Staff make a specific response whether this money could be sought against the contractor so citizens would not have to absorb the expense, and to collect this money to advance the cause reimbursed by the contractor.

Director Van Winkle said Staff would seek reimbursement from the contractor.



Motion to defer this item until September 7, 2004, and include a report back requesting reimbursement from the contractor to avoid the citizens from so citizens would not have to absorb the expense, and to collect the money to advance the cause reimbursed by the contractor, was approved by roll call vote.

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

Nays: None.

**(04-462) Communication from the City Manager and Finance Director/Comptroller with Request to Adopt an ORDINANCE Amending the BUDGET for Fiscal Year 2004 of the City of Peoria Relating to the CONSULTANT SERVICES CONTRACT with ERES CONSULTANTS to Provide Structural Pavement Evaluation on ALLEN ROAD from Alta Lane to Cedar Hills Drive.**

Council Member Nichting moved to defer this item for three weeks until the Regular City Council Meeting held on September 7, 2004; seconded by Council Member Sandberg.

Motion to defer until September 7, 2004, was approved by roll call vote.

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

Nays: None.

**(04-463) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Medical and Technology District Commission to Adopt an ORDINANCE Approving a SPECIAL USE in a CLASS C-1 (General Commercial) District for NEW CONSTRUCTION in the WEST MAIN STREET CORRIDOR for Property Located at 915 W. WINDOM STREET (Temporary Address).**

Council Member Teplitz moved to concur with the recommendation from the Medical and Technology District Commission to adopt an Ordinance approving a Special Use in a Class C-1 (General Commercial) District for new construction in the West Main Street Corridor for property located at 915 W. Windom Street; seconded by Council Member Turner.

ORDINANCE NO. 15,671 was approved by roll call vote.

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

Nays: None.

**(04-464) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Rezoning Property Located at 1918 S. GRISWOLD AVENUE from the Present Class C-2 (Large Scale Commercial) District to a Class I-2 (Railroad/Warehouse Industrial) District and Granting a SPECIAL USE for a VOCATIONAL SCHOOL with EXTERIOR CLASSES, per the submitted Site Plan and with Conditions.**

Council Member Gulley said he would be abstaining from voting on this item because he was the petitioner.

Council Member Teplitz moved to adopt an Ordinance rezoning property located at 1918 S. Griswold Avenue from the present Class C-2 (Large Scale Commercial) District to a Class I-2 (Railroad/Warehouse Industrial) District and granting a Special Use for a Vocational School with Exterior Classes, per the submitted site plan and with conditions; seconded by Council Member Thetford.

ORDINANCE NO. 15,672 was approved by roll call vote.

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

Nays: None;

Abstention: Gulley – 1.

**(04-465) A. Communication from the City Manager and Liquor Commissioner with Recommendation to Adopt an ORDINANCE Amending Chapter 3 of the Code of the City of Peoria Relating to LICENSES TO SELL ALCOHOLIC LIQUOR AT RETAIL IN CONVENIENT and GROCERY STORES With GAS STATIONS;**

Council Member Turner moved to approve the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to licenses to sell alcoholic liquor at retail in convenient and grocery stores with gas stations; seconded by Council Member Grayeb.

Council Member Thetford and Council Member Teplitz said they would not be supporting this Ordinance.

ORDINANCE NO. 15,673 was approved by roll call vote.

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

Nays: Teplitz, Thetford – 2.

**B. Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to Various Text Adjustments, Deleting Retail Sale of Gasoline, Groceries and Liquor on the Same Zoning Lot as a SPECIAL USE in the C-1, C-2 and B-1 Zoning Districts.**

Council Member Turner moved to adopt the Ordinance amending Appendix B of the Code of the City of Peoria relating to various text adjustments, deleting retail sale of gasoline, groceries and liquor on the same zoning lot as a Special Use in the C-1, C-2 and B-1 Zoning Districts; seconded by Council Member Grayeb.

Council Member Thetford and Council Member Teplitz said they would not be supporting this Ordinance.

ORDINANCE NO. 15,674 was approved by roll call vote.

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

Nays: Teplitz, Thetford – 2.

**(04-466) Communication from the City Manager with Request to Adopt the 2004 DEPARTMENTAL GOALS for the CITY OF PEORIA.**

Council Member Thetford moved to adopt the 2004 Departmental Goals for the City of Peoria; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Spears – 1.

**(04-467) APPLICATION for a CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE for EASTER SEALS on Saturday, September 11, 2004, in the 100 BLOCK of S.W. ADAMS STREET, with Recommendation from the Police Department to DENY Because of Traffic Problems with the Street Closure.**

Council Member Grayeb moved to concur with the recommendation from the Police Department to deny an application for a Class “H” Temporary Outdoor Liquor License for Easter Seals on Saturday, September 11, 2004, in the 100 Block of S.W. Adams Street because of traffic problems with the street closure. No second was heard.

In response to Council Member Nichting’s inquiry regarding whether an alternative site had been proposed for this event, Corporation Counsel Randy Ray responded that Fulton Street was considered and there was some reluctance from Staff to park trucks on that street.

Interim Police Chief Gary Poynter said the area had been inspected by the department’s traffic officer who determined the event would close one of the City’s main streets. He said the Department’s position was to assure citizens and safety officers they could travel through the City without any disruptions.

Council Member Grayeb moved for a substitute motion for a deferral until an alternative location could be determined.

In discussion, it was determined the event was scheduled for September 11, 2004, and would need to be voted on at tonight’s meeting.

Council Member Thetford moved to approve the application for a Class “H” Temporary Outdoor Liquor License for Easter Seals on Saturday, September 11, 2004, in the 100 Block of S.W. Adams Street; seconded by Council Member Morris.

In response to Council Member Sandberg’s inquiry regarding a liquor license for the Taste of Peoria, Corporation Counsel Ray said a license for the Taste of Peoria was included in the application made by PACE at the beginning of the year.

Council Member Morris requested Privilege of the Floor to citizens wishing to address this issue.

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

Mr. Keith Weinstein, 938 Trailcreek Drive, owner of Sulley's, explained in conjunction with Easter Seals, this event was initially being sponsored by the Midwest Choppers who traveled nationwide and had planned to come to Peoria and meet at Sulley's. He said Easter Seals was attempting to reach their goal by the end of their fiscal year in September. He said the police lieutenant he had contacted expressed concern that this street closure was located on a major thoroughfare through the City and he recommended hiring off duty police officers to help with traffic concerns.

Corporation Counsel Ray clarified that the City had changed the Class H Liquor Ordinances to if the event had been approved two years in a row, it didn't need Council approval. He said the Taste of Peoria went through a separate process to obtain their liquor license.

Council Member Grayeb inquired why this event couldn't be held on Fulton Street or Fulton Plaza so there would be no disruption of traffic on city streets.

Mr. Weinstein explained Sulley's was underwriting this event for Easter Seals and were providing the refreshments and security, and along with the Midwest Choppers, would be making a donation to Easter Seals directly. He said the Midwest Choppers initiated this event to be held at Sulley's and national and local media would be represented at the event. He said the event was backed by another popular motorcycle club who would also be present at Sulley's.

Council Member Gulley inquired what the approximate attendance would be at the event, and Mr. Weinstein responded that he speculated number in attendance would be close to 1,000, but with the national attention focused on this event, the number could be much higher.

Motion to approve an application for a Class "H" Temporary Outdoor Liquor License for Easter Seals on Saturday, September 11, 2004, in the 100 Block of S.W. Adams Street was approved by roll call vote.

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

Nays: None.

### **UNFINISHED BUSINESS**

**(04-405) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE Rezoning Property Located at 300 ALTORFER LANE and the EAST 20 FEET of LOT 46 of TIMBER RIDGE 1<sup>st</sup> EXTENSION SUBDIVISION, from the Present Class R-1 (Single-Family Residential) District and a Class R-2 (Single-Family Residential) District to a Class R-3 (Single-Family Residential) District and Granting a SPECIAL USE for a RESIDENTIAL CLUSTER DEVELOPMENT. (New Communication and New Ordinance)**

Council Member Nichting moved for a three week deferral until the next Regular City Council Meeting held on September 7, 2004; seconded by Council Member Ardis.

Motion to defer until September 7, 2004, was approved by roll call vote.

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

Nays: None.

**(04-409) Communication from the City Manager and Director of Planning and Growth Management with a Request to Re-Schedule the CITY COUNCIL POLICY SESSION on AFFORDABLE HOUSING from SEPTEMBER 14, 2004, to OCTOBER 12, 2004.**

Council Member Ardis moved to approve the request to reschedule the City Council Policy Session on Affordable Housing from September 14, 2004, to October 12, 2004; seconded by Council Member Turner.

Council Member Sandberg expressed concern that the issues of bonding and financing would be discussed at the Civic Center Policy Session, and he felt these issues required Council action, which was not inclusive in a policy session. He said he felt housing was a policy session issue, and he would not be supporting the substitution policy session regarding the Civic Center scheduled to be held on October 12, 2004..

City Manager Oliver said the Civic Center had requested this change to afford them the opportunity to discuss their proposals. City Manager Oliver added a policy decision regarding the allocation of HRA funding would emanate from the session, and the reason for the policy session was to provide information regarding the plans of the Civic Center. He said he did not anticipate any action would be taken at the meeting.

Council Member Grayeb said he felt Council input was vital before making decisions regarding the allocation of HRA funds and he felt it was important to review the proposals made by the Civic Center. He thanked Council Member Ardis for allowing this to come forward.

Motion to reschedule the Policy Session on Affordable Housing was approved by roll call vote.

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

Nays: Sandberg – 1.

**NEW BUSINESS**

**ANNOUNCEMENT OF THE WINNERS OF THE CLEAN BLOCK CONTEST SPONSORED BY THE NEIGHBORHOOD DEVELOPMENT COMMISSION.**

Council Member Thetford announced the winners of the Clean Block Contest sponsored by the Neighborhood Development Commission. She said the Weed & Seed Committee judged the four organizations who participated in the event and the winners were as follows: First place winner was the East Bluff Serenity Association for the 100-200 Blocks of East Arcadia; Second place was Old Towne South Neighborhood for the 700-800 Block of Greenlawn; Third place went to the Catholic Charities Community Area Project for the 1300-1400 Block of Antoinette; and Fourth place was Neighborhood House for the 1100 Mathew.

**(04-468) REQUEST to PLACE An Item On The SEPTEMBER 7, 2004, CITY COUNCIL REGULAR MEETING To Discuss the CAPTAIN'S LIST For the FIRE DEPARTMENT**

Following a brief explanation regarding the captain's list for the Fire Department, Council Member Gulley moved to place the item on the Council Agenda for the September 7, 2004, Regular City Council Meeting. No second was heard.

City Manager Oliver said that State Law required the approval of the Police and Fire Commission by the City as well as the Union; and he said at this time, the Union had not agreed to extend that list. He said he would place the item in the City Manager's Issues Packet so the information would be made available to the Council.

### **CONGRATULATIONS TO CHICAGO ON THE DEDICATION OF MILLENNIUM PARK**

Council Member Morris said he had an opportunity to visit Millennium Park in Chicago and he considered it to be a major asset to the City. He said it was a \$400,000,000 investment from various corporations throughout the City and he encouraged the public to plan a visit to the park.

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

#### **(04-069) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding Various Items.**

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

Ms. Lauren Paget, 1400 N.E. Madison, said she represented the Central Illinois Chapter of the Inter Faith Alliance, submitted a sample proclamation regarding the genocide crisis in Darfur, Sudan, to the City Clerk for future reference. She expressed concern over the lack of respect for human life in Sudan and suggested the Council address the issue.

### **EXECUTIVE SESSION**

It was determined an Executive Session was not needed.

### **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 9:15 P.M.

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