

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

Council Chambers, Peoria, Illinois, January 14, 2003, 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, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent – None.

INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Nichting informed Council that a Firefighter in our Sister City, Springfield, Illinois, had died in the line of duty and he asked that he and his family be remembered in our prayers.

Council Member Grayeb asked the Council to also remember former Council Member Leonard Unes who had undergone major surgery.

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PRESENTATION: SEPTEMBER 11 REMEMBRANCE COMMITTEE PRESENTATION to the KIRK EDWARD'S FOUNDATION

PROCLAMATION: PEORIA READS!

PROCLAMATION: BIG BROTHERS/BIG SISTERS: NATIONAL MENTORING MONTH – January 2003.

MINUTES

Council Member Nichting moved to approve Minutes of the Regular City Council Meeting and the Executive Session held on January 7, 2003, 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.**

(03-018) **PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS: N. ELLIS STREET ORNAMENTAL STREET LIGHTING IMPROVEMENT (Armstrong to I-74) (Installation of City-standard ornamental street lighting system along with all necessary adjustments & appurtenances.) OBERLANDER ELECTRIC – PAY ESTIMATE #2 & FINAL: \$3,665.47; E. LONDON AVE. ORNAMENTAL STREET LIGHTING IMPROVEMENT (Central Ave. to Atlantic, Peoria Side Only) (Installation of City-standard ornamental street lighting system along with all necessary adjustments & appurtenances.) OBERLANDER ELECTRIC – PAY ESTIMATE #2 & FINAL: \$3,741.88; TOTAL AUTHORIZATION APPROVED: \$7,407.35. (For Information Only)**

- (03-019) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: W. STRATFORD DR. AND N. AVALON PLACE ORNAMENTAL STREET LIGHTING IMPROVEMENT (Installation of City-standard ornamental street lighting system along with all necessary adjustments & appurtenances.) OBERLANDER ELECTRIC – PAY ESTIMATE #3 & FINAL: \$20,077.66; TOTAL AUTHORIZATION APPROVED: \$20,077.66. (For Information Only)**
- (03-020) **Communication from Director of Public Works with MFT GENERAL MAINTENANCE RESOLUTION NO. 03-020 for 2003 CONTRACTS, MATERIAL PURCHASES AND SALT, in the Amount of \$2,266,310.00.**
- (03-021) **Communication from Superintendent of Police Requesting Authorization for a SOLE SOURCE PURCHASE of TWO HARLEY DAVIDSON 2003 FLHTPI ELECTRA GLIDE MOTORCYCLES, in the Amount of \$13,495.00.**
- (03-022) **APPLICATION for CLASS “H” TEMPORARY OUTDOOR LIQUOR LICENSE for FREEDOM VALLEY A.B.A.T.E. of ILLINOIS for May 31, 2003.**
- (03-023) **APPOINTMENT by Mayor David P. Ransburg to the PEORIA PUBLIC LIBRARY BOARD OF TRUSTEES:**
- Jason Overstreet (Non-voting) Term Expires 6/30/03.**
- (03-024) **REAPPOINTMENT by Mayor David P. Ransburg to the RIVERFRONT BUSINESS DISTRICT COMMISSION:**
- Bradley S. McMillan (Non-voting) Term Expires 6/30/03**
- (03-025) **REPORTS:**
- A. Communication from Finance Director/Comptroller Regarding the NOVEMBER 2002 REVENUE AND OPERATING EXPENDITURE REPORT and the NOVEMBER 2002 ACTIVE CIP PROJECTS FINANCIAL REPORT. (For Information Only)**
- B. PEORIA CIVIC CENTER FINANCIAL STATEMENTS for the Year Ended August 31, 2002, and INDEPENDENT AUDITORS REPORT. (On File in the City Clerk’s Office.)**

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

Item Nos. 03-018 through 03-025 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.

- (03-026) **Communication from Corporation Counsel and Director of Planning and Growth Management Requesting Authorization for the City Manager to Execute an AGREEMENT Between the City of Peoria and the SUB RECIPIENT YWCA for the YWCA PERMANENT SUPPORTIVE HOUSING PROJECT.**

Council Member Gulley moved to authorize the City Manager to execute an agreement between the City of Peoria and the sub recipient YWCA for the YWCA Permanent Supportive Housing Project; seconded by Council Member Thetford.

In discussion with Council Member Thetford regarding the complexity of the agreement, Corporation Counsel Randy Ray briefly explained the agreement. He said the agreement was intended to allow the project to move forward. He added the project still faced environmental review and approval before the project could proceed with the five new duplexes. He said the plan needed to be signed off by the Illinois Historic Preservation Agency, which had already signed off on the preliminary plans, but the project would need their final approval.

In discussion with Council Member Teplitz, Corporation Counsel Randy Ray said the agreement encompassed actions that would be taken if the project was not given final approval by the Illinois Historic Preservation Agency so there was no need to delay action on the proposed recommendation. He said he felt the agreement addressed all possibilities.

In further discussion, Assistant Director of Planning and Growth Management Pat Landes said a second consultation was scheduled for March or April, 2003. She said there was continued cooperation between all entities.

Council Member Sandberg questioned if the proposal for the number of duplexes had been revised. He indicated a previous communication had reflected a different scenario with six units.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Pam Schubach and Ms. Sandra Birdsall.

Ms. Pam Schubach, Executive Director of the YWCA, stated a revised site plan had been submitted to the City and other funders showing five duplexes on the vacant land.

Ms. Sandra Birdsall, Attorney representing the YWCA, said the site plan was submitted to the City Planning Department and it was approved by the Zoning Board of Appeals and the Site Plan Review Board Committee. She said the plan had been submitted to the City for regulatory purposes as part of the YWCA's grant application, but not as a part of the document presented to Council. She said a revised building plan following some recommendations by DPZ, along with the drawings, were submitted to the State Historic Preservation Agency, and they felt the proposal kept the historic preservation of the neighborhood. She added the State indicated they would withhold final approval until the final drawings were submitted.

In discussion with Council Member Sandberg, Assistant Director Landes explained an application for the proposed address was received by the Neighborhood Development Commission, which was later amended. She said the project was for \$10,000, and was remanded back to the Commission by the Council. She explained in December of 2001, the Neighborhood Development Commission tabled the particular project subject to approval by the state historical group.

Council Member Sandberg expressed his concern that the proposed location for this project was an inappropriate location for the program. He expressed further concern that local control for the area was lost to the State of Illinois, which gave the City some level of protection. He said this was not the kind of protection for an area so close to the City's downtown which was supported by a fragile neighborhood network that encouraged home ownership and not rental type units.

Following further discussion, Council Member Ardis moved to grant Privilege of the Floor to those who wished to address this issue.

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

Mr. Mike Levan, 1212 N. E. Monroe, said the Illinois Historic Preservation Agency had not approved any segment of the proposed project. He expressed concern that the State had not talked with anyone in the neighborhood that was affected. He said he thought the building was to be torn down and the building was never going to be saved. He said 36% of the proposed area belonged to social service agencies who did not pay taxes. He also expressed concern that the YWCA would be making \$360,000 a year under this proposal. He urged the Council to vote no.

Motion to authorize the City Manager to execute an agreement between the City of Peoria and the sub recipient YWCA for the YWCA Permanent Supportive Housing Project was approved by roll call vote.

Yeas: Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 7;

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

(03-027) Communication from Council Member W. Eric Turner Requesting that Discussion Begin Regarding an AGREEMENT with ADVANCED MEDICAL TRANSPORT OF CENTRAL ILLINOIS.

In discussion with Council Member Turner, Corporation Counsel Randy Ray explained the contents of the proposed 10-year agreement between the City and Advanced Medical Transport. He said during the term of the contract, the City of Peoria would not engage in the business of transporting injured persons nor would the City seek licensing at the advanced life support level of service. He added nothing would prevent the Fire Department from being licensed and providing services on an intermediate life support service level. He said after one year, either party could terminate the agreement with a five-year notice to the other party, so it would be at the minimum, a six-year agreement. He said AMT would pay the City \$60,000 per year for a dispatch fee at the minimum.

Council Member Turner said he understood the concern and feelings of members of the Fire Department. He said he wanted it made clear that with the current economic conditions in the City of Peoria, he could not support the possible expansion of government services at a time when the City could least afford it. He discussed the future deficit situation the City faced and he said it would cost millions to get into the transport business. He expressed concerns that a growing number of citizens in the boundaries surrounding Peoria, were at the poverty level and existing businesses that could write-off bad debts. He said if the transport business did not pay off, the City could not write the debt off. He said competing against, and possibly, running a tax-paying entity out-of-business was something he did not want to be involved with. He said he could not support expanding City government at a time when lay-offs were imminent. He added he would not support a tax increase to support this matter.

Council Member Turner moved to approve the Agreement with Advanced Medical Transport of Central Illinois; seconded by Council Member Morris.

Fire Chief Roy Modglin said the Fire Administration recommended that the City not enter into an agreement with Advanced Medical Transport as proposed. He gave a brief history of the past two years and how the proposed agreement came into existence. He said in 1996, the City Administration agreed not to consider ambulance transport unless AMT was no longer adequately able to provide the service. He said, unless the City Council changed that Policy, the Fire Department intended to stand by the Policy.

Chief Modglin explained AMT had originally requested a five-year agreement with the City. He expressed concern that the proposed agreement requested considerably more than the original request. He said the Fire Department was not presently attempting to go into the ambulance business, but the Council should reject the proposed agreement because the term of the agreement was too lengthy, the agreement would limit the level of medical services and training, and no private business should be allowed to limit the level of medical services that the Peoria Fire Department could provide to citizens. He said this decision should be decided solely by the City Council. He said he did not feel the proposed dispatch fee was adequate and would not cover dispatch or the technical support provided by the City's Information Systems Department.

Chief Modglin also clarified some incorrect information which appeared in recent news articles and he pointed out that the citizens did subsidize AMT by the Fire Department assisting on calls as requested. He urged the Council not to approve the proposed agreement.

Council Member Sandberg said he felt this was the most critical vote this Council had ever considered. He said some of the issues raised regarding who should determine what City employees should do rested at the heart and the core and set the importance of the discussion. He said by agreeing to the franchise agreement for ten years, the City would handcuff decisions that had yet to be discussed by the Council. He indicated he could not consider a non-exclusive agreement such as the one proposed.

Council Member Thetford said she felt the issue of transport needed to be resolved as the City approached the restructuring initiative.

Council Member Thetford requested a friendly amendment to amend Paragraph 2 of the agreement by adding, "Should the City decide to provide services as an intermediate life support service provider, AMT agrees to provide the necessary ILS training and required equipment to the City at no cost."

Council Member Turner, the maker of the motion, agreed.

In discussion, Council Member Nichting determined that not all costs would be recovered for services provided by the City's Information Systems Department, ESDA Department or Fire Department.

Council Member Nichting also expressed concern that AMT was not EEO certified. It was clarified by Council Member Turner that the agreement would not begin until AMT was EEO certified.

Council Member Spears said he would not be able to support the agreement because of the recommendation made by the City Staff. He also pointed out the agreement did not guarantee good service or pricing. He said the City already subsidized AMT more than \$60,000 per year. He suggested that a better agreement should be created to better serve the citizens.

Council Member Ardis expressed concern there was disagreement regarding what the City's costs were for dispatch services. He urged the two sides to get together and determine those costs. He said he would like further discussion to occur between the two entities and determine a resolution to this situation.

Following further discussion, Council Member Ardis moved for a substitute motion to defer this item for 30 days to give Staff the opportunity to come back to the Council with recommendations; seconded by Council Member Spears.

In discussion with Council Member Grayeb regarding what would happen in those 30 days of the deferral, Council Member Ardis explained the purpose of the 30 days would make a strong statement that the Council would prefer to have more information regarding auxiliary issues that had been presented and a written recommendation from the Staff.

Substitute motion to defer this item for 30 days to give Staff the opportunity to come back to the Council with recommendations was DEFEATED by roll call vote.

Yeas: Ardis, Grayeb, Nichting, Sandberg, Spears - 5;

Nays: Gulley, Morris, Teplitz, Thetford, Turner, Mayor Ransburg - 6.

In discussion with Council Member Teplitz, Corporation Counsel Randy Ray explained the function of the Project Medical Director was a physician trained in emergency medicine who coordinated the Emergency Medical System for the area.

In further discussion with Council Member Grayeb regarding what action could be taken if service was not provided adequately, Corporation Counsel Randy Ray explained AMT was licensed by the State and the City could make the State licensing entity aware of any deficiencies in services in the City.

Firefighter Tony Ardis, President of Local #50, thanked the Council for their consideration of this issue. He said the issue was not Fire Department transport and he pointed out the intent was to address dispatch fees and accountability. He said members of Local #50 were not against an agreement with AMT, but they were against private companies dictating decisions that should be made by the City Council. He suggested that any agreement should have penalties and fines attached if adequate service was not provided.

Chief Modglin clarified that the Fire Department had not requested, nor would it request, to provide ambulance service. He said he would not need to expand his department. He added AMT had not contacted the Fire Department to make any offer for free training.

Motion to approve the Agreement with Advanced Medical Transport of Central Illinois, as amended, was DEFEATED by roll call vote.

Yeas: Morris, Teplitz, Thetford, Turner, Mayor Ransburg - 5;

Nays: Ardis, Grayeb, Gulley, Nichting, Sandberg, Spears - 6.

UNFINISHED BUSINESS

(99-546) Communication from Director of Planning and Growth Management Regarding FRONT YARD FENCES with a Request to Defer this Item for Two Weeks.

Council Member Spears moved to defer this item for two weeks until the January 28, 2003, Regular City Council Meeting; seconded by Council Member Nichting.

Motion to defer this item until January 28, 2003, was approved by roll call vote.

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

Nays: None.

Council Member Turner left the Council Chambers.

(02-649) Communication from Corporation Counsel with ORDINANCE Amending CHAPTER 18 of the Code of the City of Peoria Relating to SIDEWALK VENDORS (PUSHCARTS). (New Communication and New Ordinance)

Council Member Gulley moved to Table this item and requested a Committee be formed with Pushcart owners, Restaurant owners and Council Members to recommend a document the Council could vote on in the near future; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

Council Member Turner returned to the Council Chambers.

(02-838) DISCUSSION Regarding the 2003 RESTRUCTURING INITIATIVE and a PROPOSAL to Form an APOLITICAL TASK FORCE Made Up of Private Sector Business People to Examine City Services and the Budget Process – Placed on the City Council Agenda as Requested by Council Member Jim Ardis on January 7, 2003.

Council Member Ardis discussed his request to form an apolitical task force. He said he felt his proposal for a smaller group and the Mayor's suggestion were quite different. He said both proposals could be accomplished. He said his proposal consisted of seven members all from the business professional community, with one of the seven members specifically representing labor's input into the process.

He said the Mayor's group would be discussing broad topics making recommendations for future discussion and action by the Council. He said his proposal would evaluate City services, prioritize core City functions and would offer suggestions on ways for the City to provide the core services more efficiently. He said his proposal would review and examine the Budget process and make recommendations on how the system could be enhanced or improved.

Council Member Ardis moved to form a task force comprised of seven members of the local business community, with one member being a representative of labor, with a request that the Mayor's Office assist in coordination of the interested businesses to allow the group to fulfil their mission, and the Task Force members would be brought back before the Council for approval; seconded by Council Member Nichting.

Council Member Thetford said she understood that the Mayor intended to have his proposal on the Agenda for the January 21, 2003, Council Meeting.

Council Member Thetford moved for a substitute motion to defer consideration of Council Member Ardis' Task Force for one week so there would be an opportunity for the Council to consider the Mayor's proposal; seconded by Council Member Teplitz.

Motion to defer this item until January 21, 2003, was approved by roll call vote.

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

Nays: None.

(02-839) Communication from Director of Planning and Growth Management with Recommendation from the Human Resources Commission (HRC) to Approve CDBG Public Service Funding for the YWCA in the Year 2003 for the PEORIA COMMUNITY CONNECTIONS CENTER (DAY CENTER) and the YWCA VILLAGE TRANSITIONAL HOUSING PROGRAM. (New Communication)

Council Member Gulley moved to approve the CDBG Public Service Funding for the YWCA in the Year 2003 for the Peoria Community Connections Center (Day Center) and the YWCA Village Transitional Housing Program; seconded by Council Member Sandberg.

Approved by roll call vote.

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

Nays: None.

(02-848) Communication from City Manager with Notification that the Mayor was in the Process of Compiling a Comprehensive Report Back regarding THE CITY'S IN-HOUSE POLICY for NOTIFYING INDIVIDUALS of COMMISSION TERM EXPIRATION DATES.

Council Member Thetford moved to receive and file the communication; 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.

(03-007) Consideration of a Motion to RECONSIDER the vote Regarding the Ordinance Reducing the 100-FOOT SETBACK from Centerline Along SHERIDAN ROAD for Property Addressed at 2503 N. SHERIDAN.

Council Member Sandberg moved to reconsider the vote regarding the Ordinance reducing the 100-Foot setback from Centerline along Sheridan Road for property addressed at 2503 N. Sheridan; seconded by Council Member Turner.

A brief discussion was held regarding the vote and it was determined that both the maker of the motion and the seconder were on the prevailing side in the previous vote.

Motion to reconsider this item was approved by roll call vote.

Yeas: Ardis, Gulley, Nichting, Sandberg, Spears, Turner - 6;

Nays: Grayeb, Morris, Teplitz, Thetford, Mayor Ransburg - 5.

Council Member Sandberg moved to adopt the Ordinance reducing the 100-foot setback from Centerline along Sheridan Road for property addressed at 2503 N. Sheridan; seconded by Council Member Turner.

Corporation Counsel Randy Ray pointed out this particular item to adopt the Ordinance was not listed on the Agenda and he suggested that the item be deferred for one week.

Council Member Sandberg withdrew his motion. No objection was heard.

Council Member Sandberg moved that this item be placed on the January 21, 2003, Council Agenda for action; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Ransburg - 9;

Nays: Grayeb, Teplitz - 2.

NEW BUSINESS

CLERK'S COMMENTS Regarding STATE GOVERNMENT AND CHANGES IN STATE GOVERNMENT

City Clerk Mary Haynes referred to the new Governor in Springfield and she encouraged the Council to not lose sight of the fact, while there were very able representatives in the Peoria area, in order to pass anything that would affect local government, 60 votes were needed in the House and 30 votes in the Senate and one vote in the Governor's Office. She said this would mean the Council needed to be involved in the Illinois Municipal League and make strong Statewide lobbying efforts. She also pointed out over 11,000 people took early retirement in the State House, which meant every major contact in various departments was lost. She requested Council Members assist with networking in the near future. She urged the Council to work Statewide for local efforts.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(03-028) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding Various Issues.

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

Mr. George Crawford, 9315 N. Picture Ridge Road, discussed the City's healthcare plan and how the City used taxpayer money in this regard. He urged the City to reduce healthcare costs and he discussed a report from Ashville that could possibly save the City 6% or \$480,000.

It was determined that a copy of the report would be sent to all members of the City Council.

Council Member Thetford said she would make sure that the Healthcare Committee, who had already found ways to save the City money, received a copy of the report.

Ms. Levetta Ricca, 711 S. Greenwald, expressed concern about the sanitary conditions at a grocery store located on Lincoln Avenue. She gave a copy of the Health Department's report to all members of the City Council.

Council Member Gulley stated he also made an inspection of the store and he said that renovations had already begun to clean the store and make it a better establishment for the neighborhood. He added that more inspections would be made on a regular basis.

EXECUTIVE SESSION

(03-029) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; and 2(c)(6) The setting of a price for sale or lease of property owned by the public body.

Council Member Grayeb moved that the City Council go into Executive Session to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity 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, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;

Nays: None.

ADJOURNMENT

Council Member Grayeb 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.

Mary L. Haynes, MMC
City Clerk of Peoria, Illinois