

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

Council Chambers, Peoria, Illinois, January 28, 2003, a Regular Meeting of the City Council was held this date at 6:17 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 (Arrived at 6:19 P.M.), Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent – None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

MINUTES

Council Member Nichting moved to approve Executive Session Minutes held on January 14 and 21, 2003, and the Minutes of the Regular City Council Meeting held on January 21, 2003, as printed; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

Council Member Spears arrived at 6:19 P.M.

PETITIONS, REMONSTRANCES & COMMUNICATIONS**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.**

**(03-050) PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS:
STONEGATE ROAD ROADWAY IMPROVEMENT (North Street to Lake Street)
(Removal of existing combination curb and gutter, and driveway approaches;
construction of concrete sidewalks, combination curb-sidewalks, p.c.c. gutter,
driveway pavement, underdrain, storm sewer, and a bituminous concrete pavement
overlay.) C&G CONCRETE CONSTRUCTION – PAY ESTIMATE #4:
\$74,519.63; TOTAL AUTHORIZATION APPROVED: \$74,519.63. (For
Information Only)**

(03-051) REPORTS:

- A. CITY TREASURER REPORT – DECEMBER, 2002.**
- B. TOWN OF THE CITY OF PEORIA FINANCIAL REPORT – Period
Ending 12/31/02.**
- C. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – December 31, 2002.**
- D. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – December 31,
2002.**

CONSIDERATION OF REPORT BACKS AS FOLLOWS:

- (01-674) Communication from Director of Public Works with REPORT BACK on**
* **FINAL COSTS for ENGINEERING SERVICES CONTRACT to Provide**
CONSTRUCTION ENGINEERING AND STAKING SERVICES with
RANDOLPH & ASSOCIATES Regarding the JEFFERSON AVENUE
RELOCATION for the MINOR LEAGUE BASEBALL STADIUM PROJECT.

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

Council Member Nichting requested Item No. 01-674 be removed from the Consent Agenda for further discussion.

Item Nos. 03-050 through 03-051 (excluding Item No. 01-674 which was 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.

- (01-674) Communication from Director of Public Works with REPORT BACK on**
* **FINAL COSTS for ENGINEERING SERVICES CONTRACT to Provide**
CONSTRUCTION ENGINEERING AND STAKING SERVICES with
RANDOLPH & ASSOCIATES Regarding the JEFFERSON AVENUE
RELOCATION for the MINOR LEAGUE BASEBALL STADIUM PROJECT.

Council Member Nichting said he would abstain from the vote due to his ownership of property in the area of the Ball Stadium.

Council Member Nichting moved to receive and file the report back on final costs for the Engineering Services Contract to provide construction engineering and staking services with Randolph & Associates regarding the Jefferson Avenue Relocation for the Minor League Baseball Stadium Project; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Nichting - 1.

- (03-052) Communication from Director of Public Works Requesting the City Council's**
Concurrence in the Award of the CONTRACT to THE SIDWELL COMPANY to
Provide CADASTRAL MAPPING SERVICES to the Peoria County GIS Policy
Committee, and Authorize the City Manager to Execute the Contract, with the
City's Share being \$95,293.00 Per Year for Three Fiscal Years Beginning January 1,
2003.

Following a brief comment, Council Member Morris moved to concur in the award of the contract to The Sidwell Company to provide Cadastral Mapping Services to the Peoria County GIS Policy Committee, and authorize the City manager to execute the contract, with the City's share being \$95,293.00 per year for three fiscal years beginning January 1, 2003; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(99-546) Communication from Director of Planning and Growth Management Regarding FRONT YARD FENCES with a Request for Additional Time and Deferral of this Report Back.

Director of Planning and Growth Management Wayne Anthony explained a meeting had been set to begin discussions on some of the items pertaining to front yard fences and he requested a four week deferral.

Council Member Grayeb moved to defer this item for four weeks until the February 25, 2003, Regular City Council Meeting; seconded by Council Member Teplitz.

Motion to defer this item until February 25, 2003, was approved by roll call vote.

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

Nays: None.

(02-303) Communication from Director of Economic Development Requesting Approval of the CITY OF PEORIA/RENASCENT DEVELOPMENT GROUP, L.L.C. REDEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT of the EDGEWATER BUILDING and Requesting Authorization for the City Manager to Execute the Agreement and Related Documents.

Corporation Counsel Randy Ray distributed an amendment to the Agreement under Section 3.2.1 to all members of the City Council.

Council Member Gulley moved to approve the City of Peoria/Renascent Development Group, L.L.C. Redevelopment Agreement for the redevelopment of the Edgewater Building, as amended in Section 3.2.1. changing 10 days to 90 days, and authorize the City Manager to execute the agreement and related documents; seconded by Council Member Turner.

Council Member Spears referred to a previous Executive Session where this item was discussed and he questioned if the approval of the proposed agreement would break the City's Dedicated Revenue Policy adopted by the Council several weeks ago.

City Manager Michael McKnight referred to the policy to maintain the operating funds and this project not being located within a TIF area, with part of the proceeds from sales tax being pledged back, and he confirmed the approval of this agreement would break with the policy that was recently adopted. He also pointed out that the project commitment predated the policy. He said there would be no other way to obtain the money to serve the debt service on the loan and there were no other options in terms of funding.

Council Member Sandberg said in the original proposal there was \$100,000 set aside for structural improvements to the building and then in September, that amount increased to \$364,000. He pointed out in the current proposal, there was \$171,000 in improvements proposed, and he questioned the difference in amounts.

Director of Economic Development Dave Dobson explained the current proposal and that the deferred payment of \$233,786 included a portion of the building upgrade. He added the \$171,000 was just a portion of the Hickory Stick build-out and was covered by a loan. He also pointed out this cost was spread over subsequent stages of the project.

In further discussion with Council Member Sandberg, Director Dobson said if the Hickory Stick did not buy-out at the five-year period or a subsequent date between five years and eleven years, interest could begin to be collected by the City in the fifth year on the outstanding balance. Director Dobson also corrected a statement he made in a previous Executive Session and explained there were provisions in the agreement that the project of 2,700 square feet of space would be built-out, and windows and exterior treatments would be completed within 36 months.

Director Dobson also clarified that if the Hickory Stick did not exercise their purchase option by either five years after the agreement was signed or, at the latest, six years after the agreement was signed, then the sales tax and real property tax payment would stop to Renascent and the City would have an option to put the money toward the \$233,786 amount and interest would begin to accrue on that amount. He added the Council could choose not to assign the money and have the money flow into the General Fund after the five or six year break point.

Motion to approve the City of Peoria/Renascent Development Group, L.L.C. Redevelopment Agreement for the redevelopment of the Edgewater Building, as amended in Section 3.2.1 changing 10 days to 90 days, and authorize the City Manager to execute the agreement and related documents was approved by roll call vote.

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

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

Council Member Gulley moved to grant Privilege of the Floor to Rev. Tony Pierce; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Rev. Tony Pierce.

Rev. Tony Pierce, 2107 N. Maryland, said the project took a long time to finally come before the Council for final approval. He thanked the Council and City Staff for their efforts.

(02-838-B) 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 – As Requested by Council Member Jim Ardis. Clerk's Note: What is Before the City Council is the Motion 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 Fulfill Their Mission, and The Task Force Members Would be Brought Back Before the Council for Approval. (Refer to Item No. 03-042)

Council Member Ardis said the Mayor's proposal for a Task Force differed only in one major area and the difference pertained to what members would make up the Task Force. He said for fundamental change, final recommendations were needed by outside professional experts, independent of the system. He said City employees would provide the Task Force with invaluable insight and observations and would offer excellent recommendations, but he said he felt recommendations should be made independent of any special interests. He added that forming another Task Force and duplicating information would not be beneficial to anyone.

Council Member Ardis moved for a substitute motion to retain the plan for the Mayor's Task Force but restrict that recommendations would only come from the members of Task Force who were chosen business professionals, excluding the City employees; seconded by Council Member Spears.

Council Member Sandberg said City employees would be a valuable resource in the process but they should not be involved in directly voting on the recommendations that would be brought before the City Council.

Council Member Ardis agreed City employees would be a total part of the process but they would not be an actual part of the final accumulation of recommendations.

Council Member Thetford indicated she would not vote for the substitute motion because she felt comfortable with the composition of the Mayor's Task Force. She also indicated her support for Mr. Jim Despain and his ability to choose the Task Force members.

Council Member Nichting pointed out the motion that was made at the previous Council Meeting regarding the Mayor's Task Force was to receive and file, and not to approve the Task Force. He said if the Council made a motion for a committee, the committee would be subject to the Illinois Public Open Meetings Act and the desire was to hold as many meetings as possible subject and open to the public, but the real intent was to support the framework of the Task Force and not approve a committee.

Corporation Counsel Randy Ray stated that the approval of a receive and file motion did not make a committee an official committee, but it did not stop the committee from following the Open Meetings Act.

Council Member Nichting said Staff members had outlined the Budget situation facing them and the Council listened to why further Staff reductions could not be made to City departments. He added whatever process was followed, the task before the Council would be a difficult challenge.

Council Member Sandberg said the citizens of Peoria expected members of the City Council to solve the budget problems. He expressed concern regarding the valuable time it would take for the Task Force to define themselves, evaluate service levels, etc., and make recommendations while the City was in financial crisis.

Council Member Teplitz spoke in support of the Mayor's Task Force composed of business professionals and City employees. She spoke in support of Mr. Despain and she said she looked forward to the Task Force's recommendations.

Council Member Ardis clarified his motion and he reiterated that he embraced the Mayor's plan in concept. He said he felt the Mayor's process would be more lengthy, but he felt input would be welcomed from citizens and City Staff. He said his main interest was to have recommendations made without any influence by any special interests.

Council Member Grayeb said there needed to be cooperation from the Federal government during this time of financial emergency. He said there was a need for some kind of emergency revenue sharing program from the Federal government to the State and local coffers. He added that in 2002, both the President and the Congress promised some \$3.5 billion dollars in aid to help Fire Fighters, Police Officers and first responders in time of domestic terrorist attack. He said the City had yet to see this funding. He said the financial crisis, in part, would need to be addressed by Washington D.C. He said he agreed the Council had to stay active in governmental associations to band together to make the City's opinion known in Washington.

Council Member Thetford said the Council communication which indicated that the members of the Task Force would be approved by the City Council was not a part of the Mayor's proposal. She said she did not want to hamstring the Task Force with restrictions. She explained the reason for the motion to only receive and file the communication outlining the framework of the Task Force was so the Task Force could do its work outside of the City Council. She indicated she did not want the Task Force to be subjected to the same kind of restrictions as the City Council regarding the restrictions of the Open Meetings Act. She said the action that was taken on the Mayor's proposal was to avoid that kind of action.

Council Member Spears said he had asked the Mayor at the previous Council meeting if the Task Force meetings would be open to the public and he expressed concern that he was now hearing that the meetings would be closed without public input.

Mayor Ransburg said there would be a lot of opportunities for input and would be open, but there would be many times when the Task Force would be working with people who would share information that should be private and should not be talked about in public.

Council Member Spears said he felt the Task Force meetings should be public and records should be kept.

Mayor Ransburg said Mr. Despain had assured him the Task Force would be open to input from all sorts of people but some discussions would be about better ways to perform services, and he indicated they should be private.

Council Member Ardis clarified his substitute motion did not include members of the Task Force would be approved by the City Council.

Council Member Sandberg said he thought the goal of the Task Force was to shed light on all areas of local government. He expressed concern that there would be privateness of ideas and he said he did not understand that concept. He said he did not feel there was anything private about listening to ideas. He expressed further concern there would be no documentation from the Task Force meetings of the process of culling out of ideas. He said he felt this was pointing to a very narrow agenda that, he suggested, may already be predetermined. He said he did not understand how this process could work properly behind closed doors from the public. He said there should be nothing private in a public organization.

Mayor Ransburg said there was no predetermined agenda, but this would be an honest attempt to have someone with proven leadership in a large organization who could make a major transformation in an organization take a look, along with other people in the community and City employees, to determine what was best for the City. He said he felt it was important, not to just involve City employees in the process, but to give City employees equal status in the process because they knew where to look for the problems and how to deliver services. He said the Task Force would be working with City staff to come back to the City Council with plans that would substantially change the manner in which services were delivered. He said business could not continue as usual and City Staff would have to be the ones that would make change happen. He urged the Council to vote against the motion.

Substitute motion to retain the plan for the Mayor's Task Force, but restrict that recommendations would only come from the members of Task Force who were chosen business professionals, excluding the City employees was DEFEATED by roll call vote.

Yeas: Ardis, Nichting, Sandberg, Spears - 4;

Nays: Grayeb, Gulley, Morris, Teplitz, Thetford, Turner, Mayor Ransburg - 7.

(03-045) Communication from Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission for INTERIM CHANGES in the 2003 REHAB PROGRAMS and SCHEDULE, with MAP.

Director of Planning and Growth Management Wayne Anthony distributed a copy of a map displaying the 2003 Rehab Programs Priority Area to all members of the City Council.

Council Member Thetford moved to approve the recommendation from the Neighborhood Development Commission for interim changes in the 2003 Rehab Programs and Schedule, to include the map of the 2003 Rehab Programs Priority Area; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

NEW BUSINESS**FREE INCOME TAX COUNSELING AND SERVICE PROVIDED AT CARVER COMMUNITY CENTER**

Council Member Turner announced free income tax counseling and service would be provided at Carver Community Center to those individuals with incomes under \$15,000 per year and to those families with incomes under \$35,000. He said the service would be provided every Wednesday and Thursday from 5:30 P.M. until 8:00 P.M. and on every Saturday from 10:00 A.M. until 1:00 P.M. on a first come, first serve basis.

(03-053) REQUEST to INITIATE the PROCESS to ROLL BACK the ZONING of the ROGUN MOBILE POWER WASH SITE, Located at 407 N. E. ROCK ISLAND AVENUE, to the Zoning Proposed in the AVERYVILLE PLAN. (Refer to Item No. 03-048)

Council Member Thetford referred to the recent fire which occurred at Rogun Mobile Power Wash, located at 407 N. E. Rock Island Avenue. She said she had talked with Director Anthony and other Staff members in the past week, and she said it was her understanding that Rogun did not intend to rebuild on the property. She added, if Rogun intended to rebuild, they would be subject to some setbacks that they previously were not subjected to.

Council Member Thetford requested Staff to initiate the process to roll back the zoning of 407 N. E. Rock Island Avenue to the zoning which was proposed in the Averyville Plan and begin the hearing process for the zoning roll back process to begin.

The Council concurred.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(03-054) 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. Richie Peterson, 1127 E. Melbourne, presented a Petition bearing 9 signatures opposing the installation of a street light at the alley/street intersection on Atlantic between Forrest Hill and Melbourne Streets. He said he did not feel the people in his neighborhood wanted the street light installed. He also expressed concern that his District Council person had not returned his calls.

Council Member Thetford indicated there were other concerns in the neighborhood about lighting.

EXECUTIVE SESSION

(03-055) 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; 2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concern salary schedules for one or more classes of employees; and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

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)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concern salary schedules for one or more classes of employees; 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

Council Member Grayeb moved to adjourn the Council Meeting; seconded by Council Member Gulley.

Approved by viva voce vote.

The Council Meeting adjourned at 7:25 P.M.

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

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