

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

Council Chambers, Peoria, Illinois, February 25, 2003, a Regular Meeting of the City Council was held this date at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, Mayor David P. Ransburg presiding.

ROLL CALL

Roll call showed the following Council Members present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

MINUTES

Council Member Nichting moved to approve Minutes of the Regular City Council Meeting and Executive Sessions held on February 18, 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

**(03-092) Communication from Director of Human Resources Regarding PRESENTATIONS
* by SEARCH FIRMS: MAXIMUS, THE MERCER GROUP, INC., THE PAR
 GROUP, AND SLAVIN MANAGEMENT CONSULTANTS, INC.; Requesting that
 a SEARCH FIRM be Selected and Authorizing the Human Resources Director to
 Execute a CONTRACT with the Select Firm to CONDUCT the NEW CITY
 MANAGER SEARCH.**

Mayor Ransburg announced that each firm would be given twenty minutes for their presentation and then ten minutes would be allowed for questions from the City Council.

Mr. Robert Neher of MAXIMUS, Mr. Jim Blagg of The Mercer Group, Inc., Dr. Gregory Kuhn of the Par Group, and Mr. Robert Slavin of Slavin Management Consultants, Inc. gave presentations to the City Council. Each provided information regarding their backgrounds, their firms, their credentials and qualifications, their procedures of preliminary screenings, background checks, fees, and experience in searches in Illinois and other parts of the nation. Each firm indicated that a successful search for a new City Manager would take between 75 and 120 days. Each firm indicated it was an industry standard that any professional they placed in an organization would not be recruited, some said for two years, and each indicated that if the professional did not remain in the position for two years, a replacement would be made without charge. Also discussed were minority and female representation records.

Director of Human Resources Pat Parsons distributed a ranking sheet to all members of the City Council. He requested that each City Council member rank the firms with numbers one through four, indicating number one to be their selection. He said he would collect the rankings and would calculate how each firm was ranked.

Council Member Nichting moved to defer this issue until after the Consent Agenda so Director Parsons would have an opportunity to calculate the rankings; seconded by Council Member Sandberg.

Motion to defer this item until after the Consent Agenda was approved by roll call vote.

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

Nays: None.

Clerk's Note: See Pages 25970 and 25972 for further discussion and action.

CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations as Outlined:

- (03-093) PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: PHASE I CONSTRUCTION FOR CHARTER OAK ROAD EXTENSION (Roadway embankment construction along Charter Oak Road and along Big Hollow Road – North, construction of a dual box culvert to carry the proposed Charter Oak Road roadway extension over a Big Hollow Creek tributary, staged construction of a two-span railroad bridge/roadway underpass carrying the existing UPRR dual mainline trackage over the proposed Charter Oak Road roadway extension) FREESEN, INC. – PAY ESTIMATE #4: \$419,796.17; TOTAL AUTHORIZATION APPROVED: \$419,796.17. (For Information Only)**
- (03-094) PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: US ROUTE 150 BRIDGE OVER ILLINOIS ROUTE 6 (Widening of existing structure, addition of drainage scuppers, embankment, formed concrete repairs, epoxy crack sealing and microsilica overlay.) OTTO BAUM COMPANY, INC. – PAY ESTIMATE #9 & SEMI-FINAL: \$51,563.06; TOTAL AUTHORIZATION APPROVED: \$51,563.06. (For Information Only)**
- (03-095) Communication from Finance Director/Comptroller Requesting Adoption of the Following:**
- A. ORDINANCE NO. 15,438 ABATING the TAX Heretofore LEVIED TO PAY PRINCIPAL OF AND INTEREST ON GENERAL OBLIGATION BONDS, SERIES 1992, 1993, 1996 C & D, 1997 A & B, 1998 A, B, C, D, E & F, 1999A, 2000 A, B, & C, 2001 A, B, C & D, AND 2002 SERIES A & B Issued by the City of Peoria, Peoria County, Illinois;**
 - B. ORDINANCE NO. 15,439 ABATING the NIAGARA and TWIN TOWERS SPECIAL SERVICE AREA TAXES LEVIED to Pay the PRINCIPAL OF AND INTEREST on \$3,520,000 SERIES 1996 A and \$3,075,000 SERIES 1996 B DOWNTOWN REDEVELOPMENT PARKING REVENUE REFUNDING BONDS.**
- (03-096) Communication from Director of Economic Development Requesting Adoption of an ORDINANCE NO. 15,440 Authorizing the EXECUTION and DELIVERY of an INTERGOVERNMENTAL COOPERATION AGREEMENT Providing for the JOINT ISSUANCE of SINGLE FAMILY MORTGAGE REVENUE BONDS SERIES 2003, in the Aggregate Amount Not to Exceed \$300,000,000.**
- (03-097) Communication from Director of Public Works Requesting ACCEPTANCE of the DEDICATION OF STREETS in NORTHTRAIL MEADOWS SUBDIVISION, SECTION 2, Retroactive to November 15, 2002.**

- (03-098) **SITE APPROVAL for EXPANSION of CLASS “B” (Restaurant) with SUBCLASS 1A (2:00 A.M.), SUBCLASS 2 (Live Entertainment) LIQUOR LICENSE for 318-320 S. W. WASHINGTON STREET (inPlay Building), with Recommendation of Liquor Commission to Approve.**
- (03-099) **Communication from Corporation Counsel Requesting Approval of DATES FOR SCHEDULED EVENTS SPONSORED by PEORIA AREA COMMUNITY EVENTS, INC. (P.A.C.E.), Subject to the Filing of Necessary Permits and Approval as Required by City Code.**
- (03-100) **Communication from Director of Public Works Regarding the STREET DIVISION OVERTIME STATUS REPORT. (For Information Only)**

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

Item Nos. 03-093 through 03-100 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.

- (03-092) **Communication from Director of Human Resources Regarding PRESENTATIONS by SEARCH FIRMS: MAXIMUS, THE MERCER GROUP, INC., THE PAR GROUP, AND SLAVIN MANAGEMENT CONSULTANTS, INC.; Requesting that a SEARCH FIRM be Selected and Authorizing the Human Resources Director to Execute a CONTRACT with the Select Firm to CONDUCT the NEW CITY MANAGER SEARCH.**
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Council Member Nichting moved to defer this issue until the end of Unfinished Business so Director Parsons would have more time to calculate the rankings; seconded by Council Member Turner.

Motion to defer this item until at the end of Unfinished Business was approved by roll call vote.

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

Nays: None.

- (03-101) **Communication from ESDA Director Requesting Approval of a RESOLUTION Adopting SUPPORT for the CREATION of the CITY OF PEORIA HOMETOWN SECURITY CITIZEN’S ADVISORY CORPS to further Coordinate Community Support for Citizen Preparedness.**

Council Member Grayeb moved to approve the Resolution adopting support for the creation of the City of Peoria Hometown Security Citizen’s Advisory Corps to further coordinate community support for citizen preparedness; seconded by Council Member Morris.

Council Member Morris moved to grant Privilege of the Floor to Ms. Ann Fox; seconded by Council Member Grayeb.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Ms. Ann Fox.

Ms. Ann Fox, Director of Emergency Services for the Red Cross, said the mission of the Red Cross was to help people prepare for and cope with disasters. She said she looked forward to working with ESDA and the collaborative leadership they provided to the entire community.

Motion to approve RESOLUTION NO. 03-101, adopting support for the creation of the City of Peoria Hometown Security Citizen's Advisory Corps to further coordinate community support for citizen preparedness, was approved by roll call vote.

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

Nays: None.

(03-102) Communication from Mayor David P. Ransburg Requesting Approval to RETAIN SIMON & COMPANY of WASHINGTON D.C. for 2003 PROFESSIONAL SERVICES to be Paid a Retainer Fee of \$2,500.00 per Month, Plus Expenses, for a Total Amount Not to Exceed \$40,000.00.

Council Member Morris moved to retain Simon & Company of Washington D.C. for 2003 professional services to be paid a retainer fee of \$2,500.00 per month, plus expenses, for a total amount not to exceed \$40,000.00; seconded by Council Member Teplitz.

Approved by roll call vote.

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

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

(03-103) Communication from Finance Director/Comptroller Requesting Adoption of an ORDINANCE Amending the BUDGET for Fiscal Year 2003 Relating to CONSULTING FEES for the WASHINGTON D.C. FEDERAL LOBBYIST CONTRACT.

Council Member Morris moved to adopt the Ordinance amending the Budget for fiscal year 2003 relating to consulting fees for the Washington D. C. Federal Lobbyist Contract; seconded by Council Member Teplitz.

ORDINANCE NO. 15,441 was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Teplitz, Thetford, Mayor Ransburg – 6;

Nays: Ardis, Nichting, Sandberg, Spears, Turner - 5.

UNFINISHED BUSINESS

(99-546) Communication from Director of Planning and Growth Management Regarding the ISSUE of FENCING REGULATIONS in Relation to HOUSES WITH TWO FRONT YARDS, with Recommendation to Table. (New Communication)

Council Member Nichting moved to Table this item; seconded by Council Member Thetford.

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

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

Nays: None.

(03-032) Communication from Corporation Counsel Requesting Adoption of an ORDINANCE Amending CHAPTER 3 of the Code of the City of Peoria Relating to ALCOHOLIC BEVERAGES Addressing the Issue with Friday Events When July 4th Falls on a Friday. (New Communication and New Ordinance)

Council Member Thetford moved to adopt the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages addressing the issue with Friday events when July 4th falls on a Friday; seconded by Council Member Turner.

Motion to adopt ORDINANCE NO. 15,442 amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages addressing the issue with Friday events when July 4th falls on a Friday was approved by roll call vote.

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

Nays: None.

**(03-092) Communication from Director of Human Resources Regarding PRESENTATIONS
* by SEARCH FIRMS: MAXIMUS, THE MERCER GROUP, INC., THE PAR
 GROUP, AND SLAVIN MANAGEMENT CONSULTANTS, INC.; Requesting that
 a SEARCH FIRM be Selected and Authorizing the Human Resources Director to
 Execute a CONTRACT with the Select Firm to CONDUCT the NEW CITY
 MANAGER SEARCH.**

Director of Human Resources Pat Parsons distributed a copy of a tally sheet to all members of the City Council. He reported that the Council ranked The Par Group as No. 1; Slavin Management Consultants, Inc. as No. 2; MAXIMUS as No. 3; and The Mercer Group, Inc. as No. 4.

The Par Group recruited and placed 78 City or Village Managers in the State of Illinois. Some of the cities were Carbondale, Champaign, Decatur, Elgin, Peoria (1987), Rock Island, Sterling, and Washington. The Par Group is an Illinois-based firm and experienced in recruiting and placing government officials. Informational brochures for the four search firms are on file and available for review in the City Clerk's Office, Room 401 at City Hall.

Council Member Turner moved that the City Council hire The Par Group, and authorize the Human Resources Director to execute a contract with The Par Group to conduct the new City Manager search; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

Later in the meeting, Council Member Sandberg questioned if there would be a discussion regarding the optional services as part of The Par Group's bid.

Director Parson suggested that the Council meet with Dr. Kuhn of The Par Group to discuss the process and determine what options would be needed. He said there would be plenty of time to follow up on this. He confirmed, in discussion, that the Council's motion approved The Par Group's basic package.

NEW BUSINESS

**(03-104) REPORT Regarding FIRE AND LIFE SAFETY INSPECTIONS OF NIGHT
 CLUBS in the City of Peoria.**

Council Member Thetford requested a report from Fire Chief Roy Modglin regarding what the City of Peoria was doing to prevent tragic fires in night clubs such as those which occurred in clubs in Chicago and Rhode Island over the past weeks, where so many club attendees lost their lives.

Fire Chief Roy Modglin reported the Peoria Fire Department had a very good and very thorough Fire and Life Safety Inspection Program. He said there were concerns regarding some of the high occupancy establishments which would not open until later in the evening. He said inspections were performed periodically and unannounced, and spot checks were made during the peak occupancy periods for these types of establishments. He reported, at this time, the Fire Department did not have the highly-trained technically-skilled inspectors on duty during these hours of the day, and he did not have the overtime budget necessary to perform inspections on a call-back basis.

Due to the tragic events of the past weeks, Fire Chief Modglin said a quick-fix program would be initiated that would address the problems of inspecting all buildings during their peak occupancy times. He said, in the future, a permanent fix would have to be completed which would take time that was not available now. He said the Fire Department had been working on this project the past ten days and, within the next few days, the Fire Department would be making an inspection of all of these types of establishments during their peak hours of operation to make sure there was code compliance with all fire and life safety codes.

Fire Chief Modglin said full cooperation was provided by the Peoria Police Department for assistance in getting these inspections accomplished. He said the Battalion Chiefs made inspections in the evening hours at some of the clubs, but not every one had been inspected. He added that within the next few days, inspection of all clubs would be made.

In discussion with Council Member Teplitz regarding the number of establishments that needed to be checked, Fire Chief Modglin said there were probably twelve to fifteen which had 4:00 A.M. licenses and would not open until 5:00 or 6:00 P.M. He said there were many more establishments in the City that had late-night-large-crowd situations.

Later in the meeting, Fire Chief Modglin reminded everyone that it was also the club owners' responsibility to maintain safety in clubs. He said these establishment-owners needed to be controlling the occupancy. He said each owner would be receiving a letter from the City Legal Department outlining their responsibilities. He said encouraged any citizen who may be aware of questionable situations to contact the Fire or Police Department regarding public safety information.

(03-105) REQUEST to APPROVE MOTION to Direct Staff to bring the ISSUE OF WELCOME SIGNAGE Back Before the Council at the March 4, 2003, Regular City Council Meeting with Additional Information and Options, as Outlined by Director Van Winkle. (Refer to Item Nos. 98-599 and 01-667)

Council Member Grayeb discussed the need for the City to pursue appropriate signage welcoming visitors to the City of Peoria at prominent entry points into the City. He said he felt current signage was inadequate and he requested that Director of Public Works Steve Van Winkle provide information regarding costs. He added he would like the Council to move forward on this endeavor as soon as possible.

Director of Public Works Steve Van Winkle said his department had reviewed the situation and he reported there were seven or eight different options for welcome signage. He questioned if the Council wanted him to move forward with the project or bring additional information to the Council at the next Council Meeting so they could review the options. He said the signs could be made in-house and a suggested size was 48 inches wide and 30 inches high, or there were some other options. He said background for the signs could be whatever the Council desired. He explained eleven points of entry had been identified, most of which were State routes, and this issue had been covered with IDOT. He said they would provide the necessary permits to install the signs on their right-of-ways. He also stated these signs would not be located on the interstate, which was a different matter. He said it may be possible to install signage along with IDOT's signage on I-74 after construction was completed. He said costs would be approximately \$200.00 per location, but would cost more if labor was added.

Council Member Ardis moved to direct Staff to bring the issue of welcome signage back before the Council at the March 4, 2003, Regular City Council Meeting with additional information and options, as outlined by Director Van Winkle; seconded by Council Member Grayeb.

Council Member Spears suggested that signage include artistry to make the sign an attractive welcoming sign, which would cost more but could possibly be included in the 2004 Budget. He said he would like a more attractive welcome sign for the City of Peoria.

Council Member Teplitz agreed with Council Member Spears' comments and she added that landscaping for the signage should also be discussed.

Council Member Gulley suggested that the landscaping consist of low maintenance shrubs or other materials and that a maintenance plan be in place so the plantings would be attractive for the years to come.

Motion to direct Staff to bring the issue of welcome signage back to the Council at the March 4, 2003, Regular City Council Meeting with additional information and options, as outlined by Director Van Winkle was approved by roll call vote.

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

Nays: None.

(03-106) REQUEST to APPROVE a MOTION to SET A DATE FOR A SPECIAL CITY COUNCIL MEETING ON WEDNESDAY, MARCH 12, 2003, FROM 6:00 P.M. UNTIL 10:00 P.M. for the PURPOSE OF CONDUCTING INTERVIEWS FOR AN INTERIM CITY MANAGER, with the Option of Canceling the Meeting if it was Determined the Meeting was Not Necessary.

Council Member Turner moved to set a date for a Special City Council Meeting on Wednesday, March 12, 2003, from 6:00 P.M. until 10:00 P.M. for the purpose of conducting interviews for an interim City Manager, with the option of canceling the meeting if it was determined the meeting was not necessary; seconded by Council Member Grayeb.

Approved by roll call vote.

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

Nays: None.

(03-107) REPORT Regarding the STATUS of the PROPOSED ADULT USE APPLICATION for a Location on NORTH UNIVERSITY STREET.

Council Member Nichting requested a report regarding the status of the proposed adult use application for a location on North University Street.

Corporation Counsel Randy Ray confirmed an application had been submitted for an adult cabaret. He said the process was administrative so there was no requirement for the application to come before the City Council, and there was no requirement for public meetings to be held. He said his office was in the investigative stage and a decision would be made in the next couple of weeks.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(03-108) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding VARIOUS ISSUES.

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

Ms. June Moore, President of Olde Towne South Homeowners' Association, discussed their welcome sign on Western Hill and presented the Fire Department Administration and Fire House #4 with a picture and a plaque of appreciation.

Mr. Jim Senyszyn, 5804 Haymeadow Court, read a prepared statement, which he distributed to the City Council, regarding his opinion that the Christian Coalition's "Contract with the American Family" was a misrepresentation and his opinion that scriptural teachings were anti-family.

Mr. Tim Gorman, 3719 W. Golf Creek Drive, voiced his objection to Mr. Senyszyn's comments.

Ms. Bernadine Nolan, 1332 N. Machin, voiced her objections to Mr. Senyszyn's comments and she said it was her opinion that while she supported free speech, to have to listen to his comments was beneath the City Council and beneath the citizens of Peoria.

EXECUTIVE SESSION

It was determined an Executive Session was not needed.

ADJOURNMENT

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

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Approved by viva voce vote.

The Council Meeting adjourned at 8:55 P.M.

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

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