

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

Council Chambers, Peoria, Illinois, March 4, 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 (Arrived at 6:30 P.M.), Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz (Arrived at 6:20 P.M.), 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.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: THE PEORIA HUMANE SOCIETY AND THE PEORIA ANIMAL WELFARE SHELTER AND SPAY DAY USA – February 25, 2003

PROCLAMATION: DAUGHTERS OF THE AMERICAN REVOLUTION: WOMEN'S HISTORY MONTH – March, 2003.

PROCLAMATION: ONE WORLD CAFE': 10 YEAR ANNIVERSARY

MINUTES

Council Member Nichting moved to approve Minutes of the Regular City Council Meeting held on February 25, 2003, as printed; 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.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(03-109) Communication from City Manager Regarding a PRESENTATION by MR. TOM VOSS, a SENIOR EXECUTIVE IN CHARGE OF OPERATIONS AT AMEREN, to Discuss Ameren's Plans for Operating Cilco.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Neal Johnson, Mr. Scott Cisel, and Mr. Thomas Voss representing Ameren.

Mr. Neal Johnson, Director of Community Affairs for AmerenCILCO, addressed the Council and introduced the Senior Management of AmerenCILCO and Ameren Corporation.

Mr. Scott Cisel, Chief Operating Officer of AmerenCILCO, said AmerenCILCO took pride in operating gas and electric utilities to high performance levels in Illinois and Missouri. He said there was much work to perform at AmerenCILCO and there were few quick fixes. He said it would take continuous improvement to regain customer confidence by providing good service at reasonable prices, but he said he felt confidence would be regained by their performance.

Mr. Thomas Voss, Senior Vice President of Energy Delivery of Ameren Corporation, said Ameren was glad to be able to deliver energy to the City of Peoria. He provided information regarding Ameren's background. He said Ameren was formed in 1998 when the merger of Union Electric Company and Central Illinois Public Service Company occurred, and both companies had been involved in delivering energy since 1902. Mr. Voss stated the main focus of the company was to produce and deliver energy and the company served Missouri and Illinois only, and there were no utilities outside those two states nor outside the country. He added there were no other outside investments, and the company had been recognized by J. D. Powers as one of the top ten utilities in the country in residential customer service and the University of Michigan ranked the company one of the top five utility companies for customer service. He said the company was financially solid with an "A" credit rating. He added the company planned to be in Peoria for many years to come and their goal was to be a good neighbor in the City. He re-emphasized the company's commitment to the City of Peoria regarding donations, commissions, and economic development.

Following a brief discussion, Council Member Nichting moved to receive and file the presentation; 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.

CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations as Outlined:

- (03-110) Communication from Director of Public Works Requesting Approval of the JOINT AGREEMENT with IDOT: TRAFFIC SIGNAL MODERNIZATION at SEVEN INTERSECTIONS on KUMPF BOULEVARD and WASHINGTON STREET, Approval of the City's Share of the Cost in the Amount of \$15,000.00, and Requesting Authorization for the City Manager to Sign the Agreement.**
- (03-111) APPLICATION for CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE for the PEORIA PARK DISTRICT for Saturday, August 9, 2003.**
- (03-112) REPORTS:**
- A. CITY TREASURER REPORT – January, 2003.**
 - B. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – January 31, 2003.**
 - C. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – January 31, 2003.**

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

Item Nos. 03-110 through 03-112 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.

(03-113) Communication from ESDA Director Requesting a COUNCIL DECISION Regarding the OUTBOUND MESSAGING SYSTEM After a Review of the Bids Which Possibly Will be Distributed at the Council Meeting with a Request for a Decision or a Deferral.

Council Member Grayeb moved to defer this item for one week until the March 11, 2003, Regular City Council Meeting; seconded by Council Member Morris.

Motion to defer this item until March 11, 2003, was approved by roll call vote.

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

Nays: None.

(03-114) Communication from Director of Public Works Requesting Approval of the JOINT AGREEMENT with IDOT for Work Associated with the INTERSTATE 74 RECONSTRUCTION PROJECT, Requesting Approval of the MFT RESOLUTION in the Amount of \$25,000.00, and Requesting Authorization for the City Manager to Sign the Agreement.

Council Member Nichting moved to approve the Joint Agreement with IDOT for work associated with the Interstate 74 Reconstruction Project, approve the MFT Resolution in the amount of \$25,000.00, and authorize the City Manager to sign the agreement; seconded by Council Member Turner.

Motion to approve the Joint Agreement with IDOT for work associated with the Interstate 74 Reconstruction Project, approve MFT RESOLUTION NO. 03-114 in the amount of \$25,000.00, and authorize the City Manager to sign the agreement was approved by roll call vote.

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

Nays: None.

(03-115) Communication from Corporation Counsel Recommending Adoption of an ORDINANCE Amending CHAPTER 1 of the Code of the City of Peoria Relating to GENERAL PROVISIONS, CHAPTER 3 of the Code of the City of Peoria Relating to ALCOHOLIC BEVERAGES, and CHAPTER 20 of the Code of the City of Peoria Relating to OFFENSES and MISCELLANEOUS PROVISIONS – Regarding Fine Amounts and Alcoholic Beverage Related Violations.

Council Member Turner moved to adopt the Ordinance amending Chapter 1 of the Code of the City of Peoria relating to General Provisions; amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages, and amending Chapter 20 of the Code of the City of Peoria relating to Offenses and Miscellaneous Provisions – regarding fine amounts and alcoholic beverage related violations; seconded by Council Member Sandberg.

In discussion, Council Member Sandberg expressed concern that he felt, in the past, there had been a reluctance to pursue prosecution of underage drinking in bars in general. He said, if an underage drinker was discovered, the underage drinker was used as a witness against the bar owner. He questioned if that policy would be continued because he felt the problem of underage drinking was not being resolved.

Corporation Counsel Randy Ray pointed out the issue of underage drinking needed further work. He said he agreed it was wrong for underage drinkers to take it for granted they could take action against the bar owner, if they were caught.

In further discussion, Council Member Turner said the proposed Ordinance would provide additional capability to deal with the issue of underage drinking. He said the City would be able to take underage drinkers' driver licenses away or have their driver licenses suspended through the Secretary of State's Office.

Superintendent of Police John Stenson said his department was committed to reporting these situations to the Secretary of State's Office so the full impact of the law could be achieved. He said there was an ongoing commitment to work with liquor establishments regarding education of procedures and determining underage drinkers.

Motion to adopt the Ordinance amending Chapter 1 of the Code of the City of Peoria relating to General Provisions; amending Chapter 3 of the Code of the City of Peoria relating to Alcoholic Beverages, and amending Chapter 20 of the Code of the City of Peoria relating to Offenses and Miscellaneous Provisions – regarding fine amounts and alcoholic beverage related violations was approved by roll call vote.

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

Nays: None.

(03-116) CITY MANAGER REPORT TO CITY COUNCIL.

Following a brief discussion on some of the highlights of the report, Council Member Nichting moved to receive and file the City Manager Report to City Council; 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.

UNFINISHED BUSINESS

(03-060) Communication from Director of Public Works and Peoria Urban Forestry Advisory Board Requesting Authorization to IMPLEMENT the TREE PARTNERS PARTICIPATION PROGRAM (TPPP) as a Replacement for the Current Adopt-A-Tree (AAT) Program.

Council Member Thetford expressed concern regarding how a new program would impact older neighborhoods. She said she would be willing to try the new program for one year and then review the impact at that time.

Council Member Thetford moved to authorize the implementation of the Tree Partners Participation Program (TPPP) as a replacement for the current Adopt-A-Tree (AAT) Program; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Tom Edwards.

Mr. Tom Edwards, 2702 N. Peoria Street, expressed concern that a lower number of trees were being planted compared to the number of trees being taken down.

In discussion with Council Member Ardis, Director of Public Works Steve Van Winkle said there was \$20,000 budgeted for this project in 2003.

Motion to authorize the implementation of the Tree Partners Participation Program (TPPP) as a replacement for the current Adopt-A-Tree (AAT) Program was approved by roll call vote.

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

Nays: Ardis - 1.

(03-105) Communication from Director of Public Works Requesting a DECISION Regarding “WELCOME TO PEORIA” SIGNAGE, as Outlined in Recommendations Made in the Communication. (Refer to Item Nos. 98-599 and 01-667)

Director of Public Works Steve Van Winkle distributed a copy of an additional selection of sign designs to all members of the City Council.

Council Member Grayeb moved to authorize the establishment of eleven City-manufactured “Welcome to Peoria” signs with distinguishing features as outlined in signs one through nine, with the understanding that more elaborate signs could be constructed when funding permitted; seconded by Council Member Ardis.

Council Member Grayeb pointed out that Council Member Spears had brought the issue of signage on I-74 to the Council’s attention in 1998. He pointed out there were no signs mentioning Peoria on any of the I-74 signs. He said this issue did not address that problem, but after I-74 construction was completed, the City could pursue those signs as well.

Council Member Thetford suggested allowing the arts community and the Peoria Art Guild to share in the opportunity to provide sign design. She suggested that, since there was no rush on this project, the decision be deferred for four weeks so other options could be explored.

Council Member Thetford moved for a substitute motion to defer this item for four weeks until the April 1, 2003, Regular City Council Meeting; seconded by Council Member Morris.

Council Member Spears suggested that this issue be deferred for a longer length of time so RFP’s could be solicited and brought back to the City Council.

Council Member Grayeb said while he agreed with some of the ideas presented, he expressed concern that the project would experience further delays. He indicated he was anxious to move forward on the project because the community needed the signage.

Council Member Nichting also suggested that Civic organizations may want to be involved in landscaping around the signs.

Council Member Spears moved to bring an RFP for “Welcome to Peoria” signs before the Council next week. No second was heard.

Motion for a substitute motion to defer this item for four weeks until the April 1, 2003, Regular City Council Meeting was approved by roll call vote.

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

Nays: None.

NEW BUSINESS**CONCERN EXPRESSED REGARDING ON-STREET PARKING VIOLATIONS DURING SNOW STORMS**

Council Member Thetford said she had been contacted by citizens regarding the issue of on-street parking on snow routes when more than two inches of snow was present. She expressed concern that violators had not been ticketed and she requested that better enforcement be conducted during future snow storms.

(03-117) MOTION for a DATE SET on SATURDAY, MARCH 8, 2003, from 8:30 A.M. until 10:00 A.M. at City Hall, Room 404, to Hold an 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.

Council Member Turner moved to set a date on Saturday, March 8, 2003, from 8:30 A.M. until 10:00 A.M. at City Hall, Room 404, to hold an 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; 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.

COMMENDATIONS TO THOSE INVOLVED IN THE LIQUOR LICENSE RENEWAL PROCESS

City Clerk Mary Haynes thanked her Staff, Officer Terry Pyatt, Liquor Investigator, Finance Department Staff, City Treasurer's Office Staff, Mayor Ransburg, and Corporation Counsel Randy Ray, and his Staff, for their assistance and cooperation in the Liquor License Renewal process for 2003. She added this was an excellent example of how City Hall departments worked together.

REPORT Regarding DISCUSSIONS with the LOCAL RECORDS COMMISSION

City Clerk Mary Haynes said she just returned from Springfield where discussions were held with Municipal Clerks and the Local Records Commission. She said the Commission agreed to reduce some of the rules and regulations so they would be less laborious. She said continued work with the State Legislature and Commissions would help them understand State regulations increased cities' budgets.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(03-118) 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. Tom Edwards, 2702 N. Peoria, expressed concern that the City of Peoria Task Force planned to hold their meetings in private and not follow the Open Meetings Act. He said he felt this was an illegal practice and he thanked City Clerk Mary Haynes for her work in keeping meetings open. He urged the Corporation Counsel to be more lenient when it came to topics discussed in Executive Session and provide more information to the public. He added that just because a topic fell into a category for Executive Session did not mean that the topic should be discussed in Executive Session. He suggested that Commissions and the Park Board follow the same rules.

EXECUTIVE SESSION

- (03-119) 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)(5) The purchase or lease of real property for the use of the public body; and 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent.**

Council Member Nichting 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; 2(c)(5) The purchase or lease of real property for the use of the public body; and 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; 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 Nichting moved to adjourn the Council Meeting; seconded by Council Member Turner.

Approved by viva voce vote.

The Council Meeting adjourned at 7:35 P.M.

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

bb