

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

Council Chambers, Peoria, Illinois, October 28, 2003, a Regular Meeting of the City Council was held this date at 6:15 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: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10; Absent: Ardis - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Ransburg requested a moment of silent prayer and then Boy Scout Troop #154 from Holy Family Grade School lead the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: PEORIA JAYCEES 33RD HAUNTED HOUSE

PROCLAMATION: NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH – November, 2003

PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH/DAY OF EMPOWERMENT – November, 2003

PROCLAMATION: NOTRE DAME HIGH SCHOOL GOLF TEAM SECOND PLACE STATE CHAMPIONS

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on October 21, 2003, and the Executive Sessions held on October 16 and 21, 2003, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:

(03-610) NOTICE OF LAWSUIT on Behalf of the NEW JERUSALEM MISSIONARY BAPTIST CHURCH, AN ILLINOIS RELIGIOUS CORPORATION, Seeking a Judgment Compelling the City to Issue all Property Zoning Certificates and Allow the Church to Offer Shelter and Care for Homeless Individuals.

**(03-611) Communication from Interim ESDA Director and Assistant Fire Chief Requesting
* Authorization to PURCHASE ITEMS, as Outlined, with TRI-COUNTY
 TERRORISM RESPONSE COALITION GRANT FUNDS, at an Estimated
 Amount of \$53,993.76.**

**(03-612) Communication from Acting Director of Public Works Requesting Approval of the
 Following for the PIONEER PARKWAY EXTENSION PROJECT:**

- ** A. PROFESSIONAL SERVICES CONTRACT with CRAWFORD, MURPHY
 AND TILLY, INC. in an Amount Not to Exceed \$440,000;**
- B. TWO LOCAL AGENCY AGREEMENTS for FEDERAL
 PARTICIPATION in the Amounts of \$500,000 and \$1,000,000,
 Respectively;**
- C. MFT RESOLUTION NO. 03-612 in the Amount of \$500,000.**

(03-613) REPORTS:

- A. REPORT OF REGINALD A. WILLIS, CITY TREASURER, for
 September, 2003.**
- B. TOWN OF THE CITY OF PEORIA FINANCIAL REPORT – Period
 Ending 9/30/03.**
- C. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – September 30, 2003.**
- D. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – September 30,
 2003.**

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

Council Member Turner requested Item No. 03-611 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested Item No. 03-612-A be removed from the Consent Agenda for further discussion.

Item Nos. 03-610 through 03-613 (excluding 03-611 and 03-612-A which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

- (03-611) Communication from Interim ESDA Director and Assistant Fire Chief Requesting
* Authorization to PURCHASE ITEMS, as Outlined, with TRI-COUNTY
 TERRORISM RESPONSE COALITION GRANT FUNDS, at an Estimated
 Amount of \$63,636.86*.**

*Interim ESDA Director Debra Craig and Assistant Fire Chief Ken Tomblin distributed a replacement communication to all members of the City Council changing the estimated amount from \$53,993.76 to \$63,636.86.

Council Member Turner requested comments regarding this issue from Assistant Fire Chief Kent Tomblin. He said there was a policy, an Ordinance, and a contract compliance clause for purchases made on behalf of the City.

Assistant Fire Chief Kent Tomblin explained the bidding process and he said the low bidder was given the opportunity to provide EEO certification information and was given a short time line in which to do so. He said, if for some reason, the low bidder was not EEO certified, the purchase would be made from the next lowest bidder. He added that the cost difference was not a great amount.

Council Member Turner moved to authorize the purchase of items, as outlined, with Tri-County Terrorism Response Coalition Grant Funds, at an amended estimated amount of \$63,636.86; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

- (03-612) Communication from Acting Director of Public Works Requesting Approval of the
Following for the PIONEER PARKWAY EXTENSION PROJECT:**

- ** A. PROFESSIONAL SERVICES CONTRACT with CRAWFORD, MURPHY
 AND TILLY, INC. in an Amount Not to Exceed \$440,000;**
- B. TWO LOCAL AGENCY AGREEMENTS for FEDERAL
 PARTICIPATION in the Amounts of \$500,000 and \$1,000,000,
 Respectively;**
- C. MFT RESOLUTION NO. 03-612 in the Amount of \$500,000.**

Acting Director of Public Works Gene Hewitt distributed a copy of the EEO Certification Number for the firm of Crawford, Murphy and Tilly, Inc. to all members of the City Council.

Council Member Nichting moved to approve the Professional Service Contract with Crawford, Murphy and Tilly, Inc., in an amount not to exceed \$440,000, receive and file the communication regarding the EEO Certification Number for the firm, approve the two Local Agency Agreements for federal participation in the amount of \$500,000 and \$1,000,000 respectively, and approve MFT RESOLUTION NO. 03-612 in the amount of \$500,000; seconded by Council Member Turner.

Motion to approve the Professional Service Contract with Crawford, Murphy and Tilly, Inc., in an amount not to exceed \$440,000, receive and file the communication regarding the EEO Certification Number for the firm, approve the two Local Agency Agreements for federal participation in the amount of \$500,000 and \$1,000,000 respectively, and approve MFT RESOLUTION NO. 03-612 in the amount of \$500,000 was approved by roll call vote.

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

Nays: None.

(03-614) Communication from Acting Director of Public Works Regarding a PRESENTATION of the STORMWATER MANAGEMENT MASTER PLAN – PHASE I, with Recommendation to Receive and File.

Acting Director of Public Works Gene Hewitt said the second phase of the contract approved in 2002 to address stormwater issues would be presented. He said this would begin the process of actually doing the stormwater management planning that the community was required to do and wanted to do for a number of years. He said Greg Kacvinsky, Senior Staff Engineer, and Dale Tekippe, Senior Vice President of Clark Dietz would be making a presentation.

Mr. Greg Kacvinsky, Senior Staff Engineer representing Clark Dietz, explained why a Stormwater Management Master Plan was needed. He displayed stormwater problem area maps showing drainage complaints over the last ten to eleven years and he pointed out there were between 400 and 500 significant drainage complaints during that period of time. He said the City had an extensive network of pipes and open channels and the City had spent a good amount of money to keep those areas from eroding and conveying the water down stream.

Mr. Kacvinsky said there were five early action projects that were reviewed and he pointed out the Holly Hedges/Devereux area where major channel erosion was occurring. He explained the threat to homes along the channel and in some cases, he said the channel was eight feet deeper than it was originally. He displayed pictures which demonstrated these problems. He added that erosion was the biggest drainage complaint in the City. He said about 30% of the complaints had been addressed.

Mr. Kacvinsky further explained the future phases of the master plan to improve the infrastructure to prevent property damage. He said the plan would need between five and ten years of capital improvements program. He also gave an overview of the recommendations for the Early Action Projects as outlined in the communication.

Mr. Kacvinsky pointed out that the five targeted areas for the Early Action Projects were just the beginning and it was highly possible that as time passed, there would be other areas that would need attention. He said the projects would be funded by tax supported issues, bonding, property tax revenues, and special assessments. He said there could also be a stormwater user fee much like the sanitary sewer fees, which would be a dedicated revenue stream for stormwater infrastructure and maintenance. He added there were EPA guidelines that the City would have to abide by, which were expensive but was an unfunded federal mandate, and these funds could be used for that expense. He said between \$1.7 million and \$3.5 million per year could be generated by this fee, depending on the cost per household that would be charged.

In discussion with Council Member Spears regarding his question if this plan included retention ponds and lakes in the City, Mr. Kacvinsky indicated nothing had been done with regard to retention ponds or lakes. He said they provided information on how retention ponds could be more effectively designed in the future to do a better job in cleaning up stormwater. He said, if there were no complaints during the eleven years, then they did not concentrate on ponds or lakes.

Council Member Spears referred to water quality and quantity, and he said he knew that some of the retention ponds, lakes, etc. were deteriorating and were being filled with silt and garbage which had created garbage flow into other areas. He said new developments had not been required to construct new storm drains to hold the water back and now the retention ponds and lakes were a problem.

Acting Director of Public Work Gene Hewitt said water quality was part of the Stormwater Master Plan but was in one of the Phase II regulations that would be phased in over a five-year period. He said this was a good point but was part of the master plan and the City had not gotten that far in the process yet.

In discussion with Council Member Nichting, Mr. Kacvinsky said some citizens may feel that if they were not on a stream, they should not have to pay the proposed fee. He explained any stormwater runoff of anyone's property flowed to the stream and anyone who lived on the stream or as far as one mile from the stream, was benefiting from the stream. He added when implementing a user fee, a higher level of service would be anticipated so it was important to construct some of the higher profile projects as soon as possible so the public would realize they were moving forward. He said proper engineering would be established for improvements so problems would not reoccur.

Council Member Nichting moved to receive and file the communication and presentation regarding the Stormwater Management Master Plan – Phase I; seconded by Council Member Turner.

In discussion with Council Member Sandberg regarding lot size and the fairness of the user fees, Mr. Kacvinsky explained that if the City did not want to select a flat fee for all residents, another option would be to charge a user fee based on lot size or based on different zoning classifications, but the user fee could be tailored to the community.

Motion to receive and file the communication and presentation regarding the Stormwater Management Master Plan – Phase I was approved by roll call vote.

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

Nays: None.

**(03-615) Communication from Workforce Development Director Regarding the
*** WORKFORCE DEVELOPMENT ANNUAL REPORT and 2002-2003
 WORKFORCE DEVELOPMENT PERFORMANCE REPORT.**

Council Member Grayeb moved to receive and file the communication regarding the Workforce Development Annual Report and the 2002-2003 Workforce Development Performance Report; seconded by Council Member Morris.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Workforce Development Board Members Christopher Glynn and Bruce Alkire.

Mr. Christopher Glynn, Vice-Chairman of the Workforce Development Board, 63 St. Marks Circle, Morton, said each one of the Department of Labor requirements and standards had been met or exceeded. He said One Stop participation in terms of resource center services provided was in excess of \$49,000. He said there was a large number of people being touched in a positive manner by these programs. He said the efforts of the Workforce Development Board had been called out by the Governor and Peoria's Workforce Development received the Governor's Award for excellence.

In discussion with Council Member Sandberg regarding the amount budgeted in the Workforce Development Budget to reimburse the City for support services to include payroll, EEO Department, Legal Department, Human Resources, Mayor's Office, Finance Department, and Treasurer's Office, Director Ali said those services were classified as in-kind contributions. He added the City supported the Workforce Development Department as they supported any City department.

Council Member Sandberg questioned the worth of those in-kind services absorbed by the City.

The Finance Director for Workforce Development explained the Workforce Development Department received approximately \$100,000 in support from the City. He said those costs were used as in-kind contributions to facilitate the programs they offered.

Council Member Sandberg requested a report back regarding the breakdown of the \$100,000. He also questioned contributions made by Workforce Development's partners.

Mr. Bruce Alkire, Workforce Development Board Chairman, said all partners contributed to the system and site costs related to the programs through in-kind contributions, contributions of Staff that offset normal costs, and office supplies. He said partners may not contribute to the line item of rent, but they definitely contributed to the entire operation of the One Stop Center.

Following further discussion with Council Member Morris and Mr. Glynn, Mr. Alkire said a startling statistic received was that over the next six to nine years, there would be an 18,000 person shortage in our workforce. He said Workforce Development was trying to determine how to supplement the workforce by using those who were able to take advantage of continued education. He said they were trying to make sure Workforce Development had the facilities and the Staff needed. He said like most other City departments, Workforce Development was also under-staffed.

In discussion, Council Member Gulley expressed concern that only 52 people had been placed in jobs out of 1,000 people in the system.

Director Ali explained outside the 52 people who had been placed, the others were in various stages of the training system.

Motion to receive and file the communication regarding the Workforce Development Annual Report and the 2002-2003 Workforce Development Performance Report was approved by roll call vote.

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

Nays: None.

Clerk's Note: See additional discussion on Page 26298.

(03-616) Communication from Workforce Development Director Regarding the COUNCIL UPDATE ON WORKFORCE DEVELOPMENT.

Council Member Sandberg moved to receive and file the communication regarding the Council Update on Workforce Development; seconded by Council Member Nichting.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

**(03-615) Communication from Workforce Development Director Regarding the
*** WORKFORCE DEVELOPMENT ANNUAL REPORT and 2002-2003
WORKFORCE DEVELOPMENT PERFORMANCE REPORT.**

Council Member Sandberg moved for a report back regarding the \$100,000 the City waived for in-kind services provided to Workforce Development; seconded by Council Member Spears.

Council Member Sandberg questioned how this in-kind service originated. He said he thought the City recouped some of those costs from the Federal Government. He said since the City was dealing with Budget shortfalls, he would like to know what Council involvement there was in establishing that policy.

Workforce Development Bashir Ali said the Intergovernmental Agreement was on file in the City Clerk's Office. He said a new agreement would be coming before the Council next Spring and a new agreement was presented every five years.

Council Member Sandberg said he would like to have a copy of the agreement.

Council Member Spears said the City did a lot of work for other governmental entities – State, County, and other municipalities. He said the City was seeing escalating personnel, hospitalization, and management costs, and he questioned if the City was recouping the correct amount that the City was charging. He said the City needed to make sure they were recouping their costs. He said he wanted to know what was being charged per hour and what the actual per hour cost was.

Motion to request a report back was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

ANNOUNCEMENT Regarding "PICK-UP PEORIA" LITTER CAMPAIGN

Council Member Turner discussed a new program called "Pick-Up Peoria" and he explained their mission was to gain broad based public education increasing awareness of negative attitudes and change behaviors for those who litter. He requested that citizens tune in beginning Monday, November 3, 2003, to Radio Stations 1370 WMBD AM, LITE ROCK 107 FM, and FOX SPORTS 1290 to hear anti-litter awareness ads regarding "Pick-Up Peoria" litter campaign.

ANNOUNCEMENT Regarding ART DISPLAY at the LEVOUX CARRE BUILDING

Council Member Nichting said on November 1, 2003, at the Levied Care' Building, there would be a spot light on the Arts where art would be displayed and actively promoted. He said there would be tours of lofts and tickets would be available at the door.

ANNOUNCEMENT Regarding PEORIA HISTORICAL SOCIETY FASHION SHOW AND LUNCHEON

Council Member Thetford said November 1, 2003, the Peoria Historical Society is sponsoring a Fashion Show at the Scottish Rite Cathedral showcasing famous women in history. She said tickets were available for the fashion show and luncheon.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL**(03-617) 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. Mike Mitchell, 721 E. Illinois Avenue, representing the East Bluff United Neighborhood Association, clarified that their neighborhood association was very supportive of the POP system, which he felt may not have been communicated very well to the Council at the previous meeting.

Mr. Mary Chappy, 241 Hancock, Apartment #1, requested information and clarification regarding three hour parking. She said she had received some parking tickets.

Corporation Counsel Randy Ray said he would provide the information to her if she would supply him with her telephone number.

Ms. Sara Partridge, 2207 N. Atlantic Street, distributed packets to Council Members for their information. She suggested that the area around Glen Oak Park should be stabilized in order for the new expansion of the Glen Oak Zoo to be successful. She also urged the City to encourage the clean up of the East Bluff neighborhoods so those homes would be attractive to new people moving to Peoria.

Ms. June Moore, 1409 W. Millman, thanked the Council and City Departments for their assistance in their neighborhood's "Make a Difference Day."

Mr. Levitta Ricca, 711 S. Greenlawn, thanked the Council for providing funds for dumpsters for the "Make a Difference Day."

EXECUTIVE SESSION**(03-618) Recommendation to Approve 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)(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 with leave to return to the Council Chambers.**

Council Member Thetford 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)(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 with leave to return to the Council Chambers; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

RECONVENING OF THE CITY COUNCIL

City Clerk Mary Haynes noted the following Council Members present: Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10; Absent: Ardis - 1.

The City Council reconvened at 8:38 P.M.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(03-619) Communication from Corporation Counsel Requesting Consideration and Approval of the EMPLOYMENT AGREEMENT Between the City of Peoria and CHARLES R. OLIVER for the Position of CITY MANAGER.

Council Member Turner moved to approve the prepared employment agreement between the City of Peoria and Charles R. Oliver for the position of City Manager, pending Mr. Oliver's passing a physical exam; seconded by Council Member Spears.

Council Member Morris said he felt this was a tremendous opportunity for the City and was an exciting step for Peoria. He said he felt Mr. Oliver was well qualified and he looked forward to working with him.

Mayor Ransburg said he wanted the record to show that Council Member Ardis, who was out of town, said he would have voted in support of the hiring Mr. Oliver, if he had been able to attend the meeting.

Council Member Sandberg said he supported the selection and hiring of Mr. Oliver, but since the City was in the middle of a budget crisis, he did not feel the City could afford to pay the proposed salary. He said he had heard that part of the reason there was a budget crisis was due to employee salary costs. He added he felt the format of the negotiations placed the City in an inopportune negotiating stance and, therefore, the citizens of Peoria could have gotten greater value. He said he had no question regarding Mr. Oliver's capacity. He said he felt the tasks before the new City Manager would not be helped by a significant wage increase between the former City Manager and the new City Manager. He reiterated that he supported the hiring of Mr. Oliver but he did not support the employee compensation package.

Council Member Thetford said she welcomed Mr. Oliver and his family to the City of Peoria. She said she felt the wage and benefit package encompassed within the agreement was commensurate with Mr. Oliver's qualifications. She said she looked forward to Mr. Oliver beginning as City Manager on December 8, 2003, or before.

Mayor Ransburg welcomed Mr. Oliver and his family, and he said he looked forward to a long term relationship. He said he felt Mr. Oliver had the talent to work with the Council, Staff, and citizens for Peoria to realize their full potential.

Motion to approve the prepared employment agreement between the City of Peoria and Charles R. Oliver for the position of City Manager, pending Mr. Oliver's passing a physical exam was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;
Nays: Sandberg - 1.

Newly appointed City Manager Randy Oliver thanked the Council for their support. He said he and his wife were looking forward to the challenges in Peoria. He said he felt the attributes were clearly present in the community and he felt there were many things that could be accomplished and he hoped to achieve those together. He said he looked forward to knowing everyone better and meeting the City employees and citizens. He thanked the Council for the opportunity.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:45 P.M.

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

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