

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

Council Chambers, Peoria, Illinois, March 6, 2001, a Regular Meeting of the City Council was held this date at 6:19 P.M., at City Hall, 419 Fulton Street, Mayor Lowell G. Grieves presiding.

ROLL CALL

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

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Grieves requested a moment of silent prayer, and then led the Pledge of Allegiance.

WORD OF THE WEEK: "LOYALTY"**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: APOLLO FINE ARTS & ENTERTAINMENT CENTRE – 10TH ANNIVERSARY

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting and the Executive Sessions held on February 27, 2001, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner,
Mayor Grieves – 11;

Nays: None.

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

- (01-134) Communication from Superintendent of Police Requesting Authorization to PURCHASE THREE VEHICLES from ENTERPRISE, in the Amount of \$39,000, using Asset Forfeiture Funds.**
- (01-135) Communication from Director of Public Works and Finance Director/Comptroller Requesting Authorization to PURCHASE FLEET EQUIPMENT through the State of Illinois Joint Purchasing Contract, in the Amount of \$228,347.85.**
- (01-136) Communication from Director of Public Works Requesting Approval of the INTERGOVERNMENTAL AGREEMENT with PEORIA COUNTY, PEORIA HEIGHTS, and the STATE OF ILLINOIS for the IMPROVEMENT of EAST GLEN AVENUE, and Requesting Authorization for the City Manager to sign the Agreement and the Jurisdictional Transfer of the Roadway to Peoria Heights from Peoria County.**

- (01-137) * **Communication from Corporation Counsel Requesting Authorization for the City Manager to Execute the Attached AMENDMENT to an AGREEMENT RENEWING A NON-EXCLUSIVE FRANCHISE TO UACC MIDWEST, INC., a Delaware Corporation, to Operate a Cable Television System in the City of Peoria. (Insight Communications is the successor.)**
- (01-138) **Communication from Director of Planning and Growth Management Recommending Adoption of the Following:**
- A. **ORDINANCE NO. 15,102 Approving the FINAL PLAT of HICKORY GROVE SUBDIVISION, SECTION ONE, a Single Family and Residential Cluster Development, Located at the S. E. Corner of Allen Road and Hickory Grove Road;**
- B. **ORDINANCE NO. 15,103 Approving the PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET MAINTENANCE AGREEMENT for JUBILEE LANE of HICKORY GROVE SUBDIVISION, SECTION ONE, Located at the S. E. Corner of Allen Road and Hickory Grove Road.**
- (01-139) **STREET LIGHT REQUEST FOR VARIOUS LOCATIONS: 700 BLOCK DURYEA PLACE, 4300 BLOCK W. CHARTER OAK ROAD, and 5700 BLOCK N. FROSTWOOD PARKWAY.**
- (01-140) **Communication from Director of Public Works Regarding a JOINT CITY/STATE SAFETY PROJECT for the UNIVERSITY/GLEN TURN LANE PROJECT. (For Information Only)**
- (01-141) **REPORTS:**
- A. **FINANCIAL REPORT from ARTSPARTNERS OF CENTRAL ILLINOIS, INC. – January, 2001.**

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

Council Member Sandberg requested that Item No. 01-137 be removed from the Consent Agenda for further discussion.

Item Nos. 01-134 through 01-141 (excluding Item No. 01-137 which was removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

- (01-137) * **Communication from Corporation Counsel Requesting Authorization for the City Manager to Execute the Attached AMENDMENT to an AGREEMENT RENEWING A NON-EXCLUSIVE FRANCHISE TO UACC MIDWEST, INC., a Delaware Corporation, to Operate a Cable Television System in the City of Peoria. (Insight Communications is the successor.)**

Council member Sandberg asked whether the local jurisdiction had any ability to negotiate rates, channel selection and quality of service with the cable provider. He said concern had been expressed by citizens that while rates continued to increase, the selection of channels was limited because Peoria only had one cable provider.

Corporation Counsel Randy Ray stated a local municipality had no authority over rates, which were set by the Federal Communications Commission. He said technical and programming issues could be brought up when the franchise was up for renewal in 2006. He verified that the P.E.G. Commission was still in existence but had not met for some time.

City Manager Michael McKnight added that when the cable television industry was deregulated, much of the authority that Commission once had was eliminated.

Council Member Sandberg moved to authorize the City Manager to execute an amendment to an agreement renewing a non-exclusive franchise to UACC Midwest, Inc., a cable television system; seconded by Council Member Ardis.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

(01-142) BIDS for ASBESTOS ABATEMENT – 703, 705 AND 707 S. W. ADAMS STREET and 305 STATE STREET, Recommending the Low Bid of M&O ENVIRONMENTAL COMPANY in the Amount of \$12,895.00.

Council Member Nichting stated he would abstain from discussion and the vote due to his ownership of property in the vicinity of the Downtown Stadium site.

Council Member Duncan moved to accept the low bid of M&O Environmental Company in the amount of 412,895.00 for asbestos abatement at 703, 705 and 707 S.W. Adams Street and 305 State Street; seconded by Council Member Turner.

Council Member Sandberg inquired about the status of the LLC's commitment to raising \$4 million in private investment by March 1, 2001.

City Manager McKnight stated it was his understanding the LLC had communicated to the City that it had raised the necessary funds and was ready to move forward, although this was not documented.

Council Member Sandberg requested this documentation be provided to the Council.

Motion to accept the low bid of M&O Environmental Company in the amount of \$12,895.00 for asbestos abatement at 703, 705 and 707 S.W. Adams Street and 305 State Street was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 10;

Nays: None;

Abstention: Nichting - 1.

(01-143) CITY MANAGER REPORT TO CITY COUNCIL.

City Clerk Mary Haynes referred to a hand-out from the Police Department which replaced three pages in their Statistical Analysis Report.

Council Member Nichting moved to receive and file the City Manager Report to City Council; seconded by Council Member Duncan.

Council Member Thetford requested that future reports also include a listing of properties which have gone through the complete process, including invoking of the nuisance ordinance in its entirety.

Police Chief John Stenson referred to the three-page handout which reflects corrected numbers comparing 1999 and 2000 statistics for crimes against persons and property crimes. He said crimes against persons decreased, while there was an increase in arson and felony theft. He emphasized that crime citywide did not increase from 1999 to 2000, and the statistics reflect that continued downward trend in 2001.

Council Member Thetford asked when the new community policing plan would be implemented.

Police Chief Stenson stated the Police Department announced its intent at the end of last year to put more officers on the street in addition to re-districting the city. He said the new districts and manpower needs have been identified, and 20 additional officers will be on the street by the end of this month.

In response to Council Member Nichting, Police Chief Stenson explained the Chronic Nuisance Properties list was incomplete due to personnel reassignments. Council Member Nichting requested that future reports also include statistics on further violations at each property.

Motion to receive and file the City Manager Report to Council was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner,
Mayor Grieves – 11;

Nays: None.

UNFINISHED BUSINESS

(01-113) BID for BUILDING DEMOLITION at 611, 621 & 633 S. W. ADAMS STREET, Recommending the Low Bid of N. E. FINCH COMPANY, in the Amount of \$17,000.00.

Council Member Duncan moved to defer this item for two weeks until the March 20, 2001 Regular City Council Meeting; seconded by Council Member Morris.

Council Member Nichting stated he would abstain from discussion and the vote due to his ownership of property in the vicinity of the Downtown Stadium site.

Motion to defer this item until March 20, 2001 was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner,
Mayor Grieves – 11;

Nays: None;

Abstention: Nichting - 1.

(01-129) Communication from Finance Director/Comptroller Regarding the USE OF THE \$195,000 BOND PROCEEDS.

Mayor Grieves asked Finance Director/Comptroller Ellie Hogan to explain the Council's options.

Finance Director/Comptroller Ellie Hogan stated that an inducement ordinance was brought before the Council in January for the City to reimburse itself with bond issue for expenses incurred; included in that communication was the use of \$195,000 of Bond Proceeds for the Sears Block. She stated there was no discussion at that time that there might be another anticipated use of those fundings. She said the Sears

Block had been funded by adding 5% of private activity to the bond issues in 1997 and 1998 which provided the \$1 million needed for that acquisition. She said this request would likewise add 5% of private activity to the bond issue because it was still unknown whether the ultimate use of the Sears Block would be private activity, and it was important that any bonding not affect the tax-exempt status.

Director Hogan continued that to use that money for something else required a tax-exempt purpose as determined and approved by the Council. She said those stipulations are written into the bond ordinances with each bond issue. She added the amount of the bond issue was geared toward how much it was anticipated could be spent in the two-year timeframe, and this impacted how projects were budgeted using bond funds.

Council Member Sandberg stated he supported this concept because it offered balanced growth instead of focusing all the resources in one area.

In discussion with Director Hogan, it was verified that no funds were budgeted for Sears Block acquisitions in the 2001 Budget. Council Member Sandberg pointed out that allocating 1996C bond proceeds in the same proportion as the 1996C issue would result in nearly \$77,000 earmarked for Riverfront use which could be used for Sears Block acquisitions. He suggested the Council consider this more fiscally responsible approach.

City Manager Michael McKnight clarified that the \$195,000 was a cost element. He said the debt service required for 1996C was approximately \$18,000 over 15 years. He said the balance of the savings was still to be allocated by the Council. He confirmed the total savings from this refinancing was approximately \$750,000 and asked Director Hogan how much of that the City will actually receive.

Director Hogan stated the City's portion was \$488,000 actual dollars, not present value. It was clarified that of that amount, \$18,000 was being used to service the \$195,000.

Mayor Grieves asked Director Hogan what would happen if no action was taken on this matter. Director Hogan responded that absent any action, the entire \$195,000 would be put into this bond issue for the Sears Block acquisition.

Council Member Sandberg stated his concern was when or if the Council would discuss how this savings was to be spent. In discussion with City Manager McKnight, Mayor Grieves determined this increased the Fund Balance, and it would be debated this fall how to spend the money.

Council Member Grayeb moved to receive and file the communication; seconded by Council Member Turner.

Council Member Morris suggested that when the time came for this debate, the Council consider not spending this money at all, considering the decreasing Fund Balance and the current debt service.

Motion to receive and file was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Spears, Thetford, Turner, Mayor Grieves – 10;

Nays: Sandberg - 1.

(01-131-C) Request to Reconsider ORDINANCE Amending BUDGET for FISCAL YEAR 2001 of the City of Peoria Relating to WEST BLUFF NEIGHBORHOOD HOUSING SERVICES REHAB PROJECT.

City Clerk Mary Haynes referred to the Annual Report hand-out provided by the West Bluff NHS.

Council Member Grayeb moved to reconsider the vote on the Ordinance amending the 2001 Budget relating to the West Bluff Neighborhood Housing Services Rehab Project taken at the February 27, 2001 Regular City Council Meeting; seconded by Council Member Sandberg.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 11;

Nays: None.

Hearing no objections, Mayor Grieves granted Privilege of the Floor to Mr. Paul Day.

Mr. Paul Day, 210 W. Armstrong Avenue, out-going President of the West Bluff Neighborhood Housing Services, stated some of the opposition to this request last week may have been based on misconceptions. He stated he hoped the Council would support this so they could continue their work in the Flora-Ellis neighborhood.

Council Member Grayeb stated there were times when flexibility was needed in the programming of funds, and it was important to know when to make an exception. He referred to the synergy in this area now with the Bradley revitalization, the West Main business plan, and this new historic preservation district. He said this \$50,000 would help revitalize some of these properties that had been long neglected.

Council Member Turner stated he supported the neighborhoods and would support this motion. However, he reminded the Council that throughout this entire year they would need to be mindful of the limited funds available for other exceptions that would be brought forward.

Council Member Morris moved to adopt the Ordinance amending the Budget for Fiscal Year 2001 of the City of Peoria relating to West Bluff Neighborhood Housing Services rehab project; seconded by Council Member Turner.

ORDINANCE NO. 15,104 was adopted by roll call vote.

Yeas: Ardis, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Grieves – 10;

Nays: Duncan - 1.

NEW BUSINESS

THANKS to FIRE DEPARTMENT Personnel

Council Member Gibson expressed appreciation to Fire Department personnel who volunteered to help remove some Christmas decorations on the West Bluff.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No citizens came forward to speak.

EXECUTIVE SESSION

(01-144) 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.

Council Member Duncan moved 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; seconded by Council Member Nichting.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Sandberg, Spears, Thetford, Turner,
Mayor Grieves – 11;

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:30 P.M.

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

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