

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

Council Chambers, Peoria, Illinois, July 17, 2001, a Regular Meeting of the City Council was held this date at 6:15 P.M., at City Hall, 419 Fulton Street, Mayor David P. Ransburg presiding.

ROLL CALL

Roll call showed the following Council Members present: Ardis, Grayeb, Gulley (arrived at 6:20 P.M.), Morris, Nichting, Sandberg (arrived at 6:25 P.M.), Spears (arrived at 6:21 P.M.), Teplitz, Thetford, Turner, Mayor Ransburg - 11; Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting and Executive Sessions held on July 10, 2001, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg – 8;

Nays: None.

Council Member Gulley arrived at 6:20 P.M.

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

- (01-490) PAYMENT ESTIMATES for PUBLIC IMPROVEMENT PROJECTS: IMPERIAL DRIVE, RIVIERA DRIVE, RIVIERA COURT & ELDORADO DRIVE ROADWAY IMPROVEMENT (Removing existing curb, gutter, sidewalks and driveway approaches and constructing concrete sidewalks, combination curb and sidewalks, combination curb and gutter driveway pavement, storm sewer, and a bituminous concrete pavement overlay and all necessary adjustments, incidentals and appurtenances.) COULTER CONSTRUCTION COMPANY – PAY ESTIMATE #3 - \$68,302.29; WEST WARWICK DRIVE ROADWAY IMPROVEMENT (Removing existing curb, gutter, sidewalks & driveway approaches and constructing P.C.C. combination curb & sidewalks, gutter flag and driveway approaches, a bituminous concrete overlay, and installing a storm sewer system, along with all necessary adjustments, incidentals and appurtenances.) COULTER CONSTRUCTION COMPANY – PAY ESTIMATE #3 - \$42,931.00; TOTAL AUTHORIZATION APPROVED: \$111,233.29. (For Information Only)**
- (01-491) PAYMENT ESTIMATES for PUBLIC IMPROVEMENT PROJECT: MacARTHUR HIGHWAY BRIDGE REHABILITATION (The rehabilitation of the MacArthur Highway Bridge and approaches including concrete repairs at the bridge and retaining walls, pavement surface replacement including a bituminous concrete overlay, removal and replacement of concrete medians, sidewalks, steps and driveways, and application of a concrete coating to the structure, as well as other miscellaneous items to finish the improvement.) P. J. HOERR, INC. – PAY ESTIMATE #5 - \$70,624.97; TOTAL AUTHORIZATION APPROVED: \$70,624.97. (For Information Only)**

- (01-492) * Communication from Superintendent of Police Requesting Authorization for the City Manager, or his Official Designee, to Submit an Application on Behalf of the City of Peoria for the LOCAL LAW ENFORCEMENT BLOCK GRANT FY2001 Offered by the Department of Justice's Bureau of Justice Assistance.
- (01-493) Communication from Corporation Counsel Requesting Approval of the FIRST AMENDMENT to the CITY OF PEORIA/WALMART/TOWNLINE HEIGHTS L.L.C. DEVELOPMENT AGREEMENT and Requesting Authorization for the City Manager to Execute the Document.
- (01-494) Communication from Director of Planning and Growth Management with RESOLUTION NO. 01-494 Approving, with Conditions, the PRELIMINARY PLAT of WOODCREST SUBDIVISION EXTENSION, NUMBER ONE, a Residential Subdivision Located to the North of Charter Oak Road off of Frostwood Parkway.
- (01-495) Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,173 Approving the PRELIMINARY AND FINAL PLAT of NORTHTRAIL MEADOWS SECTION 1-A, a Replat of Lots 79 – 90 of Northtrail Meadows Section One, a Single Family Development Located to the South of Hickory Grove Road and to the West of Knoxville Avenue.
- (01-496) Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,174 Granting a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER for the Property Located at 1919 W. PIONEER PARKWAY (Temporary Address), 7901 N. UNIVERSITY STREET, and 8001 N. UNIVERSITY STREET, with Conditions.
- (01-497) Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,175 Granting a SPECIAL USE in a Class C-2 (Large Commercial) District for a CAR WASH for the Property Located at 1610 S. W. JEFFERSON AVENUE.
- (01-498) Communication from Corporation Counsel Regarding the HISTORY OF APPOINTMENTS to the CIVIC CENTER BOARD OF COMMISSIONERS. (For Information Only)
- (01-499) Communication from Corporation Counsel with a REPORT on BILLS SUBMITTED to PAAG for PAYMENT.
- (01-500) REPORTS:
- A. Communication from Finance Director/Comptroller Regarding the MAY 2001 REVENUE and OPERATING EXPENDITURE REPORT (Unaudited).

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

Council Member Nichting requested that Item No. 01-492 be removed from the Consent Agenda for Further discussion.

Item Nos. 01-490 through 01-500 (excluding Item No. 01-492 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, Teplitz, Thetford, Turner, Mayor Ransburg – 9;
Nays: None.

**(01-492) Communication from Superintendent of Police Requesting Authorization for the
* City Manager, or his Official Designee, to Submit an Application on Behalf of the
 City of Peoria for the LOCAL LAW ENFORCEMENT BLOCK GRANT FY2001
 Offered by the Department of Justice's Bureau of Justice Assistance.**

In discussion with Council Member Nichting regarding the purchase of additional cameras and audio equipment, Superintendent of Police John Stenson explained one of their commitments was to eventually equip each police car with a camera and audio equipment, and to use as much funding as possible from the Tech Grant to make these purchases. He projected that all cars would be fully equipped sometime in 2002 with an expenditure of approximately \$5,000.00 per car.

Council Member Spears arrived at 6:21 P.M.

Council Member Nichting suggested that the video system be shown at a Council Meeting to demonstrate to the public how the system worked.

Council Member Sandberg arrived at 6:25 P.M.

Council Member Nichting moved to authorize the City Manager, or his Official Designee, to submit an application on behalf of the City of Peoria for the Local Law Enforcement Block Grant FY2001 offered by the Department of Justice's Bureau of Justice Assistance; 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.

**(01-501) Communication from Corporation Counsel Requesting Approval of the THIRD
 AMENDMENT to the CITY OF PEORIA/DOWNTOWN STADIUM
 REDEVELOPMENT AGREEMENT and Requesting Authorization for the City
 Manager to Execute the Document.**

Corporation Counsel Randy Ray distributed a revised Third Amendment to the City of Peoria/Downtown Stadium Redevelopment Agreement to all members of the City Council.

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

Council Member Gulley moved to approve the revised Third Amendment to the City of Peoria/Downtown Stadium Redevelopment Agreement and authorize the City Manager to execute the document; seconded by Council Member Turner.

Approved, as amended, by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Sandberg – 1;

Abstention: Nichting - 1.

(01-502) Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class B-1 (Central Business) District for a BASEBALL STADIUM for Property Located at 730 S. W. JEFFERSON AVENUE (Temporary Address).

Director of Planning and Growth Management Wayne Anthony distributed a replacement map to all members of the City Council to be placed with the proposed Ordinance.

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

Council Member Gulley moved to adopt the Ordinance, as amended with the replacement map, granting a Special Use in a Class B-1 (Central Business) District for a Baseball Stadium for property located at 730 S. W. Jefferson Avenue (temporary address); seconded by Council Member Morris.

Council Member Sandberg expressed concern regarding the parking situation and future parking needs if more development occurred or if a change of use was requested for some of the buildings to become restaurants in the area of the Downtown Stadium.

Director of Planning and Growth Management Wayne Anthony explained that as the area was redeveloped, whether it was new construction or a change of use of an existing building, appropriate parking would be needed. He said, in the downtown area, because parking was a concern, the City had allowed people to obtain letters from the parking garages indicating they had a certain amount of spaces available which could be used for parking. He said multiple users could be getting a letter from the same parking garage for the same number of available spaces, which could present a problem. He added if this plan was used only as a barometer, it would probably work.

Council Member Sandberg expressed concern that the City counted parking in this manner for themselves, but might not for private development.

Council Member Sandberg expressed further concern that the City would find a need to construct a parking deck or a parking lot to accommodate visitors to the Downtown Ball Stadium.

Corporation Counsel Randy Ray said the Development Agreement called for 250 parking spaces at Kumpf and Jefferson and 250 spaces in the Transit District lot.

Motion to adopt ORDINANCE NO. 15,176, as amended with the replacement map, granting a Special Use in a Class B-1 (Central Business) District for a Baseball Stadium for property located at 730 S. W. Jefferson Avenue (temporary address) was adopted by roll call vote.

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

Nays: None;

Abstention: Nichting - 1.

(01-503) Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission to Approve and City Staff to DENY an ORDINANCE Rezoning Property Located at 620 W. LAKE AVENUE from the Present Class R-3 (Single Family Residential) District to a Class P-1 (Parking) District.

Council Member Thetford moved to adopt the Ordinance rezoning property located at 620 W. Lake Avenue from the present Class R-3 (Single Family Residential) District to a Class P-1 (Parking) District; seconded by Council Member Teplitz.

Motion to adopt ORDINANCE NO. 15,177 rezoning property located at 620 W. Lake Avenue from the present Class R-3 (Single Family Residential) District to a Class P-1 (Parking) District was adopted by roll call vote.

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

Nays: None.

**(01-504) Communication from Director of Public Works Recommending a GRADUATED PARKING FEE STRUCTURE for SPECIAL EVENTS on the RIVERFRONT.
(Refer to Item Nos. 00-075, 00-140 and 01-388)**

In discussion with Council Member Grayeb, Director of Public Works Steve Van Winkle gave a brief history of this issue. He discussed the fees that were charged for parking at events and their experience in learning when people chose to park for Riverfront Steamboat Days. He said the flat rate of \$4.00 brought in slightly more money than if parking was charged by the hour. He said there were some factors that could not be determined, such as the number of people who did not attend the event because of parking fees.

Mr. Van Winkle stated based on meetings with the members of PRIDE with regard to charging a parking rate for those attending the event, he recommended, beginning with the weekend event on July 21, 2001, to charge the standard parking hourly rate with a cap of \$4.00.

Council Member Grayeb moved to grant Privilege of the Floor to those who wished to address this issue; seconded by Council Member Nichting.

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

Mr. Dan Phillips, co-owner of the Illinois Antique Center, spoke in support of the recommendation for parking rates.

Mr. Mike Wisdom, Developer of Riverfront Village, distributed a list of the members of PRIDE and a copy of their mission statement to all members of the City Council. He explained PRIDE's goal was to make the Peoria Riverfront the best Riverfront District in the nation. He said Mr. Van Winkle's study indicated that people were not staying at the event as long as had been anticipated. He said the members of PRIDE supported the recommendation made by Mr. Van Winkle.

Council Member Grayeb moved to accept the graduated fee schedule at \$.55 per half-hour with the maximum fee of \$4.00 and allow validation by participating businesses during special events; seconded by Council Member Turner.

Council Member Nichting expressed concern that a change in parking fees had been suggested after monitoring only one event. He indicated that several events should be reviewed and then parking fees should be determined.

Mr. Van Winkle said he felt his recommendation was a reasonable compromise.

Council Member Thetford said she felt the biggest issue was which events would have paid parking. She indicated it was important for the organizers of events to know if their event would be one that would require paid parking.

In discussion with Council Member Spears, Mr. Van Winkle indicated that parking revenue would assist with paying for the bond. He said there were other reasons for charging, such as consistency in parking fees in the downtown area and to balance the week-day demand for parking.

In discussion with Council Member Spears, City Manager Michael McKnight confirmed that if total revenue did not meet the Bond requirements, then the Developer had to makeup the shortfall. Mr. McKnight pointed out that the Riverfront was presently being built-out and a majority of the debt service was coming from sales tax. He added that with additional sales tax, the issue of meeting the bond requirements became less of an issue.

Council Member Spears suggested that the City not charge for parking during special events and have free parking in the evenings and on weekends, even during special events. He said there would be four years when it would not cost the taxpayer any money because of the developer guarantee.

Council Member Morris moved to call the question; seconded by Council Member Turner.

Motion to call the question was DEFEATED by roll call vote.

Yeas: Grayeb, Gulley, Morris, Turner, Mayor Ransburg – 5;

Nays: Ardis, Nichting, Sandberg, Spears, Teplitz, Thetford - 6.

Council Member Sandberg said he felt this discussion was premature. He indicated he felt parking should be consistent throughout the entire downtown area. He said this discussion should be held after knowing more about the incoming revenues.

Several Council Members indicated they wanted to wait a few weeks to hear more about incoming revenues rather than make a decision at this point. Some indicated they would support the motion for a short-term period.

Following additional discussion, Council Member Spears moved for free parking on the Riverfront during special events to coincide with free parking on the Riverfront on evenings and weekends; seconded by Council Member Sandberg.

Approved by roll call vote.

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

Nays: Nichting - 1.

UNFINISHED BUSINESS

(00-864) Communication from Director of Planning and Growth Management Regarding a REPORT BACK on the STAFF REVIEW of COMPLIANCE ISSUES for Property Located at 2022 N. WISCONSIN AVENUE. (For Information Only)

Following a brief comment, Council Member Thetford moved to receive and file the report back on the Staff Review of compliance issues for property located at 2022 N. Wisconsin Avenue; 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.

(01-257) REQUEST to INITIATE THE PROCESS to RENAME a SIX-BLOCK SECTION of SHERIDAN ROAD FROM GARRETT STREET to McBEAN STREET, AND ONE BLOCK OF PERSIMMON STREET Between SHERIDAN ROAD AND JEFFERSON STREET, TO RICHARD PRYOR PLACE.

Council Member Gulley discussed previous plans to honor Richard Pryor and he spoke in support of the Committee appointed by the Mayor to review these kinds of issues. He said he felt the current policy needed to be amended.

Council Member Gulley said he had received over 2,000 signatures on petitions in support of renaming a street in the southern portion of Peoria to honor Richard Pryor. He referred to a March 27, 2001, Council communication, which he distributed to all members of the City Council, and he pointed out that he felt the Council could move forward on Items #1 through #8 of the ten items listed in the procedure.

Council Member Gulley moved to direct Staff to initiate the process to rename a six-block section of Sheridan Road from Garrett Street to McBean Street, and one block of Persimmon Street from Sheridan Road and Jefferson Street, to Richard Pryor Place; seconded by Council Member Teplitz.

Discussion was held regarding the policy of renaming a street. It was suggested that Items #1 through #8 could not be thoroughly followed since the City was initiating the request.

Director of Planning and Growth Management Wayne Anthony stated if there were objections to the request, the Council would still be provided with a proposed Ordinance along with a report back regarding the objections.

Following a brief discussion regarding the City Staff workload in the Planning and Growth Management Department, Council Member Gully said he would be willing to work with Staff regarding the timing of the request as to not unduly burden the City Staff.

Council Member Turner pointed out that there were five businesses and one church that would be affected.

Council Member Gulley pointed out that four of the businesses had signed the petitions in support of the name change.

Council Member Grayeb moved to grant Privilege of the Floor to those who wished to address the Council; seconded by Council Member Turner.

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

Mr. Marc Porch, 1231 E. Gift Avenue, spoke in support of the renaming of the street to Richard Pryor Place. He urged the Council to consider this important request.

Council Member Ardis offered a friendly amendment that a Public Hearing would be required.

Council Member Gulley agreed. The seconder also agreed. No objection was heard from the Council.

Motion to direct Staff to initiate the process to rename a six-block section of Sheridan Road from Garrett Street to McBean Street, and one block of Persimmon Street from Sheridan Road to Jefferson Street, to Richard Pryor Place, with the caveat the Council would be willing to work with Staff regarding the timing of the request as to not unduly burden the City Staff, and to hold a Public Hearing was approved by roll call vote.

Yeas: Grayeb, Gulley, Morris, Nichting, Sandberg, Teplitz, Turner, Mayor Ransburg – 8;

Nays: Ardis, Spears, Thetford - 3.

NEW BUSINESS

(01-505) Consideration of a PRESENTATION on the Use of the Police Department's IN-CAR VIDEO CAMERAS and Show a Particular Police Stop Video.

Council Member Nichting moved that the Superintendent of Police provide a presentation to the Council and the public on the use of the Department's in-car video cameras and, if the Legal Department concurred, that a video which was shown to the Council in Executive Session be shown publicly; seconded by Council Member Teplitz.

Discussion was held regarding the City's liability regarding the showing of the video.

Corporation Counsel Randy Ray said it was his opinion that the showing of the video tape suggested would not violate any Supreme Court Rule or any other prohibition.

Following further discussion, Council Member Grayeb moved not to show an actual police stop video; seconded by Council Member Turner.

Motion not to show an actual police stop video was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulle y, Morris, Thetford, Turner, Mayor Ransburg – 7;

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

COMMENTS Regarding the CANCELLATION of COMMISSION MEETINGS from January to June, 2001.

Council Member Grayeb expressed concern regarding the fact that several Commission Meetings had to be canceled since January, 2001, because of a staffing problem in the Planning and Growth Department.

Director of Planning and Growth Management Wayne Anthony explained that his department was now fully staffed again after several had left his Department to take other jobs in management positions. He said three of six Commission Meetings had to be canceled in the recent past, but scheduled meetings should be able to continue.

(01-506) MONTHLY STATISTICAL ANALYSIS REPORT for JUNE, 2001, for the PEORIA POLICE DEPARTMENT.

City Manager Michael McKnight referred to an article in Sunday's Journal Star that indicated Peoria was No. 1 in crime in the State of Illinois. He requested that Superintendent of Police John Stenson respond.

Chief Stenson distributed a copy of the Police Department's Monthly Statistical Analysis Report for June, 2001, to all members of the City Council. He said one of the most important things to be communicated was that the City had invested a large amount of money in the Police Department beginning in 1996 and had received grants beginning in 1997. He said, as a result of that funding, there had been a reduction in crime since that time. He said crimes against persons was lower in the year 2000 than in 1990. He pointed out there had been a 13% drop in overall crime. He added his department was always striving to be better.

Chief Stenson discussed the establishment of the Safe Streets Crime Unit, the M.E.G. Unit, the Auto Theft Task Force, and partnerships with the Center for the Prevention of Abuse. He also discussed the increase in technology and the investigation of computer crimes.

Chief Stenson referred to the June report and said that officer activity was up, and total response time was up. He discussed grants that would be used for the purchase of in-car cameras and other equipment.

It was suggested that the Council needed to discuss the issue of policing in the near future.

Chief Stenson pointed out that other than wage increases, his budget had not been increased. He added that overtime pay had been reduced and some of that funding had been covered by grants. He added later in the discussion that total grant funding equaled over \$2 million.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No citizens came forward.

EXECUTIVE SESSION

No Executive Session was needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 9:14 P.M.

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

/bb