

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

Council Chambers, Peoria, Illinois, August 29, 2000, a Regular Meeting of the City Council was held this date at 6:17 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, Spears, Thetford, Turner, Mayor Grieves – 10; Absent: Sandberg – 1.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PRESENTATION: AMERICAN RED CROSS BLOOD SERVICES BADGES FOR LIFE
PRESENTATION

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on August 22, 2000, as printed, with clarification to the vote under Item No. 00-575 on page 24854 reflecting the removal of Council Member Nichting's name from the "yeas" vote and remain as abstaining; seconded by Council Member Gibson.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

- (00-656) NOTICE OF LAWSUIT on Behalf of ILLINOIS-AMERICAN WATER
* COMPANY and their Dispute with the City over Whether the Franchise Ordinance and its Purchase Option was Valid.
- (00-657) NOTICE OF LAWSUIT on Behalf of POLICE OFFICER LISA PTASNIK
Regarding Alleged Sexual Discrimination from 1993 to the Present.
- (00-658) NOTICE OF LAWSUIT on Behalf of DENNY WOOLARD Regarding Personal
Injury at a Civic Center Event on April 15, 1999.
- (00-659) TAG DAY REQUEST from the KNIGHTS OF COLUMBUS SPALDING
COUNCIL 427 Requesting Permission to Hold their ANNUAL "TOOTSIE ROLL
DRIVE" for the MENTALLY HANDICAPPED on September 15-16, 2000. (Dates
are open.)

- (00-660) **PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECT: FROSTWOOD PARKWAY EXTENSION (to Charter Oak Road, Woodcrest Subdivision) (Earth excavation, storm sewers, sanitary sewers, water main, concrete pavement, bituminous concrete pavement and base, seeding, sodding, and all appurtenant construction thereto.) – OTTO BAUM COMPANY, INC. – PAY ESTIMATE #1: \$32,670.00; TOTAL AUTHORIZATION APPROVED: \$32,670.00. (For Information Only)**
- (00-661) **BID for MacARTHUR HIGHWAY BRIDGE REHABILITATION, Recommending the Low Bid of P. J. HOERR, INC., in the Amount of \$648,177.07.**
- (00-662) **Communication from Director of Public Works and Finance Director/Comptroller Requesting AUTHORIZATION TO PURCHASE an ELECTRICAL TRUCK with AERIAL DEVICE, Recommending the Low Bid of TRUCK CENTER, INC., in the Amount of \$109,970.00.**
- (00-663) **Communication from Superintendent of Police Requesting Authorization to SUBMIT AN APPLICATION on Behalf of the City for the LOCAL LAW ENFORCEMENT BLOCK GRANT FY2000 offered by the Department of Justice's Bureau of Justice Assistance.**
- (00-664) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 14,991 Approving the AMENDED FINAL PLAT of WOODCREST SUBDIVISION Located North of CHARTER OAK ROAD and to the South of PARK EAST SUBDIVISION, at the Southern End of FROSTWOOD PARKWAY.**
- (00-665) **Communication from Finance Director/Comptroller and Capital Budget Coordinator Regarding the CAPITAL IMPROVEMENT PROGRAM FIRST PERIOD 2000 CAPITAL PROJECTS STATUS REPORT. (For Information Only)**
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- (00-666) **REPORTS:**
- A. **Communication from Finance Director/Comptroller Regarding the JULY 2000 REVENUE AND OPERATING EXPENDITURE REPORT – UNAUDITED.**
 - B. **CITY TREASURER'S REPORT – JULY, 2000.**
 - C. **PEORIA CIVIC CENTER REPORT – MAY, 2000.**
 - D. **PEORIA CIVIC CENTER REPORT – JUNE, 2000.**
 - E. **TOWN of the CITY OF PEORIA FINANCIAL REPORT – Period Ending JUNE 30, 2000.**

CONSIDERATION OF REPORT BACKS AS FOLLOWS:

- (00-467) **Communication from Executive Director of Riverfront Development with REPORT BACK on the ISSUE OF FACILITATING CONCESSION PARTICIPATION for RIVERFRONT BREWERIES at RIVERFRONT EVENTS.**

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

Council Member Duncan requested that Item No. 00-656 be removed from the Consent Agenda for further discussion.

Council Member Thetford requested that Item No. 00-665 be removed from the Consent Agenda for further discussion.

Item Nos. 00-656 through 00-666, and 00-467 (excluding Item Nos. 00-656 and 00-665 which were 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, Spears, Thetford, Turner,
Mayor Grieves – 10;

Nays: None.

**(00-656) NOTICE OF LAWSUIT on Behalf of ILLINOIS-AMERICAN WATER
* COMPANY and their Dispute with the City over Whether the Franchise Ordinance
and its Purchase Option was Valid.**

Following a brief comment regarding Illinois American-Water Company's delay in finalizing this issue, Council Member Duncan moved to receive and file the notice of lawsuit on behalf of Illinois-American Water Company and their dispute with the City over whether the franchise ordinance and its purchase option was valid; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(00-665) Communication from Finance Director/Comptroller and Capital Budget
** Coordinator Regarding the CAPITAL IMPROVEMENT PROGRAM FIRST
PERIOD 2000 CAPITAL PROJECTS STATUS REPORT. (For Information Only)**

Council Member Thetford requested clarification regarding certain information found in the status report from Public Works Director Steve Van Winkle. She said the report indicated that at this point in time the City had expended the funds in the aerial mapping line but had \$1.7 million budgeted and remaining in the aerial mapping 2000 line. She inquired what these funds were.

Public Works Director Van Winkle stated the \$1.7 million was representation of total funding for this phase of the project and included funding that would be reimbursed by the County of Peoria and the Sanitary District. He said the City's share of the \$1.7 million was roughly \$400,000.00. He added in order to offset the cost, revenues would be coming in after the project had reached a certain point, from these agencies that would represent \$1.3 of the \$1.7 million.

In discussion with Council Member Thetford, Public Works Director Van Winkle determined there would be no further action related to this project until the County established a new Administrator.

Council Member Thetford requested a report back on the exact amount of funds the City and County had in the aerial mapping project line and whether or not these funds would be expended in 2000.

Council Member Thetford referred to the 1999 drainage program line, which showed a balance of \$87,366.00 and had expended \$153,969.00 in 1999. She added that none of the \$620,000.00 in the 2000 drainage program had been expended. She added staff had identified three or four projects and indicated the 2000 drainage funds might be used for these. She questioned if the \$100,000.00 in drainage funds that had been ear-marked for Perry Street could be taken out of one of the drainage programs.

Public Works Director Van Winkle said updated figures showed roughly \$12,000.00 remaining in the 1999 drainage program. He said with regard to the 2000 program, the City was trying to play catch-up and listed special assessment projects as a priority. He added the other projects would come against the funds budgeted for 2000. He further stated the City's current drainage projects would abdicate much of the \$600,000.00, and those projects not accomplished in 2000 would roll into 2001. He said it was difficult to define these drainage projects on an annual basis.

Council Member Thetford further requested a report back regarding the costs associated with each drainage project to determine if funds would be left over in 2000, and how much could be utilized in 2001.

With clarification from City Manager Michael McKnight that Council would receive the next capital projects status report in December, 2000, Council Member Thetford moved to receive and file the capital improvement program first period 2000 capital projects status report; seconded by Council Member Duncan.

Approved by roll call vote.

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

Nays: None.

(00-667) Communication from Superintendent of Police Requesting Authorization for the City Manager to PURCHASE 30 MOBILE VISION IN-CAR VIDEO SYSTEMS and ASSOCIATED EQUIPMENT from MOBILE VISION, INC., in the Amount \$131,690.00, using Tech Grant Funding.

Council Member Duncan stated the purchase of these mobile vision in-car videos was a good expenditure of grant money. He requested a report from Police Chief Stenson regarding the total amount of grant expenditures for the current year.

Police Chief Stenson explained the Tech Grant 5 application was a new procedure that needed legislative approval before the grant was submitted, where as in the past grants were submitted and then received approval. He then described briefly the function of the in-car videos and the advantages of their use.

After commending Chief Stenson and Staff on receiving the grant, Council Member Duncan moved to authorize the City Manager to purchase 30 mobile vision in-car video systems and associated equipment from Mobile Vision, Inc., in the amount of \$131,690.00, using Tech Grant Funding; seconded by Council Member Grayeb.

Council Member Nichting inquired as to whether the entire police fleet would be equipped with the videos and if so, how many additional in-car videos would be needed to accomplish this service.

Police Chief Stenson said it was the Police Department's goal to service the entire fleet. He said funding was taken from Tech Grant 3 and the money from this grant had to be expended by September 30, 2000. He said the need for additional cameras would be assessed and funds for those would be taken from Tech Grant 4 which had already been awarded to the Police Department for Tech Grant purchases. It was determined that approximately 20 additional cameras would be needed. He added upon completion of the project, there would be cameras in every district, every traffic car and many street crimes unit cars.

Police Chief Stenson and several Council Members discussed additional possible uses for the in-car video system.

Council Member Thetford requested a report be generated on the number of traffic tickets written. Chief Stenson said he would comply, but there were a number of factors to be considered when the report was reviewed.

Motion to authorize the City Manager to purchase 30 mobile vision in-car video systems and associated equipment from Mobile Vision, Inc., in the amount of \$131,690.00, using Tech Grant Funding was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(00-547) A. Communication from Director of Workforce Development with REPORT BACK Regarding STAFF REDUCTIONS in the Workforce Development Department.

Council Member Grayeb moved to receive and file the report back regarding staff reductions in the Workforce Development Department; seconded by Council Member Morris.

Council Member Spears requested a one-week deferral for this item.

Following a brief discussion, Council Member Grayeb withdrew his motion.

Council Member Spears moved to defer this item until the September 5, 2000, Regular City Council Meeting; seconded by Council Member Thetford.

Motion to defer this item until September 5, 2000, was approved by roll call vote.

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

Nays: None.

B. Communication from Director of Workforce Development with REPORT BACK Regarding SPACE for ONE-STOP CENTER.

Council Member Spears moved to defer this item until the September 5, 2000, Regular City Council Meeting; seconded by Council Member Thetford.

Motion to defer this item until September 5, 2000, was approved by roll call vote.

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

Nays: None.

(00-625) Communication from Director of Planning and Growth Management with RESOLUTION Approving the PRELIMINARY PLAT of KNOXVILLE PLACE, an Office and Multi-Family Subdivision Located North of Victoria Villas, West of Knoxville Avenue, East of the Kellar Branch Railroad Tracks, and South of Crestline Drive, with Conditions.

Public Works Director Steve Van Winkle gave a brief history regarding this item. He pointed out that in discussing this project with the developer, it was made very clear the City wished to have the ability to someday extend Candletree. He said it was understood that the developer would dedicate roadway to the westerly boundary based on future decisions to where a right-of-way would be located for future extension of Candletree.

Council Member Nichting moved to approve the Resolution approving the Preliminary Plat of Knoxville Place, an office and multi-family subdivision located north of Victoria Villas, West of Knoxville Avenue, East of the Kellar Branch Railroad Tracks and South of Crestline Drive, with the conditions, as amended, that the right-of-way be dedicated as outlined, and that right-of-way be dedicated to the City extending to the westerly boundary of the second jog of where the proposed future public road extend to this property line, and the developer would then expend the necessary funds to extend that road and, if he chooses not to extend that road because of not needing it for his project, where he stopped short, the developer would provide to the City at the cost of the extension of the road an amount acceptable to City Staff for that expenditure to be used as Public Works sees fit for future projects; seconded by Council Member Ardis.

RESOLUTION NO. 00-625, as amended, was approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Spears, Thetford, Turner,

Mayor Grieves – 10;

Nays: None.

NEW BUSINESS

(00-668) Request for PRESENTATION by IDOT Regarding Future Construction on I-74 and how it will affect Citizens.

Council Member Gibson moved to have the Administration contact IDOT and request a presentation to be made by IDOT regarding construction on I-74 and the impact it will have on the citizens with regard to their homes and businesses; seconded by Council Member Nichting.

Approved by roll call vote.

Yeas: Ardis, Duncan, Gibson, Grayeb, Morris, Nichting, Spears, Thetford, Turner,

Mayor Grieves – 10;

Nays: None.

(00-669) Resignation of Riverfront Commission Chairman JAMES BALDWIN

Council Member Duncan moved to grant Privilege of the Floor to Mr. James Baldwin; seconded by Council Member Morris.

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

Mr. James Baldwin, Riverfront Commission Chairman, read the following prepared statement:

“Mayor Grieves, Members of the Council and citizens of Peoria; for five and one-half years I have tried to help the City the best I could in developing our Riverfront. Based on significant input from your predecessors and first hand information gleaned from visits from other cities that had similar geography and waterfronts, we tried to change our Riverfront for the better. We have tried to transform a riverfront from parking lots and weeds to something for everybody. We have initiated both public and private projects, partnerships and fund raising in order to attract people from all walks of life to the Riverfront on a year round basis in a user friendly, environmentally conscious manner. Although we are far from done and so much good has been accomplished, I believe it’s time for me to step down as Chairman of the Riverfront Business District Commission. In recent months it’s become painfully obvious that I can no longer accommodate all the special interests in the political agendas with some of the Council Members and a few of the Commission members. My filing of the affidavit in the Hooter’s case was more than what many of you thought was appropriate, and certainly, more than the Journal Star thought was appropriate. But I might remind you and the media, for that matter, that everything in my affidavit was given to the City’s special Riverfront attorney months ago as well as the fact that I shared it with many members of the City Council. Although I have never been a proponent of Hooter’s on the Riverfront, I did so for three reasons. First, a local restaurant owner was interested in opening a Riverfront restaurant, and needed a facility. I put him and the developer together. Secondly, the original plan to bring retail to

bring retail to the Riverfront has been delayed due to the delays in developing the Sears Block. One retail establishment is very difficult to sell. And finally, I felt a need to assist the developer in filling out the space so we could be assured that the construction of the pad would be covered. The fact is that missing of this magnitude means missing in excess of a million dollars in tax income over a twenty-year lease period. I have always been convinced, due to our visits in other cities and much research, that a third restaurant would be acceptable on the pad. So yes, I was asked to testify in the court case. The affidavit is exactly how I would have testified, and you've known that for months. I'm sorry if I overstepped my responsibility in offering them a restaurant site, but the affidavit is the truth, no matter how uncomfortable that may be for some people, and the truth absolutely needs to come out sooner or later. My public service will not end with this resignation tonight. My wife Lou, and I, plan to continue our efforts to save Peoria lakes, our City's most valuable asset. I do want to thank the Riverfront Staff for their help and their creative solutions over the years. I'm going to miss them. And thank you for the opportunity. A good deal of progress has been accomplished. It's been a good run. Thank You."

Mayor Grieves stated officially, he was not accepting Mr. Baldwin's resignation. He said Mr. Baldwin's decision would be respected, and suggested he think this matter over before making it official.

(00-670) Request for COMPREHENSIVE PLAN to Save HISTORIC TREES in the CITY

Council Member Spears expressed concern for saving historic trees in the City. He stated there was a tree ordinance in the process and inquired if a solution could be accomplished if a developer chose to save a tree located on property zoned for him.

Director of Planning and Growth Management Wayne Anthony stated that currently the City had no way to mandate this action, but would be willing to work with the developer to find a solution. He explained that different species of trees would die when their environment changed. He said he would review the situation.

Council Member Spears stated currently there was City property to be rezoned on which there were trees that needed to be saved. He inquired if he should wait for the property to be rezoned until after the tree ordinance had been enacted.

Director of Planning and Growth Management Wayne Anthony said Council could pull the zoning of such properties from consideration or wait till the properties came to Council and then have them tabled.

In discussion with City Manager McKnight and several Council Members, it was determined a Policy Session would be held in the future on the issue of placement of stop signs throughout the City.

(00-671) REQUEST to hold POLICY SESSION Regarding PLACEMENT of STOP SIGNS.

In discussion with City Manager McKnight and several Council Members, it was determined a Policy Session would be held in the future on the issue of placement of stop signs throughout the City.

The Council concurred.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(00-672) REQUEST from CITIZENS to Address the Council Regarding Various Issues

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

Ms. Lynn Ricca, 711 S. Greenlawn, expressed concern that funds for the improvement of crumbling streets, curbs and sidewalks in the Southside had been redirected for the Baseball Stadium. She expressed disappointment that funds that had been approved for needed projects for Southside neighborhoods had been taken back by the City.

Mr. Richard Lacey, 2209 Lehman, expressed opposition to public funding for the baseball stadium. He said privately financed ventures should be privately financed, not publicly. He inquired as to how the issue could be placed on the ballot so citizens could vote on it.

Assistant Corporation Counsel Jim Murphy stated he would be willing to meet with Mr. Lacey and discuss his concerns.

Mayor Grieves explained briefly how the baseball stadium was being funded and some of the benefits in having the stadium in the downtown area.

EXECUTIVE SESSION

(00-673) 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)(6), The setting of a price for sale or lease of property owned by the public body.

Council Member Morris moved that the Council go into 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; 2(c)(5), The purchase or lease of real property for the use of the public body; and 2(c)(6), The setting of a price for sale or lease of property owned by the public body; seconded by Council Member Duncan.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:28 P.M.

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

Beth Ball, Deputy Clerk

