

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

Council Chambers, Peoria, Illinois, January 20, 2004, 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, Grayeb, Gulley, Morris, Nichting (left at 6:40 P.M.), Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ransburg requested a moment of silent prayer and then he and Scout Troop #88 from Westminster Presbyterian Church led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: PEORIA AREA CHAMBER OF COMMERCE: COMMUNITY LEADERSHIP SCHOOL

Council Member Morris and Council Member Teplitz left the Council Chambers.

**MINUTES**

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on January 13, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Sandberg, Spears, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

Council Member Morris and Council Member Teplitz returned to the Council Chambers.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS**

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

- (04-015) NOTICE OF LAWSUIT on Behalf of FLOYD J. RASHID, Regarding a Breach of Development Agreement who is Seeking Judgment for landscaping costs, additional funding, and compensation for economic loss, with Recommendation to Receive and File and Refer to the Legal Department.  
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- (04-016) Communication from the City Manager and the Director of Public Works Recommending Awarding the LOG GRINDING BID to PRECISION TREE SERVICE, in the Estimated Amount of \$15,440.00, and to MIDWEST PALLET to Serve as a Back-Up Resource.

- (04-017) Communication from the City Manager and the Fire Chief Requesting Acceptance of BID for PURCHASE of New FIRE DEPARTMENT RESCUE VEHICLE from LAKELAND FIRE EQUIPMENT, in the Amount of \$323,225.00.
- (04-018) Communication from the City Manager and the Director of Public Works with Recommendation to Approve the SOLE SOURCE PURCHASE and INSTALLATION of a DIESEL EXHAUST SYSTEM for FIRE STATION 13 from EXHAUSTOMATIC, in the Amount of \$11,935.80.
- (04-019) PAYMENT ESTIMATE for PUBLIC IMPROVEMENT PROJECT: UNIVERSITY STREET and MIRAMAR STREET TRAFFIC SIGNAL IMPROVEMENT PROJECT (All Labor, Equipment and Material to Complete Construction of Traffic Signals, Along with all Necessary Adjustments, Incidentals and Appurtenances.) - ADVANCED ELECTRIC CO. - PAY ESTIMATE #1: \$10,207.06; TOTAL AMOUNT: \$10,207.06, with Recommendation to Receive and File. (For Information Only)
- (04-020) Communication from the City Manager and the Director of Public Works with Recommendation to Approve the PEORIA/PEKIN URBANIZED AREA TRANSPORTATION STUDY (PPUATS) AGREEMENT and MFT RESOLUTION NO. 04-020 in the Amount of \$32,645.90.
- (04-021) Communication from the City Manager and the Director of Public Works with Recommendation to Approve an AMENDMENT to the ENGINEERING SERVICES CONTRACT Regarding PARKING LOT on FAYETTE STREET, and SUPPLEMENTAL MFT RESOLUTION NO. 04-021 in the Amount of \$2,500.00.
- (04-022) Communication from the City Manager and the Director of Public Works with Recommendation to Approve MFT RESOLUTION NO. 04-022 for 2004 GENERAL MAINTENANCE FUNDS, as Outlined.
- (04-023) Communication from the City Manager and the Superintendent of Police  
\*\* Recommending Adoption of ORDINANCE Amending CHAPTER 30 of the Code of the City of Peoria Relating to TOWING OF PRIVATE VEHICLES Regarding Fee Increases and Policy Changes.
- (04-024) Communication from the City Manager and the Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,572 Granting a SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER Located at 2400 W. TOWNLINE ROAD, with Conditions.
- (04-025) Communication from the City Manager and the Interim Director of Planning and Growth Management Recommending Adoption of ORDINANCE NO. 15,573 Amending APPENDIX B of the Code of the City of Peoria Relating to Various TEXT ADJUSTMENTS.
- (04-026) Communication from the City Manager, the Director of Inspections and the Superintendent of Police Regarding NEIGHBORHOOD ENHANCEMENT ACTION TEAM 2003 ANNUAL REPORT, with Recommendation to Receive and File.

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

Council Member Sandberg requested Item Nos. 04-015 and 04-023 be removed from the Consent Agenda for further discussion.

Item Nos. 04-015 through 04-026 (excluding Item Nos. 04-015 and 04-023 which were 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, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 11;

Nays: None.

**(04-015) NOTICE OF LAWSUIT on Behalf of FLOYD J. RASHID, Regarding a Breach of Development Agreement who is Seeking Judgment for landscaping costs, additional funding, and compensation for economic loss, with Recommendation to Receive and File and Refer to the Legal Department.**  
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Council Member Sandberg said he would be abstaining from the vote due to his professional assistance with the project.

Council Member Nichting moved to receive and file the Notice of Lawsuit on behalf of Floyd J. Rashid regarding a breach of development agreement and is seeking judgement for landscaping costs, additional funding, and compensation for economic loss and refer this item to the Legal Department; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Sandberg - 1.

**(04-023) Communication from the City Manager and the Superintendent of Police Recommending Adoption of ORDINANCE Amending CHAPTER 30 of the Code of the City of Peoria Relating to TOWING OF PRIVATE VEHICLES Regarding Fee Increases and Policy Changes.**  
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Council Member Sandberg referred to a citizen who was concerned about the present towing companies being used and their clean-up efforts following accidents, and he said he did not see any change in the proposed Ordinance that addressed this concern.

Superintendent of Police John Stenson said the position of the Peoria Police Department was that State law governed tow companies and addressed clean-up activities following accidents. He said he recently cited a company for not complying with this section of the law for not having the proper equipment on the tow truck to handle clean-up. He said this company was not currently on the City's rotation list. He said all responsibilities listed in the proposed Ordinance and under State law would be discussed with the towing companies at a meeting in the near future. He said, in addition, Accident Investigators had been given a directive that it would be their responsibility to see that the tow companies were in compliance with the Ordinance and State law.

City Manager Randy Oliver also pointed out that the cited tow company was suspended for a 30-day period for failure to comply with the Ordinance, which he confirmed was allowed by State Law.

Council Member Sandberg moved to adopt the Ordinance amending Chapter 30 of the Code of the City of Peoria relating to towing of private vehicles regarding fee increases and policy changes; seconded by Council Member Nichting.

Motion to adopt ORDINANCE NO. 15,574 amending Chapter 30 of the Code of the City of Peoria relating to towing of private vehicles regarding fee increases and policy changes was approved by roll call vote.

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

Nays: None.

**(04-027) Communication from Council Member Grayeb Regarding PRESENTATION by the PEORIA CIVIC CENTER AUTHORITY on their LONG RANGE PLAN, with Recommendation to Receive and File.**

Council Member Grayeb said this would be the first of a number of presentations that would be made in 2004 by the Peoria Civic Center Authority to provide information on plans to keep the Peoria Civic Center on the cutting edge and competitive with other Civic Centers in other cities and states. He said there were some areas where improvements were needed to be competitive and to continue to bring in money for the local economy. He said it was estimated that the Civic Center brought in \$130 million annually. He requested that Peoria Civic Center Authority Chairman Dan Daly give a presentation.

Peoria Civic Center Authority Chairman Dan Daly distributed a presentation booklet dated January 20, 2004, to all members of the City Council. Chairman Daly introduced members of the Civic Center Authority who were in attendance and he gave an overview of economic opportunity and discussed the potential threat to the Civic Center if improvements were not made. He said the Peoria Civic Center hosted over 500 events each year and was a successful business enterprise. He said clients were seeking more versatile facilities, a higher standard of comfort and finishing, and state of the art technology. He added that the Peoria Civic Center faced new competition, locally and regionally. He explained that due to the lack of available space in the last two years, the Civic Center had lost over \$200,000 in rent representing over 15,000 lost hotel room nights. Additionally, he said, according to the Peoria Area Conventional and Visitors Bureau, the Peoria Civic Center could bid on 1,400 new regional conventions once expansion construction began.

Mr. John Riles, President of Midwest Shows for the Greater Peoria Farm Show, said their show brought over 300 companies to Peoria for a three-day event. He said more exhibit space could enhance their show by adding 150 more companies. He said adding 50,000 square feet was a good beginning, but adding 100,000 square feet to the present Civic Center would be better.

Mr. Marty Hickman, Executive Director of the Illinois High School Association, urged the Council to support the expansion of the Civic Center so that more and different types of sporting events could be held at the Civic Center. He discussed the huge success of the IHSA Boys Basketball Tournaments that were held each year at the Peoria Civic Center and how supportive the City of Peoria had been in the past. He said they looked forward to returning to Peoria because the event was better every year. He commended Civic Center General Manager Debbie Ritschel and her Staff for their efforts and hospitality each year.

Council Member Nichting left the meeting at 6:40 P.M.

Civic Center Commissioner Jane Converse discussed the key facts about the Peoria Civic Center's economic impact. She explained that the Peoria Civic Center attracted over 850,000 people annually, which created an economic impact of \$134 million each year for hotels, restaurants, retail stores and other area businesses. She said by expanding, the Civic Center could generate another \$16 million annually. She said the Peoria Civic Center was a catalyst for other heart of Peoria developments and a redeveloped Civic Center would enable the continuation of attracting regional convention business. She said if nothing was done, the Peoria Civic Center would grow old and outdated, and this would threaten the

quality of life and financial rewards the Civic Center had been able to provide. She added that no increase of funding was being requested. She urged the Council to support the current level of funding and bonding capability.

Dr. Peter Couri, Jr., Civic Center Authority Commissioner, gave an overview of the plan. He said it was the Civic Center Authority's hope to recommit and reinvest the current bonding capabilities for the redevelopment. He said the plan was to double the exhibit space to approximately 128,000 square feet and add banquet and flexible meeting space. He said plans included heating and cooling the glass arcades so they would be useable for dining, exhibiting and meetings. He added there were some challenges with the glass arcades which included leaking, etc. He discussed arena improvements which would include food courts, additional restrooms, club suites, and décor and finishes that were standard in other arenas in the area.

Mr. Daly concluded by discussing the schedule of activities planned by the Civic Center Authority, which was outlined in the distributed booklet, and included providing an overview of the funding plan to the City Council in March or April of 2004, and an overview of design and construction plans in the summer of 2004.

In discussion with Council Member Morris regarding the architectural integrity of the Civic Center and new construction, Chairman Daly referred to the glass arcades and he explained the glass may have to be rebuilt and replaced. He said the glass arcades probably could not be rehabilitated because of the age of the framing, which was not a type that was currently being used. He said the glass arcades may be demolished and reconstructed, or they may be moved to expand walkways. He said there had been a lot of discussion about the arcades but at this time, there was no definitive answer. He said the glass arcades had made the building distinctive and they would try to maintain that feature.

Council Member Morris urged the Civic Center Authority to maintain the glass arcades.

In discussion with Council Member Thetford regarding the economy and why the expansion should occur this year, Chairman Daly said the Civic Center was a business the City had invested in over the years and their fixed assets equaled over \$120 million. He said the Civic Center was successful and needed continued reinvestment to grow. He said the Civic Center was currently competing against other markets and if these steps were not taken soon, success would lag behind and the demand for the Peoria Civic Center could diminish over the next few years.

Chairman Daly said that HRA returns were unpredictable, but the returns had grown and it was expected the returns would continue to grow if the Civic Center brought more people into town with the proposed expansion.

Council Member Sandberg expressed concern that not as many people as reported by the Civic Center Authority were spending the dollars at restaurants and bars in the City of Peoria. He said he felt the Civic Center needed to begin paying for some of their basic services through HRA revenues. He said it would be one way for the City to receive revenues from the people who attended a Civic Center event but did not spend money in restaurants, etc. before or after an event.

Council Member Teplitz spoke in support of the Civic Center expansion. She said the Civic Center needed to continue to attract quality entertainment. She said she would be looking forward to reviewing the plans for expansion.

Council Member Ardis said he felt the Civic Center was not presently on the cutting edge and he felt that needed to change. He spoke in support of the expansion and he said he felt the Civic Center needed to move forward with progress. He encouraged the Civic Center Authority to communicate with the City Council on a more regular basis during the expansion.

Chairman Daly said the Civic Center Authority would do a better job of communicating with the Council in the future. He said this was a huge investment and timely reports would be provided.

Council Member Grayeb said he felt the Civic Center could not afford to delay expansion. He discussed the era when the Civic Center operated in the red and he said the City could not return to those days. He indicated he felt the City Council would make good decisions if the Civic Center Authority kept them informed about the plans for the Civic Center.

Council Member Grayeb moved to receive and file the presentation by the Peoria Civic Center Authority regarding their Long Range Plan; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

### UNFINISHED BUSINESS

- (04-011) Communication from the City Manager and the Interim Director of Planning and Growth Management Requesting Concurrence with the Neighborhood Development Commission's Recommendation to FUND the 2004 NEIGHBORHOOD ASSOCIATION NEWSLETTER GRANTS from the CDBG Administrative and Planning Funds, in the Amount of \$5,269.64. (Replacement Communication)**

Council Member Thetford moved to concur with the Neighborhood Development Commission's recommendation to approve funding for the 2004 Neighborhood Association Newsletter Grants from the CDBG Administrative and Planning Funds in the amount of \$5,269.64; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

### CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No one came forward to address the City Council.

### EXECUTIVE SESSION

- (04-028) Consideration of a Motion for the City Council to go into EXECUTIVE SESSION to Discuss 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Turner moved that the City Council go into Executive Session to Discuss 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Thetford.

Approved by roll call vote.

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

Nays: None.

**ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:36 P.M.

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Mary L. Haynes, MMC  
City Clerk, Peoria, IL