

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

Council Chambers, Peoria, Illinois, February 3, 2004, a Regular Meeting of the City Council was held this date at 6:16 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, Sandberg, Spears, Teplitz, Turner, Mayor Ransburg – 10; Absent: Thetford - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: THE WOMEN OF HATTITUDE DAY – February 3, 2004

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting held on January 27, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, 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:

(04-037) Communication from the City Manager and the Director of Public Works Requesting Authorization to PURCHASE the following FLEET EQUIPMENT:

1 – Utility Vehicle from Bill Jacobs Chevrolet	\$20,999.70
2 – Intermediate Sedans from Landmark Ford	27,767.00
2 – Half-Ton 4x4 Pick-Ups from Green Chevrolet	35,501.86
1 – Cargo Van from LaBeau Bros., Inc. (GMC)	14,770.00
1 – Passenger Window Van from LaBeau Bros., Inc. (GMC)	<u>17,664.90</u>

\$116,703.46

(04-038) Communication from the City Manager and the Police Chief Requesting Authorization for a SOLE SOURCE PURCHASE for ONE FISHER HAMILTON SUPER GLUE FUMING CABINET, in the Amount of \$13,899.00, from HARRY J. KLOEPPPEL & ASSOCIATES, INC. for the Police Department's Crime Scene Unit.

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- (04-039) **Communication from the City Manager and the Finance Director/Comptroller Requesting Authorization for the City Manager to Execute a ONE-YEAR EXTENSION of ENGAGEMENT with CLIFTON GUNDERSON LLP for Fiscal Year 2003 Auditing Services, Not to Exceed \$90,450.00 for Auditing of all City, Single Audit, DZO, TIF and fill Financial Reporting; AND Requesting Authorization to Issue a FY2004 AUDIT SERVICES RFP in July, 2004.**
- (04-040) **Communication from the City Manager, Corporation Counsel and the Director of Human Resources Requesting Authorization to RETAIN the Firm of HASSELBERG, WILLIAMS, GREBE & SNODGRASS as WORKMAN'S COMPENSATION COUNSEL for Calendar Years of 2004 and 2005, at a Rate of \$65.00 per Hour.**
**
- (04-041) **Communication from the City Manager and the Interim Director of Planning and Growth Management with Recommendation from the Zoning Commission to Adopt ORDINANCE NO. 15,578 Amending Ordinance No. 9875, an EXISTING SPECIAL EXCEPTION in a Class R-3 (Single-Family Residential) District for CHURCH FACILITIES to Include a BUILDING ADDITION, NEW PARKING LOT, and NEW DRIVEWAY for Property Located at 4006 N. STERLING AVENUE.**
- (04-042) **STREET LIGHT REQUEST for 8912, 9010, 9119, 9211, and 9300 NORTH PICTURE RIDGE ROAD.**
- (04-043) **SITE APPROVAL for a CLASS "B" LIQUOR LICENSE for 5201 W. WAR MEMORIAL DRIVE, SUITE 120, with Recommendation from the Liquor Commission to Approve.**

- (04-044) **Communication from the City Manager and the Finance Director/Comptroller Requesting Authorization for the DISPOSAL OF 200/300 BICYCLES, PROPERTY from a POLICE RAID, at the OLD ESDA DEPARTMENT at a PUBLIC AUCTION to be Held this Spring.**
- (04-045) **REPORTS, with Recommendation to Receive and File:**

A. **CITY TREASURER REGINALD A. WILLIS REPORT – December, 2003.**

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 Item No. 04-043 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested Item No. 04-038 be removed from the Consent Agenda for further discussion.

Council Member Teplitz requested Item No. 04-040 be removed from the Consent Agenda for further discussion.

Item Nos. 04-037 through 04-045 (excluding 04-038, 04-040, and 04-043 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, Turner, Mayor Ransburg - 10;

Nays: None.

**(04-038) Communication from the City Manager and the Police Chief Requesting
* Authorization for a SOLE SOURCE PURCHASE for ONE FISHER HAMILTON
 SUPER GLUE FUMING CABINET, in the Amount of \$13,899.00, from HARRY J.
 KLOEPPEL & ASSOCIATES, INC. for the Police Department's Crime Scene Unit.**

Council Member Sandberg said he totally supported the acquisition of technology. He explained the current process used by the Police Department to lift latent finger prints from evidence, which involved the use of a fish tank as a fuming cabinet for super glue. He said he could not support the current procedure because it was unsafe for employees and it was inefficient. He said, however, the proposed request was for four units with three "fish tanks" in each, so with this purchase, the capacity had increased six times over the current system used. He expressed concern that because grant money was being used for the proposed purpose, he felt the Police Department would be purchasing more than they could use. He said he felt the City owed it to the citizens to spend money judiciously. He suggested deferring this item.

Council Member Teplitz moved to authorize the sole source purchase for one Fisher Hamilton Super Glue Fuming Cabinet, in the amount of \$13,899.00, from Harry J. Kloeppel & Associates, Inc., for the Police Department Crime Scene Unit; seconded by Council Member Morris.

Council Member Teplitz expressed concern that the "fish tank" system was all the Police Department had to work with all these years. She explained that more than one piece of evidence, ranging in sizes, needed to be tested at one time. She pointed out this was a small amount of money and the purchase was covered by a grant. She said there were a number of investigations where this equipment would have been of assistance in the past. She said this new equipment could affect citizens in that latent finger prints could be raised on items that would lead to the capture of those who were endangering the populous.

In discussion with Council Member Ardis, Police Chief John Stenson said for many years, the Police Department had successfully acquired technology dollars through grants and the money was spent on a priority need basis to increase the Department's efficiency. He said part of the efficiency was the sharing of this technology with other agencies. He said the Police Department performed work for the FBI, Secret Service, and DEA. He said this was an opportunity to provide technology to the County, State Police, etc. He said the use of this new technology would reduce turn-around time and increase efficiency in processing evidence. He further explained that the cabinets would need to be wired and the cost for wiring was just as much for the proposed cabinets as it would be for just two cabinets. He said he felt this was a step in the right direction for the Police Department and he urged the Council to support the request.

In discussion with Council Member Nichting regarding power supply and wiring costs, Police Chief Stenson said he was always looking for the most efficient manner in which to spend funds. He said if the wiring could be done in-house, he would be willing to agree to that. He said he felt the bid properly reflected the costs for the work to be done. He added he would have no problem in having the City's Electrical Engineering to review the costs.

Council Member Spears questioned if the County would be notified that they would have an opportunity to use the City's equipment.

Police Chief Stenson said he would send a letter to every agency within a 25-mile radius to let them know the proposed equipment was available.

Motion to authorize the sole source purchase for one Fisher Hamilton Super Glue Fuming Cabinet, in the amount of \$13,899.00, from Harry J. Kloeppel & Associates, Inc., for the Police Department Crime Scene Unit was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Spears, Teplitz, Turner, Mayor Ransburg - 9;

Nays: Sandberg - 1.

**(04-040) Communication from the City Manager, Corporation Counsel and the Director of
** Human Resources Requesting Authorization to RETAIN the Firm of
 HASSELBERG, WILLIAMS, GREBE & SNODGRASS as WORKMAN'S
 COMPENSATION COUNSEL for Calendar Years of 2004 and 2005, at a Rate of
 \$65.00 per Hour.**

Council Member Teplitz said she would be abstaining from the vote due to a professional relationship with this firm.

Council Member Nichting moved to retain the firm of Hasselberg, Williams, Grebe & Snodgrass as Workman's Compensation Counsel for calendar years of 2004 and 2005, at a rate of \$65.00 per hour; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Teplitz - 1.

**(04-043) SITE APPROVAL for a CLASS "B" LIQUOR LICENSE for 5201 W. WAR
*** MEMORIAL DRIVE, SUITE 120, with Recommendation from the Liquor
 Commission to Approve.**

Council Member Nichting pointed out that the correct address the proposed Site Approval was 5201 W. War Memorial Drive, rather than 4201 W. War Memorial Drive. He requested that the change be reflected on the Council communication.

Council Member Nichting moved to concur with the recommendation of the Liquor Commission to approve the Site for a Class "B" Liquor License for 5201 W. War Memorial Drive, Suite 120; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

**(04-046) Communication from the City Manager and Interim Director of Planning and
 Growth Management Recommending the Following:**

**A. Adoption of an ORDINANCE Amending the BUDGET for Fiscal Year 2004
 of the City of Peoria Relating to the ADDITIONAL COSTS of a SPECIAL
 CENSUS, in the Amount of \$52,732.00;**

Council Member Spears moved to adopt the Ordinance amending the Budget for Fiscal Year 2004 of the City of Peoria Relating to the Additional Costs of a Special Census, in the Amount of \$52,732.00; seconded by Council Member Turner.

ORDINANCE NO. 15,579 was approved by roll call vote.

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

Nays: None.

B. Authorization for the City Manager to Enter into an AGREEMENT with the U.S. CENSUS BUREAU to Conduct a SPECIAL CENSUS, in the Amount of \$168,432.00.

Council Member Spears moved to authorize the City Manager to enter into an Agreement with the U.S. Census Bureau to conduct a Special Census, in the amount of \$168,432.00; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(03-393) Request to REMOVE FROM THE TABLE a Communication from Interim Director of Planning and Growth Management Requesting Adoption of the Following: (Item "A" has already been handled.)

- B. ORDINANCE ANNEXING Territory Contiguous to the City of Peoria – Approximate Address of 7800 North Route 91, Immediately south of a Five-Acre Parcel Previously Annexed;**
- C. ORDINANCE Rezoning a 15-ACRE SHOPPING CENTER for the Property Located at the NORTHEAST CORNER of the INTERSECTION of ROUTE 91 and WAR MEMORIAL DRIVE from the Present Class A-2 (Agriculture) District in the County to a Class C-2 (Large Scale Commercial) District and Granting a SPECIAL USE.**

Council Member Nichting moved to remove Item Nos. 03-393B and 03-393C from the Table and place them on the February 10, 2004, City Council Agenda; seconded by Council Member Turner.

Motion to remove Item Nos. 03-393B and 03-393C from the Table and place them on the February 10, 2004, City Council Agenda was approved by roll call vote.

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

Nays: None.

INFORMATION Regarding the COLLECTION of the \$6.00 GARBAGE FEE by the ILLINOIS AMERICAN WATER COMPANY Enacted as of January 1, 2004.

In answer to a series of questions asked by Council Member Nichting, City Manager Randy Oliver explained that the \$6.00 per month garbage fee would be collected by the Water Company and it would be collected every four months, for a total of \$24.00 every four months. He said the Water Company

would charge 80 cents every time the \$6.00 fee was placed on the bills and he said the math for the necessary revenue would work if 80 cents would be given away out of every \$6.00 collected.

Corporation Counsel Randy Ray confirmed that water service would be disconnected for those people who sent their payment for less than the full amount of their water bill.

City Manager Randy Oliver explained that condos and apartments more than four units would not have to pay the \$6.00 per month fee. He said the Water Company had been working with the City to identify those who should not be billed. He said there may be some mistakes made at the beginning so, if anyone finds that a mistake had been made, they should contact 494-8807.

Corporation Counsel Ray explained the reason all condos and apartments did not have to pay was because the City was subsidizing the one-to-four units, in the amount of \$10.00 per unit and more than four units, the City subsidized \$4.00 per unit.

Council Member Sandberg said he felt the agreement with the Water Company reflected that there would be no follow-up by the Water Company for failure to pay the \$6.00 fee. Corporation Counsel Ray said payments would be applied proportionately if it was designated by the payee.

NEW BUSINESS

COMMENTS Regarding SNOW REMOVAL EFFORTS

Council Member Grayeb commended the Public Works Department Director and Operations and Maintenance Manager Dave Haste, who was now supervising streets and sewers, for their tremendous job of snow removal and distributing salt even in the coldest of temperatures.

Director of Public Works Steve Van Winkle said he also had received a tremendous amount of positive input from the public regarding snow removal. He said he gave credit to Dave Haste and his newly formed management crew, and he also commended the snow plow operators, many of whom were inexperienced and they have learned very rapidly. He said the public could call 494-8867 during working hours or leave a message after working hours for snow removal.

Council Member Sandberg also complimented Staff for their snow removal efforts. He said people from out-of-town had noticed that road conditions improved when they arrived in Peoria.

(04-047) REQUEST to BEGIN and INVESTIGATION for PURCHASING PRESCRIPTION MEDICATIONS from CANADA.

Council Member Nichting said the Council had received a letter from a company regarding purchasing prescription medications from Canada. He said he felt it was important to begin to review any savings potential there was, if any, and he would like to direct the City Manager to begin that investigation.

City Manager Randy Oliver said he would be glad to begin the investigation. He said a request had been made to the Governor's office for that information, but they had only responded with a post card at this point.

ANNOUNCEMENT Regarding APPOINTMENT of CITY CLERK MARY HAYNES to the ILLINOIS MUNICIPAL LEAGUE LOCAL GOVERNMENT COALITION

Council Member Spears announced that the Illinois Municipal League had appointed City Clerk Mary Haynes to the Local Government Coalition, which is a 28-member body who regularly meet to discuss mutual lobbying efforts which affected various governments in Illinois. He said City Clerk Haynes would do well in Springfield as she has always assisted with lobbying efforts and represented the City well.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(04-048) 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. Douglas Noel, 607 Hightower, Apt. 202, discussed some incidents in taverns he had frequented, which he felt was lewd behavior. He said he had been offered drugs at these establishments, which was against the law, and he was laughed at because of his physical limitations. He said he wanted the Council to know the things that were happening at downtown taverns. He commended the efforts of Police Chief Stenson.

Mayor Ransburg requested Police Chief Stenson look into this situation.

Mr. John White, 1309 E. Elmhurst, discussed the Rental Housing Inspection Program. He said he had some suggestions to assist with the problems by licensing certain properties.

City Manager Randy Oliver suggested that Mr. White work with the Housing Commission in revamping this process. Mr. White said he appreciated the invitation, but he indicated he would rather not since he liked to work alone. He said he would welcome their perusal of his document, if a particular address was licensed.

EXECUTIVE SESSION

(04-049) 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 Nichting.

Approved by roll call vote.

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

Nays: None.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:16 P.M.

bb

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