

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

Council Chambers, Peoria, Illinois, February 17, 2004, a Regular Meeting of the City Council was held this date at 6:15 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: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9; Absent: Ardis, Grayeb - 2.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PRESENTATION: PEORIA JAYCEES: VOLUNTEER WEEK - February 23 – 28, 2004

PROCLAMATION: SPAY DAY USA 2004 – February 24, 2004

**MINUTES**

Council Member Nichting moved to approve the minutes of the majority of the quorum of the Town Hall Meeting held on January 29, 2004, and the Regular City Council Meeting held on February 10, 2004, as printed, with a correction under Item No. 04-053 on Page 26435 to remove Council Member Sandberg's name from the vote on Ordinance No. 15,582; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS**

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

**(04-057) LAWSUIT Filed on Behalf of JACK A. ALLEN Regarding a Police Incident on March 2, 2002, with Recommendation to Receive and File and Refer to the Legal Department.**

**(04-058) Communication from the City Manager and the Director of Public Works Requesting Approval of ADVANCED STRIPING EQUIPMENT COMPANY as the SOLE SOURCE PROVIDER for REPAIRS to the TRAFFIC LINE-STRIPING EQUIPMENT, in the Estimated Amount of \$32,579.00.**

**(04-059) \* Communication from the City Manager and the Director of Economic Development Requesting Authorization for the City Manager to Enter into a SOLE SOURCE CONTRACT with EXECUTIVEPULSE, INC. to Provide Business Retention and Expansion Training, Extranet Database Software and Technical Service Support, as Outlined, in the Amount of \$17,200.**

- (04-060) **\*\*** Communication from the City Manager and the Director of Economic Development Requesting Approval of a PROFESSIONAL SERVICE CONTRACT, in an Amount Not to Exceed \$275,000, with WALLACE ROBERTS & TODD for Completion of the PEORIA MEDICAL & TECHNOLOGY DISTRICT MASTER PLAN.
- (04-061) **\*\*\*** Communication from the City Manager and the Director of Public Works Requesting Approval of the Following:
- A. **SEWER IMPROVEMENT AGREEMENT** Between the GREATER PEORIA SANITARY DISTRICT and the City of Peoria;
  - B. **CONTRACT** with NATIONAL POWER RODDING CORPORATION, in the Amount of \$405,445.24, for Televising and Cleaning City of Peoria's Sewer Rehabilitation Design Area 2 – Division A.
- (04-062) Communication from the City Manager and the Director of Public Works Recommending Approval of an ADDENDUM AGREEMENT with IDOT and a SUPPLEMENTAL MFT RESOLUTION NO. 04-062, in the Amount of \$7,356.25, for RAMPS and ARTERIAL ROADWAY SYSTEM Along SPALDING and FAYETTE STREETS for the I-74 RECONSTRUCTION, and Requesting Authorization for the City Manager to Sign the Agreement.
- (04-063) Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Neighborhood Development Commission to ISSUE an RFP for the 2004 HOME-HOMELESS INITIATIVE PROJECT Funded from the Home Grant, in the Amount of \$300,000.
- (04-064) Communication from the City Manager and Finance Director/Comptroller Recommending Adoption of ORDINANCE NO. 15,585 ABATING the NIAGARA AND TWIN TOWERS SPECIAL SERVICE AREA TAXES Levied to Pay the Principal of and Interest on \$3,520,000 Series 1996A and \$3,075,000 Series 1996B DOWNTOWN REDEVELOPMENT PARKING REVENUE REFUNDING BONDS.
- (04-065) **\*\*\*\*** Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Medical and Technology District Commission to Adopt an ORDINANCE Amending Ordinance No. 13,946, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Include Adding a 1,500 Square-Foot FREESTANDING RETAIL BUILDING with Proposed Signage Reconfiguration for Property Located at 1200 W. MAIN STREET.
- (04-066) Communication from the City Manager and Finance Director/Comptroller Recommending Adoption of ORDINANCE NO. 15,586 Amending the BUDGET for Fiscal Year 2004 of the City of Peoria Relating to OUTSTANDING ENCUMBRANCES as of December 31, 2003.

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

Council Member Teplitz requested Item No. 04-060 and 04-065 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested Item No. 04-059 be removed from the Consent Agenda for further discussion.

Council Member Gulley requested Item No. 04-061 be removed from the Consent Agenda for further discussion.

Item Nos. 04-057 through 04-066 (excluding 04-059, 04-060, 04-061 and 04-065 which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**(04-059)      Communication from the City Manager and the Director of Economic Development  
\*      Requesting Authorization for the City Manager to Enter into a SOLE SOURCE  
CONTRACT with EXECUTIVEPULSE, INC. to Provide Business Retention and  
Expansion Training, Extranet Database Software and Technical Service Support, as  
Outlined, in the Amount of \$17,200.**

Council Member Nichting said he felt additional information was needed regarding the contract. He questioned what the proposed contract would do for the Economic Development Department, what efficiencies it would provide, how would the benefit of business retention and expansion within the City limits of Peoria be provided, how would it change the way the Economic Development Department focused on these two issues now, would additional staffing be required, and would there be a change in the manner in which business was conducted in the Economic Development Department.

Council Member Nichting said with the outlined questions being answered in the interim, he moved to defer this item for two weeks until the March 2, 2004, Regular City Council Meeting; seconded by Council Member Gulley.

Council Member Gulley said he would like additional information as well. He questioned how the proposed contract would be different than what had been done in the past. He said he reviewed the agreement and he was unsure what they would be getting for the \$17,200.00, and he said there was a \$1,200.00 renewal fee due after the second year. He questioned how long the contract was for, and if Staff training could be provided just one time or would they need to continue to contract for services.

City Manager Randy Oliver explained the goal for 2004 was to visit approximately 300 businesses and to track those businesses and their issues.

Motion to defer this item for two weeks until the March 2, 2004, Regular City Council Meeting, with the understanding the requested information would be provided, was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

**(04-060)      Communication from the City Manager and the Director of Economic Development  
\*\*      Requesting Approval of a PROFESSIONAL SERVICE CONTRACT, in an  
Amount Not to Exceed \$275,000, with WALLACE ROBERTS & TODD for  
Completion of the PEORIA MEDICAL & TECHNOLOGY DISTRICT MASTER  
PLAN.**

Council Member Teplitz moved to approve a Professional Service Contract, in an amount not to exceed \$275,000 with Wallace Roberts & Todd for completion of the Peoria Medical & Technology District Master Plan; seconded by Council Member Morris.

Council Member Teplitz commended the neighborhoods, the businesses and various organizations within the area for their participation and working together to move the project forward. She further commended City Manager Randy Oliver, the Economic Development Department, and the Planning and Growth Management Department for the many hours they had devoted to this project.

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

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

Mr. Michael Bryant, 2919 Windpoint Drive, Chairman of the Peoria Medical-Technology District Commission, thanked the City Staff and other volunteers for their expertise and negotiating what he felt was a professional services agreement. He thanked Council Member Teplitz for her leadership and he urged the Council to approve the proposed agreement.

Council Member Teplitz said the three neighborhood organizations who had opted out of the District would be invited to all the public meetings involving the consultants and they would have their own segment of time to meet with the consultants. She said, although these neighborhoods were not in the District, they were still neighbors. She said the Med-Tech Commission was supportive of including these neighbors so they would have a role in the planning process as well.

Council Member Sandberg expressed concern regarding the language in the agreement and the maximum amount of \$275,000. He questioned what determined the rate of invoicing that would be used by the various three partners involved. He said he did not find any hourly rates or job classifications in the proposed agreement. He said there were 2,160 hours anticipated so there was an average rate of \$111.00 per hour.

Director of Economic Development Dave Dobson explained the amounts to be charged would be in relationship to the hourly rates of the individuals involved. He said much of the work would be happening in the community and he would know who was working on the project. He said the tasks would need to be completed before payment was made. He said the appendix items could potentially be utilized at a future time, but those costs would be negotiated in the future.

Council Member Sandberg expressed concern that costs were unknown. He questioned what the maximum amount of money would be spent on Task 1.1 on Page 2 in the contract.

Council Member Thetford said this was not an unusual contract. She said there was a delineation of deliverables and a guessed estimate of the number of hours to achieve each deliverable. She said there was a maximum of compensation. She said she did not see a problem with the proposed contract.

Council Member Spears said he did not know how to explain to taxpayers how this agreement would be paid. He expressed concern that the contract did not outline that the consultants had to finish Task 1.2 on Page 2 as outlined in the contract. He said the only thing that was definite was that there was a maximum of \$275,000. He said he felt the language in the agreement should be stronger so there would be a clear understanding as to what was being purchased in the agreement.

In further discussion with Director Dobson, Council Member Spears questioned how much Phase I, II, and III would cost. He expressed concern the break downs were not outlined in the agreement at all.

City Manager Randy Oliver said that Phase I would be 60% of the costs, Phase II would be 30.56% of the costs, and Phase III would be 9.26% of the costs.

Council Member Nichting suggested that, once this item was approved, that the City Manager provide the Council with a report regarding each Phase as it was completed and the costs involved, and the information could be provided to the Council in the City Manager's weekly Issues Update Report.

City Manager Randy Oliver agreed with Council Member Nichting's request.

Council Member Teplitz stated that she and the Medical-Technical District Commission owed Congressman Ray LaHood a huge debt of gratitude for his support in securing the funding being used for the Study.

Council Member Teplitz moved to grant Privilege of the Floor to Dr. Tim Vega; seconded by Council Member Morris.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Dr. Tim Vega.

Dr. Tim Vega, 209 Columbia Terrace, urged the Council to approve the agreement. He said the neighborhoods were ready to move forward and he hoped there would be no further delay.

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

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

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

Motion to approve a Professional Service Contract, in an amount not to exceed \$275,000 with Wallace Roberts & Todd for completion of the Peoria Medical & Technology District Master Plan was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg - 7;

Nays: Sandberg, Spears - 2.

**(04-061)**

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**Communication from the City Manager and the Director of Public Works  
Requesting Approval of the Following:**

- A. SEWER IMPROVEMENT AGREEMENT Between the GREATER PEORIA SANITARY DISTRICT and the City of Peoria;**
- B. CONTRACT with NATIONAL POWER RODDING CORPORATION, in the Amount of \$405,445.24, for Televising and Cleaning City of Peoria's Sewer Rehabilitation Design Area 2 – Division A.**

Council Member Gulley indicated that additional information was needed on this item, and he requested that Staff include information regarding what areas had already been completed.

Council Member Gulley moved to defer this item for two weeks until the March 2, 2004, Regular City Council Meeting; seconded by Council Member Sandberg.

Motion to defer this item until March 2, 2004, was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- (04-065)      Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from the Medical and Technology District Commission to Adopt an ORDINANCE Amending Ordinance No. 13,946, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Include Adding a 1,500 Square-Foot FREESTANDING RETAIL BUILDING with Proposed Signage Reconfiguration for Property Located at 1200 W. MAIN STREET.**  
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Council Member Teplitz moved to concur with the recommendation from the Medical and Technology District Commission to adopt an Ordinance amending Ordinance No. 13,946, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to include adding a 1,500 square-foot freestanding retail building with proposed signage reconfiguration for property located at 1200 W. Main Street; seconded by Council Member Turner.

Following brief comments by Council Member Teplitz and Council Member Turner, Council Member Sandberg expressed concern that this project was not pedestrian friendly.

Director of Planning and Growth Management Pat Landes explained that a drive-up facility like the one suggested was not in compliance with the new urbanism standard. She explained when the project was reviewed by the Med-Tech Commission, they recognized this was not a new urbanism setting. She said the proposed block was suburban in nature and new urbanism did not come into play.

Council Member Sandberg expressed concern regarding traffic patterns and circulation of traffic on this lot. He said he felt the site plan placed too much traffic in too little space, with too many traffic circulation concerns. He said he would support the proposed Ordinance because it established the circulation that the Council would accept throughout the community.

Motion to concur with the recommendation from the Medical and Technology District Commission to adopt ORDINANCE NO. 15,587 amending Ordinance No. 13,946, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to include adding a 1,500 square-foot freestanding retail building with proposed signage reconfiguration for property located at 1200 W. Main Street was approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 9;

Nays: None.

- (04-067)      Communication from the City Manager and the Director of Economic Development Requesting Approval of a \$5,000 CONTRIBUTION to the PEORIA AREA CHAMBER OF COMMERCE in Support of the PEORIA SPRINGFIELD BASE RETENTION TASK FORCE.**

Council Member Nichting moved to approve a \$5,000 contribution to the Peoria Area Chamber of Commerce in support of the Peoria Springfield Base Retention Task Force; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Morris, Nichting, Spears, Teplitz, Thetford, Turner, Mayor Ransburg - 8;

Nays: Sandberg - 1.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL****(04-068) 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.

Joyce Blumenshine, 2419 E. Reservoir, representing the Heart of Peoria Sierra Club, spoke against Peoria Disposal Company's plan to triple the size of their hazardous waste landfill located on the west edge of Peoria. She said this was not in the best interest for the future of the City of Peoria, the health and safety of citizens, local air and local water. She said allowing 30 more years of hazardous waste dumping in an area which could directly affect water resources was not desirable to the community. She said they had no provision for earthquakes or other types of disasters.

Ms. Rosilee Walker, 622 Vine Street, announced the 8<sup>th</sup> Annual Neighborhood Awards Banquet would be held at the Hotel Pere Marquette on March 4, 2004. She said tickets were \$20.00 each and she invited everyone to attend. She urged citizens to nominate anyone in their neighborhood for an award and nominations were due by Friday, February 20, 2004, at 5:00 P.M.

Mr. Tom Edwards, 2702 N. Peoria, spoke against the plan by Peoria Disposal Company to triple the size of the hazardous waste landfill. He said there were over 1,000 toxic chemicals and their components that the IEPA allowed PDC to bury on their site. He added testing was done on only 31 of those chemicals for ground water pollution. He said that chemical toxins would remain for centuries, but plastic and clay liners were not as durable. He urged the Council to reject the expansion of the landfill, begin the permanent closure of the landfill, and urge the State and Nation to require and accelerate development to detoxify hazardous waste, and recycle hazardous waste for beneficial uses.

**EXECUTIVE SESSION**

It was determined that no Executive Session was needed.

**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 7:39 P.M.

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