

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

Council Chambers, Peoria, Illinois, April 6, 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: Ardis, Grayeb, Gulley, Morris, Nichting, 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 led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: STRIKE OUT CROHN'S AND COLITIS DAY – April 17, 2004

PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH – April, 2004

PROCLAMATION: AGENT ORANGE AWARENESS MONTH – APRIL, 2004

PROCLAMATION: PEORIA ARTHRITIS WALK DAY – May 1, 2004

PROCLAMATION: PEORIA HIGH SCHOOL BOYS BASKETBALL TEAM: IHSA CLASS AA CHAMPIONS

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meeting and Executive Sessions held on March 23, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(04-127) Communication from Council Member W. Eric Turner and Council Member John Morris Regarding a PRESENTATION by the PEORIA RIVERFRONT ASSOCIATION and the PEORIA PARK DISTRICT Regarding the PROGRESS on the PEORIA RIVERFRONT in the Past Six Years.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Mike Wisdom and Mr. Bill Roeder.

Mr. Mike Wisdom, President of the Peoria Riverfront Association, discussed their efforts in gathering information to market the Peoria Riverfront and show how development had progressed over the past years. He said a tool was needed for the Convention and Visitors Bureau for a presentation and to provide information regarding before and after pictures.

Mr. Bill Roeder, Member of the Riverfront Program and Advisory Commission, said the Riverfront had come a long way in a short amount of time. He commended those who provided the seed money for development, the vision and money to maintain the Riverfront.

A presentation was made showing abandoned and deteriorated buildings on the Riverfront. The presentation displayed how the Peoria Riverfront had now become a tourism destination for the arts, office space, shopping, entertainment, festivals, recreation and fitness, historic preservation, meeting and banquet facilities, marinas, restaurants, unique attractions, residential living, night life, hiking/biking trails, and family fun. The next challenge would be the development of the museum on the Sears Block.

Mayor Ransburg thanked Mr. Wisdom and Mr. Roeder for their presentation.

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

- (04-128) NOTICE of LAWSUIT Filed on Behalf of NORMAN MYERS Regarding an Alleged Injury at the Peoria Civic Center on July 13, 2003, with Recommendation to Receive and File, and Refer to the Legal Department.**
- (04-129) TAG DAY REQUEST from the LIONS CLUB OF PEORIA Requesting Permission to Hold Their ANNUAL DIABETES ALERT DAY on APRIL 16, 2004, to Accept Contributions for the American Diabetes Association for Research. (Date is open.)**
- (04-130) Communication from the City Manager and Director of Information Services Requesting Approval of a PURCHASE of DELL PERSONAL COMPUTERS from DELL MARKETING L. P., in the Amount of \$82,944.00, as Part of the Annual Information Technology Refreshment Plan.**
- (04-131) Communication from the City Manager and Director of Planning and Growth Management Requesting Approval for a CONTRACT with ROBERT C. SCOTT, CONSULTANT, in the Amount of \$18,800.00, for the DEVELOPMENT of a STUDY Which Analyzes the Economic Impact of the City of Peoria's Growth Management Strategy.**
- (04-132) * Communication from the City Manager and Director of Public Works Recommending Approval of SINR CONTRACT #24 for SIDEWALK REPLACEMENT as Follows: 1) In the Lincoln, Blaine, Garden, Greenlawn District; and 2) On Gale Avenue from University Street to Nebraska Street to Prepare for a Street Overlay.**
- (04-133) Communication from the City Manager and Director of Public Works Requesting Authorization for the City Manager to Enter into a PROFESSIONAL SERVICES CONTRACT with IDEAL ENVIRONMENTAL ENGINEERING, INC., in an Amount Not to Exceed \$11,640.00, for ASBESTOS SURVEY and ABATEMENT PLAN for the SEARS BLOCK STRUCTURES.**

- (04-134) ****** Communication from the City Manager and Director of Public Works Requesting Approval of a PROFESSIONAL SERVICES CONTRACT with RANDOLPH & ASSOCIATES, INC. in an Amount Not to Exceed \$38,500.00, for the Development of a PROJECT DEVELOPMENT REPORT for the SEARS BLOCK PROJECT.
- (04-135) Communication from the City Manager and Director of Public Works Requesting Approval of a JOINT AGREEMENT with ILLINOIS DEPARTMENT OF TRANSPORTATION for IMPROVEMENTS to I-74 from NEBRASKA AVENUE to MONROE STREET, Including NORTHBOUND and SOUTHBOUND KNOXVILLE AVENUE and RAMPS, and Requesting Authorization for the City Manager to Sign the Agreement.
- (04-136) Communication from the City Manager and Director of Public Works Requesting Approval of the Following for the IMPROVEMENT of WEST FORREST HILL from I-74 to STERLING AVENUE and GALE AVENUE from I-74 to HUDSON AVENUE, and Requesting Authorization for the City Manager to Sign the Documents:
- A. JOINT AGREEMENT with the ILLINOIS DEPARTMENT of TRANSPORTATION and PEORIA COUNTY;
 - B. LOCAL AGENCY AGREEMENT for JURISDICTIONAL TRANSFERS FOR WEST FORREST HILL and NORTH GALE AVENUE;
 - C. ORDINANCE NO. 15,604 for the ADDITION of a PORTION of WEST FORREST HILL AVENUE and NORTH GALE AVENUE to the Municipal Street System;
 - D. SUPPLEMENTAL MOTOR FUEL TAX RESOLUTION, in the Amount of \$807,500.00.
- (04-137) Communication from the City Manager and Director of Public Works Requesting Approval of AMENDMENT #2 to the HANSON PROFESSIONAL SERVICES, INC. CONTRACT for the FORREST HILL PHASE II IMPROVEMENT, in the Amount of \$104,756.00, to Provide Additional Services to Modify Right-of-Way Documents Due to Design Changes; Redesign Finnell Avenue; and Study and Make Modification to the Plans and Right-of-Way Documents to the Gale Avenue Intersection; and Request Approval of a SUPPLEMENTAL MFT RESOLUTION NO. 04-137.
- (04-138) Communication from the City Manager and Director of Planning and Growth Management with a Request from THE PEORIA HOUSING AUTHORITY to REPROGRAM \$650,000 in DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME INVESTMENT PARTNERSHIP FUNDS from the Southern Gateway Project and to Allocate \$144,000 in Neighborhood Sidewalk Funds to the Riverwest South Project.
- (04-139) Communication from the City Manager and Director of Planning and Growth Management Recommending Adoption of an ORDINANCE NO. 15,605 Approving the FINAL PLAT of RIVERWEST SOUTH SUBDIVISION, a Residential Development Bound by BUTLER STREET on the North, MacARTHUR HIGHWAY on the East, and NEW STREET on the South.

- (04-140) Communication from the City Manager and Director of Public Works Recommending Adoption of an ORDINANCE NO. 15,606 Vacating HAMILTON ROAD Between NORTHLAND AVENUE and GLEN AVENUE.
- (04-141) Communication from the City Manager and Finance Director/Comptroller Recommending Adoption of an ORDINANCE NO. 15,607 Amending the BUDGET for Fiscal Year 2004 of the City of Peoria Relating to the GOVERNOR'S WILDFLOWER INITIATIVE GRANT, POLICE IDOT GRANT, and PAWS DONATION, in the Amount of \$142,286.00.
- (04-142) Communication from Mayor David P. Ransburg Regarding the TERMS of the MEMBERS of the PERSONNEL APPEALS BOARD, with Recommendation to Concur:
- | | |
|-----------------|----------------------|
| Laraine Bryson | Term Expires 6/30/04 |
| Richard Helmer | Term Expires 6/30/04 |
| Randy Sebastian | Term Expires 6/30/06 |
| Michael Gifford | Term Expires 6/20/06 |
- (04-143) Communication from Chairman of the Peoria Civic Center Authority Commissioners Regarding a PEORIA CIVIC CENTER UPDATE on the REDEVELOPMENT PROCESS, with Recommendation to Receive and File. (Refer to Item No. 04-027.)
- (04-144) REPORTS, with Recommendation to Receive and File:
- A. REPORT OF CITY TREASURER REGINALD A. WILLIS – February, 2004.
 - B. PEORIA PUBLIC LIBRARY FINANCIAL REPORT – February 29, 2004.
 - C. PEORIA PUBLIC LIBRARY STATISTICAL REPORT – February 29, 2004.

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

Council Member Gulley requested that Item No. 04-132 be removed from the Consent Agenda for further discussion.

Council Member Spears requested that Item No. 04-134 be removed from the Consent Agenda for further discussion.

Item Nos. 04-128 through 04-144 (excluding Item Nos. 04-132 and 04-134 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.

- (04-132)** **Communication from the City Manager and Director of Public Works**
* **Recommending Approval of SINR CONTRACT #24 for SIDEWALK REPLACEMENT as Follows: 1) In the Lincoln, Blaine, Garden, Greenlawn District; and 2) On Gale Avenue from University Street to Nebraska Street to Prepare for a Street Overlay.**

Council Member Gulley said he would be abstaining from the vote due to providing some professionals services for this project.

Council Member Nichting moved to approve SINR Contract #24 for sidewalk replacement as follows: 1) in the Lincoln, Blaine, Garden, Greenlawn District; and 2) on Gale Avenue from University Street to Nebraska Street to prepare for a street overlay; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Gulley - 1.

- (04-134)** **Communication from the City Manager and Director of Public Works**
** **Requesting Approval of a PROFESSIONAL SERVICES CONTRACT with RANDOLPH & ASSOCIATES, INC. in an Amount Not to Exceed \$38,500.00, for the Development of a PROJECT DEVELOPMENT REPORT for the SEARS BLOCK PROJECT.**

In discussion with Council Member Spears, City Engineer Gene Hewitt explained the process of selecting two firms, providing the scope of work, and requesting proposals. He said, after reviewing the proposals, it was determined that Randolph & Associates, Inc. provided the best proposal.

In further discussion, Council Member Spears questioned if there had been any consideration of costs.

City Engineer Gene Hewitt referred to the Baseball Stadium issue and he said it was his understanding that the issue had been resolved. He further stated that the company held errors and omissions insurance on professional liability. He added that he would not recommend a firm that he felt could not handle the job.

Corporation Counsel Randy Ray said he would have to research the file for details but he knew for sure that the matter of the Baseball Stadium was settled.

In discussion with Council Member Gulley regarding whether or not consideration had been given to hiring part time employees for this project, City Engineer Gene Hewitt said the project would require the skill of professional engineers who had a working relationship with Illinois Department of Transportation.

Council Member Nichting moved to approve a Professional Services Contract with Randolph & Associates, Inc. in an amount not to exceed \$38,500.00, for the development of a Project Development Report for the Sears Block Project; 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.

(04-145) Communication from the City Manager and Assistant Director of Economic Development Requesting Direction from the Mayor and City Council Regarding the Request from PROCTOR HOSPITAL to EXTEND the EXISTING ENTERPRISE ZONE BOUNDARIES to Include the 13-ACRE PROCTOR MEDICAL PARK.

Assistant Director of Economic Development Karie Friling distributed a communication with additional information to all members of the City Council regarding Proctor's desire not to avail themselves of any property tax exemption provided for under the State EZ legislation.

Council Member Thetford gave a brief overview of the proposed Proctor Hospital project. She said a regional heart care center would be developed which would be good for the whole City. She added they needed to move quickly and that additional space was needed.

Council Member Thetford moved to approve the request from Proctor Hospital to extend the existing Enterprise Zone boundaries to include the 13-acre Proctor Medical Park allowing them to avail themselves solely of the sales tax exemption on building materials; seconded by Council Member Nichting.

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

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

Mr. Brian Meginnis, 3602 W. Chartwell Road, Attorney for Proctor Hospital explained the project and the desire by Proctor Hospital to include the Proctor Medical Park in the Enterprise Zone, which ran adjacent to the park. He said the hospital had been working toward this goal for 15 years. He said the heart center they planned to build would be the largest in downstate Illinois. He said the break on sales tax for building materials would save between \$325,000 and \$500,000, and that money could be used for the building. He said the project was not a done deal. He also discussed the fact that this project met several of the Council's objectives for the City to provide world class health care and job creation. He said Peoria's competitive markets were Naperville, Springfield and St. Louis. He added there were other medical groups looking at Peoria for expansion over the next 20 years. He encouraged the Council to send a message to the physician community that Peoria would welcome their expansion.

Mr. Jeff Shelton, 7042 N. Aycliffe, provided information about HeartCare Midwest. He said the facility was started in 1975 and now had 28 physicians and a staff of 201. He said patients who visited regional clinics were brought to Peoria for hospital care. He said the proposed expansion totaled \$14.5 million and would be a one-of-a-kind facility between Chicago and St. Louis.

Council Member Morris said the Council had already supported this project in many ways prior to this request for an expansion of the Enterprise Zone. He said the Council had embraced the Proctor Institutional Plan, the required zoning, and the idea that the medical community was critical to the future growth of the City's economy. He said he felt the Enterprise Zone should be used to stimulate redevelopment in the heart of the City. He added part of the strategic plan that was not mentioned included the Council's support of the redevelopment of the downtown. He said he felt if the Enterprise Zone was extended to Proctor Hospital, the Council would have to extend the zone to others as well. He said he felt the request would change the use of the zone so that it would not be a geographic zone, but would be an industry specific zone. He said this was the fundamental reason for his opposition to the request.

Council Member Teplitz said she shared the same concerns as Council Member Morris. She said she could not support the designation because she felt the Enterprise Zone should only be designated for depressed areas to be used for growth or redevelopment in the older neighborhoods. She said there was a twelve square mile cap on the Enterprise Zone and the current zones totaled 6.6 square miles. She said she felt this project would go forward on its own without the Enterprise Zone assistance. She said she supported the project but she did not feel the project needed the assistance of an Enterprise Zone to insure the success of the project.

In discussion with Council Member Gulley regarding the creation of new jobs from this project, Mr. Meginnes said about twenty new positions would be created at the beginning. He said HeartCare Midwest was only buying two acres, but there would be additional development. He said an option was taken on an adjoining lot.

In further discussion Council Member Gulley questioned the taxing structure of the project, Mr. Meginnes said the \$14.5 million HeartCare Project would be placed on real estate owned by HeartCare Midwest, which was for profit and they would pay real estate taxes. He said Proctor had indicated they had no intentions of selling any of the other lots for building to not-for-profit organizations, with the exception of Hult Education Center which was already located there and they had no intentions of moving that facility. He added the \$14.5 million project would be taxable.

Council Member Gulley referred to the Business Development Loan Programs, and he questioned if those funds could be utilized for this project.

Assistant Director of Economic Development Karie Friling explained it would depend on the financing but the maximum amount available was \$150,000 for any project and, at the present time, there was a total available of only \$84,000. She added she was not aware of any other economic tools that would be available for this project.

Council Member Nichting requested an explanation regarding the history of the financial investment of clearing the land.

Mr. Norm LaConte, 613 W. Cedar Hills Drive, President and CEO of Proctor Hospital said they started acquiring the land 15 years ago. He said \$4.5 million had been invested during that time to obtain the thirteen acres. He said their investment of \$14.5 million was expected to grow to \$60 to \$80 million in the future. He said this project would attract regional groups and this project would be a major draw for them. He said the region supported the hospitals by specializing, and he commended the Board of Directors for their efforts.

Mayor Ransburg expressed concern regarding expanding the Enterprise Zone for this project. He said he respected Proctor Hospital, their work and he supported their project, but he said he did not feel it was an appropriate use for Enterprise Zone funds.

Motion to approve the request from Proctor Hospital to extend the existing Enterprise Zone boundaries to include the 13-acre Proctor Medical Park allowing them to avail themselves solely to the sales tax exemption on building materials was approved by roll call vote.

Yeas: Ardis, Grayeb, Nichting, Sandberg, Spears, Thetford, Turner – 7;

Nays: Gulley, Morris, Teplitz, Mayor Ransburg - 4.

Clerk's Note: See further discussion under 04-110 on Page 26489.

UNFINISHED BUSINESS

- (03-276) Communication from Director of Planning and Growth Management Recommending Adoption of an ORDINANCE Granting a SPECIAL PERMIT for a ROOFTOP SIGN through the SPECIAL USE PROCESS in a Class I-2 (Railroad/Warehouse Industrial) District for Property Located at 120 EATON STREET.**

Director of Planning and Growth Management Pat Landes distributed a replacement copy of Attachments A, B, and C, to all members of the City Council.

Council Member Gulley moved to adopt the Ordinance granting a Special Permit for a Rooftop Sign through the Special Use Process in a Class I-2 (Railroad/Warehouse Industrial) District for property located at 120 Eaton Street, as amended, to include the replacement Attachments A, B, and C; seconded by Council Member Turner.

ORDINANCE NO. 15,608, as amended, was approved by roll call vote.

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

Nays: None.

- (04-110) Communication from Assistant Director of Economic Development Requesting Direction to Process a Technical Correction to REMOVE the CONNECTION STRIP Along WEST MAIN STREET and WESTERN AVENUE (From the East) and REPLACE with a CONNECTION STRIP (From the South) Along WESTERN AVENUE, Which would Connect with the Existing Enterprise Zone at the intersection of Western Avenue and S. W. Adams Street. (Also refer to Item No. 04-145)**

Assistant Director of Economic Development Karie Friling distributed a copy of this memo to all members of the City Council.

City Manager Randy Oliver explained several Council Members had requested a reconfiguration of the manner in which the Enterprise Zone was routed to the Peoria Castle Lodge. He said he would like to obtain a consensus from the Council regarding this issue. He said a Public Hearing would be needed to formally change the Enterprise Zone regarding this issue and also the issue of expansion of the Enterprise Zone for Proctor Hospital, and he questioned if this could be a part of that Public Hearing when it was held.

Council Member Teplitz moved to direct the Staff to process a technical correction to remove the connection strip along West Main Street and Western Avenue (from the East) and replace with a connection strip (from the South) along Western Avenue, which would connect with the existing Enterprise Zone at the intersection of Western Avenue and S. W. Adams Street, and incorporate the proposed plan amendment for Proctor Hospital; seconded by Council Member Gulley.

Approved by roll call vote.

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

Nays: None.

(04-146) REQUEST for a REPORT BACK Regarding Changes to the Delivery of Public Safety While I-74 and University Street were being Reconstructed.

Council Member Nichting questioned if there had been any new plan established for fire response now that University Street was under construction. He said traffic congestion would be heavy through that area, plus the reconstruction of I-74. He said it could possibly rearrange the delivery of public safety.

City Manager Randy Oliver said he would consult with the Fire Chief and would report back to the City Council.

NEW BUSINESS

ANNOUNCEMENT Regarding the TULIP FESTIVAL

Council Member Teplitz invited the Council and citizens to attend the Tulip Festival which would be held in the Randolph – Roanoke Neighborhood in the Second District on April 24, 2004.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(04-147) 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. James Saum, 1101 E. Norwood, expressed concern regarding the collection of the garbage fee of \$24.00 on the water bill. He expressed concern that citizens were billed in advance and that it was being billed for four months at a time rather than 3 months at a time. Mr. Saum suggested that the fee be collected by the Greater Peoria Sanitary District. He said there were other citizens with similar concerns and he requested a written response from the City regarding his comments.

Mayor Ransburg said the City Manager would have something written up for anyone who inquired about the collection of the garbage fee.

Council Member Sandberg questioned who made the decision to bill citizens on their water bill for four months at a time. He said it was his understanding that the fee was supposed to be have been billed monthly.

City Manager Randy Oliver said he would research the records and report back to the City Council.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:25 P.M.

bb

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