

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

Council Chambers, Peoria, Illinois, August 2, 2004, a Rescheduled Regular Meeting of the City Council of the City of Peoria was held this date at 6:15 P.M., at City Hall, Council Chambers, 419 Fulton Street, Mayor Pro Tem Marcella Teplitz presiding.

**ROLL CALL**

Roll call showed the following Council Members present : Ardis, Gulley, Morris, Nichting, Sandberg (left at 6:25 P.M.), Spears, Turner, Mayor Pro Tem Teplitz – 8; Absent: Grayeb, Thetford, Mayor Ransburg – 3.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Teplitz requested a moment of silent prayer, and then she led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

PROCLAMATION: NATIONAL HEALTH CENTER WEEK – August 8 -14, 2004

COMMENDATION: SUCCESS of NEIGHBORHOOD ASSOCIATIONS and BUSINESS RELATIONSHIPS and NDC CONFERENCE

**MINUTES**

Council Member Nichting moved to approve the minutes of the Regular City Council Meetings and Executive Sessions held on July 20, and July 27, 2004, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS**

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

- (04-415) NOTICE OF LAWSUIT on Behalf of MICHAEL RINCHIUSO for an Incident on July 12, 2003, with Recommendation to Receive and File and Refer to the Legal Department.**
- (04-416) Communication from the City Manager and Fire Chief Requesting Approval to PURCHASE Two New 200-HORSEPOWER OUTBOARD MOTORS from WATKINS MARINE, in the Amount of \$31,916.00, for the Peoria Fire Department FIRE/RESCUE BOAT.**

- (04-417)      Communication from the City Manager and Personnel Director Requesting Approval of an AGREEMENT Between the CITY OF PEORIA and ALL EMPLOYEE BARGAINING UNIONS to Extend the JOINT LABOR/ MANAGEMENT HEALTH CARE COMMITTEE for Three Years, Effective 1/1/05 to 12/31/07.**
- (04-418)      Communication from the City Manager and Director of Public Works Requesting Approval to CONTRACT with RIVER CITY CONSTRUCTION, LLC, for REPAIRS to the Municipal Services Building's Facade, in the Amount of \$178,850.00.**
- (04-419)      Communication from the City Manager and Director of Public Works Requesting Approval to CONTRACT with TAZEWELL COUNTY ASPHALT CO., in the Amount of \$88,567.00, and R.A. CULLINAN & SONS, INC., in the Amount of \$96,805.41, for 2004 DRIVEWAY and PARKING LOT REPAIRS.**
- (04-420)      Communication from the City Manager and Director of Public Works Requesting Authorization for the City Manager to Increase the Amount of the Current IDEAL ENVIRONMENTAL ENGINEERING, INC., CONTRACT for ASBESTOS SURVEY and ABATEMENT PLAN for the SEARS BLOCK STRUCTURES, in an Amount Not to Exceed \$5,500.00.**
- (04-421)      Communication from the City Manager and Director of Public Works Requesting Approval of the SEWER IMPROVEMENT AGREEMENT with the GREATER PEORIA SANITARY DISTRICT and Authorizing the City Manager to Sign a CONTRACT with MUNICIPAL SEWER SERVICES, LLC, in the Amount of \$417,657.22, for the TELEVISIONING and CLEANING of the City's Sewer Rehabilitation Design Area 2 – Division B.**
- (04-422)      Communication from the City Manager and Director of Public Works Requesting Approval of the PEORIA/PEKIN URBANIZED AREA TRANSPORTATION STUDY (PPUATS) Fiscal Year 2005 AGREEMENT and MOTOR FUEL TAX RESOLUTION, in the Amount of \$29,662.53.**
- (04-423)      Communication from the City Manager and Director of Public Works Recommending Adoption of an ORDINANCE NO. 15,659 Providing for the IMPROVEMENT of GREENFIELD DRIVE (from Manning Drive west to the cul-de-sac) and CRABAPPLE COURT (Greenfield Drive to the cul-de-sac).**
- (04-424)      Communication from the City Manager and Director of Public Works Recommending Adoption of an ORDINANCE NO. 15,660 Providing for the IMPROVEMENT of MANNING DRIVE (Teton Drive north to the cul-de-sac).**
- (04-425)      Communication from the City Manager and Director of Public Works Recommending Adoption of an ORDINANCE NO. 15,661 Amending CHAPTER 28 of the Code of the City of Peoria Relating to CHANGES in TRAFFIC SCHEDULES.**

- (04-426)  
\*      **Communication from the City Manager and Corporation Counsel  
Recommending Adoption of an ORDINANCE Amending CHAPTER 13 of the  
Code of the City of Peoria Relating to LIENS and PERSONAL JUDGMENTS  
for the City Cutting Weeds and Removing Litter or Motor Parts from Private  
Property.**
- (04-427)  
\*\*      **Communication from the City Manager and Corporation Counsel  
Recommending Adoption of an ORDINANCE Amending CHAPTER 18 of the  
Code of the City of Peoria Relating to SEXUALLY ORIENTED ADULT  
BUSINESSES Regarding MINORS on PREMISES.**
- (04-428)  
\*\*\*      **Communication from the City Manager and Finance Director/Comptroller  
Recommending Adoption of an ORDINANCE Amending the BUDGET for  
Fiscal Year 2004 of the City of Peoria Relating to the REPLACEMENT of a  
POLICE VEHICLE.**
- (04-429)      **Communication from the City Manager and Corporation Counsel  
Requesting Approval of an APPLICATION for a CLASS "H" (Temporary  
Outdoor) LIQUOR LICENSE for the PEORIA ART GUILD to Hold a Fine Art  
Fair on Saturday, September 25, and Sunday, September 26, 2004, on the  
Riverfront.**
- (04-430)      **REPORTS:**
- A.      REPORT OF CITY TREASURER REGINALD A. WILLIS – June, 2004**
- (04-431)      **ADOPTION of COMMITTEE REPORT Regarding a PRESENTATION by the  
FIRE & POLICE COMMISSION.**

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

Council Member Spears requested that Item No. 04-428 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested that Item Nos. 04-426 and 04-427 be removed from the Consent Agenda for further discussion.

Item Nos. 04-415 through 04-431 (excluding Item No. 04-426, 04-427, and 04-428 which were removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;

Nays: None.

- (04-426)  
\*      **Communication from the City Manager and Corporation Counsel  
Recommending Adoption of an ORDINANCE Amending CHAPTER 13 of the  
Code of the City of Peoria Relating to LIENS and PERSONAL JUDGMENTS  
for the City Cutting Weeds and Removing Litter or Motor Parts from Private  
Property.**

Council Member Nichting said when vehicles parked on private property were tagged for any

reason such as improper parking, being inoperable, or other Code violations, he suggested that the Police Department be notified to run the vehicle identification number as part of the tagging procedure. He said he believed this procedure would lead to finding more stolen vehicles. He requested the City Manager consider adopting this procedure.

City Manager Randy Oliver said he would be able to comply with Council Member Nichting's request.

Council Member Nichting moved to adopt the Ordinance amending Chapter 13 of the Code of the City of Peoria relating to liens and personal judgments for the City cutting weeds and removing litter or motor parts from private property; seconded by Council Member Turner.

Council Member Gulley questioned, if the City had to come back and cut additional weeds on a property, would the property owner be billed again for another work order. He said there was a property that needed the weeds cut in his district and the City charged the property owner, but the property owner did not feel the City completed the job.

Director of Inspections John Kunski said if the weeds were not cut properly the first time, the contractor was responsible for going back and completing the job without billing the owner.

City Manager Oliver said there was legislation sitting on the Governor's desk that would allow the City to bill part of a lien through the property tax bill. He added, if this bill was passed, it would enhance collection rates and enforcement.

Motion to adopt ORDINANCE NO. 15,662 amending Chapter 13 of the Code of the City of Peoria relating to liens and personal judgments for the City cutting weeds and removing litter or motor parts from private property, with the stipulation that the Police Department be notified to run the vehicle identification number as part of the tagging procedure, was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;

Nays: None.

**(04-427)      Communication from the City Manager and Corporation Counsel  
\*\*            Recommending Adoption of an ORDINANCE Amending CHAPTER 18 of the  
              Code of the City of Peoria Relating to SEXUALLY ORIENTED ADULT  
              BUSINESSES Regarding MINORS on PREMISES.**

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

Hearing no objections, Mayor Pro Tem Teplitz granted Privilege of the Floor to those who wished to speak to this issue.

Mr. Scott Wood, 829 N. Cooper and owner of Elliot's, said that his club had always only allowed those aged 18 and over to enter their club, even though they had been accused of allowing 17 year olds into the club. He said his club was the only establishment affected by the proposed Ordinance. He explained their security system and their system to identify those not old enough to enter the club. He expressed concern that representatives of the Health Department and the City's Inspections Department had been sent to his establishment to threaten closure.

Council Member Nichting moved to adopt the Ordinance amending Chapter 18 of the Code of the City of Peoria relating to sexually oriented adult businesses regarding minors on premises; seconded by Council Member Morris.

Motion to adopt ORDINANCE NO. 15,663 amending Chapter 18 of the Code of the City of Peoria relating to sexually oriented adult businesses regarding minors on premises was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;  
Nays: None.

**(04-428)      Communication from the City Manager and Finance Director/Comptroller  
\*\*\*      Recommending Adoption of an ORDINANCE Amending the BUDGET for  
Fiscal Year 2004 of the City of Peoria Relating to the REPLACEMENT of a  
POLICE VEHICLE.**

Council Member Spears moved to adopt the Ordinance amending the Budget for fiscal year 2004 of the City of Peoria relating to the replacement of a police vehicle; seconded by Council Member Gulley.

Council Member Spears referred to the COPS Program that was implemented by former President Clinton, and he said the program would be ending soon. He said he had heard there was an extra \$500 million in the Federal budget for Police and he hoped the City of Peoria would be contacting our local Senators and Congressmen to make sure that Peoria was included in the grants. He added, it was his understanding, there was an additional \$400 million for Fire Departments.

Council Member Nichting requested a report back from Interim Chief of Police Gary Poynter regarding the number of vehicles assigned to the Police Department and how many of those vehicles were over 100,000 miles. He said he felt this was important to know prior to the City Council going into Budget discussions. He said the COPS Program had included money for lap top computers and possibly vehicles. He asked that this information be included in the report back also.

Motion to adopt ORDINANCE NO. 15,664 amending the Budget for fiscal year 2004 of the City of Peoria relating to the replacement of a police vehicle was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;  
Nays: None.

**(04-432)      Communication from the City Manager and Director of Public Works  
Requesting Approval of the Scope of Services developed for the City of  
Peoria by the Tri-County Regional Planning Commission, as Represented  
by the WASHINGTON STREET CORRIDOR & DOWNTOWN  
TRANSPORTATION PLAN, and Direction to Staff to Submit GRANT  
APPLICATION DOCUMENTS to the U.S. Department of Housing and Urban  
Development (HUD) Seeking Approval of the specific scope of services,  
(that we believe to be eligible for approval), as Outlined, and if the Grant is  
received, to concur in the Recommendation that the Technical Support  
Work be Negotiated with the Louis Berger Group to ensure close  
coordination with the current IDOT Southwest Corridor Study.**

Following a brief explanation of the Council communication by Director of Public Works Steve Van Winkle, Council Member Gulley moved to approve the Scope of Services developed for the City of Peoria by the Tri-County Regional Planning Commission, as represented by the Washington Street Corridor & Downtown Transportation Plan, and direct Staff to submit grant application documents to the U.S. Department of Housing and Urban Development (HUD) seeking approval of the specific scope of services, and if the grant is received, to concur in the recommendation that the technical support work be negotiated with the Louis Berger Group to ensure close coordination with the current IDOT Southwest Corridor Study; seconded by Council Member Nichting.

In discussion with Council Member Gulley regarding whether or not this study would include bringing the Martin Luther King Drive corridor into downtown, Director Van Winkle said they would take advantage of that study that focused on this area, along with the Capital Program, to convert the one-way portion of King Drive to two-way and enhance the remainder of the street. He said coming into the City from King Drive and Garrett was an excellent route for visitors to travel.

In further discussion with Council Member Gulley regarding the Southern Gateway, Director Van Winkle said the Southern Gateway was already under study. He added that Senator Shadid had obtained \$300,000 and the Berger Group was already working on the study.

Motion to approve the Scope of Services developed for the City of Peoria by the Tri-County Regional Planning Commission, as represented by the Washington Street Corridor & Downtown Transportation Plan, and direct Staff to submit grant application documents to the U.S. Department of Housing and Urban Development (HUD) seeking approval of the specific scope of services, and if the grant is received, to concur in the recommendation that the technical support work be negotiated with the Louis Berger Group to ensure close coordination with the current IDOT Southwest Corridor Study was approved by roll call vote.

Yeas: Ardis, Gulley, Morris, Nichting, Spears, Turner, Mayor Pro Tem Teplitz – 7;

Nays: None.

### **UNFINISHED BUSINESS**

#### **IMPLEMENTATION of DIAGONAL PARKING on FULTON AND MADISON STREETS**

Council Member Morris commended the City Manager and the Staff regarding the installation of diagonal parking in front of City Hall on Fulton Street and Madison Street. He said this was the first glimpse of the Heart of Peoria transformation and the revitalization of downtown. He also expressed his appreciation regarding how quickly the plan had been implemented.

### **NEW BUSINESS**

#### **STATUS REPORT of ROAD WORK on ALLEN ROAD**

In discussion with Council Member Nichting regarding the status of Allen Road, Director of Public Works Steve Van Winkle reported the base had been completed and within a week, all the roadway overlay work would be done from Alta Road to Cedar Hills Drive. He said, after the contractor was finished, the City would complete the shoulder work and striping.

**COMMENDATION for VEHICLE RECOVERY**

Council Member Nichting commended the cooperation between the Police Department, Code Enforcement, and S.L.A.T.E. on the recovery of a vehicle.

**(04-433)      REQUEST for the INTERIM CHIEF OF POLICE to Make a PRESENTATION to the Council, in the Next One to Two Weeks, Regarding the SPECIALIZED POP TEAM PROGRAM.**

Mayor Pro Tem Teplitz said she had received numerous calls regarding the great work performed by the Police Department and specialized Problem Oriented Policing (POP) teams, and their approach to addressing crime in neighborhoods. She requested Interim Police Chief Poynter to make a presentation to Council in the next one or two weeks regarding this program.

Interim Police Chief Gary Poynter commended the members of the Police Department who were working on the program to improve quality of life issues in neighborhoods. He said he would be glad to make a presentation to Council.

**ANNOUNCEMENT Regarding NATIONAL NIGHT OUT AGAINST CRIME**

Council Member Gulley invited citizens and all Council Members to attend the National Night Out Against Crime in their neighborhoods on the evening of August 3, 2004.

**CITIZEN REQUESTS TO ADDRESS THE COUNCIL**

**(04-434)      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.

Ms. Levetta Ricca, 711 S. Greenlawn, commended the POP Team for their work in her neighborhood.

Mr. June Moore, 1409 W. Millman, thanked members of the Police Department, Code Enforcement, the Council, and the City Manager for their efforts with the POP Team in her neighborhood.

Mr. Robert Ricky, 935 Greenlawn, thanked the Police Department for their efforts in the neighborhood. He said he was a volunteer for the Three-on-Three Basketball Tournament held at the Peoria Castle Lodge over the weekend. He commended Mr. Frank Pedulla, owner of Peoria Castle Lodge, and the coordinators of the event. He said he felt the money raised by the event should stay in the City of Peoria. He encouraged other citizens to participate and volunteer for the event next year.

**EXECUTIVE SESSION**

It was determined that an Executive Session was not needed.

**ADJOURNMENT**

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

Approved by viva voce vote.

The Council Meeting adjourned at 7:09 P.M.

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