

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

Council Chambers, Peoria, Illinois, November 16, 2004, a Joint Meeting of the City Council and Town Board of the City of Peoria 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: CENTRAL, MANUAL, PEORIA CHRISTIAN, PEORIA NOTRE DAME, RICHWOODS, AND WOODRUFF HIGH SCHOOLS: KEY CLUB WEEK – November 8-13, 2004
- PROCLAMATION: SALVATION ARMY: GIFT OF WARMTH SUNDAY – November 12, 2004
- PROCLAMATION: PEORIA PUBLIC LIBRARY AND COMMON PLACE: PEORIA READS! PROJECT DAY – November 15, 2004
- PROCLAMATION: PEORIA POLICE DEPARTMENT: OPERATION SAFE PASSAGE WEEKEND – November 24-28, 2004
- PROCLAMATION: CENTRAL ILLINOIS AGENCY ON AGING: FAMILY CARE GIVER MONTH – November, 2004
- PROCLAMATION: PEORIA NOTRE DAME HIGH SCHOOL: ILLINOIS HIGH SCHOOL ASSOCIATION'S CLASS A BOYS SOCCER CHAMPIONS

MINUTES

Council Member Nichting moved to approve the minutes of the Regular City Council Meetings held on October 26, 2004, and November 2, 2004, the Executive Sessions held on October 26, 2004, and the Special City Council Meeting held on November 9, 2004, with clarification under Item No. 04-588 at the top of page 26775 in the final motion to delete Mayor Ransburg from the yea vote; 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.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**(04-590) Communication from the City Manager and Corporation Counsel with Recommendation to Adopt an ORDINANCE CREATING the CITY OF PEORIA YOUTH ADVISORY COMMISSION.**

Corporation Counsel Randy Ray distributed a revised Ordinance creating the City of Peoria Youth Advisory Commission to all members of the City Council.

A preliminary listing of those individuals who had been accepted to serve on the Youth Advisory Commission, adult advisors, and City Leaders and who would work with Youth and Community Services was distributed to all members of the City Council. It was determined in discussion that Mayor Ransburg would submit a Council communication to appoint members to the Youth Advisory Commission on a future City Council Meeting Agenda.

Council Member Turner said the members of the proposed Commission would be able to make recommendations to the City Council that pertained to the youth of Peoria and how to better meet their needs. He thanked Mr. Steve Fairbanks of Youth and Community Services at White Oaks for his vision and his commitment.

Council Member Turner moved to adopt the revised Ordinance creating the City of Peoria Youth Advisory Commission; seconded by Council Member Morris.

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. Steve Fairbanks of White Oaks requested that the proposed members of the Youth Advisory Commission stand and be recognized.

Council Member Nichting requested a friendly amendment to the motion to change the number 5 to number 6 in Section 2 of the proposed Ordinance, so the final sentence would read "No more than six (6) members shall be students at any one high school."

Council Member Turner, the maker of the motion, agreed.

Council Member Teplitz also pointed out that on the second page of the proposed Ordinance, there was a reference to ages 13 to 18, and in the proposal for a Peoria Youth Commission, the reference was to ages 14 to 18. She questioned if the Ordinance should be further amended.

Corporation Counsel Randy Ray indicated an amendment to the Ordinance was not needed.

Motion to adopt ORDINANCE NO. 15,702 creating the City of Peoria Youth Advisory Commission, as amended to change the number 5 to number 6 in Section 2 of the proposed Ordinance so the final sentence would read "No more than six (6) members shall be students at any one high school," was approved by roll call vote.

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

Nays: None.

(04-591) SITE APPLICATION for CLASS C-5 (Gas Station/Convenience Store) LIQUOR LICENSE at 1415 ALTA ROAD, with Recommendation from the Liquor Commission to Approve AND with Petitions Bearing 119 Signatures Opposing the Site Approval.

Council Member Nichting move to table this item; seconded by Council Member Grayeb.

Motion to Table this item was approved by roll call vote.

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

Nays: None.

(04-592) Communication from the City Manager with Request for Council Consideration of and Direction Relative to the CONCEPTUAL/SCHEMATIC DESIGN of the CIVIC CENTER EXPANSION/RENOVATION. (Refer to Item 04-559)

Council Member Grayeb moved to approve the conceptual/schematic design for the expansion/renovation of the Civic Center and authorize the Civic Center Authority to proceed with the final drawings, in accordance with the approved conceptual/schematic design, with the final plan to be approved by Council, prior to bidding, pursuant to the required Special Use process; seconded by Council Member Turner.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to members of the Civic Center Authority and Architect David Manica of H.O.K.

Ms. Rebekah Bourland, Civic Center Authority Chairperson, 3417 N. Bigelow, explained the purpose of the presentation was to discuss the concept for design of the project that was unanimously endorsed by the Civic Center Authority. She said the design met the prioritized programmatic needs of the 22-year-old facility to maintain and grow the business. She said the priority list did not include everything the Civic Center had originally planned, but the design solved a number of functional problems, increased marketable space and position in the market place, improved their patrons' safety and convenience, and presented a new face for the downtown. She said it was an efficient use of the present footprint, but allowed for future expansion. She reiterated the Authority's commitment of staying within the \$55 million budget. She said that commitment would not allow the revitalization of the glass arcades in this phase of renovation because it would require more significant investment than originally thought. She said there were several options, but all were unaffordable at this time. She urged the Council to vote in favor of the motion approving the final design so the Civic Center Authority could take the next step of going before the City's Zoning Department and then to the Zoning Commission. She said the Zoning Commission's recommendation would come before the Council on February 15, 2005. She said their goal was to go out for bids by May, 2005.

Mr. Ron Budzinski, 623 W. Stratford Drive, President of Phillips Swagger Associates in Peoria, and partnering with H.O.K. on this project, gave a brief overview of the timeline beginning August, 2004, through September, 2007. He covered projected dates for programming and conceptual planning, the schematic design, design development, bidding, and construction.

Mr. David Manica, Architect with H.O.K., provided a presentation that displayed the site plan and existing plan. He presented a list of key design issues and said they were in no particular order, but all had to be resolved in the design work, and fit within the \$55 million budget. He listed the key design issues as follows:

1. Location of Exhibit Hall must allow for contiguous 100,000 minimum square feet;
2. Location of 27,000 square feet of flexible meeting room space must be efficient;
3. Focus on minimizing footprint to reduce project cost and maximize parking;
4. Minimize demolition of existing building and services;
5. Respond to concepts of "new urbanism" as it relates to the H.O.P. Plan;
6. Respond to original design concepts of Philip Johnson;
7. Add and improve all locker room facilities at arena event level;
8. Add storage for "back-of-house" areas;
9. Improve Truck loading and servicing for Exhibit Hall and Arena;
10. Upgrade and improve operation efficiencies of existing service challenges;
11. Increase toilets and concessions 75%;
12. Relocate staff offices and facilities to improve operational efficiencies;
13. Relocate existing box office and add new retail for team merchandise;
14. Add new iconic entrances and upgrade existing entrances;
15. Improve and upgrade comfort of public areas of complex;
16. Relocate Club Lounge area for arena spectators;
17. Incorporate outdoor balconies and roof terraces off public spaces;
18. Accommodate future expansion and phasing of additions;
19. Stay on Budget;
20. Stay on Schedule;
21. Create a beautiful and lasting contribution to the community.

Mr. Manica said the project cost per square foot was \$260.00, which was below the average cost and was more efficient in this design than the other thirteen buildings averaged together, which was \$269.00 per square foot.

Mr. Manica said he felt it was important to remain sensitive to an architect's previous work, and the design needed to be sensitive to the City of Peoria and the impact of the river. He also discussed broad details of future expansion and growth, which was outside the \$55 million, but was a vision for the future. He said future expansion and renovation would include a new arcade at Fulton Street, additional meeting rooms above Hall C, a new entrance and atrium on Monroe Street, a future hotel site, and a glass wall at the arena drum wall at Jefferson Street.

In discussion with Council Member Morris regarding how much more change would be made to the design before construction, Mr. Manica said there would be less change but more defining of the concept. He said there would not be a change in the fundamental direction of the design, but there could be some changes in drop-off points, etc.

Council Member Nichting expressed concern regarding the proposed drop-off point near the Sonar Tide sculpture and the new angle parking that was recently installed on Fulton Street. He said he felt there was already a traffic congestion problem on Fulton, and the addition of a drop-off point in this general vicinity would only add to the traffic problems. He proposed that a drop-off point near the arcade by the Theatre would be a better solution and cost savings. He said originally in the \$55 million budget, there was \$2 million in the budget for the arcade, but now that \$2 million had been moved into contingencies or project costs. He said, in view of that, evidently the other costs had increased by \$2 million.

Council Member Nichting pointed out expensive improvements were recently made around the Sonar Tide. He said he felt there may be other options available, and the area around the Sonar Tide should not be disturbed. He said he felt further enhancements around the Sonar Tide were wants, and not needs. He expressed further concern regarding the structural issues with the arcade regarding safety, and he questioned the risk factor of falling glass and if there were any recommendations.

Mr. Jim Clair, with Turner Construction Company, said he had discussed the problems regarding the arcade with the Civic Center Authority and the curtain wall consultant. He said the situation had been investigated and the repair would be simple for the portion located on Jefferson Street going from the exterior arcade into the interior arcade, which had suffered the most deterioration. He said there were approximately 50 to 55 vertical supports for the curtain wall system and supplemental steel clip angles could be added at the floor, or the existing anchors could be exposed and some remediation could be done. He said this would cost approximately \$50,000 to \$100,000 and he thought specifications were being prepared for that work.

In discussion it was confirmed that in the last twelve months, two panes of glass had fallen. Council Member Nichting expressed concern regarding this safety issue and he requested some assurance by the Civic Center that this issue would be addressed.

In discussion with Council Member Nichting, Mr. Manica explained there was a financial safety net built into the \$55 million budget. He said he had been working with the construction manager during the design phase and they had already removed thousands of square feet from the proposed building so it would be more efficient, and they had worked to keep the costs below \$55 million. He said the safety net or contingency that was built into the \$55 million covered any surprise factor that had not been detected during the design phase. He said there was a 15% contingency or \$5.8 million that was set aside, which was normal for a project this size. He explained inside the hard costs of the project was a 10% contingency (5% was a design contingency and 5% was a bidding contingency), or \$3.6 million. He said soft costs included payment of fees for the project, etc. He explained there was a 5% contingency or \$2.2 million built into the soft costs, and was usually spent by the client. He added that the project was in a very good financial position at this point to still have a 15% contingency in tact.

Mr. Manica pointed out he and the Civic Center Authority were moving very slowly, but deliberately, through the glass arcade process. He said the exterior glass arcade area, nearest to Jefferson Street, needed immediate attention. He said he spoke with the curtain wall engineer earlier in the day regarding the interior glass arcade area, and he said the engineer confirmed that if nothing was done to the interior glass arcade area, it would last another ten years, so he did not feel that area was in imminent danger. He referred to the plan for the surrounding area of the Sonar Tide, and he said this was a detail that would probably change. He said he would like to work with the City's Traffic Engineers and the Heart of Peoria Commission to design something that was right for the area. He suggested that the drop-off point could be on Monroe Street, so there were other options to consider.

In further discussion with Council Member Morris regarding handicap accessibility, Mr. Manica said the proposed building expansion met all codes in this regard. He explained he was not doing any upgrades to the Exhibit Hall in this phase, and the Exhibit Hall would remain at the accessibility guidelines it was built under. He said there were some doors in the arcade, which created some accessibility problems, and there was one set of stairs in the basement that was a problem, but would be assisted by the expansion design.

Council Member Thetford spoke in support of the development of some type of covered drop-off area near the Theatre. She expressed concern that there could be further delays, which would only add costs to the project.

Council Member Sandberg expressed concern with the costs involved for one wall of the proposed Administration Offices to be constructed entirely of glass. He also referred to operational expenses and he questioned if the Civic Center Authority had an idea what the increased operational expenses would be for the expansion.

Ms. Debbie Ritschel, Civic Center General Manager, explained one reason H.O.K. was chosen was because they had an emphasis on green technology. She said she had met with their H.V.A.C. group and they said they would be able to have an efficiency of 40% over what the Civic Center currently paid for their plant heating and air-conditioning because of technology upgrades. She said she could not provide a dollar amount at this time. She said the costs had been reviewed and she felt the costs would be covered by increased income.

In discussion with Council Member Sandberg regarding parking requirements, Mr. Manica said a quarter mile walking distance was a comfortable walking distance for most patrons.

Ms. Ritschel stated parking surveys had been conducted and there were in excess of 4,000 parking spaces within a close proximity to the arena. City Manager Oliver said there were 1,000 parking spaces in the City's three decks, and Ms. Ritschel said the Civic Center had 800 parking spaces.

Council Member Sandberg said he felt the design was outside the context of the downtown. He said the new entrance faced an area which was already developed and would have little opportunity for the development of restaurants and other types of support facilities. He also expressed concern regarding the location of the turn-around.

Mr. Manica said his challenge was to make the building a 360 degree building and to make it as welcoming on all sides as possible. He said there would be new lofts in the area of the ball park and the Bob Michel Bridge was to become a main entrance into the City, so he felt there was growth in that area of the new entrance.

Ms. Bourland said Mr. Manica had accomplished exactly what the Civic Center Authority had requested him to do. She explained it was difficult for citizens to actually find the Civic Center and find an entrance. She said this information was attained during the first IHSA Tournament. She said there was a need for more specific ways to enter the Civic Center building, and it was felt a grand entrance was needed.

Council Member Sandberg expressed concern that the grand entrance was in the wrong location.

In discussion with Council Member Spears regarding the 40% efficiency for heating and air-conditioning, Mr. Manica clarified that only in the expansion area would there be a 40% efficiency. He said they would not be replacing the mechanical systems of the existing building.

Council Member Spears expressed concern that the newest of the existing meeting rooms were not used as efficiently as they should be. He also said he felt the new entrance was in the wrong location because Jefferson Street was a one-way street, and the entrance would not be easily visible from Kumpf Boulevard.

Council Member Ardis expressed concern that there were several levels of the community who felt they had still not been kept informed about the expansion of the Civic Center. He said he understood the need to move forward on the project to keep the construction and bonding costs down, but he felt there were still questions that had not been answered. He said the HRA tax was created to pay for the Civic Center and the HRA taxes would still support the Civic Center. He suggested that the Council may have a discussion at some point regarding reformulating the HRA tax. He said without the vision of the Civic Center over twenty years ago, Peoria would be a different kind of City.

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

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

Mr. Bill Washkuhn, 124 S. W. Adams, expressed concern that the public had yet to see a priority list of expansion needs for the Civic Center and associated costs. He stressed the importance of prioritization on a project like the Civic Center. He said he felt the project would go over \$55 million, and he said he was concerned about the extra expenses. He said the Civic Center needed to know and understand their competition and how to compete. He also questioned what the return would be on the investment. He said Peoria was a great City, but the Civic Center would continue to service the same population that was in place in 1976.

A Citizen said the square foot average of \$260.00 would be far less than what it would cost ten years from now. He urged the Council to move forward with this project.

Council Member Turner said the Civic Center expansion would positively impact the citizens' quality of life. He gave an overview of events, concerts, and conventions that were held at the Civic Center. He said, without this investment in Peoria's future, he guaranteed there would be less quality of life.

Council Member Spears expressed concern regarding the enhanced Administration office space that would have to be funded by citizens. He said he felt the proposed office space was much too large and he expressed concern that taxpayers would be paying a minimum of \$2.5 million for that space. He referred to sports events held in East Peoria that were supported by their HRA money. He said he felt it was important that the expansion be completed, but he also felt the Council should consider other events and facilities that enhanced the quality of life. He said if costs for the Civic Center were reduced by 10%, there could be money for the museum, and the City's General Fund could be used for sidewalks, sewers, and for the Med-Tech District.

Council Member Sandberg expressed concern that the Civic Center would be so strong that the restaurant and hotel side would need assistance. He said this could impact the quality of life, and he wanted one Peoria with one quality of life. He said the quality of life should not be measured by just the Civic Center, but by the City's ability to meet the need and desires of every resident and business owner in Peoria.

Council Member Gulley spoke in support of the project. He said he would like to spend only \$40 million on the Civic Center expansion and use the rest of the money for other projects.

Council Member Teplitz said the success of the Civic Center had been proven over the past twenty years. She spoke in support of the creation of the HRA tax for the Civic Center, and said the spin-off from this development had enhanced the entire City.

Motion to approve the conceptual/schematic design for the expansion/renovation of the Civic Center and authorize the Civic Center Authority to proceed with the final drawings, in accordance with the approved conceptual/schematic design, with the final plan to be approved by Council, prior to bidding, pursuant to the required Special Use process, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Sandberg, Spears - 2.

- (04-593) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Heart of Peoria Commission that Prior to Approval of a Final Design for the CIVIC CENTER EXPANSION, the Heart of Peoria Commission be Given the Opportunity to Comment on the Proposed FINAL DESIGN to Determine the Appropriateness of Such Design to the Principles of New Urbanism.**

Council Member Grayeb moved to concur with the Civic Center Authority's invitation to the Heart of Peoria Commission for that Commission to provide direct input to the Civic Center Authority at the Authority's scheduled meeting for December 2, 2004, on the proposed final design, prior to the development and submittal of the final plan for the Special Use, with the Commission's input focused on the appropriateness of such design to the principles of new urbanism with input directly from the Commission and not individual committees; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Sandberg, Spears - 2.

RECESS

Mayor Ransburg called for a recess at 9:40 P.M.

RECONVENING OF THE CITY COUNCIL

Mayor Ransburg reconvened the meeting at 9:50 P.M.

City Clerk Mary Haynes noted the following Council Members present: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 11; Absent: None.

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

- (04-594) * Communication from the City Manager and Corporation Counsel with Request to Authorize the SETTLEMENT of the CLAIM of ROBERT HILLIER, in the Amount of \$15,000.00, with a net of approximately \$14,100.00, as a result of a Traffic Collision in the Parking Lot of City Hall on March 17, 2004.**
- (04-595) ** Communication from the City Manager and Corporation Counsel with Request to Authorize the City Manager to Execute the AMENDMENT to the LOAN AGREEMENT and LINE OF CREDIT AGREEMENT with PAAG.**
- (04-596) Communication from the City Manager and Finance Director/Comptroller with Recommendation to Adopt ORDINANCE NO. 15,703 Amending the BUDGET for FISCAL YEAR 2004 Relating to the ECONOMIC DEVELOPMENT INITIATIVE (EDI) GRANT PROGRAM, in the Amount of \$497,050.00.**

- (04-597) **Communication from the City Manager and Director of Inspections with Recommendation to Adopt the following:**

- A. **ORDINANCE Amending CHAPTER 5 of the Code of the City of Peoria Relating to the ADOPTION of the 2003 INTERNATIONAL BUILDING CODES with Specified Amendments;**
 - B. **ORDINANCE Amending CHAPTER 11 of the Code of the City of Peoria Relating to the ADOPTION of the 2003 INTERNATIONAL FIRE CODE.**
- (04-598) **Communication from the City Manager and Director of Planning and Growth Management with Recommendation to Adopt an ORDINANCE NO. 15,704 AMENDING Ordinance No. 15,683 an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for an AUTOMATED TELLER MACHINE for the Property Located at 4800 N. UNIVERSITY.**
- (04-599) **Communication from the City Manager and Finance Director/Comptroller with Request to Approve the ESTIMATE of TAXES to be LEVIED for the City of Peoria Pursuant to 35 ILCS 200/18-60 of \$19,547,048.00, at a Rate not to Exceed \$1.2899.**

- (04-600) **SITE APPLICATION for a CLASS B (Restaurant) LIQUOR LICENSE at 416 MAIN, in the Basement of Commerce Bank Building, with Recommendation from the Liquor Commission to Approve.**
- (04-601) **SITE APPLICATION for a CLASS B (Restaurant) SUBCLASS 1A (2:00 A.M. Hours), SUBCLASS 3 (Beer Garden) LIQUOR LICENSE at 7610 N. GRAND PRAIRIE DRIVE, with Recommendation from the Liquor Commission to Approve.**
- (04-602) **REAPPOINTMENTS by Mayor David P. Ransburg to the PEORIA HOUSING AUTHORITY, with Recommendation to Concur:**
- | | |
|---------------------------|-----------------------|
| Robert McQuirter (Voting) | Term Expires 11/17/07 |
| Regina Morgan (Voting) | Term Expires 11/17/07 |
- (04-603) **Communication from the City Manager and Finance Director/Comptroller with Request to Receive and File the POLICE and FIREFIGHTER PENSION ACTUARIAL REPORTS.**
- (04-604) **REPORTS, with Recommendation to Receive and File:**
- 1. **REPORT of CITY TREASURER REGINALD A. WILLIS – SEPTEMBER, 2004**

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

Council Member Sandberg requested that Item Nos. 04-594, 04-597, and 04-599 be removed from the Consent Agenda for further discussion.

Council Member Nichting requested that Item No. 04-595 be removed from the Consent Agenda for further discussion.

Item Nos. 04-594 through 04-604 (excluding Item Nos. 04-594, 04-595, 04-597, and 04-599 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.

(04-594) * Communication from the City Manager and Corporation Counsel with Request to Authorize the SETTLEMENT of the CLAIM of ROBERT HILLIER, in the Amount of \$15,000.00, with a net of approximately \$14,100.00, as a result of a Traffic Collision in the Parking Lot of City Hall on March 17, 2004.

In discussion with Council Member Sandberg regarding the status of a Safety Committee or an Accident Review Committee, Director of Human Resources Pat Parsons said the City only had safety committees set up for the Police Department and the Public Works Department. He said there was not a committee for general safety, which would need to be set up properly through negotiations. In further discussion, he said he would review what happened to the committee that was in place in the 1980's.

Council Member Sandberg said, until he had a clear understanding of what the City's accident review policy was, he would not support entering into the settlement.

Council Member Teplitz moved to authorize the settlement of the claim of Robert Hillier, in the amount of \$15,000, with a net of approximately \$14,100.00, as a result of a traffic collision in the parking lot of City Hall on March 17, 2004; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Nichting, Sandberg -2.

(04-595) ** Communication from the City Manager and Corporation Counsel with Request to Authorize the City Manager to Execute the AMENDMENT to the LOAN AGREEMENT and LINE OF CREDIT AGREEMENT with PAAG.

Council Member Nichting said, while he appreciated the reduction of the interest rate, he would not be supporting this item.

Council Member Grayeb moved to authorize the City Manager to execute the amendment to the Loan Agreement and Line of Credit Agreement with PAAG; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Nichting - 1.

(04-597) **Communication from the City Manager and Director of Inspections with
*** Recommendation to Adopt the following:**

- A. ORDINANCE Amending CHAPTER 5 of the Code of the City of Peoria
Relating to the ADOPTION of the 2003 INTERNATIONAL BUILDING
CODES with Specified Amendments;**
- B. ORDINANCE Amending CHAPTER 11 of the Code of the City of
Peoria Relating to the ADOPTION of the 2003 INTERNATIONAL FIRE
CODE.**

Director of Inspections John Kunski distributed a copy of the October 8, 2004, Minutes of the Construction Commission to all Council Members for their review.

Council Member Sandberg moved to defer this item for three weeks until the December 7, 2004, Regular City Council Meeting, and he requested a copy of the minutes of the seven Public Hearings that were held, a copy of the Heart of Peoria Commission minutes where this issue was discussed, clarification of the implementation date, and clarification on how notice of the public meeting was provided; seconded by Council Member Morris.

City Manager Randy Oliver said the proposed date of implementation was December 1, 2004, but since this item would be deferred until December 7, 2004, the date of implementation could be whatever date the Council chose. He stated there was much more flexibility under the proposed codes compared to the current codes, and both commissions voted unanimously to support it.

Director of Inspections John Kunski said the normal postings of meeting notification were completed. He said, in addition, he notified the Home Builders' Association and had also notified contractors who visited their office and those in the field. He said he invited Council Member Sandberg to the meetings for his input. He said this was reviewed by the Smart Code Committee and the Heart of Peoria Commission and both had voted unanimously to support. He said there was concern that, with the proposed December 1, 2004, implementation date, how plans which had already been submitted, and were in process, would be handled. He stated those in process would be reviewed under the current code.

Council Member Nichting referred to the reference in the Code to live cut trees, and he expressed concern that the proposed codes would not allow Christmas Trees in certain locations. He said he was concerned that many businesses had live cut trees and there needed to be some flexibility during the Christmas season.

Director Kunski said the Commission had shared this concern and the Commission was assured this Ordinance had been in effect for over four years and the issue of Christmas trees had not been a problem.

Motion to defer this item for three weeks until the December 7, 2004, Regular City Council Meeting, with a request for a copy of the minutes of the seven Public Hearings that were held, a copy of the Heart of Peoria Commission minutes where this issue was discussed, clarification of the implementation date, and clarification on how notice of the public meeting was provided, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Turner – 9;

Nays: Thetford, Mayor Ransburg - 2.

- (04-599)** **Communication from the City Manager and Finance Director/Comptroller with Request to Approve the ESTIMATE of TAXES to be LEVIED for the City of Peoria Pursuant to 35 ILCS 200/18-60 of \$19,547,048.00, at a Rate not to Exceed \$1.2899.**

Council Member Sandberg spoke in support of holding a Truth in Taxation Hearing, and he questioned what the final number would be to establish the maximum.

City Manager Oliver said the final number would be a 17.5 cent increase, if the Council wished to include the 2.5 cents for the Library, and 15 cents for the trash fee. He stated, as a result of these numbers, the Truth in Taxation Hearing would be proposing to increase the tax revenue by 16.33%. He said a new levy, under that scenario, would be \$21,820,134.

Council Member Sandberg moved to hold a Truth in Taxation Hearing to discuss increasing the tax revenue by 16.33%; seconded by Council Member Spears.

Motion was DEFEATED by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Sandberg, Spears – 5;

Nays: Morris, Nichting, Teplitz, Thetford, Turner, Mayor Ransburg - 6.

Council Member Turner moved to approve the estimate of taxes to be levied for the City of Peoria pursuant to 35 ILCS 200/18-60 of \$19,547,048, at a rate not to exceed \$1.2899; seconded by Council Member Morris.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 9;

Nays: Nichting, Sandberg - 2.

- (04-605)** **Communication from the City Manager and Interim Director of Economic Development with Request for Authorization to Solicit REQUEST FOR PROPOSALS for the REDEVELOPMENT of the EDGEWATER BUILDING Located at 414 S. W. WATER STREET.**

In discussion with Council Member Gulley, City Manager Oliver said the previous agreement expired in 2003 and confirmed that anyone who desired could submit a proposal, even if they had made a previous proposal.

Council Member Gulley moved to approve the request for authorization to solicit Request for Proposals for the Redevelopment of the Edgewater Building located at 414 S.W. Water Street; seconded by Council Member Teplitz.

In discussion with Council Member Sandberg regarding his questions as to how the Request for Proposals process would be handled and what would be included in the RFPs, Interim Director of Economic Development Karie Friling said the formation of the Request for Proposal was still in process. She said the scope of this RFP would be broader than the first RFP and would encourage participation and collaboration with minority-owned businesses as a component of the RFP. She said once the RFP was developed, she would share the information with the City Council to get their feedback.

In further discussion, City Manager Oliver suggested an amendment to the motion to direct Staff to prepare the RFP and bring it back to Council for approval prior to issuance.

Council Member Gulley restated his motion to approve the request for authorization to solicit Request for Proposals for the Redevelopment of the Edgewater Building located at 414 S.W. Water Street, as amended, to direct Staff to prepare the RFP and bring it back to Council for approval prior to issuance; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

(04-606) Communication from the City Manager and Director of Planning and Growth Management with Recommendation to EXTEND the 2004 EMERGENCY SHELTER GRANT (ESG) FUNDING for the SALVATION ARMY SAFETY NET PROGRAM Until April 30, 2005.

Council Member Turner, Council Member Nichting and Mayor Ransburg said they were members of the Board of the Salvation Army so they would be abstaining from the discussion and the vote.

Council Member Teplitz moved to approve the extension of the 2004 Emergency Shelter Grant (ESG) Funding for the Salvation Army Safety Net Program until April 30, 2005; seconded by Council Member Thetford.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Sandberg, Spears, Teplitz, Thetford – 8;

Nays: None;

Abstentions: Nichting, Turner, Mayor Ransburg - 3.

(04-607) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the 2005 Emergency Shelter Grants Ad-Hoc Committee to Approve \$87,000.00 in FUNDING for IDENTIFIED PROGRAMS, as Outlined.

Council Member Turner, Council Member Nichting and Mayor Ransburg said they were members of the Board of the Salvation Army so they would be abstaining from the discussion and the vote.

Mayor Ransburg requested that Mayor Pro Tem Teplitz assume the Chair.

Council Member Thetford moved to concur with the recommendation from the 2005 Emergency Shelter Grants Ad-Hoc Committee to approve \$87,000 in funding for identified programs as outlined in the Council communication; seconded by Council Member Grayeb.

Council Member Sandberg expressed concern that the Salvation Army's portion for 2005 Emergency Shelter Grants had been reduced from \$30,000 to \$2,500. He said this reduction would negatively impact their men's homeless program, which assisted a certain group of men who were not assisted by other organizations because of mental illness or substance abuse.

Director of Planning and Growth Management Pat Landes said the amount of funding requested was twice the amount available for funding. She said the criteria included the additional emphasis, as directed by HUD, on prevention of homelessness. She said programs included emergency care, transitional care, and prevention, and the committee made recommendations according to the criteria.

Council Member Morris spoke in support of the citizens committee formed to make these decisions in a non-political manner, but he expressed concern that there wasn't a way for a worthwhile programs to be funded, such as the Salvation Army's Safety Net Program. He suggested the committee find a way to judge programs that were vital to the community, so the program could retain a certain percentage of funding from year to year.

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

Ms. Jane Genzel, 2605 N. Woodhaven, member of the Committee who evaluated the applications, discussed the annual application process. She said each year's applications for funding were judged independently from prior years. She said the six requests for funding totaled \$178,000, and there was only \$87,000 to disperse. She said the requests were judged on information in the application, and not based on personal knowledge of any organization. She said this criteria was set by HUD, which ensured fairness and objectivity for all applicants.

Council Member Sandberg expressed concern that three of the applicants, who the committee determined should receive funding, served the female population and the Safety Net Program, who served homeless men, and was the only applicant who assisted homeless men, received only \$2,500. He said the program was the only program who assisted those dependent on drugs or alcohol, and mental illness. He said there were other programs for men in the City, but they would not allow individuals with these kinds of problems into their shelter.

Major Merl Heatwoll, 401 N. E. Adams, Divisional Commander of the Salvation Army, said their application for the new round of funding was nearly identical to the previous application for funding that was accepted. He expressed concern regarding the proposed loss of funding for the Safety Net Program and the Family Services Center. He said the Salvation Army would be facing a \$53,000 deficit, and they would have to take funding from the Safety Net Program and shift it to their Family Shelter Program. He said the Family Shelter served over 1,000 children in the past year. He said the Safety Net Program's \$120,000 budget would have to be reduced by \$53,000. He also stated the City of Peoria, in 1998, had specifically requested that the Salvation Army set up a program like the Safety Net Program, because the City felt there was a great need to provide shelter for a particular group of men. He said with this type of funding loss, the Salvation Army would not be able to operate the Safety Net Program in 2005. He stated, in 2004, there was an average of 47 men per night who used the shelter between November and March. He said the vast majority of those individuals would not be able to utilize other service agencies because of mental illness issues and substance abuse problems. He requested that the Council consider the impact of the loss of funding on those lives.

Council Member Morris suggested remanding this issue to the City Manager to reflect on the potential impact of individuals who were served by the Safety Net Program.

City Manager Oliver suggested that, if the Council was concerned about the strength of the Salvation Army's application, it would only be fair to reject the proposals that were made and begin the process over, but it may not be fair to the other agencies. He said the process took 60 to 90 days to complete and the season of greatest need was November through March. He said the committee had a better base to make recommendations on the criteria that was set by HUD.

In discussion with Council Member Gulley, Director Landes explained that the \$87,000 in funding approved by HUD for the City of Peoria was based on population and not the amount needed. She said the City could not request more funding from HUD.

Director Landes also suggested that if the Council planned to reject the proposals and ask the committee to begin the process again, there needed to be a basis for conducting the process again, and the basis could be that the City felt there was a greater need for a higher priority to be placed on emergency shelter needs over transitional needs. She said the Council would need to make sure that a change was made in the priorities that were adopted when the Consolidated Plan was sent to HUD.

In discussion with Council Member Grayeb, Director Landes said the Council set policy so if the recommendations were going to be rejected and sent back to the committee, the committee would need direction that one need held more importance in the community over the other needs, otherwise the same criteria would have to be used in evaluating the applications.

City Manager Oliver said direction would have to be given to the committee that emergency shelter was more important than the weight the committee had given it. He said this direction could be given to the same committee that evaluated the applications originally, or members of the Council could determine another funding source.

Council Member Grayeb said additional funding for the Salvation Army could be allocated from the City of Peoria budget rather than going against the committee's recommendations. He expressed concern regarding the ripple effect that would be felt if the Council did not concur with the committee's recommendations. He expressed further concern how this would affect all the volunteers who currently served on committees and commissions appointed by the Council, if the committee's recommendations were not taken.

Motion to concur with the recommendation from the 2005 Emergency Shelter Grants Ad-Hoc Committee to approve \$87,000 in funding for identified programs as outlined in the Council communication was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Spears, Teplitz, Thetford - 7;

Nays: Sandberg - 1;

Abstentions: Nichting, Turner, Mayor Ransburg – 3.

Mayor Ransburg returned to the Chair.

(04-608) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission and City Staff to DENY the PETITION Amending an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District (Ordinance No. 15,419) for CLIMATE CONTROLLED STORAGE for the Property Located at 5727 N. HUMBOLDT AVENUE.

Council Member Thetford moved to concur with the Zoning Commission and City Staff to deny the petition amending an Existing Special Use in a Class C-2 (Large Scale Commercial) District (Ordinance No. 15,419) for climate controlled storage for property located at 5727 N. Humboldt Avenue; seconded by Council Member Nichting.

Council Member Sandberg expressed concern that a current site plan had not been provided with the Council communication.

Motion to DENY the petition amending an Existing Special Use in a Class C-2 (Large Scale Commercial) District (Ordinance No. 15,419) for climate controlled storage for property located at 5727 N. Humboldt Avenue was approved by roll call vote.

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

Nays: None.

- (04-609) Communication from the City Manager and Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and City Staff to DENY an ORDINANCE REZONING .13 ACRES from the Present Class R-4 (Single Family Residential) District to a Class C-1 (General Commercial) District for the Property Located at 1304 S. WESTERN AVENUE.**

Following a brief comment, Council Member Gulley moved to concur with the recommendation of the Zoning Commission to adopt the Ordinance rezoning .13 acres from the present Class R-4 (Single Family Residential) District to a Class C-1 (General Commercial) District for property located at 1304 S. Western Avenue; seconded by Council Member Morris.

ORDINANCE NO. 15,705 was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

- (04-581) Communication from the City Manager and Director of Human Resources Requesting Approval of a THREE-YEAR CONTRACT for THIRD PARTY ADMINISTRATION and UTILIZATION REVIEW SERVICES with HEALTH ALLIANCE, Not to Exceed \$20.75 per Insured Member per month in the first year of the Contract, which could be Extended up to Three Additional Years Upon Mutual Agreement by Both Parties.**

Council Member Morris moved to reject all proposals received for Third Party Administration and Utilization Review Services, and authorize the City Manager to enter into a one-year contract with HCH for Third Party Administration services at a cost not to exceed \$13.12 per insured unit per month, and a one-year Contract with SHPS for Utilization Review and Management Services, at a cost not to exceed \$7.00 per insured unit per month, and direct the Administration to issue RFPs for these services during 2005, and bring back recommended vendors in September, 2005; seconded by Council Member Teplitz.

In discussion with Council Member Nichting regarding what would be included in the request for proposals, Human Resources Director Parsons said the new proposals would allow for the opportunity of Third Party Administration and Utilization Review, and integrated as well, so all options were open and were not limited to one vendor.

Council Member Nichting said it needed to be clear in the proposal that one vendor could provide a total healthcare package, if it was cost effective. He added there needed to be an actuarial analysis done on the individual portions of the proposal to determine if the portions were less expensive than the sum of the whole.

City Manager Oliver reminded the Council that three-year contracts had just been signed with Walgreen's and PALM for Methodist and Proctor Hospitals and these parameters would have to be taken into consideration.

Council Member Turner commended the efforts of the members of the Healthcare Committee and the number of hours they donated toward making their recommendation. He said they discussed how their recommendation would save money for all concerned. He said the City would spend \$14.7 million to insure the City of Peoria employees in 2004. He said that number would increase approximately 12.8% or \$1.6 million in 2005, and by 2009, the City would be

paying approximately \$24 million per year for health insurance. He said large companies in the public sector planned to save money by utilizing a Comprehensive Disease State Management Program, and he felt the program should begin as soon as possible for City employees. He said he would not support the motion.

Council Member Sandberg said his concern regarded the notification process, and not the Committee's desire or focus. He pointed out the City's consultant said Disease State Management was critical in taking the City's health plan to the next level. He suggested the City Council hold a Policy Session regarding all options and determine what the recommendation would be to capture the most savings. He said he wanted the RFP to lean toward Disease State management, if that was the direction the Council wanted to move. He expressed concern that the RFP would be confusing to those wishing to respond.

In discussion with Council Member Morris regarding the legalities of the first RFP, Director Parsons said he had received notice from the City Attorney that the notice was considered insufficient in terms of notifying the current vendor based on how the past contract was written. He said when Legal reviewed the contract, they agreed that technically the City did not meet the requirements.

Council Member Morris said he received a letter from OSF St. Francis Hospital and they were unclear as to what the RFP included regarding healthcare.

Director Parsons said the City had sent out healthcare RFPs since 1993 and he had been advised by the Consultant that more money could be saved if the City leaned toward health plans. He said, as responses were received from vendors of health plans, they required the City to take on their plan design. He said the committee had never found that to be acceptable. He said this was the first time that an entity, who normally handled health plans, provided a bid that would administer the City's plan as designed. He said this was significantly different.

City Manager Oliver said he would work with the committee and the Consultant to develop an RFP and educate Council and encourage input from all the providers before the RFP was issued.

Motion to reject all proposals received for Third Party Administration and Utilization Review Services, and authorize the City Manager to enter into a one-year contract with HCH for Third Party Administration services at a cost not to exceed \$13.12 per insured unit per month, and a one-year Contract with SHPS for Utilization Review and Management Services, at a cost not to exceed \$7.00 per insured unit per month, and direct the Administration to issue RFPs for these services during 2005 bringing back recommended vendors during September, 2005, was approved by roll call vote.

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

Nays: Turner - 1.

NEW BUSINESS

COMMENTS Regarding the 2005 CITY OF PEORIA BUDGET by the CHAIRMAN of the BAND COMMISSION

Council Member Morris moved to grant Privilege of the Floor to Lee Wenger, Chairman of the Municipal Band; seconded by Council Member Grayeb.

Hearing no objections, Mayor Ransburg granted Privilege of the Floor to Mr. Lee Wenger.

Mr. Lee Wenger, Chairman of the Municipal Band, 1611 N. Bigelow, thanked the Council for their support over the years. He said the Band Commission would be present at the Special Meeting to hold Budget Hearings and the Public Hearing regarding the 2005 City of Peoria Budget on November 30, 2004, to present their budget needs in detail.

Mayor Ransburg thanked Chairman Wenger for his comments.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(04-610) REQUEST from CITIZENS to Address the CITY COUNCIL Regarding Various Items.

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

Ms. Paula Lucas, 611 E. Fry, expressed concern that her yard was vandalized again in the night. She said she planned to retire in a few years and she had to make a decision to stay in Peoria or not. She said change was needed in the older neighborhoods and those needs should be addressed in the City's 2005 budget. She spoke in high regard of the efforts of the POP Team. She said they had saved her neighborhood and she was grateful for the POP officers.

Council Member Turner left the Council Chambers.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – TOWN OF THE CITY OF PEORIA

(04-611) Communication from the Town Officials Budget Committee with Request to Approve the Proposed ESTIMATE OF TAXES to be LEVIED for the Town of the City of Peoria Pursuant to 35 ILCS 200/18-60, in the Amount of \$1,849,315.00, and Entered Into the Permanent Record.

Trustee Nichting moved to approve the proposed estimate of taxes to be levied for the Town of the City of Peoria pursuant to 35 ILCS 200/18-60, in the amount of \$1,849,315.00, and entered into the permanent record; seconded by Trustee Ardis.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford,
Chairman Ransburg – 10;

Nays: None.

EXECUTIVE SESSION

It was determined that no Executive Session was needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 11:35 P.M.