

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

Council Chambers, Peoria, Illinois, September 3, 2002, a Regular Meeting of the City Council was held this date at 6:19 P.M., at City Hall, 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: NATIONAL STOP ON RED FOR TRAFFIC SAFETY WEEK –
September 7 – 13, 2002

PROCLAMATION: 9/11 REMEMBRANCE WEEK – September 8 –14, 2002

PROCLAMATION: COMMON PLACE WEEK – September 8 –14, 2002

PROCLAMATION: PEORIA PUBLIC LIBRARY: NATIONAL LIBRARY CARD SIGN UP
MONTH – September, 2002

MINUTES

Council Member Nichting moved to approve the Minutes of the Regular City Council Meeting held on August 27, 2002, and the Vision 2020 Meeting held on August 28, 2002, as printed; 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**(02-603) PRESENTATION by Mr. Carl Cannon Regarding the CHOICES PROGRAM.**

Mr. Carl Cannon, President of C.H.O.I.C.E.S, gave a video presentation explaining the Program. He referred to the youth outreach organization as “Hope,” and introduced the members of C.H.O.I.C.E.S who were in the audience.

Council Member moved to receive and file the Presentation regarding the CHOICES PROGRAM; 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.

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.

- (02-604) **TAG DAY REQUEST from the LIONS CLUB OF PEORIA to Hold Their ANNUAL CANDY DAY, on Friday, October 4, 2002. (Date is Open)**
- (02-605) **Communication from Director of Public Works Requesting Approval of the JOINT *** AGREEMENT with ILLINOIS DEPARTMENT OF TRANSPORTATION for LAND ACQUISITION in the RIVER CENTER PROJECT AREA and Authorization for the City Manager to Execute the Agreement.**
- Clerk's Note: See Page 25768 for further discussion.
- (02-606) **Communication from Corporation Counsel with RESOLUTION NO. 02-606 Regarding the RELEASE of EXECUTIVE SESSION MINUTES.**
- (02-607) **Communication from Director of Planning and Growth Management with RESOLUTION NO. 02-607 Approving the PRELIMINARY PLAN of the KNOXVILLE POINTE PHASE III, a Multi-Family Residential Development Located East of Northtrail Meadows Subdivision and West of Knoxville Avenue, Along the South Side of Hickory Grove Road, with Conditions.**
- (02-608) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,358 Approving the PRELIMINARY and FINAL PLAT of the WALMART NORTH SUBDIVISION, a Commercial Development Located North of Pioneer Parkway and South of Illinois Route Six, Along the West Side of Allen Road.**
- (02-609) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,359 Approving the FINAL PLAT of CHAPEL PARK SUBDIVISION EXTENSION NO. TWO, a Single -Family Residential Development Located Approximately ¼ Mile South of Wilhelm Road off of Geneva Road.**
- (02-610) **Communication from Director of Planning and Growth Management with * ORDINANCE Amending Ordinance 15,354 an Existing USE WITH APPROVAL Per the Special Use Process in a Class C-1 (General Commercial) District for a MOTEL to Include CHANGING THE HEIGHT of a FREESTANDING SIGN From 35 Feet to 70 Feet for Property Located at 4021 N. WAR MEMORIAL DRIVE.**
- (02-611) **APPLICATION for CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE for GERMAN AMERICAN CENTRAL SOCIETY at RIVERFRONT FESTIVAL PARK on September 20, 21, 22, 2002.**
- (02-612) **APPLICATION for CLASS "H" TEMPORARY OUTDOOR LIQUOR LICENSE for PEORIA PARK DISTRICT at the Golf Learning Center, 7815 N. RADNOR ROAD on September 21 and 22, 2002.**
- (02-613) **Communication from Management and Labor Co-Chairs Regarding the 2002 ** MIDYEAR HEALTHCARE REPORT. (For Information Only)**
- (02-614) **MFT AUDIT REPORT NO. 65 for the Period Beginning January 1, 1996, and Ending December 31, 1996, from the Illinois Department of Transportation, dated July 21, 2002. (On file in the City Clerk's Office for your review.)**

(02-615) Communication from Council Member Gary V. Sandberg. (For Information Only)

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

Council Member Sandberg requested that Item No. 02-610 be removed from the Consent Agenda for further discussion.

Council Member Thetford requested that Item No. 02-613 be removed from the Consent Agenda for further discussion.

Item Nos. 02-604 through 02-615 (excluding Item Nos. 02-610 and 02-613, 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.

**(02-610) * Communication from Director of Planning and Growth Management with
ORDINANCE Amending Ordinance 15,354 an Existing USE WITH APPROVAL
Per the Special Use Process in a Class C-1 (General Commercial) District for a
MOTEL to Include CHANGING THE HEIGHT of a FREESTANDING SIGN
From 35 Feet to 70 Feet for Property Located at 4021 N. WAR MEMORIAL
DRIVE.**

Following a brief clarification from Director of Planning and Growth Management Wayne Anthony, Council Member Sandberg moved to adopt the Ordinance amending Ordinance 15,354, an Existing Use with approval, per the Special Use process in a Class C-1 (General Commercial) District for a motel to include changing the height of a Freestanding Sign from 35 feet to 70 feet for the property located at 4021 N. War Memorial Drive; seconded by Council Member Morris.

ORDINANCE NO. 15,360 was adopted by roll call vote.

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

Nays: None.

**(02-613) ** Communication from Management and Labor Co-Chairs Regarding the 2002
MIDYEAR HEALTHCARE REPORT. (For Information Only)**

Human Resources Director Patrick Parsons gave a brief overview of the performance highlights that were listed in the staff communication. He explained another plan design change brought about was the placement of Point of Service Charges, which Staff hoped would level any spikes in costs experienced in previous years.

Council Member Thetford moved to receive and file the 2002 Midyear Healthcare Report; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: None.

**(02-616) Communication from Corporation Counsel with RESOLUTION Pertaining to the
COMMEMORATION OF SEPTEMBER 11, 2001.**

Mayor Ransburg briefly explained the purpose of the Resolution along with the ceremony planned by the City on September 11, 2002 was to show support in recognizing those affected by the tragedy.

Council Member Morris moved to approve the Resolution pertaining to the commemoration of September 11, 2001, and requested staff to distribute the Resolution to the appropriate parties; seconded by Council Member Gulley.

RESOLUTION NO. 02-616 was approved by roll call vote.

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

Nays: None.

**(02-617) Communication from Director of Planning and Growth Management with
RESOLUTION Approving the AMENDED ANNEXATION AGREEMENT for
Certain Property Located at 10700 N. ALLEN ROAD, Located Within the City of
Peoria.**

Council Member Nichting moved to approve the Resolution amending the Annexation Agreement for certain property located at 10700 N. Allen Road, located within the City of Peoria; seconded by Council Member Sandberg.

RESOLUTION NO. 02-617 was approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

**(01-574) Communication from Director of Planning and Growth Management
Recommending Adoption of the Following:**

**A. ORDINANCE Approving the FINAL PLAN of PRAIRIE LAKES
APARTMENTS, an Apartment Development Located at 9909 N.
KNOXVILLE AVENUE, with Conditions.**

Council Member Nichting explained this issue had been delayed for sometime and IDOT had not yet made final approval on the intersection. He added because of the need for signalized traffic lights in the area to address safety issues and concerns of neighborhoods surrounding Ravinswood Road, he had intervened and spoken with IDOT.

Council Member Nichting moved to adopt the Ordinance approving the Final Plan of Prairie Lakes Apartments, an apartment development located at 9909 N. Knoxville Avenue, as amended, to replace Condition Item No. 1 with the following: That permits will be issued only for the installation of foundations and slabs for the first phase, buildings 1 through 4; final building permits would not be issued until a resolution has been reached with IDOT regarding the improvements to Knoxville Road and the entrance to the property; that the time limit for the resolution of the payback arrangement for the road improvements would be November 1, 2002; if an arrangement has been reached with IDOT, final building permits will be issued for the buildings and construction will commence after a contract has been signed for the improvements to the entrance and Knoxville Road; the contract for the improvements to the entrance and Knoxville Road shall be in place no later than December 31, 2002; no occupancy shall be allowed, no certificates of occupancy issued for the new buildings until such improvements to the entrance and Knoxville have been completed; if an arrangement can not be reached with IDOT, we

will either commence with the road improvements at our own expense or halt progress on construction until road improvements are completed by IDOT in accordance with their construction schedule for the improvements to the Knoxville Road corridor; seconded by Council Member Morris.

In discussion with Council Member Morris and Council Member Nichting, it was clarified that under this motion, there were dates specifics, and if these deadline dates were not met, Warren Rose and the Edward Rose Development Company would bring the project to a complete halt until IDOT made the improvements in 2006 and 2007. Council Member Nichting further stated it was his belief that if an agreement could not be worked out with IDOT, based on his financial commitment, Mr. Rose would cover any necessary expenditures to ensure the completion of the signalized intersection.

Council Member Turner expressed concern that the traffic signal would be in place prior to the start of construction.

Council Member Nichting said in order to get the project moving and provide necessary safety for the neighborhoods, given these dates, construction would come to a halt November 1, 2002, if an agreement had not been reached with IDOT. He added the purpose of this was to begin construction on the intersection so winter weather would not delay the project, and would help make the signal lights a reality sooner rather than later.

Motion to adopt ORDINANCE NO. 15,361, approving the Final Plan of Prairie Lakes Apartments, an apartment development located at 9909 N. Knoxville Avenue, as amended, to replace Condition Item No. 1 with the following: That permits will be issued only for the installation of foundations and slabs for the first phase, buildings 1 through 4; final building permits would not be issued until a resolution has been reached with IDOT regarding the improvements to Knoxville Road and the entrance to the property; that the time limit for the resolution of the payback arrangement for the road improvements would be November 1, 2002; if an arrangement has been reached with IDOT, final building permits will be issued for the buildings and construction will commence after a contract has been signed for the improvements to the entrance and Knoxville Road; the contract for the improvements to the entrance and Knoxville Road shall be in place no later than December 31, 2002; no occupancy shall be allowed, no certificates of occupancy issued for the new buildings until such improvements to the entrance and Knoxville have been completed; if an arrangement can not be reached with IDOT, we will either commence with the road improvements at our own expense or halt progress on construction until road improvements are completed by IDOT in accordance with their construction schedule for the improvements to the Knoxville Road corridor, was approved by roll call vote.

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

Nays: None.

B. ORDINANCE Approving the PRIVATE STREETS, PRIVATE STREET NAMES, and PRIVATE STREET MAINTENANCE AGREEMENT for PRAIRIE LAKES APARTMENTS, Located at the NORTHWEST CORNER of KNOXVILLE AVENUE and ROUTE HIGHWAY SIX.

Council Member Nichting moved to adopt the Ordinance approving the private streets, private street names, and private street maintenance agreement for Prairie Lakes Apartments, located at the Northwest corner of Knoxville Avenue and Route Highway Six; seconded by Council Member Morris.

ORDINANCE NO. 15,362 was adopted by roll call vote.

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

Nays: None.

**(02-471) Communication from Assistant to the City Manager/Public Information with
REPORT BACK Regarding INCURRED COSTS from the 2002 GUS MACKER.**

Council Member Turner said in previous years, the City of Peoria had made positive attempts to attract tourists both regionally and nationally, and the Gus Macker was one of the more successful events that provided benefits to the City. He expressed concern that if certain barriers were put in place regarding downtown activities, it would force future events to be held outside of our community. He said he hoped the City would continue keeping these downtown events in place.

Council Member Grayeb expressed concern regarding the removal of trash and basketball courts from the streets following the Gus Macker, and questioned why there were problems with clean-up issues.

Public Works Director Steve VanWinkle said the issue of clean-up was a problem that needed to be resolved and addressed before the next City event. He said the contact for the Gus Macker in previous years had been very responsible in dealing with clean-up, and it was possible that part of the problem this year was because the Gus Macker had a new sponsor. He said a purpose of the report back would include any costs the City incurred and make the Council aware that Administration was not comfortable with the aftermath of this event and needed to address these issues.

Council Member Grayeb inquired who was responsible for the clean-up following the Gus Macker.

In further discussion with Council Member Grayeb, Director VanWinkle and Public Information Officer Alma Brown determined that the application filled out by Gus Macker clearly stated they were responsible for all clean-up following their event, and the City's recommendation was not to have them return due to their failure to meet their responsibility in the aftermath of their event as described in the memo to the City Council.

Ms. Brown said the City suggested Gus Macker would need to find another location in the City other than the downtown area.

Council Member Grayeb expressed concern regarding the potential loss of a major event that brought significant proceeds to the downtown area, and he added the citizens were entitled to enforce an efficient clean-up policy following such events.

Council Member Turner said Gus Macker had a new sponsor, and since it was their first year in holding such an event, they were unfamiliar with some of the problems that occurred. He said the new sponsors were better prepared to address these issues in the future and he hoped the City would give them another chance. He said he felt this was an important event for this community.

In further discussion, it was determined Gus Macker had hired Snell Communications to coordinate the event with the City, but their major corporation was located in Michigan.

Council Member Thetford said she felt those individuals involved with the Gus Macker should pay for the cost of the clean-up. She determined that Snell Communications were aware this item was placed on this week's agenda for discussion. She further expressed concern that it had been suggested moving some of the downtown events to the Riverfront, and she stressed the importance of keeping these events in the downtown area. She moved to grant Privilege of the Floor to members of PACE who wished to express their concerns regarding this issue; seconded by Council Member Grayeb.

Hearing no objection, Mayor Ransburg granted Privilege of the Floor to anyone wishing to speak.

Mr. Todd Davis, 1105 North Street, PACE Board Member, explained some of the events sponsored by PACE and the procedures they followed regarding the issues of clean-up, electricity, rental fees, etc., required to hold such events. He explained some of the drawbacks of holding various events on the Riverfront, and he spoke in support of maintaining certain events in the downtown area.

Council Member Nichting said there were existing concerns regarding the location of the Gus Macker in the future that Council needed to address.

Council Member Grayeb said the Gus Macker was a “for profit organization” and the majority of the proceeds left the City. He inquired since the organization had not yet been invoiced for costs incurred from this event, which appeared to be in the neighborhood of \$64,000 or more, was the City supposed to send a bill to them to cover these costs.

Public Information Officer Brown responded that the City had not intended to bill them for any costs, because this procedure had not been done in the past. She said the City was currently researching this issue regarding all future events.

In response to Council Member Grayeb’s question regarding whether the City had any legal ability to collect on the bill for clean-up, Corporation Counsel Randy Ray stated the City did have a permit ordinance that provided the City to seek reimbursement for certain expenses and clean-up expenses that were specifically mentioned in the ordinance. Mr. Ray suggested there was a legal difference regarding the amount spent for police protection, and these costs should not be treated in the same manner as clean-up costs. He added the City needed to retain the ability to deploy the necessary police protection for such events if deemed necessary.

In discussion with Council Member Grayeb and Public Works Director Van Winkle, it was determined that the exact amount incurred for clean-up was not known at this time. Mr. Van Winkle stated the Civic Center performed the clean-up and the City was in the process of obtaining from them the cost incurred. He added the Civic Center was involved with the Gus Macker by providing energy and they were in a better position to receive repayment for the costs due to the leverage of the energy aspect.

Council Member Grayeb inquired if it was the City’s intent to bill Gus Macker for the cost of police protection and public works expenses, as well as from the standpoint of the Civic Center’s efforts to seek reimbursement for clean-up.

Mr. Van Winkle said it was his anticipation there would be no charge for any costs, and suggested the best direction would be to start with a clean slate next year and incorporate a policy to recover costs for all future events, not just the Gus Macker.

In further discussion with Director Van Winkle and Council Member Grayeb, it was determined that it would be the position of Staff to recover any clean-up costs incurred by the City, and continue to follow up with the Civic Center regarding their position on recovering the clean-up costs they incurred.

Council Member Grayeb said he felt Staff should be directed to pursue the collection of clean-up costs and before the Gus Macker would be allowed to return to the City and future events, the costs would need to be paid in full.

Council Member Grayeb moved to receive and file the report back regarding incurred costs from the 2002 Gus Macker; seconded by Council Member Turner.

Council Member Ardis stated he felt there needed to be an all-encompassing policy discussion regarding these issues, and specifically address the significant costs the City incurred for police protection at such events. He said the City needed to balance the public good provided by the events against the costs of the events.

Motion to receive and file was approved by roll call vote.

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

Nays: None.

- (02-583) Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and Recommendation from the Staff to DENY the ORDINANCE Rezoning Property Located at 823 N.E. JEFFERSON STREET from the Present Class R-6 (Multi-Family Residential) District to a Class C-1 (General Commercial) District.**

Following a brief explanation regarding concerns surrounding the City's current ordinance with respect to the placement of businesses in residential areas, Council Member Gulley moved to concur with the recommendation of the Zoning Commission to adopt the Ordinance rezoning property located at 823 N.E. Jefferson Street from the present Class R-6 (Multi-Family Residential) District to a Class C-1 (General Commercial) District; seconded by Council Member Morris.

ORDINANCE NO. 15,363 was approved by roll call vote.

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

Nays: None.

- (02-605) Communication from Director of Public Works Requesting Approval of the JOINT *** AGREEMENT with ILLINOIS DEPARTMENT OF TRANSPORTATION for LAND ACQUISITION in the RIVER CENTER PROJECT AREA and Authorization for the City Manager to Execute the Agreement.**

Council Member Sandberg inquired what would happen if the City didn't have enough money to enter into the Land Acquisition Agreement for the RiverCenter project, since it was an 80-20 split.

Director Van Winkle stated this action would put the City in a position where it could use the Federal TEA-21 money for land acquisition. He said there were other funds budgeted for land acquisition that could be used as a match.

Director of Economic Development David Dobson stated the present budget included more than the 20 percent necessary to carry out the match in relationship to the properties, given present appraised value on those properties.

In further discussion, Council Member Sandberg determined the City was using Federal money and would be bound by the Federal appraisal and acquisition process.

NEW BUSINESS

PARADE OF SPECTACLE OF STRIPES

Council Member Morris commended Council Member Teplitz and District 2 for their efforts in presenting this year's West Bluff Neighborhoods Spectacle of Stripes.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

- (02-618) REQUEST from MR. RITCHIE PETERSON to Address the City Council Regarding Parking Signs on Atlantic and Melbourne Streets, Parking Issues on Atlantic and Melbourne Streets, and Council Member Gale Thetford's Concerns.**

Mr. Ritchie Peterson, 1127 E. Melbourne, expressed his concern as to why the Council had not returned his calls regarding parking issues in his neighborhood.

(02-619) REQUEST from MR. SAM JOSEPH and MS. RITA SPECK to Address the City Council Regarding SIDEWALK VENDER ISSUES.

Mr. Sam Joseph, 4926 N. University St., stated he represented a number of downtown pushcart operators. He expressed concern over citations he and others had been served for improper site size in excess of 50 square feet the previous week. He said the physical site of his pushcart had not changed in twenty years. He asked the City Council to address this issue and provide them with the necessary legal information to enable them to continue operating their pushcarts.

Ms. Rita Speck, 507 W. Hanssler, submitted signed Petitions bearing 373 signatures in support of the pushcarts remaining at their present sites around the Courthouse.

Council Member Turner moved to place the issue of push-carts on the September 17, 2002, Agenda, and direct Staff to bring forward reports or comparables as to how other cities regulated their push-carts and any suggested ordinance changes that would address the issue of size limitations regarding push-cart sites; seconded by Council Member Teplitz.

Council Member Thetford directed Staff, in addition to reviewing the current ordinance and researching information on other cities procedures, they also interview push-cart operators for their input regarding some of the issues that had been raised, and make them a part of the process.

Council Member Nichting moved to receive and file the signed petitions regarding pushcarts remaining at their current sites; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
Mayor Ransburg - 11;
Nays: None.

Council Member Sandberg expressed concern that the pushcart violation issue was redirecting work activity that wasn't an issue and hadn't been an issue for twenty years.

Council Member Thetford inquired what the administration's position would be regarding enforcement while contemplating a Policy Session.

Corporation Counsel Ray stated the City would uphold the existing ordinance relating to pushcarts and stated that no one would be shut down. He added Staff would be prepared to bring back proposed changes to the Council.

Council Member Morris asked for clarification whether this would be an Agenda Item or if a Policy Session would be needed.

Council Member Teplitz commented that activities involving pushcart operators in the downtown area contributed to the diversity of our community. She said this was an issue that would give some resolution for the future and some assurance to everyone downtown as to what we could look forward to. She offered a friendly amendment for a moratorium on the enforcement of the more "petty" aspects of the ordinance dealing with parking meters and space sizes until Council had the report back from Staff.

The maker of the motion agreed.

Council Member Sandberg inquired if the intent of the motion was an ordinance with changes, a Policy Session or information based on how other cities regulated pushcarts.

Council Member Turner stated the intent of the motion was to get full discussion of the Council. He said the issue needed to be discussed as an agenda item, along with the information provided by Staff and make a decision as to what needed to be done to resolve the issue.

Council Member Thetford said she anticipated the information would be an analysis of the regulations from other cities and thoughtful recommendation from Staff based on that analysis that would deal with numerous space issues.

In discussion with Council Member Grayeb and Corporation Counsel Ray, it was determined Staff needed to focus on the main violation the push-cart operators were cited for, which was for violating the 50 square foot limit, and whether the Council should enforce the current ordinance or propose changes.

Council Member Teplitz requested an addition to the Report Back to include copies of the existing ordinance and any sort of synopsis in the files that would help the Council understand the issue more clearly.

Council Member Spears said he felt pushcarts were part of the uniqueness of Peoria. He requested a report back as to the reason why the 50 square foot limit was established, if the footage area needed to be expanded, and if so, reasons for the expansion.

Council Member Nichting requested Staff to include in their analysis, if the line of customers at a pushcart was 50 feet long, would this line be considered part of the 50 square foot area.

Motion to place the issue of pushcarts on the September 17, 2002, Agenda, and direct Staff to bring forward reports or comparables as to how other cities regulate their pushcarts and any suggested ordinance changes that would address the issue of the size limitations of push-cart sites, and for a moratorium on the enforcement of the more "petty" aspects of the ordinance dealing with parking meters and space sizes until Council had the report back from Staff, was approved by roll call vote.

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

Nays: Sandberg - 1.

EXECUTIVE SESSION

It was determined that no Executive Session was needed.

ADJOURNMENT

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:10 P.M.

/s/ Mary L. Haynes
Mary L. Haynes, MMC
City Clerk of Peoria, Illinois