

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

Council Chambers, Peoria, Illinois, October 22, 2002, a Regular Meeting of the City Council was held this date at 6:19 PM, at City Hall, 419 Fulton Street, Mayor David P. Ransburg presiding.

ROLL CALL

Roll call showed the following Council Members present: Ardis, Gulley, Morris, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Ransburg – 10; Absent: Grayeb - 1.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

COMMENDATION: ADVANCED MEDICAL TRANSPORT OF CENTRAL ILLINOIS

PRESENTATION AND PROCLAMATION:

CITY MANAGER MICHAEL D. McKNIGHT – Recognition from the 88th ANNUAL INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA) CONFERENCE and from the CITY OF PEORIA for 30 YEARS OF SERVICE to LOCAL GOVERNMENT, and for 16 years of PARTICIPATION in the ICMA

PROCLAMATION: NEIGHBORHOOD COLLEGE GRADUATION

PROCLAMATION: TOASTMASTERS WEEK – October 20 – 26, 2002

PROCLAMATION: RESPIRATORY CARE WEEK – October 20 – 26, 2002

MINUTES

Council Member Nichting moved to approve the Minutes of the Vision 2020 Meeting held on October 14, 2002, and the Executive Sessions and Regular City Council Meeting held on October 15, 2002, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS

(02-711) Communication from Fire Chief with RESOLUTION Authorizing the City to CONTRACT with the MUTUAL AID BOX ALARM SYSTEM (MABAS).

Fire Chief Roy Modglin introduced Fire Chief Jay Reardon of Northbrook, Illinois, who served as the current President of the Illinois MABAS Organization. He said the City of Peoria currently had a highly trained and well-equipped Fire Department. He said they provided fire suppression, EMS services, one of the few Class A Hazardous Materials Teams in downstate Illinois, an under-water search and dive team,

and they were in the process of training and equipping a very specialized high-angle vertical and trench rescue response team. He said his department had the ability to handle any day-to-day emergency that could happen in the City. He added the City had been very fortunate that they had to call in outside assistance only in several rare circumstances. He said his department did not have the capabilities of handling a major catastrophic event. He said, no matter how well-trained or well-equipped a Fire Department might be, no department would have the resources to handle a sustained coordinated event. He stated, with the thoughts of terrorism and weapons of mass destruction, it would be a mistake for any community not to plan ahead for such events. He said the MABAS contract would assist the City of Peoria in addressing these kinds of events, if such an event should occur. He added the MABAS program was a legislatively supported, very well-thought-out coordinated program to provide assistance to any stricken community in the State of Illinois. He recommended that the Council support the proposed contract.

Fire Chief Jay Reardon provided an overview of the MABAS program which was developed in 1968. He explained that MABAS was an intergovernmental entity working together under planned response and coverage. He said each Fire Chief identified the risks for their City and developed their plan as to what type of equipment was needed, etc. He said the program also provided the opportunity for backup coverage of personnel to cover fire stations while the City's Fire personnel were working to deal with whatever incident had occurred. He said the City's Fire Chief would design the system that met the needs of the City of Peoria and he would have total control at the division and department levels to determine what could or could not be provided.

Fire Chief Reardon gave an overview of the Illinois MABAS structure. He explained there were approximately 1,209 fire departments in the State, and approximately 750 of those were MABAS members, which included the Chicago and St. Louis Fire Departments. He said there were also members in Wisconsin, Iowa and Indiana.

Fire Chief Reardon said the MABAS structure was available to supplement local fire departments when the local resources were stressed. He said one single contract with MABAS allowed the City of Peoria to contract with all the other members of MABAS.

Fire Chief Reardon discussed resources available which included equipment, task forces, EM response personnel, hazardous material teams and technical response teams. He said MABAS membership would benefit the Peoria area by allowing local control, having the ability to obtain unlimited resources, and linkage to the Statewide plan. He added there was no cost to the City to belong to the MABAS program, with the exception of Hazardous Materials and requirements regarding spill laws which would be directed toward the user rather than the City of Peoria, and MABAS was an equal player in obtaining State and Federal funding.

Fire Chief Reardon also stated the local Fire Chief would make decisions whether or not outside assistance should be called in or if members of the City's department would assist another community. He also pointed out that the local Fire Chief did not have to wait for a Declaration of Disaster before requesting assistance once authority was provided by the Council.

Following a brief comment, Council Member Nichting moved to approve the Resolution authorizing the City to contract with the Mutual Aid Box Alarm System (MABAS); seconded by Council Member Turner.

In discussion with Council Member Sandberg, Fire Chief Modglin stated, if an incident should occur in the City or in another community, he would be able to report how many firefighters were assigned, what equipment was activated, and he would be able to attach a dollar figure to the incident to provide the information to the Council.

In discussion with Council Member Sandberg regarding the status of current Mutual Aid Agreements to surrounding communities and how the City's membership with MABAS would affect those agreements, Fire Chief Modglin explained he felt that these agreements with surrounding communities and MABAS would eventually become one and the same since most fire departments were in the process of joining the MABAS organization.

Fire Chief Modglin further explained that if the City's Hazardous Materials Team was called for an incident, the spiller would reimburse the City. He said, if the incident was under the MABAS agreement and there was a Governor declared disaster, then the government would reimburse the City. He added that the hazardous material rates were set by the City.

Fire Chief Reardon explained that in a matter of Governor declared disaster, all costs beyond normal operating costs were reimbursed.

Motion to approve RESOLUTION NO. 02-711 authorizing the City to contract with the Mutual Aid Box Alarm System (MABAS) was approved by roll call vote.

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

Nays: None.

CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.

- (02-712) NOTICE OF LAWSUIT on Behalf of SUSAN V. REYNOLDS LANGSTON PRESSLER Regarding Alleged Negligence and a Police Incident.**
- (02-713) PAYMENT ESTIMATE FOR PUBLIC IMPROVEMENT PROJECTS: ALLEN ROAD IMPROVEMENT (from Park 74 Drive to just N. of Illinois Route 6) (PCC widening, bituminous base course and base course widening, bituminous resurfacing, storm sewers, earthwork, traffic signals and other miscellaneous work.) P. J. HOERR, INC. – PAY ESTIMATE #6: \$208,308.52; TOTAL AUTHORIZATION APPROVED: \$208,308.52. (For Information Only)**
- (02-714) Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,380 Amending Ordinance No. 13,807, an EXISTING SPECIAL USE in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Include a DRIVE-UP COFFEE SHOP for Property Located at 8113-8115 N. KNOXVILLE AVENUE, with Conditions.**
- (02-715) SIDEWALK PARTICIPATION REQUEST – 2201 S. W. ADAMS STREET, in the Amount of \$26,512.48.**
*
- (02-716) REPORTS:**
- A. CITY TREASURER'S REPORT – September, 2002.**
 - B. TOWN OF THE CITY OF PEORIA FINANCIAL REPORT – Period Ending 9/30/02.**

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

Council Member Sandberg requested Item No. 02-715 be removed from the Consent Agenda for further discussion.

Item Nos. 02-712 through 02-716 (excluding Item No. 02-715 which was removed from the Consent Agenda for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

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

Nays: None.

**(02-715) SIDEWALK PARTICIPATION REQUEST – 2201 S. W. ADAMS STREET, in the
* Amount of \$26,512.48.**

Council Member Gulley said he would be abstaining from the vote due to his personal involvement with the City of Refuge Worship Center.

Council Member Sandberg said he would be abstaining from the vote due to a business relationship with the petitioner.

Council Member Nichting moved to approve the Sidewalk Participation Request for property located at 2201 S. W. Adams Street, in the amount of \$26,512.48; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None;

Abstention: Gulley, Sandberg - 2.

**(02-717) Communication from Director of Public Works Regarding RAIL SERVICE TO
GROWTH CELL NO. 2 and PIONEER PARK, and Requesting Approval of the
Following:**

**A. RETENTION of THOMAS McFARLAND as Counsel to Represent the City
before the SURFACE TRANSPORTATION BOARD, in the Approximate
Amount of \$10,000.00 Plus Filing Fees;**

Mayor Ransburg welcomed former Mayor Richard Carver back to Peoria and to the meeting.

Director of Public Works Steve Van Winkle gave a brief history of rail service back to 1993. He said his goal was to come back to the Council eventually with a solution that would provide both rail service as well as a trail. He stated in 1998 he began looking at other ways to provide rail service because there were areas of terrain that would not allow a rail and trail to co-exist. He said he had been working over the past three to four years to provide rail service to Pioneer Park from the West and to Growth Cell II.

Director Van Winkle thanked Representative Dave Leitch for his support and efforts in the rail/trail endeavor in obtaining funding of approximately \$1.8 million. He said he was pleased to provide the opportunity to the City for enhanced rail service and to provide a trail.

Former Mayor Richard Carver discussed his involvement in the acquisition of the rail line and gave a brief history of the project. He pointed out this project was also an economic development tool for Growth Cell II. He said the entire thrust was to use a clear strategy, not just to bring Union Pacific Railroad into involvement and not just to acquire the right-of-way, but to develop solid service to the North side of the City. He said this project would encourage new investment in Growth Cell II, and new investment was spurred by infrastructure being in place and ready for connection. He complimented all who had been a part of this process.

Director Van Winkle gave a brief overview of the communication and recommendations.

Council Member Thetford moved to retain Thomas McFarland as counsel to represent the City before the Surface Transportation Board, in the approximate amount of \$10,000.00 plus filing fees; seconded by Council Member Morris.

In discussion with Council Member Sandberg, Director Van Winkle said since the rail was down to two users, it did not seem likely to him that rail service would continue beyond July, 2004, which was the end of the current contract for Pioneer Park. He said without a connection from the West, the users in Pioneer Park, would not likely have rail service beyond the contract period.

In further discussion, former Mayor Carver pointed out the City would be going before the Surface Transportation Board to rail bank this property. He said the City did not own much of the property and much of the property was right-of-way, so if the rail was abandoned, then the property would revert back to property owners and the opportunity for a hiking/biking trail would probably disappear.

Council Member Sandberg spoke in support of a shared rail with a biking/hiking trail. He also expressed concern regarding expenses that would be incurred when the City was facing a budget crisis and possible reduction of personnel.

In discussion with Council Member Spears regarding infrastructure for Growth Cell II, Director Van Winkle stated there would be a need to address roads as development occurred. He said typically developers paid for roads, but in addition to roads, the rail issue would need to be addressed based on the development and whether there would be any special tax levied against the business to obtain the services. He said these were all options that could be considered. He added the cost for 2003 included the City's share for the easements, which could be a maximum of \$140,000. He said there were no costs for 2002 except for legal services, which had already been included in the Budget.

Council Member Spears said a key issue was land banking and after some comments clarifying that Peoria Plastics Company was in favor of this venture, he said he would be voting in favor of this project.

Motion to retain Thomas McFarland as counsel to represent the City before the Surface Transportation Board, in the approximate amount of \$10,000.00 plus filing fees was approved by roll call vote.

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

Nays: Sandberg - 1.

B. AGREEMENT with HANSON ENGINEERING for PRELIMINARY ENGINEERING SERVICES, in an Amount not to Exceed \$90,000.00;

Council Member Nichting moved to approve the Agreement with Hanson Engineering Services in an amount not to exceed \$90,000.00; seconded by Council Member Teplitz.

In discussion with Council Member Gulley regarding when payment would be made to Hanson, Director Van Winkle explained the project would begin immediately and this money would be coming from the grant and not paid by the City.

Council Member Sandberg expressed concern that the drawings were 80% complete so payment of \$90,000 was for 20% of the work.

Motion to approve the Agreement with Hanson Engineering Services in an amount not to exceed \$90,000.00 was approved by roll call vote.

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

Nays: Sandberg - 1.

C. AGREEMENT with the PEORIA PARK DISTRICT to Allow the CITY'S RIGHT-OF-WAY to be Converted by the Peoria Park District to a RECREATIONAL HIKING/BIKING TRAIL Subject to Conditions as Outlined.

Council Member Thetford moved to approve the Agreement with the Peoria Park District to allow the City's Right-of-way to be converted by the Peoria Park District to a Recreational Hiking/Biking Trail subject to conditions as outlined; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: Sandberg - 1.

(02-718) Communication from Director of Public Works Requesting Approval to PURCHASE Approximately 13,516.75 Square Feet of REAL ESTATE Adjacent to 1515 WEST LUTHY DRIVE, in the Amount of \$40,550.25 to be Exchanged for RAILROAD RIGHT-OF-WAY for the KELLAR BRANCH RAILROAD CONNECTION PROJECT.

Council Member Nichting moved to approve the purchase of approximately 13,516.75 square feet of real estate adjacent to 1515 West Luthy Drive, in the amount of \$40,550.25, to be exchanged for railroad right-of-way for the Kellar Branch Railroad Connection Project; seconded by Council Member Turner.

In discussion with Council Member Sandberg, Director Van Winkle said the Park District would be paying the \$40,550.25.

Motion to approve the purchase of approximately 13,516.75 square feet of real estate adjacent to 1515 West Luthy Drive, in the amount of \$40,550.25, to be exchanged for railroad right-of-way for the Kellar Branch Railroad Connection Project was approved by roll call vote.

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

Nays: None.

(02-719) Communication from Director of Public Works Requesting Approval to EXCHANGE Approximately 13,516.75 Square Feet of REAL ESTATE Adjacent to 1515 WEST LUTHY DRIVE for Approximately 6,976 Square Feet of Property to be Used for RAILROAD RIGHT-OF-WAY for the KELLAR BRANCH RAILROAD CONNECTION PROJECT.

Council Member Nichting moved to approve the exchange of approximately 13,516.75 square feet of real estate adjacent to 1515 West Luthy Drive for approximately 6,976 square feet of property to be used for railroad right-of-way for the Kellar Branch Railroad Connection Project; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: Sandberg - 1.

(02-720) Communication from Mayor David P. Ransburg with RESOLUTION to DESIGNATE OCTOBER 22, 2002, as HOMETOWN SECURITY DAY.

Council Member Nichting moved to approve the Resolution to designate October 22, 2002, as Hometown Security Day; seconded by Council Member Morris.

Motion to approve RESOLUTION NO. 02-720 to designate October 22, 2002, as Hometown Security Day was approved by roll call vote.

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

Nays: None.

(02-721) Communication from Mayor David P. Ransburg with RESOLUTION Pertaining to the SALARY OF THE CITY MANAGER.

Mayor David P. Ransburg distributed a revised Resolution increasing the salary of the City Manger to \$122,711.00 to all members of the City Council.

Council Member Teplitz moved to approve the revised Resolution pertaining to the salary of the City Manager reflecting a 4% increase for an annual salary of \$122,711.00; seconded by Council Member Turner.

Council Member Ardis referred to the City's Budget and he expressed concern that in the past five years, three had been in a deficit position. He said the proposed resolution addressed the annual salary but did not take into consideration other benefits such as longevity, deferred compensation, insurance, phone, and a few other benefits, which were all in addition to the annual salary. He said Budget projections for 2003 were showing a deficit of \$5.5 million and he was concerned about employee reductions. He said he felt this increase was inappropriate.

Council Member Turner expressed concern that the Council did not provide proper direction for the City Manager so there was no benchmark set for performance. He said he felt the Council was responsible for the deficit situation and he supported the motion to increase the City Manager's salary.

Council Member Gulley said he felt the City Manager evaluation system was broken and the Council only had themselves to blame. He suggested the system of evaluating the City Manager needed to be reviewed and changed so that goals and objectives would be clear. He spoke in support of the proposed Resolution.

Motion to approve RESOLUTION NO. 02-721 pertaining to the salary of the City Manager reflecting a 4% increase for an annual salary of \$122,711.00 was approved by roll call vote.

Yeas: Gulley, Morris, Teplitz, Thetford, Turner, Mayor Ransburg - 6;

Nays: Ardis, Nichting, Sandberg, Spears - 4.

UNFINISHED BUSINESS

(99-546) Communication from Director of Planning and Growth Management with REPORT and RECOMMENDATION Regarding FENCE REQUIREMENTS and ENFORCEMENT in FRONT and CORNER SIDE YARDS. (New Communication)

In discussion with Council Member Sandberg, Director of Planning and Growth Management Wayne Anthony said most fence complaints related to a fence that was currently being installed. He said he did not ever remember making someone remove a fence that had been in existence for a number of years. He said existing fences assisted in establishing the character of a neighborhood.

Council Member Sandberg said fence requirements in areas where lots were smaller should not be differentiated by zoning districts. He said the "one size fits all" concept did not work in these situations. He suggested that these requirements be reviewed.

Director Anthony said fences had an impact on property values. He explained he did not have the Staff time to spend on this particular exercise to determine if different fencing standards were needed for each different zoning districts. He said there were many areas that could be reconsidered and adjustments could be made. He said it was difficult to define what was appropriate fencing because of the range of diversity of neighborhoods in the community. He said he would like to get into these issues more extensively but Staff time, at this point, did not allow that research to occur.

Council Member Thetford expressed concern that some consider fences as decoration. She said in her district fences served some sort of purpose. She further expressed concern that if someone needed to install a fence in their front yard, there seemed to be selected areas where this was allowed. She suggested either determining no front yard fences were allowed or identifying types of fences that would be allowed. She said the current system for fences was not equitable for front yard fences. She also stated she still had some issues regarding corner side yard fences. She also expressed concern that crime was not a factor in considering whether or not a fence should be installed.

Council Member Thetford moved to receive and file the report and recommendation regarding fence requirements and enforcement in front and corner side yards, remand this issue back to Staff to revisit some of the issues raised in this discussion, and direct Staff to bring a recommendation back to Council at the November 12, 2002, City Council Meeting; seconded by Council Member Teplitz.

Council Member Nichting expressed concern that the moratorium would be left in place. He also said he supported the recommendations made by Staff as outlined in the communication.

Director Anthony expressed concern about the November 12th date. He indicated his Staff time was limited since Staff reductions had occurred.

Council Member Sandberg moved for a substitute motion to receive and file the report and recommendation regarding fence requirements and enforcement in front and corner side yards, lift the moratorium, request Staff to revisit some of the issues raised in this discussion, and direct Staff to bring a recommendation back to Council in four weeks, which would be the November 19, 2002, City Council Meeting; seconded by Council Member Morris.

Approved by roll call vote.

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

Nays: Nichting - 1.

**(02-596) Communication from Director of Inspections and Animal Shelter Director with
ORDINANCE Amending CHAPTER 4 of the Code of the City of Peoria Relating to
ANIMALS AND FOWL Regarding Definition Changes and Restrictions Placed on
Dogs Housed Outside. (New Communication and New Ordinance)**

In discussion with Council Member Sandberg, Animal Shelter Director Lauren Malmberg explained the manner in which an outside dog was determined. She displayed a number of slides showing multiple dogs housed outside which, under the current Ordinance, were within the guidelines. She pointed out these were some of the regulations being changed to prevent neighborhood complaints.

Following further discussion, Council Member Thetford moved to adopt the Ordinance amending Chapter 4 of the Code of the City of Peoria relating to Animals and Fowl regarding definition changes and restrictions placed on dogs housed outside, with an amendment to add the sentence under 4-69(c) "A dog trained for law enforcement, while in the ownership of a law enforcement officer, shall be exempt from the requirements of this section."; seconded by Council member Teplitz.

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

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

Mr. Ben Scott said he was a multiple pet owner of show dogs. He urged the Council to vote against the proposed Ordinance. He said those pet owners who had no complaints against them should not be penalized.

Mr. Lyle Pickett said he was a multiple pet owner and suggested that the Animal Shelter conduct inspections without notice to determine violations. He urged the Council to vote against the proposed Ordinance.

Mr. Tim Gorman expressed concern that restrictions were placed on citizens.

In further discussion, Council Member Sandberg requested that the vote on the amendment be separated from the Ordinance as presented.

Following discussion with Council Member Sandberg, Council Member Thetford amended her motion to refer to Subsection 4-69(c) rather than Section 4-69(c). Council Member Sandberg said he would not support the amendment because he felt the amendment missed the point regarding the purpose behind the Ordinance.

No objections were heard.

Council Member Turner referred to Section 4-23 of the proposed Ordinance, and he requested a follow up by Director Malmberg regarding dangerous animals. He expressed concern regarding Police Officer safety in that there had been a number of shootings relating to dangerous-type dogs. He said this was also a public safety issue. He requested that Corporation Counsel Ray and Director Malmberg review the Chicago Ordinance as a possible future amendment to Section 4-23 regarding liability insurance for dangerous dog owners.

Amendment to the motion to add the sentence under Subsection 4-69(c) "A dog trained for law enforcement, while in the ownership of a law enforcement officer, shall be exempt from the requirements of this subsection." was approved by roll call vote.

Yeas: Ardis, Morris, Spears, Thetford, Turner, Mayor Ransburg - 6;

Nays: Gulley, Nichting, Sandberg, Teplitz - 4.

Motion to adopt ORDINANCE NO. 15,381 amending Chapter 4 of the Code of the City of Peoria relating to Animals and Fowl regarding definition changes and restrictions placed on dogs housed outside, as amended to add the sentence under Subsection 4-69(c) "A dog trained for law enforcement, while in the ownership of a law enforcement officer, shall be exempt from the requirements of this subsection." was approved by roll call vote.

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

Nays: None.

NEW BUSINESS

HEART OF PEORIA PLAN

Council Member Morris stated that the Heart of Peoria Plan would be reviewed at a meeting on Wednesday, October 30, 2002, from 7:00 P.M. until 9:00 P.M. at the Gateway Building on Water Street and public comments would be welcomed. He said copies of the plan were available to be viewed at each branch of the Peoria Public Library, the Economic Development Department, the City Clerk's Office, and several other places around the City. He encouraged the public to take advantage of this opportunity.

(02-722) CONSIDERATION of a MOTION to CANCEL the OCTOBER 29, 2002, REGULAR CITY COUNCIL MEETING and DEFER ITEM NO. 02-665 Regarding a Proposed Ordinance for 1201 and 1221 N. E. GLEN OAK AVENUE.

Following a brief discussion, Council Member Teplitz moved to cancel the Regular City Council Meeting on Tuesday, October 29, 2002, and defer Item No. 02-665 regarding an Ordinance granting a Special Use in a Class R-6 (Multi-Family Residential) and an R-4 (Single Family Residential) Districts for a Child Care Center for property located at 1201 and 1221 N. E. Glen Oak Avenue until November 5, 2002; seconded by Council Member Thetford.

City Clerk Mary Haynes said she had obtained information that representatives from Lakeview Museum and the Civic Center had requested an item regarding the proposed new museum be placed on the October 29, 2002, Council agenda. She indicated that she would contact them to reschedule for the following week.

Council Member Turner left the Council Chambers.

Council Member Thetford requested that the petitioner of the Ordinance regarding 1201 and 1221 N. E. Glen Oak Avenue be advised of the schedule change. Director Anthony indicated that his Staff would handle that request.

Motion to cancel the Regular City Council Meeting on Tuesday, October 29, 2002, and defer Item No. 02-665 regarding an Ordinance granting a Special Use in a Class R-6 (Multi-Family Residential) and an R-4 (Single Family Residential) Districts for a Child Care Center for property located at 1201 and 1221 N. E. Glen Oak Avenue until November 5, 2002, was approved by roll call vote.

Yeas: Morris, Spears, Teplitz, Thetford, Mayor Ransburg - 5;

Nays: Ardis, Gulley, Nichting, Sandberg - 4.

Council Member Turner returned to the Council Chambers.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

(02-723) 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. June Moore, 1409 W. Millman, thanked those who supported a neighborhood clean-up in Olde Towne South.

EXECUTIVE SESSION

It was determined that no Executive Session was needed.

ADJOURNMENT

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

Approved by viva voce vote.

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

