

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

Council Chambers, Peoria, Illinois, December 17, 2002, a Regular Meeting of the City Council was held this date at 6:15 P.M., at City Hall, 419 Fulton Street, Mayor Pro Tem John Morris presiding.

ROLL CALL

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

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro Tem Morris requested a moment of silent prayer and then he led the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: NEIGHBORS COUNT

MINUTES

Council Member Nichting moved to approve Minutes of the Executive Session held on December 3, 2002 and the Regular City Council Meeting and Executive Sessions held on December 10, 2002, as printed; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

PETITIONS, REMONSTRANCES & COMMUNICATIONS**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE.**

- (02-831) NOTICE OF LAWSUIT on Behalf of COREY R. PASTORIZA Regarding an Alleged Excessive Force Incident.
- (02-832) PAYMENT ESTIMATES FOR PUBLIC IMPROVEMENT PROJECTS: US ROUTE 150 BRIDGE OVER ILLINOIS ROUTE 6 (Widening of existing structure, addition of drainage scuppers, embankment, formed concrete repairs, epoxy crack sealing and microsilica overlay.) OTTO BAUM COMPANY, INC. – PAY ESTIMATE #8 – \$63,096.44; STONEGATE ROAD ROADWAY IMPROVEMENT (North Street to Lake Street) (Removal of existing combination curb and gutter, and driveway approaches; construction of concrete sidewalks, combination curb-sidewalks, p.c.c. gutter, driveway pavement, underdrain, storm sewer, and a bituminous concrete pavement overlay.) C & G CONCRETE CONSTRUCTION – PAY ESTIMATE #3 - \$49,329.18; TOTAL AUTHORIZATION APPROVED: \$112,425.62. (For Information Only)
- (02-833) STREET LIGHTING REQUESTS – 1300 Block W. Third Street, 3000 Block Atlantic, 1900 Block California, 500 Block Homestead, 7000 Block Skyline Drive, 700 Block Spring Street.

- (02-834)
* **Communication from Corporation Counsel with ORDINANCE Amending CHAPTER 3 of the Code of the City of Peoria Relating to Alcoholic Beverages Allowing the CLASS K LICENSE to Host a Catered Function with Food and Liquor at Facilities which are Maintained for Live Theatrical Performances and Providing for a Technical Amendment to the CLASS F LICENSE.**
- (02-835) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,410 Approving a STREET NAME CHANGE in the City of Peoria for W. ROUTE 150 to WAR MEMORIAL DRIVE, from Big Hollow Road West to the End of the City Limits.**
- (02-836)
** **Communication from Director of Planning and Growth Management with ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating to Zoning for VARIOUS TEXT ADJUSTMENTS, as Outlined.**
- (02-837) **Communication from Director of Planning and Growth Management with ORDINANCE NO. 15,411 Amending Ordinance 13,205 an Existing SPECIAL USE in a Class R-4 (Single -Family Residential) District for CHURCH FACILITIES to Include a TWO-CAR GARAGE ADDITION for Property Located at 2719-2729 N.E. MADISON AVENUE.**

CONSIDERATION OF REPORT BACKS AS FOLLOWS:

- (02-471)
*** **Communication from Superintendent of Police Regarding COST of SPECIAL EVENTS.**
- (02-755) **Communication from Human Resources Director with REPORT BACK Regarding the AUGUST 2002 DEFICIT REDUCTION PLAN. (For Information Only) (Refer to Item No. 02-563)**

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. 02-834 be removed from the Consent Agenda for further discussion.

Council Member Thetford requested Item No. 02-836 be removed from the Consent Agenda for further discussion.

Council Member Ardis requested Item No. 02-471 be removed from the Consent Agenda for further discussion.

Item Nos. 02-831 through 02-837, and 02-755 (excluding Item Nos. 02-834, 02-836 and 02-471 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, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,
 Mayor Pro Tem Morris - 10;

Nays: None.

**(02-834) Communication from Corporation Counsel with ORDINANCE Amending
* CHAPTER 3 of the Code of the City of Peoria Relating to Alcoholic Beverages
 Allowing the CLASS K LICENSE to Host a Catered Function with Food
 and Liquor at Facilities which are Maintained for Live Theatrical Performances
 and Providing for a Technical Amendment to the CLASS F LICENSE.**

Council Member Sandberg requested clarification regarding what defined facilities which were maintained exclusively for live theatrical performances and how many of these facilities existed in the City of Peoria.

In response to Council Member Thetford's inquiry, Corporation Counsel Ray stated this ordinance would apply to the Apollo, Peoria Players and Corn Stock Theatre, for example.

Council Member Grayeb moved to adopt the Ordinance amending Chapter 3 of the Code of the City of Peoria relating to alcoholic beverages allowing the Class K License to host a catered function with food and liquor at facilities which are maintained for live theatrical performances and providing for a technical amendment to the Class F License; seconded by Council Member Turner.

ORDINANCE NO. 15,412 was approved by roll call vote.

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

Nays: None.

**(02-836) Communication from Director of Planning and Growth Management with
** ORDINANCE Amending APPENDIX B of the Code of the City of Peoria Relating
 to Zoning for VARIOUS TEXT ADJUSTMENTS, as Outlined.**

Council Member Thetford expressed concern regarding Section 2.9.c, relating to when zoning certificates were required, and 2.12.d and 2.14.e, regarding notice requirements (signs) for public hearings.

Director of Planning and Growth Management Wayne Anthony stated some of the recommendation for Changes was a desire on the part of staff to try to reduce some time constraints and to make the process more efficient.

In further discussion regarding the process of issuing zoning certificates, Corporation Counsel Ray explained it was not the zoning certificate that made the use legal or illegal. He added it merely stopped the City from asserting the property was not zoned per the zoning certificate. He added, the absence of the zoning Certificate, while it may facilitate certain transactions, would not cause an illegal use somehow to become legal just because a new owner was utilizing it in an illegal way.

Council Member Thetford moved to divide the recommendations regarding various text amendments to the proposed zoning ordinance; seconded by Council Member Sandberg.

City Manger McKnight stated it was important to note that the complaint process protecting the citizen was not being abolished.

Motion to divide the recommendations regarding various Text Amendments to the Zoning Ordinance was approved by roll call vote.

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

Nays: None.

Council Member Thetford moved to defer consideration of Text Amendment 2.9.c, deleting the requirement of zoning certificates before property may be transferred, until January 7, 2003; seconded Council Member Teplitz.

Motion to defer this item until January 7, 2003 Regular City Council Meeting was approved by roll call vote.

Yeas: Ardis, Grayeb, Sandberg, Spears, Teplitz, Thetford, Turner, Mayor Pro Tem Morris – 8;

Nays: Gulley, Nichting – 2.

Council Member Thetford moved to DENY the Text Amendments 2.12.d and 2.14.e, deleting public hearing notification signs as part of the notification process for public hearings before the Zoning Commission and the Zoning Board of Appeals; seconded by Council Member Teplitz.

In discussion with Director Anthony, Council Member Nichting determined there were three methods relating to the notification process which included the publication of the legal notice in the newspaper fifteen days prior to the public hearing; mailing notices to all property owners within 250 feet along with the neighborhood associations that may be within a reasonable proximity of the site; and posting public notice signs on the property.

Motion to DENY Text Amendments 2.12.d and 2.14.e, deleting public hearing notification signs as part of the notification process for public hearings before the Zoning Commission and the Zoning Board of Appeals, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Sandberg, Spears, Teplitz, Thetford, Turner,

Mayor Pro Tem Morris - 9;

Nays: Nichting – 1.

Council Member Thetford moved to adopt the Ordinance regarding Text Amendments 2.18.a and 2.18.b, referring to Section 1-5. General Penalty of the City Code as an addition to the penalties and enforcement section of the Zoning Ordinance; seconded by Council Member Grayeb.

ORDINANCE NO. 15,413 was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Sandberg, Spears, Teplitz, Thetford, Turner,

Mayor Pro Tem Morris - 10;

Nays: None.

Council Member Teplitz moved to adopt the Ordinance regarding Text Amendment 4.3.o, increasing the number of visitors in conjunction with the home occupation (clients, pupils, sales persons, etc.) to (8) eight and increasing the number of visitors which may visit at one time to (4) four; seconded by Council Member Gulley.

Council Member Sandberg expressed concern regarding whether certain home occupations utilizing certain musical instruments would be in violation of the noise ordinance, if the noise level was offensive and the numbers were increased.

Council Member Nichting inquired what parking restrictions would be implemented regarding home occupancy businesses.

Director Anthony stated there was no requirement for off-street parking for a home occupation. He said there was the expectation that people would park on the street or in a driveway. He added, in general, these types of businesses had relatively short parking duration periods.

In discussion with several Council Members regarding noise violations and restrictions, Corporation Counsel Ray stated the Home Occupation section of the Code contained specific noise restrictions that would need to be adhered to.

Motion to adopt ORDINANCE NO. 15,414 regarding Text Amendment 4.3.o, increasing the number of visitors in conjunction with the home occupation (clients, pupils, sales persons, etc.) to (8) eight and increasing the number of visitors which may visit at one time to (4) four, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Spears, Teplitz, Thetford, Turner, Mayor Pro Tem Morris - 8;

Nays: Nichting, Sandberg - 2.

Council Member Nichting moved to adopt the Ordinance regarding Text Amendments 7.9.a. Permitted Uses in the R6 Multi-Family District, 7.10.b. Permitted Uses in the R7 Multi-Family District and 7.11.b. Permitted Uses in the R8 Multi-Family District by adding churches, temples and synagogues as permitted uses in these districts; seconded by Council Member Sandberg.

Council Member Thetford inquired what protections were in place for the neighborhoods regarding the changes for these types of uses. She expressed concern regarding the potential for more intense traffic in the permitted use areas.

Director Anthony stated the church or any permitted use would have to adhere to ordinance requirements, such as parking.

Discussion was held regarding the advisability of deleting the special use process for these particular uses.

Motion to adopt the Ordinance regarding Text Amendments 7.9.a. Permitted Uses in the R6 Multi-Family District, 7.10.b. Permitted Uses in the R7 Multi-Family District and 7.11.b. Permitted Uses in the R8 Multi-Family District by adding churches, temples and synagogues as permitted uses in these districts was DEFEATED by roll call vote.

Yeas: Ardis, Gulley, Nichting, Sandberg, Spears - 5;

Nays: Grayeb, Teplitz, Thetford, Turner, Mayor Pro Tem Morris - 5;

Council Member Grayeb moved to adopt the Ordinance regarding Text Amendment 16.6.a., Landscape Plan Submittal Requirements, deleting late submittal for landscaping plans and requiring that landscape plans be submitted with the site plan as part of the development process; seconded by Council Member Thetford.

In response to Council Member Spears, Director Anthony stated there was a huge problem regarding late submittals. He said Staff spent an enormous amount of time tracking down landscaping plans after the occupants had moved into the building.

In answer to a question from Council Member Sandberg, Director Anthony said when an applicant applied for a permit, he must submit a plan that depicts how the landscaping would be accomplished at the time he applied for the permit. He added in some situations, the City had allowed for the landscaping plan to be submitted at a later date, but most of the time, that involved Staff spending time chasing down the applicant to get the plan submitted.

Motion to adopt ORDINANCE NO. 15,415 regarding Text Amendment 16.6.a. Landscape Plan Submittal Requirements, deleting late submittal for landscaping plans and requiring that landscape plans be submitted with the site plan as part of the development process, was adopted by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Spears, Teplitz, Thetford, Turner - 8;

Nays: Sandberg, Mayor Pro Tem Morris - 2.

Council Member Thetford moved to adopt the Ordinance relating to Article 18. Definitions for Driveway changing the allowable maximum width for a driveway to a single stall garage from twelve feet to fifteen feet; seconded by Council Member Grayeb.

ORDINANCE NO. 15,416 was approved by roll call vote.

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

Nays: None.

**(02-471) Communication from Superintendent of Police Regarding COST of SPECIAL
*** EVENTS.**

Council Member Ardis moved to receive and file the communication from Superintendent of Police regarding cost of Special Events; seconded by Council Member Turner.

Council Member Ardis noted the spreadsheet provided to the Council by Superintendent of Police John Stenson indicated an amount of over \$113,000.00 for special events that had taken place in the City of Peoria during 2002. He suggested placing this item on the agenda or scheduling a policy session soon to discuss in more detail regarding requirements for security, traffic control and other issues surrounding these events.

Following further discussion, it was the consensus of the Council to schedule a Policy Session in January, 2003, regarding cost of Special Events.

Motion to receive and file the communication from Superintendent of Police regarding Cost of Special Events was approved by roll call vote, with the understanding there would be a Policy Session in January.

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

Nays: None.

**(02-838) Communication from City Manager Requesting the City Council to Approve the
LIST OF DATES to Meet and Discuss the 2003 RESTRUCTURING INITIATIVE.**

Council Member Nichting moved to approve the List of Dates to meet and discuss 2003 Restructuring Initiative; seconded by Council Member Sandberg.

Council Member Thetford moved for a substitution motion to change the beginning time for the meetings from 5:30 P.M. to 6:00 P.M.; seconded by Council Member Teplitz.

The Chair requested the maker consider a friendly amendment and following a clarification from City Manager McKnight.

Council Member Nichting agreed to amend his motion to change the beginning time for the meetings from 5:30 P.M to 6:00 P.M.

The seconder of the motion did not agree.

Council Member Grayeb suggested that not all of the meeting dates would necessarily be needed and the Council should be flexible. He further suggested obtaining documents (regarding programs, services, needs, and costs, etc.) before the meeting to help expedite the process.

City Manager McKnight noted Staff would appreciate any request for research and information from the Council for discussion at the meetings be submitted to his office as soon as possible.

Council Member Thetford expressed concern regarding scheduling three meetings a week and she offered a substitute motion to schedule one meeting a week on the Thursday evenings identified in the communication, which would be February 6th, 13th, 20th, and 27th, 2003, and to begin the meetings at 6:00 P.M. with no ending time; seconded by Council Member Grayeb.

Substitute motion to schedule one meeting a week on the Thursday evenings identified in the communication, which would be February 6th, 13th, 20th, and 27th, 2003, and to begin the meetings at 6:00 P.M. with no ending time was DEFEATED by roll call vote.

Yeas: Grayeb, Gulley, Teplitz, Thetford, Mayor Pro Tem Morris - 5;

Nays: Ardis, Nichting, Sandberg, Spears, Turner - 5.

Council Member Spears requested clarification regarding if the Council would be required to end the meetings promptly at 8:00 P.M. if they are scheduled in that manner.

City Manager McKnight said it would be the discretion of those present at the meetings when the meetings would end.

Council Member Thetford moved for a substitution motion to change the beginning time of the meetings from 5:30 P.M. to 6:00 P.M. No second was heard.

Motion to approve the List of Dates to meet and discuss 2003 Restructuring Initiative as outlined in the communication from the City Manager was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Sandberg, Spears, Teplitz, Turner,
Mayor Pro Tem Morris - 9;

Nays: Thetford - 1.

(02-839) Communication from Director of Planning and Growth Management with Recommendations from the Human Resources Commission (HRC) to Approve Funding for Year 2003, for the Agencies Listed on ATTACHMENT A.

Following recognition of Human Resources Commission Members Jim Simpkins and Diana Joseph who were present in the chambers, Council Member Grayeb moved to approve the recommendations from the Human Resources Commission (HRC) to approve funding for Year 2003 for the agencies listed on Attachment A; seconded by Council Member Teplitz.

Council Member Sandberg moved to divide Attachment A of the communication from Director of Planning and Growth Management regarding HRC Applications into two separate groups; Group One to include Item Nos. 3 through 47 and Group Two to include Item Nos 1 and 2, and to vote on these Groups separately; seconded by Council Member Ardis.

Approved by roll call vote.

Yeas: Ardis, Gulley, Nichting, Sandberg, Spears, Teplitz, Thetford,
Mayor Pro Tem Morris - 8;

Nays: Grayeb, Turner - 2.

Council Member Sandberg moved to defer Group Two which includes Item Nos. 1 and 2 until January 2003, Regular City Council Meeting, pursuant to difficulty with the Ordinance that prevented the City from entering into a contract with an entity that owed the City money; seconded by Council Member Spears.

Corporation Counsel Randy Ray clarified the deferral would need to be January 7, 2003 or January 14, 2003 Regular City Council Meeting.

Council Member Sandberg clarified his motion to change the deferral date to January 7, 2003, or January 14, 2003, Regular City Council Meeting. The seconder agreed.

Council Member Thetford inquired what was the reason for the deferral.

Council Member Sandberg stated there was an outstanding dispute regarding a grant in the amount of \$150,000 which had been given to the applicant in 1998. He said the dispute was ongoing and until it was resolved, there was currently a City Ordinance in place that stated the City could not enter into a contract with an entity that owed the City money. He said he felt it was bad public policy to enter into new commitments with the applicant until the ongoing dispute had been settled.

In response to concerns voiced by some Council Members regarding this item, Corporation Counsel Ray stated Staff intended to bring forward a contract for the Council to vote on that would resolve this issue.

Council Member Grayeb expressed concern regarding legal difficulties with HUD regarding this deferral.

Director of Planning and Growth Management Wayne Anthony said the City had no obligation to finalize this issue before the end of the year, as it related to HUD. He said there was a problem regarding Item No. 1, which was a contractual obligation the City had already entered into and this was just a continuation of the allocation pursuant to that contract.

In response to Mayor Pro Tem Morris' inquiry, Corporation Counsel stated the City would be adhering to their contractual obligation if this item was deferred and approved on January 7th or 14th, 2003.

Motion to defer Items No. 1 and 2 listed on Attachment A of the 2003 HRC Applications until January 7, 2003, or January 14, 2003, Regular City Council Meeting was approved by roll call vote.

Yeas: Ardis, Nichting, Sandberg, Spears, Teplitz, Mayor Pro Tem Morris - 6;

Nays: Grayeb, Gulley, Thetford, Turner - 4.

Council Member Grayeb moved to approve Group One of Attachment A of the 2003 HRC Applications which included Item Nos. 3 through 47; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

(02-840) Communication from Director of Planning and Growth Management with Recommendation for Funding of the EMERGENCY SHELTER GRANT (ESG) for Year 2003, Pending Award of Funds.

Council Member Nichting moved to approve the recommendation for funding of the Emergency Shelter Grant (ESG) for Year 2003, pending award of funds; seconded by Council Member Turner.

Council Member Sandberg moved to separate Item No. 2 relating to the YWCA Overnight Shelter Program and No. 5 regarding the YWCA YHouse for Homeless Women and Families from the Recommendations for funding of the ESG Year 2003; seconded by Council Member Spears.

Motion to divide the question was DEFEATED by roll call vote.

Yeas: Ardis, Nichting, Sandberg, Spears, Mayor Pro Tem Morris - 5;

Nays: Grayeb, Gulley, Thetford, Teplitz, Turner - 5.

Council Member Nichting moved for a substitute motion to defer this item until January 7, 2003, or January 14, 2003, Regular City Council Meeting; seconded by Council Member Sandberg.

Council Member Gully expressed concern that this item provided funding for emergency family shelters and he questioned what impact the deferral would have on this item.

Council Member Sandberg stated he felt there would be legal problems with the City Ordinance discussed previously if this item was not divided.

Director Anthony reminded the Council that some of this funding related to emergency shelter grants which was utilized by a majority of the recipients during the winter months. He added that the City's contract with the providers ended December 31, 2002, and any delay in January would prevent them from obtaining funding for that period of time.

Council Member Nichting withdrew his motion to defer. No objection was heard.

Council Member Nichting moved for a substitute motion to divide every question individually; seconded by Council Sandberg.

Substitute motion to divide every question was DEFEATED by roll call vote.

Yeas: Nichting, Sandberg, Spears – 3;

Nays: Ardis, Grayeb, Gulley, Thetford, Teplitz, Turner, Mayor Pro Tem Morris - 7.

Following a request from Council Member Sandberg, Corporation Counsel Ray read Ordinance Section 10-109 dealing with contracts and delinquent payments made to the City. He said he felt the City was bound by this ordinance.

The original motion to approve funding for the Emergency Shelter Grant (ESG) for the Year 2003, as outlined in the communication, was approved by roll call vote.

Yeas: Ardis, Grayeb, Gulley, Nichting, Teplitz, Thetford, Turner, Mayor Pro Tem Morris – 8;

Nays: Sandberg, Spears - 2.

(02-841) Communication from Director of Planning and Growth Management Requesting Approval for the SALE of 1713 NORTH BIGELOW in the Amount of \$49,900, and Authorizing the City Manager to Execute the Necessary Documents.

Council Member Teplitz moved to approve the sale of 1713 North Bigelow in the amount of \$49,900, and authorize the City Manager to execute the necessary documents; seconded by Council Member Turner.

Approved by roll call vote.

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

Nays: None.

(02-842) Communication from Director of Planning and Growth Management with ORDINANCE Rezoning Property Located at 2400 W. TOWNLINE ROAD from the Present Class I-1 (Industrial/Business Park) District to a Class C-2 (Large Scale Commercial) District and Granting a SPECIAL USE for a SHOPPING CENTER.

Council Member Nichting moved to adopt the Ordinance rezoning property located at 2400 W. Townline Road from the present Class I-1 (Industrial/Business Park) District to a Class C-2 (Large Scale Commercial) District and granting a Special Use for a Shopping Center; seconded by Council Member Sandberg.

ORDINANCE NO. 15,417 was approved by roll call vote.

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

Nays: None.

(02-843) Communication from Director of Planning and Growth Management with ORDINANCE Granting a SPECIAL USE in a Class C-2 (Large-Scale Commercial) District for a SHOPPING CENTER for Property Located at 4610 N. UNIVERSITY STREET, with Conditions.

Council Member Spears moved to adopt the Ordinance granting a Special Use in a Class C-2 (Large-Scale Commercial) District for a Shopping Center for property located at 4610 N. University Street, as recommended by Staff; seconded by Council Member Ardis.

Clerk's Note: This motion amended the ordinance, as presented.

Council Member Thetford requested clarification on Staff's recommendation regarding the placement of a stoplight at the intersection.

Director of Public Works Steve VanWinkle stated Staff felt this was not a good location for the traffic signal due to the amount of traffic flow in the area. He said Staff had encouraged the developer to work with Metro Centre to create another connection between the two properties that would be located in another area where there would be a gap in the buildings in the Metro Centre, which would then provide a much better interface between the two properties than the service drive that was closer to University Street. He said his concern was once the property was fully operational, there could be a potential negative situation with people trying to use the signal at Metro Centre to enter and exit, resulting in blocking traffic. He said Staff felt it was not in the best interest of the public to have a traffic signal located at that particular site.

Motion to adopt ORDINANCE NO. 15,418, as amended to reflect the Staff's recommendation, granting a Special Use in a Class C-2 (Large-Scale Commercial) District for a Shopping Center for property located at 4610 N. University Street, was approved by roll call vote.

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

Nays: None.

(02-844) Communication from Director of Planning and Growth Management with ORDINANCE Amending Ordinance 14,523 an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a SHOPPING CENTER to Include Demolishing an Existing Building and Constructing a WIRELESS COMMUNICATIONS BUILDING for Property Located at 5901 N. PROSPECT, 5713-5719 HUMBOLDT AVENUE and 5832 N. KNOXVILLE AVENUE.

Council Member Nichting moved to adopt the Ordinance amending Ordinance 14,523, an Existing Special Use in a Class C-2 (Large Scale Commercial) District for a Shopping Center to include demolishing an existing building and constructing a wireless communications building for property located at 5901 N. Prospect, 5713-5719 Humboldt Avenue and 5832 N. Knoxville Avenue; seconded by Council Member Sandberg.

ORDINANCE NO. 15,419 was approved by roll call vote.

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

Nays: None.

(02-845) Communication from Director of Planning and Growth Management with Recommendation from the Zoning Commission to APPROVE and Staff Recommendation to DENY an ORDINANCE Granting a SPECIAL USE in a Class C-1 (General Commercial) District for a SERVICE STATION to Include a New CANOPY STRUCTURE for Property Located at 3124 N. PROSPECT ROAD.

Council Member Thetford moved to adopt the Ordinance granting a Special Use in a Class C-1 (General Commercial) District for a Service Station to Include a new canopy structure for property located at 3124 N. Prospect Road, subject to the petitioner meeting with Staff to develop a site plan addressing which would address some of the compliance concerns noted with a revised site plan eventually replacing Attachment A; seconded by Council Member Grayeb.

City Clerk Haynes stated the current site plan was part of the ordinance and if the ordinance was adopted at this meeting, it would include the attached existing site plan. She explained to insert a new site plan would require an ordinance to be brought to Council which would amend this one. She explained the site plan presented with this ordinance would be in effect, if this ordinance was adopted and it would be entered into her Official Ordinance Book as presented.

Director Anthony said it was his understanding the motion only amended to add a condition that the applicant and staff work out a new site plan that addressed some landscaping issues on the site, and that new site plan would replace the existing site plan attached to the ordinance.

Clerk Haynes explained she could not switch the site plans without an amending ordinance.

Council Member Sandberg stated the essence of a Special Use permit was that it would be site plan specific. He said without specifying what the site plan would be, the purpose of the special use would be totally eliminated.

Following a recommendation that the petitioner meet with Staff to discuss site plan recommendations, Council Member Thetford moved for a substitute motion to defer consideration of this item until the first scheduled Council Meeting in January, 2003; seconded by Council Member Sandberg.

Motion to defer this item until January 7, 2003 Regular City Council meeting was approved by roll call vote.

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

Nays: None.

(02-846) CITY MANAGER REPORT TO CITY COUNCIL.

Council Member Grayeb moved to receive and file the City Manager report to City Council; seconded Council Member Turner.

Approved by roll call vote.

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

Nays: None.

UNFINISHED BUSINESS

(02-838) Communication from City Manager Requesting the City Council to Approve the LIST OF DATES to Meet and Discuss the 2003 RESTRUCTURING INITIATIVE.

Council Member Nichting requested clarification regarding the format intended to be utilized during the restructuring initiative meetings.

City Manager McKnight said Staff had hoped to establish exactly what the current level of services being provided was, and the cost of these services. He added he felt it was important for the Council to be apprised of what the current service level was before recommending any reductions.

Council Member Spears said some services provided also generate revenue for the City. He said he felt it was important for Staff to take into consideration that reduction of some services could possibly eliminate potential revenue attached to that service.

Council Member Turner clarified his request was for comparable size regarding budget size, staffing levels and services delivered. He said the purpose for his request was basically to have information available to be utilized during the meetings to support any decisions Council should recommend.

NEW BUSINESS

Update Regarding the BULLETPROOF VEST CAMPAIGN for the City of Peoria POLICE DEPARTMENT

Council Member Teplitz thanked the community for their efforts in raising funds to purchase bulletproof vests for the Police Department. She said the City's goal had been met as of late Spring of 2002, and every Police Officer had been equipped with a new state of the art bulletproof vest. She added there were funds available in the community foundation fund for the purchase of additional vests, as needed.

(02-847) Consideration of a Motion to CANCEL the Next Two Regular City Council Meetings Scheduled for December 24, 2002, And December 31, 2002.

Council Member Nichting moved to cancel the next two Regular City Council Meetings scheduled for Tuesday, December 24, 2002, and Tuesday, December 31, 2002; seconded by Council Member Teplitz.

Approved by roll call vote.

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

Nays: None.

(02-848) REQUEST for REPORT BACK Regarding the City's In-House Policy for Notifying Individuals of Commission Term Expiration Dates.

Council Member Gulley expressed concern that members of some commissions had recently attended meetings unaware their terms had expired. He requested the City notify commission members to advise them regarding the status of their term and asked what the City's policy was.

City Manager McKnight said he would report back regarding this item.

CITIZEN REQUESTS TO ADDRESS THE COUNCIL

No citizens came forward to address the Council.

EXECUTIVE SESSION

It was determined that no Executive Session was needed.

ADJOURNMENT

In the spirit of the holiday season, Mayor Pro Tem suggested everyone in the community pause a minute to reflect on their blessings, and he then extended his wishes for a Happy Holiday Season.

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

Approved by viva voce vote.

The Council Meeting adjourned at 8:40 P.M.

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

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