

**: OFFICIAL PROCEEDINGS :**

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

A Joint Regular Meeting of the City Council and Town Board of Trustees of Peoria, Illinois, was held November 27, 2018, at 6:00 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, with Chairman Pro Tem Ruckriegel presiding, and with proper notice having been posted.

**ROLL CALL**

Roll Call showed the following Council Members were physically present: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Rigggenbach, Chairman Pro Tem Ruckriegel – 9. Absent: Turner, Mayor Ardis - 2.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Chairman Pro Tem Ruckriegel requested a moment of silent prayer or silent reflection and then he led the pledge of allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**40 Leaders Under Forty 25<sup>th</sup> Anniversary  
Year of the Bird  
The Community Festival of Nativities  
World AIDS Day for Central Illinois Friends**

**MINUTES**

Council Member Grayeb moved to approve the minutes of the Regular City Council Meeting held on November 13, 2018, as printed; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Rigggenbach,  
Chairman Pro Tem Ruckriegel- 9;

Nays: None.

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

**(18-342) Communication from the Town Officials with a Request to APPROVE MONTHLY ANTICIPATED EXPENDITURES for DECEMBER 2018 for the Town of the City of Peoria.**

Trustee Cyr moved to approve monthly anticipated expenditures for December 2018 for the Town of the City of Peoria; seconded by Trustee Oyler.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Rigggenbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.



PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIACONSENT AGENDA ITEMS BY OMNIBUS VOTE, with Recommendations as Outlined

- (18-343)  
\* Communication from the City Manager and Director of Public Works with a Request for the Following:
- A. ADOPT an ORDINANCE Amending the CITY OF PEORIA 2018-2019 BIENNIAL BUDGET Relating to the Capital Fund for the Insurance Reimbursement of \$30,000.00 and the Use of Capital Fund Balance, in the Amount of \$64,154.00, for the Repairs to the REBECCA ARBOR, in the Amount of \$94,154.00. (Requires a supermajority vote);
  - B. A CONTRACT with WM. AUPPERLE & SONS, INC. in the Not-to-Exceed Amount of \$94,154.00, plus 10% Contingency, for Repairs to the REBECCA ARBOR. (Council District 2)
- (18-344) Communication from the City Manager and Chief of Police with a Request to APPROVE the Renewal of the Annual Subscription CONTRACT with SHOTSPOTTER, INC. (SST INC), for ShotSpotter Flex, a Gunfire Location, Alert, and Analysis Service, in the Amount of \$135,000.00.
- (18-345)  
\*\* Communication from the City Manager and Director of Public Works with a Request to APPROVE Change Order #1 of \$25,000, for an EXTENSION of the SIDEWALK IMPROVEMENTS (1407 SW ADAMS STREET and 1009 SW WASHINGTON STREET) CONTRACT with C&G CONCRETE CONSTRUCTION CO. and to Authorize the City Manager to Execute the Change Order, for a Total Budget Amount of \$95,000.00. (Amends 18-283) (Council District 1)
- (18-346)  
\*\*\* Communication from the City Manager and Community Development Director to ADOPT an ORDINANCE Amending Chapter 5, Article XIII of the CODE of the CITY OF PEORIA Related to REGISTRATION OF RESIDENTIAL PROPERTY and INSPECTIONS OF DWELLINGS.
- (18-347)  
\*\*\*\* Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Amending the City of Peoria 2018 - 2019 Biennial Budget Relating to the PEORACORP FUND to Recognize the Receipt of Grant Funds from the Corporation for National and Community Service (CNCS) for AmeriCorps Funding, in the Amount of \$123,285.00, and the Department of Commerce and Economic Development (DCEO) for the Apprenticeship Plus Youth Program, in the Amount of \$145,000.00, and the Corresponding Increase in Expenditures Related to the Grants As Well As the Transfer of City Matching Funds from the Storm Water Utility Fund to the PeoriaCorp Fund, in the Amount of \$21,800.00. (Requires a Super Majority Vote)
- (18-315)  
\*\*\*\*\* Communication from the City Manager and Director of Public Works with a Request to ADOPT an ORDINANCE Amending CHAPTER 26, Section 26-250 of the CODE of the City of Peoria Designating STANDARDS OF CONSTRUCTION FOR SIDEWALKS.



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32565**

- (18-336) **Communication from the City Manager and Director of Community Development with a Request to Concur with the Planning & Zoning Commission and Staff to Adopt ORDINANCE NO. 17,630 Amending Appendix A, the Unified Development Code, Relating to DUPLEXES and the B1 DOWNTOWN COMMERCIAL DISTRICT.**
- (18-337) **Communication from the City Manager and Director of Public Works with a Request to ADOPT ORDINANCE NO. 17,631 Amending CHAPTER 26 of the CODE of the City of Peoria Requiring LICENSING AND BONDING FOR DUMPSTER AND PORTABLE STORAGE CONTAINER CONTRACTORS. (All Council Districts)**
- (18-338) **Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria Pertaining to DANCE HALL LICENSE REGULATION.**  
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\*
- (18-348) **REPORT from the CITY TREASURER PATRICK A. NICHTING for the MONTH of OCTOBER 2018, with Request to RECEIVE and FILE.**

Chairman Pro Tem Ruckriegel questioned if the Council wished to have any of the Consent Agenda Items removed for further discussion.

Council Member Jensen requested Item Nos. 18-346, 18-347, 18-315 and 18-338 be removed from the Consent Agenda for further discussion.

Council Member Moore requested Item Nos. 18-343 and 18-345 be removed from the Consent Agenda for further discussion.

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

Item Nos. 18-315, 18-336 through 18-338, 18-343 through 18-348 (excluding Item Nos. 18-315, 18-338, 18-343, 18-345 through 18-347, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach, Chairman Pro Tem Ruckriegel - 9;

Nays: None.

- (18-343) **Communication from the City Manager and Director of Public Works with a Request for the Following:**  
\*
- A. **ADOPT an ORDINANCE Amending the CITY OF PEORIA 2018-2019 BIENNIAL BUDGET Relating to the Capital Fund for the Insurance Reimbursement of \$30,000.00 and the Use of Capital Fund Balance, in the Amount of \$64,154.00, for the Repairs to the REBECCA ARBOR, in the Amount of \$94,154.00. (Requires a supermajority vote);**
- B. **A CONTRACT with WM. AUPPERLE & SONS, INC. in the Not-to-Exceed Amount of \$94,154.00, plus 10% Contingency, for Repairs to the REBECCA ARBOR. (Council District 2)**



After a brief discussion regarding minority participation and the need to find companies who could meet the City's requirement of 18% minority participation, Council Member Moore moved to adopt an Ordinance amending the City of Peoria 2018-2019 Biennial Budget relating to the Capital Fund for the insurance reimbursement of \$30,000.00 and the use of Capital Fund Balance, in the amount of \$64,154.00, for the repairs to the Rebecca Arbor, in the amount of \$94,154.00; seconded by Council Member Riggerbach.

ORDINANCE NO. 17,632 was adopted by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

Council Member Moore moved to approve a contract with Wm. Aupperle & Sons, Inc. in the not-to-exceed amount of \$94,154.00, plus 10% contingency, for repairs to the Rebecca Arbor; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None

**(18-345)**      **Communication from the City Manager and Director of Public Works with a**  
**\*\***              **Request to APPROVE Change Order #1 of \$25,000, for an EXTENSION of**  
**the SIDEWALK IMPROVEMENTS (1407 SW ADAMS STREET and 1009 SW**  
**WASHINGTON STREET) CONTRACT with C&G CONCRETE**  
**CONSTRUCTION CO. and to Authorize the City Manager to Execute the**  
**Change Order, for a Total Budget Amount of \$95,000.00. (Amends 18-283)**  
**(Council District 1)**

After complementing the efforts of the Public Works Department along with C&G Concrete Construction Co. regarding their percentage of minority participation, Council Member Moore moved to approve Change Order #1 of \$25,000.00, for an extension of the sidewalk improvements (1407 SW Adams Street and 1009 SW Washington Street) contract and C&G Concrete Construction Co. and to authorize the City Manager to execute the Change Order, for a total budget amount of \$95,000.00; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None

**(18-346)**      **Communication from the City Manager and Community Development**  
**\*\*\***              **Director to ADOPT an ORDINANCE Amending Chapter 5, Article XIII of the**  
**CODE of the CITY OF PEORIA Related to REGISTRATION OF RESIDENTIAL**  
**PROPERTY and INSPECTIONS OF DWELLINGS.**



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32567**

Council Member Jensen moved to defer this item to the December 11, 2018, Regular City Council Meeting; seconded by Council Member Oyler.

Motion to defer to the December 11, 2018, Regular City Council Meeting was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None

- (18-347) Communication from the City Manager and Finance Director/Comptroller with a Request to ADOPT an ORDINANCE Amending the City of Peoria 2018 - 2019 Biennial Budget Relating to the PEORICORP FUND to Recognize the Receipt of Grant Funds from the Corporation for National and Community Service (CNCS) for AmeriCorps Funding, in the Amount of \$123,285.00, and the Department of Commerce and Economic Development (DCEO) for the Apprenticeship Plus Youth Program, in the Amount of \$145,000.00, and the Corresponding Increase in Expenditures Related to the Grants As Well As the Transfer of City Matching Funds from the Storm Water Utility Fund to the PeoriaCorp Fund, in the Amount of \$21,800.00. (Requires a Super Majority Vote)**

Council Member Jensen said she supported the PeoriaCorp program and she inquired as to how the Storm Water Utility Fund could be used for that program. City Manager Ulrich said the youth program was being trained on green stormwater infrastructure management. Because it was being used for this type of training, funds from the Storm Water Utility Fund could be used.

Council Member Jensen moved to adopt an Ordinance amending the City of Peoria 2018-2019 Biennial Budget relating to the PeoriaCorp Fund to recognize the receipt of grant funds from the Corporation for National and Community Service (CNCS) for AmeriCorps Funding, in the amount of \$123,285.00, and the Department of Commerce and Economic Development (DCEO) for the Apprenticeship Plus Youth Program, in the amount of \$145,000.00, and the corresponding increase in expenditures related to the grants as well as the transfer of City matching funds from the Storm Water Utility Fund to the PeoriaCorp Fund, in the amount of \$21,800.00; seconded by Council Member Grayeb.

ORDINANCE NO. 17,633 was adopted by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None

- (18-315) Communication from the City Manager and Director of Public Works with a Request to ADOPT an ORDINANCE Amending CHAPTER 26, Section 26-250 of the CODE of the City of Peoria Designating STANDARDS OF CONSTRUCTION FOR SIDEWALKS.**

Discussions were held regarding the use of brick pavers, concrete or cement and permeable pavers. City Engineer Bill Lewis said local advocates wanted the conventional brick sidewalks. Regarding permeable pavers versus brick sidewalks, he said the two materials had very different looks. He also commented that bricks were not ADA friendly stating that when a brick or paver needed replaced it would affect the entire sidewalk.



Council Member Jensen recommended the Public Works Staff encourage private property owners to use permeable pavers.

Council Member Akeson expressed a concern regarding the utilization of concrete in some areas of the City. She requested a Report Back on the difference in cost between cement and brick, and the cost of maintenance for each.

Council Member Moore moved to adopt an Ordinance amending Chapter 26, Section 26-250, of the Code of the City of Peoria designating standards of construction for sidewalks.

Council Member Jensen expressed a concern that brick sidewalks were not being replaced with permeable pavers consistent with the stormwater utility, and she made a substitute motion to defer this item to the December 4, 2018, Regular City Council Meeting; seconded by Council Member Akeson.

Discussions were held regarding whether projects would be delayed if this item was deferred, and City Engineer Lewis said there was only an item in the downtown area that was on hold until this item was passed. He commented that the maintenance of brick sidewalks were more difficult to keep ADA compliant.

Substitute motion to defer this item to the December 4, 2018, Regular City Council meeting was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Montelongo, Oyler - 5;

Nays: Cyr, Moore, Riggenbach, Chairman Pro Tem Ruckriegel - 4.

*CLERK'S NOTE: Following the meeting, it was determined that this item would not come to the Council Agenda until the December 11, 2018, Regular City Council Meeting.*

**(18-338) Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending CHAPTER 18 of the CODE of the City of Peoria Pertaining to DANCE HALL LICENSE REGULATION.**

Discussions were held regarding the intent of the proposed amendment, and Corporation Council Leist said the proposed amendment indicated that should there be a youth event at an establishment that had a liquor license, then the liquor needed to be stored in another secure location so the youths could not have access to it. He said the proposed amendment was more stringent than what was currently in place. He said this Ordinance would provide safety for the youths and would not allow potentially harmful situations to occur.

City Manager Urich said the purpose of the amendment was to strengthen the current Ordinance to ensure that current liquor license holders hosting youth dance events removed the liquor and stored it in a safe location. He said new establishments would have to go through a Site Approval.

Council Member Jensen expressed a concern about the proposed amendment indicating that it needed to be more stringent in order to prevent incidents from happening.

In response to Council Member Akeson, Corporation Counsel Leist said his office had reviewed the policies and Ordinances of other municipalities who enacted similar legislation.



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32569**

Council Member Riggerbach moved to adopt an Ordinance amending Chapter 18 of the Code of the City of Peoria pertaining to Dance Hall License Regulation; seconded by Council Member Moore.

ORDINANCE NO. 17,634 was adopted by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None

**FIRST READINGS**

**(18-341) Communication from the City Manager and Corporation Counsel with a Request for a FIRST READING of an ORDINANCE Creating Article XVIII (PUBLIC SAFETY PENSION FEE) of Article 18 (Licenses and Miscellaneous Business Regulations) of the CODE of the City of Peoria.**

A handout was distributed to all Council Members for Appendix A wherein "monthly" was stricken from the title.

City Manager Urich said the proposed Ordinance created a Public Safety Pension Fee as a result of recent budget discussions. He said the City Council previously reduced the Capital Budget by \$980,000.00 and requested the City Manager to draft a Public Safety Pension Fee that would total \$1.2 million in order to close the budget deficit. He reviewed the initial amounts for square footage that was brought to the Council for review; however, he said the revised Ordinance would exempt all government parcels and set a fee of \$10 per parcel with no structures. He reviewed the new fee structure as outlined in the proposed Ordinance. He said a handout was distributed to all Council Members that struck the word "monthly" noting that the fee would be on an annual basis.

Discussions were held regarding the Public Safety Pension Fee and a Public Safety Fee. Corporation Counsel Leist said it was more prudent and safe to have a law of general applicability in oppose to a fee that singled-out non-profit organizations who did not pay real estate taxes.

Council Member Jensen said she would like more research and additional information as it related to a Public Safety Fee and implementing a higher fee for the larger non-profit organizations.

Council Member Akeson expressed some concerns with the various levels of the fee stating that additional research needed to be conducted on this type of fee. She said she had a more in-depth report that addressed the matter and she asked the City Manager to distribute the report for Council review. She remarked on potential long-term ramifications that could negatively impact the City.

City Manager Urich commented that negotiating a substantial pilot program with larger non-profit institutions would take more than a week to discuss. He said pilot programs were considered voluntary with voluntary payments being made. He said implementing this kind of pilot program would need time to discuss at the highest levels with those organizations.

Council Member Oyler said he would not support this item noting that his most recent concern was the fee with no structures. He said there were a number of areas in the City that could not be developed due to the economic climate.



Council Member Riggenbach said that no one was in favor of a Public Safety Pension Fee, noting that additional public safety cuts would be made without finding another revenue stream. He said there needed to be additional discussions on this matter, and he expressed a concern for the proposed fee on buildings with a large square footage. He asked that the fee schedule be included with the discussions with the bigger non-profit organizations. In conclusion, he remarked on the need to implement this fee in order to prevent from making additional cuts to the budget.

Council Member Riggenbach moved to receive and file the First Reading of an Ordinance creating Article XVIII (Public Safety Pension Fee) of Article 18 (Licenses and Miscellaneous Business Regulations) of the Code of the City of Peoria; seconded by Council Member Moore.

Council Member Jensen expressed a concern of setting too many fees for the citizens of Peoria, and she said she would not support this item as presented.

Discussions were held on the services the City provided to the taxpayers and it was noted that non-profit organizations needed to contribute to public safety. Council Member Grayeb requested additional information for the next Council meeting on how to get more support from these organizations.

Council Member Riggenbach expressed a need for the City to develop a plan that would address the overall situation and not implement a temporary fix. He said the City Council needed to find a source of funding that was sustainable. He said no one was in favor of the budget cuts, but the cuts will be deeper if the Council does not support this proposal.

Discussions were held on implementing the Public Safety Fee for non-profit organizations, and Chairman Pro Tem Ruckriegel commented on how implementing a fee on these organizations would be a burden. City Manager Ulrich said implementing a Public Safety Pension Fee for all parcels would decrease the burden for non-profit organizations that owned a number of parcels.

Motion to receive and file the First Reading review of an Ordinance creating Article XVIII (Public Safety Pension Fee) of Article 18 (Licenses and Miscellaneous Business Regulations) of the Code of the City of Peoria was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Montelongo, Moore, Riggenbach - 6;

Nays: Jensen, Oyler, Chairman Pro Tem Ruckriegel - 3.

*CLERK'S NOTE: Item No. 18-348 will be placed on the December 4, 2018, Special City Council Meeting agenda.*

**(18-349) Communication from the City Manager and Finance Director/Comptroller with a Request for a FIRST READING of an ORDINANCE Creating Chapter 27 (TAXATION), Article XVIII (ALCOHOLIC LIQUOR SOLD AT RETAIL ESTABLISHMENTS) of the CODE of the City Of Peoria.**

Council Member Grayeb moved to receive and file a First Reading review of an Ordinance creating Chapter 27 (Taxation), Article XVIII (Alcoholic Liquor Sold at Retail Establishments) of the Code of the City of Peoria; seconded by Council Member Cyr.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Oyler, Riggenbach - 7;

Nays: Moore, Chairman Pro Tem Ruckriegel - 2.



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32571**

*CLERK'S NOTE: Item No. 18-349 will be placed on the December 4, 2018, Special City Council Meeting agenda.*

**REGULAR BUSINESS ITEMS, with Recommendations as Outlined:**

**(18-318) Communication from City Councilwoman Beth Akeson with a Request to ADOPT an ORDINANCE Amending Ordinance No. 16,142 providing for COUNCIL RULES Pertaining to CONFLICT OF INTEREST.**

Council Member Akeson moved to adopt an Ordinance amending Ordinance No. 16,142 providing for Council Rules pertaining to conflict of interest; seconded by Council Member Riggerbach.

ORDINANCE NO. 17,635 was adopted by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

**UNFINISHED BUSINESS (Including but not limited to motions to reconsider items, if any, from the previous Regular Meeting)**

**(18-302) Communication from the City Manager and Finance Director/Comptroller with a Request to RECEIVE and FILE a Continued Discussion of the 2019 REVISED BUDGET.**

The following handouts were distributed to all Council Members:

- Report Back Part 7 – 2019 Budget Questions
- Report Back Part 8 - 2019 Budget Questions

City Manager Urich said Council Member Montelongo had requested information on several agreements between the City and various entities. He said Report Back No. 7 encompassed the following agreements:

- Springdale Cemetery
- Animal Control Services
- Peoria Area Convention and Visitors Bureau
- Peoria Civic Center
- Downtown Development Corporation
- Greater Peoria Economic Development Council
- Peoria Area Diversity in Employment Action Team
- Advanced Medical Transport

Council Member Montelongo commented on the importance of reviewing the agreements outlined and how the City's money was being spent with the possibility of negotiating a new contract or business model.

**Springdale Cemetery**

City Manager Urich reviewed the Springdale Cemetery Agreement stating the Management Authority was established in 2002 with an Intergovernmental Agreement between the City, Peoria County, Peoria Park District and the Springdale Historic Preservation Foundation. He said the agreement had a 20-year term that would expire in 2022. He said the City budgeted



\$250,000.00 plus \$60,000.00 in capital for the Springdale Cemetery, but noted that the operating had been more than that amount. He said the City owned the Cemetery, however there were options available outlined by Statute.

Mark Matusak, General Manager of the Springdale Cemetery, provided an overview of the operations of the cemetery and the progress made since 2002. He said the City was receiving a greater value today than at any time in the history of the cemetery, with less staff doing more work. He said the cemetery had been working under the same budget since 2002. He said business was struggling; however, the cemetery was doing everything it could to operate as efficiently as possible.

Council Member Cyr moved to accept the Springdale Cemetery allocation, in the amount of \$250,000.00 plus \$60,000.00; seconded by Council Member Riggerbach.

Council Member Riggerbach expressed his appreciation to General Manager Mark Matusak for his efforts and on the improvements made to the cemetery since the creation of the Authority. He said the history of the cemetery was an untapped resource and was more of a historical benefit for the community. He said the community was getting a greater value today than ever before.

Council Member Akeson commented on the improvements made to the cemetery, specifically the gates and the entrance.

Council Member Oyler said it was impressive what the Authority did with their budget to improve the cemetery and how it responded to the market. He said the economy had changed from a burial garden to a cremation garden. He said it was an impressive place that needed consideration.

Council Member Montelongo said he was glad to see the cemetery back on track noting it was an asset to the community. He expressed a concern with the funding, especially with the recent reduction of the Police and Fire Departments. He directed the City Manager to look into this line item closer to 2020 budget discussions and have the City Manager present a recommendation to the City Council within the first half of 2019.

Motion to accept the Springdale Cemetery allocation, in the amount of \$250,000.00 plus \$60,000.00 was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

### **Animal Control Services**

City Manager Urich reviewed the Intergovernmental Agreement the City had with Peoria County for animal control services noting it was recently executed in 2018 and had a 2-year term. He said the agreement outlined the duties and responsibilities of the County. He said they could negotiate back the mandated level of service, which had been done in 2010; however, due to public outcry the City renegotiated those standards back to the previous levels.



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32573**

Council Member Cyr moved to approve the Animal Control Services allocation, in the amount of \$242,591.00; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

**Peoria Area Convention and Visitors Bureau**

City Manager Urich said the City entered into an agreement with the PACVB in 2016, which was due to expire December 31, 2018. Pursuant to the agreement, he said the City was required to fund the PACVB \$550,000.00. He said a new agreement would need to be renegotiated at the end of this year and he requested feedback from the City Council for the new agreement.

Mr. Dan Kourj, Chair of the Executive Committee of the PACVB, provided an overview of the duties of the PACVB and the benefits the City received from having such a committee. He said the PACVB was the #1 employer in the City that had a major impact on the City, noting that it was a vehicle that generated the HRA taxes. He said the PACVB was not an expense but rather a revenue generator that generated funds for the City. He said the success of the PACVB was vital to the City of Peoria.

Mr. Don Welch, President and CEO of the PACVB, commented on a letter that was distributed to all Council Members from David Haney who previously served on the PACVB Board. He said in the last year the PACVB held events that generated approximately \$1.7 million in local City taxes. He said that amount would continue to be built upon for the coming years. He said the PACVB had a positive working relationship with the Peoria Civic Center and other groups within the City.

Council Member Cyr moved to approve the Peoria Area Convention and Visitors Bureau funding, in the amount of \$550,000.00; seconded by Council Member Moore.

Approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 8;

Nays: Jensen - 1.

**Peoria Civic Center Authority**

City Manager Urich said the Intergovernmental Agreement with the Peoria Civic Center Authority was approved by the City Council in August 2016. He said the agreement had an open-ended term wherein the City could give notice of termination. He said the agreement allocated and dispersed the Hotel, Restaurant and Amusement Taxes (HRA) and he reviewed how those funds were dispersed.

Paul DiGiallonard, Chairman of the Peoria Civic Center Authority, expressed his appreciation to the City Council for their support in the Authority's efforts. He said the Peoria Civic Center was vital to the community and enhanced the quality of life in the City. He said it was an economic engine that brought a lot of diversity to the community.

Council Member Cyr moved to approve the Peoria Civic Center Authority funding, in the amount of \$1,382,792.00; seconded by Council Member Riggerbach.



In response to Council Member Montelongo regarding recommendations for the agreement, City Manager Urich said the Peoria Civic Center Authority, under the current management team, was the best he had seen since working at the City. He said the activities and utilization of the Civic Center was at the highest levels that would provide an economic benefit for the entire City.

Chairman Pro Tem Ruckriegel expressed his appreciation for the Authority's efforts and noted it was heading in the right direction.

Motion to approve the Peoria Civic Center Authority funding, in the amount of \$1,382,792.00, was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

### **Downtown Development Corporation**

City Manager Urich reviewed the Downtown Development Corporation (DDC) noting its establishment in 2015 by the City and other parties. He said the organization promoted the community and economic revitalization of the downtown area.

Michael Freilinger, President of the DDC, expressed his appreciation to the City Council for their support and he explained how the DDC was formed and how it was funded. He commented that the City of Peoria was the largest community that did not have a public/private partnership advocating for the downtown. He said the downtown was vital to the City and the region. He reviewed the development that had taken place in the downtown area long with the increased valuation of property. He said having a strong vibrant downtown with urban neighborhoods attracted new employers and increased competitiveness of new employees and employers.

Council Member Moore moved to approve the Downtown Development Corporation funding, in the amount of \$100,000.00; seconded by Council Member Akesson.

Council Member Riggerbach commented that, as the City Council looked at ways to streamline City Hall operations, the DDC was a focal point for possible developments. He said the DDC was an investment worth making and he would support the funding.

Motion to approve the Downtown Development Corporation funding, in the amount of \$100,000.00 was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

### **Greater Peoria Economic Development Council**

City Manager Urich said the Greater Peoria Economic Development Council was established in 1982 with a Board of Directors comprised of public and private entities. He said there was no formal agreement between the City and the GPEDC.

Chris Setti, CEO of the Greater Peoria EDC, said the organization focused on the entire region that encompassed five counties. He provided an overview of the function of the organization and it drove the entire economy in the region. He said the GPEDC focused on business development, business assistance and business attraction to market the region and the community.



**NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32575**

Council Member Cyr moved to approve the Greater Peoria Economic Development Council funding, in the amount of \$75,000.00; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

**Peoria Area Diversity in Employment Action Team**

City Manager Urich provided an overview of the Peoria Area Diversity in Employment Action Team noting that the website was available on the City's website at <http://www.peoriagov.org/public-works/constructioncareerspeoria/>. He commented on the amount that was allotted for PADEAT and how much of that was utilized and where it was applied. He said the remaining balance each year was put back into the fund balance. He said the City had provided leadership in coordinating meetings for the past five years.

After a brief comment, Council Member Moore moved to approve the Peoria Area Diversity in Employment Action Team funding, in the amount of \$50,000.00; seconded by Council Member Riggerbach.

Council Member Montelongo expressed a concern regarding the amount of money allotted to the committee and he requested a balance sheet to show how those funds were being utilized. He said he would not be able to support this line item without the committee's budget.

City Manager Urich said the City's Chief Diversity Inclusion Officer was approved by the City Council with the key function of increasing minority participation. He said the PADEAT committee was created to focus on increasing minority participation in the trades. He said he would provide the City Council with a detailed accounting.

Discussions were held regarding PADEAT and its function to increase minority participation in the construction industry. It was suggested to expand PADEAT to include the medical industry and other crafts and trades.

City Manager Urich said PADEAT just had its annual meeting in October. He said he would provide an updated plan to the City Council and would post it to the website for public access.

Chairman Pro Tem Ruckriegel said PADEAT's budget was more than purchasing items, it was about creating a workforce and creating jobs and increasing minority participation. He said now that the public was informed about this committee, there could be more requests for assistance.

Motion to approve the Peoria Area Diversity in Employment Action Team funding, in the amount of \$50,000.00 was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 8;

Nays: Montelongo - 1.

**Advanced Medical Transport**

City Manager Urich reviewed the agreement with AMT, noting the agreement would not expire until December of 2026. He said it was a twenty-year agreement wherein the City granted AMT non-exclusive franchise rights to supply ambulance services within the City of Peoria. He said AMT paid fees to the City, which was approximately \$99,211.00. He reviewed the other services AMT provided the City. He said should either party wish to terminate the agreement,



they must give the other party five years' notice and that any negotiation of additional revenue to the City would require the approval of AMT.

Council Member Montelongo said he recommended adding a 10% annual fee on all AMT revenues that came from within the City and using those funds to supplement the Fire Department; however, he said he understood that changes to the contract could not be made at this time. He said the City's Fire Department and AMT worked closely together and the majority of the time the City's Firefighters were often the first on scene and started medical with AMT shortly behind them. He said on many other occasions Firefighters rode to the hospital in the ambulance. He said adding a 10% annual fee was something to review, which was why he said he proposed increasing that amount in an effort to find additional revenues to supplement the City's Fire Department.

Steven Morris, Counsel on behalf of AMT, encouraged Council Members to vote against the proposal for an added fee, noting there was a 20-year franchise agreement in place that could not be altered or cancelled without ramifications. He said both parties currently met their obligations and he expressed a concern that altering the agreement would be a violation of Federal law as it related to Medicare and Medicaid patients. He said AMT paid its franchise fee in a timely manner to the City and he noted there was an ALS agreement as it related to the Fire Department as well.

In response to Council Member Cyr, Corporation Counsel Leist reiterated that the current contract with AMT could not be altered absent a voluntary renegotiation and would require a five-year notice to terminate the current agreement.

Council Member Moore moved to approve the budget for AMT regarding revenues received by the City presented by the City Manager; seconded by Council Member Cyr.

City Manager Urich said this item was a receipt of funds from AMT as a franchise fee for dispatch services, in the amount of \$99,221 and he stated it was a 20-year franchise agreement.

Chairman Pro Tem Ruckriegel clarified that there was a not a motion for a 10% increase in the annual fee to be added to the AMT agreement.

Corporation Counsel Leist said a 10% additional charge to this agreement was not enforceable and that no additional fee could be charged at this time. He said this item was brought to the City Council for discussion purposes only.

Council Member Riggerbach moved for a substitute motion to deny the consideration of the 10% increase to the franchise agreement with AMT; seconded by Council Member Moore.

Council Member Akeson commented that the franchise agreement with AMT could not be altered at this time; however, she commented on the need to review the need to enter into contracts of this duration. She said she would support the denial of the 10% annual fee.

Council Member Montelongo said there needed to be discussions with the Board of Directors of AMT and he requested that the City Manager enter into those discussions to negotiate a more feasible contract and to provide a Report Back to be presented to the City Council in January.



## **NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32577**

It was noted that in the current franchise agreement there was an annual cost adjustment based on CPI with an increase in Medicare cost.

Substitute motion to DENY the consideration of the 10% increase to the franchise agreement was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

City Manager Urich recapped the budget process noting that items that would be brought to the City Council at the next meeting scheduled for December 4, 2018.

### **Illinois American Water – Utility Tax/Franchise Fee**

In response to Council Member Jensen, City Manager Urich said the City currently had a water utility tax of 5% wherein the City anticipated revenues in the amount of \$1.7 million for 2019. He said the City could close the deficit by imposing a franchise fee to the water company; however, he said that fee would trickle down to the consumer.

### **Residency Requirements**

In response to Council Member Jensen, City Manager Urich provided an overview of the City's residency requirements for personnel and the changes that were made to that requirement over the last several years. He highlighted changes that took place in 2017 for the Firefighters and in 2012 for management positions.

Council Member Jensen inquired about residency exemptions and City Manager Urich said he would ask the Human Resource Director to provide a Report Back regarding the same.

### **Proposed Cuts to the Fire Department**

Council Member Jensen asked what Fire Stations would be impacted by the elimination of 18 Firefighter positions, and Chief Olehy stated that there would be nine from Station 11 and nine from Fire Central.

### **Water Company Franchise Fee**

In response to Council Member Cyr's question regarding the implementation of a water company franchise fee, City Manager Urich said it would raise another \$1,000.050.00 if the water company continued to allow the City to charge them for street openings when work on waterlines was needed. He said it would impact approximately 50,000 accounts that included residential, commercial and industrial.

Discussions were held on how a franchise fee would impact consumer billing and how it would fluctuate for each consumer according to water usage. It was noted that the franchise fee would only apply to the City of Peoria.

Council Member Cyr recommended engaging in discussions with the water company in order to negotiate a deal for a Water Company Franchise Fee.

### **Residency Requirement**

Discussions were held regarding the 2012 Residency Rule for the City of Peoria. City Manager Urich said, in order to rescind that rule, the City Council would have to direct Staff to come back with an Ordinance to rescind that requirement.



Council Member Oyler made an advisory motion to rescind the 2012 decision as it related to the residency requirement for management employees; seconded by Council Member Jensen.

Council Member Grayeb expressed a concern of requiring employees to live within the City, noting an Appellate Court decision that the City could not compel residency.

City Manager Urich said he would review the City's current requirement noting that any changes to it would be applied prospectively to new hires. He said compliance with the Appellate Court's ruling would be taken into consideration.

Council Member Riggerbach said there had been a lot of discussions regarding THE residency requirement and he said the City needed to fulfill its obligation toward previous decisions. He said this was a critical issue to discuss as the Council tried to finalize the budget. He said there was no deadline involved on this matter, and he said it was something the City Council needed to be very deliberative in the matter.

City Manager Urich said he would come back with a change to the policy that was adopted in 2012 that only affected management employees below the Department Head level and would provide direction on requiring residency in the City.

Council Member Cyr said the motion would not affect the 2019 Revised Budget; however, he said it was a conversation that needed to be held by the City Council.

Council Member Oyler said he was agreeable to a friendly amendment to amend the motion to revisit the matter after the 2019 Revised Budget was adopted to be discussion in January 2019.

Motion to direct the City Manager to come back with a proposal regarding management residency to explore background information and to provide a Report Back to the City Council at the first meeting in January was approved by roll call vote.

Yeas: Akesson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggerbach,

Chairman Pro Tem Ruckriegel - 9;

Nays: None.

### **Water Company Franchise Fee**

Council Member Moore expressed a concern about implementing or taxing another fee to the citizens of Peoria, noting the increase in garbage tax, Public Safety Pension Fee and an upcoming CSO fee. She said she would not support something that would impose another fee upon the residents.

Council Member Grayeb expressed a concern on how the closing of Firehouses and shutting down machines would impact the community financially. He said the City Council needed to review all alternatives and he said he would support the advisory motion.

Council Member Oyler moved to receive and file a continued discussion of the 2019 Revised Budget; seconded by Council Member Jensen.

Council Member Cyr expressed a concern regarding the budget process; however, he expressed an appreciation for not having to lay off employees. He commented on the need to begin the budget discussion much earlier in 2019 for 2020 and he commented on the need to discuss economic development at each meeting.



## **NOVEMBER 27, 2018 JOINT CITY COUNCIL AND TOWN BOARD PROCEEDINGS 32579**

Council Member Akeson commented on reviewing whether the City would benefit from priority-based budgeting. She also commented on the need for earlier budget discussions in 2019 for 2020 with the need for more community involvement.

Motion to receive and file a continued discussion of the 2019 Revised Budget was approved by roll call vote.

Yeas: Akeson, Cyr, Grayeb, Jensen, Montelongo, Moore, Oylar, Riggerbach,  
Chairman Pro Tem Ruckriegel - 9;

Nays: None.

### **Recognition to Peoria's Snow Fighters**

Council Member Jensen commended Assistant Public Works Director Sie Maroon and his staff for their efforts in the recent snow event for clearing the City Streets and she read a letter from a constituent regarding the same.

Council Member Cyr left the meeting at 9:50 P.M.

### **NEW BUSINESS**

It was determined that there was no New Business to come before the City Council.

### **CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD**

Hearing no objection, Chairman Pro Tem Ruckriegel granted Privilege of the Floor to those citizens who wished to address the City Council.

Dr. John Carroll, a citizen of Peoria, expressed a concern for the City's Fire Department and the need for more ALS Certified engines.

Keri Hayes, a citizen of Peoria, expressed her concern for some Council Members, commented on the Peoria Civic Center's rejection of various minority acts, and commented on the City decommissioning a Fire Rescue Squads.

Jessie McGowan, a citizen of Peoria, said his neighborhood had sent suggestions regarding the Public Safety Pension Fee, which was turned down by their District Council Member and he expressed a concern regarding the same.

Virginia Andrews, a citizen of Peoria, said she was against the Public Safety Pension Fee noting it would not fix the City's budget issues. She said the City Council needed to address the issue and not just implement a temporary fix. She said she could not afford the additional fees, noting that property taxes were increasing along with an additional stormwater tax citizens would have to pay. She commented on how these taxes and fees were affecting non-profit organizations.

Anthony Walraven, a citizen of Peoria, commented that the City of Peoria was one of the few cities that did not run its own ambulance service, water, and garbage companies. He said the City Council needed to review whether City services or tourism was more important and he said the City needed more public employees.



**EXECUTIVE SESSION**

**Consideration of a Motion to enter into EXECUTIVE SESSION pursuant to 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Jensen moved to enter into Executive Session pursuant to 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,  
Chairman Pro Tem Ruckriegel - 8;

Nays: None.

**ADJOURNMENT**


Council Member Jensen moved to adjourn the Joint City Council and Town Board Meeting; seconded by Council Member Oyler.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Montelongo, Moore, Oyler, Riggenbach,  
Chairman Pro Tem Ruckriegel - 8;

Nays: None.

The Joint City Council and Town Board Meeting was adjourned at 10:11 P.M.



Beth Ball, MMC, City Clerk  
City of Peoria, Illinois