

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A Special Meeting of the City Council of Peoria, Illinois, was held November 17, 2015, at 6:05 A.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll Call showed the following Council Members were physically present: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner, Mayor Ardis – 9. Absent: Riggenbach -1.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Jim Ardis requested a moment of silent prayer or silent reflection, and then he led the Pledge of Allegiance.

PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA

FIRST READING

(15-368) Communication from the City Manager with a Request for a FIRST READING of an ORDINANCE Amending Chapter 27 of the CODE of the City of Peoria Pertaining to the RETAILER’S OCCUPATION TAX and the SERVICE OCCUPATION TAX.

City Manager Patrick Urich provided a brief summary on the Home Rule Retailer’s Occupation Tax and the Home Rule Service Occupation Tax. He explained the Home Rule Sales Tax would increase from 1.5 % to 1.75 % effective July 1, 2016. He stated the impact of this increase would be an additional \$1.9 million in 2016 and \$3.8 million in 2017.

Council Member Turner moved to receive and file the First Reading of an Ordinance amending Chapter 27 of the Code of the City of Peoria pertaining to the Retailers Occupation Tax and the Service Occupation Tax; seconded by Council Member Grayeb.

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

Yeas: Grayeb, Jensen, Johnson, Moore, Turner, Mayor Ardis – 6;

Nays: Akeson, Montelongo, Spain – 3.

* Clerk’s Note: The Item will be placed on the November 19, 2015, Special City Council Agenda.

(15-369) Communication from the City Manager with a Request for a FIRST READING of an ORDINANCE Amending Chapter 27 of the CODE of the City of Peoria Pertaining to MOTOR FUEL TAX.

Council Member Turner moved to receive and file the First Reading of an Ordinance amending Chapter 27 of the Code of the City of Peoria pertaining to Motor Fuel Tax; seconded by Council Member Johnson.

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

Yeas: Akeson, Grayeb, Jensen, Johnson, Moore, Spain, Turner, Mayor Ardis – 8;

Nays: Montelongo – 1.

* Clerk's Note: The Item will be placed on the November 19, 2015, Special City Council Agenda.

(15-370) Communication from the City Manager with a Request for a FIRST READING of an ORDINANCE Amending Chapter 3 of the CODE of the City of Peoria pertaining to ALCOHOLIC BEVERAGES.

Council Member Turner moved to receive and file the First Reading of an Ordinance amending Chapter 3 of the Code of the City of Peoria pertaining to Alcoholic Beverages; seconded by Council Member Akeson.

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

Yeas: Akeson, Grayeb, Jensen, Johnson, Moore, Spain, Turner, Mayor Ardis – 8;

Nays: Montelongo – 1.

* Clerk's Note: The Item will be placed on the November 19, 2015, Special City Council Agenda.

(15-371) Communication from the City Manager with a Request for a FIRST READING of an ORDINANCE Amending Chapter 18 of the CODE of the City of Peoria Pertaining to LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS

Council Member Turner moved to receive and file the First Reading of an Ordinance amending Chapter 18 of the Code of the City of Peoria pertaining to Licenses and Miscellaneous Business Regulations; seconded by Council Member Grayeb.

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

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner, Mayor Ardis – 9;

Nays: None.

* Clerk's Note: The Item will be placed on the November 19, 2015, Special City Council Agenda.

REGULAR BUSINESS

- (15-372) Communication from the City Manager with a Request to Authorize the City Manager to Execute the COLLECTIVE BARGAINING AGREEMENT Negotiated Between the City of Peoria and the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 3464, which will Cover the Period from January 1, 2015, Through December 31, 2018.**

Council Member Turner moved to authorize the City Manager to execute the Collective Bargaining Agreement negotiated between the City of Peoria and the American Federation of State, County and Municipal Employees (AFSCME) Local 3464, which will cover the period from January 1, 2015, through December 31, 2018; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akesson, Grayeb, Jensen, Johnson, Montelongo, Turner, Mayor Ardis – 7;

Nays: Spain -1.

- (15-373) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class B (restaurant, 50% food) Liquor License with On-Site Consumption and Retail Sales of Alcohol at the FIN 13 SUSHI & GRILL, 5901 N. PROSPECT ROAD, SUITE 13, Contingent Upon the Compliance with all Building Permit Requirements, with a Recommendation from the Liquor Commission to Approve. (DISTRICT 3)**

Council Member Spain moved to approve the Site Application for Class B (restaurant 50% food) Liquor License with on-site consumption and retail sale of alcohol contingent upon the compliance with all building permit requirements; seconded by Council Member Jensen.

Approved by roll call vote.

Yeas: Akesson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner, Mayor Ardis – 9;

Nays: None.

- (15-374) Communication from the City Manager and Corporation Counsel with a Request to APPROVE the SITE APPLICATION for a Class B (restaurant, 50% food) Liquor License with On-Site Consumption and Retail Sale of Alcohol at the CHILDERS EATERY, 5805 N. HUMBOLDT AVE., Suite 6, Contingent Upon the Compliance with all Building Permit Requirements, with a Recommendation from the Liquor Commission to Approve. (District 3)**

Council Member Spain moved to approve the Site Application for Class B (restaurant 50% food) Liquor License with on-site consumption and retail sale of alcohol contingent upon the compliance with all building permit requirements; seconded by Council Member Turner.

Motion to approve the Site Application for Class B (restaurant 50% food) Liquor License with on-site consumption and retail sale of alcohol contingent upon the compliance with all building permit requirements was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner,

Mayor Ardis – 9;

None: None.

UNFINISHED BUSINESS (Including but not limited to motions to reconsider items, if any, From the previous Regular Meeting.

(15-016) Communication from the City Manager and the Finance Director/Comptroller with a Request for Continued Discussion Regarding the 2016-2017 CITY OF PEORIA BIENNIAL BUDGET.

City Manager Patrick Urich stated several handouts were distributed to the City Council. The first handout was a report back for Police Body Camera CIP request; second handout was from Peoria School District 150 requesting the City of Peoria to consider a ¼ cent sales tax for the purpose of funding State-mandated maintenance and repairs for school buildings; and the third handout was from the Ellis Street Neighborhood Watch requesting consideration for the Resident Cop Program.

City Manager Urich explained the cost of the cameras and required hardware were approximately \$96,485 and the ongoing hardware costs were \$15,558 per year. He stated in anticipation of FOIA requests for captured video, it would be necessary to add one full time employee to respond to the requests at a cost of \$69,289.00, which includes salary and benefits. He alluded to the distributed handout that spoke about the lessons learned from Phoenix, Arizona, regarding deployment of body-worn cameras and the Justice Department's Bureau of Justice Assistance, which had developed a body camera toolkit for law enforcement agencies interested in developing a body camera program. City Manager Urich recommended before funding was discussed that Staff work on the check list provided by the Bureau of Justice Assistance and then engage the public along with the stakeholders in developing a policy pertaining to the use of body cameras.

Council Member Johnson thanked Police Chief Mitchell and Corporation Counsel Leist for the work put forth on this topic. He stated, with the many lawsuits filed against the City of Peoria Police Department, body cameras could assist in making the department more efficient and fewer lawsuits being filed.

City Manager Urich addressed the request for an additional \$4 million in road funding and the need to fund the debt service extension levy. He said Staff's recommendation would be to place \$2 million in the debt service extension levy and then create a street and bridge levy for \$2 million to cover road funding.

In response to Council Member Jensen's question on a time frame requirement if this item wasn't passed, City Manager Urich stated that passage was needed in order to set the property tax levy very soon.

Council Member Spain mentioned the November 10th presentation indicating tax rates for comparable cities and he questioned the City Manager if those cities moved forward with tax increases. He inquired, if the property tax freeze was not implemented by the State of Illinois, would this additional tax remain.

City Manager Urich stated comparable cities had not been contacted about their actual property tax increases and he indicated the property tax increase would be permanent for one year. He said it could be changed after one year.

Council Member Turner moved to approve the Staff recommendation to place \$2 million in the Debt Service Extension Levy; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Moore, Turner, Mayor Ardis – 7;

Nays: Montelongo, Spain – 2.

City Manager Urich explained the City was requesting an additional \$4 million be placed into road funding. He said the City had two choices 1. Reduce the dollar amount of road funding to \$2 million, which was previously approved; or 2. Find additional revenue sources for the remaining \$2 million. In discussion with Council Member Grayeb, City Manager Urich discussed several options for possible funding sources. He said Staff thought a property tax increase would be the easiest and fairest form of increased revenue.

Council Member Jensen voiced support for increased revenues for roads, but she indicated she could not support an increase in property taxes. She encouraged the Council to support further research of a possible motor vehicle registration fee.

Council Member Akeson requested clarification regarding the street and bridge levy and she asked if these funds could be used for public right-of-ways, parkway, sidewalks and curbs.

Assistant Director of Public Works/City Engineer Scott Reeise stated the street and bridge levy funds would follow the same guidelines as Motor Fuel funds, which would cover public right-of-ways, parkways, sidewalks and curbs.

Council Member Johnson voiced support for an increase in the Hotel tax with the additional funds be dedicated for road repair. He indicated this increase would affect visitors to the Peoria area rather than residents.

Council Member Johnson moved to increase the Hotel Tax by 2% to be budgeted toward roads; seconded by Council Member Turner.

City Manager Urich explained the City would need the concurrence of the Civic Center Authority for the proposed increase.

Council Member Akeson voiced her concerns regarding an increase in the Hotel Tax and how the Civic Center Authority would view such an increase. She said she supported Council Member Jensen's request to review a motor vehicle registration fee.

Council Member Spain stated he thought the Civic Center Authority would be reluctant to support such an increase. He said this topic had not been discussed so he did not know if they would be in favor or not.

Council Member Turner spoke against a vehicle registration fee being imposed.

Council Member Johnson stated the Estimated Assessed Value (EAV) was higher in the Fifth District and if the property tax was raised, he would suggest that the rate be increased at the lowest rate possible. He said it would be up to the Council to make sure needed funds go toward road repair.

Mayor Ardis pointed out the sense of urgency at this meeting was for the Council to determine if they were interested in increasing the property tax. He said all other increases could be decided at a later date.

Council Member Moore requested additional information on a possible motor vehicle registration to review for a possible revenue source in the future.

City Manager Urich stated, if the Council wanted other revenue options besides raising the property tax, he recommended the City reduce road funding to \$2 million for 2016 then additional funding from other revenues could be discussed. He responded to Council Member Akeson's question concerning a timeframe for additional taxing sources and he said it could be discussed and approved at future Council meetings.

Council Member Spain suggested that the Administration come back with a road program. He moved for a Substitute Motion to reject the Street and Bridge Property Tax increase in the amount of \$2 million; seconded by Council Member Akeson.

Council Member Grayeb voiced concern with the substitute motion and he stressed the need for rebuilding the City's infrastructure, and he stated he would not support the substitute motion.

In response to Council Member Grayeb's inquiry on the property tax rate increase needed to reach the \$2 million amount for road funding, City Manager Urich stated with the 2% increase in Hotel Tax the property tax would need to be increased by a 6 cent property tax levy to reach the \$2 million goal.

Council Member Grayeb pointed out that property taxes had not been increased in over twenty years and he said the Council needed to make a decision so they could move forward. He indicated he felt this was not fair to the taxpayers and he would not be able to support the substitute motion.

Mayor Ardis stated he would not support the substitute motion because the Council had been discussing road conditions all year and the need to fund repairs. He revealed that in his ten years as Mayor and six years as a Council Member the only property tax he voted to support was for the library. He indicated the need for road funding and he said supported the Street and Bridge Levy.

Substitute Motion to reject the Street and Bridge Property Tax increase was DEFEATED by roll call vote.

Yeas: Akeson, Jensen, Montelongo, Spain – 4;

Nays: Grayeb, Johnson, Moore, Turner, Mayor Ardis – 5.

Mayor Ardis stated since the Substitute Motion failed, a vote would be held on the original Motion on the Floor by Council Member Johnson to increase the Hotel Tax by 2% and budget those funds for road improvement. He said the motion was seconded by Council Member Turner.

Motion to increase the Hotel Tax by 2% and budget the funds for road improvement was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Moore, Turner, Mayor Ardis – 6;

Nays: Akeson, Montelongo, Spain – 3.

Council Member Grayeb moved to increase the property tax by 6% to produce \$1.2 million in additional revenue for the rebuilding of the City's infrastructure; seconded by Council Member Turner.

Council Member Spain voiced concerns with the increase in property taxes and he stated he would not support the increase.

Motion to increase the property tax by 6% to produce \$1.2 million in additional revenue for the rebuilding of the City's infrastructure was approved by roll call vote.

Yeas: Grayeb, Jensen, Johnson, Moore, Turner, Mayor Ardis – 6;

Nays: Akeson, Montelongo, Spain – 3.

Council Member Jensen requested the City Manager to explore the motor vehicle registration fee and report back to Council with his findings.

Council Member Spain said there was a request from District No. 150 School Board for the City to consider levying a ¼ cent sales tax to fund State-mandated maintenance and repairs for their buildings. He moved to grant Privilege of the Floor to those who wished to address these issues.

Hearing no objection, Mayor Ardis granted Privilege of the Floor to citizens requesting to speak on budget matters.

Mr. Savino Sierra, a Peoria resident spoke in support of a tax increase for Peoria School District 150 to assist with school improvements.

Mr. Roy Beckham, a Peoria resident, spoke on the road improvements on University Street and concerns with the City's budget. He supported a proposed tax increase requested by Peoria School District 150.

Mr. Rick Cloyd, Vice President Peoria School District 150 Board of Education, spoke in regards to a request from the School District for the City of Peoria to consider levying a ¼ cent sales tax for the purpose of funding State-mandated maintenance and repairs to their school buildings.

Mayor Ardis discussed additional revenue sources, which could assist the School District with the funding for school improvements.

Council Member Johnson moved to receive and file the information concerning the 2016/2017 City of Peoria Biennial Budget; seconded by Council Member Grayeb.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner,
Mayor Ardis – 9;

None: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

It was determined that there were no citizens to address the City Council/Town Board.

RETIREMENT PARTY FOR FIRE CHIEF KENT TOMBLIN

Council Member Grayeb recognized Fire Chief Kent Tomblin and stated a retirement party for the Chief would be November 19, 2015, at the AMVETS Post 64 located at 237 N. Monroe. He congratulated him and wished Chief Tomblin well in his retirement.

ATTENDANCE VIA TELECONFERENCE – EXECUTIVE SESSION

Corporation Counsel Leist said Council Member Riggerbach duly notified the City Clerk as required under Section 34 of Ordinance No. 16,142 that he would not be physically attending the meeting pursuant to employment reasons under Section 34(b)(2)(ii) and Section 7(a)(ii) of the Illinois Open Meetings Act, and Council Member Riggerbach had requested to attend the Executive Session meeting electronically via teleconference.

Council Member Grayeb moved to allow Council Member Riggerbach to attend the Executive Session Meeting via teleconference call pursuant to Section 34(b)(2)(ii) and Section 7(a)(ii) of the Illinois Open Meetings Act; seconded by Council Member Johnson.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner,
Mayor Ardis – 9;

Nays: None.

EXECUTIVE SESSION

Consideration of a Motion to enter into EXECUTIVE SESSION to 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(3) The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, or the discipline, performance or removal of the occupant of a public office.

Council Member Johnson moved to enter into an Executive Session to Discuss 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity; 2(c)(3) The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, or the discipline, performance or removal of the occupant of a public office; seconded by Council Member Turner.

Motion to go into Executive Session was approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner,
Mayor Ardis – 9;

Nays: None.

ADJOURNMENT

Council Member Grayeb moved to adjourn the Special City Council Meeting; seconded by Council Member Moore.

Approved by roll call vote.

Yeas: Akeson, Grayeb, Jensen, Johnson, Montelongo, Moore, Spain, Turner,
Mayor Ardis – 9;

Nays: None

The Special City Council Meeting adjourned at 7:57 P.M.



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