

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

Council Chambers, Peoria, Illinois, December 1, 2009, a Special City Council Meeting was held this date at 6:19 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

ROLL CALL

Roll call showed the following Council Members were physically present: Gulley (arrived 6:45 P.M.), Irving, Jacob, Montelongo, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11. Absent: None.

INVOCATION & PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS, COMMENDATIONS, ETC.

PROCLAMATION: PEORIA NOTRE DAME HIGH SCHOOL BOYS SOCCER TEAM

PETITIONS, REMONSTRANCES & COMMUNICATIONS**(09-570) PUBLIC HEARING Regarding the 2010 CITY OF PEORIA BUDGET.**

Council Member Spain moved to open the Public Hearing regarding the 2010 City Of Peoria Budget; seconded by Council Member Turner.

Hearing no objections, Mayor Ardis opened the Public Hearing.

The Public Hearing opened at 6:24 P.M.

Gary Poynter, former City of Peoria Police Chief, expressed concern regarding the proposed reduction of Police Officers. He said he was concerned about officer safety, but a reduction in the force could jeopardize the safety of Officers and citizens. He referred to a recent home invasion and hostage situation, and he pointed out the number of Police Officers that was needed for this type of incident and, at the same time, the need for Police Officers to be available to cover other portions of the City. He also pointed out that many Police Officers were members of the Military and many had served in Iraq and/or Afghanistan, which further reduced personnel during those times. He said the Police Department had a large area to cover and Police Officer safety should be the number one consideration. He requested that the Council reconsider and save some of these jobs.

Ed Berry, Peoria resident and Vice-President of the Peoria Humane Society, spoke in support of the City retaining control of the Animal Shelter. He proposed several solutions including providing volunteers so the Shelter would not have to reduce the number of hours it was open to the public, offering a donation of \$35,000 for the Shelter's 2010 budget, and becoming a bridge to assist in resolving these issues relating to the Shelter. He said volunteers could be used in some situations, but it was determined there could be liability and union conflicts. He said the Humane Society wanted to assist in any way possible to find a solution that would serve all citizens of Peoria. He spoke in support of retaining the three-way partnership that had been established, which had earned local, State, and National recognition.

Savino Sierra, a Peoria resident, expressed his appreciation for the Peoria Firefighters taking a wage freeze during these economic times, and he stated he felt Peoria Police Officers should also take a wage freeze so more Police Officers could be kept on the streets.

Following the third call by Mayor Ardis for citizens to address the City Council and after determining that no one else wished to address this issue, Council Member Spain moved to close the Public Hearing regarding the 2010 City Of Peoria Budget; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 10;

Nays: None.

The Public Hearing closed at 6:40 P.M.

(09-571) Communication from the City Manager and Finance Director/Comptroller Requesting Adoption of an ORDINANCE Providing for the ISSUANCE of Not to Exceed \$1,600,000.00 TAXABLE GENERAL OBLIGATION REFUNDING BONDS of the City of Peoria Authorizing the Execution of an Escrow Agreement and a Bond Order and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds.

Council Member Van Auken moved to adopt the Ordinance providing for the issuance of not to exceed \$1,600,000.00 Taxable General Obligation Refunding Bonds of the City of Peoria authorizing the execution of an Escrow Agreement and a Bond Order and providing for the Levy and collection of a Direct Annual Tax for the payment of the principal of and interest on said Bonds; seconded by Council Member Irving.

ORDINANCE NO. 16,500 was adopted by roll call vote.

Yeas: Irving, Jacob, Montelongo, Riggensbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 9;

Nays: Sandberg - 1.

Council Member Gulley arrived at 6:45 P.M.

(09-572) Communication from the City Manager Requesting Adoption of an ORDINANCE Amending CHAPTER 4 of the Code of the City of Peoria Pertaining to ANIMAL CONTROL FINES, REDEMPTION FEES, and ADOPTION FEES.

Council Member Van Auken moved to move this item forward on the Agenda and hold discussion after Unfinished Business Item No. 09-277; seconded by Council Member Turner.

Motion to move item was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Clerk's Note: See further action on Page 29159.

UNFINISHED BUSINESS
**(INCLUDING BUT NOT LIMITED TO MOTIONS TO RECONSIDER, IF ANY,
ITEMS FROM THE PREVIOUS REGULAR MEETING)**

**(09-277) DISCUSSION Regarding the FY 2010 CITY OF PEORIA BUDGET, with a
Request to PROVIDE FINAL GUIDANCE on CREATING a BALANCED
BUDGET, and with PUBLIC COMMENTS.**

City Manager Scott Moore distributed a replacement communication to all members of the City Council. He also distributed a listing of options for addressing the remaining budget deficit and a Budget Worksheet to all members of the Council.

City Manager Scott Moore said the current projected amount needed to close the budget deficit was approximately \$570,000.00. He stated he had held additional meetings with Staff to find areas that could be further reduced, and one of his recommendations was to transfer animal control services back to the County.

Council Member Van Auken discussed the Animal Shelter and the important public safety function they provided to the community. She said she understood that the facility would not be able to operate as it had in the past due to budget constraints, but she pointed out the Humane Society was trying to do their fair share. She suggested raising fees to resolve part of the budget issues.

Council Member Turner said he agreed and he pointed out that if the City ceased all animal control activities, and if the County did not fully engage the program, it would fall back on the City anyway.

Council Member Sandberg said he did not want to turn the Animal Shelter back to the County, but he felt the City had no choice due to the budget deficit. He expressed concern that the level of service might be lower, but he said the City did not have the money to continue funding the operation.

Council Member Riggerbach stated, as a former County Board Member, the County prided itself on providing the Statutory mandated services in a professional manner. He said it was important to note what was required by the State from the County. He commended the work of Animal Shelter Director Lauren Malmberg and her Staff and their first rate facility. He said the current deficit was driving the proposed decision regarding the Animal Shelter, and he felt it was time to plan for an orderly transition and to return the operation of the Animal Shelter back to Peoria County. He reiterated that animal control was clearly one of the County's State mandated responsibilities. He pointed out the transition could take three or four months and he was convinced the County would maintain the required level of service, but the level of service would be different in 2010 than it was in 2009 whether or not the City retained the animal control operation. He said he would support the Administration's proposal.

Council Member Jacob moved to support the City Manager's recommendation to return the Peoria Animal Welfare Shelter services to Peoria County; seconded by Council Member Gulley.

In discussion with Council Member Sandberg regarding whether or not the animal shelter facility would be rented out, Mayor Ardis stated this was one of the details that would need to be worked out.

Motion to support the City Manager's recommendation to return the Peoria Animal Welfare Shelter services to Peoria County was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spears, Mayor Ardis - 8;

Nays: Spain, Turner, Van Auken - 3.

Council Member Van Auken moved to approve restoring the positions of Legal Administrative Coordinator at \$53,017.36, Telecommunicator at \$56,408.77, Network Specialist at \$55,173.71, and Computer Operator at \$39,806.03 in the 2010 Budget; seconded by Council Member Turner.

In discussion with Council Member Sandberg regarding the Telecommunicator position and the use of 911 funds, ECC Manager Dave Tuttle explained he did not receive the request for this information, but he confirmed the law provided for some funding to come from the Emergency Telephone System Board, if they so decided. He added the ETSB presently did not fund any of the telecommunicator positions at the Dispatch Centers, but he said he would be willing to request them to make that consideration in the future.

In further discussion with Council Member Sandberg regarding his concern that funding had not been requested from a broader base earlier, Mayor Ardis suggested that this was an item that could be followed up in writing for the record regarding the ETSB's willingness to fund the position.

Motion to approve restoring the positions of Legal Administrative Coordinator at \$53,017.36, Telecommunicator at \$56,408.77, Network Specialist at \$55,173.71, and Computer Operator at \$39,806.03 to the 2010 Budget was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Council Member Van Auken moved to approve restoring the positions of Records Manager at \$108,059.47, 911 Supervisor at \$70,164.03, Public Safety Coordinator at \$72,371.84, and Accountant at \$59,186.24 in the 2010 Budget; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Council Member Van Auken moved to approve 0% COLA for AFSCME in the 2010 Budget, which would reduce the deficit by \$393,100.00; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggenbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Mayor Ardis stated the next list of reductions on the Budget Worksheet were items that had been identified since the last Council Budget Meeting to address the current budget deficit.

Clerk's Note: The aforementioned votes on the Animal Control operation made restoring the two listed Animal Control Officer positions a moot point.

Council Member Sandberg referred to the proposed reduction of a Building Inspector position and he said he understood that the City was in the process of hiring a Plumbing Inspector. He questioned if there had been any discussion regarding using the State Plumbing Inspector for inspections.

Director of Inspections John Kunski said the only inspections or services a State Plumbing Inspector could provide was on a complaint basis. He said the City provided a higher level of service by reviewing every project and permit for commercial or residential. He said, with the current reduction of permits, there could be a reduction in Building Inspectors and he opted to replace the Plumbing Inspector with a less senior person, which would be a cost savings. He added the new Plumbing Inspector would be cross-trained to perform liquor license and special event inspections, as well as to perform building inspections, electrical inspections, etc. He said the job description would be changed and sent to the Slavin Company.

Council Member Spain expressed concern regarding the reduction of the positions in the Planning Department. He said the loss of the Urban Planner position would negatively impact economic development and he stated the position was critical to the efforts of the 2010 census.

Council Member Spain moved to retain the Urban Planner position in the Planning Department at a cost of \$61,314.00 in the 2010 Budget; seconded by Council Member Van Auken.

Council Member Van Auken also expressed concern regarding the possible loss of the Urban Planner position, which could impact development projects moving forward in a timely manner. She said she agreed with Council Member Spain that the Urban Planner position was needed to enhance economic development for the City.

In discussion with Council Member Montelongo and Council Member Jacob regarding the proposed reductions and the upcoming census project, City Manager Moore stated there were areas that would be hindered, but Staff was prepared to make needed adjustments and shift responsibilities to get projects completed.

Motion to retain the Urban Planner position in the Planning Department at a cost of \$61,314.00 in the 2010 Budget was DEFEATED by roll call vote.

Yeas: Jacob, Riggensbach, Spain, Turner, Van Auken – 5;

Nays: Gulley, Irving, Montelongo, Sandberg, Spears, Mayor Ardis – 6.

Council Member Van Auken moved to approve the City Manager's recommendations for personnel reductions and additional savings to address the deficit in the 2010 Budget to include Fire-Wellness Program, City Manager – line items, Planning – line items, Public Works – Program & Budget Analyst, Public Works – Work Flow Coordinator, Inspections – Building Inspector, Inspections – Code Enforcement Supervisor, Planning – Zoning Enforcement Inspector, and Planning - Urban Planner in the total amount of \$419,273.00; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Council Member Van Auken moved to restore four Police Officer positions to the 2010 Budget; seconded by Council Member Spain.

Council Member Van Auken said even though the Police Benevolent Executive Board supported a wage freeze, the majority of the union did not vote to support a freeze. She said the addition of these four positions to the 2010 Budget would assist the Police Department in adequately performing their duties.

Motion to restore four Police Officer positions to the 2010 Budget was DEFEATED by roll call vote.

Yeas: Van Auken – 1;

Nays: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Mayor Ardis - 10.

City Manager Scott Moore said approximately \$122,000 was still needed to close the 2010 Budget deficit. He recommended raising parking ticket fees from \$10.00 to \$15.00, which would increase revenue by \$83,700.00 annually, and to impose a 5% water utility tax, which would increase revenue by \$1.5 million annually. He said he felt it was important to implement a revenue stream now to help address a possible deficit in 2011. He said the excess revenue would be banked and would only be used to address future deficits.

In discussion with Mayor Ardis regarding when implementation of a 5% water utility tax could be realized, Corporation Counsel Randy Ray said there would be no statutory delay. He explained Illinois American Water Company could enact the tax as early as January 1, 2010, but it would be a question of their billing cycle and when they would pay the City.

In discussion with Council Member Van Auken regarding whether the 5% would be a tax or a fee and regarding the intent to capture revenue from those property owners in the City who paid no taxes for services, Corporation Counsel Ray said this was a tax on the privilege of selling and distributing water, so it was a tax on the water company directly and there was no provision for the water company to subtract gross receipts from non-profit organizations or any others. He said there was still a possibility of exempting school districts or other governmental units, but he added there was nothing in the Statute for exempting non-profit organizations.

Council Member Van Auken moved to raise parking tickets from \$10.00 to \$15.00 and to impose a 5% water utility tax to be effective January 1, 2010; seconded by Council Member Turner.

Council Member Van Auken said she wanted a clear understanding with the non-profit community that this was not a tax on them and she wanted to emphasize that any excess funding realized from these increases would be used to address the deficit for 2011.

Mayor Ardis said this new revenue stream would only address approximately 20% of the expected deficit for 2011, which was anticipated to be \$5 million at this time.

In discussion with Council Member Spain regarding projected deficits for the years following 2011, Finance Director/Comptroller Jim Scroggins confirmed there was a projected \$5 million deficit for 2011, which was based on conservative estimates because it was unknown when the economy would begin to turn around and it was unknown how the census information would impact revenue. He said the projected deficit would increase \$2 million to \$3 million every year due to the City's expenditures growing faster than projected revenues at this time. He added the 5% water utility tax increase would help in these matters.

Following further discussion, Council Member Spears moved to amend the motion to restore the position of Parking Enforcement Officer at a cost of \$47,457.00 in the 2010 Budget; seconded by Council Member Spain.

Amendment to restore the position of Parking Enforcement Officer at a cost of \$47,457.00 in the 2010 Budget was approved by roll call vote.

Yeas: Irving, Jacob, Spain, Spears, Turner, Van Auken, Mayor Ardis - 7;

Nays: Gulley, Montelongo, Riggensbach, Sandberg - 4.

Council Member Gulley moved to separate the three issues; seconded by Council Member Sandberg.

Motion to separate the three issues was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

Council Member Sandberg said he would not support an increase in the cost of parking tickets because there should be an increase for parking deck fees instead.

Motion to raise parking tickets from \$10.00 to \$15.00 was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Riggensbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 9;

Nays: Montelongo, Sandberg - 2.

Council Member Montelongo said he would not support a permanent tax and he felt there should be a delay in capital projects in order to cover the deficit.

Council Member Gulley also stated he would not support the proposed 5% water utility tax.

Motion to impose a 5% water utility tax to be effective January 1, 2010, was approved by roll call vote.

Yeas: Irving, Jacob, Riggensbach, Spain, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Gulley, Montelongo, Sandberg - 3.

Clerk's Note: The Administration will bring back an Ordinance.

Amendment to restore the position of Parking Enforcement Officer with a cost of \$47,457.00 in the 2010 Budget was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Spain, Spears, Turner, Van Auken, Mayor Ardis - 8;

Nays: Montelongo, Riggensbach, Sandberg - 3.

(09-572) Communication from the City Manager Requesting Adoption of an ORDINANCE Amending CHAPTER 4 of the Code of the City of Peoria Pertaining to ANIMAL CONTROL FINES, REDEMPTION FEES, and ADOPTION FEES.

Council Member Van Auken moved to Table this item; seconded by Council Member Turner.

Motion to Table was approved by roll call vote.

Yeas: Gulley, Irving, Jacob, Montelongo, Riggensbach, Sandberg, Spain, Spears, Turner, Van Auken, Mayor Ardis - 11;

Nays: None.

PUBLIC COMMENTS Regarding the 2010 BUDGET

Roger Sparks, a Peoria resident, stated he supported an increase to parking deck fees. He expressed concern that parking tickets fines could be reduced too easily, which impacted City revenues.

HAPPY BIRTHDAY to CAMERA OPERATOR JOHN BLOCK

Mayor Ardis wished Camera Operator John Block a Happy Birthday.

EXECUTIVE SESSION

It was determined that an Executive Session was not needed.

ADJOURNMENT

Council Member Montelongo moved to adjourn the meeting; seconded by Council Member Irving.

Approved by viva voce vote.

The meeting adjourned at 8:06 P.M.

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

bb