

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

A Special Meeting of the City Council of Peoria, Illinois, was held on Tuesday, November 15, 2011, at 6:18 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been given.

**ROLL CALL**

Roll call showed the following Council Members physically present: Akesson, Gulley, Irving, Riggensbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 10; Absent: Sandberg - 1.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Ardis requested a moment of silent prayer or silent reflection, and he asked that Fire Chief Kent Tomblin and his family be remembered at the passing of his mother. He then led the Pledge of Allegiance.

**RECOGNITION OF DIGNITARIES**

Mayor Ardis recognized former Council Member Bob Manning and County Board Member Andrew Rand as being present at the meeting.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS****UNFINISHED BUSINESS**

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

- (11-350) Supplemental Communication from the City Manager and Director of Planning and Growth Management Requesting to Receive and File a PRESENTATION from Brad McMillan Regarding COMMUNITY MEETINGS on REDISTRICTING, and Requesting Approval of RESOLUTION "A" OR RESOLUTION "B" Requesting the PEORIA CITY ELECTION COMMISSION to Place Upon the BALLOT for the ELECTION of MARCH 20, 2012, a PROPOSITION to CHANGE the MANNER in Which the CITY OF PEORIA ELECTS ITS CITY COUNCIL MEMBERS. (New Communication with Resolutions)**

A letter from Rod Lorenz, President of Moss Bradley Residential Association, was distributed to members of the City Council.

Director of Planning and Growth Management Pat Landes distributed replacement pages related to the Redistricting communication to members of City Council.

Corporation Counsel Randy Ray distributed replacement Resolutions "A" and "B" to members of City Council, adding "while maintaining the city manager form of government" to each question.

Brad McMillan, Bradley University, distributed a Report on Community Input Regarding Cumulative Voting to members of the City Council.

Dr. Larry Aspin, Bradley University, distributed a report to members of the City Council entitled, "Cumulative Voting in Peoria City Council Elections 1991-2011."

Director of Planning and Growth Management Pat Landes provided a recap of what had occurred so far regarding Redistricting and Cumulative Voting. She noted the 2010 Census had prompted the redistricting process. She said numbers indicated shifts in the population would be required which would add to some districts and decrease in others. She reviewed the criteria

determined by the Ad Hoc Committee of the City Council on Redistricting used to set new boundaries for the districts. She noted, at the final Ad Hoc Committee meeting, it was determined that a map would be presented to the full City Council as a starting point for discussion on the number of Council Districts needed and on the Cumulative Voting process. She added two Community Forums were hosted in order to obtain citizen input on the process. She said the compiled feedback would be presented at this evening's meeting.

Dr. Larry Aspin, Professor and Chair of the Political Science Department at Bradley University, presented a summary of his findings in his extensive analysis of Cumulative Voting. He said he felt, for the most part, Peoria voters understood the concept of Cumulative Voting. He said statistics indicated citizens maximized their votes to vote for fewer candidates. He said voting was also more racially polarized. He noted that voter behavior was not the only change that took place, but candidate tactics changed as well. He said candidates campaigned to encourage voters to cast all five of their votes for one candidate. He added that minority voters were too few and it was unlikely they could elect two preferred representatives to the City Council on their own. He said he felt the only advantage for minorities was at the implementation (i.e. the election of Eric Turner to his first term of office) of the Cumulative Voting process; however, all candidates changed their strategies to adapt to the new system.

Brad McMillan, Executive Director of the Institute for Principled Leadership at Bradley University, reported that two Community Forums had been held; one at Bradley on October 26 and one at River West on November 2. He said additional community input was sought through an on-line survey. He said the survey indicated none of the alternatives to Cumulative Voting which were presented were selected as possibilities by citizens. He noted the most support was given to splitting the City into ten districts. He said the data indicated the majority of those surveyed wanted a change to the voting process. He said the question to be answered was, "how can the voting process be structured for City Council elections to enhance minority representation across the City?" He added it was his opinion that all proposed changes must go through the Judicial System and the Census data was helpful to provide evidence for any change.

Director Landes noted the 2010 Census had indicated the first increase in population for the City of Peoria since 1970. She said the Spanish population had doubled, although the small population did not have much of an impact. She said, of the total City population, 75% were a voting population; and 67% were white and 23% were black. She referred to the Map #12 example, indicating the existing five districts with expansion; Map #14 example, indicating an eight district scenario with population around 15,000; and Map #18 example, indicating a ten district scenario with population around 11,500. She said the size of districts was very important to citizens regarding whether or not Council Members could properly serve large districts.

Corporation Counsel Randy Ray summarized the two proposed Resolutions which were presented for consideration. He noted the deadline to get a question placed on the March 20 ballot was 79 days prior or January 3. He said if the Council wished to move forward to change the voting system, City Staff would meet with the attorneys from the original Voters Rights case and consult the Court to ensure there were no violations to the Illinois Constitution if the referendum passed. He said the Council should act in November 2011 if it was to be placed on the March ballot. He said the number of Council Districts would also be needed on the ballot so final maps could be drawn by November 2012.

Mayor Ardis acknowledged and expressed appreciation for the extensive amount of time spent by Dr. Aspin to study the Cumulative Voting issue, to Mr. McMillan and the Institute for Principled Leadership for their work, and to Director Landes and her staff for their assistance. He also thanked the collaborating partners including the African American Leadership Alliance, the Neighborhood Alliance, the League of Women Voters, and the Peoria Area Chamber of Commerce.

Mayor Ardis Granted Privilege of the Floor to any citizen who wished to address the Redistricting and/or Cumulative Voting issue. No objections were heard.

Rosalee Walker, Averyville Neighborhood Association, urged the Council to keep the current election system in place, noting the importance of the five At-Large Members to cover the entire City.

Rod Lorenz, President of Moss Bradley Neighborhood Association, expressed concern regarding the replacement resolutions and he said any changes to those needed to be communicated to the public. He noted the letter he had distributed. He said the strong consensus in his area was to move to eight or ten districts and eliminate Cumulative Voting. He further noted, in speaking with Peoria citizens, he found many were not aware of this issue and he said he felt more education was needed with a clear strategy outlined.

In discussion with Mayor Ardis, Corporation Counsel Ray clarified the changes to the proposed resolutions were to add the phrase "while maintaining the city manager form of government" to each question.

Dan Armish, Uplands Residential Association, said the preference for his area was to split the City into ten districts (preferred) or eight districts. He also said he felt there should be no separation of existing Neighborhood Associations, no At-Large Council Members, and no Cumulative Voting.

Roger Sparks, member of the Mayor's Advisory Committee for the Disabled, said he preferred to keep the current election system of five District and five At-Large Council Members.

Greg Speck, Peoria resident, said more coordination regarding key issues needed to be sought with various neighborhoods. He questioned why the issue of minority fairness couldn't be brought before the Federal Court now if there was controversy and an on-going lawsuit.

Corporation Counsel Ray said the Federal Court's involvement in this issue was a result of a Consent Decree issued by the Federal Court in 1987. He said a municipality cannot just go directly to Federal Court because they have strict "cases in controversy" limitations. He said, until the Council acts and makes its will known, there is no case or controversy.

Joyce Banks, Peoria resident, reminded the Council that twenty years ago the plaintiffs in the Voters Rights case wanted ten districts. She said, through negotiations, the current system was implemented with Cumulative Voting occurring for At-Large elections. She said the original case had indicated discrimination had occurred in the election system and she said she felt if this system were removed, the City may regress to unfair standards for minorities. She said it was important to have everyone represented on the Council.

Jessie McGown, Jr., Peoria resident, said he questioned what the alternatives were if Cumulative Voting were removed. He said he found it difficult to support without knowing about other options.

Savino Sierra, Peoria resident, said he supported the current election system.

Council Member Van Auken clarified the issue before the Council was whether or not there would be a question on the March 2012 ballot. She said her preference was eight Districts with two At-Large. She noted the majority of citizens she had spoken to indicated they did not want Cumulative Voting.

In discussion with Council Member Gulley, Corporation Counsel Ray confirmed the original Voters Rights case requested ten districts with no cumulative voting. He said the result of the settlement of the case was the 5 At-Large with Cumulative Voting, as the election method in place at that time was found to be discriminatory.

In discussion with Council Member Akeson who questioned the timeframe if Council deviated from what was proposed, Corporation Counsel Ray said the City was under a tight deadline to place a question on the March ballot, but he said with direction from the Council, Staff could bring back something rather quickly for approval.

Following brief comments, Council Member Akeson suggested moving forward with a new map with five districts and then gathering a better representation of community members to hold a well-organized discussion regarding Cumulative Voting and changing the number of Council Districts.

Council Member Riggenbach clarified with Corporation Counsel Ray that the Courts would treat the referendum issue with urgency. He said he felt the Council and Staff had provided many opportunities for citizens to participate in the discussion. He said he saw the value of moving forward and allowing the public to decide. He noted this was only the beginning of the education process.

In discussion with Council Member Spain, Corporation Counsel Ray confirmed election terms would be staggered at the beginning of the process. He said the Redistricting would occur in conjunction with the Census every ten years. He reiterated all ten districts would maintain their integrity and staggered terms would only be a problem in the first year. He said it was possible, with the change to ten districts, Council Member residency could become an issue.

Council Member Spain expressed concern regarding the confusion of instituting a change in the process. He said the City could face certain challenges if an entire elected body were not there following an election. He requested further information on this issue.

In discussion with Council Member Irving, Corporation Counsel Ray clarified all Council positions would be vacant in the 2013 election and Council Members would be chosen under the new system if the referendum passed. He said in 2015 even-numbered districts would run for election and in 2017 odd-numbered districts would run for election. He also noted the staggered terms could be continued or the Council could advise that they wished to have more consistency.

Council Member Irving said he felt the City had not failed regarding obtaining public participation in the process. He noted the survey had concluded none of the options were acceptable to the participants.

Mr. McMillan said he believed any significant changes presented required time for the public to accept. He added that a great deal of public education still needed to be done.

In discussion with Council Member Weaver, Corporation Counsel Ray clarified the task at hand regarding any changes to the election system was to sway the Federal Court that the new voting system was legal. He said the purpose was not to convince the Court the system was better for minorities.

City Manager Ulrich further clarified, under public policy of municipalities, the City's job was to educate the public on the information being considered; however, the City could not promote a particular position.

Council Member Weaver said Cumulative Voting was not favored in the community, but he said he felt the concept should not be discarded without having a good plan in place. He said he believed the current system worked and provided balance and he was not certain working on a referendum was appropriate at this time.

Council Member Van Auken expressed concern regarding one citizen's comment that residents in her district were not well informed on this issue. She also said the current At-Large Council

Members were elected for four-year terms and should fulfill that obligation to constituents. She said she felt the current districts were too large. She said she hoped all Council Members cared about the whole City and not just their individual districts. She said At-Large Council Members were valuable because they could focus attention on issues which affected the entire City.

Mayor Ardis said he felt there was a lack of interest and apathy regarding politics in general, with people being disgusted with the system as a whole. He said the best way to get a larger turn-out at the polls was to post the referendum during a Presidential primary. He said he agreed the At-Large Council seats provided a great benefit to the City, but he said the public "owned" the seats and the voters should decide.

Council Member Gulley moved to approve Resolution "B," requesting the Peoria City Election Commission to place upon the ballot for the election of March 20, 2012, a proposition to change the manner in which the City of Peoria elects its City Council Members, indicating the City would be divided into ten districts; seconded by Council Member Van Auken.

Council Member Gulley said he agreed regarding the value of At-Large Council Members, but smaller districts could better serve citizens. He encouraged involvement of all Council Members City-wide. He said a valid point was raised regarding Council Members not fulfilling full terms, but he said those details could be worked out. He noted the issue not being addressed was minority participation and representation on the Council, which was a conversation that needed to occur. He said he felt the current system worked well, but he said the City needed to adapt to the changing demographics. He said he hoped Council Members were all elected for all of the people. He said the issue needed to move forward and he believed ten districts could help to accomplish minority representation.

Council Member Irving said he would not support the motion, as he saw no benefit to changing the District map. He said he felt the City should stay with the current system.

Council Member Van Auken said her preference was an eight District and two At-Large City Council Members with no cumulative voting. She said the focus was not on the current seated Council but what was best for citizens. She said eight districts would bring each Council Member's district population down to a more manageable 14,000 citizens.

Council Member Spain thanked his District colleagues for their kind words, and he noted his disappointment with some of the citizen comments. He said, from his role as an At-Large Council Member, he believed all neighborhoods belonged to all Council Members. He said he would probably approach a District Council position quite differently. He said he felt the public's participation was typical. He noted both proposals did not adequately address the issue, but he would support the motion and let the voters decide which election system was most appropriate.

Council Member Riggenbach said he would support the motion, as the public needed a clear and concise choice brought forward.

In discussion with Council Member Akeson, Corporation Counsel Ray confirmed the system would remain the same if the referendum failed on the ballot.

Mr. McMillan noted it was possible to be creative when setting boundaries in order to maximize or enhance districts to accommodate minority populations and still be in full compliance with Federal law.

Motion to approve Resolution "B" indicating the City would be divided into ten districts was DEFEATED by roll call vote.

Yeas: Gulley, Riggenbach, Spain, Mayor Ardis – 4;

Nays: Akeson, Irving, Spears, Turner, Van Auken, Weaver – 6.

Council Member Van Auken moved to adopt Resolution "A," requesting the Peoria City Election Commission to place upon the ballot for the election of March 20, 2012, a proposition to change the manner in which the City of Peoria elects its City Council Members, indicating the City would be divided into eight districts and with language added that the two At-Large Council Members would be elected City-wide; seconded by Council Member Riegenbach.

Council Member Gulley noted he would not support the motion as it did not move the City closer to compliance.

Motion to adopt Resolution "A," indicating the City would be divided into eight districts and with language added that the two At-Large Council Members would be elected City-wide was DEFEATED by roll call vote.

Yeas: Riegenbach, Van Auken, Mayor Ardis – 3;

Nays: Akesson, Gulley, Irving, Spain, Spears, Turner, Weaver – 7.

**(11-433) Communication from the City Manager with Request to PROVIDE ADDITIONAL INFORMATION and SEEK DIRECTION Regarding the FY2012 CITY OF PEORIA BUDGET.**

City Manager Patrick Ulrich distributed the following handouts to members of the City Council: 1) Springdale Cemetery Management Authority Draft Budget Numbers; 2) Springdale Cemetery: A Discussion of Challenges We Face; 3) Additional Information Regarding Garbage Fee; and 4) Report Backs from November 8 and November 10 City Council Meetings.

Mayor Ardis welcomed Jon Austin, General Manager of Springdale Cemetery; Kent Rotherham, Chairman of Springdale Cemetery Management Authority; and Bob Manning, City Liaison and Treasurer of Springdale Cemetery Management Authority.

Mr. Austin provided an overview of the trends in the American Funeral Industry. He noted with life expectancy rising steadily since the 19<sup>th</sup> Century and the birth rate declining from 1910 until 1935, the market continued to present challenges. He also said families were relocating more frequently and less expensive options for disposition of the dead were being explored. He indicated requests for services had declined over recent years and more customers were requesting cremations. He said Springdale had thoroughly examined and reduced all operating expenditures and had sought the best pricing possible from vendors. He also noted outreach to gain additional volunteers had been done with limited success, as well as a reduction in staffing. He added the SCMA and Staff had taken steps to increase revenue including the implementation of a revised marketing strategy, the adoption of a revenue-generating business plan, the implementation of revised pricing alternatives to remain competitive in the market, the implementation of a policy to allow scattered cremains, increased sites for entombment of cremains through the use of private columbaria, and the development of an on-line store to facilitate sales of cemetery products as well as memorial items and Springdale-related items.

Mr. Manning presented a summary of the proposed 2012 SCMA Budget. He said the cemetery budget had been reduced and was operating with minimal staff who received no benefits. He explained the total operating income (loss) without depreciation totaled \$190,115.00, while the total operating income (loss) with depreciation was \$304,015.00.

In discussion with Council Member Weaver who questioned what a maintenance model with no sales would look like, Mr. Manning replied the numbers presented were very conservative and the business plan was already close to being strictly a maintenance model.

Mr. Rotherham commented the cemetery would lose its gross margin if they were to remove the sales part of their business plan completely.

In further discussion with Council Member Weaver who questioned whether or not the administrative staff could perform any of the sales function of the model, Mr. Manning said Mr. Austin was not in a position to do so. He said the General Manager was responsible for overseeing the maintenance and grounds crews and for providing answers to research and customer service inquiries.

Council Member Spears said the report presented by SCMA was the best he had ever received regarding Springdale, as it was clear and reflected the true costs and expenses for the cemetery to operate. He said he was confident the SCMA had performed their due diligence in reducing costs and attempting to raise revenue as much as possible.

Council Member Van Auken moved to receive and file the Springdale Cemetery Management Authority report; seconded by Council Member Weaver.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis – 10;

Nays: None.

City Manager Ulrich gave a brief summary of the report backs from the November 8 and November 10 City Council Meetings.

Police Chief Steve Settingsgaard provided an overview of the report regarding the potential to change the Police Information Officer to a civilian position and move sworn personnel to the street. He said the position handled public information (35%), was Crime Stoppers Coordinator (45%), provided Community Service (15%), and was the Internship Coordinator (5%). He noted, within the by-laws of the Peoria Area Crime Stoppers, there had to be a sworn officer assigned to perform the duties of this function.

Mayor Ardis questioned whether or not the City could work through the Peoria County Crime Stoppers Unit to cover that function.

Chief Settingsgaard also presented a summary of information on the revenue impact of eliminating one Parking Enforcement Officer. He said there were five total Parking Enforcement Officers, with two being assigned specifically to the downtown area.

Council Member Spain requested additional information regarding total costs and revenues for specifically the Parking Enforcement line item.

Chief Settingsgaard reminded the Council that with previous budget cuts, the Parking Enforcement Sergeant and Traffic Sergeant had been rolled into one position. He also pointed out the benefits of Parking Enforcement that were not seen in terms of revenue, such as deterring unauthorized persons to park in handicapped spaces and in front of fire hydrants, as well as the enforcement of timely utilization of limited parking spaces.

Mayor Ardis requested additional information regarding the possibility of the City utilizing the Peoria County's Crime Stoppers Unit.

City Manager Ulrich said the report on the impact of the Reduction-in-Force on fleet recapitalization indicated an estimated reduction of 16 vehicles from the current fleet. He said 13 of these vehicles could potentially be sold and could generate approximately \$32,500.00 in revenue for 2012.

City Manager Urich provided an overview of the report regarding the history of electricity and natural gas usage over the past four years. He noted additional information from the supplier, Semptra, was still needed and would be provided in the near future.

Director Landes noted the report about concerns regarding the impact on neighborhood services with the loss of employees, as well as the impact on the Regional Neighborhood Network Conference scheduled to be held in Peoria in 2013. She indicated a clearer view of the impact of these reductions would not be seen until the first quarter of 2012, following the reorganization.

Council Member Van Auken requested follow up from Chief Settingsgaard regarding the possibility of police officers helping to fill duties with Neighborhood Associations, as they were already present for most of their activities.

City Manager Urich noted the importance of on-going dialogue regarding how services can be better delivered, including prioritization of these services by the Council.

Council Member Spain said neighborhoods were a high priority and he indicated the information provided in the report added to his concerns regarding staffing reductions in Planning and Growth Management. He requested Staff re-budget the positions proposed for elimination to ensure continued service delivery to neighborhoods.

City Manager Urich noted possible grant funds which could be used to offset some of the administrative costs. He said additional information would be reported back to Council.

City Manager Urich noted there had been some concerns raised regarding the lack of business retention efforts through Economic Development. He said the Economic Development Staff had been drastically reduced and their focus had been shifted to oversight of revolving loan funds, TIF districts, and façade improvement projects. He said a contract revision with the Economic Development Council could enhance business retention efforts.

Council Member Van Auken noted she wanted comments and additional feedback from the business community, rather than just a number of visits listed.

Council Member Irving suggested outlining the City's expectations of EDC and inquiring about the expansion of services at no additional charge.

City Manager Urich referred to the memo distributed regarding garbage collection. He said this item would be discussed further at the November 17, 2011, Special City Council Meeting.

Council Member Spain indicated he and Council Member Turner had been discussing the issue of Landlord and Tenant accountability regarding rental registration and he would like additional information on this brought forward.

City Manager Urich noted the discussion for the Special City Council Meeting scheduled for Thursday, November 17, 2011, would be a culmination of final reports requested by the members of the City Council regarding the budget, including final discussion on the refuse fee. He said the Council would then be asked for final direction to approve the 2012 City of Peoria Budget. He said he anticipated the final Resolution to adopt the budget would be presented for approval at the Regular City Council Meeting on Tuesday, November 22, 2011.

Council Member Spain moved to receive and file the presentation given by Brad McMillan regarding Community Meetings on Redistricting; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Weaver,  
Mayor Ardis – 10;

Nays: None.



**(11-433) PUBLIC COMMENTS Regarding the FY2012 CITY OF PEORIA BUDGET.**

It was determined no member of the public wished to address the City Council regarding the FY2012 City of Peoria Budget.

**CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD****(11-496) REQUEST from CITIZENS to Address the CITY COUNCIL/TOWN BOARD Regarding Various Items.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council.

Lavetta Ricca, President of Olde Towne South Neighborhood Association, expressed concern regarding the lack of representation for the Southside on the Peoria Area Convention and Visitors Bureau by business leaders. She noted her appreciation of former Council Member George Jacob for his interest and concern for all of the neighborhoods.

Joyce Blumenshine, Conservation Chair of the Heart of Illinois Group Sierra Club, said she felt the City Council needed to encourage the recycling effort with citizens. She noted other communities were beginning to see the monetary benefits of recycling and she said this should be a topic of discussion by the City Council in the near future.

Ms. Blumenshine presented a communication with an attached newspaper article regarding the positive impact of recycling to the City Clerk to be distributed to members of the City Council.

**EXECUTIVE SESSION**

It was determined no Executive Session was needed.

**ADJOURNMENT**

Council Member Van Auken moved to adjourn the Special City Council Meeting; seconded by Council Member Riggerbach .

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Weaver,  
Mayor Ardis - 10;

Nays: None.

The Special City Council Meeting adjourned at 10:00 P.M.

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

adh

By:

\_\_\_\_\_  
Beth Ball, MMC  
Chief Deputy City Clerk