

Referendum to Retain the Commission Form of Municipal Government

FREQUENTLY ASKED QUESTIONS

REFERENDUM BASICS

What is the ballot/referendum question?

“Shall the city of East Peoria retain the commission form of municipal government?”

What form of government does East Peoria have now?

The City currently has the commission form of municipal government. The City Council consists of 4 commissioners and a mayor who are all elected at-large and entitled to vote on matters before the Council. The city clerk and city treasurer are appointed by the mayor with the advice and consent of the Council.

What does a “yes” vote mean?

That you want the City to continue using the commission form of municipal government.

What does a “no” vote mean?

That you do not want the City to continue using the commission form of municipal government, but instead want the City to use the aldermanic form of municipal government. Stated another way, you want the City to abandon using the commission form of municipal government, but instead want the City to use the aldermanic form of municipal government.

What is the aldermanic form of municipal government?

The City Council would likely consist of 6 aldermen and a mayor elected at-large, but this cannot be assured. (See note below.) The city clerk and city treasurer would also be elected at-large.

How does the aldermanic form of municipal government differ from the commission form of municipal government?

There are three key differences:

1. Under the aldermanic form of government, the city clerk and city treasurer are elected at-large. Under the commission form of government, the city clerk and city treasurer are appointed by the mayor with the advice and consent of the Council.
2. Under the aldermanic form of government, the mayor does not vote on all matters before the Council but has the power to veto actions that are taken by the Council. Under the commission form of government, the mayor votes on all matters before the Council but does not have the power to veto actions that are taken by the Council.
3. Under the aldermanic form of government, the aldermen only possess legislative powers meaning they can only propose, discuss, and vote on ordinances, resolutions, and appropriation of funds. The mayor only

possesses executive powers, meaning he oversees the day-to-day operations of the City, including making rules and regulations, and hiring and firing of employees.

Under the commission form of government, the commissioners and mayor possess both legislative and executive powers whereby each individual oversees the day-to-day operations over a certain department of the City, including making rules and regulations for his/her department, and hiring and firing of employees within his/her department.

Can I vote for a form of municipal government other than the commission form of municipal government or aldermanic form of municipal government?

No.

When can I vote on the ballot/referendum question?

November 6, 2018.

IMPACT OF A “YES” VOTE

If the referendum receives a majority of “yes” votes, what happens?

The City would continue using the commission form of municipal government.

IMPACT OF A “NO” VOTE

If the referendum receives a majority of “no” votes, what happens?

By law the City would abandon the commission form of municipal government, and begin using the aldermanic form of municipal government.

Who would the elected officials be?

A mayor, a city clerk, a city treasurer and likely 6 aldermen. (See note below.)

Would aldermen be paid?

Yes, their salary/compensation would be fixed by ordinance, either at an annual rate or per meeting.

How would the aldermen be elected?

Likely at-large. (See note below.)

How would the mayor, clerk and treasurer be elected?

At-large.

Would the aldermen be elected from wards?

Not likely for the initial election of aldermen in April 2019. (See note below.)

What would the powers and duties of the aldermen be?

Legislative, meaning they would propose, discuss, and vote on the adoption of ordinances, resolutions, and appropriate funds within the City, as well as approve

payment of expenses and liabilities. The aldermen could also override the mayor's veto by a 2/3 vote.

What would the powers and duties of the mayor be?

Executive, meaning he/she would supervise day-to-day operations of the City, control all departments, and hire and fire employees. The mayor can also veto any ordinance, resolution, or appropriation that is approved by the Council.

East Peoria currently has a "City Administrator", what would happen to that position?

It depends. The mayor may create this office and the Council may delegate powers and duties to the City Administrator by ordinance. The mayor also appoints the individual to fill this office with the advice and consent of the Council.

Is there any uncertainty as to the number of aldermen and whether all are to be elected at large?

Yes, the opinions set forth above are subject to challenge.

How might uncertainty as to the nature and number of elected offices available impact the City?

Besides creating confusion for those seeking elected office, lenders and other entities doing business with the City may be uneasy with any degree of uncertainty, thus likely increasing the cost of doing business.

NOTE

Unfortunately it is not clear that should the majority of voters vote "NO", that is vote to not retain the commission form of municipal government, that there would then be 6 alderman elected at large. The key language found in the statute declares that "the first city council or board of trustees elected after the abandonment of the commission form of government shall have the same number of aldermen or trustees as were provided in the municipality at the time of its adoption" of the commission form "and the municipality shall have the same ward and precinct boundaries." Confusion arises from the fact that East Peoria was a village and not a city at the time the commission form was adopted. Consequently East Peoria had no aldermen and no wards. However, since it is a city and not a village, it cannot have trustees. For a more detailed explanation as to why there is confusion and potential disagreement as to the number of aldermen and whether or not they are all to be elected at large please visit the City's official website. www.cityofeastpeoria.com

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