

Village of Peoria Heights
Board of Trustees
April 19, 2022

The meeting was called to order at 6:00 p.m.

Everyone stood for a moment of silence and the Pledge to the Flag.

Upon calling roll, the following Trustees were present: Sarah DeVore, Jeff Goett, Beth Khazzam, Matthew Wigginton, Brandon Wisenburg. Trustee Khazzam and Trustee Wigginton were present by telephone. Trustee David Marfell was absent. Others present included Mayor Michael Phelan, Village Administrator and Chief of Police Dustin Sutton, Village Clerk Stephanie Turner, and Village Counsel Attorney Mark Walton.

Attorney Walton asked Mayor Phelan to confirm the mayor didn't find it prudent to require in person attendance to the meeting. Mayor Phelan agreed wasn't prudent.

Trustee Wisenburg made a motion to approve the minutes from the meeting held on March 15, 2022, and the motion was seconded by Trustee Goett. The Board voted to approve the minutes 5-0.

Mayor Phelan announced he had a plaque commemorating Trustee Marfell's service to the Village which he will forward to him.

Mayor Phelan opened the meeting to public comment. Hearing no public comment, Mayor Phelan closed the meeting to public comments.

Mayor Phelan announced he was appointing Mr. Mark Gauf as Village Trustee to fill the vacancy left by the resignation of Trustee Marfell. Mayor Phelan read Mr. Gauf's bio including his 42 years of service to the Peoria Heights Public Works Department, his 12 years of service to the Peoria Heights Community School District. Trustee Goett made a motion to appoint Mr. Mark Gauf as Village Trustee. Trustee DeVore seconded the motion. Attorney Walton explained Trustee Marfell had been elected to a 4 year term, but the appointment to fill his vacancy would stand until the next municipal election. The appointment will be until April 2023 when there will be an election for the open seat for the remainder of the term. Attorney Walton noted the position would be designated as a partial term in the election. Mr. Chris Chandler, Superintendent of Public Works, thanked Trustee Marfell for his service and help. He also stated Mr. Gauf continued to be an asset to the Village as a trustee. Trustee Wisenburg stated he had been sad to see Mr. Gauf retire and was pleased to see him back. The Board voted 5-0 to approve the appointment. Mayor Phelan noted Trustee Marfell's resignation stated his last date was April 22, 2022, and Mayor Phelan intends to swear in Mr. Gauf at the next Board meeting after that date.

Mayor Phelan called for the Board to discuss old business. Hearing no old business, the Board moved on to new business.

Trustee DeVore made a motion to approve the 2022-2023 Fiscal Year Operating Budget for the Village of Peoria Heights and Peoria Heights Public Library. Trustee Wisenburg seconded the motion. Trustee DeVore stated the Board had reviewed the budget several times, and the final version was being

presented. Trustee DeVore thanked Chief Sutton and Clerk Turner as well as all staff for their hard work on the budget. The Board voted 5-0 to approve the FY 2022-2023 budget.

Trustee DeVore made a motion to approve Ordinance 2022-1673: an Ordinance Amending Title 1, Chapter 6, Section 2 of the Village Code of the Village of Peoria Heights for the Purpose of Modifying the Meeting Schedule and Authorizing Remote Electronic Attendance. Trustee Goett seconded the motion. Trustee DeVore explained the ordinance modified the time of the regular meetings from 6:00 pm to 5:30 pm and changed the number of meetings from three to two meetings per month. She stated it also allows trustees to attend the meeting remotely if they met the requirements. Mayor Phelan noted the Board was fully engaged and attends the meetings prepared for the agenda items though the structure could be changed again if necessary. Trustee Wisenburg stated his objection to allowing remote attendance. Trustee Wisenburg asked Attorney Walton if the Board could attend meetings remotely once the disaster declaration expired. Attorney Walton explained that the Open Meetings Act allowed the Board to adopt remote attendance and includes limitations which are detailed in the Village's ordinance. The limitations include the physical presence of a quorum and limited reasons for remote attendance including personal illness, employment purposes, and family or other emergencies. Trustee Wisenburg stated he supports the changes to the meeting structure, but he believes trustees should be physically present. Trustee DeVore asked if the ordinance could be scheduled for regular review. Attorney Walton noted that the ordinance could be changed at any time, but the Board couldn't bind a future Board to take an action such as a review. Trustee Wisenburg made a motion to amend Ordinance 2022-1673 removing the ability of remote attendees to cast votes. Attorney Walton stated that he didn't believe the Board could restrict a member from voting when they are considered present. Chief Sutton commented the ordinance would provide trustees who were required to travel for work the opportunity to still be present. Chief Sutton noted the importance of guarding against abuse, but he didn't expect such problems. Trustee Goett expressed agreement with Trustee Wisenburg. Trustee Wisenburg made a motion to amend Ordinance 2022-1673 to strike Section 2 which covers remote attendance and participation. Trustee Goett seconded the amendment. Attorney Walton noted that it would have no effect on the rules governing remote attendance under the current disaster declaration. The amendment failed 3-2. Trustee DeVore, Trustee Khazzam, and Trustee Wigginton voted nay. Mayor Phelan noted he agreed with Trustee Wisenburg's concern and assured Trustee Wisenburg the administration would be diligent in reviewing attendance. Ordinance 2022-1673 passed as presented 4-1 with Trustee Wisenburg voting nay.

Trustee Wisenburg made a motion to award the MFT sealcoating contract to R.A. Cullinan & Son in the amount of \$174,799.38. Trustee DeVore seconded the motion. Mr. Chandler explained that RA Cullinan had worked with the Village in the past and had done good work. The contract as approved 5-0.

Mayor Phelan asked for a motion to defer. Chief Sutton explained that with the contractors reviewing the water system, rates were likely to be reviewed again in the fall. Trustee Goett made a motion to defer Ordinance 2022-1674: an Ordinance Amending Title 8, Chapter 2A, Section 10 of the Village Code of the Village of Peoria Heights for the Purpose of Setting Minimum Per Unit Water Rates for Single-Metered Multi-Family Residential Apartment Buildings. Trustee Wisenburg seconded the motion. The Board voted 5-0 to defer Ordinance 2022-1674.

Trustee DeVore made a motion to award the MFT spray patching contract to D&D Pavement Solutions Inc. in the amount of \$45,188.66. Trustee Wisenburg seconded the motion. Mr. Chandler explained the Village does spray patching annually which is done to prepare those areas for sealcoating. The Board voted 5-0 to approve the spray patching contract.

Trustee Wisenburg made a motion to approve a resolution (REBUILD Funds) in the amount of \$31,705.00 for design engineering for Forest Park Drive mill and overlay. Trustee Khazzam seconded the motion. Mr. Chandler explained Forest Park Drive needed to be overlaid after 20 years. The engineering is the initial stages before construction next year. The Board approved the resolution for engineering 5-0.

Hearing no additional new business, the Board moved on to miscellaneous business.

Director Aldrich shared the Village had submitted an application through Senator Durbin's office for funds for Prospect Road. The same application was submitted in January to DCEO. The application will also be submitted through Representative LaHood's office as well. He noted the Village is hoping to hear about its application through DCEO soon. Director Aldrich shared he's been meeting with HUD on other grant funding. He also stated that the Village is working on request for proposals for the Let's Play Together project in Tower Park.

Chief Sutton shared that he had reached out to Illinois American Water regarding the proposed detour from the trail. Illinois American Water has agreed to delay construction on the project until the fall in order to reduce impact on trail users. Chief Sutton thanked Mr. Eric Larson of Illinois American Water for working with the Village on a positive solution. Mr. Chandler shared IAW was working on Marietta and would be moving from the area soon.

Fire Chief Thompson shared that the PHFD would be holding a stop sign collection drive soon.

Hearing no additional miscellaneous business, the Board moved on to the finance reports.

Trustee Goett made a motion to approve payment of the bills. Trustee DeVore seconded the motion. There were no questions on the bills. The Board voted 5-0 to approve payment of the bills.

Clerk Turner read the Treasurer's Report. As of the end of March, there was \$5,684,861.35 in the Village controlled accounts and \$1,813,449.29 in the Water controlled accounts. Trustee Wisenburg made a motion to approve the Treasurer's Report, and Trustee DeVore seconded. The Treasurer's report was approved 5-0.

Trustee Goett made a motion to adjourn, and Trustee DeVore seconded the motion. The Board of Trustees voted 5-0 to adjourn at 6:35 pm.

Michael Phelan, Mayor

Stephanie Turner, Village Clerk