

Village of Peoria Heights
Board of Trustees
May 17, 2022

The meeting was called to order at 5:30 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, Mark Gauf, Matthew Wigginton, Brandon Wisenburg. Trustee Wigginton was present by telephone. Others present included Mayor Michael Phelan, Village Administrator and Chief of Police Dustin Sutton, Village Clerk Stephanie Turner, and Village Counsel Attorney Mark Walton.

Trustee Khazzam made a motion to approve the minutes from the meeting held on April 19, 2022, and the motion was seconded by Trustee DeVore. The Board voted to approve the minutes 6-0.

Clerk Turner read a thank you note from Ms. Val Bergia thanking the Village for its efforts to memorialize her husband Mr. Roger Bergia.

Mayor Phelan opened the meeting to public comment.

Mr. Steve Kerr, from Mohr & Kerr Engineering came forward to speak on behalf of the Peoria Country Club. He asked Mayor Phelan if he should speak under public comment or during the agenda item regarding the Lake Avenue water main engineering. Mayor Phelan advised him to speak during the agenda item.

Mr. Scott Corsaut, Commander of the General Wayne Downing Post 111 American Legion, came forward to provide the history of the organization's lease of the Centennial Building. Mr. Corsaut asked that the lease be renewed once again. Mayor Phelan thanked him for his comments and noted it would be covered under an agenda item.

Mr. Rick Picl came forward to note he was here representing an event request agenda item and would be happy to answer any questions.

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

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

Mayor Phelan noted that if any trustee wished to pull any item from the consent agenda then they could do so. Trustee Wisenburg asked for an explanation of the consent agenda. Chief Sutton explained the motion would cover multiple action items. Trustee Goett made a motion to approve all items on the consent agenda. Items on the consent agenda included approval of the request to use Tower Park on Sunday, June 5, 2022 for a free public worship concert and approval of the request to use Tower Park on Saturday, August 20, 2022 for Peoria Heights Congregational Church's Christian concert. Trustee Wisenburg seconded the motion. Mr. Picl came forward and explained the Congregational Church was holding its 20th annual concert. The event includes a well known Christian band and food. Ms. Rebecca

Strasma came forward, to explain the event on June 5 was very similar but smaller. The Board voted 6-0 to approve all items on the consent agenda.

Trustee DeVore made a motion to approve Ordinance 2022-1674: an Ordinance Authorizing the Non-Exclusive Lease of the First Floor of the Centennial Building with the Wayne A. Downing Post 111, American Legion, Owned by the Village of Peoria Heights. Trustee Goett seconded the motion. Trustee DeVore noted the American Legion had been using the building for years, and the lease will renew for the next 29 months to align with the mayor's current term. She recommended approval. Trustee Wisenburg asked the rental fee, and Mayor Phelan noted it wasn't very much. Trustee Wisenburg asked if there was a need for a lease. Attorney Walton explained the Village had chosen to formalize the arrangement, and Trustee DeVore noted it provide security for the American Legion. The Board voted 6-0 to approve Ordinance 2022-1674.

Trustee Khazzam made a motion to approve Ordinance 2022-1675: an Ordinance Approving and Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement By and Between the Village of Peoria Heights and Kathleen L. Faletti (Emack & Bolio's Ice Cream) and Faletti, LLC (4534 N. Prospect Rd) and Ryan Clark (dba W.E. Sullivan's Irish Pub & Fare) and 4538 Prospect, LLC (4538 N. Prospect Rd). Trustee Goett seconded the motion. Trustee Khazzam explained the agreement is for two entities to remove and replace the sidewalk between their businesses. Both businesses contribute sales tax funds to the BDD. Ordinance 2022-1675 was approved 6-0.

Trustee Khazzam made a motion to approve Ordinance 2022-1676: an Ordinance Approving and Authorizing the Execution of a Business Development District No. 2 Redevelopment Agreement By and Between the Village of Peoria Heights and Dr. Keith A. Peterson, DVM (dba Prospect Animal Clinic) and K Peterson Enterprises, Inc (4015 N. Prospect Rd). Trustee Goett seconded the motion. Trustee Khazzam explained the request had come to the Board before, but the agreement had expired so it was being brought back. Trustee Wigginton noted the previous request had been under the BDD façade grant program, and the current application looked a little different. Chief Sutton explained the BDD façade grant program had expired, and the Village was reviewing applications on a case by case business. The work is the same, but the application is slightly different. Trustee Wigginton asked if Dr. Peterson was present which he was not. Trustee Wigginton asked if the request was otherwise the same, and Chief Sutton agreed. Trustee Wigginton expressed opposition to using BDD funds for businesses that don't pay into the BDD fund. He also expressed disappointment the applicant wasn't present. Trustee Wisenburg noted he had previously opposed the application because the applicant wasn't present. Trustee Wisenburg asked how the application was funded if the BDD was expiring. Chief Sutton explained that the BDD fund wasn't expiring, but façade beautification program had expired. The Board voted 4-2 to approve Ordinance 2022-1676. Trustee Wigginton and Trustee Wisenburg voted nay.

Trustee Khazzam made a motion to approve Ordinance 2022-1677: an Ordinance Approving and Authorizing the Execution of a Redevelopment Agreement By and Between the Village of Peoria Heights and War Memorial & Monroe, LLC. Trustee Gauf seconded the motion. Trustee Khazzam noted Attorney Walton would provide the Board with some corrections. Attorney Walton explained the Village's consultants had requested a name change for the developer. The Village's consultants had no concerns about the name change as nothing substantive had changed. The developer's name was updated to War Drive, LLC. Director Aldrich explained the agreement was for a convenience store, a gas station with 6 pumps which will be located at the corner of War Memorial Drive and Monroe Ave. Director Aldrich noted the agreement is slightly different from previous agreements because there are a lot of upfront costs to the developer. The first two years include a 100% reimburse of TIF increment

which then reduces to 75% of the TIF increment for the remainder of the TIF life. Director Aldrich noted the development agreement is contingent on approval of the next agenda item which is a vacation of the alley in that area. Trustee Wisenburg asked if the Village knew the franchise behind the project, and Director Aldrich stated no with Mayor Phelan explaining the developer was likely still in negotiations. Trustee Wigginton asked Attorney Walton if the Village was in compliance with the Open Meetings Act regarding the name change, and Attorney Walton stated the Village was. Trustee Wigginton asked for an explanation of the alley vacation condition within the agreement. Attorney Walton explained that in Section 2 the vacation doesn't become effective until there is a single title holder on both sides of the alley. Attorney Walton and Trustee Wigginton discussed the details of the alley vacation to Trustee Wigginton's satisfaction. Trustee DeVore asked for clarification of the repayment portion of the agreement. Director Aldrich agreed that if the property accrues value faster than listed in the agreement then the repayment portion would drop sooner. Mr. Segetti, attorney for the developer, came forward to thank staff and the Board for working on the project. He noted the developer was happy to be moving forward on the project. Ordinance 2022-1677: Ordinance Approving and Authorizing the Execution of a Redevelopment Agreement By and Between the Village of Peoria Heights and War Drive, LLC was approved 6-0.

Trustee DeVore made a motion to approve Ordinance 2022-1678: an Ordinance Providing for the Vacation of Alley. Trustee Khazzam seconded the motion. Trustee Gauf asked if there were easement rights to utilities in the alley. Director Aldrich stated he didn't believe there were any service utilities in the alley, but the easement would still remain. Trustee Gauf noted he believed there were sewer lines in the area. Attorney Walton explained the ordinance was subject to utility easements in the area. Trustee Wigginton expressed concerns for fuel tanks when there were utilities in the ground. Director Aldrich stated developers would negotiate with the individual utilities. Attorney Walton noted that there were frequently utility negotiations during construction. Ordinance 2022-1678 was approved 6-0.

Trustee Gauf made a motion to approve the purchase of fuel system software from Illinois Oil Marketing Equipment, Inc. in the Amount of \$16,673. Trustee Wisenburg seconded the motion. Trustee Gauf explained the system the Village uses to administer fuel is 20 years old, and the software isn't working to provide the necessary information to Administration. Trustee DeVore asked if it was a budgeted item. Chief Sutton explained the Village knew the item was coming and was pleased it had lasted as long as it did. The Board approved the purchase 6-0.

Trustee Gauf made a motion to approve the purchase of curb, sidewalk, and inlet repairs at Marietta & Columbus from C&G Concrete Construction Co. Inc in an amount not to exceed \$30,000. Trustee Wisenburg seconded the motion. Trustee Gauf explained the area had a lot of water drainage, and the piping closest to the surface is failing which is causing the sidewalk, curb, and street around it to collapse. Trustee Gauf noted the high cost of the project and explained the sidewalk must be made ADA compliant as part of the project. Trustee Wigginton asked if the contractor was known to the Village. Trustee Gauf stated the Village had used them previously and the work had been well done. Trustee Gauf added the funds for the project will come from the BDD. The purchase was approved 6-0.

Trustee Gauf made a motion to approve the purchase of an inlet repair at 4425 Prospect Rd from C & G Concrete Construction Co., Inc. in the amount of \$10,000. Trustee DeVore seconded the motion. Trustee Gauf explained in the inlet was by the entrance to Save A Lot. It has been covered by a plate of steel, and the Village had worked on the catch basin multiple times in the past. The area receives a lot of traffic, and the shallower depth of the project is why it costs less. The project will also be funded by the BDD fund. The Board voted 6-0 to approve the purchase.

Trustee Gauf made a motion to approve an agreement with Maurer-Stutz, Inc. in the amount of \$33,500 for Lake Avenue water main replacement engineering. Trustee Wisenburg seconded the motion. Trustee Gauf explained the contract was for engineering to replace a water main that goes underneath the trail and to the Peoria Country Club. The Public Works has replaced about 90 ft of the main because of its poor condition. The main is a transmission main that connects to Grandview as well. Foreman of Public Works, Mr. Jim Bartley, shared the Water Company had about 5 breaks in the area since February. They were able to isolate portions, but they've been working on it constantly due to pressure changes. Mayor Phelan invited Mr. Kerr forward to address the Board. Mr. Kerr came forward to explain there's a section of the water main that is currently shut down. The Peoria Country Club's tapped into that section, and Peoria Country Club has found that their capacity for watering the golf course has been greatly reduced as a result. He expressed concern for the water pressure at the end of Grandview Drive in case of a fire. Mr. Kerr expressed gratitude the main is being fixed but requested the main be turned back on. Chief Sutton noted the only option is a temporary fix. Mr. Bartley explained the Water Company had installed a valve on the golf course in an attempt to help. Chief Sutton asked the cost for another temporary repair. Mr. Bartley noted the next fix would have to be an independent contractor at an estimated cost of \$10,000 - \$12,000. Mr. Bartley stressed that each repair was a temporary fix. Mayor Phelan asked if each repair cost similarly. Mr. Bartley stated he believed it was likely the Water Company had spent \$50,000 on fixing the main in recent months. Trustee Wisenburg asked the timeline to replace the main. Mr. Kerr noted it was a minimum of 30 – 60 days to receive a permit from IEPA with a best case scenario of August. Trustee Wisenburg asked if Fire Chief Thompson had expressed concerns of water pressure for fire protection. Chief Sutton stated he had not. Mr. Kerr noted he was merely speculating. Trustee Wigginton stated the Peoria Country Club had been reliant on the pipe since its inception, and Trustee Gauf noted the main was installed to supply the golf course in 1937. Trustee Khazzam asked the Water Company's options. Mr. Bartley explained the Water Company could continue to fix leaks, but he didn't have much confidence. Trustee Gauf noted the difficulty of getting the water main fixed quickly. Mr. Kerr agreed the issue was unlikely to be resolved for the Peoria Country Club's summer season. Trustee Khazzam expressed the Water Company should continue to try to fix the leak. Chief Sutton stated the Board should continue to resolve the issue with a main replacement and give it one more try to fix the water main. Mayor Phelan noted the Board was sympathetic to the issue, but there was some concern to continue with temporary fixes. Chief Sutton recommend the Water Company attempt one more fix. Trustee Wisenburg asked for the duration between the breaks. Mr. Bartley noted the longest was one week. Trustee Wigginton agreed with Attorney Walton that issue didn't require Board action, and Public Works would need to address the issue as soon as possible. Trustee Goett expressed the importance of passing the engineering contract. The Board expressed a consensus to repair the main one more time. There were no additional questions on the engineering contract. The Board approved the engineering contract 6-0.

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

Trustee Goett commended the Public Works for helping a customer who had problems with their sump pump. The issue had been going on since February. Public Works was made aware of the issue 3 weeks ago, and they fixed the issue quickly and diligently.

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 Khazzam seconded the motion. There were no questions on the bills. The Board voted 6-0 to approve payment of the bills.

Clerk Turner read the Treasurer's Report. As of the end of April, there was \$5,307,677.70 in the Village controlled accounts and \$1,827,388.33 in the Water controlled accounts. Trustee Wisenburg made a motion to approve the Treasurer's Report, and Trustee Gauf seconded. The Treasurer's report was approved 6-0.

Trustee Goett made a motion to adjourn, and Trustee Khazzam seconded the motion. The Board of Trustees voted 6-0 to adjourn at 6:32 pm.

Michael Phelan, Mayor

Stephanie Turner, Village Clerk