

Village of Peoria Heights  
Departmental Meeting  
June 22, 2021

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, David Marfell, Matthew Wigginton, and Brandon Wisenburg. Others present included Mayor Michael Phelan and Village Clerk Stephanie Turner.

Trustee Goett made a motion to approve the minutes from May 25, 2021. Trustee Wigginton seconded the motion. The Board voted 6-0 to approve the minutes.

Mayor Phelan opened the meeting to public comment. Hearing none, he closed the meeting to public comment and asked for old business to come before the Board. There was no old business so the Board moved on to new business.

Trustee DeVore made a motion to approve Ordinance 2021-1652: an Ordinance Creating Additional Class A-1 Liquor Licenses with the Village of Peoria Heights. Trustee Wisenburg seconded the motion. Trustee DeVore explained the ordinance increased the number of liquor licenses to allow Water's Edge to provide full bar service as well as wine sales. The Board voted 6-0 to approve Ordinance 2021-1652 creating an additional A-1 liquor license.

Trustee DeVore made a motion to approve Ordinance 2021-1653: an Ordinance Amending Title 4, Chapter 2 of the Village Code of the Village of Peoria Heights, for the Purpose of Increasing the Permitted Number of Licensed Video Gaming Establishments. Trustee Wisenburg seconded the motion. Trustee DeVore explained that a previous license holder, Pour Bros, wanted to offer video gaming once again which required increasing the number of licenses. The Board approved the ordinance 6-0.

Trustee DeVore made a motion to approve Ordinance 2021-1654: an Ordinance Authorizing the Grant of Easement No. E38.0 to Ameren for Power Transmission Lines. Trustee Khazzam seconded the motion. Trustee DeVore reminded the Board that the easement had previously been discussed and would allow Ameren to clear trees. Ameren will pay the Village a fee for the easement. Attorney Walton explained that the easement fee would be \$42,000, and the second easement would be a fee of \$8,000 for a total of \$50,000. Attorney Walton stated he had engaged in additional conversations with Ameren after the previous Board meeting regarding blocking use of the trail during tree trimming. He stated he's had some progress on including language that would protect against permanent damage to the trail. He asked the Board to consider making an amendment. Limits Ameren's ability to interfere with the trail. Trustee DeVore made a motion to amend the motion to approve adding the condition that Ameren adds additional language limiting Ameren's ability to permanently interfere or permanently relocate the trail. Trustee Goett seconded the amendment to the motion. The amendment was approved 6-0. Ordinance 2021-1654 was approved 5-1 as amended. Trustee Wigginton voted nay.

Trustee DeVore made a motion to approve Ordinance 2021-1655: an Ordinance Authorizing the Grant of Easement No. E64.03 to Ameren for Power Transmission Lines subject to the condition that Ameren adds additional language limiting Ameren's ability to permanently interfere or permanently relocate the

trail. Trustee Khazzam seconded the motion. Trustee Wisenburg questioned if Ameren could still trim trees without the easement. Attorney Walton explained there were easements on the north side but there were power lines in areas that were difficult to access through current easements. Attorney Walton noted Ameren was likely trimming as if all the power lines were under easement because the current situation is a discrepancy. Trustee Wisenburg asked if there were any cons to approving the easement. Attorney Walton stated without an easement the Village could stop Ameren's work if they block trail access, but it would have had to be aware of the situation. Attorney Walton noted that the biggest concern was blocking access to the trail approximately once a year. Trustee Wisenburg questioned if Ameren could forcibly take the easement. Attorney Walton stated they could, but it was a long process so they might continue to trim trees outside their easement. Trustee Goett noted that the easement was a safety concern and should be passed. Trustee Wigginton expressed concerns about language in the easement regarding how damages would be repaired or replaced. Attorney Walton clarified the language only was to allow Ameren discretion whether the repairs were completed by Ameren or a third party. Trustee Wigginton expressed concerns about the width of the easement. He asked Trustee Khazzam if, in her opinion, there was opportunity of economic development in the area. Trustee Khazzam explained she had gone to look at the areas, and she didn't believe there was any potential for development or use at either location. Trustee Wigginton asked if Ameren could install higher capacity lines with the new easement, and Attorney Walton agreed it was possible. Ordinance 2021-1655 was approved 5-1 with Trustee Wigginton voting nay.

Mayor Phelan asked for miscellaneous business.

Trustee Wisenburg asked if the noise ordinance was in effect within the business district regarding music from the downtown business district on weekends. Trustee Wisenburg noted he'd had complaints and wanted to work with the businesses and residents to reach a compromise. Deputy Chief of Police Chris Ahart explained that it falls within the noise ordinance, but the PHPD tries to work with the business, within reason, to allow them to have live music until 11:00 pm. Deputy Chief Ahart explained that police officers will respond to the business if there's a complaint called into the dispatch line. Deputy Chief Ahart explained the PHPD does its best balance the concerns of residents and businesses. Trustee DeVore noted that the sound might be affected by weather because she could hear it to varying degrees from her house. Trustee Khazzam agreed noting she'd heard the music on over the weekend. Mayor Phelan encouraged residents to contact the PHPD if they had a complaint.

Trustee Khazzam stated she wanted the Board to have a conversation about regulations in order to get ahead of potential problems at temporary rentals. She stated she had some suggestions from companies managing temporary rentals, and she wants to review how it affects parking, noise, and property values. She also pointed out that the Board should consider occupancy regulation as well. Trustee Wisenburg noted that Attorney Walton is reviewing options based on fire safety codes, but it's a difficult task. Attorney Walton explained that any regulations made for short term rentals would have to apply to long term rentals as well. Trustee Wisenburg asked if temporary rental made the property commercial instead of residential. Attorney Walton stated that legally it was still residential. Trustee Wisenburg noted that there was a system of warnings for landlords and asked if changing tenants would affect that. Attorney Walton stated it didn't, and the system could be used to issue fines if a property was a reoccurring problem. He said communication and vigilant enforcement would be the most useful ways to address problems. Trustee Goett expressed concern limiting occupancy of rentals.

Trustee Wigginton announced that on Friday, June 25, the River Valley Big Band would be performing.

Mayor Phelan thanked the Board and staff for their time and hard work on answering the questionnaire and interviews prior to the strategic planning session on Saturday, June 26.

Trustee Goett made a motion to adjourn, and Trustee Wisenburg seconded the motion. The Board voted 6-0 to adjourn at 6:41 pm.

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Michael Phelan, Mayor

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Stephanie Turner, Village Clerk