

Village of Peoria Heights  
Board of Trustees  
September 19, 2023

The meeting was called to order at 5:31 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, Elizabeth Khazzam, Jennifer Reichert, Matthew Wigginton, and Brandon Wisenburg. Trustee Sarah DeVore 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 Wisenburg made a motion to allow Trustee DeVore to attend remotely. Trustee Khazzam seconded the motion. The Board approved the motion 6-0.

Trustee Khazzam made a motion to approve the minutes from the September 5, 2023 meeting. Trustee Reichert seconded the motion. The minutes were approved 6-0.

Mayor Phelan opened the meeting to public comment. Hearing no public comment, the Board moved on to old business.

Trustee Wisenburg asked about the purchase of a defibrillator for the Peoria Heights Fire Department. Chief Sutton explained the equipment wasn't a defibrillator but rather a combination of equipment. The PHFD does have defibrillators.

Superintendent of Public Works, Mr. Chris Chandler, stated the new stop sign had been installed.

Having concluded old business, the Board moved on to new business.

Trustee Khazzam began discussion of KDB Group LLC request to reinstate the lease agreement for Village property located at 1201/1203 E Kingman Avenue (pump house). She explained she had been working with Village staff to renegotiate the lease with KDB Group and requested the Board consider an action item at the next Board meeting to rescind the termination of the lease. Trustee Wisenburg asked about previous payment of property taxes. Mr. Derek Schuyer, legal counsel for the KDB Group, came forward to say the payment in 2023 for 2022 property taxes was the first year. Mr. Schuyer explained KDB Group has a potential tenant to present at the Board for consideration. Trustee Wisenburg asked if approving a new lease would result in a new lease agreement. Attorney Mark Walton explained it would be an approval for change of use under the current lease, and it wouldn't require a new lease. Mayor Phelan asked Mr. Schuyer about the status of previous improvements which were promised by the KDB Group. Trustee Wisenburg questioned if KDB Group was selling all of its properties in the Village. Mr. Schuyer was uncertain. Trustee Wisenburg expressed concern noting the Board had previously excused an administrative oversight of lease payments. Mayor Phelan spoke about the history of the partnership noting he believed the Village had acted in good faith with the tenant. The Board discussed the discounted rent set by the Village. Mr. Schuyer explained he and Mr. Greg Birkland had met with the Village, and the KDB Group was still willing to meet. Mayor Phelan noted KDB Group had not provided direct answers to questions citing examples. He stated he was willing to work with the KDB Group. Mr. Schuyer noted it is his client's position that the KDB Group's lease signed in 2020 is still

in effect. Mayor Phelan asked if a court needed to rule on the status. Trustee Wigginton stated his appreciation of Trustee Khazzam's work to avoid litigation expenses. He cited clauses within the lease which allowed the Village to terminate the lease for nonpayment of taxes. He implored Trustee Khazzam to continue to try to find a solution to the situation. Trustee Khazzam stated her commitment to the project. Trustee Wisenburg asked about the rent amount, and Attorney Walton noted reinstating the lease would reinstate the rent amount.

Trustee Khazzam made a motion to approve Ordinance 2023-1709: 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 Heather Nena, DBA The Nook. Trustee Goett seconded. Trustee Khazzam explained that Ms. Nena had applied for a BDD grant to redo the mural on the side of the building. She noted the proposed mural was included in the information packet, and she thought it would beautify the area. Trustee Khazzam noted the business was a sales tax producing business. Trustee Wigginton asked about the process of applying for BDD funding noting the amount of paperwork. Trustee Khazzam stated she had been working with staff on policies for the usage of BDD funds. Trustee DeVore asked if the project required zoning approval for a mural. Trustee Khazzam stated she'd get an answer. Trustee Khazzam clarified the motion to approve the ordinance pending approval by the ZBA for the mural, and Trustee Goett, as second, agreed. The Board approved 6-0.

Trustee DeVore made a motion to approve Resolution 2023-12: a Resolution of the Village of Peoria Heights Adopting the Peoria County Multi-Jurisdictional Multi-Hazard Mitigation Plan. Trustee Wisenburg seconded. Trustee DeVore explained the resolution has to be adopted every couple of years. Peoria County, as a whole, has to approve the plan in order to qualify for FEMA funding if there's a disaster. The planning committee from Peoria County contacted the Village for comments and changes. Trustee DeVore noted it was a housekeeping matter. The Board voted 6-0 to approve the resolution.

Trustee DeVore made a motion to approve Resolution 2023-13: a Resolution Authorizing the Application for a Community Planning Grant Through the Reconnecting Communities and Neighborhood (RCN) Grant Program in the Amount of \$1,500,000 and Dedicating Any Necessary Project Administration Resources if Grant is Awarded. Trustee Wisenburg seconded. Trustee DeVore noted the resolution was similar to one passed when the Village applied for grants for Prospect Road. The federal government is accepting grants for Phase I of planning and engineering for road corridors. She explained that Monroe Avenue is considered an eligible candidate for the grant, and Cardinal Infrastructure has advised the Village that the project would be a good candidate. Trustee Wigginton noted the verbiage includes "all necessary project administration resources." Trustee DeVore explained the Village would use staff resources rather than funds. The Board approved the resolution 6-0.

Trustee DeVore made a motion to approve the purchase of a Village wide notification system in the amount of \$16,595.74. Trustee Wisenburg seconded the motion. Trustee DeVore explained resident complaints have included a lack of notification. She noted Chief Sutton and Superintendent Chandler had found a system which could notify residents of water main breaks, boil orders, street closures, etc. The amount would be a one time purchase price with an annual subscription of about \$5,000 each year. Residents can sign up to receive communications through a variety of means. The Board discussed the pricing. Trustee Reichert questioned how the database would work with rental properties. Chief Sutton explained the process of landlord registration and how staff maintains databases. Superintendent Chandler explained the service. Chief Sutton explained the cost would be spread across different departments. Trustee Wigginton noted the population count in the contract was higher than the Village's current population and asked if the Village could get a discount. Chandler and Sutton noted the

Village was at the lowest threshold. Superintendent Chandler noted that Public Works would still be following the normal boil order notification policies. Chief Sutton noted the Village could look for more information if the Board chose to table the item. The Board voted 6-0 to approve the purchase. Superintendent Chandler noted it would take 3-4 weeks to activate. Chief Sutton noted he'd come up with a policy for the notifications.

Trustee Wigginton made a motion to approve the purchase of Fire Department purchase in the amount of \$40,229.55 to Dinges Fire Company. Trustee Wisenburg seconded. Trustee Wigginton explained the Village needed to replace expired equipment to remain in compliance with OSHA standards. Trustee Wigginton noted the item was not budgeted but will extend to subsequent budget years. Chief Sutton explained there was no funding in the equipment budget for PHFD, but the Village couldn't send firefighters in with expired gear. While there's no funding in the current year in that line item, the company will delay billing until receipt of the equipment. Chief Sutton noted the Board would need to find funding for equipment and the next set of replacement gear in the coming budget. The Board voted 6-0.

Trustee Wigginton explained the Police Commission Board needed to be amended and updated to include Fire as well. Chief Sutton explained the Board would be updated and action would be anticipated for October 17, 2023.

Trustee Khazzam complimented the Chamber for their efforts on the anniversary celebration. She thanked them for their hard work and the wonderful celebration. Trustee Wisenburg agreed. Chief Sutton thanked Public Works for their efforts over the weekend to make the event successful. He reported there were no issues with criminal behavior and noted people were able to come up to the Village and enjoy the evening. Trustee Wisenburg noted he'd received compliments on safety.

Trustee Wigginton stated he'd had a lot of residents approach him regarding tax assessments. He shared he'd spoken to Assessor Epkins, and he wanted to make residents aware of the variety of exemptions available to home owners. He urged residents to contact Richwoods Township to talk to Assessor Epkins to see if they qualify for any reductions in property tax.

Trustee Goett made a motion to approve payment of the bills. Trustee Wigginton 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. In the Village controlled accounts, there was \$7,577,338.00 and in the Water controlled accounts there was \$2,125,148.54 Water. Trustee Goett made a motion to approve the Treasurer's Report, and Trustee Wigginton seconded the motion. The motion passed 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 6:35 pm.

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Michael Phelan, Mayor

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Stephanie Turner, Village Clerk