

Village of Peoria Heights  
Departmental Meeting – Administration & Economic Development  
October 1, 2019

The meeting was called to order at 6:01 p.m.

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

Upon calling roll, the following Trustees were present: Sherryl Carter, Diane Mariscal, Beth Khazzam, Jeff Goett, Brandon Wisenburg, and Sarah DeVore. Others present included Mayor Michael Phelan, Village Administrator and Chief of Police Dustin Sutton, and Clerk Stephanie Turner.

Trustee Goett made a motion to approve the minutes, and Trustee Khazzam seconded the motion. The motion to approve the minutes passed 6-0.

Mr. Scott Corsaut, Commander of the Gen. Wayne Downing American Legion Post No. 1111, came forward to report on the third annual Armed Forces Celebration. The event is held in conjunction with the VFW and the Marine Corps League. Mr. Corsaut thanked the Village and elected officials for helping with the successful family event. Mr. Corsaut presented Mayor Phelan with a certificate of appreciation to the Village of Peoria Heights for its assistance with the Armed Forces Celebration. Mayor Phelan expressed his appreciation for the award and the veterans living in Peoria Heights.

Mayor Phelan opened the meeting to public comment. Hearing none, he moved on to old business.

Trustee Khazzam made a motion to approve the use of Tower Park for the Liver Life Walk on April 25, 2020 and Trustee Goett seconded the motion. Ms. Christy Nachtrieb came forward to state this would be the first year for the event which benefits the American Liver Foundation. She requested advice from staff on routes and best practices. Mayor Phelan asked Ms. Nachtrieb to contact Administration. The motion to approve the first Liver Life Walk passed 6-0.

Trustee Khazzam introduced the Zion Coffee development agreement by telling the Board of Trustees the proposed financial incentives from the Economic Development Group were included in the packet. Chief Sutton noted the numbers were still under discussion, as the owners had asked for additional incentives, but the information represented was his recommendation. Chief Sutton noted the situation was unusual in that construction had already begun on the business without a development agreement in place and that the owners of Zion were not in attendance to answer questions. Mr. James Dillion, Associate Director of the West Central Illinois Building and Construction Trades Council and Peoria County Board member, was invited forward as an interested party to speak about the development. Mr. Dillion spoke about previous economic development in the Village which employed union labor and noted a lot of municipalities had language in their development agreements requiring use of fair labor practices. He noted 120 of their members live in Peoria Heights, and he noted the importance of prevailing wages. Mr. Dillion requested that the Board of Trustees only approve development agreements which include language requiring prevailing wages and also reasonable bidder requirements. Mr. Clint Drury, Executive Director of the West Central Illinois Building and Construction Trades Council, also approached to state the issue at hand wasn't a union issue but rather a part of being involved in the community. Mr. Drury supported Mr. Dillion's words and urged the Board to adopt a policy requiring compliance with reasonable bidder practices. Mayor Phelan explained the situation had been ongoing for some time. He noted that the Village had welcomed the owners of Zion

Coffee who were considering relocating to the Village, but there was confusion over who was behind the project which was compounded when a third party applied for the building permit. He noted, as it stood with all the questions he had, he was unable to support the project. He also noted that he was working with Trustee Khazzam to require more documentation in the future. Trustee Khazzam noted that prevailing wages were required as a criteria of receiving TIF funding. She stated the Village could add another layer and require union labor as part of a development agreement. Trustee DeVore stated reasonable bidder requirements don't require union labor but do require that employers have an approved apprenticeship program among other requirements. Trustee Goett noted his desire that to make sure businesses were treating employees fairly. Mayor Phelan stated the Board should consider if they want to adopt additional criteria in the future. Trustee Wisenburg questioned if the Board could require union labor, and Trustee Khazzam stated, per Attorney Walton, the Village could require it. Trustee Wisenburg asked what criteria were used to determine approval of a project. Mayor Phelan noted the process was currently done individually, but he'd like to see a policy documented and implemented in the future. Trustee Goett questioned the Village's current options and stated the process needs to be clarification. Trustee DeVore expressed she could not approve a project if the owners weren't cooperating with the Village. Trustee Wisenburg questioned if the Village looked at the impact of a business on other local businesses during the process. Trustee Khazzam noted the Village did review that. Trustee Wisenburg questioned who would be receiving the incentives. Mayor Phelan explained the incentives would be split between the building owner and the leasees. He also noted the Village had been asked to provide more incentives and had declined. Mayor Phelan stated he looks for economic development to improve the community and also provide jobs. Trustee Carter questioned providing a development agreement to a business who wasn't present to answer questions, and Trustee DeVore reminded the Board of Trustees they controlled approval of development agreements.

Trustee Khazzam presented the proposed Al Fresco Park lease agreement. The lease term is set at 20 years with four optional 10 year extensions. She noted the payment terms and that the KDB Group would assume all liability from the project. Trustee DeVore questioned the discount for the residents. Trustee Khazzam explained the ownership group has approved the language in case they opt to charge fees but hasn't decided on fees yet. Mayor Phelan noted Trustee Carter had previously asked him about property taxes as the Village, the owner of the property, is a tax exempt organization. He explained the property will be returned to the property tax rolls once it's improved. Trustee Mariscal questioned if Al Fresco was a public park. Trustee Khazzam stated it was not. Trustee Mariscal stated she was under the impression the park would be free. Trustee DeVore explained it would probably be mostly free with a few amenities that had charges. Trustee Wisenburg questioned if the Village reviews the soundness of the business plan as part of the leasing. Trustee Khazzam noted the Village had past experience with KDB Group and stated she did not feel the need. Trustee Wisenburg expressed concern the Village would be liable if the project was unsustainable and it failed. Mayor Phelan noted the project was more philanthropic in nature. Trustee Khazzam likened the project to a gift to the community but stated Trustee Wisenburg could propose additional language to the contract to alleviate his concerns. Mayor Phelan suggested the idea of depositing some funds in escrow. Trustee Khazzam noted any changes to the land would be an improvement over its current state. Mayor Phelan asked Trustees Khazzam and Wisenburg to meet and discuss amendments to the lease before bringing it back to the Board.

Trustee Goett made a motion to approve the stop sign fundraiser for the Peoria Leathernecks on Saturday, October 19, 2019, and Trustee DeVore seconded the motion. Trustee Goett explained the item was to allow the Peoria Leathernecks to hold their annual fundraiser. Mr. Kevin Enlow approached the Board of Trustees to thank them for their consideration. The motion to approve the fundraiser passed 6-0.

Trustee Wisenburg made a motion to approve purchase of EOS Firehouse Cloud software, and Trustee Goett seconded the motion. Trustee Wisenburg noted the software would be an upgrade from the PHFD's current software, and it would mitigate some of the security concerns of the current software. Mr. Dalton Carlson, who provides IT support for the Peoria Heights Fire Department, came forward to state the software the PHFD uses is no longer for sale, and maintenance for the current software is going to be phased out. Trustee DeVore asked if all of the PHFD's data could be moved to the cloud. Mr. Carlson stated the EOS Firehouse Cloud software would satisfy State reporting requirements, but it wouldn't store all the PHFD's data. It was noted that the purchase amount was \$1,940.25. Trustee DeVore asked about a contract with EOS, and Fire Chief Walters stated it would be for one year. The Board voted 6-0 to approve the software purchase.

Trustee Wisenburg noted once the cloud software was in place and the data was transferred the Board of Trustees would reassess the need for a server. He stated the PHFD might be able to purchase a smaller server, and the issue will come back to the Board of Trustees at a later date as there are still questions of data back up and the security of remaining data. Mr. Carlson stated the PHFD had received quotes for off-site back ups, and ITV360 had provided the cheapest quote for the service. Trustee Carter questioned if the back ups would overlap with the data backed up by the cloud services and was told they would not. Trustee Wisenburg and DeVore explained the data being backed up included personnel files, maintenance files, and training files which weren't housed by the cloud software as part of state mandated reporting. Trustee DeVore questioned if the remaining data needs to be stored by third party. Trustee Carter questioned the details of Pearl Technology's proposal, and Chief Sutton explained both the Village and the Police Department have a set number of hours of service per the maintenance agreement. Trustee Carter questioned if the Pearl contract was in the best interest of the Village. Trustee Mariscal stated the Village should reexamine its IT contract. Chief Sutton stated it would be ideal to have all of the Village's IT services under one contract and emphasized Pearl's history of working with the Village. Mayor Phelan interjected the opinion that the Village should give preference to Village businesses. Chief Sutton noted mirroring the Village's contract for the PHFD could resolve a lot of concerns. Fire Chief Walters stated the topic needed to be discussed further and agreed to meet with Chief Sutton and Pearl to get more information. Trustee Carter thanked Fire Chief Walters for the work he has done so far. Mr. Dalton stated as a final consideration he didn't want to see all of the PHFD's IT service sent to an outside company. Trustee Carter said that would be part of a larger conversation as the Village is liable for the PHFD, and the Board of Trustees is responsible for acting in the best interest of the whole Village.

Trustee DeVore noted the Board of Trustees had previously discussed recreational marijuana and recreation marijuana dispensaries. Attorney Walton provided a sample ordinance based on those conversations, and Trustee DeVore invited the Board of Trustees to discuss the ordinance. Trustee DeVore began by stating she would like to have a cap on permits similar to how the Village regulates liquor licenses. Trustee Wisenburg questioned if dispensaries would even consider locating in the Village, and Mayor Phelan reported he'd spoken to several such businesses. The Board of Trustees agreed to set the cap for permits at one to start. Trustee Goett expressed concern over the hours of operation. After general discussion, the Board agreed to leave the hours as listed in the sample ordinance. Trustee Wisenburg asked if consumption would be allowed on site and was told it was not. Trustee DeVore noted she believed after the dispensaries started to open municipalities would be approached to request special use permits to allow consumption on site in locations like beer gardens. Mr. Dillion noted that he had obtained information from the Peoria County Board indicating there would be additional legislation coming from the state addressing such issues. Trustee Khazzam asked if the

business would be allowed to make deliveries of cannabis. Trustee DeVore asked Trustee Khazzam about her concerns, and Trustee Khazzam listed fake IDs and noted alcohol couldn't be delivered. Trustee DeVore stated she'd look into the issue.

Mayor Phelan invited the Board of Trustees to share miscellaneous business.

Trustee Goett noted there was a thank you from the Peoria Heights Youth Baseball thanking the Board for their support. He passed around a plaque with a picture of the baseball team for the Board's review. Trustee Wisenburg stated the baseball team had raised \$10,000 from Heights businesses to fund complete uniforms for each participating player. He reported other teams had been complimentary of the uniforms and expressed his appreciation for the businesses who supported the team.

Chief Sutton asked Superintendent of Water, Mr. David Marfell, for an update on Public Works news. Mr. Marfell reported Public Works would begin its semiannual hydrant flushing the following week. He advised the public not to wash clothes while hydrants were being flushed. Mr. Marfell noted work had resumed on Illinois American Water's water main at the top of Forest Park Drive, and the hill should be open again soon. He reported there hadn't been too many complaints and stated using social media had been useful for dispersing information. Mr. Marfell concluded his report by noting the flash flooding which had occurred at the end of the previous week had created a lot of problems for residents. He explained that with the amount of rain the Village received in such a short time the water build up wasn't a failure of infrastructure problem but simply the result of the amount of rain. He noted the storm drain pipes can only hold so much water at a given time.

Trustees DeVore and Wisenburg requested staff review the stop sign fundraiser ordinance and bring it back to the Board of Trustees with separate permits for external organizations and internal organizations which are offshoots of the Village.

Trustee Goett made a motion to pay the bills, and Trustee Khazzam seconded the motion. The Board of Trustees voted 6-0 to approve the bills.

Trustee Goett made a motion to adjourn, and Trustee DeVore seconded the motion. The Board of Trustees voted 6-0 to adjourn at 7:45 pm.

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Michael Phelan, Mayor

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Stephanie Turner, Village Clerk