

Village of Peoria Heights  
Board of Trustees Meeting

April 16, 2019

The meeting was called to order at 6:00 pm.

Everyone stood for the Pledge to the Flag.

Upon roll call, the following Trustees were present: Harn, Goett, Dan Mariscal, Diane Mariscal, Reichert, and Carter. Others present include: Mayor Phelan, Deputy Chief Ahart, Deputy Village Clerk Witbracht, Water Technician David Marfell, and Foreman Michael Casey.

Trustee Goett made a motion to approve the minutes from March 19<sup>th</sup>, 2019. Trustee Dan Mariscal seconded the motion which passed 6-0.

Sarah Witbracht gave an update on the Easter Event.

Mayor Phelan thanked Chief Walters for taking care of a family member in an emergency.

Comments from the Audience: Mark Bean from the Peoria Heights Lion's Club gave a proposal on Earl Carter Ln. at Lion's Park. Lions Club will pay the full amount which is around \$5,000. Mayor Phelan thanked him for his time and asked them to make a proposal to the board after meeting with Foreman Casey.

Trustee Diane Mariscal made a motion to approve the 2019-2020 Budget. Trustee Reichert seconded the motion which approved 6-0. Trustee Diane Mariscal made a motion to approve Ordinance 2019-1586: A Special Ordinance Authorizing the Ceding of Private Activity Bonding Authority. Trustee Carter seconded the motion. Roy Bocklar from REB Financial came forward to give a presentation as to why it would be in the village's best interest to move forward with the ordinance. There were some questions as to how the money is allocated and where it is allocated from. Roy stressed the importance of moving forward to keep it local. The motion passed 6-0. Trustee Dan Mariscal made a motion to approve Resolution 2019-02; Proposed First Amendment TIF No. 2 Redevelopment Project Inducement Resolution. Trustee Goett seconded the motion. Nic Nelson from The Economic Development Group came forward to explain that this is regarding the proposed McDonalds project. He explained that this is the first steps in the right direction for a Redevelopment Agreement. Trustee Reichert inquired about the boundaries for TIF 2. Mayor Phelan explained that staff is working extensively with Jacob & Kline to move forward in the planning process. Trustee Carter stated some of her concerns regarding the boundaries. Nic Nelson reiterated that this is not a Redevelopment Agreement. Mayor reminded everyone that set boundaries will be set within the next month. Trustee Goett stated his support to move forward. The motion passed 5-1 with Trustee Carter voting nay. Trustee Dan Mariscal made a motion to approve Chuck's Auto Sales Quarterly Special Use Permit. Trustee Goett seconded the motion which approved 6-0. Trustee Harn made a motion to approve a BDD expenditure in the amount of \$60,235.49 in conjunction with 2019 sealcoating program. Trustee Goett seconded the motion. Kevin Shields, Chairman of the Business Development Advisory Committee came forward to explain the request in further detail. He explained that the BDD understands how much this expenditure is needed and how

crucial it is to move forward on the project. He also explained that the BDD borders make it complicated for projects because of the boundary problems. He also explained that a lot of the opposition from the BDD Advisory Committee comes from a selling point to neighboring properties not located within the BDD, that the funds should provide projects not available to those who are not located within the BDD. Mr. Shields recommendation is BDD money will be loaned to the village general fund under the condition that the money is re-paid to the BDD committee within three years. He also reminded the board that they are an advisory committee only, and that their recommendation is not the final answer. Stephanie explained that there is no money in the general fund budget to pay for the project. She confirmed that the balance in the BDD fund is \$289,000. The program has brought in \$505,000 since implemented and spent about \$160,000. Stephanie explained that the village has not asked for any large projects from BDD yet. Trustee Diane Mariscal stated that she would like to support the recommendation of the BDD. Trustee Harn inquired about the projects that should be used within BDD. Mr. Shields explained that façade improvements, marketing, concert videos, bringing people to the Heights should be the focus of the BDD. He also added that he would like to see trail lighting and ornamental lighting, all of which are very expensive. Trustee Harn would like to see a line item dedicated to paying the fund back. Bookkeeper Turner explained that it would be allowable to pay the BDD back through the general fund. She also explained that this is a TIF eligible expense, however there is not money in the TIF to do so. Trustee Goett would like to move forward with expenditure with the good faith to pay back. Mayor Phelan explained that the BDD has been very successful thanks to the members who sit in on the committee. Mayor Phelan thanked everyone for being here and thanked the committee for their time. Trustee Dan Mariscal is not comfortable moving forward on a vote without being certain on paying them back. Attorney Mark Walton explained that he feels that borrowing funds from BDD would not be legal. He would feel more comfortable stating that this is a non-binding loan with the intentions that the village will pay it back. Kevin stated that he would simply like to see the fund paid back in a good faith effort (Attorney Walton is comfortable with this wording). Mayor Phelan inquired if any discussions have been had on expanding the BDD. Kevin stated that the intention is to sell the idea to other business owners soon. Attorney Walton explained that the motion should be made as is listed on the agenda, and the village should pay back in good faith on a voluntary basis. There should be no motion of it being a loan in the motion. Per discussion, it is a use of business district funds, but the village has agreed that they will make every good faith effort to make the BDD fund whole again. The motion passed 6-0. Trustee Goett made a motion to approve tower rope repair in the amount of \$28,655.09 to KONE Inc. Trustee Harn seconded the motion. Trustee Goett explained that this is a repair that must be done, and he would like to investigate winterizing the elevator. Michael Casey came forward to explain that the elevator is winterized, however the cable has gone bad. The board will discuss this at the next departmental meeting. The motion passed 6-0. Trustee Goett made a motion to reappoint Bill Bishop to the Board of Police Commissioners, and Trustee Harn seconded which approved 6-0. Trustee Dan Mariscal made a motion to approve the appointment of Nicholas Tijernia to the Zoning Board of Appeals, with Trustee Harn seconding the motion which approved 6-0. The appointment of Craig Masters was tabled. Trustee Harn made a motion to approve the appointment of Robbie Mathisen to the BDD Advisory Committee, with Trustee Goett seconding the motion which approved 6-0.

Trustee Dan Mariscal made a motion to approve the Treasurer's Report. Trustee Harn seconded the motion which approved 6-0.

The meeting was adjourned at 7:15pm with a motion by Trustee Goett and a second by Trustee Diane Mariscal. The motion was passed 6-0.

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Michael E Phelan, Mayor  
Clerk

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Sarah Witbracht, Deputy Village