

Village of Peoria Heights
Departmental Meeting
July 7, 2020

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: 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, Village Clerk Stephanie Turner, and Village Counsel Attorney Mark Walton.

Trustee DeVore made a motion to approve the minutes from the departmental meeting on June 23, 2020, and Trustee Wisenburg seconded the motion. The Board voted 6-0 to approve the minutes.

Mayor Phelan opened the meeting to public comment.

Ms. Mary Schlink approached with her husband, Mr. Bob Schlink, and explained they were members of the Peoria Heights Suburban Lion's Club. The club has been trying to get new playground equipment. They have raised \$590 and needed an additional \$410 in order to be eligible for grants. She requested the Board of Trustee consider a donation. Mayor Phelan thanked Ms. Schlink for her contributions for the community and asked Superintendent of Streets, Mr. Michael Casey, to research the issue. Chief Sutton explained the process for donation requests and agreed to work with Ms. Schlink.

Hearing no additional public comment, Mayor Phelan moved on to old business. Hearing none, he moved on to new business.

Trustee Carter introduced the resolution to retroactively authorize \$5,888.34 of State MFT funds for the overage amount spent on roadway salt. Mr. Casey explained that salt purchases are hard to predict, and he asked Clerk Turner to elaborate. Clerk Turner stated the State required preapproval of the expenditures of MFT money. The Village had extended its reporting year by 4 months in order to switch from a calendar year to a fiscal year. Since that time period contained two winters, it made estimating salt expenditures very difficult. Trustee Mariscal asked about eligibility requirements for MFT Funds, and Clerk Turner answered it was most efficient to use the funds for large road projects due to restrictions and limitations increasing the cost of small purchases. The Board will take final action on the item at the next Board meeting.

Trustee Carter introduced the vacation of the alley at 4615 N. Prospect and asked Attorney Walton to speak about the item. Attorney Walton explained that the alley would be dedicated to use by one property owner, and there was no reason to retain the alley. He noted that the Village would be keeping the other allies in that block to the south and west which run behind multiple businesses. Attorney Walton noted vacating the alley would save the Village upkeep costs. Trustee Carter asked about sewer lines, and Attorney Walton clarified that easement access to utilities would be specified in the ordinance vacating the property.

Trustee Carter asked Superintendent of Water, Mr. David Marfell, to come forward to speak. Mr. Marfell announced that the Peoria Heights Waterworks Company was resuming shut offs. He invited

residents to call the office if they needed to make payment arrangements. Trustee Mariscal asked if there were grant funds to pay help utility balances, and Mr. Marfell explained that Richwoods Township provided financial assistance. Mr. Marfell announced that Montclair would be closed from Kingman to Highland from July 9 – 14 for repairs. He also stated Illinois American Water had road closures in the City of Peoria which were redirecting traffic into the Village of Peoria Heights. Chief Sutton explained to the Board that the list of delinquent accounts was much smaller than anticipated, and the Village had been working with residents for several months. Mr. Casey stated that the Village's spray patching program had begun this week, and Public Works was working on asphaltting portions of the Village.

Trustee Khazzam made a motion to approve the amended lease agreement between the Village of Peoria Heights and the KDB Group, LLC. Trustee Goett seconded the motion. Trustee Khazzam noted the Board of Trustees had already discussed the lease previously and asked Attorney Walton to provide a summary. Attorney Walton explained the lease adjusted the rent to \$250 / month for 10 years and then the first option to extend raised rent to \$500 / month. The third and fourth extension require the tenant to negotiate rent. Trustee Khazzam clarified that lease was dependent on the candy store as a tenant, and Attorney Walton agreed. Attorney Walton stated there was also a section that specified that reasonable bidder procedures must be followed. He noted language regarding purchase options and right of first refusal was also removed as Mr. Birkland, representative for KDB Group, LLC, had indicated the company wasn't interested in purchasing the property. Attorney Walton concluded his summary by stating that the lease included a waiver of past defaults. Trustee Wisenburg asked if KDB Group, LLC had requested the waiver of defaulted rent, and Attorney Walton stated they hadn't formally requested it. Trustee Wisenburg expressed concern that the Village had initiated the waiver of rent. Trustee Goett disagreed and stated he didn't believe it made a difference who initiated the request. Trustee Carter stated she also didn't believe that KDB Group, LLC should have to pay the rent as the lease was approved with the concept of bar / restaurant which turned out not to be viable. Trustee Wisenburg clarified he was concerned that the waiver came from the Village and not that he was concerned about waiving rent. Trustee Mariscal asked Attorney Walton to comment on the legality. Attorney Walton stated a waiver must be determined by the landlord. Trustee Wisenburg said the Board of Trustees never discussed it, and Trustee DeVore replied it was implicit within the conversations the Board had. Chief Sutton agreed and asked Mr. Birkland if he could formally request that back rent would be waived. Mr. Birkland stated he was requesting it be waived. Trustee Mariscal asked Clerk Turner about application of previously received payments of the rent. Clerk Turner explained that the rent reduction commenced July 1, 2020 and past payments were applied to corresponding invoices. Attorney Walton clarified that there would be no refund of the previous months' rent. The Board approved the lease agreement with KDB Group, LLC 6-0.

Trustee Khazzam announced that the advisory panel for the Village's comprehensive plan had spoken to Houseal Lavigne. She stated the panel had discussed visions, goals, and preliminary land use. The project is on track, and Trustee Khazzam felt that the meeting was very fruitful. The trustees briefly discussed the meeting and ways to improve the comprehensive plan and future meetings. Trustee Khazzam said she would pass along the others' feedback. Trustee Khazzam announced that the Village would be entering into a local energy aggregation contract with Good Energy to provide low cost energy costs to the residents. The contract is for 18 months, and the residents can benefit from the negotiated energy rates. Trustee Mariscal noted that the program was an opt-out program.

Mayor Phelan noted that the Village had recently received a letter from Senator Koehler that the Village of Peoria Heights would be receiving \$50,000 of capital improvement funds.

Trustee Goett introduced discussion of a credit for Peoria Heights Waterworks residential customers. Trustee Goett explained the credit would be for \$20.00. Chief Sutton noted staff had looked into programs to help residents. He explained that the RIPPLE program, which has been used by area communities, required the residents to make purchases. He stated rather than creating red tape he recommended simply crediting \$20.00 to each residential account. Chief Sutton noted that it was a small stimulus package to help the community. He said the Peoria Heights Water Company had ended last year with a surplus, and the total cost of the program would be \$51,200.

Mayor Phelan asked for miscellaneous business.

Trustee Wisenburg requested an agenda item discussing the Fire Department be added to each agenda. Trustee Wisenburg asked the Board of Trustees if they had any comment on an email to Fire Chief Walters requesting information, and Trustee DeVore stated she didn't believe it was appropriate that the Board of Trustees hadn't received answers. Trustee DeVore noted the Board of Trustees needed information in order to make decisions. Trustee Wisenburg said without data regarding call response the Board of Trustees wasn't able to make decisions. Trustee Carter noted that she didn't want to get rid of the Peoria Heights Fire Department. She stated she wanted to know who on the roster was a member of the community and who was responding to calls. Trustee Carter said Mayor Phelan to request the information as Fire Chief Walters answers to him. Trustee Mariscal asked Clerk Turner about the payments made for volunteer stipends, and Clerk Turner responded that the annual amount was divided into monthly payments. The Village has no records of how payments are distributed beyond that. Chief Sutton explained the situation was handled similar to payments to the Chamber of Commerce where funds are transferred, but expenditures aren't itemized to the Village. Trustee Mariscal asked about an audit. Chief Sutton noted that it would have to be an independent audit. Chief Sutton said the Board wanted to do what was best for public safety, but the Board needed data in order to determine what was best for the community. Chief Sutton stated he and Mayor Phelan would reach out to Fire Chief Walters to request the information. Trustee Goett noted he was also reluctant to take action against the fire department, but public safety was the most important concern.

Trustee Wisenburg noted he had received a suggestion from Mr. Raymond Lockhart that the Village's website was difficult to use. Mayor Phelan asked Trustee Wisenburg to work with staff to improve the website.

Trustee Goett made a motion to pay the bills, and Trustee Khazzam seconded the motion. Trustee Mariscal asked about finances. Clerk Turner reported that the most recent figures were from March and were comparable to the previous year. The Board voted 6-0 to approve the bills.

Trustee Goett made a motion to adjourn, and Trustee Wisenburg seconded. The Board voted 6-0 to adjourn at 7:21 pm.

Michael Phelan, Mayor

Stephanie Turner, Village Clerk