

Village of Peoria Heights  
Board of Trustees  
July 18, 2023

The meeting was called to order at 5:30 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, Mark Gauf, Matthew Wigginton, and Brandon Wisenburg. Trustee DeVore was attending remotely due to work. Others present included Mayor Michael Phelan, Village Administrator and Chief of Police Dustin Sutton, Village Clerk Stephanie Turner, and Village Counsel Attorney Mark Walton. Attorney Walton explained Trustee DeVore was out of town for business. The Village's remote attendance ordinance offers the Board a chance to protest remote attendance with a 2/3 majority vote. Mayor Phelan noted in absence of a motion he would allow Trustee DeVore's remote attendance. No motion was made.

Mayor Phelan invited forward Mr. Bruce Brown and Ms. Lisa Mancuso, owners of Paparazzi, to present a proclamation honoring them for the 40<sup>th</sup> anniversary of the business. Mr. Brown thanked the Board and explained the secret to success was unanimous agreement on decision making.

Mayor Phelan invited Mr. Mike Lewis forward to speak. He has requested permission to put a soda machine in Tower Park. Mr. Lewis explained he'll install the machine and maintain it.

Trustee Gauf made a motion to approve the minutes from the Board of Trustees Meetings on June 20, 2023 and June 27, 2023. Trustee Khazzam seconded the motion. The Board approved the minutes 6-0.

Mayor Phelan opened the meeting to public comment.

Mr. Bruce Brown, 4315 N. Voss Ave, came forward to express support for funding the Peoria Heights Fire Department as part of the Village's identity.

Hearing no additional public comment, Mayor Phelan closed the meeting to public comments and moved on to old business. Superintendent of Public Works, Mr. Chris Chandler, updated the Board that the Public Works had installed playground equipment as part of the Village's pocket parks project. Hearing no additional old business, the Board moved on to new business.

Inspector Shane Murphy came forward to provide an update on code enforcement and landlord registration. Inspector Murphy explained the details of June's code enforcement notices and compliance rates as well as details of monthly and year to date rental inspections. He noted both programs are going very well, and, with the dry weather, he'd been able to focus more on alleyways. Inspector Murphy mentioned the complaints option on the website was working very well to bring items to both his and the officers' attention. Trustee Khazzam complimented Inspector Murphy on the compliance record. Mayor Phelan thanked Inspector Murphy for his reports.

Trustee Khazzam made a motion to approve the change of use for pump house – 1203 E Kingman Avenue. Trustee Wisenburg seconded the motion. Attorney Walton explained the building had been leased for the sole use as a popcorn shop, and KDB Group had requested an alternate use as a school. Trustee Khazzam explained she had spoken to Mr. Greg Birkland late in the afternoon, and the project

may not proceed. She explained the item could be discussed, but no action was necessary. Trustee Gauf explained he had received a suggestion that the building would be a great location for a museum of the history of the Village. Trustee Wisenburg questioned the long term plans of KDB Group. Trustee Khazzam expressed support for the idea of the property as a museum. Mayor Phelan asked Attorney Walton about termination clauses in the lease. Attorney Walton noted there weren't any termination clauses, but it had a 10 year term. The Board discussed the lease term as well as the rental fees and lease requirements. Trustee Khazzam made a motion to defer the change of use for pump house – 1203 E Kingman Avenue, and Trustee Goett seconded. The Board voted 6-0 to defer.

Trustee DeVore made a motion to approve the use of Tower Park on Saturday, September 2, 2023 for Peoria Heights Congregational Church Concert. Trustee Wisenburg seconded the motion. Mr. Rick Picl came forward to explain the history of the event as well as the details of the current year's plans. Trustee DeVore explained the event had been very successful and respectful in the past noting it was an asset. The Board voted 6-0 to approve the concert.

Trustee DeVore made a motion to approve Ordinance 2023-1706: 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 Video Gaming Establishment Licenses. Trustee Goett seconded the motion. Attorney Walton reminded the Board that the Board determines the number of gaming licenses available with Mayor Phelan reviews applications and issues licenses. Mr. Chris McCall, co-owner of Yeni's Palarte, came forward to explain the business model and its operations over the past year. They're requesting a video gaming license to help bridge the slower winter months. Mr. McCall complimented his co-owner for recently winning a Maker's Award as a unique business. He emphasized the business would continue to be a family friendly business. Trustee Khazzam thanked Mr. McCall for his business and his explanation. She noted the Board seriously considers such requests. She requested that Mr. McCall install a wall to block off the gaming area. Mr. McCall stated they'd be open to working with their landlord to install a wall. Mayor Phelan agreed to working with Mr. McCall. Trustee Wigginton questioned if Palarte's local liquor license would satisfy state requirements. Attorney Walton explained he had researched the state statute, and it emphasized on site consumption. He stated felt it would qualify, but the State of Illinois would review the business's gaming license application separate of the Village's issuance of a video gaming license. Trustee Wigginton questioned the plan to use 3 video gaming terminal rather than the allowed 5. Mr. McCall explained they were planning to install 3 machines in order to generate enough income for the business to operate and still maintain a family friendly environment. Trustee Wisenburg asked if the business planned to stay in Peoria Heights as it grows, and Mr. McCall stated they absolutely planned to stay. Trustee DeVore congratulated Yeni for receiving the award. She noted as a fellow female business owner she empathized with the difficulties of running a business. She explained she was not in favor of more video gaming licenses in the Village, but that was not a reflection of her feelings on the business. The increase of video gaming licenses was approved 5-1. Trustee DeVore voted nay. Mayor Phelan noted the Board might have reached a saturation point with gaming licenses. He asked if the Board could adopt a moratorium on gaming licenses. Attorney Walton stated the Board could choose to adopt a formal moratorium or agree to deny applications. Mayor Phelan noted he'd put an item on the agenda if the Board requested.

Mayor Phelan thanked Trustee Wigginton and Trustee Wisenburg for their work on action items regarding the Peoria Heights Fire Department. Trustee Wigginton noted both plans were for the preservation of the PHFD. Trustee Wigginton noted his plan preserves the PHFD while providing public safety. He stated contracting with the City of Peoria would provide relief from the high call volume, allows the PHFD to work alongside other firefighting professionals, and provides the PHFD opportunity

for networking and advancement. He noted the plan provides the option to turn back to the PHFD if the contract with the City of Peoria doesn't meet expectations. He noted the Village would have options to address any dissatisfaction. He noted the importance of public safety and contracting wasn't a unique idea. He reminded the Board the City of Peoria could respond to fire calls in 4 minutes or less. He stated his plan would be more expensive, and the Village would pay for public safety. Trustee Wigginton made a motion to adopt the combo plan. Trustee Gauf seconded the motion. Mayor Phelan noted he was going to allow Trustee Wisenburg to explain his proposal. Trustee Wisenburg spoke about the Village's identity and position as a regional leader as well as the role of mutual aid and MABAS. He suggested contracting with the City of Peoria would damage PHFD morale. Trustee Wisenburg expressed support for hiring 3 part-time firefighters stating he believed it would be more cost effective than contracting with the City of Peoria. Trustee Goett expressed support for Trustee Wisenburg's plan. Trustee Khazzam stressed the Board's desire to keep the Village safe noting she wanted to provide support for the PHFD. She expressed the hope that the PHFD would be strengthened through the plan. Trustee Gauf expressed agreement that public safety was important noting the importance of response time during a fire. He noted that if the Village could improve response time then that was the most important thing. He stated if contracting with the City of Peoria was within the Village's means then he didn't want to put a price on safety. He spoke about the history of service in the PHFD while acknowledging the increase call volume increases stress. He noted contracting with the City of Peoria would provide a support mechanism for the PHFD. Trustee DeVore spoke about her desire to retain the PHFD and expressed support for Trustee Wisenburg's plan. She spoke that she believed it was her role as an elected official to provide services to the Village. She expressed concern that contracting with the City of Peoria would weaken the PHFD. Trustee Wisenburg expressed the Village had a support mechanism in the form of mutual aid and MABAS. He spoke about the importance of remaining independent. Trustee Gauf expressed exception to the idea of Trustee Wigginton's plan being described as a slap in the face. He noted it was not disrespectful, and it was not an easy decision. He noted that Trustee Wigginton's plan allowed the Village flexibility to exploring different options. Trustee Khazzam expressed agreement noting that both plans increase cost. She stated the Village needs to provide support for the PHFD. Trustee DeVore clarified she believes each trustee has worked hard to make a decision, and everyone is working collectively to do what they believe is right for the community. Trustee Wigginton noted his goal is the preservation of the PHFD by providing support and assistance to the PHFD. He explained the Village had provided support by hiring a Fire Chief and then an Assistant Fire Chief. Trustee Wigginton noted the Board would review the contract and its term. Trustee Wigginton clarified his motion was to preserve the Peoria Heights Volunteer Fire Department and explore contracting with the City of Peoria. Trustee Gauf agreed to the clarification. Trustee Khazzam made an amendment to include a requirement for an advisory referendum on fire services. Trustee DeVore seconded the amendment. Mayor Phelan expressed support and opened the floor to discussion. Trustee Wigginton and Attorney Walton spoke about the legalities of advisory and binding referendums. Trustee Wigginton expressed he couldn't support the amendment. Trustee Wisenburg expressed the Board needed to take action, and he couldn't support the amendment though he could support the sentiment at another time. The amendment was denied 4-2. Trustee Goett, Trustee Gauf, Trustee Wigginton, and Trustee Wisenburg voted nay. The Board voted 3-3 to approve the motion to preserve the Peoria Heights Volunteer Fire Department and explore contracting with the City of Peoria. Trustee DeVore, Trustee Goett, and Trustee Wisenburg voted nay. Mayor Phelan voted aye to break the tie, and the motion passed 4-3.

Mayor Phelan asked for miscellaneous business. Trustee Wisenburg asked about the interview process for the Fire Chief. Trustee Wisenburg requested the Board be involved in the interview process. Mayor Phelan declined. Trustee Wisenburg spoke to Attorney Walton on legalities. Attorney Walton stated it

was Mayor Phelan's role to determine the process. Mayor Phelan noted he would consider Trustee Wisenburg's request.

Trustee Wigginton requested Discover Peoria remove the other municipalities' events from the Village of Peoria Heights' landing page. Trustee DeVore explained she had reached out to Discover Peoria about his concerns. She stated Discover Peoria provides cross promotion to encourage traveling from town to town. Those events aren't reported in Discover Peoria's metrics. Trustee DeVore will speak to Discover Peoria regarding the events.

Trustee Wisenburg spoke about emails obtained in a Freedom of Information Act request in which members of the City of Peoria government spoke poorly about the Village. Mayor Phelan noted he wasn't aware of the emails.

Clerk Turner read the Treasurer's Report for the end of June. There was \$7,564,177.53 in the Village controlled accounts, and \$2,135,147.67 in the Water controlled accounts. Trustee Khazzam made a motion to approve, and Trustee Gauf seconded the motion. The Board approved the report 6-0.

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

Trustee Goett made a motion to adjourn, and Trustee Khazzam seconded the motion. The Board of Trustees voted 6-0 to adjourn at 7:04 pm.

---

Michael Phelan, Mayor

---

Stephanie Turner, Village Clerk