

Village of Peoria Heights  
Departmental Meeting – Public Safety  
September 24, 2019

The meeting was called to order at 6:00 p.m.

Mayor Phelan noted the recent passing of Mr. Fred Carrell, Board Member for the School Board and Clerk for Richwoods Township, and stated his memorial service would be held on Saturday, September 28 at 1:00 pm at Glen Oak Christian Church. 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 Carter made a motion to approve the minutes for the Public Hearing for BDD No. 1 on August 20, minutes for the Public Hearing for BDD No. 2 on August 20, and the minutes for the Departmental Meeting on August 20, and the motion was seconded by Trustee Mariscal. The Board in favor of approving all three sets of minutes 6-0.

Mayor Phelan opened the meeting to public comment.

Mr. Kevin Enlow, Commandant of the Peoria Heights Leathernecks #081, came forward to speak about the Navy Marine Corps Club request to hold a stop sign fundraiser. Mr. Enlow acknowledged Peoria Heights allows four per year, and those had already been filled, but explained his organization only held one fundraiser per year. Mr. Enlow explained the Navy Marine Corps Club had recently changed leadership, and he was unaware that they would need to request permission to hold the fundraiser so early. Trustee Goett recommended approval of the fundraiser be added to the next agenda. Trustees DeVore and Wisenburg requested that the current policy be revisited.

Mr. Jim Becker, 2015 Grandview Terrace, approached to thank the Board of Trustees for their leadership and comment on adult use of recreational marijuana. Mr. Becker spoke in opposition of public consumption and dispensaries in the Village asking the Board not to allow dispensaries in the Village.

Trustee Goett made a motion to approve Ordinance 2019-1607: an Ordinance Providing for the Vacation of Brockway Avenue, and Trustee Khazzam seconded the motion. Trustee Goett noted the issue had been explained previously, and it was a housekeeping matter to vacate the street. Chief Sutton stated the Board of Trustees had previously discussed selling the property for \$5,000, but, after further conversations with Trustees, he was recommending the Village ask for the costs of attorney's fees which was \$2,600. Trustee Goett made amendment to adjust the price to \$2,600 to cover attorney's fees and Trustee Carter seconded the amendment. The amendment to amend the price in Ordinance 2019-1607 passed 6-0. Upon roll call, Ordinance 2019-1607 approving the vacation of Brockway Avenue for a price of \$2,600 passed 6-0.

Trustee Goett began the discussion of the creation of the class I of liquor license by explaining a new art studio looking to locate in the Village had requested the creation of special license for sale of liquor in an art studio from 10:00 am – 10:00 pm. Trustee Goett stated he'd seen similar business concepts in other areas and thought it was an interesting idea. Chief Sutton explained the classification was new to the

Heights but the concept wasn't new. He noted the draft ordinance was based on language from Washington which had a similar business.

Trustee Khazzam made motion to approve a candlelight vigil held by the Center for Prevention of Abuse on October 24<sup>th</sup>, and Trustee DeVore seconded. Ms. Camille Yameen, Director of Marketing and Communications for the Center of Prevention of Abuse, came forward to speak to the Board of Trustees. She explained that October is National Domestic Violence Awareness Month. The Center for Prevention of Abuse, which is almost 45 years old, is holding a series of events, several in Peoria Heights, to call attention to the many people who suffer from domestic violence. The event, known as Gather and Glow, will feature purple glowsticks in honor and memory of those who suffered from domestic violence. Ms. Yameen explained they were expecting approximately 50 attendees, and the program would last 45 minutes. Trustee Khazzam asked the time, and Ms. Yameen stated it would start at 5:30 pm. The Board of Trustees voted 6-0 to approve the event.

Trustee Khazzam reported the Board of Trustees would soon be receiving an invitation to attend the first meeting of the newly forming river coalition. The meeting will be held October 16 at 5:30 pm at the Illinois Valley Yacht and Canoe Club.

Trustee Wisenburg began the discussion of the Peoria Heights Fire Department's IT infrastructure with a report that the PHFD had withdrawn their purchase request for a new server. He stated the conversation had raised some concerns regarding software and infrastructure of the PHFD. He noted there were still concerns regarding back ups and security. Trustee Wisenburg asked the Board of Trustees to consider an immediate upgrade of the Fire Department's reporting software. Trustee Goett questioned if the Village could insist the equipment be looked at. Chief Sutton noted the equipment is Village equipment so the Village could insist. Trustee Wisenburg stated the current software is out of date and the option for an upgrade to cloud based software would alleviate some of the security concerns as data would then be stored off site. Chief Sutton noted it would be best to have the PHFD on the same maintenance plan as the rest of the Village as someone would still need to transfer data from the old server to the new. Trustee Wisenburg stated EOS would handle the data transfer as part of the upgrade to the cloud based software. Trustee DeVore stated the PHFD would still need a new server, but Chief Sutton pointed out the Village would save money as a portion of the data would be housed elsewhere meaning the Village could purchase a smaller server. Trustee Wisenburg expressed concern that only one person had passwords to the server at the moment and noted the liability that created for the Village was unacceptable. Trustee Carter noted she and Trustee DeVore had met with Fire Chief Walters regarding the issue, and she is very concerned about data back ups. She reported she had told Fire Chief Walters he could have one more week to resolve the issue himself and bring a solution to the Board of Trustees. Trustee Carter recommended the Board of Trustees take some form of action at the next Departmental meeting. Trustee DeVore agreed noting that, having been made aware of the issue, they couldn't let the situation continue as it was a liability. Mayor Phelan stated he had spoken to Fire Chief Walters about the issue numerous times, and Chief Sutton offered to meet with Fire Chief Walters to convey the Board's vision and thoughts. Trustee Khazzam noted the original request came from PHFD which indicated they had concerns. She stated the Board of Trustees had a responsibility to address all the issues and mitigate the Village's liability. The issue will return to the Board of Trustees at the next meeting.

Trustee DeVore began the discussion of amending the zoning code to allow adult use recreational cannabis businesses by stating that night would be a starting point in the Village's determination of what to allow. Trustee Goett asked when the Board would have to make a decision, and Chief Sutton noted

there was no timeline. Trustee Wisenburg asked for clarification on what was allowed by state statute. Chief Sutton noted it was similar to alcohol use and that the Village could not restrict use on private property. Trustee Khazzam noted the difficulty in enforcement of no public consumption since most use was in food and items other than smoking. Chief Sutton acknowledged the difficulty but expressed confidence in the officers' ability to enforce a public consumption ban. Chief Sutton reported he had learned at the Illinois Municipal League conference that the state statutes did not include any distance requirements from schools. Instead, the language restricts dispensaries from being located too closely to each other. Chief Sutton noted the Board could add a distance requirement as part of its ordinance. Trustee Mariscal noted the difference of holistic marijuana businesses selling it for medical and pain uses as opposed to recreational use. She requested the Board of Trustees keep an open mind regarding the variety of uses. Trustee Khazzam noted the Board needs to consider the topic in respect to economic development, environment, public health, and public safety. She noted there would be potential tax revenues, regulation, and the Board has control over conditions. Trustee Khazzam noted some sort of ordinance would need to be passed prior to January 1, 2020. Trustee Wisenburg noted the difficult position of Peoria Heights being surrounded by the City of Peoria. He spoke to confusion over boundaries and the possibility that the City could allow one or more businesses to open on the Village's boundaries. A resident from the audience familiar with the industry spoke to the Board and reported that of the 75 licenses authorized by the State of Illinois for the first year there would be 65 for medical businesses and 10 for recreational use business. Chief Sutton stated he would send out an electronic copy of the presentation from IML about the issue. Trustee Khazzam noted the City of Peoria has already made decisions regarding how many dispensaries to allow in its borders. Mayor Phelan likened the situation with marijuana to that of alcohol stating it was a highly controlled substance that government regulates. He requested the Board of Trustees continue to consider the issue and send any recommendations to Chief Sutton for inclusion in the Village's draft ordinance.

Trustee DeVore reported 119 code enforcement violations notices were issued in September. Of those, there were 34 that had resolved as compliant, and 85 were pending. During the month, 3 abate stickers had been issued. Trustee DeVore continued that 245 residential inspections had occurred year to date. This month, there were 15 passed and 4 pending. Trustee Carter questioned the number of inspections completed in September. Chief Sutton stated a lot of appointments had needed to be rescheduled recently, and the landlord registration program was going very well. He stated he was very proud of the program and its accomplishments. He noted that a lot of the home improvements were internal and were life safety issues that were being addressed. Trustee Khazzam stated other municipalities were looking to the Village's program as an example for their own communities. Chief Sutton noted that the Village's House Inspector, Mr. Shane Murphy, has been well received in the community. Trustee Carter questioned what type of code enforcement violations are being issued. Chief Sutton stated in order of frequency the violations were primarily unmowed grass, unlicensed vehicles, then debris. He noted that code enforcement has a number of repeat offenders who comply after receiving notification but the program requires constant vigilance.

Mayor Phelan invited the Board of Trustees to share miscellaneous business. Trustee Carter invited Superintendent of Water, Mr. David Marfell, forward to speak. Mr. Marfell explained the dates of the hill closure had changed due to some problems Illinois American Water's contractor had experienced. As such, Forest Park Drive would be closed from 8:00 am on September 25 to 8:00 am on October 2. Mayor Phelan expressed displeasure over the closing citing the problems the closure would cause for residents. Mayor Phelan directed Chief Sutton and Mr. Marfell to meet with Illinois American Water to address the issue. Trustee Khazzam questioned if the forecasted rain would affect the timeline, and Mr. Marfell noted it could be an issue. Mr. Marfell also reported the drainage program by D's Autobody had

been delayed yet again and was currently without a start date. When asked, Mr. Marfell stated the contractor was waiting on concrete basins to begin.

Trustee Wisenburg reported that G & O Disposal was providing garbage totes to the residents free of charge. He encouraged residents to contact G & O Disposal to sign up to receive a tote.

Mayor Phelan reported he had attended the Illinois Municipal League conference the previous week and learned a lot from the programing. He also noted that he had asked Trustee Wisenburg to work on a municipal flag for the Village.

Trustee Goett made a motion to adjourn, and Trustee DeVore seconded the motion. The Board of Trustees voted 6-0 to adjourn at 7:13 pm.

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Michael Phelan, Mayor

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Stephanie Turner, Village Clerk