

Village of Peoria Heights
Departmental Meeting – Public Safety
October 22, 2019

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

Trustee Carter made a motion to approve the minutes from the Board of Trustees Meeting on September 17, 2019 and the minutes of the Departmental Meeting on October 1, 2019. Trustee Wisenburg seconded the motion. The Board voted in favor of approving both sets of minutes 6-0.

Clerk Turner read a letter from Ms. Cindy Bertino thanking Public Works for their help with the Restore the Shaft project at Springdale Cemetery. Clerk Turner also read a letter from City of Peoria Chief of Police Loren Marion III thanking Officer Switzer, Sergeant Lotz, and Fire Chief Walters for their assistance and kindness when his son's apartment caught on fire.

Mayor Phelan opened the meeting to public comment.

Mr. Eric Thurman, member of VFW #2602, came forward to ask the Board of Trustees to address the flooding at the VFW on Lake Avenue. He stated the Village had installed a catch basin on the street, but that development uphill had increased runoff water without any upgrades to their infrastructure. He stated upgrades to the VFW building have had to be postponed because of the flooding and drainage issue. He asked that the storm drains be engineered to address the issue.

Mr. Jim Becker, 2015 E Grandview Terrace, came forward to explain there was no fire protection for six houses located on the lower portion of Grandview Terrace. He said the closest hydrants were at the bottom and the top of the hill, and that the Fire Department apparatus was too large to travel up the hill. He said he was also concerned about water pressure in the area. He thanked Trustee Wisenburg and Fire Chief Walters for speaking to him about the issue.

Hearing no other comment, Mayor Phelan closed public comment and moved on to old business.

Trustee Goett made a motion to approve a lease agreement by and between the Village of Peoria Heights and KDB Group, LLC for property located at 4600-4602 N Galena Road, and Trustee DeVore seconded the motion. Chief Sutton explained the lease agreement had already been discussed, and the changes requested by the Board had been incorporated into the agreement. Attorney Walton noted that maintenance costs, costs of improvements, taxes, and fees had been placed on the tenant. He noted that any nonpermanent structures must be removed by the tenant at the end of the lease. Mayor Phelan invited Mr. Greg Birkland, of the KDB Group, forward to speak about the project. Mr. Birkland shared the intention was to create a place for kids to learn outdoor skills, such as fishing, and provide a place for the community to gather and enjoy natural resources. Mayor Phelan noted the Village would still retain ownership of the property, and the Village had the right to utilize the property several times a

year. Attorney Walton stated the agreement had been written to reflect that the property was public space. Trustee Wisenburg questioned if one of the uses could be a free day for the Heights residents. Mr. Birkland agreed to consider it stating it was a great idea. He also noted that using the space for pop-up retail businesses or concerts could be a fun use of the space. Trustee Goett said the space hadn't been utilized fully, and the Village was fortunate for the opportunity. Trustee Khazzam referenced the Chicago River Walk and noted the opportunities for kayaking, boating, retail, and the whole community. Trustee Wisenburg asked if the cost of admission had been discussed, and Mr. Birkland stated it hadn't, but he didn't anticipate many, if any, fees. He noted that kayak rental fees might be possibility. Trustee Khazzam stated that in her previous discussions with the KDB Group there had been discussion of benefit to other businesses, and she suggested there was the possibility to lease space to other businesses to provide services. The motion to approve the lease with KDB Group passed 6-0.

Trustee Carter made a motion to approve installation of a water hydrant in memory of Mrs. Irene Hasenstein, and Trustee Wisenburg seconded the motion. Mayor Phelan noted Mrs. Hasenstein had, at one time, painted all of the fire hydrants in the Village. Mr. Tom Hasenstein, son of the late Mrs. Hasenstein, approached to explain the idea was for the Village to install a fire hydrant in Tower Park, and then an artist would paint it with a Patriot theme to match the PHS school mascot. Mr. Hasenstein provided an example of a potential memorial stone to accompany the fire hydrant. Superintendent of Water, Mr. David Marfell, explained Public Works had an inoperable fire hydrant that would be donated, and Public Works would install it then Mr. Hasenstein would arrange for it to be painted. Trustee Goett noted his memories of Mrs. Hasenstein and her work and thought it was a great way to honor her. Trustee Khazzam shared the joy she felt as a child seeing Mrs. Hasenstein's art throughout the Village. Mr. Hasenstein said his mother had painted more than 89 fire hydrants. Mr. Marfell noted that if a citizen wanted to paint a fire hydrant in their yard then Public Works would work with them, but there were color requirements for active fire hydrants that must be followed. Trustee Carter asked that the memorial fire hydrant be painted in the style of Mrs. Hasenstein. The Board of Trustees voted 6-0 to approve the installation of a water hydrant in Tower Park in memory of Mrs. Irene Hasenstein.

Trustee Carter made a motion to approve the purchase of a new motor for Well No. 11 from Cahoy Pump Service in the amount of \$18,005, and Trustee Goett seconded the motion. Mr. Marfell explained the pump motor wasn't part of the original scope of work when the project to rehabilitate the well began. After the work was completed, when the pump was restarted, it didn't work correctly. The motor was pulled and examined. The pump had been serviced in 2015, but those parts were still in good condition and not responsible for the problem. Cahoy Pump Service advised Mr. Marfell the power source to the pump might be the problem, and Mr. Marfell assured the Board he was looking into that as well. Mr. Marfell explained the funds for the repairs to the pump would come out of the Waterworks budget. Trustee Mariscal asked if the power problem caused the initial issues with the well, and Mr. Marfell said the problems were the result of manganese which was naturally in the water aquifer. Trustee Mariscal asked about the purchase's effect on the budget, and Clerk Turner answered the expense would be offset by reduced spending in three other budget lines. Trustee DeVore questioned if the well was the new water well, and Mr. Marfell stated the new well was Well No. 12 which would need to be examined next. Mr. Marfell said the work began when he noticed Well No. 11 was pulling excessive air. The motion to approve the purchase of a new motor passed 6-0.

Trustee Carter began the discussion of the drainage at the VFW by noting the issue had been discussed several years ago. She stated the discussion had finished with the assessment that VFW needed to correct the drainage on their property. Chief Sutton noted during his tenure the Village had investigated the drainage lines which crossed private property, Park District property, and Village property to try to

identity ownership and potential problems. Chief Sutton noted he hadn't received any complaints in that time. The Superintendent of Streets, Mr. Mike Casey, came forward to speak about the drainage. He said the Village had telescoped the drainage pipes which serve the area. He explained the drain in the middle of the VFW's parking lot is a large part of the problem. Mr. Casey reviewed Village records and did not find any record of the pipes under private property leading him to believe they were not installed by the Village. Mr. Thurman noted the catch basin at the top of the series of pipes was put in by the Village and asked what responsibility the Village had for adding to the drainage issue. Chief Sutton said he would have the Village engineers investigate and go on the advice of Village Counsel regarding the issue. Trustee Wisenburg asked who was responsible for water drainage under private property. Attorney Walton noted once infrastructure was on private property it became the owner's responsibility. Trustee Wisenburg asked if the amount of water increased due to developments. Mr. Thurman stated he believed it had. Trustee DeVore asked which specific development, and Trustee Khazzam noted it was possibly a combination of development and ecology citing overall general increases in rain. Trustee Wisenburg asked who was responsible for water generated by development. Trustee Khazzam explained commercial development has responsibility to create water retention in their site plan, and Attorney Walton agreed. Mr. Thurman noted after the last heavy rain the VFW had to hire someone to plow their parking lot of grass, rocks, and trees. Chief Sutton noted that would be a Park District issue as they own the land uphill of the VFW. Trustee Carter asked about the condition of the drainage pipes, and Mr. Casey answered they were found to be deteriorating. Trustee DeVore asked what was broken, and Mr. Casey answered the Village had begun repairs to its portion of the pipes at the top of the hill, but the work was not yet complete. Mr. Thurman stated the VFW flooded even in a moderate rain. Trustee Carter asked if the property had flooded prior to the construction of the trail, and Trustee Goett noted that it had always flooded. Chief Sutton stated he'd arrange a meeting with Mr. Casey and the Village engineers and contact the Park District. Mr. Thurman asked for a metal plate to cover the sinkhole on the property in the interim.

Trustee Carter began the discussion of the water rate ordinance by noting her dislike of increasing rates but the necessity of doing so to pay for capital purchases planned for the next four years. Trustee Carter noted the water rate ordinance typically covered a period of three to five years, and the current proposal was for a three year period. Trustee Carter explained the increase was to cover the costs of a new backhoe, rehabilitation costs for Well No. 9, and replacing segments of water mains on Lake Avenue, Constantine Avenue, Moneta Avenue, and Marietta Avenue. Trustee Carter explained if the Village didn't increase the rates then there would not be sufficient funds for the projects. Mr. Marfell noted that water rates were expiring soon, and the water rate ordinance needed to be voted on prior to that. He said over the three year period the water rates would rise approximately \$5 per month. Trustee Wisenburg asked if the current rates met the needs of the water department. Clerk Turner explained the current revenues were higher than expenditures in order to save money for large infrastructure projects such as the ones previously mentioned. Trustee Goett noted there was currently a surplus only because the Village hadn't spent the funds yet. Trustee Wisenburg asked if the rates included any additional funds over the needs for the capital projects. Clerk Turner stated she didn't believe so but her financial projects tended to be conservative which could result in excess funds. Chief Sutton noted the rate increase wasn't being used to increase the General Fund, and the funds were earmarked for projects. Trustee Wisenburg asked what happened when the rates expire, and Clerk Turner noted the rates would be frozen until the Board of Trustees took action. Trustee Wisenburg asked if staff anticipated another increase at the end of the proposed ordinance, and Chief Sutton noted the increases were project driven. Trustee Mariscal asked if the water rates would increase \$5 per month every year. Chief Sutton and Clerk Turner explained the rates would increase gradually until the final year when they were \$5.25 per month over the current rates. Trustee Mariscal asked if it would be

better to increase the rates all at once. Chief Sutton said the rate structure was up to the Board. Trustee DeVore noted Mr. Marfell had just spoken about rehabilitation costs for Well No. 12, but it wasn't listed on the capital projects. She asked where those repairs fit in the timeline. Mr. Marfell stated the projected costs for Well No. 12 were low enough they could be absorbed within Water's normal budget. Trustee DeVore expressed concerns the repairs could lead to discovering more problems than anticipated. Mr. Marfell stated he had prioritized Well No. 9 because it is pumping at approximately half capacity. Trustee Wisenburg asked if the rates could roll back to current rates at the end of the rate ordinance. Mayor Phelan noted the rate ordinance could be structured however the Board decided. Trustee Wisenburg expressed concerns that the economic development was not benefiting the residents. Trustee Goett suggested setting up the rates and then reviewing them annually. Mr. Marfell explained the three year rate ordinance was designed to allow the Waterworks to take a more proactive approach to funding infrastructure. Trustee Mariscal stated it would be easier to budget with a three year rate ordinance. Mayor Phelan expressed he'd like to see a capital budget for the next five years as part of the next budgeting cycle. He continued on to note he shared Trustee Wisenburg's concerns about costs to the residents, but he respected staff's recommendations that the capital projects needed to be completed. Trustee Wisenburg stated he agreed with the need to complete the capital projects. Mr. Marfell noted the INF fee had been added to the water bills in 2014, and Clerk Turner explained the projects it had completed so far. She noted those revenues were currently dedicated to repaying a \$1.5 million loan which was taken out to pay for the water tower rehabilitation and other projects. Trustee Wisenburg asked if the INF fee should be paying for the capital projects, and Clerk Turner explained the fee generated approximately \$160,000 per year which wasn't sufficient to fund such large capital costs. She noted the funds were also almost entirely dedicated to debt service through 2031. Mayor Phelan thanked the Board for the discussion and their questions.

Mr. Casey came forward and stated Forest Park Drive will be closed October 24 between 9:00 am – 2:00 pm to fix the pavement.

Trustee Goett made a motion to approve the BDD beautification grant submitted by Slow Hand BBQ, and Trustee Wisenburg seconded the motion. Chief Sutton explained the application was for a new sign, and the Business Development District Advisory Committee didn't have a quorum in order to approve recommendation of the application. He noted the BDDAC members present were in favor of the project. Trustee DeVore questioned the application being turned in after work was completed and reminded the Board of Trustees that the owner of Slow Hand BBQ had already applied for funds from the BDD for a marketing expenditure. Chief Sutton stated he didn't believe the marketing expense would be paid out as the production company wouldn't approve the required contract with the Village because they didn't wish to release the copyrights to the Village. The Board of Trustees voted 5-1 to approve the application. Trustee DeVore voted nay.

Chief Sutton noted the Village had received sealed bids for the vacant lots it owns. Clerk Turner opened the three bids all of which were submitted by Williams Brothers Construction. A bid for all of the properties (618 Sciota Avenue, 3804 N Ellen Ct, 723 E Division Avenue, 1105 E Duryea Avenue, and 5012 N Best Street) was submitted with a purchase price of \$26,200. There were individual bids as well for 1105 E Duryea Avenue with a purchase amount of \$6,000, and 3804 N Ellen Ct with a purchase price of \$9,100. Chief Sutton will review the bids and return to the Board of Trustees with a recommendation.

Trustee Wisenburg stated he had been speaking with the residents of Grandview Terrace and was concerned that the neighborhood lacked fire service. He questioned if the water supply at the base of the road along Galena was sufficient and asked Fire Chief Walters for his assessment. Fire Chief Walters

noted the main concerns were lack of a nearby fire hydrant and access to the houses. Fire Chief Walters stated the Peoria Heights Fire Department had an above ground water main to help with the first concern and he believes there is sufficient water supply. He stated the main problem was getting fire apparatus up the road which is narrow and tightly curved. Fire Chief Walters stressed the PHFD preplans for a worst case scenario which includes multiple options for fighting fires in that neighborhood. Fire Chief Walters noted the legal difficulties of the situation because the road is private and not maintained by the Village. Attorney Walton stated the Village had the legal obligation to make reasonable efforts to provide the residents with fire protection. Trustee Wisenburg asked about obligations to place fire hydrants, and Attorney Walton stated there were no legal obligations. Trustee Wisenburg questioned why fire hydrants hadn't already been provided, and Fire Chief Walters noted the houses had been built prior to modern fire safety codes. Mr. Marfell explained the neighborhood received water from a 2" main which cannot support a fire hydrant. Mr. Marfell stated in order to install fire hydrants the Village would have to install a 4" water main from Galena Road up the hill. Trustee DeVore asked for a cost estimate, and Mr. Marfell said a rough projection was \$400,000. Fire Chief Walters stated getting water to the houses wasn't the problem so much as getting fire trucks access to the houses. Trustee Wisenburg asked if apparatus was still necessary if the Fire Department had access to a fire hydrant, and Fire Chief Walters stressed that the fire apparatus was necessary to properly control and combat a fire. Fire Chief Walters explained the water carried on the fire trucks was used to control the fire while priming fire hydrants for use, and the truck controlled water flow to ensure adequate water pressure. Fire Chief Walters stated the PHFD's equipment was sufficient to combat a fire with the available water, but the road isn't wide enough to get the trucks to the fire. Trustee DeVore asked about widening the road, and others noted the road was private property. Mr. Marfell added that there are utilities running along one side and a cliff along the other which prevent the road from being widened. Trustee Wisenburg asked for informational purposes if the Village could take possession of the road in order to fix it, and Attorney Walton stated the Village could. Trustee Goett noted that would be a huge consideration and obligation for the Village. Residents in the audience who live in the neighborhood asked if the Village could get a smaller truck to service their neighborhood. Trustee Khazzam noted the cost of such equipment and explained other communities, with such resources, would provide that equipment if necessary. Chief Sutton noted the issue was a public safety and quality of life issue and stated the Village has mutual aid agreements with surrounding communities simply for this reason. Chief Sutton stated he was concerned with the idea of taking over the street and associated costs, but the conversation had been a good starting point for a discussion. Fire Chief Walters acknowledged the concerns of the residents and assured them in the case of an emergency firefighters would respond quickly.

Trustee DeVore explained there wasn't a code enforcement report as issues tended to slow down during the winter. She invited the Housing Inspector, Mr. Shane Murphy, forward to provide the landlord registration report. Mr. Murphy explained there had been twenty inspections so far in October, and one property had passed its reinspection. Mr. Murphy shared that during the month he had helped a low income family that had been placed in Peoria Heights by the Housing Authority. They had approached Mr. Murphy with a flooding issue, and he had worked with them, their landlord, and the Housing Authority to relocate them on an emergency basis. He noted the family hadn't expected help but was so happy with the Village's response they had requested to be relocated in Peoria Heights because they wanted to stay in the community. Chief Sutton stated Mr. Murphy has a wonderful disposition for the position, and the residents appreciate him and the program. Trustee Goett stated these programs are only as good as their personnel and commended Mr. Murphy for his hard work. Trustee Carter noted the program is working as intended. Chief Sutton explained Mr. Murphy had obtained certifications and qualifications in order to act as Housing Inspector and his work was great PR for the Village.

Mayor Phelan asked the Board of Trustees for reports on miscellaneous business.

Trustee Khazzam updated the Board of Trustees on the River Coalition meeting stating there was a great turnout. Most of invited communities had sent representatives, and the KDB Group had donated \$25,000 in support of the group. Additionally, Farnsworth was going to be working to draft plans for the coalition. Trustee Khazzam also mentioned that Ms. Kristi Dula, from the Illinois Department of Commerce and Economic Opportunity, would be visiting to help source funds and grants for programs in the Village. Additionally, the Village would be meeting soon with Mr. Dave Gobin about housing grants.

Chief Sutton and Mayor Phelan invited Mr. Mike Vandy forward to address the Board of Trustees. Mr. Vandy will be opening a winery in the Village. Mr. Vandy explained the grapes would be brought in, and then the wine and would be created, bottled, and produced in Peoria Heights. He stated he planned to open the business in Heritage Square. Chief Sutton noted the recent press release must have come from corporate Mr. Vandy was working with as the lease for the business was still pending.

Trustee Khazzam noted that the Board had been discussing the idea of meeting to have conversations about a vision for the Village. She noted the recent RFP for a comprehensive housing plan and the variety of issues currently facing the Board. She requested that the Board consider meeting for a longer discussion. Mayor Phelan agreed with the idea and requested Trustee Khazzam's help to prepare an agenda citing the need to discuss policies and procedures.

Clerk Turner read the Treasurer's Report. As of the end of September, there was \$2,458,440.33 in Village controlled accounts, and there was \$972,631.26 in Water controlled accounts. Trustee Goett made a motion to approve the Treasurer's Report, and Trustee DeVore made a motion to second. The Board of Trustees voted 6-0 to approve the report.

Trustee Khazzam made a motion to go into executive for purposes of discussing personnel under 5 ILCS 120/2(c)(1) and possible or pending litigation under 5 ILCS 120/2(c)(11). Trustee Wisenburg seconded the motion. The Board voted 6-0 to enter executive session at 8:26 pm.

Upon exiting executive session, the Board of Trustees reconvened in regular session with Trustee Goett acting as Mayor Pro Tempore. Trustee Mariscal made a motion to adjourn, and Trustee Wisenburg seconded the motion. The Board of Trustees voted 6-0 to adjourn at 8:58 pm.

Michael Phelan, Mayor

Stephanie Turner, Village Clerk