

Village of Peoria Heights  
Departmental Meeting – Administration & Economic Development  
December 3, 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, Trustee Wisenburg Wisenburg, and Trustee DeVore 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 Goett made a motion to approve the minutes from the Departmental Meeting on November 5, 2019, and Trustee Wisenburg seconded the motion. The motion to approve the minutes passed 6-0.

Mayor Phelan opened the meeting to public comment.

Mr. Steve Miller approached to ask about the cost of his water bill. He complained about the water quality, and Mayor Phelan asked Superintendent of Water, Mr. David Marfell, to come forward to address Mr. Miller's concerns. Mr. Marfell spoke about conditions affecting water quality and assured Mr. Miller he would be in contact to address the issues.

Mr. Nico Tijernia, 5209 N Montclair and member of the Peoria Heights Zoning Board of Appeals, came forward to speak about recreational cannabis dispensaries. He expressed that the restriction keeping the businesses from being within 500 ft of a school or church was too far and suggested the distance should mirror the alcohol policy which restricts the distance to 100 ft. Trustee Goett expressed support of Mr. Nico's statements, and Trustees Wisenburg and Mariscal agreed as well.

A resident approached the Board of Trustees to express concern over the use of recreational cannabis impacting business workers. He stated concerns that workers would suffer penalties from their employers if they were to consume cannabis and its impact on the community.

Hearing no other public comment, Mayor Phelan moved on to new business.

Trustee Carter asked Mr. Marfell to update the Board. Mr. Marfell said Well No. 11 is in service. He also noted there had been recent complaints about dirty water on social media and thanked Trustee Wisenburg for his help addressing the concerns. Mr. Marfell explained the Village's water source has high iron and manganese content which is treated with phosphate to suspend the minerals and make them less visible. Variations in the mineral content, as well as other factors, require Mr. Marfell to make adjustments to the chemicals used to treat the water, but the Water Company has about 2,000,000 gallons of water on hand which is why it can take multiple days for problems like discolored water to be corrected. Mr. Marfell stressed the discolored water is not a health hazard although it is definitely an annoyance. He also noted that the condition of internal plumbing affects water quality, and the Water Company is not able to fix that. He encouraged residents to call the Water Company's office with any concerns. Mr. Marfell noted that problems are usually isolated, and the Water company relies on reports from residents to identify issues. Trustee Wisenburg asked about the process of removing iron rather than treating it, and Mr. Marfell explained it would require millions of dollars to create a

treatment facility to remove or filter the iron. Trustee Wisenburg asked if Illinois American Water had such facilities, and Mr. Marfell stated they do. Mr. Marfell noted iron levels aren't regulated by the US EPA although the Illinois EPA does monitor levels.

Trustee Wisenburg said there was a junction box at the Monroe and Marietta that was unsightly and asked Public Works to address the issue. Chief Sutton explained that the Village had been pursuing the repair for a while, and Comcast, who owns the box, was waiting on a part. Superintendent of Streets, Mr. Michael Casey, and Chief Sutton stated they would follow up with the issue.

Trustee Mariscal stated she'd like the Board of Trustees to review the Village's burn policy for landscape waste. She reported she had concerns for residents with breathing problems. Chief Sutton stated there was already a burn ordinance which allowed burning from 6:00 am to 6:00 pm. Trustee Mariscal asked if the ordinance addressed fire pits, and Chief Sutton stated it did and allowed longer hours for fire pits.

Trustee Khazzam made a motion to approve the Super Shuffle 5K for the American Cancer Society on February 2, 2020, and Trustee Carter seconded the motion. Ms. Audrey Williams came forward to explain it would be the second year for the event, and they had partnered with Oliver's. She also said it had already been approved by the Peoria Park District. Motion to approve the 5k was passed 6-0.

Trustee Khazzam introduced discussion of the ordinance requiring payment of prevailing wages for all projects using TIF and BDD funds. She noted the issue had already been discussed, and Mr. Dillion and Mr. Bender, representatives of the West Central Illinois Building and Construction Trades, were present to answer questions. Attorney Walton stated that the appellate court for our district has ruled that projects receiving TIF funds must pay prevailing wages, and this ordinance would reinforce the law. Attorney Walton also noted there wasn't a court case regarding BDD funds, but, in his opinion, it would follow the TIF ruling so both funds were incorporated into the ordinance. Trustee DeVore stated she was under the impression that the responsible bidder conditions would be included as well. Attorney Walton noted that developers weren't subject to the same bidding requirements as government but that similar language for responsible contractors requiring use of approved apprenticeship programs could be added to the ordinance. Trustee Khazzam acknowledged Trustee Wisenburg's concerns regarding duplication but emphasized that passing the ordinance would help the Village organize its requirements. Trustee Mariscal asked Mr. Dillion if the ordinance would help the unions. Mr. Dillion stated it would help workers by ensuring all workers were paid a decent wage. Trustee Khazzam noted the importance of the ordinance and including language similar to the responsible bidder requirements with the Village's pending implementation of a residential housing program. Mr. Dillion noted that prevailing wages let some of the tax incentives be given back to the residents through fair wages. Mr. Bender, Carpenter's Local Union 237, stated that prevailing wages ensure certified payrolls are filed which are an important part of fair labor practices. Trustee Mariscal expressed concern because projects are approved prior to contractors being hired. Mayor Phelan and Attorney Walton noted that language would be worked into the development agreements. Trustee Mariscal asked if KDB Group had to follow the policy since they were not taking TIF funds. Mayor Phelan, Mr. Dillion, and Mr. Bender all commented that KDB Group did not have to but were committed to union labor. Mr. Dillion told Trustee Mariscal that the vast majority of projects which had been approved in Peoria Heights went above and beyond the policies being discussed by the Board of Trustees. Trustee Wisenburg asked about enforcement and review. Attorney Walton and Chief Sutton responded that the certified payrolls were provided from contractors and review through the Economic Development Group. The Board of Trustees agreed to vote on the ordinance at the next meeting. Trustee DeVore requested the language

of the ordinance be updated prior to the vote to include language about responsible contractors, and Attorney Walton agreed.

Trustee Goett made a motion to renew Chuck's Auto Sales quarterly special use permit. Trustee DeVore seconded the motion. Trustee Goett noted the Village had found that quarterly special permits work best for the business, and it has passed its most recent inspection. The motion to approve the permit passed 6-0.

Trustee Goett made a motion to cancel the Departmental Meeting on December 24, 2019, and Trustee Khazzam seconded the motion. There was no discussion. Motion to cancel the meeting passed 6-0.

Trustee Goett provide an update on employee health insurance for the coming year. He stated the health insurance options chosen would save both the Village and the employees money in premium costs. Chief Sutton noted that in 2019 the Village had saved \$60,000 and offered 3 options. Chief Sutton noted in 2020 the Village would save \$50,000 and was offering 2 options. Trustee Mariscal asked if the Village was switching companies, and Chief Sutton explained the Village would be switching from United Healthcare to Blue Cross Blue Shield.

Trustee Goett explained the Village needed to vote on the levy at the following meeting to receive property taxes in the following year. Clerk Turner stated the Village was increasing its levy amount an additional 5% which would be contributed to the Police Pension Fund. The total proposed levy of the Village is \$503,000, and the Peoria Heights Public Library, which levies alongside the Village, is levying \$534,405. Trustee Mariscal asked about the funding of the Police Pension Fund, and Clerk Turner stated the funding status is improving but requires further discussion. Trustee Wisenburg questioned why the library is levying more than the Village. Director of Peoria Heights Public Library, Mr. Shawn Edwards, came forward to explain the library depends heavily on property taxes for its annual revenue. Clerk Turner spoke about the history of the Village's tax levy, and Mayor Phelan recommended the Board of Trustees meet to discuss taxation in the Village.

Trustee Wisenburg noted the Village had received preliminary numbers from Pearl Technology for the Fire Department's server, its installation, and monthly service contract. The server and installation cost approximately \$11,000, and the service contract was approximately \$1,350 per month. Trustee Wisenburg expressed concern that the cost was high, and Trustee DeVore questioned if the computers could be consolidated to reduce costs. Chief Sutton noted he thought the quote needed to be amended to reflect limited use of the computers, and he would bring back an amended quote. Trustee Carter expressed concerns over the cost of the quote. Trustee Wisenburg explained Pearl had already agreed to waive some fees, and Chief Sutton emphasized the issues with the quote would be addressed.

Trustee Wisenburg said the Fire Department would soon be completing a federal requirement to conduct nondisruptive testing of the ladder equipment. The testing is stress testing, and Chief Walters expects all equipment to pass. Trustee Wisenburg said fire calls to date have exceeded last year's.

Trustee DeVore began discussion of the ordinance amending the zoning code regarding adult use recreational cannabis businesses by stating the Board of Trustees would vote on the ordinance at the next meeting. Trustee Khazzam noted that the distance restrictions were included in the ZBA's recommendation to the Board of Trustees to approve the ordinance. Trustee DeVore stated her expectation that the State will eventually allow consumption on site and asked their thoughts on that in relation to the distance restrictions. Trustee Wisenburg noted that alcohol can be consumed on site and

is required to be at a distance of 100 ft from schools and churches. The Board of Trustees reached a consensus and asked Attorney Walton to change the distance from 500 ft to 100 ft in the final ordinance. Trustee Wisenburg questioned the restriction limiting businesses to the War Memorial corridor. Chief Sutton stated that the restriction was put in place because of the Board's previous discussions. Trustee DeVore cited heavy traffic along the War Drive corridor making it more attractive business location. Trustee Goett agreed with Trustee Wisenburg's point that liquor had no location restrictions and stated his support of eliminating the restriction to War Memorial Drive. Trustee Wisenburg questioned restrictions on location for alcohol sales, and Trustee DeVore noted that liquor sales were restricted to parcels zoned B-1 and B-2. Trustee Khazzam agreed with the idea noting the Board of Trustees would still have the option of reviewing the specifics through the permitting process. The Board of Trustees agreed to remove the War Memorial location limitation in the final ordinance.

Trustee DeVore introduced the updated stop sign fundraiser ordinance as changes previously requested by the Board of Trustees. Trustees Khazzam and Mariscal stated they thought increasing the number of allowed fund raisers from 4 to 6 was too many. The Board of Trustees agreed to limit the number of total fund raisers to 4 and restrict applicants to Peoria Heights affiliated charities. The ordinance will be updated and brought back to the Board of Trustees for a vote.

Chief Sutton explained the boiler in Village Hall, which was installed in 1991, had a crack and needed to be replaced. Chief Sutton obtained a quote to replace the unit for \$33,000. Trustee Mariscal asked about if the replacement was an upgrade, and Chief Sutton stated the new unit would be more efficient. Chief Sutton noted staff was monitoring the boiler daily for renewed leaks, and Trustee Mariscal asked if the boiler would last through the winter. Chief Sutton stated he believed so, and Mayor Phelan requested Chief Sutton check to see if the replacement boiler was a TIF eligible expense.

Mayor Phelan announced the opening of a community kitchen at the old gym at St. Thomas. The kitchen will be opening with a dinner on December 15 thanks to donations from KDB Group and St. Thomas. Mayor Phelan noted the plan was to expand services in the future to include other offerings.

Trustee Goett made a motion to pay the bills. Trustee Carter seconded motion. Clerk Turner answered questions from Trustee Wisenburg regarding investment transfers, employee benefit payments, and costs of phone lines for Public Work's alarm systems. The Board of Trustees voted 6-0 to pay the bills.

Trustee Goett made a motion to enter executive session for 5 ILCS 120/2(c)(11) to discuss possible or pending litigation, and Trustee DeVore seconded. The motion to enter into executive session passed 6-0, and the Board left open session at 8:04 pm.

The Board of Trustee reconvened regular session at 8:18 pm. Trustee Goett made a motion to adjourn, and Trustee Carter seconded the motion. The Board of Trustees voted 6-0 to adjourn at 8:18 pm.

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Michael Phelan, Mayor

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Stephanie Turner, Village Clerk