

# **MINUTES OF A SPECIAL MEETING OF THE BOARD OF LOCAL IMPROVEMENTS**

**OCTOBER 20, 2010**

A Special Meeting of the Board of Local Improvements convened at 5:17 p.m. on Wednesday, October 20, 2010, at City Hall, Room 400, 419 Fulton Street, Peoria, Illinois, and was called to order by President Gene Hewitt.

## **ROLL CALL**

Roll call showed the following Board of Local Improvements Members in attendance: President Gene Hewitt, Secretary Randall Ray, Board Member Erle Currie, Board Member Jeff Smith, and Board Member Amy Benecke McLaren – 5; Absent: - none.

Others in attendance included Attorney Scott Brunton, Project Engineers Scott Reeise and Mike Taylor, and Engineering Division Secretary Ruth Blancaflor.

## **MINUTES**

Board Member Currie moved to approve the Minutes of the Special Meeting of September 25, 2009, as printed; seconded by Board Member Smith.

Approved by viva voce vote.

**ITEM NO. 1      APPROVAL of PETITIONS FOR SUBDIVISION REAPPORTIONMENT of SPECIAL ASSESSMENT FOR GROWTH CELL 1A ROADWAY IMPROVEMENTS IN RE: 06-TX-220 and 06-TX-221, as follow:**

- A. STONE GATE AND WYNNCREST SUBDIVISIONS;**
- B. STONEHENGE SUBDIVISION, SECTIONS ONE AND TWO.**

Attorney Scott Brunton, of Miller Hall & Triggs, stated he was assisting Attorney Bob Hall in the representation of Signature Development, the developers of Stone Gate and Wynncrest Subdivisions. He said Attorney Ray Williams represented the developers of Stonehenge Subdivision Sections One and Two, but he was unable to attend this meeting. Mr. Brunton showed the location of the subdivisions on a map he displayed to the Board. He said there were actually four subdivisions as a part of Item A and they were part of one development before the developers split. He explained that the rest of the subdivisions had previously been platted and put through the re-apportionment process during 2008 and 2010. He said one more new subdivision which would follow this process was Copper Creek. This is being handled by Attorney Ray Williams.

Mr. Brunton explained that the larger assessments were being apportioned against the entire lot. He said they had been split into three subdivided parcels and now were being re-apportioned against the ones that apply. On behalf of the Developers, he requested the approval of the assessment against Stonegate, Wynncrest, and the two subdivisions of Stonehenge, Sections 1 and 2. He said they were trying to make this administratively easier to handle by collecting the assessments on a lot by lot basis. Assessment A, he explained, is the public portion of the project, which is 75 percent of the cost of the road work, paid down by the property owners. He said Assessment B is the private portion to be paid by the Developers, and the reapportionment process assists in the developers paying their portion of the assessment for the project, which is necessary to keep the bonds funding the project paid. He added that the apportionments were done on a per acre basis.

Board Secretary Ray added that the City and the County each had an interest in citizens being able to purchase property in this area.

President Hewitt discussed the tax referendum on the November ballot to fund the construction of a new elementary school in the area and he questioned how the payment of the assessment on that parcel would be handled, should the referendum pass.

Mr. Brunton stated the developers would be paying off Assessment B when the property sells, but there were questions remaining about Assessment A.

Board Secretary Ray stated that school districts were not exempt from special assessments, but there were various alternatives for their payment. He agreed that it would have to be addressed.

Mr. Brunton added that the Assessment would stay with that one parcel and be paid if it is sold. It had been agreed that the out-lots which weren't developable would not be assessed.

Board Secretary Ray moved to approve the Petitions for Subdivision Reapportionment of Special Assessment for Growth Cell 1A Roadway Improvements regarding 06-TX-220 and 06-TX-221 for Stone Gate and Wynncrest Subdivisions; seconded by Board Member Benecke McLaren.

Approved by viva voce vote.

Board Secretary Ray moved to approve the Petitions for Subdivision Reapportionment of Special Assessment for Growth Cell 1A Roadway Improvements regarding 06-TX-220 and 06-TX-221 for Stonehenge Subdivision Sections One and Two; seconded by Board Member Currie.

Approved by viva voce vote.

Mr. Brunton left the meeting.

**ITEM NO. 2     PUBLIC HEARING – Regarding the Construction of the Proposed Improvement known as the N. EASTON PLACE (FROM N. GALE AVENUE TO W. FORREST HILL AVENUE) SIDEWALK IMPROVEMENT PROJECT, the net length of 1017 feet or 0.19 mile. [Council District 4].**

At 5:34 p.m., Board Secretary Ray confirmed the doors to City Hall were unlocked, allowing entrance to citizens attending the Public Hearing.

At 5:40 p.m. President Hewitt announced the Public Hearing regarding the construction of the proposed improvement known as the North Easton Place (from North Gale Avenue to West Forrest Hill Avenue) Sidewalk Improvement Project. He stated that, since the mailing of the Notices of Public Hearing, the City Engineer's office had received two inquiries of a general nature regarding the project. He noted there had been a series of meetings with the residents, where various proposals were discussed, which resulted in the project design for discussion tonight.

President Hewitt gave the attached presentation and then opened the floor for questions concerning the Project. Three (3) properties were represented at the Public Hearing.

Issues and concerns addressed by citizens included:

Mr. Jim VanBruwaene, resident of 2902 North Easton Place, said he was under the understanding that residents on the east side weren't going to be assessed. He also expressed concerns that they would be stranded from their properties after the existing conditions were torn out, and about dust conditions from construction.

Project Engineer Mike Taylor answered that the residents on the east side weren't being assessed for sidewalk, but they were being assessed for curb and gutter, driveway approaches, and sod and all of the necessary adjustment costs which were shared by everybody.

President Hewitt explained that, usually, the contractor would start at one end of the project with the removals and then come right back and pour the new curb and driveway approaches. He said there

would be about two weeks during which the residents would have to park across the street from their properties and that conditions may be congested for awhile. However, he said, the contractor would take appropriate action to make sure there was access to the properties.

Mr. Dave Clarke, resident of 2924 North Easton Place, expressed concern about slippery conditions on their street when traveling toward Forrest Hill during the winter months. He questioned whether or not the roadway would be lowered.

Project Engineer Mike Taylor advised that the only changes in the grade that were planned would be due to construction of the new inlets on the project. He encouraged Mr. Clarke to contact the Street Department for help with icing conditions on the pavement during winter.

There being no further discussion, Board Member Currie moved to close the Public Hearing; seconded by Board Secretary Ray.

Approved by viva voce vote.

The Public Hearing regarding the North Easton Place (from North Gale Avenue to West Forrest Hill Avenue) Sidewalk Improvement Project closed at 6:00 p.m.

**ITEM NO. 3      CONSIDERATION of RECOMMENDATION of ORDINANCE Concerning the  
Proposed Public Improvement of the N. EASTON PLACE (FROM N. GALE AVENUE  
TO W. FORREST HILL AVENUE) SIDEWALK IMPROVEMENT PROJECT to the  
PEORIA CITY COUNCIL for APPROVAL**

Board Member Currie moved the Recommendation of an Ordinance concerning the proposed public improvement of North Easton Place (from North Gale Avenue to West Forrest Hill Avenue) Sidewalk Improvement Project to the Peoria City Council for adoption; seconded by Board Member Benecke McLaren.

Approved by viva voce vote.

**ITEM NO. 4      OTHER ITEMS OF INTEREST TO THE BOARD:**

**A) Update on the GROWTH CELL 1A PHASE TWO ROADWAY IMPROVEMENTS:  
WILHELM ROAD AND BRIDGE Project.**

Board Member Smith distributed copies to the Board of a printed email dated October 20, 2010, from Project Engineer Ryan Bradle of Maurer-Stutz, Inc. A copy is attached to these Minutes. He explained that the City entered into a not-to-exceed \$65,000 agreement with Maurer-Stutz, Inc. to update the construction plans on the project. Further, he explained that the County would reimburse the City for the fees, per an intergovernmental agreement.

Board Member Smith stated that Maurer-Stutz was due to complete the plan update by November 3<sup>rd</sup>. He said they had already completed some of the permitting requirements with the Illinois Department of Natural Resources, since that permit had expired. Barring any other issues coming up, he said the project should be let next year and built next construction season.

As a result of discussion, it was determined right-of-way may have to be acquired and that a new Public Hearing would have to be held if the cost of the project exceeds the \$2.7 million covered by the adopted Ordinance. Those issues will not be determined until the revised preliminary plans are completed by Maurer-Stutz.

**B)      State Bill #2614 Amending 65 ILCS 5/9-2-13.**

Engineering Division Secretary Ruth Blancaflor distributed copies to the Board of a printed email dated April 23, 2010, from Matt Davidson of the Illinois Municipal League. A copy is attached to these Minutes. Pursuant to Board Secretary Ray's filing, at the request of the Board, the Statute has been amended so

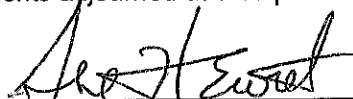
that only projects in excess of \$1 million must either be published or may be posted on the municipality's internet web site 10 days in advance of being considered by the corporate authorities (Peoria City Council). Board Secretary Ray said the Bill was not without debate, as there was some concern about citizens who may not have internet access, but it was passed and would represent a significant cost savings in publication fees.

**ADJOURNMENT**

There being no further discussion, Board Member Currie moved to adjourn the meeting; seconded by Board Member Benecke McLaren.

Approved by viva voce vote.

The Special Meeting of the Board of Local Improvements adjourned at 6:10 p.m.



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Gene Hewitt, President  
Board of Local Improvements

/rmb

Attachments