



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: April 6, 2020

Prepared By: Jon Oliphant, AICP, Planning & Development Director

Agenda Item: First Reading Ordinance – N. Cummings Property Development Infrastructure Assistance

Explanation: A local resident has indicated strong interest in developing a portion of Lot 3 in Heilman's Commercial Park on the east side of N. Cummings Lane immediately south of IVP Plastics. The tentative plan would be to build an 8,000 sf retail center and a 12,500 sf warehouse facility further east on the property that would house his business along with others that would benefit from having higher ceilings. The warehouse facility would likely be built prior to the retail center. This would split approximately 6.15 acres from the parent 14.407-acre tract.

The City's sanitary sewer line is located on the west side of N. Cummings. There is also a line along Constitution Street. Connecting to the line on N. Cummings is the more desirable of the two options because tapping into the Constitution line would require an easement as well as a longer run. The estimated construction cost to bore under N. Cummings and setting a manhole near the southwest corner of this property is about \$40,000. A blanket easement will be recorded for future connection for the remainder of Lot 3 as well as a 20'x20' piece on the southwest corner of the 6.15-acre tract to ensure access to the main at that location.

Fiscal Impact: Fronting the cost of the sanitary sewer construction carries an estimated cost of \$40,000. The attached agreement would impose a fee for any future developments on the existing Lot 3 that connect to the City's sewer main. This ordinance is similar to an ordinance the City Council approved in 1994 that established a fee structure for properties on and near N. Cummings that connected to the City's water and/or sewer mains. This ordinance would not include an interest fee.

Recommendation/

Committee Discussion Summary: Staff recommends approval of the amendment ordinance. The Finance and Personnel Committee unanimously recommended approval of the establishment of the fee at its meeting on March 16. The Public Works Committee previously reviewed this at its meeting on March 2.

Action Requested: Approval of the attached ordinance. A first reading ordinance is scheduled for the April 6 City Council meeting with a second reading to be scheduled for the April 20 meeting.

Ordinance No. _____

(Adoption of this ordinance would establish special fees to recoup the expenses for the extension of sanitary sewer mains constructed by the City of Washington with municipal funds to properties near the future intersection of North Cummings Lane and Freedom Parkway. The following ordinance will authorize and impose a fee for those properties connecting onto the designated public sanitary sewer mains).

**AN ORDINANCE ESTABLISHING SPECIAL FEES AND CHARGES FOR
CONNECTING ONTO CERTAIN PUBLIC SANITARY SEWER MAINS OWNED
AND OPERATED BY THE CITY OF WASHINGTON, ILLINOIS**

WHEREAS, the City of Washington is an Illinois home-rule municipal corporation and is enacting this Ordinance in the exercise of its governmental powers pursuant to the 1970 Illinois Constitution; and

WHEREAS, the City has constructed certain public sanitary sewer mains with municipal funds; and

WHEREAS, it is appropriate to assess reasonable fees and charges to persons who elect to connect onto said public sanitary sewer mains; and

WHEREAS, the area to be benefited by the water main extension is set forth in Exhibit "A" attached hereto and by reference expressly made a part hereof; and

WHEREAS, the fee schedule to be charged the various areas under the control or ownership of the developers and owners is set forth in this ordinance and in Exhibit "B" attached hereto and by reference expressly made a part hereof; and

WHEREAS, the City has previously enacted subdivision development fees that are assessed against persons who connect new subdivisions onto the City's public sanitary sewer systems.

Now, therefore, the City Council of the City of Washington, Illinois, hereby ordains as follows:

Section 1. Any person connecting their property onto and receiving, on and after the adoption of this Ordinance, public sewer service, either directly or indirectly, from any of the public sanitary sewer mains delineated in Exhibit "A" below shall be charged a fee, provided these fees have not been otherwise paid on the property. The fee schedule to be charged the various areas under the control of private owners is set forth in Exhibit "B".

Section 2. The fees and charges delineated in Section 1 above shall be in addition to 1) the utility connection fees provided for in Section 50.53(B) and 2) any and all other fees and costs routinely charged to other customers connecting onto the City's sewer system, including but not limited to, fees for inspections, meters, remotes, connectors, etc.

Section 3. No permit authorizing a connection, either directly or indirectly, to the above listed municipal sanitary sewer mains shall be issued unless and until 1) all fees have been paid as required herein, 2) if the property to be served is not currently located within the Washington corporate limits but is contiguous thereto, the property owner applying for a connection permit files a valid, unconditional and irrevocable petition for annexation to the City in a form acceptable to the City, and 3) if the property to be served is not currently located within the Washington corporate limits and is not contiguous thereto, the property owner signs an agreement that shall bind all present and future owners of the real estate to annex to the City when requested to do so by the City.

Section 4. All other City regulations and ordinances, including but not limited to those specifically pertaining to user fees, and the methods, means and materials required for making connections to the municipal sanitary sewer system, shall apply to all persons making said connections, without limitation.

Section 5. The fees collected pursuant to Section 1 above shall be used solely for the sanitary sewer main related capital improvements as set forth herein. In the event the City shall collect more than its actual cost in constructing the main extension, the balance will be used for the City's general corporate purpose.

Section 6. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 7. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2020.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF A 14.407 ACRE TRACT

A PART OF LOT 3 OF HEILMAN'S COMMERCIAL PARK, A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-SIX (26) NORTH, RANGE THREE (3) WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, THE PLAT OF WHICH IS RECORDED IN BOOK "OO", PAGE 106 IN THE TAZEWELL COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°-56'-39" EAST (BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE 1202), ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 676.88 FEET; THENCE NORTH 89°-01'-13" EAST, 54.51 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF CUMMINGS LANE, AND THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°-01'-13" EAST ALONG THE NORTH LINE OF SAID LOT 3, 1279.94 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 01°-11'-23" EAST, ALONG THE EAST LINE OF SAID LOT 3, 57.66 FEET; THENCE SOUTH 88°-51'-55" WEST, 389.85 FEET; THENCE SOUTH 01°-10'-07" EAST, 618.40 FEET TO THE NORTH LINE OF HEILMAN'S COMMERCIAL PARK, PHASE 2, A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK "YY", PAGE 108 IN THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE SOUTH 89°-11'-08" WEST, ALONG SAID NORTH LINE, 900.00 FEET TO THE EAST RIGHT OF WAY LINE OF SAID CUMMINGS LANE; THENCE NORTH 00°-19'-48" WEST, ALONG SAID EAST RIGHT OF WAY LINE, 674.56 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 14.407 ACRES, MORE OR LESS.

EXHIBIT B

An appropriate method of distributing private benefit across the benefitting properties is to apply a value per developable acre of land benefitted by the sanitary sewer force main. There are 14.407 benefitting acres within the area described in Exhibit "A". If the developable acres are assessed equally, a fee schedule described below will result:

Fee Schedule

Benefiting Acres	Approximate Private Benefit Cost	Approximate Private Benefit Cost/Acre
14.407	\$40,000.00	\$2,776.43

The fees above are estimated using the approximate cost of constructing the extension to the sanitary system main. Fees charged will be based upon the actual cost of extending the sanitary system main.



AUSTIN ENGINEERING CO., INC.
 Consulting Engineers / Surveyors
 5000 N. Loop West, Suite 215
 P.O. Box 1100
 Houston, Texas 77251
 License No. 184-001143



RETAIL/WAREHOUSE EXHIBIT

CLIENT: SAMSUNG ROOFING
 N. CUMMINS LANE
 WASHINGTON, L. 61571

EXHIBIT PLAT

NO.	DATE	REVISION
1	02-02-15-301-012	02/02/15

EXHIBIT

PROJECT NO.	02-02-15-301-012
DATE	2-15-2025
DRAWN	DESIGNED
BY	APPROVED

REV

C-1

CUMMINGS LANE:



LEGAL DESCRIPTION OF A 6.153 ACRE TRACT

OWNER'S CERTIFICATE

NOTARY PUBLIC

STATE OF ILLINOIS) ss
COUNTY OF TAZEWELL)

JONATHAN OLIPHANT, PLAT OFFICER

STATE OF ILLINOIS)
COUNTY OF PEORIA) ss

WE FURTHER CERTIFY THAT THE ABOVE SURVEY IS LOCATED WITHIN AN INCORPORATED CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS NOW OR HEREAFTER AMENDED.

WE FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

DATED AT PEORIA, ILLINOIS THIS 25TH DAY OF JULY, 2020.

SPACE RESERVED FOR THE
TAEWELL COUNTY RECORDER OF DEEDS

STATE OF ILLINOIS }
COUNTY OF TAZEWELL } ss

I, _____, TAZEWELL COUNTY CLERK, HEREBY CERTIFY THAT I FIND NO DELINQUENT TAXES UNPAID CURRENT TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE REAL ESTATE ENCOMPASSED IN THE ATTACHED PLAT OF SURVEY AND DESCRIPTION.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2020.

Tazewell County Clerk

TAEWELL COUNTY DEPUTY CLERK

PLAT OF
SURVEY

1 OF 1

AUSTIN ENGINEERING CO., INC.
Consulting Engineers / Surveyors
311 SW Water St., Suite 215
Peoria, Illinois 61602
License No. 184-001143



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WASHINGTON, IZEWELL,
SUNRISE ROOFING,
N CUMINGS LN
WASHINGTON, IL 61571