



## CITY OF WASHINGTON, ILLINOIS

### City Council Communication

**Meeting Date:** August 9, 2021

**Prepared By:** Dennis Carr, P.E. – City Engineer

**Agenda Item:** Phase 2B 3<sup>rd</sup> Party Alternate Evaluations Discussion

**Background:** It had been suggested in an open meeting that a 3<sup>rd</sup> Party engineer perform an “objective analysis, not impacted by pride of ownership or prior work” of alignments North of Farm Creek with “Route B.” It is staff’s belief that Strand Associates Inc. have already provided a full comparison of alternates, and there was no bias in their work. This firm has no personal or financial interest in their determination of “Route B” as the most practicable solution, based on environmental, constructability, maintenance, cost-effectiveness and safety considerations.

During the recent July 26, 2021, Committee of the Whole Meeting, reference was made to the minutes of the October 15, 2019, Committee of the Whole meeting, in which Strand Associates Inc. presented their Preliminary Plan. It was pointed out that according to the minutes, a former City employee had stated there had been preliminary discussions with two of the property owners. I feel it important at this time to inform you that the former employee recently told a City Staff member of his recollection of what the “preliminary discussions” consisted of, and also of a conversation I had with one of the affected property owners.

On January 21, 2021, I had a phone conversation with one of the property owners regarding obtaining access onto his property for obtaining soil borings. During the conversation, the property owner informed me that the bridge for access is no longer passable and has fallen into the creek there. The property owner also stated to me during this conversation that the former employee had told him back in 2017 that the bridge would be replaced as part of a Farm Creek Trunk line replacement project.

In a recent conversation with a City Staff member, the former employee said he recalls talking with one of the property owners about two items in correlation to the project and the USDA CREP project that involved stabilizing the creek banks and the low water crossing near STP-2. The former employee also stated he recalls speaking with a second property owner about the general project back during the M4 Steel and Core and Main property discussion during the Freedom Parkway Extension, which would have been approximately Spring of 2019. He also stated he vaguely recalls discussing with the third property owner the potential to add a gravel path from Shellbark Ct. down to the low areas of the existing alignment. The former employee stated that all of these discussions were more loosely based around the need to replace the trunkline, and not the specific alignment brought forward, which he stated would have reached the extent of his authority at the time. The former City employee stated he needed to approach preliminary informal dialog with great caution so as to not appear to pressure the landowners. The former City employee stated he recommended the easement negotiations be coordinated by Kaskaskia Engineering Group, LLC, an unbiased third party.

It was not until after October 21, 2019, that those negotiations began which was when the “Resolution Accepting the Preliminary Engineering Study for the Farm Creek Trunk Sewer” was adopted by the

City Council during a public meeting. Staff was of the opinion that it was more appropriate for our negotiating firm to wait until the alignment was adopted to begin negotiations, or they could have been wasting tax payer dollars on a different alignment/negotiation.

After the trunk sewer route was approved, the City determined to conduct property title searches, as it wanted to confirm the property owners before taking further steps. Chicago Title conducted title searches of the real estate parcels requiring an easement. Chicago Title received the full list of affected properties in early December and completed its search result in late December. The title search results were sent to Kaskaskia on January 3, 2020. Staff felt it was very important to first identify exactly who were the property owners before negotiations could begin.

These affected property owners were notified of the approval of “Route B” by letter of introduction from Kaskaskia Engineering Group, LLC on about February 2, 2020. During this time, there has been virtually no progress on the negotiations for securing formal easements.

The project has caused some apparent dissent within the Council and has the project at a standstill until a consensus path forward can be made amongst the council. At this time staff feels like there are two directions this project can take moving forward.

**Explanation:**

For this project to move forward, staff has identified two directions that should be discussed and a consensus built around one or the other.

Direction 1 – Council moves forward with the alignment recommended by Strand as result of the Preliminary Engineering Study for the Farm Creek Trunk Sewer at the October 2019 Council Meeting. Staff can approve the almost \$11,000 archaeological study with Commonwealth Heritage Group which is required for the final signoff from the USACOE. Kaskaskia would continue easement negotiations with the property owners. Strand/staff could discuss the alignment and possible design tweaks recommended by property owners to make the project as successful as possible.

Direction 2 – Council directs staff to develop a Request for Proposals for a 3<sup>rd</sup> party engineering firm to complete a full review of each presented alignment.

**Fiscal Impact:** The estimate will likely be in the neighborhood of \$80,000 - \$100,000 dependent on the scope of the project.

**Recommendation Summary and Action Requested:** Staff requests discussion and direction forward regarding either bringing an engineering contract with a 3<sup>rd</sup> party firm to review alternatives or moving forward with an archaeological study along Strand’s proposed alignment B. The 3<sup>rd</sup> party review should also include the archaeological study for the 2 best alignments just in case one of which were to be eliminated by findings.