

# CITY OF WASHINGTON, ILLINOIS

## City Council Meeting

Monday, August 2, 2021 at 6:30 p.m.

Library in Five Points, Washington

Call to Order	Mayor Manier called the regular meeting of Monday, August 2, 2021 to order at 6:30 p.m. the library at Five Points, Washington, 360 N. Wilmore Road, Washington, Illinois.
Roll Call	Present and answering roll call were Aldermen Adams, Blundy, Brownfield, Butler, Cobb, Dingledine, Stevens and Yoder.
Also Present	City Engineer Dennis Carr, Planning and Zoning Director Jon Oliphant, Public Works Director Kevin Schone, Finance Director Joanie Baxter, City Treasurer Abbey Strubhar, City Clerk Valeri Brod, and City Attorney Derek Schryer.
Present Remotely	none
Pledge of Allegiance	All present stood for the Pledge of Allegiance.
Agenda Review	The agenda was reviewed and stood as presented.
Approve Consent Agenda	<p>Mayor Manier presented the Consent Agenda for approval of the following items:</p> <ul style="list-style-type: none"><li>a) Approval of minutes of July 26, 2021 City Council Meeting</li><li>b) Approval of Multi-County Enforcement Agreement</li><li>c) Water Treatment Plant #2 HVAC Replacement Bid Award</li><li>d) Purchase Authorization - CIPP Sewer Lining Project</li><li>e) Acceptance of Motor Fuel Tax Documentation Review #71 - January 1, 2019 through December 31, 2020</li><li>f) Stratford Drive Bridge Pay Request #7 and Final</li><li>g) Hilldale Pay Request #3</li><li>h) 2021 MFT UCM Chip Seal Pay Request #1</li></ul> <p>Aldersperson Brownfield moved and Aldersperson Adams seconded to approve the minutes and consent agenda as presented in the agenda packet.</p> <p>On roll call on the motion to approve was: <u>Ayes: 8</u> Adams, Blundy, Brownfield, Butler, Cobb, Dingledine, Stevens, Yoder <u>Nays: 0</u> <u>Motion declared carried.</u></p>
Announcements and Proclamations	Police Chief Mike McCoy swore in new Sergeant, Jacob Cernek with his family present.
Audience Comments	Resident Walter Rutman stated that his driveway is used as access for West Holland. He shared that he attended the July 26 <sup>th</sup> meeting about Phase 2B trunkline. He stated that council voted for it and residents had said they weren't contacted about the project. Mr. Rutman shared that 40 people attended the meeting, 9 audience members spoke expressing concern and Mike Waldren from Strand

presented at the meeting. He noted that Council meetings are not structured to allow a chance for audience members to comment on presentations. He also stated that members of council are selected by voters for their leadership. He asked for alternative routes to be considered.

Mr. Morris, who did not identify himself, attended the meeting. He stated that he lives on Belford. He shared that he attended the July 26<sup>th</sup> Committee of the Whole meeting but hasn't been following recent developments. Mr. Morris stated that he is addressing the Freedom of Information Act. He stated, in his judgement the landowners have evidence that the city knowingly and repeatedly violated the act. He stated that each of us were given a copy of a letter from Jennifer Martin in February detailing non-compliance with FOIA and landowners can support the allegations. Mr. Morris went stated he sees three failures; first was failure to engage with the landowners early on, second was failing to move forward with the Phase 2B alignment after misrepresentation, and third was the city not providing records. He stated that some of these were done before the departure of Mr. Andrews as City Engineer. He feels there are too many assumptions to proceed on the current track. Mr. Morris stated that the landowners are only looking for a 2<sup>nd</sup> opinion and he has been involved with this type of 2<sup>nd</sup> opinion review with another city. He feels this will build confidence in the route that is chosen and build credibility with the city.

Troy Pudik, who is a land owner, provided a hand out with a line-by-line comparison of each route. He noted the topic of the depth of manholes on alternative routes. He stated the routes provided by Strand do not match with the landowner's analysis. He went on to state that the location of the route that crosses the railroad tracks at a more easterly point would make the depth only two feet deeper than the Phase 2B route and feels that these are just as safe and this would allow the sewer to avoid the tracks. He also shared that the inflow pumping station which is a requirement for the Phase 2B can be avoided with their plan. He stated by not crossing Farm Creek and keeping the elevation higher, the pumping station then wouldn't be a requirement which would reduce the project cost. Mr. Pudik went on to share that the opinion of probable construction routes is misrepresented and he shared one option. Mr. Pudik stated that 93% of the proposed route goes through trees which will cost \$90,000 to remove but only 27% of the homeowner's proposed route goes through trees and wonders why Strand provided this cost at over \$144,000. He asked why there is an increased cost for less trees.

Case Pudik, who lives on North Street came forward to speak about safety. He asked why the city and Strand won't review the safety options. Mr. Pudik noted that there are a total of 29 manholes and 21 of them require a Farm Creek crossing. He went on to state that landowners have shared photo evidence of trees being uprooted and carried downstream as well as severe Farm Creek erosion. He questioned if the line will not be serviced during flooding or high water and if workers would endanger themselves accessing the line during high water. He stated that a third-party firm could review the project for \$60,000 and on a \$13million dollar project they feel it is worth it. Mr. Pudik went on to ask for more than three minutes to speak at the next two meetings. He also asked that Council rescind the previous resolution. He shared photos with Council.

Beth Black who lives on Patricia Street came forward concerning the Trails Edge subdivision plat and the negative impact on the existing drainage issues. She noted that at the July 7<sup>th</sup> Planning and Zoning Commission meeting, the Commissioners recommended denial of the plat and she asked Council to do the same. She shared that at Committee of the Whole meeting on April 12<sup>th</sup>, Alderperson Dingledine said this isn't to redo the storm water system but to move the water when it happens and

that he was not yet comfortable going off just the numbers at the time. Ms. Black noted that Alderperson Stevens said she wanted a detention basin, and Alderperson Cobb also had concerns at that time. She went on to share that since the April Committee of the Whole Meeting, they have heard from several residents about drainage issues. She stated that one resident who is not here, has had water 3-4 feet of soil erosion from her yard since she purchased 13 years. She stated that according to GIS, the neighborhood is currently 32% covered and the new proposed plat would be more than 50% covered. Ms. Black stated that stormwater is not just an issue for Trail Edge and she shared more comments from meeting minutes which also included Firethorn Subdivision. She went on to share that Council approved and recommend the stormwater study. She stated that Council should be more thoughtful that just following code.

Gary McIntyer from Kingsbury Road shared that he has been to all meetings about Trails Edge. He stated that he agrees with not recommending the proposed plat at the Planning and Zoning Commission meeting and appreciates that the city is going to do a water study but it won't be completed until next year. He went on to share Code 152 under the Subdivision Code and stated that this plan should be done in a timely manner. Mr. McIntyer noted that the lots are in the center of the subdivision and is only accessible through the current subdivision. He also noted that there are changes to lot sizes, home sizes, etc. He went on to state that many residents decided to stay and rebuild after the tornado and that the City Council has an obligation to vote for their resident's best interests and that this is an issue of water runoff concerns.

Ms. Crostia from Grandyle stated that she doesn't have the issue with the type of development but her issue is with the water runoff. She stated that she doesn't understand why the city would pay the money for the study then allow a development that might jeopardize the neighborhood.

*(Note: There was a July 26<sup>th</sup> City Council Meeting and a July 26<sup>th</sup> Special Committee of the Whole Meeting)*

Standing Committee-  
Finance & Personnel  
Committee

Chairman Daniel Cobb, Finance & Personnel Committee, shared no items at this time.

Standing Committee-  
Public Safety  
Committee

Chairman Brian Butler, Public Safety Committee, shared no items at this time.

Standing Committee-  
Public Works  
Committee

Chairman Mike Brownfield, Public Works Committee, introduced City Engineer Dennis Carr to provide updates. Mr. Carr shared information about the Kingsbury Road mill and overlay project. He shared that put they out quotes and there are only two contractors that do paving. They both returned a quote and United Contractors Midwest gave a quote for \$98,771.67

Alderperson Dingledine moved and Alderperson Cobb seconded to approve.

On roll call on the motion to approve was:

Ayes: 8 Adams, Blundy, Brownfield, Butler, Cobb, Dingledine, Stevens, Yoder

Nays: 0

Motion declared carried.

Mr. Carr shared information about the North Street culvert reconstruction. He stated that this was a budgeted item. He noted that it was patched last year but now a hole on the south side has appeared. Mr. Carr stated that Stark Excavating was the lowest bidder at \$213,534.70.

Aldersperson Dingleline moved and Aldersperson Adams seconded to approve.

Aldersperson Brownfield asked Mr. Carr explain why this project is more than anticipated. Mr. Carr noted the increase in materials cost and the cost to keep personnel employed.

On roll call on the motion to approve was:

Ayes: 8 Adams, Blundy, Brownfield, Butler, Cobb, Dingleline, Stevens, Yoder

Nays: 0

Motion declared carried.

Mr. Carr shared details about the North Street Culvert Construction Engineering Agreement. He stated that will the Hilldale construction in progress, they retained Hutchinson Engineering which will allow cost sharing because engineering tasks will be shared between projects. They ask for an amount not to exceed \$25,000.

Aldersperson Brownfield moved and Aldersperson Adams seconded to approve.

On roll call on the motion to approve was:

Ayes: 8 Adams, Blundy, Brownfield, Butler, Cobb, Dingleline, Stevens, Yoder

Nays: 0

Motion declared carried.

Public Works Director Kevin Schone shared that Public Works did 111 service requests last month.

Mr. Carr shared that chip seal work is done on Southeast side of the square, spray patching is finished as they finally uses all the product, the temporary light at Eagle Avenue is installed and the southern side of the street is completed. He noted that the City is only paying for the signal, not the street and that the signage will change soon. He asked everyone to drive carefully in the area.

Planning and Zoning Director, Jon Oliphant stated that on Friday, IDOT released details about the Safe Routes to School Program. He shared that the call for projects opens in August and must be submitted in September. He noted that there will be a maximum project total of \$250,000 with a 20% local match. He noted that there isn't anything budgeted for this year but there may be time, due to delays in getting through the process and this could push ideas into the next fiscal year.

Mayor

None provided.

Adopt Resolution:  
*Preliminary Plat -  
Trails Edge Sections 9  
and 10*

Mayor Manier provided the following resolution, by title and brief synopsis: A Resolution Approving the Preliminary Plat for Trails Edge Subdivision, Sections 9 & 10.

Aldersperson Cobb moved and Aldersperson Blundy seconded.

Aldersperson Butler stated that this is the most he's heard from the public in some time and more people are becoming aware. Noted that this isn't an issue with zoning. He shared that none of the current Council were here when the neighborhood was originally zoned in 2001 and it is zoned R-1. He stated the need to protect the property owner as well as the neighbors. Mr. Butler acknowledged the failure to pass it at Planning and Zoning Commission due to a tie and that the Planning and Zoning Commission act as an advisory committee. He stated that he understands the concerns and appreciates the LaHood's are honest about their intent. He also shared that he appreciates concern with the impact on the grade school as we continue to grow. Mr. Butler shared that they received information about the impact on traffic and noted that four proposals were given to address water runoff at the April Committee of the whole meeting. Mr. Butler recalled that Council didn't really decide on a solution but they were favoring the adjustment to curb height and slope of the street. Aldersperson Stevens referenced referencing what Mr. Butler said. She stated that in the beginning of the subdivision, there was a pond built on private property and noted that there is a dam at the pond and from there, it will flow into a creek. Aldersperson Adams also agrees with Ms. Stevens and Mr. Butler and stated his concern that there is an issue with water and worries this can cause more issues. Aldersperson Cobb said he heard from a lot of people from his ward and noted that this affects a lot of people, even people outside the city limits. He expressed his interest to do a further review for where the water will go.

Aldersperson Cobb motioned to amend his previous motion allowing this to be tabled for a water study and Aldersperson Blundy seconded.

On roll call on the motion to approve was:

Ayes: 8 Adams, Blundy, Brownfield, Butler, Cobb, Dingledine, Stevens, Yoder

Nays: 0

Motion declared carried.

1<sup>st</sup> Reading  
Ordinance: *TIF  
Redevelopment  
Agreement - Heider  
Properties, LLC, 105-  
109 Washington  
Square*

Mayor Manier provided the first reading of the following ordinance, by title and brief synopsis: An ordinance authorizing the Mayor and City Clerk to enter into an agreement for the private development with Heider Properties LLC, for the redevelopment of a portion of the Downtown Tax Increment Redevelopment Project Area.

Aldersperson Adams asked for background clarification. Mr. Oliphant shared that this is for the Interior of 105 Washington Square to mirror it with the space of 109 Washington Square. This will include exposed brick and ceilings and it will create a hall from the kitchen of the Denhart's space. Aldersperson Adams asked if there was a conversation about getting bids. Aldersperson Cobb noted that there is a discussion to change the TIF application process to seek multiple bids as well as the idea that the owner has to stay for a period of time or the new owner can't come and ask for more TIF money for the same property. Aldersperson Stevens asked if it is possible to have moratorium on applications until this is sorted out. Mayor Manier stated that we can discuss this idea further at Committee of the Whole meeting.

Aldersperson's  
Comments

Aldersperson Butler addressed a few comments about the trunkline. He stated that a resident claimed there was false information and wonders if this is about easements. He shared that he remembers approving the proposal in August of 2019 and the letters didn't go out until February of 2020 which seemed late to him. Mr. Butler

noted that Kaskaskia was hired as a third-party firm to contact seven different landowners and Alderperson Dingledine had asked the question regarding communication in October and a staff member said that “informal dialog” had begun with two of the three property owners. Mr. Butler noted that no communication would have taken place prior to the resolution because it would have been improper to talk to anyone before the title searches came back. He noted that this process could have caused the delay in the 1<sup>st</sup> letter. Alderperson Butler stated that the costs in Mr. Moose’s presentation do not seem accurate and noted the original \$3.5 million that was stated in 2015 was just a comment in a presentation about potential future project. He noted that the first estimates didn’t come until 2019 and Mr. Waldren came back with OPCC’s almost exactly that of 2019 showing the data hasn’t changed. Alderperson Adams the delay in communication and stated that the homeowners received a random letter in the mail. Alderperson Butler noted that it wasn’t a random letter, it was a letter from a 3<sup>rd</sup> party that took place only after the title search. Alderperson Adams stated that he remembers in the Zoom meeting it was stated that we were moving forward because the landowners are on board and he felt the need to speak up because he had been contacted from a landowner. Alderperson Stevens asked for additional conversation about the code concerning neighborhoods.

At 7:41 Alderperson Cobb moved and Alderperson Adams seconded to go into Executive Session.

On roll call on the motion to approve was:

Ayes: 8 Adams, Blundy, Brownfield, Butler, Cobb, Dingledine, Stevens, Yoder

Nays: 0

Motion declared carried.

Adjournment

At 7:53 p.m. Alderperson Cobb moved and Alderperson Brownfield seconded to move.

Motion carried unanimously by voice vote.

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Valeri Brod, City Clerk