

Committee of the Whole

Monday, October 11, 2021 at 6:30 P.M.

Library at Five Points, Washington, 360 N. Wilmore Road, Washington, IL

Mayor Manier called the regular Committee of the Whole meeting of October 11, 2021 to order at 6:30 p.m. with a quorum present.

Present: Alderpersons Adams, Blundy, Boyles, Dingledine, and Stevens, Police Chief McCoy, Attorney Derek Schryer, City Treasurer Strubhar and City Clerk Brod

Absent: Alderperson Butler

Also Present: P & D Director Oliphant, City Engineer Carr, and Public Works Director Schone

MINUTES

1. *Alderpersons wishing to be heard:* None at this time.
2. *Public Comments:* Walter Ruppman came forward to share that he was encouraged that there was an engineering firm selected to review the Phase 2B Trunkline. He stated that words mean things and referred to the words specific words of “homeowner” and “steakholder”. He said this is more than just them. He also mentioned the “the Goals” and specifically “homeowner goals” when he stated that it is broader than that. He also stated that the “City goals” are not the Alderpersons’ goals or mayor’s goals but should be one list of goals. He thanked everyone for their consideration.
3. *Approval of Minutes:* Alderperson Dingledine moved and Alderperson Adams seconded to approve the minutes of the September 13, 2021 Committee of the Whole meeting.

Motion carried unanimously by voice vote.

4. BUSINESS ITEMS

- A. *Sanitary Lateral Ordinance Review:* Mayor Manier introduced City Engineer Dennis Carr who provided the following information concerning the Sanitary Lateral Ordinance. Mr. Carr shared that deep inside the nuisance code, he found language addressing issues with the sanitary sewer. He noted that the current code gives 30 days for a resident to fix an issue and adds cost, plus 10% that will be added on the resident’s bill. The other option would be to just to shut the resident off until they fix the issue, the next option would be to file a law suit, and the final option would be to place a surcharge based on liner foot and adding on an additional water rate. Mr. Carr stated that they would like to be a good steward and offer a

grant to fix an issue rather than just assessing a fine. He is asking for direction from Council. He also said they are looking for direction on the idea of giving “lateral ownership” when the homeowner replaces their lateral from the home to the main, the homeowner will have ownership of all of it. The City would require them to install a clean-out then the city would own what is from the clean out to the main and the city would then assume the repairs to that section. Alderperson Dingleline shared they’ve been looking at this for several years and thinks this is in need of consideration. A brief discussion continued regarding the footing tiles and sump pumps and what would be included in the repairs. Alderperson Dingleline asked if the City forces homeowners to hook up to the sump lines, Mr. Carr shared that we currently do not. Alderperson Dingleline stated that he would prefer them hooking up to a stormwater line if necessary. Alderperson Brownfield agreed that individual sumps can cause hazards when they discharge into the streets and they freeze. Mayor Manier asked if we should look at giving more than seven days notice. A brief discussion took place regarding timing and notices. Alderperson Stevens stated that we started talking about this with the Lawndale and West Holland projects. She asked if this would take care of the cost of the SSA and asked if this would start with the Hilldale project. Mr. Carr said we need to focus on areas that are affected with heavier rains and noted the Rolling Meadows area needs attention. Alderperson Stevens asked if Hilldale has a new sanitary line. Mr. Carr replied yes. Alderperson Stevens they wouldn’t have to pay for it because the street is being reconstructed. Mr. Carr shared that Hilldale is not the same as Lawndale in that we are not doing the private side to of Hilldale. A brief review of the proposed ordinance took place at which time Mr. Carr clarified that we should be reviewing the final ordinance at the next meeting. Alderpersons Yoder and Adams stated that they prefer a change from to one year and six months.

- B. *Chapters 53 and 152 Possible Amendment Discussion:* Planning and Zoning Director Jon Oliphant shared that after the Trails Edge Preliminary Plat meetings, there was interest in adjusting the Water Runoff Code and the Subdivision Code. He asked to start the conversation and noted that this might take some time to work out. Alderperson Brownfield asked Mr. Carr, Mr. Oliphant and Mr. Schone their thoughts on the biggest hurdles when reviewing the issues. Mr. Schone noted the issue with water being held in the street and homes with a creek in the back yard. Mr. Oliphant noted that the initial desire to not have rentals, but that isn’t part of any city code. Alderperson Dingleline asked if we have anything in our Code requiring developers to have a detention basin and noted that when basins were brought up, it would eliminate several properties from selling and make them unable to be developed. Alderperson Dingleline felt it should be a requirement to have a basin. Alderperson Adams stated it should articulate how an entire subdivision is affected not just the part being developed. Alderperson Stevens stated when the first section is developed, that’s how they continue on so they don’t rely on a decision from years ago and noted the time between the initial Preliminary Plat to the new Preliminary Plat. Mr. Carr noted that we currently require developments to not increase their runoff. He also noted that the road could have held the water, but if not, it can be a detention basin. Alderperson Dingleline stated that we need to be mindful that we don’t chase future development away. He noted that this was already platted out and they were meeting all the parameters that were desired and he would prefer a retention area over water in the road. Alderperson Yoder agreed. A brief discussion

took place as to where water runoff issues still occur near the old rail lines and when it is acceptable for water to be corralled in the road. Mr. Carr noted that some solutions will increase the cost of all future road projects. Mr. Oliphant stated that if we increase the development standards, we should discuss this regionally so we are not the only one taking on the brunt of the issue. Alderperson Dingleline noted that the stormwater evaluation will be helpful to determining future runoff issues and agrees with discussing this regionally. Alderperson Adams and Mr. Carr discussed the language from other communities. Alderperson Stevens asked if commercial businesses are different than subdivisions. Mr. Carr shared that they are the same as a subdivision. A brief discussion took place regarding the issue of rental units and if a rental registration is an option. Alderperson Stevens asked if we look at the convenience of a subdivision when subdivisions are developed. Mr. Oliphant shared that we are not in the business of reviewing conveniences and that we have no enforcement power for a convenience. It was also noted that a HOA would provide the enforcement. Alderperson Stevens asked if the City takes over if there is not a HOA in place. Mr. Oliphant said no. Alderperson Adams said he understands that we can't dictate rentals but people who built a few years earlier were told it would be single family homes. Mr. Oliphant shared that the Trails Edge plat was done 20 years ago and the market has changed in that time. Alderperson Blundy stated that our zoning default is R1, and asked if the default should be default R1A, providing if someone wants to put in multi-family housing, they would have to get it approved. Mr. Oliphant shared that a property owner would have to request the R-1A designation. Alderperson Blundy said our city map appears to be most R1 and Mr. Oliphant stated the size requirements for R1A can be a deterrent. Alderperson Blundy asked for clarification regarding the grading and stated that the City should have to check it, as well if there are walkouts put in where there shouldn't be. Mayor Manier stated that more discussion would be good and he would like to look at more detail concerning the water flow downstream.

- C. *Stormwater Management Funding Consideration:* City Engineer Carr shared that last year Council approved the stormwater study and they made it known that they wanted to move forward for this. He noted that when we start to take on these projects, we will need a way to pay for them. Mr. Carr said during the Trails Edge discussion, it was stated that no future projects should take place until this is fixed and noted that every subdivision in the City has some sort of issue. He went on to share that over 11 square miles drain into an area on Jefferson and that there has been discussion on the Phase 2B project in regards to Farm Creek. Mr. Carr shared that he and Mr. Oliphant research other municipalities utility fees which they found that Peoria fees are much higher, but they are bigger and more frequent issues. Mr Carr noted the need to start saving for these projects. He shared details about Morton's plan and noted that we could bring in about \$400,000 per year. He also noted it is harder to evaluate commercial development but commercial areas help reduce the flow. Mr. Carr stated that some Alderpersons prefer a straight fee and noted that some communities have a fee based on lot size. Mayor Manier asked if we are ready to have a fee to help pay for the work to be done because this will be ongoing and noted that we have a few months before the approval of the Levy to decide a fee. He also noted that if we use the general fund, it will be gone in about two years. A brief discussion took place about what projects need to be done

and the timing of the projects. Alderperson Stevens asked how this would help fund the trunkline. Mr. Carr shared that that is a different project as it comes out of the sewer fund. Alderperson Brownfield stated that we have to take care of the residents and stop putting them off. He noted that businesses that don't have the retention areas could be taxed a little more. Alderperson Adams agreed that no one wants to pay new fees but if we don't start paying something, we won't be able to fund what needs to be done. He also asked if Morton and Eureka have flat fees. Mr. Carr said their fees are based on ERU and commercial properties follow a formula based on impervious surfaces. A brief discussion took place regarding other municipalities and their fee structures and Alderperson Adams asked if Mr. Carr could bring fee structure options that can be reviewed. Mayor Manier stated that staff will continue to work on this and asked if we are ready to consider this fee. Alderpersons Yoder and Brownfield said yes and Alderperson Adams stated that we have to start now so we don't have \$50 fees in a few years. Alderperson Dingle stated that no one likes to raise fees but we need to have fees started before projects start and we can discuss the fee structure in the future but need to know if we need to move forward with the idea. Alderperson Blundy said that this ties into the previous discussion with developers and we need to balance between burdening residents and developers. Mayor Manier shared that in 1997/1998 the City bought three farmlands that helped eliminate a lot of flooding issues and he thinks we should look at different structures and move forward. Alderperson Brownfield asked about the grant options. Mr. Carr replied that the grants tend to target lower income communities and we don't fit those requirements.

- D. *Stormwater Easement Maintenance Code Amendment Discussion:* Planning and Zoning Director Jon Oliphant shared that the Public Works Committee has had discussions for maintenance of areas in a stormwater easement. He stated that our City Code is ambiguous regarding the vegetation and infrastructure in these areas. Mr. Oliphant provided a draft amendment that touched on a clearer definition for storm water drainage system and vegetative cover. He noted that anything in the storm water drainage system be anything infrastructure wise that would assist with the flow of stormwater and the vegetative cover is grasses, bushes, trees, etc. He went on to share that anything in the stormwater drainage system would be responsibility of the City and the vegetative cover would be the responsibility of the owner. He noted that this is for new developments moving forward. He noted that vegetative cover has been planted or allowed overgrowth of some drainage areas and will need to be addressed but our this will allow our Nuisance Code to address future issues. He also stated we need to clarify that there can be no manmade items or vegetative items planted in the stormwater drainage area. He also noted that at this time, we should also clarify that a developer or engineer would need to provide a digital submission for anything related to the plat. Alderperson Brownfield said this helps give us teeth. Alderperson Adams agreed. Alderperson Stevens asked if this would be covered by the new stormwater tax that is in discussion. Mr. Carr and Mr. Oliphant clarified that this helps with items moving forward but anything causing issues now will have to be addressed separately. Mr. Oliphant said with the exception of trees, we can use our nuisance code to make sure tall weeds, bushes, etc. can be removed and maintained. All agreed to move forward.

- E. *Phase 2B Alternate Analysis Initial Cost:* Mr. Carr shared that he talked to Howard who submitted the bid for \$165,000. Mr. Carr shared that staff doesn't want to make any cuts to this bid because they have been declared biased so they want council to make that decision. Mr. Carr asked if anyone would like to cut any items. Alderperson Dingleline stated that the cost is high when we have already had the project engineered with one of the premier firms in the Midwest. He asked where the money would come from. He noted that there will be lots of cuts to come up with the money. Alderperson Blundy asked how much was left in the budget. Mr. Carr shared about \$25,000-\$30,000 left in the budget. Mayor Manier asked for feedback. Alderperson Brownfield said after sitting in three interviews, this is the best group to do the work. He doesn't see where we can cut anything. Alderperson Blundy agreed and said the other two firms would be more expensive and said looking at the items, they all seem necessary. Alderperson Stevens asked if the American Rescue Plan can be used for this. It was noted that infrastructure can be covered but this is a gray area. Alderperson Adams said the unfortunate part is that some of the items should have already been done and noted that these items show transparency.

5. OTHER BUISNESS

Mayor Manier shared that we have a Special City Council meeting on Wednesday at the fire station that will be for an Executive Session. Alderperson Stevens asked if Council authorizes the Deputy Clerk appointment. Mayor shared that it is up to Clerk Brod and City staff. Alderperson Stevens stated that there hasn't been a Deputy Clerk since Clerk Brod started and Clerk Brod shared that there was a Deputy Clerk that retired. Alderperson Steven referred to City Code stating that Council authorizes the Clerk to appoint a Deputy and Mayor Manier shared that the Council voted to not fulfill the hiring until August so she has only recently received authority to move forward. Clerk Brod shared that a job description is being developed for posting soon. Alderperson Adams asked about the sod on Lawndale and Mr. Carr shared he finally heard from Prairieview today and it should move forward. Alderperson Stevens asked if there has been a final plat turned in for Trails Edge and Mr. Oliphant shared not yet. He also noted that they may hold off until spring.

6. ADJOURNMENT

At 7:46 p.m. Alderperson Brownfield moved and Alderperson Adams seconded to adjourn.
Motion carried unanimously by voice vote.

Valeri L. Brod, City Clerk