



City Council Meeting Minutes
Monday, October 3, 2022 at 6:30 p.m.
In the library meeting room at Five Points, 360 N. Wilmor Road, Washington, Illinois

Call to Order Mayor Manier called the regular meeting of Monday, October 3, 2022 to order at 6:30 p.m. with a quorum present.

Roll Call Present: Alderpersons Adams, Blundy, Brownfield, Butler, Dingledine, Schone, Stevens and Yoder

Also Present Mayor Gary Manier, City Engineer Dennis Carr, Planning and Development Director Jon Oliphant, Public Works Director Brian Rittenhouse, Finance Director Joanie Baxter, Police Chief Mike McCoy, City Clerk Valeri Brod, City Attorney Brittany Miller and Press

Pledge of Allegiance All stood for the Pledge of Allegiance led by Mayor Manier.

Citizens Wishing to be Heard Troy Pudik, of Washington, was present to address Council regarding the smoke testing project. He stated that when the draft report from Hamilton was reviewed, they identified I&I problems that were twenty times more than regulation allows. He also stated that this was the first time the City learned about it. Mr. Pudik stated that the 2019 report from Strand addressed the issue passively, and Hamilton disagreed with it. He stated that Strand decided to move forward with the trunkline and Hamilton said the thoughtful approach was to delay the project until there is a need, and the City addressed the I&I issues. He went on to say that the Hamilton report states that an SSES would find a high degree of issues. Mr. Pudik also stated that the Robinson report shows a significant amount and identifies the categories of I&I as residential, municipal and commercial. He shared information provided in the Robinson report including flow reduction and cost estimates. Mr. Pudik stated that the report shows the contributing factors as a creek that runs into the sanitary sewer system, a drainage ditch and numerous manholes. He stated that the City has 36 storm inlets that drain into the system and this is significant. Mr. Pudik stated that the City assumed there would be 1,000 homes connected illegally, and they would cost \$10,000 each to fix, but looking at the findings, there were only 140 homes connected that would cost \$500 each to fix and it will only eliminate 42 gallons per minute. Mr. Pudik went on to state that the City assumed it needed to find more than 8,290 gallons per minute to be removed for the bypass sewer option to be viable. Mr. Pudik expressed interest in more testing and would like to ask Robinson questions. Mr. Pudik asked to do more tests, basin by basin, and look into the tributaries. He also stated that the City has not provided estimates for the decommissioning of the current trunk sewer. He also shared information from the Hamilton report regarding the treatment of wastewater, as well as questioned the Illinois Water Pollution Control Program and if the City has qualified for it. He stated that the status of the third-party trunk analysis has been put on hold indefinitely without discussion by Council. He also stated that the draft report was published on February 16th and Council had five days to review it and an ordinance has to be read twice to give time to understand. Mr. Pudik expressed concern regarding transparency. Mr. Pudik stated that information hasn't been given to public. He also stated that the Phase 2B project doesn't have a deadline and the City has been working on it for seven years and has paid Strand \$1 million dollars which didn't go through the bidding process. Mr. Pudik stated that the City should test the rest of the City before making a decision.

Review Agenda for Deletions or Additions Nothing was added or deleted at this time.

Consent Agenda Mayor Manier presented the Consent Agenda for approval of the following items:

- A. Approve Minutes of September 19, 2022 Regular and September 22, 2022 Special City Council Meetings
- B. Hilldale Phase 2 Pay Request #4

Aldersperson Dingledine motioned to approve the Consent Agenda, Aldersperson Butler seconded.

Motion carried by roll call vote:
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingledine, Schone, Stevens and Yoder
Nays: 0

Announcements and Proclamations Mayor Manier introduced new States Attorney, Kevin Johnson. Mr. Johnson thanked Council and shared that he has been bombarded with questions about the SAFE-T Act. He shared that it started in 2013 when a mental health study took place in the Cook County Jail, which is the largest prison system in the United States. He shared that the people of Cook County

were embarrassed at the findings and sought blame, asking for a commission to do further studies. The Supreme Court did a study to help reduce the population of the Cook County Jail and it has now flowed down to the rest of the state. Conversations then turned to concerns with cash bail. Mr. Johnson shared that in the past, a person would go to jail and the next day, went in front of the judge who decided if they were a threat to the community or a flight risk. The judge would take into consideration a person’s employment, community involvement and safety concerns before giving a low cash bail or personal bond. He noted that the Tazewell County Jail doesn’t receive many detainees and the majority are people who are serving out their sentence in jail. Mr. Johnson noted that this is a problem seen north of I-80. He noted considerations to give bond credits which gained momentum in 2019 and in 2020 with social issues. He then noted that Federal authorities started to investigate Speaker Madigan, who could not come up with enough votes to keep his speakership. Speaker Madigan then appealed to the Black Caucus of Illinois, who shared that they wanted to eliminate the cash bond in Illinois. Mr. Johnson also shared that there was a lame duck session and an amendment to the bill that was seven pages long, containing voting information for DOC inmates. Following those events, there was a 604-page amendment followed by a 135-page amendment that occurred in three days which contained the elimination of cash bond. Mr. Johnson shared that they debated for less than an hour on the proposed bill that was more than 700 pages long. He noted that they have found it to be poorly drafted with a lot of inconsistencies making it hard to understand. He further shared that the problem is defining who can be detained and noted that non-probational, forceable felonies can be detained, but if they are probational it is harder to detain them and a judge has to presume they cannot be detained and merely give them a citation to appear in court. The SAFE-T Act also allows them to call witnesses, including the victim themselves. Mr. Johnson noted that 100 out of the 102 States Attorneys have stated that the SAFE-T Act needs to be amended and the two who don’t agree are from Cook County and Lake County. He encouraged everyone to stay away from incorrect political information, listen to non-partisan groups, and contact their representatives. Mr. Johnson concluded with good news, sharing that Tazewell County doesn’t have many of these issues and is blessed to have the law enforcement that we have, especially the excellent women and men of the Washington Police Department, who will do what it takes to keep everyone safe.

Police Chief McCoy shared that this bill is a terrible burden for the training that goes along with it.

Finance & Personnel Committee	Finance and Personnel Committee Chairman Butler shared that there are no business items to bring forward.
Public Safety Committee	Public Safety Committee Chairman Adams shared that there are no business items to bring forward and introduced Police Chief McCoy for updates. Chief McCoy shared that there is nothing to report at this time.
Public Works Committee	Public Works Committee Acting Chairman Brownfield shared that there are two business items to bring forward and introduced City Engineer Dennis Carr to provide details.
Item 1: Smoke Testing Report and Path Forward	<p>Mr. Carr stated that he attached Robinson’s Smoke Testing Report and they did not plan for them to present the report because it would have been an additional fee. Mr. Carr noted that the appendices are not attached due to homeowner privacy, but anyone is welcome to come look at it at City Hall. Mr. Carr explained that this report showed 816 defects and to repair them all would be approximately \$1.8 million which would remove 1,744 gallons per minute from the sanity sewer and this is similar to what Strand showed in their flow metering. Mr. Carr also shared that Robinson did a nice job working with residents and only received a few criticisms. Mr. Carr further explained that the flow metering from Strand’s report showed they need to remove more than 8,000 gallons per minute, so further testing it will be more intrusive on homeowners. Mr. Carr shared financial details that were provided in the report including what is remaining in the budgets for each item. Mr. Carr asked Council to provide him with direction on which way to move forward, now that they have the numbers and reports. City Administrator Snider provided his perspective, having worked in five other communities. He stated that it was reasonable to try to find ways to avoid spending so much and it is clear that this will not remediate the problem. He shared that no one likes to upsize a trunk line but this is how it is done. He has done many sewer, storm and water projects and is very familiar with Strand. He shared a previous experience when he worked in another city where they wanted to have better tasting water. The process locked up and schools had to shut down. That city looked for the best firm to help fix the problem and they chose Strand. Mr. Snider noted that the EPA has us on notice and it will have to be addressed. He also stated that he is confident in our city engineer, confident in Strand, confident in the ability to lead a path to a solution and that this solution is a new trunkline. He acknowledged that he knows it is not the most popular opinion but is confident that it is the right choice.</p> <p>Aldersperson Blundy asked if the report was using a 2-3-year event. Mr. Carr confirmed that it was. It was clarified that the City has 77 miles of sewer. Mr. Carr noted that the center part of the City doesn’t need to be tested because it is newer and will not show this number of defects. He also shared that the west side of the City comes in the opposite side of the plant. Mr. Snider stated that he is confident with what was provided and expressed his concern how this has impacted the citizens. He noted that the City has received calls from residents</p>

asking for updates because they have been saving money, thinking they will have to pay to fix this. He noted that some of these residents are older than 80 years old. Mr. Snider further stated that he has never seen or read about an I&I remediation replacing a sewer main, and noted that Mr. Carr made it clear that the numbers are lower than what is needed. Mr. Carr shared that small, fixable items, like downspouts and cleanouts, can be damaged by a lawn mower. He also shared that staff is currently looking at inlets and the ongoing lining of the system which will be a benefit. Mr. Carr stated that they would need to be more intrusive to homeowners to get greater numbers.

Aldersperson Blundy noted that treating stormwater adds up over time but a bigger pipe might be needed.

Aldersperson Butler clarified that the current line was constructed in 1972, and was intended to convey every drop of wastewater east of Firethorn. Mr. Carr shared that the old treatment plant was intended to treat the east side of town and he doesn't believe it was intended to treat the whole city. Aldersperson Butler expressed concern that if this is only designed to capture a 2-3-year event, what happens in a 50-year event? Mr. Carr shared that the water will come out of the manholes. Aldersperson Butler noted the peak flow during the August 30th rain event. He shared that he feels this is a good idea but we had to spend \$140,000 because we had no choice. Aldersperson Butler shared the timing of the project and stated that the Pudik family asked the City to spend \$60,000 on a third-party opinion and we are now over \$300,000. He noted his confidence in Strand and their very detailed report.

Aldersperson Butler stated that the third-party analysis was based on a provided matrix, where the options were labeled as worst, better and best with Strand's report labeled as worst and Route E3 labeled as best, which would save over \$500,000. Mr. Butler further stated that Hamilton's report said it was going to cost over \$4.5 million more for the Route E3 option, than Route B. Mr. Butler concluded by stating that this is a public utility and we have to serve over 16,000 people.

Aldersperson Butler made a motion to direct City Administrator Snider and City Engineer Carr to rekindle the efforts to negotiate easements toward the preferred Route B, seconded by Aldersperson Schone.

Aldersperson Stevens asked if this could be further discussed after the motion. Mayor Manier clarified that it can be discussed. Aldersperson Stevens stated that the third-party analysis was done because Council voted to do it and the City Administrator placed it on hold. She expressed that it should be continued because it is not complete and the City Administrator put it on hold for smoke testing.

Aldersperson Blundy and Mr. Carr clarified what is remaining to be paid for the Hamilton report.

Aldersperson Stevens stated the I&I issues haven't been addressed.

Aldersperson Butler noted that I&I are separate issues and if we have a better trunkline, we will keep water out of the creek. He went on to share that the suggestion is not to abandon I&I, but saying we have zero chance using our trunk sewer to convey all this.

Aldersperson Stevens feels this is not transparent, stating that Aldersperson Butler came up with a motion to go forward with the B. She suggested talking about this item at the Committee of the Whole meeting and further reviewing the Smoke Testing Report and other incremental steps.

Mayor Manier stated that they have the report and what is left is the newer part of the city. Aldersperson Adams acknowledged that they have the results and wishes they were different. He and Mr. Carr discussed general timeframe issues with future development, the IEPA and the low interest loan availability.

Mr. Carr noted that the next steps include the archaeological study, which will need to happen.

Mr. Snider stated that I&I will continue but it will not fix the issue and he is concerned that IEPA might put the hammer down. He is also concerned about future recessions, deflation, and labor shortages.

Aldersperson Adams noted the long road to get here and was hoping this would show more. He doesn't think throwing more money will get a different result but wouldn't mind having a conversation at the Committee of the Whole meeting.

Motion carried by roll call vote:

Ayes: 5 Brownfield, Butler, Dingleline, Schone, Mayor Manier

Nays: 4 Adams, Blundy, Stevens, Yoder

Mayor Manier broke the tie vote.

Item 2:
*Additional Contractor
Approval for Concrete
Assistance*

Public Works Director Brian Rittenhouse shared that prior approval was given but the approved contractor, C&G Concrete, informed staff they might not be able to get to some of the promised work. C&G did not have a problem with seeking other suppliers. Staff recommend adding Lone Wolf as a contractor as they were the only other bidder and not much higher in price.

Aldersperson Dingleline motioned to accept Lone Wolf as an additional contractor, Aldersperson Adams seconded.

Mayor Manier noted that the Chicagoland is hauling concrete from Indiana and Wisconsin due to shortages.

Motion carried by roll call vote:
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingleline, Schone, Stevens and Yoder
Nays: 0

The following staff updates were provided:
Mr. Rittenhouse shared that the filter media project is completed at WWTP#2, the Distribution Department started hydrant flushing today, brush pick-up will be October 17th, and the SCADA Master Plan report will likely be available soon for Council review.
Mr. Oliphant did not have any items to share.
Mr. Carr shared that Hilldale is finishing driveways then will move to curbs around the inlets, the drainage design RFQ is out, and a few engineering agreements are still out for Safe Routes to School projects.

Mayor Nothing provided at this time.

City Administrator City Administrator Snider presented the following resolutions and/or ordinances.

Adopt Resolution: Nothing provided at this time.

2nd Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance restricting the use of groundwater from the area of 305 Peoria Street as an institutional control for the remediation.
Prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method.
City Engineer Carr shared that exhibit A has been updated. This update was made per IEPA request and it is provided in the packet.

Aldersperson Dingleline motioned to accept the ordinance, Aldersperson Brownfield seconded.

Motion carried by roll call vote:
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingleline, Schone, Stevens and Yoder
Nays: 0

2nd Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance instituting a refundable lot grading fee of \$2,000 prior to the issuance of a building permit for new construction projects.
Amending the of the Code of Ordinances of the City of Washington, Illinois by amending Chapter 160 entitled "Building Code"

Aldersperson Brownfield motioned to accept the ordinance, Aldersperson Schone seconded.

Motion carried by roll call vote:
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingleline, Schone, Stevens and Yoder
Nays: 0

2nd Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance establishing setbacks for all new downspouts and sump pump lines.
Amending Chapter 96 of the of the Code of Ordinances of the City of Washington, Tazewell County, Illinois to address downspouts and sump pump line setbacks
Aldersperson Dingleline motioned to accept the ordinance, Aldersperson Adams seconded.

Motion carried by roll call vote:
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingleline, Schone, Stevens and Yoder
Nays: 0

Aldersperson's Comments Aldersperson Blundy stated that lots of residents had contacted him concerning the homecoming parade asking why the police motorcycles were not in the parade. Aldersperson Brownfield asked if it was raining at the parade. Aldersperson Blundy stated that it was not.

Aldersperson Stevens expressed concern with moving forward with the vote regarding the smoke testing as she would like more time to discuss it.

Adjournment At 7:53 p.m. Aldersperson Stevens moved and Aldersperson Brownfield seconded to adjourn.

Motion carried unanimously by voice vote.

Valeri Brod, City Clerk