



Committee of the Whole Meeting Minutes

Monday, February 12, 2023, at 6:30 P.M.

Wilmor Fire Station, 320 N. Wilmor Road, Washington, IL 61571

Mayor Manier called the Committee of the Whole meeting to order at 6:30 p.m., in the training room, with a quorum present.

Present: Alderpersons Adams, Blundy, Butler, Martin, Smith, and Stevens

Absent: Alderpersons Brownfield and McIntyre

Also Present: P & D Director Oliphant, City Engineer Carr, Finance Director Baxter, Public Works Director Rittenhouse, Police Chief McCoy, City Treasurer Abbey Strubhar, City Clerk Brod, Planner Boyer and Attorney Brittany Miller

1. ALDERPERSONS WISHING TO BE HEARD: Nothing provided at this time.
2. CITIZENS WISHING TO BE HEARD: Bob Montgomery of Washington Township provided comments regarding engine braking. He shared that they hear engine braking/jake braking. He heard it at 8:00am this morning and saw a semi-trailer heading west. He says this will affect the subdivision at the new Nofsinger interchange and this happens all hours of the day. He feels it is most annoying in middle of night or early morning.
Luke Sawicki from Ward 4 in Washington also commented regarding engine braking. He noted that this will not stop the engine braking but he hopes it will help minimize it. His comments are attached and made part of these minutes. He provided QR codes for quick access. *(The City is not responsible for content provided via the QR code links.)*
3. APPROVAL OF JANUARY 8, 2024, MINUTES – Motioned by Alderperson Smith; seconded by Alderperson Martin. Passed by voice vote.
4. NEW BUISINESS
 - A. *Code Enforcement Administrative Adjudication Process Discussion.* Planning and Zoning Director Oliphant shared that Chapter 96 in the Code addresses nuisances. He said there are 14 different nuisances covered in the code and they are mostly used for tall grass and weed complaints. They give notice to the owner who gets a short time to abate the issue. If they don't take care of it, the City mows it and passes the expense to the owner. Mr. Oliphant shared that the City of East Peoria has an administrative adjudication process and noted that it begins similar to our current code but after those processes, a summons to appear is given and at that point they would have to go through a hearing officer who can render an opinion. Once the opinion is given, they can levy financial penalties, although we would prefer abatement. Mr. Oliphant feels this would be most helpful for the non-tall grass/weed issues. Mayor Manier introduced Attorney Miller who shared that this was not taken directly from East Peoria because we are home-rule and have a different template to follow. Planner Boyer explained that without this, our attorneys would go to the district court in Pekin to get on the docket which is a cumbersome process. This is quicker and less expensive. Alderperson Martin asked if it gives permission to hand out \$49,000 fines. Mr. Boyer said he would prefer not to give any fines. Attorney Miller noted hotel/motel issues might have the higher fees. Mr. Boyer explained that he prefers having the authority to tow a vehicle or clean up a pile of refuse because it has been proven that fines don't achieve the desired outcome, but enforcement does. Alderperson Stevens supports the

idea, noting our code covers a lot of violations that are hard to enforce. She also noted Mr. Boyer's experience with this process. Alderperson Blundy asked about the number of complaints received. Mr. Boyer shared that he has already identified about six domiciles that need to be addressed. He noted this is not a ticket and the vast majority the property owners immediately remediate and only about 10% of those go to a code hearing. It was clarified that the court officer sets the amount of the fine. Alderperson Blundy asked if the fine amounts are limited in our code. Attorney Miller clarified that the penalties are outlined in the code, and most are capped at \$500. Mr. Boyer stated that we are not emphasizing fines, instead we want compliance. He feels the fines are effective for landlords because they are businessmen. Mayor Manier noted that Mr. Oliphant's department was willing to help those who might not be able to complete the needed work and it has been appreciated. Mr. Oliphant noted that with any code violation we work with homeowners if they are planning to remediate.

- B. *Countryside Banquet & Catering ED/Tourism Funds Application Discussion* - Mr. Oliphant explained that Kristi LaHood Cape, owner of Countryside Banquets submitted an application for EDC funds. Her request is for repaving her parking lot which would cost about \$389,000. Staff is requesting feedback on if/how much to provide. Alderperson Blundy is struggling because Council did not create a policy for these funds. He noted that the comprehensive plan focused on the façade of RT24. He expressed concern for a lack of criteria and looks at some areas that would generate property or sales tax, noting the old Georgetown or Bearce lot. He feels that since this is purely a parking lot, it could be like Walmart and feels he might not attend events there because the parking lot is new. Mayor Manier noted that Council directed this fund to be used without any guidelines. He suggested a cap for funding. Mr. Oliphant noted tailored guidelines help people know what to apply for, but Council left this open ended for anything with the exception of basic maintenance and would be for non-residential development. Alderperson Butler noted areas outside the TIF District or Enterprise Zone, this could be called a façade grant. He shared that Morton has a maximum limit of \$10,000 up to 50% of total cost and Peoria has a program as well. He feels Council was premature in asking for applications before guidelines were created. Alderperson Martin agreed that there should be a cap with a possible different amount for a parking lot and structures. Mr. Oliphant noted that we cap TIF at 40% for eligible items and 10% for interior items. He feels it is wise to look at exteriors instead of interiors, noting that this could help increase the value of the property. It was noted that Peoria's program funds 100% up to \$25,000 and Morton is 50% up to \$10,000. Alderperson Stevens feels it's important to create a visually pleasing town and is in favor of this parking lot. Mr. Oliphant clarified for Alderperson Stevens that private parking lots near the Square are rare, therefore, they are not in TIF guidelines. Alderperson Stevens noted the visibility of this parking lot. She feels the funds should be used for small businesses not major corporations as well as only allowing funds if the owners are local. Mr. Oliphant agreed with the façade concept and would also like to see how to generate new businesses. Engineer Carr and Mr. Oliphant noted the end of this budget cycle was approaching and a new budget cycle would begin soon warranting more discussion. Mayor Manier agreed but feels the need to provide Ms. LaHood an answer. Adams agreed as well.
- C. *Engine Braking Restriction Discussion* - Engineer Carr shared that that there are no limitations on RT24. He explained that we could target the Cummings light now, but the Main Street light is outside of our city limits. Alderperson Blundy asked if signs are placed as you enter and exit the area. Engineer Carr noted where our city limits are located and where the signs could go. Alderperson Butler said we can't prohibit the use of brakes, but we can put up a sign pertaining to excessive use, noting that a brake can be used to avoid a collision with another vehicle. He also noted that it would cost hundreds of dollars to prosecute a \$75 fine and current vehicles have a sound muffler. Alderperson Blundy feels this is a deterrent and most will respect it. He shared that there are other signs in East Peoria that make an effort to limit it. Mayor Manier asked Police Chief McCoy about the history, who then shared that noise guidelines would have to be put in place and different officers might use different standards. Mr. Oliphant shared the language from Chapter 95 of the Code. Alderperson Stevens feels it is important to create this ordinance. Alderperson Martin thinks the signs would have help. Mayor Manier noted that that it is hard to police. Alderperson Smith asked if El Paso has an ordinance or just signage. Engineer Carr said if it is on a state route, it would require an ordinance. Mr. Oliphant said that the noise code addresses noise from private property. Chief McCoy said it might help reduce the occurrences, but it is hard to enforce. Engineer Carr read the code from El Paso. Mayor Manier suggested reaching out to other communities to see if they monitor it and how many tickets they have written. Alderperson Stevens said that if an officer is there, they could pull them over. Alderperson Blundy feels this is a deterrent. General consensus supports adding the signs.

Aldersperson Butler feels we don't need signs all over the City. Mayor Manier recapped the discussion and stated that a model ordinance will be brought back for further discussion.

- D. *Elgin Street Light Request Discussion* - Engineer Carr shared that a resident on Elgin Avenue had voiced concern saying that a light would help with confrontations. Engineer Carr shared that most streetlights within 75 feet of a transformer are free, but we would need Ameren to put in a new transformer for this one. He estimated it would cost \$5,000-\$10,000. Aldersperson Stevens asked about the process of putting this item on the agenda and Mayor Manier shared that this already came to the City and the police department, due to damage at their residence. Aldersperson Stevens shared that she is in favor of lights in dark spots of the City. It was noted that there is currently a sign that says "no outlet". Aldersperson Stevens shared that a resident said there was no light near a dead end at the middle school and she was told she would have to pay for it. She would like a process to have the city pay for lights versus the residents paying. Engineer Carr shared that streetlights are addressed in the subdivision code and noted that a majority of Washington wouldn't fit into it. He noted another location near an S-curve where it was seen as beneficial due to the curve. Aldersperson Butler noted that this is a private driveway and they assume a light will keep people from entering the property. He added that the no-outlet sign should be moved closer to the intersection and include the words "private road". Engineer Carr said anyone who turns on the street will have to use someone's driveway to turn around and moving signage can be reviewed. Aldersperson Butler said the goal is to get people to not go down the road unless they are going to one of the houses on the street. Aldersperson Blundy shared that a streetlight could make it look like a continued city street. The consensus was to look into additional signage before considering a light.
5. OTHER BUSINESS - Aldersperson Stevens asked how someone puts a proclamation on the agenda. Mayor Manier directed her to the City Clerk. Aldersperson Stevens asked about the timing of the first reading for the purchase of the two parking lots, wondering why it didn't come to COW before the first reading. Mayor Manier noted that it was discussed several times. Aldersperson Stevens would like more discussion, stating that she will be forced to vote no for the small plot of dirt that has stormwater issues and is paid out of the general funds. She feels there should be two separate votes. Mayor Manier clarified that the property owner requested to sell both at the same time. Aldersperson Martin noted that the majority of council wants both lots. Mr. Oliphant noted that the consensus was to move forward, Mr. Boley requested to sell both together and staff was not requested to separate them. Aldersperson Stevens asked about Budget Group #1 and Finance Director Baxter shared that it will be brought for discussion next week. Engineer Carr stated, in Administrator Snider's absence, that if there is a first reading you could make a motion to discuss this at the next meeting and if you wanted to make an amendment, you could have made a motion to do so. He also noted that if the majority of Council wanted it, they could do it. Aldersperson Butler stated that there wasn't a majority of Council that wanted to continue to discuss it. Finance Director Baxter shared that there are sufficient funds in the Street Fund to cover the cost. Aldersperson Stevens shared that Leri Slonneger said there was a concern. Aldersperson Adams asked for voting consistency noting other lots purchased in the past. Aldersperson Martin understood that the easement will not restrict parking but will allow the church to park there. Aldersperson Stevens feels that it was to restrict the parking lot. Mr. Oliphant clarified that it is only to grant them use of the lot. Aldersperson Blundy asked about the need for signs. Mr. Oliphant noted that it would be the church's expense and they wouldn't restrict the lot. Aldersperson Smith and Mr. Oliphant clarified that the house owner currently has no plans to sell the home, that we are aware of.
6. ADJOURNMENT: At 7:54 p.m. Aldersperson Smith moved, and Aldersperson Martin seconded to adjourn. Motion carried unanimously by voice vote.

Valeri L. Brod, City Clerk

Nearby municipalities that already have an engine braking noise ordinance



Bloomington, IL

<https://ecode360.com/34409675>



East Peoria, IL

https://library.municode.com/il/east_peoria/codes/code_of_ordinances?nodeId=TIT11TRRE_CH4OPVE_11-4-54EXENBRNO



El Paso, IL

<https://ecode360.com/30172416>



Metamora, IL

https://library.municode.com/il/metamora/codes/code_of_ordinances?nodeId=TIT10VETR_CH10.84MIRE_10.84.120EXENBRPR



Roanoke, IL

https://codelibrary.amlegal.com/codes/roanokeil/latest/roanoke_il/0-0-0-3278



Washburn, IL

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