



Committee of the Whole Meeting Minutes

Monday, September 9, 2024, at 6:30 P.M.

Wilmor Fire Station, 200 N. Wilmor Road, Washington, IL 61571

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

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

Also Present: P & D Director Oliphant, City Engineer Carr, Finance Director Baxter, Public Works Director Rittenhouse, Police Chief McCoy, City Treasurer Carol Crocker, City Clerk Brod, Attorney Derek Schryer

1. ALDERPERSONS WISHING TO BE HEARD: Alderperson Stevens shared her concern for not knowing policy, asked if there is a manual and feels it is important to know her role.

CITIZENS WISHING TO BE HEARD: Meg Sutherland, from the Washington Bridge Education Foundation, thanked the city for grant money. She explained that it will be used to cover the costs of their annual Paint the Path fundraiser. She shared that this year's winner was from Pittsburg and was in town working an internship for Caterpillar. She shared that they are working to bridge educational opportunities for students going on to secondary education to pursue a trade. Students have asked for more financial literacy education. They are also helping with career exploration opportunities. Their program is creating a career directory where students may job shadow or do a coop. They also look forward to promoting the bicentennial this year.

Dave Reese shared that he received an ordinance violation notice on July 16th. On July 26th the grass was mowed, and the work was completed. He requested that a notice be given when violations have been remedied so people don't get a surprise bill. He also requested that he is present if an inspection takes place on his property. He stated that the City hung up on him and wouldn't call back. He shared his tenant has a medical issue and cannot mow grass. His tenant claims the grass was mowed on the 22nd. He asked for compassion and thanked Council.

2. APPROVAL OF MINUTES: Alderperson Martin motioned to accept the August 12, 2024, minutes with two spelling corrections; Alderperson Brownfield seconded. Passed by voice vote.

3. NEW BUSINESS:

A. *Short-Term Rental Amendment Follow-Up Discussion* – Planning and Development Director Oliphant shared that this would address the impact of short-term rentals (STRs) on neighborhoods. The proposal differentiates between non-owner-occupied STRs versus owner occupied STRs. Non-owner rentals would require a special use permit, and owner-occupied rentals would require registration. The City could collect hotel/motel tax for commercial STRs. Mr. Oliphant used an example from Augusta, GA, that exempts STRs that are rented less than 15 days per calendar year, allowing for a famous, special event and following IRS guidelines. He noted that special use permits would be non-transferable and would require an initial inspection to make sure the homes meet minimum thresholds for occupancy. Mr. Oliphant shared that STRs would need a minimum of one off-street parking space per bedroom. He further explained that following noise standards would be required and the PZC would recommend approval if all regulations are met, prior to consideration from Council. He shared that we currently don't specify a limit on the number of days per calendar year a STR can be rented, aside from a maximum 29 consecutive days limit. Mr. Oliphant explained that a public hearing would be scheduled before it is reviewed by the PZC. Alderperson Martin inquired about converted garages and Mr. Oliphant shared that the owner would have to live on the site and register it. He asked about snowbirds who may rent their house while they are gone, leaving the home not owner-occupied, and Planning and Development Director Oliphant shared they would need a special use permit if it is more than 15 days. Mayor Manier and Mr. Oliphant clarified the difference between long-term and short-term rentals. Alderperson

Brownfield appreciated Mr. expressed support for the recommendations, noting difficulty in tracking items. Alderperson Stevens fears it would be confusing for allowing language covering events that would be similar to Augusta, GA. Planning and Development Director Oliphant explained that penalty provisions would be included for those who don't register, and this will allow greater ability for enforcement. He doesn't know if these websites have databases to gain information. Planning and Development Director Oliphant shared that some municipalities have a 90-day limit, but he doesn't see why they wouldn't allow for more. Alderperson Adams felt some items can be hard to track and wondered about striking items. Alderperson Blundy agreed and felt fixing up a room or garage, could be used for supplemental income. He noted concern for commercial owners and Mr. Oliphant estimated the majority are non-owner occupied. Alderperson McIntyre supported the recommendations. Alderperson Smith provided support but noted rentals near the square could use public parking. Planning and Development Director Oliphant noted the parking regulations don't apply if they are commercially owned. He noted items can be struck from the draft ordinance.

- B. *Water Tower #2 Painting Discussion* – Public Works Director Rittenhouse shared that Dixon Engineering was contacted, they held a bid opening and LC United was the low bidder. They researched the claims that were brought forward and found that a fall had happened in 2015. He did not find information about prevailing wage issues except that they are under review. Dixon Engineering recommends going with the low bidder. Alderperson Martin feels that the engineers were made aware, and they still recommend going forward. Alderperson Blundy clarified that asking questions is not an attack on staff and this situation has caused them to take another look at the low bidder. He noted checking with the Secretary of State to ask about prevailing wage issues and wonders if we should make a policy change. Public Works Director Rittenhouse shared that he found different information noting issues with interpretation. He further shared that he was advised that it is the obligation of the municipality to ask for prevailing wage and government jobs should pay prevailing wage. Alderperson Blundy requested a policy that requires good standing with the Secretary of State. Engineer Carr noted that we only take the prevailing wage, and it is not our rule to run their business. Alderperson McIntyre agreed with Alderperson Martin and acknowledged concerns and noted they are obligated to go with the lowest bidder. He further noted a violation from OSHA was almost 10 years ago and wondered if the low bidder is not chosen, does it go out for rebid. Alderperson Butler feels our responsibility is to go with the low bidder. He noted that the engineering firm oversees this, they are responsible. Alderperson Stevens expressed confusion with the difference with the Water Tower painting projects and Mr. Rittenhouse explained that the projects were different, because one needed to be fully sandblasted which made the process different. He also shared that bids under \$15,000 could have been approved administratively. Alderperson Smith thanked Public Works Director Rittenhouse for doing due diligence and feels we should move forward to rebid and Engineer Carr explained that they can make a motion to table the discussion instead of denying the bid. Alderperson Martin noted he was going to initially table it, but the vote happened quickly. Alderperson Brownfield would like to move forward. Alderperson Adams opinion doesn't change.
- C. *Preliminary Excess Flow Lagoon Feasibility Study* – Engineer Carr explained that they looked into placing a lagoon in one or two places. He introduced Mike Waldron from Strand who assessed if lagoons could help address issues, in lieu of replacing the Farm Creek trunkline. He noted sewer mapping and explained that they used topographic mapping and soil borings at Sewer Treatment Plant #1 (STP1). He noted that the preliminary study began in 2016, and rain events have taken place since then. He explained that these events contribute to STP2. He explained that they created a hydraulic model of the system, starting at STP2, going to STP1 and around Site B (excess flow) and where the sewer goes under the railroad. They modeled the current wet weather flows and showed where the flow went above the top of the pipe. He noted that the City has seen overflows at STP1 and storm events greater than the model could create other conditions. Mr. Waldron explained that they found an inverted siphon that contained a downsized pipe and different pipe elevations. He noted an area that overflowed, explaining that it is not as simple as raising the manhole because it causes issues further downstream. He also showed a spot with a ditch and inverted siphon. He then shared future conditions, noting spots of additional overflow and future flow that exacerbates the issues. Regarding the lagoons near STP1, the concept would have a diversion wall structure that daily use shouldn't go over, but larger storms would top and go into the lagoon. This is done by gravity. Mr. Waldron explained that they are limited on how tall they can make the wall and this lagoon is about 5.5 feet deep. He noted a valve can be opened to drain the lagoon. This concept eliminated all but two overflow locations downstream but did not help upstream. Mr. Waldron shared information regarding Site B, showing that due to the terrain, it would need to go down at least ten feet. and would require a pumping station to get the flow out of the lagoon. He noted they would need to excavate 22 feet deep for a lagoon at Site B. This concept got rid of overflows near it but not downstream

and did not address the future condition. He noted they tried options like raising manholes and larger pipes, but larger pipes made water issues downstream worse. He shared that they reviewed the first 2,800 feet and it got rid of overflows downstream, but it still overflowed if there are larger events. Mr. Waldron clarified that the I&I issues are not west of STP1. He further noted that they left some surcharge in the sewer and removed the cork so the flow could get to STP1. Increasing the pipe size to 42 inches did not fully help either. Mr. Waldron shared that constructing a lagoon at STP1 would cost \$2 million and a lagoon at Site B would cost \$11.5 million. He shared that there is a frozen and partially closed sluice gate that causes a cork in the system, and it should be removed to help eliminate one overflow in the system. Keeping the existing sewer in its current location would require the installation of a stone ripple for protection. He said there is not a hydraulic concern in the creek, and they can work with IDNR and further noted that there are about 22 locations needing the stone ripple. Mr. Waldron shared that televising the line is difficult because it is hard to get to. It would require large pumping from manhole to manhole as well as tree removal. He feels lining the sewer would be extensive. He recommended getting a contractor who can provide a better estimate. He estimated the project costs would be \$9.8 million for the replacement of Farm Creek Route B. Engineer Carr clarified that STP1 was decommissioned as part of a consent order that was issued due to sand filters that were failing. Alderperson Stevens and Engineer Carr clarified that the only remediation was tearing down STP1 and conveying the flows to STP2. Engineer Carr explained that the reason the line wasn't televised was due to the expense and plans for replacement. Alderperson Stevens noted that Public Works Director Rittenhouse and Engineer Carr did not work for the City when this project started. Regarding the concept of using a 42-inch pipe, Mr. Waldron clarified that the smaller pipes help the flow downstream. Using larger pipes, increases flow downstream. Mr. Waldron further explained that removing the sluice could be done but it will cause other issues. When given the choice between Route B or the lagoons, Mr. Waldron shared his concern that replacing the trunkline in its current location could cause maintenance issues where it crosses Farm Creek as well as create issues where portions will require bypassing the line while working on it. Installing a new sewer allows you to keep the old line in use during installation. Public Works Director Rittenhouse explained that we are only permitted to take a certain amount through the STP2 and the rest is taken to the excess flow lagoon. Alderperson Butler shared that the minimum expenses are already over \$6 million and they would be constructing 26% of Route B only to band aid the problem. He noted that the summary doesn't include tree removal and the abandonment of 26% of the old line. He also noted that the current Route B will need to be relined which creates a \$13.7 differential to reconstruct over 70% of Route B. He expressed concern about additional costs and odor controls near homes. He feels the odor issues will cause nearby areas to be unusable. He noted that we don't own the land for Site D, which would be about a 40-acre plat. Mr. Waldron clarified that the \$10 million price does not include decommissioning the old line. He shared that municipalities could choose to keep the old line for emergency use. He further explained that the estimate doesn't include lawyer and easement fees. Alderperson Brownfield agreed with Alderperson Butler and feels that Council asked for this study, which proved that the lagoon is not feasible. He noted other ways have been reviewed as well and it comes back to Route B. Engineer Carr clarified that staff would like direction regarding moving forward with the lagoon study. Alderperson McIntyre agreed with Alderperson Brownfield. Alderperson Martin is not ready to make a decision tonight but feels the lagoon option doesn't look feasible. Alderperson Butler noted the difficulty finding items that can help eliminate \$15 million from the lagoon costs. He noted the risk of issues with EPA, losing the low interest loan from the EPA, and the hundreds of thousands of dollars spent trying to find something wrong by Strand. Alderperson Stevens thinks we need to televise the current line because it was recommended early on. She noted two groups of people who don't want it on their land and possible legal issues. Mr. Waldron explained that replacement was recommended early on. Engineer Carr noted that all options will require eminent domain. He noted that we were at the top of the list for funding but have gotten out of line and need to restart. He further explained that either location would require tree removal and noted concerns for the Indiana Bat. Alderperson Butler feels it would be difficult to acquire property that has not been recommended by the engineer. He also shared that the landowners stated that once all options were considered, if Route B was recommended, they would accept it. Alderperson Adams does not favor moving toward constructing lagoons.

- D. *Farm Creek Trunkline Sewer Replacement Engineering Discussion* – Engineer Carr shared that the City no longer has a contract with Strand who is no longer getting paid to answer questions and the City doesn't have a land acquisition engineer. Staff recommended moving forward with Route B and contracting with Strand but seeks direction from Council. Engineer Carr clarified that Strand cannot fill both engineering roles. Alderperson McIntyre expressed that he understands the need, but wonders will the cost be offset by users. Engineer Carr explained that as we prepare the loan, we must show that we can afford the bond which will require a rate study for the sanitary sewer. Alderperson Blundy expressed

concern about budgeting. He and Engineer Carr discussed that it would include OPP cost and possibly construction engineering. Engineer Carr suggested requesting the higher loan and hoping we will only need a portion of it. He reminded Council that it is not good practice to support the Enterprise Fund with the General Fund. Finance Director Baxter clarified that it would be funded by users, and it is not appropriate to put funds from outside the sewer fund into it. She further clarified that the funds need to be kept separate, and it is good financial policy for the sewer systems to pay for the sewer fund. Engineer Carr shared that a rate study is part of the application process. Alderperson Blundy feels that Hamilton didn't do what we had asked for and it was canceled by the former administrator, but Alderperson Butler disagreed, noting that Hamilton came when we paid for their services. Alderperson Butler shared that Mr. Hamilton agreed with Route B after exploring other bypass sewers. Engineer Carr further added that they found that Hamilton's two bypass sewers would create more downstream issues. Alderperson Stevens feels this is needed because the storm system cannot handle it. Engineer Carr agreed. He noted that further investigating I&I issues focuses on leak detection from the water system, not providing a review of the sanitary sewer. The IEPA interest rate was discussed, and Engineer Carr shared that a ding by IEPA would mean we cannot get the low interest rate. A straw poll revealed the following: Alderperson Smith is undecided, Alderpersons Stevens, Adams and Martin want time to think, Alderperson Brownfield is ready to move forward, Alderperson Butler shared a timeline of discussions and would like to move forward, Alderperson Blundy is not ready to make decision. Alderperson McIntyre still has concerns but feels Route B is the best choice. Alderperson Butler doesn't want Mr. Waldron to leave tonight thinking they are parting ways. Alderperson Brownfield wants to move forward with Route B and noted they've have spent about \$800,000 doing the extra studies. Alderperson McIntyre expressed concern for losing an engineer before the issues are fixed. Alderperson Stevens did not hear anyone say they want to sever the relationship with Strand and is concerned about making decisions at a Committee of the Whole Meeting. Engineer Carr shared that staff leaves meetings without direction from Council and the purpose of the meeting is to discuss items with peers to come to a consensus. Engineer Carr explained that if extra time is needed, they can choose to take it. Alderperson McIntyre feels it is time to provide direction to staff even though this is a tough topic. Alderperson McIntyre noted the Robinson Report had a lot of missing items, but we know the trunkline has issues and we need to give staff direction. Mayor Manier asked if anyone is against keeping Strand. Council did not provide a response. Engineer Carr will prepare a first reading ordinance for consideration. Mr. Waldron recommends the replacement of the route, noting that there is no reason to televise the existing sewer. Engineer Carr explained contract approval with Strand is needed in order to move forward with Strand. He further noted that the scope estimates change based on Council direction and direction is needed to do a contract. Alderperson Blundy asked if this Council does not approve Route B, will Council have to pick another route. Alderperson Butler noted that no one on Council has the expertise to design a trunk sewer. Engineer Carr will bring a Strand contract approval discussion item to the next Council meeting. He noted that he will need direction from Council to develop a scope for Strand.

4. OTHER BUSINESS: Alderperson Blundy asked if there are any updates on the fire department. Mayor Manier shared that Chief McCoy will meet with them next week.
5. ADJOURNMENT: At 8:43 p.m. Alderperson McIntyre moved to adjourn; Alderperson Brownfield seconded. Motion carried unanimously by voice vote.

Valeri L. Brod, City Clerk