

CITY OF WASHINGTON, ILLINOIS

City Council Meeting

Monday, June 21, 2021 at 6:30 p.m.

Five Points, Washington Banquet Room

Call to Order	Mayor Manier called the regular meeting of Monday, June 21, 2021 to order at 6:30 p.m. in a banquet room 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 Clerk Valeri Brod, and Press
Present Remotely	none
Pledge of Allegiance	All present stood for the Pledge of Allegiance lead by Girl Scout Rebecca Hattan.
Agenda Review	The agenda was reviewed and stood as presented.
Approve Consent Agenda	Mayor Manier presented the Consent Agenda for approval of the following items: a) Approval of minutes of June 7, 2021 City Council Meeting b) Approval of Financial Reports for period ending April 30, 2021 (Unaudited) c) Bills and Payroll d) Approval of Voice over IP (VoIP) Proposals e) Write-off of Uncollectible Accounts f) Property and Liability Insurance Renewal g) Dental Insurance Renewal h) Water Tower #1 Painting - Final Payment i) GPEDC Funding j) Message Board Purchase Consideration k) Concrete Improvements - Excess Flow Spillway WWTF #2 l) Wastewater Treatment Clarifier Catwalk m) Wide Area Mower Purchase Consideration Alderperson Cobb moved and Alderperson Adams seconded. 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>
Announcements and Proclamations	Mayor Manier congratulated the WCHS Boys Baseball team for a 4 th place State finish.

Audience Comments Troy Pudik came forward along with his brothers and neighbor Sam Miller to address the Phase 2B Trunkline Project. Mr. Pudik stated that they have known about the project for about 16 months and they have addressed many concerns with the City and have spent money educating themselves about this project. Mr. Pudik stated that there are alternatives that exist and need to be considered. Mr. Pudik stated that the City has not considered any alternative options. He went on to state that the City is spending millions of dollars and should create 2-3 options, analyze and re-engineer the problems with them before picking the best option. Mr. Pudik stated that the three land owners have given their concerns to the Mayor and Aldermen on March 26th in a letter. (This letter was provided to the clerk and is attached and made part of these minutes, however it was not shared aloud.) Mr. Pudik stated that the City is going to saddle the citizen with higher taxes for this project and shared that they need multiple alternatives. Mr. Pudik stated that once all options have been considered, if it is still the best option, then they would accept it. Mr. Pudik referenced verbal conversation between the mayor and three land owners. Mr. Pudik asked to present ideas to the Council at a later meeting.

Sam Miller came forward to share that he owns the property adjacent to the Pudik's. Mr. Miller encouraged all of Council to come out to the property to get a visual on the property.

Standing Committee- Chairman Daniel Cobb, Finance & Personnel Committee, explained that their Finance & Personnel committee approved the Write-off of Uncollectible Accounts and introduced City Committee Engineer Dennis Carr to provide details about the Eagle Avenue/BUS 24 Traffic Light Funding Options. Mr. Carr stated that this was discussed at the Committee of the Whole meeting and Council had asked staff to bring funding solutions. Staff evaluated options for the \$350,000 project. Staff noted an expired TIF#1 with \$100,000 in the general fund that is not being utilized and a budgeted paver for \$200,000 that wasn't used from which they could use \$150,000. Mr. Carr also noted that the Hilldale project came \$500,000 under budget and \$350,000 could be used from that. Mr. Carr went on to share that the new Home Rule municipal sales tax, containing internet sales, is above anticipated expectations.

Aldersperson Adams moved and Aldersperson Cobb seconded.

Aldersperson Stevens asked for clarification about the signal being reused at a later date. Mr. Carr explained that the city can relocate the equipment and use it again with a small cost for additional wire needed for a new location. Aldersperson Stevens asked about the cost of the road extension. Mr. Carr shared that South Eagle is being funded by the developer. Aldersperson Yoder asked if the meaning of "moving forward" gives the approval to spend the \$300,000 or does it mean finding the cost or doing the project. Mr. Carr responded to move forward with the project means we can sign the construction permit with IDOT which will allow them to reach out for multiple bids on the project. Aldersperson Yoder asked if this means the project could be overbudget. Mr. Carr shared that it could be above or below the budget, and noted that if it were over budget, staff could bring forward more funding options.

On roll call on the motion to approve was:

Ayes: 6 Adams, Blundy, Brownfield, Cobb, Dingleline, Yoder

Nays: 2 Butler, Stevens

Motion declared carried.

Chairman Cobb introduced Finance Director Baxter to provide details concerning the Audit Extension Update. Ms. Baxter shared that this is a request by staff to consider an extension for 6-8 weeks due to circumstances that made the preparations for the audit difficult, including new accounting software implementation and the retirement of multiple employees that caused the shifting of positions. Ms. Baxter also noted her additional workload due to the retirement of the City Administrator as well as the single audit that will be required due to receiving CURE Grant funds.

Aldersperson Brownfield moved and Aldersperson Stevens seconded.

Aldersperson Stevens asked about the progress of hiring a search firm for the City Administrator's position. Mayor Manier redirected the conversation back to the motion.

On roll call on the motion to approve was:

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

Nays: 0

Motion declared carried.

Standing Committee-
Public Safety
Committee

Chairman Brian Butler, Public Safety Committee, shared that Chief McCoy sent a memo to Council and introduced Chief McCoy to provide any additional updates. Chief McCoy shared details about three traffic studies:

Study #1 occurred May 21-28 in the 100 Block of East Monroe.

Noted 3,680 vehicles in the 25mph zone. 400 were speeding.

85th percentile was 24mph, median speed was 20mph and maximum speed 38mph.

Study #2 occurred May 28th -June 3rd near Elgin and Grandyle.

Noted that of 1,639 vehicles in the 25mph zone. 146 were speeding.

85th percentile was 24mph, median speed was 19mph and maximum speed 33mph.

Study #3 occurred June 11th -June 18th near 200 Block of North Lawndale.

Noted that of 16,709 vehicles in the 25mph zone. 3,163 were speeding.

85th percentile was 26mph, median speed was 21mph and maximum speed 41mph.

Standing Committee-
Public Works
Committee

Chairman Mike Brownfield, Public Works Committee, introduced Mr. Carr to provide details about the Cold Planer Purchase Consideration. Mr. Carr shared that a cold planer is also known as a milling head and does milling overlay. He stated that this is a planned budgeted item and this would eliminate the rentals that occur twice a year and allow the city to respond more quickly to a water main repair. Mr. Carr shared that three quotes were received with the lowest bid of \$30,198.

Aldersperson Dingledine moved and Aldersperson Cobb seconded.

Aldersperson Brownfield clarified that the city rents the equipment for about \$3,000 per year. Aldersperson Stevens asked if the township has one we could borrow through an Intergovernmental Agreement. Mr. Carr stated that he does not believe so. Aldersperson Butler requested better financial presentations for a piece of equipment in the future that would include a history of expenditures as well as maintenance costs.

On roll call on the motion to approve was:

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

Nays: 0

Motion declared carried.

Chairman Brownfield introduced staff to provide updates. Mr. Oliphant shared that a second TIF extension is likely to be approved. Then, we can look at getting bids for redevelopment. Mr. Rittenhouse shared that the Water Quality Study is going well with chlorine testing and raw water testing. They are also working on water leaks on Peoria Street. Mr. Carr shared that the sanitary lines are finished on Hilldale and they continue to install the water main. Lawndale has the topsoil placed and they are working on a retaining wall. The Bellaire curb is done and awaiting backfill. He also shared that yearly spray patching is completed and they concentrated on Shelbark to get it through the winter due to the extra attention it will need next year. They also worked on Court Street which backed up traffic and they completed Bobolink except for the sod. Mr. Carr also shared that bridge inspections have finished and he is still waiting for online training to open back up. Next, they will be rebidding the Centennial Project before September and the North Street culvert will be out by the end of the month.

Mayor

None

Adopt Resolution:
*Intergovernmental
Agreement with IDOT
- Traffic Signal
Maintenance*

Mayor Manier provided the following resolution, by title and brief synopsis: A resolution approving an intergovernmental agreement for the maintenance of traffic control devices with the Illinois Department of Transportation.

Aldersperson Dingledine moved and Aldersperson Butler 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.

2nd Reading
Ordinance:
*Granting a Special
Use to Allow a
Winery to Operate at
1774 E. Cruger Road*

Mayor Manier provided the first reading of the following ordinance, by title and brief synopsis: an ordinance amending two of the conditions as part of the operation of a winery at 1774 E. Cruger Road pertaining to its public hours of operation and its allowance for outdoor amplified sound.

Aldersperson Cobb moved and Aldersperson Adams 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.

2nd Reading Ordinance: <i>Amending the Zoning Ordinance by Rezoning Properties on Catherine Street from I-1 to R-1</i>	Mayor Manier provided the first reading of the following ordinance, by title and brief synopsis: an ordinance rezoning the 704 and 708 Catherine Street from I-1, light industrial, to R-1, single- and two-Family Residential. Alderpersion Cobb moved and Alderpersion Brownfield seconded. 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>
1st Reading – Mobile Vendors	Mayor Manier provided the first reading of the following ordinance, by title and brief synopsis: An ordinance amending the code of ordinances of the City of Washington, Illinois by amending various sections of Chapter 115 entitled “Hawkers, Peddlers, Transient Merchants and Itinerant Vendors.”
Alderpersion’s Comments	Alderman Dingledine stated that the North Lawndale and Bobolink Projects look good and it is good to see them coming to an end. Asked about the contour of the curbing. Mr. Carr shared that the curb was not altered but the sidewalk is new. Alderpersion Adams expressed his concern regarding the citizens comments that were provided earlier in the meeting and wanted to know what the city could do to move forward which might include meeting with the property owners and walking the property. Mayor Manier stated that we have been advised by Legal Council to not communicate directly with the family because the family requested we contact their attorney. Mayor express interest in moving forward as well. Alderpersion Stevens referenced an overview presentation and wondered if we can review it again. Mayor Manier agreed that could be helpful. City Attorney shared that individual aldermen were being asked to engage with the landowners and the Council will have to decide how they want to proceed moving forward. Mayor Manier suggested a presentation occur at next Committee of the Whole meeting the Pudik family asked if they could present also. It was agreed to allow presentations and open conversations.
Executive Session	At 6:58pm a motion was made to go into Executive Session for the for the purpose of discussing collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Alderpersion Cobb moved and Alderpersion Adams seconded. 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>
Adjournment	At 7:53 p.m. Alderpersion Cobb moved and Alderpersion Brownfield seconded to move. <u>Motion carried unanimously by voice vote.</u>


 Valeri Brod, City Clerk

March 26, 2021



Via Email/Certified Mail Return

Receipt Requested

City of Washington
c/o Mayor Gary W. Manier
301 Walnut Street
Washington, IL 61571

Re: Open Letter to the Mayor - Opposition to the City of Washington
(the "City") Phase 2B Trunkline Sewer project (the "Project")

Dear Mayor Gary Manier:

Please accept this letter on behalf of the undersigned three (3) private landowners whose property is directly affected by the referenced Project (collectively, the "Affected Parties"). For numerous reasons, including those specific objections listed below, the Affected Parties stand aligned in opposition to the Project as currently proposed by the City. The Affected Parties are currently not prepared to discuss the proposed easements for the Project or otherwise authorize the City to conduct soil borings for the Project on their respective properties. Once the Affected Parties determine that the City has appropriately addressed the objections listed below, then the Affected Parties will be prepared to evaluate the Project and its impacts to the properties owned by the Affected Parties and, if necessary and appropriate, begin discussions with the City in a good faith effort to move the Project (as then proposed) forward.

The Affected Parties oppose the Project for numerous reasons, including without limitation, the following fundamental reasons:

- Lack of Transparency of the Project. To date, the City has not been willing to communicate with all of the Affected Parties about the Project in an open, transparent or good faith manner. On numerous occasions during the prior twelve-month period, the City has failed to respond timely and comprehensively to FOIA requests made to the City by one or more of the Affected Parties. Efforts by the Affected Parties, all of whom are residents of or have businesses in the City, to simply learn about the Project through FOIA requests or otherwise have seemingly been thwarted by the City. In many instances, this lack of transparency has prevented the Affected Parties from timely raising concerns or comments about the Project with the City, its representatives, elected officials or the permitting agencies with jurisdiction over the Project. We have recently learned that the City has shut down the efforts by the Affected Parties to raise their concerns about the lack of transparency and the Project overall with the City Aldermen, effectively placing a quasi "gag-order" on all City Aldermen prohibiting them from discussing this public Project with the Affected Parties. Accordingly, the Affected Parties are left with no option but to write this open letter to the City Mayor. To be clear, as of the date of this letter, the City still has not provided the Affected Parties with an updated cost estimate for the Project as currently proposed, despite having submitted FOIA requests for this information.
- Lack of Due Diligence with respect to Environmental Impacts. The City has failed to conduct a thorough and comprehensive wetland delineation study for the Farm Creek corridor through which the proposed Project alignment extends. The Project involves significant tree removal along the entire Project alignment proposed by the City and will result in permanent impacts to the forested wetlands within the Farm Creek corridor, including the properties owned by the

Affected Parties. Evaluating the scope of the permanent impacts of the Project to Farm Creek and its wetlands cannot occur without completing a comprehensive wetland delineation study. Based on a review and evaluation by Weaver Consultants Group, the January 29, 2021 Technical Memorandum submitted by the City to the US Army Corps of Engineers ("USACE") incident to the filing by the City of the new Joint Application for the Project is incomplete and insufficient for this purpose. Furthermore, a comprehensive wetland delineation of the entire Farm Creek corridor should have been completed during the pre-engineering evaluation in order to properly identify and delineate environmental resources so that alternative alignments and the associated environmental impacts were vetted based on accurate information.

- Lack of Analysis of Economical and Technically Feasible Alternative Project Alignments. Affected Parties have identified and brought to the City's attention at least two (2) alternative alignments for the Project (commonly referred to as Routes D-1 and E-3). After completing a preliminary assessment and analysis of both of these alternative alignments, the Affected Parties have determined that these two (2) alternative alignments likely qualify as economical and technically feasible alternatives to the proposed Project alignment selected by the City for the Project and need to be fully analyzed and assessed by the City in an open and transparent manner. Both of these alternative alignments avoid all of the significant environmental impacts that the Project, as currently proposed, imposes on the properties owned by the Affected Parties. In addition, both alternative alignments utilize existing City/County ROW and public easements, as well as proposed extensions of City ROW and public easements. The citizens in the City who will be saddled with the cost of this Project deserve, at a minimum, that the City perform a complete, thorough and transparent analysis of these practicable alternative alignments. It is the opinion of the Affected Parties that both of these alternative alignments will provide the City with a more economical and technically feasible alignment for the Project that can be completed at a fraction of the cost of the Project as currently proposed, while at the same time avoiding all environmental impacts of the Project to the properties owned by the Affected Parties.
- Lack of Transparency of the Project Costs and Scope of Indebtedness of the City to IEPA. The City has refused to provide the Affected Parties with an updated cost estimate for the Project, as currently proposed. The City plans to borrow funds from the Illinois Environmental Protection Agency ("IEPA") under the Illinois Water Pollution Control Loan Program in order to fund the Project. This funding proposal will require the City to approve significant indebtedness to be repaid by the citizens of the City well into the future. A complete reconciliation of the estimated Project costs for the Project as currently proposed, compared to the estimated costs for alternative Project alignments identified by the Affected Parties must be prepared and fully evaluated by the City, with full transparency to the citizens of the City.
- Lack of Consistency and Compatibility of Project with Local and Regional Strategic Planning Policies. The property owned by the Affected Parties and that will be significantly impacted by the Project (destruction of high-quality, remnant oak-hickory woodlands and forested areas) is located within a designated Environmental Corridor as defined in "The Big Plan: An Integrated Regional Plan for Transportation, Land Use and the Environment in the Tri-County Region (2010) (the "Tri-County Plan"), and within the Local Legacy Areas mapped out in the 2011 Comprehensive Land Use Plan for Tazewell County (the "Tazewell County Plan"). The Tri-County Plan recommends protection, and in some cases restoration, of property located within the designated Environmental Corridor. The Tazewell County Plan seeks to ensure land uses are

planned to meet the "needs of the current generation without compromising the ability of future generations to meet their needs" while at the same time preserving the environmentally significant areas comprising the Local Legacy Areas. The destruction of up to approximately ten (10) acres of oak-hickory woodlands and forested areas located in these protected environmental corridors, without a full evaluation of the alternative alignments for the Project, is not responsible development, and, moreover, is not consistent nor compatible with the goals and directives outlined in either the Tri-County Plan or the Tazewell County Plan.

The Affected Parties, who stand opposed to the Project for the good reasons outlined above, respectfully request the City to proceed responsibly in a good faith effort to meaningfully address in a transparent manner all of the objections to the Project raised above. The Project not only affects the property rights of the Affected Parties, but it affects the pocketbook of each citizen residing within the City limits who will be called on in the coming years to pay off the City loan for this Project.

Once the Affected Parties determine that the City has properly addressed all of the concerns and objections raised by the Affected Parties, then the Affected Parties will stand ready to evaluate the Project and work in good faith with the City to address any approvals and/or easements for the Project, to the extent applicable to their respective properties.

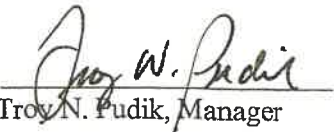
Respectfully submitted by the following Affected Parties:

Meadow Valley LLC

By: 
Gary W. Deiters, Manager


Sam Miller

Goat Springs, LLC

By: 
Troy N. Pudik, Manager

cc: Members of City Council