



City Council Meeting Minutes

Monday, December 19, 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 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 Administrator Jim Snider, City Engineer Dennis Carr, Planning and Development Director Jon Oliphant, Public Works Director Brian Rittenhouse, Finance Director Joanie Baxter, Police Chief Mike McCoy, City Treasurer Abbey Strubhar, City Clerk Valeri Brod, and City Attorney Brittany Miller

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

Citizens Wishing to be Heard: Allison Montgomery stated that she lives near the City and feels it is hard to hear the meetings especially due to background noise. She requested the use of microphones. Ms. Montgomery stated that the 223 property was discussed last week and noted that Wellington and Nofsinger Roads run through it. She also commented about the way the Trails Edge vote occurred. She referenced language from a guide published by IML, regarding Tort Immunity. The language referenced the Tort Immunity Act and that Council should not have to vote in fear of personal liability. She noted that the act protects the government entity and its employees from liability. She again referenced a Trails Edge vote where several Council members abstained, and stated it was due to personal liabilities. Ms. Montgomery stated that they should know how the Mayor would vote because he is being appointed as a decision maker. She stated that Alderperson Blundy asked the City Attorney if he had any protections. She then provided a statement taken from the IML website regarding government attorneys and their standards. She also stated that the meeting minutes were well taken. Ms. Montgomery shared that she filed with the State's Attorney but cannot share what she said because the City placed a gag order on the outcome of a review of how the Trails Edge vote occurred. She asked for the item to be tabled and stated that the way the vote for Trails Edge resulted, the minority was able to rule the majority and that's the point of Robert's Rules of Order. Ms. Montgomery stated that Mr. Snider sent her a document that gives more ideas about ways to vote or have a quorum which has been tested by lots of cities and big organizations. She provided a printout to the Clerk.

Review Agenda for Deletions or Additions: Alderperson Stevens motioned to remove Items C&D from the Ordinance section of the agenda and place it on the next Committee of the Whole meeting for discussion with a parliamentarian; Alderperson Blundy seconded.
Ayes: 3 Blundy, Stevens, Yoder
Nays: 5 Adams, Brownfield, Butler, Dingledine, Schone
Motion failed by roll call vote.

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

- Approve Minutes of the December 5, 2022 Regular City Council Meeting
- Approve 2023 Annual Schedule of Regular Meetings
- Approve Bills and Payroll
- Accept Financial Reports for the Period Ended October 31, 2022
- Approve Hilldale Phase 2 Request #6

Alderperson Stevens motioned to approve the Consent Agenda with amendments to the previously approved November 21, 2022 meeting minutes pertaining to the two requested corrections that did not receive an amendment to the original motion. Mayor Manier clarified that Alderperson Stevens' request is not a part of the minutes. Alderperson Stevens read the corrections that were requested including adding an S to her name and the removal of a sentence. She noted that she had seconded that original motion but the person who made the motion did not amend their motion. Mayor Manier noted that the person who makes the motion would need to amend their motion. Alderperson Stevens stated that the person who made the motion is usually reminded and it didn't happen. She also stated that she knows a previously approved motion can be amended but she doesn't know how to do it. She restated her motion to approve the consent agenda and in section A regarding the minutes, she would like to amend those to add the two items. She stated that this will make the minutes correct. Alderperson Blundy seconded the motion. Alderperson Butler stated that they cannot act on something that is not part of the Consent Agenda noting that this concerns minutes that are not on this consent agenda. He shared that Ms. Stevens name can be corrected without a motion but they cannot take action on an item that is not part of this Consent Agenda. Alderperson Stevens amended her motion; she motioned to accept the Consent Agenda as presented and would like to make a separate motion to amend the previous minutes. She withdrew her previous motion; Alderperson Butler seconded the motion.

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

Alderson Stevens moved to amend the November 21, 2022 minutes that were previously approved to include an S on her name and remove a sentence that she had stated. Attorney Miller shared that the item should come back to the next meeting to comply with OMA as it is not on the agenda. Mayor Manier asked Clerk Brod to clarify the minutes. Clerk Brod clarified that she reviewed the video from the meeting and the minutes are correct, with the exception of the S on Alderson Stevens' name. Mayor Manier expressed his appreciation that Clerk Brod sends out the minutes on Thursday and Fridays for everyone to review. Alderson Stevens acknowledged that she received the minutes on those days and stated that she had requested to add the S and remove the sentence that states that she could not vote for the item even though she doesn't like the word mandated, but that item was later clarified by City Administrator Snider, so she voted for the item and although it was included in the minutes correctly, she feels it is confusing. She further stated that people may be confused that she made the statement that she was not going to vote for it. She stated that the Clerk was correct, but she had changed her mind and did vote yes for it.

Announcements and Proclamations:	Mayor Manier congratulated the St. Pat's Girls Basketball Team for finishing first in State and the Washington Middle School Girls Basketball Team for finishing third in State. He hopes to have the St. Pat's team visit at a future meeting to acknowledge their achievement.
Finance & Personnel Committee:	Finance and Personnel Committee Chairman Butler shared that the only item appeared on the Consent Agenda.
Public Safety Committee:	Public Safety Committee Chairman Adams shared that they are presenting a second reading ordinance this evening and introduced Police Chief Mike McCoy who shared that there was a dryer fire earlier in the day but no one was hurt.
Public Works Committee:	Public Works Committee Chairman Brownfield introduced City Engineer Dennis Carr to present the Nofsinger Realignment Engineering Agreement.
Item VII-3-1 Nofsinger Realignment Engineering Agreement	City Engineer Dennis Carr shared that this was discussed previously at the Committee of the Whole meeting. He shared that this agreement is with Terra Engineering and noted that they provided the two previous phased plans. Mr. Carr noted that all the standards and permits will have to be reevaluated and recertified through IDOT. This agreement is for \$143,225.50 and it is likely to be less than specified.

Alderson Dingleline motioned to accept the agreement; Alderson Adams seconded.

Alderson Blundy noted the previous discussion and stated that he is still struggling with the idea of spending \$6.5 million to put in some stop lights. He stated that he didn't get any information showing an economic benefit to putting in the stop light and he didn't hear of revenue or opportunities that would come from it. He shared that in regard to safety, he asked Mr. Snider to provide him with information about the number of accidents on the road. He noted the other intersections along Boyd Parkway including Spring Creek and Cummings and asked the Clerk to provide a document with that additional data. Alderson Blundy shared accident reports from the last five years. He compared the information with IDOT and noted that in 2022, the average daily traffic counts were: Cummings is 13,900 vehicles, Main is 5,000 vehicles; Nofsinger is 9,000 vehicles; and Spring Creek is 13,900 vehicles. He stated that there is a lot more traffic coming from Peoria, heading towards Eureka and the numbers come down as you get closer to Main Street. Alderson Blundy stated that there are about 5 million cars that go through the Cummings intersection every year and in 2022 there were seven accidents and that is not a huge number. He also noted the redesign of Spring Creek, which has only reported one accident in 2022. Nofsinger reported 13 accidents with 3.2 million cars annually. He is concerned this doesn't justify the \$6.5 million for a stop light and thinks the Spring Creek option is safer.

Mayor Manier shared that Council chose to prioritize this project and staff moved forward with applying for grants which has produced \$4 million in federal funding and a possible \$1-\$3 million from the State which could make this a free road. Mayor Manier shared that the bypass has been there for thirty years and nothing has yet developed, and this might create the opportunity to develop the areas around that intersection and said we have had a lot of people inquire about that area. He stated that five people have died there from accidents and one more died for trying to be a good Samaritan which IDOT doesn't include in their numbers. He stated that if it were his loved one, one death is too many.

Alderson Butler stated that safety is most important, but there is more than safety to consider. He stated that he feels there were mistakes made in the basic design of the road system and that no roads can take you from the far west of town to the east, and only one road takes you north and south. He feels this is an opportunity to make an improvement to the road system. Alderson Butler noted that this is where most of the growth is occurring and if you look at stormwater plans, this is a golden opportunity to use the earth moving equipment on the 223 Property for water retention. He also feels that this is the opportunity to use State and federal funds that should not be passed up.

Alderson Stevens stated that at the November 2019 Goal Setting Session, the Nofsinger project was high on the list. She stated that she doesn't remember this being discussed as a group and any death is tragic, but deaths also happen at traffic lights. Alderson Stevens stated that she has questions about the costs and no one has said anything about Cruger Road and Dallas Road and it was discussed that the traffic counts showed it wasn't viable in 2016. She stated that they are going to reevaluate the traffic counts and it can add a couple more

million if a roundabout is needed for Nofsinger and Cruger. She also expressed her concern about land locking the property owner at the end of Nofsinger. Alderperson Stevens stated that the only development at the Cummings and Boyd intersection is St. Clare Square and stated that she would like to know the total cost of the extra parts that haven't been talked about.

Ayes: 6 Adams, Brownfield, Butler, Dingledine, Schone, Yoder
Nays: 2 Blundy, Stevens
Motion carried by roll call vote.

Alderperson Brownfield introduced Public Works Director Brian Rittenhouse to provide department updates. Mr. Rittenhouse noted the extreme weather event that is coming later in the week, stating that he has seen reports anywhere from four to ten inches of snow. They are discussing putting salt down but noted that when the temperature gets below 15 degrees, it stops working and freezes. He also noted the single digit temperatures predicted for the weekend. They have crews ready to work around the clock and they will be watching drifts with the help from the police department. They will also likely enforce a parking ban. City Engineer Dennis Carr shared that most things are wrapped up for the season and they took care of punch list items from the Hilldale project. He shared that they are working on five-year goal items and should be wrapped up soon. They are reviewing drainage projects to bring forward as well as working on MFT items.

Mayor: Mayor Manier wished everyone a Merry Christmas and Happy New Year. He stated that he plans to talk to Mr. Joos about his property on Nofsinger.

2nd Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance levying the annual 2022 municipal property tax for the City of Washington, County of Tazewell, State of Illinois
Levying the Annual 2022 Municipal Property Tax
Alderperson Dingledine motioned to approve the ordinance; Alderperson Adams seconded.
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingledine, Schone, Stevens, Yoder
Nays: 0
Motion carried by roll call vote.

2ⁿ Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance authorizing the sale, donation or disposal of twenty-eight bicycles, which are surplus property.
Authorizing the Donation of Surplus Property (Unclaimed Bicycles)
Alderperson Adams motioned to approve the ordinance; Alderperson Stevens seconded.
Alderperson Dingledine asked if any of the bicycles were claimed. Chief McCoy shared that none were claimed.
Ayes: 8 Adams, Blundy, Brownfield, Butler, Dingledine, Schone, Stevens, Yoder
Nays: 0
Motion carried by roll call vote.

1st Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance amending the ordinance passage procedure and voting approval standard in Section 31.56 and 31.58 of the municipal code of the City of Washington.
Amending the Ordinance Passage Procedure and Voting Approval Standard in Sections 31.56 and 31.58 of the City Code
Alderperson Adams shared his concern about having one individual who makes the decision when they may have to vote as well. He provided the suggestion that the City Attorney could provide that determination because they do not vote. Attorney Miller said they could do it if the Council wishes, but they don't think it is advisable because they represent the City of Washington and not the individual people on Council. She stated that it could be a simple majority of presiding officers. Alderperson Adams said he doesn't think any of those are ideal, but a vote of the entire Council would be better. He feels that this is a lot to put on one individual and this will carry into the future. He thinks the lesser of all evils would be the vote by a majority of Council. Alderperson Stevens said she feels she needs more discussion because there are more questions, and the goal is that this is fair for everybody and not changed often. She stated that this should be clear on what we are voting for. Alderperson Brownfield stated, in response to Alderperson Adams, that he is okay with someone to preside to do this to a point but we could run into a political issue if two people don't get along. He understands the concerns. Alderperson Butler stated that he appreciated the suggestion about the city attorney making the determination but noted a problem with meeting if an attorney could not be present. He is also shared his concern if someone abstains during a vote, it can go on forever. He noted the duties of a presiding officer including determining if someone was out of order. We noted that the change was made that you don't have to explain why you abstain and this has been talked about since October and he hopes Council can move on.

1st Reading Ordinance: City Administrator Jim Snider provided the following Ordinance: An ordinance amending Sections 6.2 and 6.7 of the Rules of Procedure to establish rules governing the conduct of City Council meetings
Amending the Rules of Procedure in Sections 6.2 and 6.7

Alderperson's Comments: Alderperson Brownfield gave a shout out to Carol Moss, Karin Hill and Clerk Brod for their work on the Wreaths Across America event which laid more than 920 wreaths. He stated that there was a great turn out and invited everyone to participate in the future.

Executive Session: At 7:14 p.m. Mayor Manier introduced the Executive Session for the discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).

Aldersperson Butler motioned to move into executive session; Aldersperson Brownfield seconded.

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

Nays: 0

Motion carried by roll call vote.

Regular Session: At 7:44 p.m. Council entered back into regular session to approve Executive Session Meeting Minutes for: June 6, 2022 (City Council); June 20, 2022 (City Council); July 5, 2022 (City Council); July 18, 2022 (City Council); August 1, 2022 (City Council); September 12, 2022 (Committee of the Whole); November 7, 2022 (City Council); and November 14, 2022 (Committee of the Whole).

Aldersperson Brownfield motioned to approve the minutes; Aldersperson Stevens seconded.

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

Nays: 0

Motion carried by roll call vote.

Regular Session: Adopt Resolution regarding release of City Council and Committee of the Whole Executive Session minutes and authorizing the destruction of verbatim recordings of all Closed meetings occurring more than 18-months from today's date.

Aldersperson Brownfield motioned to approve the resolution; Aldersperson Schone seconded.

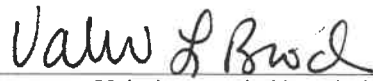
Ayes: 6 Adams, Blundy, Brownfield, Butler, Dingledine, Schone

Nays: 2 Stevens, Yoder

Motion carried by roll call vote.

Adjournment: At 7:47 p.m. Aldersperson Dingledine moved; Aldersperson Schone seconded to adjourn.

Motion carried unanimously by voice vote.



Valeri L. Brod, City Clerk