



City Council Meeting Minutes
Monday, November 6, 2023 at 6:30 p.m.
Washington Fire Department Training Room - 200 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, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
Absent: Alderperson Blundy

Also Present City Engineer Dennis Carr, Public Works Director Brian Rittenhouse, Police Chief Mike McCoy, City Treasurer Abbey Strubhar, City Clerk Valeri Brod, City Attorney Keith Braskisch

City Administrator Jim Snider (Present remotely, listening only)

Pledge of Allegiance Mayor Manier led the Pledge of Allegiance.

Public Comments Roger Holzhauer from Team Works provided comments regarding Item B in Ordinances. He shared that the Planning and Zoning Commission agreed to some restrictions with the rezoning, provided by surrounding property owners. Then at the last council meeting there was a reading and everyone agreed at that meeting that those restrictions don't need to happen. No one talked to them. They are not happy with a statement that they were talked to. They support the gentleman starting the business but are concerned for the property in the future.

Aaron Forinash who resides on Legion Road expressed his opinion on the ground mount solar array ordinance. He feels it is an overreach to require fencing around an array. He noted that only 3.5% of Washington properties would qualify for ground-mount solar and his property is a 5-acre property allowing for a great distance between his neighbors or the road. He thinks the required fence would draw more attention than the array itself. The fence on his property would be too great. He stated that his solar array is proposed to be 86 feet long and would require surrounding items to be a minimum of eight feet away from all sides. His fence would have to be over one hundred feet long, six feet wide and eight feet tall. He feels landscaping would be more aesthetically pleasing. He noted that the fence would cost between \$10,000 and \$17,000. He noted a loophole that would allow him to build a larger building to house the rooftop solar panels, 20 feet closer to their neighbor's property line and the City would not have the right to block it. He feels this would have a further negative impact on neighbors. He asked that Council either remove the fence requirement or take requests on a case-by-case basis.

Review Agenda for Deletions/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 the October 9, 2023 Special City Council Meeting and October 16, 2023 Regular City Council Meeting
- B. Payment Authorization for Hilldale Phase 3 Request #6
- C. Payment Authorization for 2023 MFT UCM Pay Request #3
- D. Acceptance of Police Pension Fund Municipal Compliance Report for FYE 4/30/2023
- E. Approve Write-off of Uncollectible Accounts
- F. Accept Financial Reports for Period Ended September 30, 2023

Aldersperson McIntyre motioned to accept the consent agenda; Aldersperson Stevens seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Announcements/ Presentations/ Recognitions/ Proclamations Washington Area Community Center's Board President, Sherril West was present to introduce Nicole Miller and provide the following details regarding Five Points. Since Five Points opened, they have:

- Item A: WACC Update*
- provided 49,000 swim lessons
 - hosted 75 band concerts and 60 choral concerts
 - hosted 300 wedding receptions
 - established an OSF rehab facility
 - grown by 266%
 - hosted 176 dance competitions
 - hosted the Heartland Orchestra and others
 - held 48,000 fitness classes with over ½ million participants
-

- employed about 100 workers
- spent over \$45 million on expenses in our community

Ms. West explained that staff created the Five Points Cares program where staff puts together various fundraisers. She noted that entertainment fees increased about a year ago, inflation is up, there is a higher than usual employee turnover, folks are staying home more, there is more competition from newer venues. She shared that they knew replacement and repair costs were going to go up and one of the HVAC systems in the aquatic center has started to fail. Ms. West explained that the first HVAC replacement may get installed this year which may cost \$550,000. She also explained that the second system is now going bad because it has been overworked. Ms. West shared that getting parts is a problem which may make it cost about \$600,000. She noted that membership is still lower than at the peak year, but they are slowly climbing, and the therapy resources are a blessing. She noted that pickleball keeps the gym busy and theater rentals still occur, but attendance is less. She went on to share that the high school is using the theater 55-60 days of the year and new board members are bringing new perspectives. She noted that the next 16 years won't be easy but nothing worth having is easy. They also hope to open the space for seniors to socialize. She noted the senior center has been empty so they are getting the word out. They are looking for creative ways that young people can help advertise the benefits, sharing with donors and those who use the facility. She asked everyone in attendance to help spread the word and invited Nicole Miller to share information regarding an upcoming event. Nicole Miller shared that one of their goals is to make Five Points more visible. They are working with the Chamber of Commerce to create the first Washington Fall Community Showcase which is a free event where attendees can learn about the community resources, participate in raffles and learn about Five Points.

Aldersperson Brownfield, who sits on the Board of Five Points, added that they have a great Board of Directors. He shared that Sherril's leadership will end soon and Nicole Miller will step into her place. He noted that there are openings and encouraged people to apply. He complimented the facility and noted that there are 40+ units on top of the building that will need to be replaced in the next 10-15 years. They will also have to update the carpet and curtains in the future.

Aldersperson Brownfield motion to discuss at next week's meeting, the Five Points agreement regarding the sales tax collected for the Five Points bond. He noted that Five Points has paid \$50,000 for 10 years, then \$75,000. He would like to discuss options. Aldersperson Adams seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Proclamation: Small Business Saturday Mayor Manier read a proclamation proclaiming November 25, 2023 as Small Business Saturday in the City of Washington.

Aldersperson Brownfield motioned to approve; Aldersperson McIntyre seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Mayoral Communications Mayor invited Aldersperson Adams to share local school sports successes. Aldersperson Adams shared that the WCHS Girls Cross Country placed fourth in State and the boys placed twelfth in State. The WCHS Football team is advancing and the swim team won Sectionals for the first time in history.

Mayor noted that Aldersperson Adams sister had won the State competition when she attended WCHS. It was also shared that the Tournament of Champions will take place the Tuesday through Saturday of Thanksgiving week. He shared that Metamora, Notre Dame, Morton and WCHS will play and proceeds will go to fight against glioblastoma. They appreciate the community support. Mayor Manier added that the Panthers are going on to quarter finals in football. He also reminded Council that they only have authority at the Council table. He also shared that Administrator Snider shares confidential information.

City Administrator Communications Mayor Manier introduced Public Works Director Brian Rittenhouse to provide detail regarding the Storage/Evidence Building Maintenance Purchase Authorization. Mr. Rittenhouse shared that staff received a quote from Summit Masonry and Stoneworks to perform maintenance on the Public Works Storage/Evidence Building. The maintenance includes tuckpointing, patching broken blocks and miscellaneous repairs to the Public Works side. Staff would need Summit to look at the Evidence side to determine if and when it needs to be repaired. Summit mentioned the brick they could see, looked to be in good shape. Summit is the company performing the repairs caused by the vehicle accident, so staff did not reach out to seek other quotes.

*Public Works
Storage/Evidence
Building Maintenance
Purchase Authorization*

Aldersperson McIntyre motioned to approve; Aldersperson Smith seconded.

Aldersperson Butler asked if this cost is covered by the person driving the vehicle.

Mr. Rittenhouse explained that this is not, but that issue was turned over to the insurance company. He noted that this is additional work.

Finance Director Baxter clarified that this will come out of the building fund and this fund accumulates in order to use for major repairs. Aldersperson Stevens asked is this was part of the spiral booklet that shows a schedule of building projects. Ms. Baxter noted that we have a building fund to do this and this was included in the Capital Improvement Plan book.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Public Works Mayor Manier introduced Public Works Director Brian Rittenhouse to provide detail
Storage/Evidence regarding the Storage/Evidence Building Roof Replacement Purchase Authorization. He
Building Roof shared that Sunrise Roofing was contacted to come look at the roof. Staff requested a quote
Replacement Purchase from Sunrise Roofing to replace the roof on the Public Works Storage/Evidence Building.
Authorization Staff thought it would be more efficient to just reach out to Sunrise, since they were the low bidder on the Water Treatment Plant roof, a similar project, just a couple months ago.

Aldersperson Stevens motioned to approve; Aldersperson Smith seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Resolution: Mayor Manier provided the following resolution for consideration:
R-1395 (21-23) Cedar **Synopsis:** Adoption of this resolution would approve the final plat for section two of Cedar
Lakes Subdivision Lakes Subdivision- a 59.62-acre parcel owned by Joe LaHood of which 19.643 acres would
Section Two Final Plat be subdivided allowing for 11 residential lots.

Title: Approving Cedar Lakes Subdivision Section Two Final Plat

Aldersperson Stevens motioned to approve; Aldersperson Butler seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Resolution: Mayor Manier provided the following resolution for consideration:
R-1396 (22-23) Protea **Synopsis:** Adoption of this resolution would approve the preliminary plat for Protea Place
Place Subdivision Subdivision creating five lots on the north side of the property abutting Business 24
Preliminary Plat intended for future commercial development, a sixth lot earmarked for 56 residential units,
and a seventh lot with no immediate plans for development.

Title: Approving Protea Place Subdivision Preliminary Plat

Aldersperson Adams motioned to approve; Aldersperson McIntyre seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Second Reading Mayor Manier provided the following ordinance for consideration:
Ordinance: **Synopsis:** Adoption of this ordinance will authorize an intergovernmental agreement
3513 (32-23) Animal between the City of Washington and the County of Tazewell for animal and rabies control
and Rabies Control services.

Contract **Title:** Approving Second Reading Ordinance: Animal and Rabies Control Contract

Aldersperson Brownfield motioned to approve; Aldersperson McIntyre seconded.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Second Reading Mayor Manier provided the following ordinance for consideration:
Ordinance: **Synopsis:** Adoption of this ordinance would rezone 2140 Washington Road from the C-2
3514 (33-23) Request District, General Retail, to the C-3 District, Service Retail
by Spitzer Properties, **Title:** Approving 3514 (33-23) Second Reading Ordinance: Request by Spitzer Properties,
LLC, to Rezone 2140 LLC, to Rezone 2140 Washington Road from C-2 to C-3
Washington Rd., from Aldersperson Stevens motioned to approve as presented; Aldersperson Smith seconded.
C-2 to C-3

Aldersperson Brownfield stated that he is all for small business but at the PZC meeting, there was positive feedback for these stipulations. He noted that he is the only council person who has served on the PZC and it makes it difficult to not favor this. Aldersperson Butler felt revising the first reading ordinance on the fly was hasty. He noted that it was not unanimous and the reason was that it was not consistent with the neighbors who are zoned C-3. He reminded Council that C-3 is less restrictive than C-2 and this property is on the main east/west thoroughfare. He thinks the PZC came up with a good compromise to work with the neighbors. He stated that the alternative would be to stay zoned C-2. He thinks this is a good approach to be guided by the PZC and he is not in favor.

Aldersperson McIntyre said he was previously concerned with these restrictions that were never applied at this level. He thinks the subcommittee brought forward a recommendation that was limited because of what is going to be put on the property. He explained that Mr. Spitzer did not have to share what he wanted to put on the property.

Aldersperson Adams noted that he was not at PCZ but appreciates Mr. Holzhauer for shedding light on the recommendation because the information about the compromise helps him make his decision and based on that, it would be hard to go against the committee.

Aldersperson Stevens said she was at the PZC meeting and the neighbors expressed concern for the smell of the dumpsters, but those concerns were addressed. She noted that the dumpsters are not for food. She also appreciates Mr. Holzhauer, but he stated his concern for the future of the property, but the same can be said for the owners of the surrounding C-3 properties. She stated that Mr. Spitzer was forthcoming as to what he would put on the property.

Aldersperson Martin asked Mr. Oliphant if dumpsters can be put in front of the building. Jon said he needs to look at site plan, but there are less setbacks on a C-3 and the items could go

up to the property line because of no setback requirements. Alderperson Martin noted that any other of these properties could put dumpsters on their property.

4 Ayes: Martin, McIntyre, Smith, Stevens

3 Nays: Adams, Brownfield, Butler

Motion carried by roll call vote.

First Reading Mayor Manier provided the following ordinance for consideration:
Ordinance: Synopsis: Adoption of this ordinance would amend the solar energy code to allow for
Ground-Mount Solar ground mount solar energy systems on real properties that have residential and non-
Array Zoning Code residential uses.
Text Amendment Title: First Reading Ordinance: Ground-Mount Solar Array Zoning Code Text Amendment

Alderperson Butler stated, with respect to Mr. Forinash comments, Council was told there were no other counties that had these setbacks. He agrees with the 2-acre property size and noted that it would be about 600 lineal feet of fencing. He noted the cost of solar and the time needed to achieve payback is 8-10 years. He further shared that without governmental incentives, we wouldn't see the requests at all. He noted that if Mr. Forinash needed a fence, he would have at least 1,000 lineal feet of privacy fence. He feels we are being overly cautious. He thinks the PZC helped by coming up with an 8-foot fence option, but noted that it would

have to be set back 30 feet. Alderperson Butler also noted that two rows of panels would require the distance between the rows to be twice as high as the structure in order to not block the arrays, requiring an even greater setback. He feels the attention would go to the fence and not the array. He shared that he reviewed Eureka's code and they don't require fencing but only a reasonable effort to block the view. He feels this proposal will discourage property owners from investing in solar. He stated that we need a good faith effort for screening but shouldn't be more restrictive.

Mr. Oliphant agreed but noted that this was written with consideration to the proposed Pine Tree Drive installation. He noted that if you have a two-story house, you would not be able to block the view.

Alderperson Stevens stated that she attended the PZC meeting and expressed concern for those in neighborhoods who don't allow fences.

Alderperson McIntyre expressed appreciation for Mr. Oliphant's work but agrees with making this less burdensome. He noted previous discussions regarding lot sizes addressed safety issues.

Alderperson Smith expressed appreciation for Aaron's attendance and agreed with Alderperson Butler, sharing that she couldn't see that kind of fence on a 5-8-acre lot.

Alderperson Stevens expressed concern for glare and Mr. Oliphant shared that technology has improved and you will have some glare regardless. He also shared that they haven't received a complaint about glare in the last 2-3 years. He noted there is standard language in the Code regarding glare.

Alderperson Stevens asked if the City can tell someone to move an array due to its placement near another residence if glare is a concern. Mr. Oliphant shared that it is difficult to quantify how much glare is too much glare.

Mr. Oliphant stated that if there is consensus we can remove the fence language and bring it back to the Committee of the Whole meeting. He also clarified that he would feel more comfortable having requirements in the code instead of staff trying to enforce them on a case-by-case basis.

Alderperson Martin noted that if someone puts an array too close to the property line, a neighbor could put up trees.

Mr. Oliphant shared that there is a loophole regarding roof-mounts on a structure but not all structures could handle the weight and you could place it five feet away from a property line.

Alderperson Stevens asked if there are any communities where the neighbors approve of the setback. Mr. Oliphant shared that Peoria Heights has a setback, but if someone wants something else, all the neighbors have to approve.

Alderperson's Comment Alderperson McIntyre thanked Finance Director Baxter with email issues and IT360 help.

Executive Session: At 7:28 p.m., Alderperson Brownfield motioned to move into executive session; Alderperson Martin seconded.
For the purpose of: 5 ILCS 120/2(c) (2) 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.

7 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Adjournment At 8:12 p.m. Alderperson McIntyre moved to adjourn; Alderperson Brownfield seconded. Motion carried unanimously by voice vote.



Valeri L. Brod, City Clerk