



City Council Meeting Minutes

Monday, May 20, 2024 at 6:30 p.m.

Washington Fire Department Training Room - 200 N. Wilmor Road, Washington, Illinois

Call to Order Mayor Gary W. Manier called the regular meeting to order at 6:30 p.m., with a quorum present.

Roll Call *Present:* Alderpersons Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
Absent: Alderperson Adams

Also Present City Administrator Snider, Finance Director Joanie Baxter, City Engineer Dennis Carr, Planning and Development Director Jon Oliphant, Public Works Director Brian Rittenhouse, Police Chief Mike McCoy, Deputy Police Chief Jeff Stevens, City Clerk Valeri Brod, City Attorney Derek Schryer and Press

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

Audience Comments Washington resident Kim Wade shared that she knew that Jackson Street was not up for a vote, her neighbors had just heard of it, she thinks the neighbors should have been told, and she is not in favor of connecting the roads.
Washington resident Ester Endress shared that the berm is near her property and referred to the timing of the projects. She referenced the daily use of the bridge and feels the railing can be replaced. She noted the removal of a tree and feels more communication is needed.

Agenda Nothing added or deleted at this time.

Deletions/Additions

- Consent Agenda** Mayor Manier presented the Consent Agenda for approval of the following items:
- A. Approve Minutes of the May 6, 2024 Regular City Council Meeting Minutes
 - B. Acceptance of Police Pension Fund Annual Report for the Fiscal Year Ending April 30, 2024 (Unaudited) per 40 ILCS 5/3-141
 - C. Approve Bills and Payroll
 - D. Purchase Authorization for Jackson Street Culvert
 - E. Dental Insurance Renewal - Guardian
 - F. Approve Additional Purchase Authorization - Concrete Assistance

Alderperson Brownfield motioned to accept the Consent Agenda; Alderperson Smith seconded. Alderperson McIntyre asked about culvert projects and City Engineer Carr explained that one is near Lincoln Grade School and the other is on Jackson Street. Alderperson Blundy asked if the money from Item F has already been spent without Council's approval. City Engineer Carr explained that work on High, Elm and Melvin Streets took more to get tied in. City Administrator Snider explained that this is part of the overall capital projects and the money was approved overall. Alderperson Blundy noted it is more than what Council approved and referred to the approval process. Alderperson Martin feels projects should be fixed correctly and not left undone. Finance Director Baxter shared that the work was done in FY23/24. City Administrator Snider asked if questions could be provided to staff ahead of time so they can be prepared with answers at meetings. City Engineer Carr clarified that with property assistance items, funding is pulled from different groups. He believes they were nearing the end of the fiscal year and had planned to use remaining funds on High, Melvin and Elm but then had to remove a tree on High Street, which included sidewalk and curb replacements. This pulled from the same funds. This was unforeseen at the end of the fiscal year and it drew from the

same purchase order. Alderperson Stevens asked if unexpected projects could use the miscellaneous expenses fund. City Engineer Carr explained that if they used concrete assistance funding, they could piece it out through several accounts. Alderperson Stevens asked to be provided fund numbers on memos. Alderperson Brownfield noted that staff sometimes has to “think on the run” and they can’t wait for Council meetings to finish a job.

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

0 Nays:

Motion carried by roll call vote.

Mayoral Communications/ Proclamation Police Chief McCoy and Deputy Police Chief Stevens presented the following awards to members of the Washington Police Department.

Sergeant Jacob Cernek, Officer Ron Moore, Officer Ashley Peto and Officer Henry Perrilles, – received a Meritorious Service Award for combined actions on August 25, 2023. They responded to a citizen who barricaded himself in a house. Out of fear of harming himself, they tirelessly communicated with the resident to get cooperation and displayed poise and determination for two and a half hours to resolve the situation safely.

Officer Daniel Foster – recognized with a Letter of Commendation for actions that took place on December 17, 2023, when police officers responded to a call for service of a resident suffering a mental health crisis. The officers decided to terminate contact with the subject but believed the subject was still in need of psychological assistance. In the days following, Officer Foster conducted hours of phone conversation with the subject, witnesses and mental health professionals working to get the subject the help they needed.

Officer Derek Thomas – received a Letter of Commendation for traffic enforcement in 2023, protecting all Washington citizens. He has gone above his duty resulting in 468 traffic stops. He proactively contributes to the wellbeing of the Community and is an inspiration to his peers.

Officer Michael Brown – received a Life Saving Award after he was dispatched to a rescue call of a victim who was not breathing and unresponsive. Officer Brown and the Washington Fire Department arrived on the scene at the same time. In seamless collaboration with Medic Dan Grothe, Officer Brown continued with chest compressions while Grothe applied the AED that delivered a crucial shock that revived the victim. Their efforts saved the victim's life.

Officer Randy Schweigert – received a nomination for Part Time Officer of the Year. Throughout the year, Officer Schweigert reliably works both scheduled and last-minute needs. He shares his extensive experience with officers, providing reliable information and advice. He is willing to work any assignment. He is a certified crisis negotiator and a member of the CIERT Negotiations Team. He is continually providing a positive, constructive perspective on police work, and promoting the professionalism of WPD to those inside and outside the agency. This award was voted on by his peers.

Officer Ron Moore – received a nomination for Officer of the Year. Officer Moore started his career at the Washington Police Department in 2017 as a dispatcher before being selected/ assigned as a patrol officer in April 2018. He became a K-9 handler, then a Field Training Officer. He thoroughly completes investigations beyond the expectations. This award is voted on by his peers.

Mayor Manier thanked and congratulated everyone.

Mayoral Appointment Mayor Manier read a proclamation recognizing Washington residents and WWII Centenarian Veterans, Aurthur Reynolds and Max Tessier. He noted the recent passing of a third veteran. Mayor Manier read the proclamations jointly.

Alderperson McIntyre motioned to accept the proclamations; Alderperson Stevens seconded.

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

0 Nays:

Motion carried by roll call vote.

Mayor Manier shared that the Memorial Day parade steps off at 10:00am at Main and Jefferson Streets and heads to the cemetery. He shared that he is the organizer and will meet with staff and other departments tomorrow.

City Administrator Communications Council Report City Administer Snider shared that he received an email that was addressed to all Council members that used the Blind Carbon Copy (BCC) feature. He asked Attorney Schryer to provide clarification regarding the Open Meetings Act. Attorney Schryer explained that questions referred to an IML presentation. He stated that the IML is a great resource but they

are not responsible for the OMA. Attorney Schryer reviewed the slide. He read aloud Section 1.02 of OMA, stating:

“For the purposes of this Act: ‘Meeting’ means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business...”

He noted the reference regarding electronic text is from 2007 and does not provide much guidance. He further explained that OMA relates to the members of the public body, not staff. Then he shared that the slide reads:

“If sending an email or text message to more than two officials, you may be in violation of the OMA. OMA specifically applies to electronic communications such as emails and text messages.

**A best practice note to include on electronic communications: this message has been sent to all members of the public body via blind carbon copy in an effort to eliminate the risk of hitting “reply all” and violating the Open Meeting Act.”*

Attorney Schryer believes that the email in question was directed to staff of public body not to the public body, and members of the public body should not be communicating with a majority of a quorum concerning public business in any way. He further explained that members of the public body should not use BCC to avoid that note. He feels staff should use the BBC function so not to provide an accidental “reply all” when communicating with the public body.

City Administrator Snider explained that it was a confusing situation and noted his concerns with hitting BCC. He feels it would make the public wonder what is being hidden. Alderperson Blundy shared that other public bodies have told him it is fine. Attorney Schryer said he cannot speak to the advice provided to other public bodies by their lawyers, but his advice to our Council is to not use BCC to avoid OMA. City Administrator Snider expressed further caution. Alderperson Butler feels that presentations have a narrative that goes along with it. He feels Attorney Schryer is very clear regarding communicating with a majority of a quorum, so using BCC would not make sense if trying to avoid a meeting. He suggested stating not to reply all in communications. Alderperson Stevens understands the recommendations provided and feels that it is our city’s opinion, but a BCC is a way of sharing with everyone. City Administrator Snider expressed concern with what could be perceived when using BCC. Attorney Schryer reminded that the limitation concerns the discussing of public business.

City Administrator Snider shared that parts of Cruger and Nofsinger will close and this will be communicated on the website and social media. City Engineer Carr shared this will begin tying into Dallas Road and about 155 feet of the recreation trail will be removed and replaced later this fall. City Engineer Carr clarified that the traffic lane will shift to the center lane and only the westbound lane is affected.

City Administrator Snider explained that electric aggregation information was released and they will meet with them to get more information. He feels communication to the public is excellent. Energy Star sent out letters to residents allowing them to opt-out and go with Ameren if they choose. He noted that this was approved by voters about 10 years ago and has saved citizens a lot of money. He noted the ease of opting out. Finance Director Baxter asked that people be directed to call City Hall with questions. Alderperson Butler said Energy Harbor has a semi-fixed rate but Ameren’s may change around May 31st. City Administrator Snider explained that residents get to make the decision and this has been challenging lately because of the price increase. He explained that the State created this system state-wide and our residents voted on this as a referendum. Finance Director Baxter clarified that Council originally voted to put it on the ballot and they vote when the bids come up, which occurred last year.

*Pearl Technology
Contract for Equipment
for Streaming Council
Meetings*

City Administrator Snider presented the contract for Council meeting streaming.

Alderperson McIntyre motioned; Alderperson Smith seconded.

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

0 Nays:

Motion carried by roll call vote.

BNCO Consulting Agreement for Operation of Equipment for Streaming Council Meetings City Administrator Snider presented the contract for the operation of equipment for Council meeting streaming.
Alderson Brownfield motioned; Alderson Smith seconded.
Alderson Blundy feels \$500 is pricey and hopes that it can be handled in-house after the six months. City Administrator Snider agreed. He would like to have staff run it and wants to make sure it works. Alderson Stevens and City Administrator Snider discussed negotiating with Five Points.
7 Ayes: Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
0 Nays:
Motion carried by roll call vote.

Bid Award - Felkers Drainage Improvement City Engineer Carr explained that this is one of the ten priority projects in the storm water projects list and it is budgeted out of the General Funds. He shared that funds were saved from last year to be used for this. They looked at all the projects together and sent it out to receive bids. He also shared that contractors are too busy and don't want more work. Knapp Concrete provided the lower of two bids at \$419,975.00 which is above what was budgeted but another item was added under Stormwater Management that provides enough for this project.
Alderson Brownfield motioned; Alderson McIntyre seconded.
Alderson Butler asked for clarification regarding a yard inlet. City Engineer Carr shared that majority of the yards now have ditch sections that bring the water to an area that has inlets that are too small, causing water to flow in a yard and near a house. Each home will now have a steel beehive-looking grate that will help direct water to the creek. The three yards closest to the intersection will have a concrete square with a 4-6-inch gap that runs the length of square. This will allow for enough intake of water.
7 Ayes: Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
0 Nays:
Motion carried by roll call vote.

R-O-W Acquisition Professional Services - Grant/North Safe Routes to School City Engineer Carr explained that we have to follow IDOT's land acquisition process to obtain a temporary easement. Most people are happy about the project and usually allow the grading. IDOT doesn't like us to go to residents, so we have to bring in their approved appraisers. They used Hansen Professional Services with success. \$90,000 is needed for the appraisals and negotiations. There are 21 parcels involved, which is the most we have had.
Alderson Brownfield motioned; Alderson McIntyre seconded.
7 Ayes: Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
0 Nays:
Motion carried by roll call vote.

Resolution: City Administrator Snider provided the following resolution for review:
R-1409(9-24) Discover Peoria Agreement 24/25 **Synopsis:** Adoption of this resolution would approve an agreement with Discover Peoria regarding tourism development, promotion and recruitment services for a one-year period ending on April 30, 2025, with one optional one-year extension.
Title: Resolution approving the Discover Peoria Agreement 2024-2025
Planning and Development Director Oliphant shared this is similar to FY23/24 and would include a one-year option for 25/26. He noted there is no change in the cost and scope of services form FY 23/24
Alderson Stevens motioned; Alderson Blundy seconded.
Alderson Blundy asked about reducing the fees and if they will do more follow-up. Mr. Oliphant explained that they understood where Council was coming from. City Administrator Snider shared that they had productive meetings with the Chamber and others to help better communicate Washington to the public.
7 Ayes: Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens
0 Nays:
Motion carried by roll call vote.

First Reading Ord: City Administrator Snider provided the following ordinance for review:
School Resource Officer (SRO) Intergovernmental **Synopsis:** Adoption of this ordinance will authorize an intergovernmental agreement between the City of Washington and Washington Community High School #308 to provide for a school resource officer for the school years of 2024-2025, 2025-2026, and 2026-2027.

Agreement with WCHS #308 **Title:** Authorizing School Resource Officer Intergovernmental Agreement between the City of Washington and Washington Community High School #308
Chief McCoy shared that they have been working with the school to get a three-year agreement. The high school will pay the actual officer salary of the SRO.
Alderperson Stevens and Chief McCoy discussed the officer's job description.

First Reading Ord: City Administrator Snider provided the following ordinance for consideration:
Stagnant Pool Water Code Amendment **Synopsis:** Approval of this ordinance would insert language to declare stagnant swimming pool water a nuisance.
Title: Approve Stagnant Pool Water Code Amendment

First Reading Ord: City Administrator Snider provided the following ordinance for consideration:
2018 International Property Maintenance Code Adoption Amendment **Synopsis:** Approval of this ordinance would adopt the 2018 edition of the International Property Maintenance Code. The newly adopted code would go into effect starting 7/15/24.
Title: Approval of 2018 International Property Maintenance Code Adoption Amendment
Mr. Oliphant shared that they are reviewing the 2021 and 2018 versions of the code.
Alderperson Brownfield and Mr. Oliphant clarified that the City has a Building Board of Review but there are issues with reaching a quorum. Alderperson Blundy wondered why we don't adopt the most recent version. Mr. Oliphant shared that the 2018 seemed to fit our situation, noting adoptions by other municipalities that were not needed. He explained that we have a peak number of complaints at this time so we would like it put something in place. Alderperson Stevens suggested revisiting this later and expressed concern for going backwards. Mr. Oliphant noted there could be updates provided. Attorney Schryer agreed.

Alderperson's Comments Alderperson McIntyre thanked the Police and Fire Departments for helping with an issue near his property. He also wondered about the process to send alerts to citizens.

At 7:40 p.m. Alderperson McIntyre motioned to move into executive session for: 5 ILCS 120/2(c) (1) – The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body [or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.]; Alderperson Stevens seconded.

5 Ayes: Blundy, Martin, McIntyre, Smith, Stevens

2 Nays: Brownfield, Butler

Motion carried by roll call vote.

At 8:10 p.m. Council returned to open session.

Alderperson Stevens received a thank you from a citizen regarding the engine breaking signs. Alderperson Blundy provided a document for Council members and asked for discussion regarding the need for Water Tower #3. He feels this document will help new Council members, noting that the document was from Illinois American. He pointed out information on page eight. He feels there is plenty of capacity and would like further discussion. He expressed concern with comments from a Committee of the Whole meeting regarding putting items on the agenda and feels Council needs to be able to add items when residents have concerns. He would like to change the agenda to allow it.

Alderperson Blundy commented about the chip seal in Trails Edge, noting that he still sees chips on driveways. City Engineer Carr clarified that there is no warranty as long as they fall under IDOT's specifications. The recourse may be for Council not to do it again in the future. He shared that they came back to clean up last year but there are limited resources for this type of service.

Alderperson McIntyre noted that the street sweeper cleaned Kingsbury.

Adjournment At 8:21 p.m. Alderperson McIntyre moved to adjourn; Alderperson Brownfield seconded. Motion carried unanimously by voice vote.

Valeri L. Brod, City Clerk
