



City Council Meeting Minutes
Monday, January 6, 2025 at 6:30 p.m.
Five Points Banquet Room - 360 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:* Council Members Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

Also Present Finance Director Joanie Baxter, Planning and Development Director Jon Oliphant, City Engineer Dennis Carr, Public Works Director Brian Rittenhouse, Police Chief Mike McCoy, City Treasurer Carol Crocker, City Clerk Valeri Brod, City Attorney Keith Braskich and Press

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

Audience Comments Washington resident Gary Willoby from Willshire Drive shared that he has lived in Washington all of his life. He expressed concern with members of council posting questionable comments on Facebook. He feels it can be misleading.

Agenda Deletions/Additions Council Member Blundy asked to remove Item B from the Consent Agenda for further discussion following the approval of the Consent Agenda.

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

- A. Approve Minutes of the December 16, 2024 Regular City Council Meeting
- ~~B. Approve TIF Pay Request #7 - Square Restaurant and Brewpub, 140 Washington Square~~
- C. Approve WTP1 Chlorination Upgrade Pay Request #3
- D. Approve Nofsinger Realignment Pay Request #3
- E. Approve Washington Commercial Building and Property Improvement Grant Program Pay Request – Mt. Vernon Plaza, 1217-1255 Peoria Street

Council Member McIntyre motioned to approve the consent agenda (with the exclusion of Item B); Council Member Smith seconded.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Mayoral Communications / Requested Actions Mayor Manier shared that an open house regarding the amphitheater is scheduled for January 22, 2025 from 6:00-7:30 p.m., at Five Points. All parties will be available to answer questions.

Council Member Blundy brought forth discussion regarding Item B on the Consent Agenda regarding the approval of the TIF Pay Request #7 - Square Restaurant and Brewpub, 140 Washington Square. He noted the original date was scheduled for more than one year ago and feels it is a breach of contract. He noted the missed sales tax revenue for the past year as well as the developer not paying the full property tax. He asked for the payment to be deferred until the brewpub is open. Planning and Development Director Oliphant explained that the payments are part of the agreement; however, the agreement does say it was to be completed by 2023. He noted that Council has the ability change the offer but the agreement says the City has to pay up to \$305,000. Council Member Blundy wants to use this a leverage to complete the project. Planning and Zoning Director Oliphant is not sure if there is language to defer payments. Council Member Blundy asked to table the item until we decide if it can be deferred. Mayor Manier explained that the delay was caused by delays in electrical materials, then Hurricane Helene derailed the items. He further shared that another company was waiting for the same part and they found it on eBay. Mayor Manier shared that the developer is waiting for 24/7 heating in order to finish the floors. Council Member Stevens noted a previous amendment that took place in August of 2022 with no other amendments made. She noted that Article 11, refers to the commencement of operations. She further noted that language refers to the date operations cease on the development site the amount payable to the TIF General Account is \$675,000 and 100% of the TIF interest incentive paid to the developer. She noted that tonight's item is only regarding the incentive. She doesn't feel we have followed the contract and questioned if Council should have done another amendment. Council Member McIntyre asked for clarification, noting the original agreement is \$305,000 and this request for \$51,642.14 is a required payment. He wonders if they are being asked to reevaluate the terms of the contract. He feels if we use the original agreement, we should approve this because it was already agreed upon. Council Member Adams noted the contract terms had been discussed when the initial delays happened and everyone knows we are still under the original contract that includes the

amendment. No one has said a word until they asked for payment to move forward. Mayor Manier noted that Council was asked if they would like to rework the contract but there was not a desire by a majority of Council to do so. It was noted that Administrator Snider was not involved in the contract negotiations. Council Member Stevens feels that since there has not been any operations, and this specifically mentions the TIF Interest Incentive, she has an issue with proceeding. Council Member McIntyre agreed with Council Member Stevens but if they are not going to amend the opening date, we are still under the current contract, we know work is still being done and we would still be subject to this payment. Council Member Blundy would like to defer the payment until they open to hold them accountable.

Council Member Blundy motioned to table Consent Agenda Item B until they can figure out if they can defer the brewpub payment; Council Member Stevens seconded.

3 Ayes: Blundy, McIntyre, Stevens

5 Nays: Adams, Brownfield, Butler, Martin, Smith

Motion failed by roll call vote.

Council Member Stevens asked the City Attorney if the City is contractually obligated to pay for the developer's interest costs that were incurred after the development contract's original completion date. The City Attorney shared that he is not prepared to answer the question. Mayor Manier noted that the developer came to our community with a \$9 million project and even though the delays have been frustrating, the brewpub owners are also disappointed that they are not open. Planning and Development Director Oliphant shared that even if the project was completed at the milestone date in 2023, the specific clause regarding the payment of interest contains language relating to a date of December 31, 2025 and the city would still be subject to the payment of that even if the project was completed on time.

Council Member Adams motioned to make a payment of \$51,642.14 for the interest owed to the contractor; Council Member McIntyre seconded.

6 Ayes: Adams, Brownfield, Butler, Martin, McIntyre, Smith

2 Nays: Blundy, Stevens

Motion passed by roll call vote.

City Administrator Communication
Council Report

Planning and Development Director Oliphant opened the floor for questions regarding the Council Report. None was provided.

Purchase Authorization - New City Aerial Orthophoto

City Engineer Carr explained that the arial photography used in every map uses this ortho photo as the background. This is a purchase authorization to have Eagle View view do another flight to update the image. He further explained that Washington has seen a lot of changes in the past two years and this would provide updates. \$15,620 will be split between this current fiscal year and next fiscal year and come out of a combination of the general, water and sewer funds.

Council Member Adams motioned to approve; Council Member Smith seconded.

Engineer Carr explained that the public can view these images using City aerial maps but we do not provide the original due to purchasing agreements. He further explained that the county updates their maps every four or five years and it will be another two years for the county to update theirs. Blundy asked if there is a benefit to stick with the county. He further noted that the there would only be a little price savings if we waited for the county and this will show all the new roads and developments that have occurred in the past two years.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Mayor Manier shared that the open house is open to the public and it is not a City meeting. Council Member Stevens noted that this is not a presentation and residents will be able to walk around. Mayor Manier further explained that all the parties involved will have information at their tables and have an opportunity to share information. There will be tables for the City, architect, foundation, and feasibility study. Council Members must be aware of the Open Meetings Act but they will be able to individually move around the room.

Second Reading Ord: Planning and Development Director Oliphant presented the following ordinance for consideration:

3566 (1-25) Residential Cemeteries Prohibition Zoning Code Text Amendment

Synopsis: Adoption of this ordinance would prohibit cemeteries from being located on properties in residential zoning districts that have principal residential structures.

Title: First Reading Ordinance Approving Residential Cemeteries Prohibition Zoning Code Text Amendment

Council Member Adams motioned to approve the ordinance; Council Member McIntyre seconded.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Council Member Comments

Council Member Stevens addressed previous public comments provided by the Amdalls. She noted that their comments suggested the donor would consider giving \$12 million to Five

Points for putting his wife's name on the building. She asked if anyone from City Council followed up on the suggestion. Mayor Manier shared that it is not up to the City and he feels it is up to the foundation to make that decision.

Council Member Brownfield thanked public works and the police department for their work during the recent snow. He expressed concern that council members try to hold money from projects or allow people to do their jobs. Council tried to hold money from IDOT when working on BUS24. He appreciates that the item was passed for the brewpub because they want it done as well. He noted challenges when working on old buildings and shared that the other owners on the Square support this.

Council Member Smith and Planning and Zoning Director Oliphant discussed the fire escape issues on the Square. Mr. Oliphant shared that Marlene Miller wants something different than the developer they are private parties and the City has not seen any plans.

Council Member McIntyre also expressed appreciation for the police department and public works. He has noticed that social media is difficult and distracting and there are several Facebook sites regarding our town. He wondered about establishing rules or providing educational information to Council regarding social media. He expressed concern with seeing misinformation on "Washington Strong" and "Washington Strong 2.0". He feels there is a negative public perception and noted that some posts are made anonymously.

Mayor Manier noted that the City can't control other Facebook pages and doesn't feel there is a lot we can do.

Council Member Martin would like further discussion and noted that council members cannot comment because three or more members commenting would violate the Open Meetings Act. Mayor Manier shared that IML has a great information regarding these issues.

Executive Session At 7:11 p.m. Council Member Smith motioned to move into 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); Council Member Brownfield seconded.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

At 7:23 p.m. Council returned to open session.

Regular Session Council Member Butler motioned to approve the Executive Session Meeting Minutes for: *Approve Executive Session Minutes* 1/16/24, 2/19/24, 3/18/24, 5/20/24, 8/5/24, 9/16/24, 11/4/24 City Council and 3/11/24, 8/12/24 Committee of the Whole; Council Member Martin seconded.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Resolution Council Member McIntyre motioned to adopt the resolution approving the release of Executive *R-1425 (1-25) Adopt release of Executive Session minutes and authorize the destruction of recordings for meetings* Session minutes and authorizing the destruction of recordings of all Closed meetings occurring more than 18-months from today's date; Council Member Butler seconded.

8 Ayes: Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith, Stevens

0 Nays:

Motion carried by roll call vote.

Adjournment At 7:26 p.m. Council member Smith moved to adjourn; Council member McIntyre seconded. Motion carried unanimously by voice vote.

Valeri L. Brod, City Clerk