

**CITY OF MARENGO
COUNCIL MINUTES
JANUARY 22, 2007**

CALL TO ORDER

At 7:00 p.m., Mayor Lockhart called to order the January 22, 2007, Marengo City Council meeting. He then led the "Pledge of Allegiance".

ROLL CALL

Mayor Lockhart, Alderman Jennings, Alderman Signore, Alderman Spear, Alderman Secor and Alderman Otis were present for roll call. Alderman Trainor, Alderman Shelton and Alderman Genot were absent.

PUBLIC PARTICIPATION

No one addressed the members.

NEW BUSINESS

JANUARY 8, 2007 PUBLIC HEARING MINUTES – WESTERN ANNEXATION

There was a correction to the above mentioned minutes. On page 3, the last paragraph, it has axis to a road and it should be access. Alderman Jennings so moved to approve the January 8, 2007, Public Hearing Minutes with the noted correction; it was seconded by Alderman Otis. The motion passed with an aye voice vote from Alderman: Otis, Jennings, Signore, Spear and Secor.

JANUARY 8, 2007, COUNCIL MINUTES

Alderman Secor made and Alderman Spear seconded a motion to approve the January 8, 2007, Marengo City Council minutes. The motion passed with an aye voice vote from Alderman: Signore, Spear, Secor, Otis and Jennings.

ORDINANCE 07-1-10-AMENDING CHAPTER 24.06 PERMIT/SCHEDULE CONSTRUCTION SCHEDULE

Building Commissioner Shull submitted an agenda supplement regarding the amendment of Chapter 24 of the City Code. He and our attorney met to discuss the proposed changes to come up with some language that was broad enough to have some good enforceability/strength in the ordinance. The proposed ordinance incorporates a lot of the comments from the members.

Commissioner Shull advised Alderman Signore the language in the proposed ordinance covers any permit that has been issued under Chapter 24 of our Building Code and will be retroactive. Our attorney said, "So long as the language of the ordinance testifies that it applies to current permits as well as those that may come in the future. Then if that intent is expressed and your okay with that and that's the purpose of this."

Alderman Signore wanted to know if Commissioner Shull felt he would be in a position to act upon situations similar to what we have going right now with this in place. Commissioner Shull said, "Correct."

Alderman Signore then wanted to know if this would hold up in court. Our attorney felt it would but then it would depend on the judge. Alderman Signore just wanted to make sure we were not being unreasonable. Our attorney felt this was consistent with what the City wanted in terms of enforcement to have guidance/definition so we are very clear that it is not a vague thing we are trying to address as there are specific things included.

Alderman Signore asked our attorney if there was anything he would add to it. He replied, "I don't think so. I think this is sufficient for purposes of the building aspect of it. There are other parts of the ordinance in the code that allow for other issues and there are obviously other components to be worked on as well. This was an effort to make it apply to building things."

Alderman Signore then moved to approve the ordinance amending Chapter 24.06 Permit/Schedule Construction Schedule; seconded by Alderman Otis. The motion passed with an aye voice vote from Alderman: Jennings, Otis, Secor, Spear and Signore.

January 22, 2007

VARIANCE REQUEST FOR A TEMPORARY SIGN-212 LINDOW LAND-NORTHWEST CENTER FOR COMMERCE

Bill Durnil, owner of the new physical therapy center located at 212 Lindow Lane, has formally requested a variance to our sign code. The proposed temporary sign is prohibited and non-compliant with our code in the newly zoned BP District for Northwest Center for Commerce. It is temporary until the Lindows and the owners of those lots can come up with a permanent signage plan that is compliant with the current sign code and/or obtain an approved variance from the members.

Ron Greifenkamp, City Building Inspector and Plan Reviewer, recommended the approval of the request for the installation of this sign in the spring with the stipulation there is a time limit of June 1, 2007 at which time the temporary sign must be removed.

Alderman Otis so moved to allow this temporary sign for Mr. Bill Durnil, for his business located at 212 Lindow Lane until they have the opportunity to create a sign that will incorporate all the businesses within the guidelines of our sign ordinance with the June 1, 2007, time limit for the temporary sign. It was seconded by Alderman Signore. The motion passed with an aye voice vote from Alderman: Otis, Signore, Spear, Jennings and Secor.

PROPOSED ZONING ORDINANCE CHANGES

Administrator Hartman stated the Planning and Zoning Commission has reviewed a series of recommendations from City staff, primarily the Building Department, on the Zoning Ordinance. They made some minor revisions that were incorporated in the draft the members received and recommended the members authorize a public hearing to consider the proposed changes at the February 20, 2007, PZC meeting.

Comments/discussion/questions made regarding this were: If this addressed the zoning situation on Taylor (it did not) as PZC recommended the City pursue that change; this would be property rezoning-these are just zoning text changes; thought it would be nice to coordinate all of these things as CDC is going to be making some recommendations; Building & Zoning Dept will be enforcing these changes; they will be citing recreational vehicles if it's not parked properly; our current ordinance has two different provisions on the same subject-one has it has to be parked behind City sidewalk and the other has it must comply with the accessory structure setbacks; this change would delete parking behind City sidewalk as it will further stipulate it must be behind the building setback line allowing it to be in the side or rear yard; as proposed, this would create an issue if someone chooses to park their boat, etc. in their driveway; there's a temporary provision that a boat, etc. can be parked in a driveway for 72 hours; thought some of these things should have gone to committee; newer subdivisions might have parking restrictions in their covenants; felt this was one step away from not allowing someone to have a vehicle in their driveway that has company lettering on it and didn't want Marengo to become that; members could provide direction to go the least restrictive provision as opposed to the more restrictive or they can take it off altogether to look at it in more detail; recommended it go to committee; would like to hear public comments from the hearing regarding this; had complaints on people parking beyond the driveway and encroaching on the side yard setbacks getting closer and closer to the neighbors; if required to park in front of their garage doors it might not stay out as long as it would be a hassle to move it; felt there were some good proposed changes but some needed more consideration; the U.S. flag has to be the highest flag; will not be able to make everyone happy and whether or not to put all the recommendations on hold or move forward with the ones that are just text changes.

It was decided to have the CDC look at all of the proposed changes at their February, 2007, meeting.

DRAFT MUNICIPAL SERVICE SURVEY PRESENTATION AND DISCUSSION

Mayor Lockhart announced he has requested to have a municipal survey done. City Intern Blakemore has been working on this project.

January 22, 2007

Mr. Blakemore stated this survey was designed to gauge public perception as to the more visible services the City provides. It hits on all the basic services, i.e. Public Works, Street Department, City Hall and the Police Department.

The information collected can be useful to the elected officials for possible policy decisions, to set priorities and allows staff to gauge where improvements could be made. There is a fair share of open ending questions. This way citizens responding to the survey don't have to give a programmed answer. They will be able to voice their opinion a little bit more.

He then asked the members what questions on this survey they felt were appropriate/inappropriate or if they had other additions/corrections-that kind of thing.

Alderman Signore inquired as to what he felt would be a satisfactory response rate. Since this was the first survey we had in sometime, Mr. Blakemore felt a 25-30% return rate is what is to be expected, however, it may be higher with the newer population in Marengo as it will be a good opportunity to get their input.

These surveys will not be available at the Expo. They will be mailed out one per household as they are for Marengo residents only to keep control on it.

Comments/suggestions made were: To include specialty business under item 44-What types of businesses should the City actively recruit; have some questions regarding the downtown area like what they would like it to look like, etc.; felt we would get very different answers from people who have lived here 30 years compared to someone who has lived here 3 years; would like to have asked what they like/dislike about Marengo; felt 30% might be setting the sites a little high and thought maybe we should have a contingency battle plan if we only get 5-10% like maybe putting it up on the website; wants to keep the time to complete the survey under 15 minutes to get a better response back; felt this was a great idea and worth the approximate \$4,000 expenditure and would like to see something in the newspaper letting the residents know they will be receiving the survey.

Administrator Hartman would like the members to talk to their constituents once they are mailed out and ask them if they have replied as we do want to get a good return rate. He stated the members would be kept apprised of progress of the project.

OLD BUSINESS

There was no Old Business for discussion.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart had no statements or reports.

DEPARTMENT HEAD AND STAFF REPORTS

BUILDING DEPARTMENT

A written packet was submitted for the packet.

Alderman Signore inquired about Settlers Cove. Commissioner Shull stated there has been some progress there like temporarily heating measures and is assuming they are getting ready to pour some concrete floors for installation of garage doors.

He then inquired about the development on East Prairie/Taylor. Commissioner Shull stated the developer should be rolling shortly as he still plans on developing it.

Mayor Lockhart wanted to know if Commissioner Shull had notified all the downtown business owners about removing snow from their sidewalks. Commissioner Shull stated he and Building Inspector Greifenkamp walked the downtown area and gave each owner a friendly public notice reminder that it is their obligation to keep the sidewalks clear after each snow event.

January 22, 2007

A notice was also put on the website, the Community Board sign and the access cable TV station. Mayor Lockhart noticed some sidewalks still were not shoveled and suggested some form of action be taken if they were not willing to cooperate. He was advised some of the buildings are vacant and the quickest and easiest would be for him to shovel it than him finding out who owns it and sending them a letter. It was suggested to send the owner a bill for snow removal.

Downtown business owner, Gene Carroccia, felt we should enforce the rule or take it off of the books. Mayor Lockhart asked our attorney what our options were. Our attorney said he would like to take a look at the ordinance. Mayor Lockhart asked him to do so and report back at the next meeting.

It was also noted that it just wasn't the downtown businesses that were negligent in snow removal as there were many residents that didn't or still haven't removed their snow as well. So, if we are going to enforce the downtown area, we need to enforce the residential areas as well.

PUBLIC WORKS

Written reports were included in the packet for the Street Dept., Water & Sewer Dept. and the WWTP.

There were no questions for Supt. Craney.

POLICE DEPARTMENT

A written report was submitted.

Chief Kottke wanted to draw attention to item #5 of his report. The PD will be presenting a seminar on "Identity Theft" on February 12 at 9:35 at the Indian Trails Community Center. They would like to put this seminar on several times so any agency or social group that would like to do so, the PD will be willing to accommodate them.

They are presenting another session on the Pandemic Influenza Plan March 12 at 9:45 a.m. at Indian Trails.

He stated on Sunday night about 10:30 p.m., there was an armed robbery involving two subjects. No one was injured and they made off with a couple of hundred dollars. They believe they left the scene in a vehicle parked on Washington. They have a photo they are circulating that will be in the Northwest Herald. They sent it to the Chamber office. They in turn are going to circulate it thru e-mail. They have also given a copy of the photo to Crime Stoppers and have talked to the Farmside newspaper.

The PD has been talking to all of the all night convenient marts advising them to be aware/leery because to the East of Marengo, there have been a rash of robberies involving all night convenience stores.

Mayor Lockhart stated there was a bus accident today on Prospect. Chief Kottke advised there were no students on the bus however, so that was good news.

EMA

A written report was submitted by Deputy Chief Hallman, the EMA Coordinator.

ENGINEERING REPORT

A written report was submitted. No one had any questions for the engineer.

CITY ADMINISTRATOR'S REPORT

A written report was included in the packet. At this time, he passed around an Expo sign up sheet along with a memo for the Expo that will be held February 10 & 11. He advised any member seeking reelection should adhere to the policy of no campaigning at the City's booth; they will need to get their own booth.

CITY ATTORNEY'S REPORT

The attorney had no written report but he did have something for Executive Session.

January 22, 2007

EXECUTIVE SESSION

At 7:50 p.m., Mayor Lockhart asked for a motion to go into Executive Session to discuss Collective Bargaining, possible litigation and personnel. Alderman Otis so moved; seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Spear, Secor, Signore, Otis and Jennings.

The members returned from Executive Session at 8:40 p.m.

ROLL CALL

Mayor Lockhart, Alderman Otis, Alderman Jennings, Alderman Secor, Alderman Signore and Alderman Spear were present for roll call. Absent were: Alderman Trainor, Alderman Shelton and Alderman Genot.

ADJOURNMENT

With there being no further business for discussion, Mayor Lockhart asked for a motion to adjourn the January 22, 2007, Marengo City Council meeting at 8:41 p.m. Alderman Jennings made the motion to adjourn; seconded by Alderman Signore. The motion passed with a unanimous aye voice vote.

Submitted by: Diane L. Schwoch,
Acting City Clerk