

**CITY OF MARENGO**

FEBRUARY 12, 2007

COUNCIL MINUTES

CALL TO ORDER

At 7:05 p.m., Mayor Lockhart called to order the February 12, 2007, Marengo City Council meeting. He then led the "Pledge of Allegiance".

ROLL CALL

Present for roll call were: Mayor Lockhart, Alderman Jennings, Alderman Otis, Alderman Trainor, Alderman Secor, Alderman Spear and Alderman Signore.

PUBLIC PARTICIPATION

No one addressed the members.

NEW BUSINESS

JANUARY 17, 2007, COMMITTEE OF THE WHOLE MEETING MINUTES

Alderman Otis made a motion to approve the January 17, 2007, Committee of the Whole minutes. The motion was seconded by Alderman Jennings and passed with an aye voice vote from Alderman: Spear, Jennings, Otis, Signore and Mayor Lockhart. Alderman Secor and Trainor abstained.

JANUARY 22, 2007, PUBLIC HEARING MINUTES-SEVEN OAKS ANNEXATION

Alderman Jennings made and Alderman Secor seconded a motion to approve the January 22, 2007, Public Hearing minutes regarding the annexation of Seven Oaks. The motion passed with an aye voice vote from Alderman: Jennings, Otis, Signore, Spear and Secor. Alderman Trainor abstained.

JANUARY 22, 2007, MARENGO CITY COUNCIL AND EXECUTIVE SESSION MINUTES

Alderman Jennings made and Alderman Otis seconded a motion to approve the January 22, 2007, Marengo City Council and Executive Session minutes. Motion passed with an aye voice vote from Alderman: Signore, Secor, Spear, Jennings and Otis. Alderman Trainor abstained.

LIST OF BILLS

There were no questions regarding the bills, however, Alderman Signore had a procedural question regarding retained personnel. He wanted to know what the City's experience has been and/or procedure on the collections of retained personnel. He wanted to know if they typically got paid on time for individuals or entities that need to pay.

Administrator Hartman replied, "Usually, there are times when they don't. We dip into the escrow they have placed. Sometimes that gets exhausted. We give them thirty days and then we shut down all inspections. We shut down all activity."

Alderman Signore wanted to know who the bill collector was for this. He was advised it was the City. He then wanted to know why. Administrator Hartman stated we served as the medium. Alderman Signore again asked, "Why?" He was advised this was just the way we have done it.

Administrator Hartman stated we could look into it to see if this was the best way to handle this.

Our attorney advised the agreement was with the City and the purposed of everything being done is for City purposes. So, in far as the relationship is with the City, he wouldn't have a basis other than thru representation by the City to collect his fee. From his prospective as the City attorney, if he was going to collect, he would have to do it as a representative of the City thru our request that they go and collect.

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Alderman Signore then wanted to know what happens if we have someone that never pays. The attorney advised him we recently had this issue come up and we put liens on the property. They are sitting there until it is satisfied or some action needed to be taken. At some point in time, we could foreclose on it but that would take additional steps.

Alderman Signore wanted to know if the outstanding bill for the group providing service was paid by the City. Our attorney stated he only saw the numbers. He doesn't see whether or not a check comes in from the City.

The members were advised if there is enough money in the developer's retained personnel account, the bill from the service provider is paid. Generally if there is not enough money in their account, the provider will not get paid until we have received the money from the developer.

Alderman Trainor wanted to know about the recent circumstance where we had an account that was in the arrears and an occupancy permit was issued. She was advised the permit issued was only a temporary occupancy permit.

Alderman Signore stated the reason he brought this up was that we have had several projects start in the community, then stop and he didn't want the City floating money as we are not in the business to do so. He thought it was admirable for the City to want the retained individuals to be paid but at the same time, he hoped we didn't have an ordinance or have a precedence in place that we would pay and collect later as he felt this was a bad business decision for the City to make. He wanted to know if we had anything on the books that says we will pay and then collect. Administrator Hartman didn't believe we had anything on the books but we could formalize this as a policy. He suggested we revisit the retained personnel because the amount we collect upfront turns out to be insufficient for larger projects.

Alderman Trainor wanted to know if Treasurer Hall could help out with this. Administrator Hartman stated this was more of a procedural thing than a financial thing. He felt our attorney would be the best resource for the mechanics of it.

Treasurer Hall stated there are new software programs out there that would make this an easier process to track. Administrator Hartman stated right now, most of this is administrated by hand. He stated

there is a process and we do have remedies like ceasing all building inspections if not paid. The developers have been put on notice regarding this. There are also bills that have been disputed and we serve as the mediator between the developer and the service provider.

The question was raised if a temporary occupancy has been issued, how can you get them out of there if they don't pay their bills? Our attorney advised they have signed an agreement for retained personnel with the City that has an enforcement basis. The enforcement would be to go thru the process and put a lien on the property which can be done without having to go to court. When there is the foreclosing on the lien, a decision will have to be made as to whether it is going to go forward at the request of the City or the retained personnel. If the service provider insists on getting paid, they would have to get the City's blessing to proceed with the lien and unless there is another violation, the attorney felt there wasn't anything to pull the permit.

The attorney felt there were conditions with a temporary occupancy. Building Commissioner Shull stated the conditions were based on the nature of the development.

Alderman Signore stated they should look into this procedure whether at another meeting or a committee as he wanted our staff and retained personnel to be paid but it needs to get paid by the entity incurring the service as there seems to be a lot of projects in town that are not moving and that was troublesome to him.

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Alderman Secor then made a motion to approve the List of Bills as presented if there weren't any questions. Alderman Jennings seconded the motion. The motion passed with an aye voice vote from Alderman: Otis, Signore, Trainor, Jennings, Spear and Secor.

AUTHORIZATON TO EXECUTE COLLECTIVE BARGAINING AGREEMENT-FOP-TELECOMMUNICATORS

Administrator Hartman advised if there was discussion on this matter, it would have to be done in Executive Session. However, any action on the agreement would have to be done in Open Session.

Chief Kottke had the understanding the telecommunicators had ratified the agreement and since there were no questions regarding the agreement, Alderman Otis made a motion to approve the authorization to execute the Collective Bargaining Agreement. The motion was seconded by Alderman Trainor. It passed with an aye voice vote from Alderman: Spear, Trainor, Otis, Secor, Signore and Jennings.

ORDINANCE 07-2-1-AMENDING CHAPTER 33, LIQUOR CONTROL

Our attorney advised the members there were basically four changes to the liquor code that were spelled out in the agenda supplement. The changes included increasing the application fee to \$2,000; creating a Class GC license for golf courses/country clubs; reducing Class E licenses from 5 to 4 and then 4 to 3 on May 1, 2007 to accommodate the

conversion of the Waters Edge Golf Course license from the E to GC and adding language to the ordinance that an applicant/holder of a liquor license shall not be indebted to the City and any indebtedness in excess of 30 days shall constitute the basis for the denial and/or revocation of a liquor license.

The question was asked what the current fee was for Waters Edge. It is \$1,500. The attorney stated the increase was due to the fact it allows for outdoor sales from a beverage cart or refreshment stand on the grounds or at a patio immediately adjacent to the clubhouse/restaurant.

The attorney explained the \$2,000 is for a first time applicant and will not pertain to Waters Edge when their classification is changed.

The members were advised restaurants currently pay \$1,500 and taverns pay \$1,750 which is what Waters Edge will be paying with their GC classification.

Alderman Trainor made a motion to amend Chapter 33, Liquor Control Ordinance-07-2-1; seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Trainor, Secor, Jennings, Spear and Otis. Alderman Signore voted nay.

ORDINANCE 07-2-2-REMOVING THE DEDICATION OF THREE OUTLOTS TO THE CITY OF MARENGO ON THE BRAYTON KNOLLS FINAL PLAT OF SUBDIVISION

Our attorney stated when the final plat came thru for Brayton Knolls, it contained language that Outlots A, B, & C were dedicated to the City. These lots were then taken off the tax rolls since they were the "City's" property.

However, it was not the intention of the developer or the City to have these lots dedicated to us. They were to go to the Homeowner's Association once it was established and created pursuant to the covenants that were submitted.

Public Works Supt. Craney questioned why they were suppose to be maintaining the outlots if the intent was to have the developer/Homeowner's Assoc. maintain it. The attorney looked into this and there was a deed that had been done from the developer to the Homeowner's Assoc. for the property so there was conflicting information.

This ordinance removes the language in the plat that indicates these lots were dedicated to the City. Once this is passed, the attorney is going to submit it to the assessor's office so they can pull the tax exemption certificate so the property can be properly taxed.

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The question was raised if it would be a retroactive tax or just a move forward tax. Our attorney was not sure but in so far as it has been on the books as "City" property and a change is now being made for the plat correction back to the Homeowner's Association, it would be a forward application. The assessor would look at it as it was with the City and is now going back to the developer.

This ordinance will be recorded and will serve as the plat correction as it will indicate we are correcting the plat to remove certain language. This is a minor change; it is not a platting change of lots, etc. It is just a clean up thing.

The question was raised as to who has been maintaining this property the past couple of years. Supt. Craney stated the Homeowner's Assoc. has been. Some members of the Association met with Supt. Craney as they wanted us to maintain these outlots and it was this conversation that brought light to this situation.

As previously stated, Alderman Otis is for having a professional take care of all the open spaces in a development as the City can't deal with them nor can a Homeowner's Association.

Our attorney advised this Homeowner's Association has been created, is current under the Secretary of State, is collecting dues and is doing what they need to do.

Before making a motion to approve Ordinance 07-2-2, Removing The Dedication Of Three Outlots To The City Of Marengo On The Final Plat Of Subdivision Of Brayton Knolls, Alderman Jennings stated we needed to be more attentive to what language they are approving on the final plat. Alderman Signore seconded the motion. The motion passed with an aye voice vote from Alderman: Secor, Trainor, Otis, Jennings, Signore and Spear.

RESOLUTION 07-2-A REQUESTING THE DESIGNATION OF MAPLE STREET AS A FEDERAL AID URBAN ROUTE

Administrator Hartman stated the designation of Maple Street as a Federal Aid Urban Route was an oversight by entities including IDOT. With this resolution, we are making a formal request to the County; the County takes the request along with their request to IDOT who then determines that Maple is listed on the IDOT Key Route Index and gets a Federal Aid Route number.

Alderman Trainor made a motion to pass the resolution requesting the designation of Maple Street as a Federal Aid Urban Route; seconded by Alderman Otis. The motion passed with an aye voice vote from Alderman: Jennings, Spear, Otis, Secor, Trainor and Signore.

RESOLUTION 07-2-B- MUNICIPAL CONSTRUCTION WITHIN THE STATE RIGHT OF WAY

Administrator Hartman announced a correction to this resolution. In the second line, the years should be for 2007 and 2008. Other than the correction, this was just a housekeeping item.

Alderman Secor then made a motion to adopt Resolution 07-2-G, a Resolution For Municipal Construction Within State Right Of Way with the correction noted.

Alderman Jennings stated he thought we were not allowed to have public utilities within State ROW. Administrator Hartman advised him we do have some and if we have a break or need to do maintenance, we don't

have to post a bond like a private entity would. Our attorney advised we previously were allowed to put things in the ROW but now we can't.

Alderman Jennings then seconded the motion. The motion passed with an aye voice vote from Alderman: Otis, Jennings, Spear, Trainor, Signore and Secor.

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AUTHORIZATION OF A PROFESSIONAL SERVICES AGREEMENT-SAFETY MANAGEMENT, INC.

Chairman of the ad hoc Transportation Committee, Alderman Otis stated the committee has met Dr. Gregg Swenson, of Safety Management. The recommendation to meet with Dr. Swenson initially came from Supervisor Weskerna as the committee felt it needed more expertise. They feel Dr. Swenson can provide the help they need. His expertise is with traffic safety issues addressed by OSHA/MSHA/EPA/IDOT/FEMA.

Alderman Otis asked Dr. Swenson to give the members his back round which he did.

Alderman Otis stated no one listens to quality of life and economic revitalization of downtown areas issues. Safety is something the State will listen to and Dr. Swenson has a very comprehensive understanding on all issues of safety; not only on road building but in the workplace.

She thought one of the first issues they might want to work at is getting traffic signals that will create additional time for trucks that will cut into their pocketbooks. This would give us a breather and we could go forward from there as we will have to set our strategies. She knows they have good strategy builders on this committee and Dr. Swenson would be a great asset.

Dr. Swenson was asked what other communities he had worked with in a similar capacity. He stated, "I cannot say that I have, Alderman Signore. I've worked in a similar capacity. I've worked with several communities whether it be with Public Works, Police & Fire but I've never worked with" Alderman Signore asked, "From a loss control safety standpoint or?" Dr. Swenson said, "Correct and training of personnel, hazardous materials with Fire and Police, Public Works, OSHA, EPA issues, DOT issues, but not as a safety consultant, engineer working on what you want to accomplish with getting truck routes established. That will be a fallacy to say I've done that. The closest one would be like I said when I was on a separate committee off of the City Council in Beloit when we were doing a bypass up there. But I guess the similarities would be working with large road projects and working with traffic flows around areas. The one thing that concerns me the most is the traffic you have going by the schools. Another thing I was given tonight by Alderman Otis was the Sheriff's Department response to calls for service they had for accidents with injury and without injury. The City Chief also has statistics from the City response and I believe that number was like 82 responses on Route 20 in one year's time.

That's the thing and then I know Alderman Jennings brought up a good point-just making a turn from 20 to 23 with a large truck-you take a 53' trailer which is becoming very common, trying to make a turn. You are also looking at safety issues when it comes to hitting one of the buildings, hitting a pedestrian on the sidewalks, I mean we certainly and the committee has done a very good job of studying that. You certainly have built a good case to justify truck routes and I think the designation of Kishwaukee Valley Road and Harmony Road is a natural for that and some of the ideas that the committee has to go forward with maybe getting a State designation for those roads-I still feel on the safety side that has to be our primary concern. I don't think we need to hear crazy statistics. I remember sitting on the City Council in Beloit and hearing from somebody from Wisconsin Department of Transportation tell our council, when we build a new Wal-Mart, we want traffic lights on Milwaukee Road up there. The gentleman got up and told us we were three fatalities shy of justifying the light. I never heard of anything so obscene in my life. Why do we have to wait for somebody to lose their life before you need to do something pro-active. That was one of the things I'm very excited about is that you are being very proactive as a City and trying to deal with this and ahead of growth or along with the growth that you have and I think time is of the essence for that."

He felt being reactive costs more and thought we would not get as much help or get the ears we need down at Springfield. He thought if we do the right studies, the right statistics and the right groups behind us, he could see no reason why we couldn't have the backing of the Teamsters, the trucking industry as a whole, the aggregate industry and the people who have to do business in this County everyday as time is money to these companies. They are not making money when they are struck in traffic as it causes frustration which causes speed which causes carelessness which

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results in accidents. He felt getting the private sector involved was an area they really needed to hit on.

Alderman Signore asked Dr. Swenson if there were any goals set at this point regarding item number five of his proposal, how he would go about working with the State and if he had ever worked with the State on behalf of another community to get those types of goals in place.

He replied he would have to go back to community/business as he as not worked directly with another community but certainly has with private business in getting different routes completed, re-routing of roads completed and speaking/arguing successfully in their behalf. He felt we needed to show hard core statistics and issues that will arise if we don't address them now.

Alderman Otis stated the top goal of the ad hoc committee is getting the trucks on another route out of our downtown and off of Rt. 20. She felt there was a common concern in that we want a safe environment for our residents and felt the truckers wanted to have a safer environment also.

She thought the committee had a lot of confidence in Dr. Swenson and could be a great asset to us even though he will be cutting his teeth in a new area for him.

He has two current State Motor Carrier Enforcement troopers that work for him part time doing training. He met with them and discussed Harmony Road and Kishwaukee Valley Road to get their motor carrier law enforcement point of view. They thought these roads made a lot of sense.

He stated we are going to need cooperation from the Townships and County to help provide the resources we need to make this happen.

Administrator Hartman stated there was a concern regarding the amount of "stuff" to do in a year so it has been requested of Dr. Swenson to consider his scope of services and payment over a two year period of time as things may not necessarily move that quickly. Dr. Swenson is agreeable to spreading it out over the two year period rather than just a year as he knows that other governmental agencies certainly will not work at a pace that we would like them to do.

Alderman Trainor inquired if the developer donation for Transportation Analysis Services could be used for this proposal. Administrator Hartman felt it would be applicable and has mentioned it to the developer. The payment of \$25,000 is due upon the approval for the final phase of the development or when we would have an agreement in place before the final phase approval.

Alderman Otis stated Supervisor Weskerna is going to ask his group for the remainder of the amount (\$1,250).

Supervisor Weskerna stepped forward and stated he has learned a lot being on this committee and has also provided a lot of information. He thought the City and Township were working excellent together as governmental agencies.

He strongly advocated bringing Dr. Swenson on board. The two years he has been on this committee, he has gotten a lot of lip service from the State, etc. as they think it's a great idea but it takes money. The only way to get money is to put something in front of them that really gets their attention-aesthetics doesn't do it. The fact we have traffic issues doesn't do it either as there are traffic issues everywhere.

He stated we are a growing community and what they are attempting to do is very proactive in their approach to soliciting and gardening money. There is nothing that gets more attention down State and at County than safety. If we can build a strong case based upon our safety needs for the future, he felt we would be able to get some money but we need to get their attention.

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He couldn't guarantee us getting any money but we would definitely get their attention. However to do this, we need Dr. Swenson as none of the members are safety experts.

He again stated he would go before his board if the proposal was approved to see if they would solicit the remainder of the monies. He felt they might be receptive as this would also be a showing of the Township's commitment as they feel it is necessary.

Alderman Otis then made a motion to approve the expenditure (not to exceed) of \$26,250 for a two year term to work on a project to get a truck route for Marengo for safety issues pertaining to the same; seconded by Alderman Jennings. The motion passed with an aye voice vote from Alderman: Secor, Otis, Jennings, Trainor, Spear and Signore.

RELEASE OF EXECUTIVE SESSION MINUTES FROM SEPTEMBER 23, 2003, OCTOBER 27, 2003, NOVEMBER 10, 2003, NOVEMBER 24, 2003 AND DECEMBER 8, 2003  
Alderman Otis so moved and Alderman Signore seconded the motion to release the above mentioned Executive Session minutes. The motion passed with an aye voice vote from Alderman: Secor, Otis, Jennings, Trainor, Spear and Signore.

TENTATIVE PLAT REVIEW FOR LIBERTY ARBOUR IN UNINCORPORATED McHENRY COUNTY  
Administrator Hartman stated the above mentioned development is located in unincorporated McHenry County but is within our 1 ½ mile jurisdiction. Therefore, it went before our Planning & Zoning Commission for their review and is now coming before the members for their review.

After discussion, the PZC recommended approval of the tentative plat for this subdivision with the stipulation the County look at connecting Henning Road to Liberty Drive while preserving the trees in its path and recommended the cul-de-sacs be changed to a teardrop configuration.

Jack Feldkamp and John Boyle were in attendance to address the members and answer any questions regarding this subdivision.

Mr. Feldkamp stated they have received a letter from IDOT which indicates they question the use or need for a left turn in and left turn out for this subdivision if there are two openings otherwise. If they are forced to open up Henning, it would mean everybody coming into this subdivision from Marengo will have to go thru the South Ridge Subdivision.

Mr. Feldkamp stated the PZC would like to see a teardrop configuration rather than the cul-de-sac and wanted tree preservation. He advised they are going to save as many trees as they can. They would have to take down more trees if Henning would be connected to Liberty Drive.

The Southridge Homeowner's Association is strongly encouraging a left turn lane in and out of the subdivision. A petition is being passed around to encourage IDOT not to turn that down.

There are over 2,000 trees in this development. They have hired an arborist to identify 700 of these trees and tag them. Over 700 of these trees are at least 13" in caliber at waist height. They are saving as many of these as possible. They are going to do curb and gutters so that they don't have to take as many trees down.

They are in the process of talking and working with IDOT now regarding having access to Rt. 23 for this development. They are also working with other organizations to get the speed reduced (45 mph) from Coral all the way around the curve and into the City. The Riley School District would also like to see the speed lowered in the area.

Alderman Signore liked the plan but felt it was a dangerous spot to have an access point. Mr. Boyle stated they are working with IDOT and felt there would be two or three options that would be

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available for them. The developer has a concern with the irregularity of the traffic, especially the speed on northbound Rt. 23.

Administrator Hartman advised he was looking for an informal consent/direction for this subdivision. He needed general direction if the City wanted to take a position with respect to the County or just articulate some of the concerns raised by the PZC.

The members then voiced their opinions. They were all basically for the subdivision. The main concern, however, was the preservation of the trees and the entrance/exit off of Rt. 23 for this.

OLD BUSINESS

There was no Old Business for discussion.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart announced he and Administrator Hartman attended the McHenry County Council of Government meeting which was a Mayors summit that was held January 29 at Lake in the Hills. Discussion was based on the issues facing municipalities. They agreed they should continue to have the Mayor's caucus, perhaps every two months.

DEPARTMENT HEAD AND STAFF REPORTS

A Building Department status report was submitted in the packet. Commissioner Shull apologized for two reports that weren't included as there was a computer glitch. The issue has been resolved and the info will be submitted in the next packet. There were no questions for Commissioner Shull.

PUBLIC WORKS DEPARTMENTS

Written reports were submitted by the Street Dept., WWTP and the Water & Sewer Dept. Orally, Supt. Craney reported paper work for FEMA has been completed for the Nov. 30-Dec. 2, 2006, snowfall and the way it is looking right now, we should be receiving around \$16,000.

He also confirmed watermain breaks are continuing to happen but other communities are having the same problems. A bad valve on Rt. 20 and about 1,600' (for the record it is 1,900') of 4" watermain line will be replaced when Maple Street improvements are done this year.

Alderman Signore stated he thought Supt. Craney's men should be commended for the round the clock work they did by the Dollar General Store (East Grant) in the bitterly cold weather to repair the broken watermain there. Several other aldermen gave kudos as well to the City crew.

#### POLICE DEPARTMENT

A written report was submitted. Chief Kottke stated item #2 on this report, New Hire Contract, will be brought up at the next meeting on February 26<sup>th</sup>.

The Police Dept. was contacted by Mary Hansen, Marengo Public Library. She asked if the PD could put on some type of program for online predators. Chief Kottke advised the PD really was not an expert on this. He suggested she get in touch with the Illinois Attorney General's office. A program has been set up for April 11<sup>th</sup> at the Marengo High School.

Mayor Lockhart advised the members of a squad car involved in an accident and thanks to the camera that was turned on, it was on tape. A copy of the tape was sent to the other insurance company who at first contested the claim but after seeing the tape, is reimbursing our insurance company for the loss which confirms his avocation of having a camera in every squad.

Alderman Signore stated they had been talking about traffic safety issues tonight and wondered if the City shouldn't seriously look into installing a traffic preemption light for the intersection of Rt. 20 & 23 after seeing the Union fire truck flying past his office on Rt. 20 . He felt there was no way

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the truck could stop at the intersection if it had to. Administrator Hartman believed the Marengo Rescue Squad is looking into this and moving forward with it.

Mayor Lockhart suggested perhaps they could look start looking into this at the next budget as it would be very beneficial. Alderman Signore felt it should maybe be done at the intersection of Rt. 20 & 23 first as there would not be enough money to this intersection and the one at Rt. 176 & 23. Mayor Lockhart agreed with him on this and the statement he made that if we are going to push safety, we should buy into this concept to show we are doing are part to promote it.

#### ENGINEER'S REPORT

A written report was submitted. There were no questions for the engineer.

#### TREASURER'S REPORT

Written reports were submitted by the Treasurer's Dept. Treasurer Hall advised the members short term interest rates are currently better than long term rates. Mayor Lockhart felt the interest rates we had on our CD's was super as they are all over 5% as not long ago it was only around 3%.

Treasurer Hall stated on our checking and savings accounts, we were under ½% and now we are at the 5% range.

The question was raised if updating our antiquated software had been looked into. Treasurer Hall and Administrator Hartman advised this was on the "B" list. However, Mayor Lockhart felt we were getting to the point where something has to be done as even the printer that prints the water & sewer bills is over ten years old. Treasurer Hall stated that there is new software out there that can tie into various programs and make them more accessible than what we currently have. Administrator Hartman stated there are a lot of nice packages out there and felt new software wouldn't be on the "B" list for the next budget year.

#### CITY ADMINISTRATOR

A written report was submitted for review. Administrator Hartman orally advised the members City offices would be closed on Monday for President's Day and he wanted to thank the members and the Mayor for their attendance at Expo.

Administrator Hartman was asked if we could have two cable companies servicing Marengo as his report stated Comcast has contacted his office to express interest in providing service to Marengo. He replied we could have more than one non-exclusive franchise agreements. Our attorney updated the members as to what is being discussed down in Springfield regarding franchise agreements.

Alderman Trainor thought it was great City staff and District #165 were working together for the construction of the sidewalk on Forest Street. Administrator Hartman stated this was a 100% grant so it is not even a matching fund grant that is administered thru IDOT. Alderman Signore received an e-mail from a resident on Forest Street stating we had not talked to the residents there as they do not want a sidewalk. Alderman Jennings said, "That's irrelevant." Mayor Lockhart stated he had not received any e-mails but felt no sidewalk was a real safety issue there. Alderman Signore is going to forward this e-mail to Mayor Lockhart. Alderman Trainor stated she knows of one resident there that wants the sidewalk so she felt there was a counterbalance to this opinion.

Alderman Trainor asked if we were looking at red or black for the end of our fiscal budget. Administrator Hartman thought the general fund would be in the black as expenses have been put in line as advised. The water & sewer account he had some concerns that it might be in the red as revenues have fallen short due to a wetter than usual spring/summer season. Department heads have been advised to keep their spending tight though. The purchase of the backup generator for the WWTP has been held up to keep expenses down so the fund would be less in the red.

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Alderman Signore wanted to know if the backup generator would be back on the "A" list for the next budget. Supt. Craney stated, "It's always on the "A" list!" Alderman Trainor asked Supt. Craney if he had looked into leasing a generator as previously suggested. He replied that his feeling on this is that it is better to own than lease.

Administrator Hartman stated Supt. Craney, Steve Fiepke and he believe in the long run the generator would pay for itself as we intend to have the generator run about an hour a day off of our stored methane during peak hours which will save on electricity.

Alderman Signore wanted to know when the last time Administrator Hartman had talked to Mr. Walsh. He advised he had talked to him last week and his secretary left him a message late this afternoon. The project is still on the table and is expecting a proposal from him soon.

ATTORNEY'S REPORT

The attorney had no report.

EXECUTIVE SESSION

At 8:48 p.m., Mayor Lockhart asked for a motion to go into Executive Session to discuss personnel. Alderman Secor so moved; seconded by Alderman Jennings. The motion passed with an aye voice vote from Alderman: Secor, Jennings, Spear, Otis, Signore and Trainor.

The members returned from Executive Session at 9:03 p.m.

ADJOURNMENT

With there be no further business for discussion, Mayor Lockhart asked for a motion to adjourn the February 12, 2007, Marengo City Council meeting at 9:05 p.m. Alderman Jennings so moved; seconded by Alderman Signore. The motion passed with a unanimous aye voice vote.

Submitted by: Diane L. Schwoch,  
Acting City Clerk

