

**MARENGO CITY COUNCIL
REGULAR MEETING MINUTES**

Marengo Council Chambers
132 E. Prairie St.
Marengo, IL 60152
April 26, 2010

CALL TO ORDER

Mayor Donald Lockhart called the Regular Meeting of the City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone present in the Pledge of Allegiance.

ROLL CALL

Present for this meeting were Mayor Donald Lockhart; Aldermen: Carole Bartman, Corey Brackmann, Michael Smith, Mike Secor, Pat Signore, Todd Hall and Steve DiMaria. Also present were City Administrator Deborah Nier, City Attorney Carlos Arevalo, Deputy Chief Joseph Hallman, Building Commissioner Jayson Shull, Superintendent of Public Works Jim Craney, Assistant to the City Administrator Joshua Blakemore and City Engineer David Johanson. Absent this evening was Alderman Erik DeBoer.

SPECIAL PRESENTATION.

Deputy Chief Joseph Hallman recognized Bob Archer who has been a member of the ad hoc citizens committee on disaster and disaster planning for the past 10 years. Mr. Anchor has been an active member on a number of other committees at the County level. He also mans the HAM radio operations for Settlers' Days and would help out in a disaster should radio services be needed. Mayor Lockhart presented Mr. Anchor with a plaque from the City of Marengo on behalf of the Marengo Emergency Management Agency for his dedicated services to the agency and the citizens of Marengo.

PUBLIC PARTICIPATION

None.

APPROVAL OF MINUTES

Alderman Michael Smith made a motion, seconded by Alderman Mike Secor, to approve the minutes of the April 12, 2010 meeting. The motion passed with an aye vote by Aldermen: Brackmann, DiMaria, Hall, Bartman, Smith, Secor and Signore.

CONSENT AGENDA

- a. List of Bills
- b. Proclamation to make May 2010 "Look at Local History Month"
- c. Blessing of the Bikes Request
- d. Ordinance Authorizing the installation of a sign at 109 S. Taylor Street – White Lion Realty

- e. Appointment of an Open Meetings Act Coordinator (suggested that the City Administrator be appointed for this position)

City Administrator Deborah Nier clarified for the Aldermen the need for d. (Ordinance authorizing the installation of a sign at 109 S. Taylor Street) was because of the approval given for a variation from an ordinance at the last Council meeting. City Attorney Arevalo explained that if you do a variation from an ordinance you have to do it in writing as an ordinance. It was also clarified that this Ordinance for 109 S. Taylor Street is specific to the owner of the business– not the property. Alderman Signore expressed his opinion on the “release of liability” that is indicated, and explained that they would most probably not be able to provide liability coverage for an area that the business does not own. Attorney Arevalo stated that at the two meetings where the sign was discussed, and then ultimately approved, this insurance issue was not discussed or required. As such, with the approval of the variance, this Ordinance was then required to become part of the official record.

Alderman Mike Secor made a motion, seconded by Alderman Carole Bartman, to pass the consent agenda items as presented. Voting yes on this motion were Aldermen: Bartman, Brackmann, Hall, and Secor. Voting no on this motion were Aldermen: Smith, DiMaria, and Signore. As directed by City Attorney Arevalo, Mayor Lockhart voted to make it a majority vote on this motion. Mayor Lockhart voted yes on this motion, and the motion passed.

NEW BUSINESS

Mayor Lockhart asked that the Council deviate from the agenda order, and look at items 8d, 8e, and 8f at this time.

8.d. Ordinance correcting the legal description of real property described in Ordinance 7-10-8 that incorrectly describes the legal description of real property that is the subject of an ordinance zoning certain territory R-1 Family District, approving a Special Use Permit for a Planned Development and approving a Preliminary Plan (Seven Oaks).

Attorney Arevalo explained that these 3 ordinances became necessary when it was found that the legal description for the property in question was inaccurate. This was found when the owner of the development entered into negotiations to sell this property, and in trying to finalize the transaction, it was determined that the legal descriptions were not consistent. As a result, there was additional work that was done by the owner’s surveyors to make sure that the accurate and complete descriptions were part of the ordinances. When the corrections were being made to the annexation agreement, it was found that the re-zoning ordinance and the ordinance that authorized the Mayor to execute the annexation agreement were found to be incorrect as well. These 3 ordinance corrections are required, so the property is properly described.

Alderman Carole Bartman made a motion, seconded by Alderman Michael Smith, to approve the Ordinance correcting the legal description of real property described in

Ordinance 7-10-8 that incorrectly describes the legal description of real property that is the subject of an ordinance zoning certain territory R-1 Family District, approving a special use permit for a Planned Development and approving a Preliminary Plan (Seven Oaks) subject to the City being reimbursed for any and all expenses, including legal fees. The motion passed with an aye vote by Aldermen: Signore, Secor, Hall, Brackmann, DiMaria, Bartman, and Smith.

8.e. Ordinance correcting the legal description of real property described in Ordinance 09-2-1 that incorrectly described the legal description of real property originally annexed to the City of Marengo on October 22, 2007, and recorded as Document Number 2008R0045127, and ratifying the annexation with the correct legal description.

Alderman Carole Bartman made a motion, seconded by Alderman Michael Smith, to approve the Ordinance correcting the legal description of real property described in Ordinance 09-2-1 that incorrectly described the legal description of real property originally annexed to the City of Marengo on October 22, 2007, and recorded as Document Number 2008R0045127, and ratifying the annexation with the correct legal description. The motion passed with an aye vote by Aldermen: Smith, Brackmann, Signore, DiMaria, Bartman, Hall, and Secor.

8.f. An Ordinance correcting the legal description of real property described in Ordinance 07-10-6 that incorrectly describes the legal description of real property that is the subject of an annexation agreement between the City of Marengo and Marengo Development, LLC (Seven Oaks)

Alderman Carole Bartman made a motion, seconded by Alderman Michael Smith, to approve an Ordinance correcting the legal description of real property described in Ordinance 07-10-6 that incorrectly describes the legal description of real property that is the subject of an annexation agreement between the City of Marengo and Marengo Development, LLC (Seven Oaks). The motion passed with an aye vote by Aldermen: Hall, DiMaria, Smith, Brackmann, Secor, Signore, and Bartman.

8.a. Resolution regarding funding for Marengo Main Street Program.

Joshua Blakemore reviewed the information presented, which asks the City of Marengo to renew the three-year agreement that the City has with Marengo Main Street. The agreement is for matching funds up to \$15,000. Bob Levin, 21118 River Road, Marengo, (President of Main Street) spoke about this program, reviewed prior activities and expressed gratitude to the City for previous funding, and asked the City to renew the agreement.

Alderman Steve DiMaria made a motion, seconded by Alderman Michael Smith, to approve the resolution authorizing participation in the Illinois Main Street Program, committing to provide program funding and designating the City Administrator to

supervise the program activities. The motion passed with an aye vote by Aldermen: DiMaria, Signore, Secor, Bartman, Brackmann, Hall, and Smith.

8.b. Authorization to execute agreement for Business Incentives – Karstens.

Attorney Carlos Arevalo summarized the current status of the agreement and explained the agreement that is presented to the Council this evening. The revised indemnification language has been agreed to.

Alderman Steve DiMaria made a motion, seconded by Alderman Michael Smith, to approve the adoption of the Business Incentives Application and Agreement by and between the City of Marengo, and Karsten's Service, Inc. The motion passed with an aye vote by Aldermen: Secor, DiMaria, Brackmann, Smith, Bartman and Hall. Alderman Pat Signore abstained.

8.c. Fingerprint Fee Proposal

Deputy Chief, Joseph Hallman spoke on this proposal. There currently is no fee being charged for this service. The police department had 38 requests in 2009. They anticipate slightly more for 2010. This proposed fee is just to cover the cost of the police department performing this service.

Alderman Carole Bartman made a motion, seconded by Alderman Mike Secor, to approve the Fingerprint Fee Proposal in the amount of \$25 for everyone. Voting yes on this motion were Aldermen: Bartman, Hall, Smith, and Secor. Voting no on this motion were Aldermen: Brackmann, DiMaria and Signore. Mayor Lockhart was directed to vote on this motion by Attorney Arevalo. Mayor Lockhart voted yes on this proposal, and the motion passed.

8.g. 2009-2010 Supplemental Appropriations Ordinance

Deborah Nier reviewed the information on this. The City of Marengo, each year, must pass an appropriation ordinance that establishes the legal spending limits for the fiscal year. She explained that this ordinance is an accounting adjustment to bring the City spending into compliance with state law.

Alderman Michael Smith made a motion, seconded by Alderman Carole Bartman, to approve the 2009-2010 Supplemental Appropriations Ordinance. The motion passed with an aye vote by Aldermen: Smith, Bartman, Hall, Brackmann, DiMaria, Signore, and Secor.

8.h. Fiscal Year 2010/2011 Budget

Deborah Nier presented the proposed budget for 2010/2011 to the City Council. Thanks were given to the Ad Hoc Budget Finance Committee - Alderman Todd Hall and

Alderman Carole Bartman. The process to get to the current proposal remained the same as last year. The copy that is being reviewed this evening is draft #9. Thanks were also given to Jenny Snelton, Deputy Treasurer for the City of Marengo. Also, Josh Blakemore, and all of the department heads. This process was extremely challenging due to the extremely challenging times that the City is experiencing. The 2009-2010 fiscal year is ending on a deficit of about \$234,000. This is not a “self-inflicted wound.” The City is currently 2 months behind in receiving revenues from the State of Illinois. Court fines were down as well as were developer fees. Azavar Audit Solutions did find some funds for the City from underpayment of franchise fees.

City Administrator Nier spoke on Union and Nonunion employee salaries. The City is reevaluating all positions.

Various options were reviewed on containing the probable increase in the health benefit costs. The City will be asking the employee to pay a 10% contribution for their health insurance. The 35% for dependent/family coverage would stay the same. A survey was taken of other municipalities and the average employee contribution for family coverage was 27%. Jennifer Snelten explained a health reimbursement account program that could be implemented by the City.

Employer contribution rates for the IMRF pension fund are to increase.

Dial-A-Ride expenditures are offset by contributions from Marengo Township and Riley Township to continue operation of the Pace Dial-A-Ride service.

Another option (for reducing costs for the City) was to “out source” the dispatch for the police department. The current cost of the dispatch center is averaging \$452,000 a year. Revenue generated is about \$38,000 a year. If the City were to contract with SEECOM (Southeast Emergency Communications), the initial costs would include an independent audit (estimated cost of between \$5,000 and \$10,000). After the audit, if Marengo were to then join SEECOM, that cost would be deducted from the costs for the first year service. An estimated yearly cost for Marengo would be about \$145,000. If the Marengo Fire, Marengo Rescue Squad and the Union Fire/Police were to also be considered, the audit cost could be shared. Currently these departments pay a “per call” fee to the City. The use of SEECOM is shown in the budget proposal.

Deputy Chief Hallman said that by 2013 the City does need to convert our current dispatch system to a “narrow band” system, which they are currently working on. System upgrades will have to be done, and will be phased in by 2013.

Deborah Nier said that it is necessary to pass the budget. It does not need to be done tonight. By the end of the fiscal year, direction will have to be given to the departments on how they are to proceed.

Alderman Todd Hall made a motion, seconded by Alderman Carole Bartman, to approve the Fiscal Year 2010/2011 Budget with SEECOM included, and also for the Finance

Committee to continue to meet to explore options to find additional savings. Voting yes on this motion were Aldermen: Hall, DiMaria, and Bartman. Voting no on this motion were Aldermen: Secor, Smith, Signore and Brackmann. The motion did not pass.

Deborah Nier reminded the Council that the City is coming up on the end of the current fiscal year. It is always best practice to start the new fiscal year with some kind of a budget, so the departments know what they are working with. The City can always make changes during the course of the year. The Council can pass the budget as it is now, it doesn't mean that it will be your end product.

Alderman Carole Bartman made a motion, seconded by Alderman Corey Brackmann, to approve the budget subject to the expenses saved by outsourcing dispatching being taken out of the expenses in the budget. Voting yes on this motion were Aldermen: Brackmann, Bartman and Hall. Voting no on this motion were Aldermen: Secor, Smith, DiMaria and Signore. The motion did not pass.

OLD BUSINESS

None.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart had the opportunity to meet the United States Ambassador from Japan and Thailand, along with Congressman Don Manzullo, who came to Nissan Forklift. They had a chance to view the company and the products they manufacture. It was quite an honor to see both U.S. Ambassadors here in Marengo.

DEPARTMENT HEAD AND STAFF REPORTS

Jayson Shull, Building Commissioner. In addition to the report that was already given to the Alderman he wanted to let them know that he will be attending a meeting on May 26th on the National Hazard Mitigation Plan. The Marengo Historical Preservation Committee will be meeting to discuss sign permit applications. Harris Bank had requested an application to update their existing signs, they would like to make changes because the existing sign does not comply with ordinances. They are working on getting the design updated to meet current requirements.

Alderman Signore questioned the converting of the old community center, and the "shared facilities". Jayson explained that this was not prohibited in the current ordinance. It will be used as transient lodging.

Jim Craney, Superintendent of Public Works. Road repair work has started. There was a main brake on Taylor and Jackson. In the process of making the repairs, a valve was broken and that needed to be repaired as well. They have been very busy with all of this.

Joshua Blakemore, Assistant to the City Administrator.

EDC Meeting will meet this week with a representative from a development company that previously had explored the possibility of building a hotel in town.

Currently, the City is ironing out the final contract with the website company. The Council had decided to do this in the next fiscal year. They had asked to start with the logo, but only two Aldermen have returned the survey on this. At this point in time, the City does not have a signed contract with the company.

Deputy Chief Joseph Hallman. The township will be testing the new tornado sirens on Thursday. Tomorrow, he will be presenting, to the Chief's Association, a movement that is underway – soon to become a bill – for police and fire pension reform. This will create a two-tiered system.

The new police dog is currently in training. He is a black German Shepard. His name is Shadow. He will be operational sometime in mid June.

David Johanson, City Engineer. Briefly reviewed the written report previously given to the Aldermen. Taylor Street work has started. Please let him know if there are any questions or problems that arise.

Deborah Nier, City Administrator. Invitations are being sent from the Historical Society for May 23rd for the Carl Lundgren marker. This will be held on a Sunday at 2 p.m.

Carlos Arevalo, City Attorney. No report.

EXECUTIVE SESSION

Mayor Lockhart advised the Council that there was no need to go into Executive Session this evening.

ADJOURNMENT

There was no further business to come before the Council. Alderman Steve DiMaria made a motion, seconded by Alderman Todd Hall, to adjourn. The motion passed with a voice vote.

The meeting adjourned at 10:01 p.m.

Respectfully submitted,

Constance J. Boxleitner
City Clerk