

**MARENGO CITY COUNCIL
REGULAR MEETING MINUTES**

Marengo City Hall
132 E. Prairie Street
Marengo, Illinois
April 28, 2008
7:00 p.m.

CALL TO ORDER

Mayor Donald B. Lockhart called the April 14, 2008 Regular City Council meeting to order at 7:06 p.m.

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone present in the Pledge of Allegiance.

ROLL CALL

Present for the Clerk's roll call were Mayor Donald B. Lockhart, Alderman Lisa Trainor, Alderman Michael Smith, Alderman Michael Secor, Alderman Pat Signore, Alderman Eric DeBoer, and Alderman Todd Hall. Absent were Alderman Pat Shelton and Alderman Diane Bradbury. Also present were City Administrator Scott Hartman, City Attorney Carlos Arevalo, Chief of Police Les Kottke, Assistant to the City Administrator Joshua Blakemore, and Building Commissioner Jayson Shull.

PROCLAMATION

Look at Local History Month — May 2008

American Legion Poppy Days — May 16 — 17

The Mayor asked the residents of Marengo to recognize and participate in these two special observances:

- Look at Local History Month
- American Legion Poppy Days

The Marengo American Legion Kishwaukee Post #192 asked to use the Council Chambers as headquarters for Poppy Days. Alderman Signore motioned, seconded by Alderman Secor, to give permission to use the Council Chamber as headquarter for Poppy Days on May 16th and 17th. The motion passed with an aye voice vote from Aldermen: Trainor, DeBoer, Hall, Smith, Secor, and Signore.

PUBLIC PARTICIPATION

Ms. Pam Cuellar, 928 Beaver Pond Drive, presented the Mayor and City Council with a petition of names homeowners that opposed Mr. Leonard Besinger going forward with building Deerpass Meadows. The petitioners had various issues with the quality of their homes and asked that the City take more responsibility in overseeing that all aspects of building future homes be completed with more than just minimum code. The residents also asked that Mr. Besinger take care of the problems that are present in Deerpass Estates, Deerpass Meadows and the Villages of Deerpass before being given permission to start another project.

Catherine Campbell, 944 Beaver Pond Drive, does not feel that her foundation was built well

and was built in a flood plain. She feels that he has not taken care of her problems.

Steve Hoschouer, 601 W. Washington St., gave his opinion that Mr. Besinger's Planned Unit Development may negatively impact the value of all surrounding houses in the area.

Secondly, regarding the ordinance amending Chapter 33, Liquor Control and Liquor Licensing, Mr. Hoschouer would like to have the hours of sales extended from 9:00 a.m. as opposed to 11:30a.m. Mr. Hoschouer feels the increased hours would also bring increased revenue to the City.

Chad Slater, 804 Whitetail Drive, has lived in his home for 7 months and has not had his 30 day punch list completed. Mr. Slater complained that no smoke / carbon monoxide detectors were installed in his home and that would constitute a State Class B misdemeanor.

Mr. Leonard Besinger, 904 Beaver Pond Place, lives in the development and feels that there are not that many problems.

APPROVAL OF MINUTES

a. April 14, 2008 Regular Council Meeting and Executive Session Minutes

A motion to approve the April 14, 2008 Regular City Council meeting minutes and the April 14, 2008 Executive Session minutes was made by Alderman Smith, seconded by Alderman DeBoer. The motion passed with an aye voice vote by Alderman Pat Signore, Alderman Michael Secor, Alderman Todd Hall, Alderman Michael Smith, and Mayor Donald Lockhart. Alderman Erik DeBoer and Alderman Lisa Trainor abstained.

CONSENT AGENDA

a. Marengo Park District Summer with the Arts Request

b. Marengo Park District Reduced Liquor License Fee Request

c. Settlers' Days Spring Fling Carnival Requests: Parking Lot Closure and Fee Waiver

d. Poppy Days Request

e. 2007 / 08 Supplemental Appropriations Ordinance

f. Authorization to Execute a Lease Agreement for the EDC Office

Alderman Trainor motioned to approve the consent agenda, seconded by Alderman Hall. The motioned passed with an aye voice vote by Aldermen: Signore, Secor, Hall, Trainor, DeBoer and Smith.

NEW BUSINESS

a. Marengo Main Street Putt Putt Challenge Requests

Robert Levin, 21118 River Road, President of Marengo Main Street Association, stated that Marengo Main Street will take over the managing of the Farmer's Market. Mr. Levin asked permission to set up the Friday Farmer's Market in the Library parking lot beginning June 6, 2008 and to hang the Farmer's Market banner across Rt. 23 (The fee to hang the banner will be waived at the next City Council meeting). Some parking space and street closures in the downtown area to accommodate the Putt Putt Challenge on June 14th was requested by Mr. Ryan Varney, 510 Jackson Street. Alderman Signore moved, seconded by Alderman Smith to approve the Putt Putt Challenge consistent with description of the event as submitted by Marengo Main Street, and also approving a waiver of the \$75.00 fee for the banner. The motion passed with an aye voice vote by Aldermen: Smith, Signore, Trainor, Hall, Secor, and

DeBoer.

b. Ordinance Granting a Variation to the Marengo Zoning Ordinance and Sign Regulation — 800 W. Grant Highway — Prairie Community Bank (PZC Case #08-04)

A petition to allow the installation of a two line manual changeable message display area on the existing sign was requested by Prairie Community Bank. The addition would increase the current sign height by 2 feet. A motion to adopt ordinance 08-4-3 allowing modifications to an existing sign to exceed the requirements of the Marengo Zoning Code and Marengo Municipal Code as presented in the application dated February 6, 2008 was made by Alderman Michael Smith, seconded by Alderman Erik DeBoer. The motion passed with an aye vote by Alderman Todd Hall, Alderman Lisa Trainor, Alderman Erik DeBoer, Alderman Michael Smith, Alderman Michael Secor, and Alderman Pat Signore. Absent were Alderman Diane Bradbury and Alderman Patrick Shelton.

c. Ordinance Granting a Special Use Permit for a Planned Unit Development: Deerpass Meadows — Leonard W. Besinger & Associates

Nick Scarpelli, 100 W. Mall Drive, Attorney for Leonard Besinger, stated that he was here tonight to present the preliminary plan dated March 4, 2008 with the following conditions:

- The landscaping be in general conformance with the landscape plan dated April 7, 2008.
- Although the side yard building setback may be shown as 3', in no case shall the physical separation between the two buildings be less than 14'.
- The developer is required to construct a public sidewalk along Rt. 176.
- The declaration of covenants includes a statement that basements may be prone to groundwater infiltration.
- Internal sidewalks can be either concrete or brick as previously proposed.

Mr. Besinger stated that the initial list price for the homes would be approximately \$120,000.00 to \$130,000.00. The materials would be the same quality as in his past subdivisions.

An Alderman wanted to know what could be done as a Council, to secure that a contract would be fulfilled.

Attorney Arevalo stated that it would be the responsibility of our Building Department to issue the permit. The quality would be based on the price of the home which would be between the purchaser of the home and the builder of the home.

Mr. Besinger entered into an agreement with the City in 1989 that must still be honored today.

Alderman Signore was concerned that those who move into the homes would want to upgrade when the economy improves. He speculated that the homes would not be able to sell, and then the homes would then become rentals.

Mr. Besinger does not think that the houses would be left empty because someone will always be looking for a home in Illinois. The reason the houses will be able to be sold at a lower cost is because construction material is less expensive now than it was 3 years ago. They will be the same quality as Deerpass Village.

Alderman Trainor was concerned that this lower cost development would be on an entry road into the City and also about the contractor's past history with other developments.

Mr. Besinger stated that the current agreement would allow him to put Multi-family units on this property.

An Alderman asked if Mr. Besinger had considered building commercial unit on the property. Mr. Besinger said that he has not seen any commercial interest in the property.

Building Commissioner Jayson Shull stated that he understands the concerns of the citizens and those of the City Council. Quality is difficult to put into a code requirement. The codes Marengo adopted are the minimum code standards that are adopted nation wide. If it is the desire of the City, through multiple committees and public hearings, to strengthen these codes to have higher quality building materials, it could be done. The change could also out price development in our town. Commissioner Shull feels the codes we have in place are adequate.

A motion to deny the preliminary plan for Deerpass Meadows as presented was made by Alderman Todd Hall, seconded by Alderman Michael Smith. Alderman voting aye were Alderman Signore, Alderman Secor, Alderman Hall, Alderman Smith. Voting nay were Alderman Trainor, Alderman DeBoer, and Mayor Lockhart. The motion had insufficient votes to pass.

A motion to table an ordinance granting a special use permit for a Planned Unit Development: Deerpass Meadows — Leonard W. Besinger & Associates until more Alderman were present was made by Alderman Signore, seconded by Alderman Michael Secor. The motion passed with an aye voice vote by Alderman Michael Secor, Alderman Erik DeBoer, Alderman Lisa Trainor, Alderman Michael Smith, Alderman Pat Signore and Alderman Todd Hall. Alderman Patrick Shelton and Alderman Diane Bradbury were absent.

A five minute recess was called.

At 9:00 p.m. the meeting resumed.

d. TIF District Redevelopment Concept Plan: 136 East Street — Infill Market Development

Mr. Tom Walsh stated that the purpose tonight was to reintroduce the project to the new members of the City Council and talk about the needs in the terms of the TIF District. Infill Market Development would like to pursue this project by the end of this year. Thousands of these types of homes have already been built in the metropolitan Chicago area. The pricepoint of the townhome would range between \$189,000.00 to \$215,000.00. Final zoning and development agreement approval is needed. Mr. Walsh wanted to know the City Council's opinion on this project. The Homeowners Association will maintain the outside spaces. Each unit will have two parking spaces and 18 extra spaces will be available for the residents. Revere Homes will be the builder. Exterior lights for each unit will be on a timer. All Aldermen present agreed that this would be an acceptable project.

e. FOP Telecommunicators Labor Agreement Amendment

The Telecommunicators were given approximately a \$3.00 an hour wage increase over the

next four years. A motion to authorize Mayor Lockhart to execute an appropriate amendment to the FOP Telecommunicator labor contract that incorporates the revised wage schedule was made by Alderman Secor, seconded by Alderman Smith. The motion passed with aye votes by Aldermen: DeBoer, Hall, Smith Secor, Trainor and Signore.

f. Ordinance Amending Chapter 33, Liquor Control Ordinance

This is not an ordinance at this time, but will be presented as one at another meeting. It was agreed by all Council members present that the time to sell liquor on Sunday would be 8:30 a.m. The application fee would be \$2,500.00. The daily fee would be \$300.00. The late application fee would be \$10.00 per day.

g. Appointment of New Alderman — Ward 2

The appointment of Carole Bartman to replace Diane Bradbury for a one year term was presented to the City Council. A motion was made by Alderman Signore, seconded by Alderman DeBoer, to appoint Carole Bartman as Alderman for Ward 2. The motion passed with an aye voice vote by Aldermen: Smith, Hall, Trainor, DeBoer, Signore, and Secor.

OLD BUSINESS

a. Authorization to Execute a Technical Services Agreement with RTA and a Professional Service Contract with Houseal Lavigne Associates (RTAP — Western Corridor Study)

The City received a \$7,500.00 Transformation Grant from Com Ed. The City's cost of the RTAP study with this grant will be approximately \$12,500.00. A motion to give authorization for staff to execute the RTA Technical Services Agreement and Professional Services Contract with Houseal Lavigne Associates was made by Alderman Trainor, seconded by Alderman Hall. The motion passed with an aye voice vote by Aldermen: Hall, Trainor, Secor, Smith, Signore, and DeBoer.

MAYOR'S STATEMENT AND REPORT

Mayor Donald B. Lockhart stated that a tobacco sting was performed and Marengo passed with 100% compliance. A K-9 search was conducted at Marengo Community High School and Marengo Community Middle School and no drugs were found at either location. Nick Campbell received a letter of recognition for handling a frantic husband stating that his wife had gone into full labor. We would like to commend him for a "job well done". City Administrator Scott Hartman will be leaving his position as City Administrator.

DEPARTMENT HEAD AND STAFF REPORTS

Assistant to the City Administrator Joshua Blakemore reported that a special use and lease agreement regarding 837 W. Grant Hwy. should be forthcoming at the next City Council meeting.

Building Commissioner Jayson Shull has submitted a report in the packet. The lighting at the Marathon Station will be looked into.

Superintendent of Public Works Jim Craney submitted reports for the Water / Sewer Department and the Street Department. Mr. Craney thanked Marengo Disposal for doing a fine job in picking up the leaves this Spring. Grease trap letters were sent out. The WWTP is working well and back to normal. Brush pick-up was done. Pot holes are in the process of being filled. Maple Street will be swept up.

Deputy Chief Joe Hallman submitted his reports.

Baxter & Woodman Engineer Darrel Gavle submitted his report.

City Administrator Scott Hartman thanked Joshua Blakemore for going to Springfield for the Wastewater Treatment Plant award ceremony. City Administrator Hartman has enjoyed being with the City for the past 5 ½ years and is working with the Department Heads to make the transition a smooth one.

EXECUTIVE SESSION

Mayor Lockhart made a motion to go into Executive Session for litigation, seconded by Alderman Smith, the motion passed with an aye voice vote from Aldermen: Secor, Smith, Trainor, Hall, Signore, and DeBoer.

The Council returned to the April 28, 2008 Regular Session meeting at 10:17 p.m.

There was discussion on the Deerpass Meadows subdivision.

Alderman Pat Signore stated that he would like to appropriate some money to make the Council Chambers more secure. Mayor Lockhart will look into increased security measures.

ADJOURNMENT

Having no further business to discuss, Alderman DeBoer motioned, seconded by Alderman Secor, to adjourn the April 28, 2008 City Council meeting. The motion passed by a unanimous voice vote. The meeting adjourned at 10.45 p.m.

Respectfully submitted,

Theressa A. Hoschouer
City Clerk