

**MARENGO CITY COUNCIL
REGULAR MEETING MINUTES**
Marengo Council Chambers
132 E Prairie St - Marengo, IL 60152
June 22, 2009

Call to order

Mayor Donald B Lockhart called the June 22, 2009 meeting 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 B. Lockhart, Aldermen: Carole Bartman, Corey Brackmann, Michael Smith, Erik DeBoer, Michael Secor, Pat Signore, Todd Hall and Steve DiMaria. Also present were City Administrator Deborah Nier, Deputy Chief of Police Joseph Hallman, Superintendent of Public Works Jim Craney, Building Commissioner Jayson Shull, City Engineer David Johanson and Assistant to the City Administrator Joshua Blakemore. The City Attorney was absent this evening. Standing in for him was Kevin Chrzawonski from Attorney Arevalo's office.

Public Participation

There was no public participation.

Approval of minutes:

The June 8th, 2009 minutes were reviewed. There was a correction made to the minutes. Alderman Smith made a motion to approve the minutes as corrected, seconded by Alderman Bartman. The motion passed with an aye vote by Alderman: Brackmann, DiMaria, DeBoer, Hall, Bartman, Smith, Secor and Signore.

Consent Agenda:

- a. List of bills
- b. Sidewalk 50/50 request
- c. Resolution to temporarily close Route 23 for Settlers Days Parade.

Alderman Secor made a motion to approve the Consent Agenda items, seconded by Alderman Smith. The motion passed with an aye vote by Aldermen: Bartman, Smith, Brackmann, DiMaria, DeBoer, Signore, Hall and Secor.

New Business:

A. Change to parking Restriction – Route 23 & West Prairie Street.

Zack Woodruff, proprietor of Video Town, has requested a change in the current 2 hour parking that is in front of his store. Mr. Woodruff would like 15 minutes parking and also, to go to 2 parking spaces, if possible. Jayson Shull stated that the area was reviewed, and there was adequate space to expand the area to 2 spaces with no problems of visibility. If these changes

are approved by the Council, the city will apply to IDOT to expand the area to 2 spaces. A new sign could be ready for installation in about a week. Alderman Secor made a motion to change the limit on the parking spot to 15 minutes for the current spot and to apply to IDOT to increase to 2 spaces if approved. This motion was seconded by Alderman DeBoer. The motion passed with an aye vote by Aldermen: Signore, Secor, Hall, Brackmann, DiMaria, Bartman, DeBoer and Smith.

B. Intergovernmental Agreement with Marengo Township regarding Pace Services.

Josh Blakemore discussed an agreement between the City, Marengo Township and Riley Township. This agreement extends the current agreement that would normally expire on the 30th of June 2009. The contract that the City has with Pace expires on December 31, 2009. Alderman Smith made a motion to approve the agreement, seconded by Alderman DeBoer. The motion passed with an aye vote by Aldermen: Smith, Brackmann, Signore, DiMaria, Bartman, Hall, Secor and DeBoer.

C. Deerpass Meadows Letter of Credit Reduction #6.

Jim Craney spoke about a Deerpass Meadows letter of credit reduction – which involves work on a storm sewer. Staff has completed a field inspection and everything looks good. Alderman Bartman made a motion to approve this, seconded by Alderman DeBoer. The motion passed with an aye vote by Aldermen: Hall, DeBoer, Brackmann, Secor, Signore and Bartman. Alderman DiMaria voted no. Alderman Smith abstained.

At this time, a brief discussion was held about documents relating to the Primrose Green Homeowners Association. City Administrator Deborah Nier advised that she had spoke with Mr. Besinger's secretary, and was told that a FedEx package of those documents was sent to Laura Spenser on June 22nd 2007. They did not retain a copy of those documents in their office – everything was mailed to the Primrose Green Homeowners Association.

D. Authorization to Executive Contract for Phase II – Engineering for Prospect St.

Deborah Nier went over the agreement document. She explained about the financing of the project through issuance of general obligation bonds in the amount of \$2,000,000. The debt service of the bonds would be paid with Motor Fuel Tax proceeds. Gary Rozwadowski, Executive Vice President of the SEC Group also spoke on this. When the project is completed, if the need to add a traffic light were to come about, it would be a minimal amount of work to have the light installed. Alderman Brackmann made a motion to authorize the contract, seconded by Alderman DiMaria. The motion passed with an aye vote by Aldermen: DiMaria, Signore, Secor, Bartman, DeBoer, Brackmann, Hall and Smith.

E. Ordinance Granting a Special Use Permit Extension for 605 E. Grant Hwy.

Jayson Shull spoke about the requested zoning permit being requested by William Peck of Coldwell Banks and Crossroads Realty. Their existing special use permit expired, and they are requesting an extension of that permit, but without the 25-year clause. Alderman Signore made a motion to approve a special use permit allowing general office use upon the property of 605 East Grant Highway. Alderman DeBoer seconded the motion. The motion passed with an aye vote by Aldermen: Secor, DeBoer, DiMaria, Brackmann, Smith, Bartman, Signore and Hall.

Jayson will look at other permits to make sure they are current and up to date.

F. Ordinance Amending the Zoning Map at 20519 Telegraph St.

Jayson has received a petition to amend the zoning of property at 20519 Telegraph Street from the current B-2 General Business District and R-2 Single Family District to a full R-1 Single Family Zoning District. The petition is looking to use the property as a single-family residence. Alderman Hall made a motion to adopt Ordinance # 09-6-4 – Rezoning Property Commonly Known as 20519 Telegraph Street to a full R-1 Single Family District as presented in the application dated June 5, 2009. Alderman Secor seconded the motion. The motion passed with an aye vote by Aldermen: DeBoer, Bartman, Hall, Smith, Secor, Brackmann, DiMaria and Signore.

G. Intergovernmental Agreement with Marengo Taxing Bodies regarding Business Incentive Program.

Joshua Blakemore spoke about the agreement and the positive feedback from all the taxing bodies about this agreement (referred to as BIPiM). Businesses would have the opportunity to sign a joint agreement for tax abatement – sales tax rebates – fee waivers/refunds, etc., - but could have special clauses added for a special taxing body if the need occurred. The MEDC (Marengo Economic Development Commission) will coordinate the signing of agreements and see that all entities have copies. Alderman Smith made the motion to approve this agreement, seconded by Alderman Signore. The motion passed with an aye vote by Aldermen: Smith, Bartman, Hall, Brackmann, DiMaria, DeBoer, Signore and Secor.

Wireless Alarm Monitoring Presentation from Marengo Fire Protection District.

Bob Bradbury, from the Marengo Fire Department, spoke about a wireless alarm system that could be implemented – giving the Council the pros and cons of this type of system. The current system relays its information through the phone lines. The new system would eliminate the phone lines thus reducing the cost to businesses and cut down on false alarms. Other municipalities in our area are pursuing this type of system – Algonquin currently has it in force and Woodstock is in the process of working on a contract for one. It was suggested, by Alderman Bartman, that an ad hoc committee be set up to look into this further. The following Aldermen agreed to serve on this committee: Smith, Brackmann, DiMaria, and DeBoer. They will meet with Chief Bradbury and will look at various options. It was also suggested we invite the companies to come to our next meeting (on the 13th of July) and give a presentation.

Old Business:

A. Authorization to Execute Contract for Security Services with ADT.

Bill Walker – representative with ADT – spoke about the existing security system the City has. He also discussed the new package that was put together for the City. The cost for 8 sites (9 proposals which would be the inclusion of a camera set up at the Public Works Building) would be \$690 per month for 5 years (\$8280 a year). This amount includes leasing of the equipment. After the 5 years was over, the equipment would then become the property of the City, and the cost would then reduce to \$289 per month for just the service. If the City were to just cover the Public Works Building with cameras and alarms, the monthly fee would be \$267. If you were to add the Waste Management Building, the cost would increase by \$75 (per month). Bob Brugh, a technical specialist with ADT spoke about the technical applications that would be required and

how they would work. The original agreement that the City had with ADT was for \$218 a month but only covered the Public Works building. That option is no longer available. This system could be converted to work with the Wireless Alarm Monitoring that the City is also looking at. The monthly fee would then be reduced – as the City would most likely be just paying for maintenance on the system at that time. The contract could be worded in such a manner so as to be adaptable to suit the City’s changing needs.

Mayor Lockhart asked that representatives with ADT meet with the ad hoc Wireless Alarm Monitoring System committee, and see what they can work out.

B. Primrose Green Homeowner’s Association Request

Attorney Curt Rehberg, legal representative for the Primrose Green Homeowners Association, spoke to the Council about the Association’s concerns regarding the dissolving of the Association and the waiver on the sidewalk issue. Jayson Shull read from a letter that Attorney Arevalo sent to the Association about the annexation agreement and the City’s stand on the need to comply with the agreement if the Association were to dissolve.

Alderman Brackmann made a motion to waive the requirement in the annexation agreement that would require the individual homeowners to put in sidewalks if the Association dissolves. There was no second on this motion, so the motion died for “lack of a second on the motion.”

Alderman Bartman made a motion to uphold the original annexation agreement requirement to have sidewalks installed if the Association dissolves. Alderman DiMaria seconded this motion. The motion passed with an aye vote by Aldermen: Secor, Smith, Bartman, DiMaria, Hall, Signore, and DeBoer. Alderman Brackmann voted no on this motion.

Robert Marlewski, 813 Walnut Court, advised the City Council that he would check to see if he could find the documents Mr. Besinger’s office said were sent to the Association.

Gillian Mobley, 870 Woodland Ct, asked who was responsible for the maintenance of the various areas and paths. There is nothing in the association covenant that states how long the paths must be, or how they are to be paved. Mr. Mobley has removed the paving that was on his section of the “easement area” with the approval of the board. The City Council stated that these questions were not for the Council to decide – but for the Association.

Mayor’s Statements and Reports.

No report.

Jayson Shull, Building Commission,

Building Commission Shull stated that he had nothing further to report at this time.

Jim Craney, Superintendent of Public Works,

Serious flooding issues have caused sewage problems for Stevenson and other streets in that area. The road was blocked off, to prevent traffic from going through and causing waves from occurring. Port-a-potties were brought in for homes in that area as a short-term solution. The pumping station was operating at full capacity, and was not able to keep up. Mayor Lockhart received several calls about the sewage problem, and contacted Jim Craney to come out with him

and view the situation. He also contacted Jayson Shull to come out and start doing elevations and such for the Army Corp to see what needed to be done.

Josh Blakemore, Assistant to the City Administrator,

Mr. Blakemore had nothing to report at this time.

Deputy Chief Joseph Hallman

Deputy Chief Hallman presented his report on what has been going on this past month. It was noted that 133 applications were submitted for positions in the Police Department, and 113 that actually tested on Saturday. Results are expected back to the City by the 3rd of July. Mike Secor spoke about an incident of cars going around his neighborhood contacting homeowners about possible storm damage. The signs on the side of the vehicle read "A-1 Construction". He asked if the City requires a permit in order to go around town in this manner. Yes, according to Deputy Chief Hallman, applicants must apply for a permit at the Police Department. He was unaware of one being issued for this company, but he would check into it further. Alderman DiMaria asked if the sirens went off last Friday during the bad storm that came through, as he did not hear any in his subdivision. He has asked that someone check this out. (The sirens were not activated.)

David Johanson, City Engineer with SEC.

City Engineer David Johanson asked if there were any questions about the report he had submitted. There were no questions.

Deborah Nier, City Administrator

Administrator Nier had nothing to report at this time.

Attorney Kevin Chrzawonski.

No report.

At this time, the meeting was adjourned to go into Executive Session. A motion was made by Alderman Signore to go to Executive Session for the purpose of discussing Personnel, Collective Bargaining, Litigation, and the approval of the Executive Session minutes. Alderman Hall seconded the motion. The motion passed with an aye vote by Aldermen: Hall, Signore, DeBoer, Secor, Brackmann, Bartman, Smith and DiMaria.

The Council went to Executive Session at 8:57 p.m.

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**The meeting reconvened at 9:35.** Roll call was retaken. Present are: Mayor Donald Lockhart, Aldermen: Michael Smith, Corey Brackmann, Eric DeBoer, Todd Hall, Carole Bartman, Steve DiMaria, Mike Secor and Pat Signore.

Mayor spoke at this time about committee assignments, and the need to fill them. The first committee – General Administration Committee – he appointed Carole Bartman, Todd Hall, Steve DiMaria and Corey Brackmann to serve. The second – Community Development – he

appointed Pat Signore, Chairman, Mike Secor, Steve DiMaria and Michael Smith to serve. The third – Transportation – he asked Todd Hall, Michael Smith, Chairman, Corey Brackmann and Mike Secor to serve. All accepted the appointments.

Jayson Shull asked the Council to clarify for him how they wanted him to handle Primrose Green. Attorney Chrzawonski clarified that this is private property and other than enforcing normal city ordinances, the City cannot force the association to install sidewalks, or maintain walkways in the common areas unless the association dissolves. Any enforcing of the association covenants is the responsibility of the association.

As there was no further business to come before this meeting, Alderman Signore made a motion to adjourn, seconded by Alderman Smith. A unanimous aye voice vote was given. Meeting adjourned at 9:55 PM.

Respectfully submitted,

Constance J. Boxleitner  
City Clerk