

**CITY OF MARENGO
CITY COUNCIL MINUTES
JULY 23, 2007**

CALL TO ORDER

At 7:04 p.m., Mayor Lockhart called to order the July 23, 2007, Marengo City Council meeting and then led the "Pledge of Allegiance".

ROLL CALL

Mayor Lockhart, Alderman Bradbury, Alderman Shelton, Alderman Secor, Alderman Signore and Alderman Trainor were present for roll call. Absent were Alderman Hall, Alderman Spear and Alderman Smith (arrived at 7:15 p.m.).

PUBLIC PARTICIPATION

Patricia Donnelly, 752 Village Circle, Marengo, addressed the members regarding off street parking (Village Circle/Court, Center Drive and Mallard Drive) for Deerpass Village, Unit 1. There are 25 buildings housing 100 town homes and per covenants prepared by the Woodstone Company and filed with the McHenry County Recorder, parking is prohibited on the pedestrian/driveways. A copy of her letter regarding this was included in the member's packet.

She stated they were all for the no parking on the three streets that service Unit 1. She said, "We have worked both ways-no parking on the driveway-no parking on the streets. We're up to now where everybody is just parking wherever they want and it is dangerous. So that's why we come to you tonight to try to present you with some statistics on these three streets and those are the second two pages."

There is no uninterrupted curb space on Village Circle/Court for on street parking. However, there is 495' of uninterrupted curb space on the west side of Mallard Drive and 912' of uninterrupted curb space on the north and south sides on Center Drive.

She said they were a very, very unique association in that the homes were very close together and felt the parking problems needed to be addressed especially on Village Circle as it is only 60' and when people park on both sides of the circle, a garbage truck has a hard time to get through.

Alderman Signore gave Ms. Donnelly a copy of the proposed parking allowed area that was mapped out by Supt. of Public Works Jim Craney which creates 12 additional parking stalls along the south side of Center Drive to Mallard Drive.

Janice Nelson, 869 Village Circle, Marengo, wanted to talk about the people blocking the sidewalk with their cars and are not being ticketed. This is hazardous as the children have to walk into the street to get around the vehicles that block the sidewalk. She had pictures to show what she was talking about.

Her concern was that the City was going to allow parking on Village Circle as it is very congested and didn't feel emergency vehicles could get through and she was told that people that were parking in front of the fire hydrants couldn't get tickets because the curbs are not painted so that needed to get taken care of.

Brenda Rommel, 765 Mallard Drive, Marengo, also had pictures to show the parking problems in the area. Her concern was for the safety of the children and having the area free for emergency vehicles. The pictures were given to the Police Chief and Mayor Lockhart advised her we would look at them.

PROCLAMATION

Mayor Lockhart read a proclamation that proclaimed Prospect Street to be known as honorary "Nissan Way". He presented them a sign and thanked them for being a great partner to the City of Marengo.

NEW BUSINESS

JULY 9, 2007, COUNCIL MINUTES

Mayor Lockhart asked if there was a motion to approve the above mentioned minutes. Alderman Shelton so moved; seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Shelton, Bradbury, Smith, Secor and Signore. Alderman Trainor abstained.

JUNE 25, 2007, COUNCIL MINUTES-REGULAR AND EXECUTIVE SESSION

Alderman Bradbury made and Alderman Secor seconded the motion to approve the above mentioned minutes. The motion passed with an aye voice vote from Alderman: Bradbury, Smith, Trainor, Secor and Mayor Lockhart. Alderman Shelton and Signore abstained.

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JUNE 25, 2007, PUBLIC HEARING MINUTES-SPECIAL SERVICE AREA #3-FOUR SEASONS POINT IN TIME

Alderman Secor moved to approve the above minutes; seconded by Alderman Smith. The motion passed with an aye voice vote from Alderman: Secor, Trainor, Bradbury, Smith and Mayor Lockhart. Alderman Shelton and Signore abstained.

AUTHORIZATION TO PROCURE A NEW PICKUP TRUCK THROUGH THE STATE BID PURCHASE PROGRAM

Supt. Craney advised the Public Works Dept. is requesting to purchase a 2008 Ford F250 Crew Cab pickup through the State Bid Purchase Program for a total of \$22,700. There is \$25,000 allocated in the 2007/2008 budget for this purchase.

Alderman Signore moved to approve the purchase; seconded by Alderman Trainor. The motion passed with an aye voice vote from Alderman: Smith, Shelton, Signore, Trainor, Bradbury and Secor.

ORDINANCE 07-7-3, GRANTING AN EXCEPTION TO SECTION 15.04B OF THE MARENGO MUNICIPAL CODE-DEERPASS VILLAGE, UNIT 1, ON STREET PARKING PROHIBITION RELIEF

Administrator Hartman stated the homeowners of Deerpass Village, Unit 1, have expressed a hardship for on street parking and has asked the City to provide some relief for parking in this neighborhood. They have worked with the CDC to further explore this issue and after everything was said and done, the CDC has recommended the members entertain providing an exception to the off street parking ban. It would specifically provide for 12 permit restricted parking spaces along the south side of Center Drive.

The administrative tool will be through a memorandum of understanding between the City of Marengo and the Deerpass Village, Unit 1, Homeowner's Assoc. that outlines the obligations and the burdens of running this program to this Association. They will handle the administration, the issuance of permits, signage, stripping, the costs are their burden. If approved and for whatever reason it doesn't workout, it can be repealed by the members.

Alderman Signore, Chair of the CDC, stated the CDC felt the Association had come up with a reasonable plan that would allow for parking on Center Drive, opposite of any buildings, so there will be not be a concern of parking in front of one person's unit and not the other.

He thought the Association took a realistic approach to the solution; however, it is not a perfect solution. Those taking advantage of the parking stalls will have to do some walking to get from their vehicle to their home, but it seemed like a sensible solution to a real problem that the Association faces and is willing to administer the program, decide the permit recipients and verify only those with the permits use the parking spaces.

Steve Trammel, 772 Village Circle, Marengo, who is the Treasurer for the Association, came forward to answer questions.

Alderman Trainor brought up concerns per the memo the Council received from Supt. Craney regarding plowing this area after a 2" snowfall or when the public works is out plowing to clear city streets of snow. He was advised the vehicles would have to be moved or face being towed away as any other vehicle would be in that circumstance. He was also advised the Association would be maintaining this area (stripping, signage, etc.).

Supt. Craney stated and Alderman Bradbury confirmed there was a typographical error for item 9 of the Memorandum of Understanding. It should read theft not thief.

Alderman Signore stated the Memorandum of Understanding was sort of a housekeeping item as the Association did not want to pass an ordinance without the approval of the Council.

Mayor Lockhart asked if there was a motion. Alderman Shelton so moved; seconded by Alderman Smith. It carried with an aye voice vote from Alderman: Trainor, Smith, Shelton, Secor, Signore and Bradbury.

ORDINANCE 07-7-4, GRANTING A VARIANCE AND DRIVE-THRU SPECIAL USE PERMIT FOR PZC CASE #07-05-LOT 18-NORTHWEST CENTER FOR COMMERCE FOR JOE'S PLACE

The petitioner's attorney, Jay Filler, stated this was before the members for two reasons. One was there was a variance being requested for the setback of the center lane of Rt. 20. The current setback is 150' and they are asking it to be reduced to 120'. The second is for a special use to have a drive through for a B-2, General Business Zoning District as this is a requirement for all drive thru establishments.

Both items were unanimously approved by the Planning and Zoning Commission (PZC); however, it was approved subject to the site plan being substantially in conformance with the site plan presented to them that night with the under standing the site plan was going to have to change because of the recommendations from the PZC.

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The site plan given to the members includes the changes requested from the PZC. The changes requested were a bricked in trash area, the door by the drive-up window moved to a different portion of the building, a sidewalk would be installed per City standards along Rt. 20, and the landscaping would comply with our landscaping code.

It was stated the types of uses have changed at Northwest Center for Commerce (NWCC) and now felt the area should become pedestrian friendly and include more sidewalks. Comments of the discussion included: No sidewalk along Lindow Lane, sidewalk is required on the other side of the street, per NWCC plat and engineering plans, the sidewalk is only required along Rt. 20; Mr. Miceli's proposed plan makes an arc on Lindow Lane and dies on the first access point so the requirements per the plat have been met, thought a sidewalk would make it easier for potential clientele at other area establishments to get to this business so they wouldn't have to drive to get there, felt it wouldn't be fair to put all of the burden on Mr. Miceli to install all of the sidewalk, per plat and engineering plans were when this was zoned as M-Manufacturing and now it is zoned to have more pedestrians, members have the choice to make a condition of the approval to require sidewalks all along Lindow Lane frontage as well, possibility of putting a sidewalk in public right of way easement, the plan has the edge of the pavement, some green space from the right of way, the sidewalk on the parcel and then a small piece of green space on the property and then the parking, the entrance to this establishment will not be like McDonald's entrance, could make a condition to the ordinance that Mr. Miceli would be required to put a sidewalk in the public right of way if there is room/along the frontage of Lindow Lane for the lot, thought it should be specified if it is going to be in the right of way as this would set the stage for future development, Mr. Miceli and Commissioner Shull had a concern regarding a recommendation from PZC which was a sidewalk would be required along Rt. 20 and as designed, there is only going to be a foot of green space so the question is if that one foot was a good use for green space, several members felt the one foot of green space wasn't going to help.

Our attorney stated there were two separate issues, special use and variance, needing approval; however, both could be done in one document. He said there should be two separate motions. One would be the special use for the drive-thru subject to the conditions that were outlined. The conditions would be as specified in the ordinance itself except they would be adding the sidewalk along the Lindow frontage in the right of way.

Our attorney said, "So if you can do a motion to approve the special use for a drive-thru pursuant to the findings of fact in the staff report and condition upon the items a, b, c and d as specified in the ordinance and revising c to specify the sidewalk along Lindow frontage then that would kind of take care of your motion to approve the special use." Alderman Trainor so moved; seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Trainor, Signore, Secor, Bradbury, Shelton and Smith.

Our attorney then said, "You need a second motion to approve the variance regarding the setback requirement pursuant to findings of fact." Attorney Filler asked as part of this, could the one foot green space be eliminated. Mayor Lockhart asked if this was okay with the members; it was. Alderman Secor then made that a motion. It was seconded by Alderman Bradbury and passed with an aye voice vote from Alderman: Secor, Trainor, Shelton, Smith, Bradbury and Signore.

SIGN VARIANCE REQUEST FROM CRUISIN' STATE STREET

The owners of Cruisin' on State Street would like to replace the face of their current sign which is a projection sign. This sign is not in compliance with our current sign ordinance. Per staff policy, every sign application received in the overlay district is reviewed by the City Building Dept. staff and forwarded to Marengo Historical Preservation Commission (MHPC) for review.

City staff's review indicated their proposal did not comply with the City's code and ordinances as it doesn't permit the re-skinning of non-conforming signs as defined in the overlay district. Included in the agenda supplement for this item was an e-mail from the chairman of the MHPC. Commissioner Shull's opinion was that the e-mail was somewhat vague as to what they were recommending. He stated they were not a recommending body to approve any variations to the code. They review the code in respect to historical colors, designs and other outlined features as outlined in the ordinance.

Commissioner Shull assumed they were recommending the members to approve the re-skinned sign. He has not had the opportunity to speak to Chairman Wrosteck to go into further detailed as to why they recommended it and for what reasons.

Commissioner Shull was asked if there was a variance applied for in the first place to put this sign up. He replied, "Not to my knowledge" and further stated this was an old sign and years ago, projecting signs were allowed.

Alderman Trainor then gave back round information to the newer members regarding the sign ordinance that was adopted not to long ago that prohibits projecting signs and Alderman Signore advised the CDC felt the amortization schedule that was suggested for replacing prohibited signs for the new ordinance wasn't business friendly and rather than force compliance within a specified period of years, they felt compliance at the time of change was a better fit so it wouldn't force anyone who just purchased a sign

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to get rid of it in five years and if an existing sign is well maintained, it could be there for another twenty years even if it is not compliant. The reskinning or refacing of the existing projected sign is not in compliance with the existing sign ordinance because it is not the look we want to continue. What causes the change to become compliant is if the business owner wanted to change the sign, the change would need to be compliant with the new sign ordinance. Alderman Signore wondered why the MHPC was requested to give an opinion on a sign that was not compliant. Commissioner Shull explained it was standard policy. Even if the application does not meet standard code, same is still reviewed by MHPC for this type of circumstance. Mayor Lockhart then asked for a decision. Alderman Trainor felt that since the City worked hard on modifying the Sign Ordinance and she felt if there was a change to be made, it should be in compliance with the Ordinance. Alderman Signore agreed and felt this was the time to start that process that was the City Council's vision. An Alderman wondered if the request is denied, could the business owner still retain the non-compliant sign? Both Alderman Trainor and Commissioner Shull confirmed the existing sign could remain as is. Alderman Trainor stated the business owner could choose to design a sign that was more compatible with the ordinance. Mayor Lockhart asked for a motion. An Alderman asked if the motion had to be in favor of the request. Attorney Arevalo stated the motion could be made to deny the variance request to reface the existing sign because it was not in compliance.

Motion was made by Alderman Trainor then made that a motion to deny variance request to reface the Cruisin' on State Street signage. Motion was seconded by Alderman Shelton and passed with an aye voice vote from Alderman: Secor, Trainor, Shelton, Smith, Bradbury and Signore.

SEVEN OAKS PRELIMINARY PLAN

Mayor Lockhart welcomed Mr. Green. Administrator Scott Hartman began by stating in March 2006 PZC made a recommendation to approve the Application for Zoning, Plan Annexation, Special Use Permit for a Planned Unit Development and Preliminary Plan of Plat. Since that time, there was a lot of discussion regarding annexation agreement, annexation fees, and transportation networks and the combination of those things caused this project to be further delayed. As a result of some of the requests and considerations, a revised plan has been submitted by Mr. Green, by the developer, for the Council's consideration. The plan is revised, although it does not change the requested underlying zoning, the request is still for the R-1 underlying zoning, it does not request changes to the nature of the development, it is still single family units, in neighborhoods with the lot sizes that are considered average. It does provide some changes, specifically the realignment of the road network, which was at the request of the City through the Transportation Ad Hoc Committee, but also an increase in units from 264 units to 295 units. Administrator Hartman added, for informational purposes, the original proposal and the original plan that was submitted was for 276 units.

What is being requested is for the City Council to consider the degree of the changes and whether the increased units and the realignment of the transportation network constitutes a major change or a minor change to this plan. If the Council determines the changes to be minor changes, the developer may move forward with finalization the annexation agreement and going to City Council for approval or having to go back to the Planning and Zoning Committee to open a public hearing. Administrator Hartman then requested Mr. Green explain the changes and answer any questions for the Council Members. Mr. Green stated his company had been working with the City of Marengo on this project since 2003, filed for annexation and original site plan in August 2005 and was approved by PZC in March 2006. Mr. Green stated he was looking to update the Council Members with where they are and obtain comments on the new plan and try to get the annexation agreement finished up. Mr. Green explained a couple of the changes he was asked to address. The first was from the Transportation Ad Hoc Committee. The development provided a connector road from Route 23 through the project and out. The Transportation Ad Hoc Committee requested the connector road be realigned to make a straighter east-west road, which was accommodated allowing the road to be continued west, out to Johnson Road or wherever the City decides it want go. There are no driveways on this road, which makes it a true connector road, which is not the case for the road east of Route 23. The City would have the ability to develop almost a by-pass running west and back out to Route 20. Mr. Green felt the new plan is a more efficient plan than the original.

The second issue to be accommodated was with the Park District donation. Since the eastern part of the site is wooded, the developer was to preserve as many of the trees as possible, and shift the residential in a little more of clustered concept in that area. The Park District donation that would be required on this site would be 11 or 12 acres. What the developer proposed was 54 to 56 acres to the Park District. The Park District requested funds in addition to the land. The developer agreed, modified the plan, reduce some of the park area, add a few lots and Jay Filler, the developer's attorney, met with the Park District and he believes the Park District is happy with new agreement. Administrator Hartman stated there is a letter from the Park District dated July 20, 2007 in with the Alderman packages. Mr. Green stated he had not seen the letter and requested a copy of same, which was provided. The third issue was the Sanitary Sewer north of the park. The developer had spoken to the Park District regarding the possibility of obtaining an easement. Baxter-Woodman did a South West Sanitary Sewer study and in their study, they looked at servicing this property as well as about 15 or 20 other properties in this quadrant of town. Baxter-Woodman developed a plan to run a sewer line north to a lift station near the rail road track with a force main from there up to the sewage treatment plant. The cost of doing that was about four times what was budgeted for the project. The only way to come up with the

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additional funds was to add a few more lots. He also stated the additional lots would assist in offsetting the increased impact fees now being charged by the City. Administrator Hartman pointed out that the plan originally called for 276 units and the reduction to 265 units was made by the developer voluntarily and not due to a request made by the PZC. He did not think going back to the PZC was inappropriate and would most likely delay the project another four months and require increased fees, the cost of the public hearing and expert testimony. He would like to move forward with the Annexation Agreement, address the few language issues and come to an agreement on the impact fees. The unit change is a seven percent (7%). Mr. Green then cited the case reference in Illinois Law that he said stated the court recognized that a rule requiring additional public hearing following every modification of a proposed development would be unworkable. It also stated a second hearing would be required if the modifications resulted in a material change in the nature of the development. Mr. Green said he would argue, and hope the City Council would concur, that the changes do not create a material change in the nature of the development. He again stated he would like to go forward and respectively requested the City Council deemed the changes as minor and not as a material change to the nature of the development. He did state he was willing to re-notice the public hearing on the annexation agreement since there were minor modification to the plan and more substantive language in the annexation agreement that has changed since the draft back in March 2007. This would provide for anyone that has a comment on the changes to the plan the opportunity to speak. This suggestion was made to Administrator Hartman. It provides the City and the developer with the comfort that there was another opportunity for additional public input. He referenced page 19 of the annexation agreement, section 24, he believed with provided for the developer to indemnify the City in the event someone challenges the City's ability to enforce the annexation agreement. Attorney Arevalos stated if modifications or amendments were made to the annexation agreement, there would need to be a public hearing anyway. Attorney Arevalos then wanted to confirm the developer would be willing to address concerns, if any, made by the public at the time the annexation agreement was approved. Mr. Green stated, yes, he would be willing to address those issues at that time. Attorney confirmed for the City Council that should there be any issues with the ability to enforce the annexation agreement, because same provided for indemnification, the cost would be bore by the developer and not the City. As to the issue of the increase in the number of lots, Attorney Arevalos stated it would be the Council Members decision as to whether or not it would be considered minor or major, but felt adding the lots did not constitute a significant change. Because the annexation agreement is not yet finalized, any outstanding issues could be resolved by modifying the annexation agreement. Ultimately, Attorney Arevalo's stated what the developer was proposing is acceptable and he would feel comfortable recommending to the Council that the developer's approach was appropriate.

An Alderman felt the proposal was nice since it provided for only single family and not multi-family units, the new plan would allow for more people exiting at the north end of the development and more population could be serviced by the north end, and thanked Mr. Green for addressing the change in the City's Impact fees. Mayor Lockhart said what need to be looked at is if 7% increase was a significant change, he did not believe it was. Attorney Arevalos said if the developer came in wanting to add townhomes, that would then be a land use change, different zoning and would be a material change. An Alderman felt the new plan flowed so much better. The question was asked, "What are we looking for tonight?" Administrator Hartman responded that if the changes were minor changes for the plan, the developer could proceed with going forward and working on the Annexation Agreement or if the changes were significant and required approval by the Planning and Zoning Commission. An Alderman asked if this was to vote on the Preliminary Plat, and Attorney Arevalo said no, that the plat would not need to be approved tonight, just make the determination to send the plan back to Planning and Zoning or move forward.

Alderman Bradbury said, "I just have something that I would like to add. This plan is new to my eyes and it looks like a fine plan. I agree with the Council, I would not like to see us go backward, it seems like you (John Green) have been more than patient. My only comment is, and it here just in the second paragraph it says, 'Also in light of the new proposed fee structure, the number of units has been increased from 264 to 295.' Now that fee structure, is that in direct relation to the impact fees that we have increased?" Mr. Green responded, "Where are you on that? I understand you passed them but I understand you are looking at them." Scott Hartman responded, "There is a committee meeting of the whole on July 31st, which is next Tuesday, to further discuss those, but by resolution we have established a fee schedule, which I believe you have a copy of and that happened in April. And until there is change, that's what's in place. Mayor Lockhart said, "That's what you are looking at right now." Scott Hartman continued, "And I have a direction to put that in an annexation agreement, or if there is a like value off set, that could be considered as well." Alderman Bradbury said, "The reason why I just bring that up is because since we will be revisiting these fees, I don't know if they are going to remain the same, or there's a possibility that they might be lowered slightly. If they are lowered, and since you are now proposing to build a few more homes, would there be any way that we could put into some type of agreement that if the impact fees are lowered, that perhaps, we could recoup some of the extra homes that are going to be in here and some type of an extra donation?" Mr. Green responded, "The challenge is we have added 30 houses. But if you look at what your impact fee structure has done, it is about three times more than what the additional homes will provide. Our proposal to you, and again, I don't know if Scott if you ever circulated our impact fee proposal that we made." Scott said, "Yes." Mr. Green continued, "Again it's about four thousand, I think at the end of the day, it's about four thousand less. Instead of \$32,000 for a four bedroom, I believe we were at \$28,000. And this proposed plan took

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into account the \$28,000, not the \$32,000. So it sounds like we may still be a little bit apart from what the fees are. And we were kind of hoping to hear a final resolution on what you were going to do with those. I'll be honest, you over did it, in my opinion, with those fees. They are out of line with the world, they are out of line with costs of some of the things that we are being asked to pay for. But I don't want to go back and revisit that. The answer is if, I guess I need some direction from you. If the Council is saying, 'If you pay the higher fees, we will give you the lots,' say so. But, what I don't want to do is commit to saying I will pay the higher fees and then you roll them back. If you roll them back, then roll them back. We have agreed on our annexation agreement to about 3 million dollars for offsite sanitary sewer. The challenge is that the impact fees affect so many other things. It affects density, it affects your road costs, your land costs, all kinds of things. So, I don't want to sit here and say these are economical at \$32,000 or suffer some additional reduction. Someone made an interesting point regarding reducing the units. If you look at Scott's memo of July 23rd, back on page 4 of the findings of fact, which were issued by the planning commission last year, if you look at item number one, it says, 'The applicant proposes 276 units while the underlying R-1 zoning would allow over 400 units.' So I hate to get penalized for going from 265 to 295. What's going to happen July 31st? Scott Hartman responded, "It's a committee of the whole meeting, but no action can be taken. But potentially direction could be given." Mayor Lockhart asked how soon he was planning on starting his project. Mr. Green responded, "We had hoped to be able to get into the ground next year." Alderman Signore then asked, "So what does Paragraph 2 in the administrator's agenda supplement address, then. The second sentence of Paragraph 2? 'Also, in light of the new proposed fee structure, the number of units has been increased from 264 to 295, to offset the higher cost.' Were they aware of the fee structure that was voted upon and passed?" Scott Hartman replied, "As of April, yes." Alderman Signore continued, "And that was used as the calculator to increase the number of units from 264 to 295?" Mr. Green said, "No." Alderman Signore asked, "Why not?" Mr. Green replied, "Well, we would be at about 360 if we wanted to do that. A raw site in Marengo is worth about \$30,000. That's a raw site. All your increase in fees from 15 to what I proposed, which was 28, that's \$13,000 per unit. Times 300, is 3.9 million dollars. Divide that by \$30,000 per unit that would be 130 units, so we would go from 264 to about 400 if we wanted to stay even with the impact fees. So, I think Pat, the language here could have said, 'to offset some of the higher costs'. It doesn't go anywhere near offsetting all of the costs. At least we're still here. I don't know what's happened with the other developers that have seen the fees. We're here. We'd like to get this done and stay with you."

The Mayor then asked the Council to vote on whether the changes constituted minor where the developer could move forward without having to go back to planning and zoning for approval. Alderman Shelton made motion to move forward with the plan and finalize the annexation agreement, Seconded by Alderman Signore. The motion passed with aye votes from Alderman Smith, Bradbury, Shelton, Trainor, Signore and Secor.

AUTHORIZATION TO PURCHASE ACCOUNTING, PAYROLL, UTILITY BILLING AND RELATED SOFTWARE: DECISION SYSTEMS

Administrator Hartman stated included in the 2007/2008 budget which was approved by the City Council, was for the purchase of the upgrade for accounting and utility billing software. Currently being used is a DOS based program and being reviewed was various software systems provided by MSI (Municipal Software, Inc.) and LOCIS (Local Government Computer and Information Service) and Decision Systems, the current vendor. The staff's recommendation was to move forward with the upgrade from Decision Systems from the DOS based program to a Window's based program giving the staff much more efficiency, tools, direct deposit, direct debit, and bring it into today. Decision Systems offered for the cost be spread out over a three year period, which would bring the cost to within the budget parameters, as \$25,000 was budgeted for the upgrade. Alderman Smith wanted to know if the proposal from Decision Systems included software upgrades over that three year period. He stated that typically, when a software program and support is purchased, it included any upgrades. Administrator Hartman said he would confirm that the contract included updated versions. Alderman Signore wanted to know if there were any local municipalities using the upgraded software system. Administrator Hartman said no, that there were none local. Alderman Trainor said she spoke with Jennifer Snelten, the Deputy Treasurer, and wanted to know some background information on the vendor as she was not familiar with them, other than the fact that the City currently uses them. Alderman Trainor specifically wanted to know who else uses Decision Systems. Ms. Snelten stated she knew of entities, such as public libraries, not any cities in the area, but there were some down-state, but none that she could name. The developer did bring in the software for her to see it first hand. Alderman Trainor said her main issue was to make sure this vendor was not a one-man shop. Administrator Hartman said it was a small operation, not like MSI. He offered to provide information on the scope of the company. Alderman Trainor thanked him and said she felt it would be helpful given this is a \$30,000 investment and wanted to make sure support would be available in the future. Alderman Smith requested a complete statement of work to be provided, and if there was to be a schedule of financial penalties should the work not be performed to the City's satisfaction. A bond amount to ensure the program is working thirty days after installation and when the first cycle is run, making sure everything that was converted is working properly. He wanted some assurances for the City. Alderman Signore suggested the staff contact other places using the system and ask, "Does it work, and would you buy it again?" There was mention that the budget showed \$35,000 budgeted for new equipment and an Alderman wanted to know if anything other than the software upgrade. Administrator Hartman said, yes, that the line item also included computer purchases, printer and minor new equipment for City Hall. Alderman Signore noticed there was

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an additional charge per user and wanted to know how many users were anticipated for the new system. Administrator Hartman said he believed the software was being set up for five users, but would need to confirm. Alderman Signore was concerned that the installation included training for one person. Administrator Hartman said that was the in depth training, for the primary user and that person would then train the other staff that would be operating the program. Alderman Smith wanted to know if documentation would be provided, such as a manual, with the training, together with addendums for the upgrades. Administrator Hartman said he would confirm documentation. Chief Kottke wanted to know if there would be the ability to obtain a report for tracking overtime. Administrator Hartman said he would provide the requested information at the next city council meeting.

OLD BUSINESS

RESOLUTION SUPPORTING THE EXPANSION OF US ROUTE 20 TO INCLUDE A CENTER TURN LANE
Administrator Hartman said the issue was last left at requesting the opinion from the Marengo Rescue Squad, Marengo Fire Protection District and the Marengo Police Department. Administrator Hartman said he provided information from the IDOT Route 20 widening proposal from 1999. Alderman Smith noted that back in 1999, the information provided stated the general consensus of the Marengo and Riley township was to widen Route 20 to three lanes through town would improve safety without creating any significant adverse impact as opposed to the four or five lanes. Alderman Signore felt the third lane was not a solution and that a third lane would make it increasingly difficult to turn left onto Route 20. Alderman Smith referenced the letter from Chief Kottke which proposed the installation of traffic signals and aligning Prospect Street with Riley Drive. Mayor Lockhart said there was a Transportation Ad Hoc committee and he proposed making a standing committee because he realized how important the committee is to the future of Marengo. He went on to say that he has been waiting to talk about appointing members to the Transportation Committee at the next council meeting and felt this would be something to have Dr. Swinsen as part of that Committee. He felt it would be wise to send this issue to that committee. He wanted to get the members appointed to that committee and let this be one of the presentations to be worked. He felt the Transportation Committee should be addressing not only roads, but traffic signals and stop signs. There were no objections to the Mayor requesting this be put before the transportation committee. The Mayor said he would have the appointments ready for the next council meeting.

DISPATCH FEE DISCUSSION

Alderman Bradbury excused herself from the Council Meeting due to possible conflict of interest and to abstain from the vote. Mayor Lockhart, Chief Kottke and Administrator Hartman spoke together regarding the dispatch fees and the Mayor made a proposal. Mayor Lockhart and the Police Chief felt if the Fire Department and Rescue Squad stay with Marengo, an additional tele-communicator is to be hired and used during peak times as identified by staff research. The proposal also eliminate the base fee and the multiple call out fee, but increase the per call rate to \$30.00 per call. The Mayor said this was presented to the Marengo Fire Department, Marengo Rescue Squad, the Village of Union and the Union Fire Department this afternoon. He was waiting to hear back from them. The Mayor said he felt the proposal was a workable solution that was fair to all the entities, perhaps cheaper for some entities. The Mayor acknowledged that both Chief Bradbury of the Fire Department and Chief Beckwith of the Rescue Squad Chiefs were in attendance and asked if either would like to address the Council. Because they had both just received the proposal both declined to make a comment at that time as to whether the proposal would be accepted or rejected. Alderman Signore wanted clarification as to how the \$30.00 fee was established. Administrator Hartman explained it was based on 20% of the cost of the new dispatcher, the City being responsible for the other 80% and the adjustment for no longer having multiple call-out and said the break-even amount would be \$30.08 per call. Alderman Signore wanted to make sure the City was taking into account that the new dispatcher would be handling filing and records keeping as well as dispatching. Administrator Hartman said that had been taken into consideration. Mayor Lockhart said they also considered the Rescue Squad anticipating 200 additional calls next year as well as the 100 additional calls anticipated by the Fire Department. The Mayor said there was no way to tell how many would be single calls, but there would be some. Alderman Signore stated that since the new dispatcher would be costing the City approximately \$50,000, he wanted to know what percentage would be allocated toward record keeping and filing. Administrator Hartman replied 50% of the salary, so \$25,000. Mayor Lockhart stated if the departments chose not to stay with the City for the dispatching service, the City would not be hiring a new dispatcher. Alderman Shelton said he felt it was the Council's hope that the Dispatch Fee issue would be resolved and keep all the entities involved working together. He felt there was an advantage to keeping all the dispatching service in Marengo. Mayor Lockhart asked the Council if he could, with some certainty advise the other entities there would be another dispatcher hired, which those members of the Council that responded said they would be in favor of hiring another dispatcher. There was some discussion that if the departments decided against staying with the City of Marengo for the dispatch service and went with SEECOM, the calls would still come through our dispatch center, to be routed to SEECOM and the per-call cost for SEECOM would be \$34.10 per call plus and additional \$11.00 per call for the first year. Mayor Lockhart then requested for Chief Bradbury and Chief Beckwith to let the City know what they intended to do and thanked them for their patience.

Alderman Bradbury returned and Alderman Signore excused himself for the duration of the meeting.

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MAYOR'S STATEMENTS AND REPORTS
The Mayor had nothing to report.

DEPARTMENT HEAD AND STAFF REPORTS

ADMINISTRATIVE ASSISTANT

The assistant to the Administrator, Joshua Blakemore stated he had nothing to report other than he hoped to have the survey final report available some time next month.

BUILDING DEPARTMENT

Commissioner Shull said he had submitted a written report for the Council's review and wanted to make a comment on the CRS program, which is a Community Rating System. He attended a course last year in preparation for starting the program to save the City and residence of the City in flood plains to save money on their flood insurance policies. John Lenz of the Illinois Department of Natural Resources will be conducting a flood plain inspection on Friday and Commissioner Shull will be meeting with him on Monday to discuss his findings, which is another step in the process in gaining acceptance in the program. The target is to come in at a class 8 or 9 which will save up to 10% the first year and up to 25% over the next few years off flood insurance policies. Alderman Smith wanted to know if there was any intention to revisit the issue with flood map indicating the flood zones. Commissioner responded FEMA did not have the funds to do so and believed the City did not either. Alderman Smith wanted to know if it could possibly be a joint effort with the surrounding communities to share to cost of having the map revised. Commissioner Shull said that it was a possibility, but felt there was a likelihood that the funds would be spent only to have the new study concur with the study completed by the Army Corp of Engineers in 1992. Commissioner Shull suggested consulting with other agencies before spending any funds.

PUBLIC WORKS

Reports were submitted by the Street Dept., Water & Sewer Dept. and the WWTP. Mr. Fiepke said the treatment plant was running well, but there was one odor complaint, so the deodorizing misters were started back up. No waste has been received from Algonquin in over three weeks. Newspaper reporters toured the treatment plant with no adverse smell and the article about the tour was favorable. The flow for the treatment plant, due to the recent heavy rains, is above normal.

Mr. Craney stated Well 7 was down. There was a leak that was repaired today, the glue needed time to dry and anticipated the well would be back up and running tomorrow. Mayor Lockhart asked if there were any incidents with non-personnel turning on water hydrants, because recently the Village of Union had that issue. Mr. Craney said no, there were no incidents of that he was aware. Alderman Smith inquired as to the status of Well 6. Mr. Craney said the panel in Well 6 had been repaired and was up and running properly.

Mayor Lockhart said he had received three different complaints about the repairs needed on Page Street by the Shell Gas Station. Mr. Craney said the street was on the list for repairs.

POLICE DEPARTMENT REPORT

A written report was submitted for the members review. He wanted to let the Council know that he would be recognizing three of the Marengo Officers for their DUI enforcement through out the last year. He was just waiting on certificates and letters for the officers.

Alderman Smith wanted to know when the next disaster drill would be scheduled. Chief Kottke stated it would be sometime next spring. Alderman Smith said he would like to be involved.

ENGINEERING

The representative for Baxter-Woodman said he had prepared a report, however he noticed there was not one enclosed in the packet, nor were reports available the last couple meetings. He would follow up with that.

ATTORNEY'S REPORT

The attorney had no report, but wanted to add that the public notice for the TIF hearing was published today and would published tomorrow as well in the legal notice, which is required.

ADMINISTRATOR REPORT

Administrator Hartman wanted to remind the Council Members there would be a Committee of the Whole Meeting, Tuesday, July 31st. The TIF public hearing is scheduled for 6:00pm August 13, 2007. An issue that came up last month about a cable complaint, and the same individual called again with the same complaint stating they have not received any response from Charter Cable. Administrator Hartman planned to call his contacts at Charter Cable and would keep the Council notified as well as the resident. The issue is not service disruption, but missing pixels in the picture. Some of the Alderman who subscribe to Charter Cable stated they had that issue, but only happened on certain channels. The channel is out of synch and it is not displayed properly.

Mayor Lockhart stated since there was nothing further, the Council was going into Executive session for the purpose of personnel.

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EXECUTIVE SESSION

At 9:55 p.m., Mayor Lockhart asked for a motion to go into Executive Session for the purpose of discussing personnel. Alderman Shelton made motion to go to Executive Session, seconded by Alderman Bradbury. The motion was passed with aye votes from Alderman Secor, Shelton, Bradbury, Smith and Trainor.

The members returned to Open Session at 10:26 p.m.

ROLL CALL

Roll was taken with Mayor Lockhart, Alderman Trainor, Alderman Secor, Alderman Shelton, Alderman Smith, Alderman Bradbury. Alderman Hall, Spear and Signore were absent.

ADJOURNMENT

With there being no further business for discussion, Alderman Bradbury made a motion to adjourn the July 23, 2007, City Council meeting at 10:28 p.m. The motion was seconded by Alderman Shelton and passed with a unanimous aye voice vote.

Submitted by: Theresa A. Hoschouer
City Clerk