

**CITY OF MARENGO
COUNCIL MINUTES
September 10, 2007**

CALL TO ORDER

At 7:02pm, Mayor Lockhart called to order the September 10, 2007 Marengo City Council meeting and then led the "Pledge of Allegiance".

ROLL CALL

Mayor Lockhart, Alderman Bradbury, Alderman Shelton, Alderman Hall, Alderman Secor, and Alderman Signore were present. Alderman Spear and Alderman Trainor were absent. Alderman Smith arrived at 7:05p.m.

PUBLIC PARTICIPATION

There was no public participation at this meeting.

NEW BUSINESS

AUGUST 13, 2007 TIF PUBLIC HEARING AND REGULAR MEETING MINUTES

The public hearing and regular meeting minutes were not yet available for review. This item was passed.

LIST OF BILLS

Alderman Shelton said he had a question on one of the bills; page four, Gummerson and Rausch bill. He wanted to know if our city attorney was involved in the liquor licensing issue that required use of Gummerson and Rausch. Attorney Arevalo explained that in order to keep the process fair to the liquor licensee, it is necessary that the Chief be represented by an attorney other than the City Attorney. Attorney Arevalo serves as the Hearing Officer and therefore may not also be the prosecuting attorney. Sometimes issues may be resolved between the Chief and the liquor licensee and no additional attorney is needed. Unfortunately, this issue was not resolved and an attorney was required. Alderman Shelton thanked Attorney Arevalo for the clarification.

Mayor Lockhart asked if there were any other questions on the bills. Alderman Shelton made a motion to approve the List of Bills as submitted; seconded by Alderman Bradbury. The motion passed with an aye voice vote from Alderman: Shelton, Hall, Bradbury, Secor, Signore and Mayor Lockhart. Alderman Smith abstained.

Alderman Smith said the reason he abstained was because he did have some question, but was not able to ask as he arrived late. He said he would speak with Administrator Hartman about his questions at a later date.

APPOINTMENT OF NEW ALDERMAN — WARD 3

Mayor Lockhart said that he had received notice of resignation from Alderman Spear of Ward 3 due to a conflict with his new employment. Mayor Lockhart spoke with Erik DeBoer, who previously served on the council. Mr. DeBoer resides at 555 West Prairie and is married with one child. Mayor Lockhart said he is requesting approval to appoint Mr. DeBoer as an Alderman for Ward 3.

Alderman Secor moved to approve the appointment of Erik DeBoer as an Alderman for Ward 3, to replace Alderman Spear. The motion was seconded by Alderman Hall. The motion passed with an aye voice vote from Alderman: Bradbury, Smith, Shelton, Hall, Signore and Secor.

AUTHORIZATION TO ACCEPT BID AND AWARD CONTRACT FOR MAPLE STREET WATER MAIN

Alderman Smith wanted to know if any cost savings are realized, would those savings be passed onto the City. He also wanted to know, because this is a bid process, will cost overruns be absorbed by the contractor. Administrator Hartman referred to the City Engineer, Darrel Gavle. Mr. Gavle explained the bid process for the Maple Street Water Main is no different than any other bid process, with the exception of soliciting bids from qualified contractors. There is still a bid form with unit prices. If quantities come in lower than expected, the City will see the cost savings, yet if the quantities exceed the bid, the estimate will increase. Attorney Arevalo said that if any change orders were necessary, same would be presented to the Council for review and approval.

Mr. Gavle said that with a contract of this size, additions and deletions are expected. The change order, if necessary, will occur toward the end of the project which will account for all the adjustments. Alderman Smith wanted to know if there was a warranty for the work completed by the contractor. Mr. Gavle said that there was. He clarified with Superintendent Craney that the warranty would be for one year.

Administrator Hartman said that the budget for this project was \$256,000.00, the bid price received for the project was slightly under budget.

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Mayor Lockhart asked if there were any other questions. Alderman Signore asked what happens with the additional funds. Administrator Hartman said any additional funds would remain in the capital improvements account. Alderman Signore wanted to know if the additional funds could be assigned to the general funds. Administrator Hartman said no, that it must remain with capital improvements.

Mayor Lockhart asked for a motion. Alderman Smith made a motion to award the bid for the Maple Street Water Main Project to PirTano Construction Company, Inc. in the amount of \$236,627.000, seconded by Alderman Shelton. The motion passed with an aye voice vote from Alderman: Bradbury, Smith, Shelton, Hall, Signore and Secor.

FOUR SEASONS SPECIAL SERVICE AREA ORDINANCE

Attorney Arevalo said that a public hearing with regard to the Special Service Area (SSA) was held approximately two months ago, for Four Seasons, which is required by statute. The statute also allows for a sixty (60) day waiting period for any objections to be made. The sixty (60) day period has lapsed, and the next step is to file an ordinance establishing the SSA for the property known as Four Seasons. The Ordinance pertains to the maintenance, restoration and repair to the common areas within the property. In the event those areas are not properly maintained, an assessment could be imposed to the property owners to cover the cost needed to properly maintain the area.

Once the Ordinance is approved, same needs to be recorded and filed with a map of the boundaries of the property to become valid. This will then establish the SSA to be used if necessary.

Alderman Shelton recused himself from discussion and voting due to a conflict of interest.

Alderman Secor made a motion to adopt an Ordinance Ratifying the Establishment of Special Service Area Number 3 within the City of Marengo for the Property Commonly Known as Four Seasons, seconded by Alderman Hall. The motion was approved with an aye voice vote from Alderman: Bradbury, Smith, Hall, Signore, Secor and Mayor Lockhart. Alderman Shelton abstained.

HEALTH INSURANCE RENEWAL

Administrator Hartman introduced Mike Kozemzak of Innovation Benefits, who is the City's insurance broker. Administrator Hartman said that there was a slight increase of 3.18% in the health insurance premium. Last year, there was a 26% increase for the health insurance premium. Administrator Hartman said the City instituted a Health Reimbursement Account (HRA) which allows for the City to purchase health insurance with a higher deductible and out of pocket expenses, but reimburses the employees the difference, which yielded a considerable cost savings to the City. By choosing the higher deductible, the City saved approximately \$48,693 in premium costs. Administrator Hartman said the City was expecting a 50% exposure rate (having to pay out half of the \$48,693 savings for employee reimbursement), but as of the beginning of September, the City had only paid out 13.3% of the \$48,693.

Administrator Hartman said there was a correction to be made to the memo regarding the Health Care Renewal. The second page of the memo, second paragraph should read, "The 2007/08 budget anticipated a health and benefit expenditure (with 50% HRA exposure) of \$413,305. Overall, based on the renewals as proposed and pro rated for the 2007/08 fiscal year, the projected health and benefit cost to the City is calculated to be approximately \$400,733.13."

Administrator Hartman than asked Mr. Kozemzak to discuss the health insurance renewal proposal. Mr. Kozemzak began by asking if anyone had questions after reviewing the proposal. There were no questions at that time. Mr. Kozemzak reviewed the breakdown for the current year's cost and the proposed renewal from Blue Cross/Blue Shield (BC/BS) for next year. Last year, the total cost was \$373,000.00, this year, for the October first renewal date, BC/BS was requiring a 3.18%. This increase is a significantly lower increase than the City saw last year. He said that the City had large claims from previous years totaling \$500,000.00, which were still ongoing. He was pleased that the renewal increase was so low.

Mr. Kozemzak then explained how the HRA plan worked last year. BC/BS was asking for a 25.39% increase in premiums to keep the same health care plan. The City purchased an insurance policy with a higher deductible with higher out of pocket expenses and used the HRA to co-fund the difference. This decision ultimately saved the City about \$48,600. The City then took the \$48,600 to be used so that the deductible and out of pocket expense actually paid by the employees would not change from the previous year. Mr. Kozemzak said the maximum liability could have been \$73,750.00, if every employee had reached the deductible and out of pocket expense. The amount paid by the City was only \$9,823.00. Based on this information, the total cost for health insurance to the City was \$304,000, compared to the \$343,000 had the renewal been based on the same lower deductible and out of pocket expense as the prior year.

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Alderman Bradbury wanted to know if there was a delay for the employee being reimbursed. Mr. Kozemzak said that the employee pays the first \$250.00 as the deductible and an additional ten percent (10%) until that amount reaches \$500.00. To the employees, their plan did not change from the previous year. The City reimburses the additional \$750.00 deductible and additional \$500.00 out of pocket for a total of potential liability for the City of \$1,250.00 for each employee. Alderman Bradbury asked if the employee had to pay the additional amount and wait to be reimbursed. Mr. Kozemzak said that the City received the Explanation of Benefits (EOB), once the employees have reached their limit an advise to pay is then forwarded to the insurance company.

Mr. Kozemzak said that a proposal from Humana had been received, which was included in the proposal presented (end of section one), but said the proposal looked better on paper than actuality. The City has less than 50 employees, which means each employee is subject to answering medical questions prior to receiving the final premium amount. Based on the current outstanding medical issues, he was certain that rate could not remain as quoted.

Alderman Smith asked if the savings according to the breakdown provided was an actual savings or a paper savings. Mr. Kozemzak stated that if the City had renewed the insurance policy at the same \$250.00 deductible and \$500.00 out of pocket expense, it would have had to pay \$343,000 as the renewal premium, but by choosing the higher deductible, the City only paid out \$304,000.

Since there were no other questions regarding the medical coverage, Mr. Kozemzak began explaining the dental coverage. MetLife had originally requested a 7% increase in renewal premium. This increase has been negotiated down to 4%. Choosing a different provider could be an option, however, as with Delta Dental, the company would not cover retirees as MetLife does. Assurant would cover current retirees but no future retirees. Principal does not stipulate the coverage of retirees, and the premium increase would be 2.57%. Invision is still working with MetLife to reduce its premium to match the quote of Principal.

Alderman Shelton wanted to know how many retirees are currently covered under the insurance plan. Administrator Hartman was unsure as to the number. Mr. Kozemzak said he believed the number was four, but would verify and let Alderman Shelton know. Alderman Shelton wanted to know the provision for retirees, specifically the portion, if any, paid by the City. Administrator said the retiree pays their portion of the coverage benefit, with no portion being covered by the City.

The life insurance saw no increase and included a one year rate guarantee.

Invision was able to secure a two year rate guarantee for vision insurance with a 5.02% increase over the last two year rate guarantee.

Alderman Shelton made a motion to approve the health insurance renewals as proposed. The motion was seconded by Alderman Hall. The motion passed with an aye voice vote by Alderman: Bradbury, Smith, Shelton, Hall, Signore and Secor.

SETTLERS DAYS REQUEST

Administrator Hartman said that the Co-Chairpersons of Settlers' Days were at the meeting and available to answer questions. Administrator Hartman said that each year, Settlers' Days Inc. requests a contribution in the amount of \$1,500.00 from the City of Marengo to help fund the activities. The \$1,500.00 is a "B List" item on this year's budget.

Alderman Smith wanted to know if the residents being affected by the proposed street closures had been notified and agreed to approve the street closure. June Meyer, the Co-Chairperson of the Settlers' Days, said that they have not contracted the people who lived on the streets to be closed. Alderman Smith asked if objections to the street closures were anticipated. Ms. Meyer asked if there were any objections last year. Alderman Smith said he was unaware of any objections. Ms. Meyer said she had no heard of any objections. Ms. Meyer said that the donations requested this year were about \$2,500 - \$3,000 less than budgeted and would appreciate any financial donation made by the City. Alderman Smith asked if the Police and Fire Departments would have access to emergency vehicles with the closure of City Parking Lot #2. He was told that both department would have access.

Alderman Signore wanted to know from what account the donation would come. Administrator Hartman said it would be paid from the General Corporate account.

Alderman Smith made a motion to approve the donation of \$1,500.00 to assist with Settlers' Days activities as requested by the Settlers' Days committee. Motion was seconded by Alderman Secor and approved with an aye voice vote from Alderman: Bradbury, Smith, Shelton, Hall, Signore and Secor.

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Alderman Secor then made a motion to approve the Settlers' Day Committee request for street closures and activities as requested, subject to the receipt of the insurance certificate naming the City of Marengo as additional insured, which was seconded by Alderman Smith. The motion passed with an aye voice vote from Alderman: Bradbury, Smith, Shelton, Hall, Signore and Secor.

Alderman Bradbury wanted to add that she had participated in Settlers' Days activities the previous year and she wanted to let the committee know they had done a great job.

RTAP REQUEST FOR PROPOSALS

The Regional Transportation Authority (RTA) has completed its review of Marengo's Regional Technical Assistance Program (RTAP) application for the Marengo's Western Corridor Planning Project. Assistant City Administrator Joshua Blakemore said he was providing an update to the Council Members with regard to the application status. RTA has approved Marengo to proceed with the Request for Proposal (RFP). Administrator Hartman said the information provided was just to keep the Council informed, that there was nothing to vote on tonight.

Alderman Bradbury wanted to know the status of the project with Huntley. Assistant Administrator Blakemore said that originally, Marengo had intended to work with Huntley on the project, but that had not yet been done and he said RTA had implied that it wanted two separate projects. Last Assistant Administrator Blakemore knew, Huntley was slightly behind Marengo in the process.

Alderman Smith said he thought he had read something in the paper about the Governor approving the project in Huntley. He could not recall the details of the article. Administrator Hartman said that Assistant Administrator Blakemore spoke with RTA to confirm funding availability for the grant and was told the funds were still available, that no funding for this grant was in jeopardy, as long as Marengo is committed to its 20%.

Alderman Signore wanted to know the amount that represented the City's 20%. Assistant Administrator Blakemore said the budget amount for the project that RTA estimated is \$100,000.00. The amount the City would be responsible to pay is \$20,000.00, which represents only the study.

Alderman Signore wanted to know if the \$20,000.00 was in the budget for this year. Administrator Hartman said that it was not in the budget for this year, it would need to be budgeted for subsequent fiscal years. The intention would be for the primary source of funds to be paid out of the land planning developer contribution. Alderman Signore wanted to know if there was a deadline as to when the study needed to be completed or if there was any advantage to being one of the first to complete the study. Assistant Administrator Blakemore said he was not aware of any advantage or deadline. The project coordinator he is working with at RTA is the coordinator for several other projects that have been ongoing for a couple years.

Alderman Smith wanted to know the schedule of payments for the study, specifically if the whole \$20,000.00 would need to be paid up front, half up front and the balance upon the completion of the study. Assistant Administrator Blakemore said he believed the project would be set up as a pass-thru. The City would be responsible for payments for the study as invoices are received. The RTA would then reimburse the City 80% of the invoices paid. Administrator Hartman said that the reimbursement structure would be verified and the information would be provided to the Council Members.

Alderman Signore said he had thought it odd that there was no set time table for the completion of the study as, "We have all been told these studies are useless within three to five years after the completion of the study." He wanted to know if Marengo's study is completed six months to one year before other communities, would Marengo then have preferential consideration or does RTA consider all studies when all are complete? Administrator Hartman said he was unsure as to when our study would be reviewed. Assistant Administrator Blakemore said that RTA is pleased with the manner in which Marengo is progressing with the study. He would again confirm with RTA to clarify a timeline and would advise the Council.

Alderman Smith wanted to know what happens once the study is complete and Marengo meets all the criteria. Does the City then wait for state or federal funding for the actual project? Administrator Hartman said that potentially there may be funding available, but there was no guarantee for funding. He further explained that more consideration is given to grant funding applications if a comprehensive plan is attached.

Alderman Bradbury wanted to know how far west RTA was looking for rail service. Assistant Administrator Blakemore said that RTA's boundary ends at McHenry County, but Metra Service will at some point extend to Rockford. Administrator Hartman said that there is a political push to connect Chicago and Rockford by rail, bus or any other connectivity. Assistant Administrator Blakemore said that although this study is being completed with a grant from RTA, it is a planning study for the area as a sub-area plan for future use of the area, whether it be for RTA Station, Metra Station, or PACE Station. Alderman Smith said that if Marengo is

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the end point on the line, the train does not always run to the end point of the line, such as with Woodstock and Harvard. He said that the City should ensure that it is not the last point on the line. If Marengo is the last point on the line, he suggested negotiating full service, not reduced service in the evenings as it would be a important selling point for traveling downtown.

Alderman Smith said he felt it showed foresight on the part of the City and shows the authorities that Marengo is serious about having a transportation station.

Alderman Signore wanted to know the manner in which property would be acquired for the station. Would it be eminent domain, purchase by the City of Marengo? Administrator Hartman said that the City of Marengo would acquire the property, however an agreement would need to be obtained from Union Pacific, as it currently owns the rail road.

Alderman Smith wanted to know if the Council needed to do anything in order to move forward. Alderman Signore reminded the Council and the Administrator that funding for this project had not been allocated in the budget for 2007/2008. Assistant Administrator Blakemore said that the next step of the project would be to release the RFP. Administrator Hartman said that he understood the concern that the funding for this project had not been allocated and a schedule would be provided to the Council to reflect timing and what could be reasonably expected for this fiscal year.

Alderman Signore suggested releasing the RFP around January so that by the time bids have been received and the City of Marengo is in a position to move forward, the 2008/2009 budget will be available and make sure that the funding is allocated in that budget.

Alderman Bradbury wanted to know if a study had been done that reflected profit and or sales taxes realized on a per passenger basis for the City in which a station has been established, such as purchasing automobile fuel, grocery items. Administrator Hartman said he was unsure if there was a study to that effect, but would research the information. Alderman Bradbury said that since this is a large financial expense for the City, it would be helpful to know how soon the City could expect to recoup those fees and see a profit.

Alderman Hall said that he drives to the Metra Station in Crystal Lake almost every day and he personally spends approximately \$150.00 - \$200.00 per month in Crystal Lake.

Alderman Shelton felt that Huntley should be contacted about the possibly of working together as he felt it would be helpful.

OLD BUSINESS

There was no old business on the agenda to be discussed.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart had no statements or reports.

DEPARTMENT HEAD AND STAFF REPORTS

ASSISTANT ADMINISTRATOR

No one had anything further for Assistant Administrator Blakemore and he had nothing further to report.

BUILDING DEPARTMENT

Building Commission Shull was not present at the meeting but did provide a report for review.

POLICE DEPARTMENT

Deputy Chief Hallman had a few reports he had submitted for review. He asked if the Council had any questions or comments. Alderman Smith said he had a comment on the Communications Center. He agreed with the reports provided and felt that terrorism piece should be taken into consideration when deciding on consolidation of the Communications Center.

Alderman Signore said that he had a question on that same topic, regarding the delay time in service. He said he had spoken to the Fire Chief as well as the Mayor and Police Chief. He said he found the delay unacceptable and will not endorse the transfer of the dispatching duties an outside firm knowing the delay that does not exist now would be a certainty in the future. He felt that an equitable solution needed to be established wherein the winners of the solution were the residents of Marengo and not an individual from any of the entities.

Deputy Chief Hallman said that Chief Kottke wanted to bring some individuals from the 911 board, with expertise in that area to address the concerns and potential delay at the next scheduled meeting, September 24th. Alderman Signore said that it was great that people were being brought in to speak with the

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Council on the subject, but was concerned that the fire department and rescue squad would be meeting with its board to possibly sign contracts prior to September 24th and wanted to know if Deputy Chief Hallman had spoken to either entities about delaying the decision to transfer dispatch service until after September 24th, or until a conclusion could be reached. Deputy Chief Hallman said that he had not spoken with either entity. Alderman Signore said that he was not clear at the last meeting whether the Fire Department and Rescue Squad had pulled its offer or if the City had represented to the Fire Department and Rescue Squad that the City was not in a position to accept the offer made at the previous meeting, or that he felt the Council should have voted on.

Administrator Hartman said, for the Council's information, he had received a voice mail message from Fire Chief Bradbury stating that the Fire Department and Rescue Squad would be transferring dispatch service effective November 1, 2007. He had a letter had delivered to the Fire Chief confirming the voice mail message. Administrator Hartman said that the Fire Chief responded to that letter stating that the decision to transfer dispatch service to another entity was based on representations made by the City.

Alderman Signore said that if the Chief of Police presents to the Council that as a result of staffing issues, or other reasons, he felt that the Police Department dispatch center was not in a position to handle the additional entities, then the City Council should make the decision as to whether or not the Fire Department and Rescue Squad should stay or leave. Alderman Signore then asked the Council Members his and her opinion as to whether the City should work with the Fire Department and Rescue Squad and find a way for them to stay.

Alderman Smith said that he had felt puzzled about the situation, that the Fire Chief and Rescue Squad Chief came before the Council with what they needed and he felt the City attempted to accommodate the request and now the entities are leaving to a company that stands to make a profit. He said that he had heard the service was questionable, at best. He wanted to know the satisfaction rate of the other communities using the service of the organization the Fire Department and Rescue Squad were looking to use for dispatch service. He said that he too wanted to know why the departments feel the need to leave.

Alderman Shelton said that he felt the Council was seeking answers to questions that should have been asked previously, such as the delay potential, staffing issues. He said that it appears as though it may be more of a personality conflict as opposed to what is good for the City of Marengo. He said that Deputy Chief Hallman said that these were things for the City to consider, but at the last minute, consideration by the Council was removed and decisions were made without the Council's consent.

Alderman Bradbury said that since the discussion was regarding bringing back the fire department, she abstained from making a comment at this point other than the City needs to, "look deep" before making a decision.

Alderman Signore then asked Alderman Secor how he felt. Alderman Secor said he felt the City needed to look into the delay. He said he was unsure whether the delay could exist under the regulations of 911. Alderman Smith provided information for those unfamiliar with telecommunications. He said the 911 network was separate network from the public telephone network. There is supposed to be no delay acceptable in the network. The delay that comes in with a hand off may be due to the public telephone network being used to transfer the call. He said he did not know this for a fact, but felt that this issue did require some additional research.

Alderman Signore asked Alderman Hall his opinion. Alderman Hall said that along with the other Alderman, he was confused about the events that transpired to the point of the Departments leaving. He was in favor of keeping the dispatch center with the City. He would prefer to have all the departments with the City's dispatch center, possibly other communities.

Alderman Signore said he wanted to see the communication between the department opened again before September 17th because he understood that date to be when the Fire Trustees may be signing a contract, or agreeing to sign a contract, with another dispatch company. He suggested a straw poll from the Council Members to let the Police Department know whether or not the Council would be in favor of hiring the 5th dispatcher, as well as replacing the dispatcher who recently resigned. Alderman Smith and Alderman Secor said that they both thought that already was verbally approved by the Council to hire the fifth dispatcher.

Mayor Lockhart said that the problem arose when the City lost another dispatcher. The Mayor said he had met with both the Fire Chief and Rescue Chief, took them to lunch. He explained that the City had lost the Leads Coordinator as well as a dispatcher. Unfortunately dispatchers are not made in three to five days or even a month or two. It takes a considerable amount of time to train a dispatcher. The reason the Fire Department and Rescue Squad left was the opinion of the Mayor, supported by the Chief of Police, that the Marengo Dispatch Center could not effectively support all the entities with the current staff. He said that once the dispatch center was fully staffed, the Fire Department and Rescue Squad were welcomed back.

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Mayor said that an agreement had been worked out with the Fire Department and Rescue Squad until the resignation had been received from Mr. Markison. He said it was not about personality, nor was it about the amount of money offered by the Fire Department and Rescue Squad. He was strictly looking at the safety of the Marengo residents and felt with the loss of the dispatcher, the Marengo Dispatch Center may not be able to effectively handle the other entities. The Mayor said that the position would need to be advertised, and right now he knew that the County was hiring, SEECOM is hiring and believed Belvidere was also hiring. Finding a dispatcher was not something that could be done quickly.

Mayor Lockhart said that he had scheduled for a representative from 911 to address the Council Members at the next meeting about the protocol for 911 calls. He said that if the Council had an issue with the transferring of 911 calls, that could be addressed with the 911 representative. He said he did not want to discuss the Fire Department and Rescue Squad situation this evening. He said that Alderman Bradbury asked that the subject be included in tonight's agenda, but he felt that a "cooling off period" was needed, which is why he chose the next meeting to have the 911 representatives present. He then told Alderman Bradbury that if she had something to add, to please do so.

Alderman Bradbury wanted to know if anyone other than the 911 representative would be present for the next meeting. Mayor Lockhart said the 911 representative was asked to be present to address the emergency issue and wanted to know whom she suggested also be present. She said that she was hoping to have some numbers available for review from the other entities. She said that she was trying to be as fair as possible with any other agency. Mayor Lockhart again reiterated he did not intend for the Council to be discussing this topic tonight, but it would be on the agenda for the next meeting.

Alderman Signore jokingly remarked, "Well we can thank our Deputy Chief for putting something in our packet to bring it [up]."

Alderman Signore then said, "So, Deputy Chief, you understand what our guidance is at this point for you?"

Deputy Chief Hallman replied, "Go to the Trustee meeting over at the Fire Department. See what's going on."

Alderman Signore said, "No. To meet with them prior to that meeting to discuss this with them."

Alderman Smith clarified that the Council was requesting that Deputy Chief request the departments to delay signing any contract with another company until the Council can research this further.

Mayor Lockhart said that even if a dispatcher is hired tomorrow, it will take time to train the new dispatcher. Alderman Smith said that he would still like to come to an agreement with the departments. Alderman Signore said that the Fire Department and Rescue Squad will either need to accept the fact that it will take time to hire and train another dispatcher. If based on that information, they wish to pull the offer, and decide that SEECOM is the better alternative, then he would personally, not agree with the decision because of the delay that it imposes, but at least it would be their decision, and no one could come back to the City and say that the Aldermen, the Mayor, the City Administrator, the Police Department ran these other entities out of town. The City tried its best to keep them here and hopefully it can happen.

Mayor Lockhart said that it was not his intent and never has been, which is why he took them to lunch and tried to get everything worked out. And he thought he did until the resignation notice had been received. He wanted to let the council know there was a possibility that a part-time dispatcher could be lost, as well.

Alderman Signore wanted to know if the position for dispatcher had been posted. Deputy Chief Hallman said that he has an interview set for tomorrow night. He said he had someone that he thought was going to accept the dispatch position, but she did not. The position has not been officially posted yet, as they decided to look at a couple people who looked promising.

Alderman Signore then said he felt it was important for the dispatcher to know that the other entities would be staying as it offered job security for the current dispatchers as well as those being hired. Alderman Smith agreed.

Alderman Secor wanted to know if the City was just advertising the position or if the City was attempting to recruit dispatchers from Rock Valley, MCC or Rockford College.

Deputy Chief Hallman said that recruiting for law enforcement in general is difficult. He said the last time the Police Department had gone through the hiring process for dispatchers, of the fifteen or twenty applications received, not person was qualified for dispatching. The last couple dispatchers hired had to be trained from

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"ground zero". He said that most dispatchers are staying put and are unwilling to leave their current position.

Mayor Lockhart asked if there was anything further. No Aldermen had anything to add.

PUBLIC WORKS

Superintendent Craney said he had submitted the reports for the waste water treatment plant and water department. He said that the waste water treatment plant was still running over a million gallons of water. By the next Council Meeting, he was hoping to have all the bids in for the new generator. The Street Department has been working on cleaning the ditches.

Mayor asked if the community services workers were helping. Superintendent Craney said they had worked very well cleaning the ditch between Route 20 and Washington and a couple other ditches.

There was a sewer department problem at Jackson, which is being fixed, but because it is a difficult job, the sewer department is still working on it.

He asked the Council if they had any questions. Alderman Signore wanted to know how available are community service workers. Superintendent Craney said he thought he would not be able to receive assistance from the community service workers again this year.

Alderman Signore said that he had seen a public works employee cutting grass on Elm Street that was overgrown and wanted to know if a bill had been sent to the owners of the property. Superintendent Craney said a bill was sent.

Alderman Shelton wanted to know if there was a way to pinpoint any specific problems that could be worked on to eliminate the severity of the issues that occurred, in the future. Alderman Craney said that there are two places around Van Buren and Jackson where the storm sewer runs into the ditch. The sewer department will be installing piping with a 45 degree bend to avoid water flowing back into the pipes. Alderman Secor wanted to know how sewer department would accomplish installing a 45 in that area. Superintendent Craney said that was what the department was looking at, trying to get it accomplished. He said he knew that one was a very large pipe, and the one that runs from Van Buren is plastic and fittings are available for the plastic pipes.

Alderman Smith said that he had noticed in our community, Deerpass and Route 23, it appeared as though the water levels were still very high near the river, yet in other communities the water levels and flooding had receded considerably. He wanted to know if there was possibly something impeding the flow of the stream.

ENGINEERING DEPARTMENT

Darryl Gavle of Baxter Woodman was present and said that the report had been submitted. He said he had nothing new to report but make sure the Maple Street Water Main project moved along as planned. There were no questions for Mr. Gavle.

CITY ADMINISTRATOR

Administrator Hartman said he did not submit a report in the packet but would answer any questions from the Council.

Alderman Smith wanted to know the response for the Deputy Clerk position. Because Administrator Hartman had been on vacation, he had not had an opportunity to review the responses. The question was directed to the City Clerk who responded that at least a dozen applications had been received for the position. Administrator Hartman said that application would continue to be accepted until Friday, September 15th.

Mayor Lockhart asked if there were any other questions for the City Administrator. There were no other questions.

ATTORNEY

Attorney Arevalo had no report, but would answer any questions. There were no questions for the City Attorney.

Mayor Lockhart then asked for a motion to go to Executive Session for personnel. Alderman Signore wanted to know if the Council could also discuss possible litigation. Alderman Signore made the motion to move to Executive Session for matters of personnel and possible litigation. Alderman Secor seconded the motion. Motion passed with an aye voice vote from Alderman: Hall, Bradbury, Smith, Secor, Shelton and Signore.

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After returning from executed session, the Council members discussed exit interviews, but before that, Alderman Smith wanted to remind everyone that tomorrow was the 6th Anniversary of the September 11th attack on the World Trade Center.

Alderman Signore said he had a discussion with Administrator Hartman a couple weeks ago as well as a few year ago when the City had lost the Building Commissioner and Chief at around the same time. He believes and felt Alderman Bradbury felt the same way, that exit interviews are necessary to help the City of Marengo learn from the loss of certain individuals. He said he had suggested having the Administrator conduct the exit interview but possibly have a couple Aldermen in the interview as well to give the report of the results of the exit interview back to the Council. He said the reason he suggested this was because if the exit interview resulted with negative feed back about a co-worker or supervisor, he felt that information should come from an Alderman rather than the Administrator. He said it may avoid placing the Administrator in a potentially uncomfortable position as he would still be working with the individuals. He said he also felt that the person giving the exit interview may be more forthcoming if he or she believed that non-salaried, non-city people are part of the process.

Alderman Smith agreed and suggested succession planning for each of the departments. He said that this procedure is instituted at the organization where he works and it seems to be a viable tool to have someone in place to take over should a person leave. There should be training of additional personnel. He thought that the City could look then at lower level positions to be able to fill other positions more quickly.

Attorney Arevalo said that in this environment, Alderman Smith's suggestion may not be as feasible as it is in the private sector. Alderman Smith said that he understood. Attorney Arevalo said part of the issue is that the City is required to have an open recruitment process for available positions. A person from within cannot be automatically transferred to that position. A person from within may be considered for the position, along with other candidates. If it is something created for an interim position, it may make sense, but there are different requirements because of public money. Attorney Arevalo said with his experience in personnel matters, he felt if more than the Administrator was present for the interview, the person may not feel comfortable providing the actual reason for leaving.

Administrator Hartman said that he appreciated the suggestion from Alderman Signore and said he would give his ideas some thought. He said that there are two ways to conduct exit interviews. One would be to conduct a face-to-face interview, another would be through the mail after the employee has left. Administrator Hartman said that if a face-to-face exit interview was conducted, it would be done so by him or his delegate with no third person present. He did not feel it was appropriate. Underlying any exit interview, Administrator Hartman said were a couple things. First, exit interviews are voluntary, the individual leaving is never required to provide an exit interview. Second, the employee still may be hesitant to say anything while still employed by his or her current employer. Lastly, what ever the employee does say should be taken with a grain of salt. If it is a disgruntled employee, he or she could be upset because someone has a nicer office than they do, or have some other reason. Anything can be said at an exit interview. However, if there is a pattern of complaints, then action needs to be taken. He said that he does believe that an exit interview is a good tool and would be helpful. The City has done exit interviews in the past, but has not done so consistently.

Alderman Signore said, ". . . I think you have lost tract, a little bit, of the duty of the Council. You mentioned that it was your decision that this is why you would administer the exit interview. If the Council decides that you will administer and that potentially two of us will be present, that is the policy that will be set. So, I think that is something that you do not have the authority to pull it off the table."

Administrator Hartman said, "Well. . ."

Alderman Signore interrupted, "Well, you don't, Scott. That's a Council decision, that's a policy decision. You have your opinion and you are free to give your opinion, however, this Council is not here to vote on cookie sales and tootsie roll sales. We're here to set policy and that would be setting policy. This our policy when someone leaves. We have an exit interview and this is who does it and this is who is present. So whether. . ."

Mayor Lockhart interrupted, "As long as it does not violate contractual agreements. For instance, they are entitled to FOP representation." Mayor Lockhart looked to Deputy Chief Hallman, "Am I correct?"

Deputy Chief Hallman said that is correct for all police department employees. Mayor Lockhart cautioned that the Council would need to be careful about that.

Alderman Signore added, "So, you can give your argument Scott, that's fine, however, you do not trump the wishes of the Council."

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Administrator Hartman said, "And I understand that. Alderman Signore let me respond by saying if the majority of the City Council says this will be the policy, then so be it. It will be my job. In the mean time, I'm hired as your City Administrator and many times I am not able to do my job because certain authorities are taken from me or questioned at every turn. This is a simple administrative decision, a simple practice done in corporations, and I am asking, let me do my job."

Alderman Secor said he agreed with Administrator Hartman. He said that Alderman Signore was correct in that the Council was to make policy, but felt the Council was not to be involved in the day-to-day dealings with the personnel. He said that in the past the Council has attempted to be part of the day-to-day happenings but he strongly felt that it was not the purpose of the Council. He said that if Alderman are placed in the exit interview, an actual answer may not be forthcoming. What if the reason the person leaving is due to one of the Alderman present? That has happened.

Alderman Signore said that an individual may be leaving because of someone else, and does not feel comfortable telling the Administrator because that individual may feel that nothing will be done if there is a personal relationship between the Administrator and person who may be the reason why the individual is leaving.

Alderman Smith wondered if the individual leaving could have the option of requesting another person present during the exit interview. He also wanted to know if the City has given any thought to a referral program wherein the employee would receive compensation for referring a successful hire. He said that was used often in the private sector.

Alderman Bradbury said in exit interviews, it could be an issue of a disgruntled employee, but felt there could also be someone with genuine points being made and it would be nice for someone to hear them so the City does not continue to lose employees, or make a different policy. She was concerned about the statement Administrator Hartman made about taking statement in the exit interview with a grain of salt. She said she did not agree with that. She said that if she were to quit her job, she would have something to say and try to be as honest and decent about her comments.

Mayor Lockhart wanted to know what was to be done with the information. He said he was certain there are a lot of people who do not like the Mayor. There may be people that do not like the Deputy Chief or the Chief, Administrator Hartman, etc.

Alderman Bradbury suggested that it may be helpful to hear what someone had to say. If there was something that the Mayor was doing, wouldn't he want to know? She said it is called constructive criticism. She did not know whether the information could be made public, she said it would be a question for the attorney, but she did not feel it would need to be made public.

Mayor Lockhart asked Attorney Arevalo if the information from the exit interview could be FOIA'd. Attorney Arevalo said if the information was personnel documents it would be part of that employee's personnel file and is protected with very few exceptions. He said that if there is a case pending and the City has received the appropriate documentation, a subpoena, the employee would need to be notified and the employee would have the option to seek to squash the subpoena.

Alderman Secor said that even if an exit interview is policy, it is optional to the individual. Both Alderman Signore and Bradbury agreed. Alderman Bradbury added that if an employee did have something to say, she felt the City owed them the opportunity to listen. Alderman Secor said that he agreed and was not at all against exit interviews, he was trying to make his point with regard to the Council making policy, not be in the middle of the personnel issues.

Alderman Signore said that the reason he suggested having an Alderman sit in on the exit interview was because if the reason the employee is leaving over a sensitive issue that places the Administrator in a difficult position, it may be better for the issues to be raised by the Council. He said that he understood Alderman Secor did not like to get involved with anything other the issues in which the Council is asked to vote. Alderman Secor said that he was only trying to define the boundaries of the Council. He said that he knew that, in the past, employees have left because of some of the Council Members.

Mayor Lockhart asked what would happen if it was a matter of an employee not liking a member of the Council. The Council is elected and he could not request a Council Member resign because an employee did not like them. In that case there is nothing that could have been done. The Mayor added it sounded as though some of the Council Members did not trust the City Administrator.

Alderman Hall said that Administrator Hartman is being paid to make the difficult decisions. It may not be his favorite part of his job, but it is his job.

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Alderman Signore said, with the dispatcher, he had also suggested an exit interview be held by the police and fire commission. Alderman Signore said that an Alderman did not have to be present at the exit interview, but felt it should be conducted by an unbiased party where the interviewee may feel comfortable in giving the exit interview.

Alderman Smith said that he had suggested a requested third party by the individual leaving whom he or she may feel comfortable having in attendance.

Alderman Shelton said that the tone of the interviews being discussed is negative and he felt that was the opposite of what exit interviews are all about. He said it should be a constructive situation asking questions such as, "How can we make your job better?" and "What can we do to improve the atmosphere that you are in to make people, like you want to stay?" That is the type of information to be acquiring from an exit interview. Not, "Who didn't you like?" and "Why didn't you get along?" Rather, ask the person what can be done to make the situation better.

Alderman Bradbury agreed. Alderman Secor added that he liked Alderman Smith suggestion. If the interviewee wanted another person present, that should be made available. Alderman Shelton said that he would like to see an impartial third party present for the exit interviews. Alderman Smith said at least the option for the third party should be presented to the interviewee.

Mayor Lockhart asked what if the reason the majority of the personnel are leaving is due to being offered more money. Is the City in a position to do anything about that?

Alderman Bradbury said, "There is power in knowledge, whether you can do something about it or not."

Alderman Hall said that is why Administrator Hartman is instructed to let the Council know. If there is a considerable amount of personnel leaving due to salary, then it would be something for the Council to take into account and possibly budget more money for the position.

It was agreed between the Council Members that there is no loyalty in Corporate America anymore.

Mayor Lockhart said that this is something that would require further discussion and wanted to know if any of the Council members had anything further.

ADJOURNMENT

Mayor Lockhart asked for a motion to adjourn the September 10, 2007, Marengo City Council meeting at 9:32p.m. Alderman Signore so moved; seconded by Alderman Secor. The motion passed with a unanimous aye voice vote.

Submitted by: Theresa A. Hoschouer,
City Clerk