

**MARENGO CITY COUNCIL
REGULAR MEETING MINUTES
Marengo Council Chambers
132 E. Prairie St.
Marengo, IL 60152
October 25, 2010**

CALL TO ORDER

Mayor Donald B. Lockhart called the October 25, 2010 Regular Meeting of the City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone present in the Pledge of Allegiance.

ROLL CALL

Present for this meeting were Mayor Donald B. Lockhart, Aldermen Carole Bartman, Corey Brackmann, Michael Smith, Erik DeBoer, Mike Secor, Pat Signore, Todd Hall, and Steve DiMaria. Also present were City Administrator Deborah Nier, City Attorney Carlos Arevalo, Chief of Police Martin Podosek, Superintendent of Public Works Jim Craney, Building Commissioner Jayson Shull, Assistant City Administrator Joshua Blakemore, City Engineer David Johanson and Economic Development Coordinator Dane Checolinski.

PUBLIC PARTICIPATION

Steve Gibbons - 3014 Deerpas Road, Marengo.

“I would like the opportunity to speak when we get to new business – under 8a.”

Laurel Manning – 225 Meridian, Lakewood, Illinois.

“I would like to speak on behalf of the building I own at 205 – 207 – 209 S. State. I don’t know where you have it in the agenda this evening. I just know it is on there.”

Mayor Lockhart advised Ms. Manning that this would be under 8a, and stated that this would be for discussion only. The Council will not be voting on anything this evening, but this is a time to give people an idea of what is occurring, and what the process is.

Larry Harlan – 329 W. Washington St., Marengo.

“Do I speak now, or ... I want to talk about the Ad hoc Dispatch Committee report. I haven’t seen too much in the newspaper about it, but I have heard a lot of rumors in town. And I know the experience that I had last Saturday, I was riding my bicycle here in town, and I was able to call in a 9-1-1- fire on my street. We saved a man’s house from catching on fire. And my question is, I understand that you are thinking of going outside of town for that. Is the response time going to be longer? Because if the response time would have been longer, I think in this case, the man’s house would have caught fire. And the other question I have is that possibly someone not being at the police department at night. There have been times I have walked by here and I have seen people in need or distress coming in for help - maybe being protected from somebody who is being abusive or – needing a safety place to go. I was wondering if that was being considered – what would be done if we did outside sourcing. And the other thing is – I know that maybe we will save money with outside sourcing but I didn’t like it when Motorola outsourced – when to other places. I didn’t like it when Verizon – when I call Verizon and I get it – and I don’t like to outsource our employees in town here as well. There are people who are working and we will be doing the same things that I don’t like people doing to me now. So, those are my comments.

Alderman Todd Hall clarified for Mr. Harlan that when he placed the call, it was through his cell phone, and as such it was through the County – not directly with the Marengo Dispatch Center.

Larry Long - 6520 Rt. 23, Marengo, IL.

“I would like to talk about 8a at the time.”

Warren Nessler - 18097 Melms Road, Genoa, IL.

“I have some questions on the boundary agreement and the line of it, as I understand it. We have property involved in it.”

Nancy Shepard - 14208 Perkins Road, Woodstock, IL.

“I am a part time dispatcher here in Marengo. Our goal for the Marengo Dispatch Center has been and always has been to keep the Marengo Police Department, the Union Fire and Union Police Department and the Marengo Rescue all together. I think that what our goal is, is to keep the current 9 dispatchers here on staff. We have been through many changes in the contract, in the contract negotiations and proposals and we would like to make sure that before a decision is made tonight that all avenues have been weighed to keep the Police, Fire and Rescue together and for it to be dispatched out of Marengo. We have been trained to – we have had multiple attempts to meet with our Union so we could kind of negotiate our contract with them, so we could try and save some money. Just to – just some of the things that we have been throwing around, we have been trying to save at least \$60,000, I don’t know what our goal is to try to keep this dispatch here, but I think \$60,000 that we have been saving just through minimal - looking through different things – we can go a little bit farther and help keep this dispatch center here. So like I said before – when we make the decision tonight, I hope everything has been weighed and thought about very carefully.”

PUBLIC HEARING (Started at 7:08 p.m.)

Boundary Agreement with the Village of Hampshire

Deborah Nier spoke on the hearing this evening, which is to receive public comment on a proposed boundary agreement between the Village of Hampshire and the City of Marengo. The Council has previously looked at the boundary lines for consideration. Following the public comment, the Council will then act (at the earliest) at the November 8th Council meeting. They will give it their consideration at that time. Maps were passed out to anyone interested. It was explained that any of the property to the South and East of the red line would be part of the Village of Hampshire’s boundaries. North and West would be the City of Marengo boundaries.

Mayor Lockhart put this hearing on hold, due to the large interest in this proposed agreement. (Put on a temporary hold at 7:10 p.m.)

Alderman Michael Smith requested that the Council have access to a larger, more detailed map to see exactly where the boundary lines are. Deborah Nier will obtain this from SEC for the next meeting.

APPROVAL OF MINUTES

Alderman Carole Bartman made a motion, seconded by Alderman Mike Secor, to approve the minutes of the October 11, 2010 Regular meeting. The motion passed with an aye vote by Aldermen: Brackmann, DeBoer, Hall, Bartman, Smith, Secor and Signore. Alderman Steve DiMaria abstained.

CONSENT AGENDA

- a. List of Bills
- b. IDOT Resolution Regarding the use of MFT Funds – Jan. 1, 2003 to Dec. 31, 2003.
- c. IDOT Resolution Regarding the use of MFT Funds – Jan. 1, 2005 to Dec. 31, 2005.
- d. IDOT Resolution Regarding the use of MFT Funds – Jan. 1, 2006 to Dec. 31, 2006.
- e. IDOT Resolution Regarding the use of MFT Funds – Jan. 1, 2007 to Dec. 31, 2007.

Questions were raised on the IDOT Resolutions and why they are necessary. David Johanson, City Engineer, explained that IDOT does an audit of the MFT funds every year, and these years were flagged

in the audit. Basically, the City of Marengo spent more money for salt and other maintenance activities than you have a resolution for to spend. It is purely a housekeeping issue. In order to clear this up, a new resolution needs to be submitted to correct the amounts to be spent, so that it agrees with what was actually spent.

Questions were asked on the list of bills, and these were explained.

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

PUBLIC HEARING (resumed at 7:25 p.m.)

Mayor Lockhart resumed the public hearing on the boundary agreement at this time.

Warren Nessler, Genoa, Illinois addressed the council. He questioned why the boundary proposal crosses 3 natural boundaries – two of which are I-90 and the McHenry County/DeKalb County line. He does not see the value of this to the City of Marengo, the Village of Hampshire, or the Village of Genoa. Also, he advised the City of Marengo that a couple of years ago, Hampshire and Genoa put together a boundary agreement and it is in force.

Carlos Arevalo, City Attorney, explained that this agreement is only between the City of Marengo and the Village of Hampshire. The agreement between Genoa and Hampshire is only between them, and this agreement would have no effect on the agreement between Genoa and Hampshire. “What Marengo is doing is, Marengo and Hampshire are saying that this is the line that we are not going to pass. We are going to be able to plan, we are going to be able to do things, North of that line, that is going to be Marengo, and South of that line, that is going to be Hampshire. Obviously Hampshire has obligations to Genoa, pursuant to that agreement, which it is going to have to deal with. So whatever Hampshire may be planning, obviously we (Marengo) are not Hampshire so we (Marengo) can’t speak to that, they are going to have to worry about complying to both agreements in order to obviously comply with them. So, it doesn’t necessarily mean that we have to have 3 municipalities have this kind of agreement and they don’t necessarily have to work together. It just has to make sense to the two that are parties to it.”

Deborah Nier explained that it was felt to be to an advantage to make the boundary lines on existing roads, rather than through the middle of a property.

Richard Fisher, 11104 Harmony Hill Road, Marengo. “I was to the meeting in Hampshire when they did this, and there were a few Marengo people also. At that time, they said that if Hampshire would have gone up to Church road, at that time the building was really going, the town of Hampshire would have been about 70,000, if they subdivided every inch of property that they owned at that time, including this parcel. I can’t see why Marengo is going to give up prime development land, especially the land right next to the toll way where Getty Road crosses there at Route 20. It is prime development for commercial property right there, so I can’t see why Marengo would give up all that property. Right now you have prime subdivisions – it is probably the best land in this area right now, as far as development. I came from Hampshire, and I really don’t want to live back in Hampshire and that is why I’m speaking up. I have been here for 33 years now, and I enjoy living in Marengo. I am also on the school board at District 154, and what’s going to happen, as a school district we don’t want to lose our rights to property taxes. It’s good land and it’s got good people living on it, and I just can’t see why Marengo would want to give up this property. It’s prime residential land and commercial potential is great along 20 there. But then you got Huntley coming from the East and Genoa is trying to jump up to the toll way from the Southwest there. I know Hampshire is becoming a Lake in the Hills. They want to grab some land and they are going to take the best land in McHenry County right now that is undeveloped.”

Alderman Pat Signore made a motion, seconded by Alderman Mike Secor, to close the public hearing. The motion passed with an aye vote by Aldermen: Signore, DiMaria, Hall, Smith, Secor, Bartman, DeBoer and Brackmann.

The Public Hearing closed at 7:40 p.m.

Alderman Pat Signore asked that they (the Council Members) be provided with maps showing Huntley and Genoa. Mayor Lockhart also suggested Union (who has an agreement with Huntley). Deborah Nier will get a large-scale map and get all of them detailed out.

NEW BUSINESS

a. Discussion Regarding Historic Preservation Ordinance.

Mayor Lockhart reminded everyone present: “Before we begin the discussion this evening on the Historic Preservation Ordinance, I hope that everyone understands that we are not taking any action this evening, but we are going to give you an opportunity to speak. I know that there are a few people here that would like to speak. I would ask that you please keep your comments to a couple of minutes if at all possible. So, who would like to go first?”

Steve Gibbons – 3014 Deerpass Road, Marengo. “October 1st of this year, I received a letter from the City of Marengo – it was a certified letter. And when I opened up the letter, it was a notice of landmark application. I am just going to read you the first paragraph. The Marengo Historic Preservation Commission from the City of Marengo, Illinois has filed an application for landmark designation for the property as follows: 839 E. Grant Highway, of which I am the deed holder of that property. This notice and application for landmark status were received. So I received this notice and what this really is they want to make my piece of property a Marengo historical landmark. That is without my consent. I received the minutes of the meetings from the Historic Preservation Committee and it is noted also in there that this is being done without owner consent. I believe that this is the first time, possibly in Marengo, that this has happened. I believe that there are two other properties besides mine that they are trying to designate at the same time. I am here to protest the application. I am here to protest the way I was notified, with the certified letter. I am here to protest that it is on official City letterhead, when indeed I believe the tactic to portray that it was a done deal. I believe in Lisa Trainor’s mind, she is the Commissioner for the Historic Preservation Committee, it is a done deal. I am here to object to the process and to object to the way it was handled, which I really feel was unfair.”

Attorney Arevalo responded: “If the Commission makes an application for landmark of a property, the first step is to give you that letter – to get that notice through the City, however it is done. The important thing is that you got the letter. At some point in time, there is going to be a public hearing. The public hearing obviously is in your interest, if you feel as strongly as you indicate that you do, to appear and to voice your protest and the basis of it, in that proceeding. So that it is part of the record. Then when they are done with their process, whatever the outcome is, they can recommend that the property be land marked. At that point in time, the recommendation would come before City Council, and your objection would be noted. Because if you don’t do that, then there is not going to be that input. So what you can do, procedure wise is, – you are here today and that is fine – but you go to the public hearing before the Historic Preservation Commission so you can give your piece, and when it comes back here, I am sure the Mayor will allow you the opportunity to speak as well before the City Council does a vote on the ultimate question which is whether or not it will be land marked. That would be the one thing that I can say to you in terms of the procedure.”

Alderman Signore: “I had a problem with the procedure. I’m going to hop in right now, because I disagree with our Counsel, with regards to what the first step should be from the Historic Preservation Commission. I feel that the first step from the Historic Preservation Commission should be to come to

the City Council and tell us what they're proposing. I didn't know what was going on. Steve stopped in my office with the letter, on City letterhead. No one from the Historic Preservation Commission knows whether I am going to be in favor of this or not. All we have done is sent out a letter on City letterhead, which gives the impression that everyone sitting up here is behind what the Historic Preservation Commission has done. People go out and retain attorneys. People spend money as a response to this letter that the City Council may or may not even be in favor of. I think that we have made a real mistake with the process here, and I feel that the Historic Preservation Commission has usurped some type of authority that they don't have. Why should we send out registered letters – make people react and possibly seek legal advise on a situation that we have no idea – or the Historic Preservation Commission has no idea, whether the City Council was going to approve it or not. Because if we go through all of this, and these folks retain attorneys and we go to public hearing and it comes to City Council and we all say no, well that has been a big waste of time and money for everyone. I think the first step should be, coming out of a recommending body like the Historic Preservation Commission, the first step should be coming to City Council and saying – this is what we are considering. Are you folks in favor of this? - Because if we are going to have challenges on this, that's going to be legal bills, and I don't know if those legal bills are going to come out of the Historic Preservation Commissions budget or if they are going to come out of somebody else's line item budget. But I think it is very important that the Commission knows whether the City Council was on board before we alarm a lot of people. And I also think that we truly have to take into account whether a building is historically significant or just old. And we should only be willing to force, in my opinion, and hopefully this is all on the record, force this situation on someone in a situation where we are willing to either use eminent domain or whatever powers the City has and we're willing to go to court and we are willing to fight it. Because these are people's property rights that we are infringing on. I live in a home that is 120 years old. It's old, but it's not historically significant. I really feel that the process broke down on this, and that the Council should have been advised of what you folks were considering before something gets sent out on City letterhead. Because when it's on City letterhead, the view from the public is that everybody sitting here not only knew about it, but supported it.”

Mr. Gibbons voiced the concern that he had about the letter being on City letterhead, and that lead him to believe that the Aldermen agreed with the Commission.

Alderman Bartman requested that the City Council review and amend the ordinance originally passed in 2005.

Alderman Signore agreed, and added that the lack of communication is a problem. There is to be a public hearing on this on the 4th of November, and Mr. Gibbons had not received notice of that as of today.

Mr. Gibbons has met with an attorney on the information in the letter, and hopes that there is a solution.

Mayor Lockhart then asked Laurel Manning to speak.

Laurel Manning - “I own the building at 205/207/209 South State Street, Marengo. I talked to many people of different departments, and I find that there is really no redeeming value to plaque a building. Just because it is old. There is no less in taxes, there is no less in insurance. If the owner wants to do any improvements, there is a whole gamut of different departments that it has to go through for research, for permits, other than the building department. And then, the 4 different departments that have a say – your Fire Department, your Police Department, your Building Department and your Historic Preservation Commission – you don't all agree on what should be appropriate, what should be in place. Egress for doors, for example, is a huge disagreement. I can see where an owner could spend a lot of money with architects, and time, and trying to get something done to go forward, and it could end up in – sitting there forever – and nothing ever getting done. It can stop the sale of a property, it can stop the lease of a property, and it can make the property sit there vacant longer than it has been. The economy has been a

tough thing on everybody. So it is really just an impossible ordeal. I do not--I want to go on record to say that I do not want the building plaqued. I just don't. I haven't given the Council any reason where they would think that I would do something horrible to downtown Marengo. I also own 117 S. State. If you look at what I have done rehabbing that building – and yes it does need some fascia for brick on the front. I haven't found anything that I like; I haven't found anything that will work with an awning that would be appropriate. I am trying to work with you, not against you. I just don't – I feel like I am being punished for something that I am trying to do anyway. If I sell the building, the building will probably not sell if there is a governing body that is going to have the bottom line to what can and cannot be done with it. And that is kind of an unfortunate thing. It takes away my rights as an owner. I think that is all I have on this. Thank you.”

Mayor Lockhart - “Thank you for your input and your objection is noted. But don't forget the procedure that needs to be followed here – at least at this point, with the current ordinance. Mr. Long, did you want to make a comment, sir?”

Mayor Lockhart invited Larry Long to speak.

Larry Long – “I agree with both these people. I want to change the subject just a little bit for a moment. I believe we need to look at the people that are on this Committee. I have trouble with them. Now, I own a house in Marengo, which is kind of known as the Kellogg House, which I bought from a man by the name of Stanley Church, as income property. This group of ladies has taken a picture of this place. I was asked for it – let me say this. I was asked if I wanted the house plaqued. At the same time I was asked if they could put it in their magazine of pictures of houses. I told them no – I didn't want that house, or any house that I own in Marengo, McHenry County, or the State of Illinois, plaqued. I also told the individual that was asking me this, that as far as putting a picture of this house in the magazine, that as far as I was concerned, they couldn't do it – they had to contact Kellogg's cause it had a picture right on the house. So the Committee, or whoever did, and ran, went to the Church family, got the picture of that house, and put it in the magazine, presently being sold to raise money for their group or whatever. It is in that magazine without my permission, and without Kellogg's permission. I have informed Kellogg's of it. It is not a matter of if the City is going to be sued, or the group. It is who is going to go first, and who is going to sue who. According to Kellogg's attorney, correct me Counsel, this goes to Federal court because the picture you are looking at now, of the house, was put in that magazine without Kellogg's permission, and that is a \$2,000,000 picture. That is what it cost them. Now I don't understand picture rights, but correct me again Counsel, it is something like a patent, isn't it?”

Attorney Arevalo stated that he was correct.

Mr. Long added: “Well, this is where they are going, they are going to go after the Stanley Church family woman that gave the picture, and then after the group. There will be 4 people going after you, and I will be one of them. That is all that I got to say. You need to look at the people on there, and what you got going, because it is not right.”

Mayor Lockhart explained that the house Mr. Long is referring to is known in town as the Kellogg House. Kellogg used the house as the picture for one of their cereals back in the 70's. This house is on the corner of Route 20 and Locust Street.

Alderman Brackmann suggested that a phone call, or some type of notice, to the property owners prior to the letter, would have been prudent, and it did not appear like any contact was made by the Commission to these property owners.

Mayor Lockhart agreed that this would probably be the proper way, to contact the property owners first, and then proceed further.

Alderman Signore stated that the Commission appeared to follow the ordinance as it is written. However, he also agreed that the ordinance needed to be revisited because of this situation. Alderman Smith and Hall both agreed.

Alderman Bartman suggested a motion that the Historic Preservation Commission be requested to not approve any other, and not go ahead with the procedures in the ordinance until such time as they would have prior consent by the Council, until such time as we can get this ordinance rewritten. Attorney Arevalo stated that the Council could make that request of the Commission. He also recommended that the Council give Staff direction to change the ordinance.

Alderman DiMaria made that request. All Aldermen agreed with the recommendation.

Mayor Lockhart suggested that the change on the ordinance, if the property owner does not give their consent, include the requirement of the Commission to come before the City Council with a list of properties and explain to the Council why they feel the properties should be land marked. This would then give the Council the information prior to any formal correspondence going out and allow the Council their input.

Alderman DiMaria agreed with Mayor Lockhart.

Administrator Nier added: "Well, I do want to make a comment. In other communities that I have been with, where I have been involved with preservation efforts, and there has been a preservation committee appointed by the City Council, one of the steps that they have made, particularly when they are looking at preserving or land marking structures within the community is that they do – they do exactly what the Mayor is suggesting – is that they do an architectural survey, or a laundry list if you will, of the properties in a certain area, let's say, and then what happens is that there are different categories of that survey. There is contributing, there is significance, architecture – and what that does is it establishes a rationale for the type of structures that you are looking at preserving – or looking at land marking. Let's say you come up with 10 contributing – 10 significant – and then that group was then based on their discussion to prioritize them, and then either (a) seek out nominations from the property owner or (b) they would make a nomination or make the suggestions themselves to go forward with that to the City Council. Basically what the survey does, and you can do various things. You can make it very formal where they actually hire an architect that has a preservation background – that actually will give a lot of detailed information about the type of structures that you are looking at, or that you have in the community. Or, if your Commission is knowledgeable enough, they themselves could identify those. But what would happen is that they would have to be identified in terms of architectural features, historical purpose. There would be ... it would be a rationale of the explanation."

Attorney Arevalo – "I think that what you are saying is appropriate for Staff to amend the ordinance. Now we do have the immediate question of the 4th of November when these hearings are supposed to go forward, and what I hear from Council is that there is a concern that if we let that process go, that there obviously – we are going to...will incur. So then the next issue is for City Council to give directions not only to Staff, but also to the Commission to put a hold on those proceedings until this question is examined. Because that way, we are not in limbo with those properties that are in front of you, or in front of them, for the application. And the issues are addressed and some of the concerns of the owners are also taken into account."

Alderman Carole Bartman made a motion, seconded by Alderman Steve DiMaria, "I hereby move that the Historic Preservation Commission be authorized to put on hold the November 4th hearing for the land mark designation of the 3 properties in question, and that owners be given proper notice." The motion

passed with an aye vote by Aldermen: Signore, Secor, Hall, Brackmann, DiMaria, Bartman, DeBoer and Smith.

b. Economic Development Commission Strategic Planning Report.

Haje Black of HJ Enterprises, who was the facilitator at the EDC Tactical Planning Session held at the end of August, spoke on the many changes that are being made in the Commission. Also present this evening was Carl Martens, Administration Committee Member, who spoke on information he and Jerry Trickett were drafting that would be given to a developer when they apply to come into Marengo. The packet would outline the steps that would have to be taken to get through the approval process. The information would also be put on the internet. Council gave suggestions. The Committee will be meeting with Building Commissioner Jayson Shull.

c. 2010/2011 Property and Liability Insurance Renewal.

Joshua Blakemore spoke on receiving the property and liability insurance renewal quotes. There is a reduction in costs this year of about \$10,000, but there is a recommendation to switch carriers. Coverage is currently with One Beacon, and the recommendation is to move the coverage to Trident/Argonaut. The renewal premium with One Beacon would have been \$68,295. The premium with Argonaut is quoted at \$60,941. There are some minor differences in the coverage proposed, and Sandra Hannon went over them with the Council. She is the representative from Arthur J. Gallagher Risk Management Services, Inc.

Alderman Signore questioned certain areas that were unclear on the quote, and Ms. Hannon will be providing him with documentation clarifying the areas of concern.

This policy renews on November 8, 2010. It has been requested, by the Council members, that next year's renewal be presented to the Council earlier. This will give the Council more time to review the coverage and options being presented.

Alderman Carole Bartman made a motion, seconded by Alderman Mike Secor, to renew the policy at a premium of \$60,491 for Property and Liability Insurance, through Argonaut, with coverage and premiums as presented. The motion passed with an aye vote by Aldermen: Smith, Brackmann, Bartman, Hall, Secor and DeBoer. Voting no on this motion were Alderman Pat Signore and Steve DiMaria.

d. 2009/2010 Annual Financial Report – George Roach & Associates.

George Rauch, of George Roach & Associates addressed the Council on the audit that was completed for 2009/2010. They did not find any internal control – structural – problems in terms of the design of the processes that the City has for maintaining accuracy in the reporting and controlling of cash and disbursements, and deposits within the system. They appreciated working with the City Staff; very helpful and had much of the information ready for them when needed.

Mr. Roach reviewed various parts of the audit with the Council. He noted that in April of 2010, the City had cash on hand of \$67,000. As of September of 2010, the City has \$81,693 cash on hand.

e. Authorization to Execute Contract with McMahon Engineering for Wastewater Treatment Plant Expansion Project.

Mayor Lockhart advised the council that this item was pulled from tonight's agenda.

(The City Council took a 10-minute break (9:40 p.m.) at this point of the meeting. The meeting reconvened at 9:50 p.m.)

f. **Authorization to Execute Contract with SEC Group, Inc. to Develop TIF Legal Descriptions.**

Deborah Nier introduced this item. The TIF approval process requires submission of a legal description for each TIF District. Therefore, separate legal descriptions are needed for (a) the Eastern Corridor TIF and (b) the Downtown Corridor TIF. Fees proposed by SEC for this will be as follows:

- (a) Eastern Corridor TIF, amount not to exceed \$1,800.
- (b) Downtown Corridor TIF, amount not to exceed \$3,800.

This is an unbudgeted expense, and a portion of will be charged against Professional Services. The expenses are reimbursable from the TIF proceeds.

Alderman Todd Hall made a motion, seconded by Alderman Carole Bartman, to authorize to execute the contract with SEC Group to develop TIF legal description. The motion passed with an aye vote by Aldermen: Hall, DeBoer, DiMaria, Smith, Brackmann, Secor, Signore and Bartman.

g. **Authorization to Execute Lease for Property located at 180 8th Avenue.**

Joshua Blakemore presented the possible lease for the property at 180 8th Avenue. The leasers are asking to move into the house on the 1st of November.

Alderman Todd Hall made a motion, seconded by Alderman Mike Secor, to approve the lease for the property at 180 8th Avenue. The motion passed with an aye vote by Aldermen: DiMaria, Signore, Secor, Bartman, DeBoer, Brackmann, Hall and Smith.

OLD BUSINESS

a. **Ad hoc Dispatch Committee Report.**

Alderman Bartman reviewed the information given to the Council members on the various options for the Dispatch Center. The option through FoxComm was no longer valid.

Police Chief Podosek spoke on the various options, and his recommendation, at this point in time, would be to outsource the Dispatch Center.

Alderman Todd Hall made a motion to execute a contract with the Village of Lake in the Hills with an annual fee.

Alderman Michael Smith added that there is a 4th option that had not been presented. He had suggested putting a resolution to the residents of the City of Marengo, asking whether or not they wanted to retain the dispatch services locally, and to pay for it through a special tax assessment. The cost of this option would be about \$50 per person, and would have to be presented as a referendum.

Alderman Bartman said that due to it probably not being well received by the residents, it was not considered further.

Alderman Signore expressed his concern about the various entities being “split up”. He asked that Bob Bradbury, Chief of the Rescue Squad and Fire Department, come forward to speak on this issue.

Alderman DiMaria suggested an Intergovernmental Agreement between the various entities stating that all are willing to incur some of the additional costs that the City of Marengo would incur in either keeping the Dispatch Center, or contracting to outsource the services together. Attorney Arevalo agreed that such an agreement would be necessary, but would need to be in place prior to a vote being taken by the Council.

Alderman Bartman asked Chief Bob Bradbury his opinion on this situation, and what their thoughts were on options.

Chief Bradbury stated: "Like I said, I like option A. I like keeping it here. They do a good job. I think a special assessment could be something we could look into. Maybe the Fire and Rescue Districts can look into doing the same thing out in the whole district."

Alderman Secor questioned what happens if it goes to vote, and it gets voted down.

Chief Bradbury replied that it would then have to get outsourced. He added that a request would have to be made of Union, the Fire Department District and the Rescue Squad District. It would involve the entire district, and what the majority of the district wants.

Alderman Bartman questioned if the Council voted to outsource, which of the various options would the Fire and Rescue like to look at using – to try and keep the services all together?

Chief Bradbury responded that they would probably prefer Lake in the Hills. He stated that he had talked with them earlier in the day.

Alderman Bartman reviewed the costs with Chief Bradbury, and explained how they were figured.

Alderman DiMaria then asked Chief Bradbury to clarify some of their options.

Chief Bradbury stated that they have several options. One is Harvard. There is also another entity that is talking about possibly taking them in.

Alderman Signore – "But see, that's the problem, Bob. I'm going to be frank with you. That's the problem for me. I can't say that it's the problem for anyone else here, but the problem for me is that I would like to keep it together and yet I keep hearing that there are all these other options. And if we have to do an intergovernmental agreement, then maybe that's what we have to do to give a block-head like me the security that we are going to do this and we are going to do this together. Because my feeling is that if we don't do it together, we are going to reduce the service that we are currently giving the community, and that is something that I am not in favor of. I said from the very beginning that this is not the type of thing to go cheap on if we are going to have a decrease in service. Okay? Because when somebody is having a problem and they make the phone call, you want response. And you want quick response. And I guess what I haven't really heard a lot of is that we are going to approach this – Union makes their own decision, but from the people that I represent, I really haven't heard that there is going to be a commitment for all three of us to do a package deal."

Alderman Hall – "I do want to make a comment in regards to that – service level not being there and everything like that. Everyone has come before us, and other groups have done this, we have things from the other police chiefs, and I can't remember what agencies – Lake in the Hills, and FoxComm. They have all said they have no issues; everything has gone really smoothly with this, so I don't think we are talking about levels of response...I would love for everyone to go to that one same entity. But at the same time, I've got to be looking out for the fact that we (the City) only have one major well here. We only have that old generator. We've got machinery that, my goodness, is not only older than my son; some of it may be older than myself. That we are band-aiding together as a City, and we have some \$60,000 at the end of last year. The service level, everyone has not had any issues with that. We bedded that out. We have been going through this process for a long time. That is why I made the motion. We have been talking about this until we are blue in the face. The Chief is happy with that option."

Alderman DiMaria – “And I’ve been very outspoken, and we have had conversations and it just sounds to me that the only way the Fire Department - the Fire / Rescue – are going to go along with this Lake in the Hills, is if we are going to absorb some of your costs. And I can’t do that. I mean – I was told that you could have...there was options for you to take and seek to off-set those additional costs from your larger districts that we don’t get any revenue from. And I don’t understand why, when you say here that “Well, we have other options.” So if the City...you are okay with Lake in the Hills if we are going to absorb \$41,000, Bob. But if we don’t absorb \$41,000, then you are going to look somewhere else. Again, that’s....”

Chief Bradbury said that there appeared to be a big difference in the costs being presented. First is a cost to the 2 districts of \$40,000, then another cost of \$80,000. That doubles their costs, and they have to look after their budget. They are already possibly taking the ambulance off the road next year because of the budget crunch.

Alderman Bartman reviewed the costs that the City had received from the various entities for adding on the Fire and Rescue Squad.

Chief Bradbury questioned if their cost for Lake in the Hills was the difference between \$107,000 and \$140,000 – and just exactly what their cost with that entity would be.

Alderman Hall – “My thing is – I am willing to pay whatever our costs are. So if it is \$107,000, I have no problem with paying \$107,000. But I do not want to subsidize any other taxing body for this – toward them providing the service when we are having struggles – you know, we haven’t hired two police officers in the past. That is through attrition and everything like that. So I don’t want to be subsidizing another entity when we’re not flush with cash ourselves.”

Alderman Bartman clarified that if the City would pay \$148,000 instead of \$107,000 then the cost for the Rescue Squad would be going from \$30,000 to \$39,000 approximately; the Fire Department would be going from \$5,800 to \$7,800, and the prices with Union are small amounts. These costs are all based upon number of calls.

Mayor Lockhart then asked the rest of the Aldermen their thoughts.

Alderman Secor spoke first on the possibility of a referendum, but felt it would not stand a chance. He felt that Lake in the Hills is the option that makes sense.

Alderman DeBoer agreed that the \$107,000 is probably the best way to go.

Alderman DiMaria – “Okay, but I’ve got to bring this up, and once again we are talking about this addition. You weren’t here at the meeting when I brought up what if we had an IGA and there was 25% absorbed from the Fire Department and 25% of the additional costs absorbed from the Rescue? Then it’s a split and we are all looking out for the best interests of this community. We are still absorbing something that maybe we shouldn’t, but you’re picking up some more, that we are showing our due diligence and trying to come to a win-win situation for this community. But in an IGA.”

Alderman Brackmann felt that it was important to keep the dispatch together. He would like to engage the other entities and see if they were agreeable to an IGA. He would like to request the other boards to pass a resolution to commit participating in a study that needs to be done.

Mayor Lockhart reminded the Council members that this process had been going on for quite some time, and jobs were hanging in the balance, and he didn’t feel that it was fair to those individuals to keep discussing the options. He felt it was important to make a decision.

Alderman Bartman seconded the original motion made by Alderman Todd Hall. She verified with Alderman Hall that his motion was for the amount of \$107,000. Alderman Hall verified “\$107,000 or whatever our exact cost is.”

Alderman Bartman added that this does not mean that we (the City of Marengo) was not choosing to go alone, but just that we were pursuing a contract and indicating the costs of that contract. The other entities have the option of choosing who they want.

(The motion has been restated below for clarification purposes only)

Alderman Todd Hall made a motion, seconded by Alderman Carole Bartman, to proceed with a contract for Police Department Dispatch Services through the Village of Lake in the Hills at a cost of \$107,000, or whatever our exact cost is determined to be. The motion passed with an aye vote by Aldermen: DeBoer, DiMaria, Bartman and Hall. Voting no on this motion were Aldermen: Secor, Brackmann, Smith and Signore. The motion was tied, so Mayor Lockhart was requested to vote on the motion. He voted yes, and the motion passed.

Alderman Bartman requested a timetable for this. First step is to contact Lake in the Hills, and then the four entities will be notified (90 days notice required) by November 1st, and then it would take about 3 months for the dispatchers to get familiar with everything. The projected goal is February 1, 2011 as the date. Prior to that, we will notify the City employees (30 days) prior to that.

The first year costs are spelled out, and there will be equipment costs. The absolute maximum for this would be \$50,000, and the Chief is familiar with that. Hopefully it will be less than that. Later on, when the budget is being worked on, there is the loan on the console that needs to be taken care of.

MAYOR’S STATEMENTS AND REPORTS

No report.

DEPARTMENT HEAD AND STAFF REPORTS

Jayson Shull – Building Commissioner

No written report in packet this evening, but they have conducted a sign sweep through town in response to complaints and possible violations. We did find 12 banner violations. We have also started zoning enforcement of the trailer/RV parking. We are about half finished with the town and have about 30 to 40 violations already. Alderman Signore requested a CDC meeting be set up to review signs. A tentative date of Nov. 10th has been selected for that meeting. Alderman Signore requested that Jayson bring the situations that have come up in the past year regarding signs. Jayson will also bring sign variations. Alderman Signore would like to see different sign allowances for each zoning district. Alderman DiMaria would like the enforcement to be consistent.

Jim Craney - Superintendent of Public Works

Paving is underway on O’Connell Road. Still have to do West Prairie. Hopefully the plants will stay open until November. Brush pick up will start on November 1, there is brush drop off at the WWTP. Marengo Township (John Adamson) and Riley Township (David Diamond) will be assisting with various plowing of roads, as they have in the past. There is an ample supply of salt (for the roads) at this time. Superintendent Craney will meet with Com Ed concerning Ann Street.

Joshua Blakemore - Assistant City Administrator

Nothing further.

Randy Donley – County Board Member.

Mr. Donley spoke on the County's financial situation. The County has a Triple A rating which is one of four in the State of Illinois. Mr. Donley Suggested Mayor Lockhart and Alderman DiMaria get together with Marc Munaretto (Chairman of Finance), to work on financial planning for the City. Board Member Donley offered to be a catalyst for anything Marengo may need on the County level. The Mayor thanked him. Alderman Signore liked the local representation and commended him on his attendance at the City Council meetings.

Martin Podosek – Chief of Police

Written report already given to Council members for review. Alderman Steve DiMaria requested that Chief Podosek become more visible to the City. Chief Podosek agreed.

David Johanson – City Engineer.

Written report already given. Alderman Bartman noted that the survey was completed on Settler's Cove, and SEC anticipates meeting with the City the week of Nov 4th to discuss their findings and recommendations.

Deborah Nier – City Administrator

There was a problem with email, which has now been solved. Noted a milestone with the Wastewater Treatment Plant, we received IEPA sign off for the Facilities Plan. Alderman DiMaria asked a question on Amtrak and Huntley - about the petition that Huntley has having their residents as well as non-residents sign and suggested that Marengo do one as well. Alderman Signore also suggested that Marengo get one going and would like to get the Chamber of Commerce and the Economic Development involved as well. Joshua has spoken to Anna about putting it on Marengo's website. All the Council members agreed that this would be a good thing and directed Staff to do so.

Carlos Arevalo - City Attorney

No report.

EXECUTIVE SESSION.

Mayor Lockhart stated that it would be necessary to go into Executive Session for the purpose of Litigation and Personnel.

Alderman Pat Signore made a motion, seconded by Alderman Michael Smith, to go into Executive Session for the purpose of Litigation and Personnel. The motion passed with an aye vote by Aldermen: DeBoer, Bartman, Hall, Smith, Secor, Brackmann, DiMaria and Signore.

Meeting recessed at 10:55 p.m.

Meeting reconvened at 11:18 p.m.

There was no further business to come before the City Council this evening. Alderman Carole Bartman made a motion, seconded by Alderman Michael Smith, to adjourn. The motion passed with a voice vote.

Meeting adjourned at 11:19 p.m.

Respectfully submitted,

Constance J. Boxleitner
City Clerk