

**MARENGO CITY COUNCIL
REGULAR MEETING MINUTES**

Marengo Council Chambers
132 E. Prairie St.
Marengo, IL 60152
November 23, 2009

CALL TO ORDER

Mayor Donald Lockhart called the November 23, 2009 regular meeting of the Marengo City Council to order at 7:03 pm.

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone present in the Pledge of Allegiance.

ROLL CALL

Present for this meeting were Mayor Donald Lockhart, Aldermen: Carole Bartman, Eric DeBoer, Mike Secor, Pat Signore, Todd Hall, and Steve DiMaria. Also present were: City Administrator Deborah Nier, City Attorney Carlos Arevalo, Deputy Chief of Police Joseph Hallman, Superintendent of Public Works Jim Craney, Building Commissioner Jayson Shull, Assistant to the City Administrator Joshua Blakemore and City Engineer David Johanson. Absent this evening were Alderman Michael Smith and Corey Brackmann.

PUBLIC PARTICIPATION

None.

(Alderman Corey Brackmann entered the meeting at 7:06 pm)

OLD BUSINESS

An Ordinance Authorizing and Providing for the Issue of Not to Exceed \$2,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2009, of the City of Marengo, McHenry County, Illinois

Mayor Lockhart introduced Harold Warren of Warren & Associates to talk about the proposed bond and to answer any questions and concerns that the Aldermen had. He clarified the information on payment of interest on the bonds, which would not be due until such time as the bonds were sold, and then only for the amount sold. The whole process of approving and selling the bonds could take several months to complete. The bonds are sold in \$5,000 increments, and the City can sell any part of the total. The total was determined by the engineers estimate for the projected cost to the City of what would be needed in additional funds to complete the Prospect Street project (\$1,340,000) and for additional streets within the City, a total of \$2,000,000. This amount is also based on the amount of funds received through MFT. MFT funds would then be used to pay this bond back. It is projected that the City would receive approximately \$200,000 and a percentage of that would be then be used to pay on the bond (\$160,000).

There are currently 2 other bonds that the City is paying on and both are paid through Sewer and Water funds.

Mr. Warren said that the bonds do not have to be issued tonight. Issuance can occur after the bids have come in and the Council approves them. By issuing the bonds at this time, the City could place the funds in an account, and let them earn interest at this time. This would also satisfy the requirements for the grant that is being offered to the City.

Alderman Signore asked if our salt costs were paid from the MFT. Deborah Nier stated that yes they are and the budgeted amount for salt for this year is \$90,743. This figure does not include any mixing of lime (such as was used last year).

Mr. Warren added that if the City chose not to issue the full \$2,000,000 at this time, the City would have 3 years to issue the balance from the date of publication of the authorizing ordinance. He also added that the interest rate would be locked in from the date of issue for the entire length of the bond.

Alderman Mike Secor made the motion to approve “An Ordinance Authorizing and Providing for the Issue of Not to Exceed \$2,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2009, of the City of Marengo, McHenry County, Illinois”. Alderman Todd Hall seconded the motion. The motion passed with an aye vote by Aldermen: Brackmann, DeBoer, Hall, Bartman, Secor and Signore. Alderman DiMaria voted no on the motion.

Mr. Warren assured the Council members that they have made no commitment to sell bonds, and no steps are going to be taken to sell any amount of bonds until further direction is received from the City Council.

APPROVAL OF MINUTES

Alderman Todd Hall corrected the minutes (on page 2) to remove his name from paragraph 3 and replace with Pat Signore. With that correction made, Alderman Mike Secor made a motion, seconded by Alderman Todd Hall, to approve the corrected minutes. The motion passed with an aye vote by Aldermen: Bartman, Brackmann, DiMaria, DeBoer, Signore, Hall and Secor.

CONSENT AGENDA

- a. List of Bills**
- b. Marengo Main Street Appointment**
- c. Marengo Girl Scouts Request**

Alderman Eric DeBoer made a motion, seconded by Alderman Todd Hall, to approve the consent agenda items as presented. The motion passed with an aye vote by Aldermen: Signore, Secor, Hall, Brackmann, DiMaria, Bartman and DeBoer.

NEW BUSINESS

a. Resolution for the 2009/2010 Tax Levy

Deborah Nier presented information on the 2009/2010 tax levy. The proposed levy represents an increase of 32.05% over the prior year – or a total of \$1,817,959. There is a tax cap that is applied by the County, and as such the actual levy would be limited to that amount. The idea is to request more than the cap in the hopes that we could capture all new growth and assessment in the community.

Alderman Mike Secor made a motion, seconded by Alderman Eric DeBoer, to accept Resolution 09-11-A – Determining the amount of funds to be levied for the 2009 tax year through real estate taxes for the City of Marengo, McHenry County, Illinois. The motion passed with an aye vote by Aldermen: Signore, DiMaria, Bartman, Hall, Secor and DeBoer. Alderman Corey Brackmann voted no on the motion.

b. An Ordinance Granting a Special Use Permit for a Tattoo parlor: 20016 E. Grant Hwy – Unit B.

Mr. and Mrs. Gary Wagley d.b.a. Day Dream Tanning are the petitioners. Jayson Shull presented the information. Alderman Carole Bartman asked if the special use permit would be transferred to new owners if the Wagley's were to sell their business. Attorney Carlos Arevalo stated that it would not. Jayson identified that information in the ordinance – page 2 – Section 2 (4. The special use permit shall not run with the land.)

Alderman Corey Brackmann made a motion, seconded by Alderman Mike Secor, to “adopt Ordinance 09-11-1 approving a special use permit allowing a tattoo use supplemental to the existing tanning business use within the confines of 20016 E. Grant Hwy. Unit B as presented in petition dated October 30, 2009. The motion passed with an aye vote by Aldermen: Hall, DeBoer, Brackmann, Secor and Bartman. Aldermen Steve DiMaria and Pat Signore voted no on this motion.

c. An Ordinance Granting a Variance to Allow for the Intensification of a Non-conforming Use: 424 – 432 West Grant Hwy.

Jayson Shull introduced Joe Gotteweller – 1 N. Virginia St, Crystal Lake, IL 60014, who is the attorney for the petitioner - Mike Grismer. Mr. Grismer is the new owner of that property. The City, along with Mr. Grismer, has inspected the property, and 90% of the problem items have been cleared up and corrected, as of today. There were zoning issues on this property, with the previous owner, with a 5th unit being in one of the buildings where it was only zoned as a 4-unit building. Mike would like to get one of the buildings rezoned as a 5 unit building.

Alderman Carole Bartman made a motion, seconded by Alderman Mike Secor, to adopt Ordinance 09-11-2 Granting a Special Use Permit allowing the intensification of a legal non-conforming use to permit an additional 5th unit in the East structure at the property known as 424-432 W. Grant Hwy creating a total of seven allowable residential units upon the property. The motion passed with an aye vote by Aldermen: DiMaria, Secor, Bartman, DeBoer, Brackmann and Hall. Alderman Pat Signore voted no on this motion.

(Alderman Pat Signore excused himself at 7:52 P.M.)

d. An Ordinance Granting a Variance from the Marengo Sign Ordinance: 19716 E. Grant Hwy – Joe's Place.

Jayson Shull introduced the petition, Joe Miceli – 19716 E. Grant Highway, Marengo, IL 60152, and his attorney Jay Filler – PO Box 115, Marengo, IL 60152. The petitioner is asking for 4 variances – Marengo Municipal Code Chapter 16.10 (4) B; Marengo Municipal Code Chapter 16.10 (4) D; Marengo Municipal Code Chapter 16.06 (11); and Marengo Municipal Code Chapter 16.08 B 3.

Alderman Corey Brackmann made a motion, seconded by Alderman Steve DiMaria, to adopt Ordinance 09-11-3 Granting Exception to Section 11.05 B9 of the Marengo Zoning Ordinance and Sections 16.10 (4)B, 16.10 (4)D, 16.06 (11) and 16.08 B3 of the Marengo Municipal Code. The motion passed with an aye vote by Aldermen: Secor, DeBoer, DiMaria, Brackmann and Bartman. Alderman Todd Hall voted no on this motion.

(Alderman Pat Signore reentered the meeting at 7:55 P.M.)

e. An Ordinance Vacating Page Street, Between Taylor Street and Clark Street.

This item was placed on hold for clarification of easement for the City. It will be revisited at the December meeting.

f. Resolution Regarding McHenry County Hazard Mitigation Committee.

McHenry County has obtained a grant from FEMA to create a plan for McHenry County. Local governments will be able to participate in the creation of the plan, and adopt the plan when it is complete. Once the plan is adopted, Marengo will become eligible for pre and post disaster mitigation funds from FEMA.

Alderman Pat Signore made a motion, seconded by Alderman Mike Secor, to adopt this resolution with the inclusion of the ESDA Co-coordinator. The motion passed with an aye vote by Aldermen: Bartman, Hall, Brackmann, DiMaria, DeBoer, Signore and Secor.

MAYOR'S STATEMENTS AND REPORTS

No report this evening.

DEPARTMENT HEAD AND STAFF REPORTS

Jayson Shull – Building Commission. Building Commission Shull updated the Council with information on the recent CDC meeting. The CDC felt that the sign ordinance needs amending. Pat Signore asked about any headway that might have been made on the 2009 Intl Energy Conservation Code for Commercial projects. Jayson has been in touch with Springfield on this, and was told that it was mandatory to adopt the code. He would bring more information to the next meeting.

Jim Craney – Superintendent of Public Works. The Public Works Department has been working on getting the blades on the plows. The mechanic has been working on installing lights a couple of the squad cars. Construction is underway at the new Entertainment Center/Bowling Alley. Superintendent Craney has been working with Main Street on the parade route and tree lighting.

Joshua Blakemore – Assistant to the City Administrator. Assistant Blakemore spoke with Ehlers & Co. on the TIF survey. The preliminary survey and map will be available soon. The City has received 22 proposals for web site updating – ranging from \$4,000 to \$80,000. This project has not been budgeted for this fiscal year. It is just something they are looking at. EDC packets were handed out to all Aldermen. Assistant Blakemore reminded the City Council that the 2010 Census is coming up.

Joseph Hallman – Deputy Chief of Police. Report was previously given to Aldermen. Mayor Lockhart spoke on 2 items. The first was that Sgt. Solarz is attending “Staff and Command School at Northwestern, and was picked to be the president of the class. The second was a stop the police made of a vehicle in town. The people in the vehicle were members of the Latin Kings. Our police handled this very well.

David Johanson – City Engineer. Mr. Johanson has been working with Superintendent Craney on the project for Taylor, Prairie & Washington Streets – they have already heard back from IDOT on this. This project will be ready for bids on December 14th. SEC has invited the City Council to attend their Annual Christmas Party (which is held for clients and their spouses) on the 11th of December.

Deborah Nier – City Administrator. She asked the Council Members to view a specific document that was in the EDC brochure. The information in the document was put together by Josh and prepared and printed “in house” by Anna. Alderman Carole Bartman asked when the budget review would take place, and Deb will schedule a meeting for this purpose.

Carlos Arevalo – City Attorney. No report this evening, other than the Mr. Kobel matter has been resolved. The settlement check has been received.

EXECUTIVE SESSION

No Executive Session.

ADJOURNMENT

There was no further business to come before the meeting this evening. Alderman Steve DiMaria made a motion, seconded by Alderman Eric DeBoer, to adjourn the meeting. The motion passed with a voice vote.

Meeting was adjourned at 8:26 pm.

Respectfully submitted,

Constance J. Boxleitner
City Clerk
City of Marengo