

**CITY OF MARENGO
AUGUST 28, 2006
COUNCIL MINUTES**

CALL TO ORDER

At 7:04 p.m., Mayor Lockhart called to order the August 28, 2006, Marengo City Council meeting. He then led the "Pledge of Allegiance".

ROLL CALL

Present for roll were: Mayor Lockhart, Alderman Signore, Alderman Spear, Alderman Secor, Alderman Trainor, Alderman Otis, Alderman Shelton and Alderman Jennings. Alderman Genot was absent.

PUBLIC PARTICIPATION

Dennis Hammortree, 505 North Taylor, Marengo, addressed the members regarding New Business items c & d.

He hoped the members would approve the requests for a donation to Settlers Days and Civil War Days as both events bring in revenue for the City. He couldn't figure out why they couldn't get it to begin with.

He keeps hearing there is no money in the budget as money is tight and the City has to sharpen its pencil. Thru Freedom of Information requests he received, he found out the City had two new squad cars striped this year for \$475.00 a car. He called a gentleman in Sycamore who quoted on the striping for \$400.00 a car which would have been a savings of \$150.00. This gentleman was advised although his price was lower, if he had to come back to do any work like after an accident, his price was higher. Mr. Hammortree pointed out this expense would be covered by insurance; not taxpayers money.

He noticed a door at City Hall and Police Department had been lettered for \$115.00 a door. He came to City Hall, measured the letters and numbers and went to Marengo Signs to "Look Local First". He asked them if they did lettering. In about three minutes, they gave him their cost for the letters/numbers which was \$25.62 and \$22.50 approximately for installation. So, based on the numbers, we overpaid \$156.26.

He also heard we might be re-striping three of the older squads so they would match. If we don't have any money and are spending \$475.00 per squad, he wanted to know what the cost would be to have the old stripes taken off and new ones put on to match. He felt if they were to get two new squad cars next year and liked the new stripes, it would make more sense to put the new stripes on at that time.

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He also asked for how much was spent on the Al Kowbel lawsuit. He was denied that information but he assumed our attorney's legal fee is still at \$110.00 an hour, so, he is guessing our cost was between \$3-5,000.

He then again stated Settlers Days and the Civil War enactment bring in revenue and hoped this Council could somehow find it worthy of doing.

Alderman Otis asked Mr. Hammortree if he went to the place where Marengo Printing is located to get the bid. He stated it was and they were a little bit perturbed they weren't allowed to bid on either the squads or the doors.

Mayor Lockhart asked if any of the members had or wished to respond. No one did. However, the Mayor did respond. He stated he was the one responsible and the one who decided to use the striper who did the work. The reason he decided this was because this same gentleman does the entire County's (Mr. Hammortree's employer) squad cars. He felt if it was good enough for the Sheriff, it was good enough for Marengo. He did allow and looked at another bid but didn't like what he saw. He has had nothing but compliments about the new squad cars and how nice they look.

Secondly, if Mr. Hammortree would have asked the Mayor instead of just shooting off his mouth, he would have advised him he was the one who paid to have the two doors lettered out of his personal funds. It was not paid for by taxpayers' money. He paid to have these doors done with people's names on them to make this City look professional; something that should have been done here a long time ago.

He is trying to do the same thing with the Police Department as he has had nothing but a bunch of problems to clean up from the Police Chief under Mr. Hammortree's administration

He went on to say Mr. Hammortree stood there and criticized him about the Police Department squad cars design. However, the design was picked by the men and women of the Police Department, not him. So, if he would have called him like he always says, "Do you homework" he would have seen the City of Marengo never paid for those doors; he did. If he wanted to criticize him about where he had it done, he would accept that and as far as Mr. Kowbel, he filed for a Freedom of Information and the law states, if we don't have the figures at our hands, we do not have to make them up special for him.

Mayor Lockhart mentioned he had filed for other Freedom of Information requests, looked thru some of them and didn't pay for everyone of them after the City help had taken the time to do the requests. So, Mr. Hammortree was not to tell him about a waste of time and money; he should look in his own backyard.

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He told Mr. Hammortree to give his response as he wanted to get on with the City Council meeting.

Mr. Hammortree asked to be corrected if he was wrong, but he did call the Mayor's house and asked to speak to him. His wife again advised he was sleeping and his phone call was never returned.

Secondly, if we wanted to change the strips, this was fine but when he did the Freedom of Information this was information he received. No one bothered to tell him as he had talked to Administrator Hartman. He never gets any answers and as far as his Freedom of Information requests that he has been asking for, he has also brought in a newspaper article and gave a copy to Scott, Sally and Diane stating it is illegal to charge \$.20 or \$.25 a copy for Freedom of Information requests. He would give anyone else a copy if they wanted one. He noted different copy places are charging \$.08 a copy and are making money. Per State Statutes, municipalities cannot charge \$.25 for the first page and \$.20 for each additional page. That is the reason he did not pick up some of the copies.

Mayor Lockhart asked if he did order the information. Mr. Hammortree stated he had. Mayor Lockhart stated that under his administration, he paid for what he order because that's the way it was. Mayor Lockhart advised Mr. Hammortree he was getting way off of the subject but he was the one who brought half of this stuff up. He said he was totally off line with the squads and the doors. If he had a complaint about the doors, he was to see him after the meeting as they had things to accomplish here this evening.

Next, Lorence Brown, 170 Seneca Trail, Marengo, addressed the members regarding the cell tower, item 5f. As a retiree of SBC, he was asked to come back and work on a strike assignment in 2004 in Wisconsin. He was in a group that handled t-carrier links (high speed line that runs generally thru communities between communication sites) cell towers. The reason cell towers go down a lot of the time is because the communication link goes down. They were on more than one site where they had to go in and repair the equipment because of lightning hits. The phone company knows all about bonding and grounding to take care of the equipment. This equipment was inside the fenced area of the base and got hit by a ground surge. Some, not all, of the units were charred in the inside and had to be replaced.

He suggested when approving the cell tower which he felt they should do, they should see if we could get a bond or something for 5-10 years during negotiations to cover expenses should we lose communications or equipment due to a lightning hit as we could get a ground surge that could come back up thru the ground system itself and damage equipment.

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Alderman Shelton asked Mr. Brown if he was concerned about the City's equipment. Mr. Brown replied, "Yes." He also replied, yes, to Mr. Craney's question regarding the equipment being located in the fenced off area of the tower.

June Meyer, 324 Dietz Street, Marengo, stated she was representing the Chamber of Commerce for item 5c, Settlers Days and would answer any questions on their request for \$1,500. She wanted the members to be aware they had a higher budget this year as they have added more events so they definitely could use the donation.

No one else wished to address the members.

NEW BUSINESS

APPROVAL OF THE AUGUST 14, 2006 REGULAR AND EXECUTIVE SESSION MNUTES

Alderman Jennings made and Alderman Secor seconded the motion to approve the August 14, 2006 regular and Executive Session minutes. The motion passed with an aye voice vote from Alderman: Shelton, Trainor, Spear, Jennings, Otis, Secor and Signore.

MARENGO CEMETARY BOARD REPORT

George Bauman presented the Cemetery Board's annual report. He pointed out the biggest difference between this year and last year was in maintenance and improvements. A fence was installed in between the railroad tracks and the old cemetery part when the Conservation Dept. put the walk/bike trail in, a new air conditioner and heating system was put in the rental property and wind damaged four trees that had to be removed. Everything else was in line with past years.

If there were no questions, Administrator Hartman asked for a motion to approve the 2005/2006 annual report for the Marengo Cemetery. Alderman Otis so moved, seconded by Alderman Jennings. Motion passed with an aye voice vote from Alderman: Jennings, Otis, Shelton, Trainor, Signore, Spear and Secor.

SETTLERS DAYS REQUESTS

Alderman Otis made a motion to approve the requests since our revenues are higher than anticipated; seconded by Alderman Jennings. Motion carried with an aye voice vote from Alderman: Signore, Secor, Spear, Shelton, Trainor, Jennings & Otis.

Requests included: Permission to close State Street for Saturday Night on Main Street and for the parade on Sunday, the use of parking lot 2 for the carnival Thursday-Sunday, permission for the Pet Parade on Saturday, permission to hold the tractor pull/tractor and car show by Calvin Spencer Park, waive the permit fee for the

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carnival, a donation of \$1,500 and closing of several streets for the Lake County Farm Heritage Barrel Tractor Rides. These events will be held October 5, 6, 7 & 8, 2006.

MARENGO PARK DISTRICT CIVIL WAR DAYS REQUESTS

The City has received a request from the Marengo Park District to help support with whatever donation we would be able to give them for the Civil War Days they will be hosting September 16 and 17, 2006. In the past, this has been \$1,500.00

Alderman Otis made a motion to approve this based on the same reason for the prior approval. Alderman Trainor seconded the motion. The motion passed with an aye voice vote from Alderman: Otis, Shelton, Signore, Trainor, Jennings, Spear and Secor.

Alderman Signore noted they were unable to include these donations at budget time but due to the special census taken and better interest rate returns than in the past, we are now getting additional revenue which makes it now possible to approve the expenditures.

ORDINANCE 06-8-2, GRANTING A ZONING USE VARIANCE-PZC CASE 06-08 FOR 212 LINDOW LANE, UNITS L & M

Commissioner Shull submitted an agenda supplement containing the application from the petitioner and the findings of fact from the Planning and Zoning Commission meeting. The Commission made a unanimous recommendation to approve the use variance for the building currently sitting vacant at the Northwest Center for Commerce. It will be used for a sports and orthopedic rehabilitation service for units L & M. The property is currently zoned M-Manufacturing and the petitioner's use is not a permitted use in the district.

Several of members voiced a concern that perhaps they should revisit the zoning for this Industrial Park to determine whether manufacturing is the proper zoning for it as there is not a lot of manufacturing in this County, State or Country anymore.

Our attorney advised the members of the process that would have to be taken to change the M-Manufacturing status for this and it would be at the Public Hearing of the procedure that the owner(s) could voice their concern with the zoning classification change.

Mayor Lockhart stated he is aware that this does not meet the criteria of having the PZC approve the minutes regarding this before coming to the members. However, he asked to have this put on tonight as the petitioner is under a time frame and needed to be approved tonight otherwise, the petitioner will have to look elsewhere. He felt this would be an asset to the community.

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Alderman Signore wanted to know if it would be possible for them to make a decision on this case tonight and then have City staff and the property owner(s) sit down to discuss whether a change in zoning would be a good thing. We would like to see the property get developed as manufacturing but it is not readily available or happening there. By changing

the zoning classification, it might be beneficial to the City and the owner. Our attorney advised Alderman Signore they could act on the petition tonight and then explore the zoning classification change.

Mayor Lockhart asked if there was a motion on this. Alderman Otis so moved as she agreed with the comments made by the Mayor. Alderman Jennings seconded the motion. The motion passed with an aye voice vote from Alderman: Spear, Trainor, Otis, Shelton, Secor, Signore and Jennings.

AUTHORIZATION TO EXECUTE A LEASE AGREEMENT AND LEASE CERTAIN PROPERTY TO US CELLULAR

Administrator Hartman turned the floor over to our attorney who has been working with Administrative Intern Blakemore in negotiating some of the lease provisions.

Our attorney stated various aspects of the lease as stated in the agenda supplement like a one time contribution of \$10,000, monthly rent of \$1,500 which is to be increased 3% annually, an initial 5 year term with the option to renew up to an additional 25 years, tenant solely responsible for site utilities and taxes payable upon receipt of a tax bill, tenant will procure and maintain liability insurance for the lease site and provides any co locator shall enter into a sublease with the City for ground space. There is an issue with insurance as well as a jurisdictional issue involving venue they are working on. The jurisdictional issue is if anything were to happen in terms of litigation, litigation would take place in McHenry County as opposed to Delaware which is where US Cellular is located. The insurance issue is we are trying to make sure we have, in addition to the additional insurer's certificate, copies of endorsement so we can see that the coverage has been extended to the City.

Our attorney stated we could look into Mr. Brown's bond suggestion. He will have to check with City staff to see if this would affect us in the sense of the way the building is structured and whether there is any City equipment that could be affected by a surge.

Mr. Craney stated the site plan has been changed. It is now located further east than what we wanted. Administrator Hartman advised it was not an acceptable location and is going to be pushed back further to the west.

Mr. Glen Bober, Site Acquisition Consultants, was present. Administrator Hartman advised him of Mr. Brown's suggestion regarding the bond issue and the reason

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behind the suggestion. Mr. Bober stated he do this one of two ways. He stated they could provide an outside engineering consultant that could give us the security we want to know the grounding that will be placed will be more than sufficient to make sure there is no surge that will affect any of our equipment or facilities to the water tank. This could be worked out during the course of negotiating the language or it could be done with bonding.

It was asked what current language was provided if lightning struck the cell tower and did damage to our equipment. Our attorney felt the language right now was very general to any kind of repair or equipment but not specific to a ground surge. He will look to incorporate language of that nature to include the engineer's statement of sufficient grounding. However, in the event that it still fails, there should be some kind of back up that we will still be covered for any damages.

Alderman Signore suggested tabling this to look into the agreement more because the last time they met, he got the feeling the odds of lightning striking the tower and doing any damage to anything was pretty minuscule. Tonight they were hearing about bonds and other reassurances they give other communities and felt the members needed to do more due diligence on it.

Alderman Otis agreed but did not want Mr. Bober to be discouraged as she personally thought the tower would be good for Marengo.

Mr. Bober felt this could be worked out in time for approval at the Sept. 11th meeting. Alderman Shelton asked Mr. Brown if we could count on him for a little input to come up with the right solution. He stated he would.

PZC CASE 06-07-APPLICATION FOR ZONING VARIANCE-SPONABLE WELL #3 SITE FOR CELL TOWER

Administrator Hartman stated the original site for the cell tower was on Sponable which the PZC did not recommend. The City now can do one of two things. We can formally withdraw the application or vote to deny the application.

This action can be taken tonight if they feel the new site will be appropriate or it could be tabled until the next meeting. It was decided to table this item until the next meeting as well.

PRESENTATION OF REDEVELOPMENT CONCEPT PLAN AND TIF DISTRICT PROPOSAL-136 NORTH EAST STREET

Tom Walsh, Infill Market Development, was in attendance to make a presentation on a concept plan for property located on East Street that has a contract pending.

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Mr. Walsh had previously addressed the members regarding a proposed larger TIF District. However, the proposal is now just for one parcel of land which is on 2.2 acres of land. Mr. Walsh would like to show the members that a TIF District does work and how it works on a smaller scale. By doing this, perhaps another TIF District could be put in place at a later date.

The plan consists of 31 town home units. They are currently building this particular product in Rockford in a TIF District and invited them to take a look at the model which should be ready in about 90 days.

The units allow for a lot of different options and will be in the \$190-220,000 range. They need the TIF District to make it work.

They have met with the School Districts on the proposal. In order to accommodate the Districts, their proposal agrees to reduce the life of the TIF District to the eleventh year rather than the normal twenty-three year. At this point in time, they will begin sharing the TIF proceeds with all of the taxing districts. The current tax revenue is \$14,000 and will go up to about \$150,000 when the units are built.

After the tenth year, they will work thru a development agreement to allow for 50% of the taxes to be distributed to all of the taxing districts. He felt they had the support of the School Districts and will be securing a letter from the elementary district that they are on board with this.

He felt unless the price of the parcel was to come way down, nothing would happen to it. They want this project moved forward so they have made an offer to reduce the life of the TIF. The project should produce about 10 times the amount of taxes it currently is which in turn will have a ripple effect on the rest of the area.

They have offered to pay an impact fee in front of the project to the School Districts and will pay per capita tuition for each student living in the TIF and attending school in the School District.

Due to the small size of this TIF District, it will not be the solution to help generate other issues in town. It will be for this site only.

Other comments/discussions were: proposal is better than what is currently sitting there; the development of the old FS building without it being in a TIF District; would like to see this development happen sooner than later; the tax dollars we would not receive while this is in the TIF District; Infill needs the tax dollars to retire debt to acquire the property, demolish the property, etc.; after the 11th year, it will be going on the tax roll at 50% of its value; Infill is seeking \$890,418 in TIF money to get the

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project done; once their revenue bond is retired, they are out of here; City will receive \$5,000 a year to manage the money; an inflation adjustment could be put in the agreement for this; if this project doesn't happen, the City is not out any money; success or failure is on the shoulders of Infill; Beth Ruyle wasn't here as this is just a concept plan; per Administrator Hartman, she has been at meetings and is basically on board; her report is going to have to be revised as it covered more than one piece of property; if the TIF

District inflated the value of this property; Zion's athletic field will not be used as a playground for this development; buyer profile is not children generating; transition fees were not discussed with the School Districts just impact fees; full tuition and sharing TIF revenues down the line; Infill thinks there are a lot of other opportunities here that they would like to do; typically there is an impact fee to the municipality; will still receive the same amount of tax as we are currently getting as it is the new increment tax created by the project that is lost until the project is paid off and have not thought about making it age restricted.

Administrator Hartman advised tonight they were just looking for a thumbs up or down for this project. If it's a thumbs up, it will be forwarded to the Planning & Zoning Commission.

The aldermen and mayor voiced their opinions and had some reservations but thought the project should move forward.

BUILDING PERMIT APPEAL-805 NORTH EAST STREET

This item will be discussed later in order for Mr. James Charles to be present.

DISCUSSION OF ENERGY COOPERATIVES

Administrator Hartman advised that due to deregulation, ComEd will be put out of the energy production business which will basically change the rate structure. Along with the deregulation, the ComEd rate freeze will be eliminated which will raise the rates for everyone.

The City uses around \$200,000 per year for electricity and no matter what happens, as of January 2, 2007, we expect our cost to go up 30-50%.

In September ComEd is going to do a bid, reverse auction for electricity so all customers will be going to a third party to purchase electricity. We will still be getting a ComEd rate but it will be a higher rate. Com Ed will still be billing for the electricity as they will still distribute the electricity but they will not be producing it.

Most residential customers will probably take advantage of this. Municipalities and other corporations like Nissan may find it advantageous to go and explore other options.

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There are two cooperatives that are going around in the municipal world. One is Northern Illinois Municipal Electric Cooperative (NIMEC) that has been put together by David Hoover who has done a lot of consultant work on electric rates and The Metropolitan Mayors Caucus (MMC) that is teamed up with a third party broker to form a purchasing collaborative. They have different approaches and different requirements. The rate increase is inevitable, so, these two cooperatives are trying to soften the blow. They are like a

broking service and will be paid by ComEd. They are going to do our profile and bid our demands with four or five electric suppliers.

The City can do nothing and accept the ComEd rate or we can take a shot to see if one of the cooperatives can get us a better rate than ComEd's. We cannot participate in both cooperatives.

Administrator Hartman went into the pros and cons of each cooperative as outlined in his agenda supplement and gave his reasons why he felt NIMEC was the better option for the City. Treasurer Hall agreed with Administrator Hartman's choice.

Administrator Hartman asked the members what way they wanted him to proceed on this item. It was the consensus of the members to go along with his recommendation. At the September 11th meeting, the bill list will include the \$100 fee to join NIMEC. There will probably be about four contracts from various electric suppliers that Mr. Hoover works with that they will have to give authorization to execute when the bid prices come in as it is very critical to get the authorization before hand.

805 NORTH EAST STREET BUILDING PERMIT APPEAL

James Charles, 815 North East Street, Marengo, was present. He and several other neighboring residents have filed an appeal of a building permit issued to PS Construction for the development of a single family residence at 805 East Street.

The appeal was heard by the Planning & Zoning Commission and by a vote of 5-0, they recommended the members deny the appeal.

Supt. Craney stated there were two drywells in the area and both have been doing what they are suppose to as there as not been any standing water like there used to be.

He had pictures the aldermen looked at that showed the before and after of one of the drywells installed by the City.

The petition stated the storm water drywells in the area had a history of malfunction. Mr. Charles stated this was based on them observing repairs made most recently and the fellows out there saying this was not the first time they had to do this as it was a chronic occurrence at this place. He did not know what caused the need for the repair

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at the time he talked to the employees that were repairing it. He stated it happened substantially after 1998 when they moved into their house.

It was stated it looked like the drywells worked, however, it was encouraged to have a requirement recorded on the deed that if there is was a repair or replacement needed, it would not be the responsibility of the City to pay for such damages.

Commissioner Shull stated there is a document being recorded that relieves the City of any and all maintenances. It will be the responsibility of the homeowner and will run with the deed of the property for its lifetime.

It was stated if the homeowner doesn't repair or replace and the neighbors living there end up suffering the consequences, the deed should also state the City can repair/replace and put a lien on the property.

The Mayor was wondering if this could be held over until the next meeting in order for our attorney to take a look at the deed to see what is recorded.

Commissioner Shull stated he and Supt. Craney feel these drywalls that have been installed have solved the flooding problems. This is not the first time these storm water structures have been used. They are nothing new and they feel they are adequately safe especially with the geology of the under laying soil (sand) as any potential hazard is very minimal.

Alderman Secor stated he remembers when the area did flood. To the best of his recollection since the drywell was put in, there has not been any flooding.

Commissioner Shull stated the drywell is two lots to the north which is higher ground. The lot in question that the permit was issued for is in compliance with all applicable standards and is the lowest lot on the block. Storm water calculations have been calculated to collect all that water which collects under the property. So in essence, there will not be any adverse impact on the adjoining properties because of storm water runoff on this property. The engineering for this piece of property have taken two years to make sure it is compliant with our very strict storm water control measures.

Our attorney stated that this is what the deed restriction would accomplish because it would come up on the title. The potential buyer will see this issue exists.

Mrs. Charles wanted to make sure someone was going to be held accountable because everything she has worked for is in that property. So if the street floods or when we come after her to dig another hole for seven or eight hundred dollars, were the
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members going to take accountability for this. If so, she guessed they were done. She wanted the City to take accountability because if they flood, it is not going to be an act of God, it will be an act of stupidity.

Mayor Lockhart wanted to know if there was room for another drywell at this site. Supt Craney stated he didn't know; he would have to go and take a look at the site.

Our engineer stated part of the property is within the 100 year floodplain so there is no way we can be expected to prevent flooding at least on ½ of the parcel. The review they did on the parcel was based on our and McHenry County's requirements relative to storm water management in a lot like this. It is in the floodplain so the house has to be built a certain way. It has to be elevated up so it is out of the floodplain. An elevation certificate will prove it is out of the floodplain and some grading will be required. The lower level of the house will not be occupied and is not to be used for storage. In essence, there will be holes in the side of the foundation to allow the water beneath the house to drain out. There is a small area in the back corner shown on the plat and in the middle of it, is the drywall. The drywall is fourteen feet deep and is the size of a manhole. It is intended to be an avenue for the water to get out of the area and flow into the under lying storm. Drywalls are acceptable by the County.

The engineer has talked to a member of his staff that assists the County in review of Storm water Management Permit applications. This application does comply with all of the requirements of the County. On this basis, his opinion as the City engineer was that it was in compliance with our code and didn't need a variance. Therefore, they signed off of it as being compliant and eligible for a building permit.

Mrs. Charles again stated the members had to be accountable with their decision. Alderman Signore stated they were trying to do that by getting the advice of the only one sitting in the room at this time that is educated and could give that answer which would be our engineer. That is the basis our Building Dept. and other staff members have to make a decision. Alderman Signore felt the accountability of this issue was thru our engineer.

Mr. Gavle stated he was the third person to look at this. The other two are both Certified Floodplain Managers. One as mentioned previously, assists the County with their reviews so both have the credentials and experience with reviewing these types of things. He stated this application was not approved the first time around as there were multiple submissions to make sure the requirements were compliant with City and County Codes. It has to be compliant with FEMA as well because any non compliant approvals we have are subject to review, criticism and penalties by FEMA. He said he would stand by his reputation and his license that this is compliant with the current codes.

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Mrs. Charles was advised Commissioner Shull would contact her when this was going to start. He would also explain the various ordinances and how this was going to affect them.

Another resident in the area stated they were told the brush and wood from the trees cut down would be taken care of. It is still all laying there. The owner of the lot came forward and said the trees were cut down and stacked neatly by the road like they are suppose to be. He thought the City would be picking them up but if the City wasn't going to do it, they would get rid of them. The owner stated they were not bigger than 3" in diameter. So, per the Mayor, they were the City's responsibility.

The neighborhood residents were advised there is a tree ordinance. There is a replacement requirement based on the permit issued. It does not have to be replaced if it was hazardous or whatever the case. The replacement does not have to be as big as the tree removed.

The owner felt this was just a big waste of time as this was just an issue of losing a free yard for two people who just didn't want to see a house there. He also felt it would appreciate the value of their property.

Mayor Lockhart asked if there was a motion to accept the recommendation of the Planning and Zoning Commission and deny this appeal. Alderman Jennings made that motion seconded by Alderman Signore. Motion passed with an aye voice vote from Alderman: Trainor, Signore, Secor, Jennings, Shelton, Spear and Otis.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart showed a State of IL Bicycle Map for the Chicago & Northeastern Illinois that features Marengo residents Mr. & Mrs. Larry Harlan on the front cover riding down West Washington Street.

DEPARTMENT HEAD AND STAFF REPORTS

BUILDING DEPARTMENT

A written report was included in the packet.

Commissioner Shull was asked about the Sarko property. The higher ground off of Prospect Street has been subdivided and is where Service Printing is going to be facing. The property west of the house is still for sale.

Our attorney advised since this parcel was less than five acres, there was no requirement to have a hearing to subdivide it. Alderman Otis stated it would have been nice to have known this was re-subdivided as she felt they were kept in the dark about it.

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Alderman Otis wanted to know about the environmental issues relating to the Kishwaukee River and Parkrise, Unit 5 in regards to the floodway study. Commissioner Shull stated the developer is waiting for IDOT to do a topographical study of the Rt. 23 area. He felt FEMA would be coordinating with Illinois Dept. of Natural Resources and IDOT to combat what they need to do to engineer that bridge. He and Supt Craney have seen preliminary plans. Both bridges are going to be taken out and be replaced by one bridge.

As far as he knew, restudying, reengineering and new topographical maps must be shot and submitted. The model will be shared with the developer upstream to give him a more accurate model cross section of designated floodway for that particular property.

Alderman Otis felt this needed to be watched closely as she felt there has been a lot of additional fill put in that area. Commissioner Shull stated he could not speak to that. He did know some soil was moved over time on that particular property along the river from Rt. 23 all the way up to Deerpass. Only soil borings can designate original grade. She felt we should have been more watchful over this area in the past and did not want a mistake to be made with this piece of property. Commissioner Shull advised her no land would be moved until this study was completed.

Alderman Otis was glad to see Commissioner Shull was going to be taking a test to become a Certified Floodplain Manager.

PUBLIC WORKS

A written report was submitted by the Street Dept., WWTP and Water & Sewer Dept.

Supt. Craney is in the process of getting bids for lawn mowers for the Street Dept. The Snapper mower went down and he doesn't want to put any more money into it.

He is also getting specifications together for a generator at the WWTP to run the whole plant.

POLICE DEPARTMENT

Chief Kottke had no written report. Orally, he advised Alderman Otis Sgt. Solarz will be attending the meeting at the school. He advised him of his and her concerns of the amount of traffic there.

He had overtime detail enforcement of the downtown area the end of July and beginning of August. He is going to pick one day a week to continue this enforcement.

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They currently have one of the new digital cameras installed. He gave a demo to the Mayor the other day on the computer. The data and whatever can be downloaded and used for training purposes for the newer officers. He stated this was quite the system. A power point presentation demonstrating it to them could be done in the Council Chambers or they could stop down at the Police Department for a demonstration. He hopes to have the other camera installed and working soon.

He advised he is planning to have only one other car restriped so the three cars with the new striping will be the ones primarily seen on the streets.

Letters were sent out today regarding past due ordinance violations. They have collected over \$1,100 so far. The P.D. has been working closely with our attorney on this and people that do not comply will be sent a notice to appear.

Alderman Signore was wondering if it would be possible for Deputy Chief Hallman to be in attendance at the CDC meeting when they discuss nuisance and other ordinances within the City. Chief Kottke stated if Deputy Chief Hallman couldn't be there, he would be there.

ENGINEERING REPORT

Baxter & Woodman submitted a written report. There were no questions for Mr. Gavle.

TREASURER'S REPORT

Treasurer Hall had no written report but stated we are still receiving favorable rates with our liquid accounts so there is no reason to move any money.

CITY ADMINSTRATOR

A written report was submitted by Administrator Hartman.

Alderman Signore was glad to see we received grant money for the Maple Street improvement in the amount of \$244,800 from the Local Agency Pavement Preservation. We have until the year 2012 to use it but we hope to have it done as quickly as possible. Administrator Hartman was thanked for his efforts.

Alderman Shelton wanted to know if County makes the rules and we have to follow them in reference to the County not budging on the 55 mph speed limit on Maple Street. Mayor Lockhart replied, "That's the way it is."

Administrator Hartman stated since 2003, we have argued with them on the speed limit. When they do a study, it is for that particular moment in time and if the speed

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warrants 55 they don't care if we get phone calls from residents to complain about traffic there.

Our engineer confirmed Administrator Hartman's statement on the rule. The only way it can change, would be thru a jurisdictional transfer which means the City would be responsible for the maintenance of a longer section of Maple and the County is not very enthusiastic about transferring to the City.

Alderman Signore commented on the health insurance renewal item on his report in that this is why we are trying to keep track of our spending this year as the estimated cost increase is nearly \$85,000 if we stay with the current carrier. He knew we didn't budget for that amount.

Administrator Hartman is looking into other options and hoped to present them to the members on September 11, 2006.

Alderman Hartman advised Alderman Jennings we are currently summarizing the various proposals for the traffic count. The request was a simple one to do hard traffic counts whether using pressure plates or pneumatic tubes. The proposal was for the engineer to provide a recommendation on the type of device for mechanical counting, duration and location in order to give us hard data as the County requested for justification of traffic needs as the County and State don't care if we have the biggest problem until they see numbers. The key places are Rt. 20 & 23 and Rt. 176 & 20. It will include turning movements. There have also been options for manual counts.

ATTORNEY'S REPORT

The attorney had nothing to report.

ADJOURNMENT

With there being nothing further to discuss, Mayor Lockhart asked for a motion to adjourn the August 28, 2006, Marengo City Council meeting at 9:28 p.m. Alderman Shelton so moved; seconded by Alderman Otis. Motion passed with a unanimous aye voice vote.

Submitted by: Diane L. Schwoch,
Acting City Clerk