

CITY OF MARENGO
NOVEMBER 13, 2006
CITY COUNCIL MINUTES

CALL TO ORDER

Mayor Lockhart called to order the November 13, 2006, Marengo City Council meeting at 7:00 p.m. and then led the "Pledge of Allegiance".

ROLL CALL

Mayor Lockhart, Alderman Genot, Alderman Jennings, Alderman Secor, Alderman Shelton, Alderman Spear, Alderman Otis, Alderman Signore and Alderman Trainor were present for roll call

PUBLIC PARTICIPATION

There wasn't any public participation.

NEW BUSINESS

Alderman Signore asked to have the minutes be approved separately.

APPROVAL OF THE OCTOBER 23, 2006, PUBLIC HEARING MINUTES FOR GRAND POINTE HOMES ANNEXATION/CORAL BROOK

Alderman Shelton made a motion to approve the Public Hearing minutes for the annexation of Coral Brook Subdivision to be developed by Grand Pointe Homes held on October 23, 2006. The motion was seconded by Alderman Secor. It passed with an aye voice vote from Alderman: Shelton, Trainor, Genot, Spear and Secor. Abstaining was Alderman: Jennings, Otis and Signore.

OCTOBER 23, 2006, REGULAR AND EXECUTIVE SESSION MINUTES

Alderman Secor made and Alderman Genot seconded a motion to approve the October 23, 2006, regular and Executive Session minutes. The motion passed with an aye voice vote from Alderman: Jennings, Otis, Shelton, Trainor, Genot, Spear and Secor. Alderman Signore abstained.

OCTOBER 30, 2006, COMMITTEE OF THE WHOLE MINUTES

Alderman Genot made and Alderman Otis seconded a motion to approve the October 30, 2006, Committee of the Whole minutes. Motion passed with an aye voice vote from Alderman: Signore, Spear, Shelton, Trainor, Jennings, Genot and Otis. Alderman Secor abstained.

LIST OF BILLS

After several questions regarding some the bills were answered, Alderman Otis made a motion to approve the List of Bill as presented. Alderman Secor seconded the motion. The motion carried with an aye voice vote from Alderman: Otis, Shelton, Signore, Trainor, Jennings, Spear, Secor and Genot.

CONSENT TO PLANNING & ZONING COMMISSION'S APPOINTMENT OF GREGG CARROLL

Due to the resignation of Scott Higgins from the Planning & Zoning Commission, Mayor Lockhart was asking for the member's consent to appoint Gregg Carroll to serve on the Commission for the remainder of Commissioner Higgins' term which expires in April, 2009.

Alderman Otis so moved to approve the appointment of Mr. Carroll; seconded by Alderman Signore. Motion passed with an aye voice vote from Alderman: Spear, Genot, Trainor, Otis, Shelton, Secor, Signore and Jennings.

PROPERTY AND LIABILITY INSURANCE RENEWAL

Administrator Hartman advised the members that copies of the renewal proposal had been forwarded to Alderman Signore and Alderman Shelton for their review.

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We have a higher level of coverage this year in that values have increased based on the CPI and equipment purchases. The renewal rate for this is about \$145.00 more than what we paid last year and is within the budgeted amount.

There is also the option for us to pick up terrorism coverage for an additional amount of \$2,186 but in the past, we have not opted for this coverage. Administrator Hartman assumed this would be waived again.

There were representatives from our broker, Arthur J. Gallagher to answer any questions the members might have regarding the proposal. Alderman Signore wanted to make certain the umbrella was going to go over the top of certain lines. He would also like to see Workers Comp under the umbrella policy. Ms. Bartolomei stated it would cover all of the casualty lines. We have a different carrier this year as our previous carrier was going to raise our rates 30%. She will need current information on our workers comp policy if they would like to consider having it covered under the umbrella. Alderman Shelton wanted to know if there was any other area of our liability that was not covered by the umbrella. She replied, "No." She stated public officials, general liability, law enforcement liability and employment practices-the umbrella sits over all of this.

Alderman Otis stated as long as the minutes would reflect exactly what Ms. Bartolomei had just commented on and there was no other additions or alterations from the members two experts here, she would make a motion to accept the proposal; seconded by Alderman Secor. Motion passed with an aye voice vote from Alderman: Trainor, Signore, Secor, Jennings, Genot, Shelton, Spear and Otis.

The terrorism coverage was not included in the approval as it was felt it was not necessary.

ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND SPECIAL USE PERMIT-PLANNED UNIT DEVELOPMENT FOR FOUR SEASONS POINT IN TIME-ORD 06-11-1

Alderman Otis wanted to know if our attorney had reviewed the Declaration of Covenants, Conditions, Restrictions and Easements for the Homeowner's Assoc. He stated he had not specifically reviewed them because in prior meetings, Attorney Crandell had mentioned they were identical to what had been reviewed for Serenity Creek in Woodstock which our attorney had reviewed. He assumed the representation made that they were identical was correct. Attorney Crandell stated the only thing different was the name change as everything else was the same that our attorney had reviewed for the other municipality. Our attorney stated he would review them.

Alderman Otis voiced a concern that we do not have a conservation easement which means a burden is placed on the Homeowner's Association to maintain the open areas. She just wanted to make that statement as this was not new to any of them. She felt as a City, we need to require developers to contract with a conservation group who would have control over these areas. She knows for the most part, we as a City do not have the expertise yet the wording is in the Association's terms to give the City permission to go in and do work that is necessary but then we should probably engage an engineer and we put the cost on the backs of the homeowners. The developers all know about these easements and she knows about them too. She felt they all needed to become aware of them so they engage them rather than putting that responsibility on the backs of the homeowners who may not have a clue as to what to do or the City who does not have the expertise in the area.

Our attorney stated typically if there was a conservation easement, the monies are still typically coming from the homeowners. Alderman Otis stated this was a good point that she had kind of overlooked.

Administrator Hartman advised the developers are going to be using a firm called EnCap to handle environmental issues and the representation was made they would provide the maintenance plan for the wetland areas.

Attorney Crandell advised the initial burden falls on the developer who is having EnCap do the work. After development, the annual maintenance will be billed to the folks living in the development. The language will contain the City has the right, but not the obligation, to come in and do the work.

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If we do have to do the work, the documentation provides us to come back against the owner. With this type of setup once it is in place, there is really not a lot of maintenance required. There might be an occasional burn every few years. If it is set up properly, it is pretty self sustaining.

Alderman Otis stated she didn't have too much of a concern with this development but she did with the Brayton Knolls development. Alderman Signore felt the difference with this development was that unlike other ones, the developer never really leaves as they maintain ownership whereas other subdivisions, someone comes in, develops and gets out.

Alderman Otis had another concern regarding Forest Street and the fact there is no sidewalk there as she felt this was a safety issue for children walking and riding their bikes to school. She would like to see the developer consider providing the extra sidewalk for this safety issue.

Discussion ensued regarding the sidewalks in the area. Some of the comments/concerns were: possibility of homeowner's doing the 50/50 program; City can't require homeowner's to put sidewalks in; City can tax residents for purposes of sidewalks; possibly having the developer put the sidewalk in on the north side of Forest rather than the south side for this development; adding more sidewalk would be a financial issue for the developer; developer stated the curb and sidewalk they are putting in is already rather expensive; they are taking the watermain from their driveway to Maple Street and increasing the size as well; developer felt they have put up their fair share of off site improvements; wanted to know if developer would be willing to help us out for the safety of our community's children; developer is trying to help the community's elderly by putting in a project they can live in and trying to do it at a reasonable cost; if they put in the additional sidewalk, it would increase the cost of the project and at this time didn't know many feet of sidewalk they are talking about; possibility of negotiating the sidewalk; would like to see some type of plan to see the sidewalk get in; developer would be willing to put the 700' in where the members would like to see it go; improvements to Forest St. include watermain replacement which will be costly; suggested using the money in 50/50 sidewalk budget for concrete and have developer do the labor; suggestion to put the sidewalk discussion on the side and determine whether the money available in the City's budget for 50/50 Program and the roughly 700' the developer is putting in could be done on just one side of the street; maybe we as a City should make a commitment to getting the sidewalk project done; Mayor Lockhart intends to increase the sidewalk fund in the next budget; perhaps take advantage of the economy of scale when the developer puts in their sidewalk we do ours at the same time to maybe get a better price (developer will be happy to work with us on this); would get around 500' of sidewalk for \$10,000; would like to see construction site streets restored back to original condition if damaged; Autumn Street will be used for construction traffic and will be resurfaced all the way back per developer; plan doesn't have an axis off of Autumn to the development-just an emergency axis; Forest St. resurfacing will be in the future as watermains will have to be replaced; Forest St. is in bad shape due to the construction traffic from Settlers Cove; developer suggested working out several issues with Supt. Craney as to what would be the best situation for Forest; conditions could be put in the ordinance for the developer to work with staff for the best alternative for the City and developer regarding the Forest St. issue; restoration of Maple as well as other axis issues to Autumn; have to place conditions that will be acceptable to the City and have them find the best one that fits the needs; developer did not want to resurface the road if a couple of years it would be tore up; developer's installation of offsite improvements include Forest St. watermain upsizing, sidewalk construction and road resurfacing or the cash equivalent of these improvements from the entrance of the development to Maple St.; our engineer feels we need the watermain on Forest as there is a concern for fire protection; engineer strongly suggested the resurfacing of Forest with the sidewalk as an option and felt construction traffic on Autumn was a good idea; construction traffic will come down Maple not Rt. 23; will need a Letter of Credit to secure the resurfacing of Maple of the section thereof after the work is complete and heavy traffic has passed; the road building and excavation will initially axis thru Autumn; the sidewalk with either be a segment or a contribution equivalent elsewhere; can be formalized on the final plat which will have to come before the members and grateful the developer is willing to work with the City.

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The question was raised if the members could work with the ordinance in their packets or did it have to be modified for a vote? Our attorney stated, "What you can do, obviously what was discussed what would be acceptable, I can add that language and verbalize the changes and I will just make those so you could still go ahead and take action and make the changes."

Our attorney advised Alderman Trainor to make the motion for the preliminary plat of subdivision for Four Seasons Point In Time with the conditions as stated on the ordinance and as amended in the discussion of the City Council of the development (Installation of offsite improvements including the Forest Street watermain upsizing, sidewalk construction and road resurfacing or the cash equivalent of these improvements, from the entrance of the development to Maple Street and that the access to the development during unit construction will be limited to Autumn Street and Forest Street from the entrance of development east to Maple Street; access during road construction will be restricted to Autumn Street and access for all construction shall be prohibited west of the entrance of the development on Forest Street all the way to Rt. 23. Alderman Trainor so moved; seconded by Alderman Genot. Motion passed with an aye voice vote from Alderman: Secor, Genot, Trainor, Otis, Jennings, Signore and Spear. Alderman Shelton abstained.

DISCUSSION OF WATER DISTRIBUTION SYSTEM ISSUES

Mayor Lockhart stated he and was sure the members also had received calls regarding "brown" water. He brought in a sample and also a picture of bathtub of water from a resident. He keeps on hearing the "brown" water is being caused by glitches.

He stated it was our obligation to provide safe, clear drinking water and considered this a serious problem. The water sample he brought in might be safe for drinking but he would not want to do so. He wanted to know how we were going to correct this problem immediately and he didn't want to hear about glitches two or three months from now.

The resident Mayor Lockhart got the sample from was present and advised the members how several of her neighbors had the same problem. Alderman Signore also stated he had checked with some of his neighbors when he was experiencing this same problem and they also had "brown" water. He called and talked to the Water & Sewer Dept. clerk Karen who advised him what the problem was. He stated it was 5-10 days a month that they can't wash clothes, etc. However, Alderman Secor who lives in the same neighborhood as the resident present tonight has not had any "brown" water.

Mayor Lockhart has expressed his concern to the City Administrator and the Water Dept. Supt. that this has to be taken care of. Baxter & Woodman has been out several days and U. S. Filter is coming out tomorrow to hopefully find out what the problem is.

Ed Nadeau updated the members on what is being focused and looked into. Our engineer then distributed a copy of a circle chart located at the water tower. He then explained the typical water tower operation and explained the chart he distributed. For some reason, the transmitter or some other device is sending a signal to the water booster pumping station that the level in the water tank instead of being at normal level drops off for a short period of time very steeply. At that point, the control system in the booster pump believes there has been a sudden, dangerously low drop in the pressure in the system and water level in the tower. It then automatically turns on the second pump which we would want it to do to replenish the water in the tower in the case of a fire, etc.

What's happening here is a false signal is being sent. The engineer has done a couple of things since last week. They have installed a second transmitter and recorder in the water tower to try and isolate what the problem is.

They have also put in lag in the computer control program so that it doesn't turn on right away when it gets the low reading. It now waits for a while to confirm the reading is accurate and then turns on.

Alderman Jennings wanted to know if this water was coming out of the ground looking like this. Mr. Nadeau advised him it was not. It is blasting whatever crud there is in the watermain. Alderman Jennings

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wanted to know what it was. Mr. Nadeau thought it might be rust. Alderman Jennings didn't think it was. Our engineer felt there was some rust in it as we do have a high iron concentration in our water.

Mayor Lockhart asked how long it would take to determine if the above mention items were working. Mr. Nadeau stated it was trial and error and we were trying to pinpoint the problem. U.S. Filter is coming out tomorrow to recheck their programming.

Alderman Trainor agreed with where the Mayor was headed. She felt we need to use whatever resources and expedite it as this has been going on way to long. If this means we have to free up some money to bring in more experts, we need to do it.

Our engineer suggested we could do a capital improvement. We could have a controlled startup of the pumps instead of turning on at full speed; we could have a soft start or some electronic control on the pumps so they start off and gradually increase in speed and overcome the pressure in the watermains as opposed to starting up on full speed.

Some communities, when flushing their watermains, close the valves in order to concentrate the flow of water thru the mains to get them as clean as possible. This takes a lot of water out of a system but it is more effective.

There is also the topic that has been discussed before which is treatment that will significantly improve the water quality as the quality in the aquifer is on the border line. However, there is a significant cost associated with this.

Alderman Signore was advised the second transmitter is working offline. He then commented without starting to replace things, he felt we would have to sit back and wait to find out about the transmitter. Our engineer encouraged the members to look at longer term solutions than beginning to replace the transmitter.

Mayor Lockhart would like the Water Dept. to work directly with Baxter & Woodman and U.S. Filter to see what we can do and get it done as quickly as possible. Alderman Trainor suggested they receive an update at every meeting in order for it to remain a priority. Mr. Gavle stated his firm has been trying to keep Administrator Hartman informed thru e-mails and voice mail messages. They will have a report regarding this for the next meeting. Alderman Jennings would like to have the water analyzed before the next meeting as well. He personally feels there is some kind of radio interference.

Mayor Lockhart thanked the residents that came to talk about the water for coming and stated we will try to get something done here to give them some answers. He stated they would also look into some kind of credit at the next meeting.

Alderman Otis would also like to see the mains get flushed before the winter season sets in.

ORDINANCE 06-11-2, AMENDING CHAPTER 33, LIQUOR CONTROL AND LIQUOR LICENSING

Alderman Genot made a motion to increase the number of available liquor licenses as stated in the ordinance; seconded by Alderman Spear.

Alderman Signore asked if they ever came to any conclusion regarding the single serving large bottles of beer sold at gas stations and whatnot. Mayor Lockhart advised him nothing was changed. It was left that way. If

they were going to change it, they would have to change them all and felt it would probably have to be done at licensing time.

Alderman Otis wanted to know what the G & E licenses were for. Administrator Hartman advised the E was for a restaurant Café 20 (formally Chef Peter's) and the G was for the Creekside/Marathon gas station. Alderman Signore was also advised the Class E license doesn't have a restriction to serve just wine and beer and Class G is limited to beer and wine.

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Roll was taken and the motion carried with an aye voice vote from Alderman: Genot, Jennings, Spear, Secor, Shelton, Trainor and Signore. Alderman Otis voted nay.

RATIFYING ORDINANCE 06-8-1 AMENDING CHAPTER 16, SIGNS AND SECTION 1.07A

Building Commissioner Shull advised the members this ordinance was previously approved. The ordinance was given to our attorney's office who in turn revised the format so it would be compatible with the rest of our code along with changes that went beyond "scrivener's errors". The content of the ordinance has not been altered. This is to make sure there is no questioning of the ordinance.

Alderman Trainor made and Alderman Otis seconded a motion to approve the revisions to Chapter 16 ordinance. Motion passed with an aye voice vote from Alderman: Otis, Jennings, Spear, Shelton, Trainor, Genot, Signore and Secor.

ORDINANCE 06-11-3, AMENDING CHAPTER 29, McHENRY COUNTY STORMWATER MANAGEMENT ORDINANCE TO INCORPORATE FLOOD INSURANCE MAPS

Mayor Lockhart and Commissioner Shull advised the above mentioned had to be approved tonight. Commissioner Shull the old map was superimposed on the aerial photographs. There is some low line flooding areas along Rt. 20 that were added.

Our attorney stated FEMA, IDNR and McHenry County had been working on this and wanted every change done by the 16th of this month which was impossible. A compromise was made to have the maps done by this date. Additional changes will be coming in the future as to the specifics for the County's Storm water Ordinance.

Alderman Jennings wanted to know if this was mandatory, why was this even in front of them for approval? Our engineer stated the flood insurance program is administrated by FEMA and is a voluntary program by a municipality. So, the municipality is responsible for the enforcement of the provisions. If we choose not to enforce the provisions, we jeopardize our flood insurance status. FEMA does come around to do an audit to see if we enforce it and make sure we are current and up to date with what their requirements are. If we don't comply, the risk is there for the residents and the City to not be eligible for insurance coverage. So, the way it is written, it puts the burden of responsibility on the municipality.

In addition, Commissioner Shull stated people that wanted FHA loans and small business loans would not be able to get them if this isn't approved.

Alderman Otis made to a motion to include the Flood Insurance Rate Maps as required; seconded by Alderman Trainor. Motion passed with an aye voice vote from Alderman: Spear, Trainor, Secor, Otis, Signore, Jennings, Genot and Shelton.

RESOLUTION 06-11-A-DETERMINING THE AMOUNT OF FUND TO BE LEVIED FOR THE 2006 TAX YEAR THROUGH REAL ESTATE TAXES

After explaining levied funds from real estate taxes, Alderman Signore so moved to approve the above mentioned resolution. It was seconded by Alderman Secor. It passed with an aye voice vote from Alderman: Secor, Shelton, Otis, Jennings, Trainor, Spear, Signore and Genot.

RECOMMENDATION FOR PEDESTRIAN CROSSING SIGNS

In the packets was a memo from Alderman Otis regarding the recommendation of the ad hoc transportation committee for purchasing two pedestrian crossing signs. One that sits on and is attached to a rectangular shaped sign with a 60# base like Genoa uses that is left out all year long and one which is attached to a permanent holder installed in the pavement like Belvidere uses.

Alderman Shelton stated Genoa had to submit a plan to the State before putting their signs up. So, he suggested before ordering the signs, we should get approval from the State to do so.

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Administrator Hartman stated the members could move forward in accepting the recommendation contingent upon City staff submitting a plan and getting approval from IDOT. Alderman Otis so moved; seconded by Alderman Secor. Motion passed with an aye voice vote from Alderman Spear, Signore, Genot, Secor, Shelton, Jennings, Otis and Trainor.

AUTHORIZATION TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT-FOP PATROL

Administrator Hartman stated the members received a confidential memo as it is under collective bargaining that contained the nuts and bolts of the tentative agreement based on the various discussions and directives of the members.

He completed a review of draft agreement. Aside from numerous typing errors, the items addressed and agreed to in concept and discussed are included in the agreement. The agreement, however, was not in a form to present this evening.

If the members were comfortable with the terms outlined in the summary, he requested the members entertain giving authorization for Mayor Lockhart to execute the final draft of the collective bargaining agreement for the FOP Patrol contingent on the inclusion of those provisions.

Administrator Hartman advised our collective bargaining attorney is reviewing the agreement and should have it done by tomorrow. If the members were more comfortable with waiting until the 27th and have the document in hand that could be done but in an effort to move forward and get it done, he would like to get it done tonight.

Alderman Genot made a motion to move forward with this agreement and allow Mayor Lockhart to execute the agreement. Alderman Trainor seconded the motion based on approval by the attorney that is being used reviewing the document-based on that input. The motion passed with an aye voice vote from Alderman: Secor, Jennings, Genot, Shelton, Spear, Otis, Signore and Trainor.

OLD BUSINESS

It was decided the item Alderman Signore wished to discuss would be discussed in Executive Session.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart read a letter he received from Allison Pringle Seaton thanking various people and organizations for having the U.S. Air Force Band in Marengo. He again thanked Alderman Otis for helping to accomplishing this great feat.

DEPARTMENT HEAD AND STAFF REPORTS

PUBLIC WORKS

Written reports were submitted by the WWTP, Street Department, Water & Sewer Dept. and the City Forester.

Supt. Craney advised Alderman Signore the new mechanic is doing very well. Mayor Lockhart advised Police Chief Kottke is also getting very good cooperation and felt Mr. Yearnton was doing a great job.

Supt. Craney explained the repair to the bollards and advised the street sweeper is usually out very early (3:00 a.m.) every Friday. Alderman Signore mentioned he has been informed by a neighbor the sweeper usually seems to hit his street on the day when the leaves are going to be collected. He felt it didn't make much sense to have the sweeper go down the street on the week/day when the leaves are out by the curb.

He also asked Supt. Craney if the area leaf pickup was scheduled for a week as he had received a phone call from a resident that was positive it was for a specific day (Friday). He was told the pickup was a weekly time frame.

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Mayor Lockhart made the members aware of a hole in the sidewalk on State Street in front of Bobby's Shoe/Gentleman's Barber Shop. We went to repair it to prevent someone from falling and had a collapse that was apparently underneath the concrete. There was some kind of coal shoot. The entire wall collapsed into the basement of Mr. Carroccia's building. It broke off the water meter allowing a large flood in the basement. We are working with him to get things back to normal.

Alderman Shelton wanted to know if we were done picking up brush. Supt. Craney advised we will probably wait another week or so and then go out to do the last pickup. If they don't have the brush out on the date chosen, it will have to wait until spring to be picked up. The date has yet to be determined. It will be posted on the community board, website and on the access cable station.

He stated they had an October date as the last day for several years now as they need time to start getting ready for the winter season but people still keep putting out their brush.

BUILDING DEPARTMENT

Commission Shull submitted a written report. Orally he reported about 95% of the downtown property owners were in compliance of having had their building tuck pointed which is an initiative his department started back in June. He is very satisfied and appreciative of all the owners that have taken the initiative to put money back into their buildings to insure they will last for sometime to come.

POLICE DEPARTMENT

A written report was submitted. Mayor Lockhart announced Police Chief Kottke had taken a nasty fall last Friday. He received a concussion and is home recuperating. Alderman Trainor wanted Mayor Lockhart to send Chief Kottke their wishes for a quick, full, recovery. Deputy Chief Hallman was in attendance tonight but had to step out for a few minutes.

Alderman Signore, for the record, wanted to thank the Police Department for their definite presence on his street Halloween night which made it a safe night for all. He stated he knows this has been an issue for the members the last few years in that they wanted that kind of visibility on Halloween night and it was there.

TREASURER'S REPORT

Treasurer Hall was not present but several financial reports were included in their packet.

ENGINEER'S REPORT

Baxter & Woodman submitted two reports for the packet.

CITY ADMINISTRATOR

A written report was submitted by Administrator Hartman. Orally he reported he and Mayor Lockhart had attended the Northern Illinois Commuter Transportation Initiative today. Various representatives from Boone/Winnebago Counties have started an initiative to put together an analysis of alternatives to improve transportation and building corridors. This is of interest to the citizens of Marengo because this initiative will benefit us if they extend commuter service out.

Alderman Signore wondered if Administrator Hartman knew why the water & sewer revenue is low. He thought it might be due to the fact we had a mild summer with consistent rain so usage was down. The budget figure was based on a 5% increase in usage over last year. We are in the second year of the annual rate increase to offset expenses. The Water & Sewer Fund is designed to run as a business as we have specific costs for the production and distribution of the water and we need to charge to offset these costs. We are currently off by 3½% which is about \$15,000.

Alderman Signore stated it wasn't too early to think about budget. He would like to see and he asked the other members if they would like to see as well, an option at budget time regarding what it would cost us to get up to speed now because if this continues and we have a wet spring, we could be \$100,000 in the hole. Alderman Trainor agreed with his suggestion and thought the finance committee should take a look at this.

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At the next meeting, they will be discussing/reviewing where the City is at regarding the 2006/2007 budget. Mayor Lockhart asked the members to get hold of Administrator Hartman if they had anything in particular. Administrator Hartman advised if a credit is given, it will add to the water & sewer deficit.

Deputy Chief Hallman was back. Mayor Lockhart told him he had brought everyone up to speed on Chief Kottke. Alderman Signore reiterated his thanks for the Departments presence Halloween night. Alderman Genot mentioned he had called the Police Dept. as he had received a number of complaints regarding the downtown pedestrian crossing but this should be addressed with the signs that were approved tonight.

ATTORNEY

Our attorney stated there was some correspondence in the packet regarding impact and lag fees. There was a letter from John Green (Centrum Properties) that had an attached letter from his firm's office. This attachment did not contain Attorney Flood's attachment. Our attorney went into the system to get a copy of the ordinance (attachment) that was drafted in the event Lake in the Hills would consider adopting a "lag" fee ordinance. They decided not to adopt the ordinance based on the comments by Attorney Flood.

Administrator Hartman advised Alderman Otis the additional information they received in their packet for School District Development Fee was distributed by Jerry Trickett at the EDC meeting the morning after the C.O.W. meeting.

Alderman Trainor wanted to know when they would be discussing these fees again as a Council as they didn't get much of a chance to discuss these at the C.O.W. meeting. Mayor Lockhart stated we should meet with Union before making a final decision on this. He felt there was something in the works to do this. He also believed there had to be cooperation between the two towns as we can be at whatever our fee might be and Union at a different fee.

Alderman Trainor thought it was good to communicate with Union but felt our fees would never match Union's as we cannot mimic another community as there are differences. Case in point, our Police Dept. budget is no where near what Union has and there is a chance they might be estimating low which will cost us in the end if we try to be compatible to Union's fees.

Mayor Lockhart advised we were going to start in the fees for the various School Districts as Union has the same impact as we do on the schools. Alderman Trainor agreed. Alderman Signore also agreed and was wondering if both communities could adopt the same impact fees for schools as this seemed to be the biggest complaint voiced by the developers. The other items he felt were subjective and couldn't be matched. He felt the school situation puts us at a real disadvantage if they are charging even \$10,000 less than what we are as a home assessed \$150,000 in Union and \$150,000 in Marengo should pay the same amount.

Alderman Signore mentioned we have an intergovernmental agreement with Union for dispatching services. He wondered if there could be one also for what we are going to charge for the schools. Our attorney said, "You can

have an intergovernmental agreement. You still apply them independently of the town. You just would have to come to some terms.”

Mayor Lockhart stated John Green told him his concern was whether or not he could make money after these fees were added. He felt after talking with Mr. Green, this was the opinion of some of the builders. They don't care where the money goes, schools, parks, etc. but they need to make money.

Mayor Lockhart has asked Jerry Trickett to look this and try to give us some kind of opinion, not as an administrator, but as a friend to the City Council as he is excellent with numbers. He would like to see what his response is before we get too deep into it.

Alderman Signore hoped it would be realistic so we would not be looking for a developer to solve all the problems that have festered over the years as this wasn't fair as well. Mayor Lockhart stated sometimes you just need to someone to get going to get a portion of it done and as we grow, we get more from others.

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The problem now is that we aren't getting anything.

Alderman Otis wanted to know how employee evaluations were coming. Administrator Hartman stated, “Good.” She was advised they were done once a year but he and the Mayor have talked about having them done twice a year.

EXECUTIVE SESSION

At 9:13 p.m., Alderman Signore made a motion to go into Executive Session to discuss potential litigation. It was seconded by Alderman Genot. Motion carried with an aye voice vote from Alderman: Otis, Signore, Trainor, Spear, Jennings, Secor, Shelton and Genot.

The members returned into Open Session at 9:36 p.m.

Administrator Hartman informed the members the November 2 mediation meeting for collective bargaining for the telecommunicators was cancelled and rescheduled for November 21st.

Mayor Lockhart then wished the members and their families a “Happy Thanksgiving”.

ADJOURNMENT

With there being no further business for discussion, Mayor Lockhart asked for a motion to adjourn the November 13, 2006, Marengo City Council meeting at 9:42 p.m. Alderman Jennings so moved; seconded by Alderman Genot. Motion passed with a unanimous aye voice vote.

Submitted by: Diane L. Schwoch,
Acting City Clerk