

**CITY OF MARENGO
OCTOBER 23, 2006
CITY COUNCIL MINUTES**

CALL TO ORDER

At 7:08 p.m., Mayor Lockhart called to order the October 23, 2006, Marengo City Council meeting and led the "Pledge of Allegiance".

ROLL CALL

Present for roll call were: Mayor Lockhart, Alderman Shelton, Alderman Trainor, Alderman Secor and Alderman Spear. Absent were Aldermen: Otis, Jennings, Signore and Alderman Genot.

PUBLIC PARTICIPATION

Jerry Doane, President of the Marengo Park District, addressed the members regarding New Business, Item c, - acceptance of public improvements and right-of-way for Parkside #4. He stated there is money being held in protest for the Park District that they have not received from this subdivision phase and have not come to an agreement with the developer. He wanted the members to be aware of this situation before they passed anything as he felt this should be resolved with the developer. He stated they have not come to terms with this developer for the park in the next phase of his development as well.

Administrator Hartman stated he would like to talk to Mr. Doane and his staff on this and be brought up to speed as to what the problem is to work out some resolution.

Alderman Shelton made a motion to strike item 5 c from the agenda until the investigation is done and resolved on the above mentioned situation. It was seconded by Alderman Spear. It passed with an aye voice vote from Aldermen: Spear, Secor, Trainor, Shelton and Mayor Lockhart.

NEW BUSINESS

APPROVAL OF THE OCTOBER 9, 2006, COUNCIL AND EXECUTIVE SESSION MINUTES

Alderman Shelton made a motion to approve the October 9, 2006, Council and Executive Session minutes; seconded by Alderman Secor. Motion passed with an aye voice vote from Alderman: Secor, Shelton, Trainor and Mayor Lockhart. Alderman Spear abstained.

BUILDING PERMIT RELIEF REQUEST

The City has received a request to waive building permit fees for a family (Chicoine/603 North Taylor) that with the help of the Make-A-Wish Foundation, converted the family sunroom into a bedroom for their daughter who has impairments that have hindered her from attending the SEDOM center that she had previously attended.

Kandy Freund, one of the requestors for this waiver, stated it was her understanding there were fees of \$430. It was she and the daughter's physical and occupational therapists that were asking for the waivers, not the family. They felt the fees were a big burden on this family that is already financially strapped due to medical bills.

Administrator Hartman stated there are some permit fees that are costs to the City, i.e. electrical and plumbing inspections, as opposed to using in house staff time. It is staff's recommendation to pass along the electrical inspection fee of \$110.00 as the plan review and other inspections are done in house and could be absorbed.

It was suggested our subcontractor could be asked to donate his services to help this family out and if not, there might be others willing to help pay for these fees. Commissioner Shull will give Mrs. Freund our subcontractor's information to contract him about waiving his fees.

Alderman Trainor made a motion to approve waiving the City's personal related fees as opposed to the third party fees for this project; seconded by Alderman Spear. Motion passed with an aye voice vote from Alderman: Secor, Spear, Shelton, Trainor and Otis (arrived at 7:15 p.m.).

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AUTHORIZATION TO WAIVE THE BID PROCESS AND PROCURE A NEW TRUCK THROUGH THE STATE BID PURCHASE PROGRAM

Administrator Hartman stated this request was self explanatory and Supt. Craney could answer any questions they might have regarding the purchasing of a 2007 International 7400 thru the State Bid Purchase Program for \$71,151, a model U696-DD-AS Bonnell tailgate salt spreader for \$3,855 and a complete model 11ST42MX1 Bonnell snow plow for \$9,903.

Administrator Hartman advised staff was asking for authorization to waive the bid process to purchase the above mention items. Alderman Secor so moved; seconded by Alderman Shelton. Motion passed with an aye voice vote from Alderman: Otis, Shelton, Trainor, Spear and Secor.

ACCEPTANCE OF MUNICIPAL EASEMENTS ACROSS CERTAIN PROPERTIES-CARMICHAEL CONSTRUCCION, GIBBONS AND M.O.R.E.

Administrator Hartman advised authorization was needed for the Mayor to execute easements in connection with the Rt. 20 Sanitary Sewer Project and the M.O.R.E. project. There is one more Carmichael easement that is held up due to a discrepancy in the legal description that will be finalized later.

Alderman Spear made a motion to authorize Mayor Lockhart to formally accept and execute the attached easements on behalf of the City. It was seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Spear, Trainor, Otis, Shelton and Secor.

OLD BUSINESS

RATIFICATION OF ELECTRICITY SUPPLY CONTRACT

Administrator Hartman advised the members it looked like we will be saving about \$18,000 over the next seventeen months for electricity. As a result of the NIMEC electricity auction, there will be about an 11% increase over the previous ComEd rate 24 for water pumping and treatment but this rate is about 15% lower than the ComEd bundled rate that is scheduled to go into effect January, 2007.

However, as previously discussed, there is a degree of risk moving forward with the execution of the supply contract as the Madigan lawsuit and potential rate freeze reinstatement are still pending. Our decision to move forward with the supply contract was shared with 65 other municipalities in NIMEC.

This contract doesn't include street lighting. NIMEC will conduct a bid for street lighting specifically in the next few weeks.

Administrator Hartman advised he was looking for ratification of the Constellation New Energy agreement. Alderman Shelton so moved; seconded by Alderman Secor. The motion passed with an aye voice vote from Alderman: Trainor, Secor, Shelton, Spear and Otis.

ORDINANCE 06-10-1-AUTHORIZING THE EXECUTION OF THE INDIAN TRAILS VEHICULAR CONTROL CONTRACT

Mayor Lockhart stated the former contract for the above mentioned had expired and our attorney has been working with Indian Trails on the new contract.

Our attorney advised the ordinance had been drafted before some changes were made to the contract. There were a couple of streets that had to be changed. Chippewa and Osage Trail are to be deleted and Mohawk Trail is to be added. These are private roads so this will allow the Police Dept to go in there.

Alderman Otis so moved to approve the agreement; seconded by Alderman Shelton. The motion passed with an aye voice vote from Alderman: Secor, Trainor, Shelton, Otis and Spear.

MAYOR'S STATEMENTS FAND REPORTS

Mayor Lockhart reminded the members there will be a Committee of the Whole meeting next Monday at 6:00 p.m. to discuss impact fees. Alderman Otis inquired as to when they would receive this information as

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she didn't want to receive it three days before the meeting; she wanted it now. Administrator Hartman advised she received it in the October 9 packet.

Mayor Lockhart thanked Alderman Otis for her part in bringing the United States Air Force Band to Marengo last Friday evening. She in turn stated she couldn't have done it without the help of the other people involved.

DEPARTMENT HEAD AND STAFF REPORTS

BUILDING DEPARTMENT

Building Commissioner Shull submitted a written report.

Alderman Secor asked Commissioner Shull if he saw any changes to the FEMA map and was wondering when, or if ever, there were boundary changes. He was advised boundary changes are done when the City or a developer would pay to have it done. The map now is an aerial digital map whereas the former map (January, 1992) was paper drawn. The study was done by the Army Corp of Engineering.

PUBLIC WORKS

A written report was submitted by the WWTP and the Street Department.

Supt. Craney invited the members to go to the WWTP to check out the new piece of equipment down there. This Salsnes Filter is the first one in the United States. The manufacturer is supplying and installing the filter and will pay for the solids testing. This piece of equipment is going to take the place of a clarifier.

Mayor Lockhart asked Supt. Craney to relay his and the member's thanks to his crew for helping direct cars for parking at the band concert last Friday night.

Alderman Spear wanted Supt. Craney to thank his crew for the great job they did on the sidewalk on Taylor Street by Sacred Heart Church. He saw them working at 7:30 a.m. by the church and then again at 7:00 p.m. at the high school directing traffic so it was a long day for them.

POLICE DEPARTMENT

Written reports were submitted in the packet. Mayor Lockhart stated Officer Bockelman has been exonerated by the Kane County States Attorney's office for any criminal wrong doing involving the shooting death back in May. The report states he followed all the rules, regulations and did what he had to.

ENGINEER'S REPORT

There was no written report nor were there any questions for the engineer.

CITY ADMINISTRATOR'S REPORT

A written report was submitted. Orally he advised even with increasing some of our property values, our liability insurance will be a few dollars less than our previous renewal. Approval of the renewal will be on the Nov. 13th agenda. He has given a copy of the renewal to Alderman Shelton and will give one to Alderman Signore as he would like to use their expertise in insurance to make sure everything is appropriate. He will give this information to the other members if they so desire.

EXECUTIVE SESSION

At 7:36 p.m., Mayor Lockhart asked for a motion to go into Executive Session to discuss collective bargaining and litigation. Alderman Secor so moved; seconded by Alderman Shelton. The motion carried with an aye

voice vote from Alderman: Spear, Otis, Secor, Shelton and Trainor. The members returned to Open Session at 8:12 p.m.

AJOURNMENT

At 8:13 p.m., a motion was made by Alderman Shelton and seconded by Alderman Spear to adjourn the October 23, 2006, Marengo City Council meeting. The motion passed with a unanimous aye voice vote.

Submitted by: Diane L. Schwoch, Acting City Clerk