

APPROVED
5/27/14

**Marengo City Council
Regular Meeting Minutes
City Council Chambers
132 E Prairie St
Marengo, IL 60152
May 12, 2014
7:00 PM**

CALL TO ORDER

Mayor Donald B. Lockhart called the May 12, 2014 Regular City Council Meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Larry O'Brien, a veteran, led everyone in the Pledge of Allegiance.

ROLL CALL

Present are Mayor Donald Lockhart; Aldermen: Carole Bartman, Matt Keenum, Michael Smith, Steve Mortensen, Dennis Hammortree, Todd Hall, Nicole DeBoer and Gretchen Samuelson. Also present are City Administrator Gary Boden, Asst. City Administrator Joshua Blakemore, Chief of Police Joseph Hallman, Public Works Director Jayson Shull, City Attorney Carlos Arevalo and City Engineer Tim Hartnett. Administrative Assistant Megan Lopez sat in on, and recorded, this meeting on behalf of the City Clerk, who was ill.

PUBLIC PARTICIPATION

None.

APPROVAL OF MINUTES

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve the minutes from the April 28, 2014 regular meeting. The aldermen voted as follows:

Ayes: Keenum, Mortensen, DeBoer, Hall, Bartman, Smith & Hammortree
Nays: 0
Abstains: Samuelson

The motion passed.

CONSENT AGENDA

- a. **List of Bills**
- b. **Ordinance Declaring Certain Municipal Property as Surplus**
- c. **Consent to Staff and Board Appointments: Staff Appointments, Planning & Zoning Commission, Police Pension Board**
- d. **Authorization to Execute Contract with HR Green for General Consultation Services**

Alderman Steve Mortensen made a motion, seconded by Alderman Michael Smith, to approve the Consent Agenda items. The aldermen voted as follows:

Ayes: Bartman, Smith, Keenum, Mortensen, DeBoer, Samuelson & Hall
Nays: Hammortree
Abstains: 0

The motion passed.

NEW BUSINESS

- a. **Continued Public Hearing - Petition for the Proposed Amendment of an Annexation Agreement between GMT Holding LLC and the City of Marengo – regarding 207 acres of vacant property at the Northeast corner of Meyer Road and Pleasant Grove Road, Marengo, IL**

CALL TO ORDER

City Attorney Arevalo called the Continuation of the Public Hearing to order at 7:07 PM.

ROLL CALL TO DETERMINE QUORUM

Present for this Public Hearing are Mayor Donald Lockhart; Aldermen: Todd Hall, Nicole DeBoer, Michael Smith, Matt Keenum, Steve Mortensen, Gretchen Samuelson, Dennis Hammortree and Carole Bartman.

Attorney Arevalo reminded the Council that publication of the Notice of Public Hearing was submitted at the last meeting. The agreement is on file and has been available for public viewing. The Public was invited to speak at this time, addressing both GMT Holding item 7a, and Northstar item 7b.

Michael Grant, 6196 Lakewood Drive, Marengo, read a prepared statement and then requested a suspension of activities with both agreements until an investigation is completed involving safety issues and well/septic concerns.

Dave Diamond, 602 Riley Drive, Marengo (speaking in his capacity as the Riley Township Highway Commissioner) and expressed concerns (on Northstar) with flaws in the design for interconnection of roadways. Riley Township will not allow that interconnection to happen with the current design.

Bruce Peleschak, 21810 Pleasant Grove, Marengo had general questions on both annexations involving marketing studies having been done for zoning, why is the zoning change needed, and how will these annexations impact the schools? The density change is significant. Why has no study been done to support road use? Specific concerns on Northstar, (item h1 – page 12) shows a reduction in the obligating easement, and what is the requirement for well/septic hook up? Specific concerns on GMT, are the Marengo residents going to have to pay a lot of money for this annexation, what is the change of zoning to be, and challenged most of the "findings of facts" from the PZC Minutes. He then stated – 'for the record' "These zoning changes are not consistent with the communities around them, and as Mr. Diamond said, they need to go back to the drawing board."

Dorothy Otis, 633 W. Grant Hwy, Marengo, expressed concern of the 50 acres that was purchased from the Park District, and the fact that it is a public park and our taxes support that. She has been under the impression that as a City (or other form of government), there was a need to obtain multiple bids on a piece of property before it can be sold. She requested that the City hold off on making any decision on this property until the States Attorneys Office has made a decision on whether the proper procedure was followed (in the sale of the 50 acres).

James Hotchkiss, 715 Park Drive, Marengo, resides at the entrance to the park and is concerned about the extra road traffic coming into and through the park with the addition of the new residential buildings. He did not know that the Park District had sold that property.

Jerry Trickett, Superintendent Riley School, 9406 Riley Road, Marengo (home address is 650 Stanford Drive, Marengo) expressed concerns on the second amendment (article 5 / section 3 / page 6 – the last paragraph) to Seven Oaks, on the change to impact fees, and the changes shown in the amendment. He had discussed this with Dr. Bertrand (from the high school) and they are requesting that an amendment to schedule D, to incorporate that apartments with 1 or 2 bedrooms will be a \$300 impact fee, and that town-homes of up to 3 bedrooms will be \$1,000 impact fee, realizing that 70% of that goes to Riley School and 30% goes to the high school. This is based on a formula that has been used for several years. Administrator Boden reviewed Schedule D with Mr. Trickett and they agreed on the terminology that is currently on the amendment.

Lori Karczewski, 6520 Meyer Road, Marengo spoke on both Northstar and GMT, and the fact that her property is right on the property line of these two developments, and is concerned about possible damage to her well, lot and house.

Alan Stromberg, 21963 O'Connell Road, Marengo, talked about the Park Meadows, and the detention location, and the law of gravity concerns for Riley School, and possible storm water problems, and asked if the developers be required to address this problem.

MOTION TO CLOSE THE PUBLIC HEARING

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to close the Public Hearing. The Aldermen voted as follows:

Ayes: Samuelson, Mortensen, Hall, Smith, Hammortree, Bartman, DeBoer & Keenum
Nays: 0
Abstains: 0

The motion passed, and the Public Hearing on this agenda item adjourned at 8:35 PM.

- b. *Continued Public Hearing – Petition for the Proposed Amendment of an Annexation Agreement between Northstar Trust U/T/N 5140, and the City of Marengo, regarding 102.75 acres of vacant property North of Pleasant Grove Rd, Marengo, IL***

CALL TO ORDER

City Attorney Arevalo called the Continuation of the Public Hearing to order at 8:36 PM.

ROLL CALL TO DETERMINE QUORUM

Present for this Public Hearing are Mayor Donald Lockhart; Aldermen: Todd Hall, Nicole DeBoer, Michael Smith, Matt Keenum, Steve Mortensen, Gretchen Samuelson, Dennis Hammortree and Carole Bartman.

Attorney Arevalo reminded the Council that publication of the Notice of Public Hearing was submitted at the last meeting, on April 28, 2014. The agreement is on file and has been available for public viewing. The Public was invited to speak at this time on item 7b, if they had not already talked during the previous public hearing for 7a. It is noted that any and all statements made in the first public hearing are also incorporated into this public hearing, as they pertain.

Dave Diamond, 602 Riley Drive, Marengo, expressed his dissatisfaction on this annexation, and the cost of the easement and the returning of funds to the developer to secure the right of way for a waterway easement.

MOTION TO CLOSE THE PUBLIC HEARING

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to close the public hearing. The aldermen voted as follows:

Ayes: Samuelson, Mortensen, Hall, Smith, Hammortree, Bartman, DeBoer & Keenum
Nays: 0
Abstains: 0

The motion passed, and the Public Hearing on this agenda item adjourned at 8:40 PM.

- c. *Ordinance Authorizing Execution of a Second Amendment to an Annexation Agreement by and between the City of Marengo and Marengo Development LLC, for property commonly known as Pleasant Grove Estates and Formerly know as Seven Oaks.***

Alderman Steve Mortensen made a motion, seconded by Alderman Todd Hall, for an ordinance authorizing execution of a Second Amendment to an Annexation Agreement by and between the City of Marengo, and Marengo Development LLC, and its successor, GMT Holdings LLC.

Alderman Hall made a motion to call the question, seconded by Alderman DeBoer, to discontinue any further discussion, and to vote on the original motion at this time. The aldermen voted as follows:

Ayes: Hall, DeBoer
Nays: Smith, Keenum, Samuelson, Mortensen, Bartman and Hammortree
Abstain:0
The motion failed to pass.

The vote was taken on the original motion at this time. The aldermen voted as follows:

Ayes: Samuelson, Hall, Mortensen, Bartman, DeBoer and Mayor Lockhart
Nays: Hammortree and Keenum
Abstain:Smith
The motion passed.

d. Ordinance Authorizing Execution of a First Amendment to an Annexation Agreement by and between the City of Marengo and North Star Trust for property commonly known as Pleasant Grove Estates and formerly known as Seven Oaks.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, for an ordinance authorization Execution of a First Amendment to an Annexation Agreement by and between the City of Marengo and North Star Trust for property commonly known as Pleasant Grove Estates and formerly known as Seven Oaks. The aldermen voted as follows:

Ayes: Hall, DeBoer, Mortensen, Samuelson, Bartman and Mayor Lockhart
Nays: Keenum and Hammortree
Abstain:Alderman Smith
The motion passed.

e. Ordinance Rezoning 50 acres South of O'Connell Road and Indian Oaks Trail to R-1 Single Family District.

Alderman Todd Hall made a motion, seconded by Alderman Nicole DeBoer for an ordinance rezoning 50 acres South of O'Connell Road and Indian Oaks Trail to R-1 Single-Family District. The aldermen voted as follows:

Ayes: Mortensen, Samuelson, Bartman, DeBoer, Hall and Smith
Nays: Hammortree and Keenum
Abstain:0
The motion passed.

f. Ordinance Rezoning 65 acres located at the Northeast Intersection of Meyer and Pleasant Grove Roads, to R-5 Multiple Family District and B-2 Neighborhood Business District.

Alderman Todd Hall made a motion, seconded by Alderman Steve Mortensen, for an ordinance rezoning 65 acres located at the Northeast Intersection of Meyer and Pleasant Grove Roads to R-5 Multiple Family District and B-2 Neighborhood Business District. The aldermen voted as follows:

Ayes: DeBoer, Mortensen, Smith, Bartman, Samuelson and Hall
Nays: Hammortree and Keenum
Abstain:0
The motion passed.

g. Ordinance Rezoning 40 acres on Pleasant Grove Road to R-5 Multiple Family District

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, for an ordinance rezoning 40 acres on Pleasant Grove Road to R-5 Multiple Family District. The aldermen voted as follows:

Ayes: DeBoer, Bartman, Hall, Smith, Mortensen and Samuelson
Nays: Hammortree and Keenum
Abstain:0
The motion passed.

h. Authorization to Purchase Plow Truck and Wing Plow Equipment as per FY 2014/15 Budget.

Alderman Steve Mortensen made a motion, seconded by Alderman Michael Smith, to authorize the purchase of a new 2015 plow truck per attached specifications from Bonnell Build, for a price of \$176,775. The Aldermen voted as follows:

Ayes: Smith, Bartman, Hall, Keenum, Mortensen, DeBoer & Hammortree
Nays: Samuelson
Abstains: 0

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart reminded everyone that Memorial Day ceremonies will be held on the 26th of May. Please try and attend.

DEPARTMENT HEAD AND STAFF REPORTS

Asst. City Administrator Joshua Blakemore reported that the final copies of the budget were given out this evening. He thanked all the members of the staff for their work on it.

Director of Public Works Jayson Shull updated the Council on work projects.

Chief of Police Joseph Hallman had nothing further to report.

City Engineer Tim Hartnett had no report.

City Administrator Gary Boden reminded the Council that the next meeting is on the 27th of May.

City Attorney Carlos Arevalo had no report. Alderman Bartman asked the current status of a letter of credit held at Prairie Community Bank, and Attorney Arevalo will check into it and let the Council know the status.

REPORTS AND STATEMENTS FROM CITY COUNCIL

Alderman Keenum requested participation, and Alderman Mortensen added perception.

ADJOURNMENT

Alderman Nicole DeBoer made a motion, seconded by Alderman Steve Mortensen, to adjourn the meeting. The motion passed with a voice vote.

The meeting adjourned at 10:09 PM.

Respectfully submitted,
Constance J Boxleitner
City Clerk