

MARENGO CITY COUNCIL
Regular Meeting Minutes
Marengo Council Chambers
132 E. Prairie Street
Marengo, IL 60152
October 24, 2011

CALL TO ORDER

Mayor Donald B. Lockhart called the October 24, 2011 Regular Council Meeting to order at 7:02 pm.

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone in the Pledge of Allegiance.

ROLL CALL

Present at this meeting are Mayor Donald Lockhart, Aldermen: Corey Brackmann, Mike Secor, Pat Signore, Todd Hall and Steve DiMaria. Also present are City Attorney Carlos Arevalo, Acting Chief of Police Joseph Hallman, Public Works/Building Commissioner Jayson Shull, and Acting City Administrator Joshua Blakemore. Absent this evening are Aldermen: Carole Bartman, Michael Smith and Erik DeBoer.

PUBLIC PARTICIPATION

Mr. Wayne Beto, 5th Avenue, Marengo, addressed the Council on his support for Joshua Blakemore being retained as City Manager. He also praised the street crews for the job that they do. Also expressed concern for the weed problem on the Deerpath Subdivision off Route 176.

APPROVAL OF MINUTES

Alderman Mike Secor made a motion, seconded by Alderman Todd Hall, to approve the minutes of the October 10, 2011 Regular Meeting as presented. The motion passed with an aye vote by Aldermen: Brackmann, DiMaria, Hall, Secor and Signore.

CONSENT AGENDA

- a. List of Bills
- b. Zion Lutheran PTL Fall Fest Request

Alderman Mike Secor made a motion, seconded by Alderman Todd Hall, to approve the Consent Agenda items. The motion passed with an aye vote by Aldermen: Brackmann, DiMaria, Signore, Hall and Secor.

NEW BUSINESS

- a. Ordinance Granting a Variance from Sections 6.07 (6) & 10.04 E for 225 E. Prairie Street.

Peter Messman, 22022 Grange Road, Marengo, addressed the Council on his request to convert the property at 225 E. Prairie Street back into a 2-flat. The previous owner of the property had done work to make it a single family. Building Commissioner Jayson Shull updated the Council with the information that the PZC held a public hearing, and there were no objections from either the Public or the PZC.

Alderman Todd Hall made a motion, seconded by Alderman Mike Secor, to approve an ordinance granting a zoning variation for the property known as 225 E Prairie, allowing the existing structure to be utilized as a two unit attached dwelling within an R-2 single family residential zoning district. The motion passed with an aye vote by Aldermen: Signore, Secor, Hall, Brackmann and DiMaria.

Alderman Carole Bartman entered the meeting at 7:20 pm.

b. Ordinance Amending Section 1.06, Penalties, of the Marengo Municipal Code to Provide for a Bond Fee.

Acting Chief Joseph Hallman presented this request, to impose a \$20 municipal bond fee for each violator who is processed through the Marengo Police Department.

Alderman Mike Secor made a motion, seconded by Alderman Todd Hall, to amend the Marengo Municipal Code, section 1.06, Penalties, and provide for a bond fee of \$20.00 for bail processing of each Federal or state law violation and local ordinance violations. The motion passed with an aye vote by Aldermen: Brackmann, Signore, DiMaria, Bartman, Hall and Secor.

c. Authorization to Execute Lease for 180 8th Avenue.

The current tenant of the property is requesting a renewal of the lease that was executed last year.

Alderman Pat Signore made a motion, seconded by Alderman Todd Hall, for authorization to execute the lease for 180 8th Avenue, with it being amended to require the tenant to purchase liability insurance and to show the City as an additional insured on the policy. The motion passed with an aye vote by Aldermen: Hall, DiMaria, Brackmann, Secor, Signore and Bartman.

d. Authorization to Execute Agreement with HR Green for FAU (Federal Aid Urban) Route Applications for Various Streets within City Limits.

David Johanson, City Engineer, spoke on the possibility of getting specific streets designated as an FAU route. The current streets for this consideration are: Forest Street from IL 23 to Maple Street, Taylor Street from US 20 to IL 176, Washington Street from IL 23 to Prospect, and Prairie Street from IL 23 to Prospect.

Alderman Carole Bartman made a motion, seconded by Alderman Mike Secor, for authorization to execute an agreement with HR Green for FAU Route applications for various streets within the City limits for a lump sum amount of \$3,900. The motion passed with an aye vote by Aldermen: DiMaria, Signore, Secor, Bartman, Brackmann and Hall.

e. Ordinance Amending Section 33.07-B of the Marengo Municipal Code, Number of Liquor Licenses Issued.

Application has been received for the establishment to be located at 219 W. Grant Highway d/b/a Tanika Food Mart, to procure a Class B liquor license. This request will require an increase in the Marengo Municipal Code, Number of Liquor Licenses issued.

Aldermen Corey Brackmann made a motion, seconded by Alderman Carole Bartman, to approve the ordinance amending Section 33.07-B of the Marengo Municipal Code – Number of Liquor Licenses Issued. The motion passed with an aye vote by Aldermen: Secor, DiMaria, Brackmann, Bartman, Signore and Hall.

The Council then directed the staff to bring an ordinance amendment up to rate the license annual fee, and to allow the Mayor to charge the pro-rata fee for the current request that was just approved by the Council. The amendment will be brought before the Council to be ratified at the next regular meeting.

The motion passed with 4 Aldermen giving approval, and 2 Aldermen objecting. The Mayor voted to approve the directive.

OLD BUSINESS

a. **Authorization to Accept 2011/2012 Casualty/Liability Insurance Renewal.**

The Council discussed two parts of the renewal – bonds for officials/staff and excess liability increase – and made the decision to go with option 2 (\$100,000 limit policy, which covers employee/official bonds with a premium of \$904 and a \$1,000 deductible, and to increase the excess liability limit to \$7,000,000.

Alderman Pat Signore expressed concern for the amount of blanket coverage shown on the policy, and stated “I would like to go on record, asking again, yet another time, that this City consider performing an industrial appraisal of our assets. We should need no other example other than the fact that we thought the wastewater treatment plant was going to be \$11,000,000 and it is actually \$15,000,000. So, what this policy is telling us is that all of our stuff is \$10,500,000. We have a statement of values from last year that shows our South State Street water town being insured for \$492,409. Could we rebuild it for that? We have in the insurance policy a co-insurance clause. The co-insurance clause sets a specific percentage of the replacement cost, also known as the rebuilding cost, we must insure these items at. We have a 90% co-insurance clause in this policy. If you had an item that is \$1,000,000 to replace, you need to insure it for at least \$900,000, or 90% of that \$1,000,000. If you fail to insure it within the co-insurance cost, let’s say we insure it for \$500,000, the first thing that happens is, at the time of a loss, you lose the replacement cost provision... it becomes a depreciated item, and the most that they are going to pay on that is \$492,000. Someone needs to come out and properly evaluate these things. If these folks won’t do it, then we have to consider someone else. And I think that we should consider, in the future, and I will abstain from bidding, putting this out to bid, because there are insurance companies that will come out and do this for you as part of their service that they provide for the premium that you pay.”

Alderman Corey Brackmann made a motion, seconded by Alderman Todd Hall, for authorization to accept the 2011/2012 Casualty/Liability Insurance renewal with the addition of the \$100,000 bonds for Officials/Staff at a premium of \$904 and a \$1,000 deductible, and to increase the excess liability to \$7,000,000. The motion passed with an aye vote by Aldermen: Bartman, Hall, Brackmann, DiMaria and Secor. Voting no is Alderman Pat Signore.

MAYOR’S STATEMENTS AND REPORTS

Mayor Lockhart had no statement at this time.

DEPARTMENT HEAD AND STAFF REPORTS

Jayson Shull - Public Works/Building Commissioner. Report was in board packet. Alderman Steve DiMaria spoke about email that was received from resident Diane Sullivan, and her unhappiness on the condition of the downtown, specifically addressing the signs. Alderman DiMaria stated “I am going to go on the record and say that I am not going to compromise my expectations for this community out of desperation to fill an empty store. When you go ahead and do something, you might have to go ahead and live with that then, for a long time. If you have certain expectations and you compromise your expectations because you are desperate, just remember that you might live with that for a long time.”

Acting Chief of Police, Joseph Hallman. Report was in board packet. Informed the Council that Marengo has been designated as a drop-off point for the “National Take Back Initiative” which is run through the DEA. This will be on the 29th – people can bring in their prescription drugs to the police department, and there will be a box for them to deposit them in. The box will then be taken to another location and they will be shipped to Indianapolis for disposal. The Department has received a check from

McCog for the equipment that was sent for auction, for about \$1800. The new squads should be ready (for delivery) in a couple of weeks, and required modifications, will be done by our mechanic.

David Johanson - City Engineer, updated information was presented to the Council on the Prospect Street Project. Meeting last Thursday with IDOT, and the plats were reviewed.

Joshua Blakemore – Acting City Administrator. Presented information on the budgeted \$33,000 Corporate Replacement Tax Proposal that is currently in the General Assembly. This proposal would do away with this item, but siphoning the money away from the municipalities, and using it for the regional school superintendent's salaries. This will be monitored. Also, a bill that was supported by Representative Franks regarding the property tax extensions, and the impact on the City. At one of the November meetings, the ordinance for the electric referendum will be brought before the Council for review and approval. Discussed the water rates that were put into effect, and the need to have them in place for the loan repayment requirement.

Carlos Arevalo – City Attorney. No report.

Mayor Donald Lockhart spoke briefly about the paver box and the street projects, and how it was determined what streets were to be done at this time.

EXECUTIVE SESSION.

Mayor Donald Lockhart requested the Council to go into Executive Session for the purpose of eminent or probable litigation.

Alderman Pat Signore made a motion, seconded by Alderman Todd Hall, to go to Executive Session for the purpose of eminent or probable litigation. The motion passed with an aye vote by Alderman: Hall, DiMaria, Secor, Signore, Bartman and Brackmann.

The Council entered into Executive Session at 9:09 PM.

The Council returned from Executive Session at 10:02 PM.

ADJOURNMENT.

Alderman Todd Hall made a motion, seconded by Alderman Mike Secor, to adjourn. The motion passed with a voice vote. The meeting adjourned at 10:03 pm.

Respectfully submitted,

Constance J. Boxleitner
City Clerk