

**Marengo City Council
Regular Meeting Minutes
City Council Chambers
132 E. Prairie Street
Marengo, IL 60152
December 14, 2015**

CALL TO ORDER

Mayor Donald B Lockhart called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Attorney Jay Filler led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Mayor Donald B Lockhart, Aldermen James Regelin, Matt Keenum, Michael Smith (entered the meeting at 7:03 PM) Nicole DeBoer, Dennis Hammortree, Brett Martin, and Todd Hall. Also present are City Administrator Gary Boden, Assistant City Administrator Joshua Blakemore, Chief of Police Joseph Hallman, City Engineer Tim Hartnett, City Attorney Carlos Arevalo, and Finance Director Jennifer Snelten. Alderman Steve Mortensen was absent.

PUBLIC PARTICIPATION

None.

APPROVAL OF MINUTES – November 23, 2015 Regular Meeting Minutes

Alderman Nicole DeBoer made a motion, seconded by Alderman James Regelin, to approve the minutes of the November 23, 2015 Regular Meeting minutes. The aldermen voted as follows:

Ayes:	Keenum, DeBoer, Hall, Regelin, Hammortree and Martin
Nays:	0
Abstain:	0

The motion passed.

CONSENT AGENDA

- a. List of Bills
- b. Proclamation – National Drunk and Drugged Driving (3D) Prevention Month for December 2015
- c. Action on an Ordinance Establishing the Regular Meeting Dates of the City Council for 2016
- d. Action on an Ordinance Abating the Tax Levied for Tax Year 2015 to Pay the Principal and Interest on the \$2,740,000 General Obligation Refunding Bonds (Alternate Revenue Source) Series 2005, and the \$1,500,000 Taxable General Obligation Refunding Bonds (Alternate Revenue Source) Series 2010 and the \$4,975,000 General Obligation Bonds (Alternate Revenue Source) Series 2014 for the City of Marengo, McHenry County, IL
- e. Action on an Ordinance Authorizing the Abatement of City of Marengo Taxes on Certain Property Annexed to the City of Marengo Pursuant to 35 ILCS 200/18-184 – Western Parcels Annexed in 2007
- f. Action on an Ordinance Abating a Property Tax for Certain Property that is Subject to an Economic Incentive Agreement with the City of Marengo – K&E Development, LLC – Swedish American Medical

- g. Authorization to Execute Intergovernmental Agreement with McHenry County for Marengo Police Department Participation in Gang Task Force**
- h. Consent to Appointment – Public Works Director**

Attorney Arevalo advised the Council that a unanimous vote would be required to approve and pass the Consent Agenda.

Alderman Hammortree questioned an invoice on the List of Bills, from H. R. Green. The invoice pertains to work being done on 300 West LLC / Arnold Engineering project.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve the Consent Agenda. The aldermen voted as follows:

Ayes: Regelin, Smith, Keenum, DeBoer, Martin and Hall
Nays: Hammortree
Abstain: 0

The motion did not pass, as a unanimous vote was required.

Alderman Nicole DeBoer made a motion, seconded by Alderman James Regelin, to approve the Consent Agenda with the exception of the invoice from HR Green. The aldermen voted as follows:

Ayes: Martin, Hammortree, Hall, Keenum, Regelin, DeBoer and Smith
Nays: 0
Abstain: 0

The motion passed.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve the paying of the invoice from HR Green. The aldermen voted as follows:

Ayes: Smith, Keenum, Martin, Regelin, Hall and DeBoer
Nays: 0
Abstain: Hammortree

The motion passed.

Howard Moser was introduced to the Council. He will be starting as Public Works Director on January 4, 2016.

NEW BUSINESS

- a. Public Hearing Regarding an Annexation Agreement between the City of Marengo and the Owners of 8.25 acres Located on the North Side of U.S. Route 20 and West of the U.S. Route 20 and Ritz Road Intersection**

Alderman Nicole DeBoer made a motion, seconded by Alderman Matt Keenum, to open the Public Hearing. The aldermen voted as follows:

Ayes: Hall, DeBoer, Smith, Keenum, Martin, Hammortree and Regelin
Nays: 0
Abstain: 0

The motion passed. The Public Hearing was called to order at 7:10 PM.

ROLL CALL

Present are Mayor Donald Lockhart, Aldermen Todd Hall, Nicole DeBoer, Michael Smith, Matt Keenum, Brett Martin, Dennis Hammortree and James Regelin.

Attorney Carlos Arevalo noted that the notice of the Public Hearing was published in the local paper (a copy is on file in the Clerk's office). There is an agreement on file, since the publication, and there have been modifications that have taken place, and the modifications have been supplied to the Clerk so the current information is accurate and up to date.

He then asked for Attorney Jay Filler to speak on the synopsis of the agreement under consideration. He is representing Glidepath and 3PH. This is a battery storage facility. They must receive approval from the City first, after which time they will apply to Com Ed, and if that approval is received, they will purchase the property. The whole process must be completed within 18 months. If this takes longer than 18 months, they will need to come back to the City to continue the process.

Attorney Arevalo asked for any comments from the Public. There were none.

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

Ayes:	Martin, Hall, Smith, Hammortree, Regelin, DeBoer and Keenum
Nays:	0
Abstain:	0

The motion passed. The Public Hearing adjourned at 7:17 PM.

b. Action on an Ordinance Authorizing the Execution of an Annexation Agreement between the City of Marengo and the Owners of 8.25 Acres Located on the North Side of U.S. Route 20 and West of the U.S Route 20 and Ritz Road Intersection

Chris McKissack, representing Glidepath, answered questions from the Council, how they determined to build at this location, and safety of the property being two concerns.

Alderman Regelin questioned if the property values in the area would be impacted by the battery storage facility, and Mr. McKissack stated that home values in the City of Marengo would not be impacted, and they have not seen any impact at the other locations. He did agree that the data is short term at this point, but they had not seen any impact at the other locations. Alderman Regelin proposed having a bond to protect property owners against any decrease.

Alderman Regelin made a motion, to request the body (the Council) to consider this provision be added to the Ordinance Authorizing the Execution of an Annexation Agreement. The motion died for lack of a second.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve an Ordinance Authorizing the Execution of an Annexation Agreement between the City of Marengo and the Owners of 8.25 Acres Located on the North Side of U.S. Route 20 and West of the U.S Route 20 and Ritz Road Intersection. The aldermen voted as follows:

Ayes:	Hall, DeBoer, Smith, Keenum, Hammortree, Martin and Mayor Lockhart
Nays:	Regelin
Abstain:	0

The motion passed.

c. Action on an Ordinance Authorizing the Execution of an Annexation Agreement between the City of Marengo and the Owners of 8.25 Acres located on the North Side of U.S. Route 20 and West of the U.S. Route 20 and Ritz Road Intersection

Alderman Todd Hall made a motion, seconded by Alderman Nicole DeBoer, authorizing the Execution of an Annexation Agreement between the City of Marengo and the Owners of 8.25 Acres located on the North Side of U.S. Route 20 and West of the U.S. Route 20 and Ritz Road Intersection. The aldermen voted as follows:

Ayes: Martin, Hammortree, DeBoer, Keenum, Hall and Smith

Nays: Regelin

Abstain: 0

The motion passed,

d. Action on an Ordinance Zoning 8.25 Acres located on the North Side of U. S. Route 20, West of the Intersection of U.S. Route 20 and Ritz Road, and Issuing a Special Use Permit for the Operation of a Battery Storage Facility and Related Operation

Alderman Michael Smith made a motion, seconded by Alderman Nicole DeBoer, approving an Ordinance Zoning Change on 8.25 Acres located on the North Side of U.S. Route 20 West of the Intersection of U.S. Route 20 and Ritz Road, and issuing a Special Use Permit for the Operation of a Battery Storage Facility and Related Operation. The aldermen voted as follows:

Ayes: Hammortree, DeBoer, Keenum, Smith, Martin and Hall

Nays: Regelin

Abstain: 0

The motion passed.

e. Review and Request for Direction of Proposed Fencing for Route 20 Self Storage Property

City Engineer Hartnett reviewed the new proposal that was received from Mr. Lindley on the proposed fencing for this expansion project. He reviewed the various costs for the various fencing options, and explained the option brought this evening for the Council's review and approval. This will be a PVC fence that resembles stone. The tollway uses this type of product. This is not what the Council requested, but it is an alternative that is not cost prohibitive for the owners.

Alderman James Regelin made a motion, seconded by Alderman Todd Hall, approving the proposed fencing for the Route 20 Self Storage Property. The aldermen voted as follows:

Ayes: DeBoer, Regelin, Hall, Smith, Hammortree and Martin

Nays: Keenum

Abstain: 0

The motion passed.

f. Action on the Tax Levy Ordinance for the City of Marengo for the 2015/2016 Fiscal Year

Finance Director Snelten reviewed the information with the City, verifying that the Levy will be for 5%.

Alderman James Regelin made a motion, seconded by Alderman Nicole DeBoer, approving the Tax Levy Ordinance for the City of Marengo for the 2015/2016 Fiscal Year. The aldermen voted as follows:

Ayes: Keenum, DeBoer, Hall, Regelin, Smith, Hammortree and Martin
Nays: 0
Abstain: 0
The motion passed.

g. Action on an Ordinance Levying Taxes for Special Service Area #2 for the 2015 Tax Year – Parkrise Unit 5

Assistant City Administrator Blakemore spoke on this SSA – which involves the detention pond that borders the Indian Trails property. This requires approval from the Council on an annual basis.

Alderman James Regelin made a motion, seconded by Alderman Nicole DeBoer, authorizing an Ordinance Levying Taxes for Special Service Area #2, for the 2015 Tax Year – Parkrise Unit 5. The aldermen voted as follows:

Ayes: Regelin, Smith, Keenum, DeBoer, Martin and Hall
Nays: Hammortree
Abstain: 0
The motion passed.

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart wished everyone a Happy Holiday Season, and his hope that Alderman Smith's mother is improving. He noted that Margaret McGovern has passed away, and her daughter, Barb Bigalke, held the position of City Clerk in the past.

DEPARTMENT HEAD AND STAFF REPORTS

Assistant City Administrator Joshua Blakemore updated the Council on the lighting grant project, Wastewater Treatment Plant status, and the resignation of an employee. He answered questions on In-Pipe foaming solution status, and advised that he would be bringing information to the Council in January on the Indian Trails lift station.

Finance Director Jennifer Snelten provided the November month end report and reviewed it with the Council. She advised that the City has received 3 of the 4 taxes that were being held by the State due to the budget problems. The only one left to receive is the Use Tax.

Chief of Police Joseph Hallman had submitted a written report. He is meeting tomorrow on the Dispatch Consolidation and will bring information to the Council on the outcome.

City Engineer Tim Hartnett had submitted a report and there were no questions from the Council.

City Administrator Gary Boden advised that there will be a Public Hearing on Wednesday regarding the proposed gravel pit request (mining operation only), and spoke about documents that will be reviewed at that meeting.

City Attorney Carlos Arevalo had no report.

REPORTS AND STATEMENTS FROM CITY COUNCIL

Alderman Matt Keenum advised that further information and discussion on the Cemetery Board should take place at one of the January meetings.

EXECUTIVE SESSION

a. Pursuant to 5 ILCS 120/2 (c) (11) for Discussion on Pending Litigation That Could Affect the City of Marengo

Alderman Nicole DeBoer made a motion, seconded by Alderman Michael Smith, to go into Executive Session pursuant to 5 ICLS 120/2 (c) (11) for Discussion on Pending Litigation That Could Affect the City of Marengo. The aldermen voted as follows:

Ayes: Martin, Hammortree, Hall, Keenum, Regelin, DeBoer and Smith
Nays: 0
Abstain: 0
The motion passed.

*The meeting recessed at 8:17 PM.
The meeting reconvened at 9:18 PM.*

ADJOURNMENT

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

The meeting adjourned at 9:19 PM.



Constance J. Bokleitner
City Clerk

These minutes were approved by the City Council on January 11, 2016.