

**Marengo City Council
Regular Meeting Minutes
City Council Chambers
132 E. Prairie Street
Marengo, IL 60152
March 13, 2017**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Lockhart led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Mayor Donald B. Lockhart; Aldermen Matt Keenum, Mike Miller, Michael Smith, Nicole DeBoer, Dennis Hammortree, Brett Martin, Todd Hall and Steve Mortensen. Also present are City Administrator Gary Boden, Assistant City Administrator Joshua Blakemore, Chief of Police Rich Solarz, Public Works Director Howard Moser, City Attorney Carlos Arevalo, City Engineer Tim Hartnett and Finance Director Jennifer Snelten.

PUBLIC PARTICIPATION

A resident questioned the Council on when the water rates would be lowered. Another resident questioned the Council regarding the incident involving the City Administrator at the Sullivan's parking lot.

APPROVAL OF MINUTES

Alderman Nicole DeBoer made a motion, seconded by Alderman Michael Smith, to approve the minutes from the February 27, 2017 regular meeting. The aldermen voted as follows:

Ayes: Keenum, Mortensen, DeBoer, Hall, Smith, Hammortree and Martin
Nays: 0
Abstain: Miller
Absent: 0

The motion passed.

APPROVAL OF LIST OF BILLS

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

Ayes: Smith, Keenum, Mortensen, DeBoer, Miller, Martin, Hall and Hammortree
Nays: 0
Abstain: 0
Absent: 0

The motion passed.

CONSENT AGENDA

- a. Action on a Resolution Declaring Certain Municipal Property as Surplus
- b. Action on and Release, Waiver and Indemnity Agreement with Rodney Riley Regarding the Transfer of Ownership of K-9 Unit
- c. Approval of the Annual Zoning Map Update for 2017

Administrator Boden advised the Council that the City is awaiting the final signatures on Marengo Lakes LLC, so approval of the Zoning Map would be contingent upon administrative approval once those signatures are received.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve the Consent Agent, contingent upon the formal retirement date of Sergeant Riley to be noted on the agreement (item B). The aldermen voted as follows:

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

NEW BUSINESS

a. Presentation and Discussion on Comprehensive Plan Amendment

Administrator Boden spoke about the upcoming Planning & Zoning Commission meeting next Monday, the 20th of March, at which time adjustments are being looked at near the I-90 interchange, adding some areas of Light Industrial, and Office Research, for areas that were previously listed as Commercial.

b. Presentation and Request for Direction on FY 17/18 Draft General Fund Budget

Assistant Administrator Blakemore reviewed the information given to the Council on projections. There is an additional line item of "Tipping Fees" per the annexation agreement with Marengo Lakes LLC. Some of the items discussed were: addition of 1 person for Public Works, cost-of-living adjustments for payroll, sinking fund status (purchase of squad car, skid steer and plow) and explanation of establishment of this item. Information on the Police Pension Fund was discussed at length. The fund is currently funded at 28%.

Josh summarized the expenses report noting that there is a probable surplus of \$48,000 in the General Fund, and the City is looking at several options on where to assign the funds.

c. Action on Accepting a Bid for Contracted Mowing Services with Acres Enterprises

Public Works Director Moser discussed the bids received for the mowing contract, and recommended going with Acres Enterprises for a 2-year contract. The bid from Acres Enterprises for year 1 is \$39,000, and for year 2 is \$40,170, for a total of \$79,170.

Alderman Nicole DeBoer made a motion, seconded by Alderman Todd Hall, to approve a contract for mowing services with Acre Enterprises for a 2-year term. The aldermen voted as follows:

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

MAYOR'S STATEMENTS AND REPORTS

Mayor Lockhart passed on his report at this time.

DEPARTMENT HEAD AND STAFF REPORTS

Assistant City Administrator Joshua Blakemore had no further report this evening.

Finance Director Jennifer Snelten had no further report this evening.

Public Works Director Howard Moser had no further report this evening.

Chief of Police Rich Solarz reported that the candidate for hire has passed his physical, and will now be taking the Power Test on March 21st. Should he pass that test, he will be brought before the Council for swearing in on the 27th of March. He would then leave for the Academy on April 3rd for 12 weeks of training.

City Engineer Tim Hartnett had provided a written report to the Council. There were no questions at this time.

City Administrator Gary Boden addressed a situation that occurred back in February, which was raised by a resident during the public comment portion of the meeting. He stated: "I'm going to address what was published in the newspaper today. As you...if any of you who read this article recognized that there was no finding of me having any drinking going on as far as it relates to a fender bender that I had on Valentine's Day in Sullivan's parking lot. The facts are that I left the office at the end of the work day and five (5) minutes later I showed up at Sullivan's parking lot. In fact that is corroborated by video at this building, because I park out in front of the Police Department typically, and corroborated by the fact that I arrived on camera at Sullivan's parking lot five (5) minutes later. During that afternoon, leading up to that, at noon time I was in attendance at the Presbyterian Church at the soup special there, with the Police Chief, Sgt Riley and with the Mayor. Later in the afternoon, I spoke with Mike Miller when he came into my office. I was in the office all afternoon. So the opportunity and the means, or the cause I should say, of me drinking during that period of time is clearly, clearly unmistakably did not happen. And it is a complete falsehood of the allegation that was sent to – directed at me. I provided the video, because I FOIA'd the information that was presented, or FOIA'd the in that report which included that video. I brought that information in total to the Northwest Herald on Friday night when I found out that this was becoming an issue. I was coming back from having a cat-scan. Some know that I was having an issue with my kidneys. I find it very disappointing that this has happened because there is no foundation for any of these allegations. I also find it disappointing that in my discussions with the people at the Northwest Herald, and it is my understanding that I wasn't the only one that presented this information. Alderman Hammortree likewise, from my understanding FOIA'd the same information, and it was very apparent when I talked with the Northwest Herald that Alderman Hammortree likewise was providing that information somehow to the Northwest Herald. I am asking, because this is a fabrication and a falsehood, that in this era of dirty politics, that we stop doing these things. Because it is my own reputation that I have concern about and it is my own reputation as far as I deal with the people in this community, that I can only rely upon my reputation when people intentionally do this to my reputation, I find it offensive. And I ask, in all sincerity, in fact I hope that it is received with this level of concern that this kind of activity, as far as it has been directed to me, that it cease and desist. Alderman Hammortree you have threatened my job on several occasions over the last four (4) years. You have tried to involve me with your conspiracy on a variety of things over that same period of time. And in fact one thing that actually made me very upset last fall was that you opened up a piece of paper and presented it to the City Council and said 'Ya see...this is something that the City Administrator was trying to do and guess what...you guys didn't know about it.' And all the Council members said yes we do, we actually did look and review this piece of paper and this proposed contract 'proposed contract' and that we decided not to do it, and you weren't here at that meeting. And your response was 'Oh well, my bad.' During the two (2) years period of time that that issue was burning with you, you have trashed my reputation throughout this community. And I hope that you please take my request under advisement and truly recognize that this kind of thing is not – just not good for me, but is not good for this community. The community as a whole needs to have a more understanding and clear politic. It is not one that we need to

go around and trash people on personalities. If we have issues and differences, that's fine, but when you start to do personal attacks and character assassinations, that takes away from the entire issue at hand. That's all I have to say."

City Attorney Carlos Arevalo had no report.

REPORTS AND STATEMENTS FROM CITY COUNCIL

Alderman Hammortree questioned the process (regarding a breathalyzer test) not followed on the night of the incident in February. Administrator Boden stated that it was determined by the Police that it was not needed, and had not been offered. Chief Solarz referred to Sergeant Riley's report from that evening, and the report indicates that Sergeant Riley did not smell any alcohol on Gary's breath. Alderman Hammortree stated that one of the individuals reported Sergeant Riley making the comment 'He's got 3 months left and he is not going to get involved in this.'

Alderman Hammortree then stated: "If you (Administrator Boden) think that I have been picking on you, and if the public thinks that I have been picking on you, then its real simple. This next election, I hope they don't put me back in then because I'm such a terrible person. But at the same time, the things that go on here that nobody cares about."

Alderman Hammortree then questioned City Clerk Boxleitner about a comment that she made a while ago, following a regular meeting. She stated that she had made the comment, and explained her reason for making it. She was upset with him because he disregarded her request to stay after and look at possible dates for him to come to City Hall and view documents. She stated "You treated me like I was a lesser person than you, that you didn't have to respond to my request. Which is what you get mad about these people doing to you. So how is it okay for you to do it to me, but for them to not do it to you?"

Alderman Hammortree requested again having the persons from the water treatment plant attend a Council meeting so questions could be asked of them on issues concerning the plant. The Council did not agree with the request as the feeling was that City Engineer Hartnett and Public Works Director Moser had answered previous questions to their satisfaction.

Alderman DeBoer stated that Alderman Hammortree has divided the Council into taking sides (on issues regarding the WWTP), and he might have great ideas, but he ruins the fact that they could be a good idea every time by going about a personal attack. The Council needs to work together to get things done.

Alderman Martin expressed his dissatisfaction with the fact that the \$12,000,000 WWTP project has major parts shut down. Administrator Boden explained the current usage of the plant and the reason for not using the SBR's at this time. Alderman Smith reminded everyone that information was provided at the last meeting about ongoing contact with the manufacturer and the problems that have occurred. Engineer Hartnett added information on the SBR's and Sonolyzer situations.

Alderman Hammortree again requested that the person's from the WWTP attend a meeting to discuss the operation of the facility. In order to have them in attendance, Alderman Hammortree stated that if 3 aldermen want to have a meeting with them, they need to sign a paper and have a special meeting.

Alderman Hammortree then cited information contained in correspondence from HR Green to Mayor Lockhart and Administrator Boden regarding problems at the WWTP. Engineer Hartnett explained the outcome of that correspondence, the steps that were followed, and the changes that were made to improve the workings at the plant.

Administrator Boden attempted to speak on these issues, but Alderman Hammortree told him “Don’t even bother Gary. Do you think that I believe anything that comes out of your mouth? That I’m going to believe it?” After this comment, Administrator Boden exited the meeting.

Alderman Hall reminded Alderman Hammortree that the person that is overseeing the work being done at the WWTP, and other locations as well, and also “signs off” on all the forms required, attended a meeting and answered questions. The workers at the plant do not have the expertise and knowledge that this person has, and that is why he was brought in to speak on the problems and solutions.

Engineer Hartnett reviewed the process that is followed when problems are brought to his attention.

Chief Solarz spoke about the incident at Sullivan’s and comment that was said to have been made by Sergeant Riley. Chief Solarz contacted Sergeant Riley and was told by him, “Chief, the comment that I made, and there was only one (1) person there when I made it, was ‘yeah, I’ve got three (3) months left, and I would not do anything for that man.’ I am assuming that he meant the City Administrator. Mayor Lockhart stated that he (Administrator Boden) had been at City Hall all afternoon. He left City Hall at 4:20 and about 4 minutes later, he arrives at Sullivan’s. He is on tape inside the store.

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 8:52 PM.



Constance J Boxleitner
City Clerk

The City Council approved these minutes on March 27, 2017.