

**APPROVED**

**MARENGO CITY COUNCIL  
Regular Meeting Minutes  
City Council Chambers  
132 E. Prairie Street  
Marengo, IL 60152  
September 11, 2017**

**CALL TO ORDER**

Mayor John Koziol called the meeting to order at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

Mayor Koziol spoke about the significance of 9/11 and asked everyone to remember the brave people that died that day as they joined him in pledging allegiance to the flag.

**ROLL CALL**

Present this evening are Mayor John Koziol; Alderman Aldermen Matt Keenum, Mike Miller, Nicole DeBoer (entered the meeting at 7:08 PM), Dennis Hammortree, Brett Martin, Todd Hall and Steve Mortensen. Also present are Assistant City Administrator Joshua Blakemore, Chief of Police Richard Solarz, Public Works Director Howard Moser, City Engineer Tim Hartnett and Finance Director Jennifer Snelten. Also present is David McArdle, appointed as Active City Attorney. Alderman Michael Smith was absent.

**SPECIAL PRESENTATION – Swearing in of new police officer – Tania Hernandez**  
Chief Solarz introduced and swore in the new police officer, Tania Hernandez.

**Mayor Koziol** spoke about a meeting he had last week with the past City Attorney, Carlos Arevalo, where they discussed issues that concerned Mayor Koziol. At that time, he felt that it was necessary to remove Attorney Arevalo as City Attorney, and asked him to resign his position, or be removed from that office. Attorney Arevalo tendered his resignation the following day. Mayor Koziol is replacing him with David McArdle, from the law firm of Zukowski, Rogers, Flood and McArdle, as active City Attorney.

**PUBLIC PARTICIPATION**

None

**APPROVAL OF MINUTES**

Alderman Steve Mortensen made a motion, seconded by Alderman Brett Martin, to approve the minutes from the August 28, Regular Meeting. The aldermen voted as follows:

Ayes: Keenum, Mortensen, Miller, Hall, Hammortree and Martin

Nays: 0

Absent: DeBoer & Smith

The motion passed.

**APPROVAL OF LIST OF BILLS**

Assistant City Administrator Blakemore spoke about the payment request made by Peter Baker & Son, and explained how the total invoice would be split, and which accounts it would come out of. \$18,105.37 is come from the Deerpas Estates Unit 6 LOC, and the balance of \$43,559.53 will be paid out of general fund /streets.

Alderman Steve Mortensen made a motion, seconded by Alderman Mike Miller, to approve the list of bills. The aldermen voted as follows:

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

APPROVED

The motion passed.

**NEW BUSINESS**

**a. Presentation of the annual Marengo cemetery report for Fiscal Year 2016/2017**

Brittney Richardson discussed the report with the City Council. Alderman Keenum asked the board to provide a breakdown of the various expenses that have been lumped together on this report: equipment, repairs & gas at \$8,000 – maintenance & improvements at \$8,000 – utilities at \$2,700 – and miscellaneous at \$1,000.

Alderman Miller suggested that the cemetery board look at various options to cut costs, with one of the options being to contract out the mowing of the cemetery. Ms. Richardson stated that the board had discussed the option on mowing, but had decided that it probably would not save them any money. Alderman Miller suggested they put it out to bid and see what response is received. Alderman Todd Hall questioned if they had looked into putting the documents that they are storing onto the computer. Ms. Richardson said they had looked at doing that, but had not pursued anything at this time.

Alderman Steve Mortensen made a motion, seconded by Alderman Nicole DeBoer, to accept the cemetery report. The aldermen voted as follows:

Ayes: Martin, Hammortree, Hall, Mortensen & DeBoer  
Nays: Keenum & Miller  
Absent: Smith

The motion passed.

**b. Request for Direction and Discussion on an Ordinance Approving and Authorizing the Execution of a TIF Increment Financing District Incremental Revenue Redevelopment Agreement between the City of Marengo and S & V Property LLC in an amount not to exceed the principal sum of \$550,000**

Assistant City Administrator Blakemore updated the Council on what has been occurring on this project. Present was Jennifer Tammen, with Ehlers & Associates, to assist with questions regarding TIF funds use. A draft agreement of the proposed TIF District between the City of Marengo and S & V Property LLC was discussed. The total amount of TIF eligible expenses being pursued is \$550,000. The estimated total cost of the project is \$1,719,000. TIF funds on this project can only be used for items outlined in the TIF agreement. The developer is applying for the funds. Attorney McArdle explained that concerns outlined in his email to the City have been solved, but the request for copies of lease agreements for the property and a LOC on the project still being discussed. Corey Brackmann, on behalf of the developers, clarified that one lease was already in place, and obtaining leases from the other two would not be a problem. Mr. Brackmann asked that wording on Section 1 – item K – be amended to start the “Pay As You Go Note” to commence once one of the entities is up and running. Ms. Tammen will review this request with the assessor and let everyone know their response. The LOC was discussed, and the Council requested that a LOC be provided, applicable to \$350,000 of the TIF loan. Attorney McArdle noted that S & V Property is looking for positive reinforcement from the Council, so they can proceed with a Special Zoning Hearing. The Council agreed that they should proceed with their plans.

**c. Motion to accept and authorize the Mayor to sign an Agreement with Aerator Solutions Regarding a Trial Use of an EcoJet Direct Drive Mixer with an Option to Purchase or Lease at the End of Said Trial Period which option would be exercised by future action by the City Council**

Public Works Director Howard Moser reviewed the agreement with the Council. This device would replace the EcoDome that is currently being used. The EcoJet Mixer would probably be more compatible with the oxidation ditch. The device will not cost the City anything for the 30 days of the trial period. At the end of that 30 day period, if the City chooses to lease it, the cost would be \$2,000 a month. If the City chooses to purchase it, the cost would be \$22,000.

Alderman Nicole DeBoer made a motion, seconded by Alderman Matt Keenum, to accept and authorize the Mayor to sign an agreement with Aerator Solutions regarding a trial use of an EcoJet Direct Drive Mixer, with an option to purchase or lease at the end of said trial period, which option would be exercised by future action by the City Council. The aldermen voted as follows:

Ayes: Hall, DeBoer, Mortensen, Martin, Keenum & Miller

Nays: Hammortree

Absent: Smith

The motion passed.

**d. Motion to waive advertising for bids and to accept a proposal from Layne Christensen, dated August 31, 2017 in the sum of \$32,383, for Well #7 Rehabilitation Project, as an amendment of its current Professional Services Agreement dated November 28, 2016**

Public Works Director Moser explained to the Council the proposal from Layne Christensen for recommended repairs to Well #7. The City currently has a professional services agreement with Layne Christensen for Well Maintenance and Repairs, which provides a 5% discount to the City on all on site labor and a 10% discount on all specialty services.

Alderman Mike Miller made a motion, seconded by Alderman Nicole DeBoer, to waive advertising for bids, and to accept a proposal from Layne Christensen, dated August 31, 2017, in the sum of \$32,383, for Well #7 Rehabilitation Project, as an amendment of its current professional services agreement dated November 28, 2016. The aldermen voted as follows:

Ayes: Miller, Keenum, DeBoer, Hammortree, Martin, Hall and Mortensen

Nays: 0

Absent: Smith

The motion passed.

**MAYOR'S STATEMENTS AND REPORTS**

Mayor Koziol offered an apology to Alderman Mortensen regarding a meeting that Alderman Mortensen had requested, and that due to work and everything else, Mayor Koziol was unable to get back to him in a timely manner. He did remind everyone that he is available to meet with each person, individually, any time. Just reach out to him. He also reminded the Council that Josh is available as well.

**DEPARTMENT HEAD AND STAFF REPORTS**

*Assistant City Administrator Joshua Blakemore* provided updated information on the current problem with 300 West LLC / Arnold Engineering, and the water main installation project. The Attorney General will be in court on Wednesday to address the delay in this project. Information received from the liability insurance broker indicates a possible small increase in the renewal in October. The City has issued a RFQ for engineering firms. He will be meeting with MDC and UniCarriers about possible projects that they are pursuing. He then thanked everyone on the TIF agreement project.

*Finance Director Jennifer Snelten* spoke about open enrollment for all elected officials, during the month of September, for coverage of vision and dental. If anyone is interested, please contact her. She recently

attended a meeting given by the Illinois Department of Commerce and Economic Opportunity Commission, regarding the City's Revolving Loan Fund in the amount of \$320,000.

*Public Works Director Howard Moser* updated the Council with information on the tree planting. The street crew will be working on spot milling on Prairie Street. He also provided information on the culvert project, which is done except for the resurfacing of Prospect Street. There was good news at the WWTP today from Peterson and Matz, who conducted an inspection of both the clarifiers, at no cost to the City. A question was asked about the large quantity of pot holes on the City streets, and the street crew will work on filing those before winter.

*Chief of Police Rich Solarz* advised that Officer Tania Hernandez will be heading Monday to start her training. Office McGinley is job shadowing at this time. The Sheriff's Department agreed to let the City continuing to use the speed trailer for 2 more weeks. The bike auction netted the City about \$580. Radicom has submitted their check in payment of the radios.

*City Engineer Tim Hartnett* had provided a written report, and had nothing further to add.

*Interim City Attorney David McArdle* had no report.

#### **REPORTS AND STATEMENTS FROM CITY COUNCIL**

Alderman Matt Keenum stated: 'I'm going to go with the majority rule. I'm going to work with everybody. I'm not going to try and ram anything through.' Those are all things that you had shared with me for the past several months individually, before Council as a whole, and I'm sure it was with other Council members as well. Yet here we are, being force fed an attorney that the majority of Council doesn't want. An attorney who said he wouldn't accept the position if a majority opposed his appointment. The very same attorney who was asked to vacate this very same position in the past. The majority of this Council wants to move our community forward, not backward. This action, in what I consider to be an abuse of power is a critical misstep and will most certainly widen the divide of this Council. Additionally, it has real potential to cause irreparable harm to our community at this critical juncture."

Mayor Koziol, and other aldermen, voiced their opinions on this and other issues.

Assistant City Administrator Blakemore addressed the Council on comments that were made, and asked Council members to please come in and speak with him about any issues they have with him.

#### **ADJOURNMENT**

Alderman Nicole DeBoer made a motion, seconded by Alderman Matt Keenum, to adjourn. The motion passed with a voice vote. The meeting adjourned at 8:34 PM.

  
\_\_\_\_\_  
Constance J. Borkegner  
City Clerk

The City Council approved these minutes on September 25, 2017.