

APPROVED

**MARENGO CITY COUNCIL
Regular Meeting Minutes
City Council Chambers
132 E. Prairie Street
Marengo, IL 60152
February 26, 2018**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Koziol led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Mayor John Koziol; Aldermen Matt Keenum, Mike Miller, Michael Smith, Nicole DeBoer, Dennis Hammortree, Brett Martin, Todd Hall and Steve Mortensen. Also present are City Administrator Joshua Blakemore, Chief of Police Richard Solarz, Public Works Director Howard Moser, Administrative Assistant Megan Lopez and Acting City Attorney David McArdle. Finance Director Jennifer Snelten and City Engineer Tim Hartnett was absent.

PUBLIC PARTICIPATION

3 residents addressed the Council with concerns about the hiring of an engineering firm to handle the Wastewater Treatment Plant. Two felt the need to hire a firm that would assist the City in recovering money, which could then be used to pay to fix the problem at the plant. One of them also mentioned a problem with a stop sign that had “disappeared” from the Dollar General parking lot, and also requested that the City look into changing or moving the “dead end street” sign on Shady Lane. They continually get traffic down that street that think it is a through-way.

Gertrude Randall read a list of questions to the Council, for the record. “I have a few questions regarding 300 West (LLC and Arnold Engineering). 1) What are the chances of 300 West becoming a Brownfield, and who determines that? 2) If it is designated a Brownfield, would 300 West be allowed to build on that property? 3) How close to that property will new private or public water wells be able to be created? 4) How large a radius around the site would be included in the Brownfield since the residents to the North and West have been so negatively impacted already? Also, we have to keep in mind that the toxic plume is still on the move since nothing has been done to stop it over these many years. 5) Will these questions be answered before 300 West is annexed into the City of Marengo?”

Mayor Koziol clarified that an annexation agreement was signed initially, but annexation would no longer be considered as an option unless the City was guaranteed 100% of the contamination was dealt with.

APPROVAL OF MINUTES – *February 12, 2018 Regular meeting minutes*

Alderman Nicole DeBoer made a motion, seconded by Alderman Mike Miller, to approve the minutes from the February 12th, 2018 meeting. The aldermen voted as follows:

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

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APPROVAL OF LIST OF BILLS

A question was asked regarding an electrical invoice for the WWTP (see page 7), which was then answered by Public Works Director Moser.

Alderman Michael Smith made a motion, seconded by Alderman Todd Hall, to approve the list of bills. The aldermen voted as follows:

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

NEW BUSINESS

- a. *Motion to Consent to the Mayor’s Appointment for the Marengo Cemetery Board – Diane Oranger*

Alderman Steve Mortensen made a motion, seconded by Alderman Dennis Hammortree, to approve the appointment of Diane Oranger to the Marengo Cemetery Board. The aldermen voted as follows:

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

- b. *Discussion and Direction Regarding Firms Submitting Statements of Qualifications for Wastewater Engineering Services*

Mayor Koziol reviewed the information that was in the board packet from various communities that currently have Strand Engineering, McMahon and Associates and Fehr Graham as their engineering firm. There was extensive discussion on the responses that were received, both pros and cons for each of the firms.

Attorney McArdle reviewed the statute information on terms of appointment, advising that the term of their employment does not have to be a designated term. It can be an appointment until such time as the Council is no longer satisfied with the firm. He explained that most appointments are for the Mayor’s term of office, but that can be changed.

Alderman Todd Hall made a motion, seconded by Alderman Nicole DeBoer, to contact Strand Engineering as the first firm to meet with. The aldermen voted as follows:

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

- c. *Discussion and Direction on Revisions to Chapter 35, Solicitors, of the Marengo Municipal Code*

The City had suspended the issuance of solicitor permits following the June 2017 explosion. Mayor Koziol felt it was time for the City to readdress this and possibly allow the permits to be issued. Mayor Koziol also discussed the fee structure for other municipalities, and requested feedback from Council on possibly increasing the fees. After discussion, it was decided that the City would move forward with adjusting the fees, and penalties, and will get back to the Council with their proposals.

- d. *Discussion and Direction on Provisions of a Zoning Text Amendment and an Annexation Agreement Between the City of Marengo and Marengo Solar LLC – Johnson Road Solar Farm Project*

Administrator Blakemore reviewed the amendment with the Council. They will be presenting the amendment to the PZC at the March 19th meeting. There are two key documents that he wanted the Council to be aware of. First is the zoning text amendment. There is a possible issue on whether the zoning should be estate residential or manufacturing/ag transitional zoning district. There was concern expressed regarding screening of the project. The second is the annexation agreement. The developer is requesting two annexation agreements, one for each side of Johnson Road. There are two items of primary concern: a request for a 36 month delay provision and annexation fees versus the WWTP solar project. Information on these was reviewed. There was concern expressed about the “Days and Hours of Operation” being 24/7 starting during the construction phase, and how this will affect the property owners in the area.

e. Fiscal Year 2017/2018 3rd Quarter Budget Report

Administrator Blakemore reviewed the 3rd Quarter Budget Report with the Council. The General Fund shows that 96.97% of the projected annual revenue has been received and 75.47% of the projected annual expenses having been made. The Water-Sewer Fund Revenue showing revenue receipts currently at 76.25%, and expenses at 74.43%.

MAYOR’S STATEMENTS AND REPORTS

Mayor Koziol had no report this evening.

DEPARTMENT HEAD AND STAFF REPORTS

Public Works Director Howard Moser spoke about the water main breaks that happened over the weekend, where repairs involved all the employees as well as reaching out to another town for assistance with a truck problem that occurred. There was a problem with the circulation pump at the WWTP, and have requested quotes for necessary repairs. They have received 2 preliminary quotes for the digester lid. There was a company at the plant today reviewing the gas handling system. The flow meter loaner has been received. In anticipation of the heavy rain recently, the plant put 2 of the SBR’s online, which worked well. The City has taken receipt of 800 tons of rock salt.

Chief of Police Rich Solarz reported that 2 of the squad cars have been in accidents recently. M-9 was dented during an arrest, and M-7 hit a deer today. There is a problem with the floor in the old part of the police department buckling. After testing of one of the tiles, it was determined that the mastic that was used to adhere the tile to the floor is 3% asbestos, and will require special handling. The tiles themselves are not asbestos – just the mastic. Chief Solarz is getting estimates for the removal of the tiles.

City Administrator Joshua Blakemore spoke about budgeting concerns regarding the needed repairs at the WWTP – replacement of the digester lid, etc – and how funds were handled last year. There is the possibility of grant money to use for this project, but that will have to be worked out with the engineering firm. There is also the possibility of using the Revolving Loan Fund, indicating that there is an “urgent need” to replace the lid.

Acting City Attorney David McArdle addressed the question that was asked at the beginning of the meeting regarding the annexation of 300 West LLC/Arnold Engineering. He explained that there was an agreement between the City of Marengo and 300 West LLC/Arnold Engineering, but the City is in a position at this time to say “no we don’t want to annex them” because certain promises in that agreement haven’t been met.

REPORTS AND STATEMENTS FROM CITY COUNCIL

Alderman Keenum spoke to the residents regarding the Council’s preference on a firm to handle the WWTP engineering. He expressed his opinion on the separation of hiring a firm to handle the

engineering of the plant, and the hiring of a firm to explore the opportunity of recouping of fees or any monies. The purpose of the discussion this evening was to hire a firm to handle the engineering.

Alderman Hammortree questioned information provided by Attorney McArdle on discovery of information regarding a firm and whether that information will be of use in the future.

Attorney McArdle clarified that there are two issues regarding the WWTP – the first being the cost of pursuing a claim, and if the engineering firm has an opinion that would support a claim. We do not know that information at this time.

APPROVAL AND RELEASE OF EXECUTIVE SESSION MINUTES

Alderman Michael Smith made a motion, seconded by Alderman Steve Mortensen, to approve the release of Executive Session Minutes dated June 26, 2017, August 14, 2017, October 23, 2017, November 13, 2017 and November 27, 2017. The aldermen voted as follows:

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

Nays: Hammortree

The motion passed.

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 9:04 PM.



Constance J. Bohlertner
City Clerk

The City Council approved these minutes on March 12, 2018.