

STATE OF ILLINOIS)
COUNTY OF CARROLL)SS.
CITY OF LANARK)

February 19, 2008

Lanark City Council met in regular session at City Hall. Alderman Ken Weaver, Alderman John Huggins, Alderman Jeri Beverley and Mayor Kevin Barnes were present. Alderman Ron Strohecker and Alderman Mark Macomber were absent.

Also present were Ed Mitchell, Les Guenzler, Marty Beranek, Lawrence Derrer, Boyce Humphreys, Kevin Kniss, Denny Pate, Kara Brinkmeier, Jeff Lessman and Patty Lessman.

When asked if we had a quorum, Mitchell reported we do with all present.

Mayor Barnes called the meeting to order at 7:31 PM.

Mayor Barnes announced Lawrence Derrer would like to serve as Alderman Ward I. **Motion** made by Alderman Beverley, seconded by Alderman Weaver to appoint Lawrence Derrer as Alderman of Ward I. All ayes. Motion carried. City Attorney, Ed Mitchell administered the oath of office and Derrer took his seat at the Council table.

Motion made by Alderman Weaver, seconded by Alderman Huggins to accept the minutes of the February 5th meeting as presented. All ayes. Motion carried.

Motion made by Alderman Beverley, seconded by Alderman Weaver to accept and pay the bills from February 5th to present. All ayes. Motion carried.

Motion made by Alderman Weaver, seconded by Alderman Huggins to accept the Treasurer's Report for January. All ayes. Motion carried.

Boyce Humphreys was present to discuss neighbor's wood burner. Humphreys passed around picture for review. Humphreys explained the lots on West Dame are short – not deep. The lots on Broad are quite deep. Neighbor has wood burning heater. Humphreys was not sure if there is an ordinance to control these. If not, he would like the Council to consider one. This is going into the second year and does not want to see another one go in without regulations. Humphreys explained his purpose tonight is not to get rid of this one but to regulate it better. The chimney is ten feet and smoke goes down to the ground. Humphreys asked neighbor to extend the chimney but he has not done so. Humphreys feels his house is as tight as the average home but smoke still comes into his house. The burner runs 24/7. Humphreys would like the Council to consider regulations for these burners. Humphreys reported he has samples of resolution. When asked if we had an ordinance in place, Mitchell was not sure. Alderman Beverley reported there is but it does not specify pipe length. Mainly addresses pollution – primarily smoke – nuisance of smelling. Alderman Huggins volunteered to look into this due to being the Ordinance Chair. Humphreys thanked the Council.

Marty Beranek of MSA Professional Services submitted a project update (copy on file) and reviewed. Phase 2 Site Assessment – Beranek announced the State Fire Marshall permit has been received. Currently concerned about the weather – frost depth. Beranek announced the UST (Underground Storage Tank) will be pulled as soon as possible. MSA has not heard from Todd Gross to confirm whether more samples will be required. The next quarterly report is due. MSA

will prepare this report for the City's execution. Beranek briefly reviewed the Sanitary Sewer System Flow Monitoring smoke test report findings. MSA has not been able to move forward with fieldwork for the Southside Utilities Extensions due to the significant snow depth. Fieldwork will move forward as soon as practicable.

Jeff Lessman was present to inquire about the status of the water and sewer for his property on Route 64 (Eastland Motor Sports). He is looking for a time frame – cannot let go until June or July. Alderman Huggins inquired if Mitchell had anything more. Mitchell did not. Alderman Huggins reported the original plan was to run through Peugh's property. Now looking at possibly going across to Prowant's and up from there. Alderman Huggins asked Beranek for idea of time. Beranek announced after field work and paper work is done, it could be 2-3 months. It could take 45 – 90 days for the State to review permit application. The control work is done. Alderman Huggins reported we could put in a temporary holding tank for sewer. Beranek explained we could speed this up once the permit is in hand if Council waives the bidding process – could save one month. Lessman reported he has a fair amount of work done by his engineer. Beranek announced if he sends to him he could review – might be helpful. Lessman announced he needs water and sewer SOON.

Denny Pate of Moring Disposal presented draft of contract for approval. Pate reported if we go to one bulk clean up, could save \$.32 of the \$1.50. The Clerk questioned the last paragraph on the first page regarding two containers but had 3 in parentheses – which is correct. Pate announced three is correct. After more review, Alderman Huggins asked Pate to send a cleaned up version to Mitchell for review. It was agreed Pate would email to the Clerk and the Clerk would take to Mitchell.

Annexation – Mitchell passed out copies of annexation petition and gave original to the Clerk. **Motion** made by Alderman Weaver, seconded by Alderman Huggins to approve Ordinance #832 regarding annexation of real estate. Roll call: Alderman Weaver-aye, Alderman Huggins-aye, Alderman Beverley-aye and Alderman Derrer-aye. Motion carried.

Kevin Kniss was present to discuss same situation as Humphreys – wood burner. Kniss announced Bill VanMatre put in a wood burner. Kniss has had smoke in house for several days. Kniss reported he called Alderman Beverley. She looked at the situation. Kniss also talked to VanMatre. VanMatre told Kniss it was smoking due to using green wood. VanMatre told Kniss he would fix next year. Kniss talked to contractor. Even with his new siding and windows, there is nothing he can do to keep smoke from getting into house. Kniss feels we have regulations for leaf burning, we should have regulations for wood burners also. Kniss reported VanMatre stacks wood in alley (permission was given by Brian Ferry). This closes up the alley, which makes it hard to get into drive. Kniss thinks a higher chimney would solve the smoke. It currently just hangs. Alderman Beverley reported the ordinance addresses screen not chimney. All seemed to agree can do something about chimney. The Clerk questioned if they should have had a building permit for these burners. Some agreed. This is a supplemental heat source not fully heated by this. Alderman Beverley announced there are several ordinances in Code Book in regard to smoke for a temporary fix. There are currently four burners in town that we are aware of. Alderman Huggins feels we need to do something now not wait three weeks. Alderman Huggins suggested having Chief restrain until next meeting and have ordinance ready. **Motion** made by Alderman Huggins, to have Chief shut down burner until the next meeting. Alderman Beverley asked for clarification – only these two. Humphreys announced he was OK as is for now. Alderman Beverley seconded the motion. All ayes. Motion carried.

Ed Mitchell requested executive session to discuss pending litigation. Mayor Barnes received permit request from Nicor wanting to put in vault on Cyclone Ridge Road. Mayor questioned if it was city or county. Mitchell will look over.

No building permits were submitted.

Committees

Water & Sewer – Alderman Huggins did not have anything additional to report.

Streets & Property – no report. The Clerk announced she has had several complaints about the City streets since Sunday. Others agreed. Guenzler explained with the ice, there isn't much that can be done. Discussion led to the upcoming race on Saturday. Alderman Beverley did not feel we could allow the race with the streets in this condition. Others agreed. It was suggested to let run on Broad Street. After more discussion on what could be done to improve the condition of the streets, all seemed to agree to have the race postponed. Mayor Barnes will call Lee.

Purchasing and Finance – no report.

Personnel – Alderman Weaver announce he pushed meeting with Guenzler back to February 26th at 3:00 PM. Alderman Weaver reported had meeting on 12th. They considered a new Impala cruiser and looked over the sweeper. They seemed to agree to just repair the old for \$40,000 and get new leaf vac and box.

Police – no report.

Economic Development – Alderman Huggins announced Economic Development annual meeting on February 23rd at 6:00 PM at Lake Carroll.

Ordinance – no report.

Les Guenzler, Maintenance Supervisor submitted written report (copy on file). Mayor Barnes announced Woodleys left message they have had water in basement since the water main break at Jeff Miller's. They are cleaning up and want to know who to send bill to. When suggested they turn claim into their homeowners insurance, Alderman Beverley reported homeowners probably will not pay. It was agreed the Clerk and Mitchell would work together on this.

Alderman Weaver, Alderman Huggins and Alderman Beverley did not have any additional business.

Alderman Derrer received complaint before sitting here regarding snowmobile routes. He told her to take it to the Police. Alderman Derrer announced he agreed with the complaints on smoking issue. He would not want to live next to one.

The Clerk announced the office would be closed Thursday due to attending a funeral.

Mayor Barnes announced the Library is requesting written agreement to use this building for twenty years. No one seemed to object to this. Mayor received contract from LCV for current fiscal year audit at a cost of \$8,850. Cost was about \$8,000 last year. **Motion** made by Alderman Beverley, seconded by Alderman Huggins to accept contract from LCV for fiscal year audit. All ayes. Motion carried. Mayor Barnes announced request from Tree Board to go to Annual Awards Conference in

Springfield. Cost is \$55 plus mileage and hotel \$70. All agreed to send Tree Board Chair and cover expenses. It was also agreed to charge this to the Community Betterment line item.

Motion made by Alderman Weaver, seconded by Alderman Huggins to enter executive session to discuss pending litigation. All ayes. Motion carried.

Entered executive session at 8:56 PM.

Motion made by Alderman Huggins, seconded by Alderman Weaver to exit executive session.

Exited executive session at 9:15 PM.

Alderman Huggins announced Water & Sewer Committee meeting on February 26th at 3:30 PM. Huggins will contact MSA.

Motion made by Alderman Huggins, seconded by Alderman Beverley to adjourn. All ayes. Motion carried.

Meeting adjourned at 9:17 PM.

*Respectfully submitted,
Jackie Hawbecker, City Clerk*