

June 16, 2009

Lanark City Council met in regular session at City Hall. Alderman Anne Lindsay, Alderman Ed Fehlhafer, Alderman Ron Strohecker, Alderman Mark Macomber, Alderman Tom Kocal and Mayor Ed Stern were present. Alderman Ken Weaver was absent.

Also present were Ed Mitchell, Karen Sloan, Les Guenzler, Chief Magill, Debra Fahey, Steve Kruzek, Carol Kruzek, Ron Gronewold and Sue Poffenberger.

Mayor Stern called the meeting to order at 7:34 PM. After roll call, Mayor Stern led the Pledge of Allegiance.

Mayor Stern announced a correction to the June 2, 2009 minutes: \$14,450 is the total after 15% discount for bonding. **Motion** made by Alderman Macomber, seconded by Alderman Kocal to accept the minutes of the June 2nd meeting with change. All ayes. Motion carried.

The Treasurer reported two line items which are over budget and asked how the Council wanted to handle this. Over budget line items are Brownfield Expense and Bonding City Officials-sewer. Council discussed how to handle this. **Motion** made by Alderman Macomber, seconded by Alderman Fehlhafer to use remaining balance in Bonding City Officials-water, move the remaining balance to Miscellaneous Expense-sewer and to move the Brownfield Expenses to Contingency. **Motion** made by Alderman Macomber, seconded by Alderman Kocal to accept and pay the bills from June 2nd to present with two changes. All ayes. Motion carried.

Motion made by Alderman Strohecker, seconded by Alderman Macomber to accept the Treasurer's Reports for the month of May as submitted. All ayes. Motion carried.

Marty Beranek of MSA Professional Services submitted a project update (copy on file) and reviewed. **Southside Utilities Extension** – Beranek reported the turf restoration is acceptable and recommended releasing balance of the contract retainage of \$1,000 to Skoog. **Motion** made by Alderman Macomber, seconded by Alderman Strohecker to pay Skoog remaining \$1,000. All ayes. Motion carried. MSA has prepared Notice of Award for the construction to Loberg Excavating of Pear City. Beranek discussed Loberg's bid – put in negative figures. Beranek recommended accepting basic bid amount and then Alternate. **Motion** made by Alderman Strohecker, seconded by Alderman Kocal to rescind motion at last meeting to award Loberg base bid of \$152,346.70 with Alternate 2. All ayes. Motion carried. Alderman Macomber inquired who would pay for this change. MSA's bill as well as Mitchell's will be extra expense. Council discussed this and the best way to proceed with bid. **Motion** made by Alderman Lindsay, seconded by Alderman Macomber to award Loberg base bid contract execution of change order with Alternate 2. Roll call: Alderman Lindsay-aye, Alderman Macomber-aye, Alderman Kocal-aye, Alderman Strohecker-aye and Alderman Fehlhafer-aye. Motion carried. Mitchell and Beranek discussed their time and felt not worth billing. Alderman Strohecker insisted on a bill from Mitchell for his time. **Phase 2** – MSA has heard nothing from EPA as yet. Mayor signed base bid award notice.

Les Guenzler, Maintenance Supervisor submitted written report. Alderman Strohecker discussed cold patch and catch basins. Alderman Fehlhafer inquired about sand filters. Guenzler reported he wants to check with Quality in the Quad Cities yet. Guenzler has contacted EPA to see what

can be done with sand once removed. All seemed to agree we need to keep moving forward with this project.

Chief Matt Magill reported the new squad should be here mid-August. Lanark Fire Chief is interested in our squad.

Public hearing for water bills – Mr. & Mrs. Kruzek were present announcing they have paid their bill on-line and have receipt showing payment. The Clerk explained they had talked previously and thought all was in order. It was misunderstood that Clerk was to call the Kruzeks back. Debbie Fahey was present to ask Council to allow her to make weekly payments of \$25 plus the \$60 due each month. Council discussed when due and what happens if payment is missed. **Motion** made by Alderman Lindsay, seconded by Alderman Fehlhafer to agree to pay monthly water bill plus \$25 per week additional, if falters on either, shut off. All ayes. Motion carried. Alderman Strohecker read from previous minutes, “end of two quarters, shut water off and put lien on property”. Some felt need to establish new policy. Mitchell discussed bankruptcy. We have had two file recently. Ron Gronewold feels what is done here tonight is important but key is presedence. Gronewold announced he is working with people in the township helping them to pay bills. Gronewold needs to know where the City stands in order to work together helping residents.

Finalizing of bonding – Ron Gronewold presented bonds and announced all is final. Discussion continued on water & sewer delinquent bills. Mayor Stern explained to Gronewold about appropriations and being over budget – due to three way split: General, Water and Sewer funds.

Prevailing wage ordinance – Mitchell presented draft of prevailing wage ordinance for Council approval. **Motion** made by Alderman Macomber, seconded by Alderman Strohecker to approve Ordinance #846, prevailing wages. Roll call: Alderman Macomber-aye, Alderman Strohecker-aye, Alderman Fehlhafer-aye, Alderman Lindsay-aye and Alderman Kocal-nay. Motion carried.

Consider two free internet connections – Mayor Stern announced he has been working on getting Internet connected to the Heritage Center for Lions Club and Library. John Huggins has worked on this in the past. The Lions approached Frontier which was found to be pretty pricey for monthly and installment fees. Mayor Stern explained the night he was sworn in, Alderman Beverley suggested using one of the free Internet connections and have the Lions approach the Heritage Center Board. Nothing has been done. Mayor Stern talked with June Kingery and she is okay with using the free connection. Mayor Stern reported Aero is also okay with this but there is a one time fee of \$60 for wireless router and firewall. Mayor approached the Lions and they are willing to pay this fee. Mayor Stern explained he is now asking the Council for approval to put free Internet service to the Heritage Center and one into maintenance office. Discussed where services should go. **Motion** made by Alderman Macomber, seconded by Alderman Lindsay to approve Heritage Center for free Internet connection. All ayes. Motion carried.

Rate reduction requests – Mayor has received several and asked someone to read these requests. Alderman Macomber volunteered.

1. 317 S. High – owners Rick & Connie Eisenbise are doing renovations and request reduction. Closing is June 19th. **Motion** made by Alderman Lindsay, seconded by Alderman Macomber to reduce rate to \$30 per month for three months. All ayes. Motion carried.
2. 112 A&B W. Locust – owner Bud Mariano is requesting reduction due to remodeling. **Motion** made by Alderman Macomber, seconded by Alderman

Kocal to reduce rate to \$30 per month for three months. All ayes. Motion carried. **Motion** made by Alderman Fehlhafer to go through water and sewer ordinance and decide what to do from here. During more discussion, it was agreed to send this issue back to Ordinance Committee and have them bring recommendation. Motion died due to lack of second.

3. 204 W. Franklin – owner Paul Judd is requesting reduction due to home is for sale and vacant. **Motion** made by Alderman Macomber, seconded by Alderman Lindsay to reduce rate to water only for three months. All ayes. Motion carried.

Three building permits were presented.

1. Jeff Miller is requesting permit to concrete his driveway. Miller is concerned with water line on easement. **Motion** made by Alderman Macomber, seconded by Alderman Strohecker to approve Miller's permit. All ayes. Motion carried.
2. Monica and Travis Burkholder are requesting permit to replace driveway and sidewalk. **Motion** made by Alderman Fehlhafer, seconded by Alderman Lindsay to accept Burkholder's permit. All eyes. Motion carried.
3. Steve Hollewell is requesting permit to replace his concrete driveway. **Motion** made by Alderman Strohecker, seconded by Alderman Lindsay to accept Hollewell's permit. All eyes. Motion carried.

The Clerk was instructed to check if a permit was issued to 639 E. Locust – Lisa Green or Landherr.

General audience – Sue Poffenberger was present to discuss her request a few months back of putting in dirt on her property to level her yard. At that time, there was no permit required. No ordinance as long as not higher than neighbor. Mitchell announced Mayor Stern received a letter from Mason's attorney. Mitchell contacted attorney by phone and gave update of their conversation. Several suggestions were made. Also discussed fence. Fence is on property line. It was suggested to have the City survey these properties and sue the person responsible for the survey costs. Mitchell suggested getting a copy of the survey. Cannot go on neighbor's property to repair garage. After more discussion, Alderman Strohecker asked Mitchell to call attorney to see what it will take to make this go away. Strohecker insisted on having this in writing. Mitchell announced Mason's attorney has never been to her property.

Committees

Purchasing and Finance – Alderman Macomber did not have anything to report. Mayor Stern reminded everyone of the change in the requiring of two signatures and inquired who would discuss this with the bank. Alderman Macomber instructed the Clerk to take copy of the minutes to the bank.

Water & Sewer – Alderman Strohecker announced Guenzler is to look through report from MSA to see what maintenance can do. Alderman Macomber asked for a time frame. Alderman Strohecker feels we can reduce the total cost of Well #4 by doing some of our own work and contracting other resources.

Economic Development – no report. When asked about Comprehensive Plan, Alderman Strohecker announced he wants to check into this with John Huggins.

Ordinance – no report.

Street and Property – Alderman Strohecker reported he went through the asphalt map and ready to start if going to hire employee. Discussed property on East Locust. Alderman Fehlhafer took pictures as well as the Police Department. Chief Magill spoke with both parties about Council's decision. Property inside garage belongs to third party. Dispute of who is responsible. The Cemetery Board is very receptive with improvements made at entrance. Progress is key and will continue to monitor. Discussed other properties within city limits: T & R Transmissions – cars sitting for over one year, property across from grade school – will revisit in two weeks. When asked about property at entrance to city sewer plant, Chief Magill explained no problem as the pins were located and City is within their rights. In Norm Brinkmeier's last report for the cemetery, he stated Potter's Field has lost track of who's buried there. Brinkmeier has looked at company to look at Potter's Field – cost is \$5,000 to \$6,000 per day. Brinkmeier wants to get all records on the computer. Mayor passed information on to Alderman Strohecker. Mayor received letter from IDOT for Highway 73 maintenance. The City entered into agreement through 2013. Alderman Strohecker announced we do not want to do. City maintains highway through city limits. Alderman Strohecker checked on repair of curb, gutters, etc. and was told City is paid for that. Guenzler announced we maintain parking portion. This includes catch basins. Mayor Stern was unaware of this agreement. Chief Magill announced Mt. Carroll does not have this agreement. Discussed what all is involved in maintenance. Alderman Strohecker suggested he talk to IDOT to see if still the same, if it is, then have Mitchell send letter to dissolve the agreement. Mayor Stern reported he has been talking with Prestons about deck. Mayor is concerned with liability. The reason for flooding was due to neighbor having bunch of trash out which routed all the water to Preston's. Mayor Stern reported there are no forms to fill out. The Clerk explained how claims are filed – Clerk files on-line. Discussion continued on drainage at Preston's. Alderman Strohecker suggested a double catch basin due to lots of water in that area. Several felt this is an act of god – heavy rain – not City negligence. Mayor Stern pointed out a conflict in the City Code Book 10-13-2A talks about both labor included and not included. All seemed to agree to change.

Police – Alderman Lindsay reported they interviewed Chuck Strohecker to do sidewalks and catch basins. Strohecker is willing to do for \$12 per hour. Alderman Lindsay questioned driver's license. Chief Magill has checked into and gave update. There are avenues we can take. Strohecker could potentially get license. Seasonal work – work until seasons change or sidewalks are done. **Motion** made Alderman Lindsay, seconded by Alderman Kocal to hire Chuck Strohecker to do sidewalks and catch basins at \$12 per hour. Council discussed who will work with who and do what. Also discussed getting caught up on work not completed in past. Discussion also went to hiring Chuck full-time. After a lengthy discussion, Alderman Kocal called question. Mayor Stern called for roll call vote: Alderman Lindsay-aye, Alderman Kocal-aye, Alderman Macomber-aye, Alderman Strohecker-abstain and Alderman Fehlhafer-aye. Motion carried. Alderman Strohecker will make list of projects for Strohecker and Johnson. Alderman Lindsay will meet with Guenzler to discuss job description. All seemed to agree to have Strohecker start June 22, 2009.

Personnel – no report. Mayor Stern wrote letter to Matt Haverland informing him he can take gap insurance on his own. The \$25 per week will not be taken out until after thirty days. June 24th at 3:00 PM Rhett Coatney will meet with full-time City employees to review health insurance. When asked if meeting needed to be posted, Mitchell announced it did not. Mendy Walrath has resigned from the Heritage Center Board effective immediately. Mayor will look for replacement. Mayor reminded everyone to be thinking about Library Board appointment.

Planning – Mayor Stern announced he was very impressed with tonight's meeting. All seemed to agree it was a good meeting earlier tonight. Hopefully City will be ready to take action on

space for city hall and library. Mayor Stern received note of thanks from Denny Johnson for plant and bereavement leave. Mayor Stern feels we need to look at the policy as it reads “at Council's discretion”.

Ed Mitchell requested executive session. Mitchell announced Mayor Stern requested to wait on the 105% resolution.

Open Meetings Act – Mitchell discussed what a meeting is and must be posted forty-eight hours prior to meeting. Mitchell discussed quorum and discussing city business in public. Mayor Stern announced he wants four aldermen present for quorum, if not just go through the bills, etc. and close meeting.

Alderman Lindsay did not have any additional business.

Alderman Fehlhafer inquired if Guenzler had list from Tree Board of what work is to be done. Guenzler announced he has list day before for last work. Alderman Fehlhafer is concerned with trees and limbs which need to be looked at in his Ward. ComEd is currently in town trimming.

Alderman Strohecker inquired where are our easements. The clerk announced we have a file of easements in the filing cabinet.

Alderman Macomber did not have any additional business this evening. Mayor Stern received a letter from Mr. Ritchie for IDOT. Discussed where the “key to the city” plaques should be displayed – here or school. After a brief discussion, it was agreed to leave displayed at school.

Alderman Kocal did not have any additional business.

The Clerk announced we have a new business in town and questioned if the Council will be giving one year's free service for the business. She explained how it has been done in the past. She did point out that the last new business in town, received free service for a year and to this day they have not opened. She questioned if Council would ask the business owner to pay back. The Clerk suggested in the future, to be sure the business is open **before** granting free service. **Motion** made by Alderman Strohecker, seconded by Alderman Macomber to give equivalent of one year free service to new business. All ayes. Motion carried. The Clerk reported police vests were purchased May 2003 for \$2091.11. All seemed surprised that it has been that long ago, it seemed more recent.

Mayor Stern inquired if he can email information to aldermen without violating the Open Meetings Act. Mitchell is okay with information as long as not going back and forth.

Motion made by Alderman Macomber, seconded by Alderman Lindsay to enter into executive session to discuss pending litigation. All ayes. Motion carried. Entered executive session at 10:48 PM.

Motion made by Alderman Kocal, seconded by Alderman Fehlhafer to exit executive session. All ayes. Motion carried. Exited executive session at 11:04 PM with no action taken.

Mayor Stern announced he will not be here for the July 21st meeting due to vacation plans. Mayor Stern asked everyone to be thinking about mayor pro tem and he will appoint at next meeting. Mayor Stern reported when Barnes was mayor he appointed a mayor pro tem. Mitchell explained the Council appointed.

Motion made by Alderman Macomber, seconded by Alderman Lindsay to adjourn.

Meeting adjourned at 11:05 PM.

*Respectfully submitted,
Jackie Hawbecker, City Clerk*