

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

April 1, 2008

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

Also present were Ed Mitchell, Les Guenzler, Chief Page, Nick Wagner, Lynn Landherr, Randy Beverley, John Mueller, Justin Rausch, Andrea McElroy, Allan Brunner, Ed Fehlhafer, Kevin Kniss and Bill VanMatre.

Mayor Barnes called the meeting to order at 7:30 PM.

Motion made by Alderman Beverley, seconded by Alderman Macomber to accept the minutes of the March 4th Council meeting, committee meeting and executive session as presented. All ayes. Motion carried.

Motion made by Alderman Macomber, seconded by Alderman Huggins to accept and pay the bills from March 4th to present. All ayes. Motion carried.

Nick Wagner of MSA Professional Services submitted a project update (copy on file). Wagner reported the Underground Storage Tank (UST) was removed today. The tank did leak. Samples of the soil underneath the tank were taken and will be sent in. City's Mt. Dept. helped in the excavation of the UST. Southside Utilities – will need a couple of utility easements. Lessman has already agreed. When asked about finding anything, Mitchell reported he was unable to find anything. The school was built in 1950's. There was probably an easement for water and sewer; however it probably was not filed. Wagner announced MSA has permits filled out and ready to go. If approved tonight, MSA will submit. Once the permit is received, can start immediately with projects. If waive bidding, can save about a month. Alderman Beverley inquired about how long for sewer. Alderman Huggins explained this is water only. Peugh is very concerned about liability. Alderman Huggins is still in contact with Peughs. Alderman Huggins reported we may have to jog along Route 64 to the barn and cut across. Alderman Beverley questioned why we should put this off. She feels, whether Peughs agree or not, we need to get going. When discussion went to the south end of the Peugh property, Alderman Beverley questioned if there was a way to buy the property. Mitchell thinks Peugh does not want on his property. Alderman Huggins reported he will contact Peughs one more time; if not interested Mitchell can go ahead with easements with Prowant and Rolling Hills. **Motion** made by Alderman Huggins, seconded by Alderman Macomber to sign and submit permits to EPA and IDOT. Roll call: Alderman Huggins-aye, Alderman Macomber-aye, Alderman Beverley-aye and Alderman Weaver-aye. Motion carried. Alderman Derrer took his seat at 7:48 PM. The Council discussed waiving bids. Alderman Huggins suggested tabling until the next meeting.

Lanark Community Club – John Mueller, Randy Beverley and Lynn Landherr were present to ask the Council for liquor license for Old Settler's Days (OSD) on June 27, 28 and 29. **Motion** made by alderman Weaver, seconded by Alderman Huggins to approve liquor license for Lanark Community Club's OSD and waive fee. All ayes. Motion carried. Mueller announced the Club has formed a new committee. A survey was put out and received many new ideas. Alderman Huggins announced once the schedule of events is done, he will post them on the website. Mueller asked if the City would be willing to make a donation again this year. City donated \$3,500 last year. **Motion** made by Alderman Weaver, seconded by Alderman Derrer to donate \$3,500 to the LCC. All ayes. Motion carried.

Ordinance for wood burners – Alderman Huggins presented a draft of ordinance regarding outdoor wood burners. Alderman Huggins briefly reviewed. Alderman Beverley questioned the height of the chimney – if put at window height, then we are right back where we started. Alderman Beverley announced she found on the Internet height should be two feet about roof top. Alderman Beverley reported these wood burners require building permits and we should include them in the permit requirements. Others disagreed. The Clerk reported seldom does anyone get permits anyway. Mitchell agreed. When discussing permits, the Clerk reported there are several of these wood burners in town, no permits were issued for any of them and no fines have been issued. Alderman Huggins questioned who the zoning officer is. Alderman Beverley announced the City Council is. Alderman Beverley feels this is all the more reason to spell out in building requirements – clearly defined – if gray, we will still have problems. Justin Rausch, wood burner owner announced a lot of the concerns are how much smoke is healthy. Rausch talked with manufacturer and the older ones put out more smoke and the newer ones put out less. Rausch reported he has a list of EPA contacts to call if Council wants them. Height of chimney, setbacks, etc. are still up to the City. Bill VanMatre asked about a grandfather clause. Alderman Huggins explained the ordinance goes into affect ten days after approval. Discussion went to other town's requirements. Wisconsin requires wood burners to be five hundred feet away from buildings. The issue is, regardless of health issues or not, residents do not want smell in their homes or on their clothes. Alderman Beverley reported we have to be fair to the majority of the residents not just four or five. Discussion went back to permits again. We are trying to make neighbors of the wood burner owners happy. Alderman Beverley reported she has researched these burners extensively. She does not feel these burners are designed for areas where houses are so close together. Alderman Beverley is concerned with fire and domino affect. Beverley questioned who is responsible for inspection if this catches on? Alderman Huggins inquired about inside fireplaces. Alderman Macomber feels that would be homeowner's insurance issue. Alderman Beverley suggested amending ordinance to require EPA tag. VanMatre did not feel two feet about rooftop was unreasonable. In fact his manufacturer recommended it. Kevin Kniss questioned VanMatre regarding the two feet about his roof top. Kniss feels VanMatre's is one of the tallest homes in town. Alderman Beverley reported she has walked in her neighborhood any time of day and there is a lot of smoke. Alderman Derrer inquired if the ordinance passes tonight, do these owners have to comply. Alderman Beverley announced only the chimney. They are already installed so the setbacks would be grandfathered in. When asked about this being seasonal, Rausch reported his only runs through the winter. Alderman Beverley recommended two feet about house peak and dates – not less than thirty feet minimum. Dates were discussed and seemed to agree on 4/15 to 10/15 no use allowed. When Alderman Huggins inquired about permits for those already installed, all seemed to agree to do nothing.

Building permits – David Blevins requested an extension on his permit due to a harsh winter which came early and is lasting too long. Blevins feels he could finish work in six months. **Motion** made by Alderman Weaver, seconded by Alderman Beverley to approve permit extension. All ayes. Motion carried.

Ed Fehlhafer presented pictures to the Council and reviewed. Pictures showed drainage problem with runoff from alley, pooling into yard and seeping into basement. This problem is caused by years and years of maintenance of the alley. The center is now much higher causing drainage to flow into yard. After some discussion, it was agreed the City would look into this problem.

Committees

Water & Sewer – no report.

Street and Property – no report

Purchasing and Finance – Alderman Macomber set meeting to start on appropriations for 6:30 prior to the next Council meeting on April 15th. Guenzler took the sweeper out to Eastland Fabrications – will have costs by 15th.

Personnel – no report.

Police – no report.

Economic Development – no report.

Streets & Property – no report.

Ordinance – no report.

Ed Mitchell, City Attorney requested executive session to discuss pending litigation.

Les Guenzler, Maintenance Supervisor submitted written report. Guenzler announced Tigges agreed to mow this year. Guenzler recommended giving Tigges a key so he can mow when his schedule allows. All seemed to agree with this. Guenzler was instructed to look into issue with Heath Burkholder's yard. Guenzler reported they have started sweeping chips from parkways. Due to the harsh winter, there are a lot of chips out there. Guenzler asked if the Council would consider hiring additional help with this project. Jerry Blair has agreed to help for \$50 per hour. When asked how long, Guenzler was not sure. After a brief discussion, all seemed to agree not to go over \$1,000 (20 hours) and see where we are. Guenzler reported we have to have the water tower cleaned and inspected at ten years. Ten year mark is 2009. Guenzler has quote from Watertower Paint & Repair for \$6,650. When asked how long the tower would be drained, Guenzler reported only one day. Alderman Macomber inquired if we do this in 2008, will that qualify for next year's inspection. Guenzler thought so but he would check with Brett Hanson of EPA. **Motion** made by Alderman Beverley, seconded by Alderman Macomber to approve bid for \$6,650. All ayes. Motion carried. Guenzler inquired about time frame. All seemed to agree to do this year.

Chief Page submitted written report. Alderman Beverley announced Chief Page went above and beyond with the school issue. Chief was on his way out of town to a meeting and returned to take care of school issue. Chief Page reported he received email regarding shrub issue. After looking through ordinances, Chief announced they are a little shaky. Tree Board is probably responsible. Chief read ordinance 6-5-12 from city code book. Alderman Huggins would like to get an electronic copy so that we can research better. Mitchell thinks it costs \$5 per page to codify but has no idea what this would cost. Alderman Huggins was not sure either but felt it was worth checking into. Chief did not feel the ordinance had much teeth. Chief suggested he go over and talk to the guy like he did last year. Owner was agreeable last year. All seemed to agree to have Chief talk to homeowner. Alderman Beverley suggested Alderman Macomber as Tree Board liaison go to Tree Board. Chief Page offered to be appointed as zoning officer as he is already doing the job. Alderman Beverley feels Chief is enforcing the zoning not fielding the questions. Mayor Barnes appointed Chief Page as zoning officer – Council approved. Chief Page reported he looked at the house across from Shell as instructed recently. This issue caused discussion on how to deal with "junk" setting out at curb.

Alderman Weaver, Alderman Derrer and Alderman Macomber did not have any additional business.

Alderman Huggins reported he went to meeting which had a discussion on run down homes in County. There is no inspector. If towns had building codes, then would not require a County Inspector. Alderman Huggins reported we were approved for the Safe Route to Schools (SRTS) grant and briefly explained what was included in grant.

Alderman Beverley announced several Council members visited the new City Hall building and picked out dark brown for the roof. They also talked about space planning issues for City Hall. Alderman Beverley asked the Clerk to be thinking of ideas of what she would need for Clerk's office. Alderman Beverley also asked the Council members to be thinking of their needs as well. Several agreed to basically gut it and start from scratch. When asked about the lots and fences on each side of building, Guenzler reported both belong to the City. Alderman Weaver suggested having a meeting to discuss. All were in agreement to give fair warning to the Friends of the Library to remove their books. It was also suggested to contact community clubs for volunteer work for demolition and renovations. Alderman Beverley suggested setting up a committee to work on this project; hopefully save on design costs. It was agreed to have a Planning Committee meeting on Wednesday, April 9th at 2:00 PM.

The Clerk announced one of the owners of T & R Transmissions is applying for dealer license. He has bought and sold several cars over the internet and newspapers over the past year. He says he will not have a car lot – pretty much the same as in the past – buy one or two, fix up and sell. He does not plan to have a bunch sitting around. No one seemed to object. The Clerk announced dates available for Spring clean up with Moring Disposal – April 19th, May 3rd and May 10th. After a short discussion, it was agreed on May 10th. The Clerk reported Brad Ellinor came in office to discuss problem with his water line freezing for up to six weeks in the winter. This began when the township put in their driveway. Ellinor claims his line runs under the driveway. The gravel allows the line to freeze. It does not insulate as well as when it was buried with dirt. Ellinor is looking for a month's credit due to no water for up to six weeks. Because of this problem, Ellinor also wants to reconnect into the main and run a line straight out to the road. The Clerk questioned if there would be a hook up fee as he will be tapping into the main when relocating his line. Ellinor informed the Clerk he had paid a hook up fee to Clyde Kent. After some discussion, it was agreed not to charge a hook up fee and no credit given.

Mayor Barnes announced he received an email from Janie Dollinger about a lady dire for work. Dollinger briefly shared there is a program for fifteen to twenty hours per week for person to work for City. Details were very sketchy. Alderman Beverley volunteered to contact Dollinger for more information. If there is little or no cost to the City, it is worth checking into. Mayor Barnes inquired if everyone received a copy of Vision for Future update from Library. All received a copy.

Motion made by Alderman Huggins, seconded by Alderman Beverley to enter executive session to discuss pending litigation. All ayes. Motion carried. Entered executive session at 9:45 PM.

Motion made by Alderman Weaver, seconded by Alderman Macomber to exit executive session. All ayes. Motion carried. Exited executive session at 9:58 PM with no action taken.

Motion made by Alderman Huggins, seconded by Alderman Weaver to adjourn. Meeting adjourned at 9:58 PM.

*Respectfully submitted,
Jackie Hawbecker, City Clerk*