

July 15, 2008

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

Also present were Ed Mitchell, Les Guenzler, Chief Page, Marty Beranek, Ed Fehlhafer, Justin Rausch, Holly Mason, Sharon Pepin, Randy Pepin, Jamie Woodley and Scott Woodley.

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

**Motion** made by Alderman Weaver, seconded by Alderman Huggins to accept the minutes of the June 17<sup>th</sup> meeting as presented. All ayes. Motion carried.

**Motion** made by Alderman Beverley, seconded by Alderman Macomber to accept and pay the bills from June 17<sup>th</sup> to present. All ayes. Motion carried.

**Motion** made by Alderman Weaver, seconded by Alderman Derrer to accept the Treasurer's Reports for June as submitted. All ayes. Motion carried.

Alderman Weaver questioned if the City should spread out their funds over \$100,000. Mitchell and the Clerk reported the City is pledged for \$1,000,000. The Clerk presented a pledge report and announced the City receives this report monthly. The auditors requested this several years ago. Mitchell tried to explain bonds and pledges. Alderman Weaver is concerned with our assets if the bank goes under. FDIC only covers \$100,000. Mitchell suggested, if concerned have the bankers come in and explain. Alderman Beverley felt this was a good idea to hear from the bankers. Finance Committee meeting was set for 7:30 PM on June 22<sup>nd</sup> in City Hall. The Clerk was asked to contact the bankers.

Marty Beranek of MSA Professional Services submitted a project update (copy on file). Phase 2 – Beranek reported in order to close out Phase 2 we need ordinance prohibiting wells and agreement with Don Hart. Alderman Huggins reported he has talked with Hart and Hart wants to sell the building to the City for a library. Beranek reported he was not aware of this issue. Beranek announced these should be all we need for closure paper work. Quarter report is due at the end of this month and Beranek would like to clean up. Beranek announced Southside Utilities project is almost done – little more work on the water lines to do yet. About a week or more to be ready for restoration. MSA would like to have done before school starts. Alderman Huggins announced so that Lessman can finish up his landscaping also. Beranek anticipates Skoog to submit pay request at the end of this month. Beranek presented options with estimates for sewer:

1. Grinder pump station at Eastland, 2" FM discharge at Prowant
2. Grinder pump station at Eastland, 2" FM discharge at IL Rte. 73/64
3. Gravity from Eastland to Prowant
4. Gravity along South side of Peugh's, municipal lift station at STF site

Alderman Huggins reported the owner of the other property which annexed in is planning to go ahead with building. Owner plans to put up a garage first for storage. All seemed to agree option #2 is the best option. Beranek reported these estimates are incomplete - several things are not included. Beranek thinks we can bore under highway. Alderman Beverley is concerned with EPA issues on corner lot (Piper's lot) – old gas station. Mitchell thought all tanks were removed

and cleaned up by Buss family. This should not be our issue as it is not our property. Beranek will get numbers for option #2.

Mitchell presented Ordinance #836, an ordinance prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method. This is the ordinance needed to close out the Brownfield Grant. **Motion** made by Alderman Macomber, seconded by Alderman Beverley to approve Ordinance #836. Roll call: Alderman Macomber-aye, Alderman Beverley-aye, Alderman Huggins-aye, Alderman Derrer-aye and Alderman Weaver-aye. Motion carried.

Strategic Plan Update – Alderman Huggins announced he talked with Sharon Pepin recently about updating the Strategic Plan which was done November 2006. Some work has been done but no follow up. Sharon Pepin passed out information regarding updating the Strategic Plan. Pepin suggested having a meeting to discuss update. Some goals have been met. Discuss if still viable goals and set new goals. Pepin gave estimate of \$600. Alderman Huggins reported we need volunteer's action plans – he cannot do it all himself. Mayor Barnes inquired why we didn't see anything come out of the last one. Alderman Huggins announced he chairs four committees – can't do it all. Alderman Weaver felt no one was blaming anyone, just concerned if there is interest from the community. If no interest, no reason to try again. Alderman Huggins feels good ideas came out of it. We need to find volunteer who want to get involved. Pepin reported it is a working plan – looks out one year, eighteen months, twenty-four months. Mayor reported only ten attended the first meeting and eight at the second including Council members. Alderman Beverley did not feel good involvement. Alderman Macomber suggested tabling for now. Alderman Huggins suggested getting copies to Alderman Beverley and Alderman Derrer and everyone review – keep up with.

Zoning Change – the Clerk reported she added this in case Mitchell had ready for approval tonight. The change is in regard to the section on corner of East Pearl and East Lanark Avenue which is zoned Industrial and it contains all houses. Everyone seems to feel this section was zoned in error that it was Forster Products which should have been zoned Industrial. Forster Products is zoned Residential. Mitchell will get this paper work ready.

CDI – Alderman Huggins asked the City to pay for him to attend training up to \$680. **Motion** made by Alderman Macomber, seconded by Alderman Weaver to allow Alderman Huggins to attend CDI for a maximum of \$680. All ayes. Motion carried.

Public Hearing for water bills – the Clerk announced there are six customers ready to be shut off if no one was present tonight. Since no one was present tonight, the clerk was instructed to go ahead with shutting off services.

Two building permits were presented.

1. John Lindsay is requesting a permit to build a new home in the subdivision.
2. Justin Rausch requested permit to build an addition to his home.

**Motion** made by Alderman Macomber, seconded by Alderman Weaver to approve building permits as submitted. All ayes. Motion carried.

Scott and Jamie Woodley were present to discuss the damage to their basement due to a water main break. They claim two City officials told them to go ahead and fix – the insurance will cover. So they did repairs and the insurance has denied claim. Now they are \$11,000 in debt. The water pooled and leaked into their basement. Woodleys talked with plumbers and were told the water should have been turned off. The water was not turned off because there was no boil

order. If water is shut off, there must be a boil order. Woodleys also talked with other towns and learned you must hire a plumber to fix main breaks. Lanark did not hire a plumber and did not shut off water pressure. There was no boil order. The break was near Miller's home and water ran downhill and pooled between houses. Woodleys claim two city officials told them not once but twice to get it fixed. The Clerk announced she told them to get estimates as the insurance company will need them. Woodleys accused the clerk of calling them liars. Mitchell explained since the insurance company denied the claim, if they sue, it is up to our insurance to fight. Woodleys reported they are now concerned with mold. Mayor Barnes announced previous owners had water problems. Mayor Barnes used to work with previous owner and he would talk about the water problems. Woodleys announced they are tiling around the house in order to prevent from happening again. Mrs. Woodley announced she made all the phone calls to Mayor, Clerk, Mt. Dept. and attorney. Woodleys asked the Council to put themselves in their place. Mayor Barnes asked Woodleys to put themselves in their place – what would you do? Mrs. Woodley feels City needs to look at how fixing things. Mr. Woodley reported the claim was filed incorrectly. The clerk faxed the pictures to the insurance company – cannot see damage clearly in black and white photos. Alderman Beverley suggested letting them file suit and let it go through the insurance. Mr. Woodley announced they will go very public with this – no one will want to live in Lanark!

Holly Mason was present to inquire who has the authority to enforce ordinances. She is referring to the run off issue with Jim Smith. Mitchell explained to her just ask the Police Dept. to investigate and if he finds violation he can take action.

Shelley Lundy came in during this portion of meeting. When asked if she had any business, she announced her water is due to be shut off. She has filed bankruptcy and has to be out of her home by August 3<sup>rd</sup>. She asked to leave the water on until then. The home was sold at Sheriff's sale on July 3<sup>rd</sup>. The Clerk reported that residence was one of several on list given to Mitchell for lien. The Clerk reported account is over \$500. **Motion** made by Alderman Huggins, seconded by Alderman Beverley approved not shutting off water until August 3<sup>rd</sup>. All ayes. Motion carried.

### **Committees**

Water & Sewer – no report.

Street and Property – no report. Alderman Macomber inquired if sidewalk replacement has been started. Guenzler reported not yet. Mayor Barnes questioned if we wanted to look into having Green do them this year.

Purchasing and Finance – no report.

Police – no report.

Personnel – Alderman Weaver requested executive session to discuss personnel.

Economic Development – no report.

Ordinance – Alderman Huggins announced he would like to set a meeting soon and requested Mitchell and Chief Page to attend. Meeting was set for Friday, July 18<sup>th</sup> at 8:30 AM.

Planning – Alderman Beverley reported several Library Board members and John met with planner and contractors to get figures for Council. Currently cleaning out books. Roof is still

leaking. Mayor Barnes will contact contractor. Alderman Beverley announced they will solicit community clubs to help with demolition. The dumpster is getting full. Guenzler will call to have emptied. Alderman Beverley reported still need to tear out walls.

Mitchell presented draft of agreement with Hart. In order to expedite this, Mitchell requested giving Mayor approval to sign if there are any changes needed. **Motion** made by Alderman Huggins, seconded by Alderman Macomber to have Mayor sign agreement when available. All ayes. Motion carried.

Les Guenzler, Maintenance Supervisor submitted written report. Guenzler asked Alderman Huggins if he had a map of the sidewalks needing replaced. Alderman Huggins reported he did and will get a copy to Guenzler. All seemed to agree the sidewalks around the school have priority – preferably before school starts on August 18<sup>th</sup>.

Alderman Huggins inquired about the residence at the entrance of the cemetery on East Pearl. Chief Page will talk with owner tomorrow as it is getting worse. Chief announced he will start fining. Alderman Macomber reported an abandoned vehicle on East Lanark Avenue in alley – air out of tires. Chief will check into. Alderman Huggins has discussed checking into more sirens – weather warnings – cannot hear all around town. Check into grants – Police Dept. and Fire Dept. Chief Page announced he would like to do an all clear. Mayor Barnes reported the warning system is County-wide – all done the same. An agreement was made years ago. People don't understand the warnings. This was put in paper recently. Alderman Huggins feels we may need to revisit this issue.

Alderman Weaver, Alderman Derrer, Alderman Beverley did not have any additional business.

Alderman Huggins reported receiving lots of complaints regarding the feed lot. Lee Heeren has been out there and made several suggestions. Alderman Huggins announced the Chamber has discussed this issue – hurts community in many ways. Huggins asked if we want to set a meeting with them. Mayor Barnes inquired what we can do. Alderman Huggins suggested rezoning. They would be grandfathered in but will lower the property value. Alderman Huggins also suggested Mitchell and Mayor Barnes meet with the owners and discuss concerns. We could write letters to EPA. Others agreed it is not as bad as in the past. Mayor can call. Alderman Huggins suggested letting them know we are concerned and please work with EPA.

Alderman Macomber asked Guenzler to get a count on Christmas decorations. Maybe we could replace half this year and half next year. Alderman Beverley likes the angels because no one else around here has them.

The Clerk reported the Library has asked to use City Hall on October 2<sup>nd</sup> for an open house. Alderman Huggins explained this is during the Hometown Days. The Clerk's only concern is it is a Thursday and has office hours 9:00 AM – 5:00 PM. All agreed Clerk can close office at 1:00 PM. The Clerk presented two resolutions for seal coating. One is for just the streets for \$35,000 and the second is for the streets and cemetery for \$50,000. **Motion** made by Alderman Weaver, seconded by Alderman Macomber to approve \$50,000 resolution for roads and cemetery and have reaffirmed at next meeting – agenda. All ayes. Motion carried. The Clerk presented packet for renewal of City insurance – property and liability. She inquired if Alderman Beverley would be willing to review. Alderman Beverley agreed. **Motion** made by Alderman Macomber, seconded by Alderman Weaver to have Alderman Beverley review insurance renewal and approve as she feels necessary. All ayes. Motion carried.

Mayor Barnes announced Mediacom is raising their rates. Their contract renews next year. Alderman Huggins suggested refusing and ask Comcast to come in. Several were in agreement to shop around – let Mediacom know we're shopping. Mayor Barnes announced he received an email from Alderman Strohecker a couple weeks ago regarding a new attorney for the Valente issue. Alderman Strohecker feels two attorneys, two years and not solved yet. Alderman Huggins inquired where we are. Mitchell announced Cook took deposition recently. We're looking at thirty to sixty days. Alderman Weaver does not feel changing lawyers will change anything. Alderman Beverley reported it won't make court dates come up any sooner. Mitchell agreed – cannot speed up court dates. Mitchell suggested having Cook come to a meeting. The Clerk was asked to respond to Strohecker's email.

**Motion** made by Alderman Weaver, seconded by Alderman Macomber to enter executive session to discuss personnel. All ayes. Motion carried. Entered executive session at 9:15 PM.

**Motion** made by Alderman Weaver, seconded by Alderman Derrer to exit executive session. All ayes. Motion carried. Exited executive session at 9:40 PM.

**Motion** made by Alderman Beverley, seconded by Alderman Macomber to prepare bids and specs to do sidewalks in the City. All ayes. Motion carried. It was agreed to put in paper as soon as possible. The Clerk questioned if they wanted to put in Freeport paper as well as Prairie Advocate. Specs can be picked up at City Hall or from Guenzler. Bids must be in Monday, August 4<sup>th</sup> by 5:00 PM. Bids will be opened at Council meeting on August 5<sup>th</sup>.

**Motion** made by Alderman Macomber, seconded by Alderman Weaver to adjourn.

Meeting adjourned at 9:44 PM.

*Respectfully submitted,  
Jackie Hawbecker, City Clerk*