

September 2, 2008

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

Also present were Ed Mitchell, Les Guenzler, Chief Page and Marty Beranek.

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

Motion made by Alderman Beverley, seconded by Alderman Huggins to accept the minutes of the August 19th meeting as presented. All ayes. Motion carried.

Motion made by Alderman Macomber, seconded by Alderman Beverley to accept and pay the bills from August 19th to present. All ayes. Motion carried.

Marty Beranek of MSA Professional Services submitted a project update (copy on file). Phase 2 – MSA is still corresponding with EPA regarding additional monies. MSA will continue to communicate. The City received a Notice of Release Letter (NORL) from EPA Leaking UST Section in association with the UST removal from the site. This letter was issued as a matter of protocol as it was automatically generated when the Leaking UST Section received notification from IEMA's office that a release occurred from this UST. Beranek explained this letter must be acknowledged. Beranek will draw up a letter and send to City Clerk to be put on city letterhead then signed by Mayor. Southside Utilities – Restoration at the high school is complete, grass is growing. Beranek gave Alderman Huggins (prior to meeting) approximate easements. There is an eight inch pipe that goes across to Brother's. Beranek questioned if this was in any easement. Beranek showed on map and reviewed map with Council. Beranek showed easement due to possibly continue with gravity flow for other properties. A grinder pump will be used. Mitchell reported when the sewer system was put in, they did a blanket of easements. This may fall under that. Mitchell will research.

Consider on line ordinances – Alderman Huggins announced we have kicked around this idea to make it easier to look up things. Sterling Codifiers does our current revisions. They do not like to do CDs. Cost to set up is \$1,500. This is a one time fee to put on line starting January with a charge of \$500 per year, which includes changes. Alderman Huggins suggested purchasing a couple of disks – City Hall and Police Department. We could print out if want paper copy. Alderman Huggins is not 100% sure the maintenance fee includes changes. Cannot print out whole book at once – section at a time. It will be easier to locate information in ordinances. Some feel putting on line could cause even more problems. Alderman Huggins will check into this further. Alderman Huggins announced if anyone wants to see what it will look like, google Sterling Codifiers.

Ed Mitchell presented draft of Ordinance #839, an ordinance amending the Lanark City Code Zoning Ordinance with regard to building permits. Alderman Strohecker questioned the \$1,000 and labor – can't do much for \$1,000. **Motion** made by Alderman Macomber, seconded by Alderman Huggins to approve Ordinance #839. Roll call: Alderman Macomber-aye, Alderman Huggins-aye, Alderman Strohecker-aye, Alderman Weaver-aye and Alderman Beverley-aye. Motion carried. Mitchell presented Ordinance #840, an ordinance amending the Lanark City Code with regard to canvassers and solicitors. **Motion** made by Alderman Macomber, seconded

by Alderman Huggins to approve Ordinance #840. Roll call: Alderman Macomber-aye, Alderman Huggins-aye, Alderman Strohecker-aye, Alderman Weaver-aye and Alderman Beverley-aye. Motion carried.

Two building permits were presented:

1. Mark Sturtewagen of Lanark Ag Center, Inc. is requesting permit to put in scale on the north side of building. The Clerk explained he is not within the required setbacks. However, she reminded everyone that we knew their intentions of adding on to that side when the City sold them a portion of the city park. The Clerk suggested the Council waive the required variance. Sturtewagen is willing to move the trees and add more if the Council prefers. The Clerk presented all of the permit information for Council's review. Several Council members feel Sturtewagen needs to put up a fence. Alderman Macomber feels fence is a must and the trees are Lanark Ag's therefore they should move them. It does not matter what he does with them. Council agreed the fence should be four foot high.
2. David Smith is requesting permit to construct a lean to on garage for storage.

Motion made by Alderman Macomber, seconded by Alderman Beverley to approve permit and waive variance as long as owner puts up four foot fence. All ayes. Motion carried. **Motion** made by Alderman Macomber, seconded by Alderman Weaver to approve David Smith's permit. All ayes. Motion carried.

Committees

Water & Sewer – Alderman Huggins announced need to have a meeting.

Street and Property – Alderman Strohecker inquired if hydrants would get done this year. Guenzler announced they would be done this year.

Purchasing and Finance – no report.

Police – no report.

Personnel – no report.

Economic Development – no report.

Ordinance – Alderman Huggins reported changes were made to the draft of vehicle ordinance at committee meeting.

Planning – no report.

Ed Mitchell reported receipt of email about agenda regarding old business if this line item could be added to the agenda. After Mitchell explained Rice case, he suggested new or tabled business should be put on the agenda in order to take final action. When in doubt, put on the agenda. Alderman Huggins announced the resolution for the Carroll County Comprehensive Plan was tabled. Mitchell reported the safe way is to put on the agenda. Mitchell requested executive session to discuss pending litigation.

Les Guenzler, Maintenance Supervisor submitted written report. Mayor Barnes questioned the Council members about how the seal coating looked this year. Everyone seemed to feel it was better this year – more chips. Guenzler reported the newly annexed property on Cyclone Ridge

Road has weeds taller than the wheat. The property is now within city limits. Alderman Huggins volunteered to contact owners.

Chief Page submitted written report. Chief Page announced he damaged the squad when backing out of parking space at Sheriff's Department recently. Chief Page reported the disaster booklets are in and he will be hand delivering them – if not home, will leave on doors. Chief Page requested approval to attend training on school violence on October 21st and 22nd. Cost is \$80 per night. **Motion** made by Alderman Strohecker, seconded by Alderman Beverley to allow Chief Page to go to training in October. All ayes. Motion carried.

Alderman Weaver, Alderman Strohecker, Alderman Macomber did not have any additional business.

Alderman Huggins announced the Mediacom franchise contract comes up next year. Alderman Huggins is setting up a committee with the Library, Police Department and citizens at large to go over the contract.

Alderman Beverley discussed concerns with parking safety in front of city hall. It would be easier for the Fire Dept. to get out if there was no parking in front of city hall. Suggestions were to eliminate one parking space then two. Guenzler suggested doing away with all three spaces. Another suggestion was to allow five minute parking only. After more discussion, everyone seemed to agree to eliminate all three parking spaces in front of city hall. **Motion** made by Alderman Beverley, seconded by Alderman Strohecker to put no parking signs in front of city hall and library building. All ayes. Motion carried. Alderman Strohecker announced the top of this building needs to be painted – contact Aschenbrenner. Alderman Macomber feels need to get quote. Chief Page reported the Police Department needs painted also.

The Clerk inquired if a decision was made to allow Big Johns to dump in city sewer system. Guenzler announced it is okay with Dave Kent. However, Kent suggested dumping at east lift station as it will chew up better. All seemed to agree to allow Big Johns to dump at east lift station at \$15 per load. The Clerk reported Cook has requested copies of executive session minutes to give to Valente. Mitchell explained only what pertains to Valente. The Clerk inquired if a variance or permit was needed for Stacy Bauer to put concrete platform under front awning and a concrete patio. Bauer wants to do this since they have to pay for three yards whether they use it all or not. Their sidewalk repairs will not take all of the three yards of concrete. Some were concerned with drainage. Others did not feel a permit was necessary. After a short discussion, it was agreed, no permit or variance was needed, but the sidewalk repairs needed to be completed by September 7th or the City would do the repairs and send bill to Bauer.

Mayor Barnes did not have any additional business this evening.

Motion made by Alderman Weaver, seconded by Alderman Macomber to enter executive session to pending litigation. All ayes. Motion carried. Entered executive session at 8:40 PM.

Motion made by Alderman Beverley, seconded by Alderman Huggins to exit executive session. All ayes. Motion carried. Exited executive session at 9:10 PM.

Council agreed to send disconnect notice to owner (Bruckner) and a copy to tenant. Mitchell discussed lien on Moll's property. This is the first time we have not been able to collect on a lien. Mayor feels we are letting him off the hook but not any of the others. Mitchell recommended a lien with more teeth.

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

Meeting adjourned at 9:16 PM.

*Respectfully submitted,
Jackie Hawbecker, City Clerk*