

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

October 6, 2009

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

Also present were Ed Mitchell, Les Guenzler, Linda Ludwig, Nick Wagner, Steve Haring, Randy Pepin and Anthony Malone.

Mayor Stern called the meeting to order at 7:30 PM. After roll call, all recited the Pledge of Allegiance.

Mayor Stern pointed out a correction to the minutes on fourth page – cost of sand is \$5.75/T with a total of 1,750 ton. **Motion** made by Alderman Kocal, seconded by Alderman Lindsay to accept the minutes of the September 1<sup>st</sup> meeting with correction. All ayes. Motion carried.

Treasurer Ludwig presented check for \$75 payable to Clerk Hawbecker for witness fees and mileage. She questioned where to deposit this check. Ed Mitchell explained the Clerk was to appear in court in Chicago which is where this check came from. Due to Mitchell's and the clerk's paperwork, the clerk did not have to appear. When talking with the attorneys involved, Mitchell was told to keep the check for City's time. The Clerk suggested reimbursing the Legal Fees line item. All seemed to agree. **Motion** made by Alderman Lindsay, seconded by Alderman Macomber to accept and pay the bills from September 1<sup>st</sup> to present. All ayes. Motion carried.

**Motion** made by Alderman Kocal, seconded by Alderman Macomber to accept the Treasurer's Reports for August as submitted. All ayes. Motion carried.

Nick Wagner of MSA Professional Services submitted a project update (copy on file) and reviewed. **Southside Utilities Extensions** – Wagner submitted pay application #2 from Loberg for \$71,152.28. Attached to tonight's project update was a letter from Richard Loberg requesting an extension of project due to waiting on control panel. Loberg states the Substantial Completion date of October 23<sup>rd</sup> will not be met but the Final Completion date of November 4, 2009 will be met. Guenzler and Wagner feel Loberg was not diligent in project. Wagner had to urge Loberg to put in writing request for extension. Alderman Macomber inquired about potential penalty if do not meet deadline. Wagner announced penalty for missing the Substantial Completion date is \$500 per day and \$200 per day for Final Completion date, accumulative \$700 per day. This protects the city from the project being drug out. Wagner announced the panel is in but needs to complete the hookup. Once completed, then run tests to be sure working properly. Loberg will need to seed the area. Wagner reported they will withhold funds to complete restoration next spring. Mayor Stern feels they ran into problems with water in the beginning. Mayor Stern announced he is inclined to extend but is up to the aldermen. Alderman Kocal agreed to extend and withhold funds. Alderman Lindsay agreed with Kocal. Alderman Macomber wants to withhold funds now until meet this date. Wagner explained we withhold 10% throughout. Council discussed additional expenses due to extension. Wagner will itemize fees for next meeting. **Motion** made by Alderman Macomber, seconded by Alderman Kocal to approve Pay Application #2 to Loberg for \$71,152.28. Roll call: Alderman Macomber-aye, Alderman Kocal-aye, Alderman Lindsay-aye and Mayor Stern-aye. Motion carried. Mayor Stern signed pay application. **Storm Water Pond Feasibility Study** – Wagner announced 1/3

acre pond about six feet deep at Pearl and Argyle. The pipe at Prowant's is not big enough. That's why it backs up at Argyle and Prairie. When asked if there would be water in pond most of the time, Wagner explained it is not a retention pond, will hold for about three to five days until drains out. Wagner explained the cost proposal. Grand total is \$255,750 – low end estimate. When asked about fence around pond, Wagner reported not necessarily. Mitchell questioned that statement as the pond will be six feet deep. Others agreed. A fence has already been discussed. Wagner announced there is a full report filed with City Clerk if anyone would like to review. Wagner questioned if Council would prefer to discuss this at committee. Mayor Stern suggested allowing those absent time to read over. **Phase 2** – Wagner announced Site Assessment is still at status quo. Mayor Stern inquired if it would pay to call Mike Charles. Wagner reported MSA calls Charles regularly. When Mayor Stern inquired if it was okay to move forward, Wagner reported it is – just cannot sell without letter.

In Chief Magill's absence, Mayor Stern reported the new squad still needs striping and questioned what to do with the old squad. All seemed to agree to put out for bids. Mayor Stern inquired if the Mt. Dept. had a use for it. Guenzler did not see any use for it. Mayor Stern suggested waiting on this decision. **Motion** made by Alderman Macomber, seconded by Alderman Lindsay to put Tahoe out for bids. All ayes. Motion carried. Continued to discuss and agreed to put ad in paper the first of November with opening of bids at the second meeting in November. School recognition signs – Mayor Stern reported Chief Magill is still looking into. Engine braking signs – Chief is still working with IDOT. Mayor reported he has received requests for engine braking signs. The clerk has also received complaints regarding engine braking and the need for signs. Mayor Stern explained Lanark is on IDOT's blacklist due to problems with the previous mayor and an area school superintendent. Alderman Kocal suggested just getting the signs and put them up. Guenzler reported IDOT will take down if not approved. Chief is also working on school crossings. Police are keeping presence known to slow down traffic at stops in town. Mayor announced possibly put up 20 mph school zones and cross walks. Others agreed, this is also an IDOT issue. Mayor Stern announced Chief Magill will work on these.

Les Guenzler, Maintenance Supervisor submitted written report. Alderman Macomber inquired how much longer Kosmecki will be on the payroll. Guenzler reported Kosmecki is mowing, picking up brush and doing light maintenance work. Alderman Kocal thought we had agreed until November about Thanksgiving for both Kosmecki and Strohecker. Maintenance will start picking up leaves soon. Guenzler announced and invited everyone to join in the update all about JULIE Locate in city hall on October 13<sup>th</sup> at 8:30 AM for about two to three hours. Alderman Lindsay inquired about the hydrants while Loberg is in town. Guenzler reported they are going to look at soon. Alderman Lindsay inquired about the permit for basin on South Broad. Guenzler reported IDOT has.

Public hearing for water bills – no one present, so Clerk may continue with disconnection process.

General audience – John Huggins, Chamber President requested Maintenance Dept. put up barricades and garbage receptacles in city plaza for Homecoming. Huggins announced the plaza is looking pretty bad. Mayor Stern reported he was not sure if the Tree Board is responsible for that area. The clerk reported Lisa Libberton, Tree Board Chair has been voluntarily doing the gardening in the plaza over the past several years. She took on the beautification of the plaza herself (with Council approval). That's a lot to ask of one volunteer. Maybe it's time for the City to take over. Alderman Lindsay suggested Kosmecki clean up. Mayor Stern reported he receives complaints of the downtown area. Residents feel City needs to improve downtown.

Mayor suggested painting parking lines. Steve Haring of MSA announced the City needs to invest in downtown Main Street district street scape and design to spur on community pride. Huggins announced the Chamber has Paint the Town fund of \$2,000 possibly the City could match that if they have several requests. Guenzler announced the parking lines were painted in May or June. Mayor feels they could be done twice a year. Huggins suggested getting help from those who have to serve community service. Huggins briefly discussed the Strategic Plan, will need help with advertising in order to get good turnout.

Trick or Treat hours were discussed. **Motion** made by Alderman Macomber, seconded by Alderman Kocal to set Trick or Treat hours at 4:00 PM – 7:00 PM on October 31<sup>st</sup>. All ayes. Motion carried.

Renewal of wind tower lease – Mitchell reported new lease has been received. Mitchell and Mayor Stern discussed lease. Mayor Stern feels Mitchell was delinquent in getting lease signed. Mitchell feels EcoEnergy was delinquent in responding to changes. Mayor Stern announced we only received \$1,000 for rent. Alderman Macomber agreed with Mitchell that hold up was due to change in verbiage. Mayor Stern explained a new lease was being written due to coming up on one year. Mitchell had reviewed the new lease and feels it is open ended, very one sided. Huggins suggested looking into limit of three years for monitor. Mitchell is concerned with FOIA issues. No data reports are submitted to City. Discussed having committee hash over with company. All seemed to agree to table for now.

Grant funding service – Alderman Lindsay reported Alderman Strohecker is in hospital for few days and asked her to bring Streets & Property Committee’s recommendation of hiring Sharon Pepin to do grants for municipal building. Mayor Stern wants to wait for full Council to decide.

Building permits – none.

### **Committees**

Water & Sewer – no report.

Street and Property – no report.

Purchasing and Finance – no report.

Economic Development – no report.

Ordinance – Alderman Lindsay announced she understood the committee was to change ordinance for Chief of Police but has heard he now has a waiver. Mitchell explained the waiver is part-time waiver. Mitchell met with Chief Magill and has a draft for ordinance. Basically taking out “Chief” and putting in “Administrator” throughout. Magill will be part-time Administrator and part-time Chief. Mayor Stern will work on job description. Clerk questioned if Chief is part-time officer and part-time administrator, will he lose his full-time benefits? Alderman Lindsay announced he is still full-time. Mitchell passed out drafts for review. Alderman Macomber inquired if Matt Haverland has CDL. Guenzler reported he does not. Alderman Lindsay announced Haverland was working on when hired. Ordinance Committee meeting was set for 10:00 AM on October 9<sup>th</sup> in city hall. Mayor Stern asked Mitchell to look into Games of Chance permit. Mayor will check with County.

Planning – Alderman Macomber had nothing to report as he is waiting on grant writer.

Ed Mitchell requested executive session to discuss pending litigation and personnel. Mitchell passed out draft of resolution for 105%. All seemed to agree to wait for next meeting for full Council.

Alderman Macomber had resident inquire about the fire remains – how long can let sit? Guenzler reported insurance company came and made insurance safe – boarded windows. Clerk reported the owners have obtained a demolition permit.

Alderman Lindsay and Alderman Kocal did not have any additional business.

Clerk announced those who have not turned in their W-4s need to do so immediately. Payroll for April through September has already been issued. There are still a couple who have not returned forms as yet. The Clerk announced Employee Handbooks have been copied for all Council members as well as all the Maintenance employees. The Clerk requested executive session for pending litigation.

Mayor Stern announced the Joint Review Board is scheduled for October 8<sup>th</sup> at 3:00 PM in city hall. Mayor Stern discussed ComEd. They will be doing some work in the area. The Clerk announced she just forwarded the ComEd email to everyone. Mayor Stern wants Council to take NIMS classes. Mayor feels it will help with grants. Huggins reported emergency plan needs to be updated as Mayor Barnes was first on list and then Huggins. (Huggins is no longer Council member.)

**Motion** made by Alderman Macomber, seconded by Alderman Kocal to enter into executive session to discuss personnel and pending litigation. All ayes. Motion carried. Entered executive session at 9:17 PM.

**Motion** made by Alderman Lindsay, seconded by Alderman Macomber to exit executive session. All ayes. Motion carried. Exited executive session at 10:13 PM.

**Motion** made by Alderman Macomber, seconded by Alderman Lindsay to pay 55.08 hours of vacation time with letter to Department of Labor. All ayes. Motion carried.

**Motion** made by Alderman Lindsay, seconded by Alderman Macomber to adjourn. All ayes. Motion carried.

Meeting adjourned at 10:15 PM.

*Respectfully submitted,  
Jackie Hawbecker, City Clerk*