

December 11, 2012

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

Also present were Ed Mitchell, Amy Barnes, Randy Pepin, Matt Wagner, Scott Woodley, Ken Viglietta and Lynnette Forth.

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

**Motion** made by Alderman Kocal, seconded by Alderman Lindsay to accept the minutes of the November 27<sup>th</sup> meeting as presented. Roll call: Alderman Kocal-aye, Alderman Lindsay-aye, Alderman Weaver-aye and Alderman Burkholder-aye. Motion carried.

Clerk/Treasurer reported tonight's Finance Report includes a bill from Kathleen Orr, TIF Attorney. The only details are someone contacted Kathleen by phone regarding conflict of interest and Kathleen's response; just want the TIF Committee to be aware of this expenditure. Ken Viglietta confirmed the Committee was aware of this contact. Not included in bills tonight is a bill from Top to Bottom Tree Service received from Alderman Lindsay. Alderman Lindsay explained this bill was for the removal of three (3) trees: Lamoille Poffenberger's, rear of Police Station and an Ash tree on Franklin.

**Motion** made by Alderman Lindsay, seconded by Alderman Burkholder to accept and pay the bills from November 27<sup>th</sup> to present and to include bill from Top to Bottom Tree Service for \$3,200. Roll call: Alderman Lindsay-aye, Alderman Burkholder-aye, Alderman Kocal-aye and Alderman Weaver-aye. Motion carried.

Clerk/Treasurer Hawbecker announced all grant funds for the Municipal Building have been depleted and recommended Council be thinking how the remaining balance of \$305,000 would be paid. Randy Pepin of Community Funding & Planning Services (CFPS) confirmed all grant funds have been used and the remaining balance will come from city funds.

**Motion** made by Alderman Kocal, seconded by Alderman Weaver to accept the Treasurer's Report for November as submitted. Roll call: Alderman Kocal-aye Alderman Weaver-aye, Alderman Lindsay-aye and Alderman Burkholder-aye. Motion carried.

Community Funding & Planning Services – Randy Pepin submitted project report and reviewed. Construction meeting is scheduled for December 19<sup>th</sup> at 8:30 AM at Heritage Center. Invoices were submitted for: \$160,073 to Ringland-Johnson and \$3,750 to CFPS. Since all grant funds have been depleted, discussion went back to what funds would be used to pay the \$160,073 to Ringland-Johnson. Clerk/Treasurer explained that city hall can use Water, Sewer and General funds. Attorney Ed Mitchell agreed. The usual split for these funds is 20% General, 24% Water and 56% Sewer. Since the library and Council Chambers is separated in the new building, Clerk/Treasurer Hawbecker did not recommend using the current percentages but possibly 75% General with 25% split between Water and Sewer. **Motion** made by Alderman Kocal, seconded by Alderman Lindsay to approve payment of \$160,073 to Ringland-Johnson and \$3,750 to CFPS. Roll call: Alderman Kocal-aye, Alderman Lindsay-aye, Alderman Burkholder-aye and

Alderman Weaver-aye. Motion carried. Pepin submitted bills for Argyle Street/Truman Avenue Storm Sewer project - \$28,270.35 to Law Excavating and \$4,464.90 (paid 11/27/12) to Willett Hofmann. When asked about grant funds, Clerk/Treasurer reported all funds for this project have been depleted. Pepin agreed. Matt Wagner of Willett Hofmann reported both Argyle and Truman projects were under budget. Original grant was for \$202,000. Wagner explained the City is now paying their match of 20%. **Motion** made by Alderman Lindsay, seconded by Alderman Kocal to pay Law Excavating \$28,270.35 and Willett Hofmann \$4,464.90. Roll call: Alderman Lindsay-aye, Alderman Kocal-aye, Alderman Burkholder-aye and Alderman Weaver-aye. Motion carried.

Willett Hofmann – Matt Wagner reported Truman Avenue is now complete but still waiting on paperwork from Law Excavating. Seeding will be done in the spring. Assessment of the blighted buildings was done last week. Matt Wagner announced December 21<sup>st</sup> is his last day at Willett Hofmann. When asked, he announced he was starting his own business.

General Audience – As asked by Ken Viglietta of the TIF Committee, Amy Barnes submitted Comparative Market Analysis of current city hall/library building and reviewed. Discussion went to blighted building (105 N. Broad) bid process and what to do before snow falls. Barnes reported asbestos study took five (5) hours. Mayor Stern reported the back area should be covered with tarp. The tarp will buy some time. Barnes is concerned with the front portion which is connected to her building. Mayor Stern reported he will get together with Chief Magill and Les to tarp. After much discussion, consensus was to wait for report at January 8, 2013 meeting. Clerk questioned liability of people going in and out of the building.

Mediacom Ordinance – City Attorney Ed Mitchell submitted Ordinance #873. **Motion** made by Alderman Weaver, seconded by Alderman Burkholder to approve Ordinance #873. Roll call: Weaver-aye, Alderman Burkholder-aye, Alderman Lindsay-aye and Alderman Kocal-aye. Motion carried. City Attorney Ed Mitchell submitted Ordinance #874. **Motion** made by Alderman Weaver, seconded by Alderman Lindsay to approve Ordinance #874. Roll call: Weaver-aye, Alderman Lindsay-aye, Alderman Kocal-aye and Alderman Burkholder-aye. Motion carried.

TIF recommendation – Ken Viglietta submitted more information on Burkholder's application. Information is limited due to privacy issues. Viglietta asked for meeting to be set up when the four (4) eligible voting Council members, the TIF Committee and applicant can be present. Discussed appropriation line item TIF Expenditures of \$50,000. Possibly give partial this fiscal year and remainder in next fiscal year. Viglietta announced Steve Cassell's application is considered incomplete at this point. Discussed why Alderman Kocal, Alderman Burkholder and Mayor Stern could not vote on anything which involves the TIF District just because they own property within the District. Ed Mitchell discussed the State Statutes involved. Viglietta reported the calls to Kathy Orr were made by John Huggins.

Eastland Schools – Mayor Stern announced receipt of letter from Mark Hansen inquiring if City has any interest in the grade school or grounds. Some showed minimal interest in the ball field. Mayor Stern explained the Capital Improvements Plan (CIP) and the Strategic Plan both show need for more park space. Mayor Stern announced he has told Mark with all the current projects and costs, the City cannot afford to be interested at this time.

Zoning Map – Mayor Stern reported the Hazardous Mitigation recommends updating zoning map every two (2) years. Need to designate cooling/warming centers if needed. State Statutes

require update when change in zoning occurs. After some discussion, the consensus was to wait to update the Zoning Map until the current rezoning is complete.

### **Committees**

Street & Property – Alderman Kocal announced no meeting has been set as yet, possibly something by January 8<sup>th</sup>. Mayor Stern reported concerns of dirt space on south end of Municipal Building. Alderman Burkholder thinks the space is Don Hart's but Mayor Stern thinks it is the City's property. Mayor Stern would like to put in blocks to protect Hart's building. Mayor Stern announced the garbage contract will expire at the end of February 2013. Briefly discussed putting out for bids. Mayor Stern and Alderman Kocal will work on bid specs. Alderman Burkholder reported another bid for tuck-pointing at Heritage Center. Bids received are:

MTC	\$13,250	Prowant	\$9,500
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Ed Mitchell received letter regarding license for \$320 per year fee for music. Mitchell did not see any use for this license as the City does not use: music when phone on hold, elevator, etc. The only possibility is Old Settler's Day but not sure that would fall under this license. The consensus was to ignore as many things do not apply here. Mitchell gave update on letters sent out two (2) weeks ago. Mitchell has found owner of blighted building on North Broad. Mitchell discussed hotel/motel rates for State are cheaper than some. Mitchell suggested getting ID cards which could possibly save elected officials and City employees on hotel/motel fees. Mitchell will check into this further. When Mitchell inquired what we are going to do with this building once vacated, some feel Amy Barnes may use temporarily, after that probably sell. Mitchell explained if want to sell privately, we will need to declare as surplus then put out for bids. The Fire Dept. is interested in purchasing this building but is in no hurry. Mayor Stern gave Mitchell the go ahead to proceed with nuisance process on the Fox property. Mayor Stern announced the cistern will be filled in tomorrow. After more discussion on blighted properties, consensus was to move forward on Fox property, wait on North Broad until next meeting and wait on Fogell property as someone is interested in purchasing the home. Mitchell explained next step of process is to file petitions and allow three (3) weeks to respond. If no response, then file default.

Alderman Burkholder questioned the chain of command. When asked who communicates with department heads on projects discussed at Council, Mayor Stern explained he passes this information on to appropriate department supervisor. Alderman Lindsay reported Chief Magill and Les Guenzler have been asked to come to meetings with reports but have not seen as yet – no reports and no attendance. Mayor Stern explained Maintenance employees report to Maintenance Manager and Manager reports to Mayor. Officers report to Chief and Chief to Mayor. Mayor Stern reported anyone is welcome to talk with either department head.

Mayor Stern announced the City needs to take down the back area of the building (Fogell-Broad St.). The City did nothing after receiving Amy Barnes' letter in June 2010. Sacia's building came down, then Amy came forward about the corner building, but City did nothing. Some did not feel the City is responsible for someone else's building, but it's the law. When asked if the roof was safe to put on tarp, Alderman Kocal reported Jim Wyeth said about two (2) months ago, the roof is safe to put on tarp. Discussion went on for some time regarding blighted buildings and projects not being completed in faster. Burns Street water main was brought up four (4) years ago and still not done. City received letter in 2010 from Amy Barnes with concerns of the corner building before falling down.

Aldermen did not have any additional business.

Clerk began by questioning where the money would come from for the remaining balance of the Municipal Building, \$160,073 was approved tonight. Discussion included loan from bank, reserves and possibly from library. Some concerns were if use reserves, how fast they can be replenished. If bank loan, loan interest would be higher than what we are getting for our reserves. Clerk announced the highest rate on CDs is \$0.70 which could be even lower today due to renewing monthly. Clerk once again suggested considering split of: 75% General, 25% Water & Sewer. Discussion continued with how to pay the remaining balance of \$305,000. **Motion** made by Alderman Weaver, seconded by Alderman Lindsay pay bills for the Municipal Building using split: 70% General, 15% Water and 15% Sewer. Roll call: Alderman Weaver-aye, Alderman Lindsay-aye, Alderman Kocal-aye and Alderman Burkholder-aye. Motion carried. Discussion continued with whom and what was committed during Planning Committee meetings. Clerk questioned if December 31<sup>st</sup> would be treated the same as December 24<sup>th</sup> as a holiday – employees work until Noon and are paid for full eight (8) hours. Council did not agree this was a holiday, therefore would be just be a regular work day. Clerk Hawbecker announced the State has extended the filing dates for the Election 2013 from December 17-24 to 5:00 PM on December 26<sup>th</sup>. The Clerk will put a notice of this change in the Prairie Advocate. Even though Wednesday is not regular office hours, County Clerk Brian Woessner says city hall must be open until 5:00 PM on the 26<sup>th</sup> as it is the law.

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

Meeting adjourned at 10:10 PM.

*Respectfully submitted,  
Jackie Hawbecker, City Clerk*