

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

April 18, 2006

Lanark City Council met in regular session at City Hall. Alderman Ken Weaver, Alderman Ardena Grant, Alderman Ron Strohecker, Alderman John Huggins, Alderman Mark Macomber, Alderman Ed Stern and Mayor Kevin Barnes were present.

Also present were Ed Mitchell, Sharon Pepin, Acting Chief Bennett, Diane Komiskey, Connan Dickman, Steve Steffes and Lenore Schrader.

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

**Motion** made by Alderman Strohecker, seconded by Alderman Huggins to accept the minutes of the April 4<sup>th</sup> meeting as printed. All ayes. Motion carried.

**Motion** made by Alderman Grant, seconded by Alderman Huggins to accept and pay the bills from April 4<sup>th</sup> to present. All ayes. Motion carried.

**Motion** made by Alderman Grant, seconded by Alderman Huggins to accept the treasurer's report for March. All ayes. Motion carried.

Sharon Pepin of MSA Professional Services passed out project updates (copy on file). Pepin announced that the kick off meeting is scheduled for April 25<sup>th</sup> at 3:00 PM in City Hall. A meeting with the property owners needs to be set. MSA is looking at other options to review at the meeting. Pepin reported that they have taken out three properties from the TIF district. These properties were taken out because Kathleen Orr, TIF attorney thought it would be best. (These properties belong to Ed Mitchell, Alderman Strohecker and Alderman Grant.) That way there would be no conflicts due to aldermen or employees involved. Pepin presented a revised legal description and map as well as pin numbers. Pepin has revised copies of ordinances 808, 809 and 810 for tonight. If all goes well tonight, she will give copies for originals to send out. We should have two originals on hand for City Hall. Mitchell passed out old copies and will interchange newly revised after approval. **Motion** made by Alderman Strohecker, seconded by Alderman Macomber to approve Ordinance #808. Roll call: Alderman Strohecker-aye, Alderman Macomber-aye, Alderman Stern-aye, Alderman Huggins-aye, Alderman Grant-aye and Alderman Weaver-aye. Motion carried. **Motion** made by Alderman Strohecker, seconded by Alderman Macomber to approve Ordinance #809. Roll call: Alderman Strohecker-aye, Alderman Macomber-aye, Alderman Stern-aye, Alderman Huggins-aye, Alderman Grant-aye and Alderman Weaver-aye. Motion carried. **Motion** made by Alderman Strohecker, seconded by Alderman Huggins to approve Ordinance #810. Roll call: Alderman Strohecker-aye, Alderman Huggins-aye, Alderman Macomber-aye, Alderman Stern-aye, Alderman Weaver-aye and Alderman Grant-aye. Motion carried. Those who had them at the meeting gave Pepin back their original redevelopment plan to be revised.

No building permits were presented.

The City Clerk presented liquor license applications for Lanark Food Center, Shell Express Lane and Dave's Place for approval. When asked about the fourth license, she reported that she sent an application but has not received any response. **Motion** made by Alderman Grant, seconded by Alderman Macomber to approve the liquor licenses. All ayes. Motion carried.

No one was present for the Public Hearing for delinquent water bills. The clerk was instructed to proceed to the next step.

Connan Dickman was present to discuss the City's dog ordinances. He reported that on March 17<sup>th</sup> his son was chased all the way to school by a dog. Dickman called the Police Dept. at 7:45 AM receiving no response. This happened again and he called Alderman Strohecker. The Police showed up that night to give Dickman a ticket for his barking dog. The fine is \$5 to the owner for a dog that gets loose. The fine for a barking dog is \$25. Dickman does not feel these ordinances are fair. He went on to explain that by the time the Police arrive, the dog is back in the house. His kids are afraid to walk to school. He now has to take them. Acting Chief Bennett agrees that the ordinances are not fair. Bennett explained that we could go by the State charge – disorderly conduct. However, a complaint must be signed. The officers cannot do on their own. Bennett agreed this should be looked into. Bennett reported that a barking dog could also be considered disorderly conduct. Dickman questioned the definition of “uncontrolled barking”. Bennett reported that when an officer shows up two times and the dog continues to bark. Dickman questioned where his tax dollars are going. What is the City going to do? Dickman announced that he was ticketed a couple of years ago for his dog barking for one minute - \$25 fine.

Dickman reported that his father-in-law was bitten over the weekend by a pit bull. Acting Chief Bennett announced that the same dog also bit another. Bennett contacted the County Animal Control Officer. The owner has hidden the male dog. Dickman felt that Bennett should have held the dog until Animal Control arrived. Dickman reported that the attack occurred on Saturday and nothing was done until Monday night. Dickman questioned, “Why was nothing done immediately?” Steve Steffes was also present. Steffes was the one who was bitten. Steffes announced that his two grandkids were with him when he was bitten. He stepped between the kids and the dog to protect the kids. Bennett explained that an officer cannot go into a home without probable cause. Bennett went to the home on Monday and owners said the dog ran away. Dickman reported that his problem was not with what was done on Monday but that nothing was done on Saturday. Dickman also talked with an officer on Sunday. Bennett reported that several dogs were reported running at large on Sunday. There is no Animal Control on the weekends. Bennett reported that he has no place for dogs at the Police Department. Dickman announced that he will donate two dog houses and chain, if that is all it will take! Alderman Huggins reported that he will look at the dog ordinances. Huggins does not have a dog and has not had cause to investigate these ordinances. Dickman reported

that some cities are requiring \$300 for a license for a dangerous dog (pit bulls, etc.). Dickman feels that the ordinances are very poor. He still wants a definition of “uncontrolled barking”. No one could define this term. Acting Chief Bennett thinks that a citation was issued. Alderman Grant announced that we will take care of these ordinances as they are not right. All seemed to agree to look at and change. Alderman Strohecker announced that he has only been on a year and have already changed six ordinances. He feels this is pretty aggressive. Dickman shared that Rockford requires a six sided cage and when a dog (which has bitten someone) is outside, it must also have a muzzle on it. If there is no muzzle, they take and put to sleep. Mayor Barnes thanked Dickman and Steffes for coming and assured them that we will make changes. When asked, Dickman shared that it was an Australian Shepherd that chased his kids right up to the door.

Lenore Schrader presented a draft of the welcome signs to the City. She explained that there has been some controversy as to whether the City is going to help or not. It was understood that several groups would help. The total cost of the signs is \$7,488. Cost would be \$1,872 per group. Darrell Johnson was president of the Chamber when this began. A committee put together the proposal. Labor will be furnished by Matt Miller as he is working towards Eagle Scout. If ordered by the end of the week, we should have back to put up by Old Settler’s Days. **Motion** made by Alderman Grant, seconded by Alderman Weaver to accept the signs for \$1,872. Roll call: Alderman Grant-aye, Alderman Weaver-aye, Alderman Strohecker-aye, Alderman Huggins-aye, Alderman Macomber-aye and Alderman Stern-aye. Motion carried. Mayor Barnes inquired if anyone knew who owned the fence signs. Schrader announced that the Lions Club does and they will be taken care of. **Motion** made by Alderman Strohecker, seconded by Alderman Huggins to waive building permit for the signs. All ayes. Motion carried.

### **Committees**

Water & Sewer – Alderman Stern submitted a written report and reviewed. Stern discussed the Clyde Kent issue. EPA is concerned with contamination issue. If contaminated, the City would be liable. Stern announced that Bill Bloch stated at a recent meeting that we should get the rights to the line. Bloch had given an example of how Monticello provides water out to the interstate. Stern announced that he contacted Kent. Kent was in hospital recently. Stern attached minutes from the February 17, 2002 Council meeting when Kent was willing to sell the line to the City. No one was interested at that time. Stern also included water hook up agreement. Kent voluntarily put in water line. Kent’s new house has a well. Kent is no longer hooked to the line. Stern also attached a copy of the Capital Improvements Plan (CIP). Alderman Strohecker feels the first thing to do is to find out who is ready to annex in. Others reported that we have already done that. We cannot force them to come in. Stern feels we need to get permission to go out and fix. Sharon Pepin of MSA reported that with that many people, we would need to have a six inch line. Property must be contiguous in order to annex. Strohecker suggested sending a letter to give notice and terminate the line. This will force them to either dig a well or annex in. Some was not sure if EPA will allow wells to be dug there. Mayor Barnes announced that there are other lines in town the same way. Port owns his line. His daughter hooked in – no hook up fee to the City. Some felt that

the City has no rights to make repairs. Strohecker explained that up by his area someone put a line in and gave to the City to maintain. Alderman Stern asked Mitchell to talk with Kent. Alderman Stern and Alderman Strohecker agreed that we need to put in a hydrant in order to flush line. Stern and Mitchell agreed to work together on this issue.

Streets & Property – Alderman Strohecker has received a bid from Richard Sweitzer for the work at the City Park – need to dig up dirt and the City will put in more chips. The City will furnish truck to haul away. **Motion** made by Alderman Grant, seconded by Alderman Huggins to accept Richard Sweitzer’s bid of \$1,150. All ayes. Motion carried. No one seemed to have any problem with putting a memorial in the center of the cemetery. Strohecker reported that he checked with IDOT and the County regarding seal coating. He is recommending that the County do the seal coating. There will be a cost for the engineer to look at. All roads need primer coat and another over top. Some may need a third. High spots will need to be ground. The County will do all. We will know more when engineer comes to evaluate. The City may have to help some – not sure. Strohecker reported that Norm Brinkmeier is going to Wisconsin on Monday to look at some software for the cemetery. Strohecker might go along. Anyone else is welcome. The cemetery has looked into insurance for their employee. Cost is about \$400. We pay more than that. Strohecker feels that we should look into ours. Strohecker has looked at Meador’s rental property. Alderman Grant thinks that \$193 per month could go towards a payment on a new building. Strohecker feels that we have a lot of irons in the fire and could not get that done this year. Others shared that we have tried to do this (build) several other times. Strohecker asked everyone to think about this. When Strohecker started to discuss the residency ordinance, Weaver asked to table until later, possibly in executive session. Alderman Strohecker reported that he met with Alderman Stern and made a few changes to the Appropriations Ordinance. Strohecker discussed the restrooms in the park. He recommended hiring a part time cement person that could help with this project. Alderman Macomber inquired about just hiring a cement person. Strohecker agreed but reported that we have water looping that needs to be done yet. Strohecker talked with Keith at Medallion to see if we could get good prices on sinks and urinals. Medallion will take care of these. Strohecker announced that he is stuck on the cement for the restrooms. Mitchell announced that he has a resolution to sell the land ready for tonight. Strohecker questioned if we hire the cement work done or do we do it ourselves? Alderman Macomber inquired if Strohecker has anyone in mind for part time. Strohecker announced that he has two in mind and has talked with Alderman Weaver. Strohecker reported that the part time would be for just cement work. It takes two guys to do cement work. The new full time is also cement person. Alderman Weaver announced that we need someone for Mt. Department. We also need someone for Police Department. Our lead person had refused. Not sure what Brian’s plans are. Alderman Weaver explained that he thought we would wait and see for now. We need to look at the Police Department. Alderman Strohecker reported that the bid for concrete for the park restrooms is \$14,000. The cost of the concrete is \$4,000 and labor costs are \$10,000. Strohecker feels that \$10,000 could go towards a part time person. Alderman Weaver suggested contracting some work out. Alderman Macomber shared that when you contract out, you know it is done and how much it will cost. Macomber questioned if we really know what the cost is when the City guys do. Alderman Grant recommended

bidding out. In order to bid out, you will need specs. Alderman Weaver questioned if we want to try to get everything done this year or can some wait? If we do not do water looping this year, we will have to reapply for a permit. It takes a 2/3 vote of the Council to waive bidding. Strohecker recommended hiring a part time person three days per week. Weaver asked everyone to consider a part time and farm out some projects. Mt. Dept. needs trench training before water looping can begin.

Purchasing and Finance – no report.

Personnel – no report.

Economic Development – Alderman Huggins announced that the TIF is now in place. Applications are the next step. Pepin announced that she has a brief form but did not bring tonight. She will bring to the committee or whoever wants to look at.

Ordinance – Alderman Stern reported that he has looked over the Water & Sewer Proposal. Stern took these suggestions and put in ordinance form. He gave a copy to the Clerk for review. We need to have a Water & Sewer Committee meeting to decide what we want to do. Stern will go to surrounding areas to see what their rates are. Alderman Grant and Acting Chief Bennett will begin working on the dog ordinance tomorrow. Alderman Strohecker suggested a limit on dogs, after that need to have a kennel license. Bennett reported the County already has that.

Police – no report.

Ed Mitchell presented resolution to sell land to Lanark Ag. If approved, we need to publish in the Prairie Advocate ASAP. Alderman Strohecker inquired if we need to put in the resolution that we can still use the restrooms – up to three years, rent free. When we are ready, we demolish the restrooms and haul away. We do not remove the slab. The sewer line will have to be capped. Mitchell reported that this all can be put in the contract. **Motion** made by Alderman Macomber, seconded by Alderman Weaver to accept the resolution as submitted. Roll call: Alderman Macomber-aye, Alderman Weaver-aye, Alderman Grant-aye, Alderman Strohecker-aye, Alderman Huggins-aye and Alderman Stern-aye. Motion carried. Mitchell announced that he will talk with Guenzler regarding the easement at Forster property to be sure that he is looking at the correct one. Mitchell showed the easement on the map. After looking over map, not sure if Mitchell has the correct easement. Mitchell requested executive session to discuss pending litigation.

Les Guenzler, Maintenance Supervisor submitted a written report. Guenzler was not present as he is attending the annual awards conference. Stern reported that Meador wants to know by June 1<sup>st</sup> about renting the building. Stern and Guenzler have looked at it. Meador is willing to add more space for higher price. Stern feels this would be more accessible. Grant feels this could be put towards a new building – looking at putting up a building in a year or two for storage. Stern feels it is a nice location – nice space.

Aldermen Weaver did not have any additional business this evening.

Alderman Grant reported that she received a call from Deb O'Neil regarding a heaved up sidewalk by Piper's home. Grant took Guenzler over to look at. Gas cap is off – Guenzler called Nicor. O'Neil is starting a day care and will need signs. Grant received a call about kids playing music in the city park on Sunday. She went over and talked to them. A neighbor had complained and questioned the need for a permit. An officer went by and the music was not loud – did not feel there was a problem. All seemed to agree that the park is for everyone. No one seemed to have a problem with them using electricity for their music.

Aldermen Strohecker, Huggins and Stern did not have any other business.

The Clerk reported that she received a phone call from Ted Fink regarding paperwork for the farm concerning the waterways. Council agreed to have Mayor Barnes sign paperwork. The Clerk had received an inquiry as to whether e-mails were in violation of the open meetings act. Mitchell felt as long as the e-mails did not go back and forth making decisions – only relaying information, that it was OK.

Mayor Barnes proclaimed April 28<sup>th</sup> as Arbor Day in the City of Lanark.

**Motion** made by Alderman Macomber, seconded by Alderman Grant to enter into executive session to discuss personnel and pending litigation. All ayes. Motion carried.

Entered executive session at 9:45 PM.

**Motion** made by Alderman Macomber, seconded by Alderman Weaver to exit executive session. All ayes. Motion carried.

Exited executive session at 11:05 PM.

**Motion** made by Alderman Weaver, seconded by Alderman Strohecker to make the ordinance say there is no residency requirement. Roll call: Alderman Weaver-aye, Alderman Strohecker-aye, Alderman Macomber-aye, Alderman Grant-nay, Alderman Huggins-aye and Alderman Stern-nay. Motion carried.

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

Meeting adjourned at 11:06 PM.

*Respectfully submitted,  
Jackie Hawbecker, City Clerk*