

REGULAR CITY COUNCIL MEETING MINUTES
August 23, 2011 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order at 7:00 p.m. and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. Also present were Treasurer Szczap, City Administrator Nelson, Code Enforcement Officer Brennecka, Community Development Director Santeler, Deputy Chief Krause, Supt. Public Works Kruckenberg, Supt. Utilities Grant, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 07/26/2011 - APPROVED

Moved by Perkins, seconded by Opper to approve the minutes of the Regular City Council Meeting of July 26, 2011, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

ONE DAY LIQUOR LICENSE/ALL WORLD MACHINERY @ MILKY WAY PARK 8/27/11 - APPROVED

Deputy Chief Krause had no objections to the request for a one-day liquor license. Moved by Perkins, seconded by Logan to approve the One Day Liquor License Application for All World Machinery at Milky Way Park East on August 27th, 2011, from 2-9 p.m. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

PKD FOUNDATION "CAN SHAKE" SEPTEMBER 2nd & 3rd, 2011 – APPROVED

Carrie Harvey, 1307 7th St., Harvard addressed the City Council with regard to her request for permission to conduct a PKD (Polycystic Kidney Disease) Foundation "Can Shake" at 5-points on September 2nd, 2011 from 4 – 8:30 p.m. and on Saturday, September 3rd, 2011, from 8 a.m. – 5 p.m. Deputy Chief Krause did not have any objections provided that reflective vests are worn for visibility. Carrie indicated she works for Durham School Services who is loaning high visibility orange vests for the weekend. At Mayor Nolan's inquiry, Carrie noted she would be interested in making this an annual event, perhaps at a different time of the year. Moved by Opper, seconded by Logan to approve the request but shortening the hours on Friday from 4 - 7:30 p.m. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Opper and Perkins. All ayes. Motion carried.

HARVARD COMMUNITY RADIO PROPOSAL TO PROVIDE HISTORICAL CONTENT TO DOWNTOWN SPEAKER SYSTEM – APPROVED

Jay Schultz, 1503 Pheasant Run, Harvard addressed the City Council with respect to Harvard Community Radio's proposal to provide content for the downtown speakers, called *Harvard History Moments*. Each 30-60 second piece would reveal an interesting moment of Harvard's history and end with "this message brought to you by Harvard Community Radio". Harvard Community Radio would work with the library and the Historical Society on the content. Moved by Logan, seconded by Clarke to approve a three month trial to begin when the system moves to City Hall. Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Clarke, Opper and Perkins. Alderman Musgrove abstained. All ayes. Motion carried.

TOBACCO LICENSE APPLICATION/PETE PARHAS, AYER ST MINI MART, 69 N AYER - APPROVED

Mayor Nolan noted that Jimmy's Patio is being converted to a mini mart. Moved by Perkins, seconded by Marzahl to approve the Tobacco License Application for Peter Parhas/Ayer Street Mini Mart. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye.

VENDING LICENSE APPLICATION/NAT'L ENTERTAINMENT NETWORK, WAL-MART - APPROVED

Moved by Perkins, seconded by Opper to approve the Vending License Application as submitted by National Entertainment Network, site location Wal-Mart Supercenter #1211. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Opper and Perkins. All ayes. Motion carried.

EVENTS COMMITTEE RECOMMENDATIONS

Chairman Logan reviewed the minutes of the Events Committee Meeting of August 16th, 2011.

Events Committee Appointment - Approved

Moved by Logan, seconded by Clarke to approve the Events Committee's recommendation to appoint Tammy Herrera to fill the open position on the Events Committee. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Opper and Perkins. All ayes. Motion carried.

Family Fall Fest October 15th, 2011 - Approved

The Events Committee reviewed Tammy Herrera's written report outlining the preliminary planning for a Fall Family Festival to be held on Saturday, October 15th, 2011 from 8 a.m. – 3 p.m. and recommends to the City Council that the Outdoor Market Permit fee be waived for vendors and that Ayer Street be closed from Front St. to Sumner St. Tammy was asked to contact businesses that might be affected to get their input and to report at the City Council Meeting.

Tammy Herrera reported that all the businesses she spoke with were in favor of the event but she was unable to contact Harvard State Bank, Garbrechts's, Harvard Chiropractic and First Place Promotions. At the Mayor's inquiry, Deputy Chief Krause felt blocking one block was okay, but two blocks was too much. After further discussion, moved by Logan, seconded by Opper as follows:

- Waive the Outdoor Market Fee for vendors
- Close one block of Ayer Street from Front St. to Brainard St. until 4 p.m.
- Use of the parking spaces on both sides on Front Street from Johnson St. to Ayer St.
- Request permission to use the EDC lot on E. Front St.
- Public Works to deliver barricades on Friday to be put up by the committee
- Post temporary no parking by police order signs

Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved eight to zero. Deputy Chief Krause will notify the Harvard Fire Protection District. Tammy Herrera will continue to follow up with businesses that will be affected to obtain their permission.

ORDINANCE COMMITTEE RECOMMENDATIONS – ORD. 2011-126 APPROVED

Chairman Opper reviewed the minutes of the Ordinance Committee Meeting of August 2nd, 2011.

Beer Gardens

After discussion, staff was directed to prepare a draft ordinance and report back to the Committee, with a timeline to implement of May 1, 2012. City Clerk Wells reported that he will have a draft ready for an Ordinance Committee meeting in October.

Section 25.13, Prohibited Activities

Chief Kazy-Garey reviewed Section 25.13, Prohibited Activities and noted that the section was previously removed from Chapter 25 and recommended that said section be added back in. The Committee recommend to the City Council that Section 25.13, Prohibited Activities be added back to the liquor code.

Adopt Fireworks Act of Illinois

The Committee discussed the Fireworks Act of Illinois and recommends to the City Council that the Fireworks Act of Illinois be adopted.

Chapter 20.07 Misc. Fees - Applications

The Committee discussed and recommends to the City Council that Section 20.07, be amended to add a Police Dept. Application Fee - \$25 to cover testing and background checks.

Moved by Opper, seconded by Perkins to approve the Ordinance Committee's recommendations as discussed. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2011-126 approved eight to zero.

IDOT INTERGOVERNMENTAL AGREEMENT MASTER CONTRACT TRAFFIC SIGNALS - TABLED

City Administrator Nelson reviewed his memo reference the IDOT Intergovernmental Agreement pertaining to the master contract for traffic signals. The City is currently in dispute concerning one of the locations at Route 14 and the old Motorola plant. It was suggested that Mayor Nolan contact Representative Jack Franks to see if he could be of assistance in the matter. Moved by Logan, seconded by Opper to table the contract until next month. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

METRA PARKING LOT #1 RESURFACING/AWARD BID AND AUTHORIZE EXECUTION OF CONTRACT - APPROVED

Moved by Logan, seconded by Marzahl to award the bid for the Metra Parking Lot #1 Resurfacing to Chicagoland Paving Construction at their low bid of \$40,595.00 and to authorize the Mayor and City Clerk to execute the contract. Roll call vote: Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl and Ulmer, aye. Motion approved eight to zero.

POLICE STATION ROOF REPLACEMENT/AUTHORIZE MAYOR TO AWARD BID AND EXECUTE CONTRACT - APPROVED

The Police Dept. roof replacement project went out for bid on August 15th, 2011 to be opened and publicly read on August 30th, 2011. Moved by Marzahl, seconded by Ulmer to authorize the Mayor to award the bid to the lowest responsible bidder and to execute contract/documents. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Musgrove, aye. Motion approved eight to zero.

APPOINTMENT TO LIBRARY BOARD - APPROVED

Moved by Marzahl, seconded by Opper to approve Karen Sutura's recommendation to appoint Paola Harasimowica to fill the open position on the Library Board. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

CRIME STOPPERS BOARD MEMBERS- APPROVED

Moved by Logan, seconded by Opper to approve Mayor Nolan's recommendation to appoint Mark Krause and Debra Szczap to fill the vacant positions on the Crime Stoppers Board. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

CONSENT AGENDA:

- Harvard Milk Days Raffle Request August 23rd – September 17th
- Knights of Columbus Tootsie Roll Drive September 16th & 17th

Moved by Perkins, seconded by Clarke to approve the Consent Agenda as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Marzahl to approve the bills list as presented in the amount of \$343,198.65. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye and Clarke, aye. Motion approved eight to zero.

Alderman Logan thanked Mayor Nolan and the Public Works, Police and Parks Departments for their assistance and support on the Tri-County Pro Rodeo.

ALD. MUSGROVE

Alderman Musgrove noted that the Land Conservancy of McHenry County is planning a kick-off reception for the Campaign for Gateway Park on Sunday, August 28th, 2011 at 3 p.m. at the intersection of Heritage Lane and Marengo Rd.

CITY ADMINISTRATOR'S REPORT

City Administrator Nelson updated the City Council on the McHenry County Senior Services Grant that was submitted for the Harvard Senior Center and reported that the grant was awarded in amount of \$17,000 which reflects 80% of the amount that was sought.

CLERK'S REPORT - UPCOMING MEETING DATES

- September 6 Planning & Zoning Commission Meeting, 7 p.m. POST TO CANCEL
- September 13 Regular City Council Meeting, 7 p.m. POST TO CANCEL
- September 20 Regular Events Committee Meeting, 5 p.m.
- September 27 Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

Treasurer Szczap noted that the monthly treasurer's report for August, 2011 was in the packet.

NO REPORT

City Atty. Arévalo, Mayor Nolan and Aldermen Opper, Perkins, Clarke, Musgrove, Ulmer, Marzahl and Leyden had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted

Supt. Grant reported that permits for Well #7 have been signed and returned to the engineer to be forwarded to the state for approval.

Supt. Kruckenber reported that Public Works is back chipping again from the most recent storm.

Deputy Chief Krause reported that from their end, the Tri-County Pro Rodeo went off well.

Community Development Director Santeler reported that the contractor's tentative schedule to begin the Metra Lot #1 Resurfacing project on September 12th. That portion of the lot will be shut down for a period of 5 days. There is additional overflow parking at Metra Parking Lot #3 and the Front Street parking lot across from St. Joseph's Church to accommodate the displaced commuters.

At 7:42 p.m., moved by Logan, seconded by Marzahl, to go into closed session to discuss Section 2(c)(1) Personnel and Section 2(c)(2) Collective Bargaining. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye and Logan, aye. Motion approved eight to zero.

At 8:05 p.m., moved by Opper, seconded by Perkins to reconvene the open session. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye; Ulmer, aye; Clarke, aye; Logan, aye and Perkins, aye. Motion approved eight to zero.

At 8:07 p.m., moved by Opper, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

08/31/11
Date