

REGULAR CITY COUNCIL MEETING MINUTES

March 27, 2012 - 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, Musgrove, Clarke, Logan, Perkins and Opper. Alderman Ulmer and Treasurer Szczap were absent. Also present were City Administrator Nelson, Chief Kazy-Garey, Code Enforcement Officer Brennecka, Community Development Director, Supt. Parks & Rec Burkart, Supt. Public Works Kruckenberg, Supt. Utilities Grant and members of the audience.

AUDIENCE PARTICIPATION: NONE

PUBLIC HEARING – TIF BONDS

Mayor Nolan opened the Public Hearing to Receive Public Comments on the Proposal to Sell Bonds in the Aggregate Amount of up to \$5,600,000 for Purpose of Refinancing TIF Redevelopment Project Costs, Including but Not Limited to Water, Sewer, Storm Drainage, Roads, Sidewalks, Curbs, Gutters, Street Lighting, Landscaping and Other Similar Public Infrastructure Improvements and Related Facilities, Improvements, and Work, Professional and Other Redevelopment Project Costs, Within or Serving, as Applicable: (i) Harvard Downtown and (ii) Harvard Industrial Park Redevelopment Project Areas. City Clerk Wells noted that the hearing was published in the Northwest Herald according to state statute. There were no public comments and the hearing was closed.

CITY COUNCIL MEETING MINUTES OF 02/28/2012 - APPROVED

Moved by Logan, seconded by Perkins to approve the minutes of the Regular and Closed Session City Council Meeting of February 28, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

POLICE DEPARTMENT

a) Sergeant's Appointment/Stephen Dixon

Chief Kazy-Garey reported Officer Stephen Dixon will be promoted to the rank of sergeant. Officer Dixon was sworn in by City Clerk Wells.

b) Commendation/Honorable Mention Officer Robert Schultz & Explorer Chris Bruha

Chief Kazy-Garey presented an Honorable Mention Award to Explorer Chris Bruha for assisting Officer Schultz in developing the website for the Harvard Police Dept.

Chief Kazy-Garey presented an Honorable Mention Award to Officer Robert Schultz for developing the website for the Harvard Police Dept.

c) TERT Dispatch Agreement

Chief Kazy-Garey gave an overview of the TERT Dispatch Agreement which is similar to the ILEAS agreement and various Public Works departments in the county in the event of a natural disaster. Moved by Logan, seconded by Opper to approve a Resolution Authorizing Mayor Nolan to execute the Illinois Telecommunicator Emergency Response Task Force Intergovernmental (TERT) Agreement. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

d) Proclamation National Telecommunicator's Week April 8-14, 2012

Moved by Logan, seconded by Perkins to approve a Proclamation designating April 8th – 14th, 2012, as National Telecommunicator's Week. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

e) Authorization to Apply for COPS

Moved by Logan, seconded by Opper to grant Chief Kazy-Garey the authority to apply for the annual COPS Grant. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

HARVARD BOYS LEAGUE SPECIAL EVENT LIQUOR LICENSE APPLICATION - APPROVED

Moved by Marzahl, seconded by Perkins to approve a one day Special Event Liquor License for the Harvard Boy's League on June 9th, 2012, from 9 a.m. – 10 p.m. At Mayor Nolan's inquiry, Alderman Clarke reported that this is not the Boys League annual cookout, but a one-day softball tournament similar to the HERS League tournament with the proceeds going towards a scholarship. Roll call vote: Leyden, aye; Marzahl, aye; Musgrove, aye; Clarke, abstain; Logan, aye; Perkins, aye and Opper, aye. Motion approved six to zero with one abstention.

HARVARD FARMERS MARKET REQUEST FOR WAIVER OF OUTDOOR MARKET FEES, USE OF SIDEWALKS AND BLOCK PARKING SPOTS ON AYER AND FRONT ST. – APPROVED

Alderman Logan noted that the request is similar to last year with the exception that the Farmers Market would like to set up on Saturday, June 2nd (Milk Day) using the EDC lot. The market will not use any sidewalks or block any parking spaces on Milk Day. Chief Kazy-Garey reported there were no problems last year. Moved by Opper, seconded by Clarke to approve to approve Tammy Herrera/Harvard Farmer's Market request as presented:

1. Waiver from the fee requirement in Section 21.07, Outdoor Markets for the vendors at the Harvard Farmer's Market. The market will be held every Saturday from 9 a.m. (set-up being at 8:30 a.m.) to 1 p.m. beginning May 5th thru October 27th, 2012. The market will set up in the EDC lot on Saturday, June 2nd, which is Milk Day weekend.
2. Use of sidewalks on the corner of Ayer St. and Front St. leading to the use of the empty lot by the water tower to set up and hold the market.
3. Block off the east side parking spots of Ayer St. in front of Roaches Hardware building and on the south side parking spots of Front St. in front of Bopp's Tavern. Depending on the number of vendors, the market would extend west on Front St. towards the water tower.

HARVARD MILK DAYS REQUEST FOR A WAIVER OF OUTDOOR MARKET FEES - APPROVED

Moved by Logan, seconded by Clarke to approve Harvard Milk Days' request for a waiver from Section 21.07, Outdoor Market Fees for Harvard Milk Days 2012 for following: Milk Days Ag/Commercial Tent vendors, Game, Novelty Vendors and Food Concessions at the Milk Day Grounds, Horse Show Concessions/Vendors, Milk Run Booth and Wheelz Show Concessions/Vendors. Aldermen voting aye: Leyden, Musgrove, Logan, Clarke, Perkins and Opper. Alderman Marzahl abstained. All ayes. Motion carried.

USAAGAIN LLC, SECOND HAND ARTICLES DROP OFF CONTAINERS - APPROVED

The City Council reviewed the application submitted by USAAgain LLC for second hand articles drop off containers to be located at various locations. Alderman Logan noted that the proposed location for the container on Chippewa is on the right of way. Moved by Logan, seconded by Opper to approve the application at the proposed locations with the condition that the container(s) located not be located in the right of way. Roll call vote: Marzahl, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved seven to zero.

IDOT INVOICE TRAFFIC SIGNAL MAINTENANCE COSTS – APPROVED

Administrator Nelson reported that IDOT sent a final demand notice for payment in the amount of \$13,081.01. Moved by Logan, seconded by Clarke to approve the past due amount over time according to IDOT's correspondence. Roll call vote: Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved seven to zero.

AUTHORIZATION TO PROCEED/FORCIBLE ANNEXATIONS - APPROVED

Administrator Nelson reviewed publication and notice requirements. Moved by Logan, seconded by Marzahl to proceed with the forcible annexations on the following parcels:

1. 01-26-401-004 Frank Nicholas
2. 01-26-426-020 Kovas Communication
3. 01-26-427-005 Leonard Beetstra
4. 01-26-427-006 Leonard Beetstra

5. 01-26-451-002 Lester & Bonnie Blazer
6. 01-26-476-004 Leonard Beetstra
7. 01-34-351-001 Elroy Bauman
8. 01-34-400-035 Harvard Moose
9. 01-34-426-003 City of Harvard
10. 06-01-100-022 O'Leary Construction
11. 06-01-300-016 Elvis Henson

Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Musgrove, aye. Motion approved seven to zero.

AUTHORIZE MAYOR TO EXECUTE FOP COLLECTIVE BARGAINING AGREEMENT - APPROVED

Moved by Logan, seconded by Marzahl to authorize the Mayor to execute the FOP Contract. Administrator Nelson reported that the City lost in arbitration. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye and Clarke, aye. Motion approved seven to zero.

AWARD CONTRACT 2012 MFT ROAD PROGRAM – APPROVED

Moved by Logan, seconded by Marzahl to award the contract for the 2012 MFT Road Program to Schroeder Asphalt Services, Inc. at their low bid of \$52,571.50 and authorizing the Mayor to sign all associated documents. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye; Clarke, aye and Logan, aye. Motion approved seven to zero.

2012 ZONING MAP UPDATE - APPROVED

Administrator Nelson noted there was only one update to the zoning map: rezoning of 208-404 W. Front from R3 & M1 to B3 Zoning District. Moved by Perkins, seconded by Opper to approve the updated Zoning Map as presented and to grant City Clerk Wells authorization to publish. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

AMEND SECTION 13C.05(A), WATER/SEWER USER SERVICE RATES – ORD. 2012-108 APPROVED

Moved by Logan, seconded by Marzahl to approve Ordinance 2012-108, Amending Section 13C.05(A), Water and Sewer User Service Rates, Charges as presented. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye; Clarke, aye; Logan, aye and Perkins, aye. Ordinance 2012-108 approved eight to zero.

PARKS & RECREATION COMMITTEE RECOMMENDATIONS

Chairman Perkins reviewed the minutes of the Parks & Recreation Committee Meeting of March 6, 2012.

Fees & Programs – Approved

The Parks and Recreation Committee discussed handouts pertaining to fees and programs, and recommends to the City Council to increase pool pass fees by \$10 across the board, to increase daily fees by \$1 across the board, to lower the age limit for children's free admission from 4 to 2 and to increase park rental fees as follows:

Resident		Non-Resident	
# People	Cost	# People	Cost
1-100	\$50	1-100	\$75
101-150	\$75	101-150	\$100
151-200	\$100	151-200	\$125
201-250	\$125	201-250	\$150
251-300	\$150	251-300	\$175

Moved by Perkins, seconded by Logan to approve the Committee's recommendation to increase pool and park rental fees as presented. Roll call vote: Leyden, aye; Marzahl, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved seven to zero.

The Parks and Recreation Committee discussed and recommends to the City Council to purchase software from Park District USA which will streamline park and recreation activities in an amount not to exceed \$4,354.

Moved by Perkins, seconded by Logan to approve the Committee's recommendation to purchase software from Park District USA in an amount not to exceed \$4,354. Alderman Leyden reported on his meeting with the software representative and Supt. Burkart to develop the software package to include a web cam, a bar code scanner and three hours of developer time to develop a form that will be universal to be uploaded into our system; additional cost is approximately \$450. This will organize and streamline tracking for the City and other youth sports organizations to be expandable in the future. Aldermen Perkins and Logan amended their motion and second respectively that the cost not exceed \$5,000. Roll call vote: Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved seven to zero.

Goals & Objectives - Approved

The Parks & Recreation Committee discussed and recommends to the City Council that the Park and Recreation Goals be adopted as presented.

Moved by Perkins, seconded by Opper to approve the Committee's recommendation to adopt the Park and Recreation Goals as presented. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

Seed Milky Way Park – Approved

The Parks and Recreation Committee discussed and recommends to the City Council that the new portion of Milky Way Park be seeded in the fall at a cost up to \$8,000.

Moved by Perkins, seconded by Opper to approve the Committee's recommendation that the new portion of Milky Way Park be seeded in the fall at a cost up to \$8,000. Roll call vote: Marzahl, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved seven to zero.

SET PUBLIC HEARING FOR BUDGET

Moved by Logan, seconded by Perkins to conduct a public hearing for the FY2012/2013 Budget on April 24, 2012, at 7 p.m. Aldermen voting aye: Leyden, Marzahl, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

MCHEMRY CO ZBA NOTICE OF HEARING WITHIN CITY'S 1½ MILE JURISDICTION

The City Council reviewed the McHenry County ZBA Notice of Hearing on April 19th, 2012, in the petition of Jose and Ann Lopez for a variation to allow a pool to be located in a side yard. Subject property is located at 23101 Graf Rd., Harvard. There were no objections.

CONSENT AGENDA:

- Sanction Mayor's Approval of Komen "Pink Up the Pace" Raffle Request March 12th, 2012
- BraveHearts Therapeutic Riding & Educational Center Raffle Request March – May, 2012
- HERS Softball Raffle Request March 12th – June 28th, 2012
- St. Joseph's Catholic Night of Knights Raffle Request, April 28th, 2012
- Lion's Club Tootsie Pop Day May 4th & 5th, 2012
- Harvard Milk Day Horse Show Raffle Request, May 19th, 2012
- Harvard Milk Day Cow Chip Lotto Raffle Request March 28th – June 3rd, 2012
- VFW Post #8249 Buddy Poppy Program June 29th & 30th, 2012
- Salvation Army Red Kettle Campaign November 16th – December 24th, 2012

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

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Perkins to approve the bills list as presented in the amount of \$95,633.26. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Musgrove, aye. Motion approved seven to zero.

MAYOR'S REPORT

Mayor Nolan noted that there will be a regular City Council Meeting on April 10th, 2012, at 7 p.m.

ADMINISTRATOR'S REPORT

City Administrator Nelson noted he has been working with the Mayor and Alderman Ulmer to host a E-Cycle Event on Saturday, May 5th, 2012, in the back parking lot at City Hall from 8 am – noon. The flyer which is the aldermen's folders will be posted on the website and an article will be in the upcoming Main Line as part of the City's newsletter. Dave noted volunteers are needed and encouraged the City Council to assist the day of the event.

A draft budget will be sent to the aldermen via e-mail with a copy posted on the website for public viewing.

Administrator Nelson thanked Alderman Leyden who was extremely helpful in figuring out the marketing software for the Parks & Rec Dept.

CLERK'S REPORT - UPCOMING MEETING DATES

- April 3 Planning & Zoning Commission Meeting, 7 p.m.
- April 10 Regular City Council Meeting, 7 p.m.
- April 17 Regular Events Committee Meeting, 5 p.m.
- April 24 Budget Hearing, Regular and Year End City Council Meeting, 7 p.m.

Clerk Wells reminded the City Council/Dept. Heads to file their Economic Interest Statement with the County Clerk by May 1st.

TREASURER'S REPORT

In Treasurer Szczap's absence, Mayor Nolan noted that the monthly treasurer's report for March, 2012 is in the packet.

NO REPORT

Aldermen Opper, Perkins, Clarke, Musgrove, Marzahl, Leyden had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

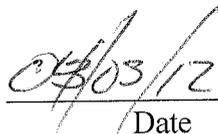
Code Enforcement Brenneka commented on moving the second hand articles drop off container off of the right of way on Chippewa and expressed concern that the unpaved lot might become a mud hole. After discussion, moved by Logan, seconded by Opper to rescind that portion of the prior motion as to location of the containers giving the Code Enforcement Officer the authority to approve the location. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye and Clarke, aye. Motion approved eight to zero.

At 7:36 p.m., moved by Perkins, seconded by Marzahl to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk



03/03/12
Date