

REGULAR CITY COUNCIL MEETING MINUTES

April 24, 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, Ulmer, Musgrove, Clarke, Logan and Opper. Alderman Perkins was absent. Also present were Treasurer Szczap, City Administrator Nelson, Chief Kazy-Garey, Supt. Parks & Rec Burkart, Supt. Public Works Kruckenberg, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

FY2012-2013 BUDGET PUBLIC HEARING

Mayor Nolan opened the public hearing to review the FY2012/2013 Budget. Clerk Wells noted that the notice of hearing was published in the Northwest Herald according to state statute. Mayor Nolan asked for questions or comments from the audience or members of the City Council. There were none and the hearing was closed.

TRUSTEE DAVE BRANDT, MCHENRY COUNTY CONSERVATION DISTRICT

Trustee Dave Brandt, McHenry County Conservation District, 3609 West Lake Shore Drive, Wonder Lake, IL gave an overview of the MCCD whose mission is to preserve natural areas, create open space, restore wetland habitats and provide trails and recreation opportunities for the public to enjoy. The MCCD currently manages over 2,500 acres with 32 sites open to the public. There is an upcoming program, "Hooked on Fishing", at Rush Creek on June 9th from 9-noon. The MCCD has begun a bilingual outreach program in association with District 50 and Diggins Library and will be sponsoring a bilingual opportunity, "Fishing Fun for Families", on Saturday, June 30th from 9 – 11 am, at Brookdale. At Alderman Leyden's inquiry, Trustee Brandt noted MCCD's future plans to connect the bike trail that comes out of Chemung to Boone County's trail and also south towards Woodstock, pending grant funding.

CITY COUNCIL MEETING MINUTES OF 04/10/2012 - APPROVED

Moved by Logan, seconded by Opper to approve the minutes of the Regular City Council Meeting of April 10, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, and Opper. All ayes. Motion carried.

HOME OCCUPATION PERMITS

a) Patricia Partida d/b/a Partida Landscaping & Lawn Service, 102 W. Roosevelt St. - Approved

Jose Ora, 102 W. Roosevelt St., Harvard addressed the City Council with respect to his Home Occupations Permit Application to operate a business, d/b/a Partida Landscaping & Lawn Service, from his residence at 102 W. Roosevelt. Mr. Ora noted the proposed business is for office use only; no equipment or machinery will be parked at the house nor does he anticipate customers at that location. Roger Gilbert noted his objection to the home occupation and suggested using vacant storefronts; further that there are too many lawn service businesses in town. The requisite notice was sent to adjoining property owners. Moved by Opper, seconded by Ulmer to approve the Home Occupations Permit Application with the stipulation that the Home Occupation strictly be for an office with no storage of mowers, equipment or other machinery. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye and Opper, aye. Motion approved seven to zero.

b) Marek Harasimowicz d/b/a M.H. Moto, 601 W. Washington St. - Approved

Petitioner Marek Harasimowicz, 601 West Washington St., Harvard addressed the City Council with respect to his Home Occupations Permit Application to operate a business, d/b/a M.H. Moto, from his residence. The proposed business would be for motorcycle and ATV service/repair (mostly engine and suspension work) which he would operate from 4-7 pm after he gets off work from his full time job. He's hoping to work on at least one motorcycle/ATV a week but if his business were to grow to full time, he would look for a permanent location for his business. There were no objectors present. The requisite notice was sent to adjoining property owners. Chief Kazy-Garey noted his concerns would be noise

complaints from neighbors and accumulation of motorcycles stored on his property. Chief Kazy-Garey inquired if Mr. Harasimowicz had been working on motorcycles at his residence prior to submitting his application. Mr. Harasimowicz noted he has not done work from his home but from dealerships and that there wouldn't be any outside storage of parts or motorcycles which would be stored in his garage or if necessary, he would rent a storage unit. Mayor Nolan noted that the permit could be revoked at any time if there were complaints from the neighbors. Moved by Clarke, seconded by Marzahl to approve the Home Occupations Permit Application with the stipulation that there be no outside storage of motorcycles/atv's. At Mr. Harasimowicz's inquiry as to whether or not he could push the motorcycles outside of his garage during the course of working on them, Mayor Nolan clarified that the stipulation refers to the storage of vehicles outside. Roll call vote: Marzahl, no; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, no; Opper, aye and Leyden, aye. Motion approved five to two.

WAIVER OF FEES/HARVARD WAL-MART MIRACLE NETWORK FUNDRAISERS - APPROVED

Alderman Logan commented that he would be hesitant to waive the fees due to the current status of the City's park finances. The basic park rental fee is \$50. Moved by Opper, seconded by Ulmer to approve Harvard Wal-Mart's request for a waiver of fees for the use of four softball fields at Milky Way Park for fundraisers as follows:

- 1st Annual Children's Hospital Kickball Tournament Fundraiser, 5/16/12 from 9 am – 7 pm
- 3rd Annual Children's Hospital Softball Tournament Fundraiser, 5/30/12, from 11 am – 8 pm

Roll call vote: Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, no; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved six to one.

MAJOR INVESTIGATION ASSISTANCE TEAM (MIAT) AGREEMENT - APPROVED

Chief Kazy-Garey noted that the City Attorney amended the MIAT Agreement to parallel the ILEAS Agreement. Moved by Marzahl, seconded by Logan to authorize the Mayor and Chief of Police to execute the Mutual Aid Agreement with the McHenry County Major Investigation Assistance Team (MIAT). Roll call vote: Musgrove, aye; Clarke, aye; Logan, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

PROCLAMATION "LOOK AT LOCAL HISTORY" MONTH - APPROVED

Moved by Logan, seconded by Opper to approve a Proclamation Designating May, 2012 as "*Look at Local History*" Month in the City of Harvard. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, and Opper. All ayes. Motion carried.

CITY OF HARVARD ANNUAL BUDGET FOR FY2012/2013 — ORD. 2012-113 APPROVED

City Administrator Nelson reviewed Alderman Perkins' memo which notes the shortfall in the park fund due to the property tax cap law. The memo outlines adjustments to the budget as follows which are not included in the draft budget as published:

- Cut savings program for the pool painting from \$4,000 to zero
- Reduce Swimming Pool Contingency from \$6,200 to zero
- Increase Swimming Pool Salary line item by \$13,589
- Split the salary of Supt. Burkart by \$13,589 (parks/pool)
- Reduce Corporate General fund contingency by \$3,389
- Increase transfer from Corporate General to Park Fund from zero to \$3,389

Moved by Logan, seconded by Marzahl to approve Ordinance 2012-113, Approving the City of Harvard Annual Budget for Fiscal Year 2012/2013, incorporating the adjustments as recommended by Alderman Perkins. Roll call vote: Clarke, aye; Logan, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Musgrove, aye. Ordinance 2012-113 approved seven to zero.

REVIEW OF SECTION 21.13 TO ALLOW FOR PENALTIES OF VIOLATIONS OF TOBACCO LICENSE CONDITION – REFERRED TO ORDINANCE COMMITTEE

Alderman Opper referred said item to the Ordinance Committee for review and called an Ordinance Committee meeting for May 1st, 2012, at 6:30 p.m. to discuss Section 21.13, Tobacco License Penalty; Marengo Road Trucks; Police Department Parking Lot and SOF Review.

There will also be a Parks and Recreation Committee Meeting immediately following the Ordinance

Committee meeting on May 1st, 2012, to discuss user fees, park lighting and securing parks at night.

CONSENT AGENDA:

- Harvard Milk Days/Wheelz Show Raffle Request April 25 – May 26, 2012
- Harvard Milk Days Raffle Request April 25 – June 2, 2012
- Harvard Snow Gophers Snowmobile Club Raffle Request June 1, 2012 – February 3, 2013
- St. Joseph Hispanic Ministry Raffle Request April 23, - July 29, 2012

Moved by Logan, seconded by Opper to approve the Consent Agenda as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan 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 \$339,390.37. Roll call vote: Logan, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye and Clarke, aye. Motion approved seven to zero.

ALD. ULMER – E-CYCLE EVENT ON MAY 5TH, 2012

Alderman Ulmer reminded the City Council of the Electronic Recycling Event on Saturday, May 5th, 2012, in the back parking lot at City Hall from 8 am – noon.

MAYOR'S REPORT

Mayor Nolan reported that the auditors are at City Hall for the annual audit.

CLERK'S REPORT - UPCOMING MEETING DATES

May 1	Planning & Zoning Commission – POST TO CANCEL Ordinance Committee Meeting, 6:30 p.m. Parks & Recreation Committee Meeting, 6:30 p.m.
May 8	Regular City Council Meeting – POST TO CANCEL
May 15	Regular Events Committee Meeting, 5 p.m.
May 22	Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

Treasurer Szczap stated that the monthly treasurer's report for April, 2012 is in the packet.

NO REPORT

Attorney Carlos Arévalo, Administrator Nelson, Aldermen Opper, Clarke, Musgrove, Marzahl, Leyden had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

Chief Kazy-Garey noted he is seeking a replacement on the Police Pension Fund Board.

Supt. Kruckenberg reported that Public Works is repairing sanitary manholes and storm sewers. Brush pick-up is scheduled to start May 14th.

At 7:20 p.m., moved by Perkins, seconded by Opper to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

05/01/12
Date