

REGULAR CITY COUNCIL MEETING MINUTES
June 26, 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, Clarke, Logan, Perkins and Opper. Alderman Musgrove was absent. Also present were Treasurer Szczap, City Administrator Nelson, Code Enforcement Officer Brennecka, Community Development Director Santeler, Deputy Chief Krause, Supt. Public Works Kruckenberg, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 05/22/2012 - APPROVED

Moved by Opper, seconded by Clarke to approve the minutes of the Regular City Council Meeting of May 22, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

Mike/Mary McCauley, Side Yard Variation for Property Located 202 Ayer St. – Ord. 2012-121 Approved

Chairman Opper noted the Recommendations/Findings of Fact submitted by Jim Carbonetti, Chairman of the Planning and Zoning Commission which met on June 5, 2012, for a hearing in the petition submitted by Michael and Mary McCauley for property located at 202 Ayer St. The petitioners request a variation from Section 17.20.080, Lot Area, Yard & Bulk Regulations (Table 1) to reduce the 25' setback requirement abutting a residential zone to zero feet. After reviewing the evidence and testimony presented, the Planning and Zoning Commission recommends to the City Council that the petitioner's request be approved as presented for a variation to reduce the side yard setback requirement of 25' on the south side of the subject property to zero feet. The Planning and Zoning Commission further finds as follows:

1. In light of all the evidence presented, a hardship was created by misinformation on the original real estate listing.
2. In light of all of the evidence presented, the proposed variation would not be detrimental to the orderly development of the City of Harvard.
3. In light of all of the evidence presented, the proposed variation will not be detrimental to or endanger the public health, safety, morals or general welfare of the community of the City of Harvard.

Moved by Opper, seconded by Marzahl to approve the Planning and Zoning Commission's recommendation and findings of fact as presented and Ordinance 2012-121, granting a variation to reduce the side yard setback requirement of 25' on the south side of the subject property to zero feet. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Ordinance 2012-121 approved seven to zero.

SPECIAL EVENT LIQUOR LICENSES - APPROVED

Moved by Perkins, seconded by Ulmer to approve a Special Event Liquor License to All World Machinery, Inc. for their annual picnic at the Milky Way Park East Shelter on July 14th, 2012, from 6 am – 10 pm. At Alderman Opper's inquiry about the requirement for police protection because of the number of attendees, Administrator Nelson and Deputy Chief Krause indicated there haven't been any problems in the past. Roll call vote: Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved seven to zero.

Moved by Ulmer, seconded by Marzahl to approve a Special Event Liquor License to Carl Opper for a picnic at the Milky Way Park East Shelter on July 22nd, 2012, from 11 am – 8 pm. Roll call vote: Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, abstain; Leyden, aye and Marzahl, aye. Motion approved six to zero with one abstention.

Moved by Marzahl, seconded by Opper to approve a Special Event Liquor License to the Chamber of Commerce for the Tri-County Pro Rodeo at Milky Way Park on July 27th and 28th, 2012, with a waiver of fees. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

ST. JOSEPH RUN/WALK ON SUNDAY, SEPTEMBER 9TH, 2012 - APPROVED

Maria Lopez, 900 N. Jefferson St., Harvard reviewed St. Joseph's request to hold a 5K Run and 1 Mile Walk on Sunday, September 9th, 2012, to raise funds for improvements at the convent. The run would like to use space outside of the Harvard Diggins Library for registration, with the route for the run similar to Milk Days. Mayor Nolan noted that the City would not be able to block any streets for the event.

- The run will be a 5K, beginning at the Harvard Diggins Library going down towards Route 173 and up Harvard Hills Road and back, similar to the Harvard Milk Run.
- The walk will be a 1 Mile, beginning at St. Joseph's School and going to the Harvard Rest Home, up Route 14 to the Care Center and finishing there. Others will begin at the Care Center and go down to the Harvard Rest Home and finishing at the St. Joseph's School.

Moved by Logan, seconded by Clarke to approve the request, pending permission from Harvard Diggins Library and the submission of the exact routes for both events. Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

CDBG GRANT/METZEN ST. DRAINAGE IMPROVEMENTS – APPROVED

Administrator Nelson noted the CDBG grant is for road reconstruction, storm sewer, curb and gutter on Metzen Street from Howard to Blanchard St. The grant amount of \$240,000 should cover the full cost of the project. Moved by Logan, seconded by Perkins to authorize Mayor Nolan and City Clerk Wells to execute the Agreement Between the County of McHenry and the City of Harvard for the Metzen Street Drainage Improvements. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Clarke, aye. Motion approved seven to zero.

AMEND BUDGET – ORD. 2012-122

Administrator Nelson noted that in connection with the CDBG Grant the budget needs to be amended to include the grant. Moved by Perkins, seconded by Clarke to amend the FY2012/2013 Budget as follows:

- Revenue Acct. 70-00-44200, Grants, in the amount of \$240,000
- Expense Acct. 70-02-58010, Infrastructure Improvements in the amount of \$240,000.

Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye and Logan, aye. Ordinance 2012-122 approved seven to zero.

PREVAILING WAGE – ORD. 2011-123 APPROVED

At Alderman Logan's inquiry, Administrator Nelson reviewed the ramifications of not passing the prevailing wage ordinance which would include ineligibility for state and federal funding. Moved by Perkins, seconded by Clarke to approve Ordinance 2012-123, Prevailing Wage. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye and Perkins, aye. Ordinance 2012-123 approved seven to zero.

ILLINOIS PUBLIC WORKS MUTUAL AID NETWORK AGREEMENT – APPROVED

Moved by Logan, seconded by Perkins to authorize Mayor Nolan and City Clerk Wells to execute the Illinois Public Works Mutual Aid Network Agreement. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved seven to zero.

AUTHORIZE CITY ADMINISTRATOR TO WRITE LAPP GRANT - APPROVED

Moved by Logan, seconded by Opper to authorize City Administrator Nelson to write a LAPP Grant for road resurfacing (Diggins St. from the tracks to Lawrence Road, Garfield St. from Old Orchard Rd. to Route 14 and Marengo Rd. from Hereley Dr. to Route 23). Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

MOBILE PHONE APP TO PAY FOR METRA PARKING – APPROVED

Moved by Perkins, seconded by Logan to proceed with the purchase of a mobile phone app to pay for METRA Parking. The mobile app will allow commuters to pay by phone and charge their credit card; the one time software cost is about \$1,000. Roll call vote: Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved seven to zero. Administrator Nelson noted that the system could be upgraded in the future so that credit cards and bank issued debit cards could be taken directly at the parking machine.

PUBLIC PROPERTY COMMITTEE RECOMMENDATION/ABANDONED PROPERTY

Chairman Ulmer reviewed the Public Property Committee Meeting Minutes of June 14th, 2012. The Committee discussed abandoned properties at the following locations:

403 Washington Street

The Public Property Committee reviewed the City’s legal options with City Attorney Kevin Chrzanowski with respect to abandoned property at 403 W. Washington St., Harvard. Kevin will prepare a form letter that the City will use in all cases of code enforcement to preserve The City’s rights in court. The general consensus was to not take any action at this time.

700 Second Street

The Public Property Committee reviewed the City’s legal options with City Attorney Kevin Chrzanowski with respect to abandoned property at 700 Second St., Harvard and recommends to the City Council approval of staff recommendation to possibly take title of the abandoned property at 700 Second Street, Harvard.

Moved by Ulmer, seconded by Perkins to approve the Committee’s recommendation to possibly take title of the abandoned property at 700 Second St., Harvard. Roll call vote: Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved seven to zero.

EVENTS COMMITTEE RECOMMENDATIONS – APPROVED

Moved by Logan, seconded by Perkins to approve the Events Committee’s recommendation to appoint Jane Siebert to the Events Committee. Aldermen voting aye: Leyden, Marzahl, Ulmer, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

Chairman Logan reviewed the Events Committee’s plans to host an Outdoor Movie in conjunction with National Night Out on Tuesday, August 7th, 2012. The Committee has made arrangements to rent the outdoor movie equipment from the City of Woodstock at a cost of \$100 which will require a signed agreement and proof of insurance. Moved by Opper, seconded by Marzahl to authorize the execution of the Equipment Rental Agreement with the City of Woodstock to rent the outdoor equipment at a cost of \$100. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

LIBRARY BOARD APPOINTMENT - APPROVED

Moved by Perkins, seconded by Opper to approve Karen Sutera’s recommendation to appoint Trent Bruha to the Library Board. Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Perkins and Opper. Alderman Clarke abstained. All ayes. Motion carried.

FYI: COMED TREE PRUNING SCHEDULE

Administrator Nelson noted the ComEd Tree Pruning Schedule for July and August.

FYI: IDOT US ROUTE 14 RESURFACING PROJECT FROM DIGGINS ST. TO STATE LINED ROAD0

Mayor Nolan noted correspondence from IDOT reference the US Route 14 resurfacing project from Diggins St. to State Line Road which includes traffic signal removal at the interesections of US Route 14 and the old Motorola entrance and US Route 14 and Crowley Rd. at no cost to the City. The most recent notice from IDOT indicates the project is scheduled for FY2016.

CONSENT AGENDA:

- Sanction Mayor's approval of Certificate/Key to City for Orion Samuelson
- Cornerstone Church Raffle Request/June 21st – July 7th, 2012
- First Presbyterian Church Raffle Requests/July 21st, 2012
- Trinity Lutheran Church Raffle Request/September 8th, 2012

Mayor Nolan added the following item to the Consent Agenda:

- First Presbyterian Church Raffle Request/August 18th, 2012

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

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Clarke to approve the bills list as presented in the amount of \$403,997.15. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Clarke, aye. Motion approved seven to zero.

MAYOR'S REPORT

Mayor Nolan reported that there have been record numbers at the pool.

ADMINISTRATOR'S REPORT

Administrator Nelson noted that the road program will begin in a couple weeks with most of the patching work being done on Marengo Road by the school. In conjunction with that program, the low bidder for the Metra Parking lots was the same contractor so both projects have been scheduled at the same time.

CLERK'S REPORT – UPCOMING MEETING DATES

- July 3 Planning & Zoning Commission - POST TO CANCEL
- July 10 Regular City Council Meeting - POST TO CANCEL
- July 17 Regular Events Committee Meeting, 5 p.m.
- July 24 Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

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

NO REPORT

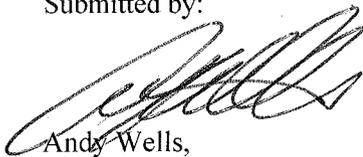
Attorney Carlos Arévalo and Aldermen Opper, Perkins, Clarke, Ulmer, Marzahl and Leyden had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

At 7:32 p.m., moved by Perkins, seconded by Logan to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

05/06/12
Date