

## REGULAR CITY COUNCIL MEETING MINUTES

August 28, 2012 - 7:00 P.M.

City Clerk Wells called the City Council meeting to order at 7:00 p.m., led the pledge to the flag and called roll. Aldermen present: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. Also present were Treasurer Szczap, City Administrator Nelson, Community Development Director Santeler, Chief Kazy-Garey, Supt. Parks & Rec Burkart, Supt. Public Works Kruckenberg, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

In Mayor Nolan's absence, it was moved by Logan, seconded by Clarke to appoint Alderman Marzahl as Mayor Protem for the City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**AUDIENCE PARTICIPATION: NONE**

### **CITY COUNCIL MEETING MINUTES OF 07/24/2012 - APPROVED**

Moved by Logan, seconded by Perkins to approve the minutes of the Regular City Council Meeting of July 24, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke and Perkins. All ayes. Motion carried.

### **JAMES NOLTING, 1101 N. DIVISION/VARIATION PETITION FROM SECTION 6.11B, TREES, BUSHES & SHRUBS PLANTING LOCATIONS – ORD 2012-124 TO DENY VARIATION APPROVED**

James Nolting, 1101 N. Division St., reviewed his petition for a variation from Section 6.11B, Trees, Bushes & Shrub, Planting Locations to allow the existing shrubs to remain in the right-of-way. Moved by Logan, seconded by Clarke to deny the petition with the existing bushes removed from the right-of-way. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Ordinance 2012-124 to deny the petition approved eight to zero. Further discussion ensued with respect to the homeowner's removal of the shrubs and Mr. Nolting was advised that the shrubs were to be removed at his expense within 30 days.

### **RON & LISA HUTCHINSON, 804 W. THOMPSON/VARIATION FROM SECTION 19.15B3, DRIVEWAYS AND PARKING AREA REQUIREMENTS – ORD 2012-125 APPROVED**

Ron Hutchinson, 804 W. Thompson, reviewed his petition for a variation from Section 19.15B3, Driveways and Parking Area Requirements to widen the driveway 8' to the west and to maintain a 2' setback in order to park 2 cars side by side in the driveway. Moved by Perkins, seconded by Logan to approve the petition as presented. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2012-125 to approve petition approved eight to zero.

### **L.A.W. PUBLICATIONS PEDDLAR & SOLICITOR'S PERMIT REQUEST - APPROVED**

Moved by Logan, seconded by Opper to approve a Peddler's and Solicitor's Permit, with a waiver of the permit fees, from September 1<sup>st</sup> - 31<sup>st</sup>, 2012, in exchange for the City receiving the equivalent value in publications. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke and Perkins. All ayes. Motion carried.

### **TOBACCO LICENSE APPLICATION/MARISOL SANTIAGO/TIENDITA EL SOL, INC., 201 S. AYER ST. - APPROVED**

Moved by Opper, seconded by Clarke to approve the Tobacco License Application for Marisol Santiago/Tiendita El Sol, Inc at 201 S. Ayer St. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye.

### **SANCTION MAYOR'S APPROVAL OF RESOLUTION TO APPLY FOR MCHENRY CO. SENIOR SERVICES GRANT – APPROVED**

Moved by Logan, seconded by Opper to sanction the Mayor's approval of a Resolution to Apply for the McHenry County Senior Services Grant. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke and Perkins. All ayes. Motion carried.

**AUTHORIZE EXECUTION OF SENIOR SERVICES GRANT CONTRACT – APPROVED**

Administrator Nelson reported that the McHenry County Senior Services Grant Commission is recommending an award of \$16,540.00 to the Harvard Senior Citizens Center. Moved by Logan, seconded by Clark to authorize the Mayor's execution of the grant 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.

**RESOLUTION IN SUPPORT OF FCC ISSUING A LICENSE TO HARVARD COMMUNITY RADIO - APPROVED**

Jay Schulz, President of the Board of Directors for Harvard Community Radio reported that the radio intends to file for a FM low power license when the FCC opens it up probably next fall and is looking for community support. If the FCC approves the license, Harvard Community Radio will be able to broadcast 8-10 miles. Moved by Logan, seconded by Perkins to approve a Resolution in Support of the FCC Issuing a License to the Harvard Community Radio. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke and Perkins. All ayes. Motion carried.

**RESOLUTION TO AWARD CONTRACT/METZEN ST DRAINAGE IMPROVEMENTS - APPROVED**

Administrator Nelson noted this is part of the CDBG Grant and ongoing project in Ward 4. Moved by Perkins, seconded by Opper to approve a resolution awarding the bid for the Metzen Street Drainage Improvements to Stenstrom Excavation and Blacktop Group, P.O. Box 5946, Rockford, Illinois 61125 at their low bid of \$186,942.33. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye and Clarke, aye. Resolution approved eight to zero.

**ADD STOP SIGN ON 9<sup>TH</sup> & 10<sup>TH</sup> ST. AT APPLE VALLEY RD - ORD 2012-126 - APPROVED**

Moved by Opper, seconded by Perkins to approve Ordinance 2012-126 to Amend the Master Stop Sign List to add stop signs on 9<sup>th</sup> St. and 10<sup>th</sup> St. at Apple Valley Rd., north bound. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye and Logan, aye. Ordinance 2012-126 approved eight to zero.

**ORDINANCE AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY – ORD. 2012-127 APPROVED**

Moved by Perkins, seconded by Ulmer to approve Ordinance 2012-127, Authorizing the Sale of Personal Property Owned by the City of Harvard. Roll call vote: Opper, aye; Leyden, aye; Marzahl aye; Ulmer, aye; Muysgrove, aye; Clarke, aye; Logan, aye and Perkins, aye. Ordinance 2012-127 approved eight to zero.

**MCCOG AGREEMENT/LOCAL GOVERNMENT VEHICLE & EQUIPMENT AUCTION - APPROVED**

Moved by Opper, seconded by Perkins to authorize the Mayor's execution of the McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement. 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.

**EVENTS COMMITTEE'S RECOMMENDATIONS**

**Resignation from Events Committee/Jane Siebert – Approved**

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

**Appointment to Events Committee/Stephanie Friemund – Approved**

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

**Fall Family Festival, October 27<sup>th</sup>, 2012 – Approved**

Alderman Logan and Tammy Herrera outlined the Event's Committee plans for the Fall Family Festival to be held on Saturday, October 27<sup>th</sup>, 2012, from 8 a.m. – 3 p.m. and request the following :

1. Waive the Outdoor Market Fee for vendors

2. Close two blocks of Ayer Street from Front St. to Sumner St. until 4 p.m.; the cross streets of Front, Brainard and Sumner St. would not be blocked to traffic. The committee does not intend to use the EDC lot on Front St.
3. Public Works to deliver barricades on Friday to be put up by the committee.
4. Electricity at the poles turned on for the day.
5. Permission to decorate the light poles downtown with cornstalks.

Moved by Opper, seconded by Logan to approve the Events' Committee's requests for the Fall Family Festival as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**PARKS & REC MEETING CALLED 09/05/12**

Chairman Perkins called a Parks & Recreation Meeting for Wednesday, September 5<sup>th</sup>, 2012 at 6:30 p.m. to discuss Mike Vest's request, Fee Schedule, Milk Day Request and Landscaping at Milky Way Park.

**APPOINTMENT TO LIBRARY BOARD - APPROVED**

Moved by Logan, seconded by Opper to approve Karen Sutera's recommendation to appoint Darla Striegel 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.

**HALLOWEEN TRICK OR TREAT HOURS - APPROVED**

Mayor Protem Marzahl noted that last year, trick or treat hours were set on Halloween from 5 – 8 p.m. Moved by Opper, seconded by Logan to approve Halloween Trick or Treat hours on October 31<sup>st</sup> from 5 – 8 p.m. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**CONSENT AGENDA:**

- Sanction Mayor's Approval of Jr. Tackle Raffle Request July 28th, 2012
- Harvard Booster Club Raffle Request 8/12/2012 – 08/11/2013

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

**COMMITTEE REPORTS**

**ALD. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Clarke to approve the bills list in the amount of \$287,848.62. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved eight to zero.

**ALD. LOGAN – FINANCE COMMITTEE MEETING CALLED 09/04/12**

Chairman Logan called a Finance Committee Meeting for Tuesday, September 4<sup>th</sup>, 2012, at 6:30 p.m. for the 1<sup>st</sup> Quarter Budget Review.

**MAYOR/ADMINISTRATOR'S REPORT**

Administrator Nelson extended the Mayor's apologies for his absence and reported that Mayor Nolan is in Springfield with Fr. Paul White and Mark Stricker giving a presentation to be considered for the Governor's Hometown Award for the community's efforts in fundraising and constructing the Harvard Food Pantry & Sr. Center.

**CLERK'S REPORT – UPCOMING MEETING DATES**

- September 4 Planning & Zoning Commission - POST TO CANCEL  
Finance Committee Meeting, 6:30 p.m.
- September 5 Parks & Recreation Committee Meeting, 6:30 p.m.
- September 11 Regular City Council Meeting - POST TO CANCEL
- September 18 Regular Events Committee Meeting 5 p.m.

September 25 Regular City Council Meeting 7 p.m.

City Clerk Wells also reported that petitions for the April Consolidated Election will be available September 25<sup>th</sup>, 2012. The Mayor, City Clerk, Treasurer and Four Aldermanic Seats are up for election. Clerk Wells noted he is waiting for an opinion from City Attorney reference signature requirements as some of the ward boundaries were changed since the last election.

**TREASURER'S REPORT**

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

**NO REPORT**

Attorney Carlos Arévalo, City Administrator Nelson and Aldermen Perkins, Clarke, Musgrove, Ulmer, Marzahl and Leyden had no specific report.

**ENGINEERING & DEPARTMENT HEADS REPORTS**

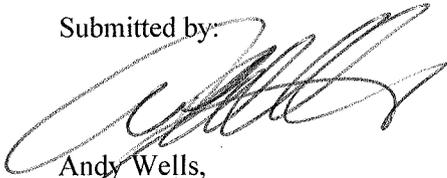
Dept. Heads: Reports as submitted.

Community Development Director Santeler reported that the Metzen St. Drainage Improvements are scheduled to begin Sept. 4<sup>th</sup>, 2012. Administrator Nelson noted that the construction time for the project is about three weeks, weather permitting.

Supt. Parks & Recreation noted a concern for the Parks & Recreation Committee Meeting and asked that the Jr. Tackle proposal be last on the agenda as the coaches do not get done with practice until 7:15 p.m. Chairman Perkins indicated that the Committee can work around the coaches availability.

At 7:40 p.m., moved by Perkins, seconded by Logan to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,  
City Clerk

09-05-12

\_\_\_\_\_  
Date