

REGULAR CITY COUNCIL MEETING MINUTES
November 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, Logan, Perkins and Opper. Aldermen Ulmer and Clarke were absent. Also present were Treasurer Szczap, City Administrator Nelson, Code Enforcement Officer Brennecka, Community Development Director Santeler, Supt. Public Works Kruckenerg, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION:

Officer Todd Oczus, representing FOP Lodge No. 134, read a statement in opposition to amending Section 3.11B, Hiring Policies, with respect to the anti-nepotism ordinance as it relates to the Police Dept.

CITY COUNCIL MEETING MINUTES OF 10/23/2012 - APPROVED

Moved by Perkins, seconded by Marzahl to approve the minutes of the Regular City Council Meeting of October 23rd, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

DONNA DIXON, HARVARD FOOD PANTRY – UPDATE TO CITY COUNCIL

Donna Dixon, President of the Harvard Food Pantry, 20417 Harvard Hills Road and Mary McCauley, 108 W. Roosevelt St., Harvard gave a brief history of the Harvard Food Pantry which started in 1982 and thanked the City Council for their support. Currently there are 801 families registered with the Food Pantry, of which 568 are regularly active clients (includes 118 seniors and 1261 children). Mayor Nolan thanked all the volunteers and reported that he will be attending a conference in Springfield to receive the Governor's Hometown Award on behalf of the community for the construction of the Food Pantry/Sr. Citizens Center.

PARATRANSIT GRANT AGREEMENT WITH PACE FOR CALENDAR YEAR 2013 - APPROVED

Administrator Nelson noted that the proposed 2013 Pace budget is incorrect and will be amended to reflect that the local share is \$14,309. Moved by Opper, seconded by Marzahl to approve the Paratransit Grant Agreement with Pace for calendar year 2013. Roll call vote: Leyden, aye; Marzahl, aye; Musgrove, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved six to zero.

2013 TRI COUNTY PRO RODEO- APPROVED

Chairman Logan reviewed the Events Committee's request to authorize the Events Committee to proceed with the 2013 Rodeo. The Committee is looking into the possibility of using a different rodeo company whose contract would also include bleachers. Chairman Logan asked that the City Council not put a maximum amount on the contract as noted in the written request. After discussion, moved by Logan, seconded by Leyden to refer the contract back to the Events Committee for a final decision and to authorize the Mayor's signature on the contract, with the following conditions:

1. Maximum amount of the contract not to exceed \$33,000;
2. A letter of agreement to be executed with the City of Harvard and Chamber of Commerce outlining financial and other obligations of each party;
3. Details of rodeo to be referred back to the Events Committee for a final decision and contract.

Roll call vote: Marzahl, aye; Musgrove, abstain; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Motion approved five to zero with one abstention.

MCHEMRY CO BOARD OF REVIEW – ASSESSMENT APPEALS FOR 2012 ASSESSMENTS

Administrator Nelson reviewed the assessment appeals received from the McHenry County Board of Review for 2012 assessments:

- a) TMG Group, LLC - 1500 Division St.
- b) Airport Plaza Subdivision
- c) Wal-Mart Stores, Inc., 21101 McGuire Rd.

- d) Montalbano Builders, Inc., 2007, 2009, 2011 Hillsboro Lane
- e) Kinzie Real Estate Group, 301-309 S. Division St.
- f) Henson Enterprises, Inc., 360 S. Division St. Item f is for information only as part of the easement agreement for McGuire Road and Rt 14 intersection improvements the City agreed not to object to this appeal.

After discussion, the consensus was not to take any action to intervene on the appeals.

SANCTION MAYOR’S APPROVAL OF BEN’S CHRISTMAS FARM SIGN REQUEST – APPROVED

Mayor Nolan noted that the sign fee for Ben’s Christmas Tree will be waived in exchange for the tree that is on display at City Hall. Moved by Logan, seconded by Perkins to approve Ben’s Christmas Tree Farm Sign request to place directional signs at the intersections of Route 14/173 and Route 14/23 from November 15th – December 31st, 2012. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried. Alderman Marzahl suggested that we try to get the request in October next year.

SANCTION MAYOR’S APPROVAL OF CDBG RESOLUTION - APPROVED

Mayor Nolan reported that the resolution needed to be submitted before the City Council Meeting and noted that the City proposes to construct approximately 900 feet of curb, gutter, and storm sewer along West Metzen Street between Blanchard and South Hutchinson Street which would tie into previously funded work along West Metzen Street using CDBG funds. Moved by Perkins, seconded by Opper sanction the Mayor’s approval of a Resolution Granting Authority to Submit a CDBG Grant Application for Federal Funding and Compliance with All Applicable CDBG Regulations per HUD and County Programming Requirements and Monitoring. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

RESOLUTION ESTABLISHING REGULAR CITY COUNCIL MEETING DATES FOR 2013 – APPROVED

Moved by Logan, seconded by Perkins to approve the Resolution Establishing the Regular City Council Meeting Dates for 2013 and granting authorization to publish. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

PROCLAMATION DESIGNATING DECEMBER AS DRUNK & DRUGGED DRIVING PREVENTION MONTH – APPROVED

Moved by Logan, seconded by Opper to approve the IDOT Proclamation Designating December as Drunk and Drugged Driving Prevention Month. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

ABATE TAX TIF BONDS SERIES 2012A & 2012B – ORD 2012-133 APPROVED

Moved by Perkins, seconded by Opper to approve Ordinance 2012-133, An Ordinance Abating a Portion of Taxes Levied to Pay Principal of and Interest on Certain General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012A, and General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012B, (Harvard Downtown Incremental Taxes and Harvard Industrial Park Incremental Taxes). Roll call vote: Musgrove, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Ordinance 2012-133 approved six to zero.

AMEND SECTION 3.11B, HIRING POLICIES – REFERRED TO ORDINANCE COMM.

The City Council discussed the anti-nepotism ordinance specifically as it relates to the Police Dept. as sworn law enforcement hiring is handled under state law and a civil service commission. The hiring of new sworn law enforcement employees are handled on a competitive basis through testing of which the Chief of Police does not control. Chief Kazy-Garey reported that during the most recent testing process, his son tested for the department and placed number 4 on the eligibility list. The first two candidates on the list have declined the position and the third candidate failed the background check. After further discussion, the item was referred to the Ordinance Committee for review. Chairman Opper called an Ordinance Committee Meeting for Tuesday, December 11th, 2012 at 6:30 p.m. at City Hall. Chief Kazy-Garey will e-mail the City Council the Police Commission Rules and staff will further research how the matter is handled in other McHenry County communities.

AMEND SECTION 1.15 VARIATIONS

Mayor Nolan recommended that Section 1.15, Variations be amended to include a requirement similar to home occupations that requires notification to adjacent property owners for all variations. Moved by Opper, seconded by Marzahl directing staff to draft an ordinance to amend Section 1.15, Variations, to include a requirement to notify neighbors for all variations of the municipal code, for review and passage at the next City Council meeting. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Musgrove, aye. Motion approved six to zero.

STREETS & ALLEYS COMMITTEE’S RECOMMENDATIONS

Chairman Leyden reviewed the Streets & Alleys Committee Meeting Minutes of November 6, 2012.

2013 Street Program – Approved

The Committee discussed staff recommendation for the 2013 Street Program and cost savings of reducing the grinding/overlay from 2” to 1½”. After discussion, the general consensus was to remain with 2” as the cost savings would not be worth the lessened life of the roadway. Supt. Kruckenberg reviewed the street ratings list which includes up to 20 blocks with the recommendation to bid the full 20 blocks and reduce from there depending upon the ultimate price of the bids. The Committee recommends changing the listing for W. Washington from Blanchard to Jackman to W. Washington from Blanchard to Hutchinson. Also discussed using the grindings from the City’s road program as backfill for the road extension at Milky Way Park for additional savings. The Committee further recommends to the City Council to authorize staff to prepare bid packages for the street resurfacing improvements prioritized as follows, with the bid specs drawn up with a base bid which includes the first group and an alternate bid to include both groups:

<u>Priority in order</u>	<u>Feet</u>	<u>Blocks</u>	<u>Rating</u>
Church St.	1350	4	2-3
Garfield – Church to Klamam	300	1	2
Klamam – Garfield to Hayes	600	2	2-6
Hayes – Klamam to Diggins	700	2	2
W. Blackman – Rt. 14 to 2nd	600	2	2-3
Hayes – Blackman to McKinley	<u>1000</u>	3	2
	4850	15	
W. Washington – Blanchard to Hutchinson	900	2	2
Hart – Roosevelt to Harrison	600	2	2
Harrison – Division to Jefferson	600	2	3
Pheasant Run	<u>600</u>	1	3
	2700	7	

Moved by Opper, seconded by Marzahl to approve the Committee’s recommendation to adopt the 2013 Street Program as discussed and to authorize the staff to choose an engineering firm and prepare bid packages. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Musgrove, aye. Motion approved six to zero.

BLUE CROSS/BLUE SHIELD OF ILLINOIS HEALTH INSURANCE RENEWAL – APPROVED

Moved by Opper, seconded by Perkins to approve the health/dental/prescription drug and life insurance renewal with Blue Cross/Blue Shield of Illinois for calendar year 2013 as presented with an approximate 7% increase. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye and Logan, no. Motion approved five to one.

AWARD QUOTE FOR PROPERTY LIABILITY/WORMEN’S COMP INSURANCE – APPROVED

Administrator Nelson reported that the City received quotes from two brokers for the City’s property liability/workmen’s comp, one last week and one yesterday. Dave and the Mayor have not yet completed the process of reviewing the two quotes to compare the costs and the existing policy expires December 1st,

2012. Moved by Opper, seconded by Perkins to authorize Mayor Nolan to execute a contract with the carrier deemed to have the best value. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Musgrove, aye; Logan, aye and Perkins, aye. Motion approved six to zero.

The property liability/workmen's comp will be bid out next year with specific deadlines to allow sufficient time to compare the bids. Mayor Nolan and Administrator Nelson are also working on a safety incentive program.

FYI: MCHENRY COUNCIL OF MAYORS MANAGEMENT MONITORING SCHEDULE

Administrator Nelson noted the schedule of State road projects for FY2-13-2018.

CONSENT AGENDA:

- St. Joseph Catholic School Raffle Request, 11/1/12 – 04/27/13
- Loyal Order of Moose Lodge 1289 Raffle Request, 11/1/12 – 11/1/2013
- Girl Scout 2013 Cookie Sales: January through March, 2013

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

COMMITTEE REPORTS

ALD. OPPER – ORDINANCE COMMITTEE MEETING

Chairman Opper noted the Ordinance Committee Meeting that was called for Tuesday, December 11th, 2012, at 6:30 p.m. to discuss Section 3.11B, Hiring Policies.

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Opper to approve the amended bills list in the amount of \$583,877.99. Roll call vote: Leyden, aye; Marzahl, aye; Musgrove, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved six to zero.

Alderman Logan noted that Christmas in Harvard will take place on Saturday, December 1st.

ALD. MARZAH

Alderman Marzahl stated that he was asked about the pedestrian crossing signs on Ayer Street. Mayor Nolan reported there are signs on both ends of Ayer Street. Administrator Nelson indicated there are also other alternatives for traffic warning that might make vehicles slow down on Ayer Street.

MAYOR'S REPORT

- The Mayor reported on the line of credit used throughout the course of the year and noted that City Council actions to reduce expenses where possible has helped the bottom line which has improved the line of credit utilized by the City.
- The Mayor, Fr. Paul White and Mark Stricker will go to Springfield on November 29th to receive the Governor's Home Town Award for the Food Pantry/Sr. Center building.

CLERK'S REPORT – UPCOMING MEETING DATES

December 4 Planning & Zoning Commission, 7 pm
December 11 Ordinance Committee Meeting, 6:30 p.m.
December 18 Regular Events Committee Meeting 5 p.m.
December 18 Regular City Council Meeting 7 p.m.

City Clerk Wells noted that petitions for the consolidated election in April can be dropped off starting Monday, December 17th.

TREASURER'S REPORT

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

NO REPORT

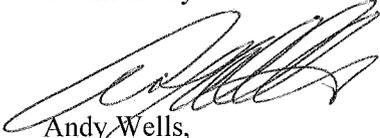
Attorney Carlos Arévalo, Administrator Nelson and Aldermen Perkins, Musgrove and Leyden had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

At 7:55 p.m., moved by Logan, seconded by Perkins to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

12-4-12
Date