REGULAR CITY COUNCIL MEETING MINUTES
SEPTEMBER 24, 2013 - 7:00 PM

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, Meza, Adams and Opper. Also present were City Administrator Nelson, Police Chief Kazy-Garey, Supt. Parks & Rec Clingingsmith, Supt. Utilities Grant, Public Works Supt. Kruckenberg, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 08/27/2013 - APPROVED

Moved by Clarke, seconded by Opper to approve the minutes of the Regular City Council Meeting of August 27th, 2013, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

HARVARD HARMONY ZOMBIE 2 MILE RUN 10/26/2013 - APPROVED

Harvard Harmony is requesting permission to conduct a "Zombie" themed two mile run on Saturday, October 26th, 2013, from 6:30 - 9:30 a.m., using the same route that is used for the Harvard Milk Day Run and will tie in with Fall Fest. Chief Kazy-Garey did not have any objection so long as the run doesn't cross Route 173 as he does't have sufficient manpower to cover the highway. Alderman Marzahl will make sure they are aware that approval is pending the course not crossing Route 173. Moved by Opper, seconded by Marzahl to approve the request as presented, provided the course doesn't cross Route 173. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

MCHENRY CO BOARD OF REVIEW – ASSESSMENT APPEALS FOR 2013 ASSESSMENTS

Administrator Nelson reviewed the assessment appeals received from the McHenry County Board of Review for 2013 assessments:

a) DXJ Real Estate Investments LLC - Turtle Crossing, 62 Lots
b) Old 2nd National Bank - Airport Plaza Subdivision, Vacant Lots 3 & 4
c) Bensenville Assoc. LLC - Walgreens, 395 South Division St.
d) MJ Real Estate LLC - Harvard Ford, 5250 US Highway 14
e) Castle Bank NA, 355 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 Rte. 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.

PROCLAMATION CONSTITUTION WEEK SEPT. 17th - 23rd, 2013 - APPROVED

Moved by Clarke, seconded by Marzahl to approve a Proclamation Designating September 17th – 23rd, 2013 as Constitution Week. Alderman voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

CITY OF HARVARD EMERGENCY OPERATIONS PLAN (EOP) - APPROVED

The proposed Emergency Operations Plan was developed to prepare for major emergencies and disasters that require contingency planning and local government coordination. The proposed EOP meets the requirements of the McHenry County Emergency Management Agency and is in conformance with Title 29, Chapter 1, Part 301 of the Illinois Administrative Rules, regulating local emergency plans.

Moved by Opper, seconded by Marzahl to authorize execution of the Emergency Operations Plan as presented. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Motion approved eight to zero.

ORDINANCE COMMITTEE RECOMMENDATIONS
Chairman Ulmer reviewed the Ordinance Committee Meeting minutes of Tuesday, September 17, 2013.

Proposed Ordinance Amending the Zoning Ordinance to Provide for a Neighborhood Conservation Overlay District
The Committee reviewed a proposed ordinance that would amend the zoning code to provide for a Neighborhood Conservation Overlay District which incorporates the Committee's prior recommendations and recommends to the City Council that the proposed ordinance be referred to a public hearing before the Planning and Zoning Commission.

Moved by Ulmer, seconded by Opper to approve the Ordinance Committee's recommendation that the proposed ordinance to provide for a Neighborhood Conservation Overlay District be referred to a public hearing before the Planning and Zoning Commission. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye and Leyden, aye. Motion approved eight to zero.

Chronic Nuisances
Administrator Nelson and Chief Kazy-Garey gave an overview of a concept that would address chronic nuisances. After discussion, the Committee directed City staff to continue research on the concept and report back to the Committee.

West Metzen St. 20 mph Sign
Administrator Nelson and Chief Kazy-Garey noted a 20 mph sign on West Metzen St. that is not supported by an ordinance. After discussion, the consensus of the Committee was to remove the sign.

Amend Section 6.11C, Trees, Bushes, Shrubs to delete #7 Patmore Green Ash and #11 Summit Ash from list of trees permitted to be planted in right-of-way
The Committee discussed deleting the Patmore Green Ash and Summit Ash from the list of trees permitted to be planted in a right-of-way due to this summer's discovery of the emerald ash borer beetle which has infested trees throughout the community and recommends to the City Council to Amend Section 6.11C, Trees, Bushes and Shrubs to delete #7 Patmore Green Ash and #11 Summit Ash from the list of trees permitted to be planted in the right-of-way.

The proposed ordinance was not specifically listed on the City Council agenda and will be addressed at the next City Council meeting.

FYI: POLICE PENSION FUND REPORTS
Mayor Nolan noted an informational report from the Police Pension Fund: Actuarial and Municipal Compliance Report.

CONSENT AGENDA:
- Healing Hearts with Hooves and Hounds Raffle Request October 12th, 2013
- Events Committee Raffle Request for Fall Fest October 26th, 2013
- St. Joseph's Night of Knights Raffle Request November 1st, 2013 - April 5th, 2014

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

COMMITTEE REPORTS

ALD. OPPER - BILLS APPROVED
Moved by Opper, seconded by Clarke to approve the bills list as presented in the amount of $296,420.50. Roll call vote: Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye Leyden, aye and Marzahl, aye. Motion approved eight to zero.

MAYOR'S REPORT
Mayor Nolan reported that the City will host the MCCG Meeting on November 20th, 2013, at Starline and encouraged the City Council to attend.

ADMINISTRATOR'S REPORT
Administrator Nelson reported that there will be a public hearing before the Planning and Zoning Commission on October 1st, 2013. One of the hearings is for Casey's General Store and he encouraged City Council to attend in support of the commercial project.

Administrator Nelson noted that he and Darrell Perkins wrote a state grant for electrical upgrades for the Police Dept. downstairs which was approved. Total expenditure in the budget is $10,000 of which the City will be reimbursed $3,800 from the state.

CLERK'S REPORT – UPCOMING MEETING DATES

October 1	Planning & Zoning Commission, 7 p.m.
October 8	Regular City Council Meeting, POST TO CANCEL
October 15	Regular Events Committee Meeting, 5 pm
October 22	Regular City Council Meeting, 7 pm

TREASURER'S REPORT
The monthly treasurer's report for September, 2013 is in the packet.

NO REPORT
Attorney Carlos Arévalo and Aldermen Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS
Dept. Heads: Reports as submitted.

Chief Kazy-Garey thanked City staff for their efforts in obtaining the state grant for lighting. Chief Kazy-Garey further noted that Officer Hill has been released from field training and Sgt. Spielman is scheduled to attend FBI Academy in January. New applicant testing will be conducted Saturday, September 28th, 2013, to establish a new eligibility list.

Supt. Kruckenberg reported that Public Works recently finished the storm brush pickup and will start the last scheduled brush pickup of the year on October 14th.

Supt. Utilities Grant updated the City Council on the status of Well 6 and reported that all repairs have been made and the well is back on line.

Supt. Parks & Recreation Cliningsmith reported he is finalizing the winter park programs.

At 7:10 p.m., moved by Opper, seconded by Marzahl to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

09/26/13
Date