

**REGULAR CITY COUNCIL MEETING MINUTES  
AUGUST 26, 2014 - 7:00 PM**

Mayor Nolan called the Regular City Council Meeting to order at 7:00 p.m. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Clarke, Meza, Adams and Opper. Aldermen Ulmer and Musgrove were absent. Also present were Treasurer Szczap, City Administrator Nelson, Supt. Parks & Rec Clingingsmith, Code Enforcement Officer Nutley, Community Development Director Santeler, Chief of Police Krause, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

**AUDIENCE PARTICIPATION: NONE**

**SWEAR IN MICHAEL VEST AS OFFICE OF EMERGENCY MANAGEMENT (OEM)**

Michael Vest was sworn in as Office of Emergency Management (OEM) by City Clerk Wells.

**CITY COUNCIL MEETING MINUTES OF 07/22/2014 - APPROVED**

Moved by Marzahl, seconded by Meza to approve the Regular City Council Meeting minutes of July 22, 2014, as presented. Aldermen voting aye: Leyden, Marzahl, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

**CLASS B & EXTENDED SAT/SUN HOURS LIQUOR AND TOBACCO LICENSES/CASEY'S RETAIL CO., D/B/A CASEY'S GENERAL STORE #3376, 309 S. DIVISION ST. - APPROVED**

Moved by Opper, seconded by Marzahl to approve a Class B and Extended Saturday and Sunday Hours Liquor License and Tobacco License to Casey's Retail Co., d/b/a Casey's General Store #3376, 309 S. Division St., Harvard. Roll call vote: Leyden, aye; Marzahl, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Motion approved six to zero.

**CLASS R1 LIQUOR LICENSE/ROSATI'S OF HARVARD, INC., D/B/A ROSATI'S PIZZA, 360 S. DIVISION ST. - APPROVED**

Moved by Opper, seconded by Clarke to to approve a Class R1 Liquor License to Rosati's of Harvard, Inc., d/b/a Rosati's Pizza, 360 S. Division St., Harvard, upon payment of fees and submittal of Certificate of Insurance. Roll call vote: Marzahl, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye and Leyden, aye. Motion approved six to zero.

**CLASS R1 LIQUOR LICENSE/N.K.N., INC., D/B/A KOZY NOOK RESTAURANT, 1200 N. DIVISION ST. - APPROVED**

Moved by Clarke, seconded by Meza to approve a Class R1 Liquor License to N.K.N., Inc., d/b/a Kozy Nook Restaurant, 1200 N. Division St., Harvard. Roll call vote: Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved six to zero.

**RELINQUISH CLASS B LIQUOR LICENSE/SAM MAKIM, SMR GAS & FOOD, INC., 501 S. DIVISION ST. - APPROVED**

Moved by Opper, seconded by Meza to accept the letter submitted by Sam Makim to relinquish his Class B Liquor License for SMR Gas & Food, Inc. Aldermen voting aye: Leyden, Marzahl, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

**CLASS B LIQUOR LICENSE AND TOBACCO LICENSE/SMR GAS & FOOD, INC., 501 S. DIVISION ST. - APPROVED**

Moved by Marzahl, seconded by Clarke to approve a Class B Liquor License and Tobacco License to SMR Gas & Food, Inc., 501 S. Division St., Harvard. Roll call vote: Meza, aye; Adams, aye; Opper, aye; Leyden, aye, Marzahl, aye and Clarke, aye. Motion approved six to zero.

**CHAMBER OF COMMERCE REQUEST/KELLY MILLER CIRCUS @ MILKY WAY PARK ON SEPTEMBER 7<sup>th</sup>, 2014 - APPROVED**

Moved by Adams, seconded by Opper to approve the Chamber of Commerce's request for the allowance of large circus animals, use of trash cans, water and the ability to post event sponsor banners at Milky Way Park on September 7<sup>th</sup>, 2014. At Alderman Clarke's inquiry, Administrator Nelson noted that the Chamber

hasn't paid the fees. Roll call vote: Adams, aye; Oppen, aye; Leyden, aye; Marzahl, aye; Clarke, no and Meza, aye. Motion approved five to one.

**PURCHASE OFFER OF CITY OWNED PROPERTY COMMONLY KNOWN AS 700 SECOND ST. - APPROVED**

Moved by Oppen, seconded by Marzahl to make the determination that it is in the City's best interest to accept the bid submitted by Charles Eldredge to purchase the house commonly known as 700 Second St. for his bid amount of \$6,000 and to direct City Attorney Arévalo to proceed with a contract with the prospective buyer for closing. Audience member Jerry Karr inquired what the intent is for the property. City Administrator Nelson noted that Mr. Eldredge will rehab the house starting next spring as a single family home. Roll call vote: Oppen, aye; Leyden, aye; Marzahl, aye; Clarke, aye; Meza, aye and Adams, aye. Clerk Wells stated that state statute requires seven affirmative votes and called upon Mayor Nolan to vote. Mayor Nolan voted aye. Motion approved seven to zero.

**EVENTS COMMITTEE REQUEST/FALL FEST OCTOBER 11<sup>th</sup>, 2014 - APPROVED**

Mayor Nolan outlined the Event's Committee plans for the Fall Family Festival to be held on Saturday, October 11<sup>th</sup>, 2014, from 9 a.m. – 3 p.m. and request the following:

1. Close two blocks of Ayer Street from Brainard to 5 Points until 4 p.m. closing off the cross street at Sumner St. for safety issues.
2. Public Works to deliver barricades on Friday to be put up by the committee.
3. Four picnic tables delivered to Stricker's empty lot.
4. Electricity at the poles turned on for the day.
5. Permission to decorate the light poles downtown.
6. Ayer St. music turned off for the day.

At Alderman Clarke's inquiry, City Administrator Nelson noted that the Events Committee was not requesting any waiver of fees. Moved by Oppen, seconded by Adams to approve the Events Committee's requests for the Fall Family Festival as presented. Aldermen voting aye: Leyden, Marzahl, Clarke, Meza, Adams and Oppen. All ayes. Motion carried.

**HARVARD BOOSTER CLUB RAFFLE LICENSE APPLICATION - APPROVED**

The Harvard Booster Club has submitted a raffle license application for multiple raffles to be conducted during school year 2014/2015 (home sporting events, golf outing, post prom). Moved by Clarke, seconded by Marzahl to authorize a single raffle license to cover all Booster Club's events during school year 2014/2015 at a cost of \$10. Roll call vote: Leyden, aye; Marzahl, aye; Clarke, aye; Meza, aye; Adams, aye and Oppen, aye. Motion approved six to zero.

**MCHEMRY CO BOARD OF REVIEW – ASSESSMENT APPEALS FOR 2013 ASSESSMENTS**

Administrator Nelson reviewed the assessment appeal received from the McHenry County Board of Review for 2013 assessments from Old 2nd National Bank - Airport Plaza Subdivision, Vacant Lots 3 & 4. The general consensus was not to intervene in the appeal.

**2014 MFT ROAD PROGRAM - APPROVED**

The bid opening for the 2014 MFT Road Program was held on August 14<sup>th</sup>, 2014. Administrator Nelson noted that the bid is for the roads on the "A" list minus Galvin Parkway. The State of Illinois would not grant permission to resurface the road; they wanted the roadway totally reconstructed. Moved by Oppen, seconded by Marzahl to approve a resolution to award the contract to Schroeder Asphalt for their low bid amount of \$172,484.20 and to authorize the Mayor and City Clerk's execution of all contract documents. Roll call vote: Marzahl, aye; Clarke, aye; Meza, aye; Adams, aye; Oppen, aye and Leyden, aye. Motion approved six to zero.

**ORDINANCE AUTHORIZING SALE OF SURPLUS PROPERTY - ORD. 2014-120 APPROVED**

The proposed ordinance provides for the sale of surplus property; it is uncertain at this time if MCCG will have their annual auction. Moved by Clarke, seconded by Marzahl to approve Ordinance 2014-120,

Authorizing the Sale of Personal Property Owned by the City. Roll call vote: Clarke, aye; Meza, aye; Adams, aye; Oppen, aye; Leyden, aye and Marzahl, aye. Ordinance 2014-120 approved six to zero.

**RESOLUTION IN SUPPORT OF FULL INTERCHANGE AT INTERSTATE 90 AND ILLINOIS ROUTE 23 IN MARENGO - APPROVED**

Moved by Oppen, seconded by Clarke to approve a resolution in support of a full interchange at the Jane Addams/Interstate 90 Tollway and Illinois State Route 23 in Marengo, Illinois. Aldermen voting aye: Leyden, Marzahl, Clarke, Meza, Adams and Oppen. All ayes. Motion carried.

**REPORT ON PARKS & RECREATION COMMITTEE MEETING MINUTES OF JULY 30, 2014**

Chairman Leyden reviewed the Parks & Recreation Committee Meeting Minutes of July 30<sup>th</sup>, 2014, at which time the Committee discussed the Park Budget/User Fees. City Administrator Nelson and City Clerk Wells were directed to put together a proposed ordinance for Committee review outlining a fee schedule with a field charge, including practice and games, and a per participant charge, and a flat generic charge for the City's hard cost (move tables, bleachers, etc.).

Chairman Leyden called a Parks & Recreation Committee Meeting for Wednesday, September 3, 2014, at 7 pm to continue discussion on the park budget/user fees and Milk Day's request for park improvements. Alderman Clarke inquired if we were going to be talking to league members at this time. Administrator Nelson noted that there are seven or eight different items from previous meetings that the Committee needs to decide what to do on first. An unidentified audience member inquired if the public was allowed to attend. Mayor Nolan noted that the meeting is open to the public and will be held at City Hall, 201 W. Front St.

**REPORT ON FINANCE COMMITTEE MEETING MINUTES OF AUGUST 18, 2014**

Chairman Oppen reviewed the Finance Committee Meeting Minutes of August 18<sup>th</sup>, 2014, at which time Charlie Eldredge, Executive Director of the Harvard Economic Development Corporation gave a presentation on the Illinois Enterprise Zone Program.

Moved by Oppen, seconded by Marzahl to approve the Finance Committee's recommendation that the City of Harvard be the applicant with McHenry County for the formation of an enterprise zone and to authorize the Mayor to negotiate intergovernmental agreements with the other taxing bodies that are part of the zone. Roll call vote: Meza, aye; Adams, aye; Oppen, aye; Leyden, aye; Marzahl, aye and Clarke, aye. Motion approved six to zero.

Moved by Oppen, seconded by Marzahl to approve the Finance Committee's recommendation to include the following incentive package as part of the application:

- Property tax 8 year abatement on new improvements, first four years 100%, next two years 50%, and last two years 25%. After the initial 8 year abatement the property taxes would be assessed at the full 100%.
- Utility taxes (city share) at the same rates as the property tax abatement.
- Building permits would be abated at 100% except for any consultant costs that the City may have (engineering, attorney, architect, and any other consultants)
- Sales Tax abatement, at the City rate of 1%, for three years for all goods purchased inside the corporate limits.

Roll call vote: Adams, aye; Oppen, aye; Leyden, aye; Marzahl, aye; Clarke, aye and Meza, aye. Motion approved six to zero.

**COMMITTEE REPORTS**

**ALD. OPPER - BILLS APPROVED**

Moved by Oppen, seconded by Marzahl to approve the bills list as presented in the amount of \$231,375.32. Roll call vote: Oppen, aye; Leyden, aye; Marzahl, aye; Clarke, aye; Meza, aye and Adams, aye. Motion approved six to zero.

**ALD. MARZ AHL - WATER/SEWER COMMITTEE MEETING 09/02/2014**

Alderman Marzahl called a Water & Sewer Committee Meeting for Tuesday, September 2, 2014, at 5:30 pm. The meeting will convene at the WWTP for a tour at the plant at 5:30 pm and then reconvene back at City Hall for a presentation by Trotter and Associates, Inc. on the 2014 Master Plan Update.

**MAYOR'S REPORT**

Mayor Nolan noted that he is receiving bits of information reference Casey's and Culvers.

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

- September 2 Planning & Zoning Commission - POST TO CANCEL  
Water & Sewer Committee Meeting, 5:30 pm
- September 3 Parks & Recreation Committee Meeting, 7 pm
- September 9 City Council Meeting - POST TO CANCEL
- September 16 Regular Events Committee Meeting, 5 pm
- September 23 Regular City Council Meeting, 7 pm

**TREASURER'S REPORT**

The monthly treasurer's report for August, 2014 is in the packet.

**ENGINEERING & DEPARTMENT HEADS REPORTS**

Dept. Heads: Reports as submitted.

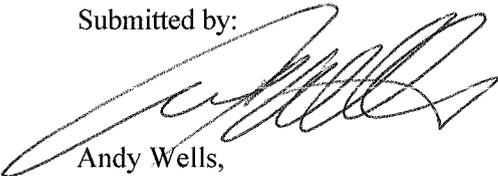
Chief Krause noted the report is in a different format than in the past and would appreciate any feedback.

**NO REPORT**

Attorney Carlos Arévalo, Administrator Nelson and Aldermen Leyden, Clarke, Meza and Adams had no specific report.

At 7:30 p.m., moved by Clarke, seconded by Adams to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,  
City Clerk

09/03/14  
Date