

**REGULAR CITY COUNCIL MEETING MINUTES
OCTOBER 28, 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, Ulmer, Musgrove, Clarke, Meza and Adams. Alderman Opper was absent. Also present were Treasurer Deb Szczap, City Administrator Nelson, Supt. Parks & Rec Clingingsmith, Code Enforcement Officer Nutley, Community Development Director Santeler, Chief of Police Krause, Supt. Public Works Kruckenber, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION

Mayor Nolan opened the floor to public comment to address the City Council for anything not on the City Council Agenda. There was none.

CITY COUNCIL MEETING MINUTES OF 09/23/2014 - APPROVED

Moved by Clarke, seconded by Marzahl to approve the Regular City Council Meeting minutes of September 23, 2014, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

Andrew and Teri Kolls, Variation Size of Accessory Uses - Ordinance 2014-122 Approved

Alderman Ulmer read the Recommendations/Findings of Fact submitted by Jim Carbonetti, Chairman of the Planning and Zoning Commission which met on October 3, 2014, to consider the petition submitted by Andrew and Teri Kolls, 304 West Burbank St., Harvard, IL 60033 (owner). The petitioners are seeking relief from Section 17.36.050, Size of Accessory Uses, of the Harvard Municipal Code for a variation to increase the Single Accessory Use size of 576 sq. ft. to 936 sq. ft. to build a garage. After reviewing the evidence and testimony presented, the Planning and Zoning Commission recommends to the City Council to approve the petitioner's request for relief from Section 17.36.050, Size of Accessory Uses, of the Harvard Zoning Ordinance, for a variation to allow construction of a garage that exceeds the maximum 576 sq. ft. for a single accessory use by 360 sq. ft. for a total of 936 sq. ft.

Moved by Ulmer, seconded by Adams to approve the Planning and Zoning Commission's recommendation as submitted and Ordinance 2014-122, Granting a Variation from the Harvard Zoning Ordinance for Property Commonly Known as 304 West Burbank St. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, aye and Adams, aye. Ordinance 2014-122 approved seven to zero.

MICHAEL & SHEILA MALINOWSKI, 508 W. ROOSEVELT ST./DRIVEWAY VARIATION FROM SECTION 19.15B3, DRIVEWAYS AND PRIVATE PARKING LOTS - ORD 2014-123 APPROVED

Michael and Sheila Malinowski addressed the City Council with respect to their petition to expand the driveway 5' to the east of the existing driveway at their residence at 508 West Roosevelt St. and explained the need for a larger driveway to accommodate their families' needs now that their six children are adults. Community Development Director Santeler stated that required setbacks will be met. The requisite notice was sent to adjoining property owners and no objections have been received. Mayor Nolan opened the floor to comments/objections from the audience; there were none. Moved by Ulmer, seconded by Clarke to approve the petition and Ordinance 2014-123 granting a variation from Section 19.15B3. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye and Leyden, aye. Ordinance 2014-123 approved seven to zero.

BEN'S CHRISTMAS TREE FARM TEMPORARY SIGN REQUEST - APPROVED

Chris Czarnowski, Ben's Christmas Tree Farm is requesting permission to place temporary directional signs at the intersections of Routes 173/14 and Routes 23/14 from November 15th - December 31st, 2014, with the permit fee waived in exchange for the Christmas tree that will be on display at City Hall. At Alderman Meza's inquiry, Mayor Nolan indicated that the permit fee is approximately \$50. Moved by Clarke, seconded by Leyden to approve Ben's Christmas Tree Farm's request for temporary directional signs with

the permit fee waived in exchange for the Christmas tree that will be on display at City Hall. Roll call vote: Ulmer, aye; Musgrove, aye; Clarke, aye; Meza, no; Adams, aye; Leyden, aye and Marzahl, aye. Motion approved six to one.

HARVARD HIGH SCHOOL HOMECOMING PARADE - FRIDAY, OCTOBER 17th - APPROVED

Moved by Meza, seconded by Leyden to sanction Mayor Nolan's approval of the Harvard High School Homecoming Parade which was held on Friday, October 17th, 2014. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

PLANNING & ZONING COMMISSION/GLENDA MILLER RESIGNATION - ACCEPTED

Moved by Ulmer, seconded by Marzahl to accept Glenda Miller's resignation from the Planning and Zoning Commission effective October 7th, 2014, with regrets. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

CITY LIBRARY BOARD/JEFF PARKS RESIGNATION - ACCEPTED

Moved by Clarke, seconded by Marzahl to accept Jeff Parks' resignation from the City Library Board, effective October 7th, 2014, with regrets. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

FYI: POLICE PENSION FUND REPORTS

Mayor Nolan noted an informational report from the Police Pension Fund: Actuarial and Municipal Compliance Report.

REPORT ON PARKS & RECREATION COMMITTEE MEETING MINUTES OF OCTOBER 6, 2014

Chairman Leyden noted the Parks & Recreation Committee Meeting Minutes of October 6th, 2014, at which time the Committee entertained public comment on the proposed ordinance and fee schedule which was tabled for further discussion.

Chairman Leyden called a Parks & Recreation Committee Meeting for November 13th, 2014, at 6:30 pm to be held in the City Council Chambers, 201 W. Front St., Harvard, for continued discussion on the proposed ordinance and fee schedule. Alderman Leyden replied affirmatively to Alderman Clarke's inquiry about reaching out to other organizations.

REPORT ON FINANCE MEETING MINUTES OF OCTOBER 21, 2014

Co-Chairman Ulmer reviewed the Finance Committee Meeting Minutes of October 21st, 2014

Adopt Rules for Public Comment

The Finance Committee adopted the rules for public comment as outlined and approved by the City Council in Ordinance 2014-121, Adding Section 2.05F to Establish and Record Rules for Comment.

Tax Levy

The Committee reviewed Administrator Nelson's memo pertaining to the tax levy for the coming fiscal year and recommends to the City Council that a tax levy be adopted at 150% of the value of the current extension.

Moved by Ulmer, seconded by Marzahl to direct staff to publish for a public hearing on November 25th, 2014, at 7 pm for a tax levy at 150% of the value of the current extension. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

2014 Annual Financial Statement

George Persekian, Wipfli LLP, reviewed the Annual Financial Report for the City of Harvard for the year ending April 30, 2014.

Enterprise Zone Update

Administrator Nelson updated the Committee on the status of the Enterprise Zone and reported that after meeting with officials from the City of Woodstock, the City and McHenry County will move forward with

the application process for the formation of an Enterprise Zone to be done in conjunction with the City of Woodstock as an additional co-applicant. A public hearing will be scheduled for December 16th 2014.

REPORT ON ORDINANCE MEETING MINUTES OF OCTOBER 21, 2014

Chairman Ulmer reviewed the Ordinance Committee Meeting Minutes of October 21st, 2014.

Adopt Rules for Public Comment

The Ordinance Committee adopted the rules for public comment as outlined and approved by the City Council in Ordinance 2014-121, Adding Section 2.05F to Establish and Record Rules for Comment.

Text Amendment to Zoning Code re Conditional Use Permits

The Committee reviewed a proposed text amendment to Section 17.44.054, Conditional Uses, Extraction of Earth Products of the Harvard Zoning Code which addresses the renewal process and recommends to the City Council to refer the text amendment to the Planning and Zoning Commission for a public hearing.

Moved by Ulmer, seconded by Clarke to approve the Committee's recommendation and directing staff to draft a petition to be submitted to the Planning and Zoning Commission for a public hearing, tentatively at the December meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. CLARKE - PUBLIC PROPERTY COMMITTEE MEETING 11/04/14

Chairman Clarke called a Public Property Committee Meeting for Tuesday, November 4th, 2014, at 6 pm.

ALD. ULMER- BILLS APPROVED

Moved by Ulmer, seconded by Marzahl to approve the bills list as presented in the amount of \$196,946.22. Roll call vote: Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

ALD. MARZAHL - WATER/SEWER COMMITTEE MEETING 11/04/14

Alderman Marzahl called a Water & Sewer Committee Meeting for Tuesday, November 4th, 2014, at 6 pm.

MAYOR'S REPORT

Mayor Nolan reported that City of Harvard will be hosting the McHenry County Council of Governments (MCCG) Meeting on Wednesday, November 19th, 2014, starting at 5:30 p.m. at the Starline Gallery. Please contact Lori if you plan on attending.

ADMINISTRATOR NELSON'S REPORT

Administrator Nelson updated the City Council on the Enterprise Zone. Subsequent to the Ordinance Committee Meeting, City Staff has met with the City of Woodstock twice and set up Monday morning meetings to ensure the application is done correctly. A meeting has been scheduled with a County committee on November 13th to discuss the intergovernmental agreement and the joint application to seek McHenry County's official approval to proceed. Also, a meeting has been set with School District #50 at a Finance Meeting on November 14th. An ordinance will be on the next City Council agenda to set up the public hearing on December 16th to be published at least 20 days prior to the public hearing.

CLERK'S REPORT – UPCOMING MEETING DATES

- November 4 Special Events Committee Meeting, 5 pm
- Public Property Committee Meeting, 6 pm
- Water/Sewer Committee Meeting, 6 pm
- Planning & Zoning Commission - 7 pm
- November 11 City Council Meeting - POST TO CANCEL
- November 13 Parks & Recreation Committee Meeting - 6:30 pm (to be held in City Council chambers)
- November 18 Regular Events Committee Meeting, 5 pm

November 25 Tax Levy Hearing, 7 pm
Regular City Council Meeting, 7 pm

City Clerk Wells reminded the City Council that candidate packets for the April 7th, 2015, Consolidated Election are available in his office. City Clerk Wells has also received the tentative budget/projections from Metra which are available in his office for review.

TREASURER'S REPORT

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

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

Chief Krause reported that everything is proceeding well with the two new officers who are in week 4 of the police academy with 6 weeks to go.

Community Development Director Santeler noted that the 2014 Road Program has been completed.

NO REPORT

Attorney Carlos Arévalo, Aldermen Leyden, Musgrove, Meza and Adams had no specific report.

At 7:20 p.m., moved by Clarke, seconded by Marzahl to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Meza and Adams. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

11-3-14
Date