

**REGULAR CITY COUNCIL MEETING MINUTES
DECEMBER 16, 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: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. Aldermen Leyden and Ulmer were absent. Also present were City Administrator Nelson, Code Enforcement Officer Nutley, Chief of Police Krause, Community Development Director Santeler, Supt. Public Works Kruckenberg, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

PUBLIC COMMENT: NONE

CITY COUNCIL MEETING MINUTES OF 11/25/2014 - APPROVED

Moved by Adams, seconded by Opper to approve the Regular City Council Meeting minutes of November 25, 2014, as presented. Aldermen voting aye: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PUBLIC HEARING - HARVARD/WOODSTOCK ENTERPRISE ZONE

Mayor Nolan called to order the public hearing on the proposed Enterprise Zone and turned the meeting over to City Attorney Carlos Arévalo. City Clerk Wells called roll to establish quorum. Aldermen present: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. Aldermen Leyden and Ulmer were absent. The hearing is being held with respect to the proposed Harvard/Woodstock Enterprise Zone. Notice for the hearing was published on December 2nd, 2014. The hearing is also serving on behalf of the County who is a co-applicant with the City of Harvard and the City of Woodstock. The City of Woodstock already had their public hearing. City Attorney Arévalo stated that a transcript of the hearing was being created. The public hearing is being held on the question of 1) whether the Harvard/Woodstock Enterprise Zone should be created pursuant to the Illinois Enterprise Zone Act 20 ILCS 655/1 et. seq. if awarded by the State of Illinois in 2015; 2) what local plans, tax incentives and other programs should be established in connection with the enterprise zone; and 3) what the boundaries of the zone should be. City Attorney Arévalo gave a summary of information on the proposed enterprise zone to be established. Each city will have its own incentive, abatement programs and plans. A map has been available at City Hall to show what the Enterprise Zone encompasses in the City of Woodstock and the City of Harvard which includes Route 14 to make the connection between the two cities.

City Attorney Arévalo opened the meeting to public comment. There was none. Upon inquiry, City Administrator Nelson stated that the City has not received any comments through the process since the notice went out.

Moved by Opper, seconded by Clarke to close the hearing. Aldermen voting aye: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PRESENTATION TO OFFICER DARRELL TENNANT/RETIREMENT EFFECTIVE 12/31/2014

Chief Krause stated that after 26 years on the Police Department, Officer Darrell Tennant will retire at the end of the year. Officer Tennant was presented with a plaque showing his dates of service (09/05/88-12/31/14) as well as his retired officers badge and wallet.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

City of Harvard Text Amendment - Ordinance 2014-127 Approved

Alderman Opper read the Recommendations/Findings of Fact submitted by Jim Hutchinson of the Planning and Zoning Commission which met on December 2, 2014 to consider the petition submitted by the City of Harvard for a text amendment to amend Section 17.44.050, Conditional Uses, Extraction of Earth Products, to amend the regulations for the five year conditional use renewal process to allow the process to be handled administratively so long as the applicant/owner is in full compliance with all City and State regulations. After reviewing the evidence and testimony presented, the Planning and Zoning Commission recommends to the City Council that the text amendment and proposed ordinance be approved with the stipulation that the administrative renewal process would only be available to the

original property owner or his representative. In the event that the gravel pit were to change ownership, the new owners would be subject to the public hearing process.

Moved by Opper, seconded by Marzahl to approve the Planning and Zoning Commission's recommendation as submitted and Ordinance 2014-127, Amending the Harvard Zoning Ordinance Regarding Extraction of Earth Products. Roll call vote: Marzahl, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Ordinance 2014-127 approved six to zero.

SCHOOL DISTRICT #50 REQUEST - APPROVED

Chief Krause related Harvard School District #50's request to allow street parking on the roads around the school for the annual wrestling tournament to be held on December 19th and 20th, 2014. After discussion, moved by Opper, seconded by Marzahl to approve the request to allow street parking on the roads around the school with the following exceptions:

- East side of Garfield St. from Roosevelt St. to Blaine St. (where there is no curb)
- Blaine St. on either side as the road

The school would be responsible to bag the no parking signs. Mayor Nolan directed Chief Krause to contact Matt Rife to advise of the City's decision. Roll call vote: Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye and Marzahl, aye. Motion approved six to zero.

VENDING LICENSES 2015 - APPROVED

Moved by Marzahl, seconded by Opper to approve the 2014 Vending License applications as presented. City Clerk Wells confirmed that all applicatons have been received and fees paid. Roll call vote: Marzahl, aye; Musgrove, aye; Clarke, aye; Meza, aye; Opper, aye and Leyden, aye. Motion approved six to zero.

NAME OF ESTABLISHMENT	AMOUNT DUE	PAID	LICENSE #
Video Wonders, Inc. Site Location: Airport Road Laundromat 110 Airport Rd.	\$360.00	Ck #369	2015-01
John Schneider Bopp's Grille and Saloon 103 E. Front St.	\$60.00	Ck #3355	2015-02
Tim Galvin Cool Music Stop Bar & Grille 10 N. Ayer St.	\$670.00	Ck #369	2015-03
John Giannasi Front Street Tap 106 E. Front St.	\$190.00	Ck #1650	2015-04
ERA Candy Drops Services Site Location - Harvard Coin Wash 307 Randall St.	\$60.00	Ck #2361	2015-05
Mike Bannwolf, Admin. Harvard Moose Lodge #1289 Route 173 West	\$245.00	Ck #30898	2015-06
Eric Brehm Hub Lounge 15 N. Ayer St.	\$185.00	Ck #1634	2015-07
Sean McGarry McGarry's Bowl 5507 S. Division St.	\$190.00	Cash	2015-08
Emil Odling South Side, 111 S Ayer St.	\$60.00	Ck 110	2015-09
Adam Gharib Stingerz 703 E. Diggins St.	\$60.00	Ck #3566	2015-10
Pete Parhas Thomas BBQ 71 N. Ayer St.	\$60.00	Ck #1074	2015-11

Redbox Automated Retail LLC Site Location Walgreen's 395 S. Division St.	\$120.00	Ck #200062692	2015-12
Red-Box Automated Retail Site Location Wal-Mart Supercenter 21101 McGuire Rd.	\$120.00	Ck #200062692	2015-13
National Entertainment Network Inc Site Location Wal-Mart 21101 McGuire Rd.	\$300.00	Ck #382634	2015-14

TAX LEVY - ORD. 2014-128 APPROVED

City Administrator Nelson noted the proposed tax levy was discussed at committee and the City conducted a public hearing for truth in taxation. In the aldermen's folders, Administrator Nelson included his memo that was sent to the committee at the time it was discussed. Since 2010, the City has seen a \$144 million drop in assessed evaluation that has a direct effect on property tax revenue because the City gets capped in certain funds, specifically corporate general, parks and police protection. Since 2010, there has been a reduction in revenue in the amount of \$216,000 in the corporate general fund and \$44,000 in the park fund. Administrator Nelson noted that the City will be capped again regardless of what the ordinance says. What is approved in the ordinance is not what the city will actually collect; the county is estimating that the cost of living increase is 1.6%. The City is first in the process and must make estimations and counteract with a balloon levy not knowing what the new growth is going to be or what the assessed value is going to be in April in order to collect at least our cost of living increase. Irregardless of the amount received, the City is required to fund the pension fund at statutory levels; if not funded through property taxes, it will have to be funded through another means. Administrator Nelson further noted that one way or the other, the City Council must pass a tax levy ordinance or lose \$2 million which is 30% of the City's revenue.

Mayor Nolan asked for any further discussion; there was none.

Moved by Opper, seconded by Marzahl to approve the proposed Tax Levy ordinance. At Mayor Nolan's inquiry, City Clerk Wells clarified that irregardless of the number of aldermen present, the tax levy requires a majority vote of the corporate authority; therefore, five affirmative votes are needed to approve the proposed ordinance. Roll call vote: Adams, aye; Opper, aye; Marzahl, aye; Musgrove, no; Clarke, no and Meza, aye. City Clerk Wells stated the vote stands at four to two which is the same as a tie and called upon Mayor Nolan to vote. Mayor Nolan voted aye. Ordinance 2014-128 approved five to two.

ABATE TAX WATER/SEWER BONDS SERIES 2006 , 2011A, 2012A&2012B, & SERIES 2014 – ORD 2014-129 APPROVED

Administrator Nelson stated there is sufficient revenue to pay the principal and interest on the bonds. Moved by Opper, seconded by Marzahl to approve Ordinance 2014-129, An Ordinance Abating a Portion of Taxes Levied to Pay Principal and Interest on Certain General Obligation and General Obligation Alternate Bonds, (Waterworks and Sewerage System Alternate Revenue Source, Series 2006; Certain General Obligation Waterworks and Sewerage Refunding Bonds (Alternate Revenue Source), Series 2011A and (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) and on Certain General Obligation Waterworks and Sewerage Refunding Bonds (Alternate Revenue Source), Series 2014; of the City of Harvard. Roll call vote: Opper, aye; Marzahl, aye; Musgrove, aye; Clarke, aye; Meza, aye and Adams, aye. Ordinance 2014-129 approved six to zero.

PROPOSED ORDINANCE DESIGNATING AN AREA AS THE HARVARD/WOODSTOCK ENTERPRISE ZONE - ORD. 2014-130 APPROVED

Moved by Marzahl, seconded by Clarke to approve Ordinance 2014-130, Designating an Area as the Harvard/Woodstock Enterprise Zone. Roll call vote: Marzahl, aye; Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Ordinance 2014-130 approved six to zero.

PROPOSED ORDINANCE AUTHORIZING THE CITY OF HARVARD TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WOODSTOCK AND THE COUNTY OF MCHENRY REGARDING THE HARVARD/WOODSTOCK ENTERPRISE ZONE – APPROVED

Moved by Adams, seconded by Marzahl to approve Ordinance 2014-131, Authorizing the City of Harvard to Enter Into an Intergovernmental Agreement with the City of Woodstock and the County of McHenry Regarding the Harvard/Woodstock Enterprise Zone. Roll call vote: Musgrove, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; and Marzahl, aye. Ordinance 2014-131 approved six to zero.

INTERGOVERNMENTAL AGREEMENT BETWEEN COUNTY OF MCHENRY, CITY OF CRYSTAL LAEK, CITY OF HARVARD, CITY OF MARENGO, CITY OF MCHENRY, CITY OF WOODSTOCK, VILLAGE OF HUNTLEY, VILLAGE OF JOHNSBURG, VILLAGE OF RINGWOOD AND THE VILLAGE OF LAKEWOOD - APPROVED

Administrator Nelson recommended approval of the intergovernmental agreement for dial-a-ride services in McHenry County. The City's out of pocket cost is estimated to be the same as we're paying today with an increase in services and hours of operation. The City may even see a reduction in cost if additional grant money is received from the RTA. Service levels will increase to Monday through Saturday from 6 am - 7 pm. The estimated time frame is February or March 1st. Moved by Clarke, seconded by Opper to authorize the execution of the Intergovernmental Agreement as presented. Roll call vote: Adams, aye; Opper, aye; Marzahl, aye; Musgrove, aye; Clarke, aye and Meza, aye. Motion approved six to zero.

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

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

IDOT RESOLUTION FOR CONSTRUCTION ON A STATE HIGHWAY - APPROVED

Moved by Marzahl, seconded by Opper to approve the IDOT Resolution for Construction on a State Highway for years 2015 and 2016. Aldermen voting aye: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

FYI: FEBRUARY LOVE YOUR LIBRARY MONTH

Mayor Nolan reported that in recognition of Love Your Library Month, the February 24th, 2015, City Council meeting will be held in the conference room at the library.

COMMITTEE REPORTS

ALD. OPPER- BILLS APPROVED

Moved by Opper, seconded by Marzahl to approve the revised bills list as presented in the amount of \$77,717.25. Roll call vote: Meza, aye; Adams, aye; Opper, aye; Marzahl, aye; Musgrove, aye and Clarke, aye. Motion approved six to zero.

Alderman Opper wished everyone a Merry Christmas.

ALDERMEN MARZAHL

Alderman Marzahl congratulated Officer Tennant on his retirement and wished everyone a Merry Christmas.

MAYOR'S REPORT

Mayor Nolan wished everyone a Happy Holidays.

ADMINISTRATOR'S REPORT

Administrator Nelson reported that the application for the Enterprise Zone is about 90% done and should be completed this week. The deadline for delivery is the end of the year and the application is being hand delivered to Springfield. The state will review the application during 2015 with a decision announced in 2016 as to whether or not we qualify.

CLERK'S REPORT – UPCOMING MEETING DATES

January 6 Planning & Zoning Commission - 7 pm
January 13 Regular City Council Meeting, 7 pm
January 20 Regular Events Committee Meeting, 5 pm
January 27 Regular City Council Meeting, 7 pm

City Clerk Wells noted that the deadline for filing candidate petitions for the April 7th, 2015, Consolidated Election is Monday, December 22nd, 2014, at 5 pm.

TREASURER'S REPORT

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

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

NO REPORT

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

At 7:31 p.m., moved by Clarke, seconded by Marzahl to adjourn the regular City Council meeting. Aldermen voting aye: Marzahl, Musgrove, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

12-19-14
Date