

**REGULAR CITY COUNCIL MEETING MINUTES
AUGUST 25, 2015 - 7:00 PM**

Mayor Nolan called the Regular City Council Meeting to order at 7:00 pm and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. Treasurer Szczap was absent. Also present were City Administrator Nelson, Code Enforcement Officer Nutley, Community Development Director Santeler, Chief of Police Krause, Supt. Parks & Rec Clingingsmith, Supt. Public Works Kruckenberg, Supt. Utilities Grant, City Attorney Clifton and members of the audience.

PUBLIC COMMENT:

Steve Sezars, 311 Hart St., addressed the City Council and noted he works at Lil Corner Store and has observed numerous accidents at the intersection of Church/Division St. as well as pedestrian difficulties crossing the intersection because vehicles fail to yield. Steve suggested installing a yield to pedestrian sign or a flashing yellow pedestrian crossing sign at that intersection. At Mayor Nolan's inquiry, Chief Krause noted that state approval is probably necessary. Mayor Nolan noted that City staff will look into the situation.

CITY COUNCIL MEETING MINUTES OF 07/28/2015 - APPROVED

Moved by Marzahl, seconded by Opper to approve the minutes of the Regular City Council Meeting of July 28, 2015, as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

DAVID GOTTSCHALK REQUEST FOR EXCEPTION TO ALLOW NATIVE PLANTINGS AT 811 CASEY LANE - APPROVED WITH RESTRICTIONS

David Gottschalk, 811 Casey Ln., addressed the City Council to request an exception pursuant to Section 11.04D, Public Nuisances Regarding Plant, Lawn and Weed Control, Exceptions to allow Native and Wildlife Plantings pursuant to the submitted plan. Moved by Burlingame to approve the request for an exception. Aldermen Opper, Ulmer and Clarke expressed concern over the height of the plantings which might cause poor visibility for an individual backing out of the driveway and maintaining a safety line of sight. Motion dies for lack of a second. Motion by Opper, seconded by Clarke to approve the requested exception pursuant to the plan submitted with a 30" height limit for plantings. Administrator Nelson stated that our ordinance allows for an exception for native grasses/plantings and should Mr. Gottschalk wish to pursue plantings in a different area of his yard or larger than the area depicted on the submitted plan, he would be required to resubmit a plan to the City Council for approval. Roll call vote: Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, no; Adams, aye and Opper, aye. Motion approved seven to one.

BOB BREUL/DENNIS DUNN REQUEST TO DEFER WATER/SEWER CONNECTION REQUIREMENTS AT 1004 S. DIVISION ST. - DENIED

Dennis Dunn, 400 E. Park St, presented a request on behalf of property owner Bob Breul to defer water/sewer tap on requirements for property located at 1004 S. Division St. for a period of 5 years or until a new owner is secured. Mr. Dunn is the current tenant and is financially unable to tie into the water/sewer system and Mr. Breul is unwilling to do so. Upon Alderman Ulmer's inquiry, Community Development Director Santeler reported that the owner was contacted a couple months ago after the new tenant moved in. Prior to that, the subject property was vacant for decades and the change of use required connecting to the water/sewer system at an approximate cost of \$15-\$20,000. Mr. Dunn noted that Mr. Breul's intent, should the request be denied, would be to demolish the buildings due to his age and ill health. Moved by Marzahl, seconded by Kelly to deny the request. Roll call vote: Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, no and Burlingame, aye. Motion approved seven to one.

HOMETOWN HEROES 5K WALK/RUN REQUEST TO CLOSE STREET - APPROVED

Teri McCloud addressed the City Council to request permission to close E. Front St. from Johnson St. to Ayer St. from 3:30 - 4:30 pm during the Hometown Heroes 5K on August 29th, 2015. Chief Krause had no

objections. Moved by Kelly, seconded by Clarke to approve the request. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

HARVARD HIGH SCHOOL HOMECOMING PARADE - FRIDAY, OCTOBER 9th - APPROVED

Moved by Ulmer, seconded by Marzahl to approve Harvard High School's Homecoming Parade on Friday, October 9th, 2015, pursuant to the route submitted. Chief Krause noted it is the same route the High School has used in the past and had no objections. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

LIBRARY BOARD APPOINTMENT - APPROVED

At Alderman Burlingame's inquiry, City Administrator Nelson clarified that the Library Board members are appointed by the Mayor with the consent and advice of the City Council. Moved by Adams, seconded by Marzahl to approve Karen Sutura's recommendation to appoint Linda Strueber to the Library Board. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

ORDINANCE DECLARING CERTAIN CITY OWNED REAL ESTATE AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF SAID SURPLUS PROPERTY COMMONLY KNOWN AS 312 NORTH HART ST., HARVARD - ORD. 2015-119 APPROVED

Administrator Nelson noted that closing on property at 312 N. Hart St. is scheduled for Thursday, August 27th, 2015. Moved by Opper, seconded by Adams to approve Ordinance 2015-119, Declaring Certain City Owned Real Estate as Surplus Property and Authorizing the Sale of Said Surplus Property Commonly Known as 312 North Hart St., Harvard; further authorizing the Mayor to award the bid to the highest responsible bidder and execute all necessary closing documents, with proceeds allocated to the Parks Capital Improvement Fund. Roll call vote: Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye and Marzahl, aye. Ordinance 2015-119 approved eight to zero.

BID OPENING SURPLUS PROPERTY (STEEL BEAMS) - APPROVED

The bid opening for surplus property (steel beams) was held on August 21st, 2015, with three bids submitted. Moved by Clarke, seconded by Opper to award the bid to Dan Howe for his high bid of \$1,002.00. Roll call vote: Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

2015 MFT ROAD PROGRAM - APPROVED

The bid opening for the 2015 MFT Road Program was held on August 15th, 2015 with two bids submitted. Moved by Opper, seconded by Burlingame to award the contract to Schroeder Asphalt for their low bid amount of \$62,878.83 and to authorize the Mayor and City Clerk's execution of all contract documents. Roll call vote: Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye and Kelly, aye. Motion approved eight to zero.

ENTERPRISE ZONE BOARD APPOINTMENT - APPROVED

Mayor Nolan reported that the City was awarded Enterprise Zone Status with McHenry County and the City of Woodstock. The Enterprise Zone Board will be comprised of five members: two from City of Woodstock, two from the City of Harvard and one from McHenry County. Moved by Opper, seconded by Marzahl to approve the Mayor's recommendation to appoint Dave Nelson and Mark Stricker to the Enterprise Zone Board on behalf of the City of Harvard. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

STORM WATER MANAGEMENT ORDINANCE (SMO) - ORD. 2015-120 APPROVED

Community Development Director Santeler stated that McHenry County has updated the Storm Water Management Ordinance, and as a certified community, the City is required to adopt the latest version. Moved by Ulmer, seconded by Marzahl to approve Ordinance 2015-120, Adopting the McHenry County Storm Water Management Ordinance, as amended December 1st, 2014. Roll call vote: Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye and Clarke, aye. Ordinance 2015-120 approved eight to zero.

EVENTS COMMITTEE REQUEST/FALL FEST OCTOBER 3rd, 2015 - APPROVED

Mayor Nolan outlined the Event's Committee plans for the Fall Family Festival to be held on Saturday, October 3rd, 2015 from 10 a.m. – 2 p.m. and request the following:

1. Close one block of Ayer Street from Brainard to Sumner St. until 3 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.

Moved by Opper, seconded by Meza to approve the Events Committee's requests for the Fall Family Festival as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PARKS & REC COMMITTEE MEETING MINUTES OF AUGUST 13th, 2015

Chairman Clarke reviewed the Parks & Recreation Committee Meeting Minutes of August 13th, 2015 at which time Bill James from Camiros Ltd. presented a SWOT Analysis (Strengths, Weaknesses, Opportunities and Threats). The next meeting is scheduled on Tuesday, September 15th, 2015, at 7 pm as an open house to solicit citizen input and will be held in the conference room at Harvard Diggins Library, 901 W. McKinley St. Chairman Clarke noted he has contacted representatives of the various sports leagues about the open house.

Chairman Clarke reported he spoke with Jackie Fiegel about partnering with the Parks & Rec Dept. to use Milky Way Park in the spring of 2016 for a softball league that would be separate from the HERS League.

COMMITTEE REPORTS

ALD. OPPER - BILLS APPROVED

Moved by Opper, seconded by Kelly to approve payment of the bills in the amount of \$225,592.96. Roll call vote: Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye and Meza, aye. Motion approved eight to zero.

ALD. MEZA/ALD. ULMER

At Aldermen Meza's and Ulmer's inquiry, City Administrator Nelson noted that Mr. Perez dropped his request for an extension to hard surface his properties and pulled a permit to complete the hard surfacing. Mr. Perez will comply with code requirements to complete the hard surfacing within six months. Should he fail to comply, the City will issue a ticket and take the matter to court.

ALD. KELLY

Alderman Kelly reported that he is working with the Events Committee to organize a hot air balloon festival at Milky Way Park for Labor Day Weekend, 2016.

MAYOR'S REPORT

Mayor Nolan noted that the City should receive the Enterprise Zone status after the first of the year which will be a great marketing tool for the City.

ADMINISTRATOR'S REPORT

Administrator Nelson noted that the state budget impasse is beginning to impact the City's finances as the state has been withholding MFT and video gaming funds. The State continues to spend without a budget and is currently in arrears with about a \$5 billion deficit. MFT funds were previously set aside for the current MFT Patching Program and the purchase of salt for the winter season.

CLERK'S REPORT – UPCOMING MEETING DATES

September 1 Planning & Zoning Commission - POST TO CANCEL
September 8 Regular City Council Meeting - POST TO CANCEL
September 15 Regular Events Committee Meeting, 5 pm
Parks & Rec Committee Meeting/Open House - 7 pm
September 22 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

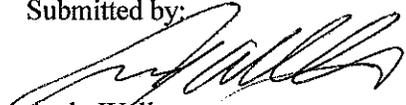
Dept. Heads: Reports as submitted.

NO REPORT

Aldermen Burlingame, Marzahl, Clarke and Adams and Attorney Clifton had no additional reports.

At 7:38 p.m., moved by Clarke, seconded by Opper to adjourn the regular City Council meeting. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Meza, Clarke, Adams and Opper. All ayes. Motion carried.

Submitted by:


Andy Wells,
City Clerk

09-01-15
Date