

**REGULAR CITY COUNCIL MEETING MINUTES
OCTOBER 27, 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, Clarke, Meza, Adams and Opper. Treasurer Szczap and Alderman Kelly were absent. Also present were City Administrator Nelson, Code Enforcement Officer Nutley, Community Development Director Santeler, Chief of Police Krause, Supt. Parks & Rec Clingsmith, Supt. Public Works Kruckenberg, City Attorney Clifton and members of the audience.

PUBLIC COMMENT: NONE

CITY COUNCIL MEETING MINUTES OF 09/22/2015 - APPROVED

Moved by Marzahl, seconded by Opper to approve the minutes of the Regular City Council Meeting of September 22, 2015, as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PUBLIC HEARING

Mayor Nolan opened the public hearing to discuss the proposal for a renewed and revised cable franchise agreement by and between the City of Harvard and CC VIII Operating, LLC d/b/a Charter Communications. The fee with Charter is capped by state law at 5%. Mayor Nolan opened the floor to comments from the audience. Jerry Carr expressed his concerns with the Charter's rate increase. Moved by Marzahl, seconded by Clarke to close the hearing. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

AUTHORIZE A CABLE FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF HARVARD AND CC VIII OPERATING, LLC D/B/A CHARTER COMMUNICATIONS - ORD 2015-124 APPROVED

City Administrator stated that pursuant to Federal regulations, the City cannot regulate the prices, content or quality of service. Those types of issues are to be referred to the FCC which is the regulatory body in charge. Moved by Opper, seconded by Burlingame to approve Ordinance 2015-124, Authorizing a Cable Franchise Agreement by and between the City of Harvard and CC VIII Operating, LLC d/b/a Charter Communications to authorize the execution of the franchise agreement. Roll call vote: Burlingame, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Motion approved seven to zero.

LICENSE AGREEMENT FOR USE OF CITY RIGHTS-OF-WAY BETWEEN WIDOPENWEST ILLINOIS, LLC AND THE CITY OF HARVARD - APPROVED

Administrator Nelson indicated that the City was approached by WideOpenWest Illinois, LLC which is a contractor working for Verizon wireless to construct underground and overhead fiberoptic cables using the City's right of way from the tower they lease from the City on Harvard Hills Rd. to the train station. The 10-year agreement was negotiated by the City Attorney and the fees as negotiated by Mayor Nolan include a payment of \$5,000 up front, a building permit fee estimated at \$2,000 and an annual fee of \$2,000 thereafter. Moved by Ulmer, seconded by Adams to authorize execution of a license agreement between WideOpenWest LLC and the City of Harvard for use of City right-of-way. Roll call vote: Marzahl, aye; Ulmer, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye and Burlingame, aye. Motion approved seven to zero.

INTERGOVERNMENTAL AGREEMENT WITH MCHENRY COUNTY AND OTHER PARTNER AGENCIES FOR GENERAL PUBLIC DIAL-A-RIDE TRANSIT SERVICES IN 2016 - APPROVED

Administrator Nelson reported that the Intergovernmental Agreement is the same as last year with no fee increases either for the passengers or the City. At Alderman Opper's inquiry, Administrator Nelson noted there has been some negative passenger feedback, mostly because of the requirement to call ahead 24 hours in advance to get a ride. Moved by Opper, seconded by Marzahl to authorize execution of an Intergovernmental Agreement with McHenry County and Other Partner Agencies for General Public

Dial-A-Ride Transit Services in 2016 (MCRide). Roll call vote: Ulmer, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye and Marzahl, aye. Motion 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, 2015, with the permit fee waived in exchange for the Christmas tree that will be on display at City Hall. Moved by Ulmer, seconded by Clarke 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. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PROPOSED ORDINANCE AMENDING SECTION 21.01 AND 21.03 REGARDING ELECTRONIC SUBMISSIONS AND ANNUAL VENDING LICENSE FEES - ORD 2015-125 APPROVED

City Clerk Wells reviewed the draft ordinance which provides for electronic submissions and amends the fee for pool tables to \$60 to make the fee for all vending machines the same. Moved by Clarke, seconded by Opper to approve Ordinance 2015-125, Amending Sections 21.01 and 21.03 Regarding Electronic Submissions and Annual Vending License Fees. Roll call vote: Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye and Ulmer, aye. Ordinance 2015-125 approved seven to zero.

ANNUAL TREASURER'S REPORT - APPROVED

Moved by Adams, seconded by Marzahl to approve the Annual Treasurer's Report as submitted. Roll call vote: Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye and Clarke, aye. Motion approved seven to zero.

ORDINANCE COMMITTEE MEETING SEPTEMBER 24th, 2015

Chairman Ulmer read the Ordinance Committee Meeting Minutes of September 24th, 2015. The Committee met with Lynn Gray of the McHenry County Historic Preservation Commission who is looking to partner with the City to classify and landmark the William Coventry House which is situated on the old Motorola property. City Administrator Nelson was authorized to negotiate a site specific agreement.

City Administrator Nelson and Attorney Clifton reported on the negotiations which are pending with the State's Attorney's office reference indemnification language to cover the City. Once the indemnification language is agreed upon, the Intergovernmental Agreement will be brought before the City Council for approval.

FINANCE COMMITTEE MEETING MINUTES OF SEPTEMBER 29th, 2015

Chairman Opper reviewed the Finance Committee Meeting Minutes of September 29th, 2015, at which time George Pereskian, Wipfli LLP, reviewed the Annual Financial Report for the year ending April 30, 2015.

PARKS & RECREATION COMMITTEE MEETING - NOVEMBER 2nd, 2015 - 6:00 pm

Chairman Clarke called a Parks & Recreation Committee meeting for Monday, November 2nd, 2015 at 6:00 pm at City Hall to review the Park System Framework Plan submitted by Bill James, Camiros.

FINANCE COMMITTEE MEETING - NOVEMBER 5th, 2015 - 6:30 pm

Chairman Opper called a Finance Committee meeting for Thursday, November 5th, 2015 at 6:30 pm to discuss the Property Tax Levy.

ORDINANCE COMMITTEE MEETING - NOVEMBER 10th, 2015 - 6:30 pm

Chairman Ulmer called an Ordinance Committee meeting for Tuesday, November 10th, 2015 at 6:30 pm to review municipal code book revisions submitted by Chief Krause and Community Development Director Santeler.

STREETS & ALLEYS COMMITTEE MEETING - NOVEMBER 9th, 2015 - 6:30 pm

Chairman Adams called a Streets & Alleys Committee meeting for Monday, November 9th, 2015 at 6:30 pm to discuss the 2016 MFT Road Program.

FYI: POLICE PENSION FUND REPORTS

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

FYI: COMPREHENSIVE PLAN MEETING - OCTOBER 29th, 2015

A Public Open House will be held at Harvard Diggins Library on Thursday, October 29th, 2015, from 6:30 - 8:30 pm, at which time the draft comprehensive plan will be available for public review and comment before the formal review process.

COMMITTEE REPORTS

ALD. OPPER - BILLS APPROVED

Moved by Opper, seconded by Adams to approve the bills list as presented in the amount of \$266,950.91. Roll call vote: Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Clarke, aye and Meza, aye. Motion approved seven to zero.

ALD. CLARKE

Alderman Clarke updated the City Council on meetings held with two separate organizations:

- City Administrator Nelson and Alderman Clarke met with a representative of a new softball league, the Harvard Lady Sting, about an agreement to use Milky Way Park as their home field next year.
- Bill James, Camiros and Alderman Clarke met with members of Harvard Boys League to discuss an agreement which would be a template for the Boys League and other organizations to use the fields.

ALD. MARZAHN

Alderman Marzahn commended Supt. Kruckenberg and the Public Works Dept. for a good job on brush pickup.

ADMINISTRATOR'S REPORT

Administrator Nelson referred to the 2015 Wastewater Master Plan as submitted by Trotter & Associates, Inc. which was distributed to each of the alderman for their review. A meeting will be held in the near future to discuss.

CLERK'S REPORT – UPCOMING MEETING DATES

October 29	Public Open House Comprehensive Plan, 6:30-8:30 pm
November 2	Parks Committee Meeting - 6 pm
November 3	Planning & Zoning Commission - 7 pm
November 5	Finance Committee Meeting - 6:30 pm
November 9	Streets & Alleys Committee Meeting - 6:30 pm
November 10	Regular City Council Meeting - POST TO CANCEL Ordinance Committee Meeting - 6:30 pm
November 17	Regular Events Committee Meeting, 5 pm
November 24	Regular City Council Meeting, 7 pm

TREASURER'S REPORT

The monthly treasurer's report for October, 2015 is in the packet.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

ATTORNEY'S REPORT

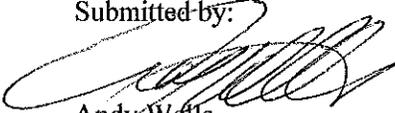
Attorney Clifton noted his letter to the City Council outlining the status of current litigation.

NO REPORT

Mayor Nolan and Aldermen Burlingame and Adams had no additional reports.

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

Submitted by:



Andy Wells,
City Clerk

11-2-15
Date