

**REGULAR CITY COUNCIL MEETING MINUTES  
DECEMBER 15, 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, Meza, Adams and Opper. Treasurer Szczap and Alderman Clarke were absent. Also present were 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: NONE**

**CITY COUNCIL MEETING MINUTES OF 11/24/2015 - APPROVED**

Moved by Meza, seconded by Opper to approve the minutes of the Regular City Council Meeting of November 24, 2015, as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Meza, Adams and Opper. All ayes. Motion carried.

**PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS**

**City of Harvard, Revocation of Thomas Merryman Conditional Use - Ord. 2015-130 Approved**

City Clerk Wells read the Recommendations/Findings of Fact as submitted by the Planning and Zoning Commission which met on December 1<sup>st</sup>, 2015, to consider the petition submitted by the City of Harvard for revocation of a conditional use for Mining Operations and Batch Plant Operations as provided for in the Annexation Agreement dated May 19, 2009 and the First Amendment to Annexation Agreement dated March 1, 2011 between the City of Harvard and Thomas Merryman. After reviewing the evidence and testimony presented, the Planning and Zoning Commission recommends to the City Council that the petition for revocation be approved as presented.

Alderman Opper inquired whether the City was legally required to implement the reclamation bond to restore the property to its original condition. Administrator Nelson indicated he could start the process by calling Springfield tomorrow but there is no requirement for the City to ask the state for reclamation of the site. If the property sells, a new operator would have appear before the Planning and Zoning Commission and City Council to seek a conditional use. There are existing mounds on the site comprised of sand and pea stone that is of minimal value. City Clerk Wells clarified that the property is currently zoned M1 and upon revocation, per the annexation agreement, the zoning would revert to two lots, one lot would be B3 along McGuire Rd. with R1 behind it. Any proposed development of the R1 would require a public hearing process for subdivision.

Moved by Burlingame, seconded by Ulmer to approve the Planning and Zoning Commission's recommendation as submitted and Ordinance 2015-130 for revocation of a conditional use for Mining Operations and Batch Plant Operations as provided for in the Annexation Agreement dated May 19, 2009 and the First Amendment to Annexation Agreement dated March 1, 2011 between the City of Harvard and Thomas Merryman. Roll call vote: Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Meza, aye; Adams, aye and Opper, aye. Ordinance 2015-130 approved seven to zero.

**SANCTION MAYOR'S APPROVAL OF MCHENRY COUNTY GIVES PROCLAMATION DESIGNATING THE CITY OF HARVARD DAY OF GIVING AS DECEMBER 1, 2015 - APPROVED**

Moved by Kelly, seconded by Marzahl to sanction the Mayor's approval of the McHenry County Gives Proclamation Designating the City of Harvard Day of Giving as December 1, 2015. Roll call vote: Marzahl, aye; Ulmer, aye; Kelly, aye; Meza, aye; Adams, aye; Opper, aye and Burlingame, aye. Motion approved seven to zero.

**VENDING LICENSES 2016 - APPROVED**

Moved by Adams, seconded by Marzahl to approve the 2016 Vending License applications as presented. City Clerk Wells confirmed that all applicatons have been received and fees paid. Roll call vote: Ulmer, aye; Kelly, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye and Marzahl, aye. Motion approved seven to zero.

Name of Establishment	Amount	Paid	License #
Timothy Galvin, Video Wonders, Inc. Site Location Airport Road Launddromat, 110 Airport Rd.	\$ 600.00	Ck #728	2016-01
John Schneider Bopp's Grille & Saloon Inc. 103 E. Front St.	\$ 60.00	Cash	2016-02
Timothy Galvin, Video Wonders, Inc. d/b/a Cool Music Stop Bar & Grille, 10 N. Ayer St.	\$ 480.00	Ck #726	2016-03
ERA Candy Drop Services Site Location Harvard Coin Wash, 207 Randall St.	\$ 60.00	Ck #2460	2016-04
John Giannasi, Cow Tippers Front St. Tap Inc. d/b/a Front St. Tap, 106 E. Front St.	\$ 180.00	Ck #3659	2016-05
Eric Brehm Hub Lounge, 15 N. Ayer St.	\$ 180.00	Ck #2339	2016-06
Jay Schulz J's Lanes Inc., 5507 Route 14	\$ 660.00	Ck #1059	2016-07
Emil Odling South Side, 111 S. Ayer St.	\$ 120.00	Ck #1149	2016-08
Adam Gharib, Adriana's Restaurant & Lounge, Inc. d/b/a Stingerz, 703 E. Diggins St.	\$ 120.00	Ck #3916	2016-09
Peter Parhas, Thomas's Barbeque, Inc. d/b/a Thomas BBQ, 71 N. Ayer St.	\$ 60.00	Ck #1142	2016-10
Redbox Site Location Walgreens #1411, 395 S. Division St.	\$ 120.00	Ck #200075183	2016-11
Redbox Automated Retail LLC Site Location Walmart #1211, 21101 McGuire Rd.	\$ 120.00	Ck #200075183	2016-12
National Entertainment Network LLC Site Location Walmart #1211, 21101 McGuire Rd.	\$ 240.00	Ck #423616	2016-13
<b>TOTAL</b>	<b>\$ 3,000.00</b>		

**TAX LEVY - ORD. 2015-131 APPROVED**

The proposed ordinance represents a 43.9% increase over last year's extension. Due to the tax cap, the expected increase on the city portion of the property tax is 1.5% increase. Mayor Nolan noted his house has a \$8,000 tax bill and the tax levy increase would amount to approximately \$15. Moved by Opper, seconded by Adams to approve the proposed Tax Levy ordinance as presented. Mayor Nolan asked if there were any additional comments or questions. There were none. Roll call vote: Kelly, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye and Ulmer, aye. Ordinance 2015-131 approved seven to zero.

**ABATE TAX WATER/SEWER BONDS SERIES 2006 , 2011A, 2012A&2012B, & SERIES 2014 –  
ORD 2015-132 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 2015-132, An Ordinance Abating a Portion of Taxes Levied to Pay Principal of 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: Meza, aye; Adams, aye; Oppen, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye and Kelly, aye. Ordinance 2015-132 approved seven to zero.

**PROPOSED ORDINANCE AMENDING ORDINANCE 2014-130, DESIGNATING AN AREA AS THE HARVARD/WOODSTOCK ENTERPRISE ZONE - ORD 2015-133 APPROVED**

City Administrator Nelson reviewed the proposed ordinance amending Ordinance 2014-130, Designating an Area as the Harvard/Woodstock Enterprise Zone to incorporate changes requested by the State of Illinois. The Illinois Dept. of Revenue is not capable of abating the City's portion of the sales tax. The proposed ordinance amends the verbiage from abating taxes (1% of local sales tax for a period of 1 year) to "shall be refunded upon submittal of receipts" for those industries that qualify. Moved by Ulmer, seconded by Oppen to approve Ordinance 2015-133, as submitted. Roll call vote: Adams, aye; Oppen, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly and Meza, aye. Ordinance 2015-133 approved seven to zero.

Administrator Nelson noted that it is anticipated that the State will designate the Enterprise Zone in January, 2016.

**FINANCE COMMITTEE MEETING - JANUARY 12, 2016**

Chairman Oppen called a Finance Committee Meeting for Tuesday, January 12<sup>th</sup>, 2016, at 6:30 pm to discuss Industrial Park TIF Financing and Refinancing the Water/Sewer Bonds.

**PARKS COMMITTEE MEETING - JANUARY 11, 2016**

A Parks Committee Meeting was called for Monday, January 11<sup>th</sup>, 2016, at 6 pm review the draft Park Plan.

**COMMITTEE REPORTS**

**ALD. OPPER - BILLS APPROVED**

Moved by Oppen, seconded by Kelly to approve the bills list as presented in the amount of \$313,973.62. Roll call vote: Oppen, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Meza, aye and Adams, aye. Motion approved seven to zero.

Alderman Oppen wished everyone a Merry Christmas and safe and prosperous New Year.

**ALD. KELLY**

Alderman Kelly commended Chief Krause for being responsive to citizens who have complained about speeders in their neighborhoods and taking steps to ensure how fast people are driving.

**MAYOR'S REPORT**

Mayor Nolan wished everyone a Merry Christmas and noted he will be out of town for next month's meeting and notified the Council that Alderman Marzahl will be Mayor Protem.

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

January 5	Planning & Zoning Commission Meeting - 7 pm to review the Comprehensive Land Use Plan. A public hearing will be held before the City Council in January or February.
January 11	Parks Committee Meeting - 6 pm
January 12	City Council Meeting - POST TO CANCEL Finance Committee Meeting - 6:30 pm
January 19	Regular Events Committee Meeting, 5 pm
January 26	Regular City Council Meeting, 7 pm

**TREASURER'S REPORT**

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

**ENGINEERING & DEPARTMENT HEADS REPORTS**

Dept. Heads: Reports as submitted.

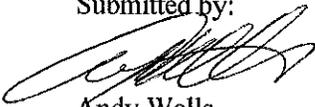
**NO REPORT**

City Attorney Clifton and Aldermen Adams, Meza, Ulmer, Marzahl, Burlingame had no additional reports.

Audience member Jerry Karr inquired about the status of the State's budget and whether or not it will affect the City with service cuts in January. Administrator Nelson responded that the State passed an appropriation ordinance specific to municipalities releasing the City's funding.

At 7:22 pm, moved by Opper, seconded by Marzahl to adjourn the regular City Council meeting. Aldermen voting aye: Burlingame, Marzahl, Kelly, Meza, Adams and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,  
City Clerk

12-19-15

Date