

**REGULAR CITY COUNCIL MEETING MINUTES**  
**February 18, 2004 - 7:00 P.M.**

Mayor Henning called the City Council meeting to order and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Attorney McArdle, Chief Mrozek, Building Inspector Santeler, Public Works Supt. Carbonetti and Gary Rozwadowski, Smith Engineering and members of the press and audience.

**AUDIENCE PARTICIPATION: NONE**

**CITY COUNCIL MINUTES OF 01/28/04 - APPROVED**

Moved by Nolan, seconded by Perkins to approve the Regular and Closed Session City Council Meeting Minutes of January 18, 2004. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

**ORDINANCE COMMITTEE RECOMMENDATIONS - APPROVED**

Chairman Hay reviewed the minutes of the Ordinance Committee Meeting held on February 4, 2004.

**Harvard Main Street Funding Agreement**

The Ordinance Committee discussed the funding agreement with Harvard Main Street and recommends the following to the City Council:

- a. the City agrees to fund a quarterly sum of \$2,500 to Harvard Main Street for the quarter commencing February 1, 2004 and ending April 30, 2004;
- b. the funding agreement be reviewed in April so that it be set to run with the City's fiscal budget cycle;
- c. Main Street will not be required to provide any audits since the date of the last effective audit until after April 30, 2004, provided Nancy Heberle is Executive Director.
- d. Amend Item #5, to add the wording, "In the future..." to the provision reference the City's input in the selection process in the event there is an opening in the Executive Director position.

Moved by Hay, seconded by Berg to approve the Ordinance Committee's recommendation. Alderman Berg noted for the record that the proposed funding agreement would be reviewed by the Finance Committee when it prepares the budget and that the audit should be pursuant to 2005 and will not be required for 2004. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

**Harvard Human Relations Grant (HRC) for Drug Free Schools**

The Ordinance Committee discussed the Human Relations Commission's request that the City act as the fiscal agent for a grant they are applying for in the amount of \$100,000 entitled *The Drug-Free Communities Support Program*. The grant is offered by the Office of Juvenile Justice and Delinquency Prevention and is an in-kind match. Administrator Nelson clarified that no actual funds would be expended and the City would be required to match in-kind only the grant amount actually paid. The Ordinance Committee recommends to the City Council to authorize the Mayor and/or City Administrator to sign the grant application in cooperation with the Harvard Human Relations Commission and as a condition of signing said grant, in no event shall any dollars be expended out of City funds. Moved by Hay, seconded by Perkins to approve the Ordinance Committee's recommendation. Roll call vote: Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye and Nolan, aye. Motion approved eight to zero.

**Harvard Milk Day Request for a Waiver of Fees Per Section 21.07, Outdoor Markets**

The Ordinance Committee discussed Harvard Milk Day's request for a waiver of the Outdoor Market fees which is \$50 per event. Administrator Nelson clarified the intent of the ordinance is to obtain sales tax I.D. #'s from all of the vendors. The \$50 fee covers the cost for staff to go through and confirm that vendors are reporting their sales in Harvard. Dave felt there were basically three events associated with Milk Day: the craft show, the carnival and the horse show. The Ordinance Committee recommends to the City Council to issue three licenses, with a waiver of the outdoor market fees for Harvard Milk Day, with the condition that Milk Day provide a listing with the State Sales Tax I.D. #'s to the City. Moved

by Hay, seconded by Bellon to approve the Ordinance Committee's recommendation. Roll call vote: Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye and Marzahl, abstain. Motion approved seven to zero, with one abstention.

**RESIDENT ON-STREET PARKING AT 203 & 303 S. AYER - ORD. 2004-106 APPROVED**

Moved by Berg, seconded by Dikun to approve Ordinance 2004-106, Amending Section 15.06, Resident Parking to provide for on-street parking at 203 S. Ayer St. and 303 S. Ayer St. Roll call vote: Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye and Hinterlong, aye. Ordinance 2004-106 approved eight to zero.

**RENEW LINE OF CREDIT ONE YEAR - APPROVED**

Moved by Hinterlong, seconded by Hay to renew the Line of Credit in the maximum amount of \$375,000. Roll call vote: Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye and Berg, aye. Motion approved eight to zero.

**METRA CONTRACT - APPROVED**

Moved by Dikun, seconded by Berg to approve the agreement with Metra for the Operation and Maintenance of the Commuter Parking Facility pending final approval by the City Attorney. At Alderman Dikun's inquiry as to whether or not the easement issues with the Franklin's had been dealt with, Administrator Nelson indicated that the last documentation he saw from ComEd was that ComEd had easement rights there. Roll call vote: Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye and Dikun, aye. Motion approved eight to zero.

**VILLAGE OF HOMEWOOD REQUEST RE DAYCARE - TABLED**

The Illinois Supreme Court has ruled that non-home rule municipalities cannot regulate day care homes. The Village of Homewood is requesting that the City of Harvard sign a position statement requesting that legislature pass a law that would grant non-home rule municipalities authority as related to the regulation of day care homes. There was discussion of whether or not to participate in that the City has not had any complaints or problems with day care. The general consensus was to table the issue to see how the situation progresses.

**INFORMATION - MCHENRY CO. COUNCIL OF GOVERNMENTS**

The City of Harvard will host the next McHenry County Council of Governments meeting on February 25, 2004, at the Stratford. Reservations must be turned in by Friday, Feb. 20<sup>th</sup>.

**CONSENT AGENDA : NONE**

**COMMITTEE REPORTS**

**ALD. DIKUN**

At Alderman Dikun's inquiry, the Chief said that the large amount of traffic tickets could be attributed to violations of the snow ordinance. Alderman Dikun thanked the Building Department for their detailed report and seeing that they are spreading themselves around the whole scope of the city and not just specific areas.

**ALD. HINTERLONG - BILLS APPROVED**

Moved by Hinterlong, seconded by Perkins to approve the bills as presented in the amount of \$82,253.75. Roll call vote: Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye and Bellon, aye. Motion approved eight to zero.

**ALD. MARZAH**

Alderman Marzahl called a Water & Sewer Committee Meeting for Wednesday, March 3, 2004 at 7 p.m.

**MAYOR'S REPORT**

The Mayor noted that the budget for FY04/05 should be ready the first part of March.

**CLERK'S REPORT**

**Upcoming meeting dates:**

- Feb. 23 Planning & Zoning Commission Hearing re Tertany/Sprint Conditional Use, 7 p.m.
- Feb. 25 McHenry Co. Council of Governments Meeting at Stratford, 6 p.m.
- March 3 Water & Sewer Committee Meeting, 7 p.m.
- March 8 Planning and Zoning Commission Hearings
  - ◆ City of Harvard/Par Development/ TIF District Zoning @ 7 p.m.
  - ◆ Text Amendments @ 7:30 p.m.
- March 10 Regular City Council Meeting, 7 p.m.

**DEPARTMENT HEADS REPORTS**

Dept. Heads and Smith Engineering: Reports as submitted.

**ATTORNEY MCARDLE**

Attorney McArdle updated the City Council on the status of the property at 5-points in getting the title cleared and obtaining a no further remediation letter from the EPA.

**NO REPORTS**

Treasurer Meseck, Administrator Nelson, Nolan, Berg, Bellon, Perkins and Hay had no reports.

At 7:30 p.m., moved by Berg, seconded by Bellon to go into closed session after a five minute recess to discuss Section 2(c)(1) Personnel. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

At 7:51 p.m., moved by Dikun, seconded by Bellon to go back into open session . Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

At 7:52 p.m., moved by Bellon, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,  
City Clerk

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Date