

**CITY COUNCIL HEARING - ANNEXATION AGREEMENT
MEYER MATERIAL, INC.
NOVEMBER 17, 2004 - 6:30 P.M.**

Mayor Henning called the public hearing to order. Clerk Wells called roll. Aldermen present: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. Also present were Treasurer Meseck, Administrator Nelson, Lt. Oparyk, Attorney McArdle and Gary Rozwadowski, Smith Engineering. Present on behalf of the petitioners was Attorney Tom Zanck and Allen Miller, General Manager of Meyer Material.

Mayor Henning clarified that the hearing before the City Council was for the annexation agreement and that there would not be a vote on the proposal this evening. Mayor Henning inquired and noted for the record that the parties of interest in the petition were present. Clerk Wells noted the Certificate of Publication with a publication date of October 23, 2004.

Mayor Henning turned the meeting over to City Attorney David McArdle to preside over the public hearing as hearing officer. Attorney McArdle reviewed the procedures for the public hearing and indicated that comments would be limited to the context of the annexation agreement itself.

Attorney Tom Zanck gave an overview as to what the annexation agreement consists of in order to establish the parameters of discussion. Meyer Material is requesting annexation, a conditional use permit for purposes of extraction, processing, crushing, storing and washing and screening of aggregate, a conditional use permit for a concrete crushing and recycling facility and the operation of a concrete ready mix plant, a conditional use permit for the operation of a bituminous asphalt plant and upon annexation to classify the subject property as M-1 Manufacturing. Meyer Material is requesting berm and fence variations in accordance with the plans that were submitted. The petitioner is requesting a flood plain variation in order to build the lake and variations from Section 13A.02 and 13B.03 of the Harvard Municipal Code to construct restroom facilities for employees, guests and agents. A mining and reclamation plan has been submitted with specifics with respect to processing and stockpiling, etc. Also addressed in the annexation agreement are fencing requirements, stormwater detention requirements as recently established by the McHenry County Stormwater Ordinance, monitoring wells, Illinois EPA permits, Illinois Dept. of Mines and Minerals, NPDES discharge permits, hours of operation, bonding, donations and fees, royalty fees on the McGuire Rd. pit and pre-payment of mining fees in years 2005, 2006 and 2007.

Attorney McArdle opened the hearing to public comment with discussion limited to the annexation agreement. The following individuals made statements in objection to the proposed gravel pit:

Karen Beystehner, 11504 Lawrence Rd., Harvard
Cynthia Hoover, 1008 Shawnee Court, Harvard
Richard Brook, 9306 Lawrence Rd., Harvard
Marie Bradshaw, 1001 N. Jefferson St., Harvard
Lisa Haderlein, 904 N. Jefferson St., Harvard
Sharon O'Brien, 23119 Lawrence Rd., Harvard
Al Tegtmeier, 23150 Lawrence Rd., Harvard
Ed O'Brien, 23119 Lawrence Rd., Harvard
Susan Hayden, 8211 Lawrence Rd., Harvard
Jim Schaeffges, 19320 Crowley Rd., Harvard
Mary Brickley, 23150 Lawrence, Harvard (copies of the petitions that were submitted to the Planning and Zoning Commission against the proposed annexation were re-submitted to the City Clerk)
John McConnell, 313 N. Hart St., Harvard
Judyanne Grandmaison, 8009 Walker St., Harvard
Mike Hayden, 8211 Lawrence Rd., Harvard
Mark Thurma, 23307 Graf Rd., Harvard
Donald Esch, 10515 Weidner Rd., Harvard
Deb Rath, 8505 Lawrence Rd., Harvard

There was brief discussion about turning in additional appraisals to the City Clerk. Attorney McArdle clarified that at the end of the Planning and Zoning Commission, there was a decision to continue that meeting. Additional appraisals should be filed with the City Clerk before the Planning and Zoning Commission on Tuesday, November 23, 2004. There were no further comments from the public. At 8:00 p.m., moved by Berg, seconded by Hay to continue the annexation agreement hearing on December 8, 2004, at 6:30 p.m. prior to the next regular City Council Meeting, with the meeting recommenced at Item #8 and that Item #10 be stricken from the agenda. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried. Submitted by:

Andy Wells,
City Clerk

_____ Date