

REGULAR CITY COUNCIL MEETING MINUTES

April 13, 2005 - 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, Bellon, Perkins and Hay. Alderman Dikun was absent. Also present were Alderman Elect Logan, Treasurer Meseck, City Administrator Nelson, Building Inspector Kruckenberg, Lt. Oparyk, Supt. Parks and Recreation Burkart, Supt. Public Works Carbonetti, Supt. of Utilities Gibson, Attorney McArdle, Gary Rozwadowski of Smith Engineering and members of the press and audience.

AUDIENCE PARTICIPATION:

Scott Schlendorf, 1601 Wildflower Lane, Harvard, addressed the City Council and noted his concerns with the proposed retention pond/drainage for The Meadows Subdivision off Northfield Ave.

CITY COUNCIL MINUTES OF 03/23/05 - APPROVED

Moved by Perkins, seconded by Bellon to approve the Regular City Council Meeting Minutes of March 23, 2005. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

PLANNING & ZONING COMMISSION HEARING/WINCHESTER BUILDERS-PLAT OF SUBDIVISION NO. 1/THE MEADOWS/ORD. 2005-118 APPROVED

Alderman Hay read a letter from Harry Stafford, Chairman Protem of the Planning and Zoning Commission which met on April 11, 2005, in the petition of Winchester Builders LLC, 532 Whitney Blvd., Belvidere, Illinois. The petitioners are requesting approval of the Plat of Subdivision/Plat No. 1 - The Meadows for property that is contiguous to Northfield Avenue which is currently annexed to the City and zoned R-2 Single Family Residence District. Carl Roppolo of Winchester Builders gave a brief presentation of their proposed single family development consisting of 105 lots of which there are 22 duplex units on 6th and 7th Streets. No objectors were present, but various comments/concerns were raised by members of the audience: Detention pond/drainage: the petitioners are addressing the drainage and existing conditions through the engineering of the new detention pond that is proposed to be built under the McHenry County Stormwater Management Ordinance • Traffic congestion on Northfield Ave. Administrator Nelson stated that the development will be linked up to Magnolia in Oak Grove Crossings which will hook up to Route 14 and provide another access to the residential areas • Possibility of traffic lights at Northfield Ave./Route 14 • The impact that this and other developments will have on the school district: Administrator Nelson stated that the developer has agreed to sign a separate contract between the City and developer to allow the school impact fee to be used any way that the school district sees fit. The Planning and Zoning Commission unanimously recommends to the City Council approval of the petitioner's request for approval of Plat No. 1 The Meadows on the following conditions:

1. A single family subdivision covenant is filed with the City so that the proposed single family homes as identified by lot numbers are limited to single family in the future.
2. That the plat of subdivision be revised to correct the lot line for Lot 103 so that the lot area meets the minimum requirement of 8,712 sq. ft.

Moved by Hay, seconded by Hinterlong to approve the Planning and Zoning Commission's recommendation and Ordinance 2005-118, Approving Plat No. 1 - The Meadows subject to the conditions outlined by the Planning and Zoning Commission. The petitioner's engineer addressed the concerns relating to the detention pond/drainage. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye and Hay, aye. Ordinance 2005-118 approved seven to zero.

SURPLUS PARK PROPERTY BID OPENING

City Clerk Wells opened and read the Surplus Park Property bids as follows:

- | | | |
|---|------------|-------|
| ➤ Mike Clark, 103 Shawnee Lane, Harvard | Parcel A-1 | \$251 |
| ➤ Dave Freitag, 101 Shawnee Lane, Harvard | Parcel A-2 | \$251 |
| ➤ Al Bremer, 5218 W. Fountain, McHenry | Parcel A-1 | \$403 |
| ➤ Al Bremer, 5218 W. Fountain, McHenry | Parcel A-2 | \$403 |

City Administrator Nelson clarified the location of the surplus property which is behind residents' back yards in Park Pointe Subdivision and noted that state statute allows the City Council to award the contract to either a) the highest bidder or b) to the bidder that you feel is in the best interest of the community. Moved by Berg, seconded by Perkins that the Harvard City Council award the bids to the adjoining property owners Mike Clark and Dave Freitag; with respect to the bid submitted by Al Bremer in McHenry, there is no access to the property so it may not be maintained, mowed and beautified, whereas the adjoining property owners have a vested interest in doing so and would be in the best interest of the community even though the adjoining owners are the lower bid, in the long run it could cost more money to enforce ordinances regarding mowing. Roll call vote: Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye; Hay, aye and Nolan, aye. Motion approved seven to zero.

HARVARD MAIN STREET QUARTERLY UPDATE

Judy Anne Grandmaison thanked the City Council for their support and reviewed upcoming events for 2005 which include the Murder Mystery Dinner on April 16th and Cinco de Mayo. Judy noted that Harvard Main Street is on a one year probation which ends on May 1st and asked the City Council to consider the funding required in order to remain a Main Street community.

HARVARD MAIN STREET REQUEST/3rd ANNUAL CINCO DE MAYO

Moved by Marzahl, seconded by Perkins to approve Harvard Main Street's request for their 3rd Annual Cinco De Mayo Festival on May 5th to block off Brainard St. from Ayer St. east to Swiss Maid Bakery from 4-10 p.m. and for 2 large and 4 small barricades and 8 garbage containers. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

PEGGY BANKSON REQUEST - REFERRED TO STREETS AND ALLEY COMM. - 04/20/05

Mayor Henning reported that he met with Peggy Bankson reference the flooding that occurs on her property and recommended that the matter be referred to the Streets and Alleys Committee. Peggy submitted pictures to Chairman Berg that shows the flooding that occurs on her property. Chairman Berg called a Streets and Alleys Committee meeting for Wednesday, April 20, 2005, at 7 p.m.

APPOINT HARRY STAFFORD AS CHAIRMAN OF PLANNING AND ZONING COMM. - APPROVED

Moved by Hay, seconded by Nolan to approve the Mayor's recommendation to appoint Harry Stafford as Chairman of the Planning and Zoning Commission. Roll call vote: Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye and Marzahl, aye. Motion approved seven to zero.

CHIEF MROZEK LETTER OF RESIGNATION EFFECTIVE 04/29/05 - APPROVED

Moved by Marzahl, seconded by Bellon to approve Police Chief Ken Mrozek's letter of resignation, effective April 29, 2005, with regrets. Roll call vote: Berg, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye and Hinterlong, aye. Motion approved seven to zero.

APPOINT LT. ANDY OPARYK AS ACTING POLICE CHIEF EFFECTIVE 04/30/05 - APPROVED

Moved by Berg, seconded by Bellon to appoint Lt. Andy Oparyk as Acting Chief of Police effective April 30, 2005. Roll call vote: Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye and Berg, aye. Motion approved seven to zero.

AUTHORIZE MAYOR AND CLERK TO SIGN GRANT APPLICATION - APPROVED

Moved by Marzahl, seconded by Perkins to authorize the Mayor and City Clerk to sign the grant application for Marengo Road and Ayer St. Roll call vote: Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye and Bellon, aye. Motion approved seven to zero.

50/50 SIDEWALK PROGRAM - ALLIANCE PROPOSAL - APPROVED

Moved by Marzahl, seconded by Perkins to waive the bidding procedure and to approve the proposal for the 50/50 Sidewalk Program submitted by Alliance Contractors, Inc. as follows: remove and replace concrete curb and gutter @ 28.10/LF; remove and replace 4" sidewalk @ 6.35/SF and remove and replace 5" sidewalk at 6.75/SF. Roll call vote: Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye and Perkins, aye. Motion approved seven to zero.

HERS LEAGUE USE OF PARK AND LIQUOR LICENSE/JUNE 18TH AND 25TH - APPROVED

Moved by Hay, seconded by Perkins to approve the HERS League requests for a one-day liquor license on June 18th and June 25th, 2005, at the HERS Shelter for their annual softball tournament and picnic respectively. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye and Hay, aye. Motion approved seven to zero.

HARVARD MILK DAYS SIGN REQUEST - APPROVED

Moved by Nolan, seconded by Perkins to approve Harvard Milk Days request to put up signs at the following locations to advertise for Milk Days: Northfield Avenue, Leonard Beetstra's Route 14 North property, Dan Hereley's property next to Sullivan's Foods, Stricker's property at five-points, corner of Route 14 and Brink St., and Joe Buralli's property by Milky Way Park. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

STREETS AND ALLEYS COMMITTEE RECOMMENDATIONS FROM MEETING ON APRIL 6, 2005

Traffic Study - The Committee discussed Smith Engineering's proposal to complete a Citywide Transportation Study and recommends to the City Council that the proposal be approved eliminating the scope of work pertaining to traffic counts in and around existing roadways and using information that already exists. Moved by Berg, seconded by Bellon to approve the Committee's recommendation to approve Smith Engineering's Proposal, excluding the traffic counts, in the amount of \$12,338. Roll call vote: Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye; Hay, aye and Nolan, aye. Motion approved seven to zero.

Stop Sign at Brown and 6th Street - The Committee discussed the intersection of Brown and 6th St. which currently only has a stop sign stopping Brown St. eastbound. There have been numerous accidents at that intersection. The Committee recommends to the City Council the following stop sign designation:

<u>Stop Street</u>	<u>Direction</u>	<u>Intersecting Street</u>
Brown Street	West	6 th Street

Moved by Berg, seconded by Perkins to approve the Committee's recommendation to stop Brown Street going both directions and to approve Ordinance 2005-119, Amending the Master Stop Sign list to add the stop sign designation stopping Brown Street westbound at 6th St. Roll call vote: Hinterlong, aye; Berg, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye and Marzahl, aye. Ordinance 2005-119 approved seven to zero.

Parking on 5th Street Tree Bank - The Committee discussed posting the tree bank parking on the west side of 5th Street between Blackman St. and Diggins St. as resident only. There was an abandoned van parked there for over a month whose owner lived elsewhere. No action was recommended as the van has been moved and there no longer is a problem.

PARKS AND RECREATION COMMITTEE RECOMMENDATIONS FROM MEETING ON APRIL 6, 2005

Purchase of Equipment - The Committee reviewed Supt. Burkart's memo outlining the cost for three new water features in the amount of \$28,288.50 which exceeds the amount approved by the Committee. The Committee recommends to the City Council that the purchase of the three water features in the amount of \$28,288.50 be approved. Moved by Perkins, seconded by Marzahl to approve the Committee's recommendation to approve the appropriation of funds for the purchase of three water features in the amount of \$28,288.50. Roll call vote: Berg, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye and Hinterlong, aye. Motion approved seven to zero.

Revise Pool Fees - The Committee reviewed the notification received from the Illinois DNR that the fees charged to non-residents cannot exceed twice the amount that is charged to residents. Dave noted there are only a handful of out-of-town passes that are purchased. The Committee recommends to the City Council that the 2005 Pool Fee Schedule be revised to be in line with the DNR recommendation and to reduce the out-of-town rates across the board to double the in-town rate. Moved by Perkins, seconded by Bellon to approve the Committee's recommendation that the 2005 Pool Fee Schedule be revised as discussed. Roll call vote: Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye and Berg, aye. Motion approved seven to zero.

Other - Chairman Perkins updated the Committee on the costs for the new Mary D. Ayer Park Shelter. The

cost for electric came in higher than anticipated which brings the total cost about \$1,500-\$1,700 over the original appropriation of \$12,000. The general consensus was to have the item put on the City Council Agenda to approve the added expenditure. Chairman Perkins will try to get a couple additional electrical estimates.

AUTHORIZE ADDITIONAL APPROPRIATION OF FUNDS/MARY D. AYER PARK SHELTER

Moved by Perkins, seconded by Hay to appropriate an additional amount not to exceed \$1,700 for the new Mary D. Ayer Park Shelter. After discussion, Alderman Perkins amended his motion and Alderman Hay amended his second to increase the amount not to exceed \$2,000. Roll call vote: Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye and Bellon, aye. Motion approved seven to zero.

CONSENT AGENDA

- American Legion Annual Poppy Days, May 13th, 2005 from 1 p.m. until 5 p.m.
- Harvard Food Pantry Raffle Request - April 24, 2005
- Harvard Fire Protection District Raffle Request - May 21, 2005

Moved by Berg, seconded by Nolan to approve the Consent Agenda. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. Motion approved seven to zero.

COMMITTEE REPORTS

ALDERMAN HAY

Alderman Hay called an Ordinance Committee Meeting for April 27, 2005, at 7 p.m.

ALD. HINTERLONG - BILLS APPROVED

Moved by Hinterlong, seconded by Berg to approve the bills as presented in the amount of \$405,048.01. Roll call vote: Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Bellon, aye and Perkins, aye. Motion approved seven to zero.

ALDERMAN NOLAN

Alderman Nolan thanked the City Council for their recent support during the mayoral election and stated he is looking forward to working with the City Council.

MAYOR'S REPORT

Mayor Henning congratulated all the winners in the recent election.

ADMINISTRATOR'S REPORT

Administrator Nelson noted his written report and the draft budget in the aldermen's folders. Mayor Henning stated that there is proposed funding for Harvard Main Street in the FY05/06 Budget.

CLERK'S REPORT - UPCOMING MEETING DATES

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| April 14 | TIF Joint Board Review, 7 p.m. |
| April 18 | Planning and Zoning Commission, 7 p.m., Conditional Use for Property on Old Orchard |
| April 20 | Streets and Alleys Committee Meeting, 7 p.m. |
| April 27 | Ordinance Committee Meeting, 7 p.m. |
| April 28 | Year End City Council Meeting, 7 p.m. |
| May 4 | Regular City Council Meeting, 7 p.m. |

TREASURER MESECK

Treasurer Meseck noted a Police Pension Fund Valuation Balance Sheet in the aldermen's folders.

DEPARTMENT HEADS REPORTS

Dept. Heads and Smith Engineering: Reports as submitted.

NO REPORTS

Attorney McArdle and Aldermen Marzahl, Berg, Bellon and Perkins had no reports

At 7:40 p.m., moved by Berg, seconded by Hay to go into Closed Session after a five minute break to discuss Section 2(c)(11), pending litigation. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

At 8:04 p.m., moved by Berg, seconded by Bellon to reconvene the open session. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

At 8:05 p.m., moved by Bellon, seconded by Marzahl to adjourn the meeting. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Bellon, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date