

REGULAR CITY COUNCIL MEETING MINUTES

July 6, 2005 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Leyden, Ulmer, Berg, Dikun, Logan, Perkins and Hay. Alderman Marzahl was absent. Also present were Treasurer Meseck, City Administrator Nelson, Building Inspector Santeler, Acting Chief Oparyk, Public Works Supt. Carbonetti, Parks and Recreation Supt. Burkart, City Attorney McArdle, Gary Rozwadowski of Smith Engineering and members of the press and audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MINUTES OF 06/15/05 AND 6/18/05 - APPROVED

Moved by Berg, seconded by Ulmer to approve the Regular City Council Meeting Minutes of June 15, 2005, and the Special City Council Meeting Minutes of June 18, 2005. Aldermen voting aye: Leyden, Ulmer, Berg, Dikun, Logan, Perkins and Hay. All ayes. Motion carried.

HARVARD BOYS LEAGUE ONE DAY LIQUOR LICENSE JULY 23, 2005 – APPROVED

Moved by Dikun, seconded by Perkins to approve the Harvard Boys League One Day Liquor License for their annual picnic at the Moose Field on W. Diggins Street on July 23, 2005 from 11 a.m. – 11:59 p.m. Roll call vote: Leyden, aye; Ulmer, aye; Berg, aye; Dikun, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved seven to zero.

OVER THE COUNTER TOBACCO LICENSE/GEORGE AMBAT @ 301 N. DIVISION – APPROVED

Moved by Berg, seconded by Dikun to approve an Over the Counter Tobacco License for George Ambat, Grace Fuel Inc. at 301 N. Division St., Harvard. Roll call vote: Ulmer, aye; Berg, aye; Dikun, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved seven to zero.

GRANT ST. WATER MAIN REPLACEMENT, METZEN ST. DRAINAGE AND ROADWAY IMPROVEMENTS AND US 14 VIADUCT SANITARY SEWER RECONSTRUCTION – BID APPROVED

Moved by Perkins, seconded by Logan to award the bid with alternate for the Grant St. Water Main Replacement, the Metzen Street Drainage and Roadway Improvements and the US 14 Viaduct Sanitary Sewer Reconstruction to Stenstrom Excavation for their low bid amount of \$288,416.91. Roll call vote: Berg, aye; Dikun, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Ulmer, aye. Motion approved seven to zero.

JEFFERSON STREET BRIDGE REHAB – BIDS REJECTED

Administrator Nelson updated the City Council on the bids received for the Jefferson Street Over Mokeler Creek Bridge Rehabilitation; the Engineer's Estimate was \$55,855.00 and the low bid received was \$82,774.

Moved by Dikun, seconded by Berg to approve staff's recommendation not to award the bid and to revise the engineer's estimate and budget appropriately for next year, letting the project out for bid in the winter for spring construction. Roll call vote: Dikun, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye and Berg, aye. Motion approved seven to zero.

TAX ABATEMENT SSA#3, UNLIMITED TAX BONDS, SERIES 2000 – ORD. 2005-141 APPROVED

Moved by Logan, seconded by Berg to approve Ordinance 2005-141, Providing for the Abatement of the Ad Valorem Taxes Levied to Pay Principal of and Interest on the Harvard Special Service Area #3 Unlimited Tax Bonds, Series 2000. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye; Berg, aye and Dikun, aye. Ordinance 2005-141 approved seven to zero.

TAX ABATEMENT SSA#5, UNLIMITED TAX BONDS, SERIES 2002 – ORD. 2005-142 APPROVED

Moved by Berg, seconded by Hay to approve Ordinance 2005-142, Providing for the Abatement of the Ad Valorem Taxes Levied to Pay Principal of and Interest on the Harvard Special Service Area #5 Unlimited Tax Bonds, Series 2002. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye; Berg, aye; Dikun, aye and Logan, aye. Ordinance 2005-142 approved seven to zero.

APPROPRIATION - ORDINANCE 2005-143 APPROVED

Moved by Berg, seconded by Perkins to approve Ordinance 2005-143, Making the Annual Appropriation for

Corporation Purposes for the Fiscal Year from May 1, 2005 - April 30, 2006, with changes where decimals points appear instead of commas to change to commas reflect the proper figure. Ordinance 2005-143 approved seven to zero. Administrator Nelson recommended that the Finance Committee review in detail the staff recommendation to replace the appropriation procedure with the budget system. Roll call vote: Hay, aye; Leyden, aye; Ulmer, aye; Berg, aye; Dikun, aye; Logan, aye and Perkins, aye.

FINANCE COMMITTEE MEETING ON JUNE 16, 2005

Chairman Logan reviewed the minutes of the Finance Committee Meeting of June 16, 2005, which was held to provide a brief overview of municipal finances for newly elected officials.

FIRE PROTECTION DISTRICT REQUEST RE IMPACT FEES

The Harvard Fire Protection District has submitted a request for an increase in impact fees from the current \$120 to \$300. Supt. Carbonetti is a FPD Commissioner and related that impact fees in surrounding communities are higher, for example LITH is \$700. At Alderman Berg's inquiry as to whether the Fire Protection District would be willing to sign an indemnification agreement with the City, Jim didn't see any problem entering into such an agreement but recommended that the City speak with the other two commissioners as well. Moved by Berg to approve the Fire Protection District's request for an increase in impact fees to \$300 provided that the FPD enter into and execute an indemnification agreement that is acceptable to the City. Clerk Wells suggested that the motion be incorporated into the following agenda item since it will be part of the same table. The motion was withdrawn.

RECOMMENDATION FROM FINANCIAL WORKSHOP – ORD. 2005-144 APPROVED

Moved by Berg, seconded by Dikun to approve the recommendations from the Financial Workshop to adopt and enact an ordinance for an increase in the building permits and hearing fees and to approve and include the Fire Protection District's request for an increase in impact fees to \$300 provided that the FPD enter into and execute an indemnification agreement that is acceptable to the City. Roll call vote: Leyden, aye; Ulmer, aye; Berg, aye; Dikun, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2005-144 approved seven to zero.

STREETS & ALLEYS COMMITTEE RECOMMENDATION FROM MEETING JUNE 30, 2005

Chairman Berg reviewed the Streets and Alleys Committee Meeting Minutes of June 30, 2005.

Transportation Study

The Committee met with the City Engineer to review the Transportation Study and recommends to the City Council that the Transportation Study be approved as presented with the changes as noted in the memorandum from Smith Engineering Consultants, dated July 1, 2005. Moved by Berg, seconded by Logan to approve the Committee's recommendation to approve to Transportation Study as modified. There was brief discussion about the status of the plans for Harvard Hills Road going south which is still on the books as a state highway project. Roll call vote: Ulmer, aye; Berg, aye; Dikun, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved seven to zero.

WATER & SEWER COMMITTEE RECOMMENDATION FROM MEETING JUNE 30, 2005

Alderman Dikun reviewed the Water & Sewer Committee Meeting Minutes of June 30, 2005.

WWTP Analysis

The Committee met with the City Engineer to review the Engineering Analysis Report – Future Wastewater Treatment Plant Needs and recommends to the City Council the following course of action with respect to a future wastewater treatment plant: discard the satellite plant location and locate a new wastewater treatment plant in or around the location of the existing plant and immediately begin the paperwork to amend the current facility's planning area. Moved by Dikun, seconded by Ulmer to approve the Water and Sewer Committee's recommendation. Roll call vote: Berg, aye; Dikun, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Ulmer, aye. Motion approved seven to zero.

COMPREHENSIVE LAND USE PLAN MAP AMENDMENT – REFERRED TO PLANNING & ZONING

Mayor Nolan stated that the Comprehensive Land Use Plan Map needs to be amended with respect to the green zone surrounding the Motorola facility. Moved by Berg, seconded by Logan to refer the

Comprehensive Land Use Plan Map to the Planning and Zoning Commission for an amendment with respect to the green space around the Motorola facility. Roll call vote: Dikun, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye and Berg, aye. Motion approved seven to zero.

CITY COUNCIL MEETING OF AUG. 17TH RESCHEDULED TO AUGUST 16TH

Mayor Nolan noted that there is a conflict with the City Council Meeting of August 17th which is also the Chamber Annual Golf Outing and recommended that the meeting be rescheduled. Moved by Dikun, seconded by Perkins to reschedule the City Council Meeting from Wednesday, August 17th, 2005, to Tuesday, August 16th, 2005. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye; Berg, aye and Dikun, aye. Motion approved seven to zero.

CONSENT AGENDA

- Harvard Boy's League Raffle Request June 27 - July 18, 2005
- Harvard Junior Tackle Raffle Request July – August, 2005
- Harvard Junior Tackle Raffle Request July – August, 2005 @ Harvard High School
- Harvard Junior Tackle Raffle Request September 10th, 2005
- Free Spirit Siberian Rescue Tag Days August 27th & 28th, 2005
- Kiwanis Peanut Day on September 30th and October 1st, 2005
- Proclamation Stepfamily Day – September 16th, 2005

Moved by Dikun, seconded by Berg to approve the Consent Agenda. Aldermen voting aye: Leyden, Ulmer, Berg, Dikun, Logan, Perkins and Hay. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$365,275.10. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Ulmer, aye; Berg, aye; Dikun, aye and Logan, aye. Motion approved seven to zero.

ALD. DIKUN – PUBLIC PROPERTY COMMITTEE MEETING 07/13/05

Alderman Dikun called a Public Property Committee Meeting for Wednesday, July 13, 2005, at 7 p.m. to discuss the garbage disposal contract with Marengo Disposal.

MAYOR'S REPORT

Mayor Nolan noted a comparison in the building permits issued with an increase of over six million dollars invested in our community this year.

ADMINISTRATOR'S REPORT

Administrator Nelson noted his written report and updated the City Council on the refinancing of the SSA #3 and #5 bonds which the City is prepared to close on July 12th. The current bond holder which happens to be the developer is bringing up issues, in particular with SSA #5, in an effort to stand in the way of closing on the bonds. The City is working with bond counsel, the underwriters, the City Attorney and the mayor's office to resolve the issues, and has full intent to proceed on the original intent to save money for the residents in Shadow Creek, irregardless of whether or not Mr. Clark should decide to file a lawsuit.

CLERK'S REPORT - UPCOMING MEETING DATES

- July 12 Planning and Zoning Commission, 7 p.m.
- July 13 Public Property Committee Meeting, 7 p.m.
- July 27 Regular City Council Meeting, 7 p.m.

Clerk Wells noted that the petition for the comprehensive plan map amendment should be ready for the August 9th Planning and Zoning Commission Meeting.

TREASURER'S REPORT

Treasurer Meseck noted that the monthly treasurer's report is in the aldermen's folders.

ATTORNEY’S REPORT

Attorney McArdle advised the newly elected officials that should they have any questions about the council agenda to give either Administrator Nelson or himself a call.

DEPARTMENT HEADS REPORTS

Dept. Heads and Smith Engineering: Reports as submitted.

Supt. of Public Works Carbonetti noted that the road program is completed and the tv’ing of the sanitary sewer is almost complete.

Supt. Parks and Recreation Burkart reported that the new water features at the swimming pool have been very well received with numerous positive comments.

Building Inspector Santeler reported that the building department is the busiest it’s been in ten years over the last two months in single family homes.

Chief Oparyk reported on the renovations to the police department which are going well. The live scan equipment for fingerprints has been ordered and should be received the beginning of August. The laptops for all the squad cars have been ordered. The in-car videos have arrived and are ready to be installed. Mayor Nolan commended the police department and noted he has received a lot of positive comments on the department’s performance. Aldermen Hay and Perkins also extended their thanks to the police department for an outstanding job in their enforcement of the overnight parking ban in the 4th Ward.

NO REPORTS

Aldermen Leyden, Ulmer, Berg, Perkins and Hay had no reports.

At 7:30 p.m., moved by Berg, seconded by Dikun to adjourn the meeting. Aldermen voting aye: Leyden, Ulmer, Berg, Dikun, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date