

REGULAR CITY COUNCIL MEETING MINUTES
January 24, 2006 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order at 7:00 p.m. and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. Also present were City Treasurer Meseck, City Administrator Nelson, Building Inspector Santeler, Chief Oparyk, Public Works Supt. Carbonetti, Utilities Supt. Gibson, Attorney McArdle, Gary Rozwadowski of Smith Engineering and members of the press and audience.

AUDIENCE PARTICIPATION: NONE

REGULAR CITY COUNCIL MINUTES 01/10/06 - APPROVED

Moved by Berg, seconded by Perkins to approve the Regular City Council Meeting Minutes of January 10, 2006. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

Harris N.A., as Trustee, James Schaeffges, Liberty Craft Builders/Harvard Ridge Subdivision: Annexation Agreement, Annexation, Zoning and Preliminary Plat of Subdivision – Ordinances 2006-101, 2006-102, 2006-103 Approved

Moved by Hay, seconded by Perkins to approve the Annexation Agreement between the City of Harvard and Harris, N.A., as Trustee and James Schaeffges (owners) and Liberty Craft Builders, Inc. (Developer), inserting the appropriate figures for the early warning system and annexation fees as discussed at the Annexation Agreement Hearing. Mayor Nolan asked for any comments from the audience; there were none. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2006-101 approved eight to zero.

Chairman Hay read the recommendations and Findings of Fact submitted by Glenda Miller, Chairman Protom of the Planning and Zoning Commission which met on January 3, 2006, for a hearing in the petition of Harris N.A., as Trustee, James Schaeffges and Liberty Craft Builders. The petitioners are requesting annexation to the City of Harvard. The subject property is located at the north corner of Crowley and Harvard Hills Rd. and consists of 199.926 acres. The Planning and Zoning Commission recommends to the City Council that the petitioner's request for annexation be approved. Moved by Hay, seconded by Marzahl to approve the Planning and Zoning Commission's recommendation and Ordinance 2006-102, Annexing 199.926 Acres of Property Located on the North Side of Crowley Road, East of Harvard Hills Rd. Mayor Nolan asked for any comments from the audience:

- Randy Stowe, 10015 Wright Rd., noted his inquiry at the Planning and Zoning Commission as to the boundary of the City's Facility Planning Area (FPA) and if the parcel in question was within the City's FPA; also if Smith Engineering would guarantee there would be no direct construction site impact to adjacent land owners based upon the topography of the site. Gary Rozwadowski, Smith Engineering stated that the development will meet all city ordinances and engineering specifications. Administrator Nelson noted that the FPA is forthcoming and Alden Township would receive a copy when it is ready for filing. Mayor Nolan noted a three minute time limit per individual speaking. Alderman Berg noted that before any construction of homes, the developer must have approval of a final plat of subdivision which will require further engineering review to insure compliance to all city, county and state requirements; further that the developer is liable for any adverse impact to surrounding property owners. Mr. Stowe noted the proposed preliminary plat of subdivision which in his opinion could not be developed with the density outlined due to the topography of the parcel.

Clerk Wells requested Mayor Nolan's vote in the previous motion to approve the annexation agreement; Mayor Nolan votes aye in the motion to approve the Annexation Agreement and Ordinance 2006-101, which is approved nine to zero.

Roll call vote on annexing the subject parcel: Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Mayor Nolan, aye. Ordinance 2006-102 approved nine to zero.

Chairman Hay read the recommendations and Findings of Fact submitted by Glenda Miller, Chairman Protem of the Planning and Zoning Commission, in the petition of Harris N.A., as Trustee, James Schaeffges and Liberty Craft Builders with respect to their request to classify subject property as R1 and R-1A Residence District and for approval of a preliminary plat of subdivision as presented. The Planning and Zoning Commission recommends approval of the petitioners' request as submitted based on the findings of fact as presented. Moved by Hay, seconded by Logan to approve the Planning and Zoning Commission's recommendations and Ordinance 2006-103, Rezoning Property to R-1A and R-1 Single Family Resident District and the Harvard Ridge Preliminary Plat of Subdivision, pending approval by the City Engineer.

Mayor Nolan asked for any comments from the audience:

- Linda Bolick, 9907 Knickerbocker Rd. - read a statement in objection to the annexation and proposed development expressing concerns over preserving natural resources and referred to an Alden Township land use plan which allows for growth while preserving the rural character
- Michele Mellor, 19107 Crowley Rd. - expressed concerns over the density of the proposed subdivision and that if the developer couldn't put the proposed number of lots on the site due to topography, that they could build multi-family apartments on the site or sell the property
- Joseph Dort, 6072 Miller Lane, Lisle (adjoining property owner) - inquired if the City has an oversight responsibility related to the development. Mayor Nolan noted that City engineers and inspectors will make sure homes are built correctly.
- Mark Gunderson, 5752 Fairway Dr., South Beloit (adjoining property owner) – asked that the City Council work towards a final plat that everyone can agree on and not just a “cookie cutter” development
- Rich Dankert, 18212 Oak Grove Rd., - stated he was a member of Alden Plan Commission as well as a land developer and expressed objections to the proposed development

Alderman Hay commented that the developer has owned a majority of the property for twelve years and has a right to develop the property. Alderman Hay noted his responsibility is to the residents of the City of Harvard and those who have called him are in support of this subdivision, as well as those already approved or being planned. Residents would like to see Harvard grow with new industry, commercial and retail which will only happen if the population can support it.

Alderman Berg also noted his obligation to the residents of Harvard and stated that since he has been on the City Council there has not been a high density multi-family development approved. Further, that the proposed 200 acre development is the lowest density subdivision (2.04 unit per acre density) ever approved by the City Council which will still contain 78 acres of open space. A multi-family apartment use would require a different zoning classification and would have to be re-zoned by the City Council. The City has adopted a Master Water Plan with the appropriate infrastructure that will be required for the proposed development.

Roll call vote: Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2006-103 approved eight to zero.

LION'S CLUB SCHOLARSHIP PRESENTATION

Lion's Club member Don Larson introduced Dick Dystrup who gave an overview of the Illinois Dollars for Scholars which is a program for Scholarship America sponsored by NICOR. NICOR presents the cooperating organization with an initial \$500; when the organization raises \$1,000 - \$5,000 - \$10,000 - \$20,000, NICOR will match with an additional \$1,000 for each increment up to \$4,500 per community to be used for local scholarships. Mr. Dystrup presented the Lion's Club with a check in the amount of \$500.

PASQUINELLI RECAPTURE AGREEMENT - APPROVED

Moved by Berg, seconded by Perkins to approve the Recapture Agreement with Pasquinelli Homes for Country Brook Subdivision. Roll call vote: Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

TIF SOUTH – REFER TO PUBLIC PROPERTY COMMITTEE

Mayor Nolan referred the TIF South Developer Agreement to the Public Property Committee for review. Chairman Ulmer called a Public Property Committee Meeting for Monday, February 6, 2006, at 6:30 p.m.

AUTHORIZE DESTRUCTION OF AUDIO RECORDINGS OF CERTAIN CLOSED SESSION MEETINGS - RESOLUTION APPROVED

Moved by Berg, seconded by Logan to approve a Resolution Authorizing the Destruction of Audio Recordings of the following Closed Session Meetings: January 28, 2004 -- February 18, 2004 – April 21, 2004 – April 28, 2004 – June 23, 2004 – July 14, 2004. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Berg, aye. Resolution approved eight to zero.

RESOLUTION MFT ROAD PROGRAM – APPROVED

Moved by Berg, seconded by Marzahl to approve a resolution appropriating \$45,000 of MFT funds for the MFT Road Program. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Adams, aye. Resolution approved eight to zero.

CONSENT AGENDA

- St. Joseph’s Church Raffle Request - February 1st thru April 8th, 2006
- Chamber of Commerce Raffle Request – February 5th, 2006

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

COMMITTEE REPORTS

ALD. HAY – ORDINANCE COMMITTEE MEETING – FEBRUARY 6, 2006

Chairman Hay called an Ordinance Committee Meeting for Monday, February 6, 2006, at 6:30 p.m. to discuss trucks.

ALD. PERKINS – PARKS & RECREATION COMMITTEE MEETING – JANUARY 30, 2006

Chairman Perkins called a Parks and Recreation Committee Meeting for Monday, January 30, 2006, at 7:00 p.m. to review pool fees and the Northfield Ave. bike path.

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$99,424.63. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye and Logan, aye. Motion approved eight to zero.

ALD. LOGAN – FINANCE COMMITTEE MEETING – FEBRUARY 8, 2006

Chairman Logan called a Finance Committee Meeting for Wednesday, February 8, 2006, at 7:00 p.m. to review the quarterly budget and the preliminary budget for FY06/07.

MAYOR’S REPORT

Mayor Nolan commented that he believed that the Harvard Ridge Subdivision was right for the City and thanked the City Council for their support.

ADMINISTRATOR NELSON’S REPORT

Administrator Nelson had nothing to report in open session, but would in closed session.

CLERK'S REPORT - UPCOMING MEETING DATES

January 30 Parks & Recreation Comm., 7 p.m.
February 6 Ordinance Committee – 6:30 p.m.
Public Property Committee – 6:31 p.m.
February 7 Planning and Zoning Commission Meeting – 7:00 p.m.
➤ Green Meadows Annexation and Zoning
February 8 Finance Committee – 7:00 p.m.
February 14 Regular City Council Meeting – 7:00 p.m.
February 18 Financial Workshop – 8:00 a.m.

TREASURER’S REPORT

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

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads Reports as submitted.

Chief Oparyk reported on the two new police officers who will be in training until the end of March.

Building Inspector Santeler noted a report in the aldermen’s folders – 2006 Housing Inspection, Inspected Properties to Date (Downtown TIF District).

NO REPORTS

Attorney McArdle and Aldermen Adams, Berg, Ulmer, Marzahl and Leyden had no report.

At 7:45 p.m., moved by Berg, seconded by Perkins to go into closed session after a five minute break to discuss Section 2(c)(1) Personnel and Section 2(c)(11) Litigation. Roll call vote: Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye and Perkins, aye. Motion approved eight to zero.

At 8:15 p.m., moved by Logan, seconded by Perkins to reconvene the open session. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

Moved by Hay, seconded by Logan to adjourn the meeting. Roll call vote: Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved eight to zero.

Submitted by:

Andy Wells,
City Clerk

_____ Date