

REGULAR CITY COUNCIL MEETING MINUTES

May 9, 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 Administrator Nelson, Parks Supt. Burkart, Police Chief Oparyk, Public Works Supt. Carbonetti, Utilities Supt. Gibson, Attorney Rob Fetzner, Dave Johanson of Smith Engineering and members of the press and audience. Mayor Nolan introduced the new Northwest Herald reporter, Jenn Wyiant.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MINUTES 04/25/06 - APPROVED

Moved by Berg, seconded by Perkins to approve the Regular and Year End City Council Meeting Minutes of April 25, 2006. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATIONS AND FINDING OF FACTS

Ruth Blair, 1409 Willow Rd., Rear Yard Variation – Ordinance 2006-115 Approved

Chairman Hay read the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on May 9, 2006, for a hearing in the petition of Ruth Blair, 1409 Willow Rd., Harvard. The petitioners are requesting a variation from Section 17.20.080(D) to reduce the rear yard setback from 30' to 15' for the specific use of additional living space for a proposed sun room. The Planning and Zoning Commission recommends to the City Council that the petitioner's request be approved. Moved by Hay, seconded by Logan to approve the Planning and Zoning Commission's recommendation and Ordinance 2006-115, approving the rear yard setback variation to 15'. Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2006-115 approved eight to zero.

City of Harvard Text Amendment – Ordinance 2006-116 Approved

Chairman Hay read the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on May 9, 2006, for a hearing in the petition of the City of Harvard for text amendments to Chapter 17. The petitioners are requesting the following text amendments:

- Amend Section 17.20.090, Lot Area Requirements for Particular Uses to eliminate the reference to the 20 acre requirement in Table 2 which is contradictory to Table 1 which requires 20,000 sq. ft for an agricultural use.
- Amend Section 17.36.040 (D)(8) Home Occupations to change the definitions for Home Occupations and the keeping or caring of live animals.

The Planning and Zoning Commission recommends to the City Council that the petitioner's request for text amendments to Chapter 17 be approved as presented. Moved by Hay, seconded by Ulmer to approve the Planning and Zoning Commission's recommendation and Ordinance 2006-116, approving the text amendments to Chapter 17 as presented. Roll call vote: Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Ordinance 2006-116 approved eight to zero.

BLOCK PARTY REQUEST/DENNIS REILLY, 1000 N. HART ST. - APPROVED

Mary Ellen and Dennis Reilly, 1000 N. Hart St. addressed the City Council with respect to their request for a block party on Roosevelt St. between Route 14 and Hart St., leaving the barricades up after the parade until 10 p.m. Moved by Logan, seconded by Berg to approve Dennis Reilly's request to have a block party on Roosevelt Street between Route 14 and Hart St. until 9 p.m., at which time Mr. Reilly will put the barricades curbside to be picked up by Public Works on Monday. Mr. Reilly will get the barricades that are on Jefferson St. after the parade and relocate them to Hart St. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PRESBYTERIAN CHURCH REQUEST RE FOLK FEST ON AUGUST 27th, 2006 – APPROVED

Moved by Marzahl, seconded by Berg to approve the Presbyterian Church's request to use the City picnic tables and blue garbage cans for their annual Folk Fest which will be held on August 27th, 2006, to be

picked up by the Presbyterian Church. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PROCLAMATION POLICE WEEK MAY 15TH-21ST, 2006 - APPROVED

Moved by Berg, seconded by Hay to approve a Proclamation designating the week of May 15th – 21st as Police Week in the City of Harvard. Aldermen voting aye: Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

FINAL PLAT OF HUNTINGTON RIDGE SUBDIVISION – ORD. 2006-117 APPROVED

Moved by Berg, seconded by Adams to approve the Final Plat of Huntington Ridge Subdivision (Oak West Development), contingent on final engineering review and payment of fees. Roll call vote: Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2006-117 approved eight to zero.

OVER THE COUNTER TOBACCO LICENSE/DURANGO FOODS – APPROVED

Moved by Berg, seconded by Adams to approve an Over the Counter Tobacco License for Durango Foods for FY06/07. 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.

PUBLIC PROPERTY COMMITTEE RECOMMENDATIONS

Chairman Ulmer reviewed the Public Property Committee Meeting Minutes of May 3, 2006.

Metra Parking Lot

The Committee reviewed the proposal from Total Parking Solutions for the purchase of (2) automatic payment machines which would replace our existing fare box, at a cost of \$25,641; price includes installation, a one year warranty on parts, a 90 day warranty on service and two-days of onsite user instruction. The automatic payment machine would accept currency, coin or a debit card issued by the city which can be recharged at one of the two pay stations by the user. The machine would issue a receipt for proof of payment to the customer and could generate a report which would show which spaces were paid or unpaid. To help offset the cost, the daily fare would be increased to \$1.50. The Public Property Committee recommends to the City Council that Administration be authorized to proceed with the proposal submitted by Total Parking Solutions, Inc. for the purchase of two automatic payment machines, excluding the Vend-a-Card smart card dispenser unit, at a cost not to exceed \$25,641.00.

Moved by Ulmer, seconded by Logan to approve the Public Property Committee's recommendation to proceed with the purchase of two automatic payment machines, excluding the Vend-a-Card smart card dispenser unit, at a cost not to exceed \$25,641.00, and upon completion of the installation, the daily fare to be increased to \$1.50. Administrator Nelson stated that an ordinance to increase the fare will be presented to the City Council for approval. At Alderman Berg's inquiry, Administrator Nelson noted that this is not a public works construction project and there are no bidding requirements. Further that the new machines would pay for themselves with one year. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Berg, aye. Motion approved eight to zero.

Trees on Ayer Street - Approved

The Committee reviewed an assessment of the condition of the trees on Ayer St. prepared by a staff employee who is a certified arborist which indicates that a majority of the twelve trees are either in poor condition and dying or too big for the planting site. Some of the smaller trees could possibly be moved to the parks, but the larger trees present problems with utilities, curbs, streets in trying to get a large enough ball with the tree spade for replanting. The suggested replacement from Harvard Nursery is a 2" flowering Cleveland Pear at a cost of \$220 plus \$115 to plant; a springtime planting is preferred. The Public Property Committee recommends to the City Council that all twelve trees on Ayer Street be replaced due to the health of the trees in the downtown district, saving as many of the removed trees as possible to be planted in the park. Further, that the trees be re-evaluated every four years as to whether or not the trees should be replaced and moved to the park with new plantings to replace them.

Moved by Ulmer, seconded by Adams to approve the Public Property Committee's recommendation

for the replacement of twelve trees on Ayer St. authorizing the Mayor to negotiate with Harvard Nursery on price and that the trees be re-evaluated every four years. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Adams, aye. Motion approved eight to zero.

50/50 Sidewalk Program

The Committee discussed the Mayor's suggestion to change the current 50/50 Sidewalk Program to a two-third/one-third program with the City portion being one-third and to increase the amount that the City will budget for the program from \$12,500 to \$20,000. The City always has a waiting list for sidewalk repair and this would allow for more sidewalks to be replaced at a better price. Homeowners would be allowed hire their own contractors to replace their sidewalk with a reimbursement of one-third the City's contract cost, provided they comply with inspections and specifications as determined by the City. The Mayor also asked the Committee to give some thought to requiring homeowners, upon sale of their home, to replace or put money in escrow to have bad sections of sidewalk replaced. The Committee recommends to the City Council that the Sidewalk Program be amended, effective FY07/08, as follows:

1. Change the Sidewalk Program to a two-third/one-third program with the City portion being one-third and the resident's portion at two-thirds;
2. Property owners would be allowed to hire their own contractor, subject to City inspections and specifications, with the City to reimburse the property owner one third of the City's contract price per square foot.

Moved by Ulmer, seconded by Hay to approve the Public Property Committee's recommendation with the amount appropriated for the sidewalk program to be determined during the budget process and that the current 50/50 split would be honored for those residents currently on the waiting list as of today's date, provided they complete the work within FY07/08. 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.

CONSENT AGENDA:

- American Legion Post #265 Request Poppy Days, May 19th & 20th, 2006
- Milk Days Cooking Show Raffle Request – May 25th, 2006

Moved by Perkins, seconded by Logan to approve the Consent Agenda. Aldermen voting aye: Marzahl, Ulmer, Berg, Adams, 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 \$57,859.45. 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.

ALD. MARZAH

Alderman Marzahl asked Chief Oparyk if Frank Amendala had contacted him reference traffic concerns; the Chief indicated he had.

MAYOR'S REPORT

Mayor Nolan noted that the new community sign will be placed on Monday, May 15, 2006, and in operation by next Wednesday.

Mayor Nolan commented on the Building Dept. Activity Report for April showing 9 single family, 1 two-family and four remodels and that the total permit fees listed should be \$69,000.

ADMINISTRATOR'S REPORT

Administrator Nelson noted he had items to be discussed in closed session.

CLERK'S REPORT - UPCOMING MEETING DATES

May 23 Next Regular City Council Meeting – 7:00 p.m.
June 10 Financial Workshop 8 a.m. - noon

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads Reports as submitted.

Supt. Burkart reported on another donation received for the parks from the Harvard Rotary Club in the amount of \$3,400 for additional picnic tables

Supt. Carbonetti updated the City Council on the status of the street program which should take only about three days to complete.

Chief Oparyk reported that the Harvard Police Department will participate in the Northern Illinois Police Week event to be at Cherry Vale Mall on May 19-21st. Also, the new officer is at police academy for twelve weeks.

Supt. Gibson reported that the downtown water tower is scheduled to be painted the end of the week.

NO REPORTS

Treasurer Meseck, Attorney Fetzner and Aldermen Hay, Perkins, Adams, Berg, Ulmer, Marzahl and Leyden had no report at this time.

At 7:30 p.m., moved by Berg, seconded by Hay to go into closed session to discuss Section 2(c)(1) Personnel and Section 2(c)(11) Litigation. 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.

At 7:45 p.m., moved by Marzahl, seconded by Berg to reconvene the open session. 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.

TEAMSTERS UNION CONTRACT - APPROVED

Moved by Berg, seconded by Perkins to authorize the execution of a five-year contract with the Teamsters Union. Roll call vote: Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

At 7:46 p.m., moved by Berg, seconded by Logan to adjourn the meeting. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Berg, aye and Adams, aye. Motion approved seven to zero.

Submitted by:

Andy Wells,
City Clerk

Date