

## **REGULAR CITY COUNCIL MEETING MINUTES**

**June 27, 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 Treasurer Meseck, City Administrator Nelson, Supt. Public Works Carbonetti, Attorney Rob Fetzner, Gary Rozwadowski of Smith Engineering and members of the press and audience.

### **AUDIENCE PARTICIPATION: NONE**

### **CITY COUNCIL MINUTES 06/10/06 & 06/13/06 - APPROVED**

Moved by Perkins, seconded by Adams to approve the Special City Council Meeting Minutes of June 10, 2006 and the Regular City Council Meeting Minutes of June 13, 2006. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

### **VENDING LICENSE – HUB LOUNGE/15 N. AYER – APPROVED**

Moved by Berg, seconded by Perkins to approve the Vending License Application submitted by Cindy Waldo, Hub Lounge, 15 N. Ayer St., for three Coin Operated Amusement devices. 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.

### **PROPOSED ORD. ANNEXING AND ZONING 2.81 ACRES LOCATED ON THE SOUTH SIDE OF MCGUIRE RD. (SUPER WAL-MART SITE) 0 ORD. 2006-121 APPROVED**

Moved by Berg, seconded by Perkins to approve Ordinance 2006-121, Annexing and Zoning 2.81 Acres Located on the South Side of McGuire Road, East of Illinois Route 14 (Super Wal-Mart Site). Roll call vote: Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Ordinance 2006-121 approved eight to zero.

### **PROPOSED ORD. ISSUING A CONDITIONAL USE PERMIT AND APPROVING THE PRELIMINARY PLAT OF SUBDIVISION FOR WAL-MART PROPERTY – ORD. 2006-122 APPROVED**

Moved by Berg, seconded by Ulmer to approve Ordinance 2006-122, Issuing a Conditional Use Permit to Allow Automotive Repairs and Approving the Preliminary Plat of Subdivision for Property Commonly Known as the Wal-Mart Property. Roll call vote: Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2006-122 approved eight to zero.

### **2006 WATER AND SEWER REVENUE BONDS – ORD. 2006-123 APPROVED**

Moved by Berg, seconded by Marzahl to approve Ordinance 2006-123, An Ordinance Authorizing the Waterworks and Sewerage Revenue Bonds of the City of Harvard, McHenry County, Illinois, in an Aggregate Principal Amount Not to Exceed \$1,700,000, For The Purpose of Paying the Costs of Improving and Extending the Combined Waterworks and Sewerage System of the City. Roll call vote: Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Ordinance 2006-123 approved eight to zero.

### **2006 ALTERNATE WATER AND SEWER REVENUE BONDS – ORD. 2006-124 APPROVED**

Moved by Perkins, seconded by Logan to approve Ordinance 2006-124, An Ordinance authorizing the issuance of General Obligation Alternate Bonds (Waterworks and Sewerage System Alternate Revenue Source) of the City of Harvard, McHenry County, Illinois, in an Aggregate Principal Amount Not to Exceed \$1,700,000, for the Purpose of Paying the Costs of Improving and Extending the Waterworks and Sewerage System of the City. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Berg, aye. Ordinance 2006-124 approved eight to zero.

### **AMEND VARIOUS SECTIONS RE FEES & CHARGES – ORD. 2006-125 APPROVED**

Moved by Logan, seconded by Hay to approve Ordinance 2006-125, Amending Various Sections of the Harvard Municipal Code Regarding Fees and Charges. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Logan, aye. Ordinance 2006-125 approved

eight to zero.

**AMEND WATER/SEWER TAP ON FEES AND WATER/SEWER USER SVCS.– ORD. 2006-126 APPROVED**

Moved by Marzahl, seconded by Logan to approve Ordinance 2006-126, Amending Section 20.05, Water and Sewer Tap-On Fees and Section 13C.05 Water and Sewer User Service Rates, Charges. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye and Logan, aye. Ordinance 2006-126 approved eight to zero.

**PROPOSED ORD. REGARDING UTILITIES IN CITY’S RIGHT OF WAY – REFERRED TO COMMITTEE**

Mayor Nolan referred the proposed ordinance regarding utilities in the City’s right-of-way to the Public Property Committee for review.

Chairman Ulmer called a Public Property Committee Meeting for Wednesday, July 12, 2006 at 6:30 p.m.

**CONSENT AGENDA:**

- ☞ Harvard Junior Tackle Raffle Request July – October, 2006
- ☞ Harvard Junior Tackle Raffle Request September 3<sup>rd</sup>, 24<sup>th</sup> & October 1<sup>st</sup>
- ☞ Harvard Junior Tackle Raffle Request October 7<sup>th</sup>, 2006

Moved by Berg, 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. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$355,149.32. 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.

**MAYOR’S REPORT**

Mayor Nolan noted information in the aldermen’s packets pertaining to the circus and that the City logo is currently being painted on the downtown water tower.

**ADMINISTRATOR’S REPORT**

Administrator Nelson noted his written monthly report.

**CLERK’S REPORT - UPCOMING MEETING DATES**

- July 5 Planning & Zoning Commission – 7:00 p.m.
  - ☞ Green/Solid Rock Community Church Conditional Use/Variations
- July 11 Appropriation Hearing – 6:45 p.m.
- July 12 Regular City Council Meeting – 7:00 p.m.
- July 12 Public Property Committee Meeting, 6:30 p.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.

**NO REPORTS**

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

At 7:10 p.m., moved by Berg, seconded by Perkins to go into closed session to discuss Section 2(c)(11). Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Logan, aye; Adams, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

At 7:29 p.m., moved by Berg, seconded by Perkins to reconvene the open session. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, absent; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved seven to zero, with one absent.

Assuming that a valid Intergovernmental Agreement dated May 3, 2005, exists between the County of McHenry and the City of Harvard for the extension of Lawrence Road, it was moved by Logan, seconded by Berg to direct the Mayor and City Clerk to send a letter to McHenry County to terminate the Intergovernmental Agreement. Roll call vote: Marzahl, aye; Ulmer, absent; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved seven to zero.

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

Submitted by:

Andy Wells,  
City Clerk

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Date