

**REGULAR CITY COUNCIL MEETING MINUTES  
MARCH 27, 2007 - 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, Szczap, Adams, Logan, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Community Development Director Santeler, Asst. Public Works Supt. Kruckenberg and City Attorney Carlos Arévalo.

**AUDIENCE PARTICIPATION: NONE**

**REGULAR AND CLOSED SESSION CITY COUNCIL MEETING MINUTES OF 03/13/07 - APPROVED**

Moved by Perkins, seconded by Marzahl to approve the Regular and Closed Session City Council Meeting Minutes of March 13, 2007. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Logan, Adams, Perkins and Hay. All ayes. Motion carried.

**DISTRIBUTION OF CITY COUNCIL MINUTES**

Administrator Nelson noted he would like to begin sending out the City Council Minutes via e-mail instead of regular mail to the City Council. The general consensus was to proceed.

**CHIEF SLOWEY – FIRE PROTECTION DISTRICT**

Chief Slowey addressed the City Council and expressed the Fire Protection District's growing concerns with life safety issues for both residents and emergency responders to calls at 1200 N. Division St. caused by vehicle congestion in addition to blight of the structures in the trailer park. Community Development Director Santeler was directed to meet with Chief Slowey to discuss ways to rectify the situation.

**HOME OCCUPATIONS PERMIT- LUCICH/WHIMSICAL STITCHINGS @ 207 GARFIELD - APPROVED**

Wendy Lucich addressed the City Council with respect to her Home Occupations Permit Application to operate an embroidery/heat transfer business (custom and stock design) from her residence at 207 Garfield St. The requisite notice was sent to property owners within 300' of subject property. There were no objectors present. Moved by Logan, seconded by Adams to approve the Home Occupations Permit Application for Wendy Lucich, d/b/a Whimsical Stitchings as presented. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

**REBECCA GABRYS/CAPITAL CREAM CRUISE NIGHT REQUEST – APPROVED**

Mayor Nolan reviewed Rebecca Gabrys/Capital Cream's request for "Cruise Night" on Tuesday nights beginning Tuesday, May 22<sup>nd</sup> and ending on Tuesday, August 28<sup>th</sup>, from 6-8:30 p.m., with Ayer St. blocked off at Brainard and Front, and "Music on Brainard Street" on June 9<sup>th</sup>, July 7<sup>th</sup>, August 11<sup>th</sup> and August 25<sup>th</sup> from 5:30-9:30 p.m., with Brainard St. blocked off at Ayer St, and just east of the alley behind Capital Cream. Mayor Nolan noted that the request is the same as last years. Moved by Hay, seconded by Logan to approve Capital Cream's request as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Logan, Adams, Perkins and Hay. All ayes. Motion carried.

**ORDINANCE COMMITTEE RECOMMENDATIONS**

Chairman Hay reviewed the Ordinance Committee Meeting Minutes of March 20, 2007.

**Tim Galvin/Bar Time Liquor License**

The Committee met to review the one year extension which was granted to Tim Galvin, current owner of Bar Time, for a R1 Liquor License which expires on April 30, 2007. After discussion, the Ordinance Committee recommends to the City Council that a Class A License be created for Tim Galvin/Bar Time effective May 1<sup>st</sup>, 2007, with payment of the appropriate renewal license fee of \$1,300 and subject to a one-time license fee of \$10,000, payable over four years in installments of \$2,500 each year; upon the transference of the license, the total balance will be due and payable immediately.

Moved by Hay, seconded by Perkins to approve the Ordinance Committee's recommendation as presented. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye;

Hay, aye and Leyden, aye. Motion approved eight to zero.

**WAL-MART CONTRIBUTION AGREEMENT - APPROVED**

Moved by Perkins, seconded by Adams to authorize the Mayor's execution of the Wal-Mart Contribution Agreement for Highway 14 Intersection Improvements. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; and Marzahl, aye. Motion approved eight to zero.

**RESOLUTION TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS TO CITY - APPROVED**

Moved by Perkins, seconded by Marzahl to approve a Resolution to the McHenry County Board Requesting Consideration of a Jurisdictional Transfer of Certain County Roads to the City of Harvard. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Resolution approved eight to zero.

**RESOLUTION 2007 MFT ROAD PROGRAM - APPROVED**

Moved by Logan, seconded by Marzahl to approve a resolution appropriating \$115,000 of MFT funds for the 2007 MFT Road Program. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Szczap, aye. Resolution approved eight to zero.

**SIDEWALK PROGRAM – LANDMARK PROPOSAL APPROVED**

Moved by Berg, seconded by Logan to award the contract for the Sidewalk Program to Landmark Contractors, Inc. for their low bid as follows: \$6.90/SF to remove/replace 4" sidewalk and \$7.10 to remove/replace 6" sidewalk. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye and Adams, aye. Motion approved eight to zero.

**RESIGNATION/STEP DOWN CHIEF OPARYK – APPROVED**

Moved by Hay, seconded by Logan to approve Chief Oparyk's letter of resignation/step down as Chief of Police for personal reasons and to return to his prior position of second in command as lieutenant of the department, with regrets. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye and Logan, aye. Motion approved eight to zero.

Mayor Nolan stated that the list generated from the previous search will be revisited and a recommendation will be forthcoming to the City Council.

**INFO: BUDGET HEARING APRIL 10, 2007**

The Budget Hearing will be held on Tuesday, April 10<sup>th</sup>, 2007, at 6:30 p.m. prior to the regular City Council Meeting.

**CONSENT AGENDA:**

☞ Habitat for Humanity Request to Solicit Donations – April 7<sup>th</sup>

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

**COMMITTEE REPORTS**

**ALD. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Ulmer to approve the bills as presented in the amount of \$89,182.85. Roll call vote: Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye and Perkins, aye. Motion approved eight to zero.

**MAYOR'S REPORT**

Mayor Nolan updated the City Council on various projects and noted that Wal-Mart could break ground as early as next week.

**ADMINISTRATOR'S REPORT**

Administrator Nelson updated the City Council on the refinancing of the SSA #5 bonds which will save the residents \$35-\$40 a year; documents should be before the City Council within the next six weeks.

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

April 3 Regular Planning and Zoning Commission Meeting, 7 p.m.  
April 10 Budget Hearing, 6:30 p.m.  
Regular City Council Meeting, 7 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.

Asst. Public Works Supt. Kruckenberg reported that the new brush chipper has been received and was used during the removal of trees on Ayer Street; brush pick-up will begin April 9<sup>th</sup>.

**NO REPORTS**

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

At 7:27 p.m., moved by Logan, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Logan, Adams, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,  
City Clerk

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Date