

**REGULAR CITY COUNCIL MEETING MINUTES
JULY 24, 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, Building and Zoning Officer Perkins, Chief Kazy-Garey, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 07/10/07 - APPROVED

Moved by Perkins, seconded by Adams to approve the Lenhart Annexation Agreement Hearing Minutes (revised to correct motion to adjourn hearing) and the Regular City Council Meeting Minutes of July 10, 2007, correcting the time frame for the Boy's League One Day Liquor License to "11 a.m. – 11 p.m.". Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

HARVARD MAIN STREET UPDATE & REQUEST FOR FAMILY FUN FEST 08/25/07 - APPROVED

Cathy Pescinski, Director Harvard Main Street outlined specific details and requests with respect to the Family Fun Fest on Saturday, August 25th, 2007. Moved by Perkins, seconded by Logan to approve Harvard Main Street's request as submitted:

- ☞ Close off Ayer St. between 5 points and Sumner St. for canopy street booths and pedestrian traffic from 6 a.m. – 4:00 p.m.
 - ☞ Close off Ayer St. from Sumner to Brainard for classic car show from 10:45 a.m. – 4:00 p.m. (Sumner and Brainard will be left open for cross traffic)
 - ☞ Allow for hand-led pony rides by "Ponies that Party" in vacant lot at 5-Points
 - ☞ (8) large barricades with sponsorship banners on barricades
 - ☞ Six picnic tables and eight garbage cans
 - ☞ Permission to place portable toilet on sidewalk on north corner of Sumner/Ayer at Main Street's expense
 - ☞ Allow temporary signage "15 Minute Pharmacy Parking" on E. Sumner for Seeley's and "No Parking on Saturday from 10:30 – 3:30" along second block of Ayer St.
 - ☞ Use of sidewalks between 5-Points and Sumner and wherever any downtown business merchant would like to have an outdoor display/table
 - ☞ Place 18 x 24 real estate style signs around town the week of event to be removed Saturday evening
- Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

AUTUMN GLEN PLAT OF SUBDIVISION/PHASE 6 – APPROVED

Administrator Nelson reviewed his memo outlining Autumn Glen's plans to convert one apartment building into a 16-unit condominium complex. In order to accomplish the goal of owner occupied units, the new association must be located on a separate parcel of property. The proposed plat meets the spirit of both the preliminary plat and annexation agreement with no increase in density. Moved by Adams, seconded by Marzahl to approve Autumn Glen Plat of Subdivision, Phase 6 as submitted. 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.

AUTUMN GLEN SUBDIVISION, PHASE 2/ LETTER OF CREDIT REDUCTION - APPROVED

Administrator Nelson indicated that City staff has reviewed Autumn Glen's Letter of Credit Reduction Request and all public improvements indicated have been completed and meet the City's acceptance. Moved by Logan, seconded by Perkins to approve the Letter of Credit Reduction for Autumn Glen Subdivision as follows: Phase 2 from \$330,099.56 to \$269,230.12. 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.

HARVARD SAVINGS BANK/TEMPORARY ENCROACHMENT EASEMENT- APPROVED

Administrator Nelson reviewed Harvard Savings Bank request for a Temporary Encroachment Easement to construct exterior improvements to their building at 58 N. Ayer St. Harvard Savings Bank will be remodeling the remaining vacant portions of the second floor into new office space to service their business growth and will be refacing the north, east and west elevations to improve the appearance of the building. An updated survey reveals that the building presently encroaches upon public sidewalk and public right-of-way. Staff recommends approval of the temporary encroachment easement, and upon completion of the improvements, that another survey be conducted to determine the exact scope of the encroachments on the side and front lot lines at which time, the City Council can either agree to let the bank remain on the right-of-way or physically give the bank deeds to the 6-8" that the building will encroach. Moved by Logan, seconded by Adams to approve Harvard Savings Bank's request. 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.

AWARD CONTRACT WASHINGTON/THOMPSON ST. IMPROVEMENTS - APPROVED

Moved by Logan, seconded by Ulmer to award the Washington and Thompson Street Drainage and Roadway Project to Pease Construction, at their low bid amount of \$203,371.05. 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.

UNIVERSITY OF ILL/MCHENRY CO. MASTER GARDNERS FEE WAIVER REQUEST - APPROVED

Moved by Adams, seconded by Marzahl to approve The University of Illinois and the McHenry County Master Gardeners request for a waiver of building permit fees to construct a 12' x 16' storage shed at the "Growing Together Community Garden" adjacent to the library. Mayor Nolan noted that all the produce from the garden is donated to the Harvard Food Pantry. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Szczap, aye. Motion approved eight to zero.

SALVATION ARMY SITE AGREEMENT - APPROVED

Moved by Logan, seconded by Perkins to authorize the execution of the Salvation Army Site Agreement for the year October 1, 2007 through September 30, 2008. 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.

ADD SECTION 5.05, EVENTS COMMITTEE – ORD. 2007-123 APPROVED

Moved by Hay, seconded by Marzahl to approve Ordinance 2007-123, Adding Section 5.05, Events Committee. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye and Logan, aye. Ordinance 2007-123 approved eight to zero.

RESOLUTION MCHENRY COUNTY TRANSPORATION FUNDING - APPROVED

Moved by Logan, seconded by Perkins to approve a resolution in support of McHenry County Transportation Funding. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. Motion approved eight to zero.

CERTIFICATE OF RECOGNITION/EAGLE SCOUT AWARD/D. KAZY-GAREY II - APPROVED

Mayor Nolan read a Certificate of Recognition which was presented to Daniel Lionell Kazy-Garey II for his attainment of Eagle Scout. Moved by Logan, seconded by Hay to approve the Certificate of Recognition for Daniel Kazy-Garey II who has earned the rank of Eagle Scout/Boy Scout Troop #171. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried. Dan thanked the City Council for their support with his Eagle Scout Project to install ¼ mile markers at Milky Way Park.

RESOLUTIONS TO RELEASE CERTAIN CLOSED SESSION MINUTES INTO THE OPEN MINUTES BOOK AND AUTHORIZING THE DESTRUCTION OF CERTAIN AUDIO RECORDINGS OF CLOSED

SESSION MEETINGS - APPROVED

Moved by Perkins, seconded by Marzahl to approve the following resolutions:

- ☞ Resolution to release the following closed session minutes into the open minutes book of the City Clerk: September 7, 2005 – September 26, 2006 – March 13, 2007 – April 10, 2007 – June 12, 2007
- ☞ Resolution Authorizing the Destruction of Audio Recordings of the following closed session meetings: September 7, 2005 – September 28, 2005 – October 19, 2005

Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

ADMINISTRATOR TO WRITE GRANT FOR HANDICAP RAMPS/SIDEWALKS – APPROVED

Moved by Hay, seconded by Perkins to authorize Administrator Nelson to write a grant for handicap ramps/sidewalks at Route 173/Garfield St. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

ADMINISTRATOR TO WRITE GRANT FOR HOWARD STREET DRAINAGE – APPROVED

Moved by Hay, seconded by Perkins to authorize Administrator Nelson to write a grant for Howard Street Drainage. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

CONSENT AGENDA:

- ☞ Harvard Jr. Tackle Raffle Request July- October, 2007
- ☞ Harvard Jr. Tackle Raffle Request September 15th, 2007
- ☞ Harvard Jr. Tackle Raffle Request Sept. 2nd, 9th, 23rd, 30th & Oct. 7th, 2007
- ☞ Women For Harvard Raffle Request September 29th, 2007
- ☞ Free Spirit Siberian Rescue Tag Days, August 18th & 19th, 2007
- ☞ BraveHeart Therapeutic Riding & Educational Center Raffle Request, September 16th, 2007

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

COMMITTEE REPORTS

ALD. HAY – ORDINANCE COMMITTEE MEETINGS ON 07/25/07 AND 07/31/07

Chairman Hay noted there is an Ordinance Committee Meeting on Wed., July 25th at 7 p.m.

Chairman Hay also called an Ordinance Committee Meeting for Tuesday, July 31st, 2007, at 7 p.m. to review any additional variation petitions pertaining to the overnight parking ban.

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Ulmer to approve the bills as presented in the amount of \$134,729.15. 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.

ALD. MARZAHN

At Alderman Marzahl's inquiry, Administrator Nelson indicated that the City was not expecting any water problems with the W. Washington and Thompson Roadway Improvements Project.

MAYOR'S REPORT

Mayor Nolan reminded the City Council that the gazebos will be put up on Saturday, July 28th at Northfield Park starting at 8 a.m. All volunteers will be appreciated.

ADMINISTRATOR'S REPORT

Administrator Nelson requested that anyone wishing to volunteer should let him know so that work crews can be organized. Alderman Ulmer is providing lunch for the volunteers.

CLERK'S REPORT - UPCOMING MEETING DATES

July 25 Ordinance Committee Meeting - 7 p.m.

July 31 Ordinance Committee Meeting - 7 p.m.
Aug. 7 Planning and Zoning Commission Meeting CANCELLED
Aug. 14 Regular City Council Meeting

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 Kazy-Garey noted his written monthly report in the aldermen's folders and noted that the department is doing a fair job considering the current manpower shortage.

NO REPORTS

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

At 7:17 p.m., moved by Perkins, seconded by Hay 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

_____ Date