

**REGULAR CITY COUNCIL MEETING MINUTES
MARCH 11, 2008 - 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 City Administrator Nelson, Chief Kazy-Garey, Community Development Director Santeler, Public Works Supt. Kruckenberg, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 02/26/08 - APPROVED

Moved by Perkins, seconded by Logan to approve the Regular and Closed Session City Council Meeting Minutes of February 26, 2008. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

HARVARD FIRE PROTECTION DISTRICT

Newly appointed Chief Steve Harter and Deputy Chief Alan Stiles of the Harvard Fire Protection District introduced themselves to the City Council.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

Ryan Peters/Conditional Use Apartments Above First Floor Business @ 59 N. Ayer St. – Ord. 2008-107 Approved
Chairman Hay read the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on February 5th and March 4, 2008, for hearings in the petition of the Ryan Peters. The petitioner amended his petition to request that the Planning and Zoning Commission consider a conditional use to allow two apartments above business zoning with a conversion to a garage on the ground floor to provide off-street parking. The Planning and Zoning Commission recommends to the City Council that the petitioner's amended request be approved limiting the number of apartments to two.

Ryan Peters, 1709 Walnut Dr., Woodstock addressed the City Council and outlined his proposal for two apartments above 59 North Ayer St., converting the existing piñata store into two single door garage spots for the apartments. Other plans call to restore and preserve the building. Mayor Nolan noted that Mr. Peters met with the Mayor and staff after the first Planning and Zoning Commission and the proposal for two apartments with a garage was a compromise to present to the Commission and City Council. The overhead garage doors would resemble old stable doors to match the Ayer Street streetscape theme. Community Development Director Santeler indicated that Mr. Peters would be in compliance with off-street parking requirements in a B-2 Zoning District of a minimum of one off street parking spot per unit. Moved by Hay, seconded by Marzahl to approve the Planning and Zoning Commission's recommendation and Ordinance 2008-107 granting a conditional use with the number of apartments limited to two. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2008-107 approved eight to zero.

Steve Naples/Conditional Use for Auto Sales Showroom & Indoor Storage @ 708 W. Brink – Ord. 2008-108 Approved

Chairman Hay read the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on March 4, 2008, for a hearing in the petition of the Steve Naples. The petitioner is requesting a conditional use to allow an auto sales showroom and indoor storage with additional showroom space for possible full size automobiles and trucks. The petitioner intends to use the property in question for a showroom for Super Cup Racing Cars which are ½ scale stock cars. The Planning and Zoning Commission recommends to the City Council that the petitioner's request be approved pursuant to final approval by the Building Department and subject to the condition that there be no outside storage or display.

Attorney Mark Knulte, 1618 W. Colonial Parkway, Palatine, IL 60067 and Steve Naples, 708 W. Brink St., Harvard addressed the City Council and reviewed the petitioner's request for a conditional use. Moved by Hay, seconded by Perkins to approve the Planning and Zoning Commission's recommendation and Ordinance 2008-108, Granting a Conditional Use for an Auto Sales Showroom and Indoor Storage

with additional showroom space for possible full size automobiles and trucks for property located at 708 W. Brink St. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Ordinance 2008-108 approved eight to zero.

William Perez/Conditional Use for Mixed Residential/Commercial Condo Units @ 105 E. Front St. – Ord. 2008-109
Chairman Hay read the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on March 4, 2008, for a hearing in the petition of William Perez. The petitioner is requesting a conditional use for a Mixed Residential/Commercial Condominium Use for property located at 105 E. Front St. The Planning and Zoning Commission recommends to the City Council that the petitioner's amended request be approved to allow a mixed residential/commercial condominium use with the same lot coverage as the existing building.

William Perez, 25817 Streit Rd., Harvard addressed the City Council and reviewed his request for a conditional use for the Front Street Commons mixed residential/commercial condo project which will be comprised of a three story, ten condo units; the 5 commercial units will be 2,200 sq. ft. and the residential units will be 2,800 sq. ft. Each residential unit will have a two car garage in the alley. Moved by Hay, seconded by Logan to approve the Planning and Zoning Commission's recommendation and Ordinance 2008-109, granting a conditional use to allow a mixed residential/commercial condominium use with the same lot coverage as the existing building for property located at 105 E. Front St. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2008-109 approved eight to zero.

MCHEMRY CO. SHERIFF'S OFFICE/FEE WAIVER SPECIAL OLYMPICS FUNDRAISER - APPROVED

Moved by Perkins, seconded by Ulmer to approve the McHenry County Sheriff's request for a waiver of rental fees for the use of a pavilion and four softball fields at Milky Way Park on May 17th, 2008, for their 3rd Annual Special Olympics Tournament Fundraiser. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

CERTIFICATE OF RECOGNITION/EAGLE SCOUT AWARD BENJAMIN WRIGHT - APPROVED

Moved by Logan, seconded by Marzahl to approve a Certificate of Recognition for Benjamin Wright for his attainment of Eagle Scout. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PROCLAMATION AUTISM AWARENESS MONTH - APPROVED

Moved by Perkins, seconded by Adams to approve a proclamation designating April, 2008, as Autism Awareness Month in the City of Harvard. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PRAIRIE GREEN/FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT - APPROVED

Administrator Nelson reviewed the proposed Redevelopment Agreement which pertains to the TIF South and Mr. Roppolo, Castle Bank, Walgreen's and the expansion of Airport Rd. along with water/sewer improvements. Under the terms of the amendment, the City will be obligated to disburse the TIF Share in the amount of \$600,000 to get Airport Rd. completed. Administrator Nelson noted that the proposed amendment to the redevelopment agreement has been reviewed by the City Attorney and meets with his approval.

Moved by Logan, seconded by Perkins to authorize the approval and execution of the Prairie Green/First Amendment to the Redevelopment Agreement. 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.

ROPPOLO PUBLIC IMPROVEMENT RECAPTURE AGREEMENT - APPROVED

Administrator Nelson reviewed the proposed recapture agreement which allows the developer to recapture the cost of certain public improvements including street improvements to both Airport Rd. and US Route 14, along with installation of sanitary sewer, public water and storm sewer improvements in and around Airport Rd. east and west of the roadway. In the event that the vacant property gets developed or existing property gets re-developed into something larger, those developments would pay

their fair share back to the developer. Moved by Perkins, seconded by Hay to authorize the approval and execution of the Roppolo Public Improvement Recapture Agreement. 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.

INCREASE LINE OF CREDIT - APPROVED

Administrator Nelson reviewed 2008 snow removal costs of \$200,519.97 which is \$90,000 over budget. Along with the slow payments from the state and upfront costs associated with TIF South and the Downtown Streetscape Project, Administrator Nelson recommended that the line of credit be increased. Moved by Hay, seconded by Adams to increase the line of credit by \$200,000. 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.

ZONING MAP UPDATE - APPROVED

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

CALL PARKS & REC COMMITTEE MEETING – 03/18/08

Chairman Perkins called a Parks and Recreation Committee Meeting on Tuesday, March 18th, 2008, at 6:30 p.m. to discuss the Boys League Request and the Milk Day Building.

CONSENT AGENDA:

☞ Harvard Milk Day Horse Show Raffle Request, May 31st, 2008

Moved by Perkins, seconded by Ulmer to approve the Consent Agenda. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, 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 \$132,211.02. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

ALD. LOGAN – FINANCE COMMITTEE MEETING 03/19/08

Chairman Logan called a Finance Committee Meeting for Wednesday, March 19, 2008, at 6:30 p.m. for a final review of the FY08/09 Budget.

ALD. ULMER

Alderman Ulmer noted he will not be in attendance at the next City Council meeting.

MAYOR'S REPORT

Mayor Nolan reported the following:

- ☞ Bid packets for the Downtown Streetscape Project will be available March 12th
- ☞ Kathy Gresey is the new reporter for the Northwest Herald assigned to Harvard

ADMINISTRATOR'S REPORT

Administrator Nelson noted correspondence in the aldermen's folders from McHenry County in response to the City's resolution sent over a year ago requesting the transfer of ownership of various roads.

CLERK'S REPORT - UPCOMING MEETING DATES

March 11	Country Fair Public Information Meeting, 7:30 p.m.
March 18	Events Committee Meeting, 5 p.m.
March 18	Parks & Recreation Committee Meeting, 6:30 p.m.
March 19	Finance Committee Meeting, 6:30 p.m.
March 25	Regular City Council Meeting, 7 p.m.

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads: Reports as submitted.

NO REPORTS

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

At 7:25 p.m., moved by Perkins, seconded by Logan to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date