

**REGULAR CITY COUNCIL MEETING MINUTES
APRIL 22, 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. City Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Code Enforcement Officer Brenneka, Community Development Director Santeler, Supt. of Parks and Recreation Burkart, Public Works Supt. Kruckenberg, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 04/08/08 - APPROVED

Moved by Perkins, seconded by Logan to approve the Regular City Council Meeting Minutes of April 8, 2008, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

ANDY COOK/200 CHURCH ST.

Andy Cook, 200 Church Street addressed the City Council with regard to a dispute with neighbors over the use of lawn chemicals and pesticides which are a health hazard to his wife and requested the City consider enacting a pesticide ordinance. City Attorney Carlos Arévalo responded that state statute precludes the city from regulating pesticide control.

VARIATION TO WAIVE SUBDIVISION REQUIREMENT FOR TOPOGRAPHICAL SURVEY FROM NARCISSO HERRERA FOR PROPERTY AT 361 MARENGO RD - APPROVED

Attorney Joel Berg was present on behalf of petitioner Narcisso Herrera, 361 Marengo Rd. Attorney Berg addressed the City Council with regard to his client's variation petition to waive the subdivision requirement for a topographical survey for subject property at 361 Marengo Rd. Moved by Logan, seconded by Hay to approve the variation petition as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

COMMUNITY SAFETY NET/PEDDLER & SOLICITOR PERMIT FEE WAIVER REQUEST - APPROVED

Donna Holmes, 911 Woodridge Dr., Rockford, IL addressed the City Council for a waiver of permit fees for a Peddler's and Solicitor's License submitted by Community Safety Net. The company solicits area businesses to sponsor the drug safety books valued at \$15 each; the number of books distributed are dependent on the sponsorship levels. Mayor Nolan stated that the City Council waived the \$500 permit fee last year in exchange for the City being considered a sponsor and receiving 33 books. Moved by Hay, seconded by Marzahl to waive the peddler's and solicitor permit fee in exchange for the City receiving sponsorship and books. 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.

CHAMBER REQUEST TO CONDUCT SIDEWALK SALE ON AYER ST. MAY 30, 31 - APPROVED

Crystal Musgrove, Executive Director, Chamber of Commerce, addressed the City Council to request permission to conduct a sidewalk sale on Ayer Street on Friday, May 30th and Saturday, May 31st. Moved by Perkins, seconded by Adams to approve the Chamber's request as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Perkins and Hay. Alderman Logan absent for vote. All ayes. Motion carried.

RESOLUTION TO ACCEPT JURISDICTIONAL TRANSFER OF ROADS - APPROVED

Moved by Hay, seconded by Marzahl to approve a resolution to the McHenry County Board accepting the jurisdictional transfer of Ramer Road from West Diggins Street to Lawrence Road and Marengo Road from Airport Road to Highway Route 23. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Resolution approved eight to zero.

AGREEMENT WITH DAN HERLEY RE EXTENSION OF HERLEY DRIVE - APPROVED

Moved by Ulmer, seconded by Perkins to authorize the execution of an agreement between the City of Harvard and Dan Hereley as presented for the extension of Hereley Drive upon the City accepting and

taking over control of Marengo Rd. from McHenry County. 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.

ORDINANCE APPROVING FY2008/2009 BUDGET – ORD. 2008-110 APPROVED

Moved by Logan, seconded by Adams to approve Ordinance 2008-110, Approving the City of Harvard Annual Budget for Fiscal Year 2008/2009. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Ordinance 2008-110 approved eight to zero.

PUBLIC PROPERTY COMMITTEE RECOMMENDATIONS

Chairman Ulmer reviewed the Public Property Committee Meeting Minutes of April 15th, 2008.

TIF Financing/Downtown Streetscape

The Committee discussed various financing options for the Ayer Street Downtown Streetscape Project; total project cost to be financed is \$3,384,966.84. The Committee recommends to the City Council that the City move forward with financing over twenty years and authorizing the Mayor and City Clerk to sign all loan documents.

Moved by Ulmer, seconded by Adams to approve the Committee's recommendation to move forward with financing over ten years with a twenty year amortization and balloon payment at the end of ten years and authorizing the Mayor and City Clerk to sign all loan documents. 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.

Sale of Surplus Property

The Committee discussed selling some of the street lights that are taken down off of Ayer Street during the streetscape project and recommended to the City Council that the street lights be declared surplus property. Some of the lights will be kept in reserve for the City's use.

Moved by Ulmer, seconded by Perkins to declare the street lights that going to be removed from Ayer Street as surplus property. 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.

FINANCE COMMITTEE RECOMMENDATIONS

Chairman Logan reviewed the Finance Committee Meeting Minutes of April 15th, 2008.

PACE

The Committee discussed the ongoing funding problems with the PACE Dial-A-Ride Program which is about \$70,000 short in the 08/09 Budget. City staff proposed that the program be reduced to three days a week from 9 a.m. – 3 p.m., with one part time employee who would be the driver. The current Dial-A-Ride Dispatcher will continue her dispatch duties in addition to front office water business. The proposed reduction will save the City approximately \$60,000. Staff further recommends that the PACE program be reviewed on an annual basis.

Moved by Logan, seconded by Marzahl to approve the Finance Committee's recommendation to reduce the PACE Dial-A-Ride to three days a week (Tuesday, Wednesday, Thursday) from 9 a.m. – 3 p.m. to become effective on July 1, 2008. 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.

MCHEMRY CO. ZBA NOTICES OF HEARING WITHIN CITY'S 1½ MILE JURISDICTION

The City Council reviewed the McHenry County ZBA Notices of Hearing to be held on May 7, 2008, for the following properties:

- ☞ Variation to Allow Accessory Structure in a Yard Abutting a Road at 9820 Willow Lakes Rd., Harvard
- ☞ Variations of Lot Size, Width of Frontage, Minimum Yard Abutting a Road, Minimum Rear Yard, Minimum Side Yard and to Allow a Detached Garage for Vacant Property on South St., Harvard

There were no objections.

CONSENT AGENDA:

☞ Harvard Main Street Raffle Request May 1st – May 31st
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 \$416,372.77. 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 noted the MCCOG Meeting on Wednesday, April 23rd at Crandall’s in Hebron.

There will be an informational meeting on the Ayer Street Downtown Streetscape Project on May 7th, 2008 at 8 a.m. to answer any questions and brief business owners on the construction schedule.

ADMINISTRATOR’S REPORT

City Administrator Nelson thanked Mayor Nolan and Finance Chairman Logan for their assistance in preparing the FY2008/2009 Budget.

CLERK’S REPORT - UPCOMING MEETING DATES

- May 6 Planning and Zoning Commission Meeting, 7 p.m.
- May 7 Ayer St. Downtown Streetscape Info Meeting, 8 a.m.
- May 12 Historic Preservation Commission Meeting, 7 p.m.
- May 13 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.

ALD. PERKINS – PARKS & RECREATION COMMITTEE MEETING

Alderman Perkins reviewed the Parks & Recreation Committee Meeting which was held on April 16th, 2008. Patricia McDonough and Kara Condon-Bough addressed the Committee to discuss recreational ideas that would have a positive influence on the youth of our committee, in particular a skate park. The general consensus of the Committee was for Patricia and Kara to proceed with the concept of a skate park with the suggested location at Milky Way Park.

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads: Reports as submitted.

NO REPORTS

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

At 7:32 p.m., moved by Hay, seconded by Marzahl to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

_____ Date