

REGULAR CITY COUNCIL MEETING MINUTES

August 12, 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, Administrator Nelson, Public Works Supt. Kruckenberg, City Attorney Carlos Arévalo, Gary Rozwadowski, Smith Engineering, Inc. and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 07/22/08 - APPROVED

Moved by Logan, seconded by Perkins to approve the minutes of the Regular City Council Meeting minutes of July 22, 2008, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

Herrera Plat of Subdivision, 361 Marengo Road – Ord. 2008-124 Approved

Chairman Hay noted the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on August 5, 2008, for a hearing in the petition of Narciso Herrera, 361 Marengo Rd., Harvard, Illinois. The petitioner would like to subdivide property commonly known as 361 Marengo Rd., Harvard into two lots. The Planning and Zoning Commission recommends approval of N.A. Herrera's Plat of Subdivision as submitted and prepared by RLS Land Surveyors, dated February 26, 2008, subject to the following condition: before any improvements are permitted on Lot 2, or within sixty days after completion of improvements on Lot 1, the current accessory building on Lot 2 will be demolished per city code.

Moved by Hay, seconded by Logan to approve the Planning and Zoning Commission's recommendations as submitted and Ordinance 2008-124, approving N. A. Herrera's Plat of Subdivision as submitted with City Clerk Wells to record both the ordinance and a Memorandum of Ordinance. Attorney Berg was present on behalf of the petitioner to answer any questions; there were none. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2008-124 approved eight to zero.

Robert Plane Rear Yard Set Back Variation/607 W. Brown St. – Ord. 2008-125 Approved

Chairman Hay noted the recommendations and Findings of Fact submitted by Harry Stafford, Chairman of the Planning and Zoning Commission which met on August 5, 2008, for a hearing in the petition of Robert Plane, 607 W. Brown St., Harvard, Illinois. The petitioner is requesting a variation from Section 17.20.080(D) as to the rear yard setback requirements for property commonly known as 607 W. Brown St., Harvard. The Planning and Zoning Commission recommends approval of the petition as submitted to reduce the rear yard setback from 30' to 28' to build the proposed garage addition.

Moved by Hay, seconded by Ulmer to approve the Planning and Zoning Commission's recommendation as submitted and Ordinance 2008-125, approving a reduction in the rear yard setback requirements from 30' to 28'. 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.

PEREZ/SINDERSON SIGN VARIATION/ART TUNES, 104 W FRONT ST – ORD. 2008-126 APPROVED

The City Council reviewed the petition submitted by William Perez (owner) and Dale Sinderson (tenant) for a sign variation for property located at 104 W. Front St., Harvard, to hang a sign for Art Tunes which will hang perpendicular to the building; said sign will extend out from the building approximately 36". Current code does not allow signs to overhang more than 12". Moved by Logan, seconded by Perkins to approve Ordinance 2008-126, Granting a Sign Variation, pursuant to the submitted drawing. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2008-126 approved eight to zero.

FINANCE COMMITTEE RECOMMENDATIONS – APPROVED

Chairman Logan reviewed the Finance Committee Meeting Minutes of July 30, 2008.

Budget Items

The Committee reviewed department requests for maintenance and purchases of new equipment and recommends to the City Council approval of the purchase of the following items:

Administration

Printer for the front office at a cost of \$600-\$700

Public Works

Aluminum chip box at a cost of \$1,800

Cold patch trailer at a cost of \$2,000

(2) Snow plows that need to be welded at an estimated cost of \$2,000

Truck #4 needs to be welded at an estimated cost of \$1,500

(2) Pre-wet Systems which wet the salt before it is applied to roadway which makes a more effective melting temperature at a cost of \$4,940 ea.

Plow blade for the bobcat at an estimated cost of \$2,000

Moved by Logan, seconded by Marzahl to approve the Finance Committee's recommendations for the purchase of equipment as discussed. 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.

PUBLIC PROPERTY COMMITTEE RECOMMENDATIONS - APPROVED

Chairman Ulmer reviewed the Public Property Committee Meeting Minutes of July 30, 2008.

L & K Property Management, LLC Request to Relocate Entrance at 108 S. Ayer St. - Approved

Administrator Nelson advised the Committee that the City removed one of the two driveway entrances in front of the muffler shop located at 108 S. Ayer Street during the first phase of the Downtown Streetscape construction. The Committee discussed property owner Keith Kula's request to relocate the entrance on Park Street and recommends to the City Council that Mr. Kula's request be approved to put in a paved driveway at the owner's expense at the southeast corner of the property on Park Street; the property owner will still be required to obtain a building permit with a waiver of permit fees.

Moved by Ulmer, seconded by Marzahl to approve the Public Property Committee's recommendation to approve the request as discussed. 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 – Ord. 2008-127 Approved

The Committee reviewed the list of surplus property from the Public Works and Police Dept. and recommends to the City Council that the items listed be declared surplus property.

Moved by Ulmer, seconded by Perkins to approve the Public Property's Committee's recommendations and Ordinance 2008-127, Authorizing the Sale of Personal Property Owned by the City of Harvard. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye and Adams, aye. Ordinance 2008-127 approved eight to zero.

MCCOG AGREEMENT/LOCAL GOVERNMENT VEHICLE & EQUIP AUCTION- APPROVED

Moved by Logan, seconded by Perkins authorizing the Mayor and City Administrator to sign the McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement. 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.

MCCOG DAMAGE ASSESSMENT MUTUAL AID NETWORK INTERGOVERNMENTAL SERVICE AGREEMENT - APPROVED

Moved by Perkins, seconded by Adams to authorize the Mayor and City Clerk to sign the McHenry County Council of Government's Damage Assessment Mutual Aid Network Intergovernmental Service Agreement. 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.

MCHENRY COUNTY GANG TASK FORCE INTERGOVERNMENTAL AGREEMENT - APPROVED

Moved by Hay, seconded by Ulmer to approve the McHenry County Gang Task Force Intergovernmental Agreement. 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.

TAX ABATEMENT, GENERAL OBLIGATION ALTERNATE BONDS (WATERWORKS & SEWERAGE SYSTEM), SERIES 2006 – ORD. 2008-128 APPROVED

Administrator Nelson reviewed the yearly abatement of the water/sewer revenue bonds. Moved By Logan, seconded by Perkins to approve Ordinance 2008-128, Abating a Portion of Taxes Levied to Pay Principal of and Interest on Certain General Obligation Alternate Bonds, (Waterworks and Sewerage System Alternate Revenue Source), Series 2006, of the City of Harvard. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Ordinance 2008-128 approved eight to zero.

CALL ORDINANCE COMMITTEE MEETING – 08/19/2008

Chairman Hay called an Ordinance Committee Meeting for Tuesday, August 19th, 2008, at 6:30 p.m. to discuss resale shops, newsstands, home occupations and garage sale signs.

MCR INCENTIVE IN-CAR PRINTER GRANT/IDOT HIGHWAY SAFETY PROJECT AGREEMENT - APPROVED

Moved by Perkins, seconded by Hay authorizing Chief Kazy-Garey to sign the IDOT Highway Safety Project Agreement/MCR Incentive In-Car Printer Grant application. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

MCHENRY CO. ZBA NOTICE OF HEARING WITHIN CITY'S 1½ MILE JURISDICTION

The City Council reviewed the McHenry County ZBA Notice of Hearing to be held on August 19, 2008, for the following property:

- Variation for property located at 24916 Perkins Rd., Harvard to permit an acreage of 5.985 instead of the 40 acre minimum required in A-1 Agriculture District

There were no objections.

CONSENT AGENDA:

- BraveHearts Therapeutic Riding and Education Center Raffle Request September 6th, 2008

Moved by Perkins, seconded by Adams 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 \$704,139.51. 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.

MAYOR'S REPORT

Mayor Nolan updated the City Council on the status of the Ayer Street project.

CLERK'S REPORT - UPCOMING MEETING DATES

Aug 19	Events Committee Meeting, 5 p.m.
	Ordinance Committee Meeting, 6:30 p.m.
Aug 26	Regular City Council Meeting, 7 p.m.

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads: Reports as submitted.

NO REPORTS

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

At 7:18 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