

## **REGULAR CITY COUNCIL MEETING MINUTES**

**April 14, 2009 - 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: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. Alderman Leyden and Treasurer Meseck were absent. Also present were Administrator Nelson, Police Chief Kazy-Garey, Supt. Public Works Supt. Kruckenber, Utilities Supt. Grant, City Attorney Carlos Arévalo and members of the audience.

### **AUDIENCE PARTICIPATION: NONE**

### **CITY COUNCIL MEETING MINUTES OF 03/24/09 - APPROVED**

Moved by Logan, seconded by Adams to approve the minutes of the Regular City Council Meeting of March 24, 2009, as presented. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

### **CMAP/LAWRENCE CREEK WATERSHED AREA PLAN – RESOLUTION APPROVED**

Administrator Nelson introduced Tim Loftus from CMAP who reviewed the Lawrence Creek Watershed Plan which is also available online at [www.cmap.illinois.gov/lawrence.aspx](http://www.cmap.illinois.gov/lawrence.aspx). The plan outlines four retrofit projects and six places within the watershed for habitat restoration within city limits. The watershed plans will be presented during the annual hearing in August before the Illinois Pollution Control Board with a recommendation that they be included in the Illinois Water Quality Management Plan. Administrator Nelson recommended adoption of the plan as presented and noted that the outlined projects will help alleviate flooding issues and will take care of some sedimentation pollution particularly in Oak Grove Crossings and pollutants that run into Lawrence Creek. There are opportunities for federal funding of the projects and approval of the plan simply puts the projects on a list. Moved by Perkins, seconded by Szczap to adopt a Resolution Supporting the Lawrence Creek Watershed Action Plan. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved seven to zero.

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

Donna Mandell/Community Safety Net has requested a waiver of permit fees for a Peddler's and Solicitor's License. The company solicits area businesses to sponsor drug safety books. The City Council has waived the \$500 permit fee the last two years in exchange for the City being listed as a sponsor and receiving books equivalent to the cost of the permit fee. Chief Kazy-Garey reported that the program went well with the books handed out at DARE Graduation. Moved by Perkins, seconded by Logan to waive the peddler's and solicitor permit fee in exchange for the City receiving a sponsorship listing and books. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Marzahl, aye. Motion approved seven to zero.

### **LETTER OF CREDIT REDUCTION FOR OAK GROVE CROSSINGS, PHASE 3 & 4 - APPROVED**

City staff has reviewed Oak Grove Crossing's request for a Letter of Credit Reduction for Phase 3 and 4; all public improvements indicated have been completed and meet the City's acceptance. Moved by Logan, seconded by Adams to approve the Letter of Credit Reduction for Oak Grove Crossings as follows:

- ☞ Phase 3 Letter of Credit of \$5,140.50 can be released as the required public improvements are complete.
- ☞ Phase 4 from \$115,951.00 to a revised balance of \$109,952.00

Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

### **CERTIFICATES OF RECOGNITION - APPROVED**

Mayor Nolan noted that in light of the downtown streetscape improvements, he felt it was necessary to recognize the main contributors to the project for their support. Moved by Logan, seconded by Perkins to approve Certificates of Recognition/Key to the City to Alliance Contractors, Inc., Blue Ribbon Electric, Harvard Nursery, Mike Rose and Meyer Material. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

**PROCLAMATION WEEK OF THE YOUNG CHILD APRIL 19<sup>TH</sup> – 25<sup>TH</sup>, 2009 - APPROVED**

Moved by Perkins, seconded by Logan to approve a Proclamation Designating April 19<sup>th</sup> – 25<sup>th</sup>, 2009 as Week of the Young Child in the City of Harvard. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

**WATER/SEWER COMMITTEE RECOMMENDATIONS**

Chairman Marzahl reviewed the Water and Sewer Committee Meeting Minutes of March 31, 2009.

Garfield Street Improvements – Approved

The Water and Sewer Committee discussed the Garfield Street Improvements to resurface Garfield Street. The original plan was to resurface from McKinley to Old Orchard, but staff is looking to extend the project to Highway 14. The Committee also discussed water/sewer main improvements to be done at the same time. Moved by Marzahl, seconded by Logan to approve the Committee's recommendation to proceed with survey work on Garfield St. from McKinley to Highway 14 with cost not to exceed \$9,371.50. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Marzahl, aye; Ulmer, aye and Szczap, aye.

**ORDINANCE COMMITTEE RECOMMENDATIONS - APPROVED**

Alderman Hay reviewed the Ordinance Committee Meeting Minutes of March 31, 2009:

Working in the Right of Way – Ordinance 2009-108 Approved

The Committee discussed working in the right-of-way. After discussion, Clerk Wells was directed to research regulations in area communities and to work on a draft ordinance that would ban businesses from conducting their business on City property and ban non-emergency residential service related work on City property.

Clerk Wells presented a draft ordinance to amend Section 6.04, Obstructions and recommended that the City Attorney review the language and suggested setting a fine amount. The City Council discussed setting a fine amount of \$50 for the first offense and \$100 for the second. After discussion, moved by Hay, seconded by Perkins to approve Ordinance 2009-108, Amending Section 6.04, Obstructions and Section 1.14 Settlement of Offenses as discussed. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Marzahl, aye; Ulmer, aye; Szczap, aye and Adams, aye. Ordinance 2009-108 approved seven to zero.

Proposed Ordinance Amending Section 21.12, Tobacco Sales – Ordinance 2008-109 Approved

The Committee reviewed a proposed ordinance amending Section 21.12, Tobacco Sales, which would prohibit the sale of drug paraphernalia as a condition to a Tobacco Sales License and recommends to the City Council approval of the ordinance as presented.

Moved by Hay, seconded by Logan to approve Ordinance 2009-109, Tobacco Sale License, of the Harvard Municipal Code Regarding Drug Paraphernalia. Roll call vote: Perkins, aye; Hay, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye and Logan, aye. Ordinance 2009-108 approved seven to zero.

Proposed Ordinance to Adopt a Real Estate Tax Abatement for the Residence of a Surviving Spouse of a Fallen Officer, Fireman, Emergency or Rescue Worker – Ordinance 2009-110

The Committee reviewed a proposed ordinance to adopt a real estate tax abatement for the residence of a surviving spouse of a fallen police officer, fireman, emergency or rescue worker and recommends to the City Council approval of the proposed ordinance.

Moved by Hay, seconded by Marzahl to approve the Committee's recommendation and Ordinance 2009-110, to Adopt a Real Estate Tax Abatement for the Residence of a Surviving Spouse of a Fallen Police Officer, Fireman, Emergency or Rescue Worker. Roll call vote: Hay, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye and Perkins, aye. Ordinance 2009-110 approved seven to zero.

**PURCHASE ORDERS – APPROVED**

Moved by Hay, seconded by Logan to approve the following purchase orders:

- Police Department – 2009 Dodge Durango in the amount of \$24,147.00
- Police Department – 2009 Chevy Marked Squad Car/Police Package in the amount of \$18,806.93
- Public Works Department – 2009 F-250 4 x 4 Pickup Truck in the amount of \$18,858.35

Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved seven to zero.

**POLICE DEPT./AUTHORITY TO SIGN AND SUBMIT GRANTS – APPROVED**

Chief Kazy-Garey reviewed two personnel COPS Recovery Grants that recently became available, one for support personnel and the other for non-support personnel. The first grant would pay salary and benefits for an officer the first three years of the grant. The grant would require the City to keep the officer the fourth year. Additionally, if an officer were lost due to retirement, disability, etc., the City would need to maintain the same number of officers. The City would be tied to the grant for a period of four years without the possibility of a reduction in the work force. The savings to the city in overtime costs over four years would be approximately \$120,000. The deadline for submittal is tonight. The second grant is a two year grant which must be submitted by April 28<sup>th</sup>, but the parameters of the grant aren't available yet. We would not apply for the grant unless staff felt it was worthwhile.

Moved by Logan, seconded by Marzahl to authorize Chief Kazy-Garey to sign and submit a 4-Year COPS Grant for support personnel as outlined. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Moved by Perkins, seconded by Logan to authorize Chief Kazy-Garey to sign and submit a 2-Year COPS grant for non-support personnel as long as it meets the Mayor's approval. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

**INFORMATION: MCCOG MEETING**

The MCCOG Meeting is Wednesday, April 22<sup>nd</sup>, 2009, at Crandall's in Hebron.

**CONSENT AGENDA:**

- Harvard Fire Protection District "Fill the Boot", May 1<sup>st</sup> and 2<sup>nd</sup>
- Harvard Milk Days Wheelz Show Raffle Request, April 14<sup>th</sup> – May 30<sup>th</sup>, 2009
- CASA of McHenry County, June 6<sup>th</sup>, 2009 at Milky Way Park

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

**COMMITTEE REPORTS**

**ALD. PERKINS – PARKS AND RECREATION COMMITTEE MEETING**

Chairman Perkins called a Parks and Recreation Committee Meeting for Tuesday, April 21<sup>st</sup>, 2009 at 6:30 p.m. to discuss grant issues, Frisbee golf, and a couple other items.

**ALD. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$453,811.83. Roll call vote: Ulmer aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Marzahl, aye. Motion approved seven to zero.

**MAYOR'S REPORT**

The Mayor reported that Stricker's sold a 20,000+ sq. ft. building in the industrial park to a factory out of Elk Grove. In turn, the Stricker's will build a 40,000+ sq. ft. building to continue promote the industrial park.

**ADMINISTRATOR'S REPORT**

Administrator Nelson reported that the grants are all part of federal stimulus funds and while the parameters or rules of the various grants may not be known, the deadlines have been established by the president to get stimulus funds into the economy. Staff may be coming to the City Council on short notice as more funding opportunities become available and the City Council's patience is appreciated.

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

- April 21           Events Committee Meeting, 5 p.m.
- Parks & Recreation Committee Meeting, 6:30 p.m.
- April 28           Regular City Council Meeting, 7 p.m.
  - The Budget Committee Hearing will be conducted as the first thing on the agenda

**TREASURER'S REPORT**

Mayor Nolan reported that Treasurer Meseck has been in and out of the hospital again this last week and is back part-time, but he requested that she take it easy and not attend the meeting.

**DEPARTMENT HEADS REPORTS**

Smith Engineering & Dept. Heads: Reports as submitted.

Chief Kazy-Garey updated the City Council on the remodeling of the police department. They will come in a little over budget due to a communications opportunity for radio upgrades which will make our communications equipment narrowband capable in order to be narrowband compliant by 2013. In addition, the department will be able to add a backup radio repeater at Lion's Park should our main radio repeater become disabled.

Public Works Supt. Kruckenberg reported that the department is working to fill potholes and working on caved-in storm sewers.

Supt. of Utilities Grant reported that Well #10 went online today as planned. Everything went fairly well and if concerns arise, please let him know so they can be addressed right away.

**NO REPORTS**

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

At 7:45 p.m., moved by Logan, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,  
City Clerk

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