

**REGULAR CITY COUNCIL MEETING MINUTES**  
**June 23, 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: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. Also present were Treasurer Meseck, City Administrator Nelson, Community Development Director Santeler, Public Works Supt. Kruckenberg, City Attorney David McArdle, Dave Johansen of Smith Engineering and members of the audience.

**AUDIENCE PARTICIPATION: NONE**

**CITY COUNCIL MEETING MINUTES OF 06/09/09 - APPROVED**

Moved by Perkins, seconded by Opper to approve the minutes of the Regular City Council Meeting of June 9, 2009. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

**HARVARD MILK DAYS/PARADE SCHEDULE REQUEST - APPROVED**

Moved by Opper, seconded by Ulmer to approve Milk Days' request for use of a City pick-up truck to pull the City of Harvard/Milk Days float in parades on Sat., July 4<sup>th</sup> in Sharon, Sat., July 18<sup>th</sup> in Rockton and on Sun., October 11<sup>th</sup> in Marengo. Milk Days will provide the driver with either Mike Bannwolf or Dennis Bischke as drivers. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

**PETE PARHAS/JIMMY'S PATIO VARIATION REQUEST SATURDAY, JULY 25<sup>TH</sup> - TABLED**

Jimmy's Patio is hosting a WWE pro wrestling match on Saturday, July 25<sup>th</sup> and is requesting a variation to allow for the outside consumption of alcohol in the parking lot at Ayer Plaza. The Mayor tabled the request to the next meeting after Chief Kazy-Garey returns from vacation.

**WOODSTOCK INDEPENDENT/WAIVE PEDDLAR & SOLICITOR PERMIT FEE - APPROVED**

The Mayor reported that the City and Chamber have been working with the editor of the Woodstock Independent on a Harvard edition of the paper which would be local news only and mailed to the 60033 zip code free of charge, initially on a monthly basis. The newspaper will be going to area businesses this week to sell advertising. Moved by Perkins, seconded by Logan to approve a Peddler's & Solicitor's Permit for the Woodstock Independent, waiving the \$500 fee. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

**INDUSTRIAL PARK TIF/\$300,000 LOAN HARVARD STATE BANK - APPROVED**

Administration Nelson reported this is a continuation of the \$1.3 million loan approved in 2008. There were cost overruns on a box culvert due to McHenry County Soil and Water Conservation District requirements. The terms are the same as with initial loan. Developer Mark Stricker, was issued a permit today to build the 40,000 sq. ft. building in the Industrial Park TIF. Moved by Logan, seconded by Ulmer to move forward with the loan, authorizing the Mayor and City Clerk to sign all loan documents. 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.

**AMEND SECTION 1.14, SETTLEMENT OF OFFENSES – APPROVED ORD. 2009-119**

Administrator Nelson noted that the ordinance is to clarify section numbers. Moved by Logan, seconded by Perkins to approve Ordinance 2009-119, Amend Section 1.14 Settlement of Offenses. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2009-119 approved eight to zero.

**CONSENT AGENDA:**

- CASA of McHenry County Raffle Request July 19<sup>th</sup> – August 6<sup>th</sup>
  - Harvard State Bank request to have an inflatable bouncy at their picnic at Milky Way Park on August 1<sup>st</sup>
- Moved by Logan, seconded by Perkins to approve the Consent Agenda as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. 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 \$177,403.18. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

**MAYOR'S REPORT**

Mayor Nolan reminded the City Council that photos will be taken prior to the next City Council meeting on July 28<sup>th</sup> at 6 p.m. at the new City Hall. The Mayor also stated that he and Dave are looking to set up tables in the lobby area at the new City Hall to hold City Council meetings.

**ADMINISTRATOR'S REPORT**

Administrator Nelson reported he had two items to discuss in closed session with the city attorney concerning subdivisions. The City is not having issues with Pasquinelli, Country Brook Subdivision and has a good working relationship with the receivers that are working with the bank and the judge. They are complying with everything that the City is requesting. Pavement and curb work should be completed in the next week or two to be scheduled at the same time that the contractors finish work on Airport Rd.

Administrator Nelson reported that the last City Council agenda packet was put into a pdf format and forwarded to the City Council via e-mail and asked the City Council to consider posting future agenda packet on the website to allow for public viewing. The general consensus was to proceed.

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

July 7 Planning and Zoning Regular Meeting CANCELLED  
July 14 Regular City Council Meeting, 7 p.m.

**TREASURER'S REPORT**

Treasurer Meseck noted that the monthly treasurer's report for June, 2009, was in the aldermen's folders.

**CITY ATTORNEY'S REPORT**

City Attorney David McArdle noted a couple items to be discussed in closed session.

**DEPARTMENT HEADS REPORTS**

Smith Engineering & Dept. Heads: Reports as submitted.

**NO REPORTS**

Aldermen Leyden, Marzahl, Ulmer, Szczap, Adams, Perkins and Opper had no specific report at this time.

At 7:10 p.m., moved by Logan, seconded by Perkins to go into closed session to discuss Section 2(c)(11) Litigation. Roll call vote: Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

At 7:24 p.m., moved by Perkins, seconded by Logan to reconvene the open session. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

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

Submitted by:

  
Andy Wells,  
City Clerk

06/27/09  
Date