

REGULAR CITY COUNCIL MEETING MINUTES
September 22, 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, Administrator Nelson, Community Development Director Santeler, Police Chief Kazy-Garey, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION:

Roger Gilbert commented on the good job cleaning up the Metra lot.

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

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

SOLID ROCK CHURCH TEMPORARY EXCEPTION TO ALLOW EXOTIC ANIMALS FOR FALL FEST AT MILKY WAY PARK ON SATURDAY, OCTOBER 3RD AND WAIVER OF FEES - APPROVED

Moved by Logan, seconded by Perkins to approve Solid Rock Community Church's request for a temporary exception to allow exotic animals for the SRCC Fall Fest on October 3rd at Milky Way Park, with a waiver of the \$100 variation fee. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

CLASS OF 2012 OUTDOOR MARKET PERMIT & WAIVER OF FEES - APPROVED

Moved by Logan, seconded by Adams to approve the Class of 2012's request for an Outdoor Market Permit, with a waiver of fees, to have a pig roast at Tractor Supply on Saturday, September 26th, 2009, from 11 a.m. – 5 p.m. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

ASLAM ALIMOH/D/HARVARD FOOD & LIQUOR, INC. 100 ADMIRAL DRIVE, CLASS B LIQUOR LICENSE - APPROVED

Mayor Nolan reported that the background check was handled and all fees have been paid. Chief Kazy-Garey has no objections. Moved by Perkins, seconded by Marzahl to approve a Class B Liquor License for Aslam Alimohd/Harvard Food & Liquor, Inc., 100 Admiral Drive, Harvard. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Opper, aye. Motion approved eight to zero.

ASLAM ALIMOH/D/HARVARD FOOD & LIQUOR, INC. 100 ADMIRAL DRIVE, TOBACCO LICENSE - APPROVED

Moved by Logan, seconded by Perkins to approve a Tobacco License for Aslam Alimohd/Harvard Food & Liquor, Inc., 100 Admiral Drive, Harvard. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye, Opper, aye and Leyden, aye. Motion approved eight to zero.

J & S DOLLAR STORE REQUEST TO USE SIDEWALK - APPROVED

Moved by Perkins, seconded by Logan to approve J & S Dollar Store's request to use the sidewalk in front of the store at 10 N. Ayer Street on Friday, Sept. 25th and Saturday, Sept. 26th, 2009, to sell various store items. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

INTERGOVERNMENTAL AGREEMENT WITH RESPECT TO US ROUTE 14/MCGUIRE RD AND AIRPORT RD INTERSECTION IMPROVEMENTS - APPROVED

Moved by Logan, seconded by Perkins to authorize the Mayor and City Clerk's execution of the Intergovernmental Agreement Between McHenry County and the City of Harvard with respect to the US Route 14/McGuireRd and Airport Rd. Intersection Improvements, granting the City Attorney authority to approve any last minute changes. 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.

SECOND AMENDMENT TO CONTRIBUTION AGREEMENT/WAL-MORT STORES, INC. – APPROVED

Mayor Nolan reviewed the provisions to the Second Amendment to the Contribution Agreement with Wal-Mart Stores, Inc. with a deadline of May 1, 2011 to complete the intersection improvements as defined in the agreement. Moved by Logan, seconded by Perkins to approve the Second Amendment to the Contribution Agreement between Wal-Mart Stores, Inc. and the City of Harvard. At Alderman Ulmer's inquiry, City Attorney Carlos Arévalo indicated that because of the condemnation proceedings that are associated with this, there is the ability to seek another extension if we miss the deadline. The City would have to show due diligence in the process and good faith in trying to get the improvements done. 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.

INFO: LIFE CHAIN, SUNDAY, OCTOBER 4

Mayor Nolan noted correspondence from the Knights of Columbus who will be sponsoring the National Life Chain to be held locally on Sunday, October 4th, 2009, from 2:00 – 3:30 p.m. at the intersection of Route 14/Diggins St/Ayer St.

CONSENT AGENDA:

- Class of 2011 Post Prom Raffle Request September 24, 2009 – March 6, 2010
- St. Joseph's School Raffle Request October 10th – November 30th, 2009
- St. Joseph's Church/School Raffle Request October 14, 2009 – October 13, 2010

Moved by Logan, seconded by Adams to approve the Consent Agenda. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, 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 \$515,905.98. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Szczap, aye. Motion approved eight to zero.

MAYOR'S REPORT

Mayor Nolan noted this is the last month of two City Council meetings, after which meetings will be held once a month on the 4th Tuesday. The Mayor encouraged the City Council to keep in contact.

ADMINISTRATOR'S REPORT

- Administrator Nelson noted his written report in the packet.
- The Garfield St. paving bids were opened on Sept. 18th which is funded by the American Recovery Act money. The bid was awarded to Geske and Sons in the amount of \$214,000. The engineer's estimate at \$263,000. Dave noted everybody is having the same experience from original estimates and where prices are actually coming in at. The extra money will be pooled together for B-list projects. The City is on the B-list and has political support for additional federal funding for the Highway 14/McGuire Rd. intersection. The plan would be to combine Wal-Mart's money and federal funding to complete the improvements at no cost to local taxpayers.
- Administrator Nelson has contacted Marengo Disposal reference leaf vacuuming with a target date for the first week of October depending on when leaves fall.

CLERK'S REPORT - UPCOMING MEETING DATES

October 6	Planning & Zoning Commission Meeting POST TO CANCEL
October 13	Regular City Council Meeting POST TO CANCEL
October 20	Regular Events Committee Meeting, 5 p.m.
October 27	Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

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

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads: Reports as submitted.

Chief Kazy-Garey noted his written report in the folders and reported that Office Kohn has arranged with a class at the High School who have volunteered for a community service project to weed the downtown islands on Thursday, September 24th from 2:30 – 5 p.m.

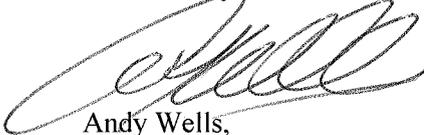
Community Development Director Santeler reported that the Garfield St. Water Main is 90% complete with the exception of the restoration of the right-of-way. Howard Street should be done in a couple of weeks; there was an issue with utility poles.

NO REPORTS

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

At 7:15 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

09/29/09
Date