

REGULAR CITY COUNCIL MEETING MINUTES

June 22, 2010 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order at 7:00 p.m. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. Also present were City Administrator Nelson, Supt. Public Works Kruckenberg, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 05/25/2010 - APPROVED

Moved by Perkins, seconded by Marzahl to approve the minutes of the Regular City Council Meeting of May 25, 2010, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

RESOLUTION IN RECOGNITION OF SKINNER'S AMUSEMENTS 100 YEARS IN BUSINESS

Mayor Nolan read the resolution in recognition of Skinner's Amusements, Inc. achievement of 100 Years in business. The resolution with the key to the City was presented to Pat Skinner.

ORDINANCE AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO MERRYMAN ANNEXATION AGREEMENT – TABLED TO NEXT MEETING

Mayor Nolan noted that the First Amendment to the Merryman Annexation Agreement has been postponed to the next meeting on July 27th, 2010.

HARVARD MOOSE LODGE REQUEST FOR VARIATION TO ALLOW OPEN BURN – DENIED

There was no one present from the Harvard Moose Lodge to present their request. Moved by Perkins, seconded by Leyden to deny the request. 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.

WATER AND SEWER COMMITTEE RECOMMENDATIONS

Chairman Marzahl reviewed the Water and Sewer Committee Meeting Minutes of June 8, 2010.

Water & Sewer Rates

The Committee discussed water and sewer rate increases and recommends to the City Council a 5% increase in the water and sewer rates effective August 1, 2010. Moved by Marzahl, seconded by Perkins to approve the Water and Sewer Committee recommendation as discussed. 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.

The Committee discussed the two commercial accounts that are sewer only users to be more in line with what customers who are on both water and sewer actually pay for sewer. The difference between what the City is currently charging and what is equitable is about \$100 a month. The Committee recommends to the City Council to establish a commercial rate for sewer only users at \$200 plus the \$12.50 maintenance fee per billing cycle, effective August 1, 2010. Moved by Marzahl, seconded by Adams to approve the Water and Sewer Committee recommendations as discussed. 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.

The Committee discussed the seven residential accounts that are sewer only users, four of which are out by Lawrence where the City pays the monthly costs to maintain the pumping station and recommends to the City Council to establish a private pumping station fee in the amount of \$100 plus the \$12.50 maintenance fee per billing cycle, effective August 1, 2010. Moved by Marzahl, seconded by Perkins to approve the Water and Sewer Committee recommendations to establish a private pumping station fee as discussed. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye.

City Clerk Wells noted that the three motions for water and sewer rate increases were incorporated into the draft ordinance which was assigned Ordinance No. 2010-110.

Capital Improvement Plan

The Committee reviewed the prioritized capital improvements for the Utility Dept., Sewer Improvements and Water Main Improvements. The consensus was for Administrator Nelson to work with Mayor Nolan and Chairman Marzahl to attach a dollar amount to each of the improvements and come up with a plan to divert some of the City's cash balances on a yearly basis from the water business to schedule improvements each year.

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 June 24, 2010, for property located at 18104 Oak Grove Rd., Harvard. The petitioner requests that a Conditional Use be granted to permit the existence of two single family residences on the subject property where only one is presently permitted to exist. There were no objections.

DARYL RANSOM, 1007 DEWEY ST., REQUEST TO CONSTRUCT PIER AT PARK POINTE

Daryl Ransom, 1007 Dewey St., Harvard, addressed the City Council with respect to his request to construct a small pier at Park Pointe. Alderman Logan clarified that that Daryl lives on the northeast corner of the pond which is all homes and was looking to install a small private pier. There is public access across the pond on a pier that was put in by the Boy Scouts. Some of the property owners along the pond purchased the 20' adjacent to their homes in 2001, but Daryl did not purchase his home until after that date and does not own the 20' from his property line to the pond. There are five or six other properties that do not own the property that abuts their home adjacent to the pond. Administrator Nelson noted that anything that is built would be required to meet with the appropriate building codes. Administrator Nelson further noted that the City's insurance company does not have any issues as long as the City does not construct the pier.

Moved by Marzahl, seconded by Logan to sell the property through a sealed bid process, at a minimum bid of \$150.00, plus all associated professional fees (attorney, survey, etc.). The City will notify all of the property owners that do not currently own the property that is adjacent to their homes along the pond that the City is selling the property through sealed bids. The pier must be constructed per the City building codes and that the land owner indemnify the City of any personal liability on the pier itself. At Mr. Ransom's inquiry, Attorney Arévalo clarified that you can own the land up to the point of the water, but not beyond where the water hits. 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. Administrator Nelson will look into the state notification requirements and will contact Mr. Ransom via e-mail as to details on professional fees and the timeline.

WAL-MART REQUEST FOR EXTENDED HOURS LIQUOR LICENSE - APPROVED

Moved by Logan, seconded by Opper to approve a Saturday and Sunday Extended Hours Liquor License to Wal-Mart Stores, Inc., Wal-Mart Supercenter #1211, 21101 McGuire Rd., Harvard. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye and Adams, aye. Motion approved eight to zero.

CONSENT AGENDA:

- VFW Post #8249 Buddy Poppy Program Fri., July 2nd and Sat., July 3rd, 2010

Moved by Logan, seconded by Ulmer to approve the Consent Agenda. 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 list in the amount of \$315,397.23. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye and Logan, aye. Motion approved eight to zero.

MAYOR'S REPORT

Mayor Nolan noted the Northwest Herald articles on the City's efforts to bring Navistar to the Midwest Corporate Campus.

ADMINISTRATOR'S REPORT

City Administrator Nelson noted that as part of budget cutting, Building Department hours will be reduced to free up time for Code Enforcement. Effective Tues., June 25th, 2010, the new office hours will be Mon., Tues., Thurs., and Friday from 7 am – noon and on Wednesday from noon – 5 p.m. or by appointment.

CLERK'S REPORT - UPCOMING MEETING DATES

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

NO REPORTS

City Attorney Arévalo, Treasurer Meseck, Aldermen Leyden, Marzahl, Ulmer, Szczap, Adams, Perkins and Opper had no specific report.

DEPARTMENT HEADS REPORTS

SEC Group, Inc., an HR Green Company and Dept. Heads: Reports as submitted.

Supt. Public Works Kruckenbergs noted there is a lot of storm damage and that the Public Works Dept. is picking up brush, concentrating on the southeast section of town which was hit the hardest. This will also include the regular brush pick-up, so there will not be additional brush pick-up in July.

At 7:25 p.m., moved by Perkins, seconded by Adams 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

06/25/10
Date