

REGULAR CITY COUNCIL MEETING MINUTES
February 22, 2011 - 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, Musgrove, Adams, Logan, Perkins and Opper. Also present were Treasurer Meseck, City Administrator Nelson, Community Development Director Santeler, Police Chief Kazy-Garey, Supt. Public Works Kruckenberg, Supt. Utilities Grant and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 01/25/2011 - APPROVED

Moved by Marzahl, seconded by Logan to approve the minutes of the Regular City Council Meeting of January 25, 2011, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

RECAPTURE AGREEMENTS FOR DAN HERELEY – ORD 2011-103 AND 2011-104 APPROVED

Moved by Perkins, seconded by Ulmer to approve the following ordinances, subject to the verification of the PIN's identified in each ordinance, for a recapture agreement with Daniel Hereley for property on either side of Hereley Rd., east of Marengo Rd. and for property on the south side of Hereley Drive across from Crosby Elementary School, west of Marengo Rd.:

1. Ord. 2011-103, An Ordinance Approving a Recapture Agreement for Daniel Hereley for PIN Number 06-02-401-026 and 06-02-451-012
2. Ord. 2011-104, An Ordinance Approving a Recapture Agreement for Daniel Hereley for PIN Number 06-02-300-004 (part of)

Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye and Opper, aye. Ordinance 2011-103 and 2011-104 approved eight to zero.

DISTRICT 50 REQUEST TO REVERT HART ST FROM RTE 173 TO UNIVERSITY BACK TO A TWO-WAY STREET – ORD 2011-105 APPROVED

The City Council reviewed Harvard CUSD 50's request to revert Hart St. from Route 173 to University St. back to a two-way street since Central School is no longer used as a school and they don't have traffic congestion in the area. Chief Kazy-Garey had no objections. Moved by Perkins, seconded by Opper to approve Ordinance 2011-105, Amending Section 15.08, One Way Streets to remove Hart St. from Route 173 to University St. from the listing of one-way streets. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2011-105 approved eight to zero.

RESOLUTIONS HARVARD MILK DAYS 2011 - APPROVED

Moved by Logan, seconded by Perkins to approve the following resolutions:

1. Declaring the 70th Harvard Milk Days, June 3rd – 5th, 2011, a Legal Holiday.
2. Close Route 173 between Jefferson & Division Street for the Milk Days Parade on June 4th, 2011.

Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

RESIGNATION OF CRYSTAL MUSGROVE FROM EVENTS COMMITTEE – APPROVED

Moved by Marzahl, seconded by Adams to approve Crystal Musgrove's resignation from the Events Committee with regrets. Aldermen voting aye: Leyden, Marzahl, Ulmer, Adams, Logan, Perkins and Opper. Alderman Musgrove abstained. All ayes. Motion carried.

RELINQUISH TOBACCO LICENSE/PANKAJ PATEL, KRUNAL PETROLEUM, INC. D/B/A HARVARD MARATHON, 360 S. DIVISION ST. - APPROVED

Mayor Nolan stated that the business owner has submitted a letter to relinquish the liquor license subject to

successful closing with and approval of a Tobacco License issued to Combined Oil Co., d/b/a Harvard Marathon. Moved by Logan, seconded by Opper to approve the relinquishment of the Tobacco License for Pankaj Patel, Krunal Petroleum, Inc. d/b/a Harvard Marathon, 360 S. Division St., pending the Mayor's approval. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

TOBACCO LICENSE/JAY AHMED, COMBINED OIL CO., D/B/A HARVARD MARATHON, 360 S. DIVISION ST. - APPROVED

Moved by Perkins, seconded by Opper to issue a Tobacco License to Jay Ahmed, Combined Oil Co., d/b/a Harvard Marathon, 360 S. Division St., pending the Mayor's approval. Roll call vote: Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

TOBACCO LICENSE/KRUNAL PATEL/BABLI & PRIYA CORP., D/B/A TOBACCO SHOP, 343 S. DIVISION ST. - APPROVED

Moved by Logan, seconded by Adams to issue a Tobacco License to Krunal Patel, Babli & Priya Corp., d/b/a Tobacco Shop, 343 S. Division St. Roll call vote: Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

PURCHASE ORDER SQUAD CARS – APPROVED

At Alderman Logan's inquiry, City Administrator Nelson clarified that the expenditure will be from the 2011/2012 Budget. Moved by Perkins, seconded by Logan to approve the purchase of (2) 2011 Chevy Impala Marked Squad Cars/Police Package in the amount of \$38,562.66 from Green Chevrolet & Dodge. Administrator Nelson noted that the City received a bid from Harvard Chevy which was about \$4,000 higher. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Musgrove, aye. Motion approved eight to zero.

WRITE & APPLY FOR ILLINOIS CRIMINAL JUSTICE INFO AUTHORITY LAW ENFORCEMENT VEHICLE GRANT - APPROVED

Moved by Ulmer, seconded by Marzahl to authorize Chief Kazy-Garey to write and apply for an Illinois Criminal Justice Information Authority Law Enforcement Vehicle Grant. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Perkins and Opper. All ayes. Motion carried.

LETTER OF CREDIT/HARVARD STATE BANK \$1,050,000 - APPROVED

Moved by Perkins, seconded by Opper to authorize the Mayor and City Clerk to execute the Line of Credit with Harvard State Bank in the amount of \$1,050,000. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye and Adams, aye. Motion approved eight to zero.

FINAL RELEASE & ASSIGNMENT OF CLAIM – APPROVED

Mayor Nolan and Administrator Nelson reported that the payment of \$169,637.26 reflects about 75% of what was sought from the Bond Safeguard Insurance Co., but the payment will be sufficient to make the improvements that need to be done in the subdivision. Moved by Marzahl, seconded by Opper to authorize the Mayor and City Clerk to execute the Final Release and Assignment of Claim with respect to Montalbano Builders, Inc. /Huntington Ridge, Phase I. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye and Logan, aye. Motion approved eight to zero.

ENGAGEMENT LETTER/BERNARDI SECURITIES, INC. - APPROVED

Administrator Nelson reported that the City has the opportunity to save money in the water fund by refinancing some of the water/sewer bonds and to save the taxpayers a small amount of money by refinancing the recreation and library bonds. Over the nine years that are left on the bonds, savings to the taxpayers for the library and pool bond is estimated at \$4/year but over the life of the bond the savings is \$125,000 and savings on the water bond is estimated at \$76,000. Because the City Council only meets once a month, the engagement letter allows the Mayor to proceed to sign the ordinance provided that the savings come in at more than \$100,000. Moved by Logan, seconded by Marzahl to authorize the Mayor and City Clerk to execute the engagement letter with Bernardi Securities, Inc. to structure and underwrite bonds on

behalf of the City of Harvard for the purpose of refunding the “City’s outstanding General Obligation Library Bonds, Series 1999; General Obligation Recreation Bonds, Series 1999 and the City’s remaining General Obligation Bonds, Series 2000, inserting the figure of \$100,000 in the blank which reflects the amount of savings necessary to proceed. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye and Perkins, aye. Motion approved eight to zero.

ORDINANCE AUTHORIZING THE ISSUANCE OF: (A) GENERAL OBLIGATION WATERWORKS AND SEWERAGE REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2011A AND (B) GENERAL OBLIGATION REFUNDING BONDSK SERIES 2011B – ORD 2011-106 APPROVED

Moved by Perkins, seconded by Opper to authorize the Mayor and City Clerk to sign Ordinance 2011-106, An Ordinance Authorizing the Issuance of: (A) General Obligation Waterworks and Sewerage Refunding Bonds (Alternate Revenue Source), Series 2011A; and (B) General Obligation Refunding Bonds, Series 2011B, of the City of Harvard, McHenry County, Illinois, Providing the Details of Such Bonds and for, as Applicable, an Alternate Revenue Source and the Levies of Direct Annual Taxes Sufficient to Pay the Principal of and Interest on Such Bonds, and Related Matters, upon the Mayor’s authority of saving more than \$100,000. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye and Opper, aye. Ordinance 2011-106 approved eight to zero.

AMEND SECTION 25.06, LIQUOR LICENSE CLASSIFICATIONS; FEES – ORD. 2011-107 APPROVED

City Clerk Wells referred to his memo in the aldermen’s folders with respect to amending Section 25.06, Liquor License Classifications, Fees to add a classification for a special permit for not-for-profit organizations, basically running beer tents. Moved by Logan, seconded by Marzahl to approve Ordinance 2011-107, Amending Section 25.06 to add language for a Special Permit (Not-For-Profit). Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Adams, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2011-107 approved eight to zero.

CONSENT AGENDA:

- Sanction Mayor’s Approval Belvidere/Boone Co. Food Pantry Raffle Request, Feb 1st – 12th, 2011
- Harvard Boys League Raffle Request March 2nd – July 16th, 2011
- Women For Harvard Peanut Days, May 6th & 7th, 2011 (rain dates May 20th, 21st)

Moved by Perkins, seconded by Logan to approve the Consent Agenda as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. MARZAHL

Alderman Marzahl commended Supt. Kruckenberg and the Public Works Dept. for an excellent job in snow removal during the blizzard.

ALD. MUSGROVE

Alderman Musgrove noted the upcoming Chamber EXPO on April 2nd from 10 a.m. – 4 p.m. Volunteers are needed to work the booth which will be for both the City and rodeo; any alderman able to help out should contact either Crystal or the Mayor.

ALD. ULMER

At Alderman Ulmer’s inquiry, the Mayor noted that the Ayer St. fire is still under investigation, after which the lot will be cleaned up. Administrator Nelson also noted that the insurance companies have not made any payouts yet.

ALD. LOGAN - BILLS APPROVED

Moved by Adams, seconded by Opper to approve the bills list as presented in the amount of \$253,378.10. Roll call vote: Ulmer, aye; Musgrove, aye; Adams, aye; Logan, abstain; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved seven to zero with one abstention.

Chairman Logan called a Financial Workshop for Saturday, March 12, 2011, at 8 a.m. at City Hall to review the FY2011/2012 Budget.

ALD. OPPER – ZONING, PLANNING & ORDINANCE COMMITTEE MEETING

Alderman Opper called a Zoning, Planning & Ordinance Committee Meeting for Tuesday, March 1, 2011, at 6:30 p.m. in the City Council Chambers to review the McHenry Co. Stormwater Plan, towing fees and the outdoor recreational fire ordinance.

MAYOR'S REPORT

Mayor Nolan commended the Public Works Dept. for a job well done with snow removal during the blizzard.

ADMINISTRATOR'S REPORT

Administrator Nelson noted that the City of Harvard has submitted paperwork for federal disaster relief for expenses in associated with the 2011 blizzard. The total cost for the 5-6 day period was about \$50,000.

CLERK'S REPORT - UPCOMING MEETING DATES

March 1	Planning & Zoning Commission Meeting, 7 p.m. POST TO CANCEL Zoning, Planning & Ordinance Committee Meeting, 6:30 p.m.
March 8	Regular City Council Meeting, 7 p.m. POST TO CANCEL
March 12	Financial Workshop, 8 a.m.
March 15	Regular Events Committee Meeting, 5 p.m.
March 22	Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

Treasurer Meseck noted that the monthly treasurer's report for February, 2011 was in the packet.

NO REPORT

Aldermen Leyden, Ulmer, Adams and Perkins had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

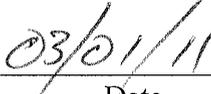
Mayor Nolan reported that in the future instead of having Smith Engineering as the City's single engineer, projects will be bid out to get the best price available for engineering costs.

Dept. Heads: Reports as submitted.

At 7:30 p.m., moved by Perkins, seconded by Logan to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Adams, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:


Andy Wells,
City Clerk


Date