

**REGULAR CITY COUNCIL MEETING MINUTES**  
**July 26, 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, Clarke, Logan, Perkins and Opper. Also present were Treasurer Szczap, Code Enforcement Officer Brennecka, Community Development Director Santeler, Police Chief Kazy-Garey, Supt. Public Works Supt. Kruckenberg, City Attorney Carlos Arévalo and members of the audience.

**AUDIENCE PARTICIPATION:**

At Roger Gilbert's inquiry, Mayor Nolan noted that he would have the City Council chambers cleaned.

**CITY COUNCIL MEETING MINUTES OF 06/28/2011 - APPROVED**

Moved by Logan, seconded by Perkins to approve the minutes of the Regular and Closed Session City Council Meeting of June 28, 2011, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**CLASS E LIQUOR LICENSE ORRIN KINNEY/330 FRONT ST. LLC - APPROVED**

At Mayor Nolan's inquiry, Chief Kazy-Garey stated he has no objections and recommended approval based upon the background check. Moved by Logan, seconded by Perkins to issue a Class E Liquor License for Orrin Kinney, 300 Front St. LLC, pending payment of the license fee and submittal of all paperwork including insurance and d/b/a. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins and Opper, aye. Motion approved eight to zero.

**TRINITY LUTHERAN CHURCH REQUEST TO BLOCK OFF GRANT ST JULY 31<sup>st</sup>, 2011 – APPROVED**

Moved by Perkins, seconded by Ulmer to approve Trinity Lutheran Church's request to block Grant St. from Route 173 to Blackman St. on Sunday, July 31<sup>st</sup>, 2011, from 1-4 p.m. for their annual Ice Cream Social. At Alderman Marzahl's recommendation, Chief Kazy-Garey will notify both the Harvard Fire Protection District and Hebron Rescue Squad who use that street enroute to the hospital. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Opper and Perkins. All ayes. Motion carried.

**MEYER MATERIAL CO. EXTENSION OF CONDITIONAL USE PERMIT – ORD. 2011-124 APPROVED**

Moved by Perkins, seconded by Marzahl to approve Meyer Material Co. request for an extension of their conditional use permit for property located on McGuire Rd. for a period of five years until January 6, 2017. Roll call vote: Marzahl, aye; Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2011-124 approved eight to zero.

**CHAMBER OF COMMERCE REQUEST/CIRCUS @ MILKY WAY PARK SEPT. 11<sup>th</sup>, 2011 - APPROVED**

Mayor Nolan reviewed the Chamber of Commerce's request to use Milky Way Park from Saturday, September 10<sup>th</sup> through Monday, September 12<sup>th</sup>, 2011, to host the Kelly-Miller Circus with a waiver of fees for park reservation, police service and water usage for the circus to hook to the fire hydrant and permission to post banners of event sponsors at the park. Moved by Logan, seconded by Perkins to approve the Chamber of Commerce's request, with a waiver of fees. Aldermen voting aye: Leyden, Marzahl, Ulmer, Logan, Clarke, Opper and Perkins. Alderman Musgrove abstained. All ayes. Motion carried.

**LION'S CLUB REQUEST FOR DISC GOLF TOURNAMENT AT LIONS PARK 08/06/11 - APPROVED**

Moved by Perkins, seconded by Marzahl to approve the Lion's Club request to host a Disc Golf Tournament at Lion's Park on August 6<sup>th</sup>, 2011. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Logan, Clarke, Opper and Perkins. All ayes. Motion carried.

**JO CARBONETTI LETTER OF RESIGNATION LIBRARY BOARD - APPROVED**

Moved by Marzahl, seconded by Logan to approve Jo Carbonetti's letter of resignation from the Library Board effective July 31<sup>st</sup>, 2011, with regrets. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**EVENTS COMM. RECOMMENDATION RE SIDEWALK SALE ON AUGUST 6<sup>th</sup>, 2011 - APPROVED**

Chairman Logan reviewed the minutes of the Events Committee Meeting of July 19<sup>th</sup>, 2011, pertaining to Tammy Herrera's request to organize a sidewalk sale on August 6<sup>th</sup>, 2011, during the hours of Farmer's Market from 9 a.m. – 1 p.m. The organizers have talked with the businesses on Ayer Street who are in favor of a sidewalk sale; businesses who cannot have merchandise on the sidewalk will have a coupon special to be used inside the store. They are not requesting that any streets be closed. The Events Committee recommends approval of a variation to allow a sidewalk sale with a waiver of the Outdoor Market Fees on Saturday, August 6<sup>th</sup>, 2011, from 9 a.m. – 1 p.m. Moved by Logan, seconded by Opper to approve the Events Committee's recommendation as submitted. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**RESOLUTION TO RELEASE CERTAIN CLOSED SESSION MINUTES INTO THE OPEN MINUTES BOOK - APPROVED**

Moved by Perkins, seconded by Ulmer to approve a resolution to release the following closed session minutes into the open minutes book of the City Clerk: May 25, 2010, March 16, 2011, April 26, 2011 and June 28, 2011. Roll call vote: Ulmer, aye; Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

**RESOLUTION AUTHORIZING ADMINISTRATOR NELSON AND LIBRARY STAFF TO WRITE MCHENRY CO. SENIOR SERVICES GRANT - APPROVED**

Moved by Logan, seconded by Marzahl to approve a resolution authorizing City Administrator Nelson and Harvard Diggins Library staff to write a grant to be submitted to the McHenry County Senior Services Grant Commission. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**ORDINANCE AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY – ORD. 2010-125 APPROVED**

Moved by Perkins, seconded by Leyden to approve Ordinance 2011-125, Authorizing the Sale of Personal Property Owned by the City of Harvard, with the final list to be approved by the Mayor and Public Property Committee Chairman Ulmer. Roll call vote: Musgrove, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Ordinance 2011-125 approved eight to zero.

**MCCOG AGREEMENT/LOCAL GOVERNMENT VEHICLE & EQUIPMENT AUCTION- APPROVED**

Moved by Perkins, seconded by Logan to authorize the Mayor to sign the McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement with the final list approved by Public Property Committee Chairman Ulmer. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Musgrove, aye. Motion approved eight to zero.

**CONSENT AGENDA:**

- Trinity Church, Pell Lake Raffle Request July 19<sup>th</sup> - September 3<sup>rd</sup>, 2011
- Presbyterian Church Raffle Request, August 20<sup>th</sup>, 2011
- Free Spirit Siberian Rescue Tag Days, August 27<sup>th</sup> & 28<sup>th</sup>, 2011
- Harvard High School Homecoming Parade, September 30<sup>th</sup>, 2011
- Harvard Jr. Tackle Raffle Request July 18<sup>th</sup> – November 6<sup>th</sup>, 2011
- Harvard Jr. Tackle Raffle Request Aug. 7<sup>th</sup>, 14<sup>th</sup>, & 21<sup>st</sup>, Sept 4<sup>th</sup> & 25<sup>th</sup> & Oct 2<sup>nd</sup>, 2011
- Harvard Jr. Tackle Raffle Request September 17<sup>th</sup> or 24<sup>th</sup>, 2011

Moved by Marzahl, seconded by Logan to approve the Consent Agenda, excluding the fee waiver for Trinity Church in Pell Lake. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

**COMMITTEE REPORTS**

**ALD. OPPER – ORDINANCE COMMITTEE MEETING**

Alderman Opper noted the Ordinance Committee Meeting for Tuesday, August 2<sup>nd</sup>, 2011, at 6:30 p.m. to discuss the liquor code and to review the fireworks ordinance.

**ALD. LOGAN - BILLS APPROVED**

Moved by Perkins, seconded by Opper to approve the revised bills list as presented in the amount of \$528,968.52. Roll call vote: Logan, abstain; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Musgrove, aye and Clarke, aye. Motion approved seven to zero, with one abstention.

Alderman Logan also noted that the Tri-County Pro Rodeo will be held on July 30-31 at Milky Way Park. Advance tickets are still available locally at City Hall, Chamber of Commerce, Chevy and Sullivan's Foods.

**ALD. CLARKE**

Alderman Clarke thanked Supt. Grant for the informative tour of the sewer plant and lift stations and Supt. Kruckenberg and Public Works Dept. for doing a nice job on clean up from the storm on July 11<sup>th</sup>

**MAYOR'S REPORT**

- The Mayor has a volunteer sign-up sheet for the rodeo if anyone would like to help out.
- Mayor Nolan updated the City Council on the status of union negotiations:
  - FOP will be going to arbitration
  - Teamster negotiation is not going well and another meeting has been scheduled for August 30<sup>th</sup>.
- Mayor Nolan thanked Supt. Kruckenberg and the Public Works Dept. for the storm clean up and noted there were a lot of trees down with several weeks' worth of branch pickup.

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

August 2	Ordinance Committee Meeting, 6:30 p.m.
	Planning & Zoning Commission Meeting, 7 p.m. POST TO CANCEL
August 9	Regular City Council Meeting, 7 p.m. POST TO CANCEL
August 16	Regular Events Committee Meeting, 5 p.m.
August 23	Regular City Council Meeting, 7 p.m.

**TREASURER'S REPORT**

Treasurer Szczap noted that the corrected bills list as noted by Alderman Logan and the monthly treasurer's report for July, 2011 were in the packet.

**NO REPORT**

City Atty. Arévalo and Aldermen Perkins, Musgrove, Ulmer, Marzahl and Leyden had no specific report.

**ENGINEERING & DEPARTMENT HEADS REPORTS**

Dept. Heads: Reports as submitted

Supt. Kruckenberg reported that Public Works will continue to work on storm damage cutting down trees and brush chipping for another week or two.

Community Development Director Santeler reported that the Ayer Street Bridge should be opened up in the next couple of weeks pending the completion of striping and landscaping. The Highway 14/Airport Rd./McGuire Rd. improvements are moving forward again with underground work for 2-3 weeks after which it will be paved and striped.

At 7:17 p.m., moved by Logan, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Musgrove, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,  
City Clerk

  
Date