

AGENDA
ADMINISTRATION COMMITTEE MEETING

201 W. DIGGINS ST.

January 10, 2024 – 6:30 pm

1. Roll Call
2. Public Comments
3. Sewer/Water Fee Increase
4. Park Deficit
5. Revolving Loan Policy Change
6. Turtle Crossing Funds Transfer to Revolving Loan Fund
7. Proposed Ordinance Amending Chapter 20, City Fees and Charges, to Create a New Subsection 20.09, Entitled Chartered Transportation Drop-Off License
8. New Business
9. Adjourn

City of Harvard Memo

To: Members of the Administration Committee

From: Debi Bejot

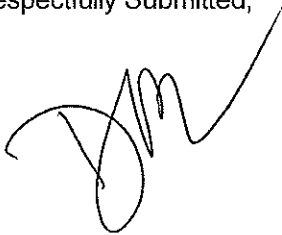
Date: 1/10/24

Re: Park Deficit Budget Amendment

Per Committee/Council approval, following is the budget amendment required to meet Auditor Recommendations in clearing the Park Fund Deficit:

GL Number	Description	Debit	Credit
01-00-11010	General Fund Cash		\$752,200
01-01-57000	Transfer Out	\$752,200	
04-00-11010	Park Fund Cash	\$752,200	
04-00-44820	Transfer In		\$752,200

Respectfully Submitted,



HOW THE FUND BALANCE IS DETERMINED

PARK/POOL FUND (04-00-11010)	(From Audit Balance Sheet)	
Assets:		
Cash and Investments	\$	-
Receivables:		
Property Tax	\$	263,179
Other	\$	1,000
Total Assets:	\$	264,179
Liabilities:		
Accrued Payroll	\$	2,017
Due to Other Funds	\$	882,772
Total Liabilities:	\$	884,789
Deferred Inflows of Resources:		+ -
Property Tax	\$	131,590
Total Liabilities & Inflows	\$	1,016,379
FUND BALANCE:	\$	(752,200)

LEDGER FUNDS – ON PAPER



“GENERAL” CHECKING ACCOUNT – HARVARD STATE BANK – ACTUAL CASH
 (Includes General, Library, Parks, FICA, IMRF, Insurance & Special Rec Funds)

GL POSTING TO SUBSIDIZE PARK DEFICIT - PER AUDITOR RECOMMENDATION APRIL 30, 2023

GL Number	Description	DR	CR
01-00-11010	General Fund Cash		752,200
01-01-57000	Transfer Out	752,200	
04-00-11010	Park Fund Cash	752,200	
04-00-44820	Transfer In		752,200



Note: Actual cash balance remains the same, however...
 General Fund Balance is reduced (less to work with).

AUDIT RECOMMENDATIONS

FUNDS WITH DEFICIT FUND BALANCE

Comment:

Previously and during our current year-end audit procedures, we noted funds had a deficit fund balance. See the following fund and the April 30, 2022 fund balance compared to the April 30, 2023 fund balance:

<u>Fund</u>	<u>4/30/22</u>	<u>4/30/23</u>
Park	\$ (770,586)	\$ (752,200)

Recommendation:

We recommend the City investigate the causes of the deficit and adopt appropriate future funding measures.

General Fund Subsidizes:

- Building/Grounds Maintenance (City Hall/PD/Downtown)
- Engineering Fees
- Postage/Copies
- Service Agreements (IT Services)
- Telephones
- All Insurance policies (other than employee insurance)
- SOCIAL SECURITY AND PENSIONS

(Projected 24/25 total = \$1.6)

This Year:

- Park Maintenance Salary

City of Harvard Memo

To: Members of the Administration Committee
From: Debi Bejot
Date: 01/10/2024
Re: Turtle Crossing Money Market Account

The Turtle Crossing Money Market bank account was established at the time of the TC Development project, from funds paid by the original Developer. As we know, the Developer went bankrupt and the subdivision development slowed significantly. The funds have remained in this checking account for numerous years, as they are reserved to be applied toward this subdivision.

Over the years, periodic development has been taking place by individual lot owners or small builders. These builders are responsible for the subdivision improvements (sidewalk, curb cut, etc.) for each of their respective lots. Therefore, up until this point, TC funds have not been needed to make the subdivision improvements.

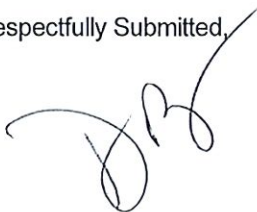
Because the original funding of this account was earmarked for the TC Subdivision, these original funds should remain in the account for possible further improvements to the area. However, since the original dissolution of the development, the account has accumulated quite a bit of interest through the management of the funds by City Staff. Following is a breakdown of the interest earned by the fund over the past 14 years:

- Final Balance of Fund upon Developer Bankruptcy: \$216,363.58 (2011)
- CD Opened June, 2011 in the above amount – interest earned = \$8,489.23
- CD funds moved to a Money Market account in May, 2013 in the amount of \$224,849.81
- Since MM inception to date (December 2023), interest earned = \$41,742.94
- Current TC MM balance = \$266,592.75

It is proposed that at this time, the accumulated interest be re-allocated back into the community, by being used to fund the start-up of the Revolving Loan Interior Improvements (also for consideration at Jan 10 meeting).

If approved, the amount of \$50,232 can be manually transferred from the TC MM account to the Revolving Loan account, and RL interior project can begin. Current Revolving Loan Account balance (as of December 2023) is \$169,269.42. A transfer would bring this total to \$219,401.42.

Respectfully Submitted,



ORDINANCE NO. _____

An Ordinance Amending Chapter 20, City Fees and Charges to create a New Subsection 20.09 Entitled Chartered Transportation Drop-Off License for the Harvard Municipal Code

BE IT ORDAINED by the Mayor and City Council of the City of Harvard, McHenry County, Illinois, as follows:

WHEREAS, the immigration crisis in the United States involving a large influx of refugees and immigrants without family, jobs, housing or other resources has placed a significant demand on the resources needed to support these individuals in the communities in which they have arrived;

WHEREAS, some bus services have been retained to drop off large numbers of these individuals – including children – without warning at unpredictable hours and in all weather conditions in a manner that leaves the individuals exposed to great risks, and the communities in which they arrive unprepared to assist them adequately.

WHEREAS, the City of Harvard cannot safely and effectively address a sudden and unexpected arrival of large volumes of individuals in need of assistance; and

WHEREAS, the City of Harvard has confirmed that it is in the best interest of the health, safety and welfare of the City of Harvard and its residents to coordinate the arrival of any large influx of refugees or immigrants, rather than responding on an emergency basis to unexpected drop-offs at all hours of the day or night and in all weather conditions.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Harvard, McHenry County, Illinois, as follows:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: Chapter 20, *City Fees and Charges*, shall be amended to create a new Section 20.09 entitled, *Chartered Transportation Drop-Off License*, that shall provide as follows:

20.09 CHARTER TRANSPORTATION DROP-OFF LICENSE:

A. Applicability.

This Section 20.09 applies to each person engaged in the operation of a Commercial Motor Vehicle which results in the disembarking of six (6) or more passengers in the City other than on a predictable and recurring basis, that does not follow a schedule that is published in advance and available to the public, or does not provide service open to the public in exchange for paying a fare (a “Drop Off Commercial Motor Vehicle”).

“Commercial Motor Vehicle” as used in this Section 20.09 means a self-propelled vehicle of any make, model or size, used on public streets, highways and/or property, in interstate and intrastate

commerce, to transport six (6) or more passengers. This Section 20.09 does not apply to school bus service or other bus services providing local services to educational institutions, nor shall it apply to the disembarking of passengers arriving in the City for purposes of participating in a City sponsored event, a commercial undertaking at a City business or businesses, or a private event sponsored by an individual or individuals such as a wedding or party for which transportation has been arranged. The intent of this Section 20.09 is to protect the health, safety, and welfare of the City and its residents by ensuring that when large numbers of individuals are dropped off in the City without housing or other resources, that the City is prepared to respond to such influx of a population in need of housing or other services.

B. Requirement to Coordinate Drop-Offs with the City Administrator.

(1) Application to Coordinate Drop-off Required. The owner, operator, or driver of any Drop Off Commercial Motor Vehicle shall file an application with the City Administrator. The completed application shall contain all required information set forth in subsection B(2) herein and shall be submitted at least (5) calendar days prior to the date of the proposed disembarking date.

(2) Information Required in Application to Coordinate Drop-Off. The City Administrator or designee shall prepare an application form which shall, at a minimum, require the following information:

(a) The full name, full address, and land-line and mobile telephone numbers of the owner, operator, and driver of the Drop Off Commercial Motor Vehicle.

(b) The full name, full address, mobile and land-line telephone numbers of the entity or individuals that have either directed, paid for, or financed the transport of persons who will disembark in the City.

(c) The name, address, or location in the City in which the applicant proposes to allow passengers to disembark.

(d) The date and time at which the applicant's passengers will disembark in the City which shall only be from 7:00 a.m. to 4:00 p.m. on a Monday through Friday, excluding any federal, state, or City holidays.

(e) The name and address of all locations from which all the passengers are being picked up for transport to the city.

(f) Applicants are required to provide a detailed plan identifying how the disembarking passengers will be cared for, housed and fed, either temporarily or permanently, upon disembarking in the City. Such application shall include the full names, full addresses, and landline and mobile telephone numbers of all persons who will be present at the date and time of the disembarking and responsible for the care, housing and feeding of the passengers.

(g) Any additional information the City Administrator may require, provided that such information is related to the intent of this Section as described herein.

(3) Review of Application to Coordinate Drop-Off.

(a) Subject to the provisions of subsection (3)(b) below, upon receipt of an application pursuant to this Section, the City Administrator shall verify its truth and authenticity. If the application is not complete, the City Administrator shall, in writing, advise the applicant of the additional items needed to complete the application. Within four (4) calendar days after receiving a completed application, the City Administrator shall inform the applicant that the application is approved for the stated location, date and time, unless the City Administrator has received bona fide information that the application contains materially false information or unless the City Administrator proposes an alternative date, time or location pursuant to subsection (3)(b) below.

(b) The City Administrator may propose an alternative date and time if the City Administrator finds that the interests of the health, safety and welfare of the City may be compromised by the originally proposed location, date and time, provided that such alternative location, date and time shall not be more than 24 hours before or after the proposed date and time. The City Administrator may also produce as a alternative location for any drop-off, the train station closest to the City to ensure that any individuals dropped off by the bus have ready access to alternative means of transportation. Any applicant who does not accept a proposed alternative date, time or location may appeal the decision to the City Council.

(c) Upon approval of an application, the City Administrator shall provide the applicant, or a person designated thereby, with a written one-time permit at no cost and with a telephone number to coordinate the arrival of the motor vehicle in the City.

(d) If the City Administrator denies an application made under this Section 20.09, the City Administrator shall reduce his or her findings to writing and transmit the same to the applicant within five (5) calendar days. The applicant may submit a new application or may appeal the decision to the City Council.

(e) Disqualification. The City Administrator shall not approve an application from any person who has supplied materially false or misleading information in connection with an application made under this article.

C. Penalty.

Any person, corporation, firm, or partnership found guilty of violating any provision of this Section shall be fined \$750 per individual passenger that disembarks from a Drop Off Commercial Motor Vehicle in violation of this Section and be responsible for the City's cost of prosecution, including reasonable attorney fees. Each day that a violation continues shall be considered a separate offense.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment

shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect ten days after its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye:

Voting Nay:

Abstain:

Absent:

APPROVED:

Mayor Michael P. Kelly

(SEAL)

ATTEST: _____
City Clerk Lori Moller

Passed: _____

Approved: _____

Published: _____

CERTIFICATION

I, LORI MOLLER, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Harvard, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Harvard.

I do further certify that at a regular meeting of the Mayor and City Council of the City of Harvard, held on the ____ day of _____, 2024 the foregoing Ordinance entitled, *An Ordinance Amending Chapter 20, Licenses and Permits to create a New Subsection 20.09 Entitled Chartered Transportation Drop-Off License for the Harvard Municipal Code* was duly passed by the Mayor and City Council of the City of Harvard.

The pamphlet form of Ordinance No. _____, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the City Hall, commencing on the _____ day of _____, 2024, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the City of Harvard, this__ day of _____, 2024.

Lori Moller, City Clerk
City of Harvard,
McHenry County, Illinois

(SEAL)