

REGULAR CITY COUNCIL MEETING MINUTES

November 28, 2023 - 7:00 PM

Mayor Kelly called the Regular City Council Meeting to order and led the pledge to the flag at 7:00 pm. City Clerk Moller called roll to establish a quorum. Aldermen present: Haderlein, Schulz, Lavallee, Carncross, Lancaster, Gorman, Perkins and Luna. Also present: City Administrator Leone, Treasurer/Finance Director Bejot, Chief Bauman, Deputy Chief Sacco, Community Development Director Day, Supt. Public Works Lamz, Supt. Utilities Grant, City Attorney Brandy Quance and members of the audience.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES - APPROVED

A motion was made by Alderman Schulz, seconded by Alderman Carncross to approve the Community & Economic Development Committee Meeting Minutes of November 15, 2023, as presented. Roll call vote: Schulz, aye; Carncross, aye; Lancaster, aye and Luna, aye. Motion approved four to zero.

ADMINISTRATION COMMITTEE MEETING MINUTES - APPROVED

A motion was made by Alderwoman Haderlein, seconded by Alderman Gorman to approve the Administration Committee Meeting Minutes of November 20, 2023, as presented. Roll call vote: Carncross, aye; Gorman, aye; Perkins, aye and Haderlein, aye. Motion approved four to zero.

CONSENT AGENDA - APPROVED

The items under the Consent Agenda are acted upon in a single motion. There is no separate discussion of these items prior to the Council vote unless a Council Member requests that an item be removed from the Consent Agenda for separate action.

- a. Regular City Council Meeting Minutes of October 24, 2023
- b. Special City Council Meeting Minutes of October 27 & 28, 2023
- c. Administration Committee Meeting Minutes of November 20, 2023
- d. Community & Economic Development Committee meeting of November 15, 2023
- e. Park Board Meeting Minutes of October 16, 2023
- f. Administrators Report
- g. Building & Grounds Report
- h. Community Development Department Report
- i. Harvard Diggins Library Directors Report
- j. Parks & Recreation Report
- k. Police Department Report
- l. Public Works Department Report
- m. Utilities Department Report
- n. Resolution Establishing Regular City Council Meeting Dates for Calendar Year 2024

A motion was made by Alderwoman Haderlein, seconded by Alderman Schulz to approve the Consent Agenda, Items #6a-n as presented. Roll call vote: Lavallee, aye; Carncross, aye; Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye and Schulz, aye. Motion approved eight to zero.

INDIVIDUAL ACTION CONSENT AGENDA ITEMS

None

PAYMENT OF BILLS - APPROVED

A motion was made by Alderwoman Haderlein, seconded by Alderman Gorman to approve payment of the bills in the amount of \$3,105,792.85. Roll call vote: Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye and Carncross, aye. Motion approved eight to zero.

FOP EQUIPMENT DONATION - APPROVED

A motion was made by Alderman Perkins, seconded by Alderman Carncross to accept the Fraternal Order of Police donation of three ballistic shields to the City of Harvard. Roll call vote: Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye and Lancaster, aye. Motion approved eight to zero.

AWARD PROPERTY AND LIABILITY INSURANCE 12/2/2023 - 12/01/2024- APPROVED

City Administrator Leone summarized the two options for the City's 23/24 Liability Insurance and recommends Glatfelter Public Entities which is more expensive but has better cyber coverage. Both options show an increase in property coverage which was caused by the increased value of the new wastewater treatment plant. A motion was made by Alderman Schulz, seconded by Alderman Carncross to award the property and liability insurance coverage to Glatfelter Public Entities/Broker Presidio Group with an annual premium of \$149,831.00 and to authorize the execution of all necessary documents; the policy term is from 12/1/23 – 11/30/24. Staff is working with the City's broker to have a new policy ready for May 1st which would align the insurance expense to the fiscal budget cycle, at which time the policy with Glatfelter would be cancelled. At Alderwoman Luna's inquiry, City Administrator Leone will inquire who the policy underwriter is. Roll call vote: Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye; Lancaster, aye and Gorman, aye. Motion approved eight to zero.

PFAS WATER SUPPLY ACTION LAWSUIT - APPROVED

A motion was made by Alderman Perkins, seconded by Alderman Carncross to sanction the City's authorization directing the City Attorney and Sher Edling, LLP to opt the City out of the PFAS Settlement Agreements. At Alderwoman Haderlein's inquiry, Attorney Quance gave an overview of the City's withdrawal from the PFAS Water Supply Action Lawsuit. The current lawsuit is only for water supply and one of the issues identified by Sher Edling is that there are also sewer issues. There is concern that if the City were to take the current settlement, they might not be able to participate in anything for the sewer and limited in what could be collected. Sher Edling considers that the sewer is possibly going to be a bigger deal. Roll call vote: Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye; Lancaster, aye; Gorman, aye and Perkins, aye. Motion approved eight to zero.

**COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDATION
INDUCEMENT RESOLUTION 205 W. FRONT ST. - APPROVED**

A motion was made by Alderman Schulz, seconded by Alderman Carncross to approve the Committee's recommendation to adopt the Inducement Resolution for property located at 205 W. Front St. (former police station). Mayor Kelly explained that the owners of the property are seeking to redevelop the property and are considering asking the City to create a TIF for this piece of property. There are a lot of steps involved to create a TIF, including City Council approval and public hearings. Creating the resolution would allow the property owners to start tracking all the eligible expenses that would be qualified to be paid for through the TIF, so if the TIF is eventually approved, the owner can apply those expenses towards the TIF. In response to Alderman Perkins' inquiry, Luis Castenada, Castcarr LLC, said they put together a performa to lay out what the project would look like. The building will have 24 units, 1 & 2 bedrooms, (3 levels with 8 units on each level). Alderman Perkins said he spoke with the City Administrator outlining his concerns and to ensure everything is ADA compliant with elevators for first responders and public safety. Roll call vote: Haderlein, aye; Schulz, aye and Lavallee, aye; Carncross, aye; Lancaster, aye; Gorman, aye; Perkins, no and Luna, aye. Resolution approved seven to one.

PROPOSED TAX LEVY - ORD. 2023-132 APPROVED

A motion was made by Alderman Carncross, seconded by Alderman Perkins to adopt the proposed Tax Levy Ordinance pursuant to the Administration Committee's recommendation. In response to Alderman Lavallee's inquiry, Mayor Kelly related that the tax levy reflects a 5% increase. Roll call vote: Schulz, aye; Lavallee, aye; Carncross, aye; Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye and Haderlein, aye. Ordinance 2023-132 approved eight to zero.

TAX LEVY ABATEMENT – ORD. 2023-133 APPROVED

The abatement is meant for those revenue bonds issued for the water system, police pension liability and TIF District. Pledged revenues are sufficient to pay for the principal and interest. A motion was made by Alderman Perkins, seconded by Alderman Carncross to adopt the proposed ordinance, Abating a Portion of Taxes Levied to Pay Principal of and Interest on Certain General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012B, (and Harvard Industrial Park Incremental Taxes) and General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016A and General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B and General Obligation Bonds (Alternate Revenue Source), Series 2020A and General Obligation Bonds (Alternate Revenue Source), Series 2020B and Taxable General

Obligation Bonds (Alternate Revenue Source), Series 2022A of the City of Harvard. Roll call vote: Lavallee, aye; Carncross, aye; Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye and Schulz, aye. Ordinance 2023-133 approved eight to zero.

ADMINISTRATION COMMITTEE RECOMMENDATION – MCHENRY COUNTY NATURAL HAZARD MITIGATION PLAN & CONTINUATION OF PLANNING COMMITTEE - APPROVED

A motion was made by Alderwoman Haderlein, seconded by Alderman Schulz to approve the Committee’s recommendation to adopt the proposed ordinance adopting the 2023 McHenry County Natural Hazard Mitigation Plan and Continuation of the Hazards Mitigation Planning Committee. Roll call vote: Carncross, aye; Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye and Lavallee, aye. Resolution approved eight to zero.

ADMINISTRATION COMMITTEE RECOMMENDATION – DISSOLVE DOWNTOWN TIF ORDINANCE 2023-134 APPROVED

A motion was made by Alderman Perkins, seconded by Alderwoman Lancaster to adopt the proposed ordinance Dissolving the Special Tax Allocation Fund for the Redevelopment Project Area and Terminating the Designation of the Redevelopment Project Area as a Redevelopment Project Area (Downtown TIF #1). Alderman Schulz commented there was some discussion a couple years ago that the Arrowhead Industrial Park TIF group wanted to extend their TIF which ends in 2029. Mayor Kelly related that they mentioned it but have not made any formal application to do so. Roll call vote: Lancaster, aye; Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye and Carncross, aye. Ordinance 2023-134 approved eight to zero.

ADMINISTRATION COMMITTEE RECOMMENDATION SURPLUS PROPERTY DECLARATION – ORD. 2023-135 APPROVED

A motion was made by Alderman Perkins, seconded by Alderwoman Haderlein to approve the Committee’s recommendation to adopt the proposed ordinance Declaring Surplus Property. The surplus property listing includes stone trash receptacles, a NAPA lift, fencing, a Berlong Strong Bucket SKL-84 and a 2007 Ford F-150. Roll call vote: Gorman, aye; Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye and Lancaster, aye. Ordinance 2023-135 approved eight to zero.

ADMINISTRATION COMMITTEE RECOMMENDATION AMEND SECTION 19.15, DRIVEWAYS AND PRIVATE PARKING LOTS – ORD. 2023-136 APPROVED

A motion was made by Alderwoman Haderlein, seconded by Alderwoman Luna to approve the Committee’s recommendation to adopt an ordinance Amending Section 19.15.B.4, Driveways and Parking Area Requirements and Section 19.15.F.1.d, Design and Maintenance - Parking Spaces. At Alderman Perkins’ inquiry, Alderman Carncross and Alderwoman Haderlein clarified the parameters of the ordinance which require driveway expansions to be installed on the opposite side of the principal use unless circumstances don’t allow for it. Roll call vote: Perkins, aye; Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye; Lancaster; aye and Gorman, aye. Ordinance 2023-136 approved eight to zero.

ADMINISTRATION COMMITTEE RECOMMENDATION ADD SECTION 3.07.D, PAID LEAVE RIGHTS – ORD. 2023-137 APPROVED

A motion was made by Alderman Perkins, seconded by Alderman Carncross to approve the Committee’s recommendation to adopt an ordinance adding Section 3.07.D, Paid Leave Rights. Roll call vote: Luna, aye; Haderlein, aye; Schulz, aye; Lavallee, aye; Carncross, aye; Lancaster; aye; Gorman, aye and Perkins, aye. Ordinance 2023-137 approved eight to zero.

DEPT. HEADS REPORT

Written reports as submitted.

Police Chief Tyson Bauman

- Officer Vialpando has been released from field training and is on sole patrol as of tonight.
- Sgt. Spielman’s leave has been extended 10 days with a follow-up appointment on December 19th.

Parks & Rec Supt. Ryan Knop

Supt. Knop reviewed the upcoming Christmas in Harvard events on December 2nd. The Conchas and Cocoa event will be held on December 9th at City Hall.

Public Works Supt. Rob Lamz

- Ayer St. Streetscape is progressing slowly due to weather; the contractor is cutting crosswalks.
- As noted in his report, the Public Works crew completed concrete pours in numerous locations and additional funding has been procured for the Diggins St. project. When it warms up, the dog park will be completed.
- Public Works is ready for winter and the trucks went out this weekend.

Code Enforcement Officer Anne Nutley

Anne signed the paperwork for Attorney Clifton to move forward for the City to take possession of the abandoned vacant house at 307 Grant St.

Utilities Supt. Jim Grant

- There have been a few issues at the WWTP which are being resolved and under warranty.
- The guys are getting used to operating the plant and the lab continues to see historical low limits.
- So far, so good with Well #9.

Community & Economic Development Director Donovan Day

- 12 homes are currently under construction. 2 permits have been received from Habitat for Humanity for Autumn Glen. The internal review is complete; the City engineer completed the first round of reviews and their comments have been sent to the developer for corrections.
- 5 commercial buildings are under construction and/or being renovated.
- Staff will follow up with Dunkin corporate on the interior buildout plans.
- The new permitting, code enforcement and contractor licensing software will be going live.
- B & F Construction brought on another plumbing inspector so the City will be able to provide inspections 5 days a week instead of 3.
- Donovan will reach out to Naturally McHenry County to setup a meeting regarding the software they will be providing.

ALDERMAN SCHULZ

Alderman Schulz thanked Supt. Knop for helping to organize the Christmas in Harvard Events and Supt. Lamz for a great job with the Ayer St. main break.

ALDERWOMAN HADERLEIN

- The next Administration Committee Meeting is scheduled for January 10, 2024, at 6:30 pm.
- Alderwoman Haderlein inquired about the Tree Board membership and indicated there are significant grant funds available through the Morton Arboretum with a deadline of March 1st; all of Chemung Township is eligible for funds for tree planting, tree surveys, etc. that don't require any match up to \$150,000. Mayor Kelly plans on contacting several members of the community in December to get the board set.

TREASURER'S REPORT

Report as submitted.

ADMINISTRATOR'S REPORT

- City Administrator Leone said he received notification from IDOT for the all-day Paser Training that he and Rob will attend.
- Holiday music is now playing downtown.

NO REPORT

Aldermen Carncross, Lavallee, Luna, Perkins, Gorman and Lancaster and City Attorney Clifton had no additional report.

CLERK'S REPORT – UPCOMING MEETING DATES

December 5 Planning & Zoning Commission Meeting, 7 pm
December 11 Park Board Meeting, 6 pm
December 12 City Council Meeting, 7 pm
January 10 Administration Committee Meeting, 6:30 pm

MAYOR'S REPORT

Mayor Kelly thanked City Staff and each of the departments for all the work they have been doing. He further thanked the City Council for their attentiveness and engagement throughout this year.

A motion was made by Alderman Perkins, seconded by Alderman Schulz to adjourn the meeting. Aldermen voting aye: Haderlein, Schulz, Lavallee, Carncross, Gorman, Lancaster, Perkins and Luna. All ayes. Motion carried.

Meeting adjourned at 7:36 pm.

Respectfully submitted:
Lori Moller, City Clerk

December 5, 2023