REGULAR MEETING
March 5, 2018

Mayor Wayne Jett called the regularly scheduled March 5, 2018 meeting of the McHenry City Council to order at 7:00 pm in the McHenry City Council Chambers, 333 S. Green Street, McHenry, IL. In attendance were the following Councilmembers: Condon, Devine, Mihevc, Curry, Schaefer, Glab, and Santi. Also in attendance: City Administrator Morefield, Director of Parks and Recreation Hobson, Director of Economic Development Martin, Chief of Police Birk, Director of Public Works Schmitt, Director of Community Development Polerecky, Director of Finance Lynch, and Deputy Clerk Geraghty.

PUBLIC HEARING CONCERNING AMENDMENTS TO MEYER MATERIAL COMPANY, LLC ANNEXATION AGREEMENTS.

Mayor Jett called to order the Public Hearing concerning Amendments to Meyer Material Company, LLC Annexation Agreements at 7:01 PM. Mayor Jett announced he would open the floor for Public Comment after which he would request a motion to continue the Public Hearing to April 16, 2018.

Mayor Jett opened the floor for Public Comment.

Ms. Gerry Stueckemann, 6630 Hayward Ct., McHenry, IL expressed her opposition to the gravel pit operation citing noise and hours of operation violations and noted that 69 of five homeowners in the Woodcreek subdivision are opposed to the gravel pit. Ms. Stueckemann stated in her opinion the 14 year extension to the agreement was too long and suggested instead of increasing the area south of Route 120 to 14 years, reduce the area north of Route 120 to six years and an overall extension to 10 years. She also suggested an increase in the city stipend.

Mr. Nicholas Finia, 6805 Burning Tree Drive, McHenry, IL expressed his opposition to the gravel pit operation due to excessive noise in the early morning hours and excessive dust in the air adding he was told when he purchased his home that it would end in 2018. Mr. Finia also suggested the term of the extension be reduced and the bond amount required be increased.

Ms. Patricia Schatz 6118 Chickaloon, McHenry, IL expressed her concern about the 5:00 AM pit operation startup.

Mr. Terrance Nadar, 1213 Matanuska, McHenry, IL expressed his concern over the age of the reclamation plan.

Ms. Mary H. Nadar, 1213 Matanuska, McHenry, IL expressed her concern about the noise from the pit operations and suggested the term be extended for four years with a review at the end of the term to determine if compliance with city ordinances.

Ms. Jackie Matthiesen, 6712 Burning Tree Drive, McHenry, IL. Expressed concerns over the
safety and health of Valley View School students that might be affected by excessive noise and poor air quality due to pit operations.

Mr. Jay Matthiesen, 6712 Burning Tree Drive, McHenry, IL stated in his opinion there is no benefit to the city to continue the agreement; the only seems to be for Meyer Material.

As there was no other public comment, Mayor Jett called for a motion to continue the Public Hearing to the April 16, 2018 meeting.

Alderman Curry stated that in a previous conversation he had with City Administrator Morefield, he suggested closing not continuing the Public Hearing, which would require the applicant to publish another notice for the new hearing date.

Alderman Curry made a motion to close the Public Hearing, second by Alderman Santi.

Alderman Santi asked if the hearing would have to be held at each meeting until April 16 and City Administrator answered the Public Hearing continuance is date specific and in this case would be held on April 16.

Aldermanwoman Condon asked if there was a legal recommendation and City Administrator Morefield answered no.

Alderman Glab noted he had never witnessed a public hearing be closed and not continued. When continued, the public has been well informed. This is a burden that that should not be placed on the petitioner or the city and suggested continuing the hearing but require the petitioner to post signage, similar to a zoning hearing. Director Martin stated for annexation signs are not required, only a notice is required in the newspaper.

Aldermanwoman Condon has no objections to closing the hearing and setting a new published hearing date adding that she would be uncomfortable requiring signs or anything other than what is specifically stated in the Ordinance without the City Attorney’s advice.

Alderman Schaefer asked City Administrator Morefield for more information about the conversation Alderman Curry referred to so that he could have a better understanding. City Administrator Morefield said the question posed was if the hearing was closed instead of continued, would the petitioner be required to republish and the answer was yes, the petitioner would be required to republish in the newspaper.

Alderman Schaefer asked if the notice would be published on the city website and other social media sites and City Administrator Morefield answered yes.

Alderman Schaefer asked if the April 16 date was also discussed at the Planning and Zoning Hearing as well and City Administrator Morefield answered no, it was not. The reason the hearing is held this evening is due to the publication deadline. After the petitioner published the notice on February 16 for the March 5 meeting, they requested a continuance to April 16,
which would require a continuance.

City Administrator Morefield clarified the public hearing process is for the requested amendment to the annexation agreements. Consideration of variances and conditional use permits are separate items scheduled for the April 2, 2018 Council meeting as a regular agenda item.

City Administrator Morefield stated if the hearing were closed instead of continued, publication of a notice would be required in the newspaper.

Mayor Jett clarified that a motion was on the table to close the Public Hearing, which would require the applicant to publish another notice for the new hearing date and asked the Clerk to call the roll.

Voting Aye: Curry, Santi, Condon, Devine, Glab, Mihevc, Schaefer
Voting Nay: None
Absent: None
Motion Carried.

The Public Hearing was closed at 7:50 PM.

On behalf of the City Council and staff, Mayor Jett thanked the residents present at the meeting for their attendance and assured them he would always listen to their concerns.

PUBLIC COMMENT

None.

CONSENT AGENDA

A. General Fund budget amendment in the amount of $170,000 for the purchase of two vacant parcels of land for the Lakeland Park Drainage Project;
B. Ordinance amending Municipal Code Chapter 12, Licenses and Permits Generally, Sec. 12-64 Prizes of the City of McHenry Municipal Code relating to Raffles;
C. Special use and temporary sign permits and waiver of associated fees for annual Back to Family Outdoor Movie Night in Veterans Memorial Park on Friday, September 7, 14, 21, & 28, from 4:00 PM to approximately 9:00 PM;
D. Special use and temporary sign permits and waiver of associated fees for annual Green Street Cruise Night on Monday evenings, June 4 – October 15, 6:00 PM to 8:30 PM;
E. Temporary Use Permit Request from Corkscrew Point, 1402 N. Riverside Drive to host an outdoor event with a tent over St. Patrick’s Day Holiday Weekend;
F. Special Event Liquor License for McHenry Downtown Business Association Beer, Bacon & Bikes event on April 7 from 1:00 PM to 4:00 PM;
G. Use of Petersen Park, Special Event Liquor License, and waiver of park use fees for Rotary Sunrise Community Oktoberfest, September 22, from 12:00 PM to 9:00
PM;
H. Retail sale of beer and wine in Veterans Memorial Park during Thursday Night City Band Concerts June through September 2018;
I. Pay Application #24 to Williams Brothers Construction in the amount of $811,982.27 for Wastewater Treatment Plant Improvements;

At Alderman Santi’s request, Mayor Jett announced Consent Item E was pulled from the Consent Agenda and would be voted as a separate item.

Alderman Santi announced he would recuse himself from the discussion of Consent Item E as he has a business relationship with the applicant.

At Alderwoman Curry’s request, Mayor Jett announced Consent Item J was pulled from the Consent Agenda and would be voted on as a separate item.


Alderman Schaefer recommended Cruise Night update their parking map. Director Hobson said he would speak to the organizer of the event.

Mayor Jett announced Alderman Schaefer requested item J was pulled from the Consent Agenda and called for an amended motion.

Alderman Santi amended his motion, second by Alderwoman Condon approving Consent Agenda Items A, C, D, F, G, H, I, K, L, and M.

Voting Aye: Santi, Condon, Curry, Devine, Glab, Mihevc, Schaefer
Voting Nay: None
Absent: None
Motion carried.

Consent Item E: Temporary Use Permit Request from Corkscrew Point, 1402 N. Riverside Drive to host an outdoor event with a tent over St. Patrick’s Day Holiday Weekend.

Motion by Alderwoman Condon, second by Alderman Schaefer to approve Consent Agenda Item E as presented.

Alderman Schaefer asked if there was enough room to erect the tents as proposed. Director Polerecky stated the tents would fit where proposed.

The applicant John Macrito approached the podium and stated the lot is 47’ wide and tents would be erected on the waterside.

Voting Aye: Condon, Schaefer, Curry, Devine, Glab, Mihevc
Voting Nay: None
Abstain: Santi
Absent: None
Motion carried.

Consent Item J: Parks Use/Facilities Permits.

Motion by Alderman Curry, second by Alderman Santi to approve Consent Agenda Item J, Parks Use/Facilities Permits.

Alderman Curry said he noticed eight out of 17 applications are not properly completed. In his opinion, the Council should vote on properly completed documents. Director Hobson stated he would ensure the applications are properly completed prior to the rental date.

Voting Aye: Curry, Santi, Condon, Devine, Glab, Mihevc, Schaefer
Voting Nay: None
Absent: None
Motion carried.


Motion by Alderman Schaefer, seconded by Alderman Curry to approve Consent Agenda Item B as presented.

Alderman Schaefer asked how the winnings are dispersed for the VFW Queen of Hearts raffle and how it related to city ordinance.

Ben Keefe Jr. Vice Commander of the VFW and Queen of Hearts Committee Chair was asked to step up to the podium and explain the percentage dispersed to various entities for the Queen of Hearts raffle. Mr. Keefe reported 60% of each winning pot was awarded to the person who draws the Queen of Hearts; 20% was awarded to the VFW building fund; and 20% would be placed in the pot for the next round of raffles.

City Administrator Morefield clarified the maximum prize amount to be awarded per the current ordinance is $500,000 and the proposed amendment would allow the maximum cash prize award to be $1,000,000.

Alderman Glab questioned the benefit of having a limit and suggested eliminating it. City Administrator Morefield said non-home rule municipalities are required to limit the cash prize and although McHenry is Home Rule, staff recommends maintaining a limit. City Administrator said staff would investigate the legality of a non-home rule municipality eliminating the limit.

Voting Aye: Schaefer, Santi, Mihevc, Glab, Devine, Curry, Condon.
Voting Nay: None
Absent: None
Motion carried.

STAFF REPORTS

Director of Parks and Recreation Hobson announced the inaugural McHenry Shamrocks the Fox community event would take place March 17 and March 18.

MAYOR AND CITY COUNCIL COMMENTS

Mayor Jett announced the State of the City went well and he thanked the Alderman who attended and City Staff for assisting with the event.

Alderman Schaefer thanked Director Polerecky and the Community Development Department for assisting him with political campaign signs recently installed in unapproved areas throughout town.

ADJOURNMENT

Motion by Alderman Curry, second by Alderman Santi to adjourn the meeting.

Voting Aye: Curry, Santi, Schaefer, Condon, Devine, Glab, Mihevc.
Voting Nay: None
Absent: None.
Motion Carried.

The meeting adjourned at 8:15 PM.

[Signatures]
Mayor
Deputy City Clerk