City Council Meeting  
July 15, 2019

Call to Order
The City Council of the City of McHenry, Illinois, met in regular session on Monday, July 15, 2019, at 7:00 p.m. in the McHenry City Council Chambers, 333 S. Green Street, McHenry, IL.

Roll Call

Pledge of Allegiance
Mayo Jett proceeded to lead those present in the Pledge of Allegiance.

Public Comments
Tony Esposito was present representing Pedal and Pour. He explained that he did not get delivery of the pedal boat as planned, but did not want to disappoint the City with an opportunity to create a water experience. He showed the Council a picture of a Donut Boat that he would like to use until the pedal boat is delivered. He explained that he would drive the boat and that this boat is very safe and smaller than the pedal boat. He is asking for permission to use this different boat so that the citizens and visitors of McHenry can enjoy the experience this weekend while Fiesta Days is still running. No formal vote was taken, but the general consensus was that Mr. Esposito may use the boat until an updated agreement can be officially signed.

Consent Agenda:
- Motion to Approve the Following Consent Agenda Items:
  A. Ordinance to Repeal and Replace Chapter 11, Article V: No Smoking; and, Chapter 14, Article I, Sections 14-37 through 14-44 of the McHenry Municipal Code;
  B. Ordinance to Repeal and Replace Chapter 18 Police of the McHenry Municipal Code;
  C. Text Amendments to the City of McHenry Zoning Ordinance related to Outdoor Seating;
  D. Award of Bid to Curran Contracting Company in the amount of $777,777.70 for the 2019 Street Resurfacing Program;
  E. Award of Bid to Superior Road Striping, Inc. in the amount of $9,712.90 for the 2019 Thermoplastic Pavement Markings Program;
  F. Approval of a Professional Services Contract with HR Green, Inc. in an amount not to exceed $62,568.28 for construction engineering services for the 2019 Street Resurfacing...
Program;
G. Approval of a Professional Services Contract with Robinson Engineering, Ltd in the amount of $9,500.00 for the completion of a Millstream Lift Station Rehabilitation Alternative Analysis;
H. Contracted services provided by Central Tree & Landscape Mulch, LLC in the amount of $14,375.00;
I. Block Party Requests;
J. Special Event Liquor License Requests;
K. Parks & Recreation Facilities Alcohol and Special Use Permit Requests;
L. June 17, 2019, City Council Meeting Minutes;
M. June 24, 2019, City Council Special Meeting Minutes;
N. Issuance of Checks in the amount of $318,217.43;
O. Issuance of As Needed Checks in the amount of $831,473.76.

Alderman Santi asked for clarification for Item 5D. Director Strange explained that this bid was somewhat different because the alternates were greater than the base bid. The full price of the project plus alternates was approved in this year’s budget, so it made sense to approve the entire project at this time. No members of the Council wished to pull any of the items from the consent agenda for separate consideration. A motion was made by Alderman Santi and seconded by Alderman Schaefer to approve consent agenda items A-O as presented. Roll Call: Vote: 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 0-nays, 0-abstained. Motion carried.

Individual Action Item Agenda

Motion to adopt an Ordinance amending the FY19/20 Budget, Fund 450 (Capital Equipment), in the amount of $28,850.00; and, authorization to purchase one pickup truck as quoted from Gary Lang Auto Group in an amount of $28,850.00 as a replacement vehicle for the Parks Maintenance Division.

Director Hobson explained that the truck has had major ongoing maintenance issues for the last six years. Quotes were received from three local dealerships for a new vehicle. Alderwoman Baehne asked if this would fit in with the Leopardo agreement, and it was explained that it would have if the truck could have lasted long enough to get there. Alderman Santi stated that he sees a need for the new vehicle, but is uncomfortable with budget amendments. He asked if this could have been looked at for being replaced over the last six years. Director Hobson explained that it has been discussed and on a list of vehicles that need replaced, but they have been forced to patch it and keep it running. It was also noted that this truck will be able to plow in the winter time. A motion was made by Alderman Schaefer and seconded by Alderwoman Baehne to adopt an Ordinance amending the FY19/20 Budget, Fund 450 (Capital Equipment), in the amount of $28,850.00; and, authorization to purchase one pickup truck as quoted from Gary Lang Auto Group in an amount of $28,850.00 as a replacement vehicle for the Parks Maintenance Division. Roll Call: Vote: 7-ayes: Alderman Schaefer, Alderwoman Baehne,
Aldermanwoman Miller, Alderman Devine, Alderman Mihevc, Alderman Glab, Alderman Santi. 0-nays, 0-abstained. Motion carried.

**Motion to approve a Text Amendment to the McHenry Zoning Ordinance related to Patriot Estates.**

Director Martin explained that due to an error in the zoning map years ago, an incorrect setback was used when Cunat was developing certain properties in Patriot Estates. This issue went to the Planning and Zoning Commission last Wednesday. Alderman Glab asked if this reduction in setbacks will cause issues with the intersections. Director Martin explained that the setbacks don’t affect the corner side yards, and there is still a 45 degree view. A motion was made by Alderwoman Miller and seconded by Alderman Santi to approve a Text Amendment to the McHenry Zoning Ordinance related to Patriot Estates. Roll Call: Vote: 7-ayes: Alderwoman Miller, Alderman Santi, Alderman Glab, Alderman Schaefer, Alderwoman Baehne, Alderman Mihevc, Alderman Devine. 0-nays, 0-abstained. Motion carried.

**Motion to approve a Real Estate Abatement and Incentive Agreement with Jessup Manufacturing**

Director Martin explained that this issue was introduced at the May 20, 2019, City Council meeting. Jessup Manufacturing is seeking a five year tax abatement on all new taxes generated after their 35,000 square foot addition is completed. The Fire District has passed this abatement, and the other taxing bodies are considering the issue as well. There was a discussion about the clawback provision and how another taxing body might want to change the wording, but Attorney McArdle suggested accepting the agreement as is. Alderman Glab stated that Jessup has been a long standing business in McHenry for years, and he is thankful for the relationship the City has with the company. A motion was made by Alderman Glab and seconded by Alderwoman Baehne to approve a Real Estate Abatement and Incentive Agreement with Jessup Manufacturing. Roll Call: Vote: 7-ayes: Alderman Glab, Alderwoman Baehne, Alderwoman Miller, Alderman Devine, Alderman Mihevc, Alderman Schaefer, Alderman Santi. 0-nays, 0-abstained. Motion carried.

**Discussion Items**

**CMAP Presentation Regarding Pavement Management Evaluation Project**

Director Strange explained that Applied Research Associates is a research and engineering firm with specific experience in asset management and pavement management. They were consulted by CMAP (the Chicago Metropolitan Agency for Planning) in the summer for 2018 to perform a pavement condition survey, analysis, and to create a pavement management plan for future City of McHenry pavement management operations.

Joe Stefanski and Lax Premkumar were present from ARA to explain the process and review their findings. They gave a presentation to the Council and explained that they use a data driven
program to show benefit to cost to optimize the net ratio. Mr. Stefanski explained how it is not necessarily cost effective to fix the worst roads first. The presentation showed that if the roads in good condition are kept up, they won’t fall into disrepair and it won’t be as expensive to fix them in the future. Their goal is to keep good roads from failing, and work on the worst roads a little at a time because they won’t be any more expensive to fix since they already have fallen in bad condition. Projections were shown over five and ten year periods while using a $2 million a year budget. They also showed how roads can be improved by injecting more money in the budget at different intervals.

It was shown how approximately 50% of the roads are currently in poor or very poor condition, and that the roads in good condition need attention to keep them from hitting the poor condition. A discussion was had about finding more revenue that can be used for street repair. The new State gas tax was discussed, as well as bonds that should come off the books in a couple of years.

City Administrator Morefield stated that there have been serious conversations over the last two years about getting more funding for roads. Staff has been working to redirect funds to capital projects and capital equipment. Alternative sources of revenue have also been discussed. The pavement management program is nice to give the City data driven information to help set a target for budgeting purposes.

Alderman Devine spoke to the issues in his Ward, and it will be hard to tell his residents that the City is fixing roads that aren’t that bad but their terrible streets will be ignored for another five years. Alderman Glab suggested this is where we need a Committee of the Whole to discuss the road program issues. City Administrator Morefield stated that the goal isn’t to ignore roads in poor condition, but to deal with those as part of a hybrid program. Mayor Jett thanked ARA for their presentation.

**Vaping and Tobacco License Moratorium**

Chief Birk explained that there has been a moratorium on tobacco licenses since March 28, 2019, and it is set to expire in December. The purpose was to give staff time to do research on vaping and how this would affect the youth, adult citizens, and the City. Chief Birk is looking for some direction from Council on what action should be taken. Chief Birk said research of other municipalities has shown they are handling the issue by crating zoning classifications or by making changes to the tobacco ordinance that restricts who can sell vaping equipment or accessories. He also explained that compliance checks have been done to ensure businesses aren’t selling tobacco to underage customers.

After a lengthy conversation about zoning issues and underage consumption, it was decided that Chief Birk, Director Polerecky, and Director Martin will meet and come back to the Council with a zoning recommendation to help restrict the addition of vape shops.

**Executive Session**
Mayor Jett explained that the Council will not meet in executive session tonight.

Staff Reports, Mayor’s Report and Council Comments
Director Hobson reported that Fiesta Days is under way. If Council members want to be in the parade, they should let him know. Lineup is at noon, and the parade starts at 1:30. The celebration is going well so far this week.

Director Morefield stated that a report from the Strategic Planning Session is available for Council Members and staff. The next step is to look at actionable goals for items that have been identified. A second session needs to be planned, and a majority of the Council felt that September is a good month to meet.

Mayor Jett reported that Ben Keefe of the VFW believes a majority of the Council will support extending the Queen of Hearts raffle. A special meeting would be needed by next Monday to pass an ordinance. Mayor Jett asked Council members if they wanted to speak up in support of the extension in order to have a special meeting. Alderman Glab, Alderman Santi, Alderwoman Miller, and Alderman Devine all agreed that a special meeting should be held, and 4:00 p.m. on Thursday, July 18th, 2019, was chosen as the time for the special meeting. The Clerk will post the meeting as required.

Alderman Schaefer asked if there was an update on the gravel pit complaints. Directory Polerecky stated he will send out an update this week. Alderman Santi commented on how smoothly the Queen of Hearts has been running.

Adjournment
A motion was made by Alderwoman Baehne and seconded by Alderman Santi to adjourn the meeting at 8:33 p.m. Roll call: Vote: 7-ayes: Alderwoman Baehne, Alderman Santi, Alderman Glab, Alderman Schaefer, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 0-nays, 0-abstained. Motion carried.

Mayor Wayne Jett

Deputy Clerk Monte Johnson