Regular Meeting
June 4, 2018

Call to Order
Mayor Wayne Jett called the regularly scheduled June 4, 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. Mayor Jett announced that the June 4th meeting agenda had been amended to reflect an additional consent agenda item to address repairs to Well #6. In addition, agenda item 7.C. is no longer relevant due to the fact that Fast Eddie’s Car Wash has withdrawn their liquor license application.

Roll Call

Pledge of Allegiance
Mayor Jett along with the Boy Scouts Troup 459 proceeded to lead those present in the Pledge of Allegiance.

Public Comment
Mayor Jett asked if anyone in the audience wished to address the Council Members.

Mr. Charles Wheeler who resides at 219 Plumrose approached the dais. He stated that he is a member of the fitness center and supports the referendum. However, he believes the referendum would be more palatable to voters if the City phased the improvements overtime and lowered the bond amount. He thanked the Council Members for their time.

Resident Frank Serpico who resides at 4608 Chesapeake expressed concerns regarding the annexation of the Speedway fueling station that was under consideration at the last City Council meeting. He commented on his concerns with the underground storage tanks. Mr. Serpico thanked the Council Members for their time.

Resident Patrick Degeorge commented on the proposed Park & Recreational referendum.
Mr. Degeorge reported that he is affiliated with the Marlins Aquatic Team and recognizes the need of expanding the Recreation Center. He noted that the existing pool is outdated and in need of majors repairs. In addition, the existing pool does not have the capacity to host swim meets and other aquatic activities. In his opinion, by having the ability to offer these types of activities would draw people from other towns into the City and boost the local economy. Mr. Degeorge thanked the Council Members for their time.

Resident John Wsol commented on the proposed Speedway Annexation Agreement that was tabled at the last Council meeting. He also expressed concerns with the underground storage tanks. He thanked the Council Members for their time.

Mayor Jett asked if anyone else in the audience wished to address the Council Members at this time. Those in attendance offered no comments.

Proclamation
Mayor Jett read a proclamation proclaiming June 3rd - June 9th as National Garden Club Week. He proceeded to present the Proclamation to the McHenry Garden Club Members. Mayor Jett thanked the Garden Club Members for their efforts in beautifying the community.

Consent Agenda
Motion to Approve the Following Consent Agenda Items:
A. Ordinance accepting the amended Northern Illinois Police Alarm System (NIPAS) Agreement and Bylaws and authorizing the Mayor and Chief of Police to execute the NIPAS agreement;
B. Resolution Designating FOIA Officers for the City of McHenry as Required by the Illinois Freedom of Information Act;
C. Pay Application #25 to William Brothers Construction in the amount of $39,540.11 for Wastewater Treatment Plant Improvements;
D. Acceptance of a proposal from Water Wells Solutions of Elburn, Illinois for Well #6 repairs in an amount not to exceed $24,513;
E. Parks Facilities/Special Use permits;
F. April 16, 2018 Regular City Council meeting minutes; and
G. Payment of Bills in the amount of $210,826.43.

Mayor Jett asked if any of the Council Members wished to remove any consent agenda item from the agenda for separate consideration. The Council Members offered no comments. **A Motion was made by Alderman Santi and seconded by Alderwoman Condon to approve the consent agenda items A-G as presented,** Roll call: Vote: 7-ayes: Alderwomen Condon, Alderman Santi, Alderman Curry, Alderman Glab, Alderman Devine, Alderman Glab, Alderman Mihevc and Alderman Schaefer. 0-nays, 0-abstained. Motion carried.
Individual Action Items Agenda:
Motion to approve a fence variance to allow the installation of a fence within the required front yard setback and to allow a 48” tall fence with 4” pickets on 1” spacing in the front yard at 3504 W. Fairway Drive.

Director Polerecky reported that the applicant is requesting a variance due to the abnormal configuration of his lot.

Mayor Jett asked the Council Members if they had any comments on the matter under consideration. Alderman Glab questioned why the pickets were 4”. Director Polerecky reported that the 4” pickets reflects the homeowner contractor’s proposal.

Mayor Jett asked if anyone in the audience had any comments regarding this matter. Those in attendance offered no comments.

There being no further discussion on this matter, a Motion was made by Alderman Santi and seconded by Alderwoman Condon to approve a fence variance to allow the installation of a fence within the required front yard setback and to allow a 48” tall fence with 4” pickets on 1” spacing in the front yard at 3504 W. Fairway Drive. Roll call: Vote: 7-ayes: Alderman Santi, Alderwoman Condon, Alderman Schaefer, Alderman Santi, Alderman Mienevc, Alderman Glab and Alderman Curry. 0-nays, 0-abstained. Motion carried.

Motion to adopt an Ordinance granting a Conditional Use Permit for an Expanded Site Plan Review in accordance with the Downtown Overlay District to allow a restaurant, bar, outdoor seating with alcohol and food service, live music and entertainment at 1260 N. Green Street; and, to approve a liquor license request for Jexal’s Inc. dba Jexal’s, located at 1260 N. Green Street and the adoption of an Ordinance amending Chapter 4, Sec. 4-6(1) of the McHenry Municipal Code, increasing the number of Class A liquor licenses from thirty-one (31) to thirty-two (32).

Director Polerecky provided the Council with an overview of the Conditional Use Permit request. Director Polerecky reported that the applicant is seeking to construct a 4,700 square-foot restaurant with a bar, outdoor seating with alcohol, food service and live entertainment.

Mayor Jett opened the floor for discussion.

Alderman Glab commented on the proposed restaurant’s plan. He expressed his satisfaction with the building design and business plan.
Aldermanwoman Condon also expressed her satisfaction with the restaurant design and business plan. She noted that the restaurant will enhance the downtown district.

Alderman Schaefer commented on the impact the restaurant and live entertainment may have on traffic.

Alderman Santi also thanked the business owner for his effort in developing a restaurant and business plan that will greatly improve the downtown district.

Motion to adopt an Ordinance amending Chapter 12, Article III, Sec. 12-64 of the McHenry Municipal Code, increasing the amount of the maximum gross cash prize awarded in any raffle to $3,000,000.

Mayor Jett asked if anyone in the audience wished to comment on this matter. Those in attendance offered no comments.

There being no further discussion on the motion, a Motion was made by Alderman Santi and seconded by Alderman Glab to adopt an Ordinance granting a Conditional Use Permit for an Expanded Site Plan Review in accordance with the Downtown Overlay District to allow a restaurant, bar, outdoor seating with alcohol and food service, live music and entertainment at 1260 N. Green Street; and, to approve a liquor license request for Jexal’s Inc. dba Jexal’s, located at 1260 N. Green Street and the adoption of an Ordinance amending Chapter 4, Sec. 4-6(1) of the McHenry Municipal Code, increasing the number of Class A liquor licenses from thirty-one (31) to thirty-two (32). Roll call: Vote: 7-ayes: Alderman Santi, Alderman Glab, Alderman Curry, Aldermanwoman Condon, Alderman Devine, Alderman Mihevc, Alderman Schaefer. 0-nays, 0-abstained. Motion carried.

Motion to adopt an Ordinance amending Chapter 12, Article III, Sec. 12-64 of the McHenry Municipal Code, increasing the amount of the maximum gross cash prize awarded in any raffle to $3,000,000.

Attorney McArdle reported that the purpose of this ordinance was to raise the limits on the raffle winnings. He reported that the City is Home Rule and has the authority to set limits on winnings. Attorney McArdle recommends approval of the Ordinance amending Chapter 12 Section 12-64 regarding raffle prizes.

Mayor Jett asked if anyone in the audience wished to comment on the matter under consideration. Those in attendance offered no comments.
There being no further discussion on the motion, a Motion was made by Alderman Curry and seconded by Alderman Schaefer to adopt an Ordinance amending Chapter 12, Article III, Sec. 12-64 of the McHenry Municipal Code, increasing the amount of the maximum gross cash prize awarded in any raffle to $3,000,000. Roll call: Vote: 7-ayes: Alderman Curry, Alderman Schaefer, Alderwomen Condon, Alderman Devine, Alderman Glab, Alderman Mihevc and Alderman Santi.

Motion to approve an Ordinance amending the FY18/19 Budget, increasing the Police Department Capital Equipment expense account (100.22.8300) by $71,422 and increasing the Police Department Miscellaneous Reimbursements revenue account (100.22.3882) by $65,322 for the purpose of purchasing and installing in-car police video cameras.

Chief Birk discussed the request for the Police Department’s budget amendments. He reported that in April the Police Department applied for grant funding through the Illinois Law Enforcement Training and Standards Board’s (ILETSB) Camera Grant Program. In May the police department was notified it had been awarded $67,500 for the purchase of in-car (dash) camera equipment. Base on this project and grant award, Staff is seeking authorization from Council to purchase and install twelve in-car Panasonic video camera systems and a server upgrade. In addition, Staff is requesting Council authorization to amend the FY18/19 Police Department Capital Expense line item in the amount of $71,422 and the Police Department Budget Miscellaneous Reimbursements line item in the amount of $65,322 in order to account for these purchases and grant reimbursement.

Mayor Jett asked if the Council Members had any comments on this Ordinance. Alderman Santi asked about the cameras warranty. Chief Birk reported that the cameras have a seven year warranty.

Alderwoman Condon thanked the Police Department Staff for applying for the grant.

Mayor Jett asked if anyone in the audience wished to comment on this matter. Those in attendance offered no comments.

There being no further discussion on the motion, a Motion was made by Alderman Curry and seconded by Alderman Schaefer to approve an Ordinance amending the FY18/19 Budget, increasing the Police Department Capital Equipment expense account (100.22.8300) by $71,422 and increasing the Police Department Miscellaneous Reimbursements revenue account (100.22.3882) by $65,322 for the purpose of purchasing and installing in-car police video cameras. Roll call: Vote: 7-ayes: Alderman Curry, Alderman Schaefer, Alderwomen...
Condon, Alderman Devine, Alderman Glab, Alderman Mihee, and Alderman Santi. 0-nays, 0-abstained. Motion carried.

Motion to approve an Ordinance amending the FY18/19 Budget as follows: General Fund Budget (Fund 100) by $87,000; the Recreation Center Fund Budget (Fund 400) by $14,400; and the Information Technology Fund Budget (Fund 620) by $5,400 for the purpose of implementing compensation study adjustments as included in the new City of McHenry Classification and Compensation Plan, and for the addition of the position of City Planner

Alderman Curry stated that he would like to make a motion to table the Ordinance amending the FY18/19 Budget due to the fact that the Finance and Personnel Committee has not had an opportunity to vet the compensation study recommendations. Alderman Schaefer concurred.

Alderman Condon expressed her frustration with the continued delay in taking action with respect to the compensation study’s recommendations. She stated that the compensation study was discussed in length at a recent Committee of the Whole Meeting. She is uncertain why some of the Council Members continue to procrastinate.

The being no further discussion on the motion, A Motion was made by Alderman Curry and seconded by Alderman Schaefer to table the approval of Ordinance amending the FY18/19 Budget as follows: General Fund Budget (Fund 100) by $87,000; the Recreation Center Fund Budget (Fund 400) by $14,400; and the Information Technology Fund Budget (Fund 620) by $5,400 for the purpose of implementing compensation study adjustments as included in the new City of McHenry Classification and Compensation Plan, and for the addition of the position of City Planner. Roll call: Vote: 6-ayes: Alderman Curry, Alderman Schaefer, Alderman Devine, Alderman Glab, Alderman Mihee, and Alderman Santi. 1-nay: Aldermanwoman Condon, 0-abstained. Motion carried.

Motion to direct the Mayor and Staff to proceed with the preparation of a referendum question to be submitted at the General Election to be held on November 6, 2018, proposing an addition to the McHenry Recreation Center that will include an indoor pool, a gymnasiu, and an outdoor family aquatic park, and issuance of City bonds to pay for the improvement in the amount of $30,000,000, and to provide factual information to the public in anticipation of said referendum.

Alderman Santi inquired if Staff had investigated the possibility of a public/private partnership to offset some of the cost associated with the Recreation Center’s expansion. Director Hobson reported that public/private partnership has been discussed and investigated. However, after exploring numerous alternative funding options, placing a question before the community in the form of a property tax referendum provided the clearest direction as to whether or not to proceed with such an expansion and provide the funding mechanism of the expansion.
Director Hobson commented on a 2017 Community Needs Survey which assisted the department in identifying the community’s desire for expanded recreational opportunities. Both indoor and outdoor aquatics amenities were at the top of the list along with other wanted amenities such as a gymnasium and a walking track.

Director Hobson discussed the results from the proforma on the McHenry Recreation Center’s expansion performed by Hiller and Hiller and Associates.

He reported that the primary focus of the proforma was to run the full financial analytics for a 25 yard pool versus a 50 meter pool. In addition, the numbers for the anticipated revenue versus expenses for the proposed gymnasium and walking track were analyzed. A lengthy discussion ensued with respect to placing the referendum question on the February 2018 ballot.

Mayor Jett opened the floor for public comment.

Resident Mellissa Kostelnik reported that her family is affiliated with the Marlin Aquatic Team and she is supporting the referendum.

Resident Jessica Bitterman echoed Ms. Kostelnik comments and also is supportive of the referendum.

There being no further discussion on the motion, a Motion was made by Alderman Schaefer and seconded by Alderman Condon to direct the Mayor and Staff to proceed with the preparation of a referendum question to be submitted at the General Election to be held on November 6, 2018, proposing an addition to the to the McHenry Recreation Center that will include an indoor pool, a gymnasium and an outdoor family aquatic park, and issuance of City bonds to pay for the improvement in the amount of $30,000,000, and to provide factual information to the public in anticipation of said referendum. Roll call: Vote: 5-ayes: Alderman Schaefer, Alderwoman Condon, Alderman Devine, Alderman Mihevc and Alderman Santi. 2-nays: Alderman Curry and Alderman Glab. 0-abstained. Motion carried.

Staff Reports
Director Hobson reported that the Soap Box Derby qualifying race will be held this Saturday from 9:00 a.m. - 4:00 p.m.

Mayor and City Council Comments
Alderwoman Condon thanked the member of the audience for correcting her title from Alderman to Alderwomen. She spoke in length about the need to continue the conversation with respect to gender equality.
Executive Session

Motion to enter into Executive Session to discuss probable litigation, 5 ILCS 120/2 (c) (11). Mayor Jett stated that at this time he would entertain a motion to enter into Executive Session to discuss probable litigation as permitted by 5 ILCS 120/2(c) (11). A Motion was made by Alderman Glab and seconded by Alderman Schaefer to enter into executive session to discuss probable litigation with no action to follow. Roll call: Vote: 7-ayes: Alderwoman Condon, Alderman Curry, Alderman Devine, Alderman Glab, Alderman Mihevc, Alderman Santi and Alderman Schaefer. 0-nays, 0-abstained. Motion carried.

Reconvene/Roll Call

The Council Members along with City Administrator Morefield, Attorney Mc Ardle, and Deputy Clerk Meadows entered into executive session at 9:00 p.m. and returned to the public meeting at 9:20 p.m. Clerk Meadows called the roll. Roll call: Alderman Devine, Alderman Curry, Alderman Schaefer, Alderman Glab, Alderman Santi, Alderman Mihevc, Alderwoman Condon and Mayor Jett.

Adjournment

There being no further public business to discuss, A Motion was made by Alderman Santi and seconded by Alderman Curry to adjourn from the public meeting at 9:23. Roll call: Vote: 6-ayes: Alderman Santi, Alderman Curry, Alderman Schaefer, Alderman Mihevc, Alderman Glab and Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

[Signatures]

Mayor

Deputy City Clerk