

REGULAR CITY COUNCIL MEETING MINUTES
December 18, 2012 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order at 7:00 p.m. and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Clarke, Logan, Perkins and Opper. Alderman Musgrove was absent. Also present were Treasurer Szczap, City Administrator Nelson, Community Development Director Santeler, Police Chief Kazy-Garey, Supt. Public Works Kruckenberg, Supt. Utilities Grant, Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 11/27/2012 - APPROVED

Moved by Perkins, seconded by Logan to approve the minutes of the Regular City Council Meeting of November 27th, 2012, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

PLANNING & ZONING COMMISSION RECOMMENDATION AND FINDING OF FACTS

James Olson, Conditional Use Permit Used Car Lot at 5311 & 5311½ S. Division St. – Ord. 2012-134 Approved

Chairman Opper noted the Recommendations/Findings of Fact submitted by Jim Carbonetti, Chairman of the Planning and Zoning Commission which met on December 4, 2012, to consider the petition submitted by James Olson and John Meyer for property located at 5311 and 5311½ Route 14, Harvard, Illinois. The petitioners request a conditional use to allow the operation of Used Auto Sales on the subject property. After reviewing the evidence and testimony presented, the Planning and Zoning Commission recommends to the City Council that the petitioners' request be approved as presented for a conditional use to allow the operation of Used Auto Sales on the subject property. The Planning and Zoning Commission further finds as follows:

1. In light of all of the evidence presented, the proposed conditional use would not be detrimental to the orderly development of the City of Harvard.
2. In light of all of the evidence presented, the proposed conditional use will not be detrimental to or endanger the public health, safety, morals or general welfare of the community of the City of Harvard.

Moved by Opper, seconded by Perkins to approve the Planning and Zoning Commission's recommendation and findings of fact as presented and Ordinance 2012-134, granting a Conditional Use Permit to allow used auto sales at 5311 and 5311½ US Route 14. At Mayor Nolan's inquiry, Community Development Director Santeler noted the petitioner would need to have the property hard surfaced within a year, but since asphalt plants are closed in December, it should be completed by the end of October, 2013. Aldermen Opper and Perkins amended their motion and second respectively to add the hard surfacing requirement before the end of October, 2013. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye and Opper, aye. Ordinance 2012-134 approved seven to zero.

**VOLKENING VARIATION FROM SECTION 27.02A, PROHIBITED FIRES, BURNING –
ORD 2012-135 APPROVED**

Glen Volkening, 11318 Genoa Rd., Genoa, IL addressed the City Council with respect to his variation petition to burn cleared trees on a parcel located south of Lawrence within the corporate City limits. Current code prohibits open burning. Mr. Volkening indicated that he intends to burn either this winter, or next summer or winter, depending on whether or not the trees have to dry out. Once started, burning would probably be completed within one or two days. Mr. Volkening indicated he would notify the Harvard Fire Protection District. There are no structures on the subject property. Moved by Clarke, seconded by Opper to approve the petition as submitted and Ordinance 2012-135, to allow the burning of scrub trees on the Volkening Farms Property south of Lawrence within the corporate City limits. Roll call vote: Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye and Leyden, aye. Ordinance 2012-135 approved seven to zero.

**MURPHY PERMIT REQUEST, 1100 N HART ST. PURSUANT TO SECTION 6.03A, ENCROACHMENT –
ORD. 2012-136 APPROVED**

Mark Murphy addressed the City Council with respect to his permit request, pursuant to Section 6.03A, Encroachment, to maintain the current landscaping (consisting of rocks in a small bed formation) in the right of way at the corner of Hart and Blaine St. Administrator Nelson noted that the plantings are about 2' tall during the summer and present no visual hazards. At Alderman Opper's inquiry, Supt. Kruckenberg stated that the current landscaping does not interfere with snowplowing. Moved by Logan, seconded by Clarke to approve the permit request as presented and Ordinance 2012-136 issuing a permit for a landscape feature as submitted for property located at 1100 N. Hart St. Roll call vote: Ulmer, aye; Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye and Marzahl, aye. Ordinance 2012-136 approved seven to zero.

**AMEND SECTION 1.15 REGARDING NOTICE FOR CITY COUNCIL VARIATIONS –
ORD. 2012-137 APPROVED**

At the direction of the City Council, an ordinance was drafted to amend Section 1.15 of the Harvard Municipal Code to require notification to all contiguous property owners for all variations of the Harvard Municipal Code. Administrator Nelson indicated that the language in the proposed ordinance is identical to the current code for home occupations. Moved by Opper, seconded by Logan to approve Ordinance 2012-137, amending Section 1.15 of the Harvard Municipal Code regarding notice for City Council variations. Roll call vote: Clarke, aye; Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Ordinance 2012-137 approved seven to zero.

VENDING LICENSES 2013 - APPROVED

Moved by Opper, seconded by Marzahl to approve the paid 2013 Vending Licenses as presented. Roll call vote: Logan, aye; Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Clarke, aye. Motion approved seven to zero.

NAME OF ESTABLISHMENT	AMOUNT DUE	PAID	LICENSE #
Video Wonders, Inc. Site Location: Airport Road Laundromat 110 Airport Rd.	\$540.00 \$600.00	Ck #364	
John Schneider Bopp's Grille and Saloon 103 E. Front St.	\$120.00 \$360.00	Ck #2793	
Joe Ocello Bravo Pizza 337 S. Division St.	Double fee \$600.00 \$300.00		
Tim Galvin Cool Music Stop Bar & Grille 10 N. Ayer St.	\$490.00 \$670.00	Ck #895	
John Giannasi Front Street Tap 106 E. Front St.	\$365.00	Ck #1449	
Bob Ocon Harvard Coin Wash 307 Randall St.	Double fee \$120 \$60.00		
Ali Abbas Harvard Short Stop 302 Ayer St.	Double fee \$120 \$60.00		
Mike Bannwolf, Admin. Harvard Moose Lodge #1289 Route 173 West	\$305.00	Ck #29243	
Cindy Waldo Hub Lounge 15 N. Ayer St.	\$305.00 \$245.00	Cash	
Pete Parhas Jimmy's Patio 71 N. Ayer St.	\$125.00 \$185.00	Ck #1234	

Gricelda Perez La Rosita Foods 106 W. Sumner St.	Double fee \$240 \$120.00		
Sean McGarry McGarry's Bowl 5507 S. Division St.	\$190.00 \$250.00	Ck #5537	
Magnum Insurance 37 N. Ayer St. Harvard, IL 60033	Double fee \$120 \$60.00		
Nikail Halimi Nick's Cozy Nook 1200 N. Division St.	Double fee \$240 \$120.00		
Emil Odling South Side, 111 S Ayer St.	\$125.00	Cash	
Adam Gharib Stingerz 703 E. Diggins St.	\$60.00 \$305.00	Ck #2793	
Town & Country 17 N. Ayer St.	Double fee \$120 \$60.00	Removing vending machine	
Redbox Automated Retail LLC Site Location Walgreen's 395 S. Division St.	\$120.00	Ck #2000025074	
Red-Box Automated Retail Site Location Wal-Mart Supercenter 21101 McGuire Rd.	\$120.00	Ck #2000025074	
National Entertainment Network Inc Site Location Wal-Mart 21101 McGuire Rd.	\$300.00	Ck #679578	

FYI: POLICE PENSION FUND REPORTS

Mayor Nolan noted informational reports from the Police Pension Fund: Compliance Report and Acturial Valuation and Illinois Department of Insurance Audit Results.

FEBRUARY LOVE YOUR LIBRARY MONTH

Mayor Nolan reported that in recognition of Love Your Library Month, the February 26th, 2013, City Council meeting will be held in the conference room at the library.

INFORMATION: KERTON DONATION OF CHRISTMAS DEOCRATIONS

Mayor Nolan referred to the letter in the agenda packet thanking Robert Kerton for his donation of Danbury Mint Christmas ornaments valued at approximately \$3,000. The ornaments are on display at City Hall.

CONSENT AGENDA:

- Harvard Broadcasting, Inc. raffle request 01/19/2013

Moved by Perkins, seconded by Opper to approve the Consent Agenda as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Clarke, Logan, Perkins and Opper. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Clarke to approve the bills list in the amount of \$143,288.84. Roll call vote: Perkins, aye; Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye and Logan, aye. Motion approved seven to zero.

Alderman Logan noted that the Events Committee New Year's Eve Kids Bash will be held December 31st, 2012 at Crosby School from 10 am – noon.

ALD. ULMER

Alderman Ulmer called a Public Property Committee Meeting for Tuesday, January 8, 2013, at 6:30 p.m. to discuss the disposal contract.

ALD. MARZAHL

Alderman Marzahl commended the Public Works Dept. for an outstanding job repairing the water line by the park.

MAYOR'S REPORT

The Mayor wished everyone a Merry Christmas.

CLERK'S REPORT – UPCOMING MEETING DATES

January 2	Planning & Zoning Commission, POST TO CANCEL
January 8	Public Property Committee Meeting, 6:30 p.m.
January 8	Regular City Council Meeting, POST TO CANCEL
January 15	Regular Events Committee Meeting, 5 p.m.
January 22	Regular City Council Meeting 7 p.m.

City Clerk Wells noted that his office is accepting candidate petitions for the upcoming consolidated election. Per new state statute, deadline to submit petitions has been extended until Wednesday, December 26th, at 5 p.m. (Applications will not be accepted on December 24th or 25th) Notice of the deadline extension has been posted on the City's website and at City Hall.

TREASURER'S REPORT

Treasurer Szczap stated that the monthly treasurer's report for December, 2012 is in the packet.

NO REPORT

Attorney Carlos Arévalo, Administrator Nelson and Aldermen Leyden, Clarke and Perkins had no specific report.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

Chief Kazy Garey reported the Police Dept. received a grant for a video camera in one of the squad cars.

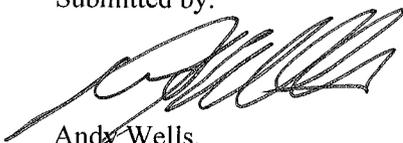
Supt. Kruckenberg noted an upcoming winter storm on Thursday.

At 7:23 p.m., moved by Logan, seconded by Opper to go into closed session to discuss Section 2(c)(1) Personnel. Roll call vote: Opper, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye and Perkins, aye. Motion approved seven to zero.

At 7:43 p.m., moved by Logan, seconded by Opper to reconvene the open session. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Clarke, aye; Logan, aye and Opper, aye. Motion approved six to zero.

At 7:43 p.m., moved by Logan, seconded by Clarke to adjourn the regular City Council meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Clarke, Logan and Opper. All ayes. Motion carried.

Submitted by:



Andy Wells,
City Clerk

1-9-13
Date