

REGULAR CITY COUNCIL MEETING MINUTES
October 6, 2004 - 7:00 P.M.

Mayor Henning called the City Council meeting to order and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Building Inspector Kruckenberg, Chief Mrozek, Supt. Public Works Carbonetti, Supt. Utilities Gibson, Atty. McArdle and members of the press and audience.

AUDIENCE PARTICIPATION:

Bill Batjes, 202 Admiral Dr. #2, requested that the City look into residential occupancy at 202 Admiral Dr., Apts. #1 and #4; he stated he has counted about nine vehicles there around 9 p.m.

Tom MacKenzie addressed the City Council on behalf of the District 50 Referendum Committee, Citizens Caring For Kids asking for individual support of the education referendum. Tom also invited the City Council to attend the Education Ball which is scheduled for the end of the month.

CITY COUNCIL MINUTES OF 09/15/04 - APPROVED

Moved by Berg, seconded by Dikun to approve the Regular City Council Meeting Minutes of September 15, 2004. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

PLANNING & ZONING HEARING/WRIGHT VARIATION @ 1209 GARFIELD - ORD. 2004-143 APPROVED

Alderman Hay read a letter from Don Moede, Chairman of the Planning and Zoning Commission which met on October 4, 2004, for a hearing in the petition of Thomas Berry (owner) and Jeffrey and Martha Wright (contract purchasers) for property located at 1209 Garfield St., Harvard, Illinois. The petitioners are requesting a variation from Section 17.36.050, Size of Accessory Uses, which requires that accessory uses on any lot shall not exceed 656 sq. ft. and that a single accessory use shall not exceed 576 sq. ft. The petitioner would like to build a 768 sq. ft. addition to the existing 484 sq. ft. garage for a total accessory building size of 1,252 sq. ft. There were three registered objectors. Concerns were expressed that the petitioner would use the proposed garage for commercial use to restore and paint vehicles. Chairman Moede stated that the property could not be used for commercial purposes because it is not zoned business. The petitioner stated that the garage would not be used for anything other than personal use. Another concern that was brought up was whether or not the proposed addition could cause water flow problems into neighboring basements. Building Inspector Santeler did not feel that water runoff would be affected. The Planning and Zoning Commission recommends to the City Council, by a vote of five to one, that the variation be approved as requested.

Moved by Hay, seconded by Dikun to approve the Planning and Zoning Commission's recommendation and Ordinance 2004-143, granting a variation from Section 17.36.050, Size of Accessory Uses, pursuant to the petition for property located at 1209 Garfield St. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, abstain, Dikun, aye; Bellon, aye; Perkins, aye and Hay, aye. Ordinance 2004-143 approved seven to zero with one abstention.

ZONING, PLANNING AND ORDINANCE COMM. RECOMMENDATION RE PUBLIC HEARING HELD 09/29/24 PERTAINING TO AREA LOCATED AT 347 S. DIVISION & 1200 N. DIVISION - APPROVED

Alderman Hay reviewed the minutes of the Zoning, Planning and Ordinance Committee Public Hearing held on September 29, 2004, at which time The Committee considered staff testimony pertaining to areas located at 1200 N. Division and 347 S. Division St. that need to be inspected and it was the expert opinion of City staff that the properties located at 347 S. Division and 1200 N. Division posed a threat to the public health, safety and general welfare of the residents of the City. The Zoning, Planning and Ordinance Committee recommends to the City Council the following finding of facts.

1. From exterior inspections conducted in the areas of 347 S. Division and 1200 N. Division, extensive violations of City regulations and codes exist, including unsafe and dangerous porches, damaged electrical service cables, and unsanitary debris surrounding the housing units. These

violations pose a threat to the public health, safety and general welfare of residents of the City; and

2. From previous City staff experience, there is a direct correlation between the presence of external violations and the presence of additional internal violations; and
3. In order for the City to ensure that substandard or unsafe conditions are corrected to protect the public health, safety and general welfare, it is necessary to conduct internal inspections in these two areas of the City.

Moved by Hay, seconded by Nolan to approve the Zoning, Planning and Ordinance Committee's recommendation as to the finding of facts as stated above pertaining to property located at 347 S. Division and 1200 N. Division St. Roll call vote: Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye and Nolan, aye. Motion approved eight to zero.

The Zoning, Planning and Ordinance Committee further recommends that based on these findings of fact that the City Council designate the areas of 347 S. Division and 1200 N. Division as areas which by the age, construction and use of the buildings contained therein pose a threat to the public health, safety and general welfare of residents therein and of the residents of the City of Harvard and that after such designation, the City Council authorize City staff to conduct interior inspections limited solely to the detection of ordinance violations which pose a threat to the public health, safety, and general welfare of the occupants of the residents of those areas and of the residents of the City of Harvard.

Moved by Hay, seconded by Berg to approve the Zoning, Planning and Ordinance Committee's recommendation as stated above pertaining to properties located at 347 S. Division and 1200 N. Division St. Roll call vote: Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye and Marzahl, aye. Motion approved eight to zero.

AMEND SECTION 15.07, NO PARKING LOCATIONS, NORTHFIELD AVE. - ORD. 2004-144 APPROVED

Moved by Berg, seconded by Perkins to approve Ordinance 2004-144, Amending Section 15.07, No Parking Locations regarding Northfield Avenue on both sides between 2nd St. and U.S. Route 14. Roll call vote: Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye and Hinterlong, aye. Ordinance 2004-144 approved eight to zero.

ANNUAL TREASURER'S REPORT - APPROVED

Mayor Henning noted the revised Annual Treasurer's Report. Moved by Berg, seconded by Dikun to approve the Annual Treasurer's Report as amended. Roll call vote: Dikun, aye; Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye and Berg, aye. Motion approved eight to zero.

PROCLAMATION FIRE PREVENTION WEEK AND MAKE A DIFFERENCE DAY - APPROVED

Moved by Dikun, seconded by Perkins to approve the following proclamations:

- Fire Prevention Week, October 3-9, 2004
- Make a Difference Day, October 23, 2004

Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

SALVATION ARMY SITE AGREEMENT - APPROVED

Moved by Berg, seconded by Dikun to authorize the execution of the Salvation Army Site Agreement for the year October 1, 2004 through September 30, 2005. Roll call vote: Bellon, aye; Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye and Dikun, aye. Motion approved eight to zero.

AUTHORIZATION TO WRITE GRANT FOR SENIOR CITIZEN CENTER - APPROVED

Moved by Bellon, seconded by Dikun to authorize Administrator Nelson to write a grant for a Senior Citizen Center. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

LIBRARY BOARD APPOINTMENT

Moved by Berg, seconded by Marzahl to approve the Mayor's recommendation to appoint Regina Logan to fill the vacancy on the Library Board. Roll call vote: Perkins, aye; Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye and Bellon, aye. Motion approved eight to zero.

FINANCIAL WORKSHOP

Moved by Berg, seconded by Hinterlong to schedule a financial workshop on Saturday, December 11, 2004, at 8:00 a.m. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

AUDIT FY ENDING APRIL 30, 2004 - APPROVED

Moved by Marzahl, seconded by Marzahl to approve the Audit for FY Ending April 30, 2004. Roll call vote: Hay, aye; Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye and Perkins, aye. Motion approved eight to zero.

CONSENT AGENDA :

- Halloween Trick-or-Treat Hours, October 31st, 2004 from 5-8 p.m.
- Women for Harvard Raffle Request October 6th - November 6th, 2004
- Harvard High School Student Council request for Homecoming Parade on Friday, October 15th
- Booster Club request to put up sign next to Chamber message board from October 11th - 14th to advertise their fundraiser
- District #50 Referendum Committee, Citizens Caring for Kids, request to put up sign next to Chamber message board from October 19th-26th notifying residents of a school referendum discussion on October 26th at First United Methodist Church
- Harvard Knights of Columbus request to conduct a food scavenger hunt on Saturday, October 23rd from 2-5 p.m. with items to be donated to Harvard Food Pantry

Moved by Berg, seconded by Dikun to approve the Consent Agenda. Aldermen voting aye: Nolan, Marzahl, Hinterlong, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. HINTERLONG - BILLS APPROVED

Moved by Hinterlong, seconded by Perkins to approve the bills as presented in the amount of \$267,284.47. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

ALD. BERG

Alderman Berg reported that the City has received the Engineers Estimate for a Drainage Study for Anderson St. and Lincoln St. area with an estimated cost of \$18,000.

ALD. DIKUN

Alderman Dikun reported that he has received several inquiries as to when PAR will have the pile of concrete removed where they are building the town homes. Administrator Nelson will try to get ahold of a schedule from the developer.

Alderman Dikun inquired about the parking problems on 9th St. and the cul-de-sac area of 9th St. and noted that there used be signs posted which are no longer there. Administrator Nelson noted that he checked the code book and there are no regulations in the current code for parking restrictions on 9th St. including the cul-de-sac.

ALD. BELLON

Alderman Bellon called a Public Property Committee meeting for October 20, 2004, at 6:15 p.m. to discuss the Godo/Mulvenna easement request reference library property; Mike Clarke request to purchase property in Park Pointe and the Vacation of University St. between 400 and 306 Hayes St.

ADMINISTRATOR'S REPORT

Administrator Nelson noted his written report and highlighted the meeting with IDOT and the City Engineer reference the viaduct at which time several variations on public utility locations were discussed. IDOT is considering a request from the City for a deferred payment for the lighting of the bridge with the city paying at a later date. If that concept is not acceptable to IDOT, another alternative would be to preserve the City's option to light the bridge at a later date; Dave has asked IDOT for prices to run the conduit pipes and foundations for the lights so that at a date the City could hire a lighting contractor and put up the lights. The bridge is scheduled for a spring letting and summer construction.

CLERK'S REPORT - UPCOMING MEETING DATES

- October 20 Public Property Committee Meeting, 6:15 p.m.
 Public Hearing Industrial Park TIF, 7:00 p.m.
- October 25 Planning and Zoning Commission, 7 p.m. - Stricker Industrial Park Annexation, Zoning,
 Preliminary Plat of Subdivision
- October 27 Annexation Agreement Hearing, Industrial Park, 6:30 p.m.
 Regular City Council Meeting, 7:00 p.m.

TREASURER MESECK

Treasurer Meseck noted her monthly report is in the aldermen's folders.

DEPARTMENT HEADS REPORTS

Dept. Heads and Smith Engineering: Reports as submitted.

NO REPORTS

Attorney McArdle and Aldermen Nolan, Marzahl, Perkins and Hay had no reports.

At 7:40 p.m., moved by Berg, seconded by Dikun to adjourn the meeting. Aldermen voting aye: Nolan, Marzahl, Berg, Dikun, Bellon, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date