

**REGULAR CITY COUNCIL MEETING MINUTES  
SEPTEMBER 12, 2006 - 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, Berg, Logan, Adams, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Chief Oparyk, Building Inspectors Kruckenberg and Santeler, Attorney Rob Fetzner and members of the press and audience.

**AUDIENCE PARTICIPATION: NONE**

**REGULAR CITY COUNCIL MINUTES 08/22/06 - APPROVED**

Moved by Berg, seconded by Perkins to approve the Regular City Council Meeting Minutes of August 22, 2006. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Logan, Adams, Perkins and Hay. All ayes. Motion carried.

**HOME OCCUPATIONS PERMIT/CARL OPPER, CUSTOM WOODWORKING @ 333 MARENGO RD. - APPROVED**

Carl Opper addressed the City Council with respect to his Home Occupations Permit Application to operate a small woodworking business from his garage at 333 Marengo Rd. Administrator Nelson noted that Carl has been conducting hobby woodworking from his shop and no noise complaints have been filed with the City. At Alderman Berg's inquiry, Carl indicated he would not have equipment other than what was listed on the application or that would not be considered normal in a hobby woodworking shop. The requisite notice was sent to property owners within 300' of subject property and no objectors were present. Moved by Berg, seconded by Logan to approve the Home Occupations Permit Application as presented. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

**HOME OCCUPATIONS PERMIT/LAURIE STANLEY, STANLEY'S DAY CARE @ 307 GALVIN PKWY. - APPROVED**

Laurie Stanley, 307 Galvin Parkway, addressed the City Council with respect to her Home Occupations Permit Application to operate a home daycare from her residence which is licensed with DCFS for up to 8 children in her care and up to 12 when her husband is home. Administrator Nelson stated that the requisite notice was sent to property owners within 300' of subject property. Mayor Nolan asked for any objectors. John Gaffney, 304 Joshua Tree Dr., stated he wasn't objecting to the Stanley's Day Care but felt that the City Council should look at and regulate how daycares and other commercial ventures operate in a residential area. After discussion, the general consensus was the DCFS Licensing Standards for Day Care Homes provided adequate regulations for operation. There were numerous residents in the audience in support of the day care. Attorney Paige Hoyt addressed the council with respect to a Supreme Court case law ruling that a municipality does not have the authority to regulate or impose specific conditions on daycare homes which are already established by the DCFS. At Administrator Nelson inquiry as to whether or not the case law was to be submitted to the City Clerk as part of the petition, Attorney Hoyt noted she had shown the case law to Attorney Fetzner. Administrator Nelson also noted that the merits of local and state zoning controls could be debated at length. Alderman Hay, Chairman of the Ordinance Committee indicated he would be opposed to any change of the City's current procedures for home occupation. Moved by Logan, seconded by Adams to approve the Home Occupations Permit Application for Laurie Stanley, d/b/a Stanley Daycare as presented. Roll call vote: Marzahl, aye; Ulmer, aye; Berg, abstain; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved seven to zero, with one abstention.

**JOE HOGEL/1442 S. DIVISION ST.**

Joe Hogel, 10006 Hidden Lane, Woodstock, Illinois, addressed the City Council with respect to his property at 1442 S. Division St. and noted he is doing his best to maintain the property (old Ferris property) which he felt had been improved considerably from what it was. Mayor Nolan noted that the City has received complaints with respect to safety hazards and that there are some issues that should be taken care of. Mr. Hogel was advised to contact the City's Building Inspectors at his earliest convenience to go over said issues.

**OTC TOBACCO LICENSE/GEORGE AMBAT, GRACE GROCERIES 711 E. DIGGINS - APPROVED**

Moved by Berg, seconded by Adams to approve an Over the Counter Tobacco License Application for George Ambat, Grace Groceries, 711 E. Diggins St. Roll call vote: Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

**EAGLE SCOUT PROJECT/DANNY KAZY-GAREY – APPROVED**

Administrator Nelson outlined details of an Eagle Scout Project submitted by Danny Kazy-Garey to erect mile marker posts every tenth of a mile around the walking path at Milky Way Path at an approximate cost of \$230.16. Danny is working with a foundation through Mendard's in an effort to get the materials donated by Menard's, but in the event the materials are not donated the City Council would need to approve the expenditure. Moved by Berg, seconded by Ulmer to approve the Eagle Scout Project as submitted at a cost of \$230.16. Roll call vote: Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

**SR. CITIZEN LEASE/DICK DOSS – 112 N. AYER ST. – APPROVED**

Mayor Nolan noted correspondence from Dick Doss to increase the rent for the building at 12 N. Ayer St. and his subsequent conversation and worked out an agreement whereby the rent would go up \$50 this year and in two years by another \$50. Moved by Marzahl, seconded by Perkins to authorize the execution of the Annual Lease with B. Richard Doss for the Sr. Citizens Center at 12 N. Ayer St., at a cost of \$525 per month. The term of the lease is from September 15, 2006 through September 14, 2007. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Berg, abstain. Motion approved seven to zero, with one abstention.

**FIRST PRESBYTERIAN CHURCH, 7100 HARVARD HILLS RD./LIGHTED COLUMNS – APPROVED**

Mary Jane Haldeman, Foundation Member of the First Presbyterian Church, addressed the City Council with respect to the church's request to install lighted columns at the entrance which is in the City's right-of-way. The columns would be placed 15' west of the lot line and 15' east of the culvert. Each column would be located 10' to the south and north of the driveway. Mary Jane inquired if the City had any plans to run utility services for future developments on the east side of the street. Administrator Nelson indicated that the likelihood that the light posts would be in the way in the future for either storm or sanitary sewer was small but couldn't guarantee that the lights would never be in the way. In the event the City did put in utilities, they would try to work around the lights. Moved by Berg, seconded by Hay to approve the First Presbyterian Church's request to install lighted columns at the entrance which is in the City's right-of-way. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Ulmer, aye. Motion approved eight to zero.

**FINANCIAL WORKSHOP – 10/14/06**

Chairman Logan called a Financial Workshop for the entire City Council on Saturday, October 14<sup>th</sup> from 8 a.m. until noon.

**CONSENT AGENDA:**

☞ Women for Harvard Raffle Request: September 30, 2006

Moved by Berg, seconded by Adams to approve the Consent Agenda. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

**COMMITTEE REPORTS**

**ALD. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Adams to approve the bills as presented in the amount of \$192,584.12. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye and Logan, aye. Motion approved eight to zero.

**ALD. LOGAN - FINANCE COMMITTEE MEETING 08/30/06**

Alderman Logan noted the Finance Committee Meeting Minutes of August 30<sup>th</sup>, 2006.

**ALD. ADAMS**

Alderman Adams indicated that he would be unable to attend the City Council Meetings of September 26<sup>th</sup> and October 10<sup>th</sup>, 2006.

**MAYOR'S REPORT**

The Mayor noted that the new Metra Parking System using automated pay boxes went online today with only one complaint received.

**ADMINISTRATOR'S REPORT**

Administrator Nelson noted that the City's Howard/Metzen Street proposal for CDBG grant funding has been approved by the County on a preliminary basis.

**CLERK'S REPORT - UPCOMING MEETING DATES**

Sept. 26            Regular City Council Meeting, 7 p.m.

**DEPARTMENT HEADS REPORTS**

Smith Engineering & Dept. Heads            Reports as submitted.

**NO REPORTS**

Attorney Fetzner, Treasurer Meseck and Aldermen Hay, Perkins, Berg, Ulmer, Marzahl and Leyden had no report at this time.

At 7:40 p.m., moved by Hay, seconded by Adams to go into Closed Session to discuss Section 2 (c) (5) Sale or Lease of Real Estate. Roll call vote: Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye and Perkins, aye. Motion approved eight to zero.

At 7:46 p.m., moved by Logan, seconded by Perkins to reconvene Open Session. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

At 7:47 p.m., moved by Perkins, seconded by Logan to adjourn the meeting. Roll call vote: Marzahl, aye; Ulmer, aye; Berg, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved eight to zero.

Submitted by:

Andy Wells,  
City Clerk

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Date