

**REGULAR CITY COUNCIL MEETING MINUTES  
OCTOBER 9, 2007 - 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, Szczap, Logan, Perkins and Hay. Aldermen Ulmer and Adams were absent. Also present were Treasurer Meseck, City Administrator Nelson, Chief Kazy-Garey, Supt. of Public Works Kruckenberg, Code Enforcement Officer Brennecka, City Attorney Carlos Arévalo and members of the audience.

**AUDIENCE PARTICIPATION:**

The following individuals addressed the City Council noting that Wal-Mart's general contractor hired out-of-state companies for construction of their new facility instead of local workers: Gregg Carroll, 440 Stanford Dr., Marengo; Frank Klein, Harvard; Craig Dayton, 11940 Beloit Rd., Belvidere and the business manager of the Brick Layers Local #127. It was noted that one of the contractors does not have the appropriate Illinois Workmen's Compensation Insurance; Mayor Nolan stated that all contractor's are licensed through the City and he will have staff check to make certain all contractor/sub-contractors comply with state laws.

**CITY COUNCIL MEETING MINUTES OF 09/25/07 - APPROVED**

Moved by Perkins, seconded by Logan to approve the Regular City Council Meeting Minutes of September 25, 2007, as presented. Aldermen voting aye: Leyden, Marzahl, Szczap, Logan, Perkins and Hay. All ayes. Motion carried.

**FRANKLIN SIGN VARIATION – ORD. 2007-132 APPROVED**

Bryan Franklin has submitted a petition for property located at 100 S. Ayer St. for a variation from the sign ordinance to allow a sign to protrude from the building 3' x 42". Current ordinance allows for a 1' overhang. At Alderman Logan's inquiry, the Mayor indicated the property would fall in the Downtown Historic Preservation District once it's formed. Moved by Perkins, seconded by Hay to approve the request as presented. Roll call vote: Leyden, aye; Marzahl, aye; Szczap, aye; Logan, no; Perkins, aye and Hay, aye. Ordinance 2007-132 approved five to one.

**WAL-MART REQUEST/VARIATION FROM CHAPTER 27.04, NOISE – ORD. 2007-133 APPROVED**

Mayor Nolan reviewed Tri-C Construction Co., Inc. request for a noise variation for the Wal-Mart #1211 job site and noted that current ordinance allows for work on the jobsite from 6 a.m. – 10 p.m., Monday through Saturday not 7 a.m. as listed in their request and on Sunday from 9 a.m. – 9 p.m. Wal-Mart is requesting a variation to allow for work hours on Monday – Saturday from 6 a.m. – 1 a.m. for the period October 8, 2007 – November 2, 2007. Sundays to remain the same. There are not residences in the immediate vicinity. Moved by Hay, seconded by Perkins to approve Wal-Mart's request for a noise variation as discussed. At Alderman Marzahl's inquiry, Administrator Nelson stated that all subcontractors are licensed with the City. That process includes submitting proof of Illinois Workmen's Compensation; staff will check the first thing in the morning and if that is not the correct case, their license will be pulled and they will be taken off the job until such time as they provide proper insurance. Roll call vote: Marzahl, aye; Szczap, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Ordinance 2007-133 approved six to zero.

**ORDINANCE AMENDING SECTION 1.14, SECTION 2.08 & CHAPTER 5 – ORD. 2007-134 APPROVED**

Clerk Wells reviewed the proposed ordinance amending Section 1.14, Settlement of Offenses; Section 2.08, Special Committee and Chapter 5, Boards and Commissions. The proposed ordinance adds the Historic Preservation Commission to Chapter 5 and renumbers the Spirit of 76 Scholarship Board and Mary D. Ayer Board from Chapter 2 to Chapter 5. Clerk Wells inquired about the fine amount for the Settlement of Offenses as listed in Section 3 at \$50 and \$100; Staff recommends the fine amounts be set at \$250 and \$500. Moved by Logan, seconded by Perkins to approve Ordinance 2007-134 Amending Chapter 5, Section 2.08 and Section 1.14, pursuant to staff recommendation. Roll call vote: Szczap, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2007-134 approved six to zero.

### **EVENTS COMMITTEE RECOMMENDATIONS**

Alderman Logan noted the Events Committee Meeting Minutes of October 2<sup>nd</sup>, 2007. The Committee met to discuss Christmas in Harvard. Information only; no action needed. The next meeting is October 16<sup>th</sup>, 2007.

### **PARKS & RECREATION COMMITTEE RECOMMENDATIONS**

Chairman Perkins noted the Parks & Recreation Committee Meeting Minutes of October 2<sup>nd</sup>, 2007. The Committee met to discuss Harvard Milk Days' proposal to construct a building at Milky Way Park. Milk Days will present a more detailed proposal in an upcoming meeting.

### **HISTORIC PRESERVATION COMMISSION RECOMMENDATIONS**

Chairman Leyden reviewed the Historic Preservation Commission Meeting Minutes of October 2<sup>nd</sup>, 2007.

Selection of Officers: Vice-Chairman and Secretary

The Commission approved Tom Evers as Vice-Chairman and Jeff Franklin as Secretary.

#### Rules/Regulations

The Commission is in process of reviewing rules/regulations for the Commission.

#### Downtown Historic Preservation District

The Commission will conduct a public hearing on October 17<sup>th</sup>, at 7 p.m. to review the petition submitted by Harvard Main Street for the formation of the Downtown Historic Preservation District.

### **STREETS & ALLEYS COMMITTEE RECOMMENDATIONS**

Co-Chairman Logan reviewed the Streets and Alleys Committee Meeting Minutes of October 3<sup>rd</sup>, 2007.

No Parking on Galvin Parkway – Tabled by Committee

#### Stop Sign at Klamon/Garfield - Ord. 2007-135 Approved

The Committee discussed the Klamon/Garfield intersection which currently has no traffic control and recommends to the City Council that a stop sign be placed on Klamon St. westbound on Garfield.

Moved by Logan, seconded by Perkins to approve the Committee's recommendation and Ordinance 2007-135, Amending the Master Stop Sign List, to add a stop sign on Klamon St. westbound at Garfield St. Chief Kazy-Garey did not have any objections but noted that a T-intersections stop sign is not required. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Szczap, aye. Ordinance 2007-135 approved six to zero.

#### Request to Vacate a Portion of Finney St. – Ord. 2007-136 approved

The Committee discussed Dennis Dunn's request that the City vacate a portion of Finney St. from Park towards the tracks, to the property owners on either side and recommends to the City Council approval of the request maintaining an easement across the entire right-of-way, with the property owners on either side to pay all the expenses associated to vacate the roadway, including but not limited to attorney fees, recording fees and survey expenses.

Moved by Logan, seconded by Perkins to approve the Committee's recommendation and Ordinance 2007-136, Vacating a Portion of Finney Street as discussed. Supt. Kruckenberg had no objections. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Szczap, aye and Logan, aye. Ordinance 2007-136 approved.

### **INFORMATION: HEARING DOWNTOWN HISTORIC PRESERVATION DISTRICT – 10/17/07**

The Harvard Historic Preservation Commission has scheduled a hearing for Wednesday, October 17<sup>th</sup>, 2007, at 7 p.m. to review the petition submitted by Harvard Main Street for the formation of the Downtown Historic Preservation District as outlined in their petition and district map.

### **INFORMATION: TIF JOINT REVIEW BOARD MEETING – 10/25/07**

A TIF Joint Review Board Meeting has been scheduled for October 25<sup>th</sup>, 2007, at 3 p.m. to review the

annual Tax Increment Finance Reports for FY Ending 04/30/07 for the Harvard Downtown Redevelopment Project Area, the Harvard Industrial Park Redevelopment Project Area and the US Route 14/Airport Road Redevelopment Project Area.

**INFORMATION: MCCOG MEETING, OCTOBER 24<sup>th</sup>**

The MCCOG Meeting will be held on Wednesday, October 24<sup>th</sup>, 2007, at the Johnsbury Community Club.

**CONSENT AGENDA:**

☞ St. Joseph's Church/School Raffle License Application 10/15/07 – 10/13/08  
Moved by Perkins, seconded by Logan to approve the Consent Agenda. Aldermen voting aye: Leyden, Marzahl, Szczap, Logan, Perkins and Hay. All ayes. Motion carried.

**COMMITTEE REPORTS**

**ALD. LOGAN - BILLS APPROVED**

Moved by Logan, seconded by Perkins to approve the updated bills list as presented in the amount of \$176,446.38. Roll call vote: Hay, aye; Leyden, aye; Marzahl, aye; Szczap, aye; Logan, aye and Perkins, aye. Motion approved six to zero.

**ALD. SZCZAP**

Alderman Szczap commented on how nice Northfield Ave. Park looks.

**ALD. MARZAHL**

Alderman Marzahl noted he has heard a lot of compliments on the parks.

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

October 16	Events Committee – 5:00 p.m.
October 17	Historic Preservation Commission Hearing, 7 p.m.
October 22	Historic Preservation Commission Meeting, 7 p.m.
October 23	Regular City Council Meeting, 7 p.m.
October 25	TIF Joint Review Board, 3 p.m.

**DEPARTMENT HEADS REPORTS**

Smith Engineering & Dept. Heads; Reports as submitted

Supt. Kruckenberg reviewed a memo in the aldermen's packet noting replacement of a sanitary manhole at the intersection of Ayer and Front which will require the closing of E. Front St. from Johnson St. to Ayer St. on Wednesday, October 10<sup>th</sup>. This is scheduled to be completed by the end of the day.

**NO REPORTS**

Attorney Arévalo, Mayor Nolan, Administrator Nelson, Treasurer Meseck and Aldermen Leyden, Perkins and Hay had no report at this time.

At 7:20 p.m., moved by Perkins, seconded by Logan to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Szczap, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,  
City Clerk

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Date