

REGULAR CITY COUNCIL MEETING MINUTES

July 22, 2008 - 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. City Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. Also present were Treasurer Meseck, Chief Kazy-Garey, Code Enforcement Officer Brennecka, Community Development Director Santeler, City Attorney Carlos Arévalo and members of the audience.

AUDIENCE PARTICIPATION: NONE

CITY COUNCIL MEETING MINUTES OF 07/08/08 - APPROVED

Moved by Logan, seconded by Perkins to approve the minutes of the Regular City Council Meeting minutes of July 8, 2008, as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

HARVARD FIRE PROTECTION DISTRICT PRESENTATION

Tom Condon, Trustee of the Harvard Fire Protection District addressed the City Council with respect to the four alarm fire that occurred on June 3, 2008, at Northfield Court Apartments to recognize the following individuals for exemplary duties and heroic measures during the fire:

- Denise Bell is a resident at the complex who knocked on the doors of each of her neighbors to make sure everyone was awake. Denise was presented with a Citizens Award in recognition of her bravery and assistance to the citizens of the Harvard Fire Protection District
- Chuck Lorenz is a firefighter and paramedic as well as a police officer and was involved in search and rescue of a woman in the burning complex. Chuck was presented an award in recognition of his bravery and service to the City of Harvard and citizens of the Harvard Fire Protection District
- Deputy Fire Chief Alan Styles is a firefighter and paramedic and was involved in search and rescue of a woman in the burning complex. Alan was presented an award in recognition of his bravery and service to the City of Harvard and citizens of the Harvard Fire Protection District
- Fire Chief Steven Harter managed and directed one of the most dangerous fires in our communities with over twenty-five fire departments assisting. Steve was presented an award in recognition of his bravery and service to the City of Harvard and citizens of the Harvard Fire Protection District

Mayor Nolan, on behalf of the City Council and citizens of Harvard congratulated the award recipients and the Harvard Fire Protection District for the fine job the department does.

TOBACCO LICENSE APPLICATION/PANKAJ PATEL, BP HARVARD 501 S. DIVISION ST - APPROVED

Mayor Nolan noted receipt of a tobacco license application and fees from Pankaj Patel. Moved by Logan, seconded by Perkins to approve a Tobacco License to Pankaj Patel, OM Oil Inc. d/b/a BP Harvard, 501 S. Division St., Harvard. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

L & K PROPERTY MANAGEMENT, LLC/REQUEST TO RELOCATE ENTRANCE AT 108 S. AYER – REFERRED TO PUBLIC PROPERTY COMM. 07/30/08

Mayor Nolan referred the item to the Public Property Committee. Chairman Ulmer called a Public Property Committee Meeting for July 30, 2008 at 6:30 p.m.

COM ED CONTRACT/UNDERGROUND SUMNER ST. - \$12,500- APPROVED

Moved by Logan, seconded by Marzahl to authorize the Mayor and City Clerk to sign the contract with ComEd for the removal of the high lines on Front Street to be buried along Sumner Street during the streetscape project in the amount of \$12,500. Roll call vote: Marzahl, aye; Ulmer, aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved eight to zero.

NO INTEREST LOAN - \$44,880 TO FRANK LENHART, 37 N. AYER ST. - APPROVED

Administrator Nelson reported that the appropriate application has been filled out and the background and credit checks have been conducted for a revolving loan for Frank Lenhart for building improvements at 37 N. Ayer St. Mr. Lenhart meets all the eligibility requirements. Moved by Logan, seconded by Adams to approve a revolving loan to Frank Lenhart in the amount of \$44,880. Roll call vote: Ulmer,

aye; Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Motion approved eight to zero.

NO INTEREST LOAN - \$14,500 TO GENE & JOANNE BOPPART, 14 N. AYER ST. - APPROVED

Administrator Nelson reported that the appropriate application has been filled out and the background and credit checks have been conducted for a revolving loan for Gene and Joanne Boppart for building improvements at 14 N. Ayer St. Mr. and Mrs. Boppart meet all the eligibility requirements. Moved by Marzahl, seconded by Adams to approve a revolving loan to Gene and Joanne Boppart in the amount of \$14,500. Roll call vote: Szczap, aye; Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero.

LIBRARY BOARD LETTER OF RESIGNATION/MISSI BERG - APPROVED

Moved by Logan, seconded by Perkins to approve Missi Berg's letter of resignation from the Library Board with regrets, effective immediately. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

LIBRARY BOARD APPOINTMENT/JOHN GAFFNEY - APPROVED

Moved by Logan, seconded by Leyden to approve the Mayor's recommendation to appoint John Gaffney to the Library Board to fill the vacancy. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN AUDIO RECORDINGS OF CLOSED SESSION MEETINGS - APPROVED

Moved by Perkins, seconded by Logan to approve a resolution authorizing the destruction of audio recordings of the following closed session meetings: September 12, 2006 – September 26, 2006. Roll call vote: Adams, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Szczap, aye. Resolution approved eight to zero.

EVENTS COMMITTEE RECOMMENDATION

The Events Committee recommends to the City Council approval of Harvard Main Street's request as follows:

- Permission to allow for hand-led pony rides by "Ponies that Party" in vacant lot at 5-Points (permission has been obtained from the Stickers to use the lot); The Events Committee recommended that Cathy contact Chief Kazy-Garey about having a crossing guard present.
- Permission to place "Watch for Pedestrians" near 5-Corners intersection
- Six picnic tables and eight garbage cans to be placed by Central School for Harvard Main Street to move into the street on Saturday
- Use of sidewalks between 5-Points and Sumner and wherever any downtown business merchant would like to have an outdoor display/table
- Place 18 x 24 real estate style signs around town the week of event to be removed Saturday evening

Cathy Pescinski, Director Harvard Main Street outlined their request for Family Fun Fest to be held at Central School on Saturday, August 23, 2008, and noted they have a volunteer who will help people cross at the two intersections between Central School and the vacant lot at 5 points. The picnic tables and garbage cans will be utilized in the school parking lot.

Moved by Perkins, seconded by Adams to approve the Events Committee's recommendations granting Harvard Main Street requests pertaining to Family Fun Fest on August 23, 2008 at Central School. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

ORDINANCE COMMITTEE RECOMMENDATIONS

Chairman Hay reviewed the Ordinance Committee Meeting Minutes of July 17, 2008.

Review Fence Ordinance

The Committee reviewed the fence ordinance and recommends to the City Council to conduct a public hearing in front of the Zoning Board of Appeals to petition for an amendment to the Zoning Ordinance to

prohibit fences in front yards, to prohibit fences in side yards on a corner lot on the side facing the street and to apply the standard 50% rule for non-conforming structures whereby if 50% or more of the fence is damaged or destroyed, the entire fence must be removed and conform with the current code.

Moved by Hay, seconded by Perkins to approve the Ordinance Committee's recommendation to conduct a public hearing in front of the ZBA to petition for an amendment to the zoning ordinance as discussed. The next scheduled Planning and Zoning Commission Hearing is September 2nd, 2008. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Resale Shops

The Committee also discussed the City's regulatory authority under state statute to license or regulate certain businesses and directed staff to further research and bring back to the Committee for review.

Administrator Nelson indicated he will have a report ready for the Mayor, Chairman and Committee members at the next City Council meeting.

CONSENT AGENDA:

- Free Spirit Siberian Rescue Tag Days, August 16th & 17th, 2008
- Harvard Jr. Tackle Raffle Request July- October, 2008
- Harvard Jr. Tackle Raffle Request Sept. 7th, 14th, 21st, 28th & Oct. 5th, 2008
- Harvard Jr. Tackle Raffle Request September 20th, 2008

Moved by Perkins, seconded by Adams to approve the Consent Agenda. Alderman Marzahl brought up discussion on the proposed locations for solicitation by the Free Spirit Siberian Rescue Tag Days. Chief Kazy-Garey indicated he had no problems with the request so long as they don't interrupt the traffic flow. Alderman Hay recommended they only be allowed to solicit at one location. Aldermen Perkins and Adams withdrew their motion and second respectively.

Moved by Logan, seconded by Perkins to approve the Harvard Jr. Tackle Raffle Requests. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Moved by Hay, seconded by Marzahl to approve the Free Spirit Siberian Rescue Tag Days on August 16th and 17th, limiting solicitation to the five-points intersection. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$463,742.35. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Szczap, aye and Adams, aye. Motion approved eight to zero.

ALD. LOGAN – FINANCE COMMITTEE MEETING 07/30/08

Alderman Logan called a Finance Committee Meeting for July 30, 2008, at 6:30 p.m. immediately following the Public Property Committee meeting. Agenda items are the quarterly review of finances and expenditures.

MAYOR'S REPORT

Mayor Nolan updated the City Council on the status of the Ayer Street project and noted the pay schedule in the aldermen's folders.

CLERK'S REPORT - UPCOMING MEETING DATES

July 30	Public Property Committee Meeting, 6:30 p.m.
July 30	Finance Committee Meeting, 6:30 p.m.
Aug 5	Planning and Zoning Commission Hearing, 7 p.m.
Aug 12	Regular City Council Meeting, 7 p.m.

TREASURER'S REPORT

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

DEPARTMENT HEADS REPORTS

Smith Engineering & Dept. Heads: Reports as submitted.

SWEAR IN NEW POLICE OFFICER

Chief Kazy-Garey introduced candidate Aaron Palmer for position of police officer. Officer Palmer was then sworn in by City Clerk Wells. Officer Palmer will attend police academy in August and will replace Officer Larry Sadoski who retires in January, 2009.

NO REPORTS

City Attorney Arévalo, Administrator Nelson and Aldermen Leyden, Marzahl, Ulmer, Szczap, Adams, Perkins and Hay had no specific report at this time.

At 7:29 p.m., moved by Logan, seconded by Perkins to adjourn the meeting. Aldermen voting aye: Leyden, Marzahl, Ulmer, Szczap, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date