

**REGULAR CITY COUNCIL MEETING MINUTES
JUNE 23, 2015 - 7:00 PM**

Mayor Nolan called the Regular City Council Meeting to order at 7:00 pm and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. Treasurer Szczap was absent. Also present were City Administrator Nelson, Code Enforcement Officer Nutley, Chief of Police Krause, Supt. Parks & Rec Clingingsmith, Supt. Public Works Kruckenberg, Supt. Utilities Grant, City Attorney Clifton and members of the audience.

PUBLIC COMMENT: NONE

CITY COUNCIL MEETING MINUTES OF 05/26/2015 - APPROVED

Moved by Clarke, seconded by Opper to approve the minutes of the Regular City Council Meeting of May 26th, 2015, as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

STRICKER VARIATION FROM SECTION 27.02A, PROHIBITED FIRES, BURNING - APPROVED

Mark Stricker, 9809 Lilja Rd., Harvard addressed the City Council with respect to a petition submitted by the Anton & Shirley Stricker Trust #1 for relief from Section 27.02A, Prohibited Fires, Burning to allow a controlled burn at 5413 South Route 14 to burn brush/trees that will be cleared along the property lines. Current code prohibits open burning. The requisite notice was sent to adjoining property owners and no objections have been received. Moved by Opper, seconded by Burlingame to approve the petition for relief from Section 27.02A, Prohibited Fires, Burning, to allow a controlled burn at 5413 South Route 14, subject to the following conditions: the burn to be conducted during the week Monday through Friday after a minimum of 3" snowfall. Roll call vote: Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Motion approved eight to zero.

JIM OLSON COLLISION REQUEST FOR EXTENSION OF WATER/SEWER HOOK UP - DENIED

Jim Olson, 12218 Cooney Dr., Woodstock addressed the City Council requesting a one year extension on the City water and sewer hookup requirement for Jim Olson Collision, 5311½ Route 14. Attorney Clifton advised the City Council that the water/sewer hookup requirement was pursuant to an annexation agreement so any amendment would be subject to public hearing requirements. The City Council reviewed prior correspondence between Mr. Olson and Community Development Director Santeler reference the water/sewer hookup. Moved by Clarke, seconded by Opper to conduct a public hearing on July 28th, 2015, prior to the City Council meeting, to amend the annexation agreement to extend the water/sewer requirement with Mr. Olson filing the proper paperwork and paying necessary fees. Roll call vote: Marzahl, aye; Ulmer, no; Kelly, no; Clarke, aye; Meza, aye; Adams, no; Opper, aye; Burlingame, no. Tie vote. City Clerk Wells called upon Mayor Nolan to vote on the motion. Mayor Nolan voted no. Motion to schedule a public hearing has been denied. Mr. Olson was directed to work with Community Development Director Santeler to complete the required improvements.

HOMETOWN HEROES 5K RUN/WALK SATURDAY AUGUST 29th, 2015 - APPROVED

Teri McCloud, 105 Grant St., Harvard addressed the City Council on behalf of the Class of 92 requesting permission to host a "Hometown Heroes" 5K Run/Walk on Saturday, August 29th, 2015, to benefit classmates that have been affected by cancer. The 5K would start after the 3:35 pm train leaves the station. Teri indicated that the route does not cross any major highway nor did she think any streets would need to be blocked off. The proposed route would start at the EDC lot on E. Front St. and proceed downtown to Milky Way Park and return to the EDC lot. Chief Krause noted there is a lot of heavy truck traffic on West Diggins/Ramer but didn't foresee a big issue as the run is on Saturday. Mayor Nolan reported that the EDC has no concerns. Moved by Opper, seconded by Kelly to approve the request as presented, with the organizers to post banners/signs particularly on West Diggins/Ramer. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

HARVARD MILK DAYS REQUEST FOR MILKY WAY PARK IMPROVEMENTS - APPROVED

Bryce Bannwolf, President, Harvard Milk Days, 811 E. Brown St., Harvard reviewed Milk Days' request

to install a limestone path which would run just north of the electrical building going west and connect with the existing north/south paths and to add a 3' extension to the right side of the existing north/south path. The proposed improvements would be installed at Milk Days' expense. Moved by Ulmer, seconded by Clarke to approve the proposal for improvements as presented. Alderman Opper suggested the proposed improvements wait until after the Parks Comp Plan is in place. Administrator Nelson noted that the paths are used year round by walkers and this portion of the park is set aside specifically for Milk Days. Roll call vote: Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, no; Burlingame, aye and Marzahl, no. Motion approved six to two.

CMAP GRANT/DEVELOPMENT PLAN - AUTHORIZATION TO WRITE GRANT APPROVED

Moved by Opper, seconded by Ulmer to authorize City Administrator Dave Nelson to write a CMAP grant to apply for technical assistance on a development plan to update the City's zoning and subdivision codes. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

MUNICIPAL ELECTRIC AGGREGATION - APPROVED

Administrator Nelson reported that the electric aggregation bids were opened on June 16th, 2015, with the low bid submitted by MidAmerican at a rate of .0647 per kwh which will save residents 9% on their electric bill. Moved by Burlingame, seconded by Opper to sanction Administrator Nelson's execution of documents for a two year contract with MidAmerican at .0647 per kwh. Roll call vote: Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye and Ulmer, aye. Motion approved eight to zero. MidAmerican will send out notices to residents with an August changeover.

PREVAILING WAGE – ORD. 2015-114 APPROVED

Mayor Nolan and Administrator Nelson reviewed the ramifications of not passing the prevailing wage ordinance which would include ineligibility for state and federal funding. Moved by Burlingame, seconded by Marzahl to approve Ordinance 2015-114, Prevailing Wage. Roll call vote: Clarke, no; Meza, aye; Adams, aye; Opper, no; Burlingame, aye; Marzahl, aye; Ulmer, no and Kelly, aye. Ordinance 2015-114 approved five to three.

AMEND SECTION 5.05-A & D EVENTS COMMITTEE MEMBERSHIP - ORD 2015-115 APPROVED

Mayor Nolan indicated that the Events Committee is requesting that the board membership be reduced to make it easier to obtain a quorum for meetings. Moved by Ulmer, seconded by Opper to approve Ordinance 2015-115, Amending Section 5.05-A & D of the Harvard Municipal Code Regarding Membership and Quorum on the Harvard Events Committee. Roll call vote: Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye and Clarke, aye. Ordinance 2015-115 approved eight to zero.

PARKS & RECREATION COMMITTEE MEETING MINUTES OF JUNE 2nd, 2015

Chairman Clarke reviewed the Parks & Recreation Committee Meeting Minutes of June 2nd, 2015.

Expiring Pool/Library Bonds

The Committee reviewed a proposal to combine the pool/library bonds that expire in 2019 that were issued in amount of \$300,000. City staff and the library have discussed presenting taxpayers with a referendum to continue the bonds. Instead of going towards the construction costs for the library and pool, the revenue would be split between general library and park services. The Parks & Recreation Committee recommends that the bond issue be tabled until a parks comprehensive plan is in place. Administrator Nelson was directed to work out some of the details with the City Attorney to establish a deadline to have the plan completed by to make sure the timing is correct for a possible referendum.

Parks Comprehensive Long Term Plan

The Committee discussed developing a parks comprehensive plan to establish a long term vision of the parks system and to identify park needs and services people would like to see in the parks. The Committee authorized Administrator Nelson to contact a couple land planners/consultants that could

meet with the Parks & Recreation Committee to make a presentation outlining services and fees with a followup meeting called for June 16th, 2015.

PARKS & REC COMMITTEE MEETING MINUTES OF JUNE 16th, 2015

Chairman Clarke reviewed the Parks & Recreation Committee Meeting Minutes of June 16th, 2015.

Bill James, Camiros LTD Contract for Parks Comprehensive Plan - Approved

Bill James, Camiros Ltd. gave a run down of other park projects that his firm has worked on and how his firm is committed to individualizing plans to fit the needs of each specific community. A presentation was given on a five point plan that would take approximately six months to complete that included an inventory and condition assessment of current park assets followed by a needs assessment and start of a framework plan. The final framework plan would be completed in about four months at which time the fine tuning could be done. The completed comprehensive plan would be completed about two months after that. Administrator Nelson mentioned that this plan not only could be used to help with the immediate direction the parks need to take to remain solvent but also to create a vision for the future. The Committee authorized Mayor Nolan and Administrator Nelson to negotiate a contract with Camiros Ltd. to implement and complete a Parks Comprehensive Plan. This contract would be brought before the full council at the regular meeting on June 23rd, 2015, for final approval.

Pursuant to the Committee's direction, a contract was negotiated with Camiros Ltd. to furnish technical and professional assistance in connection with the development of a strategic plan for the Parks and Recreation System at a cost not to exceed \$45,000. Administrator Nelson noted that Mr. James has agreed to allow City staff to complete some of the task items which should reduce the cost to under \$40,000. Alderman Clarke clarified that the fee would be paid out of the capital improvement fund. Moved by Burlingame, seconded by Ulmer to authorize Mayor Nolan's execution of the Professional Service Agreement between the City of Harvard and Camiros Ltd. Roll call vote: Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye and Meza, aye. Motion approved eight to zero.

ZONING, PLANNING & ORDINANCE COMMITTEE MEETING MINUTES June 2nd, 2015

Chairman Ulmer reviewed the Ordinance Committee Meeting Minutes of June 2nd, 2015.

Proposed Ordinance Establishing a 3% Amusement Tax - Ord. 2015 -116 Approved

The Committee reviewed the proposed ordinance establishing a 3% amusement tax. Administrator Nelson indicated that the original intent was to apply the amusement tax to groups that use the parks for profit which was later expanded to include other areas based on the state's definition of amusement. The Ordinance Committee recommends that the ordinance be implemented amending what was presented to only include events that would be using city owned parks that are run at a profit.

Moved by Ulmer, seconded by Opper to approve the Ordinance Committee's recommendation and the proposed ordinance adding Section 21.20 Amusement Regulations to establish a 3% amusement tax on amusements conducted on dedicated city park lands, with revenue collected to be budgeted towards the maintenance and/or operational expenditures for the park lands and improvements in the city parks. Roll call vote: Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye and Adams, aye. Ordinance 2015-116 approved eight to zero.

INFO: MCRIDE INFO SESSION JULY 29TH, 2015 AT HARVARD DIGGINS LIBRARY

A McRide info session will be held on July 29th, 2015 at Harvard Diggins Library from 5:30 - 6:30 pm.

COMMITTEE REPORTS

ALD. OPPER- BILLS APPROVED

Moved by Opper, seconded by Adams to approve payment of the bills as revised in the amount of \$329,169.78. Roll call vote: Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye and Opper, aye. Motion approved eight to zero.

ALDERMAN MARZAHL

Alderman Marzahl thanked Supt. Utilities Grant for the WWTP tour.

MAYOR'S REPORT

Mayor Nolan reported that the air conditioner at City Hall has been installed.

CLERK'S REPORT – UPCOMING MEETING DATES

July 7 Planning & Zoning Commission - POST TO CANCEL
July 14 Regular City Council Meeting - POST TO CANCEL
July 21 Regular Events Committee Meeting, 5 pm
July 28 Regular City Council Meeting, 7 pm

TREASURER'S REPORT

The monthly treasurer's report for June, 2014 is in the packet.

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

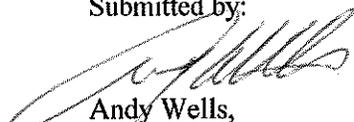
Chief Krause reported that Officer Salas has completed field training and is on sole patrol.

NO REPORT

Attorney Clifton, Administrator Nelson and Aldermen Burlingame, Ulmer, Kelly, Clarke, Meza and Adams had no specific report.

At 7:41 p.m., moved by Clarke, seconded by Opper to adjourn the regular City Council meeting. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Meza, Clarke, Adams and Opper. All ayes. Motion carried.

Submitted by:


Andy Wells,
City Clerk

06/26/15
Date