

**REGULAR CITY COUNCIL MEETING MINUTES
SEPTEMBER 22, 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. Also present were Treasurer Szczap, City Administrator Nelson, Code Enforcement Officer Nutley, Community Development Director Santeler, 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 08/25/2015 - APPROVED

Moved by Clarke, seconded by Opper to approve the minutes of the Regular City Council Meeting of August 25, 2015, as presented. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

TRINITY LUTHERAN CHURCH VARIATION FROM SECTION 16.16.030G - APPROVED

Trinity Evangelical Lutheran Church is in the process of subdividing the former parsonage at 501 Grant St. so as to sell the house and is requesting relief from Section 16.16.030G of the Subdivision Ordinance which requires a topographical survey of the area to be subdivided to be submitted with the subdivision petition. Moved by Opper, seconded by Burlingame to approve Trinity Evangelical Lutheran Church's request for relief from the topographical survey requirement and Ordinance 2015-121, Granting a Variation from Section 16.16.030G of the Subdivision Ordinance. 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.

CLASS A LIQUOR LICENSE EMIL ODLING D/B/A THUNDERBIRD, 709 W. BRINK ST. - APPROVED

Chief Krause noted that Emil Odling already has a liquor license at another location in town and has no objections to the proposed license. The subject location is already zoned business. Moved by Adams, seconded by Marzahl to approve a Class A Liquor License to Emil Odling d/b/a Thunderbird, 709 W. Brink St. Roll call vote: Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, no and Burlingame, aye. Motion approved seven to one.

VENDING LICENSE JAY SCHULZ, J'S LANES, INC., 5507 ROUTE 14 - APPROVED

Moved by Opper, seconded by Clarke to approve a Vending License for Jay's Lanes, Inc., 5507 Route 14. Roll call vote: Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye and Marzahl, aye. Motion approved eight to zero.

HARVARD MOOSE LODGE VARIATION FROM SECTION 27.02A, PROHIBITED FIRES, BURNING - APPROVED

Sam Finrock, 7902 Cash Rd., Harvard, Administrator of the Harvard Moose Lodge addressed the City Council reference their request to conduct a controlled burn of ash trees that have been cleared from their property. Sam indicated they would like to proceed as soon as possible but no sooner than thirty days so they can obtain permission from Mooseheart International. The HFPD will be on-site during the burn process which will take up to 30 days due to the large number of cleared trees. There was discussion of setting the parameters the same as was set for Mark Stricker to conduct the burn after a 3" snowfall.

Moved by Burlingame to approve the Moose Lodge's request to allow a controlled burn at 22500 West Route 173 with the burn to be conducted after November 1st. Motion dies for a lack of a second.

Moved by Meza, seconded by Opper to approve the Moose Lodge's request to allow a controlled burn at 22500 West Route 173 with the burn to be conducted only after a minimum of 3" snowfall. 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.

ORDINANCE DECLARING SURPLUS PROPERTY - ORD. 2015-122 APPROVED

Moved by Marzahl, seconded by Clarke to approve Ordinance 2015-122, Declaring Surplus Personal Property (2009 Dodge Durango). Roll call vote: Clarke, aye; Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye and Kelly, aye. Ordinance 2015-122 approved eight to zero.

ORDINANCE AMENDING FY15/16 BUDGET - ORD. 2015-123 APPROVED

The City is calling on the Oak Grove Crossings Letter of Credit in order to fix the street which will require a budget amendment. Moved by Opper, seconded by Marzahl to approve Ordinance 2015-123, Amending the Budget for Fiscal Year 2015/2016 as follows:

01-00-44930	Developer Letter of Credit	Revenue	-0- to \$109,952.00
01-01-58070	Developer Letter of Credit	Expense	-0- to \$109,952.00

Roll call vote: Meza, aye; Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye and Clarke, aye. Motion approved eight to zero.

RESOLUTION AUTHORIZING A PETITION FOR REVOCATION OF A CONDITIONAL USE RELATIVE TO THE THOMAS MERRYMAN ANNEXATION AGREEMENT - APPROVED

Administrator Nelson reported that pursuant to the City Council's direction, the City tried to make accommodations with Mr. Merryman to work out a deal, but Mr. Merryman was not forthcoming with a proposal. Moved by Ulmer, seconded by Opper to adopt the proposed resolution authorizing a petition for revocation of a Conditional Use relative to the Thomas Merryman Annexation Agreement dated May 19, 2009 and the First Amendment to the Annexation Agreement dated March 1, 2011. Roll call vote: Adams, aye; Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye and Meza, aye. Resolution approved eight to zero.

EVENTS COMMITTEE'S REQUEST/CHRISTMAS IN HARVARD, DECEMBER 5th, 2015 - APPROVED

The Events Committee is requesting permission to proceed with Christmas in Harvard on Saturday, December 5th, 2015, closing certain streets for the parade, use of barricades and the City float, permission to allow horses in the parade to use Diggins St. to Ratzlaff St. to return to the staging area and to allow for free parking in all City lots, including Metra, for the day. Chief Krause had no concerns. Moved by Opper, seconded by Adams to approve the Events Committee's request as submitted. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

PARKS & RECREATION COMMITTEE MEETING MINUTES OF SEPTEMBER 15th, 2015

Chairman Clarke reviewed the Parks and Recreation Committee Meeting Minutes of September 15th, 2015, at which time a community open house was held at Harvard Diggins Library to solicit community input and feedback in the development of a Parks and Recreation Master Plan for the City's park system. The next step will be for Chairman Clarke and Mr. Camiros to meet with organization heads. A website was set up by Camiros for community participation and input and is linked on the homepage of the City's website.

ORDINANCE COMMITTEE MEETING SEPTEMBER 24th, 2015

Chairman Ulmer called an Ordinance Committee Meeting for Thursday, September 24th, 2015 at 6:30 pm to discuss Historic Preservation.

FINANCE COMMITTEE MEETING SEPTEMBER 29th, 2015

Chairman Opper called a Finance Committee meeting for Tuesday, September 29th, 2015 at 6 pm to review the audit.

HALLOWEEN TRICK OR TREAT HOURS - APPROVED

Moved by Kelly, seconded by Marzahl, to approve Halloween Trick or Treat hours on Saturday, October 31st from 5 – 8 pm. Aldermen voting aye: Burlingame, Marzahl, Ulmer, Kelly, Clarke, Meza, Adams and Opper. All ayes. Motion carried.

COMMITTEE REPORTS

ALD. OPPER - BILLS APPROVED

Moved by Opper, seconded by Adams to approve the revised bills list as presented in the amount of \$192,537.61. Roll call vote: Opper, aye; Burlingame, aye; Marzahl, aye; Ulmer, aye; Kelly, aye; Clarke, aye; Meza, aye and Adams, aye. Motion approved eight to zero.

ADMINISTRATOR'S REPORT

Administrator Nelson reported that the Comprehensive Plan is wrapping up in its final form and the Steering Committee will meet with CMAP on October 5th to review the plan. One final public meeting will be conducted near the end of October with documents/posters available at City Hall

At the City Council's direction, Administrator Nelson was authorized to write a grant to CMAP for the review of our development codes, both zoning and subdivision. CMAP staff has recommended that funding be approved; staff recommendation will go to the CMAP board for approval. The estimated value if the City were to hire a private consultant would be \$50,000 - \$60,000. If approved by the CMAP Board, there might be a 5% funding match of approximately \$2,500.

CLERK'S REPORT

City Clerk Wells referenced his memo in the aldermen's folders and noted that City staff is working to implement online applications for both original and renewal licensing which will necessitate various code revisions including provisions for online submission and signatures. The first of which would be vending licenses which go out for renewal in November. Clerk Wells recommended that the code be amended to change the fees for pool tables from \$65 to \$60 to make the online licensing more expedient and asked for direction whether this matter needs to go to Committee for discussion or if a draft ordinance with the vending changes could be brought for council consideration at the next general City Council Meeting. The general consensus was to proceed with a draft ordinance at the next meeting.

CLERK'S REPORT - UPCOMING MEETING DATES

September 24	Ordinance Committee Meeting - 6:30 pm
September 29	Finance Committee Meeting - 6 pm
October 6	Planning & Zoning Commission - POST TO CANCEL
October 13	Regular City Council Meeting - POST TO CANCEL
October 20	Regular Events Committee Meeting, 5 pm
October 27	Regular City Council Meeting, 7 pm

TREASURER'S REPORT

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

ENGINEERING & DEPARTMENT HEADS REPORTS

Dept. Heads: Reports as submitted.

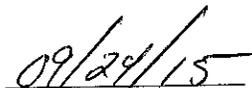
NO REPORT

Mayor Nolan and Aldermen Burlingame, Marzahl, Ulmer, Kelly, Meza, Clarke and Adams and Attorney Clifton had no additional reports.

At 7:20 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


Date