

REGULAR CITY COUNCIL MEETING MINUTES
October 19, 2005 - 7:00 P.M.

Mayor Nolan called the City Council meeting to order and led the pledge to the flag. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Berg, Logan, Perkins and Hay. Also present were Treasurer Meseck, City Administrator Nelson, Building Inspector Kruckenberg, Chief Oparyk, Parks and Recreation Supt. Burkart, Public Works Supt. Carbonetti, City Attorney McArdle, Gary Rozwadowski of Smith Engineering and members of the press and audience.

AUDIENCE PARTICIPATION: NONE

REGULAR AND CLOSED SESSION CITY COUNCIL MINUTES OF 09/28/05 - APPROVED

Moved by Berg, seconded by Marzahl to approve the Regular and Closed Session City Council Meeting Minutes of September 28, 2005. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Logan, Perkins and Hay. All ayes. Motion carried.

SIGN VARIATION FOR ANGELO'S PIZZA RESTAURANT – ORD. 2005-155 APPROVED

Moved by Berg, seconded by Perkins to approve Ordinance 2005-155, granting Angelo Digacomo's request for a variation from the City of Harvard's sign ordinance for an ornamental wood and iron sign at 73 N. Ayer Street, pursuant to the submitted drawing. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Logan, aye; Perkins, aye and Hay, aye. Ordinance 2005-155 approved seven to zero.

CHAPTER 16.52, DEDICATION OF SCHOOL LAND OR CASH CONTRIBUTION - ORD. 2005-146 ENACTED

Moved by Berg, seconded by Marzahl to enact Ordinance 200-156, Amending Chapter 16.52, Dedication of School Land or Cash Contributions to the School District. Roll call vote: Marzahl, aye; Ulmer, aye; Berg, aye; Logan, aye; Perkins, aye; Hay, aye and Leyden, aye. Motion approved seven to zero.

ZONING, PLANNING AND ORDINANCE COMMITTEE RECOMMENDATIONS

Chairman Hay reviewed the Ordinance Committee Meeting Minutes of October 5, 2005. The Committee met to discuss a request for an additional Class B Liquor License, a policy for residential apartments above a first floor business in a B District and Swimming Pool Fence Requirements.

Policy for Residential Apartments Above First Floor Business in a B District

The Committee discussed establishing guidelines for residential apartments above first floor businesses in a B District and recommends to the City Council that the following guidelines be considered at a public hearing of the Planning and Zoning Commission on November 8, 2005, for a text amendment to the zoning code for Section 17.44.050, Standards for Specific Conditional Uses (City Clerk Wells will prepare a petition to present to the City Council):

1. No more than one two-bedroom apartment on the second floor only
2. Maximum 5 people
3. Off-street parking requirement
4. Building inspection with requirements to bring building up to code

Moved by Hay, seconded by Logan to approve the Ordinance Committee's recommendation as presented. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Logan, Perkins and Hay. All ayes. Motion carried.

Swimming Pool Fence Requirements – Ordinance 2005-156 Approved

The Committee reviewed the swimming pool fence requirements as attached. The Committee also discussed requirements for a manmade decorative pond; Administrator Nelson will draft language to be included in Chapter 27. The Committee recommends that the proposed changes be approved as presented.

Moved by Hay, seconded by Berg to approve the Committee's recommendation to approve the swimming pool fence requirements with one change: 19.08B-1, Change from six feet to five feet. Roll call vote:

Ulmer, aye; Berg, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye and Marzahl, aye. Ordinance 2005-156 seven to zero.

STREETS AND ALLEYS COMMITTEE RECOMMENDATIONS

Chairman Berg reviewed the Streets and Alleys Committee Meeting Minutes of October 12, 2005. The Committee met to discuss the MFT Road Program and Curb Program for FY06/07 and the Bridge Rehabilitation and Replacement Program.

Curb Program FY06/07- Approved

The Committee reviewed cost estimates for curbs and recommends to the City Council curb improvements for FY06/07 as follows: Third and Fourth Street from W. McKinley to W. Burbank Street.

Moved by Berg, seconded by Perkins to approve the Committee's recommendation for the FY06/07 Curb Improvements for Third and Fourth Street from W. McKinley to W. Burbank St. Roll call vote: Berg, aye; Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye and Ulmer, aye. Motion approved seven to zero.

WATER AND SEWER COMMITTEE MEETING

Chairman Marzahl reviewed the Water and Sewer Committee Meeting Minutes of October 18, 2005.

Wastewater Treatment Plant Study.

The Committee discussed the Wastewater Treatment Plant Study; the general consensus was for Smith Engineering to prepare a Facility Plan Amendment for Committee review.

Potable Water Study

The Committee reviewed the Water System Needs Report as prepared by Smith Engineering; the general consensus was for Smith Engineering to prepare a proposal to design Well #10 for Committee review.

CONSENT AGENDA

- Proclamation Marine Week, November 6 – 12, 2005
- Post Prom Committee Raffle Request, November 1 – December 17, 2005
- Harvard Boys League Raffle Request, November 12, 2005
- Harvard Moose Lodge Raffle Request November 1, 2005 – November 1, 2006

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

COMMITTEE REPORTS

ALD. PERKINS – PARKS & RECREATION COMMITTEE MEETING – 10/26/05

Alderman Perkins called a Parks and Recreation Committee Meeting for Wednesday, October 26, 2005, at 7 p.m.

ALD. PERKINS – ADOPT A HIGHWAY CLEAN-UP – 10/29/05

Alderman Perkins noted that Saturday, October 29th at 8:00 a.m. has been scheduled for the highway clean-up with everyone meeting at the Public Works garage.

ALD. LOGAN - BILLS APPROVED

Moved by Logan, seconded by Perkins to approve the bills as presented in the amount of \$128,170.04. Roll call vote: Logan, aye; Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye and Berg, aye. Motion approved seven to zero.

ALD. MARZAHL – WATER & SEWER COMMITTEE MEETING 11/07/05

Alderman Marzahl called a Water and Sewer Committee Meeting for Monday, November 7, 2005, at 6:30 p.m. to review reports from Smith Engineering and the Water/Sewer Capital Improvement Plan.

MAYOR'S REPORT

Mayor Nolan noted an item in closed session and that he will not be taking vacation next week due to the hurricane.

ADMINISTRATOR'S REPORT

Administrator Nelson had no report in open session.

CLERK'S REPORT - UPCOMING MEETING DATES

- October 26 Parks and Recreation Committee Meeting, 7 p.m.
- October 29 Highway Clean-up, 8 a.m.
- October 31 Halloween Trick-or-Treat Hours, 5-8 p.m.
- November 7 Water and Sewer Committee Meeting, 6:30 p.m.
- November 8 Planning and Zoning Commission Regular Meeting, 7 p.m.
- November 9 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.

ATTORNEY'S REPORT

Attorney McArdle had no report in open session.

DEPARTMENT HEADS REPORTS

- Smith Engineering Report as submitted.
- Dept. Heads Reports as submitted.

SWEAR IN POLICE OFFICERS

Chief Oparyk presented two new police officers: Charles Lorenz Jr. and Kyle Oligney who were sworn in by City Clerk Wells. Mayor Nolan welcomed the two new officers.

RICK ADAMS APPOINTMENT

Moved by Berg, seconded by Ulmer to approve the Mayor's recommendation to appoint Rick Adams as alderman to fill the vacancy in Ward 1. Roll call vote: Perkins, aye; Hay, aye; Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Logan, aye. Motion approved seven to zero.

NO REPORTS

Aldermen Ulmer, Berg and Leyden had no reports.

At 7:20 p.m., moved by Berg, seconded by Logan to go into closed session after a five minute recess to discuss Section 2(c) (5) Purchase or Lease of Real Estate. Roll call vote: Perkins, aye; Hay, aye; Marzahl, aye; Ulmer, aye; Berg, aye and Logan, aye. Motion approved seven to zero.

At 7:34 p.m., moved by Perkins, seconded by Marzahl to reconvene the open session. Roll call vote: Leyden, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Logan, aye; Perkins, aye and Hay, aye. Motion approved seven to zero.

At 7:35 p.m., moved by Berg, seconded by Marzahl to adjourn the meeting. Roll call vote: Hay, aye; Marzahl, aye; Ulmer, aye; Berg, aye; Logan, aye and Perkins, aye. Motion approved seven to zero.

Submitted by:

Andy Wells,
City Clerk

_____ Date