

Present: Alderpersons John Alt and Michael Zolper  
Absent: Alderperson John Ellington  
Also Present: Mayor, Mike Palm; City Administrator, Attorney, Emily Truman; Police Chief, Mark Schauf; Finance Director, Cynthia Haggard and City Clerk, Brenda Zeman

The meeting was called to order by Chairman John Alt at 12:00PM CDT., noting compliance with the Open Meetings Law.

Moved by Zolper to approve the minutes of August 10, 2018, seconded by Alt and unanimously carried.

Motion by Zolper to approve agenda, seconded by Alt and unanimously carried.

Consider recommendation to the Common Council to change the City Code Chapter 14.13, "Private Swimming Pools" for the purpose of allowing pool covers as a substitution to fences – referred to in section (4) "Fences."

Zolper began with stating that after reading through everything and looking at the requirements for a mechanical cover, he would only approve a pool cover that meets the designation of the standards set by American Society for Testing and Materials (ASTM). Which also includes guidelines for locking. Alt added that there was no clear direction when reviewing case law that went as far as the Court of Appeals in Minnesota. Truman stated the decision to change the City Code is truly a policy decision. The Committee can take into consideration the concerns given by the Police Chief about safety concerns in doing away with the fence. The Committee can also take into consideration the recommendations given by ASTM and how other communities have reacted. Alt sought confirmation that the current fence minimum is 5'. Truman confirmed. Alt pointed out that kids can get over 5' fences if they really wanted to, and gates can be left unlocked. Alt concluded that he had no issue with the pool cover as long as it meets the ASTM standards. Zolper added that the homeowners will be delegated by their homeowners insurance.

Truman summarized her understanding: The Committee would like the Ordinance to change to allow the homeowner the option of either a fence or a pool cover - as long as it meets the ASTM standards. Zolper inquired of Truman: If ASTM revises their standards, is there a way the Committee will be notified to see if the Committee is still in agreement with it? Zolper noted that he currently agrees with the standard. If the standard lessens in the future, he may not be in agreement with it. Truman offered to write into the revised Ordinance that it be applicable only to the current standard.

Motion to recommend to the Council to change the City Code by Zolper, seconded by Alt and unanimously carried.

Tavern Operator License Appeal for Jami Olson – Review and Recommendation to Common Council.

Chief Schauf began by stating Ms. Olson was present. The Code requires automatic denial based on a conviction 18 years ago. The conviction was for a marijuana charge – which nowadays is changing in this Country. The application was denied at the first level and is now referred to the Committee for review or conditional license. Chief Schauf added that there was nothing in her past subsequent to the conviction causing him concern. Alt added that her employer knows about the conviction and understands.

Motion by Zolper to recommend approving a Conditional Operator's License to Jami Olson, seconded by Alt and unanimously carried.

Member comments

The next meeting will be October 1, 2018 at 12:00PM CDT. Meeting location will be 101 South Boulevard. Moved by Zolper to adjourn, seconded by Alt and unanimously carried. Meeting adjourned at 12:09PM CDT.

Respectfully submitted,  
Cynthia Haggard, Finance Director