

Present: Alderpersons John Alt, John Ellington and Michael Zolper

Also Present: Mayor, Mike Palm; Attorney, Emily Truman, and Finance Director, Cynthia Haggard

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

Moved by Ellington to approve the minutes of April 2, 2018, seconded by Zolper and unanimously carried.

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

Review and recommendation to the Common Council to update the Council Member's Handbook.

Truman presented to the Committee the current version of the handbook from 2013. Truman stated that the version on the website, and what's made available elsewhere, is the 2001 version. Therefore, the 2013 version was adopted, but not made available. Alt confirmed that he was not aware of a version 2013 being made available.

Truman stated that she did not favor the 2013 version compared to the 2001 version. She added that the 2001 version was more user friendly. Truman offered a proposed updated handbook reverting back to the 2001 version. She incorporated the index from the 2001 version in the proposed updated handbook. The index provides contacts for Council's questions.

Ellington commented that he likes the updated version. Truman asked for direction:

1. Should she move forward with asking Council to adopt the amended Council Member's Handbook?
2. Should the City provide this handbook and other material to newly elected officials in binders?

*Truman noted that the extra material in the binder would consist of layman explanations for the open records, Robert's Rules and other things versus legalese context.*

Alt expressed needing more time to review the changes before making a recommendation. Ellington followed suite stating he read it, but needed more time to understand the changes. Zolper questioned if there was a standard to uphold to update the handbook. Truman responded that there was no standard and that each municipality is different. Truman continued that most municipalities do it every year. Truman offered to bring sample binders to the next meeting, if the Committee recommends holding this item for the next meeting.

Motion to hold this item until the July 2, 2018 meeting by Ellington, seconded by Zolper 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 stated that a person in his district mentioned that technology has changed with pool covers. Most in-ground pools have an option of a pool cover built with the system which has a key, rolls out to cover the pool, and can withstand as much as a baby elephant, or a family of (5) five standing on top of it.

Zolper's district member wants to have a privacy fence between him and his neighbor, but doesn't want to obstruct his great view. The district member was told by his pool contractor (Capitol Pools in Madison) that the pool cover was allowed at other municipalities in lieu of a fence.

The current code is that all pools must have a fence. Zolper wants to know what concerns exist and if there is a safety requirement, such as a key locking system, that would meet code requirements. Ellington asked Truman to weigh in on the discussion. Truman provided that she did a little research on the requirement and noted that some communities are moving away from requiring fences; not a universal trend just yet. Truman added that a concern she would have is the current building code the City has adopted for enforcement. Part of the City's duties and responsibilities is to ensure its citizens are safe. Truman stated that she does not take a position on the issue. She

asked that a little more research be completed before forming an opinion. Truman offered to explore the issue more and present her legal opinion at the next meeting.

Zolper made mention of a neighbor of his who was going to build a pool, cover, and fence. The neighbor later discovered his choice was limited by his homeowner's policy. Zolper added that pool covers is a newer technology and codes and insurance policies predate this new technology. Zolper added that safety is his primary concern. If that requirement is being met with a fence or pool cover, then a person has the freedom to choose. Alt commented that insurance companies may limit choices.

Truman cautioned that our current building code may be stricter than an insurance policy. Zolper inquired of Truman just how the City would be liable. Truman replied that the City has building codes for fire sprinklers and structures to be soundly built. The fence requirement is along those same lines. The City has a duty to protect its citizenry. Zolper continued to question Truman about uniform codes and if the City had them. Truman responded that the building codes the City has adopted are uniform codes. She added that there is no legal obligation for the City to adopt uniform codes. The City can be more or less strict, unlike State Statutes where we cannot be less strict. She continued that the City has the option of determining whether the current code fits well with the City, or not. She summarized: It is her understanding that the fence around the pool is part of the building code (International Building Code) the City has adopted. The policy decision is whether or not the code fits our community.

Palm interjected that he would like to hear from the City's current insurance carrier. Ellington concurred. Palm continued that he wanted to know where our liable resides.

Motion to hold this item until the July 2, 2018 meeting by Ellington, seconded by Zolper and unanimously carried.

#### Member comments

The next meeting will be July 2, 2018 at 12:00PM CDT. Meeting location will be 101 South Boulevard. Moved by Ellington to adjourn, seconded by Zolper and unanimously carried. Meeting adjourned at 12:27PM CDT.

Respectfully submitted,  
Cynthia Haggard, Finance Director