

**CITY OF HAYWARD**  
**SAWYER COUNTY, WISCONSIN**  
**REGULAR CITY COUNCIL MEETING**  
Monday, May 20, 2013  
**MINUTES**

The meeting was called to order by Mayor Swinkowski at 6:00 p.m.

**Roll Call**

Council Present: Mayor Swinkowski, Ald. Gillis, Ald. Johnson, Ald. Kreyer, Ald. Munich, Ald. Parker, Ald. Voight, Ald. Worman, Ald. Speros  
Others Present: Attorney Kelsey, Chief Clapero, Director McCue, Chief Herrmann, Clerk Gunther, Deputy Clerk Poppe, Noel Penning, Fred Scheer, and Kathy Hanson

**Fire Department – Request to close 3<sup>rd</sup> Street from Wisconsin Avenue to Dakota Avenue**

A motion was made by Ald. Speros, seconded by Ald. Worman to approve the request made by Chief Herrmann on behalf of the Fire Department to close Third Street from Wisconsin Avenue to Dakota Avenue on the Saturday of Musky Festival (June 22<sup>nd</sup>) and on the Saturday of Fall Festival (September 21<sup>st</sup>) in order to hold an open house / fundraising event on those days. Motion carried.

**Fire Department – Information about fire insurance classifications and ISO ratings**

Chief Herrmann addressed the Mayor and Council in regard to fire insurance classifications and ISO ratings; and what that means for property owners in the City of Hayward. The last evaluation of the fire insurance classification for the City of Hayward was completed in 2000, at which time the City's rating went from a Class 6 to a Class 5.

**Ordinance No. 515 (2<sup>nd</sup> reading) – Limiting & regulating garage / yard sales**

A motion was made by Ald. Munich, seconded by Ald. Johnson to approve and adopt Ordinance No. 515, limiting and regulating garage / yard sales within the City of Hayward, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes, Ald. Johnson – yes, Ald. Kreyer - yes, Ald. Munich – yes, Ald. Parker – yes, Ald. Voight – yes, Ald. Worman – yes, Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

**Ordinance (1<sup>st</sup> reading) – Navigable water setback regulations**

Attorney Kelsey read aloud, for the first time, a proposed ordinance that would amend setback regulations for lots within the City of Hayward that abut on navigable waters.

**Lease between the City of Hayward and the Hayward Community Food Shelf**

Attorney Kelsey stated that in October of 2006, the City of Hayward accepted the donation of a piece of property off Greenwood Lane from Gary Nathan. The City then leased the property to the Hayward Community Food Shelf in order to elevate the Food Shelf's tax burden. However, a lease was never formally drafted and since that time, the Hayward Community Food Shelf has applied for and received tax exempt status. Therefore, Attorney Kelsey suggested that the City of Hayward deed the property to the Hayward Community Food Shelf via a quit claim deed. It was a consensus of the Mayor and Council to have Attorney Kelsey proceed with the paperwork to deed the Greenwood Lane property, donated to the City of Hayward by Gary Nathan, to the Hayward Community Food Shelf.

**Lumberjack World Championships – Request to hang a banner across Main Street and to use the City property at the corner of S 2<sup>nd</sup> Street & Hall of Fame Drive**

A motion was made by Ald. Gillis, seconded by Ald. Munich to approve the requests made by the Lumberjack World Championships to hang a banner across Main Street from July 1 to August 1, 2013; and to use the City property at the corner of S 2<sup>nd</sup> Street and Hall of Fame Drive for parking, etc. during the 2013 event. Motion carried.

**A motion was made by Ald. Parker, seconded by Ald. Worman to approve the following:**

- Minutes:** Legal of 4/15; Public Works of 4/15; Finance of 4/15; Regular Council of 4/15 (abridge / unabridged); Annual Organizational of 4/15 (abridge / unabridged)

**2. From Public Works of 5/20:**

- A. The estimate submitted by A&D Docks in the amount of \$24,529 for the Pier Project at the City Beach.
- B. Resolution No. 13-06: Compliance Maintenance Annual Report (CMAR), as read by Attorney Kelsey

RESOLUTION NO 13-06

COMPLIANCE MAINTENANCE ANNUAL REPORT

Be it hereby resolved that the City of Hayward informs the Department of Natural Resources that the following actions have been set forth by the Common Council of the City of Hayward:

- 1. Review the 2012 Compliance Maintenance Annual Report (CMAR).
- 2. Address the groundwater quality issue:
  - A. Installation of the proposed Bio-Reef curtain was completed in August 2012. The installation of the Bio-Reef curtain is expected to improve treatment and potentially reduce the total nitrogen in the groundwater.
  - B. In order to monitor treatment, sampling and analysis of the lagoons, in and around the Bio-Reef curtain, is to begin in the Spring of 2013.
  - C. Groundwater samples will continue to be taken from various monitoring wells and analyzed on a quarterly basis for future evaluation.
- C. The proposal from Lane Tank Co Inc in the amount of \$2,450 to drain, clean, inspect, and disinfect both the Nyman Avenue and Highway 27 S elevated water tanks.
- D. The contract with Ayres Associates Inc for an amount not to exceed \$39,500 for professional services during the construction phase of the Pedestrian / Bike Trail: Phase II- to be constructed from the library to Wal-Mart.

**3. From Finance of 5/20:**

- A. The payment of City General Fund checks numbered 26453 through 26544; Water & Sewer Fund checks numbered 8445 through 8478; and the April account transfers.

**4. The appointment of Matt Ostrander to the library board;** filling the vacancy left when Elizabeth Metcalf resigned.

**5. The addition / appointment of Stuart Hanzlik as a reserve officer.**

**6. The dates for Open Book & Board of Review**

- A. Open Book – June 3, 2013 from 9:00 a.m. to 11:00 a.m.
- B. Board of Review – June 18, 2013 from 9:00 a.m. to 11:00 a.m.

**7. Variance Application – within 1 ½ miles of the City of Hayward limits:** Noel & Gina Penning for the construction of a detached garage at a setback distance of 98' to the centerline of State Highway 27 at its closest point; defer to the Town of Hayward's decision.

**8. Change of Zone District Application – within 1 ½ miles of the City of Hayward limits:** Shirriff Construction Inc – change from Industrial One to Commercial One; defer to the Town of Hayward's decision.

**9. Operator Licenses – Regular:** Maureen A Mitch, Jolyn S Wade, Rhonda K Passolt, and Melanie D Adair (incorrect / incomplete applications – approval is pending the correction / completion of the application)

**10. The surrender of a Class B Intoxicating Liquor & Fermented Malt Beverage License -** issued to and surrendered by Kim Speros.

**11. Applications for liquor and fermented malt beverage licenses:**

CLASS A FERMENTED MALT BEVERAGE

SSG Corporation, Steven P Kipp, Agent, 15752 US Hwy 63 (June 3-30, 2013)

SSG Corporation, John D Doyle, Agent, 10478 State Rd 27 (June 3-30, 2013)

CLASS B INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE

Lumberjack Bowl Pancake House Inc, Fred C Scheer, Agent, 15650 County Hwy B (June 1-30, 2013)

CLASS B FERMENTD MALT BEVERAGE

Hayward Hawk's Baseball Inc, Michael A Kelsey, Agent, 15930 W 5<sup>th</sup> Street (June 1 – September 1, 2013)

**Roll Call Vote:** Ald. Gillis – yes, Ald. Johnson – yes, Ald. Kreyer - yes, Ald. Munich – yes, Ald. Parker – yes, Ald. Voight – yes, Ald. Worman – yes, Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

**Clerk's Report**

A picnic license was issued to the Hayward Area Chamber of Commerce for the period of May 30, 2013.

**Public Comments**

No public comments were made.

**Executive Session**

A motion was made by Ald. Speros, seconded by Ald. Munich to go into executive session per §19.85(1)(c) considering employment, promotion, or compensation of any public employee over which the governmental body has jurisdiction or exercises responsibility and per §19.85(1)(g) conferring with legal counsel with respect to litigation in which the City is or is likely to become involved. Roll Call Vote: Ald. Gillis – yes, Ald. Johnson – yes, Ald. Kreyer - yes, Ald. Munich – yes, Ald. Parker – yes, Ald. Voight – yes, Ald. Worman – yes, Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

**Action from Executive Session**

No action was taken.

**Adjournment**

A motion was made by Ald. Speros, seconded by Ald. Parker to adjourn. The meeting was adjourned at 6:35 p.m.

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\*William L Swinkowski, Mayor

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\*Lucy Gunther, Clerk-Treasurer