



## CITY OF MARSHFIELD

# MEETING NOTICE

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**COMMON COUNCIL  
CITY OF MARSHFIELD, WISCONSIN  
TUESDAY, MARCH 10, 2015  
Council Chambers, Lower Level, City Hall Plaza  
7:00 p.m.**

NOTE TO VISITORS AND GUESTS: Welcome to this meeting of the Common Council. We appreciate your interest in the City of Marshfield. Item "E" on the agenda (below) provides an opportunity for the Council President and Council to receive comments from members of the public. If you would like to make a comment, please write your name and address and indicate your topic on a form at a table near the entrance to the Council Chambers prior to the beginning of the meeting. After being recognized by the Mayor at the appropriate time, please address the Council from the podium, first stating your name and address.

- A. Call to Order by Gordon Earll, Council President
- B. Roll Call
- C. Pledge of Allegiance
- D. Reading of items added to the agenda
- E. Public Comment Period/Correspondence  
At this time, the Council President will recognize members of the public who have indicated a desire to address the Council. Upon recognition by the Mayor, persons may address the Council from the podium, first stating their name and address. The Council may take action on emergency matters introduced by members of the public.
- F. Approval of Minutes – February 24, 2015
- G. Staff updates
- H. Mayor's Comments
  - 1) Employee Recognition
    - a. Charlie Adamski, Parks & Recreation, March 13, 1995, 20 years
- I. Ed Englehart began his employment in the Parks & Recreation Department on March 13, 1995 and will retire as Director on March 13, 2015 after 20 years of service. Steve Barg, City Administrator, will recognize Ed on behalf of the City.
- J. Council Comments
- K. Reports from commissions, boards, and committees

COMMON COUNCIL AGENDA  
MARCH 10, 2015

L. Consent Agenda:

- 1) Meeting minutes/reports
  - a. Library Board (January 13, 2015)
  - b. Cable TV Committee (January 26, 2015)
  - c. Committee on Aging (February 6, 2015)
  - d. Economic Development Board (February 12, 2015)
  - e. Airport Minutes (February 19, 2015)
  - f. Board of Canvassers (February 20, 2015)
  - g. Capital Improvement Program Administrative Committee (February 24, 2015)
  - h. Capital Improvement Program Administrative Committee (February 26, 2015)
  - i. Board of Public Works (March 2, 2015)
  - j. Historic Preservation Committee (March 2, 2015)
  - k. Capital Improvement Program Administrative Committee (March 3, 2015)
  - l. Judiciary and License Committee (March 3, 2015)
  - m. Finance, Budget, and Personnel Committee (March 3, 2015)

Recommended Action: Receive and place on file, approving all recommended actions

M. Consideration of items removed from the consent agenda, if any

N. Request to approve Resolution No. 2015-09 adopting the 2015 Downtown Master Plan update. Introduction by Josh Miller, City Planner. Presented by Michel Stumpf, Place Dynamics

Recommended Action: Approve Resolution No. 2015-09

O. Presentation on STEM project. Presented by Michelle Boernke, Assistant Dean, UW–Marshfield/Wood County

Recommended Action: None, for information only

P. First Reading – Ordinance No. 1297 repealing Section 3-66(11) pertaining to the Sustainable Marshfield Committee. Presented by Steve Barg, City Administrator

Recommended Action: None at this time unless the rules are suspended; final action will be scheduled for the March 24, 2015 meeting

Q. Second Reading – Ordinance No. 1294 Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-94, pertaining to an update to the Wellhead Protection section of code and Wellhead Protection map to bring the ordinance into compliance with the Department of Natural Resources regulations and add a new well to the map. Presented by Dave Wasserburger, Marshfield Utilities

Recommended Action: Approve Ordinance No. 1294

COMMON COUNCIL AGENDA  
MARCH 10, 2015

- R. Second Reading – Ordinance No. 1295 Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-12, pertaining to the definition of “Gross Floor Area”, Section 18-114 pertaining to the standards for a Group and Large Development, and Section 18-161 pertaining to the procedures for a Conditional Use Permit. The amendment is being proposed in an effort to clarify the regulations and allow more administrative approval for minor amendments. Presented by Josh Miller, City Planner

Recommended Action: Approve Ordinance No. 1295

- S. Second Reading – Ordinance No. 1296 Municipal Code Amendment to Chapter 3. General Government, Section 3-66(2), amending this chapter to include supervision of leases of city facilities. Presented by Steve Barg, City Administrator

Recommended Action: Approve Ordinance No. 1296

- T. Presentation on creation of Business Incentive Fund for TID No. 5. Presented by Steve Barg, City Administrator

- a. Approve agreement with Wood County.

Recommended Action: Approve the agreement

- b. Approve Resolution No. 2015-15, authorizing the transfer of funds and the establishment of an escrow account with respect to Tax Incremental District No. 5.

Recommended Action: Approve Resolution No. 2015-15

- c. Approve Budget Resolution No. 05-2015 transferring \$405,000 from a State Trust Fund loan to TID No. 5 Business Incentive Program.

Recommended Action: Approve Budget Resolution No. 05-2015

- U. Items for future agendas

- V. Announce special Council meeting (strategic planning) - Tuesday, March 24<sup>th</sup> at 5:30 p.m. in Room 108 of the City Hall Plaza

- W. Adjournment

Posted this day, March 6, 2015 at 4:00 p.m., by Deb M. Hall, City Clerk

Notice

*It is possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Deb M. Hall, City Clerk at 630 South Central Avenue or by calling (715)486-2023.*

**FEBRUARY 24, 2015**

**PUBLIC HEARING:** Called to order by Mayor Meyer at 6:52 p.m., in the Council Chambers, City Hall Plaza regarding vacating and discontinuing the alley and a portion of East First Street.

**FOR:** None

**AGAINST:** None

**COMMENTS:** None

The public hearing closed at 6:53 p.m.

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Regular meeting of the Common Council was called to order by Mayor Meyer at 7:00 p.m., in the Council Chambers, City Hall Plaza.

**PRESENT:** Michael Feirer, Chris Jockheck, Gordon H. Earll, Ed Wagner, Char Smith, Rebecca Spiros, Tom Buttke and Peter Hendler

**ABSENT:** Alanna Feddick and Gary Cummings

The flag was saluted and the pledge given.

No items were added to the agenda.

**PUBLIC COMMENT PERIOD**

William Penker, 600 S. Sycamore Avenue. He spoke about the public hearing that was held last Tuesday to receive comments about the proposed Downtown Master Plan. This was an opportunity to further engage citizens. Unfortunately not one person from the downtown business community or other groups with some degree of vested interest provided testimony and support or opposition to the plan. Is that a positive image? What does the city logo communicate? Is it positive or negative? Does it provide a strong visual hook that grabs ones attention? Does it provide an image to remember or one to forget? The proposed Downtown Plan calls for a change and improvement in visual communication and visual engagement. As the City develops a dynamic communication program perhaps it would be worthwhile to consider a broad review of the City's visual messages. What are the visuals that are branding and identifying Marshfield and is our visual brand and identity a positive or negative communication?

Shirley Mook, 201 S. Vine Avenue. She spoke about the Military Exhibit that is located in the basement of the Library and attendance has increased many fold. They are looking forward to proceeding with Phase 2 when the Community Center becomes a reality. Phase 2 will address the history of Marshfield. Marshfield does not have a community museum. They will require only open space. They will do all of their own fundraising, construction and lighting. Phase 2 will be perfectly in accord with the goals set forth for the future community center.

**CC15-021** Motion by Hendler, second by Feirer to approve the minutes of the Common Council meeting of February 10, 2015 regular meeting.

**Motion carried**

**CC15-022** Motion by Jockheck, second by Buttke to approve the minutes of the Common Council meeting of February 10, 2015 special meeting.

**Motion carried**

## **STAFF UPDATES**

None

## **EMPLOYEE RECOGNITION**

William Braunsky, Cemetery                      March 6, 1995                      20 years

## **COUNCIL COMMENTS**

Aldersperson Jockheck reminded everyone about the Marshfield Civility Project Forum on Wednesday, March 4<sup>th</sup> at 6:30 p.m. at the Marshfield Public Library in the Beebe Forum Room.

## **REPORTS FROM COMMISSIONS, BOARDS AND COMMITTEES**

None

## **CONSENT AGENDA**

**CC15-023** Motion by Wagner, second by Spiros to receive and place on file, approving all recommended actions for the items listed on the consent agenda. Meeting Minutes/Reports: Convention & Visitors Bureau of November 25, 2014; Community Development Authority of January 22, 2015; Main Street Marshfield of February 4, 2015; Utility Commission of February 9, 2015 (1. JO #7452, Upgraded switches for fiber infrastructure for redundant system and camera project, \$114,440; and 2. JO #7455, Hume substation relay upgrades: Replace bank 6 feeder relays and Hume substation RTU cabinet. Orion LX substation automation platform and HMI installation, \$170,000); Parks, Recreation, and Forestry of February 12, 2015; Board of Public Works of February 16, 2015; Community Development Authority Finance Committee of February 17, 2015; Community Development Authority Strategic Planning of February 17, 2015; Judiciary and License of February 17, 2015; Finance, Budget, and Personnel of February 17, 2015 (Resolution No. 2015-07, carryover of 2014 appropriations); and Plan Commission of February 17, 2015 (Resolution No. 2015-08 CUP for 304 and 308 West 27<sup>th</sup> Circle)

**Motion carried**

No items were removed from the consent agenda.

A presentation of Debt Status and Policy Review was given by Dave Anderson from Public Financial Management, Inc. (PFM).

**CC15-024** Motion by Wagner, second by Buttke to approve Resolution No. 2015-10, providing for the sale of approximately \$2,830,000 General Obligation Promissory Notes, Series 2015A.

Ayes - 8

**Motion carried**

**CC15-025** Motion by Hendler, second by Feirer to approve initial Resolution No. 2015-11, authorizing General Obligation Bonds in an amount not to exceed \$3,435,000 for Community Development projects in Tax Incremental Districts. Ayes - 8

**Motion carried**

**CC15-026** Motion by Wagner, second by Jockheck to approve Resolution No. 2015-12, directing publication of notice to electors relating to bond issue.

**Motion carried**

**CC15-027** Motion by Feirer, second by Earll to approve Resolution No. 2015-13, providing for the sale of \$3,435,000 General Obligation Community Development Bonds, Series 2015B. Ayes – 8  
**Motion carried**

First reading of Ordinance No. 1294, Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-94, pertaining to an update to the Wellhead Protection section of code and Wellhead Protection map to bring the ordinance into compliance with the Department of Natural Resources regulations and add a new well to the map.

First reading of Ordinance No. 1295, Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-12, pertaining to the definition of “Gross Floor Area”, Section 18-114 pertaining to the standards for a Group and Large Development, and Section 18-161 pertaining to the procedures for a Conditional Use Permit. The amendment is being proposed in an effort to clarify the regulations and allow more administrative approval for minor amendments.

First reading of Ordinance No. 1296, Municipal Code Amendment to Chapter 3. General Government, Section 3-66(2), amending this chapter to include the supervision of leases of city facilities.

**CC15-028** Motion by Buttke, second by Wagner to approve Resolution No. 2015-03, vacating and discontinuing the alley and a portion of East First Street.  
**Motion carried**

**CC15-029** Motion by Earll, second by Smith to approve Budget Resolution No. 04-2015, transferring \$15,000 within the Cable Television fund to extend fiber from McMillan Street to the Marshfield Community Television Studio at 101 West McMillan Street. Ayes – 8  
**Motion carried**

Update on Library & Community Center from the construction manager, and continued discussion/action from February 10<sup>th</sup> meeting on Phase 2 of this project.

**CC15-030** Motion by Earll, second by Wagner to approve Resolution No. 2015-14 on construction of Phase 2.

**CC15-031** Motion by Wagner, second by Smith to **amend motion CC15-030** to include in the resolution that funds raised in Phase 2 will be applied to any gap in funding or overruns for the Library project first before being applied to the Community Center.  
**Motion carried**

**CC15-032** Motion by Wagner, second by Jockheck to **amend motion CC15-030** to include another paragraph stating if the private fundraising goal is not reached by the end of the capital campaign, it is understood that the scope of the project would be reduced to match the available funds.  
**Motion carried**

Vote on motion **CC15-030 as amended**. Ayes - 8  
**Motion carried**

Reviewed current floor plan detailing available Community Center space.

Discussed appointing a team (with 2 Council members) to study leasing options and opportunities, and report to the Finance, Budget & Personnel Committee.

The Mayor recommended appointing the Chairs of the Finance, Budget and Personnel Committee and the Board of Public Works (or their designee), along with Dan Knoeck, Lori Belongia and Kelly Cassidy.

**CC15-033** Motion by Hendler, second by Earll to suspend the rules and vote on the committee.  
**Motion carried**

**CC15-034** Motion by Buttke, second by Hendler to approve the Leasing Committee composed of Alderperson Feirer (BPW Chairperson), Alderperson Feddick (FBP Chairperson), Lori Belongia, Kelly Cassidy and Dan Knoeck.  
**Motion carried**

**CC15-035** Motion by Buttke, second by Hendler to refer to the Leasing Committee the guidelines for leasing space in the Community Center.  
**Motion carried**

Discussed recouping individual unit build-out costs through tenant leases.

**CC15-036** Motion by Wagner, second by Hendler that any build-out costs will be recovered from the tenant(s) or the tenant(s) can provide them on their own within a reasonable amount of time and they have to meet City standards.  
**Motion carried**

**CC15-037** Motion by Jockheck, second by Smith to elect Kathy Heintz-Dzikowich to the Marshfield Utility Commission to fill the unexpired term of Aaron Pitzenberger. This term begins immediately, and it ends on September 30, 2017.  
**Motion carried**

Alderperson Spiros left the meeting at 8:32 p.m.

**CC15-038** Motion by Wagner, second by Jockheck to go into closed session pursuant to Wisconsin Statutes, chapter 19.85 (1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Specifically the City Administrator had requested a closed session to discuss collective bargaining strategy with Firefighters Local 1021, IAFF. Roll call vote, all ayes. (Time: 8:33 p.m.)  
**Motion carried**

Present in closed session: Alderpersons Feirer, Jockheck, Earll, Wagner, Smith, Buttke and Hendler, City Administrator Barg, Mayor Meyer, City Attorney Wolfgram, Human Resources Manager Baehr, Finance Director Strey, Fire Chief Haight and City Clerk Hall.

**CC15-039** Motion by Wagner, second by Buttke to return to open session. Roll call vote, all ayes.  
(Time: 9:05 p.m.)

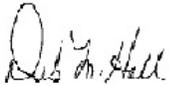
**Motion carried**

No action was taken in open session regarding the closed session item.

Future Agenda Items

None

Motion by Hendler, second by Feirer to adjourn at 9:06 p.m.



Deb M. Hall  
City Clerk

MARSHFIELD PUBLIC LIBRARY  
BOARD MEETING  
211 E. Second Avenue, Marshfield, WI 54449  
January 13, 2015  
7:00 a.m.

The meeting was called to order at 7:00 a.m. by Jean Swenson. Attendance was taken.

Present: Joanne Ampe, Gary Cummings, Mary Hartl, Kris Keogh, Pat Saucerman, Don Schnitzler, Jean Swenson, Ruth Voss (joined at 7:02 a.m.), and Library Director Lori Belongia.

Also present: Mary Adler, Kathy Baker, Amanda Duer

Absent: Xin Ruppel, Kim Vrana

Citizen's comments, correspondence and announcements: Thank you note from the Girl Scouts, and a card from Karin Bjorkling and Kris Olson with a check from the Trust of Dorothy A. Olson.

Changes or additions to the agenda: None.

LB15-1 Minutes of the Library Board Meeting: Motion by Keogh, second by Cummings to approve and place on file the minutes of the December 9, 2014 Library Board Meeting. All ayes. Motion carried.

LB15-2 Director's Report: Motion by Schnitzler, second by Saucerman to receive and place on file the December 2014 Director's Report. All ayes. Motion carried.

LB15-3 2<sup>nd</sup> December Vendor List, 3<sup>rd</sup> December Vendor List, 4<sup>th</sup> December Vendor List and 1<sup>st</sup> January Vendor List: Motion by Saucerman, second by Hartl to approve Vendor Lists. All ayes. Motion carried.

LB15-4 December 2014 Financial Control Report: Motion by Schnitzler, second by Keogh to receive and place on file the December 2014 Financial Control Report. All ayes. Motion carried.

LB15-5 Business

Approval of minutes of January 7, 2015 Personnel Committee meeting: Motion by Hartl, second by Saucerman to approve the adjustments as outlined in the minutes. All ayes. Motion carried. Motion by Keogh, second by Ampe to approve and place on file the minutes of the January 7, 2015 Personnel Committee meeting. All ayes. Motion carried.

Policy #3.410, Holiday Closings: Motion by Saucerman, second by Voss to approve the changes. All ayes. Motion carried.

Endorsement of the Library & Community Center Project in the Capital Improvement Program 2015-2019: Motion by Schnitzler, second by Hartl to approve the endorsement. All ayes. Motion carried.

Library & Community Center Project – Pick up window service: Motion by Ampe, second by Saucerman to endorse a pick up window service if donor supported. All ayes. Motion carried.

Donation from the Trust of Dorothy A. Olson: Motion by Saucerman, second by Hartl to give to the Library & Community Center Project and place into the Marshfield Area Community Foundation. All ayes. Motion carried.

Swenson left the meeting at 7:32a.m.

LB15-6

Minutes of other organizations: Motion by Schnitzler, second by Voss, to accept and place on file the minutes of the November 12, 2014 Library & Community Center Committee, November 18, 2014 FOMPL Board, December 3, 2014 Community Center Development Priorities – Consensus Building Discussion, and the December 19, 2014 SCLS Board of Trustees. All ayes. Motion carried.

Adjournment: Seeing no other business to come before the board, Keogh adjourned the meeting at 7:37 a.m.

Respectfully submitted,



Mary Hartl  
Secretary

**STRATEGIC PLANNING CABLE TV COMMITTEE MEETING MINUTES  
JANUARY 26, 2015**

The meeting was called to order by Chairperson Holck at 5:02 p.m. in Room 108 of City Hall Plaza.

**PRESENT:** Jim Daniels, George Holck, Dean Markwardt, Shawn Warren, Alderperson Earll and Ed Gerl (arrived at 5:03 p.m.)

**ALSO PRESENT:** Assistant Coordinator & Production Manager Breanna Speth, Brett Butler, City Administrator Steve Barg and Deputy Clerk Panzer

**EXCUSED:** Senen Siasoco

**APPROVAL OF MEETING MINUTES**

**CTV15-001** Motion by Markwardt, second by Warren to approve the minutes of the December 22, 2014 meeting as submitted.

**Motion carried**

**BILLS**

The bill query report was reviewed.

**CTV15-002** Motion by Gerl, second by Earll to authorize payment of the following bills as presented:

Advanced Disposal	\$ 58.34
Charter Business (12/26/14 to 01/25/15)	15.21
Charter Business (01/01/15 to 01/31/15)	264.10
Granicus	600.00
Hillers True Value	35.00
VIDCOM (Menards)	11.96
Per Mar Security Services	381.60
Quill	127.35
(Inv. 8745600, 8751594, 8866990, 8876603, 8904102 & 9071673)	
We Energies	48.99
Wisconsin Community Media (Invoices 71 & 74)	340.00
VIDCOM, LLC (Invoices 309, 312 & 313)	<u>8,160.00</u>
<b>Total</b>	<b>\$10,042.55</b>

**Motion carried**

**REVIEW PROPOSED FINANCING PLAN FOR FIBER EXTENSION PROJECT**

City Administrator Barg reported that he met with Finance Director Strey, Breanna Speth and George Holck about a week ago and they discussed how they could make this proposal work. It looks like the 2014 budget will have a surplus. He explained that the Cable TV fund monies continue to roll forward unlike most departments when there is excess money and that money lapses back into the general fund where it came from initially. Any excess Cable TV monies continue to roll forward from year to year and are available for use and that is where the reserve fund comes from. He recommended using \$5,000 from the additional money that was put in the 2015 budget for maintenance and \$7,000 from the additional money that was put in the 2015 budget for other contractual services and using those monies along with supplementing \$3,000 from the 2014 budget surplus for this project.

A budget resolution would be needed. This budget resolution could go to the Common Council in February and we would be able to authorize moving forward with the contractor the end of February to do the work yet hopefully in March before the end of the winter.

**CTV15-003** Motion by Gerl, second by Warren to draft a Budget Resolution for the Common Council's approval to transfer \$5,000 from the maintenance line item, and \$7,000 from other contractual services line item from the 2015 budget and \$3,000 from 2014 budget surplus to the 2015 budget to pay for the fiber extension in 2015.

**Motion carried**

## **STRATEGIC PLANNING SESSION**

### Five Key Areas:

#### \*Branding/Marketing

- Share with other groups
- Flyers/brochures
- Logo / "catch phrase" (identity)
- Market with others (Marshfield Utilities)
- Presence at major events
- Survey viewership

#### \*Technology

- Fiber extension
- Move toward widescreen
- 1-3 year replacement program
- Push Charter for improvements

#### \*Financial Management

- Sponsorship/underwriting prospects
- Federal/State grants
- Studio/equipment rentals (deposit)
- Re-visit minimum reserve balance

#### \*Communication with citizens

- Promotional video of MCTV
- Link with websites of others
- Encourage viewer feedback
- Email program info to interested people (list)

#### \*Human resources (staff/volunteers)

- Promote volunteer opportunities
- School connections
- Actively seek "How to" programs
- Organization structure change

## **RECOMMENDED ITEMS FOR FUTURE AGENDAS**

Increase Public Access Coordinator's wages per contractual agreement

Next regular Cable TV Committee meeting is scheduled for February 23, 2015 at 5:00 p.m.

Next strategic planning meeting is scheduled for March 23, 2015 at 5:00 p.m.

Motion by Markwardt, second by Gerl to adjourn at 6:17 p.m.

**Motion carried**

Lori A. Panzer  
Deputy City Clerk

**City of Marshfield Committee on Aging  
Marshfield Senior Community Center, 111 S. Maple Ave.  
Meeting Minutes – February 6, 2015**

The monthly meeting of the Committee on Aging was called to order at 9:35 a.m. by Becky Huebner-Leu.

**MEMBERS PRESENT:** Becky Huebner-Leu, Jean Doty, Dave Marsh, Elsie Anderson and Patty Ruder

**ABSENT:** Mike Feirer and Kathy Dieck

**OTHERS:** Jennifer Cummings, Kelly Cassidy, Judy Carlson, Celena Wanca-Netzow and Connie Jacobson

Motion by Marsh, 2<sup>nd</sup> by Huebner-Leu to approve the minutes from the January 9<sup>th</sup> Meeting as amended: *The Ministry iLifeDirect service is open to anyone*. This service is being offered to anyone discharged from a hospital or skilled nursing facility for 2 months free.

**Motion Carried**

**CITIZEN'S COMMENTS:** None

**Taxi Concerns:** None The owners of the taxi will be at the March meeting and Celena volunteered to make signs to advertise in the community for the March meeting.

**AGING AND DISABILITY RESOURCE CENTER OF CENTRAL WISCONSIN UPDATE:** Jennifer Cummings updated the committee.

**WOOD COUNTY TRANSPORATION UPDATE:** Connie Jacobson updated the committee.

**FORUM 55+:** Judy Carlson updated the committee.

**LIBRARY & COMMUNITY CENTER PROJECT UPDATE:** Doty and Cassidy updated the committee.

**HEALTH FAIR UPDATE:** Discussion was held again regarding the speaker for the 2015 Health Fair. It was reported by Carlson that Jane Wagner will not be able to speak. Carlson will be contact two other people to see if they have ideas for topics on nutrition and are available. The committee decided that the speaker will be a 10:30 a.m. with lunch served at 11:30 a.m.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**FUTURE MEETING DATE:** The next meeting will be held on Friday, March 6<sup>th</sup> at the Marshfield Public Library.

Motion by Marsh, 2<sup>nd</sup> by Ruder to adjourn at 10:27 a.m.

**Motion Carried**

Respectfully submitted,  
Kelly Cassidy

## **Economic Development Board meeting February 12, 2015**

Present: Dickrell, Michalski, Sennholz, Staab, Wagner  
Absent: Hendler, Meissner  
Others: Angell, Barg, Eloranta, James-Mork, Josh Miller, Councilmember Earll,  
Matt McLean (Marshfield C&VB), Bob Trussoni (Marshfield Utilities)

Sennholz called the meeting to order at 3:01 p.m. in Room 108 of the City Hall Plaza.

### **Approve minutes – January 15<sup>th</sup>**

With one minor correction noted by James-Mork, Wagner moved and Dickrell seconded a motion to approve the January 15<sup>th</sup> minutes as presented. Motion carried unanimously.

### **Conflicts of interest**

No members indicated that they had a conflict of interest with anything on the agenda.

### **Citizen comments**

Sennholz invited comments from citizens, but no one spoke at this time.

### **Economic development reports**

- General updates
  - Angell provided an update on efforts to create an incentive fund for TID #5 before the expenditure period ends on March 25<sup>th</sup>. Although the timeframe is tight, staff has had excellent cooperation from county officials, bond counsel, and the City Council, and it appears this should be put into place in March.
  - Eloranta reported on the Main Street Makeover contest, and the opportunities this might offer to local businesses. Board members expressed interest in this program, and they asked Eloranta to look at how we may be able to duplicate or expand it on our local level. Regarding changes in the downtown area, she advised that Bottom's Up is closing, Wiggles and Wags is moving to a new location, A Helping Hand is seeking more space, and Back Porch is looking for a buyer. She will attend a Main Street event in Omro on February 17<sup>th</sup>.
  - Barg commended Angell for a great presentation at the last Council meeting summarizing the success of the façade grant program.
- Hospitality study: Angell noted that the hospitality study has been completed, and a report is available to interested Board members. The study concluded that a new lodging facility with as many as 42 units could perhaps be supported in Marshfield. He reminded Board members that there is no imminent intent to use this report for any specific purpose, but we now have helpful information available if approached with a possible hotel development.
- Housing programs/projects:
  - Sam Schroeder is still working on a draft and researching other communities, and he will make a presentation about property maintenance standards at the March 5<sup>th</sup> EDB meeting.

- James-Mork advised that she recently met with Angell and Barg, and she is still working on a possible proposal to bring forward a rental rating program. This could be ready as early in mid-March, with a presentation to the Board possibly at the April EDB meeting.
- Angell updated members on progress of the City housing subdivision, noting that presentations have now been made to each of the identified participants, including 2 to the Marshfield Utilities Commission, who is quite interested, but needs to determine what it can support and how this would be structured. The goal is to have commitments by April 1<sup>st</sup>, so we can begin pursuing land acquisition opportunities this spring.

### **Downtown Master Plan update**

Miller presented and highlighted a draft summary of the proposed downtown master plan update, and he addressed questions, concerns, and comments from the Board. He advised that a public hearing would be held by the Plan Commission on February 17<sup>th</sup>, and if all goes well, this plan could be accepted by the City Council as early as February 24<sup>th</sup>.

### **Other informational items**

Barg distributed copies of recommendations from the economic development action plan approved in 2013, asking members to review these recommendations for more discussion at a Board meeting this spring.

Angell stated that the Mayor will make committee appointments in April, after the spring election. The Mayor will be in touch with Board members whose terms are expiring.

### **Announce next Board meeting date/time**

Sennholz announced that the next Board meeting will be held on Thursday, March 5<sup>th</sup> at 3:00 p.m. in Room 108 of the City Hall Plaza.

With no more business before the Board, Dickrell moved and Wagner seconded a motion to adjourn. Motion carried unanimously. Sennholz adjourned the meeting at 4:43 p.m.

Respectfully submitted,  
Steve Barg, City Administrator

# Marshfield Airport Committee Minutes

## February 19th, 2015

Meeting called to Order at 6:02 p.m. by Chairman Berg

Present: Chris Jockheck, Paul Knauf, and John Berg

Absent: Jack Bremer and Dan Maurer

Also Present: Myles Richmond, Duffy and Jeffrey Gaier

Citizens Comments: Myles said it is cold outside.

AP15-06 Motion by Jockheck Second by Knauf to approve the Airport Minutes for January 14th, 2014, All Ayes,

Motion Carried

AP15-07 Motion by Knauf Second by Jockheck to approve the Airport Manager's February 2015 Report, All Ayes

Motion Carried

AP15-08 Motion by Jockheck, Second by Knauf to approve the February 2015 Activity Report, All Ayes

Motion Carried

AP15-09 Motion by Knauf, Second by Jockheck to approve the Airport Bills for February 2015, All Ayes

Motion Carried

AP15-10 Motion by Jockheck, Second by Knauf to approve the petition for the Wisconsin Bureau of Aeronautics and submit it to the City Planning Commission for their review and consideration. , All Ayes,

Motion Carried

Additional Citizens Comments: Myles said it is still cold outside.

Motion by Knauf, second by Jockheck to adjourn at 6:37 PM, All Ayes Motion Carried

Respectfully Submitted - Jeffrey Gaier

# Marshfield Municipal Airport Manager's Report February 19th, 2015



We have been invited by the Wisconsin Bureau of Aeronautics to come to Madison for an airport sponsor workshop. This is to discuss our projects for 2015 and beyond. It is also an opportunity to meet with the Bureau face to face. The workshop has been moved up a few weeks into March. In the past it has been hosted during April.

The City of Marshfield has received the remaining tax on the former Grosbier property from the Bureau. The tax that was estimated fell short by about \$46. The Bureau did come through so we can pay the remain tax on the property for 2014 from the time the City owned it. As of Jan 1st, 2015 the property is designated as tax exempt.

Mike Gabor at the Bureau is putting a bid packet together to clean-up the Grosbier property. In addition to removing the buildings, utilities, sewer, etc. we will be removing the trees on the property as well. It is our intention to make this over to a flat piece of land as it is near the approach end of runway 34. The trees are presently 10 feet under the height restrictions in the area. We will make this land into farm land.



Photo by Chris Owens

Jeff went to the Marshfield Community Television and filmed an episode of "How The City Works: The Airport". The series is to show the citizens of Marshfield the various City departments and how they work. This was the first time that the airport has participated in such a event.

EAA 992 hosted their annual Chili Feed on Feb 14th, 2015. Unfortunately, weather once again decided to play a hand in making it a difficult day for aircraft to fly in. Surface winds were gusting up to 35 knots and the high temperature

of the day reached 6° F. Many people both from the community and from other airports did drive in for the event. One local pilot took family members out for flights despite the wind so we did see one ski plane flying.

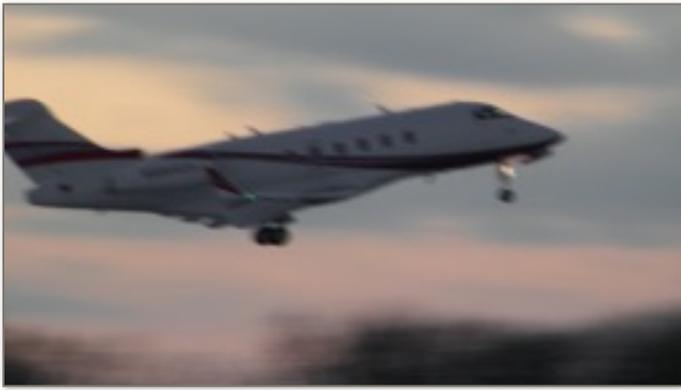


The cold temperatures have been a challenge on some of Duffy's equipment. The tug that we use to tow aircraft is presently down for repairs. It doesn't seem to be getting any fuel to the engine. The Chevy truck that we use for plowing broke down as well. The rear wheel drive axel came apart. Severts of Marshfield were able to come out and pick up the truck. They have sealed the rear axel, removed the rear drive shaft so we can continue using the truck but just with front wheel drive. Duffy has purchased a used truck and used plow that eventually we will be utilizing. We have been using the Chevy truck on the airport since we first started at the airport in 1986. Until the tug gets repaired, we are using our JD 950 tractor as our tug.

Student activity this month has been slow but steady. The cold temperatures certainly hasn't helped any. As we approach March, we expect to have a few sunny days where we will see people with hangar fever. They will want to fly as they have been cooped up too long on the ground.

Wisconsin Flying Hamburger Social planning has begun. Marshfield is presently set up for June 10th and September 2nd. Depending upon how the schedule works out we may change dates or pick up a third day.





Just a few of the various aircraft in this month. It has been busy for medical flights and business flights.

Happy Flying - Duffy, Alice, Bob and Jeff



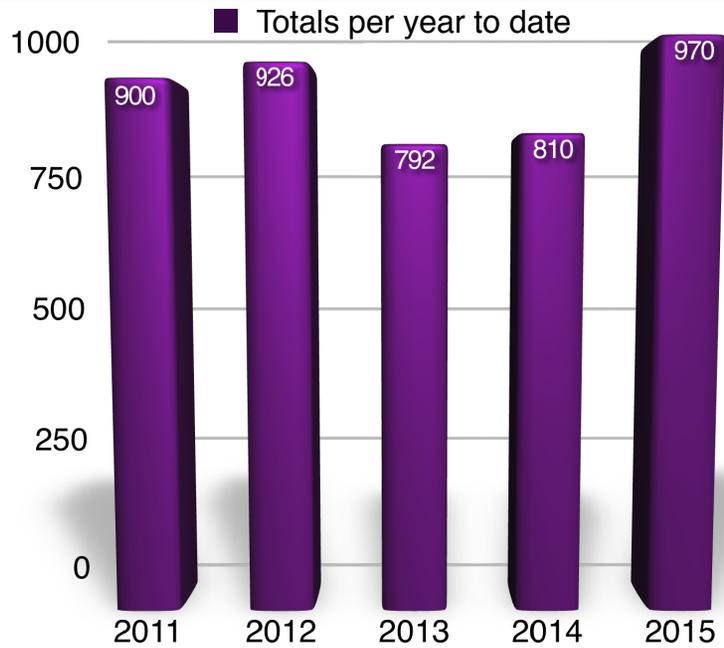


# Airport Activity Report February 2015

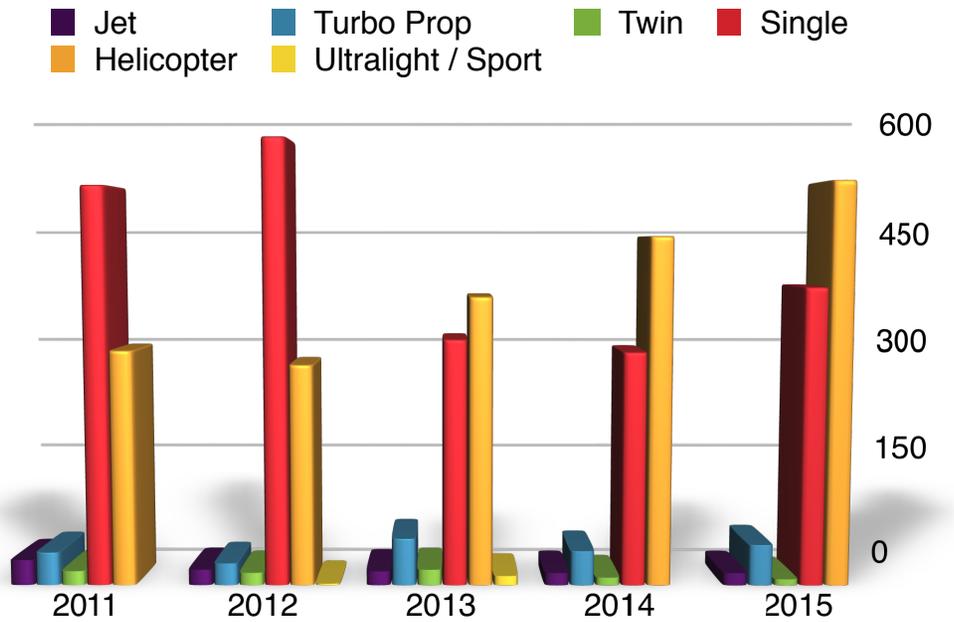


Departures and or Landings Information - Flight Operations - 35 Days Between Reports							
<i>Year</i>	<i>YTD 2011</i>	<i>YTD 2012</i>	<i>YTD 2013</i>	<i>YTD 2014</i>	<i>Feb 2014</i>	<i>Feb 2015</i>	<i>YTD 2015</i>
<i>Jet</i>	32	20	18	16	10	14	16
<i>TurboProp</i>	42	28	60	44	20	26	52
<i>Twın</i>	18	16	20	10	6	4	8
<i>Single</i>	508	568	314	298	170	210	380
<i>Helicopter</i>	300	282	368	444	224	360	514
<i>Light Sport</i>	0	2	12	0	0	0	0
<i>Total</i>	900	926	792	810	430	614	970
Passengers							
<i>Total</i>	1199	1234	1056	1079	430	818	1788
Local and Transient Traffic							
<i>Transient</i>	150	280	274	304	130	122	192
<i>Local</i>	750	646	518	506	300	492	878
Training Flights							
<i>Total</i>	222	448	238	222	126	160	284
Fuel Dispensed							
<i>Av Gas</i>	2096	2433	1951	1443	876	526	1173
<i>Jet A</i>	6165	2823	6081	4895	2559	4357	6423
<i>Total</i>	8261	5256	8032	6338	3435	4883	7596
All Information In This Report Is Estimated Based On The Activity At The Airport For The Month. An Operation is considered a take-off or a landing.							

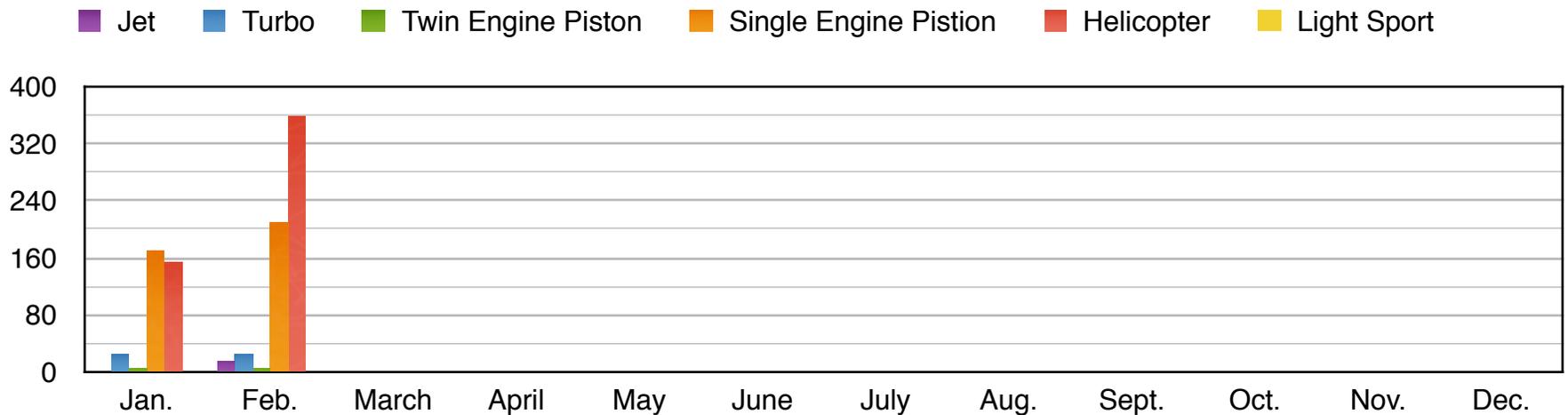
Flights Over the Past Five Years by the Present Month



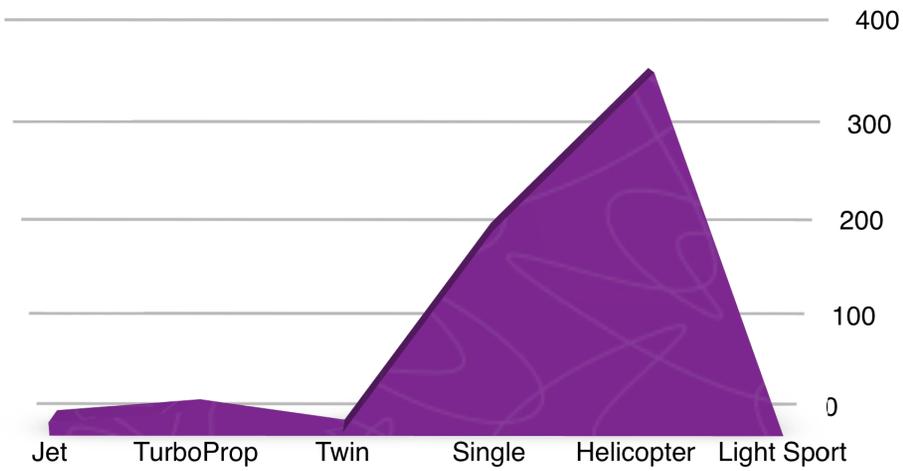
Types Of Aircraft That Have Visited Marshfield Per Year by the Present Month



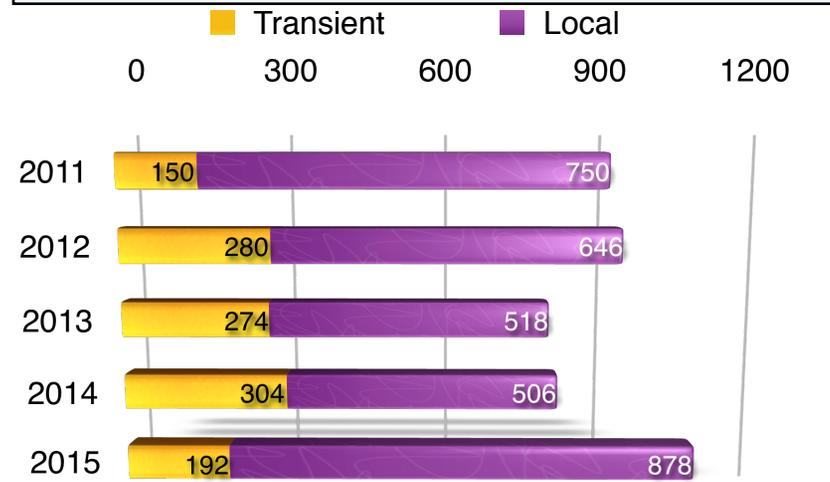
Operations by Aircraft for the Year of 2014



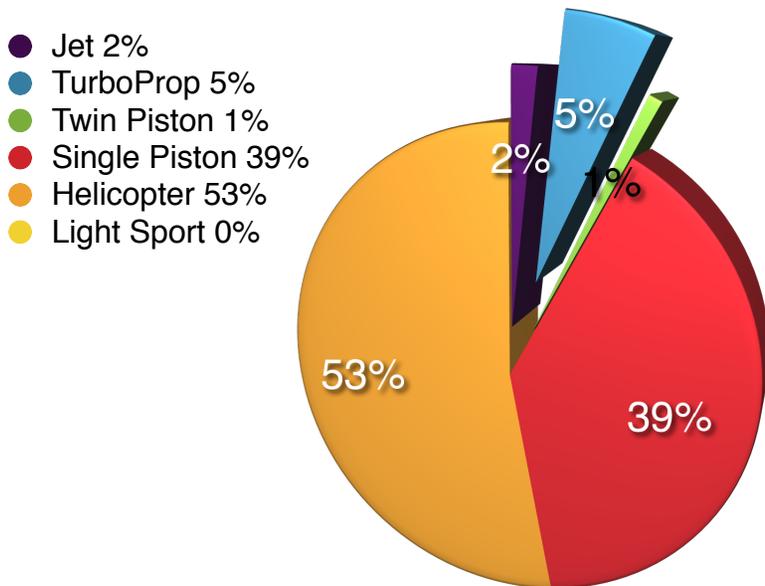
Traffic Activity For This Month



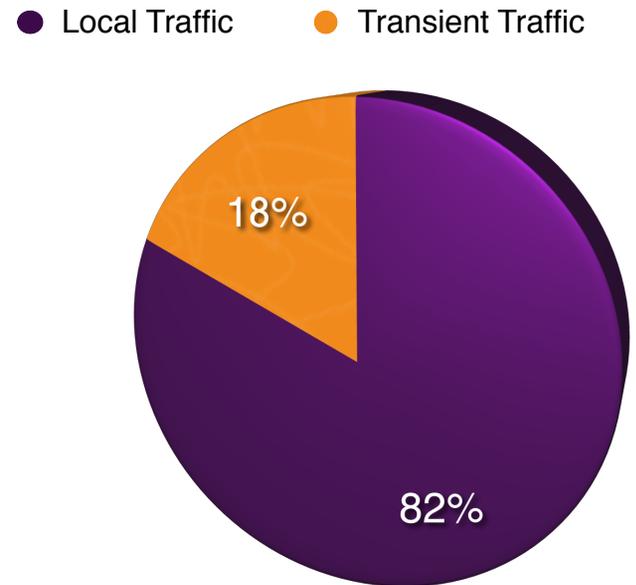
Transient Vs. Local Traffic



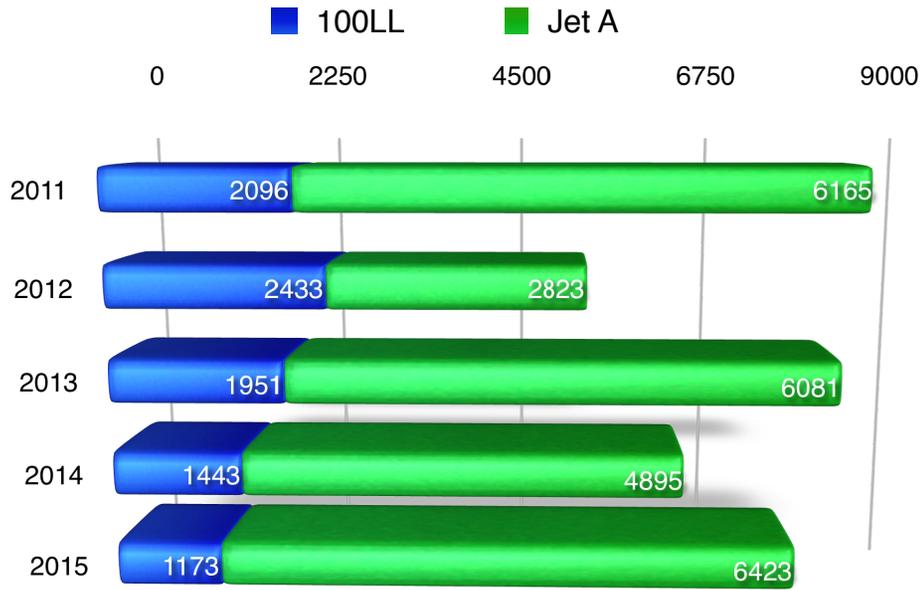
Percentage By Type Of Aircraft That Came Into Marshfield In 2015



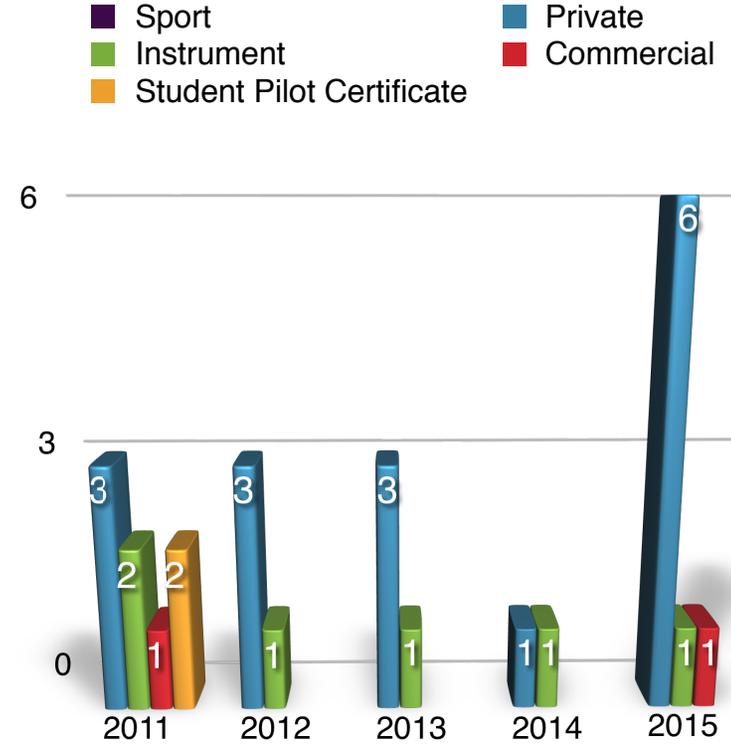
Percentage of Local Vs. Transient Traffic



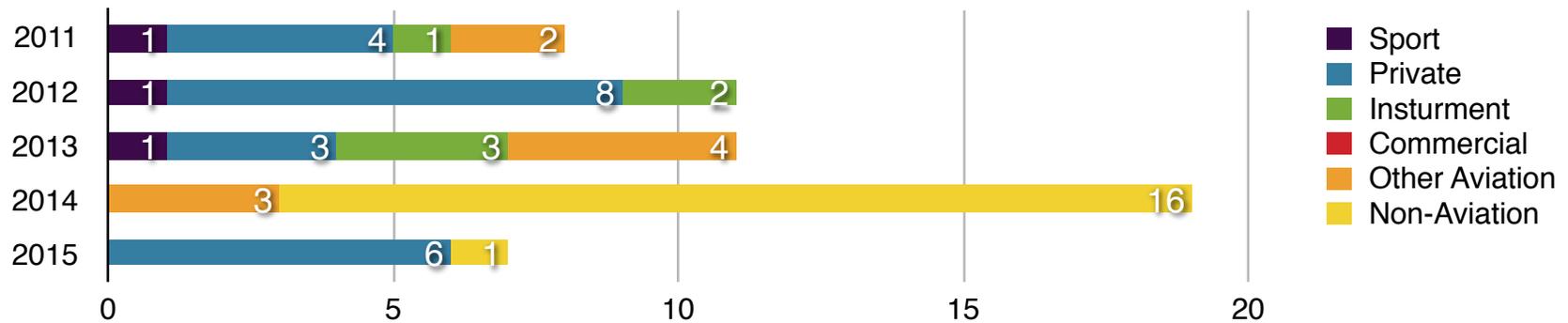
Fuel Sold - 5 Year Comparison



Duffy's Flight Checks for Pilots - 5 Year Comparison



Computerized Written Exams Given At The Airport



# ***Individuals and Businesses that have used the Airport The Month of February 2015***

Duffy's Aircraft Sales and Leasing Inc.  
Aviation On Demand  
Spirit Transport  
Dan Hiller  
CrossWind Aviation LLC  
Wheeler's Chevy Olds Pontiac Cadillac Inc.,  
Dan Wheeler  
Myles Richmond  
Duffy Gaier  
Bob Gaier  
Jeffrey & Elizabeth Gaier  
Al Hatz  
Gary Buchanan  
Georgi Georgiev  
Craig Cook  
Don Halloran  
Howard Rand  
Steve Humphrey  
Steve Mickel  
Mayo One (Medflight Eau Claire)  
Custom Fabrication and Repair  
Brian Barnett  
Kirk Haslow  
Haslow Farms  
Father Eric Berns  
Medevac (Medflight Wausau)  
Tom Witt  
Country Flyers Education  
Jake Jasinski

Troy Rens  
Life Link III (Medflight New Richmond)  
Wayne Short  
Enbridge  
MQA Aviation LLC  
Matt Thomas  
Burrnett Co. Flying Service  
Michael Tyler  
Bob Thill  
Valley Medical - Fixed Wing Medflight  
Randy Musack  
Harry Dolan  
Bryan Atkinson  
William Atkinson  
Dick Rau  
April Thums  
Na Tao  
Medlink Air (Medflight)  
Am I High Aviation  
Wausau Flying Service  
Krist Oil  
N543AM LLC - Medflight  
Med Air LLC - Medflight  
Daniel Vieth  
Jet Air Inc  
State of Wisconsin - Organ Harvest / Donor Flight

Mark Preston  
Aircraft Holding Company One LLC  
Stephens Investments Holdings LLC

**Businesses or Groups That Have Utilized The Conference Room or Airport This Month From The Community.**

Experimental Aircraft Association Chapter 992 (Marshfield & Medford Group)

Toastmasters of Marshfield

Central Wisconsin Apple User Group

Marshfield Youth Hockey

C12 Group (Christian CEOs and owners building great businesses for a greater purpose)

Marshfield Area Pet Shelter

**The Trickle Effect** - These are businesses that we know of that have been utilized by the patrons of the airport this month. They spend money in Marshfield and the surrounding communities. This is just from conversations we have with pilots and passengers. There are more business that do benefit from the airport each month. These are just the ones we know about from the people that have discussed their time at Marshfield

Marshfield Hotel

Target

Holiday Inn

Hardees

Blue Heron / West 14th

The Store

Marshfield Clinic

Baltus

St. Joseph's Hospital

Wildwood Zoo

Festival Foods

Nasonville Dairy

V & H Heavy Trucks

El Mexical

Roehl Transport

Custom Fabrication and Repair

Subway

Chips

McDonalds

Little Casears

**Summary Report**

The month of February weather wise was not much better then January. Weather and temperatures kept many local planes grounded on bad weather days. Flight activity did pick up some this month especially when the days were nice. We also saw quiet a few business / medical flights in this month. For the Ski Plane / Chili Feed the cold temperatures and blowing winds kept most people from flying in. Dan Hiller did take a few of his family members up for flights that day so we did have one plane with a set of skis on it.

Obj. #	Description	2015 Amount Approved	2015 February Invoices	Firm Expenses Paid	Used To Date	Balance
52100	Professional Services	44,950.00	3,745.83	Manager's contract	7,491.66	37,458.34
52210	Electric	18,925.00	30.55	Marshfield Utilities - Co. Rd. BB	30.55	18,894.45
52220	Water	496.00				496.00
52230	Sewer	560.00				560.00
52240	Fire Protection Charge	1,934.00				1,934.00
52260	Heating - Gas	3,386.00	188.67 379.02 179.00 677.52	east side of old terminal west side of old terminal house on Co. Rd. BB General terminal	1424.21	1,961.79
52300	Telephone	1,290.00	99.42	Frontier	99.42	1,190.58
52400	Rep/Maint. Serv-Streets	17,200.00	2,525.00	Snow removal	2,525.00	14,675.00
52500	Repair/Mainte. Service	60,967.00	47.05 424.00 250.00 73.68 400.00	Unifirst - floor mats Chili Implement Co. - Remote cables Maid to Order Cleaning Service Merkel Co., Inc. - wired electrical fuel pump Duffy's Aircraft Sales - replaced cables & plow blades	1,291.28	59,675.72
52900	Other Contractual Ser.	3,000.00				3,000.00
53100	Office Supplies & Exp.	500.00				500.00
53200	Publications & dues	400.00				400.00
53400	Operating supplies	1,600.00				1,600.00

City of Marshfield - 2015 Airport Budget continued		February Expenses	Used To Date	Page 2 of 2 Balance
53500	Rep/Mainte. Supplies	6,728.00		6,728.00
55110	Buildings & Contents	2,431.00		2,431.00
55140	Professional Liability	317.00		317.00
55150	Airport Liability	4,350.00		4,350.00
55170	Boiler	371.00		371.00
58830	Airport Buildings	6,120.00		6,120.00
Grand Totals		175,525.00	12,862.12	162,662.88

**CITY OF MARSHFIELD  
BOARD OF CANVASSERS  
SPRING PRIMARY ELECTION OF FEBRUARY 17, 2015  
MINUTES OF FEBRUARY 20, 2015**

The City of Marshfield Board of Canvassers convened at 4:02 p.m. on Friday, February 20, 2015 in the 7<sup>th</sup> Floor Conference Room, located in City Hall Plaza. The Board of Canvassers consists of City Clerk Deb M. Hall, Brenda Hanson and Amy Krogman.

The Board of Canvassers convened to process and count late-arriving absentee and provisional ballots. 2011 Act 75 provides that absentee ballots may be counted if postmarked no later than Election Day and received no later than 4:00 p.m. on the Friday following the election. Additionally, 2011 Act 23 provides that voters who cast provisional ballots may provide whatever documentation is required no later than 4:00 p.m. on the Friday after the election in order for their provisional ballot to be counted.

The following are the findings, by reporting unit, of the board upon review of the election records:

Late-Arriving Absentee Ballots

**OAK AVENUE COMMUNITY CENTER**

Wards 1-4,10,11,13,14:	27 outstanding absentee ballots; 3 returned
Wards 12, 20, 21, 24:	2 outstanding absentee ballots; 1 returned

**WILDWOOD STATION**

Wards 5,6,7,15,16,17:	26 outstanding absentee ballot; 7 returned
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**SENIOR CENTER**

Wards 8,9,18,19,22,23:	8 outstanding absentee ballots; 1 returned
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Ward 21 received one late-arriving absentee ballot from Dorothy Smith, 2414 North Peach Avenue, Apt. 1. The Board found the certificate envelope to be sufficient so a voter number was assigned, #40, and the ballot was counted.

Ward 3 received one late-arriving absentee ballot from Evelyn Arndt, 1100 West Blodgett Street. The Board found the certificate envelope to be sufficient so a voter number was assigned, #648, and the ballot was counted.

Ward 4 received one late-arriving absentee ballot from Esther Dehn, 902 South Drake Avenue. The Board found the certificate envelope to be sufficient so a voter number was assigned, #649, and the ballot was counted.

Ward 10 received one late-arriving absentee ballot from Daniel Sebold, 1703 East Upham Street. The Board found the certificate envelope to be sufficient so a voter number was assigned, #650, and the ballot was counted.

Ward 6 received two late-arriving absentee ballots.

1) Michael Kexel, 911 South Ash Avenue. The Board found the certificate envelope to be sufficient so a voter number was assigned, #348, and the ballot was counted.

2) Agnes Weigel, 601 East 21<sup>st</sup> Street, Apt. 12. The Board found the certificate envelope to be sufficient so a voter number was assigned, #349, and the ballot was counted.

Ward 15 received five late-arriving absentee ballots.

1) Martha Bender, 606 South Walnut Avenue, Apt. 207. The Board found the certificate envelope to be sufficient so a voter number was assigned, #350, and the ballot was counted.

2) Ruth Hefko, 606 South Walnut Avenue, Apt. 501. The Board found the certificate envelope to be sufficient so a voter number was assigned, #351, and the ballot was counted.

3) Evelyn Smith, 606 S Walnut Avenue, Apt. 217. The Board found the certificate envelope to be sufficient so a voter number was assigned, #352, and the ballot was counted.

4) Eris Thurston, 606 S Walnut Avenue, Apt. 208. The Board found the certificate envelope to be sufficient so a voter number was assigned, #353, and the ballot was counted.

5) Elizabeth Wagner, 606 S Walnut Avenue, Apt. 311. The Board found the certificate envelope to be sufficient so a voter number was assigned, #354, and the ballot was counted.

Ward 9 received one late-arriving absentee ballot from Louise Genteman, 601 South Cedar Avenue, Apt. 114. The certificate envelope was missing the voter's signature. The ballot was rejected.

There were no other late-arriving absentee ballots.

A total of twelve late-arriving absentee ballots were received. Of those twelve late-arriving absentee ballots, eleven were counted and one was rejected.

#### Provisional Ballots

There were no provisional ballots issued for any of the wards in Marathon and Wood Counties within the City of Marshfield according to the GAB-123r.

The votes were recorded on duplicate tally sheets.

The absentee ballots were secured in ballot bags. All paperwork was signed by the Board of Canvassers.

The Board adjourned at 4:33 p.m.

Lori A. Panzer  
Deputy City Clerk

CAPITAL IMPROVEMENT PROGRAM ADMINISTRATIVE COMMITTEE  
Minutes of February 24, 2015

Members Present: Chris Meyer; Karl Zimmerman; John Beck; Alderpersons Earll, Buttke, Hendler, Wagner

Member Absent: None

Others present: Michelle Boernke, Louie Cordova, Jason Angell, Dick Pokorny, Tom Turchi, Mike Feirer, Amy Krogman, Pat Stuhr, Lori Belongia, Dan Knoeck, Sam Warp, Mark Kivela, Mike Winch, Jeff Gaier, Rick Gramza, Ed Englehart, Ben Steinbach, Steve Barg

Meeting called to order by Mayor Chris Meyer at 8:00 a.m.

Steve Barg gave an overview of the Capital Improvement Plan. The purpose of the CIP is as follows:

- to provide for the orderly replacement of physical plant for a 5-year period
- coordinate debt flow in relation to the city's financial capacity
- link to the city's Comprehensive Plan
- ensure coordinated capital development

He reviewed the goals and objectives of the CIP process as stated in policy #4.330. Historically the goals and objectives for the program have been to keep the tax levy and related tax rate stable. He also went over the committee's priority rating which is outlined in Section VII of the CIP policy.

Keith Strey gave an overview of the state budget and the City of Marshfield's debt levels and financial status. The city finances the CIP using the following funding sources:

- Tax Levy
- Fund Balance Applied (our savings account)
- Long Term Borrowing
- User Fees
- Room Tax

Keith presented two initial options for goals for the committee to consider at a future meeting.

Operating Funds:

Option #1

Budget Year	Oper. Fund (OF) Commitment	Request	Variance
2016	\$225,000	\$847,000	(\$622,000)
2017	250,000	1,278,000	(\$1,028,000)
2018	275,000	892,000	(\$617,000)

2019	300,000	658,000	(\$358,000)
2020	325,000	1,018,000	<u>(\$693,000)</u>
			(\$3,318,000)

Option #2

Budget Year	Oper. Fund (OF) Commitment	Request	Variance
2016	\$608,000	\$847,000	(\$239,000)
2017	608,000	1,278,000	(\$670,000)
2018	608,000	892,000	(\$284,000)
2019	608,000	658,000	(\$50,000)
2020	608,000	1,018,000	<u>(\$410,000)</u>
			(\$1,653,000)

Borrowed Funds – Recurring Projects:

Option #1

Budget Year	Recurring Project Debt Commitment	Request	Variance
2016	\$2,500,000	\$2,588,000	(\$88,000)
2017	2,500,000	3,000,000	(\$500,000)
2018	2,500,000	2,503,000	(\$3,000)
2019	2,500,000	3,057,000	(\$557,000)
2020	2,500,000	4,188,000	<u>(\$1,688,000)</u>
			(\$2,836,000)

Option #2

Budget Year	Oper. Fund (OF) Commitment	Request	Variance
2016	\$2,600,000	\$2,588,000	\$12,000
2017	2,700,000	3,000,000	(\$300,000)
2018	2,800,000	2,503,000	\$297,000
2019	2,900,000	3,057,000	(\$157,000)
2020	3,000,000	4,188,000	<u>(\$1,188,000)</u>
			(\$1,336,000)

The schedule of meeting dates is as follows:

Tuesday	February 24, 2015 – 8:00 a.m.
Tuesday	February 26, 2015 – 8:00 a.m.
Tuesday	March 3, 2015 – 8:00 a.m.
Wednesday	March 4, 2015 – 8:00 a.m.
Monday	March 16, 2015 Presentation to Board of Public Works
Tuesday	March 17, 2015 Presentation to Plan Commission
Tuesday	March 24, 2015 Presentation to Common Council
Tuesday	April 14, 2015 Adoption by Common Council

Michelle Boernke, and Louie Cordova presented the following projects:

**UW-K-7375**, Remodel/Renovate Science Areas (STEM Cap Project); **UW-K-7335**, 2016 Projects which include electrical panel with water penetration, replace single pane windows in Laird, Library, and Success Center, seal coat and stripe all parking lots, roof repair/replacement rotations, replace remaining AHU Watercoils; **UW-K-7336**, 2017 Projects which include fire release for all interior doors, and replace/refurbish green house; **UW-K-7337**, 2018 Projects which include kitchen expansion and upgrades and roof repair/replacement rotations; **UW-K-7338**, 2019 Projects which include replace circulating pumps, and remodel/restructure office area and restroom for ADA in student affairs and administration buildings; **UW-K-7339**, 2020 Projects which include roof repair/replacement rotations; replace roof top units 4 & 5, and tile/carpet upper comments and Laird entrances.

Jeff Gaier presented the following Airport Projects

**AI-N-3812**, Replace MALSRs; **AI-N-3816**, Reconstruction of Pavement; **AI-N-3821**, Construct Hangar Area Including Taxiway; **AI-N-3823**, Construct Parallel Taxiway to Runway 16/34

Rick Gramza presented the following Emergency Management projects:

**EM-N-5508**, S. Central/Airpark Rd., Emergency Warning Siren Replacement and **EM-N-5509**, Hwy 13/Spencer Emergency Warning Siren Replacement

Rick Gramza presented the following Police projects:

**PD-K-5705**, Garage Expansion, **PD-K-5706**, Roof Replacement; **PD-K-5707**, Automation controls, **PD-K-5711**, Emergency Generator Replacement

Ed Englehart presented the following Fair Commission projects:

**FG-K-5600**, Round Barn Improvements

Jason Angell presented the following Planning & Economic Development projects:

**PL-K-6000**, Library & Senior Community Center Project and **PL-N-6012**, Second Street Green Street Corridor

Meeting was adjourned at 9:43 a.m.

Respectfully submitted,

Amy Krogman  
Administrative Assistant III

CAPITAL IMPROVEMENT PROGRAM ADMINISTRATIVE COMMITTEE  
Minutes of February 26, 2015

Members Present: Chris Meyer; Karl Zimmerman; John Beck; Alderpersons Earll, Buttke, Hendler, Wagner

Member Absent: Tom Buttke

Others present: Keith Strey, Steve Barg, Amy Krogman, Mike Winch, Mark Kivela, Dick Pokorny, Tom Turchi, Dan Knoeck, Ed Englehart, Ben Steinbach, Michelle Boernke, and Rick Gramza, Pat Stuhr, Mike Feirer and Jason Angell

Meeting called to order by Mayor Chris Meyer at 8:00 a.m.

**CIP15-01** Motion by Wagner, 2<sup>nd</sup> by Zimmerman to approve the minutes from the February 24, 2015 meeting.

**Motion carried**

CIP15-02 Motion by Hendler, 2<sup>nd</sup> by Earl to approve Option 1 for Operating Funds as follows:

2016	\$225,000
2017	\$250,000
2018	\$275,000
2019	\$300,000
2020	\$325,000

**Motion carried**

CIP15-03 Motion by Wagner, 2<sup>nd</sup> by Earll to approve Option 2 for Borrowing Funds

2016	\$2,600,000
2017	\$2,700,000
2018	\$2,800,000
2019	\$2,900,000
2020	\$3,000,000

**Motion carried**

Ed Englehart presented the following projects:

**PR-L-2804**, Playground Development/Renovation; **PR-L-2808**, Baseball/Softball Facility ImprovementP; **PR-L-2811**, Hefko Pool; **PR-L-2818**, Wildwood Zoo Stream Bank & Pond Improvements; **PR-L-2824**, Wildwood Zoo Storage/Maintenance Building; **PR-L-2827**, Braem Park Parking Lot Maintenance; **PR-L-2845**, Adler Road/WWS Trail Extension; **PR-L-2847**, Zoo Welcome Center, Restrooms and Store; **PR-L-2854**, Parks and Recreation Asphalt Surface Maintenance; **PR-L-2855**, Park Forestry Improvement Program; **PR-L-2857**, Bream Park Tennis Court Renovation Project; **PR-L-2858**, Cougar Building Window Replacement; **PR-L-2860**, ADA Park Facility Access Improvements; **PR-L-2863**, Park Master Plans, **PR-L-2864**, WWP Asphalt Walk Between Playground & Zoo Entrance

Dick Pokorny presented the following projects:

**BS-K-3913**, City Hall Plaza Carpet Replacement; **BS-K-3924**, City Hall Plaza – Electrical Upgrade; **BS-K-3927**, City Hall Plaza Access Control System; **BS-K-3942**, City Hall Asbestos Removal; **BS-K-3950**, City Hall Plaza Penthouse Electrical Upgrade; **BS-K-3955**, City Hall Plaza 1st Floor East Roof Project; **BS-K-3958**, City Hall Plaza Basement Air Handler Replacement; **BS-K-3962**, City Hall Plaza Brick Waterproofing; **BS-K-3963**, City Hall Plaza Parking Lot Slurry Seal; **BS-K-3964**, City Hall Plaza Boiler Replacement

**CIP15-03** Motion by Hendler, 2<sup>nd</sup> by Beck to add BS-K-3945, City Hall Plaza Building Automation Controls at an amount of \$14,000, Operating funds, to the 2016 projects.

**Motion Carried**

Mark Kivela presented the following projects:

**WW-M-7406**, Vactor Unloading Pan; **WW-M-7407** In-Line Phosphorous Analyzer

Dan Knoeck presented the following projects

**EN-A-2120**, Central Ave – Arnold to Harrison – Pavement Rehab; **EN-B-2074**, E 29<sup>th</sup> – Washington to Hume – Reconstruction; **EN-B-2195**, E. 29<sup>th</sup> – Hume to Veterans Parkway – Reconstruction; **EN-C-1837**, West 5<sup>th</sup> Street – Chestnut to Oak – Reconstruction; **EN-D-2017**, Alley Reconstruction – Central/Chestnut & 5<sup>th</sup>/6<sup>th</sup>; **EN-D-2067**, E. 17<sup>th</sup> Street – Maple to Peach – Reconstruction; **EN-D-2108**, Alley Reconstruction – Central/Maple – 5<sup>th</sup> to 6<sup>th</sup>; **EN-D-2110**, Palmetto Ave – Becker to Grant – Street Reconstruction; **EN-D-2114**, Grant St – Central to Chestnut – Street Reconstruction; **EN-D-2133**, 9<sup>th</sup> – Central to Chestnut & Chestnut – Reconstruction; **EN-D-2139**, Asphalt Street Surfacing & Mill-in-Place – 2016; **EN-D-2140**, Asphalt Street Surfacing & Mill-in-Place – 2017; **EN-D-2175**, Broadway Ave – Blodgett to North – Reconstruction; **EN-D-2192**, Asphalt Street Surface & Mill-in-Place – 2019; **EN-D-2202**, Asphalt Street Surfacing & Mill-in-Place – 2018; **EN-D-2216**, Asphalt Street Surface & Mill-in-Place 2020; **EN-F-2039**, Quiet Zone – Railroad Crossing Improvements; **EN-F-2109**, 4<sup>th</sup> Street & Peach Avenue – Traffic Signal Upgrade; **EN-F-2204**, Traffic Signal Interconnect – Central & Vets Parkway; **EN-J-1796**, Sanitary Sewer Lining – City Wide; **EN-J-1909**, Maple Ave – Depot to Arnold – Sanitary Reconstruction; **EN-J-2144**, W. Cleveland St. – Walnut to Oak – Sanitary Sewer; **EN-J-2205**, Wood Ave – Blodgett to North – Sanitary Sewer; **EN-J-2071**, 4<sup>th</sup> & Maple – Omaha Parking Lot – Reconstruction; **EN-N-2141**, Sidewalk Reconstruction – 2016 Ordered Repairs; **EN-N-2142**, Sidewalk Reconstruction – 2017 Ordered Repairs; **EN-N-2193**, Sidewalk Reconstruction – 2019 Ordered Repairs; **EN-N-2207**, Sidewalk Reconstruction – 2018 Ordered Repairs, **EN-N-2217**, Sidewalk Reconstruction – 2020 Ordered Repairs

Dan Knoeck presented the following projects

**SW-G-6772**, STH 13/Popp Avenue Area Storm Sewer; **SW-G-6773**, North Hills Storm Sewer

Next meeting date is Tuesday, March 3, at 8:00 a.m.

Meeting adjourned at 9:40 a.m.

Respectfully submitted,  
Amy Krogman  
Administrative Assistant III

**BOARD OF PUBLIC WORKS MINUTES**  
**OF MARCH 2, 2015**

Meeting called to order by Chairman Feirer at 5:30 PM in the Council Chambers of City Hall Plaza.

**PRESENT:** Tom Buttke, Ed Wagner, Mike Feirer, Gary Cummings and Chris Jockheck

**EXCUSED:** None

**ALSO PRESENT:** Alderman Earll; Director of Public Works Knoeck; City Engineer Turchi; Assistant City Engineer Cassidy; Street Superintendent Winch; Parks & Recreation Director Englehart; Parks & Recreation Supervisor Steinbach; the media; and others.

**PW15-28** Motion by Wagner, second by Jockheck to recommend approval of the minutes of the February 16, 2015 Board of Public Works meeting.

**Motion Carried**

**Citizen Comments - None**

**PW15-29** Motion by Jockheck, second by Cummings to recommend approval of the plans, specifications and project schedule for the new grizzly bear exhibit and direct staff to solicit bids to complete the project.

**Motion Carried**

**PW15-30** Motion by Buttke, second by Cummings to recommend that the right turn lane at Veterans Parkway turning onto Maple Avenue be closed on a temporary basis for six months to eliminate traffic signal knockdowns at this intersection, while a long term solution can be developed.

**Motion Carried**

**Recommended items for future agenda - None**

Motion by Wagner, second by Cummings that the meeting be adjourned at 5:56 PM.

**Motion Carried**

Daniel G. Knoeck, Secretary  
BOARD OF PUBLIC WORKS

**HISTORIC PRESERVATION COMMITTEE MINUTES**  
**OF MARCH 2, 2015 MEETING**

Meeting called to order by Chairperson Wood at 4:03 P.M. in Conference Room 108 of City Hall Plaza.

**PRESENT:** Ken Wood; Alderperson Gary Cummings; Ken Bargender; Vickie Schnitzler; Kris Keogh; and, Bill Penker; and, Keith Meacham (arrived at 4:16 pm).

**ABSENT:**

**ALSO**

**PRESENT:** Angie Eloranta, Executive Director of Main Street; Matt McLean, Director of the Convention and Visitors Bureau; and, Josh Miller, City Planner.

**Approval of the Minutes of February 2, 2015 Meeting.**

**HP15-04** Motion by Penker second by Keogh to approve the minutes of the February 2, 2015 meeting.

**Motion Carried.**

**Citizen Comments.**

Matt McLean did get the plaque. They will work with them on the placement. They are hosting a Business After 5 and see if they can tie the plaque in with that event.

Miller said he talked to Don Schnitzler over the weekend and there are some historic negatives of the City of Marshfield out there that Don Schnitzler thought we could get access to and print. This is something the Committee may want to look into for next year's budget.

**Review 2015 Budget.**

Miller shared that the Committee's budget for 2015 is \$2,110. To date, the Committee has spent \$25 on the Cultural Fair registration. The budget for the remainder of the year is \$2,085.

**Renew Membership to the Wisconsin Association of Historic Preservation Commissions for \$40.**

The 2015 membership fee for the Wisconsin Association of Historic Preservation Commissions is \$40. Membership benefits include a monthly newsletter, reduced fees for workshops, and networking opportunities with local historic commissions. Miller passed out contact information to make sure it was correct.

**HP14-05** Motion by Penker second by Cummings to renew membership to the Wisconsin Association of Historic Preservation Commission for \$40.

**Motion Carried.**

**Review of the 2015 Cultural Fair from Attendees.**

Wood said that there were a lot of people that stopped and visited the display. Many were interested in the different historic neighborhoods. Miller suggested that next year have we should have contact information available. A lot of grandmothers and aunts picked up brochures so they could take their

grandkids and nieces or nephews on the tours. Penker said our brochures are a positive message. Schnitzler said the younger users appreciate the QR Codes.

### **Discuss the Preservation of Modern Architecture.**

Keogh said that we should be aware that we need to start preserving structures in this era. She would like to do a tour that shows some good examples of modern architecture. Maybe put out a plaque explaining that there is real value for preserving – south façade of the library and the three buildings at the University.

Meacham arrived at 4:16 pm.

The timeframe for considering something historic is 50 years. There are other criteria for classifying as historic such as a historic event or person related to the property and the architecture.

### **Discuss the Historic Preservation Ordinance.**

Miller stated that included in the packet is a copy of the historic preservation elements – Sections 18-140 and 141 – in the municipal code. The Committee asked staff to send this information out prior to the meeting for your review. The Committee wanted to use the ordinance as guidance on the development of the Historic Preservation Plan and whether or not to write a new plan that strictly adheres to the provisions of the ordinance.

Penker said that Section 18-140 doesn't even imply who is going to implement these items. It looks to be more of a broad statement. Some are more appropriate for quasi-government rather than City functions. Who has the responsibility for this section? There is nothing in the ordinance that states we have a historic preservation plan. Would it be worthwhile to actually have a position of City Historian? The functions under Section 18-141(2)(b) should be done by someone. There should be some discussion with the City as far as direction to go.

Penker said this is a question of public policy. Should this be under some other group or should it still remain with us? The ordinance needs clarification.

Wood said they do not have collections in city halls across the state. Other communities of similar size to Marshfield have a museum.

Schnitzler said that the State of Wisconsin has 14 area research centers. Ours is in Stevens Point.

Cummings asked if re-writing the ordinance would solve the problem. Penker suggested that it would.

Miller said that he will talk to the State Historic Preservation Office to find out what we can do with the ordinance.

Penker said to look at Section 18-141(e) and wondered if that should be transferred to the Economic Development Board or Main Street Marshfield for the downtown area. The Committee can recommend programs or legislations, so section (e) can remain for now.

Penker raised the question regarding maintaining data electronically and how long you can keep it given the changes to technology.

## **Set Topics and Time for Annual Workshop Meeting on March 7, 2015 at the Fire Station.**

Miller wanted to know what time the Committee would like to start the meeting. The Fire Station is reserved from 8:00 am – noon.

**HP14-06** Motion by Penker second by Cummings to hold the Annual Workshop meeting at 9:00 am at the Fire Station.

**Motion Carried.**

The Committee suggested the following items for the agenda: continue the business of keeping records; an update on our ordinance; tasks for the upcoming year; discussion of the 2442 area improvements; and nomination of the Stewardship Award.

### **Discussion of Stewardship Award Nominations.**

Some of the Committee members had wanted to do something to recognize the efforts of renovating the former Penny Court building at 222 S Central Ave (Blodgett Haus). The local award for that type of recognition is the Stewardship Award. The Committee wanted to discuss this more at the upcoming workshop.

### **Staff Updates.**

- Reminder we will be meeting at the Fire Station, 514 E 4<sup>th</sup> St, on Saturday, March 7, 2015 at 9:00 am for the annual workshop.
- The Chestnut Avenue Center for the Arts plaque has been engraved, but has not been installed. Matt McLean was happy with how it turned out.
- Main Street nominated the Blodgett Haus for the Main Street awards. They didn't get the awards because it wasn't the original brick.

### **Set Meeting Date and Future Agenda Items.**

A special workshop meeting is scheduled for Saturday, March 7<sup>th</sup> at 9:00 am in the training room of the Fire State. The next regular Historic Preservation Committee meeting will be held on Monday April 6, 2015. The agenda of the next regularly scheduled meeting should include approval of the Monday, March 2, 2015 meeting minutes, approval of the March 7<sup>th</sup> special meeting minutes, and anything to come out of the annual workshop meeting.

### **Adjourn.**

Motion by Cummings, second by Bargender to adjourn meeting at 4:59 P.M.

**Motion Carried**

Respectfully submitted,



Josh Miller  
City Planner

CAPITAL IMPROVEMENT PROGRAM ADMINISTRATIVE COMMITTEE  
Minutes of March 3, 2015

Members Present: Chris Meyer; Karl Zimmerman; John Beck; Alderpersons Earll, Buttke, Hendler, Wagner

Member Absent: None

Others present: Keith Strey, Steve Barg, Amy Krogman, Dan Knoeck, Alderman Feirer, Sam Warp, Mike Winch, Mark Kivela, Tom Turchi, John Maggitti, Kent Mueller, Jeff Gaier, Lori Belongia, Ben Steinbach, Ed Englehart, Dick Pokorny, Pat Stuhr, Michelle Boernke, Rick Gramza

Meeting called to order by Mayor Chris Meyer at 8:00 a.m.

**CIP15-05** Motion by Beck, 2<sup>nd</sup> by Zimmerman to approve the minutes of February 26, 2015 meeting.  
**Motion carried**

Committee discussed the proposed projects and funding issues. The committee discussed other sources of revenue, including a referendum and increasing the Room Tax. Mayor Meyer advised the committee that this would be discussion for the Common Council.

**CIP15-06** Motion by Buttke, 2<sup>nd</sup> by Earl to accept the following recommendations and recommend approval of the 2016 – 2020 Capital Improvement Plan to the Board of Public Works, Plan Commission, and Common Council.

<b>Project Number/Description</b>	<b>Original Financing</b>	<b>Action</b>
City Hall Plaza - Electrical Update (BS-K-3924)	Borrowed Funds - Recurring Projects	Move \$124,000 from 2020 to non-year
City Hall Plaza - Access Control System (BS-K-3927)	Borrowed Funds - Recurring Projects	Move from \$45,000 from 2018 and \$45,000 from 2019 to non-year
City Hall Plaza - Building Automation Control (BS-K-3945)	Operating Funds	Add \$14,000 in 2016
City Hall Plaza - Boiler Replacement (BS-K-3964)	Borrowed Funds - Recurring Projects	Move \$21,000 from 2020 to non-year
West 5th Street - Chestnut to Oak - Reconstruction (EN-C-1837)	Borrowed Funds - Recurring Projects Fees - Wastewater Utility	Move \$1,160,000 from 2020 to non-year
E. 17th Street - Maple to Peach - Reconstruction (EN-D-2067)	Borrowed Funds - Recurring Projects Fees - Wastewater Utility	Move \$1,304,000 from 2017 to 2020

Palmetto Ave - Becker to Grant - Street Construction (EN-D-2110)	Borrowed Funds - Recurring Projects	Move \$570,000 from 2020 to non-year
Grant St. - Central to Chestnut - Street Construction (EN-D-2114)	Borrowed Funds - Recurring Projects Fees - Wastewater Utility	Move \$257,000 from 2020 to non-year
Asphalt Street Surfacing & Mill-in-Place - 2016 (EN-D-2139)	Operating Funds Borrowed Funds - Recurring Projects	Reduce by \$97,000 (OF)
Asphalt Street Surfacing & Mill-in-Place - 2016 (EN-D-2139)	Operating Funds Borrowed Funds - Recurring Projects	Reduce by \$57,000 (B-RP) in 2016
Asphalt Street Surfacing & Mill-in-Place - 2017 (EN-D-2140)	Operating Funds Borrowed Funds - Recurring Projects	Increase funding by \$111,000 (OF) in 2017
Asphalt Street Surfacing & Mill-in-Place - 2019 (EN-D-2192)	Operating Funds Borrowed Funds - Recurring Projects	Change funding for \$122,000 from OF to B -RP in 2019
Asphalt Street Surfacing & Mill-in-Place - 2019 (EN-D-2192)	Operating Funds Borrowed Funds - Recurring Projects	Reduce project by \$580,00 OF in 2019
Asphalt Street Surfacing & Mill-in-Place - 2019 (EN-D-2192)	Operating Funds Borrowed Funds - Recurring Projects	Increase project by \$145,000 (OF) and \$10,000 (B-RP) in 2019
Asphalt Street Surfacing & Mill-in-Place - 2018 (EN-D-2202)	Operating Funds Borrowed Funds - Recurring Projects	Increase project by \$250,000 (B-RP) in 2018
Asphalt Street Surfacing & Mill-in-Place - 2018 (EN-D-2202)	Operating Funds Borrowed Funds - Recurring Projects	Change funding for \$300,000 from B-RP to OF in 2019
Asphalt Street Surfacing & Mill-in-Place - 2018 (EN-D-2202)	Operating Funds Borrowed Funds - Recurring Projects	Reduce funding by \$500,000 (OF) in 2018
Asphalt Street Surfacing & Mill-in-Place - 2020 (EN-D-2116)	Operating Funds Borrowed Funds - Recurring Projects	Reduce funding by \$500,000 (OF) in 2020
Asphalt Street Surfacing & Mill-in-Place - 2020 (EN-D-2116)	Operating Funds Borrowed Funds - Recurring Projects	Reduce funding by \$440,000 (B-RP) in 2020
4th Street & Peach Ave - Traffic Signal Upgrade (EN-F-2109)	Borrowed Funds - Recurring Projects	Move \$252,000 from 2016 to 2017. Funding remains B-RP. This leaves \$27,000 in 2016 for engineering costs

Sanitary Sewer Lining (EN-J-1796)	Fees- Wastewater Utility	Increase funding \$40,000 in 2017 and \$345,000 in 2020
Police Department Roof Replacement (PD-K-5706)	Operating Funds	Move project (\$50,000) from 2016 to 2018
Police Department Emergency Generator replacement (PD-K-5711)	Operating Funds	Move project (\$40,000) from 2020 to non-year
Playground Development/Renovation (PR-L-2804)	Operating Funds	Move project (\$80,000 from 2017 to 2020 and change funding to Room Tax)
Braem Park parking lot maintenance (PR-L-2827)	Operating Funds	Move project (\$100,000) from 2016 to 2017
Adler Road/WWS Trail Extension (PR-L-2845)	Operating Funds	Move project (\$400,000) from 2017 to non-year
Zoo Welcome Center, Restroom, and Store (PR-L-2847)	Operating Funds Room Tax	Move project (\$260,000) from 2020 to non-year
Parks and Recreation Asphalt Surface Maintenance (PR-L-2854)	Operating Funds Room Tax	Move funding in 2017 (\$30,000 operating funds) to 2020 and change funding to Room Tax
Parks Forestry Improvement Program (PR-L-2854)	Operating Funds	Move funding in 2017 (\$20,000) to 2020 and change funding to room tax
Cougar Building Window Replacement (PR-L-2858)	Operating Funds	Move project (\$25,000) from 2018 to non-year
ADA Park Facility Access Improvements (PR-L-2860)	Operating Funds Room Tax	Reduce project by \$10,000 (OF) in 2017 and add \$10,000 in 2020 (room tax)
Park Master Plan (PR-L-2863)	Operating Funds Room Tax	Move funding(OF) in 2017 (\$15,000) to non-year
Park Master Plan (PR-L-2863)	Operating Funds Room Tax	Move funding (OF) in 2016 (\$18,000) to 2017
STH 13/Popp Ave Area Storm Sewer (SW-G-6772)	Borrowed Funds - Recurring Projects	Move project (\$50,000) from 2016 to 2017
North Hill Storm Sewer (SW-G-6773)	Borrowed Funds - Recurring Projects	Move project (154,000) from 2020 to non-year
UW - 2018 Projects (UW-K-7337)	Operating Funds	Reduce project by \$50,000 for kitchen remodeling
UW - 2019 Projects (UW-K-7338)	Operating Funds	Reduce project by \$45,000 for remodel/restructure office area
UW - 2020 Projects (UW-K-7339)	Operating Funds	Reduce project by \$35,000 for tile/carpet replacement

2016 - 2020 Asphalt Mill-in-Place

Year	Requested Amount	Recommended Amount
2016	\$2,185,000	\$2,031,000
2017	2,000,000	2,111,000
2018	2,000,000	1,750,000
2019	2,080,000	1,655,000
2020	2,000,000	1,060,000
<b>Total</b>	<b>\$10,265,000</b>	<b>\$8,607,000</b>

The following projects just have funding changes:

**2016 Projects**

Replace MALSRs (AI-N-3812)	Operating	Move \$120,000 to Borrowed Funds - Recurring Projects
Asphalt Street Surfacing & Mill-in-Place - 2016 (EN-D-2139)	Operating	Move \$135,000 to Borrowed Funds - Recurring Projects
UW 2016 Projects (UW-K-7335)	Operating	Move \$135,000 to Borrowed Funds - Recurring Projects

**2017 Projects**

Bream Park parking lot maintenance (PR-L-2827)	Operating	Move \$100,000 to Borrowed Funds - Recurring Projects
Asphalt Street Surfacing & Mill-in-Place - 2017 (EN-D-2140)	Operating	Move \$602,000 to Borrowed Funds - Recurring Projects

**2018 Projects**

Broadway Ave - Blodgett to North - Reconstruction (EN-D-2175)	Operating	Move \$392,000 to Borrowed Funds - Recurring Projects
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**2019 Projects**

No changes necessary

**2020 Projects**

Asphalt Street Surface & Mill-in-Place 2020 (EN-D-2216)	Borrowed Funds - Recurring Projects	Move \$151,000 to Operating funds
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CIP15-00 Beck made the motion to move all projects that are not a priority 1 or 2 to a non-year. Motion died for lack of second

**Vote on CIP15-06 Motion Carried**

Karl Zimmermann thanked the Mayor, staff, and alderpersons. He is resigning from this committee after this year, but stated he enjoyed the time he spent on the committee.

Motion by Zimmerman to adjourn. With no objections Meyer adjourned the meeting at 9:05 a.m.

Respectfully submitted

Amy Krogman

Administrative Assistant III

**JUDICIARY AND LICENSE COMMITTEE**  
**MINUTES OF MARCH 3, 2015**

Meeting called to order by Chairperson Wagner at 5:00 p.m., in the Common Council Chambers, City Hall Plaza.

**PRESENT:** Alderpersons Ed Wagner, Alanna Feddick and Gordon Earll

**ABSENT:** None

**ALSO PRESENT:** Chief Gramza and City Clerk Hall

**JLC15-014** Motion by Earll, second by Feddick to approve the minutes of the February 17, 2015 meeting.

**Motion carried**

**CITIZEN COMMENTS**

None

**JLC15-015** Motion by Feddick, second by Earll to approve by unanimous consent the following:

- a) Five (5) Beverage Operator Licenses for the 2013-2015 license year to: Alison Fait, Ciera Griepentrog, Natalie Kaiser, Karen Kmiec and Nicole Pongratz.
- b) Transient Merchant License to Hyland Fireworks.

**Motion carried**

By unanimous consent the committee held over the Beverage Operator License application of Brittany Harkema to allow time for the Police Chief to find out why some of her charges were voided.

**JLC15-016** Motion by Feddick, second by Earll to deny a Beverage Operator License to Zachariah Mews. The basis of the denial is he has a felony for maintaining a drug trafficking place and he also has a felony extraditable warrant for his arrest.

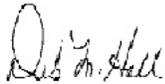
**Motion carried**

**Future Agenda Items**

Ordinance Amending Chapter 9, Licensing – Limitation of the double violation requirement.

Motion by Earll, second by Feddick to adjourn at 5:08 p.m.

**Motion carried**



Deb M. Hall  
City Clerk

**FINANCE, BUDGET AND PERSONNEL COMMITTEE**  
**MINUTES OF MARCH 3, 2015**

Meeting called to order by Chairperson Feddick at 5:30 p.m., in the Common Council Chambers, City Hall Plaza.

**PRESENT:** Alderpersons Alanna Feddick, Gordon Earll and Char Smith

**ABSENT:** Alderpersons Spiros and Hendler

**ALSO PRESENT:** Alderperson Wagner, Mayor Meyer, City Administrator Barg and City Personnel (Keith Strey, Ben Steinbach, Ed Englehart and Deb Hall)

**Citizen Comments**

None

**FBP15-022** Motion by Smith, second by Earll to approve the items on the consent agenda:

1. Minutes of the February 17, 2015 meeting
2. Payroll in the amount of \$795,966.24 and the Bills in the amount of \$8,704,070.10
3. Monthly Position Control Report of February 28, 2015

**Motion carried**

No items were removed from the consent agenda.

**FBP15-023** Motion by Earll, second by Smith to approve Ben Steinbach for temporary reclassification for the role of Acting Parks & Recreation Director, effective March 16, 2015.

**Motion carried**

City Administrator Barg stated that Lara Baehr has submitted her resignation as the City's Human Resources Manager, effective March 6, 2015. There is a reference in the staffing study for some type of Administrative Services Coordinator function. There might be an opportunity for someone to oversee some of the administrative functions for more of the internal things that are done in the City. There are not a lot of opportunities to look at modifying the City's organizational chart because there is not a lot of turnover. So this is an opportunity to discuss different options. At the March 17<sup>th</sup> meeting he will present some options and make a recommendation.

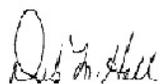
City Administrator Barg updated the committee on the implementation of the staffing study recommendations.

- A Strategic Planning Session was held on Tuesday, February 10, 2015. It was a very productive meeting. The next meeting will be March 24 at 5:30 p.m. in Room 108.
- He has assembled the staff team which is composed of Keith Strey, Dan Knoeck, Jason Angell, Kelly Cassidy and himself. They will start meeting as soon as possible to look at the remaining staffing study items that were in the report.

**FUTURE AGENDA ITEMS**

None

Motion by Smith to adjourn at 5:54 p.m.



Deb M. Hall  
City Clerk



# City of Marshfield Memorandum

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TO: Mayor Meyer & Common Council  
FROM: Josh Miller, City Planner  
DATE: March 10, 2015

RE: Approval of the Downtown Master Plan Update.

## **Background**

In May of 2014, the City of Marshfield contracted with consultants Place Dynamics and SEH, to complete an update of the Downtown Master Plan. The plan was last updated in 2006 by Schreiber/Anderson Associates, Inc. The Downtown Master Plan serves as one of the key planning documents for Main Street Marshfield and the City in planning the future growth and development of the downtown area for the next 20 years.

## **Analysis**

The consultants will be in attendance at the Common Council meeting to give a brief presentation on the Downtown Master Plan update and to address any comments from the Common Council. The consultants' presentation will cover the goals and strategies of the plan. They gave a more detailed overview of the plan at the February 17, 2015 Plan Commission meeting. Please review the video of that meeting for more information.

The Plan consists of three major parts: Background Analysis, Goals and Strategies, and Implementation Plan. As part of the Background Analysis, the consultants reviewed the patterns of use, demographics, business mix, and buildings and land uses to come up with a market analysis. The full market analysis is a separate document and will be used as a supplement to the Plan. In addition to the market analysis, the consultants reviewed the transportation and infrastructure, public buildings and open space, aesthetic qualities, organization, downtown revitalization tools, and redevelopment opportunities.

Based on the background information and analysis, goals and a revised vision statement were developed. Additionally, the downtown was divided up into seven different districts to identify the unique character of the different parts of downtown. The Plan contains 17 different strategies and some of them are district specific.

The Implementation Plan divides the strategies into four separate categories: Design, Economic Restructuring, Organization, and Promotion. Some strategies have additional sub-strategies which further breaks down the tasks involved in implementing the plan. The action plan or tasks listed in the Implementation Plan are essentially the heart of the plan and will be what the organizations involved in the downtown work to implement. If you are unable to read through the entire plan and market analysis, please read through the implementation section. It includes the recommendations and tasks that staff will be working with other entities to implement over the next few years.

The latest draft of the plan and the market analysis are now available online for review. Please visit the City's website <http://ci.marshfield.wi.us/> and look at the Downtown Master Plan link under "Recent News".

Because of the size of the document, we will only be printing a couple of paper copies. Copies of the plan are currently available for review at the City Hall. If you would like to review or checkout a paper copy, please let staff know and we will make sure that's available for you.

### **Recommendation**

Approve Resolution No. 2015-09, adopting the Downtown Master Plan update.

### **Attachments**

1. Resolution No. 2015-09.

Concurrence:



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Jason Angell  
Planning and Economic Development Director



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Steve Barg  
City Administrator

**RESOLUTION NO. 2015-09**  
**COMMON COUNCIL OF THE CITY OF MARSHFIELD, WISCONSIN**

RESOLUTION TO ADOPT THE  
DOWNTOWN MASTER PLAN UPDATE FOR THE CITY OF MARSHFIELD

**WHEREAS**, the City of Marshfield has created a Plan Commission pursuant to Section 62.23 (1) of the Wisconsin Statutes; and

**WHEREAS**, it is the function and duty of the City Plan Commission, to prepare and adopt a Downtown Master Plan to promote the orderly growth and development of the Downtown; and

**WHEREAS**, the City of Marshfield has encouraged and fostered public participation in every facet of the preparation of the Downtown Master Plan update; and

**WHEREAS**, the Common Council may adopt the Master Plan as a whole or as parts thereof, and such plans are to aid the Common Council, Plan Commission and Board of Public Works in making day-to-day development decisions; and

**WHEREAS**, the 2015 Downtown Master Plan for the City of Marshfield has been prepared by Place Dynamics and Short Elliot Hendrickson (SEH) Inc.; and has inventoried the existing conditions, conducted a market analysis, established a Vision Statement, set Master Plan Goals and Recommendations, and formulated an Implementation Plan; and

**WHEREAS**, the adoption of the 2015 Downtown Master Plan will provide a twenty year guideline to retain and attract viable businesses to improve downtown Marshfield as a strong central business district; and to establish and promote downtown Marshfield as a vibrant central mixed- use activity center for the city and region including retail, arts and entertainment, civic, office, cultural, residential, hospitality, and recreational uses; and provide the means and the opportunity to improve cooperation and coordination for all groups, associations and government entities directly or indirectly involved in programming events, and improving the downtown; and

**WHEREAS**, the Common Council recognizes it is sound planning practice to periodically review, revise and update plans as conditions change and opportunities are presented; and

**WHEREAS**, the Common Council recognizes its role in guiding these processes through the Plan Commission and city staff.

**NOW, THEREFORE, BE IT RESOLVED** the City of Marshfield Common Council hereby adopts the Downtown Master Plan for the City of Marshfield.

This Resolution is being adopted by the Common Council at a duly scheduled meeting on March 10, 2015.

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CHRIS L. MEYER, Mayor

### **CERTIFICATION**

I, Deb Hall, Clerk of the City of Marshfield certify that the foregoing Resolution was duly and regularly adopted by the Common Council at a duly scheduled meeting held on March 10, 2015. Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to adopt the Resolution.

Vote: \_\_\_\_\_ Yes    \_\_\_\_\_ No

Resolution Adopted.

ORDINANCE NO. 1297

An Ordinance amending Section 3-66 of the City of Marshfield Municipal Code.

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Sec. 3-66(11) of the Marshfield Municipal Code is hereby amended to read as follows:

11. Sustainable Marshfield Committee. Repealed

SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

Deb M. Hall, City Clerk

ORDINANCE NO. 1297

An Ordinance amending Section 3-66 of the City of Marshfield Municipal Code.

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Sec. 3-66(11) of the Marshfield Municipal Code is hereby amended to read as follows:

~~11. Sustainable Marshfield Committee: Repealed Membership, duties and powers of the Sustainable Marshfield Committee shall be as follows:~~

~~a. Membership. This committee shall consist of seven voting members appointed by the Mayor and subject to confirmation by the Common Council. One member shall be an alderperson who shall serve a two year term. The remaining members shall be individuals appointed in April to serve staggered three year terms, with two members being appointed each year.~~

~~b. Duties and Powers. The committee shall develop a comprehensive and integrated plan, using the four guidelines that were developed by the American Planning Association to help communities implement sustainable practices, and apply these principles in its decision making, planning, policy making and municipal practices, to achieve an ecologically, economically and socially healthy city. Further, the committee shall take actions that are aligned with the principles and concepts of sustainability as the committee deems reasonably necessary to achieve cost savings, increased employment and enhanced environmental quality and community well being.~~

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SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

Deb M. Hall, City Clerk



## MEMO

**DATE:** January 29, 2015  
**TO:** City Plan Commission   
**FROM:** Dave Wasserburger  
**SUBJECT:** Update of Wellhead Protection Plan Ordinance. Section 18-94 of Municipal Code.

The City of Marshfield created a Wellhead Protection Ordinance in 2007. The purpose of the Ordinance is to institute land use regulations and restrictions to protect the City's municipal water supply and well fields, and to promote the public health, safety and general welfare of the residents of the City of Marshfield.

The Ordinance refers to and specifies many separation distances between existing wells and various hazards such as storm and sanitary sewers as referenced in Wis. Administrative Code.

In 2013 the Wis. Administrative Code was rewritten and changes were made in code sequencing and separation distances. As a result there several areas in our existing Ordinance that are incorrect and should be made proper.

In addition, a new Municipal well was recently constructed for Marshfield. The city must obtain DNR approval prior to placing the new well into service. The approval letter, dated December 18, 2014, requires that the Wellhead Protection Plan Ordinance be updated to include information for the new well. The update must be completed within 3 months of the date on the approval letter and 3 copies of the updated Ordinance must be sent to the DNR for their records.

A copy of the DNR approval letter is attached.

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711



December 18, 2014

DEB HALL CLERK  
CITY OF MARSHFIELD  
PO BOX 727  
MARSHFIELD WI 54449

Project Number:  
PWSID#:  
DNR Region:  
County:

W-2014-0714  
77201652  
WCR  
WOOD

SUBJECT: WATER SYSTEM WELLHEAD PROTECTION PLAN APPROVAL

Dear Ms. Hall:

The Wisconsin Department of Natural Resources, Division of Water, Bureau of Drinking Water and Groundwater, is conditionally approving a Wellhead Protection Plan (WHPP) for new well No. 26. Information of sufficient detail to meet the requirements of s. NR 811.09 (3), Wis. Adm. Code, was submitted along with the WHPP.

**Water system name:** City of Marshfield Waterworks  
**Date received:** 12/15/2014  
**Consulting firm:** Leggette, Brashears & Graham, Inc., Madison  
**Consultant:** Ted L. Powell, P.G.  
**Regional DNR Contact:** Glenn Falkowski, Wausau, (715) 359-5284, [glenn.falkowski@wisconsin.gov](mailto:glenn.falkowski@wisconsin.gov)

**Project description:** A Wellhead Protection Plan (WHPP) was submitted for new well No. 26. The WHPP is hereby approved subject to the conditions below.

The WHPP included a copy of the City's existing Wellhead Protection Ordinance (WHPO). The Department has provided comments on necessary revisions to the WHPO. The revised WHPO must be formally adopted and three copies of the adopted revised ordinance forwarded to Norman Hahn of this Department within three months of the date of this letter.

**Variances being issued to Chapters NR 810 or NR 811, Wis. Adm. Code:** None.

**Approval conditions related to Chapters NR 810 and NR 811, Wis. Adm. Code:**

1. The revised Wellhead Protection Ordinance shall be formally adopted and three copies of the adopted revised ordinance forwarded to Norman Hahn of this Department within three months of the date of this letter. (s. NR811.12 (6) (i), Wis. Adm. Code)
2. Glenn Falkowski shall be notified upon completion of construction of all of the water system improvements so that he can inspect the improvements as he deems it necessary and so that he can approve placing new well No. 26 in service. (s. NR810.26 (1), Wis. Adm. Code)

**Approval conditions related to other Department requirements:** None.



**Approval constraints:** The project was reviewed in accordance with ss. 281.34 and 281.41, Wis. Stats. for compliance with Chapters NR 108, NR 810, NR 811 and NR 820, Wis. Adm. Code and is hereby approved in accordance with ss. 281.34 and 281.41, Wis. Stats., subject to the conditions listed above. This approval is valid for two years from the date of approval. If construction or installation of the improvements has not commenced within two years the approval shall become void and a new application must be made and approval obtained prior to commencing construction or installation.

This approval is based upon the representation that the plans submitted to the Department are complete and accurately represent the project being approved. Any approval of plans that do not fairly represent the project because they are incomplete, inaccurate or of insufficient scope and detail is voidable at the option of the Department.

Be advised that this project may require permits or approvals from other federal, state or local authorities. For example: a certificate of authority from the Public Service Commission of Wisconsin, under Wis. Stats. 196.49 and Wis. Adm. Code, ch. PSC 184, may be required.

**Appeal rights:** If you believe that you have a right to challenge this decision, you should know that the Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. Requests for contested case hearings must be made in accordance with ch. NR 2, Wis. Adm. Code. Filing a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you must file your petition with the appropriate circuit court and serve the petition on the Department within 30 days after the decision is mailed. A petition for judicial review must name the Department of Natural Resources as the respondent.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES  
For the Secretary



Norman A. Hahn, Jr., P.E. (608-267-7661)  
Public Water Engineering Section  
Bureau of Drinking Water and Groundwater

cc: John Richmond - Marshfield Utilities (e-mail only)  
David Wasserburger - Water Superintendent, Marshfield Utilities (e-mail only)  
Ted Powell - Leggette, Brashears & Graham, Inc., Madison (e-mail only)  
Glenn Falkowski - DNR, Wausau (e-mail & WHPP)  
Mike Blodgett - DNR, Eau Claire (e-mail only)  
Dave Johnson - DNR, Madison, DG/5 (e-mail & WHPP)  
Mary E. Wagner - DNR, Madison, CF/2 (e-mail only)  
Jim Witthuhn - DNR, Madison, DG/5 (e-mail only)  
Peter Feneht - PSC, Madison (e-mail only)  
Norman Hahn - DNR, Madison, DG/5, Plan reviewer

## ORDINANCE NO. 1294

### **An Ordinance amending Section 18-94 of the City of Marshfield Municipal Code pertaining to the Wellhead Protection Overlay District.**

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 18-94 of the Marshfield Municipal Code is hereby amended to read as follows:

#### **Section 18-94: Wellhead Protection Overlay District**

- (1) Purpose and Authority
  - (a) Purpose. The residents of the City of Marshfield depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Wellhead Protection Overlay District is to institute land use regulations and restrictions to protect the City's municipal water supply and well fields, and to promote the public health, safety and general welfare of the residents of the City of Marshfield.
  - (b) Authority. Statutory authority to enact these regulations is established in Wis. Stat. s. 62.23(7)(c), which grants the City of Marshfield the authority to enact zoning regulations for the protection of groundwater resources.
- (2) Application of Regulations. The regulations specified in this Section shall apply to the incorporated areas of the City of Marshfield and extraterritorial areas of intergovernmental agreements that lie within the Wellhead Protection Area. The regulations of this Section are in addition to the requirements in the underlying zoning district. If there is a conflict between this Overlay District and the underlying zoning district, the more restrictive provision shall apply.
- (3) Definitions. As used in this section, the following terms shall have the following meanings:
  - (a) Existing Facilities. Current facilities and uses which may cause or threaten to cause environmental contamination within the Wellhead Protection Area. Existing facilities include but are not limited to the type listed in the Department of Natural Resources Form 3300-215, Public Water Supply Potential Contaminant Use Inventory.
  - (b) Well Field. A piece of land used primarily for the purpose of locating wells to supply a municipal water system.
  - (c) Wellhead Protection Area. Multiple areas lying both within and outside the incorporated areas of the City of Marshfield and within a 1,200-foot radius, or 5-year time of travel, whichever is greater, of each municipal well of the City of Marshfield.
- (4) District Boundaries. The Wellhead Protection Overlay District shall include the Wellhead Protection Area as defined in this Section. The location and boundaries of the District are set forth on the City of Marshfield Well Head Protection Areas Map, on file in the offices of the Marshfield Utilities Water Superintendent and Planning and Economic Development Department, electronically stored in the Marshfield Geographic Information System (GIS), and adopted herein by reference.
- (5) Separation Distance Requirements from contamination sources. The well shall be adequately separated from potential sources of contamination. Unless a hydrogeologic investigation indicates lesser separation distances would provide adequate protection of a well from contamination or department approved treatment is installed to address the potential contamination concerns. The following minimum Separation Distances, as specified in Section NR 811-16(4)(d), .12(5)(d), Wis. Adm. Code, shall be maintained in the Wellhead Protection Overlay District between the well and certain land uses and facilities as follows:

- ~~(a) 60 feet between the well and any storm sewer main.~~
  - ~~(b) 200 feet between the well and any sanitary sewer main, sanitary sewer manhole, lift station or single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer main where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet the then current American Water Works Association C600 specification. In no case may the separation distance between the well and any sanitary sewer be less than 60 feet.~~
  - ~~(c) 400 feet between the well and any septic tank or soil adsorption system receiving less than 8,000 gallons per day, a cemetery or storm water drainage pond.~~
  - ~~(d) 600 feet between the well and any gasoline or fuel oil storage tank installation that has received written approval from the Wisconsin Department of Commerce or its designated agent under s. Comm. 10.10.~~
  - ~~(e) 1,000 feet between the well and land application of municipal, commercial or industrial waste; the boundaries of a land spreading facility for spreading of petroleum contaminated soil regulated under Wisconsin Department of Natural Resources ch. NR 718 while that facility is in operation; industrial commercial or municipal waste water lagoons or storage structures; manure stacks or storage structures; and septic tanks or soil adsorption systems receiving 8,000 gallons per day or more.~~
  - ~~(f) 1,200 feet between the well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds Wisconsin Department of Natural Resources ch. NR 140 enforcement standards that is shown on the department's geographic information system stem registry of closed remediation sites; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tank installations that have not received written approval from the Wisconsin Department of Commerce or its designated agent under s. Comm. 10.10; bulk fuel storage facilities; and pesticide or fertilizer handling or storage facilities.~~
- (a) Ten (10) feet between a well and an emergency or standby power system that is operated by the same facility which operates the well and that has a double wall above ground storage tank with continuous electronic interstitial leakage monitoring. These facilities shall meet the installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. 310.110.
  - (b) Fifty (50) feet between a well and a storm sewer main or sanitary sewer main where the sanitary sewer main is constructed of water main class materials and joints. Gravity sanitary sewers shall be successfully air pressure tested in place. The air pressure test shall meet or exceed the requirements of the 4 psi low pressure air test for plastic gravity sewer lines found in the latest edition of Standard Specifications for Sewer & Water Construction in Wisconsin. Force mains shall be successfully pressure tested with water to meet the AWWA C600 pressure and leakage testing requirements for one hour at 124% of the pump shut-off head.
  - (c) Two hundred (200) feet between a well and any sanitary sewer main not constructed of water main class materials, sanitary sewer manhole, lift station, one or 2 family residential heating fuel oil underground storage tank or above ground storage tank or POWTS treatment tank or holding tank component and associated piping.
  - (d) Three hundred (300) feet between a well and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel,

ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.

- (e) Three hundred (300) feet between a well and any farm above ground storage tank with double wall, or single wall tank with other secondary containment and under a canopy; other above ground storage than system with double wall, or single wall tank with secondary containment and under a canopy and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (f) Four hundred (400) feet between a well and a POWTS dispersal component with a design capacity of less than 12,000 gallons per day, a cemetery or a storm water retention or detention pond.
- (g) Six hundred (600) feet between a well and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it; any farm above ground storage tank with a double wall, or single wall tank with other secondary containment and under a canopy or other above ground storage tank system with double wall, or single wall tank with secondary containment and under a canopy; and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (h) One thousand (1,000) feet between a well and land application of municipal, commercial, or industrial waste; the boundaries of a landspreading facility for spreading of petroleum-contaminated soil regulated under ch NR 718 while that facility is in operation; agricultural, industrial, commercial or municipal waste water treatment plant treatment units, lagoons, or storage structures; or POWTS dispersal component with a design capacity of 12,000 gallons per day or more.
- (i) Twelve hundred (1,200) feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds ch. NR 140 enforcement standards; coal storage area; salt or deicing material storage area; any single wall farm underground storage tank or single wall farm above ground storage tank or other single wall underground storage tank or above ground storage than that has or has not received written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110 for a single wall tank installation. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances; and bulk pesticide or fertilizer handling storage facilities.

(6) Administration.

- (a) Applications. Requests for approval to undertake development in the Overlay District are subject to procedures outlined in Article X and shall be submitted in writing to the City of Marshfield Zoning Administrator. The Zoning Administrator shall determine if the proposed use is located

within the Wellhead Protection Overlay and render a determination on use and decision on the permit.

- (b) Classification of Use. In case of a question as to the classification of a proposed use by the Zoning Administrator, the application shall be forwarded to the City of Marshfield Utilities Commission. The Commission may require additional information as deemed necessary for a determination. The Utility shall determine the use as being permitted or prohibited according to the Separation Distances set forth in this Section. The determination of the City of Marshfield Utilities Commission shall be rendered in writing within 60 days of any request for approval, provided however, that this 60 day period of limitation may be extended by the City of Marshfield Utilities Commission for “good cause,” as determined in the sole and absolute discretion of the City of Marshfield Utilities Commission.
- (7) Appeals. Appeals of Decision to this Section to the Zoning Board of Appeals shall be taken pursuant to procedures outlined in Section 18-170.
- (8) Nonconforming Structures and Uses. The existing use of the land, structure or building or its accessory use which is not in conformity with the provisions of this section may be continued subject to the following:
- (a) No modifications or additions to a nonconforming structure or use shall be permitted unless they are made in conformity with the provisions of this section. For the purposes of this section, the words “modification” and “addition” shall include, but not be limited to, any alteration, addition, modification, rebuilding or replacement of any such existing structure or accessory use.
  - (b) Ordinary maintenance repairs are not considered structural repairs, modifications or additions (ordinary maintenance repairs include internal and external painting, decorating, paneling and the replacement of doors, windows and other nonstructural components).
  - (c) If a nonconforming use is discontinued for 12 consecutive months, any future use of that lands structure or building shall conform to the appropriate provisions of this ordinance.
- (9) Requirements for Existing Facilities within Wellhead Protection Areas.
- (a) Owners shall provide copies of all federal, state and local facility operation approvals or certificates and on-going environmental monitoring results to the Marshfield Water Utility.
  - (b) Owners shall provide additional environmental or safety structure/monitoring as deemed necessary by the Marshfield Water Utility, which may include (but is not limited to) storm water runoff management and monitoring.
  - (c) Owners shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
  - (d) Owners shall have the responsibility of devising and filing a method approved by the Water Utility for the immediate notification of Marshfield Water Utility officials in the event of an emergency.
  - (e) In the event of any release of any contaminants which endanger any well, the activity causing said release shall immediately cease and a cleanup by the owner, satisfactory to the Marshfield Water Utility shall occur.
  - (e)(f) The City will monitor and keep informed of spills or releases and other identified potential contaminant sources within the Well Head Protection and Recharge areas. If spills or other releases are detected, the City will notify and work with the responsible government agencies such as WDNR and Wood and Marathon County’s Emergency Management Departments, as applicable, to achieve investigation and cleanup of spills and releases or other contaminant sources deemed a threat to the shallow sand and gravel aquifer.

(g) The owner shall be responsible for all costs of cleanup, including Marshfield Water Utility consultant and inspection fees at the invoice amount, plus administrative costs for oversight, review and documentation.

(10) Enforcement and Penalties.

(a) It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Section. In case of any violation, the City of Marshfield may institute appropriate action or proceedings to enjoin a violation of this ordinance.

(b) Any person, firm or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, be subject to a penalty as provided in Section 1-05 of the Municipal Code.

(ORD 1240, 11/13/12)

**SECTION 2. Savings Clause.** If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

**SECTION 3. Severability.** If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

**SECTION 4.** This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

Deb M. Hall, City Clerk

## **ORDINANCE NO. 1294**

### **An Ordinance amending Section 18-94 of the City of Marshfield Municipal Code pertaining to the Wellhead Protection Overlay District.**

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 18-94 of the Marshfield Municipal Code is hereby amended to read as follows:

#### **Section 18-94: Wellhead Protection Overlay District**

- (1) Purpose and Authority
  - (a) Purpose. The residents of the City of Marshfield depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Wellhead Protection Overlay District is to institute land use regulations and restrictions to protect the City's municipal water supply and well fields, and to promote the public health, safety and general welfare of the residents of the City of Marshfield.
  - (b) Authority. Statutory authority to enact these regulations is established in Wis. Stat. s. 62.23(7)(c), which grants the City of Marshfield the authority to enact zoning regulations for the protection of groundwater resources.
- (2) Application of Regulations. The regulations specified in this Section shall apply to the incorporated areas of the City of Marshfield and extraterritorial areas of intergovernmental agreements that lie within the Wellhead Protection Area. The regulations of this Section are in addition to the requirements in the underlying zoning district. If there is a conflict between this Overlay District and the underlying zoning district, the more restrictive provision shall apply.
- (3) Definitions. As used in this section, the following terms shall have the following meanings:
  - (a) Existing Facilities. Current facilities and uses which may cause or threaten to cause environmental contamination within the Wellhead Protection Area. Existing facilities include but are not limited to the type listed in the Department of Natural Resources Form 3300-215, Public Water Supply Potential Contaminant Use Inventory.
  - (b) Well Field. A piece of land used primarily for the purpose of locating wells to supply a municipal water system.
  - (c) Wellhead Protection Area. Multiple areas lying both within and outside the incorporated areas of the City of Marshfield and within a 1,200-foot radius, or 5-year time of travel, whichever is greater, of each municipal well of the City of Marshfield.
- (4) District Boundaries. The Wellhead Protection Overlay District shall include the Wellhead Protection Area as defined in this Section. The location and boundaries of the District are set forth on the City of Marshfield Well Head Protection Areas Map, on file in the offices of the Marshfield Utilities Water Superintendent and Planning and Economic Development Department, electronically stored in the Marshfield Geographic Information System (GIS), and adopted herein by reference.
- (5) Separation Distance Requirements from contamination sources. The well shall be adequately separated from potential sources of contamination. Unless a hydrogeologic investigation indicates lesser separation distances would provide adequate protection of a well from contamination or department approved treatment is installed to address the potential contamination concerns. The following minimum Separation Distances, as specified in Section NR 811.12(5)(d), Wis. Adm. Code, shall be maintained in the Wellhead Protection Overlay District between the well and certain land uses and facilities as follows:

- (a) Ten (10) feet between a well and an emergency or standby power system that is operated by the same facility which operates the well and that has a double wall above ground storage tank with continuous electronic interstitial leakage monitoring. These facilities shall meet the installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. 310.110.
- (b) Fifty (50) feet between a well and a storm sewer main or sanitary sewer main where the sanitary sewer main is constructed of water main class materials and joints. Gravity sanitary sewers shall be successfully air pressure tested in place. The air pressure test shall meet or exceed the requirements of the 4 psi low pressure air test for plastic gravity sewer lines found in the latest edition of Standard Specifications for Sewer & Water Construction in Wisconsin. Force mains shall be successfully pressure tested with water to meet the AWWA C600 pressure and leakage testing requirements for one hour at 124% of the pump shut-off head.
- (c) Two hundred (200) feet between a well and any sanitary sewer main not constructed of water main class materials, sanitary sewer manhole, lift station, one or 2 family residential heating fuel oil underground storage tank or above ground storage tank or POWTS treatment tank or holding tank component and associated piping.
- (d) Three hundred (300) feet between a well and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (e) Three hundred (300) feet between a well and any farm above ground storage tank with double wall, or single wall tank with other secondary containment and under a canopy; other above ground storage tank system with double wall, or single wall tank with secondary containment and under a canopy and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (f) Four hundred (400) feet between a well and a POWTS dispersal component with a design capacity of less than 12,000 gallons per day, a cemetery or a storm water retention or detention pond.
- (g) Six hundred (600) feet between a well and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it; any farm above ground storage tank with a double wall, or single wall tank with other secondary containment and under a canopy or other above ground storage tank system with double wall, or single wall tank with secondary containment and under a canopy; and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive installation requirements of s. SPS 310.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.

- (h) One thousand (1,000) feet between a well and land application of municipal, commercial, or industrial waste; the boundaries of a landspreading facility for spreading of petroleum-contaminated soil regulated under ch NR 718 while that facility is in operation; agricultural, industrial, commercial or municipal waste water treatment plant treatment units, lagoons, or storage structures; or POWTS dispersal component with a design capacity of 12,000 gallons per day or more.
  - (i) Twelve hundred (1,200) feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds ch. NR 140 enforcement standards; coal storage area; salt or deicing material storage area; any single wall farm underground storage tank or single wall farm above ground storage tank or other single wall underground storage tank or above ground storage than that has or has not received written approval from the department of safety and professional services or its designated Local Program Operator under s. SPS 310.110 for a single wall tank installation. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances; and bulk pesticide or fertilizer handling storage facilities.
- (6) Administration.
- (a) Applications. Requests for approval to undertake development in the Overlay District are subject to procedures outlined in Article X and shall be submitted in writing to the City of Marshfield Zoning Administrator. The Zoning Administrator shall determine if the proposed use is located within the Wellhead Protection Overlay and render a determination on use and decision on the permit.
  - (b) Classification of Use. In case of a question as to the classification of a proposed use by the Zoning Administrator, the application shall be forwarded to the City of Marshfield Utilities Commission. The Commission may require additional information as deemed necessary for a determination. The Utility shall determine the use as being permitted or prohibited according to the Separation Distances set forth in this Section. The determination of the City of Marshfield Utilities Commission shall be rendered in writing within 60 days of any request for approval, provided however, that this 60 day period of limitation may be extended by the City of Marshfield Utilities Commission for “good cause,” as determined in the sole and absolute discretion of the City of Marshfield Utilities Commission.
- (7) Appeals. Appeals of Decision to this Section to the Zoning Board of Appeals shall be taken pursuant to procedures outlined in Section 18-170.
- (8) Nonconforming Structures and Uses. The existing use of the land, structure or building or its accessory use which is not in conformity with the provisions of this section may be continued subject to the following:
- (a) No modifications or additions to a nonconforming structure or use shall be permitted unless they are made in conformity with the provisions of this section. For the purposes of this section, the words “modification” and “addition” shall include, but not be limited to, any alteration, addition, modification, rebuilding or replacement of any such existing structure or accessory use.
  - (b) Ordinary maintenance repairs are not considered structural repairs, modifications or additions (ordinary maintenance repairs include internal and external painting, decorating, paneling and the replacement of doors, windows and other nonstructural components).
  - (c) If a nonconforming use is discontinued for 12 consecutive months, any future use of that lands structure or building shall conform to the appropriate provisions of this ordinance.
- (9) Requirements for Existing Facilities within Wellhead Protection Areas.

- (a) Owners shall provide copies of all federal, state and local facility operation approvals or certificates and on-going environmental monitoring results to the Marshfield Water Utility.
  - (b) Owners shall provide additional environmental or safety structure/monitoring as deemed necessary by the Marshfield Water Utility, which may include (but is not limited to) storm water runoff management and monitoring.
  - (c) Owners shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
  - (d) Owners shall have the responsibility of devising and filing a method approved by the Water Utility for the immediate notification of Marshfield Water Utility officials in the event of an emergency.
  - (e) In the event of any release of any contaminants which endanger any well, the activity causing said release shall immediately cease and a cleanup by the owner, satisfactory to the Marshfield Water Utility shall occur.
  - (f) The City will monitor and keep informed of spills or releases and other identified potential contaminant sources within the Well Head Protection and Recharge areas. If spills or other releases are detected, the City will notify and work with the responsible government agencies such as WDNR and Wood and Marathon County's Emergency Management Departments, as applicable, to achieve investigation and cleanup of spills and releases or other contaminant sources deemed a threat to the shallow sand and gravel aquifer.
  - (g) The owner shall be responsible for all costs of cleanup, including Marshfield Water Utility consultant and inspection fees at the invoice amount, plus administrative costs for oversight, review and documentation.
- (10) Enforcement and Penalties.
- (a) It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Section. In case of any violation, the City of Marshfield may institute appropriate action or proceedings to enjoin a violation of this ordinance.
  - (b) Any person, firm or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, be subject to a penalty as provided in Section 1-05 of the Municipal Code.

(ORD 1240, 11/13/12)

**SECTION 2. Savings Clause.** If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

**SECTION 3. Severability.** If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

**SECTION 4.** This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

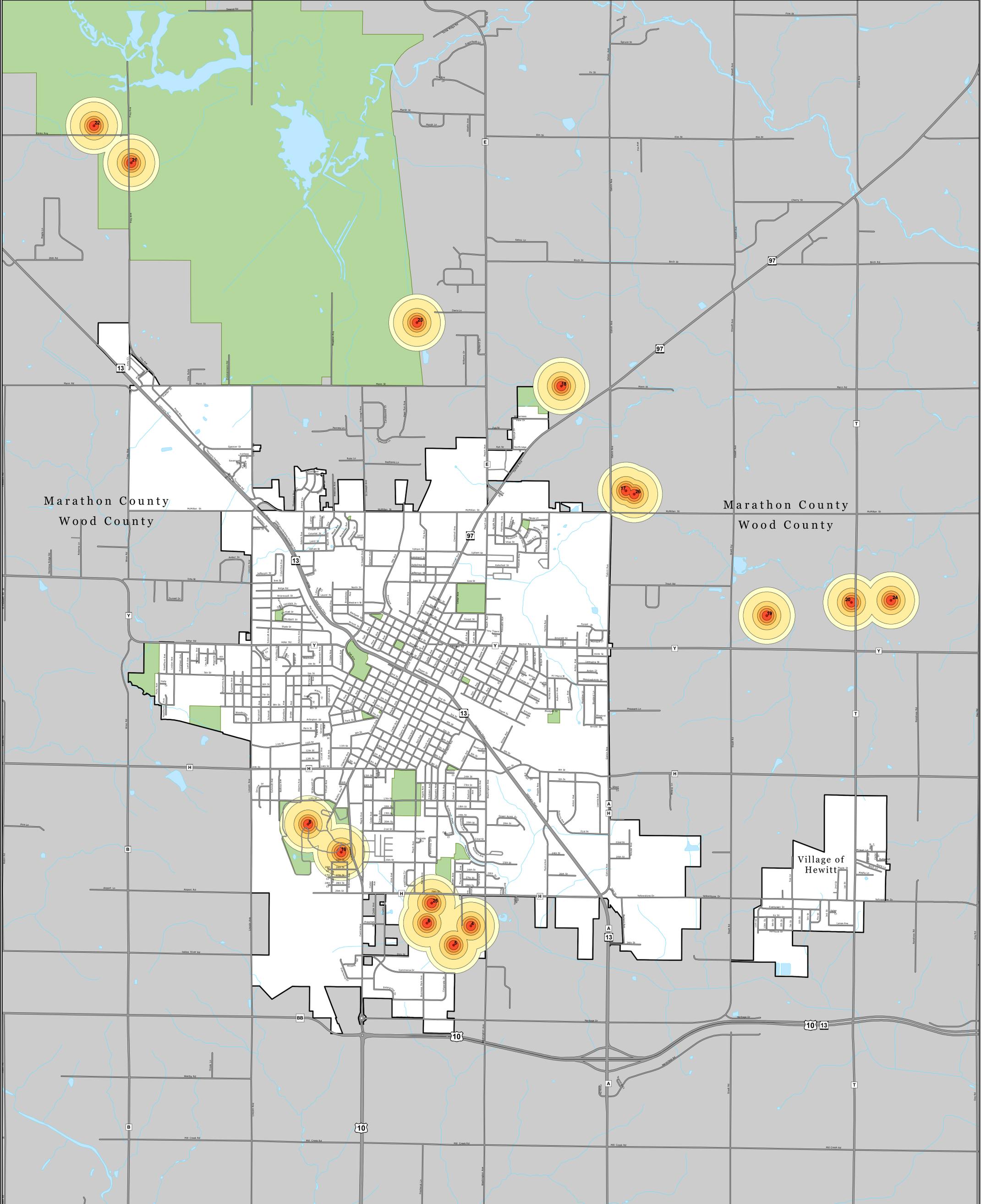
ADOPTED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

ATTEST: \_\_\_\_\_  
Deb M. Hall, City Clerk



## Well Head Protection Areas

Active Wells as of January 30, 2015

1/30/2015

**Horizontal Separation**

- US Highways
- State Highway
- County Highway
- Local Roads
- Private Roads
- Park
- City/Village Limits

0 1,250 2,500

Feet

N

This is not a legal survey document. This map was compiled by the City of Marshfield's Geographic Information System intended for reference purposes only.

Source: City of Marshfield GIS, Marshfield Utilities



# City of Marshfield Memorandum

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TO: Mayor Meyer & Common Council  
FROM: Josh Miller, Planner/Zoning Administrator  
DATE: February 24, 2015

RE: First Reading – Ordinance No. 1295 Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-12, pertaining to the definition of “Gross Floor Area”, Section 18-114 pertaining to the standards for a Group and Large Development, and Section 18-161 pertaining to the procedures for a Conditional Use Permit. The amendment is being proposed in an effort to clarify the regulations and allow more administrative approval for minor amendments. Presenter: Josh Miller, City Planner.

## **Background**

Since the adoption of the latest zoning code, two years ago, staff has been making notes on areas of the code that could be improved. Often, the changes are identified when applications come in on a frequent basis for similar requests. A request we get a lot is the ability to slightly modify the site plan of a Conditional Use Permit and Group Development. Many cases, the changes are minor and staff feels that such changes may be better addressed administratively by staff, rather than come back to the Plan Commission for a new public hearing.

In addition, there are some inconsistencies and lack of flexibility in the Plan Commission’s approval in the Group Development section. Staff is proposing to correct them as part of this amendment.

## **Analysis**

The following is a list of proposed changes to the zoning code to:

- The definition of Gross Floor Area would be amended to exclude unfinished basements or penthouses when used for storage or mechanical purposes. This will help to clarify how to calculate the size of a development for the purposes of defining Group Developments and determining the minimum required parking for a project.
- Large Development is now defined as: Any new nonresidential development or additions to an existing structure on which the new gross

- floor area exceeds 50,000 square feet. Existing structures or previous additions are not counted towards the new gross floor area.
- The exceptions listed below were added so they are not considered part of a Group Development. These were already listed in Section 18-52 as allowable exceptions to the limitation of only one principal structure per lot. For consistency, we added the same exceptions to the Group Development section.
    - Industrial Land Uses (see Section 18-59).
    - Storage Land Uses (see Section 18-60).
    - Accessory Structures
    - Temporary Structures.
    - Mobile Home Parks.
    - We also added these two land uses for a practical standpoint:
      - Small Scale Public Services and Utilities (see Section 18-57).
      - Telecommunication Land Uses (see Section 18-62).
  - Amendments to Group and Large Developments shall comply with the amendments to the Conditional Use Permit standards.
  - Standards to Group and Large Developments may be granted exceptions by the Plan Commission through the Conditional Use Permit process. This gives the Plan Commission more flexibility for approvals.
  - The General Layout and divisibility section was removed. The Group Development was to allow projects that were intended to remain in a group long-term, regardless of future divisibility.
  - Proposing to remove the requirement that justification is needed to allow a 25% increase over the minimum required parking. The Plan Commission already has the ability to restrict parking if deemed too excessive.
  - Proposing to remove the requirement that only 75% of the parking spaces can be placed between the building and primary street frontage. Again, the Plan Commission is already reviewing the parking and could make that a conditional upon approval, so it is unnecessary to include in the zoning code.
  - Proposed to remove the vacation of existing building section.
  - Changes the review and action by the Common Council procedures from requiring a new hearing if the Common Council makes significant changes to the proposal to:
    - If the Common Council fails to make a decision within 90 days of the public hearing, the application shall be considered approved, unless an extension is granted in writing by both Applicant and the City.
  - Amendments to a Conditional Use Permit will be as follows:
    - Amendments. Modification, alteration, or expansion of a previously approved conditional use shall require a public hearing, review by Plan Commission, and approval by the Common Council unless otherwise stated within the Chapter. . The following are exempt from this requirement:

- A modification, alteration, or expansion which has been approved as part of a prior valid conditional use permit does not require a new conditional use approval.
- Minor amendments to the site plan, such as small additions to structures and parking areas that are 1,200 square feet or less, new accessory structures that are 1,200 square feet or less, moving the location of structures or parking areas a short distance and changes to the outdoor display areas, outdoor storage areas and uses, and landscape or lighting plan, may be approved administratively, provided the conditions of the Conditional Use Permit, regulations for design and performance standards, and the bulk regulations for the underlying zoning district are met. If the changes are determined to be significant or have the potential to adversely impact adjacent properties, the Zoning Administrator may require the Conditional Use Permit to be amended following the procedures of Section 18-161.
- The Zoning Administrator will be able to approve changes to the Outdoor Display Areas, Outdoor Storage Areas and Uses, Landscaping, Lighting, and Signage, for a Conditional Use Permit (including Group or Large Developments), provided they still meet the provisions in the Zoning Code. If conditions are placed on any of the above as part of the Conditional Use Permit approval, the Zoning Administrator would not be able to allow changes. If the Zoning Administrator felt the changes were significant or had the potential to impact adjacent properties, he could require the changes be reviewed by the Plan Commission.
- Cleaned up the Formerly Approved Conditional Uses section to state the following:
  - A use now regulated as a conditional use which was approved as a legal land use, either permitted by right or as a conditional use, prior to the effective date of this Chapter, shall be considered as a legal, conforming land use so long as the previously approved conditions of use and previously approved site plan are followed. Any modification of the previously approved conditions of use or site plan shall require application and City consideration be reviewed under this Section.

### **Plan Commission Recommendation**

A public hearing will be held on February 17, 2015 where no comments were made. The Plan Commission recommended approving the proposed ordinance as presented.

## **Council Options**

The Common Council can take the following actions:

1. Approval of the request with any exceptions, conditions, or modifications the Council feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Council.
3. Table the request for further study.

## **Recommendation**

None at this time unless the rules are suspended; final action will be requested after the second reading scheduled for the March 10, 2015 Common Council meeting.

## **Attachments**

1. Redline Ordinance 1295
2. Ordinance 1295

Concurrence:



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Jason Angell  
Planning and Economic Development Director



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Steve Barg  
City Administrator

## ORDINANCE NO. 1295

### **An Ordinance amending Section 18-12, 18-114, 18-161 of the City of Marshfield Municipal Code pertaining to the definition of gross floor area, and standards for Group and Large Development and Conditional Use Permit approvals.**

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 18-12 of the Marshfield Municipal Code is hereby amended to include the following changes to the definition of Gross floor area:

Gross floor area: The total floor area on all levels of a building, but does not include unfinished basements or penthouses when used for storage or mechanical purposes.

SECTION 2. Section 18-114 of the Marshfield Municipal Code is hereby amended to read as follows:

- (1) Purpose. The purpose of this section is to establish standards that ensure group developments and large developments are properly located and are compatible with the surrounding area and the overall community character of the City of Marshfield.
- (2) Definitions.
  - (a) Group Development. Any development located on one lot and comprised of any single instance or any combination of the following development types:
    1. One or more principal multi-family residential buildings with 9 ~~to 24 or greater~~ or more residential units on the same lot.
    2. Two or more principal structures on the same lot, whether currently serving a single use or more than one use.
    3. Any addition of principal buildings that increases the total number of principal structures on the same lot to two or more.
  - (b) Large Development. ~~Any new development containing any single structure or combination of structures on one or more contiguous lots or building sites on which the total combined gross floor area of all new development exceeds 50,000 square feet of gross floor area. Does not include new additions less than 50,000 square feet, or basements and penthouses when used primarily for storage and mechanical equipment. Any new nonresidential development or additions to an existing principal structure on which the new gross floor area exceeds 50,000 square feet. Existing principal structures or previous additions are not counted towards the new gross floor area.~~
- (3) Common Examples.
  - (a) Common examples of group developments include apartment or condominium complexes with 9 ~~to 24 or more~~ total units, commercial centers, shopping centers, and office centers where there are two or more principal buildings. Planned Developments are *not* considered group developments.
  - (b) Common examples of developments ~~that are both group developments and of~~ large developments include multi-tenant, nonresidential buildings that are in excess of 50,000 gross square feet, ~~and any multi-building developments in which the combined total of all structures on a site, regardless of diverse ownership, use, or tenancy, combine to exceed 50,000 gross square feet.~~

- (4) Exceptions to Group Developments. The following situations are exempt from the group development requirements of this Section.
- (a) Structures within City parks.
  - (b) Development in the Campus Development District.
  - (c) Development in the Planned Development District.
  - (d) Industrial Land Uses (see Section 18-59).
  - (e) Storage Land Uses (see Section 18-60).
  - (f) Accessory Structures
  - (g) Temporary Structures.
  - (h) Mobile Home Parks.
  - (i) Structures in Public Parks.
  - (j) Small Scale Public Services and Utilities (see Section 18-57).
  - ~~(k)~~ Telecommunication Land Uses (see Section 18-62).
  - ~~(l)~~ Nonresidential buildings where it can be demonstrated to the satisfaction of the Zoning Administrator that any principal building can be subsequently detached with a lot and yards conforming to the requirements of this Chapter.
- (5) Review and Approval.
- (a) All new group developments and large developments require a conditional use permit (see Section 18-161 for review and approval procedure) regardless of whether individual use(s) within the development are permitted by right within the applicable district, ~~except where such developments are approved as Planned Developments per Section 18-167 or with an approved conditional use permit.~~
  - (b) Any land use that is either a permitted by right land use or a use allowed by conditional use permit within the applicable zoning district may be included within a group development and/or large development.
  - (c) Land uses permitted by right in the applicable zoning district shall be permitted by right within an approved group and/or large development, subject to the provisions of this section, unless otherwise restricted by the conditions of approval imposed during the conditional use approval for the group development and/or large development as a whole.
  - (d) Land uses allowed by conditional use permit within the applicable zoning district shall be allowed within the group development and/or large development only with conditional use approval for that land use category ~~such outdoor dining or a drive-through~~. The consideration of the conditional use for the group development and/or large development may occur in conjunction with the review for additional conditional land uses.
  - (e) The detailed land use regulations in Article III that pertain to each proposed land uses shall also apply within a group development and/or large development, as will all other applicable provisions of this Chapter.
- (6) Changes to ~~an Approved~~ Group and/or Large Development.
- (a) Amendments to an approved Large Development. Following initial issuance of a conditional use permit ~~of a for the group development and/or large development~~, the subsequent ~~addition of structures~~, additions to structures, and expansions of parking or storage areas ~~in the group development and/or large development shall require an amendment to the approved conditional use permit regardless of individual land use(s).~~ shall comply with Section 18-161(15).
  - ~~(a)~~ (b) Amendments to an existing Group Development. Any subsequent addition of structures, additions to structures, increase in the number of units, and expansions of parking or storage

areas to an existing development, that meets the definition of group development in Section 18-114(2)(a), shall comply with Section 18-161(15).

~~(b)~~(c) Changes to individual land uses within a group development and/or large development listed as permitted by right uses within the applicable zoning district are allowed without amendment to the group development and/or large development conditional use permit, unless said conditional use permit placed restrictions on change of use.

~~(e)~~(d) Changes to individual land uses within a group development and/or large development listed as conditional uses within the applicable zoning district may be allowed only by amendment to the conditional use permit, regardless of whether said use entails modifications to the building and/or site layout in the group development and/or large development.

(7) Standards Applicable to All Group Developments and to All Large Developments.

(a) All land uses and development shall comply with the applicable requirements of this Chapter, including, but not limited to, density, intensity, bulk, setback, and building separation requirements; ~~building Building~~ and site design standards; landscaping and green space preservation requirements; access, parking, loading, and unloading requirements shall also comply with the requirements of this Chapter unless granted an exception through the issuance of a conditional use permit; and signage requirements.

(b) All group developments and/or large developments shall be subject to the site plan review and approval process. The applicant shall demonstrate how the proposed development relates to each of the following criteria:

1. Complements the design and layout of nearby buildings and developments.
2. Enhances, rather than detracts from, the desired character of the City.

~~(8) General Layout and Future Divisibility. All development located within a group development and/or large development shall be located so as to comply with the intent of this Chapter regarding setbacks of structures and buildings from lot lines. As such, individual principal and accessory buildings and buildings located within group developments and/or large developments shall be situated within building envelopes that are in complete compliance with said intent. Said building envelopes shall be depicted on the site plan required for review of group developments and/or large developments. The use of this approach to designing group developments and/or large developments will facilitate the subdividing of group developments and/or large developments in the future (if such action is so desired).~~

~~(9) Roadway Connections.~~

~~(a) All nonresidential projects shall have direct access or through an easement to an arterial street or to a collector level street deemed appropriate by the City Engineer.~~

~~(10) Parking.~~

~~(a) Parking lot designs in which the number of spaces exceeds the minimum number of parking spaces required in Section 18-103 by 25 percent shall be allowed only with specific and reasonable justification.~~

~~(11)~~(8) Outdoor Display Areas. Exterior display areas shall be permitted ~~only~~ where clearly depicted on the approved site plan. ~~All exterior display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of 10 feet. Display areas on building aprons must maintain a minimum walkway width of 10 feet between the display items and any vehicle drives.~~

~~(12)~~(9) Outdoor Storage Uses and Areas. Exterior storage structures or uses, including the parking or storage of vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, forklifts, trash,

recyclables, and all other items shall be permitted ~~only~~ where clearly depicted and labeled on the approved site plan.

~~(13)~~(10) Landscaping. Landscaping shall meet the standards in See Article VIII.

~~(14)~~(11) Lighting. On-site exterior lighting shall meet the standards in Section 18-104.

~~(15)~~(12) Signage. See Chapter 24 of the City of Marshfield Code of Ordinances for sign regulations.

~~(16)~~(13) Noise. Noise associated with activities at the site shall not create a nuisance to nearby properties.

~~(17)~~(14) Natural Resources Protection. Existing natural features shall be integrated into the site design as a site and community amenity. Maintenance of any storm water detention or conveyance features are solely borne by the developer/owner unless dedicated to and accepted by the City.

~~(18)~~(15) Additional Rules Applicable to All Group and Large Developments (per Section (2)~~(b)~~, above).

- (a) Compatibility Report. The City may require a written Compatibility Report siting adequate evidence that the proposed building and overall development project shall be compatible with the City's Comprehensive Plan and any detailed neighborhood or special area plan for the area. The Compatibility Report shall specifically address the following items:
  1. Traffic Impact Analysis. The City may require that a traffic impact analysis be completed in accordance with the most current revision of the Traffic Impact Analysis Guidelines published by the Wisconsin Department of Transportation. It shall be conducted by a third party agreed upon by both the applicant and City at the applicant's expense. Such Traffic Impact Analysis shall require the following components:
    - a. A demonstration that vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length; design, location, and number of traffic control devices; and sidewalks.
    - b. Where the traffic impact analysis indicates that a project may cause off-site public roads, intersections, or interchanges to function below a level of service (LOS) C, the City may deny the application, require a size reduction in the proposed development, and/or require the developer to construct and/or pay for required off-site improvements to achieve a LOS C for a planning horizon of a minimum of 10 years assuming full build-out of the development.
    - c. The City has the option to require a trip generation study.
- (b) Economic and Fiscal Analysis. The City may require completion of an economic and fiscal impact analysis containing the following items:
  1. Estimate to what extent the proposed project would reduce the proposed market area's economic base by eliminating existing businesses.
  2. Compare and evaluate the projected costs and benefits to the community resulting from the project, including:
    - a. Projected costs arising from increased demand for and required improvements to public services and infrastructure.
    - b. Value of improvements to public services and infrastructure to be provided by the project.
    - c. Projected tax revenues to the City to be generated by the project in the first 5 years of business.
    - d. Projected impact of the project in the first 5 years on land values (both residential and nonresidential) and potential loss or increase in tax revenues to the City of Marshfield.

- (c) Building Placement and Site Layout. ~~Where buildings are proposed to be distant from a public street, as determined by the Plan Commission, the overall development design shall include smaller buildings on pads or out lots closer to the street.~~ Placement and orientation must facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads and neighboring commercial areas and neighborhoods, and must forward community character objectives as described in the City's Comprehensive Plan.
- (d) The City may require that a detailed neighborhood plan be submitted and approved by the Plan Commission and Common Council. The detailed neighborhood plan shall be prepared for all areas within 1,500 feet of the subject property, as measured from the outer perimeter of the subject property or group of properties proposed for development, and any other nearby lands as determined by the Plan Commission to be part of the defined neighborhood. The developer is encouraged to hold neighborhood meetings with nearby property owners. The detailed neighborhood plan shall contain the following specific elements ~~at a scale of not less than 1" = 400'~~:
1. Land use with specific zoning districts and/or land uses.
  2. Transitional treatments such as berms and/or landscaping between areas with differing land uses or character.
  3. Complete transportation network, including pedestrian and bicycle facilities and transit routes and stops, where applicable.
  4. Conceptual stormwater management facilities.
  5. Proposed public facility sites, including parks, schools, conservation areas, public safety facilities and public utility facilities.
  6. Proposed community character themes, including building materials, landscaping, streetscaping, and signage.
  7. Demonstrate that the proposed detailed neighborhood plan is in harmony with the land use, multi-modal transportation, utility, stormwater management, community character provisions of the City's Comprehensive Plan.
- ~~(e) Building and Parking Placement. A maximum of 75 percent of all parking spaces located anywhere on the site shall be located between the primary street frontage right of way line and line of equal setback to the most distant front wall of the building. The remainder of parking on the site shall be set back a greater distance from this setback line to the sides, street sides, and rear of the building unless the applicant can demonstrate a hardship and is approved by the Plan Commission.~~
- ~~(f) Vacation of Existing Buildings in Large Developments:~~
- ~~1. Where any Large Development is vacated because the commercial use (sale of goods or merchandise at the building) conducted thereon is being relocated to a different building, the party shall be subject to the following provisions:
    - ~~a. The party that vacated the site shall not impose limits on the type of reuse of the vacated site through conditions of sale or lease.~~
    - ~~b. The development agreement for the new development at the new site shall include provisions therein whereby the developer of the new site commits to the requirements contained herein.~~~~
  - ~~2. Any building within a Large Development that is vacated for any reason shall be subject to the following provisions:
    - ~~a. The owner must file with the City a written statement as to the names, phone numbers, and addresses for all persons who are in control of the property and building.~~~~

~~b. The owner shall be required to meet the requirements defined below based on the amount of time the building remains vacant:~~

**Figure 18-114(a): Steps for Addressing Building Vacancy**

<del>Time Period Building is Vacant</del>	<del>Requirement</del>
<del>Within 1 Year of Vacancy</del>	<del>Install a fire department Access Box for annual fire inspection if the Fire Department determines it is necessary. Remove signage and sign structures.</del>
<del>Within 3 Years of Vacancy</del>	<del>City may require owner to paint the building a neutral color, if not already done.</del>
<del>Within 5 Years of Vacancy</del>	<del>City may require the removal of all hard surfaces, with the exception of the main driveway and fire lane around the building, restore the former hard surfaced areas with black dirt and grass, or any combination of the above.</del>

~~c. Within the first quarter of each year of vacancy, the owner shall provide the Zoning Administrator with a statement as to the condition of the building and prospects for removal or re-occupancy of the building(s).~~

~~d. At any time following vacancy, the City may utilize other enforcement options available to it to ensure property maintenance and upkeep of the building and site.~~

~~e. Temporary occupancy of the building(s) and/or the exterior grounds for a period of 365 consecutive days or less shall not be considered to remove the vacancy status of the building under this Section.~~

~~(g) Additional Requirements. All large developments are subject to the following additional requirements:~~

~~1. The developer shall enter into a development agreement with the City, which shall include the payment of all utilities including but not limited to stormwater, sanitary sewer, and street infrastructure. Off-site improvements may also be required as part of the development agreement.~~

~~2. All buildings located between the large building on the site and a public street shall be of architectural quality comparable to the primary structure, as determined by the Plan Commission.~~

(ORD 1240, 11/13/12)

**SECTION 3. Section 18-161 of the Marshfield Municipal Code is hereby amended to include the following:**

- (1) Purpose. The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed conditional uses.
- (2) Applicability. There are certain uses, which because of their unique characteristics make impractical the predetermination of permissibility. In these cases, specific standards, regulations, or conditions may be established.

- (3) Limited Conditional Use. Limited conditional uses are those in which the Common Council has found that any of the following should be of lesser permanence than regular conditional uses, and the duration or term of existence may be established until time certain or be limited to a future happening or event at which time the same shall terminate:
- (a) Their particularly specialized nature.
  - (b) Their particular locations within a district.
  - (c) The peculiar unique relationships or needed compatibility of uses to involved individuals.
  - (d) Any other reason(s) the Common Council deems specially relevant and material to delimit the scope thereof.
- (4) Initiation of Request. Proceedings for approval of a conditional use may be initiated by an application of the owner(s) or authorized representative of the subject property.
- (5) Application. An application for a conditional use permit shall contain the following (digital files should be submitted rather than paper copies whenever possible, if applicable):
- (a) A map of the subject property to scale depicting:
    1. All lands for which the conditional use is proposed and all other lands within 100 feet of the boundaries of the subject property.
    2. Names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Wood or Marathon County.
    3. Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.
    4. All lot dimensions of the subject property.
    5. A graphic scale and a north arrow.
  - (b) Written description of the proposed conditional use including the type of activities, buildings, structures, and off-street parking proposed for the subject property and their general locations.
  - (c) A site plan of the subject property if proposed for development conforming to all requirements of Section 18-164. If the proposed conditional use is a group or large development (per Section 18-114), a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan.
  - (d) Written justification for the proposed conditional use, including evidence that the application is consistent with the Comprehensive Plan.
  - ~~(e) For Group and Large Development, a Transportation Demand Management (TDM) Plan meeting Wisconsin Department of Transportation requirements for content and format may be required by the City if deemed necessary by the City Engineer.~~
- (6) Review by Zoning Administrator.
- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant.
  - (b) The Zoning Administrator may coordinate review with the City's Development Review Team.
  - (c) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:
    1. Is in harmony with the recommendations of the Comprehensive Plan.
    2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public

property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
  4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
  5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.
- (d) The Zoning Administrator shall prepare a written report addressing items (6)(c)1.-5. above, to be forwarded to the Plan Commission for the Commission's review and use in making its recommendation to the Common Council. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of the Comprehensive Plan, the Zoning Administrator shall note this determination in the report.
- (7) Public Hearing. Within 50 days of filing of a complete application, the Plan Commission shall hold a public hearing in compliance with Section 18-158 to consider the request.
- (8) Review and Recommendation by the Plan Commission.
- (a) Within 60 days after the public hearing, the Plan Commission may make a written report to the Common Council, and/or may state in the minutes its recommendations regarding the application. Said report and/or minutes may include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection (6)(c)1.-5. above.
  - (b) If the Plan Commission fails to make a report within 60 days after the filing of a complete application, the Common Council may hold a public hearing within 30 days after the expiration of said 60 day period. Failure to receive said written report from the Plan Commission shall not invalidate the proceedings or actions of the Common Council. If a public hearing is necessary, the Common Council shall provide notice per the requirements so Section 18-158.
- (9) Review and Action by Common Council.
- (a) The Common Council shall consider the recommendation of the Plan Commission regarding the proposed conditional use. The Common Council may request further information and/or additional reports from the Plan Commission, Zoning Administrator, applicant, and/or from any other source.
  - (b) The Common Council may take final action (by resolution) on the application at the time of its initial meeting or may continue the proceedings at applicant's request. The Common Council may approve the conditional use as originally proposed, may approve the proposed conditional use with modifications, or may deny approval of the proposed conditional use.
  - (c) If the Common Council wishes to make significant changes in the proposed conditional use, as recommended by the Plan Commission, then the procedure set forth in Section 62.23(7)(d) of the Wisconsin Statutes shall be followed prior to Common Council action. If the Common Council fails to make a decision within 90 days of the public hearing, the application shall be considered approved, unless an extension is granted in writing by both Applicant and the City.
- (10) Effect of Denial. No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.
- (11) Revocation of an Approved Conditional Use. Upon approval by the Common Council, the applicant must demonstrate that the proposed conditional use meets all general and specific conditional use

requirements in the site plan required for initiation of development activity on the subject property per Section 18-164. Once a conditional use is granted, no erosion control permit, site plan, certificate of occupancy, or building permit shall be issued for any development which does not comply with all requirements of this Chapter. Any conditional use found not to be in compliance with the terms of this Chapter shall be considered in violation of this Chapter and shall be subject to all applicable procedures and penalties. A conditional use may be revoked for such a violation by majority vote of the Common Council, following ~~the procedures outlined in Subsection (g), above~~ a public hearing and recommendation by the Plan Commission.

- (12) Time Limits on the Development of Conditional Use. Unless extended as a condition of approval, the start of construction of any and all conditional uses shall be initiated within 365 days of their approval by the Common Council and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use. For the purposes of this Section, “operational” shall be defined as the granting of a certificate of occupancy for the conditional use. Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the Common Council and shall be based upon a showing of acceptable justification (as determined by the Common Council). However, as a condition of approval, the 365 and/or 730 day time limits may be extended for any specific period including ~~not~~ time limit to accommodate phased or multi-stage development.
- (13) Discontinuing an Approved Conditional Use. Any and all conditional uses which have been discontinued for a period exceeding 365 days shall have their conditional use invalidated automatically. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this period.
- (14) Change of Ownership. All requirements of the approved conditional use shall be continued regardless of ownership of the subject property; however, submittal of a plan of operation may be required prior to the change in ownership.
- (15) ~~Modification, Alteration, or Expansion~~ Amendments. Modification, alteration, or expansion of ~~any a previously approved~~ conditional use ~~shall require a public hearing, review by Plan Commission, and approval by the Common Council unless otherwise stated within the Chapter. without approval by the Common Council, shall be considered in violation of this Chapter and shall be grounds for revocation of said conditional use approval per Subsection (11), above. The following are exempt from this requirement:~~
  - (a) A modification, alteration, or expansion which has been approved as part of a prior valid conditional use permit does not require a new conditional use approval.
  - ~~(a)~~(b) Minor amendments to the site plan, such as small additions to structures and parking areas that are 1,200 square feet or less, new accessory structures that are 1,200 square feet or less, moving the location of structures or parking areas a short distance and changes to the outdoor display areas, outdoor storage areas and uses, and landscape or lighting plans, may be approved administratively, provided the conditions of the conditional use permit, regulations for design and performance standards, and the bulk regulations for the underlying zoning district are met. If the changes are determined to be significant or have the potential to adversely impact adjacent properties, the Zoning Administrator may require the conditional use permit to be amended following the procedures of Section 18-161.
- ~~(15)~~(16) Recording of Conditional Use Requirements. Except for conditional use approvals for temporary uses, a certified copy of the authorizing resolution, containing identifiable description and any specific requirements of approval, shall be recorded by the City with the Register of Deeds for the subject property.
- ~~(16)~~(17) Formerly Approved Conditional Uses. A use ~~now regulated as a conditional use~~ which was approved ~~as a legal land use, either permitted by right or~~ as a conditional use, prior to the effective date of this

Chapter, shall be considered as a legal, conforming land use ~~so long as the previously approved conditions of use and previously approved site plan are followed~~. Any modification of the previously approved conditions of use or site plan shall ~~require application and City consideration~~ be reviewed under ~~this~~ Section 18-161.

(ORD 1240, 11/13/12)

SECTION 4. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 5. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 6. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

Deb M. Hall, City Clerk

## ORDINANCE NO. 1295

### **An Ordinance amending Section 18-12, 18-114, 18-161 of the City of Marshfield Municipal Code pertaining to the definition of gross floor area, and standards for Group and Large Development and Conditional Use Permit approvals.**

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 18-12 of the Marshfield Municipal Code is hereby amended to include the following changes to the definition of Gross floor area:

**Gross floor area:** The total floor area on all levels of a building, but does not include unfinished basements or penthouses when used for storage or mechanical purposes.

SECTION 2. Section 18-114 of the Marshfield Municipal Code is hereby amended to read as follows:

- (1) Purpose. The purpose of this section is to establish standards that ensure group developments and large developments are properly located and are compatible with the surrounding area and the overall community character of the City of Marshfield.
- (2) Definitions.
  - (a) Group Development. Any development located on one lot and comprised of any single instance or any combination of the following development types:
    1. One or more principal multi-family residential buildings with 9 or more residential units on the same lot.
    2. Two or more principal structures on the same lot, whether currently serving a single use or more than one use.
    3. Any addition of principal buildings that increases the total number of principal structures on the same lot to two or more.
  - (b) Large Development. Any new nonresidential development or additions to an existing principal structure on which the new gross floor area exceeds 50,000 square feet. Existing principal structures or previous additions are not counted towards the new gross floor area.
- (3) Common Examples.
  - (a) Common examples of group developments include apartment or condominium complexes with 9 or more total units, commercial centers, shopping centers, and office centers where there are two or more principal buildings. Planned Developments are *not* considered group developments.
  - (b) Common examples of developments of large developments include multi-tenant, nonresidential buildings that are in excess of 50,000 gross square feet.
- (4) Exceptions to Group Developments. The following situations are exempt from the group development requirements of this Section.
  - (a) Structures within City parks.
  - (b) Development in the Campus Development District.
  - (c) Development in the Planned Development District.
  - (d) Industrial Land Uses (see Section 18-59).
  - (e) Storage Land Uses (see Section 18-60).
  - (f) Accessory Structures

- (g) Temporary Structures.
  - (h) Mobile Home Parks.
  - (i) Structures in Public Parks.
  - (j) Small Scale Public Services and Utilities (see Section 18-57).\_
  - (k) Telecommunication Land Uses (see Section 18-62).
  - (l) Nonresidential buildings where it can be demonstrated to the satisfaction of the Zoning Administrator that any principal building can be subsequently detached with a lot and yards conforming to the requirements of this Chapter.
- (5) Review and Approval.
- (a) All new group and large developments require a conditional use permit (see Section 18-161 for review and approval procedure) regardless of whether individual use(s) within the development are permitted by right within the applicable district.
  - (b) Any land use that is either a permitted by right or a use allowed by conditional use permit within the applicable zoning district may be included within a group development and/or large development.
  - (c) Land uses permitted by right in the applicable zoning district shall be permitted by right within an approved group and/or large development, subject to the provisions of this section, unless otherwise restricted by the conditions of approval imposed during the conditional use approval for the group development and/or large development as a whole.
  - (d) Land uses allowed by conditional use permit within the applicable zoning district shall be allowed within the group development and/or large development only with conditional use approval for that land use category. The consideration of the conditional use for the group development and/or large development may occur in conjunction with the review for additional conditional land uses.
  - (e) The detailed land use regulations in Article III that pertain to each proposed land uses shall also apply within a group development and/or large development, as will all other applicable provisions of this Chapter.
- (6) Changes to Group and/or Large Development.
- (a) Amendments to an approved Large Development. Following initial issuance of a conditional use permit of a large development, the subsequent additions to structures, and expansions of parking or storage areas shall comply with Section 18-161(15).
  - (b) Amendments to an existing Group Development. Any subsequent addition of structures, additions to structures, increase in the number of units, and expansions of parking or storage areas to an existing development, that meets the definition of group development in Section 18-114(2)(a), shall comply with Section 18-161(15).
  - (c) Changes to individual land uses within a group development and/or large development listed as permitted by right uses within the applicable zoning district are allowed without amendment to the group development and/or large development conditional use permit, unless said conditional use permit placed restrictions on change of use.
  - (d) Changes to individual land uses within a group development and/or large development listed as conditional uses within the applicable zoning district may be allowed only by amendment to the conditional use permit, regardless of whether said use entails modifications to the building and/or site layout in the group development and/or large development.
- (7) Standards Applicable to All Group Developments and to All Large Developments.
- (a) All land uses and development shall comply with the applicable requirements of this Chapter, including, but not limited to, density, intensity, bulk, setback, and building separation

requirements. Building and site design standards; landscaping and green space preservation requirements; access, parking, loading, and unloading requirements shall also comply with the requirements of this Chapter unless granted an exception through the issuance of a conditional use permit.

- (b) All group developments and/or large developments shall be subject to the site plan review and approval process. The applicant shall demonstrate how the proposed development relates to each of the following criteria:
  - 1. Complements the design and layout of nearby buildings and developments.
  - 2. Enhances, rather than detracts from, the desired character of the City.
- (8) Outdoor Display Areas. Exterior display areas shall be permitted where clearly depicted on the approved site plan.
- (9) Outdoor Storage Uses and Areas. Exterior storage structures or uses, including the parking or storage of vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, forklifts, trash, recyclables, and all other items shall be permitted where clearly depicted and labeled on the approved site plan.
- (10) Landscaping. Landscaping shall meet the standards in See Article VIII.
- (11) Lighting. On-site exterior lighting shall meet the standards in Section 18-104.
- (12) Signage. See Chapter 24 of the City of Marshfield Code of Ordinances for sign regulations.
- (13) Noise. Noise associated with activities at the site shall not create a nuisance to nearby properties.
- (14) Natural Resources Protection. Existing natural features shall be integrated into the site design as a site and community amenity. Maintenance of any storm water detention or conveyance features are solely borne by the developer/owner unless dedicated to and accepted by the City.
- (15) Additional Rules Applicable to All Group and Large Developments (per Section (2), above).
  - (a) Compatibility Report. The City may require a written Compatibility Report siting adequate evidence that the proposed building and overall development project shall be compatible with the City's Comprehensive Plan and any detailed neighborhood or special area plan for the area. The Compatibility Report shall specifically address the following items:
    - 1. Traffic Impact Analysis. The City may require that a traffic impact analysis be completed in accordance with the most current revision of the Traffic Impact Analysis Guidelines published by the Wisconsin Department of Transportation. It shall be conducted by a third party agreed upon by both the applicant and City at the applicant's expense. Such Traffic Impact Analysis shall require the following components:
      - a. A demonstration that vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length; design, location, and number of traffic control devices; and sidewalks.
      - b. Where the traffic impact analysis indicates that a project may cause off-site public roads, intersections, or interchanges to function below a level of service (LOS) C, the City may deny the application, require a size reduction in the proposed development, and/or require the developer to construct and/or pay for required off-site improvements to achieve a LOS C for a planning horizon of a minimum of 10 years assuming full build-out of the development.
      - c. The City has the option to require a trip generation study.

- (b) Economic and Fiscal Analysis. The City may require completion of an economic and fiscal impact analysis containing the following items:
  - 1. Estimate to what extent the proposed project would reduce the proposed market area's economic base by eliminating existing businesses.
  - 2. Compare and evaluate the projected costs and benefits to the community resulting from the project, including:
    - a. Projected costs arising from increased demand for and required improvements to public services and infrastructure.
    - b. Value of improvements to public services and infrastructure to be provided by the project.
    - c. Projected tax revenues to the City to be generated by the project in the first 5 years of business.
    - d. Projected impact of the project in the first 5 years on land values (both residential and nonresidential) and potential loss or increase in tax revenues to the City of Marshfield.
- (c) Building Placement and Site Layout. Placement and orientation must facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads and neighboring commercial areas and neighborhoods, and must forward community character objectives as described in the City's Comprehensive Plan.
- (d) The City may require that a detailed neighborhood plan be submitted and approved by the Plan Commission and Common Council. The detailed neighborhood plan shall be prepared for all areas within 1,500 feet of the subject property, as measured from the outer perimeter of the subject property or group of properties proposed for development, and any other nearby lands as determined by the Plan Commission to be part of the defined neighborhood. The developer is encouraged to hold neighborhood meetings with nearby property owners. The detailed neighborhood plan shall contain the following specific elements:
  - 1. Land use with specific zoning districts and/or land uses.
  - 2. Transitional treatments such as berms and/or landscaping between areas with differing land uses or character.
  - 3. Complete transportation network, including pedestrian and bicycle facilities and transit routes and stops, where applicable.
  - 4. Conceptual stormwater management facilities.
  - 5. Proposed public facility sites, including parks, schools, conservation areas, public safety facilities and public utility facilities.
  - 6. Proposed community character themes, including building materials, landscaping, streetscaping, and signage.
  - 7. Demonstrate that the proposed detailed neighborhood plan is in harmony with the land use, multi-modal transportation, utility, stormwater management, community character provisions of the City's Comprehensive Plan.

(ORD 1240, 11/13/12)

SECTION 3. Section 18-161 of the Marshfield Municipal Code is hereby amended to include the following:

- (1) Purpose. The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed conditional uses.
- (2) Applicability. There are certain uses, which because of their unique characteristics make impractical the predetermination of permissibility. In these cases, specific standards, regulations, or conditions may be established.
- (3) Limited Conditional Use. Limited conditional uses are those in which the Common Council has found that any of the following should be of lesser permanence than regular conditional uses, and the duration or term of existence may be established until time certain or be limited to a future happening or event at which time the same shall terminate:
  - (a) Their particularly specialized nature.
  - (b) Their particular locations within a district.
  - (c) The peculiar unique relationships or needed compatibility of uses to involved individuals.
  - (d) Any other reason(s) the Common Council deems specially relevant and material to delimit the scope thereof.
- (4) Initiation of Request. Proceedings for approval of a conditional use may be initiated by an application of the owner(s) or authorized representative of the subject property.
- (5) Application. An application for a conditional use permit shall contain the following (digital files should be submitted rather than paper copies whenever possible, if applicable):
  - (a) A map of the subject property to scale depicting:
    1. All lands for which the conditional use is proposed and all other lands within 100 feet of the boundaries of the subject property.
    2. Names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Wood or Marathon County.
    3. Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.
    4. All lot dimensions of the subject property.
    5. A graphic scale and a north arrow.
  - (b) Written description of the proposed conditional use including the type of activities, buildings, structures, and off-street parking proposed for the subject property and their general locations.
  - (c) A site plan of the subject property if proposed for development conforming to all requirements of Section 18-164. If the proposed conditional use is a group or large development (per Section 18-114), a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan.
  - (d) Written justification for the proposed conditional use, including evidence that the application is consistent with the Comprehensive Plan.
- (6) Review by Zoning Administrator.
  - (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the application is determined to be incomplete, the Zoning Administrator shall notify the applicant.
  - (b) The Zoning Administrator may coordinate review with the City's Development Review Team.
  - (c) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:
    1. Is in harmony with the recommendations of the Comprehensive Plan.

2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.
  3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
  4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
  5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.
- (d) The Zoning Administrator shall prepare a written report addressing items (6)(c)1.-5. above, to be forwarded to the Plan Commission for the Commission's review and use in making its recommendation to the Common Council. If the Zoning Administrator determines that the proposal may be in conflict with the provisions of the Comprehensive Plan, the Zoning Administrator shall note this determination in the report.
- (7) Public Hearing. Within 50 days of filing of a complete application, the Plan Commission shall hold a public hearing in compliance with Section 18-158 to consider the request.
- (8) Review and Recommendation by the Plan Commission.
- (a) Within 60 days after the public hearing, the Plan Commission may make a written report to the Common Council, and/or may state in the minutes its recommendations regarding the application. Said report and/or minutes may include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection (6)(c)1.-5. above.
  - (b) If the Plan Commission fails to make a report within 60 days after the filing of a complete application, the Common Council may hold a public hearing within 30 days after the expiration of said 60 day period. Failure to receive said written report from the Plan Commission shall not invalidate the proceedings or actions of the Common Council. If a public hearing is necessary, the Common Council shall provide notice per the requirements so Section 18-158.
- (9) Review and Action by Common Council.
- (a) The Common Council shall consider the recommendation of the Plan Commission regarding the proposed conditional use. The Common Council may request further information and/or additional reports from the Plan Commission, Zoning Administrator, applicant, and/or from any other source.
  - (b) The Common Council may take final action (by resolution) on the application at the time of its initial meeting or may continue the proceedings at applicant's request. The Common Council may approve the conditional use as originally proposed, may approve the proposed conditional use with modifications, or may deny approval of the proposed conditional use.
  - (c) If the Common Council fails to make a decision within 90 days of the public hearing, the application shall be considered approved, unless an extension is granted in writing by both Applicant and the City.
- (10) Effect of Denial. No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.
- (11) Revocation of an Approved Conditional Use. Upon approval by the Common Council, the applicant must demonstrate that the proposed conditional use meets all general and specific conditional use

requirements in the site plan required for initiation of development activity on the subject property per Section 18-164. Once a conditional use is granted, no erosion control permit, site plan, certificate of occupancy, or building permit shall be issued for any development which does not comply with all requirements of this Chapter. Any conditional use found not to be in compliance with the terms of this Chapter shall be considered in violation of this Chapter and shall be subject to all applicable procedures and penalties. A conditional use may be revoked for such a violation by majority vote of the Common Council, following a public hearing and recommendation by the Plan Commission.

- (12) **Time Limits on the Development of Conditional Use.** Unless extended as a condition of approval, the start of construction of any and all conditional uses shall be initiated within 365 days of their approval by the Common Council and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use. For the purposes of this Section, “operational” shall be defined as the granting of a certificate of occupancy for the conditional use. Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the Common Council and shall be based upon a showing of acceptable justification (as determined by the Common Council). However, as a condition of approval, the 365 and/or 730 day time limits may be extended for any specific period including no time limit to accommodate phased or multi-stage development.
- (13) **Discontinuing an Approved Conditional Use.** Any and all conditional uses which have been discontinued for a period exceeding 365 days shall have their conditional use invalidated automatically. The burden of proof shall be on the property owner to conclusively demonstrate that the subject conditional use was operational during this period.
- (14) **Change of Ownership.** All requirements of the approved conditional use shall be continued regardless of ownership of the subject property; however, submittal of a plan of operation may be required prior to the change in ownership.
- (15) **Amendments.** Modification, alteration, or expansion of a previously approved conditional use shall require a public hearing, review by Plan Commission, and approval by the Common Council unless otherwise stated within the Chapter. The following are exempt from this requirement:
  - (a) A modification, alteration, or expansion which has been approved as part of a prior valid conditional use permit does not require a new conditional use approval.
  - (b) Minor amendments to the site plan, such as small additions to structures and parking areas that are 1,200 square feet or less, new accessory structures that are 1,200 square feet or less, moving the location of structures or parking areas a short distance and changes to the outdoor display areas, outdoor storage areas and uses, and landscape or lighting plans, may be approved administratively, provided the conditions of the conditional use permit, regulations for design and performance standards, and the bulk regulations for the underlying zoning district are met. If the changes are determined to be significant or have the potential to adversely impact adjacent properties, the Zoning Administrator may require the conditional use permit to be amended following the procedures of Section 18-161.
- (16) **Recording of Conditional Use Requirements.** Except for conditional use approvals for temporary uses, a certified copy of the authorizing resolution, containing identifiable description and any specific requirements of approval, shall be recorded by the City with the Register of Deeds for the subject property.
- (17) **Formerly Approved Conditional Uses.** A use which was approved as a conditional use, prior to the effective date of this Chapter, shall be considered as a legal, conforming land use. Any modification of the previously approved conditions of use or site plan shall be reviewed under Section 18-161.

(ORD 1240, 11/13/12)

SECTION 4. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 5. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 6. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

Deb M. Hall, City Clerk



# City of Marshfield Memorandum

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DATE: February 19, 2015  
TO: Mayor Meyer & City Council  
FROM: Steve Barg, City Administrator  
RE: Ordinance No. 1296 – assigning leases of City property to FBP Committee

## **Background**

On February 10<sup>th</sup>, the Council voted to assign the responsibility for review and approval of leases for City property to the FBP Committee, rather than the Board of Public Works. The attached ordinance has been prepared to codify this change.

## **Recommendation**

Staff recommends that the Council hold the first reading of Ordinance No. 1296, with no action taken until the March 10<sup>th</sup> Council meeting, when the second reading and adoption will be scheduled.

ORDINANCE NO. 1296

An Ordinance amending Section 3-66 of the City of Marshfield Municipal Code.

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Sec. 3-66(2) of the Marshfield Municipal Code is hereby amended to read as follows:

1. *Finance, budget and personnel committee.* This committee shall be composed of five alderpersons who are not also serving on the board of public works. The city clerk or designee shall serve as nonvoting secretary. This committee, or its designee, shall examine all bills against the city, except those bills over which some other body has lawful jurisdiction, and except those claims arising outside of the ordinary course of business operations of the city, but this committee shall recommend such bills for payment. The committee also shall supervise all debt issues; shall supervise all leases of City facilities between the city and other parties; shall supervise all insurance carried by the city; shall have general supervision of the employment and dismissal of all city employees subject to the recommendation of the departments concerned and the approval of the council; and shall have such other duties as may, from time to time, be designated by the council.

SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

\_\_\_\_\_  
Deb M. Hall, City Clerk

ORDINANCE NO. 1296

An Ordinance amending Section 3-66 of the City of Marshfield Municipal Code.

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Sec. 3-66(2) of the Marshfield Municipal Code is hereby amended to read as follows:

1. *Finance, budget and personnel committee.* This committee shall be composed of five alderpersons who are not also serving on the board of public works. The city clerk or designee shall serve as nonvoting secretary. This committee, or its designee, shall examine all bills against the city, except those bills over which some other body has lawful jurisdiction, and except those claims arising outside of the ordinary course of business operations of the city, but this committee shall recommend such bills for payment. The committee also shall supervise all debt issues; shall supervise all leases of City facilities between the city and other parties; shall supervise all insurance carried by the city; shall have general supervision of the employment and dismissal of all city employees subject to the recommendation of the departments concerned and the approval of the council; and shall have such other duties as may, from time to time, be designated by the council.

SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Chris L. Meyer, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

\_\_\_\_\_  
Deb M. Hall, City Clerk

## ESCROW AGREEMENT FOR TID NO. 5 BUSINESS INCENTIVE FUND

This Escrow Agreement is made and entered into as of this March \_\_, 2015, by and between the City of Marshfield, Wisconsin ("Municipality"), and Wood County, Wisconsin ("County" or "Escrow Agent").

### RECITALS

WHEREAS, pursuant to a tax incremental financing plan under Section 66.1105, Wis. Stats., the Municipality has established its Tax Incremental District No. 5 ("TID No. 5") and is pursuing the development of the Mill Creek Business Park within TID No. 5, including the establishment of a business incentive fund to make business incentive grants and loans to owners, developers or lessors of property within TID No. 5 (the "Project Costs"); and

WHEREAS, in order to expend funds for the Project Costs prior to March 25, 2015, the Municipality has decided to deposit such funds into an escrow account with Wood County for future disbursement to qualifying recipients; and

WHEREAS, pursuant to a resolution duly adopted by the governing body of the Municipality, at a meeting held on March 10, 2015 (the "Resolution"), the Municipality has appointed Wood County as the Escrow Agent to hold and administer the Escrow Account herein established with the funds of the Municipality.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1. Escrow Deposit.** Concurrently with the execution of this Agreement, the Municipality has deposited \$400,000 of funds of the Municipality, to be held in escrow and used by Escrow Agent, together with any investment income accruing thereto, only as herein set forth for the express purpose of making business incentive grants or loans to owners, developers and lessors of property within the Mill Creek Business Park in accordance with Section 3 hereof. The Municipality relinquishes any and all claim it may have to the funds constituting the escrow deposit or to the return of said funds deposited into the Escrow Account prior to the termination of this Agreement, and thereby the Municipality is deemed to have expended funds toward the payment of the costs herein described.

**2. Acceptance of Escrow.** The Escrow Agent acknowledges receipt of the escrow deposit hereunder and accepts the responsibilities imposed on it, as Escrow Agent, by this Agreement.

**3. Application of Escrow Deposit.** There is hereby created by the Municipality and ordered established with the Escrow Agent an account hereby designated "TID No. 5 Business Incentive Fund - Escrow Account" (the "Escrow Account" or "Business Incentive Fund"). The Escrow Agent shall deposit the amount described above in the Escrow Account to be distributed and invested as follows:

(a) **Investment of Escrow Deposit.** The Escrow Agent shall hold the deposit in an interest-bearing account for such period of time as there are monies left in the Escrow Account and under the terms and conditions herein.

(b) Distribution of Escrow Account. The Escrow Account will be administered by the Escrow Agent as a Business Incentive Fund for TID No. 5. Funds therein shall be disbursed by the Escrow Agent in accordance with the requirements and guidelines set forth in this Section 3(b).

(1) Eligible Beneficiaries.

Eligible recipients of Business Incentive Fund monies are businesses or property owners located in TID No. 5 or those that are willing to locate in TID No. 5 as a result of Business Incentive Fund financing. Businesses and owners must demonstrate they are unable to access the financing necessary for the business or real estate project through conventional sources.

(2) Business Incentive Fund Program Standards And Policies.

The following standards and policies will be utilized in the Business Incentive Fund program:

i. Funding Limits

The amount of funding available for each project is flexible and determined based on the project's cumulative benefit to the community as determined by the County. Past levels of assistance provided to TID No. 5 projects have varied substantially depending on the benefit created by the project. No project can be awarded more than 50% of the initial value of the Business Incentive Fund which is \$200,000 (50% of \$400,000).

ii. Type of Assistance Available

The funding will be provided in a manner consistent with a development agreement executed between the business or property owner and the County, which may be combined with a development agreement between the business or property owner and the Municipality ("Development Agreement"). Assistance shall be provided in the form of a forgivable loan when the project is completed and meets the obligations outlined in the applicable Development Agreement. All Business Incentive Fund awards are disbursed as a reimbursement. Businesses must provide documentation of funds being requested. Funds are released after project completion and inspection to ensure the project was carried out according to the approved site/building plans.

iii. Project Initiation

Projects awarded Business Incentive Fund monies must begin within the timeframe outlined in the applicable Development Agreement. The County has the option to reduce or rescind Business Incentive Fund funding if projects do not begin within the agreed upon time.

iv. Leverage Ratio

A minimum of one dollar of private investment will be required for each dollar of Business Incentive Fund investment. Private investment is defined as financing from a private lending institution and cash equity that is contributed to the project by the business or property owner. Typically, minimum private investment will be present at a 5:1 ratio.

v. Community Benefit

Business Incentive Fund projects must fulfill tax base enhancement commitments to be eligible for receipt of Business Incentive Fund monies.

vi. Job Creation and Retention Guidelines

Wherever possible, recipients of Business Incentive Fund funding should create or retain jobs, with the goal of a minimum of one job per \$10,000 of Business Incentive Fund program assistance.

vii. Eligible Activities

Activities eligible for funding through the Business Incentive Fund program include:

- Site development activities
- Construction of parking areas
- Cash grants to owners, lessees, or developers of land that is located within TID No. 5
- Creation, expansion, improvement of storm water facilities including detention and retention basins, treatment structures, infiltration areas, storm water piping, manholes, and inlets.
- Cost to utilize and implement sustainable building and construction practices
- Labor force training costs

viii. Ineligible Activities

Activities not eligible for funding through the Business Incentive Fund program include:

- Subsidizing interest payments on existing loans
- Refinancing existing debt
- Contributing equity required by borrowers participating in other programs
- Purchasing equity in private businesses

ix. Standard Terms

Standard terms for Business Incentive Fund grantee's are as follows:

- Average projected payback via TID No. 5 revenues or payments in lieu of taxes – 5-7 years.
- The specific payback requirements will be based on the community benefit being generated by the project as determined by an increase in taxable value of the property, jobs created and retained and the quality of those jobs, and length of payback period (the shorter the better).

x. Need Determination

Each potential beneficiary of Business Incentive Fund monies must demonstrate that Business Incentive Fund funding is necessary to make the project feasible.

xi. Documentation and Collateral Requirements

Each Business Incentive Fund award will be made pursuant to a Development Agreement that details the terms and conditions of the funding along with any required supporting collateral documents. In addition, the County may require performance bonding when deemed necessary to protect the County's interest in the project.

Collateral requirements will be determined on an individual basis by the County and may include mortgages on land and buildings, liens on furniture, fixtures, and equipment; and liens on accounts receivable and inventory. This collateral may be subordinated to private sector financial institutions participating in the Business Incentive Fund project, if required. Personal guarantees from the principals of the business may be required. In addition, junior liens on all business assets may be used where appropriate.

Finally, recipients of Business Incentive Fund monies will be required to obtain property-casualty insurance for the appraised value of the property being constructed, and have the County listed as an additional insured on the policy.

(c) Review Process: Determinations.

(1) The County will review development proposals submitted by potential recipients and make eligibility determinations for disbursement of funds in the Escrow Account to such recipients based on the requirements and criteria set forth in Section 3(b) hereof.

(2) In administering and making disbursements from the Escrow Account, the Escrow Agent shall exercise its discretion within the parameters established by Section 3 (b) hereof and shall be governed only by the provisions of this Escrow Agreement in determining whether release and distribution of funds in the Escrow Account is to be made. The governing body of the Municipality has authorized and approved by the Resolution the manner in, and terms under, which releases and distributions are to be made under this Agreement and no further approval or authorization is required from the Municipality. Neither the governing body nor the officers of the Municipality shall have powers or control of any form or nature to affect the release and distribution of the funds in the Escrow Account.

#### **4. The Escrow Agent.**

(a) Escrow Agent's Fee. The Escrow Agent may charge an administration fee up to 1% of the approved incentive amount.

(b) Reporting. The Escrow Agent shall, as soon as practicable after calendar year-end of each year while this Agreement is in effect and as soon as practicable after the termination of this Agreement, forward to the Municipality a report of the receipts, income, if any, and payments of and from all of the Escrow Account during the preceding calendar year, including in such report a statement, as of the end of the preceding calendar year, regarding the manner in which it has carried out the requirements of this Agreement. The Municipality shall have the right, at any time during business hours, to examine all of the Escrow Agent's records regarding the status and details of the Escrow Account.

(c) Separate Funds; Accountability. The Escrow Agent shall keep all monies deposited hereunder, and all interest thereon and profits therefrom, if any, at all times in the special fund and separate trust account, wholly segregated from all other funds and on deposit with it; shall never commingle such deposits with other funds of Escrow Agent; and shall never at any time use, loan or borrow the same in any way. Nothing herein contained shall be construed as requiring Escrow Agent to keep the identical monies, or any part thereof, received from or for the Municipality's account, on hand, but monies of any equal amount shall always be maintained on hand as funds held by Escrow Agent and a special account thereof, evidencing such fact, shall at all times be maintained on the books of Escrow Agent. In the event Escrow Agent is unable or fails to account for any property held hereunder, such property shall be and remain the property designated to be used as herein described and if, for any reason, such property cannot be identified, all other assets of Escrow Agent shall be impressed with a trust for the amount thereof and the parties to the Contracts to whom the property is owing and due shall be entitled to the preferred claim upon such assets enjoyed by any trust beneficiary. Property held by the Escrow Agent hereunder shall not be deemed to be a banking deposit of the Municipality, and the Escrow Agent shall have no right or title with respect thereto (including any right of set-off) and the Municipality shall have no right of withdrawal thereof.

(d) Liability and Indemnification. The Escrow Agent shall be under no obligation to inquire into or be in any way responsible for the performance or nonperformance by the Municipality of any of its obligations, or to protect any of the Municipality's rights under any of the Municipality's contracts with or franchises or privileges from any state, county, municipality or other governmental agency or with any person. The Escrow Agent shall not be liable for any act done or step taken or omitted by it, as Escrow Agent, or for any mistake of fact or law, or for anything which it may do or refrain from doing in good faith and in the exercise of reasonable care and believed by it to be within the discretion or power conferred upon it by this Agreement, except for its negligence or its default in the performance of any obligation imposed upon it hereunder. The Escrow Agent is authorized to act upon any document believed by it to be genuine and purporting to be signed by the proper party or parties and will incur no liability in so acting. The Escrow Agent shall not be responsible in any manner whatsoever for the recitals or statements contained herein, including without limitation those as to the sufficiency of the escrow deposit to accomplish the purposes hereof or in any proceedings taken in connection therewith, but they are made solely by the Municipality. The Municipality does hereby and shall indemnify and save harmless the Escrow Agent from any and all loss or damage of whatsoever kind and from any suits, claims, or demands, including the Escrow Agent's reasonable legal fees

and expenses, on account of any matter or thing arising out of this Agreement or in connection herewith or on account of any act or omission to act by the Escrow Agent in connection with this Agreement. Such obligation shall survive termination of this Agreement.

(e) Resignations: Successor Escrow Agent. The Escrow Agent may at any time resign by giving not less than 60 days written notice to the Municipality. Upon receipt of such notice of resignation, the Municipality shall designate a successor escrow agent. If the Municipality fails to appoint a successor, the resigning Escrow Agent may petition any court of competent jurisdiction for the appointment of a successor escrow agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor escrow agent of comparable qualifications to those of the resigning Escrow Agent. The resignation of the Escrow Agent shall take effect only upon the appointment of a successor escrow agent and such successor escrow agent's acceptance of such appointment. Any successor escrow agent shall execute, acknowledge and deliver to the Municipality and to its predecessor escrow agent an instrument accepting such appointment hereunder, and thereupon the resignation of the predecessor escrow agent shall become effective and such successor escrow agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, duties and obligations of its predecessor hereunder, with like effect as if originally named as escrow agent herein: but nevertheless, on written request of the Municipality or on the request of the successor escrow agent, the escrow agent ceasing to act shall execute and deliver an instrument transferring to such successor escrow agent, upon the terms herein expressed, all the rights, power, and duties of the escrow agent so ceasing to act. Upon the request of any such successor escrow agent, the Municipality shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor escrow agent all such rights, powers and duties.

## **5. Miscellaneous.**

(a) Third-Party Beneficiary. This Agreement has been entered into by the Municipality and the Escrow Agent and is not revocable by the Municipality or the Escrow Agent. Notwithstanding the foregoing, this Agreement shall not be construed as creating any rights in or obligations to any person other than the parties hereto.

(b) Severability. If any section, paragraph, clause or provision of this Agreement shall be invalid or ineffective for any reason, the remainder of this Agreement shall remain in full force and effect, it being expressly hereby agreed that the remainder of this Agreement would have been entered into by the parties hereto notwithstanding any such invalidity.

(c) Termination. This Agreement shall terminate on the earlier of (i) the date when all funds in the Escrow Account have been disbursed, or (ii) the date which is 5 years after the date of this Agreement, provided that this term shall automatically be extended for an additional 5 year term unless either party notifies the other that it elects not to extend the term. The parties realize that any funds that remain in the Escrow Account upon termination of this Agreement shall be returned to the City to be used for payment of debt service on City obligations issued to finance the TID if prior to termination of TID No. 5, or, if after termination of TID No. 5, for distribution to the overlying taxing jurisdictions.

(d) Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their duly authorized officers on the date first above written.

CITY OF MARSHFIELD, WISCONSIN

By: \_\_\_\_\_  
Mayor

(SEAL)

By: \_\_\_\_\_  
City Clerk

WOOD COUNTY, WISCONSIN, as Escrow Agent

By: \_\_\_\_\_  
Chairperson

(SEAL)

And: \_\_\_\_\_  
County Clerk

Resolution No.2015-15

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS AND THE  
ESTABLISHMENT OF AN ESCROW ACCOUNT WITH RESPECT  
TO TAX INCREMENTAL DISTRICT NO. 5

WHEREAS, the City of Marshfield, Wisconsin (the "City") has created its Tax Incremental District No. 5 ("TID No. 5") pursuant to Section 66.1105, Wisconsin Statutes;

WHEREAS, pursuant to the project plan for TID No. 5, in addition to other projects, the City proposed to undertake the establishment of a business incentive fund to make business incentive grants or loans to owners, developers or lessors of property in TID No. 5 (collectively, the "Project Costs");

WHEREAS, pursuant to Section 66.1105(6)(am), the period during which the City can make expenditures on projects within TID No. 5, including the Project Costs, expires on March 25, 2015; and

WHEREAS, in order to expend funds for the purpose of paying the Project Costs prior to March 25, 2015, the City proposes to deposit funds into an escrow account to be disbursed by Wood County, as escrow agent.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshfield, Wisconsin that:

Section 1. Escrow Agreement. For the purpose of paying the Project Costs and for making such expenditures prior to March 25, 2015, the Mayor and City Clerk are hereby authorized and directed to execute an Escrow Agreement in substantially the form attached hereto as Exhibit A, with Wood County, as Escrow Agent. Officers of the City are hereby authorized and directed to establish an Escrow Account with the Escrow Agent by depositing on or before March 25, 2015, funds of the City, in an amount equal to \$400,000 (collectively, the "Funds") in the Escrow Account. The subsequent use and disbursement of the Funds in the Escrow Account by Wood County in the manner provided in the Escrow Agreement is hereby authorized and approved. Any funds remaining in the Escrow Account after termination of the Agreement shall be transferred to the City for use in paying debt service on City obligations which financed TID No. 5 or distribution to the overlying taxing jurisdictions.

Section 2. Approval of Expenditure and Distribution of Funds. By depositing the Funds into the Escrow Account, the City will have expended funds for the payment of the Project Costs. The release and distribution of the funds in the manner provided in the Escrow Agreement is hereby authorized and approved and no further approval by the Common Council or any officer, department or agent of the City shall be required. Wood County shall have the sole discretion to determine, within the parameters established by the Escrow Agreement, whether release and distribution of funds in the Escrow Account is to be made, and neither the Common Council nor any of the City's officers, departments or agents shall have any powers of any form or nature that would affect the release and distribution of the funds. However, all developments and projects within TID No. 5 shall continue to be subject to the City's normal zoning, review and approval procedures and may be the subject of development agreements with the City.

Passed and Approved this 10th day of March, 2015.

---

Title

Attest:

---

Title

EXHIBIT A

Escrow Agreement

(See attached)

BUDGET RESOLUTION NO. 05-2015

A resolution changing the 2015 budget of the City of Marshfield, Wisconsin.

BE IT RESOLVED by the COMMON COUNCIL of the CITY OF MARSHFIELD as follows:

1. That the sum of \$405,000 is hereby transferred from State Trust Fund Loan proceeds, a/c #4304900008.080000 to the TID #5 Mill Creek Business Park Fund Urban Development, a/c #4305662008.080000.
2. That upon the adoption of this resolution by a two-thirds vote of the entire membership of the COMMON COUNCIL, and within ten (10) days thereafter, the CITY CLERK publish notice of this change in the official newspaper.

ADOPTED \_\_\_\_\_  
Mayor

APPROVED \_\_\_\_\_  
Attest – Deputy City Clerk

PUBLISHED \_\_\_\_\_

DETAIL OF BUDGET RESOLUTION NO. 05-2015 BY OBJECT NUMBER

**TRANSFERRED FROM:**

- 1. TID #5 Mill Creek Business Park Fund, a/c #4304900008.080000:
  - a. 49140 – Proceeds of State Trust Fund Loan \$ 405,000

**TRANSFERRED TO:**

- 1. TID #5 Mill Creek Business Park Fund, a/c #4305662008.080000:
  - a. 57260 – Financial Incentives \$ 400,000
  - b. 52100 – Professional Services 5,000

\* \* \* \*