



CITY OF MARSHFIELD
MEETING NOTICE

**COMMON COUNCIL
CITY OF MARSHFIELD, WISCONSIN
TUESDAY, APRIL 28, 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 Mayor 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 Chris Meyer, Mayor
- B. Roll Call
- C. Pledge of Allegiance
- D. Reading of items added to the agenda
- E. Public Comment Period/Correspondence
At this time, the Mayor 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 – April 14, 2015
April 21, 2015 (Organizational Meeting)
- G. Presentation of GFOA's Certificate of Achievement for Excellence in Financial Report. Presented by Steve Barg, City Administrator
- H. Staff updates
 - Status of cell phone ordinance
 - Attachment of property from Town of Cameron
- I. Mayor's Comments
- J. Council Comments
- K. Reports from commissions, boards, and committees

COMMON COUNCIL AGENDA
APRIL 28, 2015

L. Consent Agenda:

- 1) Meeting minutes/reports
 - a. Fairground Commission (February 18, 2015)
 - b. Convention & Visitors Bureau (February 24, 2015)
 - c. Library Board (March 10, 2015)
 - d. Community Center Leasing Committee (March 18, 2015)
 - e. Fairground Commission (March 25, 2015)
 - f. Fairground Commission (April 3, 2015)
 - g. Board of Canvassers (April 7, 2015)
 - h. Fire & Police Commission (April 9, 2015)
 - i. Utility Commission (April 13, 2015)
 1. JO #4708, Maple Avenue Reconstruction, 2nd Ave. to 6th Ave at a cost of \$457,686.60
 - j. Board of Public Works (April 20, 2015)
 1. Approval for early demolition of the current senior center
 2. Approval to solicit bids for construction of the new library
 - k. Judiciary and License Committee (April 21, 2015)
 - l. Finance, Budget, and Personnel Committee (April 21, 2015)
 1. Approve lease with Marshfield Area Pet Shelter for the former airport terminal building
 2. Approve agreement with Pittsville Septic for payment of delinquent holding tank waste fees
 - m. Plan Commission (April 21, 2015)
 1. Resolution No. 2015-23 CUP for Mid-State Technical College to allow expansion of a structure within a property zoned "CD" Campus Development
 2. Resolution No. 2015-24 CUP by Marshfield Area Pet Shelter to allow an "animal Boarding" pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property

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

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

N. Presentation of the fiscal year 2014 Comprehensive Annual Financial Report and Independent Audit Report. Introduction by Keith Strey, Finance Director. Presentation by a representative from Schenck SC

Recommended Action: Receive and place on file

O. Second reading of Ordinance No. 1298 amending Section 9-29 of Marshfield Municipal Code (Processing of Applications) and Section 9-34 (Revocation and Suspension of Licenses; Nonrenewal). Presented by Ed Wagner, Chairperson of the Judiciary and License Committee

Recommended Action: Approve Ordinance No. 1298

P. Second reading of Ordinance No. 1299 amending Section 9-58 of Marshfield Municipal Code (Pawnbrokers, Secondhand Article and Jewelry Dealers). Presented by Rick Gramza, Police Chief

Recommended Action: Approve Ordinance No. 1299

COMMON COUNCIL AGENDA
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- Q. First Reading of Ordinance No. 1300 amending Chapter 18, General Zoning Ordinance, Section 18-36 to allow “animal boarding” as a principal use permitted as a conditional use in the “UMU” Urban Mixed Use Zoning District. Presented by Josh Miller, City Planner

Recommended Action: None at this time unless the rules are suspended; final action will be scheduled for the May 12, 2015 meeting

- R. Request to approve the appointment of Justin Casperson to fill the vacant position of Parks & Recreation Director. Presented by Steve Barg, City Administrator

Recommended Action: Approve the appointment

- S. Request by Marshfield Area Pet Shelter (MAPS) to waive fee for their conditional use permit application. Presented by Steve Barg, City Administrator

Recommended Action: Approve the request

- T. Reading of citizen appointments to various committees, boards, and commissions. Presented by Chris Meyer, Mayor

Recommended Action: Approve the Mayor’s Appointments

- U. Items for future agendas

- V. Adjournment

Posted this day, April 24, 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.

APRIL 14, 2015

Regular meeting of the Common Council was called to order by Mayor Meyer at 7:03 p.m., in the Council Chambers, City Hall Plaza.

PRESENT: Michael Feirer, Alanna Feddick, Chris Jockheck, Gordon H. Earll, Ed Wagner, Char Smith, Gary Cummings, Rebecca Spiros, Tom Buttker and Peter Hendler

ABSENT: None

The flag was saluted and the pledge given.

No items were added to the agenda.

PUBLIC COMMENT PERIOD

None

CC15-059 Motion by Hendler, second by Feirer to approve the minutes of the Common Council meeting of March 24, 2015 regular meeting.

Motion carried

CC15-060 Motion by Cummings, second by Feirer to approve the minutes of the Common Council meeting of March 24, 2015 special meeting.

Motion carried

STAFF UPDATES

None

MAYOR'S COMMENTS

None

COUNCIL COMMENTS

Aldersperson Jockheck announced that there will be another Marshfield Civility Forum on April 15, 2015 at 6:30 p.m. at the UW in the Commons area regarding the UW budget cuts and the possibility of a public authority and what that would mean to students and the community.

REPORTS FROM COMMISSIONS, BOARDS AND COMMITTEES

Harry Borgman representing the Marshfield Utility Commission. The Commission approved a dividend to be paid to the City in the amount of \$267,490. In addition they also approved a PILOT amount of \$1,769,895.

CONSENT AGENDA

CC15-061 Motion by Feirer, second by Spiros to receive and place on file, approving all recommended actions for the items listed on the consent agenda. Meeting Minutes/Reports: Library Board of February 10, 2015; Community Development Authority of February 19, 2015; Cable TV Committee of February 23, 2015; Main Street Marshfield of March 4, 2015; Historic Preservation Committee of March 7, 2015; Community Development Authority Finance Committee of March 17, 2015; Community Development Authority Strategic Planning Committee of March 17, 2015; City Plan Commission of March 17, 2015; Community Center Leasing Committee of March 18, 2015; Economic Development Board of March 25, 2015; Airport Committee of March 26, 2015; Mill Creek Business Park Covenant Committee of March 31, 2015; Committee on Aging of April 2, 2015; Historic Preservation Committee of April 6, 2015; Board of Public Works of April 6, 2015; Judiciary and License Committee of April 7, 2015; Finance, Budget, and Personnel Committee of April 7, 2015; and Judiciary and License Committee of April 14, 2015 as read by the Clerk.

Motion carried

Aldersperson Wagner requested to remove Resolution No. 2015-16 from the Consent Agenda.

CC15-062 Motion by Buttke, second by Feirer to approve Resolution No. 2015-16, Conditional Use Permit allowing exceptions to the minimum required number of parking stalls and to allow a greater than zero-foot setback from the right-of-way line. Ayes - 9; Nay – 1 (Smith)

Motion carried

CC15-063 Motion by Hendler, second by Earll to approve Resolution No. 2015-19, opposing the elimination of the personal property tax.

Motion carried

Before the Council began the discussion on the funding request from UW Marshfield/Wood County for the STEM Project the Mayor turned the Chair over to Council President Earll since he has a conflict of interest because he is an employee of UW Marshfield/Wood County.

CC15-064 Motion by Buttke, second by Spiros to approve Resolution No. 2015-20, supporting city funding for the Science, Technology, Engineering, and Mathematics (STEM) project on the campus of the UW-Marshfield/Wood County.

CC15-065 Motion by Wagner, second by Smith to amend Resolution No. 2015-20 to change #1 to read: In order to bind the City of Marshfield to a commitment of \$1 million toward the construction of a new Science, Technology, Engineering, and Math, hereinafter STEM building, and the renovation of the existing Science building, the fundraising authority representing the Wood County campus must complete their goal of \$6 million not later than September 30, 2016. Ayes – 9; Nay – 1 (Jockheck)

Motion carried

Motion by Jockheck to eliminate items #3 and #4 listed on the Resolution.
Died for lack of a second

Vote on motion **CC15-064 as amended**; Ayes – 10

Motion carried

Mayor Meyer resumed the Chair.

CC15-066 Motion by Earll, second by Cummings to allow the Marshfield History Museum to occupy approximately 2,400 square feet of space in the lower level of the future Community Center.

Aldersperson Buttke called for the question.

Vote on calling the question. Ayes – 9; Nay – 1 (Wagner)

Motion carried

Vote on motion **CC15-066**; Ayes – 8; Nays – 2 (Wagner, Smith)

Motion carried

CC15-067 Motion by Buttke, second by Spiros to approve sending the Marshfield History Museum lease back to the Leasing Committee with the understanding that the Council will consider subsidizing the rent.

Motion carried

CC15-068 Motion by Buttke, second by Earll to allow the Aging & Disability Resource Center (ADRC) to occupy approximately 3,370 square feet of space on the first floor, to authorize the leasing committee to contact ADRC about their expectations for financing build-out improvements, and to direct the leasing committee to review and make recommendations on the lease rate and term.

Nay – 1 (Smith)

Motion carried

CC15-069 Motion by Cummings, second by Feirer to approving relocation of the Parks & Recreation Department to the first floor of the new Community Center, and to direct staff to develop a budget to cover the expected build-out improvements and relocation costs. Nays – 2 (Wagner, Smith)

Motion carried

CC15-070 Motion by Buttke, second by Earll to approve Resolution No. 2015-21, approving Certified Survey Map for the new library site and dedicating additional right-of-way on Maple Avenue.

Ayes - 10

Motion carried

CC15-071 Motion by Hendler, second by Spiros to refer Resolution No. 2015-22 to the Plan Commission, to vacate and discontinue portions of relocated Yellowstone Drive and Galvin Avenue right-of-way.

Motion carried

First reading of Ordinance No. 1298, amending Section 9-29 of Marshfield Municipal Code (Processing of Applications) and Section 9-34 (Revocation and Suspension of Licenses; Nonrenewal).

First reading of Ordinance No. 1299, amending Section 9-58 of Marshfield Municipal Code (Pawnbrokers, Secondhand Article and Jewelry Dealers).

CC15-072 Motion by Hendler, second by Jockheck to authorize the appropriate city officials to be listed as signatories on the letter opposing the repeal of Wisconsin Statutes Chapter 113.48 (2)(f) that allows for the use of the state building trust fund to equip UW college campuses. Ayes

Motion carried

CC15-073 Motion by Cummings, second by Jockheck to authorize signing onto the letter opposing elimination of the federal historic tax credit program.

Motion carried

CC15-074 Motion by Buttke, second by Wagner to approve the 2016-2020 Capital Improvement Program. Ayes – 10

Motion carried

Future Agenda Items

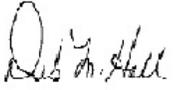
None

There will be a Special Council meeting (Strategic Planning) on Tuesday, April 28, 2015 at 5:30 p.m. in Room 108 of City Hall Plaza.

On April 21st the Organization meeting will be held.

The Mayor thanked Alderperson Smith for representing District 6.

Motion by Smith to adjourn at 8:47 p.m.

A handwritten signature in black ink, appearing to read "Deb M. Hall". The signature is written in a cursive style with a large initial "D".

Deb M. Hall
City Clerk

APRIL 21, 2015

Organizational meeting of the Common Council was called to order by Mayor Meyer at 6:28 p.m., in the Council Chambers, City Hall Plaza.

The flag was saluted and the pledge given.

City Clerk Hall administered the Oath of Office to the following newly elected City Officials:

John Adam Kruse, Municipal Judge
Alanna Feddick, 2nd District Alderperson
Gordon Earll, 4th District Alderperson
Rich Reinart, 6th District Alderperson
Rebecca Spiros, 8th District Alderperson
Peter Hendler, 10th District Alderperson

PRESENT: Michael Feirer, Alanna Feddick, Chris Jockheck, Gordon H. Earll, Ed Wagner, Rich Reinart, Gary Cummings, Rebecca Spiros, Tom Buttke and Pete Hendler

ABSENT: None

CITIZEN COMMENTS

None

CC15-075 Motion by Jockheck, second by Hendler to confirm the Mayor's appointments to the Finance, Budget and Personnel Committee; Board of Public Works; and Judiciary and License Committee.

Motion carried

CC15-076 Motion by Spiros, second by Jockheck to confirm the Mayor's appointment of Alderperson Wagner to the City Plan Commission.

Motion carried

Mayor Meyer read his citizen appointments to various committees, boards and commissions.

CC15-077 Motion by Spiros, second by Wagner to hold over approval of the citizen appointments to various committees, boards, and commissions until the April 28, 2015 meeting.

Motion carried

CC15-078 Motion by Feddick, second by Cummings to confirm the Mayor's appointment of Ed Gerl as Chair of the Zoning Board of Appeals.

Motion carried

Nominations were held for Council President.

Alderperson Buttke nominated Alderperson Cummings

There being no further nominations the Mayor declared the nominations closed.

CC15-079 Motion by Hendler, second by Feirer to approve Alderperson Cummings as Council President.

Motion carried

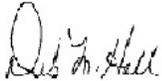
Aldersperson Cummings was elected Council President.

CC15-080 Motion by Jockheck, second by Cummings to confirm the Mayor's appointment of Mike Winch to serve as the Weed Commissioner.

Motion carried

Motion by Jockheck, second by Wagner to adjourn at 6:47 p.m.

Motion carried



Deb M. Hall
City Clerk

Board of Marshfield Fairgrounds Commission

February 18, 2015

1. Meeting called to order by chairman Feirer
2. Commission members present: Buttke, Feirer, Ashbeck, Smith, Winch, Curry
3. Also in attendance: Englehart, Steinbach, Gilbertsen, Fischer, Hamilton, Munger
4. Approval of minutes by Curry seconded by Ashbeck, all ayes
5. Treasurer's report was given by Buttke. Motion to approve by Winch, seconded by Curry all ayes
6. Motion to approve partial payment to Tri-County roofing of \$57,107.25 by Curry seconded by Winch, all ayes
7. Bill was paid to Pat Fellenz for windows \$3,252.00. Motion by Buttke Seconded by Ashbeck, all ayes
8. Park and Recreation report was given by Englehart. Motion by Curry seconded by Smith to approve. All ayes
9. Fair Association was given by Fischer. Motion to approve by Buttke seconded by Ashbeck, all ayes
10. Motion by Buttke to adjourn at 10:25, chairman adjourned the meeting

Marshfield Convention & Visitors Bureau

Board Meeting Minutes – February 24, 2015 at West 14th

Present: Al Chaney, Scott Berg, Todd Diedrich, Scott Koran, Cory Latourell

Absent/Excused: Alderman Gary Cummings

Non-Board Members Present: CVB Director Matt McLean / MACCI Director Scott Larson / Minutes taken by Lyn Anderson

Guests:

The Board met at 11:30 am, but at the request of McLean, Lyn was asked to leave while the board discussed a confidential matter. Mclean proposed a 3% salary increase for Lyn Anderson to start the first pay period in March. Board voted unanimously to approve. **McLean called the regular meeting to order at 11:35 am.**

I. Minutes from January Meeting

MOTION to approve the minutes from the January 27th meeting, as written, was made by Scott B., second by Scott K., and unanimously carried.

II. January Financial Report

McLean explained the different look of the financials this month. Quick Books can now automatically pull information from the previous year, but the information is now separated into two reports. McLean noted that we received the \$18,000 reimbursement check for the JEM Grant for the VOX Una Concerts in December. The bear exhibit expense of \$75,000 is also reflected in this report. In response to a question from Todd D. regarding total assets, liabilities and equity, Scott L. explained the balance sheet reconciliation.

MOTION to approve the January 2015 Financial Report was made by Cory L., second by Scott B., and unanimously carried.

III. February Activity Report

There were no questions or comments regarding the February Activities Report included in the Board packet.

IV. Board Liaison for Pillars of CVB Mission

McLean requested board member volunteers/nominations to spearhead each of the pillars, driving the mission of the CVB. Volunteers responded as follows:

- **Community – Gary C. (nominated “in absentia”)**
- **Sports – Scott B.**
- **Hotels/Motels – Cory L.**
- **New Initiatives – Todd D., Al C. and Scott K.**

V. Una Sessions Wrap-Up

McLean briefly reviewed the Vox Una Concert Series, including attendance and room night reports. Holiday Inn did receive the bulk of overnight stays, as they participated with Vox in offering ticket/room packages online.

VI. CVB Insurance Quotes

McLean presented the quotes he received from three local insurance companies. After questions and discussion, Board members requested that McLean sync all three quotes, for the same coverage and the same dollar amounts of coverage, so they can compare “apples to apples.” McLean will bring the revised quotes to the March meeting.

VII. Grant Program Update

McLean reviewed the 2015 Grant Applications received and listed on the report included in the Board Packet. The number of applicants decreased by half from last year, undoubtedly due to the new guidelines and requirements on our revised grant application. The total amount requested was also half of last year, and McLean asked for board approval to award all of the submitted grant applications, with the exception of one application, for a total amount of \$4,500.

MOTION to approve the Grant Awards recommended by MCVB Staff was made by Al C., second by Cory L., and unanimously carried.

In response to a question from Todd D., McLean explained that the remaining funds in the \$22,000 budget amount for grants would be used for support for other community events throughout the year, as well as “The Next Big Thing,” whereby a new event or attraction could be awarded up to \$5,000 for marketing & start-up.

VIII. CVB Sports Group

Ed Englehart is retiring from Parks & Recreation, so we will have a new representative from P&R in this group. It is the function of the group to increase tournament focused, multi-day events. The more they do that, the more we can help. After discussion, it was suggested we offer \$10,000 to work with this group as an incentive to upgrade our facilities, for instance, Bream Park. McLean will draft a document outlining parameters for what we would fund.

Motion to award up to \$10,000 to the CVB Sports Group, to be expended out of the 2015 budgeted Grant funds, was made by Todd D., second by Al C., and unanimously carried.

IX. March Events

McLean briefly reported two new events for Marshfield in March, Efflorescence, a fashion show event being held at the Hotel Marshfield, and the Midwest Athletic Expo, being held at the Holiday Inn.

X. May Tourism Banquet

McLean discussed the plans for this year's Tourism Banquet in May, being held at West 14th. We will be featuring the Discover Wisconsin episode that will be featuring agriculture, and including Marshfield, so the theme will be a "Hollywood- type Premier/Awards" Show.

XI. Three Year Fiscal Plan

McLean reviewed the CVB 3-Year Plan to spend down to a \$100,000 operating budget by 2017.

XII. Maple Fall Fest

Lyn gave a brief update on the status of this year's Maple Fall Fest. McLean informed the Board that the Central Wisconsin State Fair Committee is coordinating a "Central Wisconsin's Got Talent" competition. It will be area wide, and the winners will be announced at this year's Fair. McLean is working on trying to get the winners to appear at our Maple Fall Fest!

XIII. New Business

In response to questions regarding the bike trails, McLean reported that the City is in the final stages of connecting the entire city. They are also working to connect with the Hewitt trails. Scott L. also reported that Wood County is in the running to host Farm Technology Days.

Motion to adjourn the meeting was made by Scott K., second by Al C., and unanimously carried.

The next meeting, with lunch provided, is scheduled for Tuesday, March 24th, 2015, at 11:30 am.

Meeting adjourned at 1:00 pm.

MARSHFIELD PUBLIC LIBRARY
BOARD MEETING
211 E. Second Avenue, Marshfield, WI 54449
March 10, 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, Pat Saucerman, Don Schnitzler, Jean Swenson, Ruth Voss, Kim Vrana, and Library Director Lori Belongia.

Also present: Amanda Duer

Absent: Kris Keogh, Xin Ruppel

Citizen's comments, correspondence and announcements: A letter from Rheya La Mont letting the Library know how much she enjoyed the library and the library's bean bag chairs. Discussion about possibly switching the board meetings to the 3rd Tuesday of the month.

Changes or additions to the agenda: None.

LB15-13 Minutes of the Library Board Meeting: Motion by Saucerman, second by Vrana to approve and place on file the minutes of the February 10, 2015 Library Board Meeting. All ayes. Motion carried.

LB15-14 Director's Report: Motion by Cummings, second by Hartl to receive and place on file the February 2015 Director's Report. All ayes. Motion carried.

LB15-15 2nd February and 1st March Vendor List: Motion by Schnitzler, second by Ampe to approve Vendor Lists. All ayes. Motion carried.

LB15-16 February 2015 Financial Control Report: Motion by Ampe, second by Voss to receive and place on file the February 2015 Financial Control Report. All ayes. Motion carried.

LB15-17 Business

Marshfield Public Library's 2014 State Annual Report & Statement: Motion by Vrana, second by Ampe to approve the Marshfield Public Library's 2014 State Annual Report & Statement. All ayes. Motion carried.

Subscription Fees for households in Marathon County (not including the Town of McMillan and the portion of the City of Marshfield): Motion by Schnitzler, second by Hartl to approve the subscription fees. All ayes. Motion carried.

Library & Community Center Project: Belongia updated the board on the project. She showed recent architect drawings of the project, and informed the board that over 4.5 million dollars has been raised in pledges and the amount in hand so far.

Saucerman left the meeting at 7:55a.m.

LB15-18

Minutes of other organizations: Motion by Schnitzler, second by Voss, to accept and place on file the minutes of the November 11, 2014 Marshfield Public Library Foundation, January 20, 2015 FOMPL Board, February 4, 2015 Library & Community Center Committee with changes, and the February 26, 2015 SCLS Board of Trustees. All ayes. Motion carried.

Adjournment: Seeing no other business to come before the board, Swenson adjourned the meeting at 7:58 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary Hartl".

Mary Hartl
Secretary

Minutes of the
Marshfield Community Center Leasing Committee
Wednesday, March 18, 2015 10:00 a.m.
Marshfield City Hall, Room 108

Knoeck called the meeting to order at 10:00 a.m.

Attendance: Dan Knoeck, Mike Feirer, Alanna Feddick, Kelly Cassidy and Lori Belongia

Feddick was asked to Chair the committee and she accepted. All were in assent.

There were no public comments and no changes to the agenda.

Knoeck presented an overview of the recommended leasing guidelines and the committee discussed them.

Knoeck moves and Feirer 2nds a motion to approve the guidelines as presented.

The committee discusses the matter of rate differentials based on the desirability of location and type of organization. They also reviewed the current operating costs for the Library (soon to be Community Center). It was determined that recommendations to the Common Council and more specific direction from the Common Council were needed.

Knoeck moves and Feddick seconds a motion recommending to the Common Council that the Marshfield History Museum be allowed approximately 2,400 square feet of space in basement of the Community Center, that the Common Council consider whether or not to subsidize the lease rate and refer setting the lease rate back to this committee for further work. All ayes, motion carried.

Belongia moves and Cassidy seconds a motion recommending that the Aging & Disability Resource Center be allowed approximately 3,370 square feet of space on the 1st floor of the Community Center, that ADRC be contacted about their expectations for financing build out improvements and refer the setting of the lease rate and term back to this committee. All ayes, motion carried.

Feirer moves and Knoeck 2nds a motion recommending to the Common Council that the Parks and Recreation Department be moved to the 1st floor of

the Community Center and that staff be directed to develop a budget for the departmental build out and move. Cassidy abstains, motion carried.

If the Common Council decides to return any of the above matters to the Community Center Leasing Committee, they will meet at 3:30 p.m. on Wednesday, April 15, 2015

Seeing no other business Feddick adjourned the meeting at 10:38 a.m.

Respectfully submitted,

Lori Belongia

Board of Marshfield Fairgrounds Commission

March 25, 2015

Commission members present: Curry, Feirer, Ashbeck, Winch, Smith

Also in attendance: Ben Steinbach, Dick Pokorny, Bob Lewerenz, John Lobner

1. Chairman Feirer called the meeting to order at 9:30 a.m.
2. Motion by Curry, seconded by Bob Ashbeck to remove and replace 660 square feet of additional concrete at a cost of up to \$5,000. All Ayes
Motion carried
3. Next meeting April 3, 2015 at 11:30 a.m. at the fairgrounds Round Barn
4. The meeting was adjourned at 10:45 a.m.

Board of Marshfield Fairgrounds Commission

Friday April 3, 2015 11:30 A.M. Round Barn

1. Meeting was called to order by chairman Feirer at 11:30 at the Fair Office
2. Those in attendance: Buttke, Feirer, Ashbeck, Smith,
3. Absent: Curry, Winch
4. Also in attendance: Steinbach, Lewerenz, Pokorny, Lobner, Kohls, Zeka
5. Motion to approve minutes of March 25 by Ashbeck seconded by Smith, all ayes
6. Motion by Smith seconded by Buttke to approve final payment to Ttri County roofing \$19,035.75, all ayes
7. Discussed drainage issues with the round barn and approve solution, Motion by Buttke seconded by Ashbeck to install drain tile around the building on the inside and hook it up to the sump pits on the outside not to exceed \$8500.00. All ayes
8. Meeting was adjourned at 11:50

**CITY OF MARSHFIELD
BOARD OF CANVASSERS
SPRING ELECTION OF APRIL 7, 2015**

The City of Marshfield Board of Canvassers convened at 8:18 a.m. on Monday, April 13, 2015 in the 7th Floor Conference Room, located in City Hall Plaza. The Board of Canvassers consists of Deb M. Hall, Amy Krogman and Lori Panzer.

The Board of Canvassers convened to process and count late-arriving absentee and provisional ballots and to canvass the results of the municipal offices from the April 7, 2015 Spring Election. 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.

All electronically tabulated documentation and all handwritten tally sheets from every voting district within the City of Marshfield were checked against the tabular statement of votes prepared.

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

OAK AVENUE COMMUNITY CENTER

District 1 (Wards 1 & 11): 150 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 4 (Ward 1 = 3; Ward 11 = 1)

District 2 (Ward 2): 184 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: Ward 2 = 2

District 3 (Wards 3 & 13): 397 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 1 (Ward 3 = 1; Ward 13 = 0)

On Election night the election inspectors in District 3 (Wards 3 & 13) recorded write-in votes as they reviewed the ballots and they should not have recorded any write-in votes according to 2013 WI Act 178. There were no registered write-in candidates and there was at least one ballot candidate for a given office, therefore no votes are recorded for the write-ins.

District 4 (Wards 4 & 14): 317 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 7 (Ward 4 = 6; Ward 14 = 1)

District 10 (Ward 10): 181 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: Ward 10 = 4

On Election night the election inspectors in District 10 (Ward 10) recorded that they had 0 optical scan ballots, but should have recorded that there were 181 optical scan ballots.

Wards 12, 20, 21 & 24 (Marathon County): 94 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 1 (Ward 12 = 1; Wards 20, 21 & 24 = 0)

On Election night the election inspectors in Districts 1, 2 & 10 (Wards 12, 20, 21 & 24) Marathon County recorded write-in votes as they reviewed the ballots and they should not have recorded any write-in votes according to 2013 WI Act 178. There were no registered write-in candidates and there was at least one ballot candidate for a given office, therefore no votes are recorded for the write-ins.

WILDWOOD STATION

District 5 (Ward 5 & 15): 185 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 9 (Ward 5 = 6; Ward 15 = 3)

District 6 (Wards 6 & 16): 263 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 2 (Ward 6 = 2; Ward 16 = 0)

District 7 (Wards 7 & 17): 327 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 2 (Ward 7 = 0; Ward 17 = 2)

SENIOR CENTER

District 8 (Wards 8, 18 & 23): 275 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 2 (Ward 8 = 1; Ward 18 = 1; Ward 23 = 0)

District 9 (Wards 9, 19 & 22): 193 Voters – Poll book & DS200 tape match.

Outstanding provisional ballots: 0

Outstanding absentee ballots: 1 (Ward 9 = 0; Ward 19 = 1; Ward 22 = 0)

On Election night only two election inspectors in District 9 (Wards 9, 18 & 22) signed the write-in tally sheet; therefore the write-in tally sheet was missing one signature.

Provisional Ballots

There were no provisional ballots issued at the Oak Avenue Community Center, Senior Center or Wildwood Station according to the GAB-123r for each location.

Late-Arriving Absentee Ballots

The Clerk's office only received one absentee ballot back after the Election Day.

Ward 5 received one absentee ballot from Kathryn Hastreiter, 1708 South Balboa Avenue.

The Board found the certificate envelope to be sufficient so a voter number was assigned, #186, and the ballot was counted.

The votes were recorded on duplicate tally sheets.

The absentee ballot was secured in a ballot bag. All paperwork was signed by the Board of Canvassers.

New Totals for Wards 5 & 15 (Wildwood Station) after Board of Canvassers:

Justice of the Supreme Court
Ann W. Bradley: 109
James P. Daley: 70
Write-In: 0

Circuit Court Judge, Branch 3
Todd P Wolf: 135
Write-In: 1

Municipal Judge
John Adam Kruse: 145
Write-In: 1

School Board Member
Marlene Stueland: 100
Mark Critelli: 61
Steven Okonek: 49
Tom Buttke: 75
Frances Bohon: 111
Mary Carney: 82
Write-In: 5

Referendum Question 1: "Election of chief justice"
Yes: 90
No: 89

Totals for Wards 1 & 11, 2, 3 & 13, 4 & 14 and 10 – Wood County and Wards 12, 20, 21 & 24 – Marathon County (Oak Avenue Community Center) remain the same as Election night.

Totals for Wards 6 & 16 and 7 & 17 (Wildwood Station) remain the same as Election night.

Totals for Wards 8, 18 & 23 and 9, 19 & 22 (Senior Center) remain the same as Election night.

The Board declared the following as the winning candidates:

Aldersperson

District 2	Alanna J. Feddick
District 4	Gordon H. Earll
District 6	Rich Reinart
District 8	Rebecca Spiros
District 10	Peter O. Hendler

Municipal Judge

John Adam Kruse

Certification statement signed.

The Board adjourned at 9:09 a.m.

Lori A. Panzer, WCMC
Deputy City Clerk

**MINUTES
FIRE AND POLICE COMMISSION/REGULAR MEETING
APRIL 9, 2015**

The meeting was called to order by Commissioner Andy Keogh at 7:31 a.m. in the Marshfield Fire and Rescue Department training room located at 514 East Fourth Street, Marshfield, Wisconsin.

PRESENT: Commissioners Meyers, Mueller, Frankland, Gershman, and Keogh.

ALSO PRESENT: Fire Chief Haight, Deputy Fire Chief Owen, Police Chief Gramza, and Alderman Earll.

FP15-020 Motion by Gershman, second by Mueller to approve the minutes of the 03/05/15 regular meeting.

Motion carried.

FP15-021 Motion by Frankland, second by Gershman to approve the fire department bills in the amount of \$50,740.31.

Roll call: Frankland yes, Gershman yes, Mueller yes, Meyers yes, and Keogh yes.

Motion carried.

FP15-022 Motion by Mueller, second by Frankland to approve the police department bills in the amount of \$12,776.88

Roll call: Frankland yes, Gershman yes, Mueller yes, Meyers yes, and Keogh yes.

Motion carried.

The fire department activities, training reports, and correspondence packet was reviewed and placed on file.

Firefighters successfully completing their probationary period will be formally acknowledged by the commissioners.

The police department activities, training reports, and correspondence packet was reviewed and placed on file.

Briefly reviewed the police department policy check list as developed by Custom Service Information.

Crime reports for first quarter 2015 reviewed.

Discussed police squad decal/design.

Reviewed police department building needs.

Because there was no further business to discuss, the meeting was adjourned at 8:29 a.m.

COMMISSIONER MEYERS IS SCHEDULED TO ATTEND THE APRIL 28, 2015 COMMON COUNCIL MEETING AT 7:00 P.M.



**Marshfield Fire and Police Commission
Nate Mueller, Secretary**

MARSHFIELD UTILITIES, A MUNICIPAL UTILITY
MARSHFIELD UTILITY COMMISSION
April 13, 2015

COMMISSION MEETING MINUTES

A regular meeting of the Marshfield Utility Commission was called to order by President Mike Eberl at 4:00 pm on April 13, 2015 in the downstairs meeting room of the utility office. Present were Commissioners Mike Eberl, John Maggitti, Harry Borgman, Kathy Heintz-Dzikowich, and George Holck. Also present were Alderperson Gordon Earll and Utility staff. Absent was Alderperson Charlotte Smith.

- During citizens' comments, Dorothy Schnitzler addressed the commissioners and Marshfield citizens regarding the AMI meters and she presented documents.

UC/15-33 Motion by Holck, seconded by Borgman, to dispense with reading the minutes of the previous meetings and accept them as submitted. All ayes, motion carried.

UC/15-34 Motion by Maggitti, seconded by Borgman, to approve payroll for March in the amount of \$135,260.95 and general bills for March in the amount of \$3,462,561.68. All ayes, motion carried.

UC/15-35 Motion by Borgman, seconded by Holck, to approve the following job orders:

JO #5708	Maple Avenue reconstruction: 2 nd Ave to 6 th Ave	\$457,686.60
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All ayes, motion carried.

February 2015 Financial Statement Notes

Electric Utility

- Net income was \$207 thousand for the month, with a net income of \$565 thousand year-to-date.
- Net operating income was \$348 thousand for the month. Year-to-date net operating income was \$840 thousand, compared to budgeted net operating income of \$762 thousand.
- After removing the effects of the PCAC timing, the net operating income was \$321 thousand for the month and \$709 thousand year-to-date.
- February consumption was down 3.35% from February 2014, with year-to-date consumption down 1.81%. Year-to-date energy losses were -1.46%, compared to prior year losses of -2.11%.

Water Utility

- Net income was \$56 for the month, with a net income of \$124 year-to-date.
- Net operating income was \$84 thousand for the month, compared to budgeted net operating income of \$69 thousand. Year-to-date net operating income was \$182 thousand, compared to budgeted net operating income of \$117 thousand.
- February consumption was down 7.33% from February 2014, with all classes of customers showing a decrease. Year-to-date consumption was up 0.75%. Year-to-date water losses were 11.41%, compared to prior year losses of 12.52%.

Communication Utility

- Net income was \$19,322 for the month, compared to budgeted net income of \$18,077. Year-to-date net income was \$34,791, compared to budgeted net income of \$31,882.
- The Department Managers reviewed noteworthy projects including:
 - Electric noted that system reliability summary and system load growth information was included with the department report.
 - Water shared that the pumping equipment for well 8 is being inspected, and that the aeration

tower for the water treatment facility is reaching the end of its life.

- Office gave a summary of the Nasonville Dairy settlement and updated on the PSC electric billing audit.
- The Electric, Communications & Gas Manager and Water Superintendent presented information on system data.
- The General Manager presented a revision to the dividend policy.

UC/15-36 Motion by Holck, seconded by Borgman, to approve the revised dividend policy as presented by the General Manager. All ayes. Motion carried.

- The Office Manager presented the first draft of the capital budget
- The General Manager presented the Electrical Engineering Technician wage for approval.

UC/15-37 Motion by Maggitti, seconded by Borgman, to approve the Electrical Engineering Technician wage of \$51,175. All ayes, motion carried.

- Commissioner Eberl presented information on installing a Governance Excellence program. Consensus was to proceed with creating a program using the APPA plan model with modifications.

UC/15-38 Motion by Holck, seconded by Borgman, to go into closed session per Wisconsin State Statutes Section 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the purpose of discussing General Manager performance guidelines and staffing plans.

Closed session per Wisconsin State Statutes 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved for the purpose of discussing DNR Notice of Violation update.

All ayes, motion carried. Closed session at 5:13 p.m.

UC/15-39 Motion by Maggitti, seconded by Borgman, to resume in open session. All ayes, motion carried. Open session resumed at 6:09 p.m.

UC/15-40 Motion by Holck, seconded by Borgman, to adjourn. All ayes, motion carried. Meeting adjourned at 6:10 p.m.



John Maggitti, Secretary

Department: Electric
Manager: Nicolas Kumm
Contributing: Derrek Caflisch
Month: March 2015

- M-1 didn't run during the month of March.
- Electric AMI meters installed: 2,951 out of 13,100 (22.6%). Bruce Ackerman, Al Derge, Cole Eswein, and Dustin Oleson have completed all of the meter change-outs thus far. Ray Burrill has helped with check reads and transfers to allow others to focus on meter change outs.
- New bucket truck 506 arrived on March 5th.
- Dustin attended the MEUW – Meter Workshop on March 9th – 12th in Green Bay. I also attended and presented on Vectors and AMI meter change-out issues.
- Session 6 of the MEUW Job Training and Safety Program was completed on March 18th. The session covered work zone traffic control.
- Dustin and Cole completed the scheduled maintenance on the Bakerville regulators in the main office. They also assisted with the removal and installation back into service.
- Jeff Irish, Randy Ayer, Jeff Holbrook, Dean Bohman, and Ryan Steffen hung the Bakerville regulators March 2nd.
- Tim Habermeyer & Robert Olwell finished their 2nd year linemen apprenticeship school March 2-6.
- Randy Ayer attended a Journeyman Lineman Preparation Course March 6.
- Ryan Steffen & Dean Bohman energized the NE Lift Station March 9.
- Randy Ayer took and passed the Journeyman Lineman Test March 9-13.
- Jeff Irish, Randy Ayer, Jeff Holbrook, Dean Bohman, Tim Habermeyer, Mike Vanderwyst have all the poles set on CTH E from Davis Lane North to Turtle Ridge.
- Ryan Steffen & Robert Olwell have been on services also completing street light maintenance on Veteran's Parkway.

Department: Office
Manager: Kent Mueller
Month: March 2015

- Kent contacted Wood County Energy Assistance personnel to discuss past due customers as they face the end of the winter disconnection moratorium on April 15th. Delinquent electric balances of \$147 thousand are the highest that we have seen at the end of March, and are 11% higher than last year.
- For customers that are disconnected for non-payment, our reconnection times will be changing. We will only reconnect customers between the hours of 7am and 3pm. If customers come in after 3pm, we will reconnect them the following morning. There will be no after hours reconnections, unless there is a medical need for electricity.
- Patti completed work on the 2014 Annual Reports to the PSC for the electric, water and communications utilities. The documents provide a comprehensive database of electric, water, and communications utility operations. Our reports (along with the annual reports of all other regulated utilities in the state) are available for review at the PSC's web site.
- The last payment (\$105,385) of the WRS refunding bond payments has been made to the City. In 2003, the City chose to pay off the Outstanding Pension Liability for the Wisconsin Retirement System by issuing bonds, with the final payment in 2022. In 2010, these bonds were refinanced by the City using a shorter repayment schedule. Marshfield Utilities portion of the bond was 17.26%.
- On November 5th, 2013, Nasonville Dairy lost power due to a problem with the transformer. As a result, they lost almost \$24 thousand worth of cheese. They submitted a claim to us, and our insurance company investigated the claim and determined that we were not negligent or liable for this incident. Nasonville's insurance company filed a suit against us on April 11, 2014. An out of court settlement was reached on February 18th, 2015, for \$2,250.
- The Public Service Commission of Wisconsin concluded their electric billing audit. There were two findings that we need to address: 1. Presentation of the area light charges on the bill. We need to show the individual components of the billing: Customer charge, consumption, and consumption charge. We are already showing the PCAC charge separately. Our software provider has made the changes and all of the components of the area light charges will be shown, starting with our April bills. 2. Two industrial power customers each have two meters that we summarize and bill as one. We need to bill two meter charges and two distribution demand charges – one for each meter. We will also be filing a rider on our CP-3 industrial power rates to authorize us to bill demand on a coincident basis, which is how it has been billed in the past. We will be notifying these two customers about the changes. The PSC will not require us to backbill the customers, as long as we make the necessary changes within 90 days.

- Jane accepted a position as the Administrative Assistant for the electric department, and Val announced her retirement date. Both of these positions were Account Clerks, and will be replaced by one Account Clerk and one Customer Service Representative. As a result of these changes, many of the duties of each employee in the office have been revised. We have been reviewing resumes, and have set up interviews. We will be hiring the Account Clerk as soon as possible and the Customer Service Representative in late April or early May.

Department: Technical Services

Manager: Cathy Lotzer

Contributing: Heather Young, Shawn Marsh, Jim Benson

Month: March 2015

- Cathy prepared and submitted information for our annual Midwest Renewable Energy Tracking System (MRETS) reporting.
- Cathy and Heather reviewed our M1 Draft Operating Permit and provided comments to the DNR permit writer. They also reviewed and made comments on the Preliminary Determination which was issued at the start of the 30 day public comment period.
- Cathy and Heather attended a Wisconsin Utilities Association meeting in Madison where they discussed our recent EPA Determination on emissions reporting.
- On March 16th, Phillip Park started a job internship program with MU through ODC.
- Heather and Cathy attended our quarterly Internal Compliance Committee meeting.
- Heather submitted the 2014 Greenhouse Gas report to EPA via e-GGRT.
- Heather, Shawn, Jim, and Cathy participated in our Website Committee meeting. Shawn made many changes to the website after a Website committee meeting.
- Shawn worked with Jason from Priority Business to virtualize FS1.
- Shawn started working with Priority Business on a large redundant fiber loop project.
- Shawn and Jim have swapped out cameras on the demo stand for Dave and Nick to view.
- Jim has been working on getting pricing for the value of the old bucket truck (506), getting quotes for replacing two utility vehicles, and getting bids for lawn mowing duties.
- Jim has been working with our ODC intern on the cleaning schedule, duties of high priority, and daily necessity.
- Jim continues to work with Heather on Facebook posts on energy conservation practices.

Department: Water
Manager: Dave Wasserburger
Month: March 2015

- Sensus RNI software shows 3844 water meters installed. The installation process is now 46.7% completed.
- The second base station for the AMI project was put into service on March 20th. This base station is located in the water tower at the intersection of St Joseph Avenue and McMillan Street.
- Crews repaired 3 water main breaks in March this year. This compares to 11 main breaks repaired in March of 2014. The total number of main breaks for this year is 30 and compares to a total of 62 at this time last year.
- John Richmond and I met with Nikolay Transport and Kissner Asphalt Paving and Maintenance to discuss road repairs and road patching for the 2015 season. We are attempting to make changes to allow repairs to be made in a more efficient and effective time frame.
- Bids were opened for the Maple Avenue Reconstruction Project. The low bid was approved and awarded to Earth, Inc. The water main installation portion of the project is \$396,783.00. The project is scheduled to start on May 4th.
- John Richmond attended the 2015 North American Show for Trenchless Technology in Denver. This is the largest trenchless technology show in North America. John did a presentation along with Jim Wojcehowicz of the Wauwatosa Water department and Paul Pasko of Short, Elliot and Hendrickson, Inc. Engineering. The presentation was an overview of how Marshfield and Wauwatosa have worked together with Cooperative Agreements allowing us to jointly bid projects thereby allowing us to save engineering fees and reduce unit item costs thru increased volume.
- We are in the process of designing the replacement about 1500 feet of 4" water main on Wildwood Court. This is just an overlay project for the city this year and they are not planning on doing any underground work on the road. This is an area where we have had high numbers of water main breaks and we want to get the water main replaced before the road is resurfaced. We will be using trenchless technology to get the majority of the water main replaced. We plan to pipe burst about 1100 feet and unidirectional boring about 400 feet.
- We have completed the Clearitas study for possible lead and copper reduction. The pilot study revealed that Clearitas is not an effective agent for the reduction of lead and copper in distribution systems. To date the most effective way to lower lead and copper for us has been to aggressively unidirectionally flush the distribution system to a clarity level of less than 1 NTU.

BOARD OF PUBLIC WORKS MINUTES
OF APRIL 20, 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: Mayor Meyer; Alderman Earll; City Administrator Barg; Director of Public Works Knoeck; City Engineer Turchi; Assistant City Engineer Cassidy; Acting Parks & Recreation Director Steinbach; City Planner Miller; Library Director Belongia; Jack Blume – Zimmermann Architectural Studio; Joe Dolezal – The Boson Company; Angie Eloranta – Main Street Marshfield; the media; and others.

PW15-48 Motion by Jockheck, second by Cummings to recommend approval of the minutes of the April 6, 2015 Board of Public Works meeting.

Motion Carried

Citizen Comments - None

City Engineer Turchi presented an Engineering Division construction update. Director of Public Works Knoeck presented a Street Division construction update.

Jack Blume, Zimmermann Architectural Studio and Joe Dolezal, The Boson Company presented the plans for the Everett Roehl Marshfield Public Library.

PW15-49 Motion by Buttke, second by Cummings to recommend approval of the plans for the Everett Roehl Marshfield Public Library and Community Center and authorize advertising for bids.

Motion Carried

PW15-50 Motion by Buttke, second by Jockheck to direct staff to proceed with demolition of the Senior Center and move forward with plans to find a suitable location for a temporary site for the Senior Center from sometime this summer to possibly early 2017.

Motion Carried

City Planner Miller presented Design Concepts for the 2nd Street Green Street Corridor. Jockheck asked what the current parking utilization is. Staff has been doing parking surveys and have not found 100% utilization at any time but demand is quite variable. Wagner stated his original preference is Maple to Central as pedestrian mall or maybe from the alley to Central as a pedestrian mall, but library site is 104 stalls short of parking so he tends to like angle parking option with a one-way street. It may be worthwhile to look at Third Street as a one-way in the opposite direction to get back to Central and could make up for a lot of parking. Mayor Meyer stated the original concept was a pedestrian mall but he realizes the loss of parking makes that impractical. He is concerned that we may be headed toward a plan that doesn't really accomplish what was originally intended, which is that the library be connected in a pedestrian friendly way to the SJ Miller Recreation area. We may have an opportunity to transition from 2nd Street to 3rd Street on the west side of Central Avenue. This might be attractive since we don't know how 2nd Street from Chestnut to Spruce might redevelop in the future. This was an informational item only. Final Board of Public Works approval will be requested at the first meeting in June.

PW15-51 Motion by Wagner, second by Jockheck to recommend that Habitat for Humanity not be required to install sidewalk along 14th Street at Maple Avenue until such time that the foundation for the house at 1205 South Maple Avenue is constructed.

Motion Carried

PW15-52 Motion by Buttker, second by Cummings to recommend approval of the parking limits proposed by WisDOT on North Central Avenue between Doege Street and Edison Street and further recommend that parking be prohibited on both sides of North Central Avenue from Edison Street to Harrison Street, all to be implemented in conjunction with WisDOT's improvement project planned for 2019.

Motion Carried

PW15-53 Motion by Jockheck, second by Cummings to recommend approval of the Temporary Construction Easement to Marathon County at the intersection of CTH E (North Peach Avenue) and Ash Street and authorize appropriate staff to execute the same.

Motion Carried

Recommended items for future agenda:

- Jockheck would like to discuss a notification to residents regarding tree and shrub trimming over the public right-of-way.

Motion by Wagner, second by Cummings that the meeting be adjourned at 6:53 PM.

Motion Carried

Daniel G. Knoeck, Secretary
BOARD OF PUBLIC WORKS

JUDICIARY AND LICENSE COMMITTEE
MINUTES OF APRIL 21, 2015

Meeting called to order by Chairperson Wagner at 4:45 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, City Planner Miller and City Clerk Hall

JLC15-028 Motion by Earll, second by Wagner to approve the minutes of the April 7, 2015 and April 14, 2015 meetings.

Motion carried

CITIZEN COMMENTS

None

JLC15-029 Motion by Feddick, second by Earll to approve by unanimous consent the following:

- a) One (1) Beverage Operator License for the 2015-2017 license year to Robert Willman.
- b) Temporary Class "B" Retailer's License to the Marshfield Curling Club, Inc. for May 29 – 30, 2015.

Motion carried

JLC15-030 Motion by Feddick, second by Earll to deny a Beverage Operator License to Stephanie Dorn based on the failure to list her violations and the alcohol violations which substantially relates to the circumstances of the job.

Motion carried

JLC15-031 Motion by Feddick, second by Earll to approve a Beverage Operator License to Christopher Vandeberg.

Motion carried

Discussion on allowing alcohol within an outdoor sidewalk cafe.

On the Outdoor Sidewalk Café Considerations the committee recommended the following change: Barriers must be clearly marked and may consist of at least one of the following or equivalent: (1) Fence; (2) Rope with posts; or (3) Planters with chalk line.

JLC15-032 Motion by Feddick, second by Earll to recommend proceeding with the Outdoor Café concept and forward to the Board of Public Works for consideration.

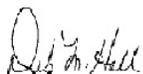
Motion carried

Future Agenda Items

None

Motion by Earll, second by Feddick to adjourn at 5:22 p.m.

Motion carried



Deb M. Hall
City Clerk

FINANCE, BUDGET AND PERSONNEL COMMITTEE
MINUTES OF APRIL 21, 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, Rebecca Spiros, and Peter Hendler

ABSENT: Char Smith

ALSO PRESENT: Alderpersons Cummings, Buttker and Feirer, Mayor Meyer, City Administrator Barg and City Personnel (Keith Strey and Deb Hall)

Citizen Comments

None

FBP15-040 Motion by Earll, second by Spiros to approve the items on the consent agenda:

1. Minutes of the April 7, 2015 meeting
2. Bills in the amount of \$400,233.22
3. Treasurer's Report of March 2015

Motion carried

No items were removed from the consent agenda.

FBP15-041 Motion by Earll, second by Hendler to establish the interest rates at 3.67% (Non-TIF) and 4.23% (TIF) for 2015 special assessments using an installment plan for repayment.

Motion carried

City Administrator Barg gave an update on the implementation of the Staffing Study recommendations. He is currently working on the HR Coordinator/Asst. to the City Administrator position job description and pay classification. Another meeting will be set up with the Staff Team to look at some of the broader restructuring.

FBP15-042 Motion by Spiros, second by Hendler to go into Closed Session pursuant to Wisconsin Statute Chapter 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

(1) Discuss possible lease with Marshfield Area Pet Shelter for use of the former Airport Terminal Building.

(2) Discuss possible settlement agreement for payment of delinquent holding tank waste fees.

Roll call vote, all ayes. (Time: 5:35 p.m.)

Motion carried

Present in closed session: Alderpersons Feddick, Earll, Spiros, Hendler, Feirer, Cummings and Buttker, Mayor Meyer, City Administrator Barg, Finance Director Strey and City Clerk Hall.

FBP15-043 Motion by Earll, second by Spiros to return to open session. Roll call vote, all ayes. (Time: 6:07 p.m.)

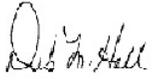
Motion carried

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

FUTURE AGENDA ITEMS

None

Motion by Earll, second by Spiros to adjourn at 6:09 p.m.

A handwritten signature in cursive script, appearing to read "Deb M. Hall".

Deb M. Hall
City Clerk



City of Marshfield Memorandum

DATE: April 24, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Proposed lease with MAPS for use of the former airport terminal building

Background

Marshfield Area Pet Shelter (MAPS) wishes to lease the former airport terminal building as a temporary location for a pet shelter. (On April 21st, the Plan Commission approved a conditional use permit for this use, and this item is also on the agenda for Tuesday night's Council meeting.) The Finance, Budget & Personnel Committee reviewed and gave their conceptual approval to the attached draft lease on April 21st, with the understanding that a few minor issues still need to be addressed prior to Council consideration.

Here is the basic framework of the proposed lease:

- Lease term: 3-year initial term, with up to seven 1-year renewals possible
- Lease rate: \$500/month for the first 3 years, with CPI adjustments after that
- Utilities: Fully paid for by MAPS
- Early "out" If an airport-related use arises, the City would be allowed (and expected by federal & state agencies) to give MAPS a 120-day notice to vacate

The Mayor and I met with MAPS representatives on April 23rd, and we are working with them on minor changes, but I expect to get a revised version to you before Tuesday night, which I'll highlight at the Council meeting.

Recommendation

Staff will be recommending approval of the attached lease, with a few changes soon to be included, subject to approval by the appropriate federal/state authorities (FAA/BOA) and the City's Airport Committee.

LEASE

DATE: April 28, 2015

LANDLORD: City of Marshfield, Wisconsin

TENANT: Marshfield Area Pet Shelter (MAPS)

RENTED PREMISES: Property at 210 West 29th Street (former Airport terminal building)

INITIAL TERM: Commencing May 1, 2015 and ending April 30, 2018

RENEWAL OPTION This lease may be renewed for a maximum of seven (7) additional one (1) year periods upon mutual agreement of both parties, with rental payment amounts to be subject Subsection 2 of this lease agreement. Notice of intent to renew shall be in writing and delivered to Landlord at least sixty (60) days before expiration of the initial term of this lease, or at least sixty (60) days before the expiration of a subsequent one-year extension.

1. **TERM.** The initial term of this lease shall be three (3) years starting on May 1, 2015 and ending on April 30, 2018.
2. **RENT.** Landlord leases unto Tenant, Tenant leases from Landlord, the Rented Premises together with the improvements now thereon for the Term.

The annual rent for each year of the initial term of the lease shall be as follows:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
5/1/2015 – 4/30/2018	\$6,000.00	\$500.00

For each subsequent year in which the lease is renewed, Rent shall be adjusted by a percentage amount equal to the increase in the Consumer Price Index for all Urban Consumers (CPI-U), Midwest Urban Size D - Nonmetropolitan (less than 50,000) as currently published by the United States Department of Labor, Bureau of Labor Statistics for the preceding calendar year.

Monthly payments under this lease shall start on July 1, 2015, and lease payments shall be made on or before the first day of each month during the term of said lease, and any renewals thereof.

3. **QUIET ENJOYMENT.** Tenant shall use the Premises for the purpose of operating a pet shelter as authorized under the terms and conditions of its conditional use permit, approved by the Plan Commission on April 21, 2015, and subsequently by the Common Council on April 28, 2015. The Tenant shall also comply with all of the applicable requirements of the City's Zoning Code and the Airport's campus zoning district, and shall not use, permit or authorize use of the Premises in any unlawful manner, and shall at all times comply with all other applicable governmental regulations.
4. **COVENANTS OF LANDLORD.** Landlord agrees that it shall:
 - a) Furnish air conditioning and heat to provide a temperature and humidity condition required in Tenant's judgment for comfortable occupancy of the Premises.
 - b) Make all structural repairs to the Premises including repairs to ceilings, floors, windows, walls, partitions, and doors. Tenant shall be responsible for repairs to any special treatment of walls, partitions, floors, ceilings, or doors made by or at the request of the

Tenant, glass doors, glass windows, glass walls, and glass partitions, and repairs made necessary as a result of misuse or neglect by Tenant.

- c) Provide water for drinking, lavatory and toilet purposes drawn through fixtures installed by Landlord; and

It is understood that Landlord does not warrant that any of the services referred to above or any other services which Landlord may supply will be free from interruption. Tenant acknowledges that any one or more of such services may be suspended by reason of accident or of repairs, alterations or improvements necessary to be made, or by reason of causes beyond the reasonable control of Landlord. Any such interruption of service shall never be deemed an eviction of Tenant's use and possession of the Premises or any part thereof. In the case of interruption of services or of necessary repairs to leased space and/or adjacent areas, Landlord shall make every effort to make such temporary adjustments as may be required to allow Tenant to operate Tenant's business in a normal manner, with minimal inconveniences.

5. **COVENANTS OF TENANT.** Tenant agrees that it shall:

- a) Observe such reasonable rules and regulations as from time to time may be put in effect by Landlord for the general safety, comfort, and convenience of neighbors, Landlord, occupants and tenants of the building. Failure by Landlord to enforce any rules and regulations against either Tenant or any other tenant in the building shall not constitute a waiver thereof;
- b) Give Landlord, its agents and employees, and any other persons authorized by Landlord, access to the Premises at all reasonable times, without charge or diminution of Rent, to enable them to examine the same and to make such repairs, additions and alterations as Landlord may reasonably deem advisable. Such access shall be coordinated by Landlord so as not to diminish business operations of Tenant. Except as expressly provided otherwise in this lease, there shall be no allowance to Tenant or diminution of Rent and no liability on the part of Landlord by reason of any inconvenience, annoyance arising from the making of any reasonable repairs, alterations, additions or improvements in or to any portion of the building or the Premises or in and to the fixtures, appurtenances and equipment thereof;
- c) Keep the Premises in good order and condition, make all repairs which are not Landlord's obligations pursuant to subsection (b) of Section 4, above, and commit no waste on the Premises;
- d) Carry public liability insurance covering injury or death to persons and damage to property in amounts not less than \$1,000,000.00 with respect to injuries to any one person, and not less than \$2,000,000.00 with respect to injuries or damages suffered in any one accident; to name LANDLORD as an additional insured relative to TENANT's use of the Premises; and to deliver to LANDLORD a certificate of insurance which shall provide that a policy or policies shall not be canceled without at least ten (10) days prior written notice to LANDLORD; and
- e) Not place signs on or in the outside walls, windows, or roof of the building, or on the Premises, except as approved in writing by the Landlord.

6. **INDEMNITY.** Tenant shall defend, indemnify and save Landlord and Landlord's agents harmless from any and all liability, damage, expense, claims, suits, or judgments for injury or damage to persons or property, including property of Tenant, incurred within the Rented Premises arising directly or indirectly from Tenant's use or occupancy of the Rented Premises. Landlord shall

defend, indemnify and save Tenant, Tenant's agents and Tenant's guests harmless for any and all liability, damage, expense, claims, suits, or judgments for injury or damage to persons or property incurred outside the Rented Premises in control of Landlord including but not limited to the Landlord-owned common areas of hallways, walkways, patio or waiting areas, restrooms, elevators, sidewalks, parking lot, or space leased to other tenants and arising out of care, maintenance of negligence of the Landlord.

7. **REMODELING, INSTALLATION AND REMOVAL OF FIXTURES.** Tenant may install removable partitions, counters, racks, shelving and equipment incidental to Tenant's trade, and other fixtures or equipment, all of which may be removed by the Tenant upon expiration of this lease or any renewal thereof; provided, that the Tenant shall leave the Premises in good condition and substantially as they were before such removal, reasonable wear and tear excepted. Any additional remodeling of the Premises in subsequent years of this lease shall be subject to written permission from the Landlord.
8. **UTILITIES.** Tenant shall be responsible for paying all water, sewer, heat and electricity costs incurred by Tenant with respect to its use of the leased Premises. Tenant shall be responsible for all phone, internet, cable TV and data costs.
9. **ASSIGNMENT.** Tenant may not assign this lease, or sublet any portion of the rented Premises, without the prior written consent of the Landlord. Landlord shall not unduly withhold consent on requested sublease agreements as long as all of the lease terms and conditions contained within this document are being upheld and shown to be assigned to sublessee.
10. **DESTRUCTION OF PREMISES.** In the event that at any time during the term of this lease, the leased Premises are damaged, either partially or fully by fire or for another reason, or made such that Tenant's normal business operations cannot be performed for an unreasonable period, thus depriving Tenant of expected income, either party may terminate this lease by giving written notice to the other within fifteen (15) days thereafter. If so terminated, no Rent shall accrue to the Landlord after such partial or total destruction.
11. **CLEANING SERVICES.** Tenant shall be responsible for providing, at the Tenant's own cost, any and all cleaning services for the rented Premises.
12. **TENANT'S DEFAULT.** Anything to the contrary notwithstanding, if Tenant fails to pay Landlord any installment of Rent, or other charges as and when the same are required to be paid hereunder, and such default shall continue for a period of ten (10) days after written notice, or if Tenant shall default in the performance of any of the other terms, covenants, or conditions of the lease, or if Tenant vacates or abandons the rented Premises, and such default or vacation or abandonment shall continue for a period ten (10) days after written notice (except if Tenant shall, within said period of time, commence to remedy such default and diligently take the necessary steps to remedy such default) or if any execution or attachment shall be issued against Tenant or any of Tenant's property whereby the rented Premises shall be taken or occupied or attempted to be taken or occupied by someone other than Tenant, Landlord shall have the right, at Landlord's option, to terminate this lease and the term, as well as the right, title and interest of Tenant hereunder, by giving Tenant fifteen (15) days notice in writing of such intention, and upon the expiration of the time fixed in such latter notice, if Tenant has neither cured such default nor is diligently proceeding to cure such default, this Lease and the term, as well as the right, title and interest of Tenant hereunder, shall wholly cease and expire in the same manner and with the same force and effect as if the date fixed by such latter notice were the expiration of the term; and Tenant shall immediately quit and surrender to Landlord the rented Premises and each and every part thereof, and Landlord may enter into and repossess the rented Premises. Termination by the Landlord of said lease shall not relieve the Tenant of its' obligation

to pay Rent under the terms of this lease, until such time as the Premises are rented to a third party or the lease term expires, or upon mutual written agreement between said parties.

- 13. **NOTICES.** All notices and demands herein required or provided for shall be in writing and shall be served in person or given by United States Registered or Certified Mail, postage prepaid, and if intended for Landlord shall be served on or addressed to Landlord in care of:

City of Marshfield
Building Services Division
630 South Central Avenue, Suite 502
Marshfield, WI 54449-0727

and if intended for Tenant, shall be served on or addressed to Tenant in care of:
(Karen Rau & MAPS contact information here)

Either party may change its address for the purposes of notices at any time or from time to time by giving written notice to the other party as above provided. Any notice or demand hereunder which is given by United States Registered or Certified Mail, shall be deemed to have been given when deposited in the United States Mail enclosed in a Registered or Certified letter with proper postage prepaid, addressed as above provided.

- 14. **AMENDMENT.** This lease contains the entire agreement between the parties, and it shall not be modified in any manner, except through an instrument in writing executed by the parties hereto or their respective successors in interest.

- 15. **SUCCESSORS AND ASSIGNS.** This lease shall be binding upon and shall apply and inure to the benefit of the heirs, successors and assigns of the respective parties.

- 16. **HOLDOVER.** If Tenant holds over and remains in possession of the Premises, or any portion thereof, after expiration or other termination of this lease, whether or not with the consent of the Landlord, such holding over shall be construed as a tenancy from month to month only. Tenancy shall be subject to all terms and provisions of this lease, and shall be at the same monthly rental provided under the terms of this lease.

- 17. **TERMINATION.** In addition to termination of this lease by Landlord for Tenant's failure to make timely rent payments, or noncompliance with any other terms of this lease, the Landlord reserves the right to give a 120-day notice to terminate this lease and remove the Tenant, should another use for the property arise that is substantially-related to the operation of an airport.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

APPROVED AS TO FORM:

CITY OF MARSHFIELD, LANDLORD

Harold Wolfgram, City Attorney

BY: _____
Chris Meyer, Mayor

TENANT (Marshfield Area Pet Shelter)

BY: _____
Karen Rau, President

ATTEST: _____
Deb M. Hall, City Clerk

ATTEST: _____
Keith Strey, Finance Director



City of Marshfield Memorandum

DATE: April 24, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Agreement with Pittsville Septic for payment of delinquent septic charges

Background

Please read the attached memo from Keith Strey outlining the history of an ongoing issue involving delinquent septic and holding tank charges due from Pittsville Septic. The FBP Committee was supportive of a counteroffer as described in Keith's memo, selecting the option that assessed no further interest than has already been applied to their account.

Recommendation

Staff recommends approval of this plan, and authorization to work with the City Attorney and Pittsville Septic to execute an agreement.



City of Marshfield Memorandum

DATE: April 21, 2015
TO: Finance, Budget & Personnel Committee
FROM: Keith Strey, Finance Director
RE: Requested repayment plan from Pittsville Septic for delinquent 2014 sewer invoices

Background

Pittsville Septic is delinquent on septic & holding tank sewer invoices dating back to June of 2014. Wastewater Utility and Finance Department staff were in contact, at least monthly with invoice statements, attempting to collect on the outstanding balance due. As the balance continued to grow to over \$49,000 and no significant payments were received by November 2014, they were banned from waste dumping services at the Wastewater Treatment Plant after discussion with Administrator Barg and the City Attorney with the ban continuing to this point.

Staff continued pursuing the balance due into early 2015 with no results. Administrator Barg and I agreed that in early 2015 it was appropriate to involve the City Attorney in collection efforts by contacting Pittsville Septic for payment in full or face legal action. Pittsville Septic responded to the City Attorney letter asking if they could work out a payment plan. After consulting Administrator Barg and staff, the City Attorney responded that they could submit a proposal for consideration by the Common Council as staff doesn't have the authority to approve these type of proposals.

Attached is the proposal received from Pittsville septic as well as the most recent account statement showing they owe the City of Marshfield \$49,619.24 as of 3/31/2015 with accrued interest as of that date. Upon receipt of this request, staff reviewed and compared it to the payment plan approved for B&D Liquid Waste hauling as a potential template in this case as appropriate. During this staff review, it was noted that Pittsville Septic has vehicles with greater hauling capacity than B&D has, so we'd need to keep that in mind in preparing a recommendation for consideration.

All through this process, I discussed these events with Administrator Barg and we agreed on the steps to take going forward. We discussed the request from Pittsville Septic to determine our recommendation for Finance, Budget & Personnel Committee consideration which is provided below.

Given the history with this company, the large capacity of their vehicles; the carefully structured repayment plan used for B&D developed as a potential template for the future when necessary; the significant balance due and concerns about previous/future performance, staff recommends for committee consideration the following:

- Allow Pittsville Septic to resume service with the City of Marshfield Wastewater utility as long as they meet all agreed upon payments and all other obligations to the City of Marshfield.
- Immediate payment of \$10,000 before the City Attorney begins work on preparing the written agreement for the repayment plan
- Allow for eight payments per the attached amortization schedule starting 5/1/2015 with the final payment due on 12/1/2015. I've provided two options for the payments for your consideration, one with interest over this timeframe and one without. The total difference between the two is \$2,275.76.
- Require a prepaid account balance of \$5,000 that is replenished back to this amount when services provided reduce this balance to \$1,000 (estimated to be equal to two week's estimated septic and holding tank fees).
- Pittsville Septic must deliver the \$10,000 payment and agree verbally with the City Attorney to these terms on or before April 24th before the City Attorney drafts the agreement pending Common Council approval April 28th.

Staff recommends that a written agreement be prepared by the City Attorney and include language that this agreement is not precedent setting and handling of this situation with Pittsville Septic is under the unique circumstances in this particular case. We feel this is important as this was part of the agreement with B&D and the City has one other waste hauler with delinquent invoices for 2014 we are pursuing collection efforts on (less than \$3,000 total at this point). With increased activity for this service due to elevated WI DNR compliance enforcement of septic waste disposal we are experiencing increased activity in this area and a few challenges like this as well. So, whatever we do in this case might have impact in handling future situations with this or other haulers.

Recommendation

Staff recommends that the Finance, Budget & Personnel Committee authorizes appropriate City officials to work with the City Attorney to prepare and execute a written agreement with Pittsville Septic using terms described above.



Concurrence – Steve Barg, City Administrator

April 13, 2015

City of Marshfield
Attorney Harold Wolfgram
114 West Fifth Street
P.O. Box 1178
Marshfield, WI 54449-7178

Dear Attorney Wolfgram,

In responding to your letter dated March 3rd, 2015, I would like to propose a payment plan to pay back the \$49,127.96 that I'm behind with the city.

1. Starting May 1st, I would pay back the \$49,127.96 over 12 payments of \$4,094 due by the 1st of each month. I would also deposit \$2,000 in advance for any future deliveries so that the city would not have to be concerned about any increase in the account.

I apologize for my past due balance. It was caused by many of my customers not paying me. It will take me time to collect these accounts so it would be appreciated if the city allowed my time to payback the accounts.

Sincerely,



Stanley Pelot Jr. for Pittsville Septic, LLC

STATEMENT

City of Marshfield
630 S Central Ave Ste 502
Marshfield WI 54449

(715) 387-3033 Ext. 0000

Date:	3/31/2015
Account:	PITT003

Amount Paid:	
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PITTSVILLE SEPTIC LLC
PITTSVILLE SEPTIC LLC
5665 CEDAR LANE
PITTSVILLE WI 54466

Payment Terms: Net 30
Finance Charge APR: 12.00%

Deposits Received: \$0.00

Please return this portion with your payment

Document No.	Date	Code	Description	Amount	Balance
FCHRG00000000130	2/28/2015	FIN	Feb. 2015 Finance Charge	\$486.42	\$486.42
FCHRG00000000189	3/31/2015	FIN	Mar. 2015 Finance Charge	\$491.28	\$977.70
IVC0000000014217	6/30/2014	SLS	IVC0000000014217	\$5,056.78	\$6,034.48
CRREC00000048994-001	2/13/2015	PMT	Applied: IVC0000000014217	(\$1,039.64)	\$4,994.84
IVC0000000014281	7/17/2014	SLS	IVC0000000014281	\$4,883.56	\$9,878.40
IVC0000000014347	7/31/2014	SLS	IVC0000000014347	\$4,940.71	\$14,819.11
IVC0000000014455	8/22/2014	SLS	IVC0000000014455	\$4,212.03	\$19,031.14
IVC0000000014530	8/28/2014	SLS	IVC0000000014530	\$5,152.32	\$24,183.46
IVC0000000014592	9/17/2014	SLS	IVC0000000014592	\$5,585.61	\$29,769.07
IVC0000000014628	9/22/2014	SLS	IVC0000000014628	\$6,715.55	\$36,484.62
IVC0000000014715	10/30/2014	SLS	IVC0000000014715	\$4,054.21	\$40,538.83
IVC0000000014779	11/21/2014	SLS	IVC0000000014779	\$4,819.68	\$45,358.51
IVC0000000014815	11/21/2014	SLS	IVC0000000014815	\$2,078.95	\$47,437.46
IVC0000000014947	12/16/2014	SLS	IVC0000000014947	\$1,770.15	\$49,207.61
IVC0000000015040	12/22/2014	SLS	IVC0000000015040	\$411.63	\$49,619.24
Amount Due:					\$49,619.24

Current	0-30 Days	31 - 60 Days	61 and Over			
\$491.28	\$0.00	\$486.42	\$48,641.54	\$0.00	\$0.00	\$0.00

Codes: SLS = Sales / Invoices FIN = Finance Charges CR = Credit Memos
 SCH = Scheduled Payments SVC = Service / Repairs RTN = Returns
 DR = Debit Memos WRN = Warranties PMT = Payments

**CITY PLAN COMMISSION
MARSHFIELD, WISCONSIN
MINUTES OF APRIL 21, 2015**

Meeting called to order by Chairman Meyer at 7:00 PM in the Council Chambers of City Hall Plaza.

PRESENT: Mayor Meyer, Ed Wagner, Laura Mazzini, Rich Reinart, John Beck; Bill Penker & Ken Wood

EXCUSED: None

ABSENT: None

ALSO PRESENT: Aldermen Earll, Cummings & Jockheck; City Administrator Barg, Director of Public Works Knoeck; City Planner Miller; Zoning Administrator Schroeder; Michelle Boernke & Roxy Wetterau – UW; the media; and others.

PC15-12 Motion by Wagner, second by Wood to recommend approval of the minutes of the March 17, 2015 City Plan Commission meeting.

Motion Carried

PUBLIC HEARING - Conditional Use Request by Mid-State Technical College, to allow an expansion of a structure within a property zoned “CD” Campus Development to include a boiler room addition along the west side of the building, located at 2600 West 5th Street.

COMMENTS: None

PC15-13 Motion by Wagner, second by Penker to recommend approval of the Conditional Use Request by Mid-State Technical College, to allow an expansion of a structure within a property zoned “CD” Campus Development to include a boiler room addition along the west side of the building, located at 2600 West 5th Street, that the Plan Commission finds the request consistent with the Zoning Code, and contingent upon the following:

1. The addition shall not exceed 447 square feet in area.
2. The exterior of the addition shall match the existing building to which it is being attached.
3. All new exterior lighting must meet the requirements of Section 18-104, exterior lighting requirements.
4. The addition must be completed within one year of approval by the Common Council,
5. The proposed future generator may be administratively approved, provided that the generator is fully screened to the west.

Motion Carried

PUBLIC HEARING - Conditional Use Request by the Marshfield Area Pet Shelter (MAPS), to allow an “Animal Boarding” pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property, located at 210 West 29th Street, zoned “CD” Campus Development District.

COMMENTS: None

PC15-14 Motion by Wood, second by Mazzini to recommend approval of the Conditional Use Request by the Marshfield Area Pet Shelter (MAPS), to allow an “Animal Boarding” pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property, located at 210 West 29th Street, zoned “CD” Campus Development District, contingent upon the following:

1. Use of the exterior run area is limited to 8:00 AM to 7:00 PM.
2. All exterior lighting must be full cut-off, compliant with FAA standards, and must be submitted to the City for review prior to approval.
3. Exterior run areas extending east and west of the terminal building shall be screened to the north.
4. A copy of any required state or county license to operate a pet shelter must be submitted to the City prior to the facility accepting animals.
5. Approval for a temporary Animal Boarding pet shelter facility must be submitted in writing from the Bureau of Aeronautics and Federal Aviation Administration prior to occupancy or signing of a lease agreement.
6. Other than housing shelter animals, animal boarding is not permitted.
7. No other animal care related services may be offered to non-shelter animals.
8. No retail sales are permitted.
9. Outdoor run area must be fenced in.

PC15-15 Motion by Wagner, second by Beck to recommend amending Motion PC15-14 to include allowing the sale of MAPS promotional items for fundraising purposes at the site.

Meyer, Wagner, Mazzini, Reinart, Beck, & Wood voted 'Aye', Penker voted 'No'

Motion Carried

Vote on Motion PC15-14 as amended

Meyer, Wagner, Mazzini, Reinart, Beck, & Wood voted 'Aye', Penker voted 'No'

Motion Carried

PUBLIC HEARING - Conditional Use Request by the Villas at Marshfield, to amend the approved conditional use permit to reduce the landscaping along the north property line, allow for exceptions to remove required landscaping for the parking area, and move the volleyball court approximately 35 feet northwest of the approved location on the original site plan, located at 2313 West 5th Street, zoned "CD" Campus Development District.

COMMENTS:

- Cecilia Hammond, Property Manager, 2313 West 5th Street, they are requesting to remove the islands from the site plan to allow easier access for snow plowing. Putting in the islands can create a blind spot which creates a concern for students. Residents didn't want landscaping there in case of wind causing branches to fall on their vehicles. The one island up in the front will interfere with two handicapped stalls. She did meet with neighbors regarding the proposal to replace evergreen trees with crab apple trees and they were in agreement but suggested adding a few columnar arborvitaes.

Knoeck questioned what their plan was for connecting the bottom of the east fire escape to a sidewalk or parking lot. Ms. Hammond responded that they are proposing a 36" wide paving stone walking surface to front entrance to be completed by June 1, 2015.

PC15-16 Motion by Penker, second by Beck to recommend approval to allow moving the volleyball court approximately 35 feet northwest of the approved location on the original site plan, located at 2313 West 5th Street, zoned "CD" Campus Development District.

Meyer, Mazzini, Reinart, Beck, Penker & Wood voted 'Aye', Wagner voted 'No'

Motion Carried

PC15-17 Motion by Wood, second by Mazzini to recommend denying the Conditional Use Request by the Villas at Marshfield, to amend the approved conditional use permit to reduce the landscaping along the north property line and allow for exceptions to remove required landscaping for the parking area, located at 2313 West 5th Street, zoned “CD” Campus Development District.

Motion Carried

PUBLIC HEARING - Municipal Code Amendment Request by Jesse Kilty, to amend Chapter 18, General Zoning Ordinance, Section 18-36 to allow “animal boarding” as a principal use permitted as a conditional use in the ‘UMU’ Urban Mixed Use Zoning District.

COMMENTS:

- Jesse Kilty, 1806 Stark Street, Wausau, WI feels that zoning code should be amended to allow animal boarding. This is not a chain link fence with a bunch of dogs running around. This use is more of a doggie day care type facility so proposals should be looked at case by case and not just generalized. In a doggie daycare setting, the dogs only spend 20 to 30 minutes outside 2 times a day which would address the noise pollution issue.
- Rich Chronquist, First Weber Real Estate, stated that when he was first approached by Jesse Kilty with this idea, he thought it was crazy but after more explanation, there is a lot next door, 44 feet by 170 feet, part is blacktop, part is grass. The fencing around the lot would be privacy fencing so the dogs couldn’t see out. The dogs are kept inside most of the time. The building lends itself to this with good parking, good access and is in a partial commercial area. There would be somebody living upstairs in the apartment so he feels the noise would be minimal.

PC15-18 Motion by Wagner, to recommend denying the Municipal Code Amendment Request by Jesse Kilty, to amend Chapter 18, General Zoning Ordinance, Section 18-36 to allow “animal boarding” as a principal use permitted as a conditional use in the ‘UMU’ Urban Mixed Use Zoning District.

Motion Fails for Lack of Second

PC15-19 Motion by Wood, second by Reinart to recommend approval of the Municipal Code Amendment Request by Jesse Kilty, to amend Chapter 18, General Zoning Ordinance, Section 18-36 to allow “animal boarding” as a principal use permitted as a conditional use in the ‘UMU’ Urban Mixed Use Zoning District.

Meyer, Reinart, Beck & Wood voted ‘Aye’

Wagner & Penker voted ‘No’

Mazzini ‘Abstained’

Motion Carried

PC15-20 Motion by Penker, to table (postpone) the Alternative Sign Permit Request by Pathos Properties to allow a second freestanding sign, to exceed the maximum sign allowance for an individual multi-tenant sign and to exceed the maximum sign allowance for the overall property based upon frontage, located at 1613-1637 North Central Avenue (Festival Foods property), zoned “CMU” Community Mixed Use District, pending safety review by Police Department.

Motion Fails for Lack of Second

PC15-21 Motion by Wood, second by Beck to recommend approval of the Alternative Sign Permit Request by Pathos Properties to allow a second freestanding sign, to exceed the maximum sign allowance for an individual multi-tenant sign and to exceed the maximum sign allowance for the overall property based upon frontage, located at 1613-1637 North Central Avenue (Festival Foods property), zoned “CMU” Community Mixed Use District, subject to the following conditions/exceptions:

1. The existing pylon sign shall be permitted as presented:
 - a. All signage below the Office Max sign shall be removed from the sign by July 1, 2015
 - b. Any face changes to the existing sign for either Festival Foods or Office Max may be approved administratively.
 - c. Any modification to the existing sign for a tenant other than Festival Foods or Office Max will be reviewed by the Plan Commission.
 - d. No temporary signage of any kind shall be permitted to be attached to the existing freestanding sign.
2. A second freestanding sign shall be permitted as presented:
 - a. Shall have a minimum 5 feet setback from the property line and the adjacent property to the south.
 - b. Shall be placed at least 100 feet south of the existing pylon sign.
 - c. Shall be allowed up to 188 square feet of total sign areas.
 - d. A three foot landscaped area shall be planted around the base of the new sign, within one year of installation.
 - e. Shall be installed by July 1, 2015.

Meyer, Wagner, Mazzini, Reinart, Beck & Wood voted ‘Aye’

Penker voted ‘No’

Motion Carried

City Planner Miller reviewed the Town of Cameron Cooperative Boundary Plan Attachment/Detachment process in the City Growth Area Excluding the No Contest Area.

City Planner Miller reviewed the 2nd Street Green Street Corridor Design Concepts.

Staff Updates: None

There being no objections, Chairman Meyer adjourned the meeting at 8:43 PM.

Daniel G. Knoeck, Secretary
CITY PLAN COMMISSION



City of Marshfield Memorandum

TO: Mayor Meyer & Common Council
FROM: Josh Miller, City Planner
DATE: April 28, 2015

RE: Resolutions 2015-23 and 2015-24 – April Conditional Use Permits.

Background

On April 21st, the Plan Commission recommended approval of two Conditional Use Permit requests. The first request is to allow a small addition to the south façade of the Mid-State Technical College building for a new boiler room. The second request is to allow a pet shelter animal boarding facility in the old airport terminal building.

Analysis

Resolution 2015-23

- Conditional Use Request by Mid State Technical College to allow an expansion of a structure within a property zoned “CD” Campus Development district to include a boiler room addition along the west side of the building, for the property located at 2600 West 5th Street.

A public hearing was held on Tuesday, April 21, 2015 where no public comments were made.

The Plan Commission recommended the following action:

APPROVE a Conditional Use Request by Mid State Technical College to allow an expansion of a structure within a property zoned “CD” Campus Development district to include a boiler room addition along the west side of the building, for the property located at 2600 West 5th Street with the following conditions:

1. The addition shall not exceed 447 square feet in area.
2. The exterior of the addition shall match the existing building to which it is being attached.
3. All new exterior lighting must meet the requirements of Section 18-104,

- exterior lighting requirements.
4. The addition must be completed within one year of approval by the Common Council.
 5. The proposed future generator may be administratively approved, provided that the generator is fully screened to the west.

The Clerk will submit the resolutions to the appropriate Register of Deeds upon approval by the Common Council.

Resolution 2015-24

- Conditional Use Request by the Marshfield Area Pet Shelter (MAPS), to allow an “Animal Boarding” pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property, located at 210 West 29th Street, zoned “CD” Campus District.

A public hearing was held on Tuesday, April 21, 2015 where no public comments were made.

Staff provided the following recommendation to the Plan Commission:

APPROVE a Conditional Use Request by the Marshfield Area Pet Shelter (MAPS), to allow an “Animal Boarding” pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property, located at 210 West 29th Street, zoned “CD” Campus District with the following conditions:

1. Use of the exterior run area is limited to 8 am – 7 pm.
2. The exterior run area must be enclosed with a fence.
3. All exterior lighting must be full cut-off, compliant with the FAA standards, and must be submitted to the City for review prior to approval.
4. Exterior run areas extending east and west of the terminal building shall be screened to the north.
5. A copy of any required state or county license to operate a pet shelter must be submitted to the City prior to the facility accepting animals.
6. Approval for a temporary Animal Boarding pet shelter facility must be submitted in writing from the Bureau of Aeronautics and Federal Aviation Administration prior to occupancy or signing of a lease agreement.
7. Other than housing shelter animals, animal boarding is not permitted.
8. No other animal care related services may be offered to non-shelter animals.
9. Other than the Marshfield Area Pet Shelter (MAPS) promotional items, no other retail sales are permitted.

The Clerk will submit the resolutions to the appropriate Register of Deeds upon

approval by the Common Council.

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

Approve Resolution 2015-23 and Resolution 2015-24

Attachments

1. Resolution 2015-23
2. Resolution 2015-24

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

RESOLUTION NO. 2015-23

Document Number

Document Title

A Resolution approving a Conditional Use request by Mid-State Technical College to allow an expansion of a structure within a property zoned "CD" Campus Development District to include a boiler room addition along the west side of the building, for the property located at 2600 West 5th Street, City of Marshfield, Wood County, Wisconsin.

WHEREAS, it is determined by the Plan Commission that the proposed conditional use and amendment meets the criteria listed in Section 18-161(6)(c) of the Marshfield Municipal Code; and

WHEREAS, the City Clerk, having published a Notice of Public Hearing regarding such conditional use application, pursuant thereto, a public hearing having been held on the 21st day of April, 2015 at 7:00 pm, and the Plan Commission having heard all interested parties or their agents and attorneys; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshfield, Wisconsin, do ordain as follows:

SECTION 1. That since the Common Council finds it in the public interest to allow the proposed conditional use permit, described in Section 2, on the following described property, subject to the conditions listed below:

All of Lot 1 of Wood County Certified Survey Map No. 8573 recorded in Volume 29 of CSMs on Page 173, being part of the SE ¼ of the NW ¼ of Section 12, Township 25 North, Range 3 East, City of Marshfield, Wood County, Wisconsin.

SECTION 2. The above described property, is allowed to construct a boiler room addition with a new loading dock area and a future generator, zoned "CD" Campus Development, located at 2600 West 5th Street.

SECTION 3. The conditional use permit is subject to the following conditions:

- The addition shall not exceed 447 square feet in area.
- The exterior of the addition shall match the existing building to which it is being attached.
- All new exterior lighting must meet the requirements of Section 18-104, exterior lighting requirements.
- The addition must be completed within one year of approval by the Common Council.
- The proposed future generator may be administratively approved, provided that the generator is fully screened to the west.

SECTION 4. The City Clerk is hereby directed to record a certified copy of this Resolution as the Conditional Use Permit in the office of the Register of Deeds of Wood County, Wisconsin, upon approval by the Common Council.

NOTE: This action is recommended by the City Plan Commission.

ADOPTED _____

CHRIS L. MEYER, Mayor

ATTEST:

APPROVED _____

DEB M. HALL, City Clerk

Drafted by: City of Marshfield, Samuel Schroeder
Planning and Economic Development Department
630 South Central Avenue
6th Floor, Suite 602
Marshfield, WI 54449-0727

STATE OF WISCONSIN COUNTY OF _____

Personally came before me, this _____ day of _____, 20 ____ the above named **CHRIS L. MEYER & DEB M. HALL** to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wood County, Wisconsin
My Commission Expires: _____

Recording Area

Name and Return Address

City of Marshfield
Attn: City Clerk
P. O. Box 727
Marshfield, WI 54449-0727

33-04340A

Parcel Identification Number (PIN)

RESOLUTION NO. 2015-24
Document Title

Document Number

A Resolution approving a Conditional Use request by the Marshfield Area Pet Shelter (MAPS) to allow an "Animal Boarding" pet shelter facility, including an outdoor run area, on the Marshfield Municipal Airport property, located at 210 West 29th Street, zoned "CD" Campus District, City of Marshfield, Wood County, Wisconsin.

WHEREAS, it is determined by the Plan Commission that the proposed conditional use and amendment meets the criteria listed in Section 18-161(6)(c) of the Marshfield Municipal Code; and

WHEREAS, the City Clerk, having published a Notice of Public Hearing regarding such conditional use application, pursuant thereto, a public hearing having been held on the 21st day of April, 2015 at 7:00 pm, and the Plan Commission having heard all interested parties or their agents and attorneys; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshfield, Wisconsin, do ordain as follows:

SECTION 1. That since the Common Council finds it in the public interest to allow the proposed conditional use permit, described in Section 2, on the following described property, subject to the conditions listed below:

All of the NE ¼ of the NE ¼, excluding part included in Wood County CSM No. 2087 and all dedicated road rights-of-way, of Section 19, Township 25 North, Range 3 East, City of Marshfield, Wood County, Wisconsin.

SECTION 2. The above described property, is allowed to have an "animal boarding" pet shelter facility, zoned "CD" Campus Development, located at 210 West 29th Street.

SECTION 3. The conditional use permit is subject to the following conditions:

- Use of the exterior run area is limited to 8 am – 7 pm.
- All exterior lighting must be full cut-off, compliant with the FAA standards, and must be submitted to the City for review prior to approval.
- Exterior run areas extending east and west of the terminal building shall be screened to the north.
- A copy of any required state or county license to operate a pet shelter must be submitted to the City prior to the facility accepting animals.
- Approval for a temporary Animal Boarding pet shelter facility must be submitted in writing from the Bureau of Aeronautics and Federal Aviation Administration prior to occupancy or signing of a lease agreement.
- Other than housing shelter animals, animal boarding is not permitted.
- No other animal care related services may be offered to non-shelter animals.
- No retail sales are permitted, except for the sale of MAPS promotional items for fundraising purposes at the site.
- Outdoor run area must be fenced in.

SECTION 4. The City Clerk is hereby directed to record a certified copy of this Resolution as the Conditional Use Permit in the office of the Register of Deeds of Wood County, Wisconsin, upon approval by the Common Council and receiving written approval for the use by the Bureau of Aeronautics and Federal Aviation Administration.

NOTE: This action is recommended by the City Plan Commission.

ADOPTED _____

CHRIS L. MEYER, Mayor

ATTEST:

APPROVED _____

DEB M. HALL, City Clerk

Drafted by: City of Marshfield, Josh Miller
Planning and Economic Development Department
630 South Central Avenue
6th Floor, Suite 602
Marshfield, WI 54449-0727

STATE OF WISCONSIN COUNTY OF _____

Personally came before me, this _____ day of _____, 20 ____ the above named **CHRIS L. MEYER & DEB M. HALL** to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Recording Area
Name and Return Address
City of Marshfield
Attn: City Clerk
P. O. Box 727
Marshfield, WI 54449-0727

33-03565 & 33-03565A

Parcel Identification Number (PIN)

Notary Public, Wood County, Wisconsin
My Commission Expires: _____

ORDINANCE NO. 1298

An Ordinance amending Chapter 9 of the City of Marshfield Municipal Code.

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

SECTION 1.: Section 9-29(5)(a) of the Marshfield Municipal Code is hereby amended to read as follows:

“Subject to ss. 111.321, 111.322, 111.335 and 125.12(1)(b) of the Wisconsin Statutes, generally requiring that offenses considered must substantially relate to the licensed activity, the applicant has habitually been a law offender.”

SECTION 2. Section 9-29(5)(c) of the Marshfield Municipal Code is hereby amended to read as follows:

“No violation of section 125.07(1)(a), Wis. Stats. or any local ordinance strictly conforming thereto may be considered for purposes of this section unless the applicant committed another violation within one year preceding the violation. However, if the applicant committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered for purposes of determining whether the applicant has been a habitual law offender.”

SECTION 3. Section 9-34(3) of the Marshfield Municipal Code is hereby amended to read as follows:

“Criteria for license revocation, nonrenewal or suspension. Any retail license holder, within two consecutive license terms, equals or exceeds a total of 100 demerit points for the below described conduct committed by the licensee, or employee or agent thereof, whether or not charged and/or convicted, shall have their license subject to revocation, nonrenewal or suspension, within the discretion of the council:

- (a) Five demerit points for the first violation of each of the following within two consecutive license years:
1. Violation of chapter 125 Wis. Stats. and/or this article governing hours of permitted operation.
 2. Violation of chapter 125 Wis. Stats., and/or this article with respect to the required posting and display of the license.
 3. Violation of chapter 125 Wis. Stats. and/or this article with respect to the quantity of liquor permitted to be sold.

(b) Twenty-five demerit points, except as provided in subsections (3)(a) and (3)(c) of this sections:

1. Violation of chapter 125 Wis. Stats.
2. Violation of this article.
3. Filing of an untrue, incorrect and/or incomplete application in violation of section 9-26.
4. Violation of a state or federal misdemeanor criminal gambling law or knowingly permitting any such violation.
5. Violation of a state or federal misdemeanor criminal law or city ordinance prohibiting the use of marijuana or possession thereof with or without intent to sell or knowingly permitting any person to commit such violation.
6. A conviction for a criminal violation of § 346.63 Wis. Stats. relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, or with a blood alcohol concentration greater than or equal to 0.10 percent.

(c) For violations of section 9-32(2), and state statutes related to service of minors and minors on business premises, demerit points shall be assessed as follows:

1. Twenty-five demerit points for the first offense.
2. Fifty demerit points for the second and subsequent offenses.
3. No violation of Section 125.07(1)(a) Wis. Stats. or any local ordinances strictly conforming thereto may be considered for purposes of this section unless the licensee committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered for purposes of considering point accumulation during two consecutive license terms.
4. Demerit points for violation of section 9-32(2) and state statutes related to service of minors and minors on business premises may be reduced by ten demerit points, upon evidence of adequate good faith measures intended to prevent such violations. The defenses to such violation provided at § 125.07(6) Wis. Stats. shall apply to alleged violations under this section.

5. Violations of section 9-32(2) and state statutes related to service of minors and minors on licensed premises arising from a single or a closely related incident shall not be charged as multiple violations. It is intended by this subsection that violations by two or more persons in the same party or group, or two or more violations at the same time and place by one individual shall be considered a single incident, but multiple violations by unconnected individuals at the same time and place may be considered as separate violations.
6. Uncorroborated testimony by a minor accused of a violation of the provisions of section 9-45 of this section, or the equivalent state statutes, shall not be deemed sufficient evidence of a violation of section 9-32(2) or 9-33(4)

(d) Fifty demerit points shall be given for the following:

1. Obstruction of any law enforcement officer or knowingly permitting any person to engage in such conduct.
2. Violation of an order of the council.
3. Failing to appear before the committee or council when ordered to do so upon personal service of such notice at least 3 days prior to the scheduled appearance.

(e) One hundred demerit points shall be given for the following:

1. Violation of any state or federal criminal law prohibiting the sale, trafficking in or possessing with intent to sell of marijuana or any controlled substance, or knowingly permitting any person to commit such violation.
2. A conviction for a violation of state or federal criminal which is a felony if the circumstances of the charge substantially relate to the circumstances of the licensed activity.

(f) Discretionary demerit points. Nonscheduled offenses shall be the subject of such number of demerit points as designated by the council, within its discretion.

(g) Regardless of point accumulation under this Chapter, a license revocation, nonrenewal or suspension may be exercised for any reason authorized under Chapter 125 of the Wisconsin Statutes or this Chapter.

(h) The Judiciary, License and Cemetery Committee shall have the discretion to reduce demerit points assessed for a specific violation at a hearing under 9-34(9), including but not limited to undercover compliance checks.

- (i) Any violation considered for purposes of this section shall be subject to ss. 111.321, 111.322, 111.335 and 125.12(1)(b) of the Wisconsin Statutes, generally requiring that offenses considered must substantially relate to the licensed activity, the applicant has habitually been a law offender.
- (j) A violation of Chapter 125 of the Wisconsin Statutes or any violation which would have resulted in demerit points under Chapter 9 of the Marshfield Municipal Code may be presumed to be substantially related to the activities licensed under this Chapter.

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. Effective Date. 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 Meyer, Mayor

APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk

Sec. 9-29. Processing of application

Procedures for processing the application are as follows:

- (1) A license application shall be denied for operation on any premises, or with any equipment, for which taxes, assessments, forfeitures or other financial claims of the city are delinquent and unpaid unless an exception to such requirement is granted upon hearing pursuant to Section 9-02 (16)(c).
- (2) No license shall be issued unless the premises conforms to the sanitary, safety and health requirements of the state building code, and the state board of health. The premises must be properly lighted and ventilated, must be equipped with separate sanitary toilet and lavatory facilities equipped with running water for each gender and must conform to all ordinances of the city.
- (3) The committee shall review the application, the reports of the departments, and all other information before it, and make a recommendation to the council.
- (4) In determining whether a new class "A," "class A," class "B," or "class B" license or combination thereof should be granted, the committee and the council shall consider the following factors giving to each whatever weight is appropriate in the particular factual circumstances, subject to mandatory provisions of state law:
 - (a) Arrest and conviction record of the applicant, subject to the limitations imposed by §§111.322, 111.322 and 111.335 Wis. Stats.;
 - (b) The financial responsibility of the applicant;
 - (c) Whether the location and the premises where the licensed business is to be conducted are appropriate, considering neighboring uses.
- (5) In regard to new license applications, an application may be denied based upon the applicant's arrest and conviction record if:
 - (a) Subject to ss. 111.321, ~~111.332~~ 111.322, 111.335 and 125.12(1)(b) of the Wisconsin Statutes, generally requiring that offenses considered must substantially relate to the licensed activity, the applicant has habitually been a law offender.
 - (b) A violation of Chapter 125 of the Wisconsin Statutes or any violation which would have resulted in demerit points under Chapter 9 of the Marshfield Municipal Code may be presumed to be substantially related to the activities licensed under this Chapter.

- (c) No violation of section 125.07(1)(a), Wis. Stats. or any local ordinance strictly conforming thereto may be considered for purposes of this section ~~No violation may be considered for purposes of this section~~ unless the applicant committed another violation within one year preceding the violation. However, if the applicant committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered for purposes of determining whether the applicant has been a habitual law offender.
- (d) If the applicant has accumulated offenses which would have resulted in 50 or more demerit points under this Chapter, it shall be presumed that the applicant has been a habitual law offender.
- (6) License review upon renewal application. Any license which is the subject of renewal shall, prior to license expiration, be reviewed in accordance with the procedure for license investigation contained in subsection (2) of this section, and in accordance with such additional procedures as the committee may require.
- (7) Opportunity to be heard shall be given by the council to any person for or against the granting of any license. Upon the approval of the applicant by the council, the city clerk shall issue the applicant a license, upon payment by the applicant of the license fee and required costs to the city.
- (8) If the council denies the license, the applicant shall be notified in writing, by registered mail or personal service, of the reasons for the denial. The notice shall also inform the applicant of the opportunity to appear before the council and to provide evidence as to why the denial should be reversed. In addition, the notice shall inform the applicant that the reconsideration of the application shall be held in closed session, pursuant to § 19.85(1)(b) Wis. Stats., unless the applicant requests such reconsideration be held in open session and the council consents to the request. Such written notice shall be mailed or served upon the applicant at least ten days prior to the council meeting at which the application is to be reconsidered.
- (9) No application for any license which shall have been denied by the council for any reason shall again be considered by the council for a period of one year from the date of such denial.
- (10) Numbering of license. All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee.
- (11) The City Clerk shall provide all new and renewed licenses with a copy of Section 9-34 of the Marshfield Municipal Code pertaining to the demerit point assessment and disciplinary procedure.

Sec. 9-34. Revocation and suspension of licenses; nonrenewal.

Policy and procedure for disciplinary actions relative to all retail intoxicating liquor and/or fermented malt beverage licenses, operator's licenses, agents, and other licenses and permits authorized in section 9-24 shall be as follows:

- (1) License investigations. The following may initiate requests for investigations before the committee which may result in orders, suspensions, nonrenewals, delay in license issuance or revocation:
 - (a) The mayor;
 - (b) The council;
 - (c) The committee;
 - (d) The State of Wisconsin;
 - (e) An alderman;
 - (f) The police chief;
 - (g) The fire chief;
 - (h) The building services supervisor;
 - (i) The city attorney;
 - (j) Any city resident, by written complaint pursuant to § 125.12 Wis. Stats.

- (2) Requests for investigations. Requests for investigations shall be in writing, to the city clerk and shall contain a brief statement of the alleged misconduct. The request shall be forwarded by the requesting party to the city clerk who shall place such request on the council agenda for referral to the committee or directly on the committee agenda with the permission of the committee chairperson. The city clerk or the committee secretary shall issue a summons requiring the licensee to attend the committee meeting at which the matter will be received. Documents which form a basis for a request for an investigation shall be available for the inspection of the licensee.
 - (a) The committee shall comply with the procedural requirements of § 125.12 Wis. Stats. and may reconsider any evidence or argument presented or made before it, whether or not obtained in or related to the written request for an investigation.

(b) The committee, upon requesting and receiving a recommendation from the city attorney's office, shall recommend to the council:

1. That no action be taken;
2. That the license be suspended, not renewed or revoked following statutory notice and opportunity to be heard, where the criteria for such action in subsection (4) of this section is met;
3. That an order be issued and served upon the licensee requiring that certain action be taken as a condition of maintaining such license and providing notice that revocation may be the penalty for failure to strictly comply with the letter and spirit thereof; or
4. That where the licensee leases or holds the licensed premises under a land contract, the license be transferred to the owner of the licensed premises in accordance with section 9-30(4).

(c) The committee shall have the obligation of notifying the licensee of any further proceedings before the council.

(d) The council may affirm, deny or modify any recommendations of the committee.

(3) Criteria for license revocation, nonrenewal or suspension. Any retail licensee who, within two consecutive license terms, equals or exceeds a total of 100 demerit points for the below described conduct committed by the licensee, or employee or agent thereof, whether or not charged and/or convicted, shall have their license subject to revocation, nonrenewal or suspension, within the discretion of the council:

(a) Five demerit points for the first violation of each of the following within two consecutive license years:

1. Violation of chapter 125 Wis. Stats. and/or this article governing hours of permitted operation.
2. Violation of chapter 125 Wis. Stats., and/or this article with respect to the required posting and display of the license.
3. Violation of chapter 125 Wis. Stats. and/or this article with respect to the quantity of liquor permitted to be sold.

(b) Twenty-five demerit points, except as provided in subsections (3)(a) and (3)(c) of this sections:

1. Violation of chapter 125 Wis. Stats.
2. Violation of this article.
3. Filing of an untrue, incorrect and/or incomplete application in violation of section 9-26.
4. Violation of a state or federal misdemeanor criminal gambling law or knowingly permitting any such violation.
5. Violation of a state or federal misdemeanor criminal law or city ordinance prohibiting the use of marijuana or possession thereof with or without intent to sell or knowingly permitting any person to commit such violation.
6. A conviction for a criminal violation of § 346.63 Wis. Stats. relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, or with a blood alcohol concentration greater than or equal to 0.10 percent.

(c) For violations of section 9-32(2), and state statutes related to service of minors and minors on business premises, demerit points shall be assessed as follows:

1. Twenty-five demerit points for the first offense.
2. Fifty demerit points for the second and subsequent offenses.

~~3. Demerit points for violation of section 9-32(2) and state statutes related to service of minors and minors on business premises may be reduced by ten demerit points, upon evidence of adequate good faith measures intended to prevent such violations. The defenses to such violation provided at § 125.07(6) Wis. Stats. shall apply to alleged violations under this section.~~

~~3. No violation of Section 125.07(1)(a) Wis. Stats. or any local ordinances strictly conforming thereto may be considered for purposes of this section unless the licensee committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered for purposes of considering point accumulation during two consecutive license terms.~~

~~4. Demerit points for violation of section 9-32(2) and state statutes related to service of minors and minors on business premises may be reduced by ten demerit points, upon evidence of adequate good faith measures intended to prevent such violations. The defenses to such violation provided at § 125.07(6) Wis. Stats. shall apply to alleged violations under this section.~~

5. Violations of section 9-32(2) and state statutes related to service of minors and minors on licensed premises arising from a single or a closely related incident shall not be charged as multiple violations. It is intended by this subsection that violations by two or more persons in the same party or group, or two or more violations at the same time and place by one individual shall be considered a single incident, but multiple violations by unconnected individuals at the same time and place may be considered as separate violations.
6. Uncorroborated testimony by a minor accused of a violation of the provisions of section 9-45 of this section, or the equivalent state statutes, shall not be deemed sufficient evidence of a violation of section 9-32(2) or 9-33(4)

(d) Fifty demerit points shall be given for the following:

1. Obstruction of any law enforcement officer or knowingly permitting any person to engage in such conduct.
2. Violation of an order of the council.
3. Failing to appear before the committee or council when ordered to do so upon personal service of such notice at least 3 days prior to the scheduled appearance.

(e) One hundred demerit points shall be given for the following:

1. Violation of any state or federal criminal law prohibiting the sale, trafficking in or possessing with intent to sell of marijuana or any controlled substance, or knowingly permitting any person to commit such violation.
2. A conviction for a violation of state or federal criminal which is a felony if the circumstances of the charge substantially relate to the circumstances of the licensed activity.

(f) Discretionary demerit points. Nonscheduled offenses shall be the subject of such number of demerit points as designated by the council, within its discretion.

~~(g) No violation may be considered for purposes of this section unless the licensee committed another violation within one year preceding the violation. However, if the applicant committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered for purposes of considering point accumulation during two consecutive license terms.~~

(g) Regardless of point accumulation under this Chapter, a license revocation, nonrenewal or suspension may be exercised for any reason authorized under Chapter 125 of the Wisconsin Statutes or this Chapter.

- (h) The Judiciary, License and Cemetery Committee shall have the discretion to reduce demerit points assessed for a specific violation at a hearing under 9-34(9), including but not limited to undercover compliance checks.
 - (i) Any violation considered for purposes of this section shall be subject to ss. 111.321, 111.322, 111.335 and 125.12(1)(b) of the Wisconsin Statutes, generally requiring that offenses considered must substantially relate to the licensed activity, the applicant has habitually been a law offender.
 - (j) A violation of Chapter 125 of the Wisconsin Statutes or any violation which would have resulted in demerit points under Chapter 9 of the Marshfield Municipal Code may be presumed to be substantially related to the activities licensed under this Chapter.
- (4) Automatic revocation. A license accruing 100 demerit points or more during two license periods shall be subject to revocation as a matter of course, absent compelling mitigating factors. If the council shall determine that such factors exist, it shall refer the matter to the committee for recommendation regarding a probationary period of continuation for the license holder. The committee, after consultation with the police department, city attorney and such other persons the committee deems appropriate, may recommend probationary provisions to the council, which shall be deemed sufficient to ensure future compliance with state statutes and this article. Pending such recommendation and further action by the council, the license shall be suspended, unless the council shall determine such suspension would result in extreme and undue hardship.
- (5) Effect of charge dismissed. A dismissal of a criminal charge or civil forfeiture case on a violation which is also the subject of demerit points shall not, as a matter of law, nullify such charge for the purpose of review herein due to the differing burdens of proof and procedural requirements.
- (6) Delay in license issuance. Any person or party who performs a licensed activity without first having obtained a proper license, or who, during a period of license suspension, or who, after license revocation or nonrenewal, unlawfully engages in a licensed activity, shall be barred from applying for the required license for a period of six months from the date of such offense.
- (7) New licenses granted subject to demerit points. New licenses may be granted subject to such number of demerit points or other conditions as the council, in its discretion, may deem appropriate, irrespective of the nature of the offense, where the council has concern as to the arrest and conviction record, moral character and business responsibility of the applicant, which is insufficient for license denial.

- (8) Time for action. Disciplinary action need not be commenced and completed in the same license year as the offense occurred. Where disciplinary actions are not commenced and completed within a license term, a license shall be granted subject to a "nonrenewal revocation hearing," to be held as soon as is practical.
- (a) For offenses committed within the City of Marshfield under this Chapter, disciplinary action shall be commenced within 60 days of an offense which gives rise to the disciplinary action. If no action is taken within 60 days of the offense giving cause for the disciplinary action, no complaint based solely on that offense may be the basis for disciplinary action.
- (9) Disciplinary hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the committee, which shall submit a report to the council, including findings of fact, and a recommendation as to what action, if any, the council should take with respect to the license. The committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the council. The council shall determine whether the arguments shall be presented orally or in writing, or both. If the council, after considering the committee's report and any arguments presented by the complainant and licensee, finds the complaint to be true, or if there is not objection to a report recommending a suspension, revocation or nonrenewal, the license shall be suspended, revoked or not renewed as provided by law. If the council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The city clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected.
- (10) Judgment of conviction, as prima facie proof of violation. The judgment of conviction of any licensee, or employee or agent thereof, in any municipal, state or federal court, irrespective of whether obtained following a plea agreement, or bond forfeiture, shall be prima facie proof of such violation for purposes of this article. However, in the instance of any judgment of conviction entered pursuant to a no contest plea, or considered in law to be rendered pursuant to a no contest plea, such judgment of conviction as a prima facie case may be rebutted. Further, mitigating circumstances may be introduced with respect to any judgment of conviction.
- (11) Application for determination of demerit points. Any licensee or party entitled to initiate a request for an investigation under subsection (1) of this section may at any time request the committee or the council to determine whether or not conduct which has occurred constitutes a basis for demerit points and a report of outstanding demerit points. Any licensee may appeal imposition of demerit points by written application for hearing to the committee. Hearings concerning such appeals shall be conducted as provided at § 125.12 Wis. Stats. and this article.
- (12) Violations by agents or employees. A violation of this article by an authorized agent or employee of a licensee acting in the course of his or her employment shall constitute a violation by the licensee. The licensee shall be notified of such violation by copy of the

citation, or other written notice personally served or mailed to the licensee at the licensed premises.

- (13) Commencement of penalties. Penalties shall commence the day after they have been imposed by the council. Days of suspension shall run consecutively.
- (14) Periodic reports by police chief. The police chief shall file periodic reports with the city clerk of conduct by any licensee, or employees thereof, which may constitute a basis for demerit points. The city clerk shall provide each licensee with a summary of demerit points affecting the license annually at the time an application for renewal is received, or upon request. The committee, at license renewal time, or at any earlier time deemed appropriate may bring such matters to the attention of the city attorney and make a request for a recommendation on disciplinary action.
- (15) Exceptions. This section shall apply to operator's licenses, except accrual of 50 or more demerit points shall constitute grounds for revocation of an operator's permit.

ORDINANCE NO. 1299

An Ordinance amending Section 9-58 of the City of Marshfield Municipal Code.

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

SECTION 1. Purposes and Findings.

- (a) The City finds inconsistencies with the ordinance as currently written.
- (b) The City finds the provisions of § 134.71 Wis. Stat., to be very restrictive regarding items classified as “articles” and not all encompassing related to personal property and valuables.
- (c) The City recognizes that pawnshops are legitimate businesses authorized by state law. However, the City finds that the services offered by pawnshops and second hand dealers provide an opportunity for individuals to potentially transfer stolen property to those businesses. The City also finds that consumer protection regulation is warranted in transactions involving these businesses. The City further finds that pawnshop transactions have outgrown the City’s current ability to effectively or efficiently identify criminal activity related to them. The purpose of the City’s regulation of pawnshops is to prevent pawnshops from being used to facilitate the commission of crimes and to assure that they comply with basic consumer protection standards, thereby protecting the public health, safety and general welfare of citizens, pursuant to authority granted by Wis. § 134.71.

SECTION 2.: Now therefore, Section 9-58 of the City of Marshfield Municipal Code is hereby amended to read as follows:

Sec. 9-58. Pawnbrokers, secondhand article and jewelry dealers.

(1) *License required.* No secondhand article dealer, second hand jewelry dealer or pawnbroker as defined in §134.71, Wis. Stats. shall engage in business for the purchase and resale of used personal property to include lending on such personal property (pawnbrokering) without first obtaining a license to engage in such sales and/or lending.

(2) *Statutes adopted.* The provisions of § 134.71 Wis. Stats., as such section now exists and as hereafter amended, are hereby adopted in full as provided at § 134.71(14) Wis. Stats., and violation of such statute may be enforced as a violation of this section of the Municipal Code.

- a. Upon receipt of second hand articles, second hand jewelry, scrap precious metals, used personal property, and pawn items, the licensee shall photograph all such item(s) received and maintain such photographs for a

period of one year, or import a digital copy of such photographs into an off-site database maintained by the Marshfield Police Department.

b. The licensee shall enter a digital record of second hand articles, second hand jewelry, scrap precious metals, used personal property, and pawn items into a database maintained by the Marshfield Police Department for purposes of tracking such records.

(3) *Bond required.* With respect to the application for a secondhand article dealer's and/or secondhand jewelry dealer's license, pursuant to § 134.71(7)Wis. Stats., the applicant provides to the municipality a surety bond of \$200.00 for the observation of all municipal ordinances relating to secondhand article dealers and secondhand jewelry dealers. Provided, however, that upon application by the licensee after a period of one year, a personal bond may be accepted in lieu of the foregoing surety bond, if the license committee finds that the licensee has not violated any such ordinances during the previous year.

(Code 1982, § 12.14; ORD 1291 12/9/1

SECTION 3. 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 4. 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 5. Effective Date. 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 Meyer, Mayor

APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk

ORDINANCE NO.

An Ordinance amending Section 9-58 of the City of Marshfield Municipal Code.

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

SECTION 1. Purposes and Findings.

- (a) The City finds inconsistencies with the ordinance as currently written.
- (b) The City finds the provisions of § 134.71 Wis. Stat., to be very restrictive regarding items classified as “articles” and not all encompassing related to personal property and valuables.
- (c) The City recognizes that pawnshops are legitimate businesses authorized by state law. However, the City finds that the services offered by pawnshops and second hand dealers provide an opportunity for individuals to potentially transfer stolen property to those businesses. The City also finds that consumer protection regulation is warranted in transactions involving these businesses. The City further finds that pawnshop transactions have outgrown the City’s current ability to effectively or efficiently identify criminal activity related to them. The purpose of the City’s regulation of pawnshops is to prevent pawnshops from being used to facilitate the commission of crimes and to assure that they comply with basic consumer protection standards, thereby protecting the public health, safety and general welfare of citizens, pursuant to authority granted by Wis. § 134.71.

SECTION 2.: Now therefore, Section 9-58 of the City of Marshfield Municipal Code is hereby amended to read as follows:

Sec. 9-58. Pawnbrokers, secondhand article and jewelry dealers.

(1) *License required.* No **secondhand article dealer, second hand jewelry dealer or pawnbroker as defined in §134.71, Wis. Stats.** shall engage in business for the purchase and resale of **used personal property** to include lending on such personal property (pawnbrokering) without first obtaining a license to engage in such sales and/or lending.

(2) *Statutes adopted.* The provisions of § 134.71 Wis. Stats., as such section now exists and as hereafter amended, are hereby adopted in full as provided at § 134.71(14) Wis. Stats., and violation of such statute may be enforced as a violation of this section of the Municipal Code.

- a. Upon receipt of second hand articles, second hand jewelry, scrap precious metals, **used personal property**, and pawn items, the licensee shall photograph all such item(s) received and maintain such photographs for a

period of one year, or import a digital copy of such photographs into an off-site database maintained by the Marshfield Police Department.

b. The licensee shall enter a digital record of second hand articles, second hand jewelry, scrap ~~previous-precious~~ metals, **used personal property**, and pawn items into a database maintained by the Marshfield Police Department for purposes of tracking such records.

(3) *Bond required.* With respect to the application for a secondhand article dealer's and/or secondhand jewelry dealer's license, pursuant to § 134.71(7)Wis. Stats., the applicant provides to the municipality a surety bond of \$200.00 for the observation of all municipal ordinances relating to secondhand article dealers and secondhand jewelry dealers. Provided, however, that upon application by the licensee after a period of one year, a personal bond may be accepted in lieu of the foregoing surety bond, if the license committee finds that the licensee has not violated any such ordinances during the previous year.

(Code 1982, § 12.14; ORD 1291 12/9/1

SECTION 3. 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 4. 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 5. Effective Date. 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 Meyer, Mayor

APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk



City of Marshfield Memorandum

TO: Mayor Meyer & Common Council
FROM: Sam Schroeder, Zoning Administrator
DATE: April 28, 2015

RE: First Reading – Ordinance No. 1300 Municipal Code Amendment to Chapter 18, General Zoning Ordinance, Section 18-36, pertaining to allowing “animal boarding” as a principal use permitted as a conditional use in the “UMU” Urban Mixed Use zoning district. Presenter: Josh Miller, City Planner.

Background

Jesse Kilty (the Applicant) is requesting a zoning code amendment to allow animal boarding as a conditional use in the “UMU” Urban Mixed Use zoning district.

Animal boarding is defined in Section 18-58(16) as facilities where short-term and/or long term animal boarding is provided, including commercial kennels, commercial stables, and animal shelters. Exercise yard, fields, training areas, and trails associated with such land uses are considered accessory to and do not require a separate consideration. The following are additional regulations that pertain to animal boarding uses:

- (a) Facility shall provide appropriate separation from animal containment areas to residential zoned property.
- (b) Each animal shall be provided with an indoor containment area.
- (c) The minimum permitted size of horse or similar animal stall shall be 100 square feet.
- (d) Minimum required parking: One space per every 1,000 square feet of gross floor area.

Analysis

The proposed change is to add “Animal Boarding” land use as a conditional use within the “UMU” Urban Mixed Use zoning district. The intent of the “UMU” Urban Mixed Use district defined by the Zoning Code under Section 18-36 is to permit areas, generally on the fringe of Downtown, that are mixed use in character and establish standards that are compatible with the existing mix of land uses and redevelopment objectives. This district is also intended to provide for a variety of

employment, retail, and community services opportunities, while allowing some residential uses. Uses allowed in the “UMU” Urban Mixed Use district should be compatible not only with other uses within the district, but land uses in abutting zoning districts as well.

The following is a list of uses that are permitted by right in the “UMU” district: single family, two flat, mixed dwelling units, community garden, small scale indoor institutional, outdoor open space institutional, passive outdoor recreation, active outdoor recreation, essential services, small scale public services and utilities, community living arrangements (1-8 residents), outdoor display, indoor commercial entertainment, office, personal or professional service, artisan studio, indoor sales or services, indoor maintenance service, and communication antenna.

The following is a list of uses that are permitted as a conditional use in the “UMU” district: twin-houses, duplex, townhouses, multiplex, apartments, market garden, large scale institutional, intensive outdoor recreation, institutional residential, community living arrangements (9+ residents), outdoor commercial entertainment, in-vehicle sales or services, bed and breakfast, commercial indoor lodging, boarding house, tourist house, group daycare center, indoor sales or services, vehicle sales, vehicle services, vehicle repair, communication tower, transit center, off-site parking, and communications tower.

Ultimately, the Applicant is proposing the amendment with plans to open a doggy daycare facility located at 402-404 East 4th Street, zoned “UMU” Urban Mixed Use. The current property has been vacant and on the market for some time and the Applicant feels they “would be utilizing and enhancing a vacant building to improve the quality of life for every dog owner in the City of Marshfield and surrounding areas” and that “it would also be diversifying the services and job base Marshfield has to offer.” If approved, this amendment would allow the Applicant the opportunity to apply for a Conditional Use Permit to request approval of an animal boarding facility in the “UMU” district.

Because of the outdoor exercise areas, the potential noise pollution that are generally associated with these uses, the small lot sizes of the “UMU” district (limited room to provide an adequate bufferyard), and the close proximity “UMU” properties generally have to residential zoned properties, staff feels this use would not be suitable use in the “UMU” zoning district and therefore recommended that the Plan Commission deny the amendment request.

Plan Commission Recommendation

A public hearing was held on April 21, 2015 where two public comments were made both in favor of the proposal and making the argument that an animal boarding use will not have a detriment on the neighborhood. 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 May 12, 2015 Common Council meeting.

Attachments

1. Redline Ordinance 1300
2. Ordinance 1300
3. Map of UMU District

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

REDLINE ORDINANCE NO. 1300

An Ordinance amending Section 18-36(3) of the City of Marshfield Municipal Code pertaining to allowing “Animal Boarding” as a conditional use in the “UMU” Urban Mixed Use zoning district.

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

SECTION 1. Section 18-36(3) of the Marshfield Municipal Code is hereby amended to include the following land use:

(z) Animal Boarding

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. 1300

An Ordinance amending Section 18-36(3) of the City of Marshfield Municipal Code pertaining to allowing “Animal Boarding” as a conditional use in the “UMU” Urban Mixed Use zoning district.

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

SECTION 1. Section 18-36(3) of the Marshfield Municipal Code is hereby amended to include the following land use:

(z) Animal Boarding

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: _____

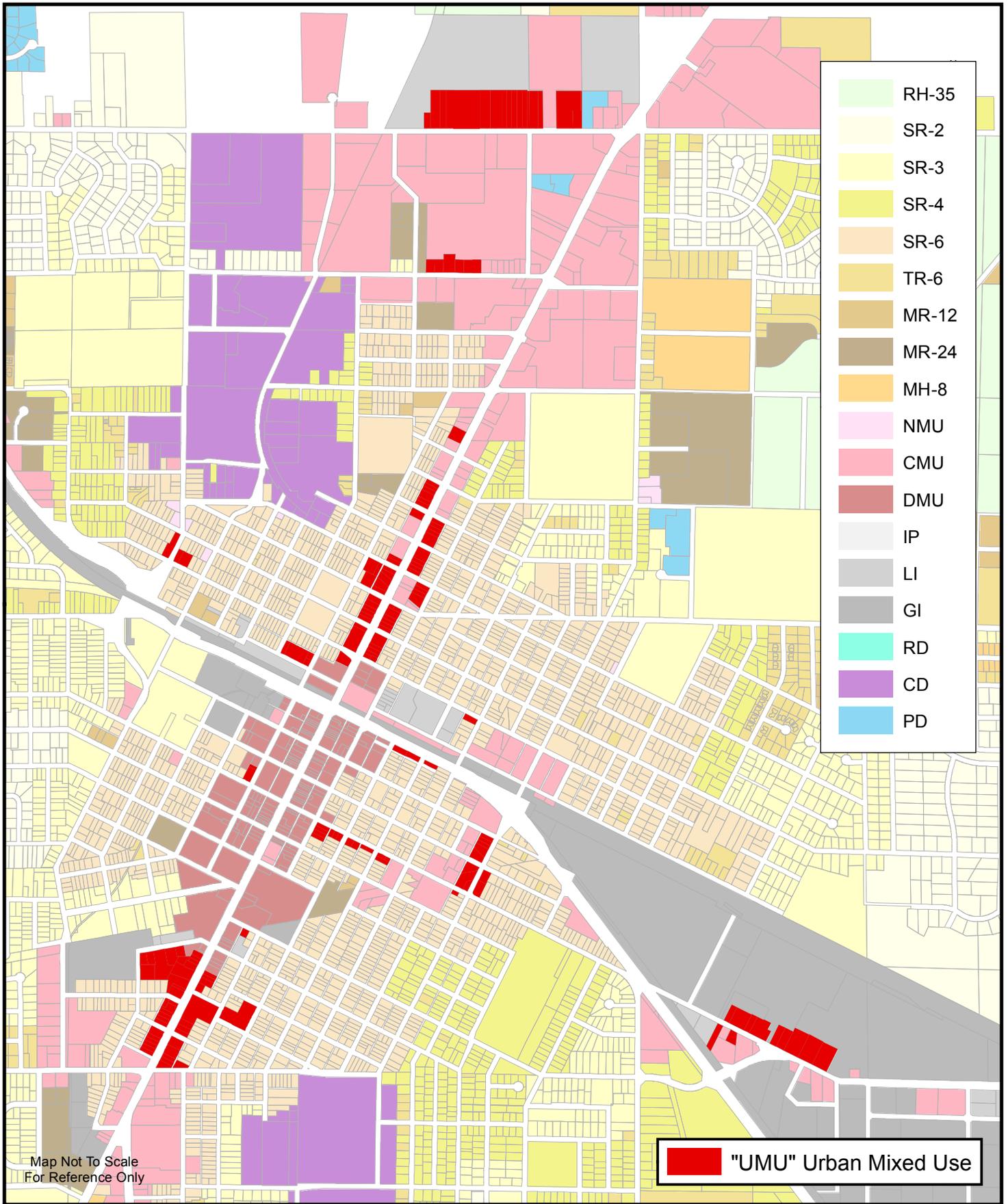
Chris L. Meyer, Mayor

APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk



Map Not To Scale
For Reference Only

UMU Urban Mixed Use



MCA: Allow Animal Boarding in "UMU" District
City of Marshfield
Meeting Date: April 21, 2015

ATTENTION: The representation of data presented herein is intended for reference purposes only; the City of Marshfield assumes no responsibility for the accuracy of the information provided. Any duplication without consent is prohibited.



City of Marshfield Memorandum

DATE: April 24, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Appointment of Justin Casperson as Parks & Recreation Director

Background

As you're aware, Ed Englehart retired on March 13th, after 20 years as the City's Parks & Recreation Director. In seeking to fill this vacancy, the City received approximately 30 applications, and the search team narrowed the field to the 4 top candidates. Interviews were held on April 13th, as part of a full day in which candidates met with our department and division heads, and also had tours of our park facilities and the City in general. After getting feedback from everyone who interacted with the candidates, debriefing from the interviews, and reviewing the written materials, the search team picked Justin Casperson as its top candidate. Justin is currently the Parks & Recreation Director for the Village of Germantown, a position that he has held for the past 2 years. Before that, he worked for 10 years as the Recreation Supervisor for the City of West Bend.

After a successful background check, I spoke with Justin, and he has agreed to accept the position, with a tentative start date of June 8th. His one request is to allow him to start at 3 weeks of vacation, which would not normally occur with a management position until his second year, but I believe that this is a reasonable request.

Recommendation

On behalf of the search team, I am pleased to recommend that the Council approve hiring Justin Casperson as the City's new Parks & Recreation Director as outlined in my memo.



City of Marshfield Memorandum

DATE: April 24, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Request to waive (refund) conditional use permit application fee – MAPS

Background

Marshfield Area Pet Shelter (MAPS) has requested that the City consider waiving the fee for its conditional use permit application. While the City doesn't usually waive such fees, I believe that it may be reasonable in this case, given that the City owns the property, and that the applicant is a nonprofit agency proposing to operate a community facility.

Recommendation

I recommend that the Council waives MAPS' conditional use permit application fee, and directs staff to provide a refund in the amount of \$250.

SB:sb

**Marshfield Common Council
Boards, Commissions and Committees
2015-2016**

Chair	Last	First	Address	Phone	Email	Term Exp
Board of Public Works						
<p align="center"> Mike Feirer Chris Jockheck Ed Wagner Gary Cummings Tom Buttke </p>						
Finance Budget and Personnel						
<p align="center"> Alanna Feddick-Goodwin Gordy Earll Rich Reinart Rebecca Spiros Peter Hendler </p>						
Judiciary and License						
<p align="center"> Alanna Feddick-Goodwin Gordy Earll Ed Wagner Rebecca Spiros - Alternate </p>						
Airport Committee (3 Years)						
	Mauer	Dan	410 Meadow Ln	715-377-6500	no e-mail	2016
	Knauf	Paul	300 W 28th Circle	715-384-8839	racecar40@frontier.com	2016
	Berg	John	1401 S Adams	715-207-5529	jberg65486@gmail.com	2017
	Bremer	Jack	301 Magnolia Dr.	715-384-8700	jcbremer@charter.net	2018
Chris Jockheck						
Board of Appeals (3 Years)						
	Markwardt	Dean	423 Meadow Lane	715-384-4187	deallois@charter.net	2016
	Bargender	Ken	206 Hawthorn	715-387-0451	gkbar@charter.net	2016
*	Gerl	Ed	810 E 3rd	715-841-1429	edgerl@charter.net	2017
	Lewerenz	Robert	715 E 9th St		bob@bestimatellc.com	2018
	Kenyon	Richard	412 Wildwood Ct		kenyon1@gmail.com	2018
Alternate 1	Zieglmeier	Todd	808 E. Cleveland St.		zieglmeier@charter.net	
Alternate 2	Wegner	Adam	608 E. Felker			
Board of Review (5 Years)						
	Meyer	Richard	206 S Adams Ave	715-384-3997		2016
	Warren	Shawn	1227 W Blodgett St		shawnwarren@charter.net	2016
	Patchett	Celia	1206 Briarwood			2017
	Helwig	Sharon	1920 Phesant Run Drive	715-384-4423	helwig.sharon@gmail.com	2018
	Lewernz	Bob	715 E 9th Street	715-506-0040	bob@bestimatellc.com	2020
Alternate 1	Fischer	Adam				
Alternate 2	Mazzini	Laura	811 E. Harrison, Apt. 107	715-207-6163	laura_mazzini@outlook.com	
Business Improvement District (3 Years)						

Chair	Last	First	Address	Phone	Email	Term Exp
	Schutz	Duane	Nutz Deep II		info@nutzdeep2.com	2016
	Babcock	Shelley	Merle Norman		msbabz@msn.com	2016
	Schreiner	Patrick	Shreiner Plumbing			2017
	Koran	Scott	Rogers Cinema	715-387-1036	scott@rogerscinema.com	2017
	Knauf	Carol	C2276 Eau Plaine Rd., Stratford	715-387-6640	cjknauf@gmail.com	2018
	Nystrom	Alan	BMO Harris Bank	715-389-8309	alan.nystrom@micorp.com	2018
Peter Hendler						
Cable TV (3 Years)						
	Markwardt	Dean	423 Meadow Lane	715-384-4187	deallois@charter.net	2016
	Warren	Shawn	1227 W Blodgett St	715-387-1478	shawnwarren@charter.net	2016
	Gerl	Ed	810 E 3rd St	715-841-1429	edgerl@charter.net	2017
	Siasoco	Sonny	1414 N Broadway	715-384-3739	sonnySiasoco@netzero.com	2018
	Daniels	Jim	1410 E. Fillmore St.		jimdaniels1410@gmail.com	2018
	Nystrom	Don	1507 W 5th Street	715-384-2768		2018
	Midstate tech Ex-Officio					
	Private School Ex-Officio					
Gordy Earl						
Central Wisconsin State Fair Board of Directors						
Mike Feirer						
Board of Health						
	Kieffer	Dr. Matthew				

Chair	Last	First	Address	Phone	Email	Term Exp
City Plan Commission (3 Years)						
	Penker	Bill	600 S Sycamore	715-389-2354	chemist357@yahoo.com	2016
	Wood	Ken	808 E 9th St	715-387-3032	hiddenmarshfield@yahoo.com	2017
	Mazzini	Laura	811 E. Harrison, Apt. 107	715-207-6163	laura_mazzini@outlook.com	2017
	Witt	Josh	1320 N Shawano Drive	715-305-5293		2017
	Gustafson	Joe	415 Magee St	715-305-6824		2018
*	Meyer	Chris	Mayor/Chair			
Ed Wagner						
Committee on Aging (3 Years)						
	Huebner-Leu	Becky	1313 E 26th Street	715-305-6004	rebecca.huebner-leu@ministry	2016
	Ruder	Pat	306 N. Cherry	715-384-4928	jackpat8@charter.net	2016
	Doty	Jean	217 Wisconsin	715-387-4060	jeano@charter.net	2017
	Diecks	Kathy	3100 Popp Ave.	715-207-0051	kdieck@charter.net	2017
	Marsh	Dave	1706 E. Cleveland	715-387-3715	pamdavemarsh@gmail.com	2018
MSCC	Anderson	Elsie	1301 N. Hinman, Apt. 207			
Mike Feirer						
Community Development Authority (4 Years)						
	Lafontaine	Dave	1206 Adler	715-384-9193	dlafont@charter.net	2016
	Keogh	Andy	1715 N. Apple	715-387-3517	adeogh@charter.net	2016
	Marsh	Dave	1706 E Cleveland	715-387-3715	pamdavemarsh@gmail.com	2018
	Hardacre	Marilyn	512 Hardacre Ave	715-384-8422	hardacre@charter.net	2018
Resident Rep to be named by 4/28						2019
Tom Buttke						
Peter Hendler						
Convention and Visitors Bureau (1 Year)						
	Diedrich	Todd	M106 Meadow Ave	715-305-7878	diedrich.todd@marshfieldclini	2016
	Koran	Scott	2500 S Oak	715-387-1036	scott@rogerscinema.com	2016
	Cheney	Al	1000 N Oak	715-387-5587	chaney.al@marshfieldclinic.org	2016
	Berg	Scott	100 S. Chestnut	715-384-8118		2016
	Hanson	Sandra	Baymont Hotel	715-384-5240		2016
Gary Cummings						

Chair	Last	First	Address	Phone	Email	Term Exp
Economic Development Board (3 years)						
	Meissner	Tammy	11457 Cty Rd V	715-389-9131	tammymeissner@hotmail.com	2016
	Michalski	Al	213 Larch Ave	715-389-1062	amichalski@felkerbrothers.cor	2016
	Staab	Aaron	1830 Pheasant Run Dr.	715-305-7973	astaab@staabco.com	2017
	Sennholz	Bill	1710 Arlington	715-384-3898	bills@forwardbank.com	2018
	Dickrell	Ron	506 S. Lincoln	715-387-1464	rdickrell@gmail.com	2018
Ed Wagner Tom Buttke						
Fairgrounds Commission						
Chris Jockheck Mike Feirer Ed Wagner						
Fire & Police Commission (5 Years)						
	Gershman	Randy	311 S Ley Ave	715-486-5222	randy.gershman@edwardjone	2016
	Frankland	Terry	300 Meadow Lane	715-486-8800	t.frankland@vhtrucks.com	2017
	Meyers	Mike	2316 Madison Ave.	715-305-1571	mdmbmm@charter.net	2018
	Mueller	Nate	409 W 5th Street	715-305-1705	nate@muellerbook.com	2019
	Keogh	Andy	1715 N Apple	715-650-7110	andrew.keogh@uwc.edu	2020
Historic Preservation Committee (3 Years)						
	Mecham	Keith	313 W 4th St	715-384-9823	kameacham@charter.net	2016
	Bargander	Ken	206 Hawthorn	715-387-0451	gkkbar@charter.net	2017
	Keogh	Kris	2715 N. Apple			2017
	Wood	Ken	(Elected by Plan Commission)	715-387-3032	hiddenmarshfield@yahoo.com	
	Schnitzler	Vickie	301 S. Cedar Ave.	715-221-6161	schnitzl@charter.net	2018
	Penker	Bill	600 S Sycamore	715-389-2354	chemist357@yahoo.com	2018
Gary Cummings						
Housing Rehabilitation Committee (2 Years - terms running concurrent with Mayor)						
Will Reappoint when needed						
	Leshner	Robert	1040 Colonial St	HOLD FOR NOW		2014
	Vacant			HOLD FOR NOW		2014
	Hensler	Tom	2807 S Peach	HOLD FOR NOW		2014
	Benson	Jim	1410 S Erickson	HOLD FOR NOW		2014
	Witt	Janet	1626 N Fig Ave	HOLD FOR NOW		2014
Chris Jockheck						

Chair	Last	First	Address	Phone	Email	Term Exp
Library Board of Trustees (3 Years)						
	Swensen	Jean	1111 E 21st St	715-384-8394	kjswensen@frontier.com	2016
	Vrana	Kim	1026 W. Laird	715-387-6201	kvvana@charter.net	2016
	Ampe	Joanne	301 S Schmidt Ave	715-387-1986	ampe@charter.net	2017
	Schnitzler	Don	301 S Cedar	715-387-4044	schnitzler.donald@charter.net	2017
	Saucerman	Pat	Board of Education - Public Schools	715-387-1101	saucerman@marshfield.k12.wi.us	
	Hartl	Mary	Marshfield Area Catholic Schools	715-897-5541	hartl.mary@ccstaff.org	
	Voss	Ruth	Town of McMillan	715-384-2744	dmmoewe@gmail.com	
	Keogh	Kris	1715 N. Apple	715-387-3517	adeogh@charter.net	2018
	Ruppel	Xin	509 West 11th St.	715-207-0335	xwruppel@gmail.com	2018
Gary Cummings						
Parks, Recreation and Forestry (3 Years)						
	Luedtke	Ali	311 N. Hinman Ave.	715-387-6572	luedtkeaa@gmail.com	2016
	White Jr.	John	206 S Schmidt Ave	715-305-5646	packpackpack@gmail.com	2016
Pending Confirmation from Nominee						2017
	Viegut	Chris	1001 W 4th St	715-305-9790	viegut@gmail.com	2017
	Sautner-Yaeger	Jane	2300 S Madison	715-387-0118	yaegerjs@stjosephs-marshfiel	2018
Zoo Society	Palmer	Kristy	1032 Roberta Lane	715-387-1807	kristypalmer60@gmail.com	2018
Rich Reinart						
Sister City						
Alanna Feddick-Goodwin						
Mainstreet Marshfield						
Rich Reinart						
Utility Commission (5 Years - Elected October 1)						
	Maggitti	John	1610 Arlington	715-650-0142	graceham3@yahoo.com	2015
	Eberl	Mike	1213 W Jefferson St	715-384-4394	meberl@afxcustomodal.com	2016
	Pitzenberger	Aaron		507-993-9515	pitzaar@gmail.com	2017
	Holck	George		715-384-7817	wallepits@dwave.net	2018
	Borgman	Harry	1207 E. 21st St.	715-384-3227	hmnieaber@charter.net	2019
Peter Hendler						
Gordy Earll						

Chair	Last	First	Address	Phone	Email	Term Exp
University Commission						
			Alanna Feddick-Goodwin			
			Rebecca Spiros			
			Gordy Earll			
Committee on Youth						
			Tom Buttke			