



CITY OF MARSHFIELD
MEETING NOTICE

COMMON COUNCIL
CITY OF MARSHFIELD, WISCONSIN
TUESDAY, AUGUST 11, 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 – July 28, 2015 strategic planning meeting
July 28, 2015 regular meeting
- G. Staff updates
 - 1. Report – status of room tax reserve balances (CVB and City)
- H. Mayor's Comments
 - 1. Employee Recognition:
Todd Bruhn, Street Division, August 12, 1985, 30 years
Jerry Esser, Street Division, August 12, 1975, 40 years
- I. Council Comments
- J. Consideration of a request from the High Street Salon for a variance of noise levels as permitted by Chapter 10-33(7) for a fundraiser to be held in the parking lot behind High Street Salon on August 14 and 15, There will be a movie shown both nights starting approximately at 8:30 p.m. and ending approximately at 10:00 p.m.
Presented by Steve Barg, City Administrator

Recommended Action: Approve the noise variance as requested

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- K. Consideration of a request from Alexandre Sainterme for a variance of noise levels as permitted by Chapter 10-33(7) for a concert to be held in Columbia Park on August 21st from 5:00 p.m. – 10:30 p.m. Presented by Steve Barg, City Administrator

Recommended Action: Approve the noise variance as requested

- L. Reports from commissions, boards, and committees

- M. Consent Agenda:

- 1) Meeting minutes/reports
 - a. Convention & Visitors Bureau (June 1, 2015)
 - b. Community Development Authority (June 25, 2015)
 - c. Community Development Authority Finance and Strategic Planning (July 21, 2105)
 - d. Historic Preservation (August 3, 2015)
 - e. Utility Commission (August 3, 2015)
 - f. Board of Public Works (August 3, 2015)
 1. 2nd Street corridor project plan design
 2. Resolution 2015-38 – WWTP compliance
 3. Allowing construction manager (Boson) to bid on the “Building Works” component of the library project
 - g. Judiciary and License (August 4, 2015)
 - h. Finance, Budget, and Personnel Committee (August 4, 2015)

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

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

- O. Presentation – Creation of joint municipal court with the Village of Spencer. Presented by Steve Barg, City Administrator

Recommended Action: Refer to Finance, Budget, & Personnel Committee

- P. Second Reading – Ordinance No. 1308 amending Section 4-38 of the Municipal Code pertaining to Room Tax. Presented by Steve Barg, City Administrator

Recommended Action: Approve Ordinance No. 1308

- Q. Second Reading – Ordinance No. 1312, amending Chapter 10 of the Municipal Code, Regulation of noise and vibrations. Presented by Tom Turchi, City Engineer

Recommended Action: Approve Ordinance No. 1312

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- R. Second Reading – Ordinance No. 1306, Detachment and Attachment request by the City of Marshfield, in accordance with the Cooperative Boundary Plan and Agreement between the Town of Cameron and the City of Marshfield, dated April, 2000, the following described territory in the Town of Cameron, Wood County, Wisconsin, for that portion of the “City Growth Area” lying outside the “No Contest Area” as identified in said plan, to be detached from the Town of Cameron and attached to the City of Marshfield, and zoned “CMU” Community Mixed Use Zoning and “LI” Light Industrial Zoning, located south of 29th Street, east of Central Avenue, north of Heritage Drive, and west of Business Park Avenue: That part of Section 20, Township 25 North, Range 3 East, in the Town of Cameron, Wood County, Wisconsin, and more particularly described in Item AA, Attachment A below. Presented by Josh Miller, City Planner

Recommended Action: Approve Ordinance No. 1306

- S. Second Reading – Ordinance No. 1309, Campus Master Plan Amendment request by Marshfield Municipal Airport to amend the five year Master Campus Plan, addressing when Federal Aviation Administration approval is needed for non-aeronautical uses, located at 210, 320, 324, and 400 West 29th Street, including all parcels owned by the City of Marshfield under the Airport’s jurisdiction zoned “CD” Campus Development District. Presenter by Josh Miller, City Planner

Recommended Action: Approve Ordinance No. 1309

- T. Second Reading – Ordinance No. 1310, Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Section 18-72 to allow the front and street side yard setbacks to be adjusted by averaging adjoining properties in all districts and to clarify language pertaining to such adjustments. Presenter by Josh Miller, City Planner

Recommended Action: Approve Ordinance No. 1310

- U. Second Reading – Ordinance No. 1311, Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Sections 18-25 through 18-33, 18-54, and 18-65 (1) & (2), allowing Minor Home Occupations as a permitted accessory use and Conditional Home Occupations as a conditional accessory use in all residential zoning districts and to clarify the requirements for a home occupation. Presented by Josh Miller, City Planner

Recommended Action: Approve Ordinance No. 1311

- V. Adjourn to closed session under Wisconsin Statutes 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 reason require a closed session
- Possible purchase of land near Marshfield Fairgrounds Park

- W. Reconvene in Open Session

- X. Action on matter discussed in closed session, if appropriate

- Y. Items for future agendas

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Z. Adjournment

AA. Attachment A – Legal Description for Item 5.

That part of Section 20, Township 25 North, Range 3 East, in the Town of Cameron, Wood County, Wisconsin, and more particularly described as follows:

1. Beginning at the SW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence East on the South line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E to the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence north on the east line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E, to the North line of the Heritage Drive (formerly known as United States Highway 10); thence West along the North line of Heritage Drive for a distance of 30.09 feet; thence N 00°21'13" E for a distance of 783.04 feet; thence N 89°03'35" W on a line extended to the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence south on the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E, to the point of beginning; EXCEPT

The following parcels and road right-of-way which are contained within the above described real property in paragraph 1 of the above legal description shall be excluded from the property subject to detachment from the Town of Cameron and attachment to the City of Marshfield due to these parcels and right of way having previously been annexed by the City of Marshfield:

- a. Road right-of-way for Central Avenue (formerly known as State Highway 13 and Maple Avenue), described as follows:

That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19; the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20; the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29; and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S 88°36'11" E along the North line of the SW $\frac{1}{4}$ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S 00°24'47" W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S 00°24'08" W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S 01°45'48" E along the East Right of Way Line of Central Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N 23°31'20" E, 224.60 feet to the West Right of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE $\frac{1}{4}$ of said Section

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19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning; and

2. Beginning at the southeast corner of Wood County Certified Survey Map Number 3785; thence north along the east line of the said Wood County Certified Survey Map Number 3785 to the south line of 29th Street; thence east along with south line of 29th Street to the northwest corner of Wood County Certified Survey Map Number 2404; thence south along the west line of Wood County Certified Survey Map Number 2404 to the southwest corner of Wood County Certified Survey Map Number 2404; thence east along the south line of Wood County Certified Survey Map Number 2404 to the southeast corner of Wood County Certified Survey Map 2404, being the northwest corner of the SE ¼ NW ¼, Section 20, T25N, R3E; thence east long the north line of the SE ¼ NW ¼, Section 20, T25N, R3E to the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; thence south along the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; to the south line of the SE ¼ NW ¼, Section 20, T25N, R3E; thence S 00°10'08" W for a distance of 33.01 feet; thence N 88°41'03" W for a distance of 650.63 feet; thence N88°41'03" W for a distance of 878.80 feet; thence S 00°21'13" W for a distance of 360 feet; thence N 88°41'03" W on a line extended to the west line of the NW ¼ SW ¼, Section 20, T25N, R3E; thence north on the west line of the NW ¼ SW ¼, Section 20, T25N, R3E to the southwest corner of the SW ¼ NW ¼, Section 20, T25N, R3E; thence north along the west line of the SW ¼ NW ¼, Section 20, T25N, R3E to the north line extended on that property described in Volume 312 of deeds, Page 521, Wood County records; thence east along the north line of the property described in said deed a distance of 270.6 feet, more or less; thence south along the east line of the property described in said deed, a distance of 100 feet, more or less; thence east at right angles a distance of 273.77 feet, more or less, to the centerline of proposed Cedar Avenue, extended; thence north a distance of 1,235 feet, more or less, along the centerline of said proposed street; thence west at right angles to said proposed street, a distance of 544.5 feet more or less to the west line of the NW ¼ NW ¼, Section 20, T25N, R3E; thence north along the west line of the NW ¼ NW ¼, Section 20, T25N, R3E, to a point which is the extension of the south line of Wood County Certified Survey Map Number 3785; thence east along the south line of Wood County Certified Survey Map Number 3785 to the point of beginning; EXCEPT

The following parcels and road right-of-way which are contained within the above described real property in paragraph 2 of the above legal description shall be excluded from the property subject to detachment from the Town of Cameron and attachment to the City of Marshfield due to these parcels and right of way having previously been annexed by the City of Marshfield:

- a. Lot 1 of Wood County Certified Survey Map No. 8547, recorded in Volume 29 of Survey Maps, Page 147, located in part of the NW1/4 of the NW1/4 of Section 20, Township 25 North, Range 3 East, and adjacent right of way of Cherry Avenue, City of Marshfield, Wood County.
- b. Part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, in the Town of Cameron, Wood County, Wisconsin, described as follows:

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Commencing on the South line of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East at a point where said South line intersects with the East line of Central Avenue (formerly known as State Trunk Highway 13), thence East 916.65 feet, thence North 462 feet to the point of beginning, thence North 294 feet, thence East 498 feet, thence South 294 feet, thence West 498 feet back to the point of beginning.

- c. Road right-of-way known as 35th Street (formerly known as Nikolay Drive) described as follows:

Commencing at the west ¼ corner of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, thence South 88°41'03" east along the east-west quarter line of said Section 20, a distance of 60 feet to the east right-of-way line of Central Avenue (formerly known as State Trunk Highway 13), the point of beginning; thence north 00°21'13" east along said east right-of-way line of Central Avenue, a distance of 33.01 feet to the north line of 35th Street; thence south 88°41'03" east along said north right-of-way line of 35th Street, a distance of 1,892.22 feet; thence south 00°10'08" west a distance of 66.01 feet to the south right-of-way line of 35th Street; thence north 88°41'03" west along said south line of 35th Street to the east right-of-way line of Central Avenue; thence north 00°21'13" east along said east line of Central Avenue to the point of beginning.

- d. Road right-of-way for Central Avenue (formerly known as State Highway 13 and Maple Avenue), described as follows:

That portion of road right-of-way described above in paragraph 2 that also falls within the area described below:

That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 19; the NW ¼ of the SW ¼ and the SW ¼ of the SW ¼ of Section 20; the NW ¼ of the NW ¼ of Section 29; and the NE ¼ of the NE ¼ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S 88°36'11" E along the North line of the SW ¼ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S 00°24'47" W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S 00°24'08" W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S 01°45'48" E along the East Right of Way Line of Central Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N

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23°31'20" E, 224.60 feet to the West Right of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE ¼ of said Section 19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning.

Posted this day, July 24, 2015 at 2:00 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.

SPECIAL COMMON COUNCIL MEETING MINUTES JULY 28, 2015

PRESENT: Buttke, Cummings, Earll, Feirer, Jockheck, Reinart, Spiros, Wagner. Feddick arrived at 5:58 p.m.

ABSENT: Hendler

OTHERS: City Administrator Barg, Mayor Meyer

Mayor Meyer called the meeting to order at 5:33 p.m. in Room 108 of the City Hall Plaza.

The Mayor and Council reviewed and discussed the categories of “city facilities” and “infrastructure”, and they identified the following high-level goals in each area:

City facilities

- Examine compatibility of various operations (functional uses together)
- Join others (school district, etc.) on studies and/or facilities
- Geographical considerations (including growth trends)
- Re-use options of existing facilities
- Innovative funding models (Marshfield Utilities, CDA, others)
- Public-private partnerships
- Further studies or analysis

Infrastructure

- Water pipe replacement (public and private services) – how to finance
- Referendum for street work (1 mil – directly targeted toward streets)
- Tree replacement (subject to available funding)
- Additional sidewalk (subject to available funding)
- Compliance with stormwater regulations
- Compliance with phosphorus requirements (wastewater)
- Development of our communications utility (opportunity)
- Airport improvements

Barg advised that the next strategic planning session is scheduled for Tuesday, August 25th at 5:30 p.m. in Room 108 of City Hall, at which time the last 2 categories (financial management, partnerships) will be discussed.

With no other business before the Council, Mayor Meyer declared the meeting adjourned at 6:42 p.m.

Respectfully submitted,
Steve Barg, City Administrator

JULY 28, 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, Rich Reinart, Gary Cummings, Rebecca Spiros, and Tom Buttke.

EXCUSED: Peter Hendler

The flag was saluted and the pledge given.

No items were added to the agenda.

PUBLIC COMMENT PERIOD

Lori Belongia, Library Director extended an invitation to the public for the groundbreaking for the new Everett Roehl Marshfield Public Library & Community Center to be held on Friday, July 31st at 11:00 a.m.

CC15-162 Motion by Spiros, second by Cummings to approve the minutes of the Common Council strategic planning meeting of June 23, 2015.

Motion carried

CC15-163 Motion by Jockheck, second by Spiros to approve the minutes of the Common Council meeting of July 14, 2015 regular meeting.

Motion carried

STAFF UPDATES

None

MAYOR'S COMMENTS

None

COUNCIL COMMENTS

None

CC15-164 Motion by Jockheck, second by Spiros to approve the request from the High Street Salon for a variance of noise levels as permitted by Chapter 10-33(7) for a fundraiser to be held in the parking lot behind High Street Salon on August 14th and 15th for a movie both nights, beginning at 8:00 p.m. and ending around 10:00 p.m.

Aldersperson Wagner asked what the noise variance was for and where the fundraiser monies would be going to. If the fundraiser monies are not for a nonprofit organization he would like the request brought back to the Common Council on August 11th.

City Administrator Barg will contact the High Street Salon for clarification.

Aldersperson Buttke asked that city staff check to see if this variance would have really been needed because of the time frame of the event. There is no sense bringing future requests like these to the Common Council if they are not going against any ordinance that we have.

Vote on motion **CC15-164**; Ayes - 9

Motion carried

REPORTS FROM COMMISSIONS, BOARDS AND COMMITTEES

Aldersperson Feirer, Fairgrounds Commission said that all of the projects are done at the Fairgrounds and they are ready for the Fair. The Round Barn concrete is in and it looks really great.

CONSENT AGENDA

CC15-165 Motion by Buttke, second by Feirer to receive and place on file, approving all recommended actions for the items listed on the consent agenda. Meeting Minutes/Reports: Community Center Leasing Committee of April 27, 2015; Library & Community Center Committee of May 6, 2015; Library Board of May 19, 2015; Fire & Police Commission of June 4, 2015; Library Board of June 16, 2015; Economic Development Board of July 2, 2015; Utility Commission of July 13, 2015; (1. Job Order #17823, replace failed U/G Blodgett to Fillmore at a cost of \$57,308); Library Finance Committee of July 14, 2015; Business Improvement District Board of July 15, 2015; Airport Committee of July 16 2015; Economic Development Board of July 20, 2015; Board of Public Works of July 20, 2015; Utility Commission Special Meeting of July 21, 2015; Judiciary and License Committee of July 21, 2015; Finance, Budget, and Personnel Committee of July 21, 2015; Plan Commission of July 21, 2015 (1. Resolution No. 2015-34, CUP by Ministry Saint Joseph's Hospital to allow a building addition; 2. Resolution No. 2015-35 by Arlon Haessly to grant a parking exception to allow a single apartment unit to be converted into two separate units; 3. Resolution No. 2015-36 by John Peters to allow a reduction to the required vision triangles and setback requirements; and 4. Resolution No. 2015-37 CUP by Rogers Cinema, Inc. to allow an exception to reduce the setback for a fence.); and Airport Committee of July 23, 2015.

Motion carried

No items were removed from the consent agenda.

Bob Haight, Fire Chief, gave a presentation on the communication study performed by the City's emergency management team.

Second reading of Ordinance No. 1307, amending section 13-126 (7) maintenance of trees and shrubs.

CC15-166 Motion by Feirer, second by Jockheck to approve Ordinance No. 1307. Ayes - 9
Motion carried

First reading of Ordinance No. 1312, amending Chapter 10 of the Municipal Code, Regulation of noise and vibrations.

First reading of Ordinance No. 1308, amending Section 4-38 of the Municipal Code pertaining to Room Tax.

Aldersperson Wagner explained the two funds that deal with the Convention and Visitors Bureau. Both funds have some pretty large balances in them. He asked for clarification as to why we need to increase the room tax.

City Administrator Barg explained that it is getting tighter and tighter for the city to fund capital projects. It is going to be very difficult to continue to make these improvements if we don't have the funds to do it. Going forward these monies are going to be essential for us to keep up the facilities that we believe are the amenities that hopefully promote people coming to town.

Matt McLean, Director of Convention and Visitors Bureau said one of the things that they are really looking forward to doing is helping improve sporting facilities which is a huge driver to tourism. We want to have facilities that will bring in sporting tournaments and events which in turn bring visitors and dollars to our community.

Alderson Wagner said he would like to see a lot more transparency. These are tax dollars of the sort that we are responsible for levying. We would like to know what your plan is and how you plan on spending it. If the current formula hasn't changed, the city keeps about 30% of the revenue which can go to non-tourism activities and that is the amount that the city has and uses for Parks and Recreation and that is not going to change. We are still going to have that money to use and spend in future years, so we aren't taking anything away by not granting 2%.

Alderson Feirer pointed out that not all of the Convention and Visitors Bureau's funds were room tax oriented. Some of the profits came from Fall Fest and different events that the Convention and Visitors Bureau ran.

Matt McLean, Director of Convention and Visitors Bureau will distribute a report prior to the August 11th Common Council meeting that will summarize what the account is, where the money comes from and what the balances are for both the cities' components as well as the Convention and Visitors Bureau's components.

First reading of Ordinance No. 1306, detachment and attachment request by the City of Marshfield, in accordance with the Cooperative Boundary Plan and Agreement between the Town of Cameron and the City of Marshfield, dated April, 2000, the following described territory in the Town of Cameron, Wood County, Wisconsin, for that portion of the "City Growth Area" lying outside the "No Contest Area" as identified in said plan, to be detached from the Town of Cameron and attached to the City of Marshfield, and zoned "CMU" Community Mixed Use Zoning and "LI" Light Industrial Zoning, located south of 29th Street, east of Central Avenue, north of Heritage Drive, and west of Business Park Avenue: That part of Section 20, Township 25 North, Range 3 East, in the Town of Cameron, Wood County, Wisconsin, and more particularly described as follows:

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That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 19; the NW ¼ of the SW ¼ and the SW ¼ of the SW ¼ of Section 20; the NW ¼ of the NW ¼ of Section 29; and the NE ¼ of the NE ¼ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S 88°36'11" E along the North line of the SW ¼ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S 00°24'47" W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S 00°24'08" W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S 01°45'48" E along the East Right of Way Line of Central Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N 23°31'20" E, 224.60 feet to the West Right of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE ¼ of said Section 19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning; and

2. Beginning at the southeast corner of Wood County Certified Survey Map Number 3785; thence north along the east line of the said Wood County Certified Survey Map Number 3785 to the south line of 29th Street; thence east along with south line of 29th Street to the northwest corner of Wood County Certified Survey Map Number 2404; thence south along the west line of Wood County Certified Survey Map Number 2404 to the southwest corner of Wood County Certified Survey Map Number 2404; thence east along the south line of Wood County Certified Survey Map Number 2404 to the southeast corner of Wood County Certified Survey Map 2404, being the northwest corner of the SE ¼ NW ¼, Section 20, T25N, R3E; thence east long the north line of the SE ¼ NW ¼, Section 20, T25N, R3E to the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; thence south along the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; to the south line of the SE ¼ NW ¼, Section 20, T25N, R3E; thence S 00°10'08" W for a distance of 33.01 feet; thence N 88°41'03" W for a distance of 650.63 feet; thence N88°41'03" W for a distance of 878.80 feet; thence S 00°21'13" W for a distance of 360 feet; thence N 88°41'03" W on a line extended to the west line of the NW ¼ SW ¼, Section 20, T25N, R3E; thence north on the west line of the NW ¼ SW ¼, Section 20, T25N, R3E to the southwest corner of the SW ¼ NW 1/4, Section 20, T25N, R3E; thence north along the west line of the SW ¼ NW ¼, Section 20, T25N, R3E to the north line extended on that property described in Volume 312 of deeds, Page 521, Wood County records; thence east along the north line of the property described in said deed a distance of 270.6 feet, more or less; thence south along the east line of the property described in said deed, a distance of 100 feet, more or less; thence east at right angles a distance of 273.77 feet, more or less, to the centerline of proposed Cedar Avenue, extended; thence north a distance of 1,235 feet, more or less, along the centerline of said proposed street; thence west at right angles to said proposed street, a distance of 544.5 feet more or less to the west line of the NW ¼ NW ¼, Section 20, T25N, R3E; thence north along the west line of the NW ¼ NW ¼, Section 20, T25N, R3E, to a point which is the extension of the south line of Wood County Certified Survey Map Number 3785; thence east along the south line

of Wood County Certified Survey Map Number 3785 to the point of beginning; EXCEPT

The following parcels and road right-of-way which are contained within the above described real property in paragraph 2 of the above legal description shall be excluded from the property subject to detachment from the Town of Cameron and attachment to the City of Marshfield due to these parcels and right of way having previously been annexed by the City of Marshfield:

- a. Lot 1 of Wood County Certified Survey Map No. 8547, recorded in Volume 29 of Survey Maps, Page 147, located in part of the NW1/4 of the NW1/4 of Section 20, Township 25 North, Range 3 East, and adjacent right of way of Cherry Avenue, City of Marshfield, Wood County.
- b. Part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, in the Town of Cameron, Wood County, Wisconsin, described as follows:

Commencing on the South line of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East at a point where said South line intersects with the East line of Central Avenue (formerly known as State Trunk Highway 13), thence East 916.65 feet, thence North 462 feet to the point of beginning, thence North 294 feet, thence East 498 feet, thence South 294 feet, thence West 498 feet back to the point of beginning.

- c. Road right-of-way known as 35th Street (formerly known as Nikolay Drive) described as follows:

Commencing at the west ¼ corner of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, thence South 88°41'03" east along the east-west quarter line of said Section 20, a distance of 60 feet to the east right-of-way line of Central Avenue (formerly known as State Trunk Highway 13), the point of beginning; thence north 00°21'13" east along said east right-of-way line of Central Avenue, a distance of 33.01 feet to the north line of 35th Street; thence south 88°41'03" east along said north right-of-way line of 35th Street, a distance of 1,892.22 feet; thence south 00°10'08" west a distance of 66.01 feet to the south right-of-way line of 35th Street; thence north 88°41'03" west along said south line of 35th Street to the east right-of-way line of Central Avenue; thence north 00°21'13" east along said east line of Central Avenue to the point of beginning.

- d. Road right-of-way for Central Avenue (formerly known as State Highway 13 and Maple Avenue), described as follows:

That portion of road right-of-way described above in paragraph 2 that also falls within the area described below:

That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 19; the NW ¼ of the SW ¼ and the SW ¼

of the SW ¼ of Section 20; the NW ¼ of the NW ¼ of Section 29; and the NE ¼ of the NE ¼ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S 88°36'11" E along the North line of the SW ¼ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S 00°24'47" W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S 00°24'08" W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S 01°45'48" E along the East Right of Way Line of Central Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N 23°31'20" E, 224.60 feet to the West Right of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE ¼ of said Section 19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning.

First reading of Ordinance No. 1309, Campus Master Plan Amendment request by Marshfield Municipal Airport to amend the five year Master Campus Plan, addressing when Federal Aviation Administration approval is needed for non-aeronautical uses, located at 210, 320, 324, and 400 West 29th Street, including all parcels owned by the City of Marshfield under the Airport's jurisdiction zoned "CD" Campus Development District.

City Planner Miller distributed a handout with corrected Master Plan maps for the hangars.

First reading of Ordinance No. 1310, Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Section 18-72 to allow the front and street side yard setbacks to be adjusted by averaging adjoining properties in all districts and to clarify language pertaining to such adjustments.

First reading of Ordinance No. 1311, Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Sections 18-25 through 18-33, 18-54, and 18-65 (1) & (2), allowing Minor Home Occupations as a permitted accessory use and Conditional Home Occupations as a conditional accessory use in all residential zoning districts and to clarify the requirements for a home occupation.

CC15-167 Motion by Buttke, second by Feddick to approve Budget Resolution No. 16-2015, transferring \$5,000 from Safe Routes to School Program donations to the Planning & Economic Development Budget for event prizes and awards. Ayes - 9

Motion carried

CC15-168 Motion by Wagner, second by Feirer to approve Budget Resolution No. 18-2015, transferring \$11,900 from TID #9 Fund Balance Applied to TID #9 Urban Development Budget for the TID #9 amendment. Ayes - 9

Motion carried

CC15-169 Motion by Feddick, second by Cummings to approve Budget Resolution No. 19-2015, transferring \$8,334 within the General Fund Airport Budget from Repairs and Maintenance operating expense to Land capital outlay expense. Ayes - 9

Motion carried

CC15-170 Motion by Jockheck, second by Reinart to go into closed session pursuant to Wisconsin Statutes, chapter 19.85(1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- Possible purchase of land near Marshfield Fairgrounds Park.

Roll call vote, all ayes. (Time: 8:03 p.m.)

Motion carried

Present in closed session: Alderpersons Feirer, Feddick, Jockheck, Earll, Wagner, Reinart, Cummings, Spiros and Buttke, Mayor Meyer, City Administrator Barg, City Attorney Wolfgram, Deputy City Clerk Panzer, Director of Parks & Recreation Casperson.

CC15-171 Motion by Buttke, second by Wagner to return to open session. Roll call vote, all ayes. (Time: 8:23 p.m.)

Motion carried

There was no action taken in open session regarding the closed session items.

Future Agenda Items

None

Motion by Feirer to adjourn at 8:24 p.m.

Lori A. Panzer
Deputy City Clerk



City of Marshfield Memorandum

DATE: August 7, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Question on noise variance request – High Street Salon

Background

At the July 28th Council meeting, Councilmember Wagner asked for more information on the High Street Salon noise variance request, noting that no specific nonprofit agency was referenced, and that the intended charitable purpose was somewhat unclear.

Follow-up contact

Since that meeting, I spoke to a High Street Salon representative who advised they aren't working with a particular nonprofit group, but rather that their intention is simply to give funds to needy families as they become aware of these needs.

Analysis

In reviewing the appropriate section of the Marshfield Municipal Code (copy attached), it appears that the premise for considering this request is that High Street Salon is holding a "community event". While we could suggest that providing the funds raised to a specific nonprofit agency is an expectation for what constitutes a "community event", past history indicates that we have not used that as a criteria to issue noise variances. In fact, we have previously granted these variances for a variety of other events and activities, if they meet our other requirements, and if they have been reviewed and approved by the police chief.

Recommendation

Staff recommends approval of the requested noise variance to High Street Salon.

High Street Salon, Spa, and Travel

210 S. Central Avenue
Marshfield, WI 54449
July 14, 2015

Phone: 715-387-1477

Common Council

City Hall
110 E. Second Street
Marshfield, WI 54449

Dear Common Council,

I am writing on behalf of our establishment. We will be holding a fundraiser on August 14-15, 2015, in our back parking lot. The money that we will raise will go to needy families in the area. The idea for the fundraiser is "Under the Sea." We will have party games and concessions. The concern we are to present to you is that we wish to play movies on a projected screen. We will have the games and concessions starting at 6-6:30 PM and then start the movie around 8-8:30 PM. The movies that we have chosen to show are The Little Mermaid, and Finding Nemo. Since both movies are well under two hours we should be done with the event each night before 10 PM.

The concern that was raised was still how the noise might affect the surrounding neighbors. Our parking lot is surrounded by three walls with the west opening up to the parking lot across from the Post Office. Since the business that we share the south wall with will be closed for the day, we have planned to place the screen as well as the speakers on that wall. While we are aware that several buildings around us have apartments with tenants, we do plan to be done before or around 10 PM each of the nights.

We thank you for your consideration in this matter. Also we would gladly change the placement according to what you deem is most appropriate, as well as follow any other suggestions you may have. If you have any concerns or questions we can be reached at the above phone number or at the following email address. Thank you again.

Sincerely,

Brooke Vomocil
High Street Salon Team

PUBLIC PEACE AND GOOD ORDER

- (f) *Yelling, shouting.* Yelling, shouting, whistling, hooting or generally creating a racket between the hours of 10:00 p.m. and 7:00 a.m. the following day so as to annoy or disturb the quiet comfort or repose of persons in any business or residence or in such a manner as to create a noise disturbance.
- (6) *Measurement and control of noise.* Measurement and control of noise shall be in accordance with the following:
- (a) *Noise prohibited.* No person shall make, continue or cause to be made or continued any noise in excess of the noise levels set forth in this subsection unless such noise is reasonably necessary to the preservation of life, health, safety or property.
- (b) *Measurement and control.* It shall be unlawful for any person to cause a sound from a stationary source which exceeds any sound level as set forth in the applicable column in the following table titled "Maximum Permissible Sound Levels" when measured at the real property line of the offending source. Measurement shall be made by a duly authorized individual who is knowledgeable in the proper use of the measurement equipment. Measurement shall be made in the slow response, A-weighting of the sound meter.

Maximum Permissible Sound Levels

Zones Time of Day dB

All 7:00 a.m. to 10:00 p.m. 80

All 10:00 p.m. to 7:00 a.m. 65

- (c) *Exemptions.* Exemptions shall be as follows:
1. Operations of emergency equipment shall be exempt from this section. Equipment shall include ambulance, police, fire, snow removal, civil defense sirens, etc., necessary for the health, safety and protection of the citizens of the city.
 2. Snow blowers not operated on a commercial basis shall be exempt from this section when used to gain access to a city street.
 3. Lawn mowers, chainsaws, powered garden equipment and other nonconstruction maintenance equipment shall be operated only during the hours between 7:00 a.m. and 10:00 p.m. unless within the specified noise levels measured at the property line of the location at which such equipment is in use.

(7) *Variations.* Procedures for granting variations shall be as follows:

- (a) The council may issue variations for special circumstances such as, but not limited to:
1. Special public events such as parades, Fourth of July celebrations, fairs, school band playing and similar public community events which are limited in duration. The variations may limit the hours and duration of the variance and may be conditioned upon the applicant taking technologically reasonable steps to minimize the noise.
 2. Existing business operations and equipment which produce excessive noise if it is found that it is not technologically or economically feasible to alter such operation to reduce noise to the standard prescribed by this section. Such variance permit may be of indefinite duration.
 3. The variance may be granted upon application stating the name of the applicant, address of the event, date and times of operation, what technologically reasonable steps will be taken to

MARSHFIELD MUNICIPAL CODE

minimize the noise and a noise impact statement. The contents of the noise impact statement shall be determined by the city clerk.

- (b) In determining whether to grant or deny an application, the council shall balance the hardship to the applicant, the community, and other persons of denying the special waiver against the adverse impact of granting the variance on the health, safety and welfare of persons affected.

(8) *Vibrations.* Vibrations shall be regulated as follows:

- (a) Except as otherwise specifically provided in this section, the provisions of SPS chapter 307, subchapter VII of the Wisconsin Administrative Code, as amended from time to time, are hereby adopted by reference and made a part of this Code as though fully set forth in this section, exclusive of provisions relating to penalties. Any act required to be performed or prohibited by COMM chapter 7, subchapter VII is required or prohibited by this section.

- (b) In addition to preblast notice required by SPS chapter 307, the contractor shall notify the department in advance of all blasting.

- (9) *Emergency exception.* The provisions of this section shall not apply to the emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.

- (10) *Conflict.* If this section or parts of this section conflict with any prior ordinance, or part of a prior ordinance, this section repeals all prior ordinances or parts thereof.

(Code 1982, § 9.06; Ord. No. 1014, § 1, 4-13-2004; Ord. No. 1086, § 1, 11-14-2006; Ord. No. 1220, § 1, 2-28-2012; Ord. No. 1220, § 1, 2-28-2012)

Sec. 10-34. Animals running at large prohibited.

(1) *Generally.* General provisions for animals running at large are as follows:

- (a) It shall be unlawful to own, keep or harbor a dog or cat or other animal and permit such animal to run at large in the City of Marshfield at any and all times.

- (b) The animal shall be deemed to be running at large when found on any of the public streets, alleys, parks, or other public grounds of the city, or when off the premises of the owner or person having custody and control of such animal unless held in leash.

- (c) Any person who allows any such animal owned by him to defecate on property of another or on any public property or on any public terrace, defined as that area between the sidewalk and curblin, shall cause the feces to be removed immediately.

- (d) "Animal" includes every living warm-blooded creature except a human being.

- (2) *Female animals in season.* Any female animal in season shall be kept confined in a building or secure kennel enclosure, veterinary hospital or boarding kennel during the duration of such season.

- (3) *Vicious animals.* The owner of any vicious animal shall keep it securely enclosed on the owner's premises away from the proximity of sidewalks, paths, or alleys, and shall keep it muzzled when exercising it. Where there is evidence that any such animal intimidates any person to the extent that such person is unable to use or enjoy any property, the animal control officer or any law enforcement officer may order the animal muzzled, leashed or restrained.

High Street Salon, Spa, and Travel

210 S. Central Avenue
Marshfield, WI 54449
July 14, 2015

Phone: 715-387-1477

Common Council

City Hall
110 E. Second Street
Marshfield, WI 54449

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The concern that was raised was still how the noise might affect the surrounding neighbors. Our parking lot is surrounded by three walls with the west opening up to the parking lot across from the Post Office. Since the business that we share the south wall with will be closed for the day, we have planned to place the screen as well as the speakers on that wall. While we are aware that several buildings around us have apartments with tenants, we do plan to be done before or around 10 PM each of the nights.

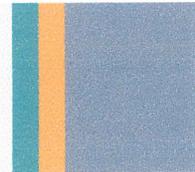
We thank you for your consideration in this matter. Also we would gladly change the placement according to what you deem is most appropriate, as well as follow any other suggestions you may have. If you have any concerns or questions we can be reached at the above phone number or at the following email address. Thank you again.

Sincerely,

Brooke Vomocil
High Street Salon Team

Alexandre Sainterme

606 N. Peach Avenue, Marshfield, WI, 54449
715-897-6745, Sainterme13@gmail.com



August 4, 2015

Deb M. Hall
City Clerk
City of Marshfield
P.O. Box 727
630 South Central Avenue
Marshfield, WI 54449

Dear Deb,

I wish to request a noise variance to be discussed on the August 11th agenda. The event for which I am requesting is as follows:

Location: Columbia Park

Date: August 21st

Time: 5:00 - 10:30

Description: We will be putting on a free concert involving many young aspiring musicians as well as any musician who wishes to join in celebration of many of our last few days in Marshfield. With this, it is expected that many noises will be produced; being considered melodious to some yet cacophonous to others, and nonetheless loud.

Warm regards,

Alexandre Sainterme



Marshfield Convention & Visitors Bureau

Board Meeting Minutes – June 1, 2015 – DiLuca’s at the Holiday Inn

Present: Scott Berg (*partial attendance via speakerphone*), Al Chaney (*partial attendance*), Alderman Gary Cummings, Sandra Hanson, Scott Koran (*partial attendance*)

Absent/Excused: Todd Diedrich

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

Guests:

McLean called the meeting to order at 11:30. It was noted that some of the Board Members would not be able to be in attendance for the entire meeting. Consequently, **all approved MOTIONS (below) were addressed when a full quorum was present**, and included Board Business from the April Meeting, when a quorum was not present.

I. Minutes from March Meeting

Motion to approve the minutes from the March 24th Board Meeting, as written, was made by Gary C., second by Scott K., and unanimously carried.

II. March and April Financial Reports

McLean reviewed both the March and April financial reports, and addressed questions from the Board. ***Motion to approve the March and April Financial Reports was made by Gary C., second by Scotty B., and unanimously carried.***

III. May Activity Report/Pillars

McLean briefly discussed the Activity Report included in this month’s Board Packet, specifically noting key events in line with the MCVB Pillars and Mission.

- WATA – Attended two Board Meetings re: event barn legislation and ag tourism
- MCVB hosted Business After 5 at the Chestnut Center
- McLean attended NASC Sports Show in Milwaukee
- Hosted 2015 Tourism Banquet for Tourism Partners and Best of Marshfield winners
- Presented room tax proposal to City Council
- Set-up and hosted ACO Cornhole Tournament at the hockey building

IV. Tourism Banquet/Best of Marshfield Wrap-Up

This event was a huge success, with excellent attendance. McLean discussed interest from Hub City Times in partnering with us to handle future “Best of Marshfield” events, which would be beneficial to the MCVB both in marketing exposure and cost sharing.

V. Holstein Convention in February 2016

This event will be discussed in further detail at future board meetings.

VI. Room Tax Discussion

McLean discussed his attendance at City Financial Meeting and City Council Meeting, regarding support of this initiative.

VII. Cornhole Bag Toss/Dairyfest Promotion

The very first (ever) ACO Wisconsin State Cornhole Championship Tournament was a resounding success. We had hoped for first year attendance at 50 participants, and we had over 90 “tossers” plus family, friends and spectators.

VIII. Creative Arts Weekend Grant Event Follow-Up Report

Moved to future Agenda.

IX. Sports Update

X. Maple Fall Fest Update

McLean gave a brief update.

XI. New Business

Meeting adjourned at 1:00 pm.

The next meeting, with lunch provided, is scheduled for Tuesday, June 23, 2015, at 11:30 am at Hotel Marshfield.

COMMUNITY DEVELOPMENT AUTHORITY

June 25th, 2015

The monthly meeting of the Community Development Authority was called to order by Chairperson Andrew Keogh at 9:05 a.m. in the Community Room at Parkview Apartments, 606 South Walnut Avenue, Marshfield, Wisconsin.

Affirmation of proper posting of meeting: Meeting posted June 16, 2015 at 4:41 pm.

ROLL CALL:

PRESENT: Andrew Keogh, Marilyn Hardacre, Dave LaFontaine, Dave Marsh, Tom Buttke, Jeannette Katzenberg

ABSENT: Peter O. Hendler

OTHERS PRESENT: Mary James-Mork – Executive Director, Tim Geldernick –Environmental Services Manager

Declaration of a quorum.

Identify any Potential Conflicts of Interest: None

Invitation for Public Comment: Joan Conklin spoke of her concern about notification by the Marshfield News-Herald that they would no longer be delivering newspapers to resident units. Her concerns related to an inability to assure that newspapers would not be taken by residents who do not subscribe, as well as for those who may have mobility issues. Mrs. Conklin asked if CDA management would be willing to speak to the appropriate the News-Herald staff person to determine why delivery has become an issue at this point and why the CDA was not notified about any problems with access in advance of the notification of the change.

Executive Director will speak to the News Herald Staff to get further information about the change in delivery that was posted.

CDA 15-B06-1 Motion by Marsh, second by Buttke to approve the May 28th , 2015 CDA Board Minutes. 6 Ayes

MOTION CARRIED

CDA 15-B06-2 Motion by Buttke, second by Marsh to approve the May 19, 2015 CDA Finance meeting minutes. 6 Ayes

MOTION CARRIED

Strategic Planning Committee Update:

Keogh suggested that the Executive Director include details of the brief Strategic Planning Meeting with the RAD portion of the Executive Director's Report given the content of the planning meeting.

Personnel Committee Update: No update

Grievance Committee Update: No update

Executive Director's Report:

CDA 15-B06-3 Motion by LaFontaine, second by Marsh to accept and place on file the Executive Director's Report. 6 Ayes

MOTION CARRIED

REAC Inspection Report Results:

Executive Director stated that the inspection results will be provided to the Board of Commissioners upon access to their publication.

Capital Funds Project Update:

Update provided by Environmental Services Manager.

New Business: Keogh presented John Conklin with an award for his service to the CDA as resident commissioner, thanking him for his dedication and efforts over the last years.

Next Board Meeting Date and Time: Thursday, July 30th, 2015 at 9:00 a.m. at Cedar Rail Court.

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Agenda Items for July: REAC Results
RAD Update
Report on visit by HUD Field Office
Capital Funds Update

CDA 15-B06-4 Motion by Marsh, second by Hardacre to adjourn. Meeting declared adjourned by Chairperson Keogh at 10: 05 a.m.

Respectfully submitted,

Mary James-Mork
Executive Director

Andrew Keogh
Chairperson

COMMUNITY DEVELOPMENT AUTHORITY
Executive Director's Highlights
July 30th, 2015

1. Occupancy-Vacancy Rate as of this report 93.7%

Parkview- Ten (10) vacancies – Two pre-assigned

Cedar Rail – Three (3) openings

Scattered Sites - 0 vacancies

Section 8-The program has fifty (50) active leased vouchers, with four (4) issued. Of the vouchers previously leased, 2 ports were absorbed. Recent work with the HUD tool will allow the program to have a full month's reserve, this is right on target with HUD's guidance.

2. RAD Project-

- RAD Physical Conditions Assessment has been awarded to Ameresco. Next steps: Finalize Service Agreement and schedule Kick Off Meeting. Project start-up call was held on July 27th 2015. ED, Business Manager and Environmental Service Manager were present for the conference call, along with select Ameresco staff. Ameresco is scheduled to be on site at the CDA from August 10-August 13, 2015.
- National Housing Compliance (NHC) Consulting Staff held a conference call with Executive Director on July 9th, 2015. Discussion included prioritizing tasks to align with timelines, discussion re: new leases, tenant selection plan review with current policies and staff training.
- Brittany Finlayson of Von Briesen is close to completing drafts of the By-Laws for CDA/NI for review. ED continues conversations with other Von Briesen staff discussing the role of the 501 (c) (4) to the CDA to determine boundaries and alignment.
- ED has met with Residents to provide an update on the RAD process on July 22, 2015. Meetings at Cedar Rail and Parkview were well attended and residents asked appropriate questions. ED will meet with residents again with updates as we move forward with our Physical Conditions Assessment.
- ED and Business Manager held a conference call kick off for RAD with the new Transitional Manager, Paula Sampson of Virginia on July 14th, 2015.

3. Capital Funds Planning-

Capital Funds for 2013 will be fully obligated by September 9, 2015.

4. REAC Inspection for 2015- Update-

CDA has not yet received a final copy of the REAC Inspection and Score. Report will be made when that document arrives.

5. HUD Field Office-

HUD Field office visit to the CDA scheduled for July 30, 2015 has been cancelled due to a meeting conflict for the field office staff. The meeting has not been rescheduled at the time of this report.

COMMUNITY DEVELOPMENT AUTHORITY
Finance and Strategic Planning Committees
July 21st, 2015

The Finance and Strategic Planning meeting of the Community Development Authority was called to order by Finance Committee Chairperson Dave LaFontaine at 9:00 a.m. in the Cedar Rail Court Executive Conference Room, located at 601 S. Cedar Avenue, Marshfield, WI.

Affirmation of Proper Posting of Meeting: Meeting posted July 15, 2015 at 12:49 p.m.

ROLL CALL:

PRESENT: Dave LaFontaine, Dave Marsh, Tom Buttke, Andy Keogh

OTHERS PRESENT: Mary James-Mork - Executive Director

ABSENT: Peter Hendler, Tim Geldernick

Declaration of a Quorum.

Identify any Potential Conflicts of Interest: None

Public Comment: None

Review of Financial Reports/Documentation

CDA 15-F07-1 Motion by LaFontaine, second by Marsh to accept and recommend the May & June 2015 financial reports for board approval. 4 Ayes

MOTION CARRIED

Update on Physical Conditions Assessment Award to Ameresco. Ameresco will schedule a kick off call with ED, Business Manager and Environmental Services Manager for July 27th, 2015.

Update on 501(c)(4) progress with Von Briesen & Roper.

Next meeting date will be Tuesday August 18th, 2015 at 1:30 p.m in the Cedar Rail Executive Conference room.

Meeting adjourned at 10:10 am.

Respectfully submitted,

Mary James-Mork
Executive Director

Dave LaFontaine
Chairperson

HISTORIC PRESERVATION COMMITTEE MINUTES
OF AUGUST 3, 2015 MEETING

Meeting called to order by Chairperson Wood at 4:00 P.M. in Conference Room 108 of City Hall Plaza.

PRESENT: Ken Wood; Alderperson Gary Cummings; Bill Penker; Ken Bargender; and, Kris Keogh.

ABSENT: Keith Meacham (excused); and, Vickie Schnitzler (excused).

ALSO

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

Approval of the Minutes of July 6, 2015 Meeting.

HP15-23 Motion by Bargender, second by Keogh to approve the minutes of the July 6, 2015 meeting.

Motion Carried.

Citizen Comments.

Bargender said Hub City Days seemed like a great success. He was part of the car show. Overall, a lot of positive feedback was received about the events that weekend.

Continue Discussion on the Buildings of Historical Interest Brochures.

Schnitzler is absent from today's meeting, but she is working on the list of buildings as well as a letter that can be sent out to property owners, asking their permission to include them in the brochure. That should be ready in time for the next meeting.

On a related matter, Wood said he is looking for color photos from 1960-present of events that took place in the City for the next book. He's looking for images of modern America. Keogh suggested checking with the Catholic school. The 1st volume is also available at Book World.

Penker arrived 4:09 pm.

Signup Discussion for the 2015 Fall Historic Preservation Conference.

Miller asked that anyone interested in going to the conference submit their registration in the next couple of days. Staff will process the form through the Finance Department and get you registered for the conference. Committee members will be responsible to get their own hotel room (if one is needed) and figure out transportation. It will be up to the Committee to decide what will be reimbursed.

Cost breakdown:

Registration: \$110 per person for Friday and Saturday registration
\$65 for Friday only
\$60 for Saturday only

Mileage: \$172.50 (approx. 300 miles roundtrip)

Hotel: \$70-\$99 per night (Madison Marriott)

There is \$353 remaining in the travel budget for 2015.

Discuss Status of Soo Line Steam Locomotive No. 2442.

This past week, staff met with Justin Casperson to discuss the status and future plans for the Soo Line Steam Locomotive No. 2442. He is planning on attending the next Historic Preservation Committee meeting to begin a dialog about the future of the steam engine. We discussed accessibility, the path around the steam engine, lighting, fencing, and signage. At this point, it would be a preliminary discussion to see if/how we want to move forward with any improvements to the area.

Bargender said he was an advocate of getting rid of the barbed wire on the top. Would be in favor of removing or changing the fence, but isn't an advocate of letting people to climb on it. A four-foot wrought iron fence would be more inviting.

Wood asked who the engine was presented to. Bargender said we should discuss that question with Meacham.

Penker asked Matt McLean if he could check in La Crosse and Two Harbors, MN if the engines there are open to the public.

Matt McLean asked if anyone from the Committee would be interested in opening the gate at the 2442 and being there to present information about the engine during Maple Fall Fest. Bargender suggested may he would want to reach out to Keith to see if he's interested and available.

Staff Updates.

- a. Soo Line Steam Locomotive No. 2442 Restoration Work.
Miller stated that the roof work is complete. Dennis used 200 of the old copper roofing nails. All that remains to complete are the windows and seating area which should be completed and installed within the next couple of weeks. One of the windows needs to be rebuilt totally so it will take some more time.
- b. Historic District Sign.
Miller reported that the sign that was hit back in March was not taken into evidence and the Committee is free to do what it wants with it. The Committee suggested getting a quote from Kohs Machine Shop to fix it. The Committee will look at opportunities to reuse the sign, possibly on 2nd Street.
- c. Update on the Round Barn Concrete Replacement Project.
Miller shared that the concrete replacement project has been completed. The new concrete looks great and Marawood did a nice job preserving the stanchions for historical purposes. Miller will be videotaping the finished project tomorrow.

Wood mentioned organizing a video walking tour of people that have historic stories to share in various neighborhoods. He asked if the Committee had any suggestions of moving forward with that idea.

Set Meeting Date and Future Agenda Items.

HP15-24 Motion by Penker, second by Cummings, to cancel the September meeting and hold the next meeting on October 5, 2015.

Motion Carried.

The next regular Historic Preservation Committee meeting will be held on Monday, October 5, 2015, tentatively at the Wildwood Pavilion. The agenda of the next regularly scheduled meeting should include approval of the Monday, August 3, 2015 meeting minutes, updates on the Architectural Walking Tour Brochures, ordering new Historic Walking Tour Brochures, the plans for the Soo Line Steam Locomotive No. 2442 area, and discuss the plans for the STEM building (invite Michelle Boernke or Roxie Wetterau from the UW to the next meeting).

Adjourn.

Motion by Penker, second by Cummings to adjourn meeting at 4:47 P.M.

Motion Carried

Respectfully submitted,



Josh Miller
City Planner

**MARSHFIELD UTILITIES, A MUNICIPAL UTILITY
MARSHFIELD UTILITY COMMISSION
AUGUST 3, 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 August 3, 2015 in the downstairs meeting room of the utility office. Present were Commissioners Mike Eberl, John Maggitti, Harry Borgman, and George Holck. Also present were Alderperson Gordon Earll and Utility staff. Absent were Commissioner Kathy Heintz-Dzikowich and Alderperson Peter Hendler.

- During commissioner, council and staff comments, Commissioner Holck and Commissioner Borgman commented positively on the recent bill inserts. The General Manager informed the group that John Adam Kruse will be joining the meetings in the future.
- Patti Sternitzky and Mike Pero were presented with awards for five years of service.

UC/15-64 Motion by Maggitti, seconded by Borgman, to dispense with reading the minutes of the previous meetings and accept them as submitted. All ayes, motion carried.

UC/15-65 Motion by Holck, seconded by Maggitti, to approve payroll for July in the amount of \$240,587.48 and general bills for July in the amount of \$3,208,822.91. All ayes, motion carried.

June 2015 Financial Statement Notes

Electric Utility

- Net loss was \$71 thousand for the month, with a net income of \$837 thousand year-to-date.
- Net operating income was \$63 thousand for the month, compared to budgeted net operating income of \$115 thousand. Year-to-date net operating income was \$1.5 million, compared to budgeted net operating income of \$1.3 million.
- After adjusting for the PCAC timing, the net operating income for the month was \$99 thousand.
- Operating expenses for the month included \$13 thousand for 699 Circuit Switcher Insulator Support Columns replacement, and \$22 thousand payment to the City of Marshfield for an updated aerial photograph.
- June consumption was down 5.20% from June 2014, while year-to-date consumption was down 0.94%. Year-to-date energy losses were 0.95%, compared to prior year losses of 1.43%.

Water Utility

- Net income was \$78 thousand for the month, with a net income of \$382 thousand year-to-date.
- Net operating income was \$107 thousand for the month, compared to budgeted net operating income of \$54 thousand. Year-to-date net operating income was \$554 thousand, compared to budgeted net operating income of \$293 thousand.
- Operating expenses for the month included \$10 thousand for Well 8 pump inspection and repairs, and \$15 thousand for Well 8 rehabilitation.
- June consumption was up 1.01% from June 2014. Year-to-date consumption was up 4.48% from the prior year. Year-to-date water losses were 14.27%, compared to prior year losses of 14.91%.

Communication Utility

- Net income was \$19,616 for the month, compared to budgeted net income of \$18,077. Year-to-date net income was \$112,778, compared to budget net income of \$104,190.
- The Department Managers reviewed noteworthy projects including:
 - Water shared a video of the new water tower being raised.
 - Office gave an update on the water rate case and a bond rating call.
 - Administration confirmed that a property listing was included in the commission documents.
- The Technical Services Manager presented information on regulatory compliance and reliability.

- The General Manager presented information on Kurt Wozniak insurance claim.

UC/15-66 Motion by Maggitti, seconded by Borgman, to deny the claim. All ayes, motion carried.

- The General Manager presented information on a mural sponsorship for Hardacre park.

UC/15-67 Motion by Borgman, seconded by Maggitti, to sponsor the mural. Aye: Borman and Maggitti, Nay: Holck and Eberl, motion failed. The consensus of the group was to bring the topic back to the next meeting.

- The General Manager and Financial Manager presented information on the water rate structure. The Commission requested additional scenarios be run.

UC/15-68 Motion by Holck, seconded by Maggitti, to go into closed session per Wisconsin State 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 succession planning.

Roll call vote: Aye: Borgman, Holck, Maggitti, Eberl. Nay: None. Motion carried. Closed session at 5:04 p.m.

UC/15-69 Motion by Maggitti, seconded by Borgman, to resume in open session. All ayes, motion carried. Open session resumed at 5:27 p.m.

UC/15-70 Motion by Holck, seconded by Borgman, to adjourn. All ayes, motion carried. Meeting adjourned at 5:28 p.m.



John Maggitti, Secretary

Department: Office
Manager: Kent S. Mueller
Month: July 2015

- Patti Sternitzky updated the Public Fire Protection property values in the billing system. Since our public fire protection charge is based on property values, we need to update total assessed values each year after the City completes the Open Book and Board of Review process. The 2015 update resulted in a value increase of 1.32%. The PFP charge has been billed directly to water customers since July 2005. Prior to this, it was billed to the City and included on property taxes.
- With the approval from the Utility Commission and the City of Marshfield in July, the sale of the 2015 water revenue bonds, in the amount of \$3.23 million, is scheduled for August 25th, with the proceeds to be received on September 15th.
- The annual umbrella insurance coverage for the M-1 generator facility was finalized in July. Total cost for the annual renewal is \$96,781, compared to prior year cost of \$93,835, which is a 3% increase in the annual premium. Terry Christen from Westland Insurance worked to renew the \$14 million of liability coverage, which runs from August to July each year, for the M-1 combustion turbine.
- Westland Insurance has been our agent for the LWMMI insurance, which provides our liability and auto insurance. Westland Insurance has been sold, and our new agent assigned for the LWMMI insurance is Spectrum Insurance Group, LLC. This was effective on July 2nd.
- On July 24th, our voluntary additional capital call amount of \$28,388 was sent to ATC. This was our third capital call this year, with year-to-date additional investment of \$85,164.
- On July 31st, an ATC cash distribution totaling \$135,390 was received. Since our initial investment in 2001, we have received over \$6.1 million in ATC earnings distributions.

Department: Water
Manager: Dave Wasserburger
Month: July 2015

The actual construction of the new water tower has been completed. The painting crew is scheduled to arrive and begin painting the first week of August. Construction of the detention pond was started July 27th and should be finished during the first week of August. We appear to be on target to have the tower operational this fall.

A city wide emergency action drill was conducted July 7, 8 and 9. All City Departments participated along with Wood County Emergency Management. This drill proved to be an excellent way to gain experience with the County's E-Sponder Emergency Management software.

Shawn Wall MEUW Safety Coordinator conducted a summer safety training program for the department on July 9th.

The second phase of water main replacement has started on the Maple Avenue project.

Eight new security cameras have been installed and are operational at the Water Treatment Facility.

Jeff Tisdell has retired after 26 years of employment with the Water Department. We wish Jeff a happy and successful retirement. We have been conducting interviews to find a replacement for him. In the last six months the Water Department has lost over 50 years of experience through retirements.

A SCADA upgrade was completed in July. New reporting software for the Water Department can now be installed. The reporting software installation should be completed in August.

Crews continue with directional flushing. Several hydrants were replaced in July. Several water service leaks were found and repaired. There was also a water main failure that crews repaired.

Groundwater Guardians

A Groundwater Guardian appreciation dinner was held on July 15th at the Holiday Inn Conference Center.

Department: Electric

Manager: Nicolas Kumm

Contributing: Derrek Caflisch

Month: July 2015

- M-1 did run during the month of July to complete MISO annual real power testing requirements for the capacity market. The test consists of running the plant at maximum power output for at least one hour.
- Electric AMI meters installed: 5,722 out of 13,100 (43.9%). 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.
- Derrek and I participated in a mock drill held at the fire department on July 7th – 9th. The drill provided us more insight on how an actual event would be handled. Communication and documentation are key components that will greatly improve the outcome of any event.
- I presented to the Town of Lincoln Volunteer Fire Department on July 2nd and to the Village & Town of Spencer Volunteer Fire Department on July 21st on electrical safety. The electrical safety presentation discussed topics like touch and step potential, and how to respond to pole fires and accidents involving utility equipment. I also covered our natural gas pipeline system and M-1 generating plant.
- Dustin completed Week 4 of year 1 of the Metering Technician Apprenticeship at Mid-State Technical College in Wisconsin Rapids during the week of July 13th.
- The electric department provided cross-over training to the water department on July 14th. The training included a review of material, equipment and vehicles followed by short presentation on hazards that could be encountered in the field.
- Sean Wall with MEUW provided training to staff on July 22nd on Summer Safety and PPE.
- Tim Habermeyer, Jeff Holbrook, Mike Vanderwyst, Jeff Irish, Randy Ayer, and Ryan Steffen have been working the CTH E project. Birch Street North to Turtle Ridge as well as Ash North to Mann is complete. The new line from Mann North to Birch is energized with the cutover mostly finished.
- Dean Bohman and Robert Olwell have been working services, street lights, and many small projects.

Department: Technical Services

Manager: Cathy Lotzer

Contributing: Heather Young, Shawn Marsh, Jim Benson

Month: July 2015

- Cathy coordinated an annual Groundwater Guardian dinner meeting with two guest speakers. Sam Warp from Marshfield Wastewater Facility spoke on Marshfield's new "No Wipes Down the Pipes" campaign and Austin Baldwin from USGS spoke on his research on microbeads and microplastics in the Great Lakes region.
- Camera installation is complete at the Water Treatment Facility. Final camera positioning is ongoing. The next site for install will be McMillan Substation.
- Heather prepared and submitted quarterly and semi-annual emissions reports to the WDNR and EPA. She also worked on communicating recent M-1 run information to our compliance engineer at the WDNR.
- Heather job shadowed Jim on an energy assessment audit on July 22, 2015.
- Shawn worked with Wonderware Midwest getting the SCADA system upgraded to the latest version on a new server and also prepped for the AllMax software install setup.
- Shawn worked with PerMar setting up new cameras and server, as well as alignment of cameras at the Water Treatment Facility.
- Jim is working with Kent and the Cadmus Group on billing history requests for the FOE New Homes program and the Home Performance program.
- Jim is coordinating the construction of a mini water tower with John Richmond. He is also working with Martin Rotar, A&B Process systems, and possibly Counter Form.
- Jim has been working with HOH Water Technologies on getting the heat pump chemical feed system set up.

BOARD OF PUBLIC WORKS MINUTES
OF AUGUST 3, 2015

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

PRESENT: Mike Feirer, Tom Buttke, Ed Wagner & Gary Cummings

EXCUSED: Chris Jockheck

ALSO PRESENT: Mayor Meyer, Aldermen Earll & Spiros, Director of Public Works Knoeck; Assistant City Engineer Cassidy; Street Superintendent Winch; Wastewater Superintendent Warp; Planning & Economic Development Director Angel; City Planner Miller; Al Michalski - EDB; Randy Lueth - Landscape Architect; Scott Larson - MACCI; Angie Eloranta - Main Street Mfld; Judge John Kruse; the media; and others.

PW15-91 Motion by Feirer, second by Cummings to recommend approval of the minutes of the July 20, 2015 Board of Public Works meeting.

Motion Carried

Citizen Comments – None

Director of Public Works Knoeck presented an Engineering Division construction update. Street Superintendent Winch presented a Street Division construction update.

Wastewater Superintendent Warp presented the 2014 Wastewater Compliance Maintenance Annual Report.

PW15-92 Motion by Wagner, second by Feirer to recommend approval of the 2014 Wastewater Compliance Maintenance Annual Report and refer Resolution 2015-38 to the Common Council for approval.

Motion Carried

PW15-93 Motion by Cummings, second by Feirer to recommend approval of the Engineering Agreement with Strand Associates for the Annual Wastewater Rate Review and authorize execution of the agreement.

Motion Carried

PW15-94 Motion by Feirer, second by Cummings to recommend approval to allow the Library Project Construction Manager to self-perform work under the “Building Works” bid category.

Motion Carried

City Planner Miller and Landscape Architect Randy Lueth presented information on the final proposal for 2nd Street.

Alderman Jockheck arrived at 6:07 PM.

The Board of Public Works heard from the following individuals:

John Adam Kruse, 806 East 19th Street, has a private practice at 113 West 2nd Street. He first thanked the Common Council for all their efforts in developing this plan. He would have liked to have parking on the north side of the street. Should take the approach of looking at what is in the best interest of the downtown and consider what problem you are trying to solve. He does have a few questions such as why have outdoor dining in front of a law office and what are the pedestrian generators?

John Sikora, 9011 Thompson Road, Marshfield. He heard a rumor that Mittens was in favor of this. This is certainly not the case, they have never been in favor. He has not heard anyone speak favorably about the project, and maybe there is a reason. We went from a concern about parking to now have no parking on their side of the street.

Paul Schreiner, along with wife JoAnn own the PSE building downtown at 200 North Central Avenue. He is asking for a loading zone for his building. The new concept takes away all loading possibilities. He can't back a truck into the angle parking stalls. He is looking for new tenants in the building but they need to have loading access. They would have to cone off at least 6 stalls to allow enough room for a truck to back in from the alley, parallel with the curb. He is asking for help on this to be able to attract a quality tenant at this location.

Al Michalski, 213 Larch Avenue. There has been much discussion regarding impact to parking, which clearly parking is important, but he doesn't think this is the real issue. There are parking lots in all blocks adjacent to the corridor. He thinks the real issue is change. This could be a first step in improving our downtown by connecting the new library with SJ Miller. These are two gems that have the potential to attract customers downtown. Nearly \$19 million has been invested in downtown in the last 15 to 20 years. He asked the Board to support the proposed changes to the corridor.

Bill Penker, 600 South Sycamore Avenue, member of the City Plan Commission, but these comments are solely his own. In 2010 at a Council meeting, Paul Rogers made a comment that nothing will ever change if we continue with the status quo. We cannot keep criticizing Washington and Madison for not rethinking when we don't do it on the local level. This project is not a new idea. It was introduced in 2006 in the Downtown Master Plan at that time and an implementation schedule was established. Change can be difficult but if we don't change we won't move forward. He urges the Council to move forward with this.

Char Smith, 1621 South Cedar Avenue, is speaking in favor of the 2nd Street corridor. She did her own empirical parking study today by driving 2nd Street four times today. The most she saw was five cars parked on 2nd Street. The number of stalls is not the problem. The problem is the lack of cars parked in those stalls.

Joe Gustafson, 415 Magee Street, agrees with the previous three speakers that this needs to happen. He lives near downtown, visits often, sees the benefit of this and supports this concept.

Ken Bargander, 206 Hawthorn Avenue, serves on Historic Preservation Committee and ZBA, although his comments are his own. He has done business with Mittens. This change would not impact his use of the business. He would happily walk across the street to get to the business and believes other customers would do the same.

Angie Eloranta, Main Street. She is impressed with the number of people that came out to share their comments. Main Street did have some concerns initially but are happy to see this move forward.

Ron Berry, 2424 N Peach, has lived here all his life. In 1950, population 12,954, in 65 years our population has only grown by 6,500 people. He wonders why change is so hard in Marshfield. If you always want what you always have, they you always get what you always had.

Erin Howard, Park Street, owns property downtown with her husband Chris. Was glad to hear comments from people tonight because they are important and she wishes all could be accommodated. However she feels this plan is a good thing for the downtown. She had one question, could the driveway off Second to the municipal lot be eliminated so more room for Mittens?

Marsha Bushman, 2508 West 3rd Street. She does not own a business but feels that enhanced pedestrian spaces will bring people downtown. She identified several benefits from green spaces. Through her work travel, she sees what other communities are doing in their downtowns and thinks wouldn't it be nice to have that in Marshfield too. She now realizes that yes, we can have it here.

PW15-95 Motion by Wagner, second by Jockheck to recommend approval of the proposed concept for 2nd Street as presented and direct Engineering staff to move forward with preparing the appropriate construction documents for 2016 construction.

Motion Carried

Recommended items for future agendas:

- Alderman Wagner requested a discussion item on possible downtown parking ordinance changes.
- Set time and date of annual Board of Public Works bus tour.

Motion by Feirer, second by Jockheck that the meeting be adjourned at 7:15 PM.

Motion Carried

Daniel G. Knoeck, Secretary
BOARD OF PUBLIC WORKS



City of Marshfield Memorandum

TO: Mayor Meyer & Common Council
FROM: Josh Miller, City Planner
DATE: August 11, 2015

RE: 2nd Street Green Street Corridor Design.

Background

In June, the Board of Public Works directed staff to move forward with a revised concept for 2nd Street that included one-way streets, diverging from Central Avenue and angled parking. Staff met with Randy Lueth to discuss the parameters and have come up with a revised concept based on the direction from the Board.

Analysis

The recommendation from the Downtown Master Plan was to redevelop 2nd Street as a green street corridor. Below are the details from the Plan:

Redevelop 2nd Street as a green street corridor.

2nd Street connects the expanded library, core downtown, proposed park, and Steve J. Miller Park. This street can be redeveloped with significant landscaping, art installations, traffic calming, and other bicycle and pedestrian improvements to tie these resources together. The green corridor can be an incentive to promote eventual redevelopment of public and private properties along West 2nd Street.

- a) Develop a design for the corridor, incorporating street calming measures, bicycle and pedestrian accommodations, significant vegetative landscaping, street amenities, and art installations.
- b) Based on the adopted design, identify a timeline for improvements. Many features can be added incrementally as nearby development occurs. Features such as sculpture, murals, or other art installations can be added annually to create a continually evolving street scene.

Design Highlights

The final concept covers a two block span instead of the original 4 blocks. The direction from the Board of Public Works was to focus on the areas that will be redone in the short-term. The 2nd Street corridor west of Chestnut Avenue likely won't be developed for some time, so the focus area is from Maple Avenue to Chestnut Avenue.

There are a lot of infrastructure components and design elements that are desirable in a pedestrian green space corridor. Due to the limited space within the right-of-way, not all of them could be included. This proposed layout is still in concept form and some of the elements such as the location and/or type of outdoor seating, parking, public art, lighting, bump-outs, landscaping, and bike parking may be shifted to account for visibility, utilities, and functionality in the final design. This may include modifications for safety purposes as well as for access of emergency vehicles and semis.

The proposed concept (angled parking along the south) maximizes the available parking (the concept provides 32 stalls compared to 36 stalls under the current configuration), allows for on-street loading zones to the north, and provides significant greenspace along the north side of the street. Parking options on the north side of 2nd Street were also considered. When placing angled parking along the north side, the same number of parking stalls as the south side could be provided (32 stalls), however, to achieve the same parking count, the two loading zones would have to be removed. If the loading zones were included in the design with parking on the north side, then a number of stalls would have to be removed.

Business and property owners to the south side of the street (Custom Aerial Photography and PSE) also wanted on-street loading zones. However, this results in a similar situation as the concept with parking along the north side of the street: removing a number of parking stalls to make that accommodation. Additionally, having a parallel loading area next to an angled parking stall may be challenging to utilize. If loading is needed on a temporary basis, cones could be placed in the nearby parking stalls so no one parks there while businesses are receiving deliveries.

Below are the components of the design:

100 Block of East 2nd Street (Central Avenue to Maple Avenue)

- North
 - Approximately 4 planter areas for trees, hedges, and shrubs.
 - Outdoor seating areas
 - Access to loading
 - Loading zone
 - Colored concrete area behind the curb
 - 5-7 foot wide sidewalk (including colored concrete area)
 - 15 foot wide eastbound lane
 - Lighted bollards for pedestrian lighting
 - Brick paver areas
 - Emblems with street names on the corners
 - Trash receptacles
 - No parking spaces provided

- South

- Planter areas on the east and west end of the block for shade trees and shrubs
- Access to loading
- Colored concrete area behind the curb
- 5-7 foot wide sidewalk (including colored concrete area)
- 15 foot wide eastbound lane
- Decorative street lights
- Emblems with street names on the corners
- 14 angled parking spaces
- Public Art space

100 Block of West 2nd Street (Central Avenue to Chestnut Avenue)

- North
 - Approximately 10 planter areas for trees, hedges, and shrubs.
 - Outdoor seating areas
 - Outdoor dining area
 - Loading zone
 - Colored concrete area behind the curb
 - 6 foot wide sidewalk (including colored concrete area)
 - 15 foot wide westbound lane
 - Lighted bollards for pedestrian lighting
 - Brick paver areas
 - Emblems with street names on the corners
 - No parking spaces provided
 - Hedges screening the Central Municipal Lot and corridor

- South
 - Large planter areas on the east and west end of the block for shade trees and shrubs
 - Close exit access from Burlington Lot on to 2nd Street (Post Office mailbox will have to be addressed if this access is closed)
 - Colored concrete area behind the curb
 - 5-7 foot wide sidewalk (including colored concrete area)
 - 15 foot wide westbound lane
 - Decorative street lights
 - Emblems with street names on the corners
 - 18 angled parking stalls
 - Public Art space

Another factor considered in the design was limiting how much of 2nd Street in the West 100 block would have to be dug up as that street was reconstructed just two years ago. Part of the parking lanes on both sides as well as part of the driving lanes will have to be reconstructed to accommodate the proposed design. It is also likely that some components of the storm sewer will have to be relocated.

Since the design was put together, staff met with the Chief Haight and Deputy Chief Erickson from the Fire Department and they had requested that the lane be

a minimum of 18 feet wide so the ladder truck can be utilized in the corridor for the taller buildings. Currently, the lane is shown as only 15 feet wide, but staff feels modifying the parking lane depth and the width of the greenspace would be feasible to accommodate the 18 foot wide driving lane.

Summary of Public Comments

Overall, there is not a clear consensus for how to redesign the 2nd Street corridor. Based on all of the public comment the following design concepts have the most support:

- Two-way traffic
- More greenspace
- No significant reduction in parking
- Bike lanes
- Outdoor dining options
- Public art
- Safety

Based on the proposed design, we were able to add significantly more greenspace, outdoor dining options, public art space, added safety, and limited reduction to parking. We weren't able to include the bike lanes or two-way traffic due to lack of space. A desirable characteristic in the design that we were able to achieve was a limited loss of parking. Existing conditions show there to be a total of 36 on-street parking stalls (17 in the east 100 block and 19 in the west 100 block). The proposed design has 32 stalls. The design for South Maple will add 4 parking stalls on the east side of the south 200 block, and the former Professional Building site will likely be converted to additional parking which should accommodate future parking needs for this area.

Board of Public Works Recommendation

The Board of Public Works reviewed the concept on Monday, August 3, 2015. There were a number of public comments regarding the proposed design. Some expressed concerns about the design, such as: there is no parking on the north side, there isn't a need to have outdoor dining right outside his office, and they would like a loading area on the south side. Other members of the Community spoke in favor of the design stating it was a great opportunity to attract pedestrian traffic to the downtown and the added greenspace and amenities will improve the look of the downtown and potentially trigger new redevelopment opportunities. Main Street also publicly supported the design as presented. Because there were so many comments at the meeting, staff would encourage members of the Common Council to watch the Monday's Board of Public Works meeting if they were unable to attend.

Ultimately, the Board of Public Works voted 5-0 to approve the concept 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

Approve the proposed concept as presented and direct engineering staff to move forward with preparing the appropriate construction documents for 2016 construction.

Attachments

1. Revised Final Concept.

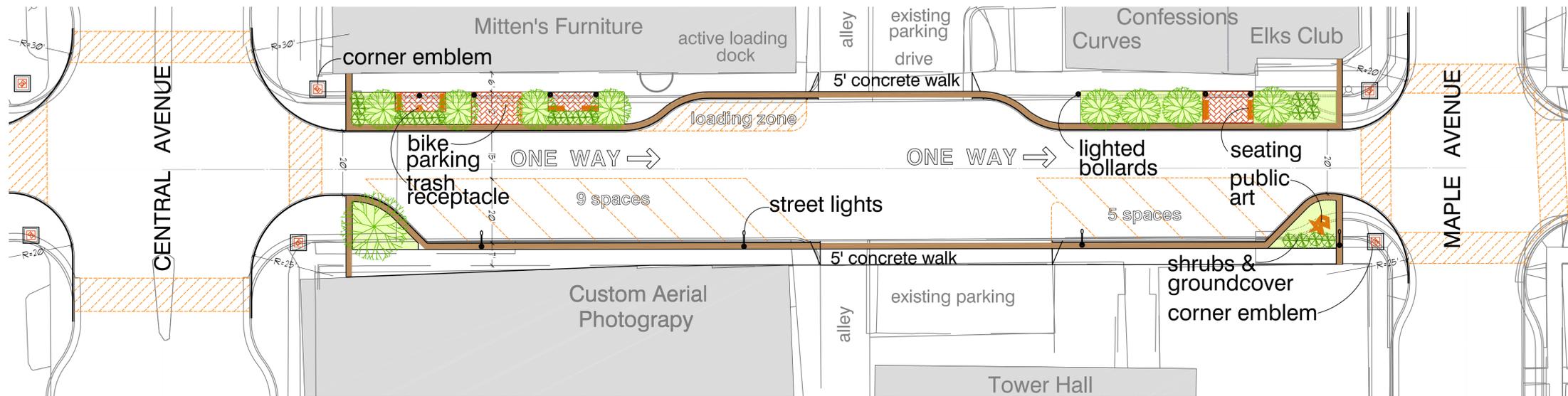
Concurrence:



Jason Angell
Planning and Economic Development Director



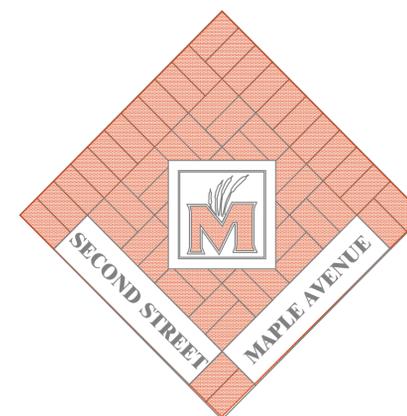
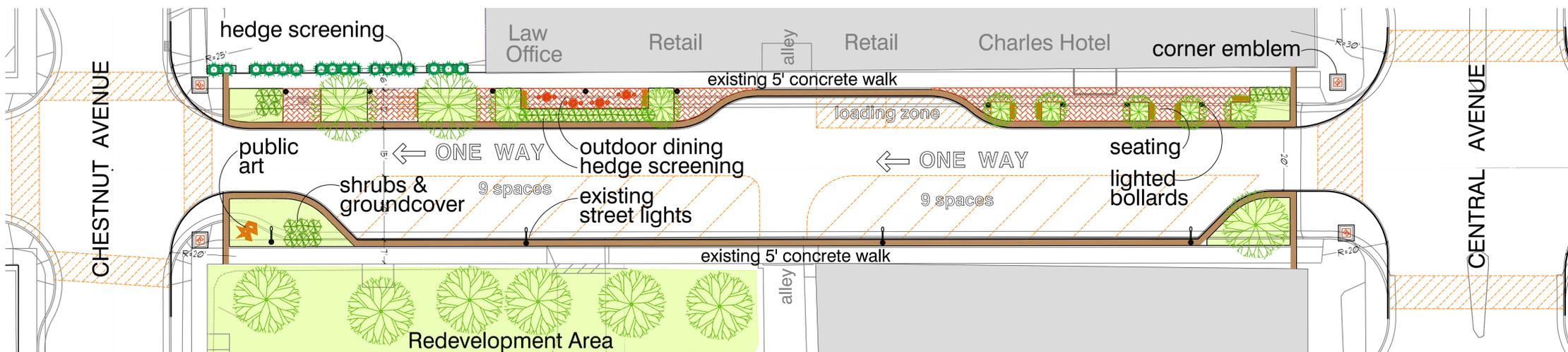
Steve Barg
City Administrator



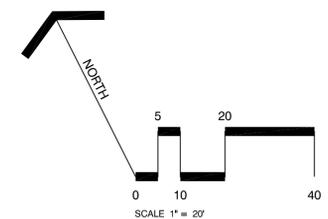
lighted bollard



bench with back & arms



corner emblem detail



Concept Plan , angle parking south side

Second Street Design Study, Marshfield, WI

RESOLUTION NO. 2015-38

Resolved, that the City of Marshfield informs the Wisconsin Department of Natural Resources that the following actions were taken by the Common Council of the City of Marshfield:

1. Reviewed the Compliance Maintenance Annual Report which is attached to this Resolution.

Passed by a (majority) (unanimous) vote of the Common Council on the _____ day of _____, 2015.

ADOPTED _____

Chris Meyer, Mayor

APPROVED _____

Deb Hall, City Clerk



City of Marshfield Memorandum

DATE: August 6, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Request to allow library project construction manager to bid on one single project component

Background

As you know, we re-bid roughly one-third of the library project categories, due mainly to a lack of bids, including categories in which no bids were received. This produced some success, but even with the re-packaged category called “Building Works” (“catch-all” of smaller project components), we just got one bid for this portion of the project work, and it’s thought that we might be able to get a better price. Our construction manager (Boson) would consider bidding on this category when we seek bids again next month, if allowed. Nothing in our construction management contract prohibits this; however, the Request for Proposals (RFP) that we used in soliciting proposals stated that the construction manager would not be allowed to “self-perform” any project work.

Board of Public Works review

At its August 3rd meeting, the Board of Public Works reviewed and discussed the request, and voted in favor of allowing Boson to submit a bid on this one category only.

Recommendation

Given the City’s need to bring this project within established budget constraints, and with some concerns of a continued lack of bids in this category, staff and the Board of Public Works recommend allowing Boson to bid on this one category only (Building Works) in a competitive manner with other interested parties.

JUDICIARY AND LICENSE COMMITTEE
MINUTES OF AUGUST 4, 2015

Meeting called to order by Chairperson Wagner at 5:01 p.m., in the Common Council Chambers, City Hall Plaza.

PRESENT: Alderpersons Ed Wagner, Gordon Earll and Alanna Feddick

ABSENT: None

ALSO PRESENT: Lieutenant Larson and Deputy City Clerk Panzer

JLC15-095 Motion by Feddick, second by Earll to approve the minutes of the July 21, 2015 meeting.
Motion carried

CITIZEN COMMENTS

None

JLC15-096 Motion by Earll, second by Feddick to approve by unanimous consent the following:

- a) Ten (10) Beverage Operator Licenses for the 2015-2017 license year to: Paulina Kruger, Perry Messmann, Jordan Munger, Amber Schade, Judy Schmitt, Jennifer Smith, Gabrielle Stauber, Emilee Weisgerber, Margaret Wolan, and Brian Zygarlicke.
- b) Temporary Class “B” Retailer’s License (Picnic) to the Marshfield Curling Club, Inc. for September 2-7, 2015 (CWSF).
- c) Temporary Class “B” Retailer’s License (Picnic) to the Marshfield Lions Club for September 2-7, 2015 (CWSF).

Motion carried

JLC15-097 Motion by Feddick, second by Earll to disallow the claim of Steven Cox pursuant to Wisconsin Statute 893.80 (1g).

Motion carried

JLC15-098 Motion by Feddick, second by Earll to grant a Beverage Operator License to Shane Cameron with 25 demerit points assessed for failure to list his violations.

Motion carried

JLC15-099 Motion by Feddick, second by Earll to grant a Beverage Operator License to Brittany Hoffman.

Motion carried

JLC15-100 Motion by Feddick, second by Earll to grant a Beverage Operator License to Krista Strandberg.

Motion carried

JLC15-101 Motion by Wagner, second by Earll to grant a Beverage Operator License to Gwendolyn Vinson with 25 demerit points assessed based on her Possession of THC violation.

Motion carried

JLC15-102 Motion by Earll, second by Wagner to grant a Beverage Operator License to Jami Lewis with 25 demerit points assessed for failure to list her violations.

Motion carried

Future Agenda Items

Double fencing for Temporary “Class B”/Class “B” Retailer’s Licenses (Picnic)

Motion by Feddick, second by Earll to adjourn at 5:17 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk

FINANCE, BUDGET AND PERSONNEL COMMITTEE
MINUTES OF AUGUST 4, 2015

Meeting called to order by Chairperson Feddick at 6:00 p.m., in the Common Council Chambers, City Hall Plaza.

PRESENT: Alderpersons Peter Hendler, Rebecca Spiros, Rich Reinart, Gordon Earll, and Alanna Feddick

ABSENT: None

ALSO PRESENT: City Administrator Barg, and City Personnel (Justin Casperson, Ben Steinbach, Keith Strey, Amy VanWyhe, Jean Warp and Lori Panzer)

Citizen Comments

None

FBP15-089 Motion by Earll, second by Hendler to approve the items on the consent agenda:

1. Minutes of the July 21, 2015 meeting.
2. Payroll in the amount of \$849,918.18 and Bills in the amount of \$361,317.64.
3. Report of Personnel Actions of August 4, 2015.
4. Monthly Position Control Report as of July 31, 2015.

Motion carried

No items were removed from the consent agenda.

John Preuss, representative of M3 (City's insurance consultant) presented information on Health Savings Accounts (HSAs).

FBP15-090 Motion by Hendler, second by Earll to receive and place on file the information on the HSAs that was presented.

Motion carried

Parks and Recreation Director Casperson presented information on the refilling of the vacant Classification III position in the Parks and Recreation Department.

FBP15-091 Motion by Hendler, second by Earll to authorize the filling of the position of Classification III and any other vacancy that occurs during the recruitment process within the Parks and Recreation Department.

Motion carried

FUTURE AGENDA ITEMS

None

There will be a closed session to review the employee merit requests that were received at the next Finance, Budget and Personnel Committee meeting.

Motion by Spiros, second by Reinart to adjourn at 6:27 p.m.

Lori A. Panzer
Deputy City Clerk



City of Marshfield Memorandum

DATE: August 6, 2015
TO: Mayor Meyer & City Council
FROM: Steve Barg, City Administrator
RE: Possible creation of joint municipal court with the Village of Spencer

Background

Last year, Village of Spencer officials approached staff about joining our municipal court for multiple reasons, including reducing the cost of citations set by Marathon County, and cutting the distance their police officers and residents travel for court. On September 16, 2014, I presented this idea to the Finance, Budget & Personnel Committee, and response to the concept was very favorable, with no major concerns expressed. Since then, I have continued working with Spencer representatives, City staff and the City Attorney to craft a proposal. For preliminary review, I've attached drafts of an agreement with the Village of Spencer and an ordinance that we would need to adopt, if this plan is to move forward.

Recommendation

On Tuesday night, I will present this proposal to the Mayor and Council, and answer your questions. If Council is favorable to the idea, I'll recommend that the Council refer this to the Finance, Budget & Personnel Committee for further review and recommendation.

DRAFT

**AGREEMENT TO OPERATE A JOINT MUNICIPAL COURT FOR
THE CITY OF MARSHFIELD AND VILLAGE OF SPENCER**

This Agreement is entered into this _____ day of _____, 2015, by and between the City of Marshfield (Marshfield) and the Village of Spencer (Spencer), both municipal corporations which are organized and existing under the laws of the State of Wisconsin, hereinafter called the "Member Municipalities".

WHEREAS, Section 755.01(1) of Wisconsin Statutes provides that a municipality may establish a municipal court to be maintained at the expense of the municipality; and,

WHEREAS, Section 755.01(4) of Wisconsin Statutes provides that two or more cities, town or villages may enter into an agreement under Section 66.0301 of Wisconsin Statutes for the joint exercise of the power granted under Section 755.01(1), after enactment of identical ordinance by each affected city, town or village; and

WHEREAS, member municipalities have expressed a willingness to enter into an agreement for the joint operation of a municipal court pursuant to Section 66.0301 of Wisconsin Statutes.

NOW, THEREFORE, In consideration of the benefits expected to be realized by each municipality from joint operation of the municipal court, the member municipalities contract and agree as follows:

- 1) **TERM.** This agreement shall be in effect for the period beginning on the date when it has been duly executed by both member municipalities, and shall remain in effect until either party takes action to abolish the Court.
- 2) **GENERAL.** The Court shall be organized and shall operate pursuant to, and in full accordance, with Chapter 755 and Section 66.0301 of Wisconsin Statutes., ordinances adopted by the member municipalities, and the terms of this agreement. Should any conflicts arise, applicable portions of Wisconsin Statutes shall prevail.
- 3) **ORGANIZATION.** Except for matters required by Wisconsin Statutes to be determined by governing bodies of the respective member municipalities, general operations of the court shall be under the City of Marshfield, and the jurisdictional authority of the court shall be exercised by the Municipal Court Judge.
- 4) **CLERK AND JUDGE.** The Court Clerk and Judge shall both be employees of the City of Marshfield, with wages and any fringe benefits established by the Marshfield City Council. The clerk shall be appointed by the Judge, pursuant to Section 755.10 of Wisconsin Statutes.
- 5) **FORFEITURES, FEES, PENALTY ASSESSMENTS AND COST.** The Court Clerk shall pay over all forfeitures, fees, penalty assessments, and costs paid to the Court under a judgment to the City of Marshfield Finance Director by the close of business on the Tuesday of the week following receipt. At time of payment, the Judge shall provide supporting documents for receipts, including citation numbers, the offense for which forfeiture was imposed, and the total of all forfeitures, fees, penalty assessments, and costs, if any. The City shall create a separate special revenue fund to account for funds collected on citations issued by the Village of Spencer. The Finance Director shall credit this special revenue fund as monies are received from the Court. By the 10th day of each month, the Finance Director shall disburse all costs, assessments, and surcharges due by law to Wood and/or Marathon County, or the State of Wisconsin, and all forfeitures collected on Village of Spencer citations during the previous month.
- 6) **BUDGET.** The Judge's office shall submit an annual budget to the City's Finance Director by no later than July 31st of each year for the following year. Prior to submission, Village of Spencer representatives shall be given a reasonable opportunity to review and comment on the proposed budget. Once approved by the Marshfield City Council, the budget shall be officially established for Court operations for the following year.

- 7) **ADVISORY COMMITTEE.** An Advisory Committee shall be created to review issues or concerns relating to the Court, but the Committee shall have no formal power or authority. The Committee shall be comprised of five (5) members appointed by the City of Marshfield, and two (2) members appointed by the Village of Spencer. The Committee will meet only when deemed necessary and appropriate to address any issues or concerns.
- 8) **EFFECTIVE DATE.** This agreement shall not take effect until it has been approved by governing bodies of both municipalities, and both members have adopted substantially identical ordinances relating to establishment and operation of the Court. Once a joint municipal court is established, the Village of Spencer shall not create a separate municipal court under Wisconsin Statutes. Upon adoption, each municipality shall send a certified copy of its ordinance to the appropriate filing officer noted in Section 11.02(3)(e) of Wisconsin Statutes.
- 9) **ELECTION OF JUDGE.** As this agreement is being signed during the term of the current Judge, this Judge shall continue to serve in this capacity until the end of his term of office. At that time, an election shall be held as outlined in Section 755.01(4) of Wisconsin Statutes, with electors from each municipality eligible to vote.
- 10) **FINANCIAL PARTICIPATION.** During the term of this agreement, the financial arrangement shall be as follows:
 - a) The City of Marshfield shall retain \$40 from all Village of Spencer citations; keeping \$35, and sending \$5 to the State of Wisconsin. The City reserves the right to adjust this annually as needed, depending on the actual cost of court services and revenues received, and to recoup the Village of Spencer's share of necessary improvements (computer software, etc.) Adjustments can also be made as a result of any statutory changes impacting costs or fees.
 - b) The City of Marshfield reserves the right to assess an added charge each year for shortfalls that exist between funds retained from Village of Spencer citations and the amount required to cover any extra costs related to the Village of Spencer, including, but not limited to, staffing, technology needs, etc.
 - c) The Village of Spencer shall make its own arrangements for legal services, and shall bear the full cost associated with prosecuting all citations issues by the Village of Spencer's Police Department.
- 11) **TERMINATION.** Either member may elect to withdraw from the joint municipal court at any time, and for any reason, if written notice is given to the other member at least 90 days in advance. Neither member may seek to abolish the Court while this agreement is in effect. If the Village of Spencer elects to withdraw, the Village will be required to reimburse the City of Marshfield for any existing net shortfall at the time of termination.

In Witness Whereof, the parties have executed this agreement under seal to take effect on the above written date.

CITY OF MARSHFIELD

Approved: _____
Date

By: _____
Mayor

Attest: _____
Clerk

Finance Director

VILLAGE OF SPENCER

Approved: _____
Date

By: _____
President

Attest: _____
Clerk

Treasurer

DRAFT

CITY OF MARSHFIELD
ORDINANCE No. _____

**An Ordinance Creating a Joint Municipal Court
with the Village of Spencer**

THE CITY COUNCIL OF THE CITY OF MARSHFIELD DO ORDAIN AS FOLLOWS:

Chapter 2-3-14 MUNICIPAL COURT

2-3-14(a) AUTHORITY.

The City of Marshfield (City), and the Village of Spencer (Village), Marathon and Wood County, Wisconsin, acting pursuant to Sec. 61.34(1), Wis. Stats., are hereby authorized to and do establish a joint Municipal Court, as described in 21.04, below.

2-3-14(b) PURPOSE.

The purpose of this chapter shall be to promote the general health, safety, and welfare and to maintain required local uniformity of the enforcement of the participating City and Village.

2-3-14(c) SCOPE.

The scope of this ordinance includes enforcement of all ordinances adopted by the participating City and Village which ordinances are in effect as of the effective date of this chapter, together with all such ordinances adopted hereinafter and during the existence of the described Municipal Court.

2-3-14(d) JOINT MUNICIPAL COURT.

Pursuant to the authority granted by Chapter 755 Wis. Stats., there is hereby created and established a Municipal Court for the joint exercise of the power granted to the City of Marshfield and Village of Spencer under Sec. 755.01(1), Wis. Stats., to be designated as the "Marshfield Area Municipal Court" said court to become operative upon the date of the enactment of identical ordinances and ratification of an operating agreement by each affected municipality. For purposes of this requirement, the term "identical ordinances" shall refer to ordinances which contain the same, exact substantive terms and conditions; nonetheless, it shall not be required that each municipality number or otherwise include this ordinance within its respective code of ordinances using the same, exact nomenclature.

2-3-14(e) MUNICIPAL JUDGE.

- a) Office Created – Pursuant to Section 755.01, Wis. Stats., there is created the office of municipal judge for the City and Village. The Municipal Judge shall be a resident of the City of Marshfield or Village of Spencer.
- b) Oath and Bond – The Judge shall, after election or appointment to fill a vacancy, take the official oath as prescribed in Sec. 757.02(1), Wis. Stats., and file such oath with the county Clerk of Circuit Court. At the same time, the Judge shall execute and file an indemnity bond with the clerk of the municipality in an amount of \$5,000. The Judge shall not act until the oath and bond have been filed as required by Sec. 19.01(4)(c) Wis. Stats. And the requirements of Sec. 755.03(2) have been complied with.
- c) Salary – The salary of the Municipal Judge shall be set by resolution of the City Council of the City of Marshfield and shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath. The salary may be increased by resolution of the Marshfield City Council before the start of the second or subsequent year of service of the term of the Judge, but shall not be decreased during the term.
- d) Election Term – The municipal judge shall be elected at large at the spring election in odd numbered years for a term of four (4) years commencing on May 1st next succeeding his or her election.

- e) Jurisdiction – The Municipal Court Judge shall have jurisdiction as provided by law and W.S.A. s. 755.045 and exclusive jurisdiction of violations of City of Marshfield and Village of Spencer ordinances, resolutions, and bylaws.

2-3-14(f) MUNICIPAL COURT.

- a) Hours – The Municipal Court shall be open on the days and hours established by the Municipal Court Judge subject to the approval of City Council and Village Board.
- b) Employees – The Municipal Judge shall appoint, in writing, such clerks and deputy clerks as are authorized by the City Council and Village Board. The compensation of any employees of the court shall be set by the City Council. The City Council shall also determine the fringe benefits to be provided and the hours of service.
- c) Location – The Municipal Judge shall keep his office and hold court sessions in the Marshfield City Hall or at a location as determined by the City Council.

2-3-14(g) COLLECTION OF FORFEITURES AND COSTS.

The Municipal Judge shall collect all forfeitures, taxable costs, and assessments in any action or proceeding, shall pay over such moneys to the Treasurer of the City of Marshfield no later than five p.m. each Monday, and shall file a written account of all moneys received by him or her for the prior week. At such time, the Municipal Court shall report to the Treasurer the title, nature of offenses, and amount of judgments imposed in actions and proceedings in which such monies were collected in accordance with Wis. Stats. Sec. 800.10(2). Should the Judge at any time fail to so report and deposit, his or her salary shall be suspended until such reports and deposits are made current.

2-3-14(h) CONTEMPT OF COURT.

- a) The Municipal Judge may punish for contempt of Municipal Court persons guilty of any of the following acts. "Contempt of Court" means intentional:
 - i) Misconduct in the presence of the Court, which interferes with the Court proceeding or with the administration of justice or which impairs the respect due the court.
 - ii) Disobedience, resistance, or obstruction of the authority, process, or order of the Court (including refusal to pay a court-imposed forfeiture).
 - iii) Refusal as a witness to appear, be sworn, or answer a question.
 - iv) Refusal to produce a record, document, or other object.
 - v) The act of unlawfully detaining within Marathon and Wood County any witness or party to an action while going to, remaining at or returning from Court where such action has been set for hearing or trial and any other unlawful interference with the process or proceedings in any action within the County of Marathon and Wood.
- b) Contempt committed in the immediate view or presence of the Municipal Judge, and after the party so charged being heard in his defense, may be punished summarily. In other cases, the party shall be notified of the accusation and have a reasonable time to make his defense.
- c) The Municipal Judge may, upon finding any person guilty of contempt of court, order such person to forfeit not more than \$50. In default of payment of the forfeiture and the penalty assessment imposed by state statute, the person found guilty of contempt may be imprisoned in the county jail not to exceed seven days.

2-3-14(i) STIPULATIONS AND DEPOSITS.

- a) Deposits for Ordinance Violations. The Municipal Judge shall establish and submit to the City Council and Village Board for approval in accordance with Sec. 800.03(3), Wis. Stats., a schedule of deposits for violations of City and Village ordinances.

- b) Deposits for Traffic and Boating violations. The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345, Wis. Stats., shall apply to stipulation and deposits for violations of traffic regulations enacted in accordance with Sec. 345.27 and boating regulations enacted in accordance with Sec. 30.77 Wis. Stats.
- c) Stipulations and Deposits in Lieu of court Appearances. Persons cited for violations of City and Village ordinances, or violations of traffic or boating regulations for which a deposit has been established, shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in Sec. 800.03, Sec. 800.04, and Sec. 800.09 Wis. Stats.

2-3-14(j) ALTERNATIVE JUVENILE DISPOSITIONS AND SANCTIONS

- a) The Municipal Court shall have the authority to impose alternative dispositions and sanctions in Municipal Court.
- b) For a juvenile adjudged to have violated a municipal ordinance, the Court is authorized to impose any of the dispositions listed in W.S.A. ss.938.343 or 938.344, in accordance with the provisions of those statutes.
- c) For a juvenile adjudged to have violated a municipal ordinance who violates a condition of a dispositional order of the Court under W.S.A. s938.343 or 938.344, the Municipal Court is authorized to impose any of the sanctions listed in W.S.A. s 938.355(6)(d), in accordance with the provisions of those statutes.
- d) The Municipal Court, in imposing a disposition under this section, shall order the juvenile to pay, in addition to any forfeiture, the costs of any counseling, safety program or alcohol or drug abuse assessment, including treatment, costs of electronic monitoring detention and placement in any detention facility.
- e) This section is enacted under the authority of W.S.A. s 938.17(2)(cm).

2-3-14(k) MUNICIPAL COURT ABOLISHMENT.

- a) In general, the Marshfield Area Municipal Court may be abolished at the end of any term for which the Judge has been elected, upon action taken by the Marshfield City Council or Spencer Village Board to either repeal this ordinance and transmittal of a certified copy of an ordinance abolishing the Marshfield Area Municipal Court to the appropriate filing officer under s. 11.02(3e), Wis. Stats. To abolish the court it is not required that the City and Village take similar action. The act of one of the governing boards to repeal its ordinance in accord with the terms thereof shall be sufficient. In the event the City of Marshfield City Council or Spencer Village Board deem it to be in their best interests to abolish the Joint Municipal Court created under this ordinance, they shall take such action no less than 60 days prior to the date on which the first nomination papers must be filed for the Municipal Judge's next term.
- b) Delivery of Books and records by Judge. In accordance with s. 755.12, Wis. Stats., within ten (10) days after the effective date of the abolition of the Marshfield Area Municipal Court, the Judge shall separate the court records, books, files, moneys and bonds according to the municipalities involved and deliver them to the appropriate City or Village Clerk.

2-3-14(l) TRANSITIONAL PERIOD OF JOINT MUNICIPAL COURT.

- a) Marshfield Area Municipal Judge to Preside Pending Initial Election. In the event that this ordinance is adopted by each of the City of Marshfield or Village of Spencer to take effect at a time in advance of the commencement of the next term of office for the Municipal Judge, the Municipal Judge of the City of Marshfield, an existing Municipal Court, shall continue to serve as the Judge of the Joint Municipal Court until the end of the current term of office.

- b) Vacancy in Office of Municipal Judge. In the event of a permanent vacancy in the office of the Marshfield Area Municipal Judge pending the initial election of the Joint Municipal Judge under this ordinance, the office of Municipal Judge may be filled by temporary appointment by the Marshfield City Council and Spencer Village Board acting jointly. The office shall then be permanently filled by special election by the electors of the member City and Village held con-currently with the next spring election following the occurrence of the vacancy, except that a vacancy occurring during the period after December 1 and on or before the date of the spring election shall be filled at the 2nd succeeding spring election, and no such election may be held after the expiration of the term of office nor at any time of holding the regular election for the office.

2-3-14(m) OPERATING AGREEMENT.

In accordance with s. 755.01(4), Wisconsin Statutes, the City of Marshfield and Village of Spencer shall enter into a joint operating agreement to exercise the authority under s. 755.01(1), Wisconsin Statutes.

2-3-14(n) AMENDMENTS TO ORDINANCE.

This ordinance, whose substantive terms shall be adopted by the City of Marshfield and Village of Spencer, shall not be deemed to have been amended by either of the Governing Boards unless and until each of the Governing Boards shall adopt the same, exact ordinance amending or creating this ordinance.

SECTION TWO: The creation and maintenance of the Municipal Court, as adopted under Section One of this Ordinance shall be subject to the following terms and conditions.

1. This ordinance shall not take effect in the City of Marshfield or Village of Spencer until each Governing Board has adopted an ordinance that contains the same substantive terms as this ordinance, and the transmittal of a certified copy of the ordinance adopted by each City and Village to the appropriate filing officer under s. 11.02(3e), Wis. Stats.
2. In accord with §8.50(4)(fm), 755.01 and 800.06(3), Wis. Stats., the initial judge to hold office shall be appointed to said office by the City Council and Village Board to serve a term which shall expire on April 30, 2016.
3. The first election to the office of judge shall be held concurrent with and on the date of the spring Election in April, 2016, in accord with Sec. 5.02(21), Wis. Stats., with the first regular term of office as defined in Ch. 33, Sec. 2)d) to commence on May 1, 2016.

SECTION THREE: Section Two shall not be codified.

Adopted:

Published:

CITY OF MARSHFIELD

Mayor

Administrator

ORDINANCE NO. 1308

An Ordinance amending Section 4-38 of the Municipal Code of the City of Marshfield, Wisconsin, pertaining to Room Tax

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

SECTION 1, Sub-Section 4-38(2), Imposition of tax is hereby amended to read as follows:

- (2) *Imposition of tax.* Pursuant to § 66.0615 Wis. Stats. a tax is hereby imposed on the privilege and service of furnishing, at retail, except sales for resale, of rooms or lodging to transients by hotel keepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for the use of the accommodations, but such tax shall apply only if such services are subject to the Wisconsin Sale Tax imposed by §§ 77.52—77.62 Wis. Stats. Such tax shall be at the rate of ~~six~~ eight percent of the gross receipts from such retail furnishing of rooms or lodgings, which tax is an increase of two percent from the previous tax rate. Such tax shall not be subject to the selective sales tax imposed by § 77.52(2)(a)1 Wis. Stats.

SECTION 2. Sub-section 4-38(3)(b), Tax monies is hereby amended to read as follows:

- (b) Distribution of tax. The room tax collected shall be allocated as follows:
1. Two percent or one-third of the gross receipts from such tax shall be allocated for public parks and/or Wildwood Park and Zoo development.
 2. Two percent or one-third of the gross receipts from such tax shall be allocated to the Marshfield Convention and Visitor's Bureau (CVB).
 3. Thirty percent of the increase in room tax of ~~two~~ four percent of the gross receipts of such tax shall be allocated for public parks and/or Wildwood Park and Zoo development.
 4. Seventy percent of the increase in room tax of ~~two~~ four percent shall be allocated to the CVB.

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. 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. 1312

An Ordinance amending Chapter 10 of the City of Marshfield Municipal Code.

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

SECTION 1. The following sections are hereby amended to read as follows:

Sec 10-33 (6) be amended as follows:

(6) *Measurement and control of noise.* Measurement and control of noise shall be in accordance with the following:

(a) *Noise prohibited.* No person shall make, continue or cause to be made or continued any noise in excess of the noise levels set forth in this subsection unless such noise is reasonably necessary to the preservation of life, health, safety or property.

(b) *Measurement and control.* It shall be unlawful for any person to cause a sound from a stationary source which exceeds any sound level as set forth in the applicable column in the following table titled "Maximum Permissible Sound Levels" when measured at the real property line of the offending source. Measurement shall be made by a duly authorized individual who is knowledgeable in the proper use of the measurement equipment. Measurement shall be made in the slow response, A-weighting of the sound meter.

Maximum Permissible Sound Levels
Zones Time of Day dB

All 7:00 a.m. to 10:00 p.m. 80

All 10:00 p.m. to 7:00 a.m. 65

Exemptions. Exemptions shall be as follows:

- (1) Operations of emergency equipment shall be exempt from this section. Equipment shall include ambulance, police, fire, snow removal, civil defense sirens, etc., necessary for the health, safety and protection of the citizens of the city.
- (2) Snow blowers not operated on a commercial basis shall be exempt from this section when used to gain access to a city street.
- (3) Lawn mowers, chainsaws, powered garden equipment and other - maintenance equipment shall be operated only during the hours between 7:00 a.m. and 10:00 p.m. unless within the specified noise levels measured at the property line of the location at which such equipment is in use.
- (4) Concrete joint sawing done in conjunction with a concrete paving or patching project shall be exempt from this section.**

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



City of Marshfield Memorandum

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

RE: First Reading – Ordinance No. 1306 Detachment and Attachment request by the City of Marshfield, in accordance with the Cooperative Boundary Plan and Agreement between the Town of Cameron and the City of Marshfield, dated April, 2000, for that portion of the “City Growth Area” lying outside the “No Contest Area” as identified in said plan, to be detached from the Town of Cameron and attached to the City of Marshfield, and zoned “CMU” Community Mixed Use Zoning and “LI” Light Industrial Zoning, located south of 29th Street, east of Central Avenue, north of Heritage Drive, and west of Business Park Avenue.

Background

Back on August 23, 2000, the Department of Administration approved a Cooperative Boundary Plan Agreement between the Town of Cameron and City of Marshfield. Most of the plan expired in 2012 and was not renewed. The only remaining element of the plan that is still effective is the detachment/attachment provision that stated lands within the “City Growth Area”, but lying outside the “No Contest Area” 15 years from the execution date of the Plan, shall be detached from the Town of Cameron and attached to the City of Marshfield. This is essentially a large scale annexation, but is technically not called an annexation because of the boundary agreement in place.

Staff has been in communication with the Town Officials and property owners within the attachment area since May, trying to make sure the transition is a smooth one.

Analysis

Staff is recommending zoning the northern portion (68.8 acres) of the attachment area “LI” Light Industrial as that is the most common use in that area and would still be meeting the allowable uses identified on the Future Land Use map in the Comprehensive Plan. In addition, a number of abutting properties are already zoned “LI”.

The recommended zoning for the southern portion (23.2 acres) is “CMU” Community Mixed Use as all the abutting properties are also zoned “CMU” and the allowable uses also fit within uses on the Future Land Use map. There are three homes within that area and although single family homes are not permitted in the “CMU” district, they would be grandfathered in and it would be an easy request to rezone them to “UMU” Urban Mixed Use at a later date, which does allow single family homes as a permitted use.

The land consists of 92 acres on 30 parcels, most of which are developed and individual rezonings were not feasible as part of the attachment process as the legal descriptions included in the Cooperative Boundary Plan were only available for the two areas that are to be attached. Once the properties are brought in to the City, individual property owners could get legal descriptions and then request a rezoning for their property if desired. This attachment process is likely to result in a few nonconforming uses. In those instances, the City should be willing to accept rezoning requests that would allow them to have a legal conforming status.

Typically, staff is required to evaluate whether an annexation complies with the criteria in the Comprehensive Plan, however, because this is part of a Cooperative Boundary Agreement and not an annexation that criteria does not have to be met. Some areas will not be served by utility service for a long time due the cost of extending sanitary sewer to some of the lower lying areas. Staff will continue to work with the property owners and bring up opportunities in the Capital Improvement Plan (CIP) to expand services when it is economically viable to do so. Water is available to the entire northern portion of the attachment area. Neither sanitary nor water service is available for the southern portion of the attachment area at the present time.

If adopted, the ordinance would take effect on August 24, 2015.

Plan Commission Recommendation

A public hearing was held on July 21, 2015 where no public comment was made. The Plan Commission recommended approving the proposed ordinance as presented.

Council Options

The Common Council can take the following actions:

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

Recommendation

None at this time unless the rules are suspended; final action will be requested after the second reading scheduled for the August 11, 2015 Common Council meeting.

Attachments

1. Draft Ordinance No. 1306
2. Exhibit A - Map of Attachment Area

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

ORDINANCE NO. 1306

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

AN ORDINANCE ATTACHING CERTAIN LANDS OF THE TOWN OF CAMERON TO THE CITY OF MARSHFIELD, WISCONSIN PURSUANT TO THE COOPERATIVE BOUNDARY PLAN DATED APRIL, 2000.

SECTION I. In accordance with the Cooperative Boundary Plan and Agreement between the City of Marshfield and Town of Cameron, dated April, 2000, the following described territory in the Town of Cameron, Wood County, Wisconsin, for that portion of the "City Growth Area" lying outside the "No Contest Area" as identified in said plan, is hereby detached from the Town of Cameron and attached to the City of Marshfield, pursuant to the Cooperative Boundary Plan and Agreement:

That part of Section 20, Township 25 North, Range 3 East, in the Town of Cameron, Wood County, Wisconsin, and more particularly described as follows:

1. Beginning at the SW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence East on the South line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E to the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence north on the east line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E, to the North line of the Heritage Drive (formerly known as United States Highway 10); thence West along the North line of Heritage Drive for a distance of 30.09 feet; thence N $00^{\circ}21'13''$ E for a distance of 783.04 feet; thence N $89^{\circ}03'35''$ W on a line extended to the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E; thence south on the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T25N, R3E, to the point of beginning; EXCEPT

The following parcels and road right-of-way which are contained within the above described real property in paragraph 1 of the above legal description shall be excluded from the property subject to detachment from the Town of Cameron and attachment to the City of Marshfield due to these parcels and right of way having previously been annexed by the City of Marshfield:

- a. Road right-of-way for Central Avenue (formerly known as State Highway 13 and Maple Avenue), described as follows:

That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19; the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20; the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29; and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S $88^{\circ}36'11''$ E along the North line of the SW $\frac{1}{4}$ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S $00^{\circ}24'47''$ W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S $00^{\circ}24'08''$ W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S $01^{\circ}45'48''$ E along the East Right of Way Line of Central

Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N 23°31'20" E, 224.60 feet to the West Right of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE ¼ of said Section 19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning; and

2. Beginning at the southeast corner of Wood County Certified Survey Map Number 3785; thence north along the east line of the said Wood County Certified Survey Map Number 3785 to the south line of 29th Street; thence east along with south line of 29th Street to the northwest corner of Wood County Certified Survey Map Number 2404; thence south along the west line of Wood County Certified Survey Map Number 2404 to the southwest corner of Wood County Certified Survey Map Number 2404; thence east along the south line of Wood County Certified Survey Map Number 2404 to the southeast corner of Wood County Certified Survey Map 2404, being the northwest corner of the SE ¼ NW ¼, Section 20, T25N, R3E; thence east long the north line of the SE ¼ NW ¼, Section 20, T25N, R3E to the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; thence south along the east line of the west ½ of the SE ¼ NW ¼, Section 20, T25N, R3E; to the south line of the SE ¼ NW ¼, Section 20, T25N, R3E; thence S 00°10'08" W for a distance of 33.01 feet; thence N 88°41'03" W for a distance of 650.63 feet; thence N88°41'03" W for a distance of 878.80 feet; thence S 00°21'13" W for a distance of 360 feet; thence N 88°41'03" W on a line extended to the west line of the NW ¼ SW ¼, Section 20, T25N, R3E; thence north on the west line of the NW ¼ SW ¼, Section 20, T25N, R3E to the southwest corner of the SW ¼ NW 1/4, Section 20, T25N, R3E; thence north along the west line of the SW ¼ NW ¼, Section 20, T25N, R3E to the north line extended on that property described in Volume 312 of deeds, Page 521, Wood County records; thence east along the north line of the property described in said deed a distance of 270.6 feet, more or less; thence south along the east line of the property described in said deed, a distance of 100 feet, more or less; thence east at right angles a distance of 273.77 feet, more or less, to the centerline of proposed Cedar Avenue, extended; thence north a distance of 1,235 feet, more or less, along the centerline of said proposed street; thence west at right angles to said proposed street, a distance of 544.5 feet more or less to the west line of the NW ¼ NW ¼, Section 20, T25N, R3E; thence north along the west line of the NW ¼ NW ¼, Section 20, T25N, R3E, to a point which is the extension of the south line of Wood County Certified Survey Map Number 3785; thence east along the south line of Wood County Certified Survey Map Number 3785 to the point of beginning; EXCEPT

The following parcels and road right-of-way which are contained within the above described real property in paragraph 2 of the above legal description shall be excluded from the property subject to detachment from the Town of Cameron and attachment to the City of Marshfield due to these parcels and right of way having previously been annexed by the City of Marshfield:

- a. Lot 1 of Wood County Certified Survey Map No. 8547, recorded in Volume 29 of Survey Maps, Page 147, located in part of the NW1/4 of the NW1/4 of Section 20, Township 25 North, Range 3 East, and adjacent right of way of Cherry Avenue, City of Marshfield, Wood County.

- b. Part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, in the Town of Cameron, Wood County, Wisconsin, described as follows:

Commencing on the South line of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East at a point where said South line intersects with the East line of Central Avenue (formerly known as State Trunk Highway 13), thence East 916.65 feet, thence North 462 feet to the point of beginning, thence North 294 feet, thence East 498 feet, thence South 294 feet, thence West 498 feet back to the point of beginning.

- c. Road right-of-way known as 35th Street (formerly known as Nikolay Drive) described as follows:

Commencing at the west ¼ corner of Section Twenty (20), Township Twenty-Five (25) North, Range Three (3) East, thence South 88°41'03" east along the east-west quarter line of said Section 20, a distance of 60 feet to the east right-of-way line of Central Avenue (formerly known as State Trunk Highway 13), the point of beginning; thence north 00°21'13" east along said east right-of-way line of Central Avenue, a distance of 33.01 feet to the north line of 35th Street; thence south 88°41'03" east along said north right-of-way line of 35th Street, a distance of 1,892.22 feet; thence south 00°10'08" west a distance of 66.01 feet to the south right-of-way line of 35th Street; thence north 88°41'03" west along said south line of 35th Street to the east right-of-way line of Central Avenue; thence north 00°21'13" east along said east line of Central Avenue to the point of beginning.

- d. Road right-of-way for Central Avenue (formerly known as State Highway 13 and Maple Avenue), described as follows:

That portion of road right-of-way described above in paragraph 2 that also falls within the area described below:

That portion of South Central Avenue road right-of-way from the center of the intersection of Commerce Drive to a point approximately 300 feet south of the intersection of Heritage Drive further described as follows: Part of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 19; the NW ¼ of the SW ¼ and the SW ¼ of the SW ¼ of Section 20; the NW ¼ of the NW ¼ of Section 29; and the NE ¼ of the NE ¼ of Section 30, all in Town 25 North, Range 3 East, Wood County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 20, the Point of Beginning; thence S 88°36'11" E along the North line of the SW ¼ of said Section 20, 60.00 feet to the East Right of Way Line of Central Avenue; thence S 00°24'47" W along the East Right of Way Line of Central Avenue, 1,314.07 feet; thence S 00°24'08" W along the East Right of Way Line of Central Avenue, 638.35 feet; thence S 01°45'48" E along the East Right of Way Line of Central Avenue, 531.25 feet, thence S 48°06'55" E, 120.79 feet; thence S 02°46'31" E, 130.28 feet; thence S 48°44'30" W, 147.36 feet; thence S 02°25'35" E 99.73 feet; thence N 89°52'08" W, 152.69 feet; thence N 15°55'24" W, 236.18 feet; thence N 00°43'45" W, 66.01 feet; thence N 23°31'20" E, 224.60 feet to the West Right

of Way Line of Central Avenue; thence N 00°21'00" E along the West Right of Way Line of Central Avenue 1,079.04 feet; thence N 00°26'14" E along the West Right of way Line of Central Avenue, 1,314.14 feet to the North line of the SE ¼ of said Section 19; thence S 89°53'29" E, 60.00 feet along the North line of the SE ¼ of said Section 19, to the Point of Beginning.

3. A map depicting the described property to be attached to the City of Marshfield is attached hereto and incorporated herein by reference as Exhibit A.

SECTION II. Pursuant to the authority granted in section 62.23(7), Wis. Stats. the above shall be zoned the following:

1. The parcels within the described area in paragraph 1 of the above legal description shall be zoned "CMU" Community Mixed Use, totaling approximately 23.2 acres more or less.

2. The parcels within the described area in paragraph 2 of the above legal description shall be zoned "LI" Light Industrial, approximately 68.8 acres more or less.

SECTION III. The attached territory is hereby made a part of the 6th Aldermanic District, of the City of Marshfield and is attached for all municipal purposes including attachment for school purposes and is hereby made a part of the School District of Marshfield, and subject to laws governing the same. This attachment will be made part of and will be in District 6, Ward 6.

SECTION IV. The City limits of the City of Marshfield, Wisconsin are hereby changed and enlarged as so to include the real estate described in Section I of this ordinance and the official map is amended to include said real estate.

SECTION V. The City Clerk shall file immediately with the Secretary of State a certified copy of the Ordinance, with a copy of the map and legal description and the City Clerk shall send one copy to each company that provides utility service in the area that is attached. The City Clerk shall also record the Ordinance with the Register of Deeds and file a signed copy of the Ordinance with the Clerk of any affected school district. The Clerk's Certificate shall include reference to the population of the territory being attached, which population is twelve (12) persons.

SECTION VI. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder shall not be affected thereby.

SECTION VII. All ordinances or parts of ordinances inconsistent with or contravening the provisions of this ordinance are hereby repealed.

SECTION VIII. 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 IX. 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 X. This ordinance shall take effect upon August 24, 2015 and passage and publication as required by law. The Zoning Administrator is hereby directed to make the necessary changes to the Zoning Map forthwith.

ADOPTED: _____

Chris L. Meyer, Mayor

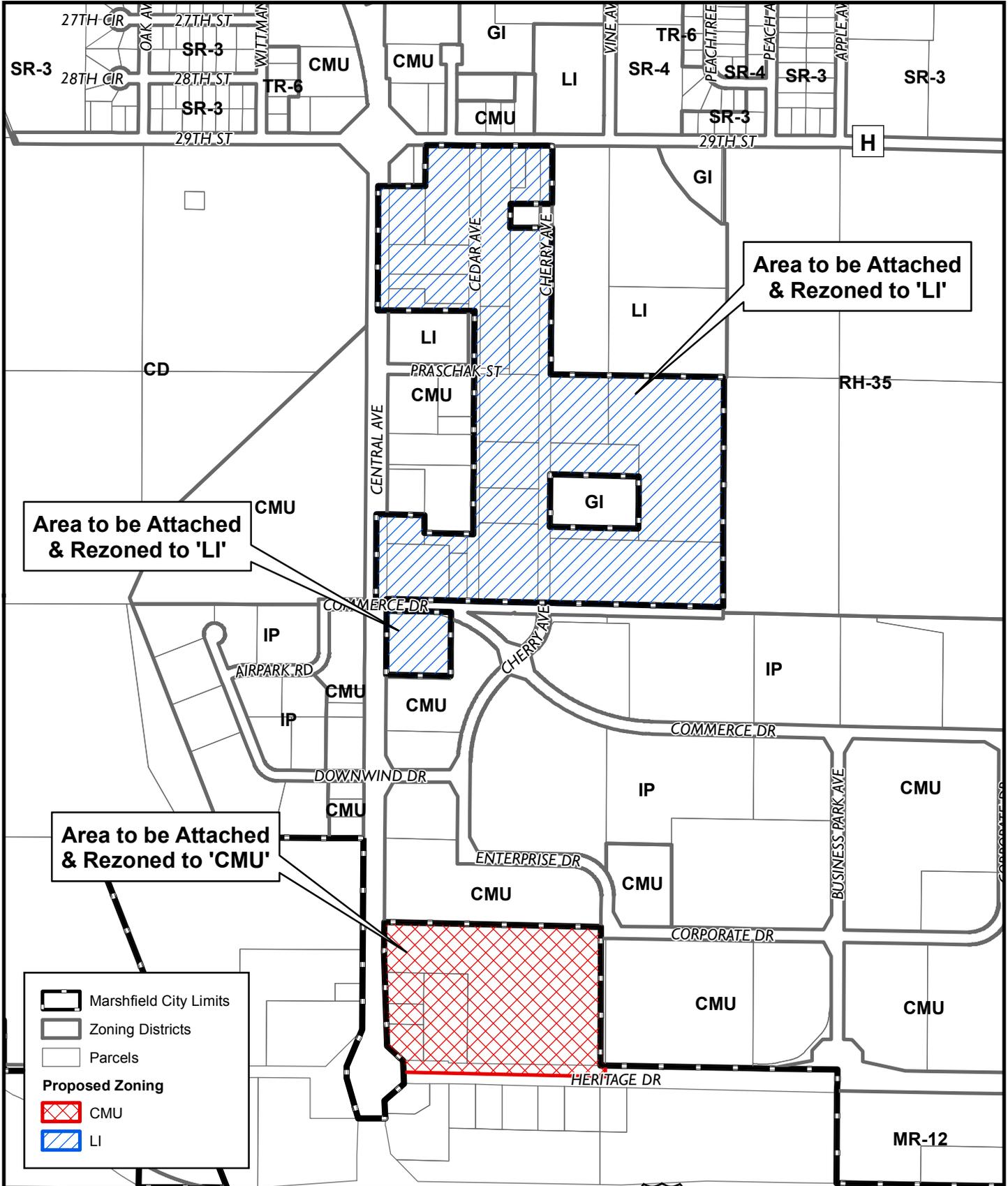
APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk

EXHIBIT A FOR ORDINANCE NO. 1306



Area to be Attached & Rezoned to 'LI'

Area to be Attached & Rezoned to 'LI'

Area to be Attached & Rezoned to 'CMU'

Legend

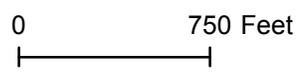
- Marshfield City Limits
- Zoning Districts
- Parcels

Proposed Zoning

- CMU
- LI



2015 City Growth Area
City of Marshfield
 07/21/15



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

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

RE: First Reading – Ordinance No. 1309 Campus Master Plan request by Marshfield Municipal Airport to amend the five year Master Campus Plan, to address when the Federal Aviation Administration approval is needed for non-aeronautical uses, and to address fencing regulations for the campus for all parcels owned by the City of Marshfield under the Airports jurisdiction zoned “CD” Campus Development District.

Background

Marshfield Municipal Airport is requesting an amendment to their 5-year Campus District Master Plan. The current plan states that any non-aeronautical uses must be approved by the Bureau of Aeronautics (BOA) and the Federal Aviation Administration (FAA). This language was included in the plan as directed by the BOA after they reviewed it. When the request came through for the BOA to review the Pet Shelter use at the old terminal building, they said the FAA does not need to review the use. Essentially, they felt that since it was a temporary use, the FAA was not required to review it. Essentially, the amendment is being proposed to define when the (FAA) is required to review non-aeronautical uses for the airport.

Another aspect of the proposed amendment is to include allowances for fences. The current plan did not address fencing and both the Pet Shelter and the Airport have plans to add fencing in the upcoming years.

Analysis

The proposed language for the amendment related to the FAA review (in Sections 3-2(1) & 3-7(3)) of the Airport Campus Master Plan) is as follows:

“Any non-aeronautical uses must be coordinated with the Bureau of Aeronautics and receive approval from the Federal Aviation Administration as deemed appropriate by the Bureau of Aeronautics.”

The amendment also includes a provision to allow the Airport to install fencing for both security purposes as well as for their tenant needs. The zoning code

prohibits chain-link fences in the front yard and limits security fences to 8 feet, however, it is important that the Airport be granted flexibility to provide security to the airport facility. The proposed language for the amendment related to fencing (in Section 3-7(5) of the Airport Campus Master Plan) is as follows:

“Fences for the Airport do not require a setback in any yard and may cross parcel boundaries. Chain-link, privacy, and security fences are permitted in any required yard and may exceed the height standards listed in Section 18-106 of the Municipal Zoning Code, as guided by the Bureau of Aeronautics.”

The Airport Committee reviewed the proposed changes on Thursday, July 16th and recommended amendment as presented.

Plan Commission Recommendation

A public hearing was held on July 21, 2015 where an adjoining property owner, Karl Zimmermann, asked about any proposed plans for fencing around the Airport property. No one present at the meeting was aware of what the plans were, but Mayor Meyer suggested he get in touch with Jeff Gaier at the Airport and he would be able to share the plans (if any are in place) on future fence projects. 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 August 11, 2015 Common Council meeting.

Attachments

1. Draft Ordinance No. 1309
2. Redline Airport Campus Master Plan

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

ORDINANCE NO. 1309

AN ORDINANCE AMENDING THE FIVE YEAR MASTER CAMPUS PLAN THAT DESCRIBES THE EXISTING CONDITIONS AND FUTURE PLANNED DEVELOPMENTS LOCATED AT 210, 320, 324, AND 400 WEST 29TH STREET, WHICH INCLUDES ALL PARCELS OWNED BY THE CITY OF MARSHFIELD UNDER THE AIRPORTS JURISDICTION, ZONED “CD” CAMPUS DEVELOPMENT DISTRICT.

WHEREAS, the Common Council of the City of Marshfield, having reviewed the recommendation of the City Plan Commission regarding the proposed change in zoning classification for the property described below; and

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

NOW, THEREFORE, the Common Council of the City of Marshfield, Wisconsin, do ordain as follows:

SECTION I. Zoning

All parcels owned by the City of Marshfield, shown in the attached map, under the airports jurisdiction, zoned “CD” Campus District are hereby regulated by, the provisions of Chapter 18, Marshfield Municipal Code and the contents of the attached 2013-2018 Amended Campus Master Plan Marshfield Municipal Airport, adopted August 13, 2013, amended August 11, 2015:

See Map – Attachment A.

See 2013-2018 Amended Campus Master Plan Marshfield Municipal Airport, adopted August 13, 2013 and amended on August 11, 2015 – Attachment B.

SECTION II. Effective Date

This Ordinance shall be effective upon passage and publication as required by law and the Zoning Administrator is hereby directed to make the necessary changes to the Zoning Maps forthwith.

ADOPTED _____

APPROVED _____

PUBLISHED _____

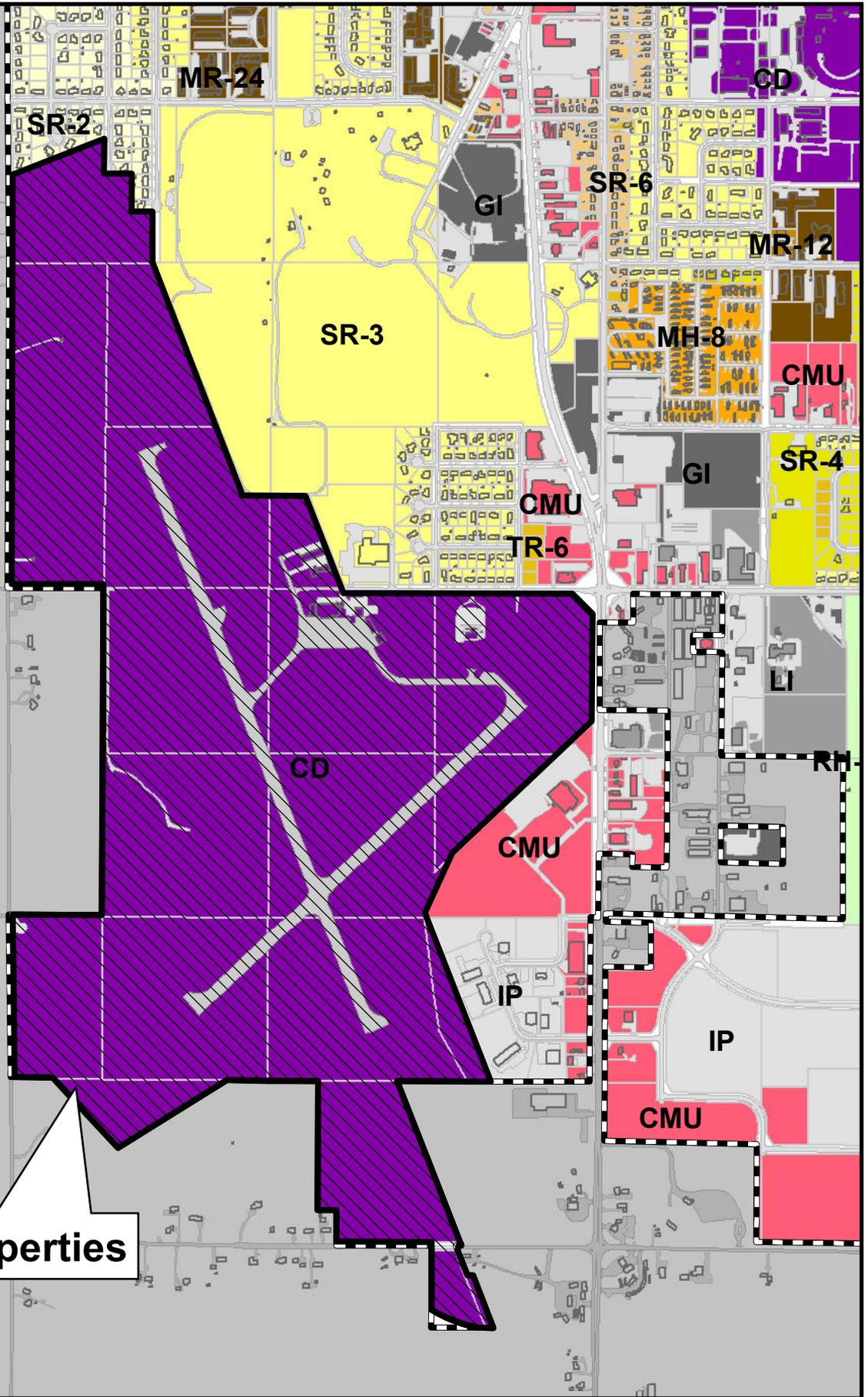
Chris L. Meyer, Mayor

ATTEST:

Deb M. Hall, City Clerk

Legend

-  Airport Boundary
-  City Limits
-  Outside City Limits



Subject Properties



Attachment A - Ordinance No. 1309
City of Marshfield - August 11, 2015



Map Not To Scale
For Reference Only

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.

2013-2018
**Amended Campus Master
Plan**
Marshfield Municipal Airport



Adopted: August 13, 2013
Amended: August 11, 2015

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SECTION 1: INTRODUCTION

1-1 WHAT IS A CAMPUS MASTER PLAN?

A Campus Master Plan (CMP) is a plan to help guide the physical campus, infrastructure and land use, for future development using present knowledge of campus' land use and infrastructure. The City requirements for a Campus Master Plan can be found under Section 18-166(5) of the Municipal Zoning Code.

1-2 MARSHFIELD MUNICIPAL AIRPORT

The Marshfield Municipal Airport, Roy Shwery Field is located in the south west corner of the City of Marshfield. It is classified by the State of Wisconsin, Bureau of Aeronautics as a Medium General Aviation Airport. It is designed to serve high performance corporate aircraft as well as general aviation aircraft under all weather conditions.

Services provided at the airport include air charter, aircraft rental, flight training, aircraft sales, aircraft leasing, maintenance, refueling, pilot exams, computerized testing, and aircraft storage. There are 28 aircraft based at the Marshfield Airport according to the Federal Aviation Administration database.

1-3 MISSION STATEMENT

The Mission of the Marshfield Municipal Airport Committee and Airport Management is to operate a convenient, safe, properly maintained and professionally managed airport that is a benefit for the Citizens of Marshfield, WI and the surrounding communities of Central Wisconsin. We are proud of the Marshfield Municipal Airport, Roy Shwery Field and what it does for our community. We hope you will be too.

- Marshfield Municipal Airport, Roy Shwery Field is more than a place where people and products change from one mode of transportation to another. We will strive to accommodate all services requested of us.
- Marshfield Municipal Airport, Roy Shwery Field will provide the thoroughfare for business services and goods to flow through our community in the most efficient methods possible.
- Marshfield Municipal Airport, Roy Shwery Field will provide a gateway for our citizens and transient citizens as a means to come into and exit the City of Marshfield, WI on a daily basis for their personal and business goals.
- The Marshfield Airport Committee and Marshfield Airport Management will promote the Marshfield Municipal Airport, Roy Shwery Field and continue to assist the future continued development of the airport and technologies related to aviation that may be used at the airport.

1-4 OBJECTIVES OF THE CAMPUS MASTER PLAN

- Inventory of current uses in and around the airport
- Inventory of the airport facilities

Airport Campus District Plan – 2013-2018

- Inventory of access point to the airport
- Summary of stormwater plan
- Summary of surrounding zoning districts
- Summary of height restriction areas
- Summary of the central developable area
- Table of permitted uses
- Five year future development plan
- Long term development goals

SECTION 2: EXISTING CONDITION ANALYSIS

2-1 EXISTING LAND USES

The Federal Aviation Administration (FAA) has established that the designated airport property as outlined in the Airport Layout Plan is under federal obligations for the funds the airport receives. Compatible land uses are very important to the FAA. The FAA is adapting and changing their guidelines for compatible land use regularly.

Table 2-1a. Land Area Summary

| Description | Acres |
|--|--------|
| Total Acreage within airport boundary (does not reflect recent property exchanges with adjacent land owners) | 552.25 |
| Total Acreage in Avigation Easements | 67.65 |
| Total Acreage in Clear Zone Easements | 40.94 |
| Combined Acreage within Airport Jurisdiction and Boundaries | 623.94 |

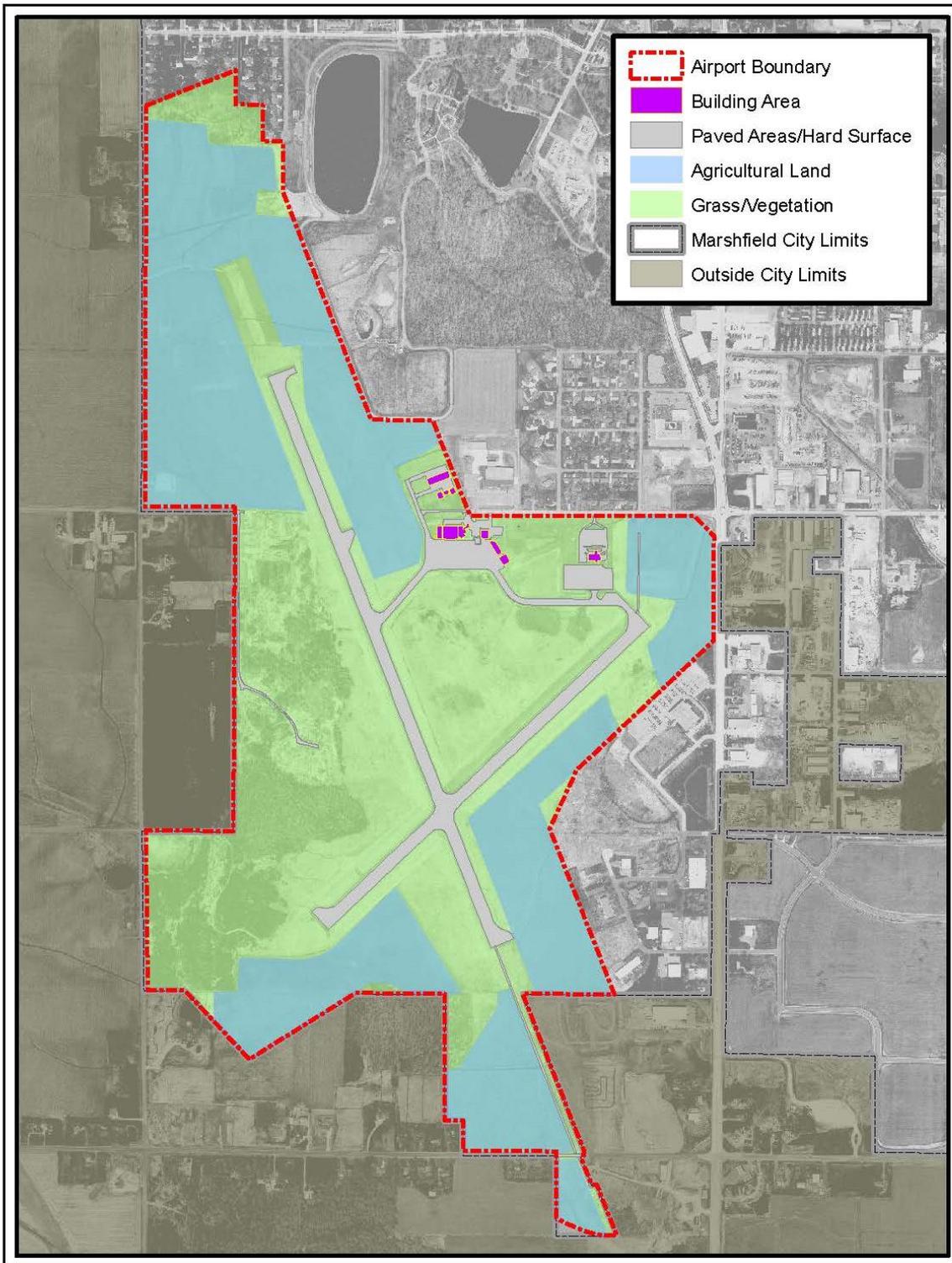
All Airport Campus District regulations, including property line and building restrictions lines, clear zone easements, avigation easements, farming operations shall be consistent with the current Airport Layout Plan and Federal Aviation Guidelines for Airport Use.

Table 2-1b. Land Use Summary

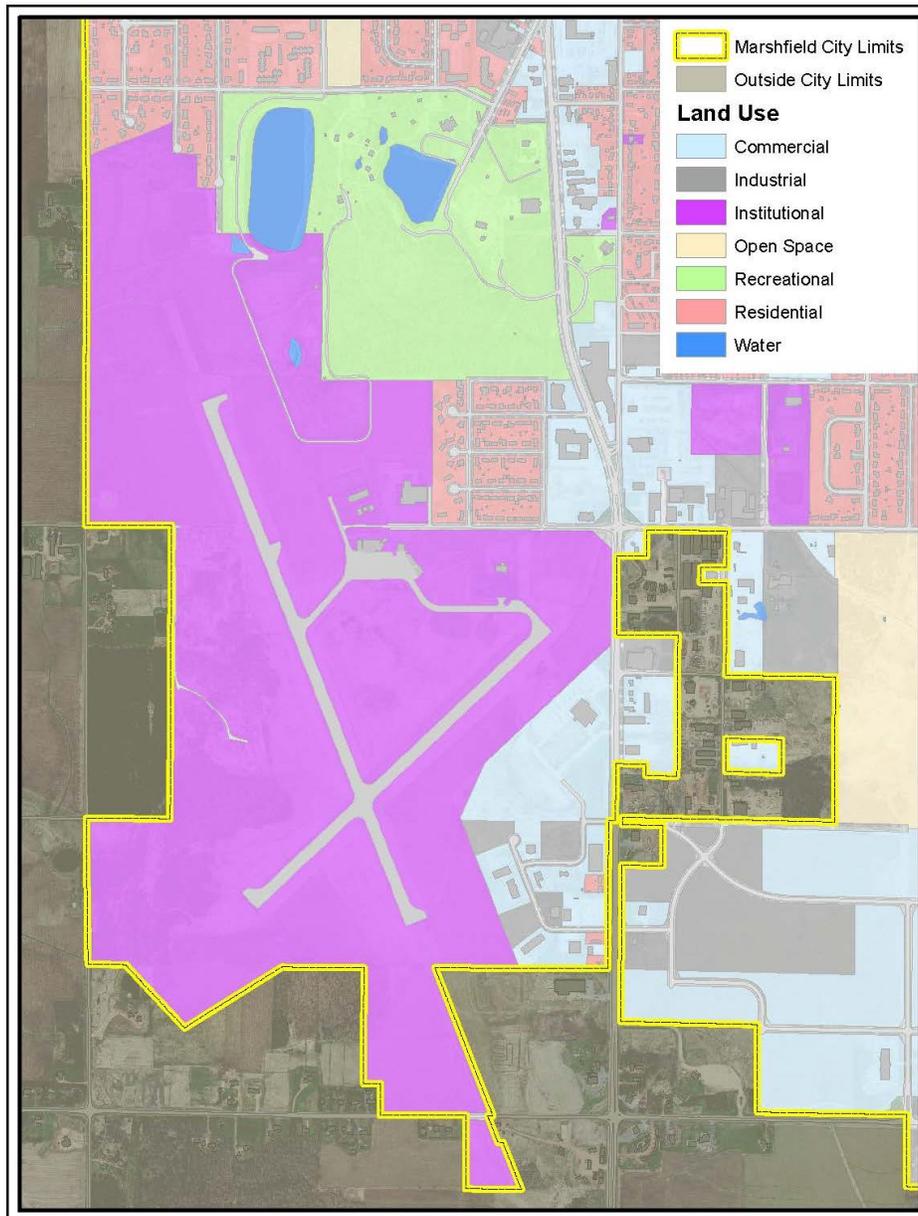
| Description | Acres |
|--------------------------------|--------|
| Building Area | 1.38 |
| Pavement and Hard Surface Area | 6.42 |
| Grass/Vegetation | 188.38 |
| Agricultural | 274.26 |
| Total: | 470.44 |

Airport Campus District Plan – 2013-2018

Map 2-1a. Airport Existing Uses



Map 2-1b. Surrounding Uses



The Marshfield Municipal Airport is made up of 17 individual parcels, all owned by the City of Marshfield. Within these 17 parcels are a mixture of uses including:

(1.) Antennas

Antennas developed by the airport and Federal Aviation Administration for the safe transition of aircraft by radio navigation or communication within the airport airspace.

(2.) Airfield Lighting

Airfield lighting is needed for the safe landing and take-off of aircraft. This may also include lighting for instrument approaches and or lighting of navigational aids.

(3.) Farming

The airport does allow crops to be raised on the airport as long as they do not create a hazard to the navigation of aircraft. Crops raised at the airport will also be of the types that do not attract excessive wildlife.

(4.) Parking

Adequate on-site parking is provided for all uses and facilities within the airport property.

(5.) Airport and Helipad

The Marshfield Airport includes a helipad as well as the existing facilities listed in Section 2-3.

2-2 SURROUNDING ZONING

All Airport campus zoning including property line and building restrictions lines, clear zone easements, aviation easements, farming operations shall be consistent with the current Airport Layout Plan and Federal Aviation Guidelines for Airport Use.

Airport Campus District Plan – 2013-2018

Map 2-2a. Surrounding Zoning

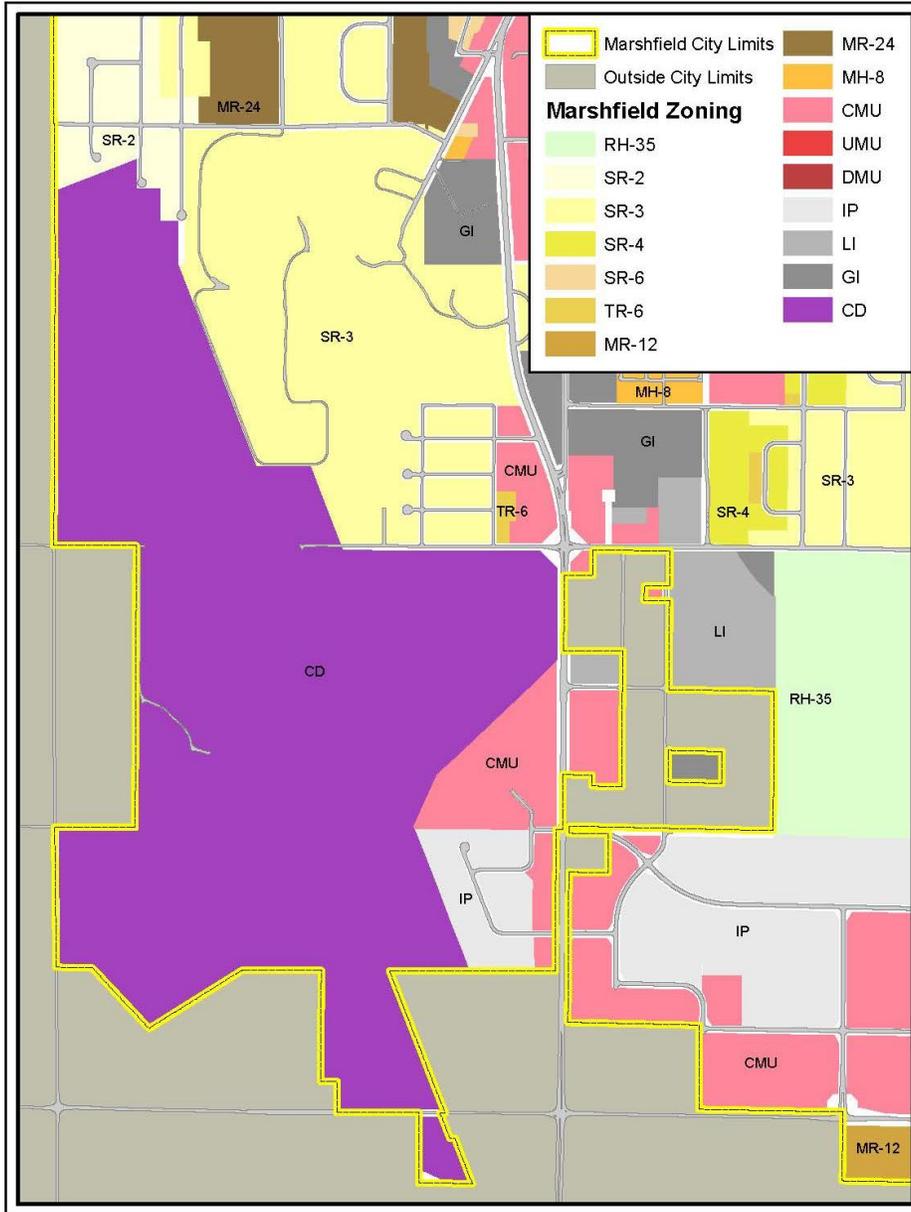


Table 2-2a. Zoning Descriptions

| Zone | Description |
|-------|---|
| CD | Large scale governmental, office, educational, medical, and research and development facilities |
| SR-2 | Low density single family detached dwellings |
| SR-3 | Very low density single family detached dwellings |
| SR-4 | Moderate density single family detached dwellings |
| TR-6 | Single family detached and two family attached dwellings |
| MR-12 | Multi-family uses in small buildings at medium density |
| MR-24 | Multi-family uses in small and mid-sized buildings at higher density |

Airport Campus District Plan – 2013-2018

| | |
|------|--|
| LI | Large and small scale industrial and office development |
| GI | Manufacturing and industrial operations |
| IP | High-quality industrial, office, and related land uses |
| MH-8 | Mobile Home developments |
| CMU | Wide range of large and small scale office, retail, service, and lodging |
| RH-8 | Very low density single family detached residential development |

2-3 EXISTING AIRPORT FACILITIES

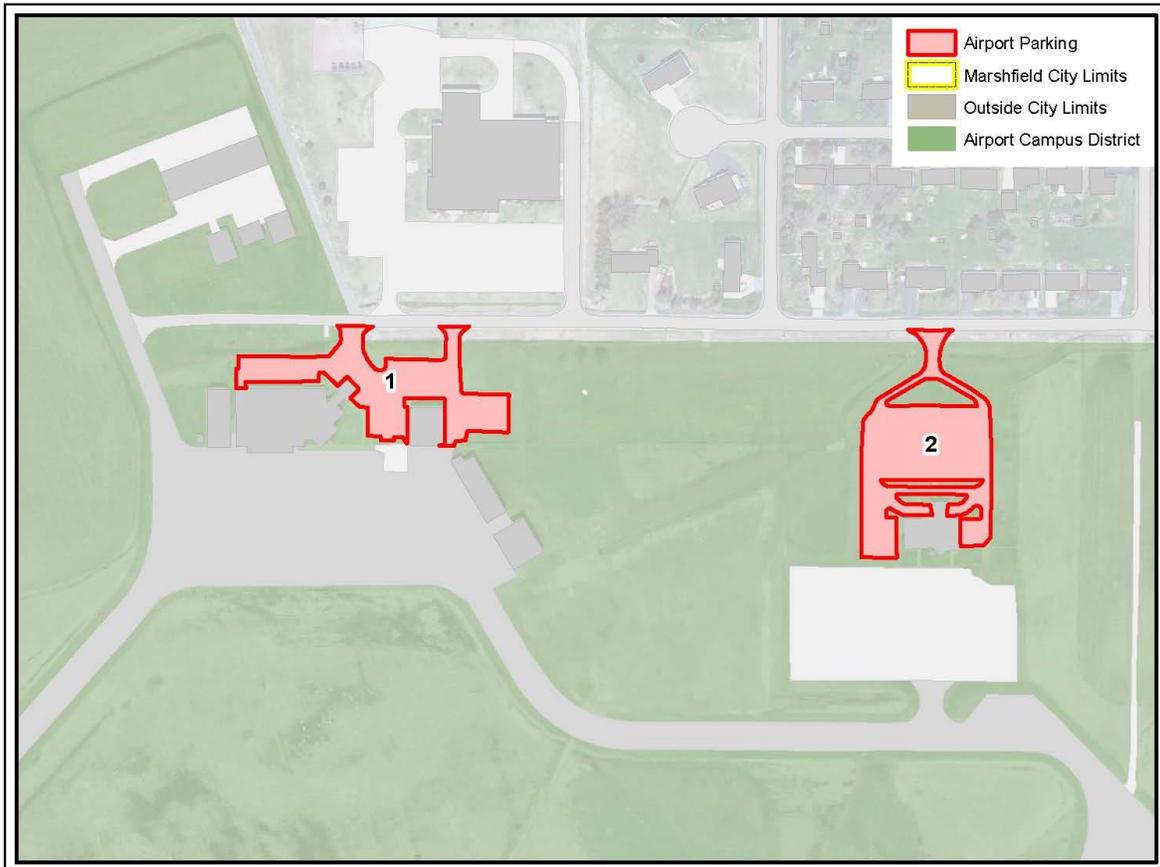
(1.) Parking

Adequate parking is provided on site for all existing facilities. Below is a list of the number of stalls available for each facility.

Table 2-3a. Parking Areas

| Map Number | Lot | Area | Number of Parking Spaces |
|------------|----------------------|----------------|--------------------------|
| 1 | General Aviation Lot | 51,603 sq. ft. | 60 |
| 2 | Office Complex Lot | 39,249 sq. ft. | 96 (estimated) |

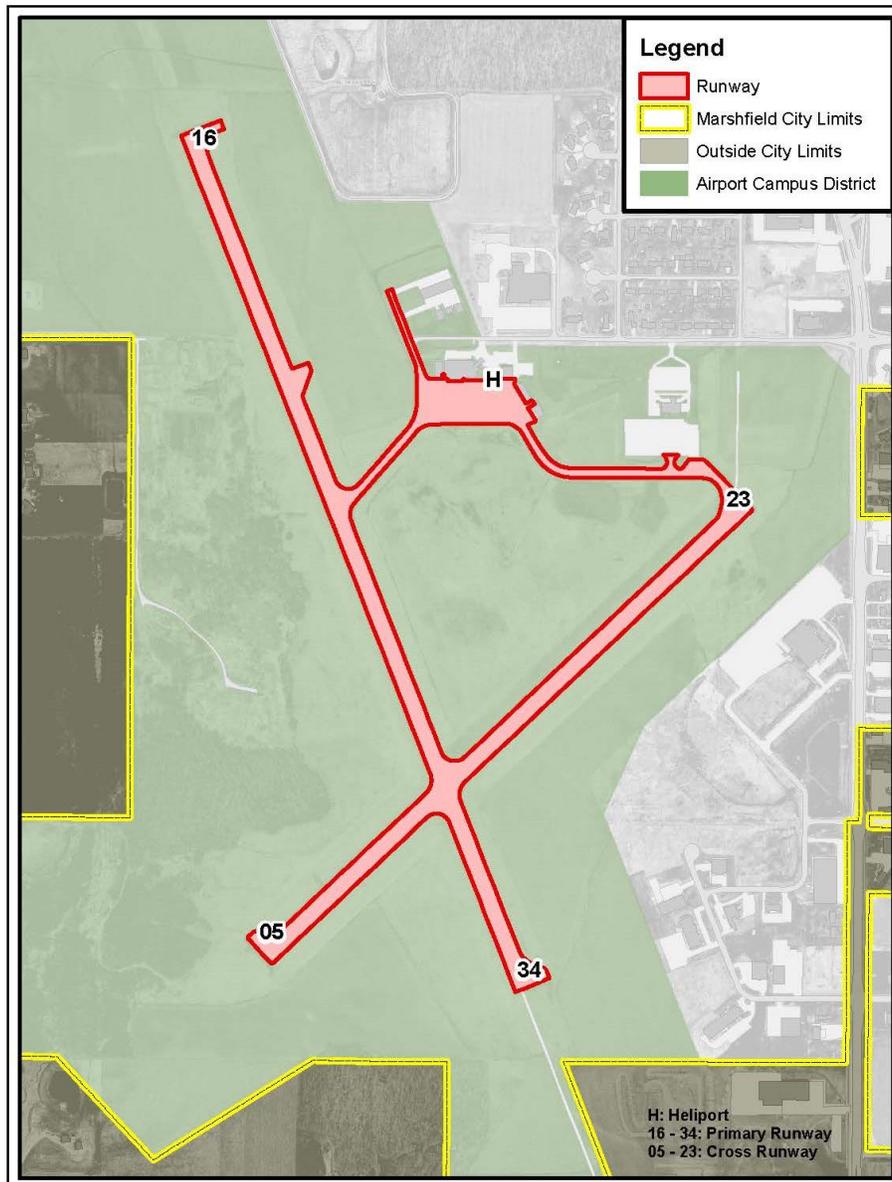
Map 2-3a. Parking Areas



(2.) Runways

Currently there are two operational runways on the airport campus district ground. There is a primary runway (16 – 34) which is hard surfaced, 100' wide by 5,002' long. It has a medium intensity runway lighting system MIRLS with a medium intensity approach lighting system MALSR on runway 34. Runway end identifier lights, (REILS), on runway 16 and visual approach slope indicators, (VASIs), on 16 & 34. The instrumental landing systems include R-Nav GPS on Runway 34, LPV R-Nav GPS on Runway 16, LPV and a SDF on Runway 34. The second runway is a cross runway, which is 05 - 23 is hard surface 100' wide and 3600' long. Lighting includes medium intensity runway lights (MIRLS), and runway end identifier lights (REILS). It has a non-directional instrument approach to runway 05.

Map 2-3b. Runways and Heliport



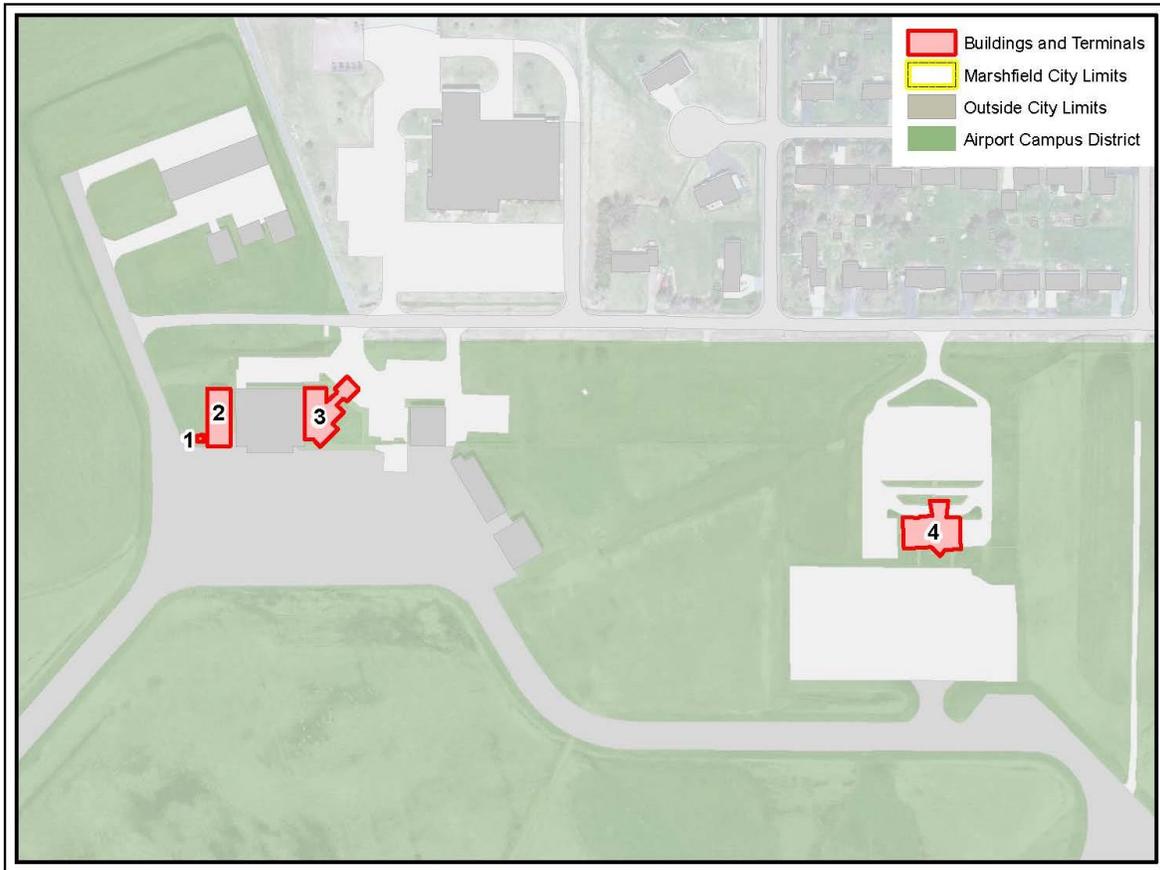
(3.) Terminals/Buildings

As of August 2012 the following buildings in Table 2-3b were present on the Airport Campus District (buildings are marked with a number on their outside walls for fire identification):

Table 2-3b. List of Buildings and Terminals

| Map Number | Fire Number | Name |
|------------|-------------|------------------------------------|
| 1 | 6 | Electrical Building |
| 2 | 5 | Quonset Building |
| 3 | 3 | General Aviation Terminal Building |
| 4 | 1 | Office Complex Terminal Building |

Map 2-3c. Buildings and Terminals



A. Building #1 Office Complex Terminal Building (*map number 4*)

The office complex terminal building was original Midstate Airlines Terminal building. It was constructed in 1976 with a modern design, large parking area. The entire building can be used by one business, or two businesses can occupy the building, (east half and west half). Additional businesses can further be divided up into the East half. Both East and West half have independent entrances, bathrooms furnaces / air conditioning units.

Uses:

1. Vacant Office Space
2. On-site Parking

50' x 80' over 4000 sq. ft.



B. Building #3 General Aviation Terminal Building (*map number 3*)

The General Aviation Terminal Building was constructed in 2007. It serves as the ambassador for the City as the first impression most people get when coming to Marshfield by air. The building has public and private rest rooms, Conference Room, Various Offices. The Fixed Based Operator and Airport Manager are in the building.

Uses:

1. Fixed Based Operator Offices
2. Airport Manager Office
3. Airport Fuel Farm Tank Monitoring and 24/7 Credit Card Operations
4. Conference Room
5. Ingress and Egress of people to the City of Marshfield through the Airport

Approx. 4680 sq. ft. including the car port



C. Building #5 Quonset Building (*map number 2*)

The Quonset building is the oldest building on the airport. It was built in the 1940's when the airport was constructed. It has served as airplane storage and maintenance vehicle storage at the airport. It presently serves as storage for the snow removal and grass cutting equipment as well as various pieces of equipment used to maintain the airport.

Uses:

1. Storage of airport maintenance equipment.
2. Storage of construction equipment and supplies

40' x 100' 4,000 sq. ft.



D. Building #6 Electrical Building (*map number 1*)

The Electrical Building was built around 1995 to house the electrical controls for the airport runway lighting and instrument approaches.

Uses:

1. Storage of Airport electrical controls
2. Storage of airport instrument approach controls

13' x 16' 208 sq. ft.



(4.) Hangars

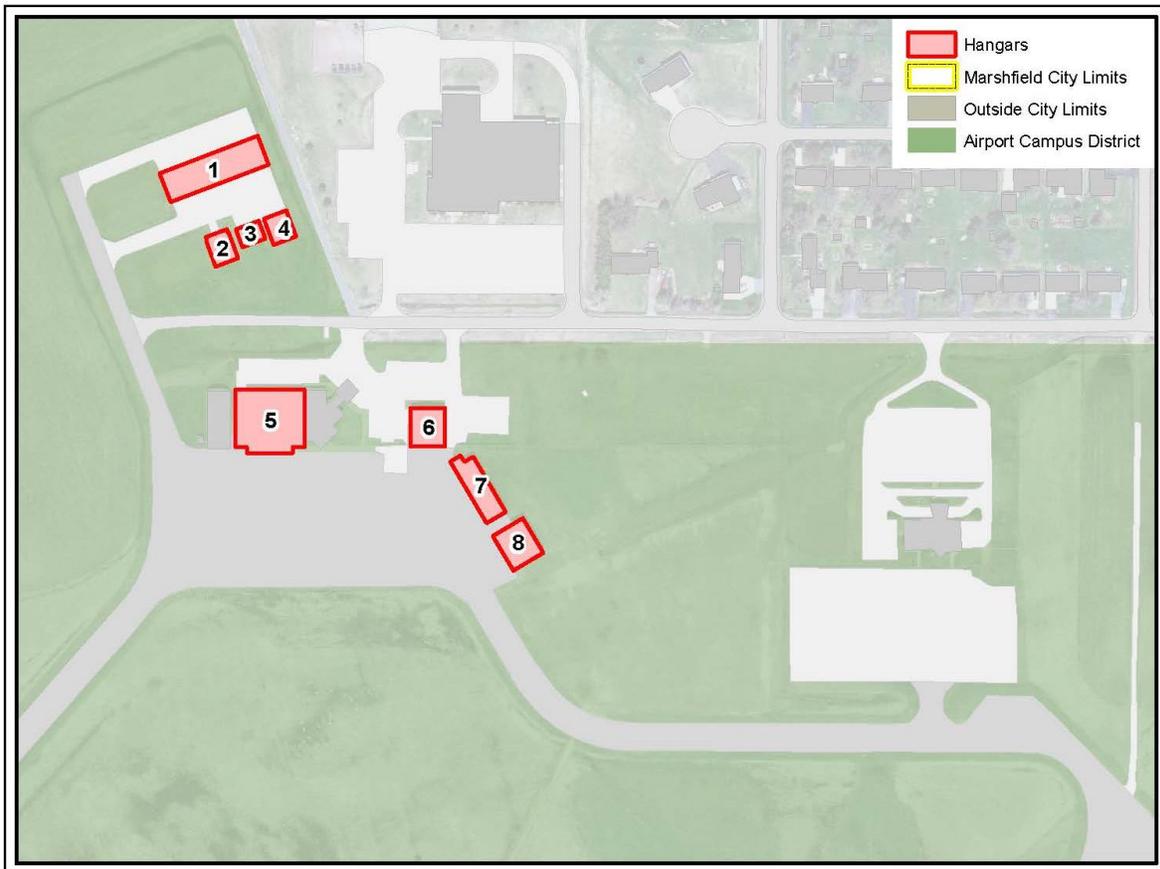
Currently there are 8 hangars on the Airport campus district. These 8 hangars are a mixture of commercial and private hangars. Commercial hangars are kept on the south east side of the general aviation terminal building while the private hangars are located north of the general terminal building.

Airport Campus District Plan – 2013-2018

Table 2-3c. List of Hangars

| Map Number | Fire Number | Name |
|------------|-------------|-------------------------|
| 1 | 10 | Private 8 Unit T-Hangar |
| 2 | 9 | Private Hangar |
| 3 | 8 | Private Hangar |
| 4 | 7 | Private Hangar |
| 5 | 4 | Large Storage Hangar |
| 6 | 2 | Maintenance Hangar |
| 7 | 11 | Private 2 Unit Hangar |
| 8 | 12 | Private Hangar |

Map 2-3d. Hangars



A. Hangar #2 Maintenance Hangar (*map number 6*)

The Maintenance Hangar was constructed in the early 1980's with the sole purpose of providing a location for mechanics to work on aircraft. The building is heated in cold weather, has water access, has its own bathroom, and mechanic's office. The building is also tied into the main phone system at the airport and is typically used by the existing Fixed Based Operator as part of the Fixed Based Operator's Contract.

Uses:

1. Aircraft Maintenance
2. Aircraft Storage
3. Large Public Airport Events - i.e. Pancake Breakfast

60' x 64' 3840 sq. ft.



B. Hangar #4 Large Storage Hangar (*map number 5*)

The Large Storage Hangar was constructed by Midstate Airlines in the 1950's to store the large airline aircraft that were utilized by Midstate. The building is now owned by the City of Marshfield. The building is utilized by the Fixed Based Operator as part of the Fixed Based Operator's Contract.

Uses:

1. Storage of the Fixed Based Operator's Aircraft
2. Short Term Storage of Transient Aircraft.
3. Corporate Aircraft Storage (Both Local and Transient)
4. Aircraft Maintenance
5. Storage of Airport Electronic Equipment and Light Bulbs
6. Storage of Airport Supplies
7. Storage of Tables and Chairs for Airport Activities
8. Large Airport Public Events
9. Radiant heat De-Icing of Aircraft.

120' x 100' 12,000 sq. ft.



C. Hangar #7 Private Hangar (*map number 4*)

Used for storage of aircraft and personal storage.

Uses:

1. Storage

42' x 48' 2016 sq. ft.



D. Hangar #8 Private Hangar (*map number 3*)

Used for storage of aircraft and personal storage.

Uses:

1. Storage

40' x 30' 1200 sq. ft.



E. Hangar #9 Private Hangar (*map number 2*)

Used for storage of aircraft and personal storage.

Uses:

1. Storage

42' x 48' 2016 sq. ft.



F. Hangar #10 Private 8 Unit T-Hangar (*map number 1*)

Used for storage of aircraft and personal storage.

Uses:

1. Storage

50' x 180' 9000 sq. ft.



G. Hangar #11 Corporate 2-Unit Hangar (*map number 7*)

Used for storage of aircraft and personal storage.

Uses: 40' x 114' (attached office: 10' x 20.5') 4765
1. Storage sq. ft.



H. Hangar #12 Corporate Hangar (*map number 8*)

Used for storage of aircraft and personal storage.

Uses: 70' x 60' 4200 sq. ft.
1. Storage



(5.) Aircraft Refueling Facilities

The fuel facility was constructed in 2009 with a 24/7 credit card system that is monitored in the General Aviation Terminal Building. The Tank monitors for the system are also located in the General Aviation Terminal Building. There are two underground 12,000 gallon storage tanks. The fuel farm has a 100LL dispenser, Jet A Generator / Filter and Jet A fuel dispenser.



2-4 GROUND ACCESS

(1.) Highway/Road Access

Road access to the Airport is from West 29th Street. The General Aviation Terminal Building is located approximately a half mile west of Central Avenue and approximately 1.5 miles northwest of U.S. Highway 10.

(2.) Transit

A. Public

Taxi service is available from the General Aviation Terminal.

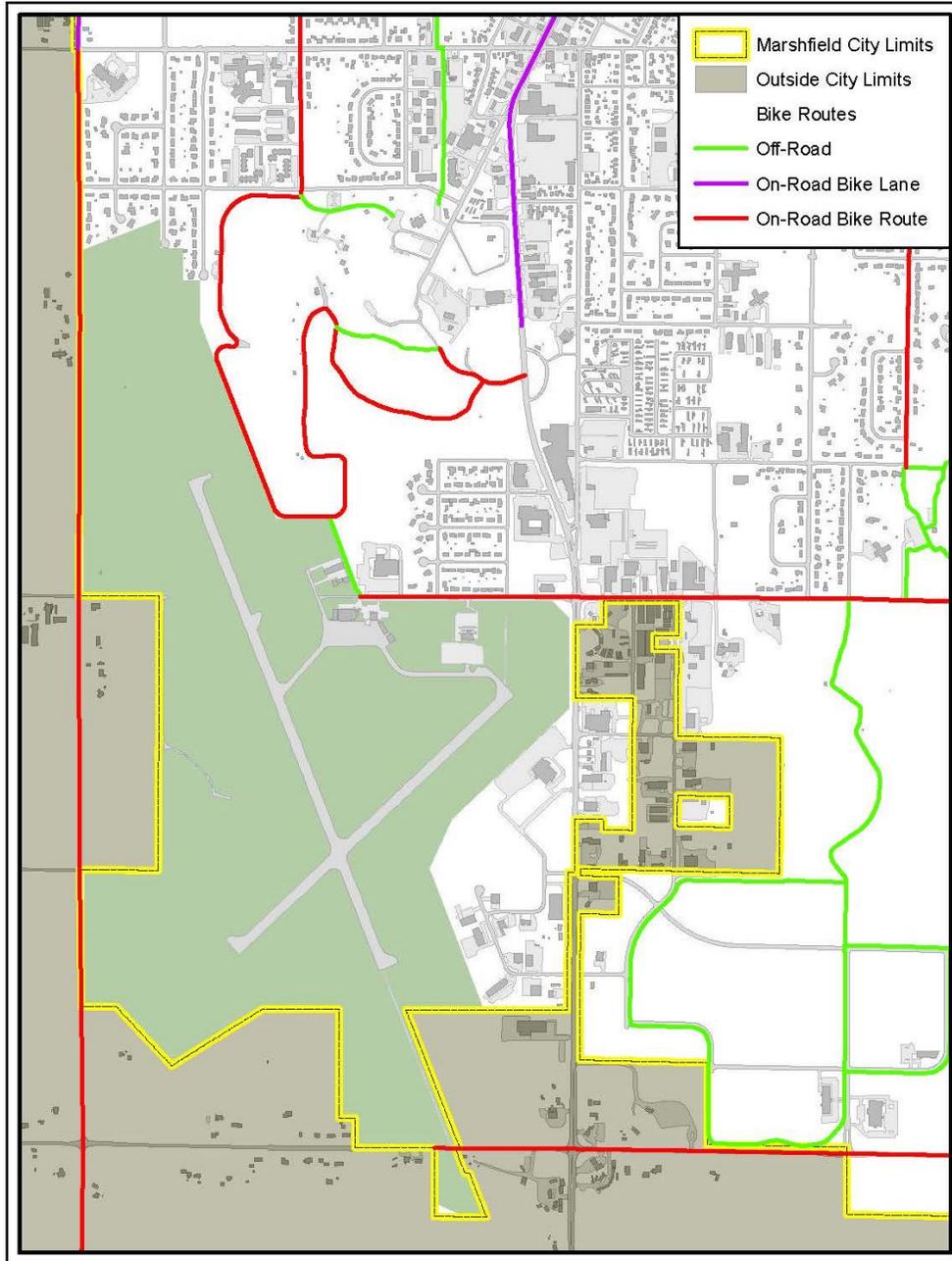
B. Bike Trails

The General Aviation Terminal is directly connected to an off-road trail from the Wildwood Park and Zoo to the north. 29th Street is also an on-road bike route.

C. Parking

Adequate on-site parking is provided for all uses and facilities within the airport property.

Map 2-4a. Nearby Bike Trails and Routes



2-5 STORMWATER

The existing stormwater system is addressed under the Marshfield Municipal Airport Stormwater Pollution Prevention Plan. All development must adhere to the requirements within the Plan and follow the Best Management Practices listed therein per the requirements of the DNR. The primary stormwater management features are outfalls.

SECTION 3: FUTURE USES ANALYSIS

3-1 FUTURE LAND USES

Other than some additional hangars being constructed, there are no plans to expand any of the existing facilities at this time. However, as opportunities become available, the Airport may be able to provide additional services and therefore must plan for potential future uses.

3-2 FUTURE FACILITIES

All existing facilities are projected to remain. The categories under the permitted and conditional uses in Section 3-7 are broad in nature. The actual uses will be limited by the FAA and the Bureau of Aeronautics.

Below are the potential changes in use. With the exception of hangars, fences or similar ancillary/landscape structures, no new development is proposed for this Campus Master Plan. Minor additions under 500 square feet may be approved administratively provided the remaining requirements of the Plan are followed. Any additional development would require a Conditional Use Permit. All development must abide by minimum standards that the Airport has in place. Temporary structures such as tents would be permitted at the discretion of the Airport.

(1.) Building #1 Office Complex Terminal Building

The office complex terminal building was original Midstate Airlines Terminal building. It was constructed in 1976 with a modern design, large parking area. The entire building can be used by one business, or two businesses can occupy the building, (east half and west half). Additional businesses can further be divided up into the East half. Both the East and West half have independent entrances, bathrooms furnaces / air conditioning units.

Existing and Potential Future Uses:*

- A. Aviation Related Business
- B. Aviation Crew Facility
- C. Office Space
- D. Retail Outlet
- E. Public Use Facility
- F. Medical Use Facility
- F. Corporate Office
- H. Vehicle Rental
- I. Taxi Office and Parking

50' x 80' over 4000 sq. ft.



***Any non-aeronautical uses must be coordinated with the Bureau of Aeronautics and receive approval from the Federal Aviation Administration as deemed appropriate by the**

Bureau of Aeronautics. Nonaeronautical uses of airport property must provide a net benefit to the airport, be compatible with normal airport operations.

(2.) Hangars

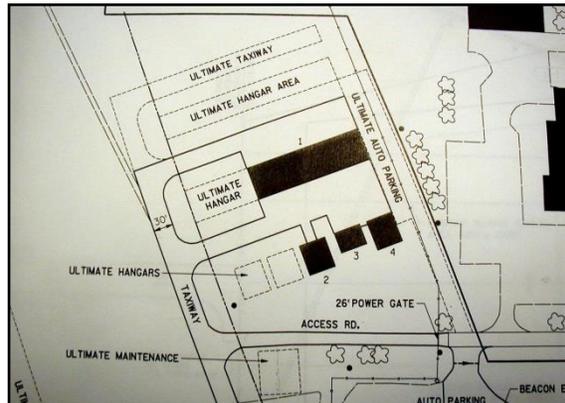
The Marshfield Airport Committee has developed a hangar application booklet that all future hangar construction must comply with the application form and have the Marshfield Airport Committee and Common Council approval before construction will begin.

Special Note: The Federal Aviation Administration does not allow the construction of Residential Hangars (Hangars that are also homes) to be constructed on the Marshfield Airport.

A. Hangar Building Site #1 Future Corporate Hangar Area Site

Existing and Potential Future Uses:

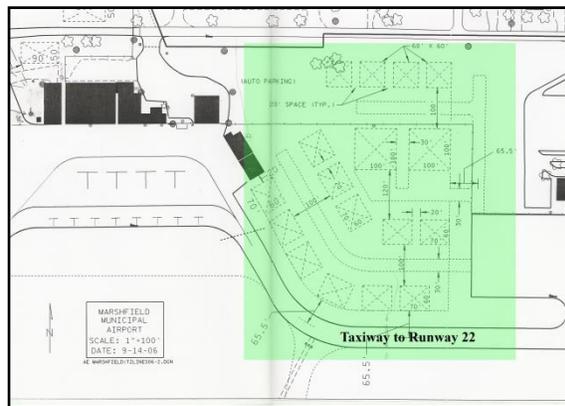
1. Aircraft Storage
2. Corporate Flight Offices
3. Corporate Flight Department Fuel Storage
4. Each Unit will have their own utilities access for water, sewer, electrical, phone, etc.
5. Plans for building must be consistent with the Marshfield Hangar Application for Area #1



B. Hangar Building Site #2 Future Corporate Hangar Area Site

Existing and Potential Future Uses:

1. Aircraft Storage
2. Limited Personal Storage
3. Plans for future buildings must be consistent with the Marshfield Hangar Application for Area #2



(3.) Runway

The current runways will be maintained. The Airport has a goal of expanding the runway 16/34 1,000 feet within 15 years, but that is not part of this 5-year plan at this time.

3-3 FUTURE GROUND ACCESS

Ground access such as highway/road access, transit, and parking, is not projected to change in the next 5 years.

3-4 FUTURE STORMWATER

Storm water management will follow the requirements of the current Marshfield Municipal Airport Stormwater Pollution Prevention Plan and any subsequent updates.

3-5 FUTURE AIRPORT HEIGHT RESTRICTION AREA

The Airport Height Restriction Area is not expected to change in the next 5 years unless the runway is extended.

3-6 FUTURE LAND ACQUISITION

The Marshfield Municipal Airport is in the process of acquiring additional land for the primary purpose of reserving aviation easements over the property. The Bureau of Aeronautics is assisting with this process. The plan is to acquire approximately 15 acres within the next 5 years.

3-7 ALLOWABLE USES AND SETBACKS FOR THE CENTRAL AND PERIPHERAL AREAS

(1.) Campus District Development

All land uses and development (including buildings, structures, paved areas, fixtures, landscaping and signage) existing as of the date of CMP approval which are depicted on the approved Campus Existing Conditions Graphic and/or listed on the approved Campus Existing Development Inventory, shall be considered as fully legal, conforming land uses and development, unless explicitly identified by the City within the CMP approval documentation as having a legal nonconforming or nonconforming status.

Proposed land uses and development which are located within the Campus Development zoning district, and which are consistent with the approved Campus Plan Graphic and/Campus Plan Development Inventory, shall be considered, reviewed and approved prior to the time of their development.

Specific land uses and development within the Campus Development zoning district which are inconsistent with an approved CMP shall be reviewed as conditional uses.

A Planned Development may be proposed, considered and approved within any portion of the area of an approved CMP, and if approved, shall supersede explicitly approved provisions of the CMP and the Zoning Ordinance, for the area included within the boundaries of the Planned Development.

Land Uses which are proposed, but not listed in Section 3-7, shall be subject to the rules of interpretation and appeals governing the Zoning Ordinance.

Boundary of the campus, clearly divided into a Central Campus Area and a Peripheral Campus Area. The boundary between the Central Campus Area and the Peripheral Campus Area may vary from parcel lines. As the Airport acquires additional properties, the boundaries of the Airport will change.

(2.) Central and Peripheral Areas

The Central District consists of all existing and potential future Airport and Heliport facilities, Office Complex, Terminal, runways, helipad, hangars, accessory buildings, parking areas and some land that is presently farmed. All new development will take place within this boundary.

Beginning at the east side of the easternmost access on Parcel No. 33-03566, the Central District is setback 50 feet from the 29th Street right-of-way, running east until reaching 100 feet west of the western Central Avenue right-of-way. Then the Central District runs directly south along the Central Avenue right-of-way. The Central District then continues southwesterly, running parallel along a line 100 feet west of the Campus District Zoning until it reaches the south line of Parcel No. 33-03567. The Central District then continues southeasterly, running parallel along a line 100 feet west of the Campus District Zoning until it reaches the south line of Parcel No. 33-03570-9. The Central District continues along the border of the Campus District Zoning until it reaches the northwest corner of Parcel No. 33-035670-2A. The west boundary of the Central District then runs northeasterly 400 feet northwest off of runway 5-23 until it reaches 400 feet west of runway 16-34. Then the Central District runs northwesterly parallel to and 400 feet west of runway 16-34 until reaching the northwest property corner of Parcel No. 33-03540. Then the Central District runs east along the north parcel lines of Parcels No. 33-03540 and 33-03539A to the eastern edge of Parcel No. 33-03539A. Then the Central District runs southeasterly along the east edge of the Campus District to the south right-of-way of 29th Street. Then the Central District runs east along the south right-of-way of 29th Street to the east side of the easternmost access on Parcel No. 33-03566 to the point of beginning.

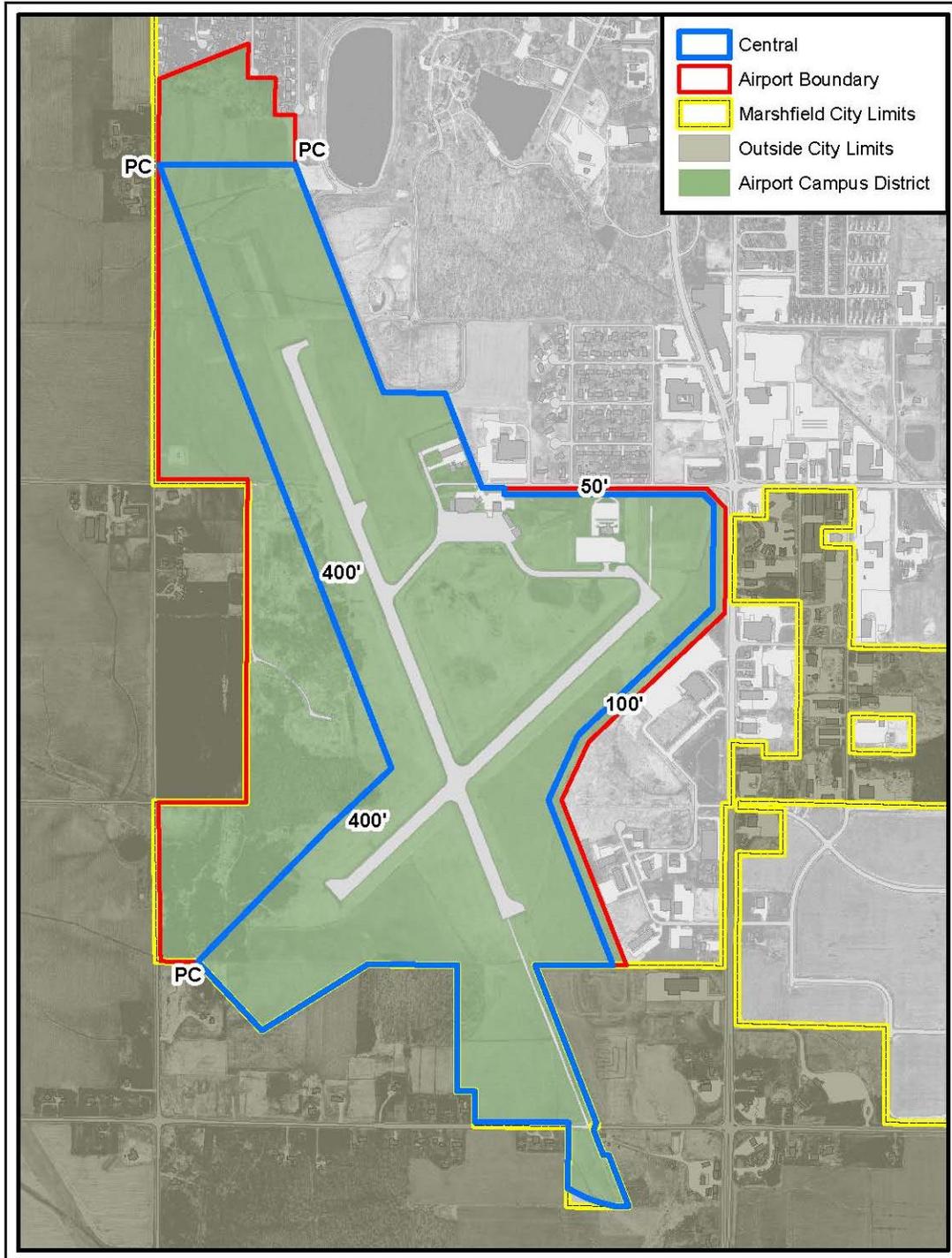
Airport Campus District Plan – 2013-2018

The Peripheral District consists of land that is presently farmed and parking access for the Office Complex. Future uses may include the extension of fencing around the perimeter of the property and any lighting or communications system required by the FAA. The boundary of the Peripheral District is described as follows:

Peripheral District consists of the remaining portions of the Campus District excluding the above described Central District.

Map 3-7a. Central and Peripheral Areas

Airport Campus District Plan – 2013-2018



(3.) Permitted Land Use Types

All uses listed below shall adhere to the requirements in Article III of the Marshfield Municipal Code unless further defined or restricted in the Campus District Plan. Table 3-7a describes the allowable uses in each the Central District and the Peripheral District. In the table, permitted uses are indicated with a P, conditional uses are indicated with a C,

Airport Campus District Plan – 2013-2018

and a dash indicates a use that is not permitted. All uses conducted at the time of adoption of the Campus District Plan are permitted to continue.

Table 3-7a. Permitted and Conditional Uses. Even if a use is permitted by the City as a general use, any nonaeronautical uses **must be coordinated with the Bureau of Aeronautics and receive approval from the Federal Aviation Administration as deemed appropriate by the Bureau of Aeronautics.** Nonaeronautical uses of airport property must provide a net benefit to the airport, be compatible with normal airport operations.

| <i><u>Land Use Types</u></i> | <i>Central District</i> | <i>Peripheral District</i> |
|---|-------------------------|----------------------------|
| Small Scale Indoor Institutional | P | - |
| Large Scale Indoor Institutional | - | - |
| Passive Outdoor Recreation | P | - |
| Active Outdoor Recreation | P | - |
| Intensive Outdoor Recreation | - | - |
| Essential Services | P | - |
| Small Scale Public Services and Utilities | P | - |
| Institutional Residential | - | - |
| Office | P | - |
| Personal or Professional Services | P | - |
| Artisan Studio | - | - |
| Indoor Sales or Services | P | - |
| Indoor Commercial Entertainment | C | - |
| Outdoor Commercial Entertainment | - | - |
| Commercial Indoor Lodging | - | - |
| Boarding House | - | - |
| Research and Development | P | - |
| Indoor Food Production | - | - |
| Indoor Storage and Wholesaling | - | - |
| Outdoor Storage and Wholesaling | - | - |
| Transit Center | - | - |
| Airport | P | P |
| Heliport | P | - |
| Off-Site Parking | P | - |
| Communication Antenna | P | - |
| Communication Tower | P | - |
| Market Garden | C | P |
| Outdoor Display | P | - |
| In-Vehicle Sales or Services | P | - |
| Group Daycare Center | - | - |
| Onsite Ancillary Use | P | - |
| Solar Energy System | P | - |
| Recreational Facility | - | - |
| Landscape Features | P | - |

Airport Campus District Plan – 2013-2018

| | | |
|----------------|---|---|
| Deck | P | - |
| Satellite Dish | P | - |

(4.)Setbacks

Below are the setbacks for the Airport Campus District (includes Central and Peripheral Districts). Setbacks are measured from the boundary of the Campus District instead of individual property lines as there are multiple parcels within the airport property.

Table 3-7b. Regulations

| | |
|---|---|
| Minimum Lot Area | Airport Boundary |
| Maximum Building Coverage of Lot | 20 percent |
| Minimum Lot Width | 100 feet |
| Minimum Front Setback | 50 feet |
| Minimum Street Side Setback | 25 feet |
| Minimum Side Setback | 25 feet |
| Minimum Rear Setback | 25 feet |
| Major Street Setback | Minimum of 50 feet or mean of adjoining lots (see Section 18-12 and 18-72) |
| Maximum Principal Building Height | 50 feet |
| Minimum Principal Building Separation (multi-structure developments on shared lots) | 25 feet |
| Minimum Hangar Building Separation | Per the Airport Hangar Policy |
| Minimum Pavement Setback (lot line to pavement; excludes driveway entrances and lots that are 50 feet wide or less) | 3 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way |
| Accessory Building Side Setback | 3 feet |
| Accessory Building Rear Setback | 5 feet |
| Maximum Detached Accessory Building Height | Per the Airport Hangar Policy |
| Minimum Parking Required | 1 stall per 300 square feet of gross floor area |

(5.)Landscape and Other Requirements

Except for new hangars, all new development shall comply with the landscaping requirements as determined by the Airport Committee. Article VIII in Chapter 18 of the Marshfield Municipal Code. New hangars shall comply with the development standards in the Airport Hangar Policy. Any changes to that policy will be reviewed by the Plan Commission and Common Council prior to approval. All new lighting within the parking areas of the Airport must comply with Section 18-104 of the Marshfield Municipal Code. All other Airport lighting may comply with FAA and the Bureau of Aeronautics lighting requirements. All new parking areas must be hard surfaced within a year initial expansion. Fences for the Airport do not require a setback in any yard and may cross parcel boundaries. Chain-link, privacy, and security fences are permitted in any required

yard and may exceed the height standards listed in Section 18-106 of the Municipal Zoning Code, as guided by the Bureau of Aeronautics.

SECTION 4: REFERENCES

- Marshfield Municipal Airport Stormwater Management Plan
- Marshfield Municipal Airport Hangar Policy
- Marshfield Municipal Airport Layout Plan
- Marshfield Municipal Zoning Code References
 - Section 18-42 of the Marshfield Municipal Campus Development Zoning District
 - Section 18-66(5) of the Marshfield Municipal Campus Master Plan Requirements
 - Section 18-93 of the Marshfield Municipal Code Airport Overlay District
 - Article VIII of the Marshfield Municipal Code Landscaping Requirements



City of Marshfield Memorandum

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

RE: First Reading – Ordinance No. 1310 Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Section 18-72 to allow the front and street side yard setbacks to be adjusted by averaging adjoining properties in all districts and to clarify language pertaining to such adjustments.

Background

Since the adoption of the latest zoning code, over two years ago, staff has been making notes on areas of the code that could be improved. Often, the changes are identified when applications come in on a frequent basis for similar requests. During a recent review of the Zoning Code, it was discovered that some of the districts weren't included in the section that refers to setback averaging. Essentially, all districts should have been included in this section of code.

Analysis

Averaging allows for a deviation to the standard setback based on the average setback of the adjoining properties. Zoning districts have a standard front and street side yard setback. In most residential districts, the front yard setback is 25 feet and the street side yard setback is 15 feet. Averaging allows a reduction to the front or street side yard setback based on the average setback of the 5 nearest adjoining properties. In some older neighborhoods, the homes or businesses are closer to the street than the current setback requirement of the zoning district. Allowing averaging provides an opportunity for new development to match the similar characteristics of the surrounding neighborhood, without having an outlier structure that is setback significantly farther than the neighboring properties.

The intent of the Zoning Code was to include all districts in this section, however, specialty districts such as "CD" Campus District, "RH-35" Rural Holding, "RD" Research and Development, and the Industrial districts were left out of this exception. The purpose of the amendment would include all districts under this section.

In addition to the standard setback, a special 50 foot setback applies to all major streets (Primary Arterial and Minor Arterial streets) outside of the Downtown. The major street setback provision is to allow room for future street expansion on the arterial streets, so when additional property is needed, structures are placed at an adequate setback to accommodate the expansion without having to raze or remove buildings. However, many of the major streets will likely never see a need for street expansion and without averaging, the 50 foot setback becomes a major outlier and new development will look out of place. This amendment, to allow averaging in all districts, would apply to the major street setback as well.

The amendment will include mirroring the two sections for standard adjustments as well as for major street setback adjustments in how the average is calculated. In the current code, the standard setback is in paragraph form. The amendment puts it in a bullet form which makes it easier to follow and administer.

Plan Commission Recommendation

A public hearing was held on July 21, 2015 where no public comment was made. The Plan Commission recommended approving the proposed ordinance as presented.

Council Options

The Common Council can take the following actions:

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

Recommendation

None at this time unless the rules are suspended; final action will be requested after the second reading scheduled for the August 11, 2015 Common Council meeting.

Attachments

1. Draft Redline Ordinance No. 1310
2. Draft Ordinance No. 1310

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

REDLINE ORDINANCE NO. 1310

An Ordinance amending Section 18-72 of the City of Marshfield Municipal Code pertaining to yard setback adjustments.

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

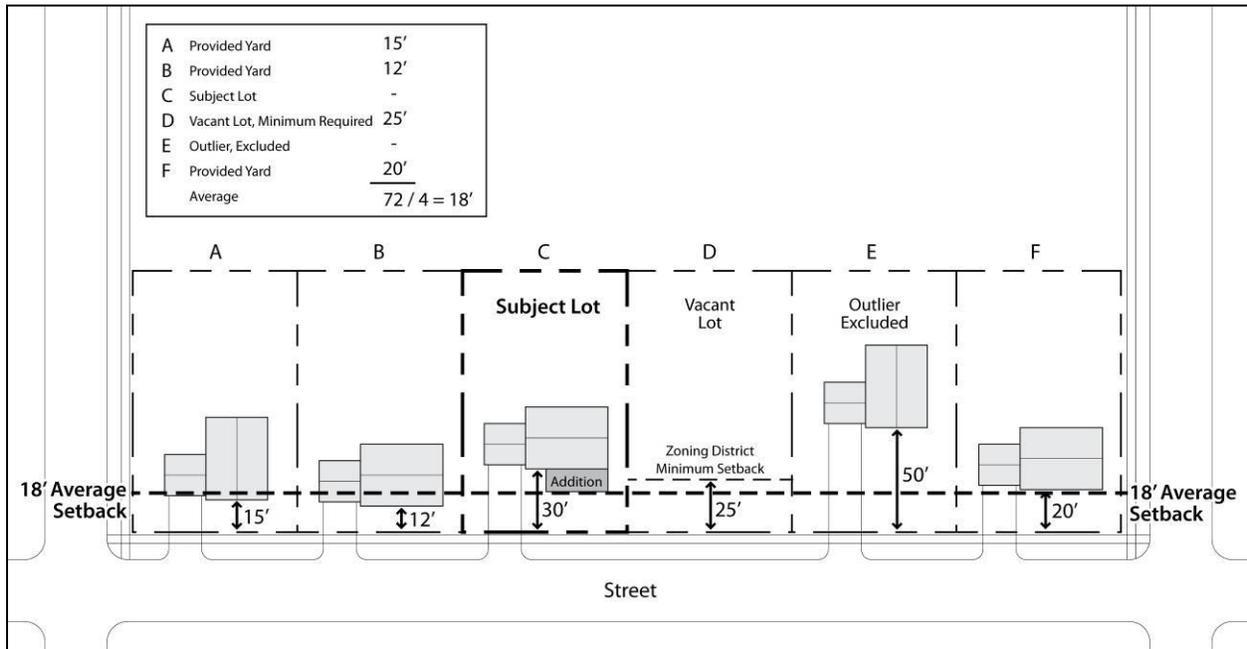
SECTION 1. Section 18-72 of the Marshfield Municipal Code is hereby amended to read as follows:

Section 18-72: Yard Setback Adjustments

- (1) Lot size and minimum yard dimensions. No lot, yard, court, parking area, or other space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this chapter. If an existing yard is less than the minimum required, it shall not be reduced further, except where exempted by the provisions of this Section.
- (2) Front Yard or Street Side Setback Adjustments.
 - (a) A front yard and street side yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on either or both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 18-72):
 1. Only the setbacks on 5 or fewer adjoining lots, are contiguous to each other in either direction of the subject lot, and are on the same side of the street as each other may be used. Properties separated by a cross street may be used in the average calculation.
 2. Where a lot is vacant, the minimum setback of the zoning district will be applied to the vacant lot and factored into the averaging calculation.
 3. Outliers shall be excluded in calculating the mean setback as determined by the Zoning Administrator.
 4. In residential districts, the depth of the minimum front yard and side street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20 feet except where the provisions of Section 18-65(8)(i) are met.
 - (b) ~~In the SR 2, SR 3, SR 4, SR 6, TR 6, MR 12, MR 24, MH 8, NMU, UMU, and CMU districts where the average depth of existing front yards and street side yards on the 5 or fewer adjoining lots nearest to the lot in question, on the same side of the street and within the same block front, is less than the least front yard and street side yard depth prescribed elsewhere in this chapter, the required depth of the front yard and the street side yard on such lot may be modified to be not less than the average depth of the existing front yards and street side yards; provided, however, that in a residential district the depth of the minimum front yard and side street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20 feet except where the provisions of Section 18-65(8)(i) are met.~~
- (3) Side and Rear Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required setback width, the minimum required bufferyard width shall prevail.
- (4) **Major** Street Setback Adjustments. A special **major street** setback of 50 feet shall be required along existing and proposed primary and minor arterial streets shown in the National Functional Classification map of the Comprehensive Plan.

- (a) For existing streets, the setback shall be measured from the right of way line. For proposed streets, the setback shall be added to one-half the proposed right of way width and measured from the anticipated street centerline.
- (b) The special setback shall not apply in the DMU district.
- (c) In the SR-2, SR-3, SR-4, SR-6, TR-6, MR-12, MR-24, MH-8, NMU, CMU, and UMU districts, a front yard and street side yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on either or both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 18-72):
 1. Only the setbacks on 5 or fewer adjoining lots, are contiguous to each other in either direction of the subject lot, and are on the same side of the street as each other may be used. Properties separated by a cross street may be used in the average calculation.
 2. Where a lot is vacant, the minimum setback of the zoning district will be applied to the vacant lot and factored into the averaging calculation.
 3. Outliers shall be excluded in calculating the mean setback as determined by the Zoning Administrator.
 4. In residential districts, the depth of the minimum front yard and side street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20 feet except where the provisions of Section 18-65(8)(i) are met.

Figure 18-72



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.

ORDINANCE NO. 1310

An Ordinance amending Section 18-72 of the City of Marshfield Municipal Code pertaining to yard setback adjustments.

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

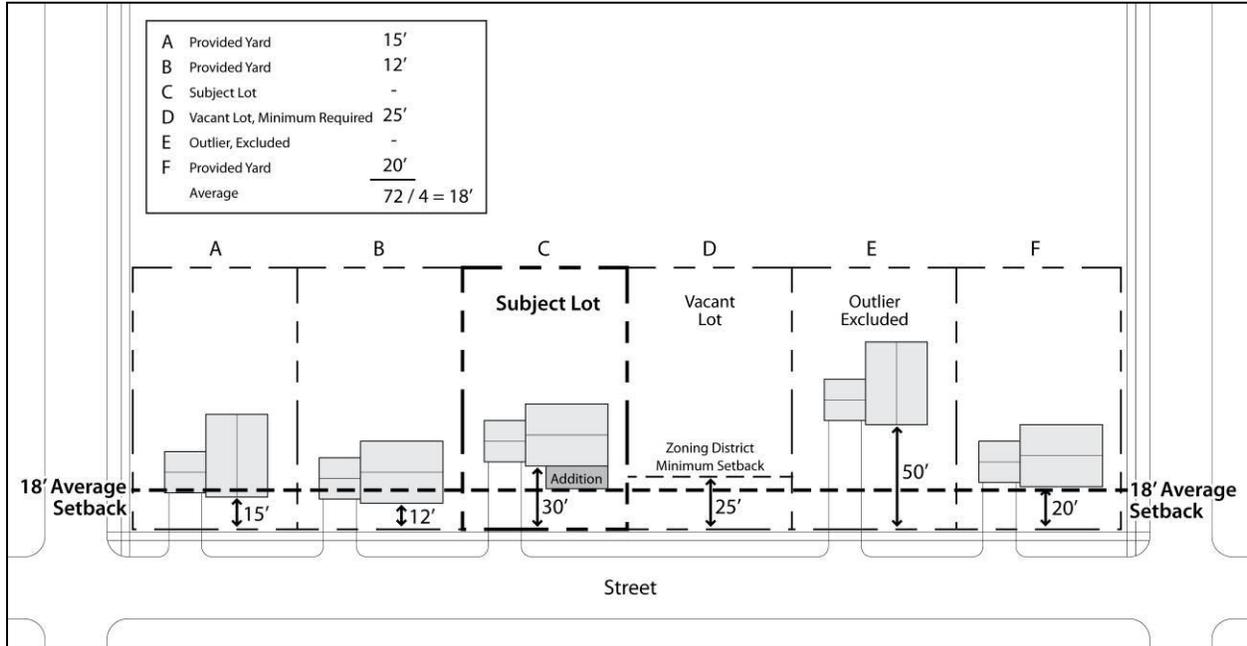
SECTION 1. Section 18-72 of the Marshfield Municipal Code is hereby amended to read as follows:

Section 18-72: Yard Setback Adjustments

- (1) Lot size and minimum yard dimensions. No lot, yard, court, parking area, or other space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this chapter. If an existing yard is less than the minimum required, it shall not be reduced further, except where exempted by the provisions of this Section.
- (2) Front Yard or Street Side Setback Adjustments.
 - (a) A front yard and street side yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on either or both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 18-72):
 1. Only the setbacks on 5 or fewer adjoining lots, are contiguous to each other in either direction of the subject lot, and are on the same side of the street as each other may be used. Properties separated by a cross street may be used in the average calculation.
 2. Where a lot is vacant, the minimum setback of the zoning district will be applied to the vacant lot and factored into the averaging calculation.
 3. Outliers shall be excluded in calculating the mean setback as determined by the Zoning Administrator.
 4. In residential districts, the depth of the minimum front yard and side street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20 feet except where the provisions of Section 18-65(8)(i) are met.
- (3) Side and Rear Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required setback width, the minimum required bufferyard width shall prevail.
- (4) Major Street Setback Adjustments. A special major street setback of 50 feet shall be required along existing and proposed primary and minor arterial streets shown in the National Functional Classification map of the Comprehensive Plan.
 - (a) For existing streets, the setback shall be measured from the right of way line. For proposed streets, the setback shall be added to one-half the proposed right of way width and measured from the anticipated street centerline.
 - (b) The special setback shall not apply in the DMU district.
 - (c) A front yard and street side yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on either or both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 18-72):
 1. Only the setbacks on 5 or fewer adjoining lots, are contiguous to each other in either direction of the subject lot, and are on the same side of the street as each other may be used. Properties separated by a cross street may be used in the average calculation.

2. Where a lot is vacant, the minimum setback of the zoning district will be applied to the vacant lot and factored into the averaging calculation.
3. Outliers shall be excluded in calculating the mean setback as determined by the Zoning Administrator.
4. In residential districts, the depth of the minimum front yard and side street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20 feet except where the provisions of Section 18-65(8)(i) are met.

Figure 18-72



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

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



City of Marshfield Memorandum

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

RE: First Reading – Ordinance No. 1311 Municipal Code Amendment Request to amend Chapter 18, General Zoning Ordinance, Sections 18-25 through 18-33, 18-54, and 18-65 (1) & (2), allowing Minor Home Occupations as a permitted accessory use and Conditional Home Occupations as a conditional accessory use in all residential zoning districts and to clarify the requirements for a home occupation.

Background

Under the current code, some of the districts don't allow home occupations, either by right or as a conditional use. Essentially, this was an oversight in the drafting of the most recent zoning code as the intent was to allow minor and conditional home occupations in all residential districts.

Analysis

Currently, a minor home occupation is defined as an activity performed within a single family detached residence. Staff is proposing to allow a minor home occupation in any type of residence. Examples include personal and professional services. Minor Home Occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. Minor Home Occupations are limited to low intensity service-oriented businesses and businesses with a minimal number of short customer visits, but no additional employees.

Conditional home occupations are intended to provide greater flexibility than Minor Home Occupations in terms of number of employees, number of customer visits, and allowable occupations. Basically, selling items out of the home or providing a repair service would be considered a Conditional Home Occupation.

A minor home occupation is permitted by right whereas a conditional home occupation requires a conditional use permit. A conditional use permit gives the City discretion on the conditions that must be met in order to conduct business. In many cases, limiting the time of operation, allowing signage, or defining how

much parking is needed can be conditions of approval and reduce any potential adverse impact to the neighboring properties. The way the Land Use section was written, it was intended that a Conditional Home Occupation could be approved by a Conditional Use Permit in all residences. However, many of the districts do not include this use which was an oversight. The previous code had a standalone section for home occupations where they were allowed in all districts. When the new code was written, this use was left out of those sections of code that identify allowable uses within each district. The proposed amendment would allow minor home occupations by right in all residential districts, and would allow conditional home occupations in all residential districts by issuance of a Conditional Use Permit. In mixed use districts, home occupations would be allowed as a permitted use.

In addition to the above changes, staff is proposing additional changes to do a better job of clearly defining the regulations:

- Removed some duplicitous language allowing only one truck and trailer for a home occupation.
- Rearrange language in more logical order such as having examples under the regulations section rather than in the definition.
- Move “Sale or transfer of the property shall cause the conditional use permit to be null and void” from Minor Home Occupations to Conditional Home Occupations.

Plan Commission Recommendation

A public hearing was held on July 21, 2015 where no public comment was made. The Plan Commission recommended approving the proposed ordinance as presented.

Council Options

The Common Council can take the following actions:

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

Recommendation

None at this time unless the rules are suspended; final action will be requested after the second reading scheduled for the August 11, 2015 Common Council meeting.

Attachments

1. Draft Redline Ordinance No. 1311
2. Draft Ordinance No. 1311

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

REDLINE ORDINANCE NO. 1311

An Ordinance amending Sections 18-25-33, 18-54, and 18-65 (1) & (2) of the City of Marshfield Municipal Code pertaining to amending the requirements for home occupations and allowing conditional home occupations in all residential districts.

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

SECTION 1. Section 18-26 (5) of the Marshfield Municipal Code for the (SR-2) Single Family Residential–2 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 2. Section 18-27 (5) of the Marshfield Municipal Code for the (SR-3) Single Family Residential–3 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 3. Section 18-28 (5) of the Marshfield Municipal Code for the (SR-4) Single Family Residential–4 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 4. Section 18-29 (5) of the Marshfield Municipal Code for the (SR-6) Single Family Residential–6 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 5. Section 18-30 (4) and (5) of the Marshfield Municipal Code for the (TR-6) Two Family Residential–6 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation**
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation**

SECTION 6. Section 18-31 (4) and (5) of the Marshfield Municipal Code for the (MR-12) Multi-Family Residential–12 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
- (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation**

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Accessory Dwelling Unit
 - (d) Conditional Home Occupation

SECTION 7. Section 18-32 (4) and (5) of the Marshfield Municipal Code for the (MR-24) Multi-Family Residential–24 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Accessory Dwelling Unit
 - (d) Conditional Home Occupation

SECTION 8. Section 18-33 (4) and (5) of the Marshfield Municipal Code for the (MH-8) Mobile Home Residential–8 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite

- (e) Residential Accessory Building
- (f) Nonresidential Accessory Building
- (g) Landscape Feature
- (h) Deck
- (i) Recreational Facility
- (j) Residential Kennel
- (k) On-Site Parking
- (l) Solar Energy System
- (m) Onsite Ancillary Use

(n) **Minor Home Occupation**

(5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for the following uses.

- (a) Small Wind Energy System
- (b) Solar Energy System
- (c) Accessory Dwelling Unit

(d) **Conditional Home Occupation**

SECTION 9. Section 18-54 of the Marshfield Municipal Code is hereby amended to include the following in the Accessory Land Uses section of the Table of Uses:

Section 18-54: Table of Land Uses

| Rural Holding (RH-35) | Single Family Residential – 2 (SR-2) | Single Family Residential – 3 (SR-3) | Single Family Residential – 4 (SR-4) | Single Family Residential – 6 (SR-6) | Two Family Residential – 6 (TR-6) | Multi-Family Residential – 12 (MR-12) | Multi-Family Residential – 24 (MR-24) | Mobile Home – Residential – 8 (MH-8) | Neighborhood Mixed Use (NMU) | Community Mixed Use (CMU) | Urban Mixed Use (UMU) | Downtown Mixed Use (DMU) | Industrial Park (IP) | Light Industrial (LI) | General Industrial (GI) | Research and Development (RD) | Campus Development (CD) Central Area | Campus Development (CD) Peripheral Area | Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit |
|-----------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|------------------------------|---------------------------|-----------------------|--------------------------|----------------------|-----------------------|-------------------------|-------------------------------|--------------------------------------|---|--|
| | | | | | | | | | | | | | | | | | | | Dwelling Unit Type |
| | | | | | | | | | | | | | | | | | | | Accessory Land Uses |
| P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | (1) Minor Home Occupation |
| C | C | C | C | C | C | C | C | C | P | P | P | P | | | | | | | (2) Conditional Home Occupation |
| P | P | P | P | P | P | P | P | P | P | | P | | | | | | P | P | (3) In-Home Daycare 4-8 Children |

| Rural Holding (RH-35) | Single Family Residential – 2 (SR-2) | Single Family Residential – 3 (SR-3) | Single Family Residential – 4 (SR-4) | Single Family Residential – 6 (SR-6) | Two Family Residential – 6 (TR-6) | Multi-Family Residential – 12 (MR-12) | Multi-Family Residential – 24 (MR-24) | Mobile Home – Residential – 8 (MH-8) | Neighborhood Mixed Use (NMIU) | Community Mixed Use (CMU) | Urban Mixed Use (UMU) | Downtown Mixed Use (DMU) | Industrial Park (IP) | Light Industrial (LI) | General Industrial (GI) | Research and Development (RD) | Campus Development (CD) Central Area | Campus Development (CD) Peripheral Area | Land Uses Permitted: |
|-----------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|-------------------------------|---------------------------|-----------------------|--------------------------|----------------------|-----------------------|-------------------------|-------------------------------|--------------------------------------|---|---------------------------------------|
| P | P | P | P | P | P | P | P | P | P | | P | | | | | | | | (4) In-Family Suite |
| | | | | | C | C | C | C | C | | C | | | | | | | | (5) Accessory Dwelling Unit |
| P | | | | | | | | | | | | | | | | | | | (6) Farm Residence |
| C | | | | | | | | | | | | | | | | | | | (7) Migrant Employee Housing |
| P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | P | P | (8) Residential Accessory Building |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (9) Nonresidential Accessory Building |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (10) Recreational Facility |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (11) Landscape Feature |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (12) Deck |
| P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | | (13) Residential Kennel |
| P | | | | | | | | | | | | | | | | | | | (14) Residential Stable |
| P | | | | | | | | | | | | | P | P | P | | | | (15) Outdoor Wood Boiler |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | (16) On-Site Parking |
| P | | | | | | | | | P | P | P | P | P | P | P | | | | (17) Company Cafeteria |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (18) Onsite Ancillary Use |

Land Uses Permitted:

Refer to the detailed definitions and requirements listed for each land use on the following pages.

P: By Right

C: By Conditional Use Permit

SECTION 10. Section 18-65 (1) and (2) of the Marshfield Municipal Code is hereby amended to read as follows:

Section 18-65: Accessory Land Uses and Structures

- (1) Minor Home Occupation: Economic activities performed within a single family detached residence. Examples include personal and professional services and handiworks. Minor Home Occupations are intended to provide a means to accommodate a small home-based family or professional business

without the necessity of a Conditional Use Permit or rezoning from a residential to a business district. Minor Home Occupations are limited to low intensity service-oriented businesses and businesses with a minimal number of short customer visits. This land use shall not include parking a work vehicle at a residence. This section shall not limit an individual that does not have a home occupation from bringing home their work vehicles. Private home or personal items events (such as Tupperware and Mary Kay parties) are exempt from the requirements of this section.

Regulations:

- (a) The Minor Home Occupation shall be conducted only within the enclosed area of the dwelling unit or garage.
 - (b) There shall be no exterior evidence of the Minor Home Occupation, no exterior alterations which change the character of the structure as a single family dwelling unit, and no signage identifying the Home Occupation.
 - (c) There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Home Occupation.
 - ~~(d) All vehicles and equipment stored onsite and shall be limited to a total of one vehicle and one trailer.~~
 - (e) Except for one vehicle and one trailer, no storage or display of materials, goods, supplies, or equipment related to the operation of the Minor Home Occupation shall be visible outside any structure located on the premises.
 - (f) Minor Home Occupations shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.
 - (g) Minor Home Occupations may occupy no more than 10 percent of the floor area of the dwelling unit.
 - (h) Detached accessory buildings may only be used for storage and are not counted against the 10 percent allowance.
 - (i) Minor Home Occupations shall be carried out only by members of the immediate family residing on the premises.
 - (j) No structural alterations or construction involving features not customarily found in dwellings are allowed.
 - (k) Minor Home Occupations shall not involve manufacturing, processing, gunsmithing, the repair or dismantling of appliances, vehicles, or motors or construction of equipment and machinery.
 - (l) No Minor Home Occupation shall endanger the public health and safety and shall not interfere with other parcels in the neighborhood.
 - (m) No article may be sold or offered for sale on the premises; samples and goods may be kept, but not sold on the premises. Internet sales and private home or personal item events (such as Tupperware, Mary Kay, or similar events) are permitted and are not ~~be~~ considered a Home Occupation.
 - ~~(n) Sale or transfer of the property shall cause the conditional use permit to be null and void.~~
 - (o) Minimum required parking: No additional spaces required for Minor Home Occupations.
- (2) Conditional Home Occupation: Conditional Home Occupations are intended to provide greater flexibility than Minor Home Occupations in terms of number of employees, number of customer visits, and allowable occupations. For example, retail trade may be conducted in a Conditional Home Occupation, whereas Minor Home Occupations are limited to service-oriented businesses and businesses that do not generate customer visits. This land use shall not include parking a work vehicle at a residence. This section shall not limit an individual that does not have a home occupation from

~~bringing home their work vehicles. Conditional Home Occupations require a Conditional Use Permit and must be reviewed by the Building Inspector prior to review of the Plan Commission.~~

Regulations:

- (a) The Conditional Home Occupation shall be conducted only within the enclosed area of the dwelling unit or garage.
- (b) There shall be no exterior alterations which change the character of the structure as a single family dwelling unit and/or exterior evidence of the Conditional Home Occupation, other than those signs permitted in the district.
- ~~(c) All vehicles and equipment stored onsite and shall be limited to a total of one vehicle and one trailer.~~
- (d) Except for one vehicle and one trailer, no storage or display of materials, goods, supplies, or equipment related to the operation of the Conditional Home Occupation shall be visible outside any structure located on the premises.
- (e) There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Conditional Home Occupation.
- (f) The Plan Commission may grant exceptions to any of the above requirements (a) through (ed).
- (g) Conditional Home Occupations may occupy no more than 50 percent of the floor area of the dwelling unit including the garage.
- (h) Conditional Home Occupation dwellings are limited to be a maximum of 3,000 square feet including the basement.
- (i) Conditional Home Occupations may employ one employee not residing at the home.
- (j) Under no circumstances shall a vehicle repair shop or body work business qualify as a Conditional Home Occupation.
- (k) No Conditional Home Occupation shall endanger the public health and safety and shall not interfere with other parcels in the neighborhood.
- (l) Minimum required parking shall be reviewed at the time of conditional use permit review.
- (m) Conditional Home Occupations must be reviewed by the Building Inspector and shall meet ~~International~~ Wisconsin Commercial Building Code requirements.
- ~~(n) Sale or transfer of the property shall cause the conditional use permit to be null and void.~~

SECTION 11. 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 12. 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 13. 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

REDLINE ORDINANCE NO. 1311

An Ordinance amending Sections 18-25-33, 18-54, and 18-65 (1) & (2) of the City of Marshfield Municipal Code pertaining to amending the requirements for home occupations and allowing conditional home occupations in all residential districts.

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

SECTION 1. Section 18-26 (5) of the Marshfield Municipal Code for the (SR-2) Single Family Residential–2 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 2. Section 18-27 (5) of the Marshfield Municipal Code for the (SR-3) Single Family Residential–3 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 3. Section 18-28 (5) of the Marshfield Municipal Code for the (SR-4) Single Family Residential–4 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 4. Section 18-29 (5) of the Marshfield Municipal Code for the (SR-6) Single Family Residential–6 Zoning District, is hereby amended to read as follows:

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 5. Section 18-30 (4) and (5) of the Marshfield Municipal Code for the (TR-6) Two Family Residential–6 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Conditional Home Occupation

SECTION 6. Section 18-31 (4) and (5) of the Marshfield Municipal Code for the (MR-12) Multi-Family Residential–12 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation

- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Accessory Dwelling Unit
 - (d) Conditional Home Occupation

SECTION 7. Section 18-32 (4) and (5) of the Marshfield Municipal Code for the (MR-24) Multi-Family Residential–24 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite
 - (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for the following land uses.
 - (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Accessory Dwelling Unit
 - (d) Conditional Home Occupation

SECTION 8. Section 18-33 (4) and (5) of the Marshfield Municipal Code for the (MH-8) Mobile Home Residential–8 Zoning District, is hereby amended to read as follows:

- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Satellite Dish
 - (b) Personal Antenna and Tower
 - (c) In-Home Daycare (4-8 children)
 - (d) In-Family Suite

- (e) Residential Accessory Building
 - (f) Nonresidential Accessory Building
 - (g) Landscape Feature
 - (h) Deck
 - (i) Recreational Facility
 - (j) Residential Kennel
 - (k) On-Site Parking
 - (l) Solar Energy System
 - (m) Onsite Ancillary Use
 - (n) Minor Home Occupation
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for the following uses.
- (a) Small Wind Energy System
 - (b) Solar Energy System
 - (c) Accessory Dwelling Unit
 - (d) Conditional Home Occupation

SECTION 9. Section 18-54 of the Marshfield Municipal Code is hereby amended to include the following in the Accessory Land Uses section of the Table of Uses:

Section 18-54: Table of Land Uses

| Rural Holding (RH-35) | Single Family Residential – 2 (SR-2) | Single Family Residential – 3 (SR-3) | Single Family Residential – 4 (SR-4) | Single Family Residential – 6 (SR-6) | Two Family Residential – 6 (TR-6) | Multi-Family Residential – 12 (MR-12) | Multi-Family Residential – 24 (MR-24) | Mobile Home – Residential – 8 (MH-8) | Neighborhood Mixed Use (NMU) | Community Mixed Use (CMU) | Urban Mixed Use (UMU) | Downtown Mixed Use (DMU) | Industrial Park (IP) | Light Industrial (LI) | General Industrial (GI) | Research and Development (RD) | Campus Development (CD) Central Area | Campus Development (CD) Peripheral Area | Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit |
|-----------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|------------------------------|---------------------------|-----------------------|--------------------------|----------------------|-----------------------|-------------------------|-------------------------------|--------------------------------------|---|--|
| | | | | | | | | | | | | | | | | | | | Dwelling Unit Type |
| | | | | | | | | | | | | | | | | | | | Accessory Land Uses |
| P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | (1) Minor Home Occupation |
| C | C | C | C | C | C | C | C | C | P | P | P | P | | | | | | | (2) Conditional Home Occupation |
| P | P | P | P | P | P | P | P | P | P | | P | | | | | | P | P | (3) In-Home Daycare 4-8 Children |

| Rural Holding (RH-35) | Single Family Residential – 2 (SR-2) | Single Family Residential – 3 (SR-3) | Single Family Residential – 4 (SR-4) | Single Family Residential – 6 (SR-6) | Two Family Residential – 6 (TR-6) | Multi-Family Residential – 12 (MR-12) | Multi-Family Residential – 24 (MR-24) | Mobile Home – Residential – 8 (MH-8) | Neighborhood Mixed Use (NMU) | Community Mixed Use (CMU) | Urban Mixed Use (UMU) | Downtown Mixed Use (DMU) | Industrial Park (IP) | Light Industrial (LI) | General Industrial (GI) | Research and Development (RD) | Campus Development (CD) Central Area | Campus Development (CD) Peripheral Area | Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit |
|-----------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|------------------------------|---------------------------|-----------------------|--------------------------|----------------------|-----------------------|-------------------------|-------------------------------|--------------------------------------|---|--|
| P | P | P | P | P | P | P | P | P | P | | P | | | | | | | | (4) In-Family Suite |
| | | | | | C | C | C | C | C | | C | | | | | | | | (5) Accessory Dwelling Unit |
| P | | | | | | | | | | | | | | | | | | | (6) Farm Residence |
| C | | | | | | | | | | | | | | | | | | | (7) Migrant Employee Housing |
| P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | P | P | (8) Residential Accessory Building |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (9) Nonresidential Accessory Building |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (10) Recreational Facility |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (11) Landscape Feature |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (12) Deck |
| P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | | (13) Residential Kennel |
| P | | | | | | | | | | | | | | | | | | | (14) Residential Stable |
| P | | | | | | | | | | | | | P | P | P | | | | (15) Outdoor Wood Boiler |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | (16) On-Site Parking |
| P | | | | | | | | | P | P | P | P | P | P | P | P | | | (17) Company Cafeteria |
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | (18) Onsite Ancillary Use |

SECTION 10. Section 18-65 (1) and (2) of the Marshfield Municipal Code is hereby amended to read as follows:

Section 18-65: Accessory Land Uses and Structures

- (1) Minor Home Occupation: Economic activities performed within a residence. Examples include personal and professional services. Minor Home Occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a Conditional Use Permit or rezoning from a residential to a business district. Minor Home Occupations

are limited to low intensity service-oriented businesses and businesses with a minimal number of short customer visits.

Regulations:

- (a) The Minor Home Occupation shall be conducted only within the enclosed area of the dwelling unit or garage.
 - (b) There shall be no exterior evidence of the Minor Home Occupation, no exterior alterations which change the character of the structure as a single family dwelling unit, and no signage identifying the Home Occupation.
 - (c) There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Home Occupation.
 - (d) Except for one vehicle and one trailer, no storage or display of materials, goods, supplies, or equipment related to the operation of the Minor Home Occupation shall be visible outside any structure located on the premises.
 - (e) Minor Home Occupations shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.
 - (f) Minor Home Occupations may occupy no more than 10 percent of the floor area of the dwelling unit.
 - (g) Detached accessory buildings may only be used for storage and are not counted against the 10 percent allowance.
 - (h) Minor Home Occupations shall be carried out only by members of the immediate family residing on the premises.
 - (i) No structural alterations or construction involving features not customarily found in dwellings are allowed.
 - (j) Minor Home Occupations shall not involve manufacturing, processing, gunsmithing, the repair or dismantling of appliances, vehicles, or motors or construction of equipment and machinery.
 - (k) No Minor Home Occupation shall endanger the public health and safety and shall not interfere with other parcels in the neighborhood.
 - (l) No article may be sold or offered for sale on the premises; samples and goods may be kept, but not sold on the premises. Internet sales and private home or personal item events (such as Tupperware, Mary Kay, or similar events) are permitted and are not considered a Home Occupation.
 - (m) Minimum required parking: No additional spaces required for Minor Home Occupations.
- (2) Conditional Home Occupation: Conditional Home Occupations are intended to provide greater flexibility than Minor Home Occupations in terms of number of employees, number of customer visits, and allowable occupations. For example, retail trade may be conducted in a Conditional Home Occupation, whereas Minor Home Occupations are limited to service-oriented businesses and businesses that do not generate customer visits.

Regulations:

- (a) The Conditional Home Occupation shall be conducted only within the enclosed area of the dwelling unit or garage.
- (b) There shall be no exterior alterations which change the character of the structure as a single family dwelling unit and/or exterior evidence of the Conditional Home Occupation, other than those signs permitted in the district.

- (c) Except for one vehicle and one trailer, no storage or display of materials, goods, supplies, or equipment related to the operation of the Conditional Home Occupation shall be visible outside any structure located on the premises.
- (d) There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Conditional Home Occupation.
- (e) The Plan Commission may grant exceptions to any of the above requirements (a) through (d).
- (f) Conditional Home Occupations may occupy no more than 50 percent of the floor area of the dwelling unit including the garage.
- (g) Conditional Home Occupation dwellings are limited to be a maximum of 3,000 square feet including the basement.
- (h) Conditional Home Occupations may employ one employee not residing at the home.
- (i) Under no circumstances shall a vehicle repair shop or body work business qualify as a Conditional Home Occupation.
- (j) No Conditional Home Occupation shall endanger the public health and safety and shall not interfere with other parcels in the neighborhood.
- (k) Minimum required parking shall be reviewed at the time of conditional use permit review.
- (l) Conditional Home Occupations must be reviewed by the Building Inspector and shall meet Wisconsin Commercial Building Code requirements.
- (m) Sale or transfer of the property shall cause the conditional use permit to be null and void.

SECTION 11. 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 12. 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 13. 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