

JUNE 8, 2004

PUBLIC HEARING: Called to order by Mayor Meyers at 6:45 p.m., in the Council Chambers, City Hall Plaza regarding moving of a single family two-story home from 117 North Maple Avenue to a vacant lot at 615 South Washington Avenue.

FOR: No One

AGAINST: No One

Public Hearing closed at 6:47 p.m.

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

PRESENT: Michael Feirer, Brad Parks, Gerald Nelson, Tim Kraus, Jerry Bennington, Sr., Russell Stauber, Donald Krueger, Ray Gougeon, Tom Buttke and Edward Beaudry, Jr.

ABSENT: None

The flag was saluted and the pledge given.

Rev. Scott Marrese-Wheeler, First Presbyterian Church gave the invocation.

RECOMMENDATIONS FROM MAYOR

Word to the Wise: Things have a way of happening that need to happen.

CC04-184 Motion by Parks, second by Bennington to approve the minutes of the Common Council meeting of May 25, 2004. All Ayes

Motion carried

No items were added to the agenda.

CITIZEN COMMENTS

1. William Summers of 108 W. Arnold Street spoke about the Stormwater Utility. He is in favor of stormwater protection however the methods of payment for this. When it comes to utility and fees it is like we lose control. He likes the Common Council to have complete control over money because they represent the residents. This society really doesn't want fees, they are never going to get anything back.
2. Mike Hoehrl of Automated Products spoke in opposition to the Stormwater Utility. Since 1990 the cost of living has gone up approximately 40%. Since 1990 the dollar amount raised in the local levy in the City of Marshfield has gone up 87%. The size and cost of government in this community is huge. We need this Council to lead in a different direction. What is the real goal in presenting this proposal at this time with the dollar amounts that have been presented to them, \$66.00 per surface area unit of drained impervious surface area. The City Council approved a no tax rate increase budget but this \$1.4 million dollar charge for a utility is still a tax. It may not show up as a tax increase in property taxes but property owners in the City of Marshfield are still going to pay it. It just becomes a little better hidden. If this proposal is put into place, Automated Products is being asked to spend approximately \$15,000 more a year for stormwater services. This is on top of the special assessment that they have paid for the stormwater that was put in along Karau Drive and Popple about five years ago. If we have to do something about stormwater, has anybody looked to see if there are more efficient and less expensive ways to do this?

MINUTES OF GOVERNING BOARDS AND COMMISSIONS

CC04-185 Motion by Nelson, second by Stauber to receive and place on file the minutes of the Library Board of May 11, 2004 and Board of Review of May 24, 2004. All Ayes
Motion carried

MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES

CC04-186 Motion by Bennington, second by Feirer to approve the minutes of the Convention and Visitors Bureau of March 23, 2004; Historic Preservation Committee of May 10, 2004; Convention and Visitors Bureau of May 18, 2004 and Industrial Park Authority of May 26, 2004. All Ayes
Motion carried

MINUTES OF COUNCIL COMMITTEES

CC04-187 Motion by Parks, second by Bennington to approve the minutes of the Cable TV Committee of May 25, 2004. All Ayes
Motion carried

CC04-188 Motion by Gougeon, second by Buttke to approve the minutes of the Airport Committee of May 27, 2004. All Ayes
Motion carried

CC04-189 Motion by Feirer, second by Nelson to approve the minutes of the Board of Public Works of June 1, 2004. All Ayes
Motion carried

CC04-190 Motion by Bennington, second by Kraus to approve the minutes of the Finance, Budget and Personnel Committee of June 1, 2004. All Ayes
Motion carried

CC04-191 Motion by Bennington, second by Feirer to approve the minutes of the Judiciary, License and Cemetery Committee of June 8, 2004 as read by the Clerk. All Ayes
Motion carried

MINUTES OF COMMUNITY ASSOCIATIONS

CC04-192 Motion by Stauber, second by Krueger to receive and place on file the minutes of the Central Wisconsin State Fair Board of May 17, 2004. All Ayes
Motion carried

CC04-193 Motion by Stauber, second by Beaudry to grant the noise variance request from Wildwood Park Zoological Society, Inc (Zoo Fest) and waive the \$100 fee.

Alderman Kraus said that we are not being consistent across the board on fees with all nonprofits. The Fair Commission has the capability of waiving fees or not waiving fees for fairground buildings owned by the City during the year. If we are paying to maintain those buildings with taxpayer dollars, any fees that are being waived should be waived by the Council and not the Fair Commission.

Administrator Brehm responded that the Common Council has given the Fair Commission the exclusive authority to manage the fair property and buildings for the entire year with the exception of the week before and the week after the fair.

Vote on motion **CC04-193**; All Ayes

Motion carried

CC04-194 Motion by Beaudry, second by Nelson to grant the noise variance request from Wildwood Park Zoological Society, Inc (Blues in the Zoo) and waive the \$100 fee. All Ayes

Motion carried

Second reading of Ordinance No. 1021, amending the official zoning map of the City of Marshfield, Wisconsin, pertaining to a zoning revision for property on part of parcel located at 609 S. Washington Avenue from 'B-2' Shopping Center District to 'R-4' Residential (Low Density Single and Two Family District).

CC04-195 Motion by Nelson, second by Kraus to approve Ordinance No.1021. All Ayes

Motion carried

Second reading of Ordinance No. 1022, amending the official zoning map of the City of Marshfield, Wisconsin, pertaining to a zoning revision for property on Outlots 1-3 of Hub Weber Subdivision, located in the southern part of the City bounded by 25th and 29th Streets, S. Peach Avenue and the former Wastewater treatment plant site, from 'C' Conservancy District to 'R-4' Residential (Low Density Single and Two Family District).

CC04-196 Motion by Bennington, second by Beaudry to approve Ordinance No. 1022.

The value of these homes will be in the area of \$100,000 - \$160,000. Request For Proposals (RFP) have been mailed out to developers and a committee comprising of city staff, the chairman of the Board of Public Works and a citizen member of the Plan Commission will determine the best proposal for the property. One developer will be selected to develop the property. The RFP was specifically written to have a variety of home styles. A Development Agreement will be presented to the Common Council for their approval.

Vote on motion **CC04-196**; All Ayes

Motion carried

Second reading of Ordinance No. 1023, amending Section 11-06 of the Municipal Code of the City of Marshfield relative to weed control.

CC04-197 Motion by Parks, second by Beaudry to approve Ordinance No. 1023. All Ayes

Motion carried

First reading of Ordinance No. 1024, amending Section 17-38 & 17-41 of the Municipal Code of the City of Marshfield relative to Electrical Code Licensing and Permit Requirements.

First reading of Ordinance No. 1025, pertaining to the creation of a Stormwater Utility.

A presentation was given by Jim Bachhuber, Earth Tech on the creation of a Stormwater Utility.

Those speaking in opposition to the creation of a Stormwater Utility were:

Barb Fleisner, Executive Director with the Marshfield Area Chamber of Commerce and Industry commented that the MACCI Board of Directors went on record in opposition to the stormwater

utility. They asked the council to proceed cautiously with any user fees that would send the wrong messages to the businesses that wish to expand or relocate. They understand the fiscal constraints that the City is under. When the 2005 budget parameters were approved, it was very evident that it is going to be more difficult to approve a zero percent increase in the tax rate without some sort of user fee. They want to be part of the solution. There are some opportunities that can be discussed. A strong business community serves the common interest of all taxpayers, regardless of the size of their real estate. They asked the Council to take a look at whatever they could do so this cost is not shifted to the business and industry community.

Dan Helwig, President of MACCI, shared some thoughts that he has received from some of the MACCI constituents:

- How will we ever entice a new business into our community much less a manufacturer versus retail? We have to be careful that we are able to entice those businesses into our community. Now we are looking at creating a utility that year after year they are going to be forced with a user fee. We are going to have a very hard time competing for those businesses now.
- How can the City Council impose user fees without first explaining the impact to a broader base of the businesses? Certainly we have had a task force and some meetings that MACCI has fostered to try and get some businesses in but it is very difficult to get independent business people together to look at any one particular topic. We need more time to look at this. We need to go out and actually present and show these business people what the difference is going to be between their taxes and user fees. Is it really fair for the smaller businesses and almost all residential paying less and who is getting the wrap, it is the bigger businesses. He is concerned that we may start losing them.
- City Aldermen are elected but utility rates are not tied to the elector. Those rates can vacillate depending upon what the utility governing board decides. But who are they accountable too?
- Why control stormwater? Who benefits by controlling stormwater? Everyone downstream benefits including all businesses and residential alike. It is for the public good. The fairest system for paying for stormwater control in a community is with valuation dollars through the tax system, not through a user fee.

Administrator Brehm responded to some of the comments that were made.

- The proposed ordinance states that the Director of Public Works has oversight on the day-to-day basis from an administrative standpoint. Basically it would be the Board of Public Works at this point in time that would review the rates and recommend them to the Common Council for consideration. The Board of Public Works did indicate last fall that if and when a stormwater utility were to be created that the Board would like to revisit the organization of the utilities.
- A comment was made that Wisconsin has a high property and income tax. That is true. But if you take a look at other States on a national basis, you will see that they have high user fees. Wisconsin typically hasn't been looking at that revenue source.
- Originally \$2 million dollars was estimated to be the cost to provide the existing stormwater service as well as the capital improvements. That was reduced to \$1.4 million dollars. That reduction came about as a result of the existing debt was removed. Also the reduction included some administrative costs. We are not assuming additional debt for this utility.
- It was said that we are now going to add another \$1.4 million dollars to the budget. That is incorrect. At the May 25, 2004 Common Council, a detailed worksheet was handed out that very clearly showed that the tax levy will be decreased and the tax rate will be decreased if a stormwater utility is created.

- Whether or not the Common Council creates a stormwater utility, we are still going to be faced with the cost of providing the services for next year. We are a service organization. Most of our costs other than capital projects are people cost.
- Statements that were made that the budget is not going to be reduced are totally untrue. What complicates it is that we are one of five taxing entities that show up on the tax bill on an annual basis. The schools, technical college, county and state are the other taxing entities and we have no control over those taxing entities. Although there may be a reduction in the city's tax rate there may be corresponding increases in those other taxing units to offset that.
- The City of Marshfield did not take on this project lightly. We were faced and are continued to be faced with frozen or stagnant revenue sources. 81% of our operating revenue comes from two sources; property tax levy and state aids. This is the reason why the Common Council has asked that this be evaluated along with other revenue sources as well as how we deliver services and so on.
- The City does take this very seriously in evaluating the services that its providing. We do recognize the impact to the taxpayers within our community. We have looked at this particular issue for two years. That is adequate time.
- The City is proposing that \$600,000 be continued to be paid for by tax levy, not by the customers. That it is phased in over a three-year period. So that in the year 2005 the rate would be \$33.00, in 2006 it would be \$49.50 and 2007 it would be \$66.00. We have a credit policy that will be proposed that is very lenient from the prospective that it will give credit for existing retention ponds. Statewide that typically is not the case, it is for new retention ponds.
- We have met with local industries on a one-to-one basis. The Stormwater Utility Task Force has met on a lot of occasions. They got an education out of that. In that education process and word of mouth, that this did get out into the business community. He is surprised that we have not received any more responses from the business community as to what that impact is.
- It is an equity issue. Both internally and externally. Internally in that there is a shift from the residential customers who are paying about 61% of that cost and under the proposed ordinance they will pay 28% of that cost. It is a shift to the commercial, industrial and tax-exempt organizations.
- We don't want to jeopardize our businesses to the point that they are going to leave our community. We do have problems competing with other communities. We don't have the 4-lane access or location. But the city has bent over backwards to help local businesses. Other communities are looking at this and there is that potential that they are going to be on the same playing field as we are and we are still then going to be faced with the same disadvantages we have now and that is 4-lanes and location. We are trying to shift these costs to make them more equitable. Not everyone will be happy. You make the decision with the feeling that the majority of the people are going to benefit from this.

CC04-198 Motion by Parks, second by Bennington to refer to the Plan Commission Resolution No. 2004-33, vacating and discontinuing that portion of excess right-of-way on the north side of Adler Road, located between Oak Avenue and State Street. All Ayes

Motion carried

CC04-199 Motion by Nelson, second by Feirer to approve the request to move a single family two-story home from 117 North Maple Avenue to a vacant lot at 615 South Washington Avenue. All Ayes

Motion carried

CC04-200 Motion by Feirer, second by Parks to approve Budget Resolution No. 10-2004, transferring \$12,000 from the Highway and Street Maintenance budget to the Traffic Control budget for Veterans Parkway signage. All Ayes

Motion carried

Motion by Krueger, second by Bennington to adjourn at 9:20 p.m.

Motion carried

Deb M. Hall
City Clerk