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, Alanna Feddick, Gerald Nelson, Marty Anderson, Jerry Bennington, Sr., Chris Meyer, Donald Krueger, John Spiros, Tom Buttke, and Edward Beaudry, Jr.

**ABSENT:** None

The flag was saluted and the pledge given.

Pastor Gayland Hendrickson, Northridge Community Church gave the invocation.

#### RECOMMENDATIONS FROM MAYOR

Word to the Wise: Everyone has a photographic memory, but some people just don't have film. Author: Eddie Cantor

<u>CC05-340</u> Motion by Nelson, second by Bennington to approve the minutes of the Common Council meeting of September 27, 2005. All Ayes

**Motion carried** 

There were no items added to the agenda.

Mayor Meyers made a Mayoral Proclamation regarding DECCA Week, October 10-14, 2005.

Brian Panzer, Street Superintendent presented a plaque and certificate to Mr. Donald Pflugradt. Mr. Pflugradt began his employment with the City of Marshfield Street Division on May 9, 1978, and will retire as an Equipment Operator II, Truck Driver on October 31, 2005 after over 27 years of service.

#### PUBLIC COMMENT PERIOD

- 1. Shirley Mook, 201 S. Vine Avenue, invited everyone to the Marshfield Middle School on Thursday, October13, 2005, where they will be dedicating the National Register Plaque for that building which was completed in 1940.
- 2. Pat Schreiner, 1800 S. Cherry questioned if the snow removal ordinance would change the 48-hour period for cleanup to a 24-hour period. It was clarified that it will remain at a 48-hour period.
- 3. Chuck Virnig, 2308 N. Lincoln Avenue talked about the snow removal ordinance. The biggest problem he has is that you can shovel the sidewalk or cross ramps in the morning and then the plows come around and plow everything right back into them. It is not fair to ask anybody that owns a corner lot to take care of that in addition to what they are already doing. The city says that they don't have the time to do it but they have been doing it and he hasn't noticed any of them that haven't been done in a timely manner. If the city can't do it now how are they going to do it if they property owners don't do it?

A presentation of the "City of Marshfield Intensive Architectural/Historical Survey – Final Report" was given by Timothy F. Heggland, Historic Preservation Consultant and Bonnie Curtiss, Planner/Zoning Administrator.

<u>CC05-341</u> Motion by Beaudry, second by Bennington to move item L, the request of the Cable TV Committee to enter into a Commercial Property Lease with Marawood Real Estate 200, LLC, until after the approval of the Cable TV Committee minutes because there seems to be some discrepancy in the term of the contract between what is in the minutes versus what is requested in item L. All Ayes

Motion carried

#### MINUTES OF GOVERNING BOARDS AND COMMISSIONS

<u>CC05-342</u> Motion by Bennington, second by Feddick to receive and place on file the minutes of the University Commission of July 20, 2005; Community Development Authority of September 1, 2005; Library Board of September 13, 2005 and Fairgrounds Commission of September 14, 2005. All Ayes

**Motion carried** 

### MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES

<u>CC05-343</u> Motion by Feirer, second by Feddick to approve the minutes of the Convention and Visitors Bureau of September 14, 2005. All Ayes

**Motion carried** 

#### MINUTES OF COUNCIL COMMITTEES

<u>CC05-344</u> Motion by Meyer, second by Buttke to approve the minutes of the Cable TV Committee of September 26, 2005.

Alderperson Beaudry questioned motion CTV05-050 where the committee recommended a ten year lease but on the Common Council agenda the recommendation is for an eight year lease with Marawood Real Estate 200, LLC.

Cable TV Committee Chairperson Rozar explained that the committee had a discussion regarding the length of the lease at their last meeting and the recommendation from the committee was to go ahead with the ten year lease because it was more financially advantageous over the long run because of the terms that Marawood Real Estate was willing to give them. The committee understands the ramifications of that because it does commit them to a ten year lease and the day to day operations of cable access are supported by franchise fees. Nobody has a crystal ball to know whether that revenue is going to continue over a ten year period of time. Those were the same concerns that the City Administrator had. A meeting was held with the City Administrator, Cable Access Coordinator and herself to discuss these issues so after that meeting a new lease was renegotiated with a little bit different terms and now everybody is comfortable with an eight year lease.

Vote on motion CC05-344; Nelson voted Naye, rest Aye.

**Motion carried** 

<u>CC05-345</u> Motion by Bennington, second by Meyer to approve the Commercial Property Lease with Marawood Real Estate 200, LLC for an 8 year term per the final proposed rates dated 10/06/05. Nelson voted Naye, rest Aye.

**Motion carried** 

<u>CC05-346</u> Motion by Krueger, second by Meyer to approve the minutes of the Board of Public Works of October 3, 2005. All Ayes

**Motion carried** 

<u>CC05-347</u> Motion by Bennington, second by Anderson to approve the minutes of the Finance Budget and Personnel Committee of October 4, 2005. All Ayes

**Motion carried** 

<u>CC05-348</u> Motion by Feirer, second by Feddick to approve the minutes of the Judiciary, License and Cemetery Committee of October 4, 2005. All Ayes

**Motion carried** 

<u>Second reading of Ordinance No. 1060</u>, amending sewer service charges and amending provisions regarding holding tank service charges, portable toilet waste and septic tank waste.

<u>CC05-349</u> Motion by Buttke, second by Meyer to approve Ordinance No. 1060. All Ayes **Motion carried** 

<u>Second reading of Ordinance No. 1061</u>, amending the Municipal Code of the City of Marshfield relative to removal of snow and ice from sidewalks and curb ramps.

CC05-350 Motion by Buttke, second by Spiros to approve Ordinance No. 1061.

There were some concerns regarding the elderly not being able to clean off those ramps and tenants that live on a corner that are responsible for shoveling the sidewalk and ramps and then doesn't and the 48-hours pass than the landlord will receive a bill. There was also some discussion on disabled individuals that are now using the streets to get around instead of the sidewalks.

Street Superintendent Panzer stated that both he and the City Attorney checked the Wisconsin State Statutes and this does fall within municipal rights to amend an ordinance like this to make it a part of the responsibility of the abutting property owner to do this maintenance on these sidewalks. He also conducted a telephone survey of surrounding communities that are comparable to our size and the City of Marshfield is the only community that shovels crosswalks. All of the other communities make it a part of their general snow removal ordinance and it is the responsibility of the abutting property owner to shovel the curb ramps.

Vote on motion <u>CC05-350</u>; Feddick, Nelson, Anderson and Bennington voted Naye, Feirer, Meyer, Krueger, Spiros, Buttke and Beaudry voted Aye.

**Motion carried** 

Second reading of Ordinance No. 1062, amending the Municipal Code of the City of Marshfield regarding appointment of alternate members and voting requirements for the Zoning Board of Appeals.

<u>CC05-351</u> Motion by Bennington, second by Spiros to approve Ordinance No. 1062. All Ayes **Motion carried** 

<u>CC05-352</u> Motion by Feddick, second by Nelson to refer to Plan Commission for recommendation regarding permanent zoning the Petition for Direct Annexation by Unanimous Approval from Richard and Rosemary Haigh. This property is located in the Town of Marshfield. The petitioners are requesting R-3 Residential zoning. All Ayes **Motion carried** 

<u>CC05-353</u> Motion by Bennington, second by Feirer to approve Resolution No. 2005-36, implementing a revised rental rate schedule for the Vehicle/Equipment Internal Service Fund effective January 1, 2006. Feddick voted Naye, rest Aye.

**Motion carried** 

<u>CC05-354</u> Motion by Anderson, second by Feirer to approve Resolution No. 2005-37, implementing a revised Wastewater Utility machinery and equipment rental rate schedule effective January 1, 2006. All Ayes

**Motion carried** 

Recessed at 8:24 p.m. Reconvened at 8:32 p.m.

City Administrator Brehm presented the recommended 2006 City Budget and Work Programs. The recommended budget meets the budget parameters, the adopted CIP Program for 2005-2009, the State's levy limit requirements and their expenditure restraint program. The total 2006 budget for all city funds is \$34,678,825. This is an increase of \$64,665, or 0.2% above the originally adopted 2005 budget of \$34,614,160. This budget reflects the cost of providing basic services, and an aggressive capital improvement program. The city tax rate necessary to finance the recommended 2006 budget is \$9.99668. This is an increase of \$0.26770, or 2.75% over last year's city tax rate of \$9.72898.

<u>CC05-355</u> Motion by Bennington, second by Nelson to go into closed session pursuant to Wisconsin Statutes, chapter 19.85 (1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Specifically the City Administrator had requested a closed session to discuss a Development Agreement in regard to TIF #8, a redevelopment of Northway Mall area; and

Closed Session pursuant to Wisconsin Statutes, chapter 19.85 (1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Specifically the City Administrator had requested a closed session to discuss a proposal from Marshfield Tower Hall Associates, LLC. Roll call vote, all Ayes (Time: 9:03 p.m.)

## **Motion carried**

<u>Present in closed session</u>: Alderpersons Feirer, Feddick, Nelson, Anderson, Bennington, Meyer, Krueger, Spiros, Buttke and Beaudry, Mayor Meyers, City Administrator Brehm, Director of Public Works Knoeck, City Engineer Turchi, Finance Director Strey, Director of Planning and Economic Development Miller, City Clerk Hall and Attorney Hutchinson.

 $\underline{\text{CC05-356}}$  Motion by Nelson, second by Feddick to return to open session. Roll call vote, all Ayes. (Time: 9:39 p.m.)

# **Motion carried**

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

Motion by Bennington, second by Feddick to adjourn at 9:40 p.m. **Motion carried** 

Deb M. Hall City Clerk