DECEMBER 20, 2005

Regular meeting of the Common Council was called to order by Mayor Meyers at 7:23 p.m., in the Council Chambers, City Hall Plaza.
PRESENT: Michael Feirer, Gerald Nelson, Marty Anderson, Jerry Bennington, Sr., Chris Meyer, Donald Krueger, John Spiros, Tom Buttke and Edward Beaudry, Jr.
ABSENT: Alanna Feddick

The flag was saluted and the pledge given.

Invocation was given by Pastor Jim Harness, Calvary Bible Church.

RECOMMENDATIONS FROM MAYOR
Word to the Wise: The undeveloped piece of property with the greatest potential is still between the ears. Author: Anonymous

CC05-436 Motion by Nelson, second by Bennington to approve the minutes of the December 13, 2005 meeting. All Ayes
Motion carried

Items R-1; Budget Resolution No. 27-2005 and R-2; Resolution No. 2005-56 were added to the agenda.

Roland Donath, Building Services Supervisor presented a plaque and certificate honoring Mr. Mark Nowack. Mr. Nowack began his employment with the City of Marshfield Building Services Division on August 9, 1982 and will retire as Custodian on January 31, 2006 after 23 years of service.

PUBLIC COMMENT PERIOD

1. John Scheuer of 513 N. Chestnut Avenue and President of MARSH 21. He thanked Marshfield Savings Bank for the donation of the scoreboard at Miller Park for the G.P. Olson West baseball diamond.
2. Alderperson Buttke thanked Marshfield Savings Bank for their donation but he also thanked MARSH 21 for all their efforts.

MINUTES OF GOVERNING BOARDS AND COMMISSIONS
CC05-437 Motion by Bennington, second by Feirer to receive and place on file the minutes of the Zoning Board of Appeals of November 8, 2005 and November 29, 2005 special meeting and the Marshfield Utility Commission of December 12, 2005. All Ayes
Motion carried

MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES
CC05-438 Motion by Feirer, second by Spiros to approve the minutes of the Historic Preservation Committee of November 14, 2005. All Ayes
Motion carried

MINUTES OF COUNCIL COMMITTEES
CC05-439 Motion by Bennington, second by Buttke to approve the minutes of the Parks, Recreation and Forestry Committee of December 8, 2005. All Ayes
Motion carried

CC05-440 Motion by Spiros, second by Anderson to approve the minutes of the Finance, Budget and Personnel Committee of December 20, 2005 as read by the Clerk.

CC05-441 Motion by Buttke, second by Feirer to vote on motion FBP05-157 separately. (This motion reads, Motion by Spiros, second by Beaudry to deny the request to reinstate the Equipment Operator I – Laborer position deleted by the Councils action on November 1, 2005 and that the posted position of Equipment Operator II – Truck Driver (26,001 – 45,000 G.V.W.) be deleted.) Anderson, Spiros and Beaudry voted Naye, rest Aye.
Motion carried

City Administrator corrected the minutes to reflect that the Equipment Operator II's position that was approved to be posted is 45,001 G.V.W., not 45,000 G.V.W. as stated in motion FBP05-156.

Alderperson Buttke commented that back when the Council had their retreat, they talked about increasing productivity in the Street Division if they could. Now the department head from the Street Division has made a recommendation on how they could improve this. He feels that the Council should support the recommendation. You can't ask for something and then tie the department head's hands.

CC05-442 Motion by Buttke, second by Feirer to approve the request to reinstate the Equipment Operator I – Laborer position deleted by the Councils action on November 1, 2005 and that the posted position of Equipment Operator II – Truck Driver (26,001 – 45,000 G.V.W.) be deleted.

Street Superintendent Brian Panzer explained that this all began on October 31, 2005 with the retirement of an existing employee in the street division. At that time, they looked at their overall staffing needs and the position that was vacated with the retirement was a multi-axle dump truck and with that it was their intention to retain that vehicle because of the productivity that they get out of that vehicle and the ultimate cost savings in their overall operations. Subsequent to that, they also took a look at some other operations that they are doing in the street division. Then on November 1, 2005 at the conclusion of the budget process, there was a recommendation made by the Common Council to delete a current position of Equipment Operator I – Laborer within the street division. After looking at their overall operations with where they are at now and where they want to be with these operations, they went to the Finance Committee and asked them to eliminate an Equipment Operator II Truck Driver – single axle truck and retain the position of Equipment Operator – Laborer. The laborers position gives them the absolute most flexibility in scheduling the employees on where they need them, when they need them and how they want to use them. If their recommendation is approved, they would do some internal reallocation of staff and there would be no employee that would be out of a job at the end of this bumping and posting process. They based their recommendation to make these changes in staffing within the street division in the best interest of the City and the department.

Vote on motion **CC05-442**; Anderson, Spiros and Beaudry voted Naye, rest Aye.
Motion carried

Vote on motion **CC05-440 as amended**; All Ayes
Motion carried

CC05-443 Motion by Krueger, second by Meyer to approve the minutes of the Judiciary, License and Cemetery Committee of December 20, 2005. All Ayes
Motion carried

CC05-444 Motion by Nelson, second by Bennington to approve Resolution No. 2005-53, supporting agreements between the City of Marshfield and the Wisconsin State Elections Board regarding use of the Statewide Voter Registration System. All Ayes
Motion carried

CC05-445 Motion by Beaudry, second by Meyer to approve Budget Resolution No. 23-2005, transferring $12,047 from the contingency account to cover the costs of unemployment compensation claims paid to date in 2005 by the City. All Ayes
Motion carried

CC05-446 Motion by Feirer, second by Bennington to approve Budget Resolution No. 24-2005, transferring $1,829 from a Polling Place Accessibility grant from the Wisconsin State Elections Board System to the Elections budget. All Ayes
Motion carried

CC05-447 Motion by Bennington, second by Spiros to approve Resolution No. 2005-54, writing off the remaining balance of $6,594.20 due from K-Mart for 2001 and 2002 delinquent Personal Property taxes. All Ayes
Motion carried

CC05-448 Motion by Buttke, second by Krueger to approve Budget Resolution No. 25-2005, transferring $6,595 from the contingency account to the Illegal Taxes, Tax Refunds and Uncollectible Taxes, Special Assessments and Receivables account to cover the expense associated with writing off the remaining delinquent Personal Property Taxes due from K-Mart Corporation for 2001 and 2002. All Ayes
Motion carried

CC05-449 Motion by Feirer, second by Spiros to approve Budget Resolution No. 26-2005, transferring $4,382 from the contingency account to the Non-Departmental Insurance and Bonds account. All Ayes
Motion carried

CC05-450 Motion by Bennington, second by Feirer to approve Budget Resolution No. 27-2005, transferring $105,370 within the 1992 Residential Rehabilitation Community Development Block Grant (CDBG) Fund to cover the expense associated with writing off the remaining balance due from Marshfield Tower Hall Associates LLC. All Ayes
Motion carried

CC05-451 Motion by Beaudry, second by Feirer to approve Resolution No. 2005-56, authorizing the City Finance Director to write off certain unpaid amounts due to the City of Marshfield, pursuant to the amended and restated development agreement approved by the City of Marshfield, Marshfield Community Development Authority and Marshfield Tower Hall Associates LLC. All Ayes
Motion carried

CC05-452 Motion by Spiros, second by Anderson 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, redevelopment of Northway Mall area; and

Closed Session pursuant to Wisconsin Statutes, chapter 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; specifically, the City Administrator had requested a closed session to discuss the Green Roof Investments, LLP & et al. lawsuit. (Time: 8:24 p.m.)
Motion carried

Present in closed session: Alderpersons Feirer, Nelson, Anderson, Bennington, Meyers, Krueger, Spiros, Buttke and Beaudry, Mayor Meyers, Administrator Brehm, Attorney Hutchinson, Finance Director Strey, Director of Planning and Economic Development Miller, Director of Public Works Knoeck, City Engineer Turchi, City Clerk Hall and Attorney Wolfgram (arrived at 8:24 p.m. and left at 8:33 p.m.)

CC05-453 Motion by Anderson, second by Nelson to return to open session. Roll call vote, all Ayes. (Time: 8:42 p.m.)
Motion carried

CC05-454 Motion by Buttke, second by Krueger to approve Resolution No. 2005-55, to enter into a Development Agreement with the Goldridge Group LLP with respect to the Northway Mall Area project and authorize staff to sign. All Ayes
Motion carried

Motion by Nelson, second by Bennington to adjourn at 8:45 p.m.
Motion carried

Deb M. Hall
City Clerk