

FEBRUARY 14, 2006

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.

Invocation was given by Rev. Don Meuret, Our Lady of Peace Catholic Church.

RECOMMENDATIONS FROM MAYOR

Word to the Wise: They say that age is all in your mind. The trick is keeping it from creeping down into your body. Author: Katherine Hepburn

The flags were lowered to half staff on Monday in honor of Harry Blackwood who passed away last Thursday. Mr. Blackwood worked in the Assessor's office from 1963 until May 31, 1986 as Deputy Assessor and then City Assessor. He served the citizens of Marshfield proudly and unselfishly for many years and for that the citizens of Marshfield are very grateful.

CC06-029 Motion by Nelson, second by Bennington to approve the minutes of the Common Council meeting of January 24, 2006. All Ayes

Motion carried

Item Q-1; Appointment of Mr. Marc-Oliver Wright to the Parks, Recreation and Forestry Committee, was added to the agenda.

PUBLIC COMMENT PERIOD

None

MINUTES OF GOVERNING BOARDS AND COMMISSIONS

CC06-030 Motion by Krueger, second by Spiros to receive and place on file the minutes of the University Commission of November 16, 2005; Community Development Authority of January 5, 2006; Library Board of January 10, 2006 and the Fire and Police Commission of February 2, 2006.

All Ayes

Motion carried

MINUTES OF COUNCIL COMMITTEES

CC06-031 Motion by Meyer, second by Spiros to approve the minutes of the Cable TV Committee of January 23, 2006. All Ayes

Motion carried

CC06-032 Motion by Bennington, second by Meyer to approve the minutes of the Airport Committee of January 26, 2006. All Ayes

Motion carried

CC06-033 Motion by Meyer, second by Buttke to approve the minutes of the Cable TV Committee-Special Meeting of February 1, 2006. All Ayes

Motion carried

CC06-034 Motion by Feirer, second by Bennington to approve the minutes of the Committee on Aging of February 2, 2006. All Ayes

Motion carried

CC06-035 Motion by Feirer, second by Krueger to approve the minutes of the Board of Public Works of February 6, 2006. All Ayes

Motion carried

CC06-036 Motion by Feddick, second by Spiros to approve the minutes of the Finance, Budget and Personnel Committee of February 7, 2006.

CC06-037 Motion by Feirer, second by Buttke to vote on motion FBP06-015 separately. This motion reads, "Motion by Anderson, second by Feddick to direct staff to draft a charter ordinance to change the term of office for the City Clerk's position from 2 years to 4 years." All Ayes

Motion carried

CC00-000 Motion by Feirer, second by Buttke to amend motion FBP06-015 to include changing the Mayor's position from a 2-year term to a 4-year term.

Aldersperson Feirer explained that the reason he is amending this motion at this time is because the Finance, Budget and Personnel Committee would not include it as part of their motion and he was told to bring it up on the Council floor.

There was discussion as to whether this motion could be amended to include the Mayor's position.

Alderspersons Feirer and Buttke withdrew their motion.

Aldersperson Nelson would like the City Clerk's position changed to an appointed position instead of an elected position.

Attorney Hutchinson stated that the discussion to change the City Clerk's position to an appointed position would come up immediately following the vote on whether you approve FBP06-015 or you disapprove it. If you want to change it you would vote to disapprove FBP06-015 and then you can amend it or change the action taken by the Finance, Budget and Personnel Committee.

CC06-038 Motion by Buttke, second by Meyer to approve motion FBP06-015 as recommended by the Finance, Budget and Personnel Committee. Feirer, Feddick, Nelson, Anderson, Bennington and Krueger voted Naye, Meyer, Spiros, Buttke and Beaudry voted Aye.

Motion failed

CC06-039 Motion by Nelson, second by Anderson to direct staff to draft a charter ordinance to change the City Clerk's position to an appointed position.

Administrator Brehm explained that if the Council were to make this an appointed position at the expiration of the term of office for City Clerk the process would begin to fill this position as you would normally do for an appointed position. You could advertise or waive advertising and hire the existing clerk but there are several options. This position would be appointed for an indefinite term

and would be subject to an annual performance review and any other policies and procedures that we have for other appointed positions.

Vote on motion **CC06-039**; Feddick, Bennington, Meyer, Krueger, Spiros and Beaudry voted Naye, Feirer, Nelson, Anderson and Buttke voted Aye.

Motion failed

CC06-040 Motion by Feirer, second by Buttke to direct staff to draft a charter ordinance to change the term of office for the Mayor's position from 2 years to 4 years. Feddick, Nelson and Anderson voted Naye, rest Aye.

Motion carried

CC06-041 Motion by Anderson, second by Meyer to direct staff to draft a charter ordinance to change the term of office for the City Clerk's position from 2 years to 4 years. Nelson voted Naye, rest Aye.

Motion carried

Vote on motion **CC06-036 as amended**; All Ayes

Motion carried

CC06-042 Motion by Krueger, second by Bennington to approve the minutes of the Judiciary, License and Cemetery Committee of February 7, 2006. All Ayes

Motion carried

CC06-043 Motion by Meyer, second by Krueger to approve the minutes of the Cable TV Committee Special Meeting of February 9, 2006. All Ayes

Motion carried

MINUTES OF COMMUNITY ASSOCIATIONS

CC06-044 Motion by Feddick, second by Bennington to receive and place on file the minutes of the Central Wisconsin State Fair Board of January 16, 2006. All Ayes

Motion carried

Second reading of Charter Ordinance No. 19, providing for a primary election whenever three (3) or more candidates file nomination papers for the same elected city office in the City of Marshfield, Wood/Marathon Counties, Wisconsin.

Aldersperson Buttke recommended amending the charter ordinance to include at least two contests of three or more candidates instead of just the one contest of three or more candidates. The reason he would like this change is because of the cost savings.

CC06-045 Motion by Meyer, second by Nelson to approve Charter Ordinance No. 19 without the proposed amendment. Feirer, Bennington, Krueger, Spiros, Buttke and Beaudry voted Naye, Feddick, Nelson, Anderson and Meyer voted Aye.

Motion failed

CC06-046 Motion by Buttke, second by Beaudry to approve Resolution No. 2006-07, approving the Project Plan and Boundary for Tax Incremental District No. 8. All Ayes
Motion carried

CC06-047 Motion by Nelson, second by Bennington to approve Resolution No. 2006-05, supporting AB756, which would exempt cities, with a population of at least 10,000 that provides law enforcement services for 24 hours per day, from having to pay the portion of the county tax levy that is used for any part of the county's sheriff's patrol and investigative services. All Ayes
Motion carried

A presentation was given by City of Washburn Mayor Irene Blakely regarding the Eco-Municipality initiative.

CC06-048 Motion by Spiros, second by Nelson to hold over for a future meeting, Resolution No. 2006-06, endorsing the principles of sustainable community development. All Ayes
Motion carried

City Administrator Brehm presented the request from Main Street Marshfield that the City of Marshfield consider partnering with them (financially) to directly support both their Holiday Parade and their Hub City Days celebration in the future. They also requested that the past invoices be written off since they do not have funds budgeted for this.

Mr. Brehm recommended that the Common Council turn down the request of Main Street Marshfield and that they pay any outstanding invoices for these previous events. The reasons for this recommendation are as follows:

1. Main Street Marshfield was informed that the city was going to charge them for these additional services and they agreed to pay for the charges.
2. Hub City Days event showed that revenues exceeded expenses for both years.
3. There is no money in the city's 2006 budget to take on this additional service.
4. For the 2006 budget services were cut, or considered to be cut.
5. It is difficult to support new service requests when the city has difficulty paying for its existing services.
6. The city is currently under state imposed levy limits which limits the city's ability to raise taxes to support its current levy of services.
7. There is proposed state legislation that if passed would severely limit the ability of local units of government to raise money, from any source, for the services they currently are providing.
8. The timing is not right.

There was a question as to why it took so long for the City to bill for 2004.

Administrator Brehm responded that he didn't have the specific date it was sent out and he didn't know for sure but maybe it was just missed.

Aldersperson Feddick commented that it seems fairly inexpensive to run the Holiday parade and she thought that this was a city function. Mr. Panzer during budget discussions stated that there was a line item for the Holiday parade. It amazes her that the city has bills going to Main Street for something that already appears to be in the budget. If the city intended to invoice Main Street for

these services, than a memo should have been sent to them, so that they could have included it in their budget. She feels that the city should support the Holiday parade.

Administrator Brehm responded that on December 5, 2003, Sheila Ashbeck-Nyberg was informed that the charges would be incurred. Secondly, it is in the 2006 City budget but the funding source is fee revenues and not tax levy.

Alderperson Buttke doesn't feel that the city is consistent with all activities that happen in the city. We either do it for all or we do it for none.

Police Chief Stroik said that they have been consistent with all of the organizations ever since the Fire and Police Commission passed this policy. He spoke with Ms. James, the Executive Director of Main Street, before the Holiday parade and she was fully aware that they were going to send a bill. We can have a discussion on what is community and what isn't. He signs many parade permits in a year where he advises them if additional staff is needed they will have to bill them. Parade permits are a street use permit and include bicycle races, marathons if they are running on the street, it is just not the formal things. They have been running under this policy for approximately 10 years. To now step back and say that they were not told or they don't have it in writing is absolutely wrong. Look at the Fair Association which is a fantastic community organization and good for the community. They are billed because there are people in the community that do not go to the fair so why should they be paying.

Recessed at 8:54 p.m.

Reconvened at 9:02 p.m.

CC00-000 Motion by Krueger to eliminate the 2004 invoice and make Main Street Marshfield responsible for the 2005 invoice and than set it up as a city paid parade.

Motion died for lack of a second.

CC06-049 Motion by Buttke, second by Anderson to forgive the 2004 invoice. All Ayes
Motion carried

CC06-050 Motion by Feddick, second by Spiros to make the Holiday Parade a City Event that the city supports including 2006.

Alderperson Beaudry asked if this means that Main Street Marshfield would not be billed for any police or public works activities and yet Dairyfest will be billed because that bill goes to the Mayor's office.

Administrator Brehm responded that the Dairyfest has always been a city sponsored event and it is in the budget. Charges that are made by the Street Division, Police Department and Fire Department are charged to the Dairyfest budget which is supported entirely by tax dollars. The difference between this event (Holiday Parade) in the budget is that it is supported by user fees and not tax dollars.

Alderperson Feirer stated that the only way this would become inconsistent is if this isn't made a Marshfield event. If you make it a Marshfield event like Dairyfest it becomes consistent because right now tax dollars are paying for the Dairyfest parade. If you are going to fund one you should

fund the other. The citizens of Marshfield don't know the difference between whose parade is what. They still think it is a Marshfield parade whether it is run by Main Street or not.

CC06-051 Motion by Feddick, second by Feirer to call for the question. All Ayes
Motion carried

Vote on motion **CC06-050**; Nelson and Bennington voted Naye, rest Aye.
Motion carried

CC06-052 Motion by Feddick, second by Anderson to forgive the 2005 invoice. Bennington, Krueger and Beaudry voted Naye, rest Aye.
Motion carried

CC06-053 Motion by Meyer, second by Spiros to hold over to the February 28, 2006 meeting, the appointment of Mr. John A. See, 1618 N. Renee Lane, to the Committee On Aging to fill the unexpired term of Ms. Louise McHugh, who has relocated out of the city and has resigned. All Ayes
Motion carried

CC06-054 Motion by Feddick, second by Bennington to hold over to the February 28, 2006 meeting, the appointment of Mr. Marc-Oliver Wright, 9480 Falcon Rd. representing the Wildwood Zoological Society on the Parks, Recreation and Forestry Committee to fill the unexpired term of Mr. John Christenson, who has resigned. All Ayes
Motion carried

CC06-055 Motion by Bennington, second by Meyer to go into 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; to wit: with respect to 1) Marshfield Door Systems, Inc. tax claims and 2) Figi's, Inc. tax claims. Roll call vote, all Ayes. (Time: 9:25 p.m.)
Motion carried

Present in closed session: Alderpersons Feirer, Feddick, Nelson, Anderson, Bennington, Meyer, Krueger, Spiros, Buttke and Beaudry, Administrator Brehm, Mayor Meyers, Attorney Hutchinson, Finance Director Strey, City Assessor Spencer and City Clerk Hall.

CC06-056 Motion by Bennington, second by Spiros to return to open session. Roll call vote, all Ayes. (Time: 9:44 p.m.)
Motion carried

CC06-057 Motion by Meyer, second by Spiros to accept the claim filed by Marshfield Door Systems and direct staff to draft a budget resolution for consideration at a future meeting. All Ayes
Motion carried

CC06-058 Motion by Meyer, second by Buttke to deny the claims for Excessive Assessment filed by attorneys, Larkin Hoffman Daly & Lindgren, Ltd. on behalf of their clients Figi's Inc., owner of parcel #: 33-03542B and Afig, Inc., owner of parcel #: 33-03542A pursuant to Wis. Stats. §74.37 and to direct staff to retain legal counsel. All Ayes
Motion carried

Motion by Bennington, second by Nelson to adjourn at 9:45 p.m.
Motion carried

Deb M. Hall
City Clerk