Regular meeting of the Common Council was called to order by Mayor Meyer at 7:02 p.m., in the Council Chambers, City Hall Plaza.

**PRESENT:** Michael Feirer, Alanna Feddick, Dave LaFontaine, Scott Noble, Ed Wagner, Josh Hansen, Donald Krueger, John Spiros and Tom Buttke.

**ABSENT:** Pete Hendler

The flag was saluted and the pledge given.

Invocation was given by Pastor Paul Seidl, Faith Fellowship Church.

# **Employee Milestone Recognition**

Jared Beauchamp, Police Department

Bonnie Curtiss, Planning

September 1, 1998

September 1, 1998

September 2, 2003

5 years of service

<u>CC08-293</u> Motion by LaFontaine, second by Buttke to approve the minutes of the Common Council regular meeting of August 12, 2008. All Ayes

Motion carried

No items were added to the agenda. Mayor Meyer asked the Common Council to consider moving Item #V, Report of Deer Task Force Committee, up to between Item #M and Item #N, since there was a representative of the DNR present to help answer any questions.

<u>CC08-294</u> Motion by Buttke, second by Feddick to move Item #V up to between Item #M and Item #N. All Ayes

Motion carried

## PUBLIC COMMENT PERIOD

William Penker, 600 S. Sycamore Avenue. He commented on the services of Short Elliott and Hendrickson, SEH, that the Board of Public Works gave its approval to for the engineering and architectural services for the fire station project. This firm has a proven track record and examples of its work frequently appear in the Station Style Design Awards competition which is run by a major professional journal. This competition recognizes architects and fire departments and by association the municipal body for their achievements in fire station design and construction. He asked the Common Council and its designated agents overseeing this project to keep the potential for an entry to the Station Style Design Awards in mind as the project moves forward.

Mr. Penker also commented on the agenda item dealing with the performance benchmarks that are being suggested for certain non-governmental organizations, NGOS that are receiving appropriations through the City budget. The following NGO's; Marshfield Convention and Visitor's Bureau, MACCI, Main Street Marshfield and MEDA have a total appropriation as noted in the budget document of \$258,000. This is at least six figures of taxpayer money. As a concerned taxpayer, he doesn't believe it is unreasonable for the citizens of Marshfield to hold any organizations that be receiving such funds accountable by means of benchmarks or evaluation standards for the use of those appropriations which are received from city coffers. By establishing benchmarks, the Common Council can demonstrate that it is maintaining responsibility for taxpayer monies. By establishing benchmarks, the Common Council is retaining a degree of control and the private organizations in turn have a connection back to the taxpayer. When taxpayer dollars are being used outside the view of the public, it is not unreasonable for the public to seek answers to who, what, when, where, why

and how for various appropriations and their use. This questioning must be initiated by the public's representative on behalf of the public. He urged the Common Council to take a reasoned, thoughtful and dynamic approach to the development of benchmarks for the use and application of the public funding of various NGO's by the municipal budget process.

Jeanette Breu of 1305 North Hinman Avenue. She spoke in opposition of removing the traffic lights at the intersection of West Kalsched Street and Central Avenue. She lived in the 300 block of West Kalsched for 31 years and there were no sidewalks or traffic lights when she first moved there and it was very dangerous crossing that street. After we got the traffic lights, it was a godsend to everybody, because you can't get across that street otherwise.

Terry Linduski, General Manager of the Shoppes At Wood Ridge spoke in opposition of removing the traffic lights at the intersection of West Kalsched Street and Central Avenue. He presented the Council with a petition signed by managers, owners or representatives of every store in the mall as well as by the owner of the mall to retain the traffic light at North Central Avenue and Kalsched Street.

## MINUTES OF GOVERNING BOARDS AND COMMISSIONS

<u>CC08-295</u> Motion by Spiros, second by Feirer to receive and place on file the minutes of the Fairgrounds Commission of June 25, 2008; Community Development Authority of June 26, 2008; Library Board of July 8, 2008; Fairgrounds Commission of July 30, 2008; Marshfield Utility Commission of August 11, 2008 and Library Board of August 12, 2008. All Ayes **Motion carried** 

## MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES

<u>CC08-296</u> Motion by Buttke, second by Feddick to approve the minutes of the Business Improvement District Board of July 22, 2008; Electrical Board of August 6, 2008; Business Improvement District Board of August 19, 2008, Industrial Park Authority of August 19, 2008 and Plan Commission of August 19, 2008. All Ayes

Motion carried

### MINUTES OF COUNCIL COMMITTEES

<u>CC08-297</u> Motion by Hansen, second by Feddick to approve the minutes of the Sustainable Marshfield Committee of August 5, 2008. All Ayes **Motion carried** 

<u>CC08-298</u> Motion by Buttke, second by Spiros to approve the minutes of the Parks, Recreation and Forestry of August 14, 2008. All Ayes

**Motion carried** 

<u>CC08-299</u> Motion by LaFontaine, second by Feirer to approve the minutes of the Board of Public Works of August 18, 2008.

Alderperson Feddick referred to item #7 of motion PW08-83 and expressed her concerns about removing the signal at 2<sup>nd</sup> Street and Central Avenue. If the traffic signal at 2<sup>nd</sup> and Central is taken out prior to making 3<sup>rd</sup> and Central a right turn only lane, there are going to be more accidents at the corner of 3<sup>rd</sup> and Central than there are now. Her office is at the corner of 3<sup>rd</sup> and Central and they constantly hear the crash sound of an accident or the squealing of tires from a near miss of an accident right outside of their window.

<u>CC08-300</u> Motion by Feddick, second by Wagner to pull out PW08-83 and vote on it separately and re-refer motion PW08-83 back to the Board of Public Works.

Alderperson Buttke asked if there was a time issue with the traffic signal on 2<sup>nd</sup> Street. Do we have to decide by a certain time what to do there?

Director of Public Works Knoeck said at this point South Central Avenue is being designed with that traffic signal in place. This decision is kind of coming late in the game as far as the South Central design, so it has progressed with the traffic signal on 2<sup>nd</sup>. The real savings comes in if the signal is not actually constructed. That has about a \$150,000 price tag within the South Central Avenue project. At 3<sup>rd</sup> and Central early on in the project it talked about a median across 3<sup>rd</sup> Street, so right turns would only be allowed there, but that is not the case in the final design. The traffic will be allowed to cross 3<sup>rd</sup> Street at Central Avenue. As far as the timing of the decision on 2<sup>rd</sup> Street, my thought was that if we remove it now ahead of the project we would have an opportunity to see how it functions and if for some reason we determine that that wasn't the right decision we still have time to get it back into the project as opposed to waiting until after the project is completed and then determining that maybe that wasn't the best decision and then it is too late really. That is why he recommended that we remove the signal now. That gives us time to see how it operates. As far as referring the item back to the Board of Public Works, you certainly can do that for further discussion. We did intend to implement the other traffic signal timings beginning the week after Labor Day, but if this item does go back to the Board he would probably defer that until we see if the recommendations stand or if there are some changes, because that could affect signal timing on other corridors.

Alderperson Feddick amended motion <u>CC08-300</u> to re-refer PW08-83, specifically items #1 and #7 back to the Board of Public Works for further discussion. Alderperson Wagner agreed.

Director of Public Works Knoeck said that the Kalsched signal is scheduled to be removed in September. We wouldn't even physically have to remove the equipment. We would just turn the signals off and put the stop signs out and then in October is when we would be ready to do the 2<sup>nd</sup> Street signal.

Alderperson Feddick questioned how we would determine whether the signal works or not. Is an increase in accidents going to be our benchmark for determining whether this is a safe and effective move?

Director of Public Works Knoeck responded by saying that accidents could be one benchmark, although he would hope that we wouldn't be generating a lot of accidents with a move like this, but the bigger benchmark would be just public feedback. Right now there is uncertainty, because people just don't know how it is going to operate, and so the natural reaction is don't change it.

Alderperson Buttke suggested trying it without the signal for awhile.

Director of Public Works Knoeck explained that there is competing interests with a corridor like Central Avenue. The corridor provides really two purposes and one is mobility and that is for the traveling public to make good time as they travel north or south and the other is access to the adjacent properties and those priorities are not always in line with each other. If you want to make a corridor the most mobile it can be, you have no traffic signals and people can just get right on through. The

more traffic signals you put in the better you improve access, but the more you compromise the mobility of that corridor. The study that was done said we could consider removing the signal, it doesn't say that we have to remove the signal, but again it comes down to what is your priority. Is it the mobility of the corridor and the traveling public? Or is it the access to the adjacent properties? Somewhere in between is where you have to find that balance.

Vote on motion **CC08-300 as amended**; All Ayes

Motion carried

Vote on motion <u>CC08-299 as amended</u>, excluding items # 1 and #7 of motion PW08-83; All Ayes **Motion carried** 

<u>CC08-301</u> Motion by Feddick, second by Hansen to approve the minutes of the Finance, Budget and Personnel Committee of August 19, 2008. All Ayes **Motion carried** 

<u>CC08-302</u> Motion by Feddick, second by Wagner to approve the minutes of the Judiciary, License and Cemetery Committee of August 19, 2008.

Alderperson Feirer said that he would be abstaining from voting on this item, because he is involved with motion JLC08-077. The American Legion has the Temporary Class "B"/"Class B" Retailer's license for this truck pull at the Central Wisconsin State Fair.

Vote on motion <u>CC08-302</u>; All Ayes (Feirer abstained.) **Motion carried** 

<u>CC08-303</u> Motion by Spiros, second by Buttke to receive and place on file the minutes of the Deer Task Force of June 19, 2008. All Ayes

**Motion carried** 

<u>CC08-304</u> Motion by Spiros, second by Feirer to receive and place on file the minutes of the Deer Task Force of August 6, 2008. All Ayes

Motion carried

Mayor Meyer reported on the findings of the Deer Task Force Committee. He recommended that the City create an Adaptable Deer Management Plan with continued assistance from the DNR.

Mr. Wayne Hall, Department of Natural Resources Wildlife Biologist explained the safety precautions that other communities have taken and answered questions from the Council members.

Alderperson Spiros thanked the Mayor for putting the Deer Task Force Committee together and commended the Deer Task Force Committee and Mr. Hall for putting together a great plan.

<u>CC08-305</u> Motion by Spiros, second by Krueger to accept the recommendations of the Deer Task Force Committee and move forward with an Adaptable Deer Management Plan. All Ayes **Motion carried** 

<u>Second reading of Revised Ordinance No. 1131</u>, permitting and regulating operation of Neighborhood Electric Vehicles on city streets.

<u>CC08-306</u> Motion by Wagner, second by Feirer to approve Revised Ordinance No. 1131. All Ayes **Motion carried** 

<u>Second reading of Revised Ordinance No. 1136</u>, amending Chapter 24 of the Municipal Code related to signs.

<u>CC08-307</u> Motion by Feirer, second by LaFontaine to approve Revised Ordinance No. 1136. All Ayes

**Motion carried** 

<u>First reading of Ordinance No. 1137</u>, amending Section 9-33 of the Marshfield Municipal Code regarding sale of fermented malt beverages on public grounds.

<u>CC08-308</u> Motion by Buttke, second by Feddick to suspend the rules and vote on Ordinance No. 1137. Spiros voted Naye, rest Aye. (Feirer abstained.)

Motion carried

<u>CC08-309</u> Motion by Feddick, second by Wagner to approve Ordinance No. 1137. Spiros voted Naye, rest Aye.

**Motion carried** 

<u>CC08-310</u> Motion by Buttke, second by LaFontaine to approve Resolution No. 2008-30, adopting the 2009 Operating Plan for the Downtown Marshfield Business Improvement District. All Ayes **Motion carried** 

<u>CC08-311</u> Motion by Feddick, second by Hansen to approve Budget Resolution No. 9-2008, transferring \$24,500 from the Airport CIP Ramp Project to the Airport Fuel Farm Project. All Ayes **Motion carried** 

<u>CC08-312</u> Motion by Buttke, second by Spiros to approve Budget Resolution No. 10-2008, transferring \$39,830 (including \$25,000 from a Friends of the Trails donation) to the Parks Capital Outlay Fund UW Arboretum Connector Trail project. All Ayes **Motion carried** 

<u>CC08-313</u> Motion by Feirer, second by LaFontaine to approve Budget Resolution No. 11-2008, transferring \$4,000 from the Contingency account to the City Administrator's budget for the Job Center. Spiros voted Naye, rest Aye.

**Motion carried** 

<u>CC08-314</u> Motion by Feirer, second by Hansen to approve Budget Resolution No. 12-2008, transferring \$15,000 from the Contingency Fund to the Fairgrounds budget for grandstand repair. All Ayes

**Motion carried** 

Administrator Brehm explained that on July 8<sup>th</sup> the Common Council approved two budget parameters pertinent to the 2009 budget. One being to establish performance parameters for the NGO's, non-governmental organizations. At that time the conversation basically focused on Main Street Marshfield and MACCI. The approval of the budget parameters was a direction to the City

Administrator based on the job description to put together a recommended budget for the Common Council's consideration using those two parameters or guidelines. Subsequent to that, he did solicit input and feedback from the Common Council as well as staff and other organizations both MACCI and Main Street to give me some examples of performance parameters for consideration. To date he has not received any feedback from the Common Council or the Mayor. He did receive some feedback from both Main Street and MACCI which he handed out this evening. It is his intent to review whatever suggestions from the Common Council members and the Mayor when he puts together his recommended budget in October. The Common Council always has had the final say as to what parameters they want to adopt. They can take the suggestions that he is going to make in October and approve them as is. They can reject all of them or they can do a combination of their own, but the process is just that and the final decision is made by the Common Council.

Alderperson Noble gave a powerpoint presentation on benchmarks for 2009. We need to set attainable goals. The total amount that goes to both MACCI and Main Street Marshfield is \$322,739. He suggested that the NGO's get a study together to find out what that actual number of empty commercial buildings is. Track the percentage of empty business park space and then set attainable goals in filling these spaces. If we are 10% full for a particular park, we could aim for 20% by the next year. If we are at 60 empty commercial buildings we could aim for 50 by the next year. But that would be determined by finding out exactly first what the number is and how many we would like to set for attainable goals. He recommended establishing these specific performance parameters showing an end result from year to year with regards to economic development efforts by non-governmental organizations.

Alderperson Feirer pointed out that Alderperson Noble lumped the CVB (Convention and Visitors Bureau) with MACCI (Marshfield Area Chamber of Commerce and Industry). The CVB is a separate organization from MACCI who answers to its own account through room tax. It is to help get people to come and use the motels, use our recreational facilities and to promote conventions.

Alderperson Feddick asked if we could change the percentage of room tax that goes to CVB.

Administrator Brehm said that there are certain requirements as to how much needs to be allocated to the CVB and what is maintained locally. We can perhaps increase the allocations to the CVB, but can't increase it for local purposes.

Alderperson Wagner said that it is very hard to distinguish that the CVB is separate from MACCI as much as their activities are intertwined and they are housed in the same building, but even at that case that simply becomes a third NGO to which parameters should apply. He would like to see a real honest to God marketing plan for Economic Development being put forth to the City Council and then at the end of the year he would like to see what they have done to implement that marketing plan. Setting attainable goals as far as measurable goals that they can work toward and showing us what they have done and how they spent the money in trying to attain those goals. We don't expect 100% success. This is a tough field, but obviously we want to see some efforts toward that.

Administrator Brehm responded that he could see the Planning and Economic Development Department pulling together a marketing plan and working in conjunction with both Main Street and MACCI. Certainly the Industrial Parks that we have and the Business Park that we have are City owned and he thinks that is a City function with the assistance from those two organizations. What is critical to any goal is developing some benchmarks to measure those goals. The criticism that he has

heard in the past years is that we have minimal or no economic development, so how do measure Economic Development. You, as the Common Council, need to approve goals and you need to approve benchmarks in which you feel comfortable in measuring whether or not we've attained those goals, because without any yardsticks, or measurement devices that are approved by you, we can come back to you in a year and report later that we've met that goal and you are going to say well how did you meet that goal. We need those benchmarks approved in advance and then in the following year when we give our report we will say that we have these X number of benchmarks, but we've done this to meet those benchmarks and that way then there is some evidence or documentation provided to you that we've met this goal because we have done these things to be able to measure it through the benchmarks that you have established. It is critical that those benchmarks need to be approved in advance.

Alderperson Feirer said that the CVB needs to know what more the Council wants.

Administrator Brehm said that parameters stated that these NGO's needed to come up with some performance parameters for the Council's consideration. He can sit down with the CVB just like he sat down with Main Street and MACCI to discuss that.

Alderperson Feddick feels performance based benchmarks are really essential for us continuing as a City and growing as a City and developing especially in Economic Development the way that we need to. To increase our tax base, which is going to benefit our community perhaps reduce taxes but at least increase services. She likes Alderperson Wagner's suggestion of developing a marketing plan which really in essence is a benchmark in figuring out how we are going to proceed, how we are going to go forward and how we are going to benefit our community for the benefit for all citizens.

Alderperson Krueger said that he would be voting no on this issue this evening. He believes that there should be benchmarks, but because this is the first time in seeing this powerpoint he needs to review some of this in his own mind with some time to consider what the budget point was here.

Alderperson Wagner explained that he wants to see a marketing plan similar to what was done years ago when we did Economic Development with a separate organization separate from what is now MACCI. It was developed along with a grid and a matrix for suitability to businesses and a plan to approach, and identify and go after those businesses. He suggested having Alderperson Noble meet with representatives of MACCI, CVB, MEDA and Main Street Marshfield and hammer out a set of recommended benchmarks to bring back to the Common Council for their approval within the next two to three weeks. That way it is not something that we don't know what we are voting on. That way we would have something very firm to bring before us.

<u>CC08-315</u> Motion by Wagner, second by Krueger to have Alderperson Noble meet with representatives of NGO's (MACCI, CVB, MEDA and Main Street Marshfield) and the Director of Planning and Economic Development regarding performance benchmark parameters and report back to the Common Council in two to three weeks.

Administrator Brehm wondered about roles here. The Common Council approved two parameters for him to incorporate in his recommended budget to the Council in October. And one of those parameters is to work with those organizations as well as to solicit input from the Common Council to come together with a recommendation in October for their consideration as a whole as to what performance standards that they would want to consider and ultimately adopt. That is his

understanding of his role in this. That is a staff function. Certainly, if the Common Council wants to do something different that is their prerogative, but he has been working with those two organizations and staff and soliciting comments from the Common Council.

Discussion continued regarding Administrator Brehm's role and prior direction from the Council.

Alderperson Wagner called the question.

**CC08-000** Motion by Wagner, second by Noble to call the question.

Attorney Hutchinson said that when you call for the question you vote on the main motion. A call for the question does not require a vote.

Vote on motion <u>CC08-315</u>; Feddick, Noble, Wagner and Spiros voted Aye, rest Naye.

## Motion failed

Alderperson Buttke asked that Administrator Brehm bring back information from those organizations in a report form at a future meeting. In the past we have had reports from the different organizations and he would like to see that again. Maybe a little more detailed then what we have had recently.

Administrator Brehm asked for clarification. Is it your intent for him to bring that information to the Council sooner than the budget process in October?

Alderperson Buttke said that he was open to that.

Alderperson Feddick said that she believes that the idea behind the parameters was not necessarily to make sure that these organizations are performing them at this point, but to set benchmarks for the future for next years budget time.

Mayor Meyer said that he never likes situations like this, because he doesn't think that there is any good that comes from it. We all have roles and we don't always agree with what somebody in another role does, but when we look at appointing essentially an Alderperson to do a staff persons job, we interject even more politics into a process that really should be business focused and he doesn't agree with that. In the end here we just end up burning a bridge and we don't want to do that either. He thinks we can do better at working together on this to come up with a common solution and making sure we have something that we can measure in the future.

Alderperson Wagner mentioned that in the future, he would like to adhere to Section 3-36 (11) of the Municipal Code. Whenever the presiding officer shall desire to speak upon any question, or to make any motion, except to impart information, he shall vacate the chair.

Request to approve the appointment of Ms. Jean Doty, 217 Wisconsin Street, to the Committee on Aging, with a term ending in April 2011.

CC08-000 Motion by Feirer to suspend the rules and approve the appointment of Ms. Jean Doty immediately.

Mayor Meyer said that Ms. Jean Doty wouldn't be able to attend the next Committee on Aging meeting, because she will be out of town.

Feirer withdrew his motion.

<u>CC08-316</u> Motion by Feddick, second by Wagner to hold over to the September 9, 2008 meeting, the appointment of Ms. Jean Doty, 217 Wisconsin Street, to the Committee on Aging, with a term ending in April 2011. All Ayes

**Motion carried** 

<u>CC08-317</u> Motion by Feddick, second by Hansen to approve the new committee assignments. Alderperson Noble would move to the Finance, Budget and Personnel Committee and Alderperson Hansen would move to the Board of Public Works. Feirer, Krueger and Buttke voted Naye, rest Aye. **Motion carried** 

City Attorney Hutchinson explained as a point of order earlier there was a call for the question and he was incorrect in the advice that he gave the Mayor. The Council should vote on that matter. It requires a 2/3rds vote, because it is technically a motion to close the debate. If the motion carries then the Mayor calls the question that was in the motion in the first place. So, we'll have to take it back. We have a motion and a second to close the debate. Then the Mayor will call for a vote on that.

<u>CC08-318</u> Motion by Wagner, second by Noble to call the question. All Ayes **Motion carried** 

Re-vote on motion <u>CC08-315</u>; Feddick, Noble, Wagner and Spiros voted Aye, rest Naye. **Motion failed.** 

CC08-319 Motion by Feddick, second by Spiros 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 has requested a closed session to discuss 1) claim by LMP properties; 2) potential sale of land in Yellowstone Industrial Park; and 3) negotiations with Karl Merkel for land. Roll call vote, all Ayes. (Time: 8:57 p.m.)

**Motion carried** 

<u>Present in closed session</u>: Alderpersons Feirer, Feddick, LaFontaine, Noble, Wagner, Hansen, Krueger, Spiros and Buttke, Administrator Brehm, Mayor Meyer, City Attorney Hutchinson, Director of Public Works Knoeck, City Engineer Turchi, Finance Director Strey, City Assessor Spencer and Deputy City Clerk Panzer.

City Assessor Spencer left closed session at 9:10 p.m.

Library Director Belongia came into closed session at 9:10 p.m.

Library Director Belongia left closed session at 9:35 p.m.

Utility Manager Pacovsky came into closed session at 9:35 p.m.

<u>CC08-320</u> Motion by Feddick, second by Spiros to return to open session. Roll call vote, all Ayes. (Time: 10:03 p.m.)

**Motion carried** 

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

<u>CC08-321</u> Motion by Feddick, second by Spiros to approve Resolution No. 2008-31, authorizing the City of Marshfield to file appeals and/or objections concerning certain manufacturing real estate and/or personal property assessments. All Ayes

**Motion carried** 

Motion by Buttke, second by Spiros to adjourn at 10:05 p.m. **Motion carried** 

Lori A. Panzer Deputy City Clerk