**PUBLIC HEARING:** Called to order by Mayor Meyer at 6:45 p.m., in the Council Chambers, City Hall Plaza regarding Street Improvement Projects and Proposed Special Assessments – 2009 Mill-In Place Paving Projects.

- Project No. 322027 Sycamore Avenue (5<sup>th</sup> Street to 8<sup>th</sup> Street)
- Project No. 322028 Maple Avenue (Doege Street to Grant Street)
- Project No. 322029 Meadow Lane (Arnold Street to Fillmore Street)
- Project No. 322030 Ridge Road (Schmidt Avenue to Marathon Avenue)
- Project No. 322031 22<sup>nd</sup> Street (Pecan Parkway to Washington Avenue)
- Project No. 322032 Cherry Avenue (9<sup>th</sup> Street to 10<sup>th</sup> Street)
- Project No. 322034 Hintz Street (Anton Avenue to Galvin Avenue)
- Project No. 322035 Irene Avenue (Hintz Street to Becker Road)

**FOR:** None **AGAINST:** None

The public hearing closed at 6:48 p.m.

**PUBLIC HEARING:** Called to order by Mayor Meyer at 6:50 p.m., in the Council Chambers, City Hall Plaza regarding vacating and discontinuing that portion of Ash Avenue lying North of the North line of East 5<sup>th</sup> Street and South of the South line of East 4<sup>th</sup> Street in the City of Marshfield and removing that portion from the Master Street Map.

**FOR:** None **AGAINST:** None

The public hearing closed at 6:52 p.m.

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

**PRESENT:** Michael Feirer, Alanna Feddick, Dave LaFontaine, Gordon H. Earll, Ed Wagner,

Donald Krueger, John Spiros and Tom Buttke **ABSENT:** Russell Stauber and Pete Hendler

The flag was saluted and the pledge given.

Invocation was given by Father Verne Walter, St. Alban's Episcopal Church.

### Employee Milestone Recognition

Jim Gossage, Wastewater Utility

Tim Cassidy, Engineering, Public Works

June 14, 2004

June 14, 2004

5 years of service

10 years of service

<u>CC09-212</u> Motion by Feddick, second by Krueger to approve the minutes of the Common Council meeting of May 19, 2009. All Ayes

#### **Motion carried**

No items were added to the agenda.

#### PUBLIC COMMENT PERIOD

Mayor Meyer announced that he has two vacancies on the Board of Review as alternates and two vacancies on the Zoning Board of Appeals as alternates. Anyone interested should contact him.

Alderperson LaFontaine commended the downtown and the non-governmental organizations for continuing to provide information to businesses within the community to help them survive the construction and this economy. He also offered a challenge to all of the Council members to purchase a bench as one of the amenities from the Council of 2009. He already has commitments from four of the alderpersons and the Mayor. All he needs is the six additional alderpersons to commit to it and then they can purchase a bench.

CC09-213 Motion by Wagner, second by Spiros to approve Resolution No. 2009-29, Resolution Supplementing Resolution No. 2003-23; Awarding the sale of \$1,350,000 Sewerage System Revenue Bonds, Series 2009; and providing for the payment of said bonds and other details and covenants with respect thereto. All Ayes

Motion carried

<u>CC09-214</u> Motion by Feddick, second by LaFontaine to grant the request from Magic Celebration Factory for a variance of noise levels as permitted by Chapter 10-33 (7) for the Bubblefest on Saturday, July 18, 2009, at Columbia Park. All Ayes

**Motion carried** 

Amy Peterson, Planner for MSA Professional Services presented an overview of the Energy Efficiency and Conservation Block Grant.

A presentation regarding the Natural Step training was presented by Marty Anderson, Sustainable Marshfield Committee Chairperson.

#### MINUTES OF GOVERNING BOARDS AND COMMISSIONS

<u>CC09-215</u> Motion by Feirer, second by LaFontaine to receive and place on file the minutes of the University Center Commission of February 19, 2009 and March 25, 2009; Community Development Authority of May 14, 2009 and May 28, 2009 Personnel Committee; and Fire and Police Commission of June 1, 2009 special meeting. All Ayes

Motion carried

# MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES

<u>CC09-216</u> Motion by Spiros, second by Feddick to approve the minutes of the Industrial Park Authority of June 4, 2009. All Ayes

Motion carried

# MINUTES OF COUNCIL COMMITTEES

<u>CC09-217</u> Motion by Wagner, second by Earll to approve the minutes of the Cable TV Committee of April 27, 2009.

Alderperson Wagner made a correction on page 2 under the Public Access Coordinator's Report. Ed Gerl received a Merit Award for his Marshfield Prairie Garden Show not the Auto Racing program.

Vote on motion CC09-217 as corrected; All Ayes

Motion carried

<u>CC09-218</u> Motion by Feirer, second by Feddick to approve the minutes of the Committee on Aging of May 7, 2009. All Ayes

Motion carried

<u>CC09-219</u> Motion by Earll, second by LaFontaine to approve the minutes of the Sustainable Marshfield Committee of May 11, 2009. All Ayes

**Motion carried** 

<u>CC09-220</u> Motion by Feirer, second by LaFontaine to approve the minutes of the Board of Public Works of June 1, 2009. All Ayes

Motion carried

<u>CC09-221</u> Motion by Feddick, second by Earll to approve the minutes of the Finance, Budget and Personnel Committee of June 2, 2009. All Ayes

Motion carried

<u>CC09-222</u> Motion by Wagner, second by Feddick to approve the minutes of the Judiciary, License and Cemetery Committee of June 2, 2009.

Alderperson Earll talked about motion JLC09-075:

Motion by Feddick, second by Krueger to grant a "Class B" Liquor and Fermented Malt Beverage application as filed by Coyote's Bar and Grill, LLC, Agent: Michael Lynn Larson, 500 N. Central Avenue subject to the Police Department making a report to the Judiciary, License and Cemetery Committee every three months to determine if there have been any violations or concerns. All Ayes

The Police Chief recommended denying this license based on the felony conviction and state statutes. Why would we want to issue a license against the recommendation of the Police Department. A comment was made by the JLC Committee that the individuals involved deserve a second chance. This may be true but he fails to see why the Council or the City should provide this second chance. Convicted felons can not vote or own fire arms among other things. Why would we want to give a convicted felon the right to serve alcohol in Marshfield.

Alderperson Wagner responded that there was also a presentation from legal counsel that told them that this was not as clear cut as Alderperson Earll seems to make it be. Case law has shown that even in a case of a felony conviction that the felony conviction must have something to do with the actual operation of the bar which this did not. For that reason the committee exercised its discretion to grant a license with the condition that requires the police department to report back to the committee quarterly for the next year on the behavior and performance in that bar. If anything goes wrong or if there are any further violations the committee can at its discretion revoke the license.

Alderperson Feddick stated that the committee did follow the advice of Police Chief Stroik. Specifically he talked about the conviction of the agent and that he wasn't concerned about that affecting the license. Legal counsel spoke about how they are actually granting the license to the LLC not a convicted felon. They actually followed the recommendation of the Police Chief and that was to make this either conditional or in some other way to review this license.

Alderperson Buttke said that he would like to hold this over until he can get some clarification from the Police Chief and legal counsel.

<u>CC09-223</u> Motion by Buttke, second by LaFontaine to hold over motion JLC09-075 until the next meeting. Feddick, Wagner and Krueger voted Naye, rest Aye. **Motion carried** 

Vote on motion CC09-222 as amended; All Ayes

**Motion carried** 

## MINUTES OF COMMUNITY ASSOCIATIONS

<u>CC09-224</u> Motion by Feirer, second by Spiros to receive and place on file the minutes of the Central Wisconsin State Fair Association of May 18, 2009. All Ayes **Motion carried** 

<u>Second reading of Ordinance No. 1152</u>, an ordinance attaching certain lands from the Town of Marshfield, Wood County to the City of Marshfield, Wisconsin, and establishing zoning as 'M-3' General Industrial District.

<u>CC09-225</u> Motion by Wagner, second by LaFontaine to approve Ordinance No. 1152. All Ayes **Motion carried** 

<u>First reading of Ordinance No. 1153</u>, an ordinance amending Section 2-104 of the Municipal Code regarding the membership of the Convention and Visitors Bureau.

<u>CC09-226</u> Motion by LaFontaine, second by Feddick to approve Resolution No. 2009-17, removing from the Master Street Map, vacating and discontinuing that portion of Ash Avenue lying north of the north line of East 5<sup>th</sup> Street and south of the south line of East 4<sup>th</sup> Street. All Ayes **Motion carried** 

<u>CC09-227</u> Motion by Spiros, second by Krueger to approve Final Resolution No. 2009-19, in the matter of Improvement Projects – Mill-In-Place Paving on Sycamore Avenue (5<sup>th</sup> Street to 8<sup>th</sup> Street), Maple Avenue (Doege Street to Grant Street), Meadow Lane (Arnold Street to Fillmore Street), Ridge Road (Schmidt Avenue to Marathon Avenue), 22<sup>nd</sup> Street (Pecan Parkway to Washington Avenue), Cherry Avenue (9<sup>th</sup> Street to 10<sup>th</sup> Street), Hintz Street (Anton Avenue to Galvin Avenue), Irene Avenue (Hintz Street to Becker Road). All Ayes **Motion carried** 

<u>CC09-228</u> Motion by Feddick, second by Earll to approve Resolution No. 2009-24, ordering construction of sidewalks at the following locations: south side of East Forest Street from 200 feet west of Irene Avenue to 150 feet East of Irene Avenue; west side of Irene Avenue from 35 feet south of Forest Street to Forest Street; east side of Irene Avenue from 135 feet south of Forest Street to Forest Street; and west side of Monique Lane from 230 feet south of Forest Street to 165 feet south of Forest Street. All Ayes

Motion carried

<u>CC09-229</u> Motion by Buttke, second by LaFontaine to approve Resolution No. 2009-25, informing the Wisconsin Department of Natural Resources that the Common Council has reviewed the Compliance Maintenance Annual Report of the Wastewater Utility. All Ayes **Motion carried** 

<u>CC09-230</u> Motion by Wagner, second by Feddick to approve Resolution No. 2009-26, rejecting the option of the City of Marshfield to repurchase certain lands located in the East Industrial Park in the City of Marshfield. All Ayes

**Motion carried** 

Finance Director Keith Strey updated the Common Council on the State Budget.

Motion by LaFontaine, second by Earll to adjourn at 7:55 p.m. All Ayes **Motion carried** 

Deb M. Hall City Clerk