OCTOBER 23, 2012

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-Goodwin, Gordon H. Earll, Ed Wagner, Russell Stauber, Gary Cummings, John Spiros, Tom Buttke and Pete Hendler.

ABSENT: Robert Workinger

The flag was saluted and the pledge given.

Invocation was given by Pastor Joshua Dostal, Center City Church.

Mayor Meyer announced that there is an opening on the Board of Appeals – 2nd Alternate, Historic Preservation Committee and the Community Development Authority. Anyone interested in serving on these committees should contact his office.

Employee Recognition

David Patton, Fire & Rescue Department	October 27, 1997	15 years
Patrick Zeps, Police Department	October 27, 1997	15 years
JoDee Thompson, Street Division	November 1, 1982	30 years

CC12-215 Motion by Spiros, second by Cummings to approve the minutes of the Common Council meeting of October 9, 2012.

Motion carried

No items were added to the agenda.

PUBLIC COMMENT PERIOD

The following individuals spoke about the Community Based Residential Facility (CBRF) to be located at 1606 N. St. Joseph Avenue.

- Thomas Stram, 1507 N. Shawano Drive. He would like to see the building moved over and that would require the city to rescind the right-of-way for an old road that used to cut off the corner. This would allow the CBRF to move to the east. Currently there is an access road to Shawano Dr. There is a lot of foot traffic during the day. In the interest of safety there should be no access to Shawano Drive.
- Georgeanne Cusic, 1510 N. Broadway Avenue. Concerned about the position of this facility on two busy streets. This home is for dementia patients so there could be a safety concern if these patients got out on their own.
- Chris Tipping, 1531 N. Shawano Drive. The CBRF is going to be much bigger than the church that is currently on this site. Concerned about the property value. When they bought their home they were assured that the property would only be used for homes or another church and now they are finding that something else is happening with it. If this building is built and the demographics or for whatever reason they don't want to use it as they are being told it will be used she is not sure there is any assurance that its use might be changed to something else that they might be more unhappy with.
- Katie Olscewski, 1511 N. Broadway. She concurs with all of the points that were made. This facility is needed but she questions if on the corner of St. Joseph Avenue and McMillan is the most appropriate place for this facility. She is also concerned about the safety.

- Terry Howard, Developer and Owner of the proposed CBRF. He addressed some of the residents concerns: (1) The building being too close. If the Council approves vacating the right-of-way, he is willing to move the building to the east and to the north. This will give a lot more room between the building and the properties immediately adjacent on the west side. (2) Rainwater runoff management. The requirement is that they manage the rainwater runoff and they do that with a design by their architect that drives the rain into the infiltration system and it is filtered before it enters into the stormwater management system. So rainwater will not be running onto the adjacent properties. (3) Additional traffic on Shawano Drive. His plan was to keep that driveway there so in the event if there is a fire, trucks could enter the property very quickly from both sides. He also plans to cordon that off so that it can't be used by visitors, vendors or anybody else. It would only be used in the case of an emergency. As far as people leaving the building inappropriately they have systems in place that will not allow that.
- Hal Woolworth, 1503 N. Shawano Dr. He also has some concerns about the access off Shawano Dr.

Joe Pacovsky, Utility Manager for the Marshfield Utilities. Talked about the cost comparison for the 2011 electric rates. There are 118 electric utilities in Wisconsin and Marshfield had the second lowest rate.

CONSENT AGENDA

CC12-216 Motion by Feirer, second by Spiros to receive and place on file, approving all recommended actions for the items listed on the consent agenda. Meeting Minutes/Reports: Main Street Marshfield of August 1, 2012 and September 5, 2012; Convention & Visitors Bureau of September 26, 2012; Economic Development Board of September 27, 2012; Fire and Police Commission of October 4, 2012; Economic Development Board of October 4, 2012; Library Board of October 9, 2012; Parks, Recreation and Forestry Committee of October 11, 2012; Town of McMillan Joint Plan Commission of October 12, 2012; Marshfield Utility Commission of October 15, 2012 (JOB #17663, primary failure, 5th Street – Oak to State at a cost of $31,299; JO #5651, purchase 15.34 acres of property from Woodstock Construction at a cost of $212,000; and Prevention Genetics underground three phase extension, 3814 Business Park Ave., at a cost of $29,264 ($29,264 deposit); Board of Public Works of October 15, 2012 and Plan Commission of October 16, 2012.

Alderperson Stauber said that in the minutes of the Town of McMillan Joint Plan Commission meeting, Doug Lee is recorded as present and absent.

CC12-217 Motion by Feddick-Goodwin, second by Wagner to pull out motion PC12-73 from the Plan Commission minutes and vote on it separately.
Motion carried

CC12-218 Motion by Feddick-Goodwin, second by Earll to pull out motion PC12-74 from the Plan Commission minutes and vote on it separately.
Motion carried

Vote on motion **CC12-216 as amended**.
Motion carried

CC12-219 Motion by Wagner, second by Hendler to approve the recommendations of the Plan Commission (PC12-73 and PC12-74) with the following two changes; (1) Condition #4: The entrance off Shawano Drive should be for emergency use only and ~~should~~ **shall** be chained or gated; and (2) Add a 5th condition that a lighting plan that minimizes light pollution to neighboring properties must be submitted along with the overall sight plan to the Development Review Team.

Discussion was held regarding the conditional use request by First Phoenix Group, LLC for a "Large 24-bed Community Based Residential Facility" (CBRF) specializing in memory care, located at 1606 North St. Joseph Avenue, the former Faith Fellowship Church. Specifically motions PC12-73 and PC12-74.

CC12-220 Motion by Buttke, second by Spiros to call for the question. Stauber voted Nay
Motion carried

Vote on motion **CC12-219**; Nay – 1 (Feddick-Goodwin)
Motion carried

Recessed at 8:06 p.m.
Reconvened at 8:12 p.m.

Second reading of Ordinance No. 1237, amending Section 14-69 pertaining to the amount of sewer service charges and amending Section 14-72 pertaining to provisions regarding holding tank service charges, portable toilet waste and septic tank waste.

CC12-221 Motion by Buttke, second by Feirer to approve Ordinance No. 1237. Ayes - 9
Motion carried

First reading of Ordinance No. 1238, rezoning request by Kathleen Olson to change the zoning of one parcel from the "R-5" (Medium Density Single – and Two-Family) district to the "B-1" (Neighborhood Business) district for 617 West Blodgett Street.

First reading of Ordinance No. 1239, annexing territory owned by Mark Steevens detaching one parcel totaling 0.349 acres, including portions of the right of way, from the Town of McMillan, Marathon County and annexing to the City of Marshfield, Wisconsin; located at M327 East McMillan Street and establishing zoning as "R-2" Large Lot Single-Family Residential District.

First reading of Ordinance No. 1240, repealing and re-enacting Chapter 18 of the Municipal Code.

CC12-222 Motion by Wagner, second by Cummings to approve Preliminary Resolution No. 2012-30, levying special assessments on all property fronting or abutting Central Avenue (STH 97) from and including its intersection with Northridge Street to a distance of 1,500 LF northeast of Northridge Street.
Motion carried

CC12-223 Motion by Stauber, second by Spiros to approve Resolution No. 2012-31, Certified Survey Map and dedication of additional right-of-way for Adler Road.
Motion carried

CC12-224 Motion by Buttke, second by Cummings to refer to the Plan Commission Resolution No. 2012-32, vacating Warbler Avenue, Hummingbird Street, Oriole Court, and Chickadee Court within the Grasslands Subdivision.
Motion carried

CC12-225 Motion by Feddick-Goodwin, second by Earll to refer to the Plan Commission Resolution No. 2012-33, vacating unopened alley from 14th Street to 12th Street between Maple and Cedar.
Motion carried

CC12-226 Motion by Spiros, second by Cummings to refer to the Plan Commission Resolution No. 2012-34, vacating excess right-of-way in the southwest quadrant of the intersection of McMillan Street and St. Joseph Avenue.
Motion carried

CC12-227 Motion by Wagner, second by Hendler to grant a Temporary Class "B" Retailer's License (Picnic) to the Columbus Catholic Schools for November 2 – 3, 2012.
Motion carried

CC12-228 Motion by Stauber, second by Spiros to approve the group health insurance contracts with Security Health Plan, Inc. for the period January 1, 2013 through December 31, 2013 for elected officials, non-represented employees, and employees represented by City bargaining units.
Motion carried

CC12-229 Motion by Spiros, second by Feirer to approve the group vision hardware contracts with National Vision Administrators for the period January 1, 2013 through December 31, 2013 for elected officials, non-represented employees, and employees represented by City bargaining units.
Motion carried

CC12-230 Motion by Spiros, second by Buttke to approve the group dental insurance contracts from Delta Dental for the period of January 1, 2013 through December 31, 2013 for elected officials, non-represented employees, and employees represented by city bargaining units.
Motion carried

CC12-231 Motion by Spiros, second by Wagner to approve renewal of Employee Benefits Corporation to administer the City's Flexible Benefit Plan for calendar year 2013.
Motion carried

CC12-232 Motion by Stauber, second by Spiros to not go out for bids for 2013 Shared-Ride Taxi Cab and Shuttle Bus Service and direct staff to prepare a contract for 2013 to be presented at a future meeting of the Finance, Budget and Personnel Committee.
Motion carried

City Administrator Barg explained that the City is having a hard time filling vacancies on city boards/committees. One of the issues that is not really addressed clearly in our municipal code is residency. The intent may well be that our boards/committees be residents of the City of Marshfield but it's not clearly stated in the code. Generally it is best to get residents when possible, as they're

more likely to be committed to our community. On the other hand, individuals who have education and experience in a particular field may be better suited for certain committees. A reasonable middle ground may be to just add language to the Municipal Code indicating that, in appointing board and committee members from the general public, preference will be given to persons residing within the City limits. With this approach, we would have the ability to fill vacancies with non-residents, while upholding our preference for residents.

He asked the Council to start thinking about the idea of whether residency should be required for all of our committees or whether there are situations where we could allow non-residents on a committee if we are having trouble filling it.

Alderperson Buttke asked City Administrator to check with some other communities to see what their requirements are for committee members.

Future Agenda Items
None

Motion by Spiro, second by Cummings to adjourn at 8:50 p.m.
Motion carried

Deb M. Hall
City Clerk