

MARION COMMON COUNCIL MEETING – March 14, 2016

Mayor Mielke called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Present: Scott Hoffmann, Aaron Schoen, Tom Nolan, Scott Zillmer, Arlyn Fischer, Ken Williamson

Others present: Chief Kevin Schultz, Dave Mattes, Dan Brandenburg, John Bork, Fire Chief Joe Stuhr, Sheri Wieters, Mike Wieters, Carla Tucker

Arriving later: Richard Pamperin (6:08 pm), Wayne Block (6:22 pm)

m/s/c Schoen/Hoffmann to approve the agenda.

m/s/c Schoen/Fischer to deviate from the order of agenda if necessary.

m/s/c Zillmer/Schoen to approve the minutes from February 8th.

Acknowledgement of Citizens/Open Forum: Sheri Wieters introduced herself as a candidate for Waupaca County Treasurer. Carla Tucker asked to be given an exemption from the 2 dog limit; she recently moved here from Clintonville and has 3 dogs; the oldest dog is 12 and has health issues; item deferred to Finance as it pertains to an ordinance; she will be allowed to keep all 3 dogs until a decision is made.

Communications/Petitions/Correspondence: Newsletters from Focus and the Waupaca County Economic Development Corp were in the packets. The Wisconsin Taxpayer did not arrive. The Mayor asked council to review the WCEDC article on recent TIF changes.

Standing Committee Reports:

Personnel:

Public Protection: Williamson reported on the joint meeting with Personnel held March 7th. Ronn Whitford voiced concern over vehicles not stopping for pedestrians in the crosswalks; a flashing electronic warning system is being considered. They approved the purchase of 2 Tasers with batteries. Also approved was the purchase of new police vests and plates for \$2,678. The K9 received a \$1,000 Walmart grant. Krause assisted a hostage situation in Clintonville. They've already had as many high-speed chases this year as all of last year. Krause credited the K9 for Marion experiencing fewer drug problems than the rest of the county. Krause stated gangs are moving their base of operation out of Chicago and Indiana to Milwaukee due to the fact that Milwaukee disbanded their drug-task force and has a "no-pursuit" policy. m/s/c Schoen/Zillmer to approve the minutes from the Public Protection meeting.

Community Properties: Zillmer reported on the meeting held March 7th. The committee reviewed the condition of city owned properties. They approved proceeding with the study of a new garage building. The horse barn will be moved to the green space west of Ft. Courage. Fixing the drainage issues in the alley behind the future Subway will be fast-tracked to try to get it done before building construction is started. Mattes suggested the DOT put in passing lanes at the Gollnow/45 intersection while they're doing construction in that area; the DOT responded that it wasn't a concern because "there are no accidents there"; Mattes disagrees. Mattes also requested they look at the HWY 110/45 & 7th St./45 intersections; the DOT claimed to be unaware of any accidents there as well even though we've had multiple fatalities at both; Mielke updated council that Lefebvre sent another communication to the DOT after the March 7th meeting requesting they look at the safety of those intersections. Waupaca County sent an invoice for over \$14,000 for costs associated with the demolition of the Nose; the cost for the actual demolition by Legacy was only \$8,600; the rest of the costs were not in the agreement. Stantec no longer does weed spraying; both individuals that the city worked with are now with Wisconsin Lake and Pond Resources; they approved sending our records to the new company. m/s/c Schoen/Zillmer to approve the minutes as presented.

City Finance: Schoen reported on the meeting held February 8th. Bills were reviewed and found to be in order. A proposed ordinance regarding private sewer laterals was reviewed; the DNR is mandating steps to get groundwater under control. 95 million gallons were processed at the sewer plant last year but only 35 million

was actually billed – the rest is rain and groundwater entering the system. The committee wanted another month to review the proposed ordinance. They did recommend council put it to public hearing when they met earlier tonight. m/s/c Fischer/Hoffmann to approve the Finance meeting minutes from February 8th.

Water & Sewer:

Streets & Highways:

Board Reports:

Library Board:

Zoning Board of Appeals:

Board of Health:

Utility Board: Minutes were in the packet.

City Plan Commission: Minutes were in the packet.

Department Reports:

Clerk-Treasurer: No report.

Fire: Written report was in the packets. Stuhr reported 4 calls last month. The Cornhole (bean bag toss) fundraiser is April 2nd. They held their election of officers; they are up for approval by council tonight. Also up for approval tonight are 3 new firefighters. Stuhr and Jeff Haas attended training in Rib Mountain on February 13th and learned a lot on strategies and tactics for house fires.

Library: No report.

Police: Written report was in the packets. Shultz reported he attended the annual SWAT conference last week; the presentations were on the Virginia Tech and Sandy Hook shooters. Schultz is working with school administration to make sure we have the appropriate plans in place to make our schools as safe as possible. The spring clean-up reminder is being posted and published.

Street: Mattes reported he is monitoring the pond and they started street sweeping today.

Water & Sewer: No report.

Miscellaneous Reports:

Mayor's Report: No report.

Marion Pond Association:

New Business:

- a. Resolution 2016-01: A Resolution Reducing the Number of Election Inspectors at the Polling Place: A resolution is needed to allow us to go down to 3 workers during slow elections; all that's on the books right now is a motion. The resolution also allows the clerk to decide how many workers are needed for any given election. m/s/c uroll Zillmer/Fischer to approve Resolution 2016-01 and waive the reading.
- b. Agreement by and between the City of Marion and BG & Associates for Administration of the Housing Revolving Loan Fund: Barb Gabrielson has been administering the housing grant since it's inception under different companies. She now has her own company. The state wants us to have an updated agreement with her. m/s/c Schoen/Zillmer to approve the agreement between the City of Marion and BG & Associates.
- c. Image Management Agreement between the City of Marion and Modern Business Machines: The 5 year lease is up on the clerk and police copiers. 2 quotes were received for another 60 month lease; Marco quoted \$334.57/mo.; our existing provider, Modern Business Machines, quoted \$333.93/mo. The per month charge includes both the police and clerk copier. The new monthly charge is actually \$35/month cheaper than what the city has been paying even with the clerk upgrading to a color copier. m/s/c Schoen/Hoffmann to approve the Image Management Agreement between the City of Marion and Modern Business Machines.
- d. Application for Temporary Class "B" License- Marion Area Fire Department Cornhole Tournament – April 2, 2016: m/s/c Hoffmann/Fischer to approve the temporary Class "B" License for the Marion Area Fire Department for their Cornhole tournament on April 2nd; Zillmer abstained.

- e. Approval of New Firefighters- Ryan Briske, Jason Haufe, Nick Brehm: m/s/c Hoffmann/Schoen to approve new firefighters Ryan Briske, Jason Haufe and Nick Brehm; Zillmer abstained.
- f. Approval of the 2016-2017 Marion Fire Department Officers. Presented for approval were Fire Chief – Joe Stuhr; Asst. Chief/President – Jeff Haas; Asst. Chief/Sec/Treas. – Scott Zillmer; Capt./Sgt. at Arms – Jay Robenhagen; Capt./Vice President – Matt Westphal; Lieutenant – Jon Heiman; Lieutenant - Lee Robenhagen; Engineer – Brad Radtke. m/s/c Hoffmann/Schoen to approve the 2016-2017 Marion Fire Department Officers as presented; Zillmer abstained.
- g. Waupaca County Invoice for Demolition of the Former Nose Property: Waupaca County invoiced the city for \$14,507. The Legacy portion is \$8,685. There is no real explanation on what the other charges are for. The cover letter stated to contact Waupaca County Corporate Council with questions; Attorney Meyer made contact with Corporate Council today. They will try to work it out as per the Mayor’s original verbal agreement for the city to get the property and pay ½ the Legacy demolition bill. The County would get the site vision they requested. There are just barricades up for the vision triangle right now. Mielke and the Community Properties committee agree they will not pay the counties additional fees. Tabled.
- h. Consider Public Hearing for Proposed Ordinance 2016-001: Private Sewer Laterals: The proposed ordinance has been reviewed and recommended by both the Utility Board and the Finance Committee. m/s/c Zillmer/Hoffmann to put to public hearing the proposed Ordinance 2016-001 for private sewer laterals.
- i. Consider Public Hearing for Proposed Ordinance 2016-002: Rezoning – Nolan Sales – 112 N. Parkview Avenue -from R2 – Residential to B1 Downtown Business: Plan Commission reviewed and recommended the rezoning. It’s the old cheese factory lot. m/s/c Williamson/Schoen to send proposed Ordinance 2016-002 to public hearing; Nolan abstained.
- j. Consider Proceeding with Proposed Street and Alley Vacating (undeveloped): Plan Commission and Community Properties reviewed the list and recommend proceeding. There are numerous undeveloped streets and alleyways throughout the city that have no utilities and no future development plans. Residents have built sheds and put in gardens on some of the areas. Alliant Energy was consulted and they have no issues with vacating any of them. Vacating them is a way to “clean-up” things. The land would be turned over to the adjacent property owners. Spring Lane was removed from the list by Plan Commission because vacating it would eliminate access to a parcel. A portion of Rodgers Street by Carver Wood will not be vacated in case there is future development. Rogers and Attorney Meyer still have a lot of work to do as far as preparing notices and public hearings; this will be a lengthy process. m/s/c Nolan/Zillmer to proceed with the proposed street and alley vacating as listed.
1. Aspen Court
 2. Mauel Street
 3. Rodgers Street from SE 2nd to Highway 110
 4. Pine Street
 5. Martha Street
 6. SE 3rd Street
 7. SE 5th Street
 8. Alley between SW 1st & S. Main from Rogers to McDonald
 9. Alley between N. Main & NE 1st – from Sherman to Meyer
 10. Alley between NE 2nd & NE 3rd – from Sherman to Meyer
 11. Alley between NE 5th & NE 6th – Siegert to Meyer
 12. Alley in area of SE 6th & Bertram
 13. Alley between Mauel & E. Ramsdell
- k. Applications for Operators Licenses: Presented for approval were Lisa Bednarowski and Rodney Piotraschke. Both were approved by the police department. m/s/c Hoffmann/Fischer to approve the two operator’s licenses as presented.

Unfinished Business:

Approval of Payments:

a. Clerk-Treasurer, Fire Department, Library, Police Department, Senior Center, Street Department, Payroll Vouchers and Utility Vouchers: The Finance Committee reviewed and signed the bills prior to the meeting and found them to be in order. m/s/c uroll Zillmer/Schoen to approve the payments as presented.

Treasurer's Report:

a. Approval of the Treasurer's Report and Money Transfers: Money transfers included \$213,191 transferred from the City Money Market to Pooled Cash on January 12th to pay the February tax settlements. m/s/c uroll Schoen/Zillmer to approve the treasurer's report and money transfers as presented.

Announcements: Meeting Dates:

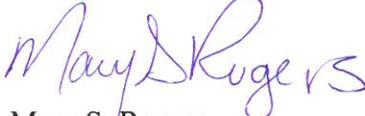
Joint Community Properties/Street	4/4	4:15 pm
Public Protection	4/4	5:15 pm
Spring Election (w/Pres. Pref.)	4/5	7am – 8pm (Fire Hall)
Utility Board	4/6	4:00 pm
Finance	4/11	4:30 pm
Public Hearing _ Ord. 2016-001	4/11	5:30 pm
Public Hearing _ Ord. 2016-002	4/11	5:45 pm
Council	4/11	6:00 pm

Closed Session: m/s/c uroll Zillmer/Schoen to move into closed session according to ss19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (consider possible sale of property). Time: 6:33 pm.

Open Session: m/s/c Zillmer/Hoffmann to move back into open session. Time: 7:21 p.m.

Offer from PW Block, LLC is \$25,000 for 2.07 acres (Lot 1) on Kussman Road; the city currently uses the lot as a drop-off center for brush and utilizes the building for storage. Discussion on putting up a new garage building, continuing to use land that is in the TIF for city purposes, the value of the property, encouraging development of an existing business and the potential increase in value and taxes from future development. Nolan objects to selling the land at this price and then building a new garage. m/s/c roll Zillmer/Hoffmann to approve the sale of the land to Custom Fab (PW Block, LLC) for \$25,000; 5 ayes= Williamson, Hoffmann, Schoen, Zillmer, Fischer; 1 nay = Nolan.

m/s/c Zillmer/Hoffmann to adjourn. Time: 7:31 p.m.


Mary S. Rogers
Clerk-Treasurer