

## MARION COMMON COUNCIL MEETING – July 11, 2016

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

*Present:* Tom Nolan, Scott Zillmer, Ken Williamson, Scott Hoffmann

*Absent:* Arlyn Fischer, Aaron Schoen

*Others present:* Chief Kevin Schultz, Dave Mattes, Dan Brandenburg, John Bork, Attorney Mike Meyer, Mike Lefebvre

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

m/s/c Nolan/Hoffmann to deviate from the order of agenda if necessary.

m/s/c Zillmer/Hoffmann to approve the minutes from June 13<sup>th</sup> & July 5<sup>th</sup>, 2016.

**Acknowledgement of Citizens/Open Forum:** None.

**Communications/Petitions/Correspondence:** Newsletters from Focus, the Wisconsin Taxpayer and the Waupaca County Economic Development Corp were in the packets.

### **Standing Committee Reports:**

Personnel:

Public Protection:

Community Properties:

City Finance: Zillmer reported on the meeting held June 13<sup>th</sup>. The bills were reviewed and found to be in order. They recommended paying a Charter invoice as a TIF 2 expense to increase internet speed for Custom Fab and potentially Caroline Implement. They considered financing options for upcoming improvements and recommended a loan with the Board of Commissioners of Public Land (BCPL) for the alley/parking lot reconstruction and the Barnick property purchase; BCPL has a slightly lower rate and gives 96% of the interest back to the school districts; Marion School District received \$24,947 from them in 2016. They also met with the auditor and reviewed the Financials; the city is in good shape; details of the discussion are in the minutes; all council members got a copy of the Financials last month. m/s/c Williamson/Hoffmann to approve the minutes from the City Finance meeting of June 13<sup>th</sup>.

Water & Sewer:

Streets & Highways:

### **Board Reports:**

Library Board:

Zoning Board of Appeals:

Board of Health:

Utility Board: Minutes were on the table.

City Plan Commission:

### **Department Reports:**

Clerk-Treasurer: Rogers reported the property owner at 735 S. Main was served a new order to raze the house within 30 days; the deadline is July 22<sup>nd</sup>; they are holding an auction this Thursday to try to clear out the building. On the table were copies of the check register report for invoices to be paid for the month; new procedure is to have it on the table so all council members can review the bills and ask questions if needed.

Fire: May & June's written report was in the packets.

Library: No report.

Police: Written report was in the packets. Schultz reported Family Night Out is August 2<sup>nd</sup>; prizes for the K9 raffle are on display at city hall. The K9 Golf Outing is August 13<sup>th</sup>. They have received reports of suspicious activity; Schultz is urging people to call right away when they see something suspicious. Schultz thanked Mattes and the city crew for the new paint job on the exterior of the PD & ambulance garage.

Street: Mattes said the concrete slab at the open shelter at Lions Point will be fixed before Family Night Out.

Water & Sewer: Nothing new.

**Miscellaneous Reports:**

Mayor's Report: Mielke expressed her appreciation to our police department in light of recent national events. She asked Schultz to pass on her thank you to the rest of his staff.

Marion Pond Association:

**New Business:**

- a. Consideration and Possible Award of Alley/Parking Lot Reconstruction Project: The project was tentatively awarded to Stibbe Excavating last week pending the engineers review; Lefebvre reviewed the bids and found them to be in order. Bid price is \$171,976.85. It is based on unit price; they may not need to do it all, so the cost could go down. m/s/c uroll Williamson/Zillmer to award the alley/parking lot reconstruction to Stibbe Excavating in the amount of \$171,976.85.
- b. Consideration and Possible Award of Chip Sealing and Crack Filling Project: Deferred until next year.
- c. Ordinance 2016-003: Amending Agricultural Zoning 625-19(B) (3) & (C) (1): Public hearing was held earlier. m/s/c uroll Zillmer/Nolan to waive the reading and approve Ordinance 2016-003 Amending Agricultural Zoning.
- d. Ordinance 2016-004: Amending Parking Design Zoning 625-33(A): Public hearing was held earlier. m/s/c uroll Williamson/Zillmer to waive the reading and approve Ordinance 2016-004 Amending Parking Design.
- e. Resolution 2016-04: Budget Amendment #2016-01 Continuing Appropriations: Is to bring last years ending balances of the outlay accounts forward. m/s/c uroll Zillmer/Hoffmann to waive the reading and approve Resolution 2016-04: Budget Amendment #2016-01 Continuing Appropriations.
- f. Resolution 2016-05: Budget Amendment #2016-02, 2016-03 Mid-year Adjustments: Accounts for grants, donations, sale of city owned property and an increase in cropland rent. m/s/c uroll Zillmer/Hoffmann to waive the reading and approve Resolution 2016-05: Budget Amendment #2016-02, 2016-03 Mid-year Adjustments.
- g. Resolution 2016-06: Authorizing an Application to the Board of Commissioners of Public Lands for a loan of \$200,000 from the Trust Fund of the State of Wisconsin to the City of Marion for the Financing of a Property Purchase and Alley and Parking Lot Reconstruction: The dollar amount was increased to \$250,000 due to higher than anticipated costs. Rogers read the resolution for the record and it is attached and incorporated into these minutes. m/s/c uroll Zillmer/Hoffmann to approve Resolution 2016-06: Authorizing an Application to the Board of Commissioners of Public Lands for a loan of \$250,000 from the Trust Fund of the State of Wisconsin to the City of Marion for the financing of a property purchase and alley and parking lot reconstruction.
- h. Utility Corridor Easement in the Industrial Park – Charter Communications: Charter would like to lay cable over part of a city-owned parcel to reach Hwy G; it will give them access to Caroline Implement. The 66 ft. easement would also serve future needs if we need to extend utilities or a street through there. The proposed corridor crosses the entire north side of the lower portion (of parcel 252-3531000002) and will be a continuation of an existing one in the area. Attorney Meyer will draft the easement. m/s/c Zillmer/Hoffmann for a utility corridor easement (as described for Charter Communication).
- i. Lease between the City of Marion and Todd Bessette for the Billboard Located on Highway 45 & Highway G: Was tabled at the last meeting.
- j. Waupaca County Invoice for Demolition of the former “Nose” Building: Meyer said Waupaca County Corporate Council and the Highway Commissioner agree there is no signed document obligating the city to pay anything more than 50% of the Legacy bill. We will absorb our costs and the county will absorb theirs. The county will establish the corner vision triangle before deeding the lot to us. Rogers was told to get a check ready based on the original Legacy invoice and give it to Attorney Meyer to include with the correspondence. m/s/c uroll Hoffmann/Nolan to pay Waupaca County for ½ of the Legacy invoice for the demolition of the former Nose building only.
- k. Applications for Operator Licenses: Presented for approval were Gary Beyersdorf, Kristian Blaas, Adam Mielke, Jamie Wiszus, Casey Mitchell, Angela Buchholz, Allison Faehling, Jennifer Larson and Janessa

Hauser. All were approved by the PD. m/s/c Hoffmann/Williamson to approve the 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. Copies of the check register were on the table; July invoices total \$89,672.78. m/s/c uroll Nolan/Hoffmann to approve the payments as presented.

**Treasurer's Report:**

a. Approval of the Treasurer's Report and Money Transfers: Money transfers included \$44,192 transferred on June 14<sup>th</sup> and \$14,084.28 transferred on June 22<sup>nd</sup> from the City Money Market to Pooled Cash to pay monthly bills and payroll. m/s/c uroll Hoffmann/Nolan to approve the treasurer's report and money transfers as presented.

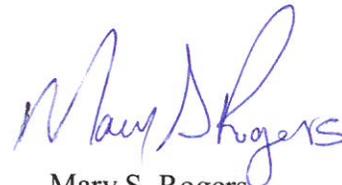
**Announcements: Meeting Dates:**

Joint Community Properties/Street	8/1	4:15 pm (time change)
Public Protection	8/1	5:15 pm
Utility Board	8/3	4:00 pm
Finance	8/8	5:00 pm (time change)
Council	8/8	6:00 pm

**CLOSED SESSION:** N/A

**OPEN SESSION:** N/A.

m/s/c Zillmer/Williamson to adjourn. Time: 6:26 p.m.



Mary S. Rogers  
Clerk-Treasurer

Resolution 2016-06  
City of Marion

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FORM OF RECORD

The following preamble and resolutions were presented by Alderman Scott Zillmer and were read to the meeting.

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the City of **Marion**, in the County(ies) of **Shawano And Waupaca**, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of **Two Hundred Fifty Thousand And 00/100 Dollars (\$250,000.00)** for the purpose of **financing purchase of property and reconstruction of alley and parking lot** and for no other purpose.

The loan is to be payable within **10** years from the 15th day of **March** preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **3.00** percent per annum from the date of making the loan to the 15th day of **March** next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the City of **Marion**, in the County(ies) of **Shawano And Waupaca**, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of **Marion** by such loan from the state be applied or paid out for any purpose except **financing purchase of property and reconstruction of alley and parking lot** without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the **Mayor** and clerk of the City of **Marion**, in the County(ies) of **Shawano And Waupaca**, Wisconsin, are authorized and empowered, in the name of the city to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the city pursuant to this resolution. The **Mayor** and clerk of the city will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this city forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

**RETURN THIS ORIGINAL - DO NOT RETURN PHOTOCOPY**

Alderman Zillmer/Hoffmann moved adoption of the foregoing preamble and resolutions.

The question being upon the adoption of the foregoing preamble and resolutions, a vote was taken by ayes and noes, which resulted as follows:

- |     |          |                       |       |                 |
|-----|----------|-----------------------|-------|-----------------|
| 1.  | Alderman | <u>Ken Williamson</u> | voted | <u>Aye</u>      |
| 2.  | Alderman | <u>Scott Hoffmann</u> | voted | <u>Aye</u>      |
| 3.  | Alderman | <u>Tom Nolan</u>      | voted | <u>Aye</u>      |
| 4.  | Alderman | <u>Scott Zillmer</u>  | voted | <u>Aye</u>      |
| 5.  | Alderman | <u>Arlyn Fischer</u>  | voted | <u>"Absent"</u> |
| 6.  | Alderman | <u>Aaron Schoen</u>   | voted | <u>"Absent"</u> |
| 7.  | Alderman | _____                 | voted | _____           |
| 8.  | Alderman | _____                 | voted | _____           |
| 9.  | Alderman | _____                 | voted | _____           |
| 10. | Alderman | _____                 | voted | _____           |
| 11. | Alderman | _____                 | voted | _____           |
| 12. | Alderman | _____                 | voted | _____           |

A majority of the members of the common council of the City of **Marion**, in the County(ies) of **Shawano And Waupaca**, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.