

SPECIAL COMMON COUNCIL MEETING

Council Chambers
County-City Building

January 4, 2011
6:00 P.M.

Mayor Andrew Halverson, Presiding

Roll Call: Alderpersons Mallison, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks and Moore.

Excused: Alderperson Suomi.

Also

Present: City Attorney Molepske; City Clerk Moe; Comptroller/Treasurer Schlice; Director Ostrowski; Assessor Siebers; Joshua Garbe; Bill Yudchitz; Dale McCana; Sarah Robinson; Fred Seefelt; John Brown; Bob Prosch; Jeff Presley; Bernice Sevenich; Lawrence Proulx; Steve Smith; Nancy Schultz; John Bachman; Rich Sommer; Henry Korger; Bernard Coerper; Barb Jacob; Reid Rocheleau.

2. Consideration and possible action on Resolution Directing a Referendum pursuant to Wis. Stats. 67.05(7)(b) on an initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$5,965,000 General Obligation Community Development Bonds; and Certain Related Details; which was adopted on December 20, 2010.

Reid Rocheleau, 408 Cedar St W, said that he is in support of the question being sent to the voters in a referendum; however, he believes that it is moving to fast and he feels that it should go on the April ballot.

Bill Yudchitz, 1301 DuBay Ave, said that he supports Mid-State being downtown and he supports this project. He feels that if we hold a referendum we will lose the whole thing. He thinks that we will lose it to the Village of Plover.

Barb Jacobs, 1616 Depot St, said she supports the referendum, but feels it should be done in April not February since more people traditionally vote in April and it would give people more time to study the issues.

Bob Prosch, 2601 Madison Ave, said he supports an April referendum as people should be allowed more time with the issue.

Nancy Schultz, 925 Smith St, has mixed feelings about holding a referendum, partly because she knows how it feels to be on the losing side of a referendum effort. If people really want a referendum, timing shouldn't be an issue. She believes that delaying the referendum until April

is no more than a veiled attempt to kill the project. She has seen how misinformation can be distributed that causes people to vote against their own best interest.

Larry Proulx, 2040 Michigan Ave, supports a February 15 referendum. He believes that waiting until April would delay the project too long.

Dale McCanna, 601 Johns Dr, is concerned about the mall and believes that there needs to be a referendum.

Bernard Coerper, 1400 W River Dr., asked about the status of the petition currently being circulated if the City goes ahead with its referendum in February.

City Attorney Molepske said that assuming the Council adopts this Resolution and assuming the election is February 15 there would not be an April vote of the same. If they move it to April, whether or not you file your petition, there would be one in April.

Bernard Coerper asked if the petition for a referendum is filed would the referendum from the City not be binding.

City Attorney Molepske replied the state statute that the City is following is sec. 67.05(7)(b) is binding and whatever happens would govern what happens with the purchase or sale of the bonds.

Bernard Coerper believes the public perception is that the referendum would take place in April and asked the Council to hold the referendum in April.

Rich Sommer, 4224 Janick Cir N, asked the Council not to act on the referendum question tonight, but instead try to find consensus on the project.

Henry Korger, 3200 Water St., feels things are on the fast track and asked the Council to wait until April.

Ald. O'Meara **moved**, Ald. Mallison seconded, to approve the Resolution Directing a Referendum pursuant to Wis. Stats. 67.05(7)(b) on an initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$5,965,000 General Obligation Community Development Bonds; and Certain Related Details; which was adopted on December 20, 2010.

Ald. O'Meara said that this is a reasonable timeframe. We need to focus on this and get the information out and decide what the City is going to do.

Ald. Brooks asked why it is crucial to hold this referendum in February rather than holding off until April especially dealing with Mid-State.

Mayor Halverson said there are a couple of things that warrant a referendum in February. Should the Referendum be successful, it would help preserve months of planning that would help ensure that Mid-State can locate in the vicinity in the fall of 2012 and not delay the project further. It is

important to find a balance between the need to slow down and gain public input while not slowing down to the point of rendering the project nearly useless in terms of the timeline.

Ald. Wiza asked if the Mayor's office did not know about moving forward with a referendum prior to yesterday.

Mayor Halverson said yesterday was the day where the principal city officers and staff really thought about the timeline and the need to be able to gain the appropriate level of public input.

Ald. Wiza asked if this would be a binding referendum.

City Attorney Molepske replied that is correct.

Ald. Wiza asked if there was anything else in this legal document that they needed to be aware of, anything out of the norm.

City Attorney Molepske replied not really. He said it is quite simple, the recitals simply refer to what we have done in the past. Paragraph three talks about the referendum and that the City forgoes the necessity of a petition. The balance of it is the notification. You'll note it is a very simple explanation and notification on exhibit page 2 – is a "yes" or "no" vote. You either approve the issuance of the bonds or you don't.

Ald. Wiza asked if there was a reason that we did not get into the specifics of the wording of the referendum question.

City Attorney Molepske said this is a money issue as far as this resolution is concerned. It is not a mall issue.

Ald. Wiza noted that the mall is the reason for the borrowing.

City Attorney Molepske said the resolution states that it is to provide financial assistance to the Community Development Authority projects under those particular statutes, in addition to financing grants to the Community Developing Authority (CDA) and to provide certain improvements in the City's TID #6. He said that we do not get into more explanation because we are only talking about borrowing. What we are going to use it for is obviously the mall, but if we specify a certain amount for a specific thing, and the costs change, it becomes problematic. Art Jorgenson, the City's Bond Counsel, and I agree this is the way it should be done. The public is being asked, yes or no, do you want the city to borrow the sum of \$5,965,000 for in effect, for community development projects under the statutes and grants to the CDA to provide improvements within that tax district.

Ald. Wiza noted this does not specially allocate the funds to the project. The funding could be used for any project within the district such as the square, the Eagle Plumbing site, etc.

City Attorney Molepske said a portion, yes.

Mayor Halverson said that it could be used for any statutorily allowed usage under the statutes referenced in the question which relates to urban revitalization.

Ald. Wiza noted that one concern heard about having a referendum in February was voter turnout. He feels that if the question is important enough, people have an obligation to get out and vote on it. He asked how many offices have more than two people running.

Clerk Moe said the Office of the Mayor.

Ald. Wiza noted that we may not have a mayoral primary. He asked when the decision would be made on whether or not to hold a primary.

Clerk Moe said the decision has to be made by the end of the week.

Ald. Wiza asked by who.

Clerk Moe said the governing body.

Ald. Wiza asked if there was going to be another meeting to determine whether the City would hold a primary.

City Attorney Molepske said the Mayor or five Alderpersons can call for a meeting for that particular purpose.

Mayor Halverson said that historically when there have been three candidates for Mayor there was no primary. The most recent election with three candidates for Mayor, the Wescott, Halverson, and Linton race, went to the April election.

Ald. Wiza asked if the Mayor had any intention of calling for a meeting regarding a primary.

Mayor Halverson said that he does not. He is following the action taken at the last Mayoral race that had three candidates.

Ald. Wiza said then there is still a concern over lower voter turnout. However, he feels that if it is important enough people are obligated to and will get out and vote.

Ald. R. Stroik asked when the City bonded for the last water and utilities and what was the value of the bonds.

Mayor Halverson said the Build America Bond was approximately \$3.3 million.

Ald. R. Stroik said people have elected us to represent their best interest. Although some say the City needs to slow this down, none have said how to make a good plan great. He noted that Ald. Suomi asked him to read a statement for the record.

Joanne Suomi, 2nd District Alderperson, would vote in favor on the resolution directing a referendum pursuant to Wis. Stats 67.05 (7)b on the initial resolution authorizing the sale and issuance of not to Exceed \$5,965,000 General Obligation Community Development Bonds; and Certain Related Details; which was adopted on December 20, 2010.

Ald. Molski said the Council has been in slowdown mode with the mall for many years and no one has come forward to do anything with it. Now we have a plan that we think is workable and we need to move forward with it. She is in favor of the referendum on February 15.

Ald. Mallison said that a month and a half is an appropriate amount of time. He does not see any reason to hold the referendum back until April.

Ald. Trzebiatowski said the Council has heard that they need to do something with the mall. He asked the Mayor if everything with the plan is cast in stone.

Mayor Halverson replied that it is not set in stone.

Ald. Brooks said that many people are misinformed. The referendum is not approval of a particular plan but creating the funding to do some sort of plan. That plan is not set in stone and the Council will have time to discuss that plan in the future.

Ald. Slowinski said that during the last Plan Commission meeting it was said that there was not going to be any more changes. He would like to know how much flexibility is going to be in the plan.

Mayor Halverson said the flexibility of the plan is ultimately at the complete discretion of the Common Council. The current plan is a road map that lays out strategies that this body placed on file. What this referendum is really about is seeing if we are ready to change the face of the downtown and are we ready to invest and bond at least the required amount of money to make an extreme difference. All that you are talking about has yet to be decided.

Ald. Slowinski stated he is concerned that there is a misperception in the public that this is the final plan. He fears that people are going to vote down the referendum because they do not like the current plan. He would rather have public meetings, different concepts brought forward, then have one approved and voted on and have the referendum in April.

Mayor Halverson said the process that was used to develop the comprehensive plan was a very open public process. That was the redevelopment plan that you authorized as the Common Council and it is being implemented. This plan is following the exact road map that this Common Council set up some three years ago.

Ald. Slowinski asked for clarification on whether or not changes could be made to the current development plan.

The Mayor clarified by saying that the plan does not have to be followed exactly. It is a road map that you follow in creating an initiative that we can ultimately move forward with.

Ald. Slowinski said the City made a mistake 20 some years ago. He believes the Council should take their time and do it right which is why he supports an April referendum.

Ald. O'Meara believes that before the referendum the City must convince the electorate that doing nothing is not an option, the cost of doing nothing is greater in the long term than the \$5.9 million being asked for now. The proposal the Council has is reasonable and was developed over time and they can make the plan work. If people cannot study the issue in six weeks and figure out what is going on, you are not going to find out in 12 weeks or even a year.

Ald. Moore said he is apprehensive about letting this go to a referendum. This is about financing and not about a specific project or tearing down the mall. This is about allocating funding so we can make changes as needed and as the public instructs us to. He asked what happens if the referendum fails.

Mayor Halverson said the initiative, as it is, would die.

Ald. Moore said the City would have to start at the beginning again and work with Mid-State and make other changes.

Mayor Halverson replied correct.

Ald. Moore said he thought that would delay the project six months to a year. He hopes the City can inform the public that this is a good thing and important to our community.

Ald. Brooks said that he is afraid that people are already being misinformed about what is going on. Again, this referendum is only on funding.

Ald. M. Stroik asked if there was a specific date for when the plan would be done.

Mayor Halverson said there are too many variables involved to set an exact date.

Ald. R. Stroik reminded the Council that they are the legislative branch and they will have the final say on the plan. The plan is not set in stone until the Council's final vote.

Ald. O'Meara said this is not a simple project, there are a lot of players involved who are putting a lot on the line. It is a complex issue and it will take time to get all the pieces together. It is very rare to have so many entities involved at the same time. Time is of the essence as conditions can change for any of them.

Mayor Halverson said that he agrees with Ald. Slowinski that the City does not want to make a mistake again. Ultimately we want a project that will lead to revitalizing the downtown, adding infrastructure, and changing some buildings to meet other goals. There may very well be ways we can accomplish several things simultaneously. That is what this project, this borrowing, will

allow us to do. This referendum will lay a financial frame work to have funding to answer some of those questions about what to do with the downtown. He believes it is right to take this to a referendum but he does not believe it is right to wait until April.

Call for the Vote:

Roll Call: Ayes: Mallison, O'Meara, Wiza, M. Stroik, Trzebiatowski, Molski, R. Stroik,
Brooks and Moore

Nays: Slowinski. Motion adopted.

3. Adjourned at 7:18 p.m.