

**CITY OF MERRILL  
COMMON COUNCIL  
TUESDAY, MAY 14, 2013  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

- 130510** Invocation by Pastor Bob Smallman, Bible Presbyterian Church
- 130515** Pledge of Allegiance
- 130520** Roll Call
- 130530** Minutes of April 9<sup>th</sup>, 2013 Common Council meeting
- 130540** Revenue & Expense Report – April 2013
- 130560** Communications and Petitions
- 130561** Presentation of 2012 Audit by Dave Maccoux from Schenck SC
- 130562** Employee Recognition
  - Kortney L. Pike, 10 years (Street Department)
- 130580** Housing Authority – No Action
- 130590** Committee of the Whole
- 130591** Consider recommendation(s) from May 14<sup>th</sup>, 2013 meeting regarding the bid (\$156,780 from C & D Excavating, LLC) for the asbestos abatement and demolition of the Lincoln House, 120 South Mill Street.
- 1305100** Community Development Committee – No Action
- 1305110** Parks and Recreation Commission – No Action
- 1305120** Board of Public Works

- 1305121** The Board recommends offering Lincoln County four parking spaces in the new parking lot at the former Courtview Apartments site and six parking spaces in Municipal Lot #1 (off East First Street), to fulfill the obligation of the City obtaining the former Lincoln County Normal property on Center Avenue, between East Sixth Street and East Seventh Street.
- 1305122** The Board recommends reversing the motion adopted at the April 9<sup>th</sup>, 2013 Common Council meeting (Motion #1304162) to remove the sidewalk on Tyler Street near the site of the new fire station. Instead the Board of Public Works now recommends that the sidewalk remain.
- 1305130** Health and Safety Committee
- 1305131** The Committee recommends approving the applications from Lincoln County Rodeo Association Inc. for three temporary Class “B” (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 7-9, 2013.
- 1305132** The Committee recommends approving the applications from V.F.W. Post 1638 for five temporary Class “B” (picnic) licenses to sell fermented malt beverages at the V.F.W. Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013.
- 1305133** The Committee recommends approving the applications from the Fraternal Order of Eagles for five temporary Class “B” (picnic) licenses to sell fermented malt beverages at the Eagles Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013.
- 1305134** The Committee recommends approving the applications from Merrill Alumni Wrestling Club for five temporary Class “B” (picnic) licenses to sell fermented beverages in a fenced-in tent at the Lincoln County Fairgrounds during the Lincoln County Fair, July 17–21, 2013.
- 1305135** The Committee recommends approving the applications from Merrill Baseball Boosters for Merrill Baseball Boosters for 31 temporary Class “B” picnic licenses to sell fermented malt beverages at Athletic Park during baseball games on the following dates in 2013: June 5<sup>th</sup>, June 6<sup>th</sup>, June 7<sup>th</sup>, June 10<sup>th</sup>, June 11<sup>th</sup>, June 13<sup>th</sup>, June 16<sup>th</sup>, June 17<sup>th</sup>, June 18<sup>th</sup>, June 19<sup>th</sup>, June 21<sup>st</sup>, June 23<sup>rd</sup>, June 24<sup>th</sup>, June 26<sup>th</sup>, June 27<sup>th</sup>, June 29<sup>th</sup>, July 1<sup>st</sup>, July 2<sup>nd</sup>, July 3<sup>rd</sup>, July 7<sup>th</sup>, July 8<sup>th</sup>, July 11<sup>th</sup>, July 12<sup>th</sup>, July 13<sup>th</sup>, July 14<sup>th</sup>, July 17<sup>th</sup>, July 18<sup>th</sup>, July 22<sup>nd</sup>, July 24<sup>th</sup>, July 26<sup>th</sup> and July 27<sup>th</sup>.

- 1305136** The Committee recommends approving the application from Club Modern, Inc., Stephen J. Blake, Agent, for a Class “B” (beer) license and a “Class B” (liquor) license for Club Modern, 1005 South Center Avenue, effective June 1<sup>st</sup>, 2013.
- 1305137** The Committee recommends approving the request from V.F.W. Mar-Lin Post #10203 to close Prospect Street (from West Main Street to Grand Avenue) from noon to 6:00 P.M. on Monday, May 27<sup>th</sup>, 2013, in conjunction with Memorial Day activities.
- 1305138** The Committee recommends approving the request from Ballyhoo’s, 124 North Prospect Street, for an extension of premises to allow the sale and consumption of alcohol in a fenced-in area (width of Ballyhoo’s property extending to the curb on the east side of Prospect Street) from noon to 6:00 P.M on Monday, May 27<sup>th</sup>, 2013, in conjunction with Memorial Day activities.
- 1305140** Personnel and Finance Committee
- 1305141** The Committee recommends approving, as presented the 2013-2017 auditing services contract with Schenck SC. The proposed fees, payable from the City to Schenck SC, would be as follows: Audit year 2013, \$33,150; Audit year 2014, \$33,750; Audit year 2015, \$34,350; Audit year 2016, \$34,950; Audit year 2017, \$35,550.
- 1305150** Water and Sewage Disposal Committee – No Action
- 1305160** City Plan Commission
- 1305161** The Commission recommends approving, as submitted, the site plan from the Merrill Area Public Schools for an outdoor shelter at Jefferson Elementary School, 1914 West Jackson Street.
- 1305170** Transit Commission – No Action
- 1305180** Library Board – No Action
- 1305185** Redevelopment Authority
- 1305186** The Authority recommends accepting the purchase offer from Brion and Nicole Hoffman for the property at 811 and 813 East First Street. The purchase price of \$35,000 includes a \$2,000 credit from Buyer’s Brokerage Compensation and is subject to property appraisal.
- 1305200** Enrichment Center Committee on Aging – No Action

**1305210** Airport Commission – No Action

**1305230** Placing Committee Reports on File

**1305240** Mayor's Appointments

Melissa Schroeder, to the Parks & Recreation Commission, term to expire May 1<sup>st</sup>, 2018

Sue Kunkel, to the Transit Commission, term to expire May 1<sup>st</sup>, 2016

Mike Geisler, to the Library Board, term to expire June 30<sup>th</sup>, 2016

### **ORDINANCES**

**1305250** An Ordinance Amending Chapter 36, Article II, Division 4, Section 36 to add a 15-minute parking zone (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting and April 24<sup>th</sup>, 2013 Board of Public Works meeting)

**1305251** An Ordinance amending Chapter 2, Article II, Section 2-23 to add (6) On-Duty Member of the Merrill Police Department Auxiliary (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting)

**1305252** An Ordinance amending Chapter 24, Article II, Section 24 to add (25) Merrill Police Department Auxiliary (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting)

**1305253** An Ordinance amending Chapter 26, Article II, Section 26-33 to add (b) and (c) related to Merrill Police Department Auxiliary (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting)

**1305254** An Ordinance Amending Chapter 36, Article II, Division 1, Section 36-26 to increase parking violation forfeitures (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting)

**1305255** An Ordinance amending Chapter 36, Article II, Division 4, Section 36-119(7) to delete two-hour parking on North Scott Street in the 100 Block on only the east side of the street (from April 24<sup>th</sup>, 2013 Board of Public Works meeting)

**1305256** An Ordinance amending Chapter 38, Article IV, Section 38-285 to follow PSC guidelines relating to the maintenance of laterals and meters (from April 24<sup>th</sup> Water and Sewage Disposal Committee meeting)

## **RESOLUTIONS**

- 1305260** A Resolution authorizing the organization of a Merrill Police Department Auxiliary (from April 22<sup>nd</sup>, 2013 Health and Safety Committee meeting)
- 1305261** A Resolution authorizing participation in the WISWARN Mutual Aid and Assistance Program (from April 24<sup>th</sup>, 2013 Water and Sewage Disposal Committee meeting)
- 1305270** Mayor's Communications
- 1305280** Public Comment Period
- 1305999** Adjournment

William N. Heideman, WCMC  
City Clerk

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130580

REGULAR MONTHLY MEETING OF THE HOUSING AUTHORITY  
COMMISSIONERS OF THE CITY OF MERRILL, WISCONSIN

Wednesday, April 17, 4:00 P.M. Jenny Towers Library, Merrill, WI

PRESENT: Chairman Kathy Colclasure, Richard Wiessinger, Paul Wagner, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

ABSENT: Denise Humphrey, Amanda Kostman.

PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING called to order by Chairman Kathy Colclasure.

Introduction of New Commissioner: Paul Wagner.

Election of Vice-Chairman: Tabled until next meeting.

Motion to approve today's agenda and minutes of March 13<sup>th</sup>, 2013 meeting. Wiessinger/Colclasure. Passed unanimously.

Discussion and motion to approve Checks #21146 thru #21197 and Billings to date for March 2013 with attached list of expenditures: Wiessinger/Colclasure . Passed unanimously by roll call vote: Wiessinger-aye, Colclasure-aye and Wagner-aye.

Move-ins and Move-outs for March 2013: Motion to accept report and place on file. Wiessinger/Wagner . Passed unanimously.

Report on Park Place Investments: LaDonna reminded Commissioners that \$20,000.00 of the profit shown was due to the transfer of funds from the General Fund. No changes to the investment report. Motion to accept the Investment report and place on file. Wiessinger/Wagner. Passed unanimously.

Resolution No. 364: Amendment of Housing Authority Bylaws to reflect the Revised Mission Statement: Motion to approve Resolution No. 364. Wiessinger/Wagner. Passed unanimously by roll call vote: Wiessinger-aye, Colclasure-aye and Wagner -aye.

Approval of Capital Funding Project – Westgate Improvements (CFP-2011): LaDonna gave Commissioners a handout which outlined improvements and the preliminary figures for cost estimates. She reminded Commissioners that the Capital Funds for this project have already been designated and MHA is obligated by contract to obligate the funds for this project by 8/2/2013. Paul informed Commissioners that he was the General Contractor for the recent HAVEN building project which was funded by HUD. His work on that project was on a volunteer basis and he suggested the possibility of doing the same for the MHA Westgate Improvement project. LaDonna will check on this and Paul will check with the HUD contact he worked with on the Haven Project. Motion to authorize LaDonna to start the bidding process for the Capital Fund Project. Wiessinger/Wagner. Passed unanimously.

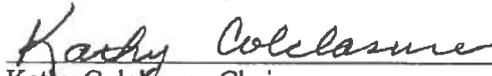
HUD Vacancy Update/Discussion: LaDonna gave Commissioners an overview of progress made with the plan of action which was approved by HUD. She provided Commissioners with information regarding the use of a Tax Credit programs and gave Commissioners a Park Place Project – Preliminary Time. After a review of the time-line, Commissioners decided to table approval on the project timeline until after Paul and Rob had a chance to tour PP. Suggestions for a timeline will be brought to the next meeting.

For the Good and Betterment of the Public Housing Program:

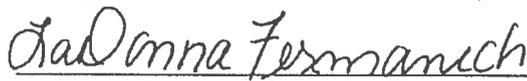
1. Commissioner Items/Comments: None.
2. Executive Director's Report: LaDonna attended the WAHA conference and gained some insight in a few different areas. She learned that Commissioners can live within a 5 mile radius of the city so long as there is no overriding City Ordinance to the contrary. She also learned that 23 Housing Authorities in the state of Wisconsin are currently experiencing the same occupancy issues that we are. The PP water softening system was repaired rather than replaced. Tenants will participate in the State-wide tornado drill on Friday. Financial auditors will be at PP on May 13 to complete the annual audit. Preparations are in the works for acquiring Property & General Liability insurance bids.
3. Public Comment Period: None

The next regular meeting of the Commissioners of the Housing Authority will be held on **May 15, 2013, 4:00 p.m., Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.**

Motion to adjourn at 5:12 P.M. and open Section-8 Housing - Jenny Towers Meeting. Wiessinger/Wagner. Passed unanimously.

  
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Kathy Colclasure, Chairman

  
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Kay Tautges, Recording Secretary

  
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LaDonna Fermanich, Executive Director

**REGULAR MONTHLY MEETING OF THE HOUSING AUTHORITY  
COMMISSIONERS OF THE CITY OF MERRILL, WISCONSIN**

**Wednesday, April 17, 2013, 5:12 P.M., Jenny Towers Library, Merrill, WI 54452**

**PRESENT:** Chairman Kathy Colclasure, Richard Wiessinger, Paul Wagner, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

**ABSENT:** Denise Humphrey, Amanda Kostman.

**SECTION-8 HOUSING - JENNY TOWERS and SCATTERED SITES MEETING** called to order by Chairman Kathy Colclasure. Motion to excuse Denise Humphrey and Amanda Kostman. Wiessinger/Wagner. Passed unanimously. Motion to approve minutes of March 13, 2013 meeting and today's agenda: Wiessinger/Colclasure. Passed unanimously.

Discussion and motion to approve Checks #16269 thru #16338 and Billings to date for March 2013 with attached list of expenditures: Wiessinger/Wagner. Passed unanimously by roll call vote: Colclasure-aye, Wiessinger-aye and Wagner-aye.

Discussion and approval of Move-ins and Move-outs for March 2013: Motion to accept report and place on file. Wiessinger/Wagner . Passed unanimously.

Report on Jenny Tower Investments: LaDonna reported that the CD was renewed at Merrill Federal & Savings & Loan for 2 years. Money for the construction project was transferred out of the Trust Investment but, otherwise, there would have been a net gain in that investment during the past month. Per request by Commissioner Paul Wagner, LaDonna will provide some additional information on future investment reports to give a better picture of how the Investment has been performing over the long run. Motion to accept and place on file the Investment Report. Wiessinger/Wagner . Passed unanimously.

Request/Approval to switch general funds from BMO to RVB: LaDonna explained that RVB would give tenants the ability to make a deduction for payment of rent. The implementation process for this service is very easy at RVB and they also have easy on-line access. At RVB the process of transferring funds is much simpler than it is at BMO and the RVB charge for this service is lower than it is at BMO. Timing for making this change now would make sense since we will need to order checks soon. Motion to move the Jenny Tower General Funds from BMO to RVB. Wagner/Wiessinger. Passed unanimously.

Kitchen Project request from HGM: LaDonna read Commissioners a letter from HGM which requests payment from MHA for the additional time/work done on the Kitchen Project. After discussion, Commissioners decided not to make a decision on this until after LaDonna and Paul both took some time to review the contract with HGM.

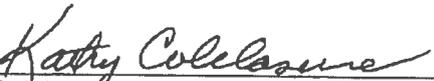
Project overview for Jenny Towers – request to proceed: LaDonna gave Commissioners an overview of smaller projects she would like to proceed with in the near future. After discussion, it was decided that LaDonna and Steve will prioritize the list, determine budget figures, and bring back to the board for approval.

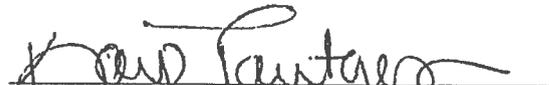
For the Good and Betterment of the Section-8 Housing Program:

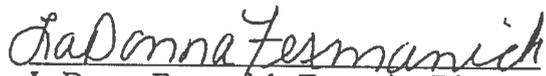
1. Commissioner Items/Comments – None
2. Executive Director's Report – LaDonna reported that Steve will be returning to work 4/24 on a Part-Time basis. He is expected to be back to working Full-Time on 4/29. It has become evident that some revision/clarification of Personnel Policies regarding sick leave needs to be made.
3. Public Comment - None.

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, May 15, 2013, 4:00 p.m. Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.

Motion to adjourn at 6:26 P.M.: Wagner/ Wiessinger. Passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

130590

**City of Merrill  
Committee of the Whole  
Tuesday, April 9, 2013 at 5:30 P.M.  
City Hall Common Council Chambers  
1004 East First Street**

Committee of the Whole members present (9 of 9): Mayor Bill Bialecki, Alderman Chris Malm (First District), Alderman Steve Hass (Second District), Alderman Ryan Schwartzman (Third District), Alderwoman Kandy Peterson (Fourth District), Alderman John Burgener (Fifth District), Alderman Dave Sukow (Sixth District), Alderman Rob Norton (Seventh District) and Alderwoman Anne Caylor (Eighth District).

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Fire Chief Dave Savone, City Hall Maintenance Supervisor Ramona Pampuch, Lincoln County Economic Development Director Jack Sroka, Tonia Speener (Becher-Hoppe), Melody Hamlin (Becher-Hoppe), Allyn Emery (Merrill Renew Properties), Darren Harrington (Merrill Renew Properties), Al Malm, Jon Malm, Erik Carlson, Michael Caylor Jr., Steve Hintze and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:30 P.M.

**Consider bids for construction of new fire station @ 110 Pier Street**

Information was in the meeting packet.

City Administrator Johnson reported that nine bids for construction of the new fire station were received. After reviewing the bids, both Becher-Hoppe and City staff recommend approving the base bid of \$2,749,000 and the alternative #1 bid of \$26,000 from Ellis Stone, Stevens Point Wisconsin.

Representing Becher-Hoppe Engineers and Architects, Tonia Speener and Melody Hamlin provided information and answered questions on the bid process and evaluation of the bids.

130491

Motion (Hass/Peterson) to approve the base bid of \$2,749,000 and the alternative #1 bid of \$26,000 from Ellis Stone, Stevens Point Wisconsin. Carried.

**Discuss liquor license renewal process as related to licensee debts to City**

City Attorney Hayden reported that City Administrator Johnson had asked him to research and then report on the City ordinance related to non-renewal or non-issuance of licenses when the licensee or potential licensee has debts to the City that are delinquent and unpaid. The meeting packet included a copy of City of Merrill Code of Ordinances Section 8-1, which addresses payment of debts as a condition of license issuance or renewal.

City Attorney Hayden noted that historically the City has enforced this ordinance. After discussion, it was agreed that enforcement of this ordinance should and will continue. No action was necessary, requested or taken.

**Public Comment**

Michael Caylor Jr. raised the question of how the WJMT radio Facebook page could state that the Committee of the Whole has recommended demolition of the Lincoln House, given the fact that the meeting to discuss this had not yet occurred. He also questioned whether it was necessary to convene in closed session to discuss this issue.

**Motion to convene in closed session**

Motion (Caylor/Hass) to convene in closed session pursuant to Wis. State Statutes Sec. 19.85(1)(e) for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider the status of City of Merrill claims for damages to the Lincoln House, update of negotiations to date, and options open to City to recoup losses, and to discuss potential development incentive(s) for Merrill Renew Properties, LLC, for a project located in TID #8, at 201 S. Prospect Street, and a development agreement related thereto. Motion carried 5-3 on roll call vote. Voting No – Alderman Malm, Alderman Burgener and Alderman Norton.

**Closed session #2 – Potential Develop. Agreement with Merrill Renew Properties**

Convened in closed session at 5:50 P.M. Attending: Malm, Hass, Schwartzman, Peterson, Burgener, Sukow, Norton, Caylor, Bialecki, Johnson, Hayden, Pampuch, Sroka, Emery, Harrington and Heideman.

Mayor Bialecki requested that the rules be suspended in order to consider closed session item #2 before considering closed session item #1. Without objection, it was so ordered.

The minutes of this closed session will be filed separately and confidentially. This item was on the agenda for information only at this time, and no action was necessary, requested or taken.

This closed session ended at 6:17 P.M., at which time Jack Sroka, Allyn Emery and Darren Harrington departed.

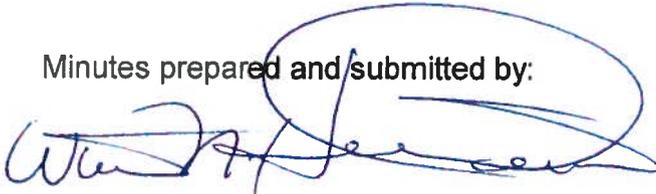
**Closed session #1 – Status and options related to Lincoln House property**

The minutes of this closed session will be filed separately and confidentially.

**Adjournment**

Motion (Hass/Caylor) to adjourn. Carried. Adjourned (from closed session) at 6:39 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, which appears to be "William N. Heideman". The signature is written in a cursive style and is enclosed within a blue oval.

William N. Heideman, WCMC  
City Clerk

1305100

COMMUNITY DEVELOPMENT COMMITTEE MINUTES  
April 18, 2013, City Hall, Merrill, WI

Present: Ron Peterson, Ryan Schwartzman, Adam Rekau and Betsy Wiesneski.

Others Present: Jim Warsaw, CWED Loan Administrator; Carrie Cordova and Shari Wicke, Community Development Program Administrator.

The meeting was called to order at 8:00 a.m. Mr. Schwartzman made a motion to approve the minutes of the previous meeting; seconded by Ms. Wiesneski. The motion carried.

Motion by Mr. Schwartzman to convene in closed session pursuant to Wis. Statutes Section 19.85(i)(e) for consideration of personal financial data related to Lilowe Properties CWED loan subordination; seconded by Ms. Wiesneski the motion carried 4-0 on roll vote.

Discussion was held in closed session.

Motion to reconvene in open session was made by Mr. Schwartzman; seconded by Ms. Wiesneski, motion carried. The meeting reconvened in open session.

Motion was made by Ms. Wiesneski to subordinate the Lilowe Properties CWED loan to People's State Bank to \$50,000; motion was seconded by Mr. Schwartzman and motion carried.

Shari Wicke presented the following homeowner application:  
File#9751 – (A single male head of household with an income of \$17,952.) – The limit is \$35,250. The tax statement shows a Fair Market Value (FMV) of 56,700. Homeowner owes approximately \$43,000 against the property. Requesting a loan up to \$13,000.

Mr. Schwartzman made a motion to approve the above homeowner loan applications; seconded by Ms. Wiesneski, Mr. Rekau opposed, motion carried.

Shari Wicke presented the following homeowner application:  
File#9750 – (A female head of household with two children with an income of \$14,776.) – The limit is \$45,300. The tax statement shows a Fair Market Value (FMV) of 63,500. The only lien on the property is the original Community Development Block Grant loan of \$24,000 with the City of Merrill. Requesting an upgrade loan up to \$24,000.

Mr. Schwartzman made a motion to approve the above homeowner loan application up to a total maximum of \$48,000 loaned to File#9750; seconded by Mr. Rekau, motion carried.

No public comment.

There being no further business to discuss, Mr. Schwartzman made a motion to adjourn; seconded by Mr. Rekau. The motion carried. Adjournment was at 9:00a.m.

Respectfully submitted,  
Shari Wicke

1305110

- PARKS AND RECREATION COMMISSION

April 3, 2013

The Merrill Parks and Recreation Commission met on Wednesday, April 3, 2013 at 6:30 p.m. at the City Hall.

Members Present: Ralph Sturm, Dorwin Harris, Dan Novitch, Steve Hintze, Anne Caylor and Mike Willman.

Members Excused Absent: Brian Artac

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dave Johnson, Kandy Peterson, Phynette Conrad, Judy Woller, Mayor Bill Bialecki, Tammy Gruling, Willie Bialecki, David Sukow, Matt Waldvogel, Jeff Matzla and Maddy Natzke.

\*\*\*Motion by Caylor, seconded by Willman, to approve the minutes from the previous meeting.

\*\*\*Carried unanimously.

\*\*\*Motion by Hintze, seconded by Caylor, to approve the claims.

\*\*\*Carried Unanimously.

The first item on the agenda was the review of River Bend Stewardship Application from the River District Development Foundation. Wendorf stated that Judy Woller has completed the grant application and wanted to get approval from the commission so that the application can be submitted by May 1, 2013. The commission had no questions on the application so Judy Woller will submit the application.

The next item on the agenda was the review of Merrill Memorial Forest Stewardship Application. Wendorf stated that this application will also be submitted by May 1, 2013. Willman questioned where the matching funds would come from. Wendorf stated they would come from the Salvage Timber Sale. Mayor Bill Bialecki stated that the Sports Club and Pheasants Forever would probably put some funds towards the project and would probably also be willing to donate some time and labor to get the project completed. Mayor Bill Bialecki stated that he would bring it up at the next meeting with the Sports Club and also with Pheasants Forever and would report back to the commission. No other discussion was held. Wendorf will submit the Merrill Memorial Forest Stewardship Application by May 1, 2013.

The next item on the agenda was to review/approve Kitchenette Park re-roof bids. Wendorf stated two bids came in for the project. J & J Lee Construction, Inc. bid \$15,440.00 and Finnegan Construction, Inc. bid \$13,181.00. Wendorf recommended accepting the bid from Finnegan Construction, Inc.

\*\*\*Motion by Willman, seconded by Hintze, to approve the bid from Finnegan Construction, Inc. for \$13,181.00

\*\*\*Carried Unanimously.

The next item on the agenda was continued discussion on Dog Park. Wendorf stated he has been working with the friends of the dog park and out of all the locations the MARC is the most suitable location for the dog park. Wendorf inserted a map of where he would like the dog park to be and also a quote from Security fencing on the cost of the fence. Wendorf stated that he has also been working with Dawn Bishop from Council Grounds and they like the idea of having a dog park so close to Council Grounds and would like to partner with the city on the project. Wendorf stated that in order for part of the dog fence to be put on Council Grounds land the Master Plan would need to be changed and that could take up to a year for the Master Plan to be changed. Wendorf stated that they could run the fence line right next to the property line and if the Master Plan for Council Grounds would be changed at that time we could expand the park. Mayor Bill Bialecki stated that he could get the funding for the fence through a private donation and the money that the city gave towards the dog park could be used to purchase "toys" for inside the fence. Sturm stated that in order for the dog park to go at the MARC the Master Plan for the MARC would also need to be changed. Wendorf stated that it is easier to change our plan than it is for Council Grounds to change their Master Plan. Wendorf stated that any park within the city limits is covered under recreational immunity. The dog park discussion will be put on next months agenda to formally make a motion to have the dog park location at the MARC along with preliminary design.

The next item on the agenda was continued discussion on MARC Varsity Soccer field fencing. Wendorf stated that he did speak with Shannon Murray from the high school and Mr. Murray stated that he would have to look into more detail with what is charged at high school games and who would get the proceeds from the gate entry. Wendorf stated that he will continue working with the high school on this project. Mayor Bill Bialecki stated that having the fence erected around the soccer field would allow Merrill to host WIAA tournaments and other soccer events. Mayor Bill Bialecki stated that there are only two schools in the valley that do not have their fields enclosed, us and Marshfield. Willie Bialecki stated that he has been head coach for the high school girl's soccer team for the past 3 years and it would be very beneficial for Merrill to enclose the field so that we can start hosting WIAA tournaments. Willie Bialecki stated that without a fence around the soccer field you can not even be considered to host a tournament. Hintze stated that he does not feel that the city should pay anything for the fence; the city would not be getting anything back in return. Hintze also stated that anytime improvements are done to sporting fields it is up to that organization to raise the funds to make the improvements. Hintze stated that any improvements that were done to the ball fields were done by the organizations and if the city starts paying for the improvements it will set a bad precedent and who do say no to and who or which projects do you approve. Mayor Bill Bialecki stated that the city needs to start working together on improvements done. Mayor Bill Bialecki stated that if he came up with the money would the city build the fence. Novitch stated that a donation has never been turned down. Caylor stated that she did not feel the city should be responsible for the fencing. After some discussion it was decided that the soccer association would need to pay for their own fencing.

The next item on the agenda was monthly reports by Wendorf. Wendorf asked if anyone had any questions. Wendorf stated that until the weather starts cooperating it is hard to try and get anything ready for the spring.

The next regular meeting is scheduled for May 1, 2013 at 6:30 p.m., in the lower level in the conference room at City Hall.

Public Comment: None

\*\*\*Motion by Caylor, seconded by Hintze, to adjourn at 7:20 p.m.

\*\*\*Carried unanimously.

Dawn Smith  
Recording Secretary

May 1, 2013

The Merrill Parks and Recreation Commission met on Wednesday, May 1, 2013 at 6:30 p.m. at the City Hall.

Members Present: Dan Novitch, Ralph Sturm, Dorwin Harris, and Mike Willman.

Members Excused Absent: Brian Artac and Anne Caylor

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dave Johnson, Kandy Peterson, Phynette Conrad, Tammy Gruling. Ninette Candler and Esther Johnson came into the meeting about half way through.

\*\*\*Motion by Willman, seconded by Sturm, to approve the minutes from the previous meeting.

\*\*\*Carried unanimously.

\*\*\*Motion by Sturm, seconded by Harris, to approve the claims.

Willman questioned the water bill from the old DNR station. Wendorf stated that a leak was found in one of the bathrooms. Next year either the building will have to be completely winterized or the building will have to be more closely monitored through the winter months especially because other departments have keys and access to the building. Novitch questioned the bill from Custom Murals. Wendorf stated that the sign from Stange Park was vandalized last fall and the sign had to be redone. Sturm questioned the bill for curtains for the Ladies Lifestyle Expo. It was stated that the money used to pay for the curtains was raised through the rental for the booths for the Ladies Lifestyle Expo.

\*\*\*Carried Unanimously.

The first item on the agenda was the presentation on the history of Merrill Memorial Forest Management. Rich LaValley from the DNR did a presentation on the Merrill Memorial Forest. Rich also suggested that the Merrill Memorial Forest should be maintained with scheduled timber sales every 2 years and Rich said he would set up the next timber sale if approved by the Park and Recreation Commission. This item will be on the June Park and Recreation meeting.

The next item on the agenda was to discuss potential Summer Playground family rate. Wendorf stated that he has been approached by several families asking if a Summer Playground family rate would be considered. Wendorf stated that we have multiple families. City Administrator Dave Johnson stated that the kids would still be utilizing all the equipment and all the supplies so giving some families and not others may cause a problem. After some discussion it was requested to bring back numbers about how many families were multiple families. This agenda item will be put back on the agenda for the June meeting.

The next item on the agenda was to review/discuss dog park. Wendorf stated that he did change the size of the dog park from 3 acres down to 2.5 because of how the fencing will be placed. Wendorf did not want to cut into the trails out at the MARC or get too close to the ball fields. Sturm questioned if anyone checked into getting a road put in from Council Grounds road over to the dog park. Sturm thought this would be something maybe the DNR could help pay for since the dog park would also be benefitting the Council Grounds. It was requested that Wendorf talk

with Dawn Bishop from the Council Grounds regarding the road, and put this item on the agenda for the June meeting. Harris stated that he is not in favor of spending all the money on a dog park when there are so many other things in the city that need work. Harris questioned about the Master Plan to have it changed for the dog park. Wendorf stated that the Master Plan for the MARC does not need to be changed, that the Master Plan is basically a wish list for the MARC.

\*\*\*Motion by Sturm, seconded by Willman, to utilize the area at the MARC for the dog park and for Wendorf to put out bids for the fencing and bring the bids back to the June meeting.

\*\*\*Carried Unanimously.

The next item on the agenda was to discuss outdoor pool. Wendorf passed out some plans for the outdoor pool and some locations where it could be placed. Some of the locations that the pool could be placed would be Streeter Square, MARC and Stange's Park. Novitch questioned when the fund raising could begin on the pool. City Administrator stated that first a drawing has to be made up and approved before fund raising can begin, people need a visual. Johnson also stated that we need to get some big donors and than the smaller ones will come. After some discussion Wendorf stated that he would like the pool agenda item to be on the next couple agenda's until a location and drawing on the pool can be decided on. Wendorf stated that he would like fund raising to begin this year on the pool. Wendorf also stated that this may be a good item to have as an advisory question to the public.

The next item on the agenda was monthly reports by Wendorf. Wendorf asked if anyone had any questions. Wendorf stated that it has been a very unusual year for the parks but they are open and ready for usage. Wendorf stated that the first girls high school softball game was played at the MARC on Tuesday evening and the boys are at Athletic playing tonight.

The next regular meeting is scheduled for June 5, 2013 at 4:15 p.m., in the lower level in the conference room at City Hall.

Public Comment: Ninette Candler and Esther Johnson had some concerns regarding the Merrill Ice Reflections and would like to be put on the agenda for the June meeting. Ninette also stated that Merrill Ice Reflections use the Smith Center and pay a considerable amount for the ice bill and would like a locker room and also some storage space, which she would like to discuss in more detail at the June meeting. Ninette and Esther both have some concerns with the cost of the TV that was purchased at the Smith Center and would like some more detailed answers on that. Merrill Ice Reflections is also wondering since the hockey contract is up for the concession stand the Merrill Ice Reflections would be interested in being part of the concession stand. Ninette stated that they have over 100 families in Merrill Ice Reflections that could help run the concession stand. Wendorf informed both he would contact them before the next meeting as most of their concerns can be worked out without needing commission involvement.

\*\*\*Motion by Willman, seconded by Sturm, to adjourn at 8:35 p.m.

\*\*\*Carried unanimously.

Dawn Smith  
Recording Secretary

1305120

**City of Merrill  
Board of Public Works  
Wednesday, April 24, 2013 at 5:30 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Members Present (4 of 5): Mayor Bill Bialecki (Chairperson), Street Commissioner Richard Lupton, Alderman Steve Hass and Alderman John Burgener.

Others Present Included: City Administrator Dave Johnson, Building Inspector/Zoning Administrator Darin Pagel, Police Chief Ken Neff, Alderman Dave Sukow, Alderman Ryan Schwartzman, Alderwoman Kandy Peterson, Ryan Peacock and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

**Call to order**

Mayor Bialecki called the meeting to order at 5:30 P.M.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Hass/Burgener) to approve the vouchers, as presented. Carried.

**Review & discuss angle parking on Pine Street, north of West Main Street**

Alderman Hass had requested that this item be placed on the agenda.

Mark Raymer has submitted a request for the installation of six parking spots (angle parking) on North Pine Street, at 1502 West Main Street.

Street Commissioner Lupton stated that the installation of angle parking would not result in an increase of available parking spaces. He also had safety concerns with angle parking, as drivers are "backing out blind" when exiting angle parking spots. In his opinion, the request is not feasible.

Alderman Hass suggested delaying any action on this until the next meeting. Building Inspector/Zoning Administrator Pagel suggested that a shared parking agreement might be a feasible option in this case.

No action taken at this time.

**Amend Ord. Sec. 36-119(7) to delete two-hour parking on 100 block of N. Scott St.**

A proposed ordinance was in the meeting packet.

After researching the issue, Police Chief Neff is now proposing that parking still be allowed on the west side of the street. On the east side of the street, "Bus Parking Only" signage would be installed in the area of the three parking spots on that side.

Motion (Hass/Lupton) to approve the ordinance, with the amendment that parking would still be allowed on the west side of the street. Carried.

The proposed ordinance will be on the May 14<sup>th</sup>, 2013 Common Council meeting agenda.

**Amend Ord. Sec. 36-122 to establish two 15-minute parking stalls @ 1021 E. Main**

A proposed ordinance was in the meeting packet.

On February 25<sup>th</sup>, 2013, the Health and Safety Committee passed a motion approving a request from Robert Johnson for two 15-minute parking spaces at 1021 East Main Street. The proposed ordinance would incorporate that 15-minutes parking zone into Section 36 of the Code of Ordinances.

On April 22<sup>nd</sup>, 2013, the Health and Safety Committee recommended approving the ordinance.

Alderman Hass stated that, in his opinion, it would be difficult if not impossible to enforce the 15-minute parking time limit. He also speculated that approval could be interpreted as showing favoritism to one business owner.

No action was taken.

Note: Because the Health and Safety Committee has already recommended approval of the ordinance, it will still appear on the May 14<sup>th</sup>, 2013 Common Council meeting agenda.

**Review and consider approval of 2013 MS4 Annual Report**

A copy of the 2013 Municipal Separate Storm System (MS4) report was in the meeting packet. Street Commissioner Lupton is requesting review and approval of the report.

Motion (Hass/Burgener) to approve the 2013 MS4 report, as submitted. Carried.

Note: No Common Council action on the motion is necessary.

**Discuss various aspects of upcoming Taylor Street repair project**

Street Commissioner Lupton had requested that this item be placed on the agenda. He stated that discussion with Town of Merrill officials on the Taylor Street repair project is ongoing.

Various aspects of the upcoming Taylor Street repair project were discussed, including the bridge work and costs related to curb and gutter. Street Commissioner Lupton speculated that the costs associated with the installation of curb and gutter could be prohibitive.

Mayor Bialecki suggested that further discussion with Town of Merrill officials be held before any major decisions related to the project are made.

No action was taken at this time.

**Discuss Normal Park City/County agreement re: downtown parking spaces**

Mayor Bialecki reported that he and Lincoln County Administrative Coordinator Randy Scholz have discussed the agreement whereby the City took ownership of the Normal Park block. Under the terms of that agreement, the City is to provide Lincoln County ten parking spaces in the downtown area.

Mayor Bialecki reported that he and County Administrative Coordinator Scholz have reached a tentative agreement whereby the City would provide Lincoln County with three parking spaces in the new parking lot (former Courtview Apartments) and seven parking spaces in Municipal Lot #1 off East Main Street.

Street Commissioner Lupton recommends that the City instead offer four parking spaces in the new parking lot and six parking spaces in Municipal Lot #1. The Street Department was directed to provide appropriate signage once an agreement is reached and approved.

**1305121**

Motion (Hass/Burgener) to offer Lincoln County four parking spaces in the new parking lot at the former Courtview Apartments site and offer them six parking spaces in Municipal Lot #1 (off East First Street), to fulfill the obligation of the City obtaining the former Lincoln County Normal property on Center Avenue, between East Sixth Street and East Seventh Street.  
Carried.

**Monthly report - Street Commissioner**

The report was in the meeting packet.

**Monthly report – Exterior Maintenance**

The report was in the meeting packet. Building Inspector/Zoning Administrator Pagel noted that, as requested, the aldermanic district for properties with exterior maintenance concerns has been added to the report.

**Monthly report – Northwinds Inspection**

The report was in the meeting packet. Building Inspector/Zoning Administrator Pagel reported that he hopes sidewalk work can begin soon.

**Monthly report – City Hall Maintenance Supervisor**

No report submitted.

**Monthly report from contracted engineering firms**

No report(s) submitted.

**Review Common Council action: Remove Tyler St. sidewalk (amended agenda)**

This item was part of an amended agenda.

At a meeting on February 20<sup>th</sup>, 2013, the Board of Public Works passed a motion recommending removal of the sidewalk on Tyler Street, at the following addresses: 402 Tyler Street, 404 Tyler Street and 406 Tyler Street. That motion (#1303122) was then adopted by the Common Council at their March 12<sup>th</sup>, 2013 meeting.

At a meeting on April 8<sup>th</sup>, 2013, in a motion recommending approval of the site plan for the new Merrill Fire Station, the City Plan Commission included language that the consideration of sidewalk removal on Tyler Street be referred back to the Board of Public Works. That motion (#1304162) was then adopted by the Common Council at their April 9<sup>th</sup>, 2013 meeting.

Alderman Hass stated that he has no strong opinion one way or the other on this issue. It was noted that, under the revised plan for the new fire station, it is possible to allow the sidewalk to remain in place.

**1305122**

Motion (Hass/Burgener) to reverse the motion adopted at the April 9<sup>th</sup>, 2013 Common Council meeting (Motion #1304162) to remove the sidewalk on Tyler Street near the site of the new fire station. Instead the Board of Public Works now recommends that the sidewalk remain.  
Carried.

**Next meeting**

Wednesday, May 29<sup>th</sup>, 2013 at 5:30 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Hass/Burgener) to adjourn. Carried. Adjourned at 6:08 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

## City of Merrill Tree Board

The Merrill Tree Board met on Wednesday, April 3<sup>rd</sup>, 2013, at 5:30 p.m., at the Merrill City Hall.

Members Present: Dan Wendorf, Dick Lupton, Bill Wengeler, Steve Hass, Kathy Caylor

Members Excused Absent: None

Visitor(s): Mayor Bill Bialecki, City Administrator Dave Johnson, Alderperson Kandy Peterson, Alderperson Dave Sukow

The meeting was called to order at 5:30 p.m. by Alderperson Hass.

Next item on the agenda was to review and approve the minutes from the previous meeting.

**\*\*Motion Wengeler to approve minutes as published, seconded by Lupton**

**\*\*Carried unanimously**

The next item on the agenda was the 2013 cutting and pruning plan for the City of Merrill. City Forester Wendorf informed the Tree Board that the focus this year was going to be on the areas that have been hit the hardest with the storms of the previous two years. Wendorf had some concerns about the trees in these areas being stressed by high winds, combined with drought like conditions. Mayor Bialecki asked Wendorf if he was going to be marking trees, and Wendorf stated he will be out as soon as possible. Wendorf stated that with the snow banks as high as they are it doesn't allow for complete inspections on trees and their root systems, trunk condition, and to be thorough with diagnosis.

Wendorf then updated the Board on any problem trees, both public and private, around the community. He informed the Board that all of the written private notices were taken care of from 2012, and that there were a number of other ones that he was going to issue notices to as he was out doing boulevard tree inspections. A few board members brought some private tree issues to Wendorf's attention for him to take action on and have taken care of.

The next item on the agenda was potential health and disease issues facing our community. Wendorf talked at length in updating the Board on the current state of Emerald Ash Borer and its potential impact on the community. Wendorf also stated that we will be participating in EAB trapping this summer during the "flight period" of the beetle. Wendorf said he has 6 purple triangle traps that will be strategically placed throughout the community to remain proactive in the process. Wendorf also shared his concerns with drought stress and numerous diseases and symptoms that are associated with multiple dry seasons. It is going to be very essential to continue this gradual spring melt in order for trees to retain the moisture to have a better year. Wendorf stated that over the past few years he has observed many boulevard and park trees displaying classic drought symptoms and that trees are resilient but can only handle a few years in a row of this before the tree health begins a decline.

Next item on the agenda was to set a date and time for the next meeting. It was decided that some time in mid to late June would be a good time to set a meeting and Wendorf will work with Chairperson Hass contact the Board Members as time gets closer to see what works best.

No public comment was received during public comment period.

\*\*Motion Lupton, seconded by Caylor to adjourn at 6:00 p.m.

\*\*Carried unanimously.

Dan Wendorf  
Recording Secretary

1305130

**City of Merrill  
Health and Safety Committee  
Monday, April 22, 2013 at 5:00 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Voting Members Present (3 of 3): Alderwoman Anne Caylor (Chairperson), Alderwoman Kandy Peterson and Alderman Dave Sukow.

Others Present: City Administrator Dave Johnson, Fire Chief Dave Savone, Police Chief Ken Neff, Deputy Health Officer Norbert Ashbeck, Street Commissioner Richard Lupton, Dale Bacher, Matt Waid, Irvin Fick, Teresa Knospe, Patric Knospe, Steve Sabatke and City Clerk Bill Heideman.

**Call to order**

Alderwoman Caylor called the meeting to order at 5:00 P.M.

**Nuisance complaints and exterior maintenance report**

The report was in the meeting packet. Deputy Health Officer Ashbeck reported that 718 ½ East Second Street is an ongoing issue. Access was not allowed at that residence.

After discussion on his report, Deputy Health Officer Ashbeck departed.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Sukow/Peterson) to approve the vouchers, as presented. Carried.

**"Picnic" Licenses (3) – Lincoln County Rodeo Assoc. for Rodeo**

The Lincoln County Rodeo Association, Inc. has applied and paid the fee for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 7-9, 2013. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1305131**

Motion (Peterson/Sukow) to approve the applications from Lincoln County Rodeo Association Inc. for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 7-9, 2013. Carried.

**"Picnic" Licenses (5) – V.F.W for Fair**

V.F.W. Post 1638 has applied and paid the fee for five temporary Class "B" (picnic) licenses to sell fermented beverages at the V.F.W Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1305132**

Motion (Sukow/Peterson) to approve the applications from V.F.W. Post 1638 for five temporary Class "B" (picnic) licenses to sell fermented malt beverages at the V.F.W. Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013. Carried.

**"Picnic" Licenses (5) – Eagles for Fair**

The Fraternal Order of Eagles has applied and paid the fee for five temporary Class "B" (picnic) licenses to sell fermented beverages at the Eagles Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1305133**

Motion (Peterson/Sukow) to approve the applications from the Fraternal Order of Eagles for five temporary Class "B" (picnic) licenses to sell fermented malt beverages at the Eagles Fair Stand (Lincoln County Fairgrounds) during the Lincoln County Fair, July 17-21, 2013. Carried.

**“Picnic” Licenses (5) – Alumni Wrestling Club for Fair**

The Merrill Alumni Wrestling Club has applied and paid the fee for five temporary Class “B” (picnic) licenses to sell fermented beverages in a fenced-in tent at the Lincoln County Fairgrounds during the Lincoln County Fair, July 17-21, 2013. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1305134**

Motion (Peterson/Sukow) to approve the applications from Merrill Alumni Wrestling Club for five temporary Class “B” (picnic) licenses to sell fermented beverages in a fenced-in tent at the Lincoln County Fairgrounds during the Lincoln County Fair, July 17–21, 2013. Carried.

**“Picnic” Licenses (31) – Baseball Boosters for Baseball Games**

The Merrill Baseball Boosters have applied and paid the fee for 31 temporary Class “B” (picnic) licenses to sell fermented beverages at Athletic Park on 31 various dates in June and July of 2013. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1305135**

Motion (Peterson/Sukow) to approve the applications from Merrill Baseball Boosters for Merrill Baseball Boosters for 31 temporary Class “B” picnic licenses to sell fermented malt beverages at Athletic Park during baseball games on the following dates in 2013: June 5<sup>th</sup>, June 6<sup>th</sup>, June 7<sup>th</sup>, June 10<sup>th</sup>, June 11<sup>th</sup>, June 13<sup>th</sup>, June 16<sup>th</sup>, June 17<sup>th</sup>, June 18<sup>th</sup>, June 19<sup>th</sup>, June 21<sup>st</sup>, June 23<sup>rd</sup>, June 24<sup>th</sup>, June 26<sup>th</sup>, June 27<sup>th</sup>, June 29<sup>th</sup>, July 1<sup>st</sup>, July 2<sup>nd</sup>, July 3<sup>rd</sup>, July 7<sup>th</sup>, July 8<sup>th</sup>, July 11<sup>th</sup>, July 12<sup>th</sup>, July 13<sup>th</sup>, July 14<sup>th</sup>, July 17<sup>th</sup>, July 18<sup>th</sup>, July 22<sup>nd</sup>, July 24<sup>th</sup>, July 26<sup>th</sup> and July 27<sup>th</sup>. Carried.

**Class B licenses for Club Modern Inc., Stephen Blake, Agent**

Club Modern, Inc., Stephen J. Blake, Agent, had applied and paid the fee for a Class “B” (beer) license and a “Class B” (liquor) license for Club Modern, 1005 South Center Avenue, effective June 1st, 2013.

It was noted that a letter of relinquishment has been received from Paul Kramer, the current licensee at 1005 South Center Avenue.

Police Chief Neff has no concerns with the application.

**1305136**

Motion (Sukow/Peterson) to approve the application from Club Modern, Inc., Stephen J. Blake, Agent, for a Class "B" (beer) license and a "Class B" (liquor) license for Club Modern, 1005 South Center Avenue, effective June 1<sup>st</sup>, 2013. Carried.

**Other beer and/or liquor license applications**

None.

**Street closing request from V.F.W. for Memorial Day activities**

V.F.W. Mar-Lin Post #10203 has submitted a request to close Prospect Street (from West Main Street to Grand Avenue) from 3:00 P.M. to 6:00 P.M. on Monday, May 27<sup>th</sup> 2013, in conjunction with Memorial Day activities.

Police Chief Neff and Fire Chief Savone have no concerns with the request. If the request is approved, Street Commissioner Lupton will ensure that the barricades are in place for the duration of the street closing.

**1305137**

Motion (Sukow/Peterson) to approve the request from V.F.W. Mar-Lin Post #10203 to close Prospect Street (from West Main Street to Grand Avenue) from 3:00 P.M. to 6:00 P.M. on Monday, May 27<sup>th</sup>, 2013, in conjunction with Memorial Day activities. Carried.

Note: After discussion and action on the next agenda item, the Committee agreed to change the start time for the street closing to noon, to coincide with the times of the premises extension for Ballyhoo's.

**Extension of premises request from Ballyhoo's for Memorial Day activities**

Ballyhoo's, 124 North Prospect Street, has submitted a request for an extension of premises to allow the sale and consumption of alcohol in a fenced-in area (width of Ballyhoo's property extending to the curb on the east side of Prospect Street) from noon to 6:00 P.M on Monday, May 27<sup>th</sup>, 2013, in conjunction with Memorial Day activities.

1305138

Motion (Peterson/Sukow) to approve the request from Ballyhoo's, 124 North Prospect Street, for an extension of premises to allow the sale and consumption of alcohol in a fenced-in area (width of Ballyhoo's property extending to the curb on the east side of Prospect Street) from noon to 6:00 P.M on Monday, May 27<sup>th</sup>, 2013, in conjunction with Memorial Day activities. Carried.

**Concern re: Buses on Genesee Street, request for dead end sign there**

Teresa Knospe, 604 North Prospect Street, has expressed her concerns regarding a potential safety hazard at 600 North Genesee Street. A school bus is frequently parked on the street, which causes vision problems for drivers exiting from the alley. She is also requesting that a "dead end" sign be placed in that area. It was decided that it would be difficult to place signs in that area, due to the alley being so narrow.

Police Chief Neff suggested that, rather than attempt to achieve compliance through signage, the Code of Ordinances should be amended to prohibit street parking of school buses and other large vehicles. The Committee agreed, and suggested that City Attorney Hayden draft such an ordinance. Alderwoman Caylor stated that she would be willing to bring the ordinance directly to the May 14<sup>th</sup>, 2013 Common Council meeting for consideration.

**Ord. amendment to Sec. 36-122 to establish 15-minute parking @ 1021 E. Main St.**

On February 25<sup>th</sup>, 2013, the Health and Safety Committee passed a motion approving a request from Robert Johnson for two 15-parking spaces at 1021 East Main Street. The proposed ordinance would incorporate that 15-minutes parking zone into Section 36 of the Code of Ordinances.

Motion (Peterson/Sukow) to approve the ordinance. Carried.

The ordinance will be on the May 14<sup>th</sup>, 2013 Common Council agenda. It will also be discussed at the April 24<sup>th</sup>, 2013 Board of Public Works meeting.

**Ord. amendment to Sec. 36-26 to increase parking violation forfeiture (\$10 to \$20)**

The proposed ordinance was in the meeting packet. It would increase the forfeiture for parking violations from \$10 to \$20. Police Neff reported that the \$10 forfeiture has been in effect for some time now, and that the forfeiture amounts in most neighboring municipalities are from \$20 to \$25.

Motion (Sukow/Peterson) to approve the ordinance. Carried.

City of Merrill Health & Safety Committee minutes – April 22<sup>nd</sup>, 2013

The ordinance will be on the May 14<sup>th</sup>, 2013 Common Council agenda.

**Ordinance amendments (3) related to proposed Merrill Police Auxiliary Unit**

Police Chief Neff reported that has been laying the groundwork for the establishment of a Merrill Police Auxiliary Unit. Police Chief Neff stated that this unit could provide assistance at special events, including parades, athletic events and the fair.

Police Chief Neff noted that he has already arranged for startup funding, should establishment of the unit be approved. After startup, the unit would be self-funding. The Police Department would provide the training for unit members.

Alderman Sukow stated that he hoped such a unit would not take business away from local private security firm(s).

The meeting packet included three ordinances related to the establishment of an auxiliary unit.

Motion (Peterson/Sukow) to approve the three ordinances. Carried.

The three ordinances will be on the May 14<sup>th</sup>, 2013 Common Council agenda.

**Resolution related to proposed Merrill Police Auxiliary Unit**

A copy of the proposed resolution was in the meeting packet. It is related to the establishment of a Merrill Police Auxiliary Unit, as discussed earlier.

Motion (Sukow/Peterson) to approve the resolution. Carried.

The resolution will be on the May 14<sup>th</sup>, 2013 Common Council agenda.

**2013-2014 Liquor License Renewal Schedule**

The schedule was in the meeting packet. City Clerk Heideman explained that the schedule was included in the meeting packet in order to provide information on the renewal process for the 2013-2014 licensing period.

No action was necessary, requested or taken.

**Monthly Report – Fire Chief Savone**

The report was in the meeting packet. Fire Chief Savone reported that the groundbreaking ceremony for the fire station has been held. A "live burn" training session was held, in partnership with Northcentral Technical College.

Fire Chief Savone noted that the monthly report has been streamlined. Alderwoman Caylor noted that the call-in log sheets were no longer included with the report. She will discuss this with Mayor Bialecki.

**Monthly Report – Police Chief Neff**

The report was in the meeting packet. Alderman Sukow complimented both Fire Chief Savone and Police Chief Neff on their complete and comprehensive reports.

**Monthly Report – Lincoln County Humane Society**

The report was in the meeting packet. Alderman Sukow stated that both staff and volunteers are doing high quality work. He was also pleased to see that the number of animals at the shelter continues to be at a manageable level.

**Place monthly reports on file**

Motion (Sukow/Peterson) to place the monthly reports on file. Carried.

**Schedule next meeting**

Monday, May 20<sup>th</sup>, 2013. The time of the meeting will be announced at a later date. Note: On April 25<sup>th</sup>, 2013, Alderperson Caylor announced that the meeting time would be 4:30 P.M.

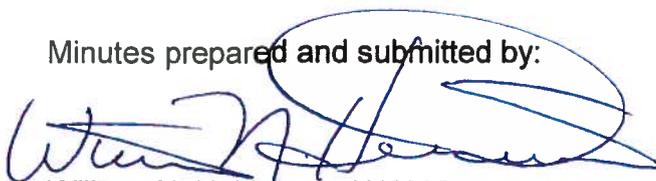
**Public Comment**

None.

**Adjournment**

Motion (Sukow/Peterson) to adjourn. Carried. Adjourned at 5:53 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1305140

**City of Merrill  
Personnel and Finance Committee  
Tuesday, April 23, 2013 at 5:15 P.M.  
Basement Conference Room at City Hall, 1004 East First Street**

Voting Members Present (3 of 3): Alderman Steve Hass (Chairperson), Alderwoman Anne Caylor and Alderman Ryan Schwartzman

Others Present Included: City Administrator Dave Johnson, Mayor Bill Bialecki, City Attorney Tom Hayden, Finance/Technology Director Kathy Unertl, Alderwoman Kandy Peterson, Alderman Dave Sukow, Information Technology Specialist Ron Turner, Roger Drewek, Tom Wistein and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

**Call to order**

Alderman Hass called the meeting to order at 5:15 P.M.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Schwartzman/Caylor) to approve the vouchers. Carried.

**Consider auditing services contract renewal with Schenck, SC for 2013-2017**

The five-year auditing services contract that the City has with Schenck is expiring, and Schenck, SC has submitted a proposed new five-year contract for audit years 2013-2017.

The proposed new contract, along with related information, was in the meeting packet. The fee amounts for the proposed new five-year contract are as follows:

<u>Audit Year</u>	<u>Fee (Proposed)</u>
2013	\$33,150
2014	\$33,750
2015	\$34,350
2016	\$34,950
2017	\$35,550

City staff is recommending that the new five-year contract be approved as presented.

**1305141**

Motion (Caylor/Schwartzman) to approve, as presented the 2013-2017 auditing services contract with Schenck SC. The proposed fees, payable from the City to Schenck SC, would be as follows: Audit year 2013, \$33,150; Audit year 2014, \$33,750; Audit year 2015, \$34,350; Audit year 2016, \$34,950; Audit year 2017, \$35,550. Carried.

**Review & discuss Information Technology (IT) Dept. & IT Specialist position**

Information was in the meeting packet.

This was placed on the agenda because committee members have concerns with the current organization of the Information Technology Department. Specifically, they are questioning the rationale of the Information Technology Specialist answering to the Finance Director, rather than to a committee or to the City Administrator.

Finance/Technology Director Unertl reported that Information Technology in the City has experienced extensive growth in the last few years.

Alderman Hass stated that he assumed that, when the Information Technology Specialist position was approved and filled, it would free up the Finance Director to concentrate on necessary financial duties. He stated that, at this time, he would probably prefer that the Information Technology Specialist would answer to either a City committee or to the City Administrator, rather than the Finance Director.

Alderman Caylor suggested that the Information Technology Department structure be reviewed, and that the Information Technology Department draft a long-range plan.

City staff was directed to prepare information on the possible reorganization of the Information Technology Department, as well as prepare material related to developing a long-range plan for the Information Technology Department. These issues will be discussed at the next regular Personnel and Finance Committee meeting. No formal action was taken at this time.

**Monthly Report – Municipal Court**

The report was in the meeting packet.

**Monthly Report – Finance/Technology Director Unertl**

The report was in the meeting packet. Finance/Technology Director Unertl reported that she will be attending a health insurance workshop on April 24<sup>th</sup>. At the next meeting, she will provide information related to the workshop.

**Monthly Report – City Attorney Hayden**

The report was in the meeting packet.

**Monthly Report – City Clerk Heideman**

The report was in the meeting packet. Liquor, operator and cigarette license renewal materials are being prepared for mailing to licensees. The dates for the open book and the Board of Review meeting date have not yet been established by Bowmar Appraisal.

**Monthly Report – City Administrator Johnson**

The report was in the meeting packet. City Administrator Johnson reported that the first meeting with contractors involved in the new fire station construction has been held. Actual construction is scheduled to begin in May.

**Monthly Report – Building/Zoning Permits**

The report was in the meeting packet.

**Next meeting**

Tuesday, May 28<sup>th</sup>, 2013 at 5:15 P.M.

**Public Comment**

None.

**Motion to convene in closed session**

Motion (Schwartzman/Caylor) to convene in closed session pursuant to Wisconsin State Statutes Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, to conduct annual performance evaluation of City Administrator Johnson. Carried 3-0 on roll call vote.

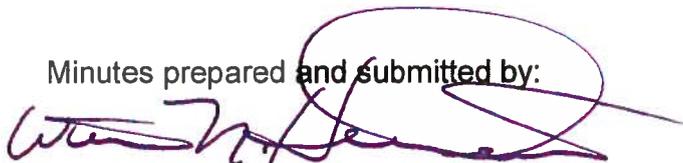
**Closed session**

Convened in closed session at 5:50 P.M. Attending: Hass, Caylor, Schwartzman, Peterson, Sukow, Johnson, Bialecki and Heideman. The annual performance evaluation of City Administrator Johnson was conducted.

**Adjournment**

Motion (Caylor/Schwartzman) to adjourn. Carried. Adjourned (from closed session) at 6:43 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1305150

**City of Merrill  
Water & Sewage Disposal Committee  
Wednesday, April 24, 2013 at 5:00 P.M.  
Basement Conference Room, City Hall, 1004 East First Street**

Members Present (3 of 3): Alderman John Burgener (Chairperson), Alderwoman Kandy Peterson and Alderman Rob Norton.

Others Present: Mayor Bill Bialecki (arr. 5:14), City Administrator Dave Johnson, Utility Superintendent Kim Kriewald, Alderman Dave Sukow and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

**Call to order**

Alderman Burgener called the meeting to order at 5:00 P.M.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Norton/Peterson) to approve the vouchers as presented.  
Carried.

**Consider membership in mutual aid group (WisWARN)**

Utility Superintendent Kriewald explained that the City of Merrill is not currently a member of any organization that, in disaster situations, could potentially provide mutual aid related to water and wastewater. Information related to WisWARN, a statewide mutual aid response network, was in the meeting packet.

Utility Superintendent Kriewald stated that there is no cost for membership in this organization. If other members of the organization are victims of a disaster, the City of Merrill would determine the level of mutual aid that the City of Merrill could provide. If a disaster affecting the City of Merrill occurred, the City of Merrill would receive the mutual aid of other members, as determined by the other members.

Since membership is free and there is no direct obligation, Utility Superintendent Kriewald is recommending that the City of Merrill become a member of WisWARN.

Motion (Peterson/Norton) to recommend that the City of Merrill become a member of WisWARN. Carried.

City Attorney Hayden will be directed to draft a resolution, which will be on the May 14<sup>th</sup>, 2013 Common Council meeting agenda.

**2012 Public Service Commission annual report**

The report was in the meeting packet.

Utility Superintendent Kriewald stated that, at the Committee of the Whole and Common Council meetings on May 14<sup>th</sup>, the City's auditor would be providing information on the financial aspects of the report.

Utility Superintendent Kriewald noted that the report stated that the level of water loss was 10%. This is well within the acceptable threshold of 15%.

No action on the report was necessary, requested or taken.

**Consider amending ordinance Chapter 38 re: PSC guidelines for laterals & meters**

The proposed ordinance was in the meeting packet.

Utility Superintendent Kriewald explained that the proposed ordinance is being proposed to incorporate the Public Service Commission guidelines for maintenance of laterals and meters into the City of Merrill Code of Ordinances.

Alderman Norton suggested that the wording "...the work shall be done by qualified plumbers" be changed to state "...the work shall be done by State of Wisconsin licensed plumbers".

Alderwoman Peterson suggested that, rather than limiting it to State of Wisconsin licensed plumbers, the language be changed to "the work shall be done by state-licensed plumbers", to allow for licensed plumbers from other states as well.

Motion (Norton/Peterson) to amend by changing the language to state "the work shall be done by state-licensed plumbers". Carried.

Motion (Peterson/Norton) to recommend adopting the ordinance, as amended at this meeting. Carried.

The ordinance, as amended, will be on the May 14<sup>th</sup>, 2013 Common Council meeting agenda.

**Operations Report**

The report was in the meeting packet. Utility Superintendent Kriewald reported that the two summer employees hired for 2013 are the same two employees that worked during the summer of 2012.

Utility Superintendent Kriewald stated that he has received two quotes for work to be done on the East Street Water Tower. He anticipates that additional quotes will be received. Review and consideration of quotes will be discussed at the next regular meeting.

**Public Comment**

Alderman Sukow questioned why the reference to copper water laterals was removed in the ordinance amending Chapter 38, relating to laterals and meters.

Utility Superintendent Kriewald responded that the Public Service Commission guidelines do not specify any certain type of material, so the reference to copper was removed.

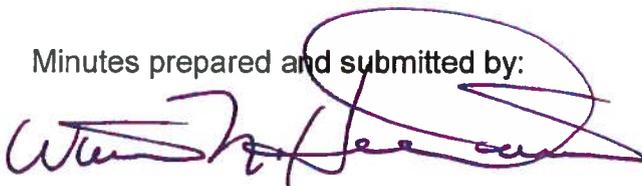
**Next meeting**

Wednesday, May 29<sup>th</sup>, 2013 at 5:00 P.M.

**Adjournment**

Motion (Peterson/Norton) to adjourn. Carried. Adjourned at 5:18 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1304160

**City of Merrill  
City Plan Commission  
Monday, April 8, 2013 at 5:45 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, James Koppelman (arr. 5:57), Melissa Schroeder and Pete Lokemoen.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Alderman Dave Sukow, Alderwoman Kandy Peterson, Alderman Rob Norton, Steve Sabatke, Mike Neumann, Kathy Neumann, Gerald Hersil and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:45 P.M.

**Minutes of February 5<sup>th</sup>, 2013 meeting**

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the February 5<sup>th</sup>, 2013 City Plan Commission meeting. Carried.

**Site Plan – Veteran’s Monument/Memorial @ Cenotaph Park**

Information was in the meeting packet. In response to a request from the Veterans of Foreign Wars (VFW), the Parks and Recreation Department has submitted a site plan for an additional monument/memorial at Cenotaph Park, 215 Grand Avenue.

Building Inspector/Zoning Administrator Pagel explained that, because the site plan area is zoned public, submission of a site plan is required. He distributed an updated site plan, which includes additional paving.

Pete Lokemoen mentioned that the stone on the existing memorial has deteriorated somewhat. Representing the VFW, Steve Sabatke suggested that any excess money from fundraising could be used to address the deterioration.

Building Inspector/Zoning Administrator Pagel has no concerns with the site plan as submitted.

**1304161**

Motion (Hass/Lokemoen) to approve, as submitted, the site plan from the Park and Recreation Department for a monument/memorial at Cenotaph Park, 215 Grand Avenue. Carried.

**Certified Survey Map – Burgener Contract Carriers @ Martin St. & S. Center Ave.**

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained that this is a single lot being divided into three lots. All lots are conforming.

Pete Lokemoen stated that he has no concerns with the map as submitted.

Motion (Lokemoen/Hass) to approve, as submitted, the Certified Survey Map for Burgener Contract Carriers, LTD. Carried.

A resolution on the Certified Survey Map is on the April 9<sup>th</sup>, 2013 Common Council meeting agenda.

**Site Plan – Merrill Fire Station @ 110 Pier Street**

Information was in the meeting packet.

Building Inspector/Zoning Administrator Pagel explained that, because the site plan area is zoned public, submission of a site plan is required.

Pete Lokemoen suggested that some type of screening be required, specifically in the area where the dumpster will be located. He also had some questions regarding water access plans, but he noted that no engineers were in attendance to answer any of his questions. He then suggested that, in light of past sidewalk removal policies and procedures, the planned sidewalk removal at the site should be reconsidered by the Board of Public Works.

**1304162**

Motion (Lokemoen/Hass) to approve the site plan for the new Merrill Fire Station, 110 Pier Street, with the following conditions: 1. Six-foot screening would be incorporated into the plan, as appropriate. 2. Consideration of sidewalk removal would be referred back to the Board of Public Works. Carried.

**Public Hearing – Haunted sawmill @ 700 Hendricks Street**

Information was in the meeting packet. City Attorney Hayden read the public hearing notice.

Motion (Hass/Koppelman) to open the public hearing. Carried.

Building Inspector/Zoning Administrator Pagel provided a verbal summary of the information included in the meeting packet.

Gerald Hersil spoke in favor of the Conditional Use Permit.

Building Inspector/Zoning Administrator Pagel reported that Police Chief Neff has no concerns related to parking or traffic at the site.

Motion (Schroeder/Hass) to close the public hearing. Carried.

Motion (Lokemoen/Hass) to approve the Certified Survey Map submitted by Boy Scout Troop 599, for a Haunted Sawmill at 700 Hendricks Street, with the following conditions: 1. All items noted on the memo prepared by Building Inspector/Zoning Administrator Pagel, with the exception of #3 (smokestack and large roof vent) are to be addressed and resolved by October 12<sup>th</sup>, 2013. 2. The smokestack and large roof vent are to be either removed or maintained within five years. Carried.

A resolution on the Conditional Use Permit is on the April 9<sup>th</sup>, 2013 Common Council meeting agenda.

**Next meeting**

Monday, May 6<sup>th</sup>, 2013 at 5:00 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Hass/Lokemoen) to adjourn. Carried. Adjourned at 6:36 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1305160

**City of Merrill  
City Plan Commission  
Tuesday, May 7, 2013 at 5:15 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, James Koppelman, Ken Maule, Dan Novitch, Melissa Schroeder and Pete Lokemoen.

Other attendees: City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Alderman Dave Sukow and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:15 P.M.

**Minutes of April 8<sup>th</sup>, 2013 meeting**

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the April 8<sup>th</sup>, 2013 City Plan Commission meeting. Carried.

**Site Plan – Merrill Area Public Schools for outdoor shelter @ Jefferson School.**

Information was in the meeting packet. Merrill Area Public Schools has submitted a site plan to install an outdoor shelter at Jefferson Elementary School, 1914 West Jackson Street.

Building Inspector/Zoning Administrator Pagel explained that, because the area of the site plan is zoned public, City Plan Commission and Common Council approval are required. He has no concerns with site plan as submitted.

1305161

Motion (Hass/Novitch) to approve, as submitted, the site plan from the Merrill Area Public Schools for an outdoor shelter at Jefferson Elementary School, 1914 West Jackson Street. Carried.

**Next meeting**

Tuesday, June 4<sup>th</sup>, 2013 at 5:15 P.M.

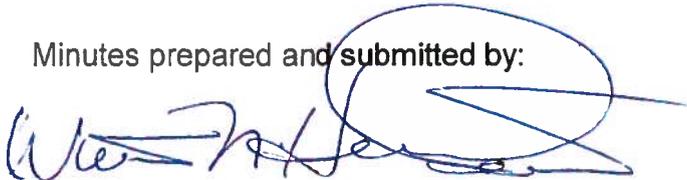
**Public Comment**

None.

**Adjournment**

Motion (Hass/Lokemoen) to adjourn. Carried. Adjourned at 5:18 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, appearing to read "William N. Heideman", is written over the text "submitted by:". The signature is stylized and includes a large circular flourish.

William N. Heideman, WCMC  
City Clerk

13 05 170

Transit Meeting  
April 15, 2013

Present; Mr. Steve Willis, Mr. Gordon Geiger, Mr. Rick Blake – Chair  
Proxy and Rich Grenfell – Transit Administrator.

Absent: Ms. Judith Blennert – Chairperson

A motion to approve the minutes of the January 15, 2013 meeting was made  
by Mr. Willis and seconded by Mr. Geiger. C.U.

The Commission reviewed the 2012 Annual stats; Ridership decreased in  
2012 by 4%, however, the demographics of the service population has  
changed dramatically. Students declined from 50% of ridership to 48%,  
(primarily due to loss/ relocation of MAPS Headstart program), persons  
with disabilities rides increased by 10%, making up 26% of total ridership;  
for the first time in recorded stats, adult ridership surpassed elderly ridership.  
These are significant changes in service levels – more special needs service  
is being provided and more demands are put on our “on time performance”.  
We have also had to reduce our service area and discontinue the 4<sup>th</sup> bus out  
of service due to the 2011-2012 Governor’s cuts to the State transportation  
budget. Like most funded entities, we are “Doing more with less” (*more  
demand at non-peak hours, less bus service hours provided daily*). Revenues  
did increase by 1% in 2012.

A motion to place the report on file was made by Mr. Willis and seconded  
by Mr. Geiger. C.U.

The Commission reviewed ADA Paratransit Policy and amended the  
passenger assistance paragraph ; H. Carrying Packages; A motion to  
increase the package/parcel weight from 20 lbs to 25 lbs was made by Mr.  
Willis and seconded by Mr. Geiger. C.U. Mr. Willis also suggested to  
include “proper lifting and ergonomics training” for transit employees.

The Commission reviewed and discussed the principles of the newly revised  
Paid Leave Policy for Transit employees. A motion to adopt the revised  
policies as presented was made by Mr. Blake and seconded by Mr. Geiger.  
C.U.

Administrator's Report;

Administrator Grenfell attended the State Joint Finance Committee public session in Green Bay, Monday, April 8, 2013. All assembly persons were presented a formal letter representing our concerns and issues with the Governor's proposed Biennium 2014-2015 budget. The two primary transportation issues are; restoring the cut funding from the past budget and rejecting the concept of removing public transportation from the existing Designated Transportation Funds and transferring it into the State's overburdened General Fund.

Administrator Grenfell is pleased to announce a new Commission candidate; Ms. Diane Goetsch – *Director Kind Hearted Adult Day Care*. Mayor Bialecki will appoint in May 2013.

The Commission was informed of a singular formal complaint received on 4/2/13.

No Public Comment.

A motion to adjourn was made by Mr. Geiger and seconded by Mr. Willis

Next transit meeting Monday, May 20, 2013.

13 05 18 0

T. B. Scott Free Library Board of Trustees  
REGULAR MEETING  
April 17<sup>th</sup>, 2013

Minutes

**1. Opening**

President Mike Geisler called the Regular Meeting of the Board of Trustees to order at 4:00 p.m. in the Library Board Room. Present: Gene Bebel, Katie Breitenmoser, Paul Gilk, Chris Malm (4:15-), Richard Mamer, Tim Meehean (4:05-) and Jim Wedemeyer. Absent (ex.): Vickie Yelle. Also present: Don Litzer.

Correspondence received: an invitation to the Library Board to attend the Inaugural Event at the Merrill Historical Society on April 20<sup>th</sup>.

There was no public comment.

**2. Consent Items**

M Breitenmoser/S Wedemeyer /C to approve the minutes of the March meeting as printed. M Mamer/S Gilk /C to accept the Monthly Revenue and Expense Printouts and Monthly Statistical Report for March as printed.

**3. Reports/Discussion Items/Action Items**

A. Conflict of Interest Statement Annual Review: M Meehean/S Mamer /C to retain the policy with no changes.

B. Library Expenditures-Review of Vouchers and Process: Ms. Stevens reviewed Chapter 9 of the Trustee Essentials: A Handbook for Wisconsin Public Library Trustees – Managing the Library's Money. The monthly voucher approval process was reviewed.

C. Reports from Friends/WVLS Representative: The Friends of the Library annual meeting is scheduled for April 29<sup>th</sup> at 6:30 p.m., featuring a lighthearted program entitled: "Hotdishes, Hotflashes & Hotpads" with Janet Letnes Martin. The Friends are having their spring book sale April 25<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>. Ms. Stevens read a brief report from Lincoln County's WVLS Representative, Ms. Sauer.

**4. Forthcoming Events & Library Director Report**

- National Library Week events all week, Food for Fines and refreshments in the lobby.
- National Library Week programs: A Whole Which is Greater: Examining the 2011 Wisconsin "Uprising", with board member Paul Gilk and other contributors, & a gaming program, Boldly Go Games.
- Youth Services staff hosted a table at the MARC last weekend for the Children's Festival.
- New this year, Youth Services staff will be recording a video promoting the Summer Library Program for use in the schools, utilizing a videocamera purchased by the Friends. Staff have taped a puppet show and plan on recording several summer programs.
- The library is participating in the Wisconsin Statewide Tornado Drill.
- Mr. Litzer has tentatively been asked to speak at an upcoming library conference.
- Board members were given a copy of a brief on the State of America's Libraries Report 2013.
- An act of vandalism at the library resulted in two youths suspended from library premises.
- An update was given on building and grounds maintenance projects.
- Mr. Gilk requested follow-up on possible partnerships with Lincoln Hills School and the Lincoln County Jail. This item will be placed on the next agenda.

**5. Adjournment:**

The meeting adjourned at 4:30 p.m. The next regularly scheduled meeting of the Board of Trustees will be held on May 15<sup>th</sup> at 4:00 p.m. in the Library Board Room.

Stacy D. Stevens, Secretary

1305185

**City of Merrill  
Redevelopment Authority (RDA)**

**Tuesday, April 23<sup>rd</sup>, 2013 at 8:00 A.M.  
City Hall Council Chambers**

RDA Present: Bill Bialecki, Ryan Schwartzman, Ralph Sturm, David Hayes,  
Karen Karow, Jill Laufenberg, and Wally Smth

RDA Absent: None

Others: Finance Director Kathy Unertl, City Attorney Tom Hayden, City Administrator  
Dave Johnson, Alderperson Chris Malm, Jim Beam from WJMT Radio,  
Community Development Program Administrator Shari Wicke, and City  
Building Inspector/Zoning Administrator Darin Pagel from Northwinds  
Inspection

**Call to Order:** Chair Bialecki called the meeting to order at 8:00 a.m.

**Approval of meeting minutes from January 29<sup>th</sup>, 2013:**

**Motion (Schwartzman/Sturm) to approve the meeting minutes. Carried.**

**Consider contract extension for Redevelopment Resources consulting services:**

Unertl advised that she missed this contract item for the January 29<sup>th</sup> RDA meeting.

Proposal is to provide consulting services at \$90.00 per hour rate for a year vs. \$95.00 per hour rate for six month contract. Same mileage rate of \$0.55 per mile and developer recruitment/business recruitment pay for performance provisions. Redevelopment Resources typically is providing about fifty (50) hours of service per month although this varies depending upon potential development/redevelopment activities.

**Motion (Schwartzman/Karow) to extend the consulting services contract with Redevelopment Resources for a year. Carried.**

**Consider insurance settlement for water-damaged Lincoln House, update on potential demo timeframes, and discussion of future site redevelopment options:**

City Administrator Dave Johnson highlighted discussions with potential developers. Main concerns included ADA challenges with the elevator access, wood vs. metal/concrete floors, and overall potential costs. For consistency with City exterior maintenance enforcement, there would need to be window replacement and extensive painting this summer.

The water leak was from third floor apartment with lots of water running throughout the center of the building, including the basement which needed to be pumped out.

The Statement of Loss of \$186,029 prepared by Crawford & Company was distributed. Less a \$500 deductible, the City has been reimbursed for contractor costs for plumbing repairs, asbestos abatement, and drying out the building. Johnson advised that he had negotiated a potential \$130,000 insurance settlement for either restoration or to offset demolition expenses.

There remain two residential tenants and the radio station. Laufenberg asked about requirements for tenant relocation. City Attorney Hayden reported that relocation costs are required when tenants are displaced by government action.

Bialecki and Johnson reported that the Common Council has requested bids for demolition, including asbestos abatement. Unertl commented that the same potential funding options exist for new development such as CDBG (Community Development Block Grant) funding, WHEDA tax credits if residential, and TIF development incentives. Unertl also noted that both a rehabilitation of City of Antigo Housing Authority property and new apartment complex were just awarded tax credits (i.e. two of the twenty-three proposals receiving WHEDA approval).

As far as future site redevelopment, Unertl advised that Redevelopment Resources/City management team discussions have focused upon underground parking, potential 1<sup>st</sup> floor retail, and then three to five residential floors. Johnson emphasized that upper stories would have Wisconsin River views over the CosmoTheater building.

Smith questioned availability of parking. Both the underground parking and adjacent City parking lot could meet needs. Karow commented that she could not see sticking money into a ruined building and recommended starting fresh. Unertl asked about preferences for architectural style and noted that Karow had expressed interest in something historical. Schwartzman and Hayes suggested that there needed to be a "fit" with the adjacent area, but not necessarily historical façade.

City staff will keep RDA Commissioners updated on future Common Council action.

**Next RDA Meeting:** At the call of the RDA Chair.

**Public Comment:** None.

**Closed Session – Potential Sale of 811-813 East 1<sup>st</sup> Street:**

City Attorney Tom Hayden read the following: The RDA may convene in closed session per Wis. Stats. Sec. 19.85(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 to consider potential TIF development incentives including in TID No. 6 (Downtown) to review and discuss Request for Proposal (RFP) responses for the sale of 811-813 East 1<sup>st</sup> Street.

**Motion (Schwartzman/Hayes) to move to closed session.** Motion carried on 7-0 roll call vote at 8:20 a.m.

There was discussion of the two RFP responses which included: 1) \$25,000 offer from DSwan, LLC (dba: First Street Coffee Station) subject to bank loan and potential TIF funds and any grants; and 2) \$35,000 from Brian & Nicole Hoffman with a \$2,000 credit for Buyer's Brokerage Compensation and subject to property appraisal.

Both RFP responses acknowledged the HVAC, electrical, and roof issues with the building. RDA Commissioners discussed potential costs for additional rehabilitation work. The Hoffman's propose using the building for antique business with second floor for storage. The Swan's propose expansion of their business and lease of additional storefront, as well as second floor residential.

Unertl distributed cost comparison between 811-813 East 1<sup>st</sup> Street of about \$59,000 for delinquent tax acquisition, interior trash removal/disposal, and exterior façade restoration vs. almost \$37,000 for delinquent tax acquisition and demolition of 318 Grand Avenue. The City received a \$20,000 WHEDA blight elimination grant for 318 Grand Avenue to reduce the cost to about \$17,000 with unresolved common wall damages to adjacent building. Given the costs, the City/RDA need to be strategic in which buildings trying to rehabilitate. Enforcement of City ordinances is also critical to avoid the deteriorated building conditions that we have been handling.

Unertl noted that one option open to the RDA was to continue to own the building, make additional improvements, and lease the space out. City Administrator Dave Johnson reported that he spent hours to repair/improve roof drainage this spring. Building Inspector Darin Pagel observed that there would likely be more costs the longer the City/RDA held the building.

**Motion (Schwartzman/Sturm) to reconvene in Open Session at 8:40 a.m.** Carried.  
1305186

**Reconvened in Open Session – Sale of 811-813 East 1<sup>st</sup> Street:**

**Motion (Sturm/Hayes) to accept the offer to purchase of 811-813 E. 1<sup>st</sup> St. from Brian & Nicole Hoffman for \$35,000 which includes \$2,000 credit for Buyer's Brokerage Compensation and is subject to property appraisal.**  
Carried.

**Adjournment:**

Motion (Karow/Schwartzman) to adjourn the meeting at 8:43 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

**1305200**

***Merrill Area Community Enrichment Center  
Committee on Aging  
March 21, 2013  
Held at Kindhearted Home Care***

Committee Members Present: Chairperson Eugene Simon, Art Lersch, Diane Goetsch, Chris Malm, Erin Zastrow and Sister Peggy Jackelen, Jack Ader and Missy Holdorf.

Meeting was called to order at 8:00 am following a tour of the Kindhearted Home Care facility.

Motion made by Malm, seconded by Lersch to approve the minutes from the previous meeting. Motion carried.

Program updates:

“Caring Hearts Project” Tote Bags. Volunteers from the center have been busy creating tote bags for walkers and wheelchairs. The bags have been donated to residents at Bell Tower Residence and also the veteran’s home at King.

“Spring Gather Dinner” and Music was successful with the Moore Children providing the music and 50 attending the noon meal.

AARP Tax Assistance; Volunteers from Wausau have been attending the center once a month to assist those from the Merrill Area with their taxes. An average of 60 each month have been assisted. Several new people were introduced to the center as well.

Educational Bingo with Wausau Manor; Staff from Wausau Manor will be here at the center to do an educational Bingo for our participants. This month program will be on Heart Health.

Mind Joggers; Mind Joggers is scheduled for this spring and a session again this fall. We would like to see at least 6 participating in each class to cover the costs. Scholarships are available with funding from Merrill Area United Way.

Writer’s Club; Deau will be offering a Writer’s Club for those who would like to write short stories. A meeting is scheduled in April with classes to begin in May.

Walking Club; Walkers will be leaving from City Hall and the Prairie River Walk. A schedule will be in place starting in June.

Older American Month; Several programs are scheduled for May to celebrate Older Americans Month. Rochelle Pennington will be presenting on May 10<sup>th</sup>, a Celebration of Life and Korean War Program on May 15<sup>th</sup>, and honoring our volunteers on May 30<sup>th</sup>.

Ageless Wisdom; The materials are coming in really well. We are still looking for pictures, short stories and poems. We are hoping to have the book ready to go to print sometime in July. With a publication date of September 1<sup>st</sup>. This is a major fundraiser for the center. The deadline for materials is May 31<sup>st</sup>.

“Celebration of Life” Event is scheduled for May 15<sup>th</sup>. Waid Funeral Home will be sponsoring the event with PRECOA funeral Planning. The event will offer two programs and a luncheon at no cost.

Newsletter Update; We are currently sending out 1,700 newsletters a month to local businesses. We currently distribute them to 65 local businesses.

ADRC - Erin reported on updates from her office with issues of concern for older and disabled adult's protection.

Information shared as well on the Homeless Task Force, Memory Walk at Bell Tower on October 5<sup>th</sup>.

Motion made by Malm, seconded by Simon to approve the vouchers as presented. Motion carried.

Motion made by Goestch, seconded by Jackelen to adjourn. Motion carried.

Next meeting will be scheduled for May 16, 2013. Deau will not be present on April 11, 2013.

Minutes submitted by Jane A. Deau, Director.

1305210

**Minutes**  
**Airport Commission Meeting**  
**Wednesday, February 20, 2013**

**Present:** Joe Malsack, Gary Schulz, Lyle Banser, Chris Malm and Airport Manager John Miller

**Also Present:** Larry Wenning

**(1) Call to Order:** John Miller called the meeting to order at 7:00 PM.

**(2) Approval of the January 16, 2013 Minutes:** Gary Schulz made a motion to ratify the minutes of the January 16, 2013 meeting. The motion was seconded by Joe Malsack. The motion passed.

**(3) Approval of Vouchers:** The vouchers were reviewed and signed by all. Lyle Banser made a motion to approve the vouchers. The motion was seconded by Chris Malm. The motion passed. John Miller gave out copies of the 2012 year end budget and the figures were reviewed.

**(4) Update on 2006 Project:** John Miller said that everything is in place for the start of the 2006 project and we are just waiting for spring. John Miller reviewed what work has already been done and what is expected to be completed this year. John said the money has been secured and contracts signed.

**(5) 2013 Terminal Project:** John Miller said we have not received all the entitlement money needed as of yet for the terminal project but said Mary Strait is still working on finding us additional entitlement money. John Miller and Gary Schwartz will attend a sponsor workshop on March 21th at the Bureau of Aeronautics in Madison regarding funding.

**(6) Discussion/Decision Beacon Repair/Replacement:** John Miller said around February 1<sup>st</sup> the beacon stopped turning. John said he has discussed this with Bureau of Aeronautics (BOA) and Becker Hoppe. John reviewed costs for the different types of beacons available. John Miller said Gary Schwartz has been in contact with Mark Arnold from the BOA and Mark has suggested we put the replacement of the beacon in as a change order to the 2006 project. John said the costs for a new or replacement beacon and installation range from \$5,550.00 to \$11,600.00. John said no decision needs to be made tonight as to the direction to take but we need everyone aware of our options. After some discussion the consensus from the members was that we stay with a high intensity beacon like we have but install the new style rather than refurbished.

**(7) Discussion–Airport Name:** No discussion this meeting but will be kept on the Agenda.

**(8) Discussion of RRL Marketing Program:** No discussion this meeting but will be kept on the Agenda.

**(9) Manager's Report:** John Miller reported that he had an accident while plowing around the T-Hangars. The blade on the big plow took some skin off the door of Hangar No. 7 when the truck slid on the ice. John said there is no damage to the frame of the door and the skin will be replaced when Chapel Construction does the roof on the FBO hanger in May. John said they patched the door with extra skin we had from other projects.

John Miller said the lights on 16/34 popped the breaker one time when we had rain a couple of weeks ago but since then have been O.K. John said this spring we will be able to tell if we still have serious problems.

John Miller said the clearing of the brush and trees went good. John said we cleared a lot more area then would have been cleared if we had accepted the bid for \$10,000 from Land Clearing. Doing it ourselves we limited the cost to \$5,000.00. John said we did have some problems with the equipment. A rock was hit and they had to refurbish the rotating unit. John said Fabco Rents stated that the cost should be minimal. John said Fabco Rent's service was excellent as they were here several times helping with the maintenance of the machine during the rental period. John said one of his part time employees, Kraig Hanig, operated the machine.

Larry Wenning stated that the area looks good and that a good job was done by Kraig Hanig.

John stated that with all the snow fall and freezing rain it has been difficult to keep up with clearing the ice off the entire airport. John said the runways and taxi ways are in pretty good shape but the ramps are in poor shape. John said we plowed 100 hours in the last month.

**(10) Chairman's Report:** No Chairman's report tonight as Gary Schwartz is out of town.

**(11) Aviation Happenings:** Gary Schulz stated that Boeing is still working on the lithiumium battery situation on the 787's. Beechcraft is coming out of bankruptcy and will produce piston powered aircraft only. Cessna and other manufacturers are experiencing a slowdown in jet sales.

This political administration is again looking at the \$100 corporate tax fee and ending the Accelerated Depreciation Tax write off, which could slow the purchase of jets.

**(12) Public Comment:** Larry Wenning made the comment that there is a lot of ice in front of his hanger door. He did not realize that the airport had plowed 100 hours this month but asked if there is something that can be done to eliminate this problem with the ice buildup. Gary Schulz said that it has been an unusual winter with snow and freezing rain and it is hard to keep everything clear. Joe Malsack agreed with Gary's comments.

Larry Wenning wondered if maybe a box plow could be purchased to use on the John Deere that would scrape closer to the blacktop. Joe Malsack commented that we can scrape up our cracking sealing material if we scrape to close. John Miller said that a brush is the only piece of equipment that could have handled the snow situation this year. Larry Wenning voiced his opinion that he was disappointed when we did not buy a brush when the BOA offered it. John Miller said that the BOA has been using our entitlements in the projects and we needed to save what we had for the terminal building. John stated that with the new taxiways and other additional areas we will continue looking for ways to get a brush.

**(13) Agenda Items for Next Meeting:** None

**(14) Adjournment:** Joe Malsack made a motion to adjourn. The motion was seconded by Lyle Banser. The motion passed.

**These Minutes were recorded by John Miller, the Airport Manager and were ratified at the March 20, 2013 Airport Commission Meeting.**

1305210

**Minutes**  
**Airport Commission Meeting**  
**Wednesday, March 20, 2013**

**Present:** Gary Schwartz, Joe Malsack, Gary Schulz, Lyle Banser, Chris Malm and Airport Manager John Miller

**Also Present:** Larry Wenning, Steve Krueger

**(1) Call to Order:** Gary Schwartz called the meeting to order at 7:00 PM.

**(2) Presentation by NTC staff on potential cooperative projects:** Bryce Kolpack gave a detailed presentation about their new facilities and outlined programs that were being conducted at the new NTC campus. A ribbon cutting ceremony will be held on April 24<sup>th</sup> with an Open House from noon until 2:00 P.M.

**(3) Approval of the February 20, 2013 Minutes:** Joe Malsack made a motion to ratify the minutes of the February 20, 2013 meeting. The motion was seconded by Chris Malm. The motion passed.

**(4) Approval of Vouchers:** The vouchers were reviewed and signed by all. Joe Malsack made a motion to approve the vouchers. The motion was seconded by Lyle Banser. The motion passed.

**(5) Update on 2006 Project:** Will combine with the 2013 Terminal Project.

**(6) 2013 Terminal Project:** Gary Schwartz and John Miller will be attending a meeting on March 21<sup>st</sup> at the Bureau of Aeronautics in Madison primarily to discuss funding for the new Terminal. Gary said that the Terminal Project is at a standstill until we hear from the State as to what additional funding is available. John said that there is nothing new to report on the 2006 Project and we are just waiting for the weather to change so construction can begin.

**(7) Discussion/Decision Beacon Repair/Replacement:** John Miller said that Beecher Hoppe and the Bureau of Aeronautics have been working to get the Beacon Project together for us and it will be a change order to the 2006 Project. The beacon will be a New High Intensity Unit installed on the current tower. This new beacon should be in the \$10,000 to \$11,000 range and installed in May or June. Beecher Hoppe will hire the electrical company to do this.

Joe Malsack questioned as to why the beacon is on and John Miller said that he has been in contact with the Bureau and was told that the Beacon tower is an obstruction and should be on.

Joe Malsack made a motion to go ahead and add the new beacon to the 2006 Project. Chris Malm seconded. Motion passed.

**(8) Discussion–Airport Name:** No discussion this meeting but will be kept on the Agenda.

**(9) Discussion of RRL Marketing Program:** No discussion this meeting but will be kept on the Agenda.

**(10) Manager's Report:** John Miller said that the lights on 16/34 are still popping the breaker once or twice a week but it is much better than last fall. John said he will keep an eye on them. John said if they continue to pop the breaker there are a few areas that can be looked at. John said we need to keep this system working for another 3-4 years.

John Miller said he has received some bids for painting the interior of the hangar. The painting of the hangar and the polishing of the floor is part of an approved budget item of \$14,000.00 and also includes repair of the insulation in the Maintenance Building. John said the replacement of the roof is another budget item.

John said that his company will do the cleaning of the floor and get it ready for polishing but is unable to do wall painting. The two bids he received are between \$7,000.00 and \$8,000.00 range. John said he would like to have the walls painted by the end of April and floor finished during May. Gary Schwartz said that we must stay under budget on these projects. John Miller said he would get more quotes.

John Miller reported that he met with his insurance agent and two items were brought to his attention. He can no longer drive the tractor and the orange snow plow on the city roads to get fuel as these vehicles are not licensed for road use. He can use the vehicles on the airport property and is completely covered. As of right now we are running fuel with three 5 gallon containers. John said that works for the snow plowing but will not work for lawn cutting with the tractor. John would like to look into getting a fuel container for the back of the red truck and dispense fuel from that. John said he would look at prices for that.

John said sky diving at Airport Day is something that is not covered by his Liability Insurance. John Miller said that he is insured for sponsoring a Fly-In once a year. John said this is something that will need to be discussed. John said he will get with Tom Hayden to discuss this further before next meeting.

Tom Hayden has informed John that Bill Kaiser has not signed the lease on his hangar. John said he handed in a lease but crossed out the part regarding the liability insurance, has added Larry Wenning's and Taylor Kaiser's name to the lease but they did not sign it. Larry Wenning said that he would talk to Bill Kaiser regarding this matter.

**(11) Chairman's Report:** Gary Schwartz has remained in contact with Brian Hough and he is still working on starting a flight school in Merrill.

**(12) Aviation Happenings:** Gary Schulz stated that Boeing is still working on the lithium battery situation on the 787's.

The EAA has had a change of leadership and the AOPA is also looking for a new president. The general aviation industry is a one half million strong and will need good lobbyists in Washington to keep general aviation strong.

The FAA has announced that the sequestration issue will require that 170 lower usage airport towers will be closed. On the list is La Crosse and Eau Claire, but did not see North Central Airport on the list.

**(13) Public Comment:** None

**(14) Agenda Items for Next Meeting:** Painting of the FBO Hangar.

**(15) Adjournment:** Joe Malsack made a motion to adjourn. The motion was seconded by Chris Malm. The motion passed.

**These Minutes were recorded by John Miller, the Airport Manager and were ratified at the April 17, 2013 Airport Commission Meeting.**

ZONING BOARD OF APPEALS MINUTES  
May 7, 2013, 6:00 p.m.

PRESENT: Chairman Pete Lokemoen, Dean Haas, Jim Koebe, Ron Burrow, Bill Schneider, Zoning Administrator Pagel.

Absent: Mark Peterson

Chairman Lokemoen called the meeting to order at 6:00 pm.

Motion to approve the January 24, 2013 minutes as printed with the correction of Mr. Burrows voting no on the Kleinhans variance, Motion by Mr. Schneider, seconded by Mr. Koebe, and carried.

Zoning Administrator Pagel explained the request for variance for 1001 Pine Bluff Ave..

Eric Dayton, owner, spoke in favor of the variance and explained the height and location of the building and that he is removing the barn on the property. The average height will be 19'. With no one to speak against the variance.

Motion to close the hearing Mr. Koebe, second Mr. Haas , and carried.

Motion to approve the variance Mr. Haas, seconded Mr. Schneider , and carried.

With no other business, Motion to adjourn Mr. Koebe, second Mr. Haas, and carried.

Meeting Adjourned 6:15 pm. Darin Pagel, Recording Secretary.

**City of Merrill  
Board of Canvassers  
Monday, April 8, 2013 at 9:00 A.M.  
Council Chambers, City Hall**

Members Present: Kaye Severt, Kathryn Seubert and City Clerk Bill Heideman

Others Present: None.

The meeting was called to order by City Clerk Heideman at 9:00 A.M.

City Clerk Heideman explained that the purpose of the Board of Canvass is to process late-arriving absentee and/or provisional ballots for the April 8, 2013 Election.

City Clerk Heideman indicated that there are no provisional ballots to process.

City Clerk Heideman reported that (3) late-arriving absentee ballots were received; in (3) separate districts. All of the ballots arrived on Wednesday, April 9<sup>th</sup>, 2013, and were post-marked April 8<sup>th</sup>, 2013, meeting the requirement to be reviewed and counted.

The following is a breakdown of the late-arriving ballots per District:

District No. 2 – 1 ballot  
District No. 3 – 1 ballot  
District No. 4 – 1 ballot

All of the ballots were reviewed by the Board of Canvass and it was determined that each ballot was properly signed by the voter and had the required witnesses for the votes to be recorded. The total number of voters for each District was amended to reflect the additional voter. Each ballot was recorded on the Absentee Ballot Log and the vote cast by each elector was recorded on the Write In Tally Sheet. Each ballot was placed in the Late-Arriving Absentee Ballot Container Bag and properly sealed.

The Board of Canvass members completed and signed all of the required forms to verify the results of the Board of Canvass at the meeting. City Clerk Heideman will deliver the forms to Lincoln County Clerk Chris Marlowe.

Public Comment – none.

Motion by City Clerk Heideman, seconded by Kaye Severt, to adjourn. Carried.

Adjourned at 10:08 A.M.

Minutes prepared and submitted by:

Kathryn M. Seubert

1305250

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By H & S/Board of Public Works  
Re: Amending Chapter 36, Article II, Division 4,  
Section 36 to add a 15-minute parking zone

ORDINANCE NO. 2013-  
Introduced: May 14, 2013  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**H & S=PASSAGE, BPW=NO ACTION**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1** Chapter 36, Article II, Division 4, Section 36 of the Code of Ordinances for the City of Merrill is amended to add the following at Section 36-122 and renumber:

**Sec. 36-122. – Fifteen-minute parking zone.**

The following is established as a 15-minute parking zone:

(1) 2 spaces in front of 1021 E. Main Street

**Section 2 Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3 Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305251

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 2, Article II, Section 2-23 to  
add (6) On-Duty Member of the Merrill Police  
Department Auxiliary

ORDINANCE NO. 2013-  
Introduced: May 14, 2013  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1.** Chapter 2, Article II, Section 2-23 of the Code of Ordinances for the City of Merrill is amended to add the following at (6):

**Sec. 2-23. - Issuance of citation.**

- (a) *Law enforcement officer.* Any law enforcement officer may issue citations authorized under this article.
- (b) *City officials.* The following city officials may issue citations with respect to those specified ordinances which are directly related to their official responsibilities:
  - (1) Any law enforcement officer;
  - (2) Fire chief or fire inspector;
  - (3) School crossing guards;
  - (4) Building inspector, plumbing inspector, electrical inspector, HVAC inspector;
  - (5) Street and weed commissioner.
  - (6) On-duty member of the Merrill Police Department Auxiliary under the direction of the Chief of Police or designee.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305252

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 24, Article II, Section 24 to  
add (25) Merrill Police Department Auxiliary

ORDINANCE NO. 2013-  
Introduced: May 14, 2013  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1** Chapter 24 of the Code of Ordinances for the City of Merrill is amended to add the following at (25):

**Sec. 24-25. – Merrill Police Department Auxiliary**

The Chief of Police may organize a Volunteer Civilian Police Auxiliary and shall provide for the training, planning, staffing, direction, and control of all the members of the Auxiliary for the the most effective and efficient discharge of its duty to protect persons and property, preserve the peace, protect the rights of citizens and enforce the city ordinances.

All members of the Police Auxiliary shall be volunteer and will not receive monetary compensation for their service.

**Section 2 Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3 Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305253

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 26, Article II, Section 26-33  
to add (b) and (c) related to Merrill Police  
Department Auxiliary

ORDINANCE NO. 2013-  
Introduced: May 14, 2013  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1.** Chapter 26, Article II, Section 26--33 of the Code of Ordinances for the City of Merrill is amended to add the following at (b) and (c):

**Sec. 26-33. - Failure to obey lawful order.**

- (a) It shall be unlawful for any person to fail to obey the direction or order of a police officer while such police officer is acting in an official capacity in carrying out his duties.
- (b) It shall be unlawful for any person to obstruct any public official who is authorized to issue a citation, by refusal to remain present with the official while the official is issuing a citation and is acting in an official capacity in carrying out his duties in respect to the enforcement of the City of Merrill Code of Ordinances.
- (c) It shall be unlawful for any person to fail to obey the direction or order of an on-duty member of the Merrill Police Department Auxiliary while such auxiliary member is acting in an official capacity in carrying out his duties.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305254

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 36, Article II, Division 1,  
Section 36-26 to increase parking violation  
forfeitures

ORDINANCE NO. 2013-  
Introduced: May 14, 2013  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1.** Chapter 36, Article II, Division 1, Section 36 -26 of the Code of Ordinances for the City of Merrill is amended to increase parking violation forfeitures:

- (d) Forfeitures – *Parking violations.*
- (1) *State statutes.* Any forfeiture for violation of the state statutes adopted by reference in this article shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the state judicial conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
  - (2) *Violating uniform parking, stopping and standing offenses.* Minimum and maximum forfeitures for violation of nonmoving traffic violations adopted by reference in section 36-19, as described in Wis. State. chs. 341—348, shall be as found in the current edition of the Revised Uniform Deposit and Misdemeanor Bail Schedule of the state judicial conference, including any variations or increases for subsequent offenses.
  - (3) *Over-parking.*
    - a. Any person causing or permitting any vehicle registered in his name to be unlawfully parked as set forth in division 4 of this article shall be subject to an over-parking violation forfeiture of \$20.00~~40.00~~ for each additional period of over-parking in the same space; provided a separate violation ticket is issued for each additional period of over-parking. Over-parking violations forfeitures paid after five days after the time of the violations shall be increased from \$20.00~~40.00~~ to

~~\$50.00~~~~25.00~~ for each period of over-parking in the same parking space. These forfeitures, whether ~~\$20.00~~~~40.00~~ or ~~\$50.00~~~~25.00~~, may be paid by depositing the amount of forfeiture in one of the collection boxes, otherwise at the police department.

- b. In the event that any person who is cited for a violation of any provision in division 4 of this article shall, upon conviction, be punishable by forfeiture of not more than ~~\$20.00~~~~40.00~~ and costs of prosecution and upon willful failure to pay the forfeiture and costs, by imprisonment in the county jail until paid, in addition to any other penalties permitted by law.

(4) *Other parking violations.*

- a. Any person, either the registered owner of, or driver of a motor vehicle who causes or permits such vehicle to be unlawfully parked as set forth in division 3 of this article, except section 36-89, shall be subject to a forfeiture of ~~\$20.00~~~~40.00~~ for each violation; in addition, the city may order such vehicle towed. The procedures and charges for towing shall be the same as provided in article VI of this chapter. In the event that forfeitures imposed under this subsection are not paid within five days of the date of the violation, the amount due shall increase to ~~\$50.00~~~~25.00~~.
- b. Any person, either the registered owner of or driver of a motor vehicle who causes or permits such vehicle to be unlawfully parked as set forth in section 36-89 shall be subject to a forfeiture of \$50.00 for each violation; in addition, the city may order such vehicle towed. The procedures and charges for towing shall be the same as provided in article VI of this chapter. In the event that forfeitures imposed under this subsection are not paid within five days of the date of the violation, the amount due shall increase to \$75.00.

- (e) *Special local regulations.* The forfeiture for a violation of any special local regulation contained in this article, other than those pertaining to parking shall be not less than ~~\$20.00~~~~40.00~~, nor more than \$200.00 for the first offense and not less than ~~\$40.00~~~~20.00~~ nor more than \$500.00 for the second offense within two years.

**Section 2 Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3 Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305255

**CITY OF MERRILL**  
**1004 EAST FIRST STREET**  
**MERRILL, WI 54452-2586**

AN ORDINANCE: By Board of Public Works  
Re: Amending Chapter 36, Article II, Division 4,  
Section 36-119(7) to delete two-hour parking  
on North Scott Street in the 100 Block (east  
side of street only)

ORDINANCE NO. 2013-

Introduced: May 14, 2013

1st Reading: \_\_\_\_\_

2nd Reading: \_\_\_\_\_

3rd Reading: \_\_\_\_\_

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1.** Chapter 36, Article II, Division 4, Section 36 of the Code of Ordinances for the City of Merrill is amended to add west side delete at Section 36-119(7).

The following streets and parts of streets in the city established as two hour parking zones:

- (1) West Main Street in the 400 and 500 blocks;
- (2) East Second Street in the 600 and 700 blocks;
- (3) South Poplar Street in the 100 block;
- (4) East Main Street in the 700 (south side), 800, 900, 1000, 1100, 1200 and 1300 blocks;
- (5) South Mill Street in the 100 block (west side);
- (6) East First Street in the 800 and 1000 block;
- (7) North Scott Street in the 100 block (west side);
- (8) South Scott Street in the 100 block (east side);
- (9) North Mill Street 100 block;
- (10) South Court Street 100 block;
- (11) Grand Avenue 300 block (east side) and 400 block;
- (12) North Prospect Street 100 block (west side);
- (13) South Prospect Street 100 block (east side).

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent

provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305256

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Water and Sewage Committee  
Re: Amending Chapter 38, Article IV, Section 38-285 to follow PSC guidelines relating to the maintenance of laterals and meters

ORDINANCE NO. 2013-

Introduced: May 14, 2013

1st Reading: \_\_\_\_\_

2nd Reading: \_\_\_\_\_

3rd Reading: \_\_\_\_\_

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1** Chapter 38, Article IV, Section 38 of the Code of Ordinances for the City of Merrill is amended to add the following at Section 38-285 and renumber:

**Sec. 38-285. - Maintenance of laterals and meters.**

- (a) ~~Copper-w~~*Water laterals.* All copper-water laterals shall be maintained as far as the curb box to include box and stop at the water utility's expense. ~~by the water utility at its expense. All copper water laterals having approved Minneapolis pattern curb boxes and stops will be maintained by the water utility through the curb box and stop.~~ All other portions of water laterals and all sewer laterals shall be maintained at property owner's expense and the work shall be done by ~~qualified state-licensed~~ plumbers.

**Section 2 Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3 Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Approved:

\_\_\_\_\_  
William R. Bialecki,  
Mayor

Attest:

\_\_\_\_\_  
William N. Heideman, City Clerk

1305260

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE ORGANIZATION OF A MERRILL  
POLICE DEPARTMENT AUXILIARY**

WHEREAS, a group of interested citizens of the City of Merrill has proposed to form an Merrill Police Department Auxiliary for the purpose of cooperating with and assisting the Police Department of the City of Merrill; and,

WHEREAS, the Health and Safety Committee, at its April 22, 2013 meeting, reviewed the proposed rules and regulations, and approved the formation of a Merrill Police Department Auxiliary for the City of Merrill;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of May, 2013, that a Merrill Police Department Auxiliary be approved for the City of Merrill subject to the following:

1. That the proposal of the citizens group concerned to form a Merrill Police Department Auxiliary is hereby implemented.
2. That said Merrill Police Department Auxiliary shall be formed under the rules and regulations attached to this Resolution, marked Exhibit "A" and made a part hereof by reference.
3. That said rules and regulations may be changed from time to time, in such manner as may be determined to be necessary and/or desirable by the Common Council, upon recommendation of the Chief of Police.

Recommended by: Health and Safety  
Committee

CITY OF MERRILL, WISCONSIN

Moved: \_\_\_\_\_

\_\_\_\_\_  
William R. Bialecki  
Mayor

Passed: \_\_\_\_\_

\_\_\_\_\_  
William N. Heideman  
City Clerk

1305261

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE WISWARN  
MUTUAL AID AND ASSISTANCE PROGRAM**

WHEREAS, Wis. Stats. §66.0301, authorizes a municipality to enter into an agreement with other municipalities for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and,

WHEREAS, pursuant to Wis. Stats. §66.0301, Wisconsin municipalities together seek to create and participate in an intrastate program for mutual aid and assistance for water and wastewater systems called WisWARN; and,

WHEREAS, the purpose of WisWARN is to provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response, and recovery for municipal water and wastewater systems; and,

WHEREAS, WisWARN is established by municipalities adopting the WisWARN Mutual Aid and Assistance Agreement pursuant to Wis. Stats. §66.0301 and becoming a member of WisWARN; and,

WHEREAS, the governing body of the City of Merrill considers it to be in the best interests of the City to be a party to the WisWARN Mutual Aid and Assistance Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of May, 2013, that it:

1. Authorizes Kim Kriewald, Utilities Superintendent, to sign the WisWARN Mutual Aid and Assistance Agreement, and deliver it to (a) the Chair of the WisWARN Steering Committee, or (b) if the WisWARN Steering Committee has not yet been established, the Wisconsin Department of Natural Resources, c/o Zoe McManama, Water Infrastructure Security Specialist, Bureau of Drinking Water and Groundwater, P.O. Box 7921, Madison, Wisconsin 53707-7921; and,
2. Agrees the City of Merrill will comply with all terms of the Agreement.

Recommended by: Water and Sewage  
Committee

CITY OF MERRILL, WISCONSIN

Moved: \_\_\_\_\_

\_\_\_\_\_  
William R. Bialecki  
Mayor

Passed: \_\_\_\_\_

\_\_\_\_\_  
William N. Heideman  
City Clerk