

---

**CITY OF MERRILL  
COMMON COUNCIL  
TUESDAY, SEPTEMBER 10, 2013  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

- 130910** Invocation by Pastor William Hohman, New Testament Church
- 130915** Pledge of Allegiance
- 130920** Roll Call
- 130930** Minutes of August 13<sup>th</sup>, 2013 Common Council meeting
- 130940** Revenue & Expense Report – August 2013
- 130960** Communications and Petitions (None)
- 130980** Housing Authority – No Action
- 130990** Committee of the Whole
- 130991** Consider bid of for \$156,780 from C & D Excavating, LLC, for the demolition of the Lincoln House (from May 14<sup>th</sup>, 2013 Committee of the Whole meeting).
- 1309110** Parks and Recreation Commission – No Action
- 1309120** Board of Public Works
- 1309121** The Board recommends approving, as presented, the request from River District Development Foundation of Merrill for a temporary alternate route from Main Street to Council Grounds State Park for the River Bend Trail.
- 1309122** The Board makes no recommendation on the request from Mark Raymer for angle parking on Pine Street.
- 1309130** Health and Safety Committee – No Action
- 1309140** Personnel and Finance Committee
- 1309141** Consider Memorandum of Understanding with International Association of Fire Fighters Local 847, regarding Special Service Rates (Alderman Hass is bringing this directly to the Common Council. It was discussed at the July 23<sup>rd</sup>, 2013 and August 27<sup>th</sup>, 2013 Personnel and Finance Committee meetings, but no recommendation(s) were made by the Personnel and Finance Committee).
-

---

**1309150** Water and Sewage Disposal Committee

**1309151** The Committee recommends approving the proposal of \$123,800 from Process Equipment Repair Services, Inc., to rehabilitate/replace the grit removal system at the Wastewater Treatment Plant.

**1309160** City Plan Commission – No Action

**1309170** Transit Commission – No meeting in August

**1309180** Library Board – No Action

**1309185** Redevelopment Authority – No Action

**1309200** Enrichment Center Committee on Aging – No Action

**1309210** Airport Commission – No Action

**1309230** Placing Committee Reports on File

### **ORDINANCES**

**1308250** An Ordinance amending Code of Ordinances Chapter 10, to change from a municipal court to a joint municipal court (ordinance was referred from the August 13<sup>th</sup>, 2013 Common Council meeting)

**1308251** An Ordinance related to the salary for the elected Street Commissioner (first reading of the ordinance was at the August 13<sup>th</sup>, 2013 Common Council meeting)

**1308252** An Ordinance related to the salary for the elected City Clerk (first reading of the ordinance was at the August 13<sup>th</sup>, 2013 Common Council meeting)

**1309250** An Ordinance amending Chapter 2, Article V, Section 2-111(d) to delete Residency for Fulltime Employment (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)

**1309251** An Ordinance amending the Administrative Procedure Manual at Chapter 1, Government & Administration, Section 18, Residency (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)

**1309252** An Ordinance amending the Administrative Procedure Manual at Chapter 1, Government & Administration, Section 15, Probationary Period (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)

---

## **RESOLUTIONS**

- 1309260** A Resolution adding area #10 as an animal nuisance area and allowing bow and arrow hunting within that area (from August 26<sup>th</sup>, 2013 Health and Safety Committee meeting)
- 1309261** A Resolution amending Chapter 2, Operations – Position and Administration, Section 4-4 Residency (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)
- 1309262** A Resolution amending Chapter 2, Operations – Compensation Administration, Section 6-10 Longevity (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)
- 1309263** A Resolution amending Chapter 2, Operations – Scheduled Hours and Overtime, Section 7-5-2 Fire Department Supervisory Personnel (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)
- 1309264** A Resolution amending Chapter 8, Miscellaneous Conditions of Employment, Section 23-22(1), Fire Department Nonunion Clothing Allowance (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)
- 1309265** A Resolution amending Chapter 4, Leaves – Paid Leaves, Section 12-2 Vacations, 12-2-4 Nonunion Fire Personnel Leaves & Vacations (from August 27<sup>th</sup>, 2013 Personnel and Finance Committee meeting)
- 1309266** A Resolution approving a Final Plat of Wittman Heights Subdivision Addition in the City of Merrill by the City of Merrill (from September 3<sup>rd</sup>, 2013 City Plan Commission meeting)
- 1309267** A Resolution approving a Certified Survey Map on Snow Hill Road in the Town of Scott by Erich Roth and Heinz Roth (from September 3<sup>rd</sup>, 2013 City Plan Commission meeting)
- 1309270** Mayor's Communications
- 1309280** Public Comment Period
- 1309999** Adjournment

William N. Heideman, CMC, WCMC  
City Clerk

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact the Merrill City Hall at (715) 536-5594.

130980

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

**Wednesday, August 14, 4:00 P.M. Jenny Towers Library, Merrill, WI**

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

**PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING** called to order by Chairman Kathy Colclasure. Motion to approve today's agenda and minutes of July 10<sup>th</sup>, 2013 meeting, Kostman/Wagner. Motion passed unanimously.

HUD Vacancy Update/Discussion: The monthly progress report was handed out and reviewed. Commissioners learned a lot from the tour at the Rhinelander Housing Authority. The next priority is to hire a tax credit attorney. LaDonna will conduct interviews with attorneys next week and will let Commissioners know what she thinks. RFQs from developers are due August 19<sup>th</sup>. LaDonna will create score sheets and deliver them along with the RFQs to Commissioners August 20<sup>th</sup>. They need to be returned by August 30<sup>th</sup>. Commissioners would prefer to have interviews with developers scheduled no earlier than 3pm if possible. LaDonna and Lynn attended a Tax Credit Program Webinar. They felt the program provided them with a good starting point for becoming familiar with how the program works.

Discussion and motion to approve Checks #21307 thru #21348 and Billings to date for July 2013 with attached list of expenditures: Kostman/Humphrey. Passed unanimously by roll call vote: Kostman - aye, Colclasure - aye, Wagner - aye, Wiessinger - aye and Humphrey - aye.

Move-ins and Move-outs for July 2013: Motion to accept report and place on file. Kostman/Humphrey. Motion passed unanimously.

Report on Park Place Investments: LaDonna reported that a final dividend check was received from Vanguard. All funds have now been placed at River Valley Bank. A small Money Market account was opened in conjunction with the ICS account for in/out transactions with the remaining investment funds placed in the ICS account. Overall these accounts realized a gain of \$564.85 during the past month. LaDonna provided the Commissioners with an updated summary of Merrill Housing Authority active and closed accounts.

Approval of Resolution No. 367 "Merrill Housing Authority Investment Policy": Motion to approve Resolution No. 367. Kostman/Wagner. Passed unanimously by roll call vote: Kostman - aye, Colclasure - aye, Wagner - aye, Wiessinger - aye and Humphrey - aye.

Review Quarterly Report for Financial period ending June 30, 2013: LaDonna gave Commissioners an overview of the quarterly report. Expenses came in under budget but we are seeing a lower Rent Revenue due to the number of vacancies. A negative change in our net position is a direct reflection of the losses we incurred in the Vanguard Investments during May and June. Motion to accept and place on file the Quarterly Report for Financial period ending June 30, 2013, Kostman/Wagner. Passed unanimously.

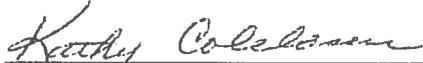
Report and Approval of Westgate Project Revision: LaDonna reported that based on recommendations made by Public Service following the Focus on Energy evaluation, she would entertain a motion to do nothing with the attic insulation at Westgate and instead apply the cost savings to offset the project overruns previously approved by the Board. Commissioners decided to wait to hear what the actual cost of the insulation will be before a decision is made not to add the insulation.

For the Good and Betterment of the Public Housing Program:

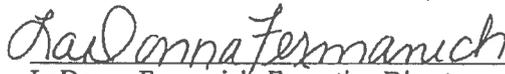
1. Commissioner Items/Comments: None.
2. Executive Director's Report: LaDonna reported that she passed the HUD Public Housing Management course. She sent Amanda some suggestions for possible UW group projects.
3. Public Comment Period: None

The next regular meeting of the Commissioners of the Housing Authority will be held on September 11, 2013, 4:00 p.m., Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.

Motion to adjourn at 4:32 P.M. and open Section-8 Housing - Jenny Towers Meeting. Wagner/Kostman.  
Motion passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

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

Wednesday, August 14, 2013, 4:32 P.M., Jenny Towers Library, Merrill, WI 54452

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

SECTION-8 HOUSING - JENNY TOWERS and SCATTERED SITES MEETING called to order by Chairman Kathy Colclasure. Motion to approve minutes of July 10, 2013 meeting and today's agenda: Kostman/Humphrey. Motion passed unanimously.

Discussion and motion to approve Checks #16500 thru #16546 (RVB) and Billings to date for July 2013 with attached list of expenditures: Kostman/Wagner. Passed unanimously by roll call vote: Colclasure-aye, Kostman-aye, Humphrey-aye, Wiessinger-aye, and Wagner-aye.

Discussion and Approval of Move-ins and Move-outs for July 2013: LaDonna reported that several tenants have moved out due to need for additional health related services. Motion to accept report and place on file. Wagner/Kostman. Motion passed unanimously.

Report on Vacancy Actions implemented: LaDonna reported that due to the number of vacancies a number of strategies have been employed. We are in the process of updating our brochure, LaDonna was on "Community Chat" to emphasize that we now have openings, letters have been sent to applicants who were "On Hold" status, and plans for scheduling meetings with various agencies to get the word out about what we have available and to discuss collaboration of services are also in the works.

Report on Jenny Tower Investments: LaDonna reported a gain of \$36,229.78 in the BMO Harris Bank Trust Investment. Motion to accept and place on file the Investment Report. Kostman/Wagner. Passed unanimously.

Review Quarterly Report for Financial period ending June 30, 2013: LaDonna gave Commissioners an overview of report. Changing market conditions again had a negative impact on our overall net position. Vacancies will not help the situation and need to be first priority. Motion to accept and place on file the Quarterly Financial Report for period ending June 30, 2013. Kostman/Wagner. Passed unanimously.

Personnel Issues – Closed Session: Motion to go into closed session. Kostman/Wagner.

In closed session LaDonna provided her list of goals for the next twelve month period. She also provided information regarding the one year performance review for Lynn Ross, Executive Secretary. Motion to approve the wage recommendations made for Lynn effective 8/20/13 by Weissinger/Humphrey. The Board recommended implementing a more goal oriented/objective reviewing process for employees.

Motion to leave closed session and go into open session Kostman/Wagner.

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

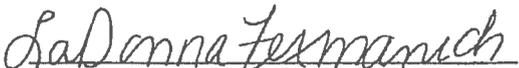
1. Commissioner Items/Comments – None.
2. Executive Director's Report – Executive director reported good turnout at the tenant picnics held at both buildings. Also, Financial Audits for the year ending 12/31/12 were handed out to Commissioners for review prior to next month's meeting. LaDonna asked Commissioners to email any questions relative to the audit to her in advance of the next meeting so that she would be able to have the answers ready should she need to follow up with the auditors for clarification.
3. Public Comment - None.

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, September 11, 2013, 4:00 p.m. Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.

Motion to adjourn Kostman/Weissinger. 5:35 p.m. Motion passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

August 7, 2013

The Merrill Parks and Recreation Commission met on Wednesday, August 7, 2013 at 5:00 p.m. at the City Hall.

Members Present: Dan Novitch, Mike Willman, Ralph Sturm, Dorwin Harris, Brian Artac, Melissa Schroeder

Members Excused Absent: Anne Caylor

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: John Annis, Judy Woller, Dewy Pfister, Ryan Schwartzman, Steve Hass, Melody Hamlin from Becher/Hoppe, Candy Peterson, Dave Sukow, Mary Ball, Todd Annis, Joy Annis, Don Heyel, Carol Heyel

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

\*\*\*Carried unanimously.

\*\*\*Motion by Schroeder, seconded by Artac, to approve the June claims.

\*\*\*Motion by Willman, seconded by Artac, to approve the July claims.

\*\*\*Artac questioned the bill for the infield mix. Artac thought the price was a little high for infield mix. Wendorf stated that it was two pallets.

\*\*\*Carried Unanimously.

The first item on the agenda was to review/approve City Forest Timber sale bid. Wendorf stated that WDNR Forester Rich Lavalley bid out the sale and only had one bid turned in. Wendorf stated that the bid was over the amount that they were hoping for, which is good. The bid received came from Futurewood Cooperation for \$39,291.25. Wendorf stated that he would like to start a non-lapsing account with some of the money from the tree sale so that the money would be there for improvements to the Merrill City Forest. After some discussion Steve Hass, president of the Council stated that he did not think the non-lapsing account would happen and the money has to go back into the general fund. Novitch stated that maybe a request or motion to start a non-lapsing account could be done in a future meeting. Wendorf stated that he would talk with Kathy Unertl on what the policy for this would be.

\*\*\*Motion by Artac, seconded by Sturm to approve the bid from Futurewood Cooperation for \$39,291.25.

\*\*\*Carried Unanimously.

The next item on the agenda was to review/approve Lions Park Restroom renovation bid. Wendorf stated that three bids were received for the project. Finnegan Construction, Merrill bid \$38,480, Eagle Construction, Wisconsin Rapids bid \$48,680 and J & J Lee Construction, Merrill bid \$44,392. Wendorf recommended accepting the bid from Finnegan Construction for \$38,480.

\*\*\*Motion by Schroeder, seconded by Willman to accept the bid from Finnegan Construction for \$38,480.

\*\*\*Carried Unanimously.

The next item on the agenda was an update on bicycle & pedestrian facilities grant. Wendorf stated that he has been working with North Central Regional Planning Commission and they have been looking at what we have and will put a plan together to take little steps to get the project completed. Wendorf stated that they will need to put a committee together of about 10-15 people including business owners, medical staff, moms and dads and community volunteers. Wendorf stated that this process may take a little longer but will be worth it. Willman stated that two years ago a Downtown Bike Route was passed by the Council, what happened with that project and how will it fit into the new project. Wendorf stated that the project could be amended and added to the new grant that they are currently working on. Wendorf stated that he will continue working on the project and will report more details back to the commission.

The next item on the agenda was to discuss parking at the Merrill Area Recreation Complex. Wendorf stated that this has been discussed in the past. The biggest concern with parking is the walk from the vehicles to the soccer fields. Wendorf stated that some handicap parking stalls were put in next to the driveway on MARC Drive for the concession stand. Steve Hass stood up and talked about the parking and where a potential parking lot could be put in at the MARC. Hass stated that a parking lot could be put in on the north side of the Smith Center, currently there is nothing there and would make a great parking area plus it would be closer for a lot of people. Mayor Bialecki stated that 3 years ago a petition was signed by over 500 people to address the parking issues out at the MARC. City Administrator Dave Johnson is wondering if it would be possible to continue a road, include a parking area, on the north side of the Smith Center, which would connect to Marc Drive. Wendorf was requested to get some more information on different parking options and bring them back to the commission at the next Park and Recreation meeting.

The next item on the agenda was the monthly reports. Wendorf asked if anyone had any questions on his monthly reports. Wendorf stated that all of the summer help will be done by August 27. Summer went good with park reservations and programs. Some events coming up were the 1<sup>st</sup> Annual Summer Stride and the Park and Recreation Department would also be participating in the Crazy Daze events. Sturm questioned Wendorf to who pays for the bills from Becher/Hoppe because he has never seen one on the bills to be approved by the commission. Wendorf stated that they are paid by the general fund. Sturm stated when Kathy Unertl was in a previous meeting she stated that the bills for Becher/Hoppe were paid through an anonymous donor. Sturm requested that he would like to see a break down of all bills for the Park and Recreation Department on what they have paid Becher/Hoppe for the projects they have done.

\*\*\*Motion by Willman, seconded by Artac, to accept the monthly report given by Wendorf.

\*\*\*Carried unanimously.

The next regular meeting is scheduled for September 4, 2013 at 4:15 p.m., at the City Hall.

Dan Novitch stated at this time he would request a motion to begin the Public Hearing regarding the location of the proposed future Outdoor Swimming Pool.

\*\*\*Motion by Willman, seconded by Artac, to begin the Public Hearing regarding the location of the proposed future Outdoor Swimming Pool.

\*\*\*Carried unanimously.

Wendorf stated the reasons for closing the old pool and now it is time to begin focusing on a site for the future outdoor swimming pool. Wendorf stated that three sites have been chosen at this time for review and Melody from Becher/Hoppe would talk about the proposed sites. Melody from Becher/Hoppe stated that the three sites for the potential pool would include Streeter Square, Stanges Park and the MARC. Melody presented drawing and pros and cons for each location being considered. Open for discussion:

\*\*Don Heyel, 1005 N. Memorial Drive, missed the pool this year and stated that he though better planning could have been done to prevent Merrill from not having an outdoor pool at all. Heyel stated that he thought the MARC was the best option for the pool because of all the room and parking out there. It is also a nice way to showcase the beautiful facility out there. Heyel stated that you have the opportunity to make this something special, take advantage of it.

\*\*Mayor Bill Bialecki, the City owns all the land which is good, Mayor Bialecki feels the pool should stay in a central location so everyone can utilize it. Mayor Bialecki stated that putting the park at Streeter Square would give everyone access to the pool. Mayor Bialecki stated that he would eventually like to see the old pool turned into a skate board park for the kids in the community. Dislike the MARC.

\*\*Mary Ball, 1701 Cotter Ave, does not like the idea of putting the pool at Street Square, would need to be smaller. She would like to see the pool go back to the Stange Park. She feels that the MARC is too far out. Having a pool is important to the public. Gives life to the city.

\*\*Ryan Schwartzman, 401 E. 3<sup>rd</sup> Street, would like to see the pool either at Stange Park or the MARC. Ryan would like the MARC best because it would involve the least amount of work. Stange Park is in the flood plain and Streeter Square is too small. Ryan stated that maybe a deal could be made with the Merrill Go Round on bussing for the pool.

\*\*Steve Hass, 702 E. 6<sup>th</sup> Street, would like to see the pool at Streeter Square, central location and equal distance for everyone.

\*\*Noel Busher, W3656 Cty Hwy P, believes the MARC is a good location. Noel stated that over 240 girls played ball at the MARC this summer and everyone either found a ride or their parents brought them out there. If the pool is there people will find a way to get there.

\*\*Dave Sukow, 1901 Webster Street, said his 6<sup>th</sup> ward constituents said anywhere but the MARC. Stange or Streeter Square is a good location and both have parking.

\*\*Todd Annis, 2405 W. 6<sup>th</sup> Street, Streeter Square is not a good location, no parking and a busy street for the kids to be crossing. Stange Park would be the best location; MARC is too hard to get to.

\*\*Dave Johnson, 1010 Johnson Street, daughter just wants a pool, would like to see the pool at Streeter Square; it is a good central location. Draw for the downtown.

\*\*Joy Annis, 2405 W. 6<sup>th</sup> Street, Streeter Square would be too dangerous for the kids crossing the road. Stange or the MARC would be a good location. Kids in Merrill need a pool.

\*\*\*Willman made a motion, Artac seconded to close the Public Hearing at 6:25 p.m.

Public Comment:

Vicky Lundstrum questioned if anyone had talked with the churches or the funeral home to see how they felt about an outdoor pool being placed at Streeter Square. Vicky stated that someone should talk with them before a decision is made.

Mary Ball stated that a decision needs to be made soon.

\*\*\*Motion by Artac, seconded by Willman, to adjourn at 6:30 p.m.

\*\*\*Carried unanimously.

Dawn Smith  
Recording Secretary

1309120

**City of Merrill  
Board of Public Works  
Wednesday, August 28, 2013 at 5:30 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Members Present (3 of 5): Mayor Bill Bialecki (Chairperson), Street Commissioner Richard Lupton and Alderman Steve Hass. Alderman John Burgener and Alderman Chris Malm had excused absences.

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Finance Director Kathy Unertl, Alderwoman Kandy Peterson, Alderman Dave Sukow, Darryl Landeau, Gene Bebel, Vince Conrad, Judy Woller, Alan Malm, Jonathan Malm, Eric Malm and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel. Building Inspector/Zoning Administrator Darin Pagel had an excused absence.

**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/Lupton) to approve the vouchers, as presented. Carried.

**Change order of agenda items**

Mayor Bialecki requested that he be allowed to change the order in which agenda items are considered. Without objection, it was so ordered.

**River District Develop. Foundation request-Alternate route to Council Grounds**

The River District Development Foundation of Merrill is proposing a temporary alternate route for the River Bend Trail, from Main Street to Council Grounds State Park. This was initially discussed at the July 24<sup>th</sup>, 2013 Board of Public Works meeting. At that meeting, no action was taken.

1309121

Motion (Hass/Lupton) to approve, as presented, the request from River District Development Foundation of Merrill for a temporary alternate route from Main Street to Council Grounds State Park for the River Bend Trail. Carried.

### **Presentation on Pine Ridge Avenue & State Highway 64 Study**

Information was distributed at the meeting.

Representing North Central Wisconsin Regional Planning Commission, Darryl Landeau gave a presentation on an upcoming study on the State Highway 64/Pine Ridge Avenue area. The presentation included the following:

- Topics to be addressed in the study
- Issues identified
- Next steps/Meeting schedule
- Questions & Comment

This presentation was also given at the August 6<sup>th</sup>, 2013 City Plan Commission meeting. No action was necessary, requested or taken at this time.

### **Consider petition from Development & Leasing to vacate portion of alley**

Information was in the meeting packet.

Development and Leasing Corporation has paid the fee and submitted a petition requesting the vacation of the north-south 20 foot wide alley lying west of Lots 10, 11 and 12 of said Block 3, and east of Lots 6, 7, 8 and 9 of said Block 3, all in said Mrs. Stewarts's Addition to Jenny.

City Attorney Hayden distributed a resolution related to the petition. He reported that the alley has never been used. He noted that, if the petition for vacation is approved by both the Board of Public Works and the City Plan Commission, it would be ultimately considered at the November 12<sup>th</sup>, 2013 Common Council meeting.

Motion (Hass/Lupton) to recommend approving, as presented, the petition from Development and Leasing Corporation to vacate the north-south 20 foot wide alley lying west of Lots 10, 11 and 12 of said Block 3, and east of Lots 6, 7, 8 and 9 of said Block 3, all in said Mrs. Stewarts's Addition to Jenny. This recommendation for approval would be forwarded to the September 3<sup>rd</sup>, 2013 City Plan Commission meeting. Carried.

**Continue considering request from Mark Raymer for angle parking on Pine Street**

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

City Administrator Johnson reported that testing has been done to determine whether the fire truck(s) could turn the corners in the area if angle parking was implemented. The test results showed that it would be difficult, but not impossible.

Street Commissioner Lupton stated that he is still of the opinion that angle parking would result in a compromise in safety. He is not in favor of angle parking.

**1309122**

Motion (Hass/Lupton) to forward to the Common Council, with no recommendation, the request from Mark Raymer for angle parking on Pine Street. Carried.

**Discuss garbage/recycle collection**

Street Commissioner Lupton had requested that this item be placed on the agenda. He stated that he requested this agenda item because the expiration of the current recycling contract is imminent, and that the current recycling process is outdated.

Street Commissioner Lupton distributed information related to potential changes to the recycling program. He noted that a considerable amount of material that is now treated as garbage could instead be recycled. He also noted that changing the present system would result in a decrease in the amount of materials that customers would be required to separate.

Street Commissioner Lupton will submit additional information to the September Board of Public Works meeting. Consideration of enhancing the recycling program will continue. No action was taken at this time.

**Monthly report - Street Commissioner**

The report was in the meeting packet.

**Monthly report – Exterior Maintenance**

The report was in the meeting packet.

**Monthly report – Northwinds Inspection**

The report was in the meeting packet. City Administrator Johnson reported that the sidewalk maintenance project for this year is currently in progress.

**Monthly report – City Hall Maintenance Supervisor**

No report submitted.

**Monthly report from contracted engineering firms**

No report(s) submitted.

**Place monthly reports on file**

Motion (Hass/Lupton) to place the monthly reports on file. Carried.

**Next meeting**

Wednesday, September 25<sup>th</sup>, 2013 at 5:30 P.M.

**Public Comment**

Alderman Sukow asked a question related to the potential recycling program, which was answered by Street Commissioner Lupton.

**Adjournment**

Motion (Hass/Lupton) to adjourn. Carried. Adjourned at 5:57 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

1309130

**City of Merrill  
Health and Safety Committee  
Monday, August 26, 2013 at 4:30 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Voting Members Present (3 of 3): Alderwoman Anne Caylor (Chairperson), Alderwoman Kandy Peterson (arr. 4:41) and Alderman Dave Sukow.

Others Present: City Administrator Dave Johnson, Deputy Health Officer Norbert Ashbeck, Fire Chief Dave Savone, Police Chief Ken Neff, Alderman Ryan Schwartzman, Chris Hartwig, Michael Caylor Jr. and City Clerk Bill Heideman.

**Call to order**

Alderwoman Caylor called the meeting to order at 4:32 P.M.

**Nuisance complaints and exterior maintenance report**

The report was in the meeting packet. Alderman Sukow noted that there have been issues at 403 East Street since 2010, and he hopes that all issues related to that property are resolved soon.

**Vouchers**

The vouchers were in the meeting packet.

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

**Beer and/or liquor license applications**

None.

Discussion was held on a pending Class "B" (beer) and "Class B" (liquor) license application. That application will be considered at the September Health and Safety Committee meeting.

**Consider adding area #10 to areas where bow-hunting is allowed**

Information was in the meeting packet.

Police Chief Neff had requested that this item be placed on the agenda. He reported that he is proposing the inclusion of an additional area (designated as area #10) as an animal nuisance area in which bow and arrow deer hunting would be allowed.

Area #10 is an area near the F-M Enterprise facility (former site of Ward Paper Mill). Police Chief Neff explained that initially the property owners were not in favor of hunting in that area, but they have since changed their mind and would now allow hunting in that area. It is a parcel of land bordered by Ninth Street on the south, Mill Street on the east, the north city limit line on the north and following the Section 2 line to Pier Street on the west. Police Chief Neff distributed a map which illustrated area #10.

Motion (Sukow/Peterson) to adopt the resolution designating area #10 as an animal nuisance area and allowing bow and arrow deer hunting within area #10. Carried.

The proposed resolution will be on the September 10<sup>th</sup>, 2013 Common Council agenda.

#### **Continue considering potential steps to address train whistle noise at night**

This has been an ongoing issue. Alderman Sukow expressed frustration that, although these concerns have been discussed for some time, little has been done to resolve the issue.

City Administrator Johnson reported that a form must be completed and submitted before railroad officials will even discuss the issue. He explained that it is necessary to include the crossing number(s) on the form, and at this point he did not know the numbers of the crossings. Michael Caylor Jr. reported that Lincoln County has a list of the crossings and numbers, and that he would provide Police Chief Neff with that list. City Administrator Johnson replied that a list would expedite the completion and subsequent submission of the necessary form.

The possibility of designating a "quiet zone" was discussed.

No action was taken at this time. This item will be on the September Health and Safety Committee meeting agenda.

#### **Monthly Report – Fire Chief Savone**

The report was in the meeting packet. Fire Chief Savone reported that the new firefighter has started work on August 26<sup>th</sup>. As a result of the new hire, the Fire Department is now fully-staffed.

Work on the new fire station continues.

**Monthly Report – Police Chief Neff**

The report was in the meeting packet. Police Chief Neff reported that sound testing at the Northcentral Technical College (NTC) Public Safety Center for Excellence has begun.

Advertising for prospective candidates for the Merrill Police Auxiliary Unit has begun.

Police Chief Neff distributed information on a social networking opportunity called Nextdoor. It will be formally introduced as part of a "Town Hall" meeting scheduled to be held in the Common Council Chambers on September 16<sup>th</sup>. Police Chief Neff is confident that it will prove to be a valuable communications tool.

Labor Day Parade plans are being finalized.

**Monthly Report – Lincoln County Humane Society**

The report was in the meeting packet.

**Place monthly reports on file**

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

**Schedule next meeting**

Monday, September 23<sup>rd</sup>, 2013 at 4:30 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Sukow/Peterson) to adjourn. Carried. Adjourned at 5:08 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

1309140

**City of Merrill  
Personnel and Finance Committee  
Tuesday, August 27, 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, City Attorney Tom Hayden, Library Director Stacy Stevens, Fire Chief Dave Savone, Alderman Dave Sukow, Roger Drewek, Kortney Pike, Matt Kucirek, Alan Malm (arr. 5:25), Jonathan Malm (arr. 5:25), Michael Caylor Jr. and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel. Finance Director Kathy Unertl had an excused absence.

**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.

**Continue consideration of M.O.U. with firefighters re: Special Services Rates**

Information related to the proposed Memorandum of Understanding was in the meeting packet. The Memorandum of Understanding relates to special services rates paid to EMS workers when an outside agency contracts with Lincoln County EMS for dedicated ambulance standby services.

This issue was originally discussed at the July 23<sup>rd</sup>, 2013 Personnel and Finance Committee meeting. At that meeting, no action was taken.

Fire Chief Savone answered questions related to hourly rates and transfers.

Alderwoman Caylor said, without having all information available to her, she is not comfortable with recommending approval of the Memorandum of Understanding.

1309141

Alderman Hass stated that he would bring the Memorandum of Understanding directly to the September 10<sup>th</sup>, 2013 Common Council meeting for consideration. No formal action was taken at this time.

**Ordinances & resolution related to employee residency**

Two proposed ordinances and one proposed resolution related to employee residency were in the meeting packet.

City Attorney Hayden explained that the two ordinances and the resolution are being proposed in light of recent changes made to state law regarding employee residency. The ordinances and resolution delete the residency requirement for certain full-time employees, while redefining the residency requirements for law enforcement personnel, fire personnel and the Utilities Superintendent.

Motion (Caylor/Schwartzman) to adopt the two ordinances and the resolution. All references to "no later than 120 days after hire" would be changed to "no later than the end of their probationary period". Carried.

The two ordinances and the resolution will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Resolution related to longevity for former Fire Department Captains**

A proposed resolution related to longevity was in the meeting packet. It would be applicable to only the former Fire Department Captains who were removed from the union.

Motion (Caylor/Schwartzman) to adopt the resolution. Carried.

The resolution will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Ordinance related to probationary period for protective services personnel**

A proposed ordinance related to the probationary period for certain employees was in the meeting packet. It specifies that the probationary period for protective services personnel (law and fire) shall be twelve months.

Motion (Schwartzman/Caylor) to adopt the ordinance. Carried.

The ordinance will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Resolution re: scheduled hours & overtime for Fire Dept. supervisory personnel**

A proposed resolution related to scheduled hours and overtime for Fire Department supervisory personnel was in the meeting packet.

Alderman Hass and Alderwoman Caylor questioned the use of the term Battalion Commander. They both prefer the term Captain.

Motion (Caylor/Schwartzman) to adopt the resolution, with the amendment that all references to Battalion Commander be changed to Captain.  
Carried.

The resolution will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Resolution re: clothing allowance for Fire Department non-union personnel**

A proposed resolution regarding clothing allowance was in the meeting packet. It stipulates that the clothing allowance for the Fire Department Captains shall be as per the current union contract.

Motion (Caylor/Schwartzman) to adopt the resolution, with the amendment that all references to Battalion Commander be changed to Captain.  
Carried.

The resolution will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Resolution re: leaves, paid leaves & vacations for Fire Dept. non-union personnel**

A proposed resolution related to leaves, paid leaves and vacations for Fire Department non-union personnel was in the meeting packet.

Motion (Caylor/Schwartzman) to adopt the resolution, with the amendment that all references to Battalion Commander be changed to Captain.  
Carried.

The resolution will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Monthly Report – Municipal Court**

The report was in the meeting packet.

**Monthly Report – Finance Director Unertl**

The report was in the meeting packet.

**Monthly Report – City Attorney Hayden**

The report was in the meeting packet. City Attorney Hayden reported that it is likely that the City of Tomahawk will be approving the formation of a joint court with the City of Merrill.

**Monthly Report – City Clerk Heideman**

The report was in the meeting packet.

**Monthly Report – City Administrator Johnson**

The report was in the meeting packet.

**Monthly Report – Building/Zoning Permits**

The report was in the meeting packet.

**Next meeting**

Tuesday, September 24<sup>th</sup>, 2013 at 5:15 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Caylor/Schwartzman) to adjourn. Carried. Adjourned at 5:48 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

1309150

**City of Merrill  
Water & Sewage Disposal Committee  
Wednesday, August 28, 2013 at 5:00 P.M.  
Basement Conference Room, City Hall, 1004 East First Street**

Members Present (2 of 3): Alderwoman Kandy Peterson and Alderman Rob Norton. Alderman John Burgener (Chairperson) had an excused absence.

Others Present: Mayor Bill Bialecki, City Administrator Dave Johnson, Utility Superintendent Kim Kriewald, Finance Director Kathy Unertl, John Mayer, 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**

In the absence of Alderman Burgener, Alderman Norton called the meeting to order at 5:00 P.M.

**Vouchers**

The vouchers were in the meeting packet.

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

**Consider water rate increase proposal prepared by John Mayer**

Information was in the meeting packet.

Utility Rate Consultant John Mayer gave a presentation on a water rate increase proposal that he has prepared. If the rate increase is approved, it is estimated it would provide the utility with an estimated additional \$120,858, which represents a 9.45% increase in revenues. This would allow the cash flow to pay for normal water main replacement and other capital expenditures without the need to borrow. It would also be a large step in maintaining the excellent financial health the utility has enjoyed over the past several decades.

Mr. Mayer explained that, since it takes some time for the Public Service Commission to review and make decisions on applications, he is seeking authorization to submit the proposal as soon as possible. He noted that, if the Common Council does not approve the proposed increase, the application could always be withdrawn later.

Motion (Norton/Peterson) to authorize John Mayer to submit, as prepared, a water rate increase proposal to the Public Service Commission for their consideration. Carried.

Note: No Common Council action is necessary at this time. However, if the Public Service Commission approves the increase, Common Council approval would still be necessary to implement the rate increase.

**Consider proposals to rehab grit removal system @ Wastewater Treatment Plant**

Information was in the meeting packet.

Utility Superintendent Kriewald reported that the rehab of the grit removal system at the Wastewater Treatment Plant was originally to be included as a potential 2014 capital project. However, circumstances have dictated that this project needs to be started sooner. Based on that fact, Utility Superintendent has contacted five companies to obtain prices on the equipment that would be necessary for the project.

After conducting his research, Utility Superintendent Kriewald is recommending approval of the proposal of \$123,800 from Process Equipment Repair Services, Inc. Utility Superintendent Kriewald noted that the project would be funded by the Equipment Replacement Fund.

**1309151**

Motion (Norton/Peterson) to approve the proposal of \$123,800 from Process Equipment Repair Services, Inc., to rehabilitate/replace the grit removal system at the Wastewater Treatment Plant. Carried.

**Operations Report**

The report was in the meeting packet. Utility Superintendent Kriewald noted that changes in the permitting process are pending.

**Public Comment**

None.

**Next meeting**

Wednesday, September 25<sup>th</sup>, 2013 at 5:00 P.M.

**Adjournment**

Motion (~~Peterson/Norton~~) to adjourn. Carried. Adjourned at 5:16 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

1308160

**City of Merrill**  
**City Plan Commission**  
**Tuesday, August 6, 2013 at 5:30 P.M.**  
**City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, Ken Maule (arr. 5:35), Melissa Schroeder, Dan Novitch and Pete Lokemoen.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Alderman Dave Sukow (arr. 5:40), Alderwoman Kandy Peterson, Darryl Landeau, Collin Lueck (Foto News) and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

The following attended only the public hearings portion of the meeting: William Sheldon, Verena Sheldon, Arthur Sheldon, Delbert Lunders and Julie Weber.

**Call to order**

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

**Minutes of June 4<sup>th</sup>, 2013 meeting**

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the June 4<sup>th</sup>, 2013 City Plan Commission meeting. Carried.

**Presentation on Pine Ridge Avenue & State Highway 64 Study**

Information was distributed at the meeting.

Representing North Central Wisconsin Regional Planning Commission, Darryl Landeau gave a presentation on an upcoming study on the State Highway 64/Pine Ridge Avenue area. The presentation included the following:

- Topics to be addressed in the study
- Issues identified
- Next steps/Meeting schedule
- Questions & Comment

This presentation will also be made at an upcoming Board of Public Works meeting. No action was necessary, requested or taken.

City of Merrill City Plan Commission minutes – August 6<sup>th</sup>, 2013

**Recess**

At 5:50 P.M., Mayor Bialecki declared a recess until 6:00 P.M., the time of the scheduled public hearings.

**Public Hearing – Conditional Use Permit application from Our Way, Inc.**

At 6:00 P.M., Mayor Bialecki called the meeting back to order.

Information was in the meeting packet. Our Way Inc. (Julie Weber) has submitted an application and paid the fee for a Conditional Use Permit for a duplex on Eugene Street, to be licensed and operated as an Adult Family Home.

City Attorney Hayden read the notice for both of the scheduled public hearings.

Motion (Maule/Novitch) to open the first public hearing. Carried.

Building Inspector/Zoning Administrator Pagel reported that the property is currently zoned R-3.

Julie Weber spoke in favor of the Conditional Use Permit.

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

Motion (Schroeder/Lokemoen) to approve the Conditional Use Permit application submitted by Our Way Inc. (Julie Weber), for a duplex on Eugene Street, to be licensed and operated as an Adult Family Home. Carried.

A resolution on the Conditional Use Permit will be on the August 13<sup>th</sup>, 2013 Common Council meeting agenda.

**Public Hearing – Preliminary Plat for Wittman Heights Subdivision**

Information was in the meeting packet.

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

The City of Merrill has submitted a Preliminary Plat for the Wittman Heights Subdivision. The proposed plat is located on Alexander Street and on the corner of Alexander Street and Jackson Street, and includes four lots.

Building Inspector/Zoning Administrator Pagel reported that the property is currently zoned Industrial.

City Administrator Johnson stated that the City would like to sell the land, in order to return it to the tax roll.

William Sheldon asked what the City has planned for the land. He was told that there were no definite plans at this time. Because the property is currently zoned industrial, rezoning would need to occur prior to the building of any type of residential structure.

Arthur Sheldon stated that he is not in favor of apartment buildings on the site.

Delbert Lunders stated that is not in favor of apartments or housing units on the site.

Verena Sheldon questioned the City's future plans for the site. She is not in favor of houses or factories at the site.

Alderman Dave Sukow commented that, at previous meetings, no decision had been made on the use of the land. In his opinion, there will not be a "rush" of people wanting to purchase the land, much less place apartments on the site.

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

Motion (Maule/Lokemoen) to approve the Preliminary Plat for Wittman Heights Subdivision, located on Alexander Street and on the corner of Alexander Street and Jackson Street. Carried.

A resolution on the Preliminary Plat will be on the August 13<sup>th</sup>, 2013 Common Council meeting agenda.

**Next meeting**

Tuesday, September 3<sup>rd</sup>, 2013 at 5:15 P.M.

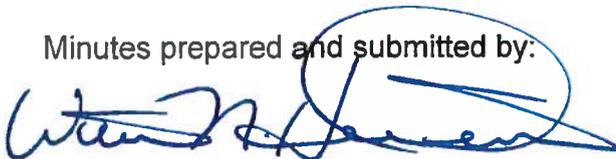
**Public Comment**

None.

**Adjournment**

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 6:30 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

1309160

**City of Merrill  
City Plan Commission  
Tuesday, September 3, 2013 at 5:15 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, Ken Maule, Melissa Schroeder, Dan Novitch (arr. 5:19) and Pete Lokemoen.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Alderman Dave Sukow, Alderwoman Kandy Peterson, Lincoln County Economic Development Director Jack Sroka, Susan Ryman 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 5:15 P.M.

**Minutes of August 6<sup>th</sup>, 2013 meeting**

The minutes were in the meeting packet.

Motion (Schroeder/Maule) to approve, as presented, the minutes of the August 6<sup>th</sup>, 2013 City Plan Commission meeting. Carried.

**Alley vacation petition from Development & Leasing Corporation**

Information was in the meeting packet.

Development and Leasing Corporation has paid the fee and submitted a petition requesting the vacation of the north-south 20 foot wide alley lying west of Lots 10, 11 and 12 of said Block 3, and east of Lots 6, 7, 8 and 9 of said Block 3, all in said Mrs. Stewarts's Addition to Jenny.

City Attorney Hayden reported that the alley has never been used or improved. He stated that there is no reason for it to be designated as an alley.

At a meeting on August 28<sup>th</sup>, 2013, the Board of Public Works recommended approving the petition, and forwarded that recommendation to the City Plan Commission.

Motion (Maule/Hass) to approve, as presented, the petition from Development and Leasing Corporation to vacate the north-south 20 foot wide alley lying west of Lots 10, 11 and 12 of said Block 3, and east of Lots 6, 7, 8 and 9 of said Block 3, all in said Mrs. Stewarts's Addition to Jenny. Carried.

A resolution on the vacation will be on the November 12<sup>th</sup>, 2013 Common Council meeting agenda. A public hearing on the vacation will be held at that meeting prior to consideration of the resolution.

#### **Final Plat for Wittman Heights Subdivision**

Information was in the meeting packet.

A Preliminary Plat for the Wittman Heights Subdivision was approved by the Common Council at a meeting on August 13<sup>th</sup>, 2013 (Resolution #2323). The Final Plat has now been submitted to the Department of Administration (DOA). The DOA has no objections to the final plat as submitted, and has approved it.

Motion (Lokemoen/Hass) to approve the Final Plat for Wittman Heights Subdivision, located on Alexander Street and on the corner of Alexander Street and Jackson Street. Carried.

A resolution on the Final Plat will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

#### **Certified Survey Map @ 201 South Prospect Street**

The Certified Survey Map was distributed at the meeting.

Building Inspector/Zoning Administrator Pagel reported that this is the former Hurd property, and that the property will be split.

Ken Maule commented that this is a "good deal" for the City of Merrill, and approving the map is a first step in allowing development to proceed. Mayor Bialecki agreed.

Motion (Hass/Lokemoen) to approve the Certified Survey Map for 201 South Prospect Street. Carried.

A resolution on the Certified Survey Map is on the September 5<sup>th</sup>, 2013 special Common Council meeting agenda.

#### **Certified Survey Map on Snow Hill Road in Town of Scott – Erich & Heinz Roth**

This was part of an amended agenda. The related information was distributed when the amended agenda was posted.

Building Inspector/Zoning Administrator Pagel explained that the land on the map is within the City's 1½ mile extraterritorial zoning district, and is therefore subject to City Plan Commission review and approval. He added that the land will be divided into three lots. All the proposed lots would have adequate frontage.

Motion (Lokemoen/Hass) to approve the Certified Survey Map on Snow Hill Road in the Town of Scott for Erich and Heinz Roth. Carried.

A resolution on the Certified Survey Map will be on the September 10<sup>th</sup>, 2013 Common Council meeting agenda.

**Next meeting**

Monday, September 30<sup>th</sup>, 2013 at 5:15 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 5:28 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, appearing to read "William N. Heideman", written over a circular stamp or seal.

William N. Heideman, CMC, WCMC  
City Clerk

1309180

**T. B. Scott Free Library Board of Trustees**  
**REGULAR MEETING**  
**August 21<sup>st</sup>, 2013**

Minutes

**1. Opening**

President Mike Geisler called the Regular Meeting of the Board of Trustees to order at 4:03 p.m. in the Library Board Room. Present: Gene Bebel, Katie Breitenmoser (4:04-), Paul Gilk, Richard Mamer (4:04-), Jim Wedemeyer and Vickie Yelle. Excused: Chris Malm and Tim Meehean. Also present: Don Litzer (4:06-), Mike Schroeder (-4:30) and Matthew B. from MP3.

Correspondence received: a request for contributions to the Merrill Fire Fighter Memorial. This item will be placed on the next board meeting agenda. A thank you from the Merrill Historical Society for the Zander Trust's Capital Campaign contribution.

Mr. Gilk gave information on an upcoming program at the Clare Center in Merrill featuring Michael Slattery speaking on his writings relating to the Wisconsin State budget.

**2. Consent Items**

M Gilk/S Bebel/C to approve July meeting minutes as printed. M Mamer/S Yelle/C to accept July Monthly Revenue and Expense Printouts and Monthly Statistical Report as printed.

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

A. Building and Grounds Report and Requests: Mr. Schroeder was present to answer questions. The city removed the large elm tree on August 5-6. M Mamer/S Breitenmoser/C to fund from Endowment Funds an amount not to exceed \$3,000, based on Foley Tree Service's written proposal, for tree maintenance/upkeep, including a 12-14' replacement tree and excluding ash tree treatment. M Bebel/S Wedemeyer/C to pay \$425 for the repair of the entrance roof with Endowment Fund monies.

B. Discussion: Advocacy Action Plan: Mr. Gilk spoke briefly on the importance of understanding the state budget process as it relates to library funding. The steady decline in state funds in local, county and state budgets is an ongoing concern for providing quality library services. Board members are asked to gather as much information as possible to potentially make a statement on the library's behalf to legislators.

C. Update: Outreach-Lincoln Hills & Lincoln County Jail: Ms. Stevens presented a report of current activities in providing outreach services to these two communities.

D. Trustee Essential #4-Effective Board Meetings: Ms. Stevens reviewed preparation for meetings, following the law at meetings, effective decision-making, more legal requirements and continuing trustee education as outlined in the Trustee Essential #4.

E. Reports from Friends/WVLS Representative: There was no report at this time.

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

- August 28<sup>th</sup> (Board) Game On! Classic Garden Party: outdoor gaming event scheduled.
- Following Labor Day weekend: winter hours, including Sunday hours, resume.
- Patron-expressed concerns related to use of handicapped computer station: Ms. Stevens reviewed existing policy/procedure for computer availability regardless of handicap.
- Ms. Stevens reported that the Long Range Planning Committee met for the first time, focus group meetings have been scheduled and the Long Range Planning process is on schedule.
- Ms. Stevens spoke with Dan Leydet regarding potential additional Lincoln County funding.
- 1000 Books Before Kindergarten program to begin October 1<sup>st</sup>.
- City of Merrill recently refinanced the debt service for the library building.
- Ms. Stevens reported on transitioning library services online to meet user needs-scheduling and reserving meeting room space, purchase suggestions, and library calendar of events.

**5. Adjournment:**

The meeting adjourned at 5:00 p.m. The next regularly scheduled meeting of the Board of Trustees will be held on September 18<sup>th</sup> at 4:00 p.m. in the Library Board Room.

Stacy D. Stevens, Secretary

1309185

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

**Tuesday, August 6<sup>th</sup>, 2013 at 8:00 A.M.  
City Hall Council Chambers**

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

RDA Absent: Ralph Sturm

Others: City Administrator Dave Johnson, Finance Director Kathy Unertl, City  
Attorney Tom Hayden, Kristen Fish, Mike Morrissey, and Mary Rajek from  
Redevelopment Resources, City Building Inspector/Zoning Administrator  
Darin Pagel from Northwinds Inspection, Community Development Program  
Administrator Shari Wicke, Dewey Pfister, and Jo Ellen James

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

**Approval of meeting minutes from July 2<sup>nd</sup>, 2013:**

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

**Review and discussion of framework for TIF façade improvement development incentives:**

RDA Commissioners review draft criteria and objectives for the TIF façade program. This program is not for routine property maintenance. Objective is façade upgrades or improvements to the existing structure with preference for improvements consistent with "original style and character" of historical buildings.

The TIF facade development incentive overview information will be provided to interested property owners, as well as reference available façade and economic development loans available through Community Development.

**Update on proposed 201 South Prospect Street site redevelopment and proposed TIF development incentives for Merrill Area Development Corporation (MADC):**

City Administrator Johnson provided an overview of the proposed redevelopment project. MADC has made an offer to purchase the thirty-three acre site from the individual whom purchased from Hurd Windows & Doors.

MADC would be selling two buildings to a manufacturing company. About forty jobs would be relocated to the site with planned doubling of workforce in future. Average wage for these jobs is about \$18.00 per hour.

Some building demolition is required. In addition, environmental issues need to be resolved to facilitate redevelopment of the majority of the property. Because MADC is a 503c organization, MADC would be able to apply for Brownfield's loans and grants to assist with environmental site assessment and remediation.

City TIF development incentives would include the following which have been discussed at the Committee of Whole on July 30<sup>th</sup>, 2013:

- City \$100,000 purchase of five acre site north of Zastrow's (TID No. 5) for stormwater drainage and development site along North Pine Ridge Ave.; and
- City \$200,000 TID No. 8 loan to MADC to facilitate site acquisition and environmental remediation cash flow.

It appears that it will take another month (or so) to finalize the purchase by MADC and complete due diligence for this major redevelopment project.

**Update and discussion of Tax Increment District boundary and plan amendments:**

Unertl highlighted preliminary plans for boundary and plan amendments of various Tax Increment Districts (TIDs). In addition, a new "blight" TID No. 9 is being proposed to include Wisconsin River parcels south of the railroad track currently in TID No.3, as well as various South Center Avenue properties.

**Next RDA meeting:** Next meeting scheduled for:

- Tuesday, September 10<sup>th</sup> at 5:30 p.m. with public hearings on various TIDs at 6:00 p.m. This would be before the regular Merrill Common Council meeting.

**Public Comment:** None.

### **Closed Session:**

Chair Bialecki 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 for façade improvements at 316 Grand Ave. in TID No. 8; and potential property title transfer of West Main Street parcels to City of Merrill/ Redevelopment Authority to facilitate demolition and site redevelopment in TID No. 8.

Motion (Schwartzman/Smith) to move into closed session. Carried 6-0 on roll call vote at 8:20 a.m.

- RDA Commissioners, property owner Jo Ellen James, and City staff/ redevelopment contractors discussed potential options related to 316 Grand Ave. which is adjacent to former blighted building that was demolished in fall 2012.
- The property owner of a West Main Street blighted building is willing to transfer title to his properties in a friendly condemnation process. The deteriorated existing structure is too expensive to renovate; has property maintenance orders from City Building Inspector due to roof conditions; and will be expensive to demolish. There was strong RDA Commissioner support for acquisition to facilitate demolition and site redevelopment. City staff is aware of one interested developer already.

RDA Secretary Unertl will issue "spot blight" public hearing notice and there will be resolution for consideration at the September 10<sup>th</sup> RDA meeting. Running parallel to the "spot blight" process timing, City staff will issue Request for Proposal for developers interested in demolition and site redevelopment.

### **Adjournment From Closed Session:**

Motion (Karow/Smith) to adjourn the meeting at 8:57 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

## City of Merrill TIF Façade Development Incentives

Criteria and objectives for the TIF façade program include:

- Property taxes must be current (i.e. not delinquent);
- Program object is façade upgrades or improvements to existing structures with preference for improvements consistent with "original style and character" of historical buildings;
- Not for routine property maintenance such as brick tuck pointing, repainting of brick facades, or window replacements unless part of an overall facade upgrade or improvement project;
- Not for roof replacement or other routine property maintenance;
- No installation of vinyl siding, especially to replace existing brick facades;
- Not for projects that are already underway prior to property owner request for potential TIF development incentive;
- Program to support continuation of existing jobs or potential new job creation; and
- Potential generation of new property tax increment at the parcel or surrounding areas. However, it is not necessary that TIF facade projects generate the total TIF development incentive amount during the remaining life of the Tax Increment District (TID).

City of Merrill Redevelopment Authority will use TIF funding to facilitate façade projects through:

- Hiring and paying for an architect and redevelopment consultant to identify potential project scope, costs, and funding options.

Contact person for potential TIF funding is City Finance Director/Redevelopment Authority Secretary Kathy Unertl at (715) 536-5594.

### **Potential Low-Interest Loan Funding:**

The City of Merrill has other Community Development loan programs available for potential projects that do not meet these TIF façade development incentives. Contact person is Community Development Program Administrator Shari Wicke at (715) 536-4880.

1809200

Merrill Area Community Enrichment Center  
Committee on Aging  
July 18, 2013

Committee Members Present: Eugene Simon, Chairperson. Chris Malm, Alderperson. Jack Ader, Peggy Jackelen, Art Lersch, Diane Goetsch and Missy Holdorf. Guest City Admin. Dave Johnson. Erin Zastrow, ADRC.

Meeting was called to order at 8:00 am. Motion was made by Malm, seconded by Jackelen to approve the minutes from the previous meeting. Motion carried.

Program updates and results;

Rummage Sale went well with approx.. Sales \$495.00. Items are still being sold from boxes. All items were either donated or items that are no longer used at the center.

Leaf Casting Classes are once again a huge success. This is one of our major fund raisers for the center. This year due to the weather we will only be able to teach 6 classes at \$20.00 per class; 6 students per class.

GRABAAWR Bike Stop was a huge success with 160 bikers stopping at our stop. They contacted us to provide the rest stop. Several volunteers assisted with the event which lasted 5 hours at Stange's Kitchenette.

Crazy Days will be held August 15<sup>th</sup>. The center will be located in front of VIP Office Supplies. A number of items will be on display for sale. Volunteers will assist at the center and downtown. This is a wonderful opportunity to get out and great the community!

National Night - August 7<sup>th</sup>. The center has been asked to participate in this first time event. The center will offer free pie and ice cream as well as some fun stuff for the kids. We are also hoping to bring along items from our craft shop as well.

Ageless Wisdom; we are currently working on the book. Several people continue to respond to the project. The deadline for submissions has been extended, but will wrap up my mid - August. The publication date has been extended as well. Updates will continue.

Update on Accreditation; Kathy Olson and Deau continue to work towards the WASC State Accreditation process. We are looking to complete it by December 2013.

2014 Budget - Dave Johnson; Discussion on the center and what things look like for 2014. In order to maintain the operation of the center Art Lersch, UW Extension, Lincoln County has offered to work on a survey to see how the center is serving the community and what the needs are. This survey will assist with the outcome of the center and the direction that it will take. The survey will be out in the community for several events throughout the summer with the results to be compiled and shared with the committee. Any

ADRC - Erin Zastrow; Lincoln County ADRC has a new Community Health Educator that will be serving the Merrill Area. Deau will plan on working with her on several options for programs at the center. Due to some funding issues there are meal sites closing due to federal cuts coming down to local ADRC. Erin will continue to share information with the committee on a monthly basis.

Motion made by Jackelen, second by Goetsch to approve the vouchers as presented. Motion carried.

Motion made by Lersch, seconded by Malm to adjourn at 9:00 am. Motion carried.

Next meeting date is scheduled for August 15, 2013.

Minutes submitted by Jane A. Deau, Director.

Merrill Area Community Enrichment Center  
Committee on Aging  
August 15, 2013

Committee Members Present; Eugene Simon, Chairperson. Jack Ader, Art Lersch, Chris Malm, Peggy Jackelen. ADRC - Erin Zastrow. Absent; Missy Holdorf and Diane Goetsch.

Meeting was called to order at 8:00 am. Motion made by Lersch, seconded by Malm to approve the minutes from the previous meeting. Motion carried.

Program Updates and results;

Crazy Days - August 15<sup>th</sup>; The center will be located in front of the VIP Office Supplies Store for the day promoting the center and the craft shop. The survey will also be distributed.

ABLE Bodies Balance Training; a free session was provided with 9 people signing up for the 16 week session that will run through December 15<sup>th</sup>. The class is being taught by Jane Francoeur of Merrill.

National Community Night; the center was part of the very first National Community Night held at Normal Park. Several volunteers helped us throughout the evening serving free pie and ice cream as well as materials from the center. A wonderful opportunity to share with the community what we do.

Rochelle Pennington "Endurance" Sept 5<sup>th</sup>; we are very excited to have Rochelle attend the center present "Endurance" the survival story of 27 men in 1914. The public is encouraged to attend this event held on September 5<sup>th</sup> at 1:00 pm at the Merrill Area Community Enrichment Center.

Ageless Wisdom update; the book is coming along with a number of entries coming in every week. Deau is hoping to work with a well-known author and publisher to possibly co-author the book. Deau will be meeting with her next week in hopes to work out an agreement. The publication date is out to the first of November with distribution.

Survey 2013 - MACEC; Art Lersch with the help of other agencies have created a survey to help the center find out what services and programs are working for the center and what needs to be created for the future of the center. As of date over 150 in the past week have been collected. The surveys will be in our monthly

newsletter of 1,700 and will be collected by October 1<sup>st</sup>. We also have four focus groups planned for October in hopes to have a working document in place for the upcoming year for the center.

Update on WASC Accreditation; Kathy Olson and Deau are working on the State Accreditation for the MACEC. We are hopeful to have the document in place and go through the process before the end of the year. Once the document has been compiled volunteers and board members will be asked to participate in the process to completion.

Foundation Funding Available; Deau brought to the committee a number of proposals for the MACEC. There was much discussion on areas of need for the center. #1. Funding to assist with bringing the kitchen up to code which includes new sinks, dishwasher and countertops. #2. Funding to assist with a lunch program for children and adults during the summer months in addition to the already in place program sponsored by Christ United Methodist Church. #3. Assistance with the publication of Ageless Wisdom. Requesting for startup funds to get the book marketed and published. #4. Subsidize Programs; Funds to assist participants with costly programs and special programs. #5. Transportation for individuals requiring out of town programs, pick up and deliveries. A motion was made by Lersch, seconded by Ader to pursue the funding for such projects. The committee will be informed on all funding allocations and projects.

Motion made by Jackelen, seconded by Malm to approve Deau to attend the Wisconsin Association of Senior Centers conference being held in Stevens Point being held on Sept. 25<sup>th</sup> – 27<sup>th</sup>. Motion carried. Deau is currently President of the State Assoc. Term ending Dec. 2013.

Motion made by Malm, seconded by Ader to approve Deau to attend a UW Extension Leadership Team Conference to present on October 7<sup>th</sup> and 8<sup>th</sup> in the Dells area with expenses covered by the UW Extension. Motion carried.

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

Next meeting scheduled for September 19<sup>th</sup>. Meeting adjourned at 9:30 am. Minutes submitted by Jane A. Deau, Director MACEC

1309210

**Minutes**  
**Airport Commission Meeting**  
**Wednesday, June 19, 2013**

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

**Also Present:** Larry Wenning

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

**(2) Approval of the May 15, 2013 Minutes:** Joe Malsack made a motion to ratify the minutes of the May 15, 2013 meeting. The motion was seconded by Chris Malm. The motion passed.

**(3) 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.

**(4) Update on 2006 Project:** John Miller said that last week Fortress was instructed by Beecher Hoppe, Van Ert, and John Miller as to where they could safely dig and to hand dig three holes. While hand digging one of the holes they broke a conduit and caused damage to the wiring for some fuel system components. The fuel system is functional but John said until it is fixed he had to hand stick each tank every day for fuel level and water level. Northwest Petroleum has ordered the parts and should be in about a week and a half. Fortress Fence will pay for the damages.

John Miller and Gary Schwartz said there is a portion of the taxiway that has two failed test cores. This is a density test that is done and the minimum is 92.5%. Those two cores tested in the 91.5% range. John said their roller broke and had to wait two hours for another roller before the asphalt could be properly compacted. It should be done within twenty minutes. Gary said there is also an issue with the size of stones used. Gary Schwartz said on other projects where something like this has happened American Asphalt has chosen to repair it instead of taking up to a 50% payment cut for that portion. All other portions of asphalt that was laid have past the core test. Gary Schwartz said he and John Miller will be meeting with Becher-Hoppe when the decisions need to be made. Gary said he is not in favor of tearing up new blacktop.

John Miller said we need to decide what to do with the ramp where it meets the portion that is not finished. John said there is quite a drop off from the finished part. The pails with the flashing lights have worked the past two years but we cannot continue with that. After some discussion John said he will look into what we can do to finish the edges.

John Miller said Fortress Fence is almost done with the pounding of the fence poles and will come back on Monday to string the wire. The electric lift gate has to be wired and an antenna will be installed to connect it to the monitoring system. John said he is not sure when the parking lot lights will be installed.

Gary Schwartz said that the ribbon cutting will not be held until everything is stripped which will probably be mid-July.

**(5) 2013 Terminal Project:** Gary Schwartz asked if the Commission would approve starting a formal design plan for the new terminal. Gary Schwartz said we have \$395,000.00 for this project and that should be enough for a 36 x 65' building. After some discussion it was decided this will be an agenda item for next month's meeting.

**(6) Discussion/Decision Tree and Property Issues around the Airport:** Gary Schulz said the beacon is hitting the trees and there are other trees around the Airport getting tall, including the trees surrounding the Mutz property. John Miller said the height restrictions on the Runway 16 approach changed when the NDB was decommissioned. John said that will need to be surveyed again with the new requirements

Gary Schwartz said we would look into the cost of moving the Beacon and John Miller will need to get in touch with the FAA to see where we are at regarding the trees on surrounding properties.

It was decided the Mutz property driveway needs to be closed by either using rocks or cable.

**(7) Discussion/Decision Creation of Airport Safety Committee:** John said that after Airport Day he would like to get a committee together to discuss the issues of safety. Gary Schulz questioned if such a committee was necessary since we have such an open Commission meeting where such problems are discussed. John disagreed and said he would like such a committee or at least formal means of how these issues are brought up and resolved. It was decided it will be discussed again after Airport Day,

**(8) Discussion/Decisions Airport Day 2013: Sky Divers Insurance and Dual events with NTC Safety Campus:** John Miller stated that he has spoken with Bryce Kopleck as to what they had in mind for a dual event. Bryce told John they would give people tours of their facility and show people how the police and firefighters are trained. Bryce said they would actually have all the training devices operational that day, including the robots used in the training of the police.

John said there would be signs put up at both events informing people of all the activities at each site. Bryce said he thought we could help each other draw people to the northwest side of the City that day.

After much discussion it was decided John should continue discussions with NTC.

John Miller said he has spoken with the Parachuting Association and the FAA and was told that we can get approval for the STC for the 182E to remove that door but not to remove the rear seat. John said the issue is there has to be a seat belt for everyone in the plane and the rear seat belts are attached to the rear seat. John said that with an FAA Inspector here last year during Airport Day he wants everything as legal as possible. John said that there is a onetime cost of \$200.00 for the STC.

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

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

**(11) Manager's Report:** John Miller reported that the floor project is not quite done yet but getting closer and the expenses for the City are done. John said he will be doing some painting around the edges to form a border between the walls and the floor. John said that the floor did not turn out as professionally looking as he had hoped it would but was a good functional floor for the hangar.

John said the tin was delivered this morning for the hangar roof but Tim Chapel from Chapel Construction could not give John a time as to when he would be here to install the roofing.

John said the hot water heater in the hangar started leaking and had to be replaced.

John said the area on the outside of the fence needs to be cut this year in a lot of areas. John doesn't know, with the budget problems we have, how it will be done. John said the grass cutting has been slow this year because of the wet ground.

Gary Schulz said that one of the neighbors spoke to him about the path of the ultra lights and if they could change it. Gary said he spoke with Steve Krueger regarding this.

John said that he would not be here for the July 17<sup>th</sup> meeting. The meeting then was rescheduled for July 24<sup>th</sup>.

Joe Malsack asked about the fuel situation for the tractor and buying a tank to transport fuel. John said that they were using three 5 gallon containers to fill the tractor and that it was working OK.

**(12) Chairman's Report:** Gary had nothing to add at this time.

**(13) Aviation Happenings:** Gary Schulz said the TWA 800 crash in 1996 had fuel tank issues and those problems are starting to come back.

**(14) Public Comment:** None

**(15) Agenda Items for Next Meeting:** Tree Issues and Terminal Building

**(16) 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 will be ratified at the July 24th, 2013 Airport Commission Meeting.**

City of Merrill Tree Board Minutes

August 13<sup>th</sup>, 2013 – 5:15 p.m.

The City of Merrill Tree Board met on Tuesday, August 13<sup>th</sup>, 2013 at 5:15 p.m. in the basement conference room at the Merrill City Hall.

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

Members Excused Absent: None

Visitors: Mayor Bialecki, Adam Lopour – MP3

Chairperson Hass called the meeting to order at 5:15 p.m.

First item on the agenda was to approve the minutes from the previous meeting.

\*\*\*Motion by Lupton, seconded by Wengeler to approve the minutes from the previous meeting.

\*\*\*Carried unanimously.

Chairperson Hass moved to the next item on the agenda, discuss park trees that need to be removed. Wendorf stated there are a number of hazard trees currently in parks that need to be removed. Wendorf shared pictures of the trees with the Board and discussed locations and conditions. There was also a request to remove one tree and thin a few more at Cenotaph Park. One tree is rubbing against the flag pole in that park and the others have branching way down that needs to be trimmed up. Wendorf also discussed trees at Stange Park, Normal Park, and Ott's Park that need to be removed because they are dead.

\*\*\*It was universally agreed upon to remove the trees that were discussed in their respective parks.

The next item on the agenda was to discuss the tree pruning and removals around the City. Wendorf stated he was continuing to work with the Street Department to focus on the areas that sustained damage during the tornado yet, as well as the area that had tree damage during the wind storm in June of 2012.

Wendorf also discussed tree mortality related to sidewalk replacements and roadwork (new road construction and curb/gutter). He mentioned he has been seeing more direct evidence of tree health declining quickly where road or sidewalk was recently done and would like to see contractors use more caution when working around trees or write language into contracts/specs so that they can be held accountable. Caylor questioned Wendorf on a dead tree that she noticed in Normal Park that was planted within the last few years. Wendorf indicated he would look into it and if need be replace it.

The next meeting will be at the call of the Chairperson.

There was no public comment received.

\*\*\*Motion Lupton, seconded by Caylor to adjourn at 5:48 p.m.

\*\*Carried unanimously.

Dan Wendorf  
Recording Secretary

ZONING BOARD OF APPEALS MINUTES  
September 3, 2013, 7:00 p.m.

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

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

**Motion to approve the August 6, 2013 minutes Mr. Haas; seconded by Mr. Schneider; and carried.**

**Motion to open the hearing for the first item Mr. Haas, second Mr. Schneider, and carried.**

Chairman Lokemoen explained the process for the hearing. Zoning Administrator Pagel explained the request for variance for 816 N State Street. Dennis Robinson, owner, explained that he had built the decks to improve his property and was unaware of needing permits for either deck. He had submitted to the Board a list of neighbors in favor of the improvements he had made. He stated there was a deck there previously but it was smaller than the one he had built in the front. He also stated his daughter is impaired and he needed the deck size for maneuverability. With no one else to speak for or against.

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

Chairman Lokemoen explained to Mr. Robinson that the hearing was closed and he was only allowed to speak if asked a question from the Board. The Board deliberated the code requirements and asked Mr. Robinson about timeframes for correcting building code violations. Mr. Robinson stated he had not yet completed the deck and was planning to meet the building code requirements. He then reiterated his previous testimony in regards to being granted a variance. ZA Pagel explained the criteria for granting a variance in regard to unnecessary hardship versus self-imposed hardship. Chairman Lokemoen again asked Mr. Robinson to refrain from commenting unless asked. After a short discussion.

**Motion to approve the variance with the condition that the front deck would need to be removed to a point even with the front setback of the existing house, also, the side deck could remain, by Mr. Peterson, seconded Mr. Haas, and carried with Mr. Schneider voting against.**

Next item on the agenda was a variance request by Mark Gartmann for a property at 402 N. Prospect St. ZA Pagel explained the variance request for a 4' sideyard on an attached garage proposed to be built by Mr. Gartmann. ZA Pagel explained that Mr. Gartmann was out of Town but could be reached by telephone with any questions. With no one to speak for or against.

**Motion to close the hearing Mr. Haas, second Mr. Burrow, and carried.**  
After a short discussion by the Board.

---

**Motion to approve the variance Mr. Schneider, second Mr. Peterson, and carried unanimously.**

Next meeting date will be set by ZA Pagel when needed. With no public comment.

**Motion to adjourn Mr. Peterson, second Mr. Schneider, and carried.**

Meeting Adjourned 6:35 pm.

Darin Pagel, Recording Secretary.

1308250

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

AN ORDINANCE: By the Mayor  
Re: Amending Chapter 10, from a Municipal Court  
to a Joint Municipal Court

ORDINANCE NO. 2013-

Introduced: August 13, 2013

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

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

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

Committee/Commission Action:

**DIRECTLY BY MAYOR BIALECKI**

## **AN ORDINANCE**

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

**Section 1.** Chapter 10, of the Code of Ordinances for the City of Merrill is amended as follows:

**Sec. 10-19. – Joint Municipal Court Created.**

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a joint municipal court to be designated "Municipal Court for the City of Merrill and the City of Tomahawk" said court to become operative and functional on May 1, 2014.

**Sec. 10-20. – Municipal Judge.**

**(a) Qualifications:** The municipal court shall be under the jurisdiction of, and presided over, by a municipal judge, who resides in either the City of Merrill or the City of Tomahawk that is a part to the agreement forming this joint court.

**(c) Oath and Bond:** The municipal judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stats. § 757.02(1), and at the same time execute and file an official bond in the amount of \$1,000.00. The municipal judge shall not act until the oath and bond have been filed, as required by Wis. Stats. § 19.01(4)(c), and the requirements of Wis. Stats. § 755.03(2), have been complied with.

**(d) Salary:**

- (1) The salary of the municipal judge shall be fixed by the common council of the municipalities that are parties to the agreement, which shall be in lieu of fees and costs. The municipal judge shall be entitled to mileage reimbursement, per city personnel policies, and considered a parttime employee working under 600 hours annually. No salary shall be paid for any time during the term where the municipal judge has not executed the official bond or official oath, as required by Wis. Stats. § 755.03, and filed pursuant to Wis. Stats. § 19.01(4)(c).
- (2) The municipalities may, by separate ordinance or resolution, allocate funds for the administration of the municipal court pursuant to Wis. Stats §66.0301.

**Sec. 10-21. - Elections.**

The city clerk shall comply with Wis. Stats. §§ 5.58(1c), 5.60(1)(b), 5.60(2), 7.10(1)(a), 7.60(4)(a) and 8.10(6)(bm), to provide for the election of a municipal judge under Wis. Stats. § 755.01(4). Such municipal judge shall be elected at large in the spring election for a term of four years commencing on May 1. All candidates for the position of municipal judge shall be nominated by nomination papers, as provided in Wis. Stats. § 8.10, and selection at a primary election, if such is held, as provided in Wis. Stats. § 8.11. The common council shall provide for a primary election in the event that more than two candidates file nomination papers for such position of municipal judge, as provided in Wis. Stats. § 8.11(1)(a), and such primary election shall be held on the third Tuesday of February as provided in Wis. Stats. § 5.02(22). In the event of any vacancy in the office of municipal judge, the common council may appoint as municipal judge a resident of the cities, otherwise qualified under this section upon the recommendation of the mayors. Such appointment is subject to the requirements of Wis. Stats. § 8.50(4)(fm). A municipal judge so appointed shall serve until the next spring election.

**Sec. 10-22. - Jurisdiction.**

- (a) The municipal court shall have such jurisdiction over incidents occurring on or after May 1, 2014 as provided in Article VII, §14 of the Wisconsin Constitution, by Wis. Stats. §§ 755.045, 755.05, and as otherwise provided by state law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- (b) The municipal judge may issue civil warrants to enforce matters under the jurisdiction of the municipal court under Wis. Stats. §755.045(2), §66.0119

- (c) The municipal court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of Wis. Stats. §938.17(2)(cm).

**Sec. 10-23. - Court hours.**

- (a) Hours: The municipal court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the municipal judge.
- (b) Employees: The Judge shall, in writing, appoint such clerks and deputy clerks as are authorized and funded by the City Council of the municipalities that are parties to the agreement.

**Sec. 10-24. – Collection of forfeitures and costs**

The municipal judge may impose punishment and sentences, as provided by Wis. Stats. ch. 800, and 938 and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, penalty assessment and costs, in addition to forfeitures imposed to cover the city's administrative charges, shall be paid to the treasurer of the municipality within which the case arose within thirty days after receipt of the money by the municipal court . At the time of the payment, the municipal court shall report to the treasurer the title of the action, the nature of the offenses and the total amount of the forfeiture, fees, penalty assessment and costs, if any.

**Sec. 10-25. - Contempt procedure.**

- (a) The municipal judge may impose a sanction authorized under Wis. Stats. § 800.12(2), for contempt of court, as defined in Wis. Stats. § 785.01(1), in accordance with the procedures under Wis. Stats. § 785.03.
- (b) The municipal judge may impose a forfeiture for contempt under Wis. Stats. § 800.12(1), in an amount not to exceed \$200.00 or, upon nonpayment of the forfeiture, plus costs, fees, and surcharges imposed under Wis. Stats. ch. 814, a jail sentence not to exceed seven days.

**Sec. 10-26. – Abolition**

The municipal Court hereby established shall not be abolished while the §755.01(4) agreement is in effect.

**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

1308251

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

AN ORDINANCE: By Personnel and Finance  
Committee  
Re: Salary for Elected Street Commissioner

ORDINANCE NO. 2013-  
Introduced: August 13, 2013  
1st Reading: August 13, 2013  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**COMMITTEE OF THE WHOLE**

## AN ORDINANCE

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

**Section 1. Street Commissioner.** Pursuant to Wis. Stat. Sec. 62.09(6)(b), Sec. 2-109(b)(2) of the Code of Ordinances for the City of Merrill is amended to provide the annual salary for the elected Street Commissioner shall be increased to **\$70,127.49** effective May 1, 2014, annually from **\$69,433.16**. **Effective May 1, 2015, and each year thereafter, the annual salary for the Street Commissioner shall be increased by the same percentage amount afforded all non-union city employees.** The elected Street Commissioner shall **also** be entitled to all fringe benefits afforded all non-union city employees as permitted by law.

**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 on May 1, 2014.

Moved by: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Approved: \_\_\_\_\_  
Published: \_\_\_\_\_

Approved:

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

Attest:

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

1308252

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

AN ORDINANCE: By Personnel and Finance  
Committee  
Re: Salary for Elected City Clerk

ORDINANCE NO. 2013-  
Introduced: August 13, 2013  
1st Reading: August 13, 2013  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_  
Committee/Commission Action:  
**COMMITTEE OF THE WHOLE**

## AN ORDINANCE

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

**Section 1. City Clerk.** Pursuant to Wis. Stats. Sec. 62.09(6)(b), Sec. 2-109(b)(1) of the Code of Ordinances for the City of Merrill is amended to provide the annual salary for the elected City Clerk shall be increased to **\$54,339.47** effective May 1, 2014, annually from **\$53,801.46. Effective May 1, 2015, and each year thereafter, the annual salary for the City Clerk shall be increased by the same percentage amount afforded all non-union city employees.** The elected City Clerk shall **also** be entitled to all fringe benefits afforded all non-union city employees as permitted by law.

**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 on May 1, 2014.

Approved:

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

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

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

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

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

Attest: \_\_\_\_\_

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

1309250

# CITY OF MERRILL

1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By Personnel and Finance  
Committee  
Re: Amending Chapter 2, Article V, Section 2-  
111(d) to delete Residency for Fulltime  
Employment.

ORDINANCE NO. 2013-

Introduced: August 13, 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 V, Section 2-111(d) of the Code of Ordinances for the City of Merrill is deleted:

~~(d) Residency required for fulltime employment. All fulltime officials appointed after the effective date of the ordinance from which this section is derived shall establish residency within the city limits no later than the conclusion of any probationary employment period.~~

**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

1309251

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

AN ORDINANCE: By Personnel and Finance  
Committee  
Re: Amending the Administrative Procedure  
Manual at Chapter 1, Government &  
Administration, Section 18, Residency

ORDINANCE NO. 2013-  
Introduced: September 10, 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 1. Section 18 of the Administrative Procedure Manual for the City of Merrill is amended to add the following at Section 1-18:

**1-18 Residency**

- (a) Residency requirements apply to all law enforcement personnel, fire personnel and the Utilities Superintendent, hired after July 1, 2013. Such personnel shall reside within 15 miles of the jurisdictional boundaries of the City of Merrill no later than the end of their probationary period.
- (b) Any change in residence for any law enforcement personnel, fire personnel and the Utilities Superintendent shall be in conformity with the above residency requirements. ~~for all full-time employees hired after April, 2006. Although City of Merrill residency is not required initially, continued employment is dependent upon becoming a City resident within nine months of date of hire.~~

~~All full-time employees hired by the City of Merrill after the effective date of this Section (8/10/06) shall become a resident of the City of Merrill no later than ninety (90) days after completion of their probationary period.  
(Code 1993, § 2-6-8; Ord. No. 06-18)~~

**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

1309252

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

AN ORDINANCE: By Personnel and Finance  
Committee  
Re: Amending the Administrative Procedure  
Manual at Chapter 1, Government &  
Administration, Section 15, Probationary Period

ORDINANCE NO. 2013-  
Introduced: September 10, 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 1. Section 15 of the Administrative Procedure Manual for the City of Merrill is amended to add the following at Section 1-15:

**1-15 Probationary Period.**

(a) Probationary Period Required.

(1) The employee is required to serve a **6-month** probationary period commencing on his/her date of employment or promotion, except that new department heads, by transfer, promotion or newly hired, **and law enforcement and fire personnel** shall serve a twelve (12) month probation. The employee shall have employment-at-will status during the probationary period.

~~(2) The employee shall serve a mandatory six (6) calendar month probationary period which shall be referred to as Performance Probation.~~

~~These~~**This** probationary periods may be extended up to an additional six (6) months by the Common Council or ~~theits~~ Personnel and Finance Committee by written ~~notice~~**letter** to the employee.

(b) Reduction of Probationary Period. At any time during the probationary period, the Common Council or ~~theits~~ Personnel and Finance Committee may reduce the probationary period.

(c) Dismissal During Probationary Period. During the Performance Probationary Period, the employee has the obligation to demonstrate proper attitudes and abilities for the position for which employed. The employee may be dismissed by the Common Council or ~~theits~~ Personnel and Finance Committee without prior notice, hearing, or cause during the Performance Probationary Period. Within thirty (30) days after the expiration of the probationary period, the

Common Council or its Personnel and Finance Committee shall make a determination as to retaining the probationary employee.  
(Code 1993, § 2-6-5)

**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

1309260

**RESOLUTION NO.**

**A RESOLUTION DESIGNATING PARTS OF THE CITY OF MERRILL AS ANIMAL NUISANCE AREAS AND ALLOWING BOW AND ARROW HUNTING WITHIN THOSE AREAS**

WHEREAS, the City of Merrill has received numerous complaints of deer damage within the City of Merrill; and

WHEREAS, the Health and Safety Committee has given public notice, conducted a public hearing, and found sufficient evidence to warrant the designation of the following ten animal nuisance areas for the hunting season; and

WHEREAS, the Common Council has formulated rules and boundaries to insure the safety of the public during a "hunt";

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Common Council of the City of Merrill designates the following areas as animal nuisance areas:

Area #1: The Hillside Cathedral church property north to the city limits on Pier Street (approximately 20 acres).

Area #2: The bottom lands of the Prairie River from Pier Street to Jefferson Street on both sides of the river bank. And the area from the east side of Jefferson Street to Lakeview Street on the west side of that street; from the south side of Taylor Street to the North side of Sixth Street; and those areas in between these boundaries, excepting a block bounded by Jefferson Street, Tenth Street, Adams Street and Eighth Street. Additional hunting area for Area 2 is 10<sup>th</sup> to Taylor, Genesee to Jefferson.

Area #3: The area from Oregon Street to California Street, following the line south of Devils Creek to City Limits.

Area #4: That area south of the railroad tracks from the junction of the Wisconsin River and the Prairie River west to the property line belonging to Hurd Millwork.

Area #5: That area from Schulz Street on the west side to Center Avenue on the east side; from the south city limits north to the Wisconsin River.

Area #6: The island between the 6<sup>th</sup> Ward Bridges south to the Wisconsin River.

Area #7: That area from Ohio Street on the east side to Division Street on the south side to the Wisconsin River on the north and west sides.

Area #8: That area west on Glen Drive bordered by Glen Drive on the south and the railroad right-of-way on the north. Additional boundaries are the residence at 2806 Glen Drive on the east and the north/south power lines to the west. These power lines cross Glenn Drive. This area is commonly known as the Eric Roth Farm.

Area #9: That 80 acre parcel bordered by STH 64 on the north and Heldt Street to the south. This area is directly south of the Heinz Roth residence located at 2701 W. Main Street. This area is commonly referred to as the Roth Farm, except the East 360 feet of the South 360 feet of the Southeast ¼ of the Northwest ¼ a/k/a 2801 Heldt Street property.

Area #10: A parcel of land lying bordered by Ninth Street on the south, Mill Street on the East, the North City limit line to the north and following the Section 2 line to Pier Street on the west.

BE IT FURTHER RESOLVED that any person wishing to hunt deer with a bow and arrow or crossbow may hunt deer within the designated area during the State of Wisconsin's archery season; and

BE IT FURTHER RESOLVED that any person wishing to hunt within the City of Merrill limits must first register with the Merrill Police Department and abide by the rules and hours established by both the State of Wisconsin and the Common Council of Merrill.

Recommended by

CITY OF MERRILL, WISCONSIN

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

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

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

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

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

**A RESOLUTION AMENDING CHAPTER 2, OPERATIONS – POSITION AND ADMINISTRATION, SECTION 4-4 RESIDENCY**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employees Handbook for the City of Merrill non-union employees by Resolution No. 2226, and;

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates City Residency requirements at Section 4-4 and recommends it be amended and re-numbered as follows:

**4-4 RESIDENCY. ~~City~~**

- (a) ~~Residency requirements apply to all law enforcement personnel, fire personnel and the Utilities Superintendent, hired after July 1, 2013. Such personnel shall reside within 15 miles of the jurisdictional boundaries of the City of Merrill no later than the end of their probationary period.~~
- (b) Any change in residence for any law enforcement personnel, fire personnel and the Utilities Superintendent shall be in conformity with the above residency requirements. ~~for all full-time employees hired after April, 2006. Although City of Merrill residency is not required initially, continued employment is dependent upon becoming a City resident within nine months of date of hire.~~

**4-5 PROBATIONARY PERIODS.**

(a) Probationary Period Required.

(1) The employee is required to serve a 6-month probationary period commencing on his/her date of employment or promotion, except that new department heads, by transfer, promotion or newly hired, and law and fire personnel shall serve a twelve (12) month probation. The employee shall have employment-at-will status during the probationary period.

These probationary periods may be extended up to an additional six (6) months by the Common Council or its Personnel and Finance Committee by written notice to the employee.

(b) Reduction of Probationary Period. At any time during the probationary period, the Common Council or the Personnel and Finance Committee may reduce the probationary period.

(c) Dismissal During Probationary Period. During the Performance Probationary Period, the employee has the obligation to demonstrate proper attitudes and abilities for the position for which employed. The employee may be dismissed by the Common Council or the Personnel and Finance Committee without prior notice, hearing, or cause during the Performance Probationary Period. Within thirty (30) days after the expiration of the probationary period, the Common Council or its Personnel and Finance Committee shall make a determination as to retaining the probationary employee.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Personnel Policies Employee Handbook is amended by adding the highlighted language as follows at Section 4-4:

**4-4 RESIDENCY. ~~City~~**

- (a) ~~Residency requirements apply to all law enforcement personnel, fire personnel and the Utilities Superintendent, hired after July 1, 2013. Such personnel shall reside within 15 miles of the jurisdictional boundaries of the City of Merrill no later than the end of their probationary period.~~
- (b) Any change in residence for any law enforcement personnel, fire personnel and the Utilities Superintendent shall be in conformity with the above residency requirements. ~~for all full-time employees hired after April, 2006. Although City of Merrill residency is not required initially, continued employment is dependent upon becoming a City resident within nine months of date of hire.~~

**4-5 PROBATIONARY PERIODS.**

(a) Probationary Period Required.

(1) The employee is required to serve a 6-month probationary period commencing on his/her date of employment or promotion, except that new department heads, by transfer, promotion or newly hired, and law and fire personnel shall serve a twelve (12) month probation. The employee shall have employment-at-will status during the probationary period.

These probationary periods may be extended up to an additional six (6) months by the Common Council or its Personnel and Finance Committee by written notice to the employee.

(b) Reduction of Probationary Period. At any time during the probationary period, the Common Council or the Personnel and Finance Committee may reduce the probationary period.

(c) Dismissal During Probationary Period. During the Performance Probationary Period, the employee has the obligation to demonstrate proper attitudes and abilities for the position for which employed. The employee may be dismissed by the Common Council or the Personnel and Finance Committee without prior notice, hearing, or cause during the Performance Probationary Period. Within thirty (30) days after the expiration of the probationary period, the Common Council or its Personnel and Finance Committee shall make a determination as to retaining the probationary employee.

Recommended by: Personnel and  
Finance Committee

CITY OF MERRILL, WISCONSIN

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

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

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

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

1309262

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

**A RESOLUTION AMENDING CHAPTER 2, OPERATIONS – COMPENSATION  
ADMINISTRATION, SECTION 6-10 LONGEVITY**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employees Handbook for the City of Merrill non-union employees by Resolution No. 2226, and;

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates Fire Department Supervisory Personnel at Section 6-10 and recommends it be amended as follows by adding the following language to the end of that section.

Former Fire Captains removed from the Fire Union **after** October 1, 2012 will receive Longevity compensation frozen at the 2012 amounts. Former Fire Captain removed from the Fire Union **prior** to October 1, 2012 will receive Longevity compensation frozen at the 2011 amounts.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Personnel Policies Employee Handbook is amended by adding the following language to the end of that section:

Former Fire Captains removed from the Fire Union **after** October 1, 2012 will receive Longevity compensation frozen at the 2012 amounts. Former Fire Captain removed from the Fire Union **prior** to October 1, 2012 will receive Longevity compensation frozen at the 2011 amounts.

Recommended by: Personnel and  
Finance Committee

CITY OF MERRILL, WISCONSIN

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

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

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

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

1309263

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

**A RESOLUTION AMENDING CHAPTER 2, OPERATIONS – SCHEDULED HOURS AND OVERTIME, SECTION 7-5-2 FIRE DEPARTMENT SUPERVISORY PERSONNEL**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employees Handbook for the City of Merrill non-union employees by Resolution No. 2226, and;

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates Fire Department Supervisory Personnel at Section 7-5-2 and recommends it be amended as follows:

7-5-2 (a) Fire Department Supervisory Personnel. Fire department supervisory personnel not covered by the collective bargaining agreement shall work per the following schedule:~~work a 40 hour week,~~

Administration Staff Hours – Typically shall be a 45 hour work week and the hours shall be scheduled through the Fire Chief. Typical hours will be from 7:00 a.m. to 4:00 p.m.

Shift Operations Hours – Captains of Operations shall work an average of 56 hours per week on the same basis as provided for under the union contract with the Merrill Firefighters Local 847.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Personnel Policies Employee Handbook is amended by adding the highlighted language as follows at Section 7-5-2(a):

7-5-2 (a) Fire Department Supervisory Personnel. Fire department supervisory personnel not covered by the collective bargaining agreement shall work per the following schedule:~~work a 40 hour week,~~

Administration Staff Hours – Typically shall be a 45 hour work week and the hours shall be scheduled through the Fire Chief. Typical hours will be from 7:00 a.m. to 4:00 p.m.

Shift Operations Hours – Captains of Operations shall work an average of 56 hours per week on the same basis as provided for under the union contract with the Merrill Firefighters Local 847

Recommended by: Personnel and Finance Committee

CITY OF MERRILL, WISCONSIN

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

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

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

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

1309264

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

**A RESOLUTION AMENDING CHAPTER 8, MISCELLANEOUS CONDITIONS OF EMPLOYMENT, SECTION 23-22(1), FIRE DEPARTMENT NON-UNION CLOTHING ALLOWANCE**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employees Handbook for the City of Merrill non-union employees by Resolution No. 2226, and;

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates Fire Department Supervisory Personnel at Section 23-22 and recommends it be amended as follows:

**23-22 NON-UNION FIRE PERSONNEL.** The following provisions apply to fire department employees not covered by a collective bargaining agreement, including sworn and non-sworn personnel as applicable.

23-22-1 **Clothing Allowance:** Captains - Administration and Operations shall receive a clothing allowance as per the current Merrill Firefighters Local 847, International Association of Firefighters Contract. ~~\$350.00 beginning January 1, 2000 and thereafter except for the Chief~~

The City provides the Chief with a uniform and pay for its upkeep, including, but not limited to repair, replacement and cleaning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Personnel Policies Employee Handbook is amended by adding the highlighted language as follows at Sections 23-22-1:

23-22-1 **Clothing Allowance:** Captains - Administration and Operations shall receive a clothing allowance as per the current Merrill Firefighters Local 847, International Association of Firefighters Contract. ~~\$350.00 beginning January 1, 2000 and thereafter except for the Chief~~

The City provides the Chief with a uniform and pay for its upkeep, including, but not limited to repair, replacement and cleaning.

Recommended by: Personnel and  
Finance Committee

CITY OF MERRILL, WISCONSIN

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

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

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

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

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

**A RESOLUTION AMENDING CHAPTER 4, LEAVES – PAID LEAVES,  
SECTION 12-2 VACATIONS, 12-2-4 NON UNION FIRE PERSONNEL**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employees Handbook for the City of Merrill non-union employees by Resolution No. 2226, and;

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates Fire Department Supervisory Personnel at Section 7-5-2 and recommends it be amended as follows:

12-2-4 Non-union fire personnel.

The Fire Chief reserves the right to determine the number of personnel on vacation at any one time in order to insure maximum protection and safety of the City.

<del>1<sup>st</sup> year of service</del>	<del>40 hours</del>
<del>2<sup>nd</sup> to 6<sup>th</sup> years of service</del>	<del>80 hours</del>
<del>7<sup>th</sup> to 13<sup>th</sup> years of service</del>	<del>120 hours</del>
<del>14<sup>th</sup> to 17<sup>th</sup> years of service</del>	<del>160 hours</del>
<del>18<sup>th</sup> and after years of service</del>	<del>208 hours</del>

Chief and Captains - Administration:

1 <sup>st</sup> year of service	5	Days
2 <sup>nd</sup> to 6 <sup>th</sup> years of service	10	Days
7 <sup>th</sup> to 13 <sup>th</sup> years of service	15	Days
14 <sup>th</sup> to 17 <sup>th</sup> years of service	20	Days
18 <sup>th</sup> and after years of service	25	Days

Captains - Operations:

1 <sup>st</sup> year of service	72	Hours
2 <sup>nd</sup> to 6 <sup>th</sup> years of service	120	Hours
7 <sup>th</sup> to 13 <sup>th</sup> years of service	192	Hours
14 <sup>th</sup> to 17 <sup>th</sup> years of service	240	Hours
18 <sup>th</sup> and after years of service	312	Hours

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the Personnel Policies Employee Handbook is amended by adding the highlighted language as follows at Section 12-2-4:

12-2-4

Non-union fire personnel.

The Fire Chief reserves the right to determine the number of personnel on vacation at any one time in order to insure maximum protection and safety of the City.

<del>1<sup>st</sup> year of service</del>	<del>40 hours</del>
<del>2<sup>nd</sup> to 6<sup>th</sup> years of service</del>	<del>80 hours</del>
<del>7<sup>th</sup> to 13<sup>th</sup> years of service</del>	<del>120 hours</del>
<del>14<sup>th</sup> to 17<sup>th</sup> years of service</del>	<del>160 hours</del>
<del>18<sup>th</sup> and after years of service</del>	<del>208 hours</del>

Chief and Captains - Administration:

1 <sup>st</sup> year of service	5	Days
2 <sup>nd</sup> to 6 <sup>th</sup> years of service	10	Days
7 <sup>th</sup> to 13 <sup>th</sup> years of service	15	Days
14 <sup>th</sup> to 17 <sup>th</sup> years of service	20	Days
18 <sup>th</sup> and after years of service	25	Days

Captains - Operations:

1 <sup>st</sup> year of service	72	Hours
2 <sup>nd</sup> to 6 <sup>th</sup> years of service	120	Hours
7 <sup>th</sup> to 13 <sup>th</sup> years of service	192	Hours
14 <sup>th</sup> to 17 <sup>th</sup> years of service	240	Hours
18 <sup>th</sup> and after years of service	312	Hours

Recommended by: Personnel and  
Finance Committee

CITY OF MERRILL, WISCONSIN

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

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

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

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

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

**A RESOLUTION APPROVING A FINAL PLAT OF WITTMAN HEIGHTS  
SUBDIVISION ADDITION IN THE CITY OF MERRILL BY THE CITY OF  
MERRILL**

WHEREAS, the City of Merrill ("The Applicant") has applied for final approval of a subdivision plat pursuant to Code of Ordinances Sec.111-114 for land located in part of Lot 1 and all of Lot 2 of certified survey map number 2318, recorded in Volume 13, on pages 27 and 28, as document number 491253, in Lincoln County Register of Deeds Office, located in part of Government Lot 3, Section 15, and part of Government Lot 1, Section 16, all in Township 31 North, Range Six East, City of Merrill, Lincoln County, Wisconsin; and

WHEREAS, The City Plan Commission considered the application at a meeting on September 3, 2013; and

WHEREAS, The City Plan Commission found that the Final Plat submitted by the Applicant complied with the preliminary plat approval in Resolution No. 2323;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that:

1. The Common Council Adopts the City Plan Commissions findings and incorporates them into this resolution.
2. The final plat of Wittman Heights Subdivision presented by City of Merrill and prepared by Joshua Prentice for REI and involving a subdivision plat pursuant to Code of Ordinances Sec.111-114 for land located in part of Lot 1 and all of Lot 2 of certified survey map number 2318, recorded in Volume 13, on pages 27 and 28, as document number 491253, in Lincoln County Register of Deeds Office, located in part of Government Lot 3, Section 15, and part of Government Lot 1, Section 16, all in Township 31 North, Range Six East, City of Merrill, Lincoln County, Wisconsin is hereby approved.

BE IT FURTHER RESOLVED That the applicant, City of Merrill City Clerk is directed to record the final plat with the Lincoln County Register of Deeds in accordance with the requirement of Chapter 111, Article II, Section 111-115 of the Code of Ordinances of the City of Merrill and present the final plat for review by the City Plan Commission.

Recommended by: City Plan  
Commission

CITY OF MERRILL, WISCONSIN

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

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

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

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

1309267

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

**A RESOLUTION APPROVING A CERTIFIED SURVEY MAP ON SNOW HILL ROAD IN THE TOWN OF SCOTT BY ERICH ROTH AND HEINZ ROTH**

WHEREAS, Erich Roth and Heinz Roth have applied for approval of a division of land by certified survey map pursuant to Code of Ordinances Sections 111-116 and 111-119 for land located in part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) and part of the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) and of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section Seventeen (17) Township Thirty-one (31) North, Range Six (6) East, Town of Scott, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on September 3, 2013; and,

WHEREAS, The City Plan Commission has recommended approval of the land division by certified survey map;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of September, 2013, that the proposed certified survey map presented by Erich Roth and Heinz Roth and prepared by Keith J. Walkowski of Riverside Land Surveying, LLC, involving land located in part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) and part of the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) and of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section Seventeen (17) Township Thirty-one (31) North, Range Six (6) East, Town of Scott, Lincoln County, Wisconsin, is hereby approved.

Recommended by: City Plan  
Commission

CITY OF MERRILL, WISCONSIN

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

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

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

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