

October 8<sup>th</sup>, 2013

*Note: These minutes are subject to review and approval at the next regular Common Council meeting.*

The Common Council of the City of Merrill met on the above date in Regular Session, at the City Hall Council Chambers, 1004 East First Street. Mayor William R. Bialecki called the meeting to order at 7:00 P.M.

**131010** Invocation by Pastor Paul Hohman, New Testament Church

**131015** Pledge of Allegiance

**131020** Roll Call showed the following Common Council members present (8 of 8): Alderman Chris Malm (First District), Alderman Steve Hass (Second District), Alderman Ryan Schwartzman (Third District), Alderwoman Kandy Peterson (Fourth District), Alderman John Burgener (Fifth District), Alderman Dave Sukow (Sixth District), Alderman Rob Norton (Seventh District) and Alderwoman Anne Caylor (Eighth District).

The following were also in attendance: Transit Director Rich Grenfell, City Attorney Tom Hayden, City Clerk Bill Heideman, City Administrator Dave Johnson, Street Commissioner Richard Lupton, Airport Manager/FBO John Miller, Police Chief Ken Neff, Fire Chief Dave Savone, Finance Director Kathy Unertl, City Hall Maintenance Supervisor Ramona Vanderkam and Park & Recreation Director Dan Wendorf. Community Enrichment Center Director Jane Deau and Library Director Stacy Stevens were absent.

**131030** Minutes of September Meetings

Motion (Hass/Sukow) to dispense with the reading of the minutes of the September 5<sup>th</sup>, 2013, September 10<sup>th</sup>, 2013 and September 24<sup>th</sup>, 2013 Common Council meetings and approve them as published. Carried.

**131040** Revenue and Expense Report – September 2013

Motion (Hass/Burgener) to approve, as submitted, the September 2013 Revenue and Expense report. Carried.

**131060** Communications and Petitions

**131061** Employee Recognition

City Clerk Heideman read certificates of recognition for the following City employees: Robert A. Dickey, 30 years of service; Linda S. Schuster, 15 years of service; Diane M. Wais, 15 years of service.

**1310130** Health and Safety Committee

**1310131** Consider application from Wisconsin Inc., Fredrick B. Juan, Agent, for a Class "B" (beer) license and a Reserve "Class B" (liquor) license for Los Meszcales, 3340 East Main Street, effective November 1<sup>st</sup>, 2013

Motion (Caylor/Sukow) to approve the application. Carried.

**1310160** City Plan Commission

**1310161** The Commission recommends approving, as submitted, the site plan for a fence on the east property line of the Merrill Historical Society History and Culture Center, 100 East Third Street.

Motion (Schwartzman/Peterson) to adopt. Carried.

**1310230** Placing Committee Reports on file

Motion (Sukow/Caylor) to place the following committee reports on file: Housing Authority, Parks and Recreation Commission, Board of Public Works, Health and Safety Committee, Personnel and Finance Committee, Water and Sewage Committee, City Plan Commission, Transit Commission, Library Board, Redevelopment Authority and Airport Commission. Carried.

**1308250** **ORDINANCE NO. 2013-**

FIRST READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 10, TO CHANGE FROM A MUNICIPAL COURT TO A JOINT MUNICIPAL COURT

**1310250** **ORDINANCE NO. 2013-**

FIRST READING OF AN ORDINANCE AMENDING CITY OF MERRILL CODE OF ORDINANCES CHAPTER 6, ARTICLE IV, SECTION 6-96 TO INCLUDE KEEPING OF FOWLS

Motion (Caylor/Schwartzman) to refer to the Health and Safety Committee.

A roll call vote on the motion was requested.

Motion to refer to the Health and Safety Committee carried 7-1 on roll call vote. Voting No – Alderman Norton.

**1310260 RESOLUTION NO. 2344**

**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 to 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:

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:

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

Motion (Schwartzman/Sukow) to adopt. Carried.

**1310261 RESOLUTION NO. 2345**

**A RESOLUTION AUTHORIZING CONVEYANCE OF THE RIVER BEND TRAIL PROPERTY TO THE CITY OF MERRILL AND APPROVAL OF FUNDING METHOD FOR SUCH ACQUISITION**

WHEREAS, the River Bend Foundation of Merrill has agreed to fund the acquisition costs for a 12 acre parcel of abandoned Canadian National Railroad right-of-way to be utilized as a recreational trail along the Wisconsin River; and,

WHEREAS, the River Bend Foundation, under the auspices of the City of Merrill has applied for a Stewardship Grant to assist in such acquisition; and,

WHEREAS, the Knowles-Nelson Stewardship and Recreational Trails Act Grant Programs require ownership of the subject land by a public entity; and,

WHEREAS, the River Bend Foundation has agreed to advance funds for purchase of the trail property, said funds to be reimbursed to the River Bend Foundation upon the City's receipt of the grant funds described above;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 8<sup>th</sup> day of October, 2013, that it agrees to accept ownership of the Canadian National Railroad right-of-way property located in the City of Merrill, Lincoln County, along the Wisconsin River and agrees that it will, upon receipt of the Knowles-Nelson and Recreational Trails grant, reimburse the River Bend Foundation in the amount of that grant.

Motion (Sukow/Burgener) to adopt. Carried.

**1310270 Mayor's Communications**

Mayor Bialecki congratulated the River Bend Foundation of Merrill for their efforts to date in developing the River Bend Trail.

Veteran's Day will be observed on November 11<sup>th</sup>, the day before the next regular Common Council meeting. Mayor Bialecki reminded everyone to take time to remember and honor those who made sacrifices to protect and preserve our freedoms.

Trick or treating will be held this year on October 31<sup>st</sup> from 5:00 P.M. to 8:00 P.M.

Mayor Bialecki extended a thank you to the Bierman family and the Bierman Foundation for their generous contributions to the community.

Alderman Caylor invited all to attend the upcoming senior class play. *Fractured* will be presented at the high school on the evenings of October 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>.

**1310280** Public Comment Period

Alderman Hass mentioned that the Wisconsin Public Service Commission will be holding a public hearing on a proposed water rate increase. The hearing will be held at City Hall on Tuesday, October 15<sup>th</sup>. Alderman Hass stated that the 10:00 A.M. start time for the hearing makes it difficult for the working person to attend, but that written comments on the proposed increase can also be submitted.

**1310999** Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 7:20 P.M.

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William R. Bialecki  
Mayor

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William N. Heideman, CMC, WCMC  
City Clerk

I, William N. Heideman, City Clerk of the City of Merrill, Wisconsin, do hereby certify that the Mayor approved the above action of the Common Council on October 10<sup>th</sup>, 2013.

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William N. Heideman, CMC, WCMC  
City Clerk