

January 14<sup>th</sup>, 2014

*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.

**140110** Invocation by Pastor Bob Smallman, Bible Presbyterian Church

**140115** Pledge of Allegiance

For the benefit of the audience listening to the meeting on the radio “live”, Mayor Bialecki announced that a snow emergency for the City has been declared. Listeners were reminded to refrain from parking on the street during the snow emergency, to avoid having their vehicle(s) towed.

**140120** 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, Utility Superintendent Kim Kriewald, Street Commissioner Richard Lupton, Airport Manager/FBO John Miller, Police Chief Ken Neff, Fire Chief Dave Savone, Library Director Stacy Stevens, City Hall Maintenance Supervisor Ramona Vanderkam and Park & Recreation Director Dan Wendorf. Community Enrichment Center Director Jane Deau and Finance Director Kathy Unertl had excused absences.

**140130** Minutes of December Meetings

Motion (Hass/Sukow) to dispense with the reading of the minutes of the December 10<sup>th</sup>, 2013 and December 19<sup>th</sup>, 2013 Common Council meetings and approve them as published. Carried.

**140140** Revenue and Expense Report – December 2013

Consideration of the December, 2013 Revenue and Expense report will be delayed until the February 11<sup>th</sup>, 2014 Common Council meeting, due to numerous 2013 year-end fiscal transactions that are yet to be posted.

**1401130** Health and Safety Committee

**1401131** The Committee recommends approving the application from the Merrill Rotary for a temporary Class “B” (picnic) license to sell wine at the Merrill Artisan Showcase at Bell Tower, 1500 O’Day Street, on February 8<sup>th</sup>, 2014.

Motion (Caylor/Sukow) to adopt. Carried.

**1401132** The Committee recommends approving the application from Wal-Mart Stores East, LP, for premises-to-premises transfer of their Class “A” (beer) and “Class A” (liquor) licenses, from 3500 East Main Street to 505 South Pine Ridge Avenue, effective on or about March 1<sup>st</sup>, 2014.

Motion (Sukow/Caylor) to adopt. Carried.

**1401150** Water and Sewage Disposal Committee

**1401151** The Committee recommends approving the 3% water & sewer service fee increase for 2014 as presented.

Motion (Burgener/Norton) to adopt. Carried.

**1401230** Placing Committee Reports on file

City Clerk Heideman reported that Michael Caylor Jr. had been inadvertently omitted from the list of attendees at the October 29<sup>th</sup>, 2013 Committee of the Whole meeting. He requested permission to amend those minutes to add that name. Without objection, it was so ordered.

Motion (Sukow/Burgener) to place the following committee reports on file: Housing Authority, Committee of the Whole (as amended), Parks and Recreation Commission, Health and Safety Committee, Personnel and Finance Committee, Water and Sewage Disposal Committee, Library Board, Redevelopment Authority, Enrichment Center Committee on Aging and Airport Commission. Carried.

**1311250      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 CHICKENS

Motion (Sukow/Norton) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

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

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

Motion (Sukow/Norton) to adopt. Carried.

Alderswoman Caylor noted that the ordinance did not include any fee for the inspection of the chicken coops by the Building Inspector. She stated that she was not comfortable adopting the ordinance without a fee being established. Discussion was held on various fee amounts.

Motion (Hass/Malm) to refer the ordinance to the next regularly scheduled Common Council meeting (February 11<sup>th</sup>, 2014). Motion to refer was tied 4-4 on roll call vote. Voting Yes – Alderman Malm, Alderman Hass, Alderman Schwartzman and Alderswoman Caylor. Mayor Bialecki broke the tie by voting Yes. Therefore, the motion to refer carried.

**1401250      ORDINANCE NO. 2013-01**

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 16, SECTION 1 TO ADD NORMAL PARK IN REGARDS TO RESERVATIONS OF PARK SPACE OR SHELTERS

Motion (Caylor/Sukow) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

SECOND READING OF AN ORDINANCE AMENDING CHAPTER 16, SECTION 1 TO ADD NORMAL PARK IN REGARDS TO RESERVATIONS OF PARK SPACE OR SHELTERS

THIRD READING OF AN ORDINANCE AMENDING CHAPTER 16,  
SECTION 1 TO ADD NORMAL PARK IN REGARDS TO  
RESERVATIONS OF PARK SPACE OR SHELTERS

Motion (Caylor/Sukow) to adopt. Carried 8-0 on roll call vote.

**1401260 RESOLUTION NO. 2351**

**A RESOLUTION AMENDING EMPLOYEE BENEFITS – FRINGE  
BENEFITS AT SECTION 14-5, GROUP INSURANCE PROGRAM OF  
THE NON-UNION PERSONNEL POLICIES TO DELETE THE  
TRADITIONAL HEALTH INSURANCE OPTION AND ADD 80/20  
DEDUCTIBLES TO THE HIGH DEDUCTIBLE HEALTH PLAN –  
HEALTH SAVINGS ACCOUNT (HSA) ELIGIBLE**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employee 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 Fringe Benefits at Section 14-5, to delete the traditional Health Insurance option at Section 14-5-1 and add 20/80 deductibles to the High Deductible Health Plan – Health Savings Account (HSA) eligible at Section 14-5-2, and renumbering subsequent paragraphs; and

WHEREAS, the Personnel and Finance Committee has recommended a change to that policy as follows:

~~14-5-1 ——— *Insurance Co-Pays.* Effective 2012 the Employees will pay twelve and a half (12.5) percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the hospital/surgical insurance premiums for single and family coverage of the Security Health Plan, Masterhealth Flex (or, equivalent or better coverage) with a \$500 per member and \$1,500 maximum per family annual deductible. The prescription co-pay costs will be \$5.00 for generic, \$20.00 for preferred brands and \$40.00 for non-preferred brands, with the employee paying two (2) co-pays for a 90 day supply when utilizing the mail order option, and paying three (3) co-pays for a 90 day supply if not utilizing the mail order option.~~

14-5-2 *High Deductible Health Plan - Health Savings Account (HSA) Eligible Plan.* The Employees are offered ~~will have the option for~~ a High Deductible Health Plan - Health Savings Account (HSA) Eligible

~~Plan~~ with \$1,250 individual and \$2,500 family deductible levels. In addition the Employee will pay 20% of the next \$2,000 individual and \$4,000 family coinsurance. The Employees will pay eight and ninety-eight hundredths (8.98) percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the ~~HSA~~High Deductible group health insurance.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of January, 2014, that the Personnel Policies Employee Handbook is amended by deleting and adding the highlighted language as follows at Section 14-5-1 and 14-5-2 and renumbering

~~14-5-1~~ ~~*Insurance Co-Pays.*~~ ~~Effective 2012 the Employees will pay twelve and a half (12.5) percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the hospital/surgical insurance premiums for single and family coverage of the Security Health Plan, Masterhealth Flex (or, equivalent or better coverage) with a \$500 per member and \$1,500 maximum per family annual deductible. The prescription co-pay costs will be \$5.00 for generic, \$20.00 for preferred brands and \$40.00 for non-preferred brands, with the employee paying two (2) co-pays for a 90-day supply when utilizing the mail order option, and paying three (3) co-pays for a 90-day supply if not utilizing the mail order option.~~

14-5-2 *High Deductible Health Plan - Health Savings Account (HSA) Eligible*~~Plan~~. The Employees are offered ~~will have the option for~~ a High Deductible Health Plan - Health Savings Account (HSA) Eligible ~~Plan~~ with \$1,250 individual and \$2,500 family deductible levels. In addition the Employee will pay 20% of the next \$2,000 individual and \$4,000 family coinsurance. The Employees will pay eight and ninety-eight hundredths (8.98) percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the ~~HSA~~High Deductible group health insurance.

Motion (Schwartzman/Peterson) to adopt. Carried.

**1401261 RESOLUTION NO. 2352**

**A RESOLUTION AUTHORIZING A MUTUAL AID AGREEMENT FOR PARTICIPATION WITH NORTH CENTRAL EMERGENCY RESPONSE TEAM /MUTUAL ASSISTANCE TEAM**

WHEREAS, The City of Merrill and other participating agencies in this agreement are so located that is to the advantage of each to extend aid to the other for the delivery of law enforcement services; and

WHEREAS, it is recognized that the use of police officers to perform duties outside the territorial limits of the municipality by whom they are employed may be desirable and may be required under certain circumstances to protect and preserve the common health, safety and welfare; and

WHEREAS, the City of Merrill and other participating agencies deem mutual aid law enforcement services to be in the best interest of their respective communities; and

WHEREAS, authority is granted to enter into the mutual aid agreement pursuant to the laws of the State of Wisconsin in Wis. Stat. §66.305;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of January, 2014, hereby authorizes the Mayor, Clerk, and Police Chief to execute the agreement, a copy of which is attached to this resolution.

BE IT FURTHER RESOLVED that all City of Merrill officials and employees are hereby authorized and directed to do and perform all that is necessary to successfully carry out the terms of this resolution.

Motion (Sukow/Hass) to adopt. Carried.

**1401262 RESOLUTION NO. 2353**

**A RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MERRILL, WISCONSIN AND STUDIO 808 LLC**

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 6 on May 12, 2009; and,

WHEREAS, Studio 808 LLC is purchasing and remodeling the building located at located 808 East 1<sup>st</sup> Street within TID No. 6: and,

WHEREAS, the City of Merrill finds that the proposed development and the fulfillment of the items and conditions of the attached Development Agreement are in the vital and best interest of the City of Merrill, the Merrill Redevelopment Authority and City residents and serves a public purpose in accordance with State law; and,

WHEREAS, several new jobs will be created and additional tax base generated, and,

WHEREAS, Studio 808 LLC has negotiated the development agreement to provide an incentive payment not to exceed \$10,000 to facilitate new business development and building improvements;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of January, 2014, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Studio 808 LLC and to facilitate the implementation thereof.

Motion (Sukow/Norton) to adopt. Carried 6-1 on roll call vote. Voting No - Alderman Malm. Abstaining - Alderman Schwartzman.

**1401263 RESOLUTION NO. 2354**

**A RESOLUTION HONORING ROBERT A. DICKEY FOR HIS EXTENDED SERVICE AND GREAT CONTRIBUTION TO THE CITY OF MERRILL**

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens; and,

WHEREAS, the City of Merrill has a strong foundation on which to expand, progress, and develop towards an even better community; and,

WHEREAS, Robert A. Dickey has served in various positions in the Utility and Street Departments from September, 1983 to January 3, 2014; and,

WHEREAS, the personal commitment and unselfish dedication Robert A. Dickey has put forth has contributed greatly to the growth, progress and stability of the City of Merrill; and,

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens in part because of Robert A. Dickey's dedicated service; and,

WHEREAS, Robert A. Dickey's cheerful manner and hard work will be missed at the City of Merrill Street Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14<sup>th</sup> day of January, 2014, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Robert A. Dickey has given to the City of Merrill and commends him for those years of service.

Motion (Common Council/Common Council) to adopt. Carried.

**1401270** Mayor's Communications

A public forum will be held in the Community Room at the T.B. Scott Library on Sunday, January 19<sup>th</sup>, beginning at 1:30 P.M. The purpose of the forum is to have a frank, open and civil discussion on the future of the Lincoln County Fairgrounds and the Lincoln County Fair. The public is invited to attend and provide input.

Mayor Bialecki repeated his earlier announcement that a snow emergency was currently in effect.

Mayor Bialecki stated that he was pleased with the amount of grant money the City has received recently. He complimented those whose efforts helped bring these funds to the City.

**1401280** Public Comment Period

Fire Chief Savone provided a verbal progress report on the new fire station. On February 3<sup>rd</sup>, at 8:15 A.M., the fire department will begin their move to the new station. At 1:45 P.M. on February 6<sup>th</sup>, a ceremony will be held to close the current fire station. At 2:00 P.M., also on February 6<sup>th</sup>, a ribbon cutting ceremony will be held at the new fire station.

**1401999** Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 7:37 P.M.

---

William R. Bialecki  
Mayor

---

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 January 17<sup>th</sup>, 2014.

---

William N. Heideman, CMC, WCMC  
City Clerk