

1402130

**City of Merrill  
Health and Safety Committee  
Monday, January 27, 2014 at 4:30 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

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

Others Present: City Administrator Dave Johnson (arr. 5:53), Deputy Health Officer Norbert Ashbeck, Fire Chief Dave Savone, Police Chief Ken Neff, City Attorney Tom Hayden, Frank Murphy, Rebekah Murphy, Raj Bhandari and City Clerk Bill Heideman.

**Call to order**

Alderwoman Caylor called the meeting to order at 4:30 P.M.

**Nuisance complaints and exterior maintenance report**

The report was in the meeting packet. Deputy Health Officer Ashbeck reported that the colder weather seems to have reduced the number of complaints. Several complaints are still pending in court.

**Vouchers**

The vouchers were in the meeting packet. Alderwoman Caylor stated that, in her opinion, some of the recent Fire Department purchases made using funds from the Bierman Estate seem excessive. She mentioned a purchase of a mower/broom/snow thrower (\$16,871.40) as an example.

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

**Picnic and/or license applications**

None.

**Police Chief report on recent alcohol compliance checks**

Information was in the meeting packet.

Police Chief Neff reported that alcohol compliance checks were conducted on December 21<sup>st</sup>, 2013. The failure rate was somewhat disappointing, considering that several checks have been done since they were begun in May, 2011.

Police Chief Neff then provided verbal information on the history of the checks since their inception.

Police Chief Neff reviewed the various letters that the Police Department sends to licensees that have failed the compliance checks. The language in the various letters is based on the number of times the licensee has been found to be non-compliant.

### **Review/possible action(s) re: Licensees with multiple compliance check failures**

Information was in the meeting packet.

Two licensees have now had three failures as a result of the Police Department alcohol compliance checks. As a result, Police Chief Neff has requested that these licensees attend the meeting to discuss the sale of alcohol to underage persons.

Alderman Sukow stated that, when he worked at Walmart, all Walmart employees were required to take and pass a test related to alcohol sales to minors. He stated that Walmart takes alcohol sales violations seriously, and stated that the responsibility is on the employer to ensure that employees do not sell to minors. Alderman Sukow suggested to the licensees that they require everyone, regardless of age, to show proof of age when buying alcohol.

Alderwoman Peterson stated that sending employees to classes has some value, but the employee must then take the lessons learned to the work environment as well.

Frank Murphy, Rebekah Murphy and Raj Bhandari participated in the discussion, and stated that they take the failures seriously. They added that they are committed to ensuring that underage persons are not being sold alcohol at their establishments.

Police Chief Neff reported that another alcohol compliance check is pending. Alderman Sukow stated that he would be in favor of a license suspension for the two licensees if they were to fail again.

No action was taken at this time.

### **Change of agent application from Walmart**

Walmart Stores East, LLC has submitted a change of agent application and paid the change of agent fee.

They are requesting that Matthew Colby be named the agent at Walmart #1366, 3500 East Main Street. Information was included in the meeting packet.

Police Chief Neff has no concerns with the application.

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Motion (Peterson/Sukow) to approve the change of agent application from Walmart Stores East, LLC, appointing Matthew Colby as agent at Walmart #1366, 3500 East Main Street. Carried.

**Execu Cab of Merrill renewal of taxicab business license for 2014**

Execu Cab of Merrill, LLC has filed an application and paid the fee to renew their taxicab business license for 2014.

Police Chief Neff reported that the license for Execu Cab has expired, and that Execu Cab is not currently operating as a business. The Police Department will monitor this to ensure that Execu Cab does not operate until their license renewal has been approved.

Motion (Sukow/Peterson) to approve the application from Execu Cab of Merrill, LLC for renewal of their taxicab business license for 2014. Carried.

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

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

This has been an ongoing issue.

City Administrator Johnson reported that he is still discussing this with the Commissioner of Railroads. He has learned that the train crossings on Kyes Street, Park Street and Fifth Street are still considered public crossings. Based on the discussions, City Administrator Johnson remarked that the City could spend significant money and yet the noise problem may not be resolved.

City Administrator Johnson is still waiting for further information and/or clarification. Until that time, he will not be making recommendation(s) on this issue.

This item will be placed on the February meeting agenda. No action was taken at this time.

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

The report was in the meeting packet. Fire Chief Savone reported that the fire department will be moving to the new station soon. Roof problems and several other minor issues at the new station site are being addressed. On February 6<sup>th</sup>, a ceremony will be held to “retire” the current station. That will be followed by a ribbon-cutting ceremony at the new station.

### **Monthly Report – Police Chief Neff**

The report was in the meeting packet.

### **Monthly Report – Lincoln County Humane Society**

The report was in the meeting packet. Alderwoman Caylor complimented the shelter employees for their work in response to a recent incident in which the shelter received a significant number of dogs.

### **Schedule next meeting**

Monday, February 17<sup>th</sup>, 2014 at 4:30 P.M. Note: Fire Chief Savone requested that the meeting be held at the Training Room at the new fire station, 110 Pier Street.

### **Public Comment**

This is Alderwoman Caylor’s last meeting as a committee member. She stated that serving on the committee has been both a pleasure and a learning experience. She mentioned that she will miss many of the people associated with the committee.

### **Adjournment**

Motion (Sukow/Peterson) to adjourn. Carried. Adjourned at 5:45 P.M.

Minutes prepared and submitted by:

William N. Heideman, CMC, WCMC  
City Clerk