

**CITY OF MERRILL
COMMON COUNCIL
TUESDAY, APRIL 8, 2014
7:00 P.M.
CITY HALL COUNCIL CHAMBERS**

AGENDA

- 140410** Invocation by Pastor Jess Wakefield, First Presbyterian Church & Riverside Presbyterian Church
- 140415** Pledge of Allegiance
- 140420** Roll Call
- 140430** Minutes of March 11th, 2014 Common Council meeting
- 140440** Revenue & Expense Report – March 2014
- 140460** Communications and Petitions
- 140461** Claim filed by William Fisher, 202 East Tenth Street, for damages to his mailbox on February 16th, 2014, as a result of City snowplowing operations. The City's insurance carrier recommends that the claim be denied. The basis for their recommendation is that the investigation conducted by the City's insurance carrier revealed no negligence on behalf of the City. The City has an ordinance in place that with no obligation to repair or replace mailboxes damaged from snowplowing operations.
- 140462** Claim filed by Donald Radloff, 200 East Tenth Street, for damages to his mailbox on February 16th, 2014, as a result of City snowplowing operations. The City's insurance carrier recommends that the claim be denied. The basis for their recommendation is that the investigation conducted by the City's insurance carrier revealed no negligence on behalf of the City. The City has an ordinance in place that with no obligation to repair or replace mailboxes damaged from snowplowing operations.
- 140480** Housing Authority – No Action
- 140490** Committee of the Whole – No Action
- 1404110** Parks and Recreation Commission – No minutes submitted

- 1404111** The Commission recommends funding the Park Improvement list as reviewed by the Commission at their April 2nd meeting, from the Memorial Forest Salvage Timber Account (non-lapsing).
- 1404120** Board of Public Works – No Action
- 1404130** Health and Safety Committee – No meeting
- 1404140** Personnel and Finance Committee
- 1404141** The Committee recommends approving the document clarifying the policy related to donations to the City.
- 1404150** Water and Sewage Disposal Committee – No Action
- 1404160** City Plan Commission – No Action
- 1404170** Transit Commission – No meeting
- 1404180** Library Board – No meeting
- 1404185** Redevelopment Authority – No Action
- 1404200** Enrichment Center Committee on Aging – No minutes submitted
- 1404210** Airport Commission – No Action
- 1404230** Placing Committee Reports on File

ORDINANCES

- 1403250** An Ordinance amending Chapter 30, Article II, Section 30-31(d) to add garbage collection agreement provisions (discussed at February 26th, 2014 Board of Public Works meeting and recommended for passage at March 19th, 2014 Board of Public Works meeting)
- 1404250** An Ordinance Amending Chapter 10, from a Municipal Court to a Joint Municipal Court (being brought directly to the Common Council by Mayor Bialecki)

RESOLUTIONS

- 1404260** Final Resolution of Intent to exercise Special Assessment Powers by Police Power under Section 66.0703 of the Wisconsin Statutes (from March 4th, 2014 City Plan Commission meeting)

- 1404261** A Resolution authorizing Development Agreement by and between the City of Merrill, Wisconsin and Pine Ridge Restaurant, LLC (from April 3rd, 2014 Redevelopment Authority meeting)
- 1404262** A Resolution authorizing an application for Outdoor Recreation Aids (from April 2nd, 2014 Parks and Recreation Commission meeting)
- 1404270** Mayor's Communications
- 1404280** Public Comment Period
- 1404999** 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.

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

Wednesday, March 12, 2014, 4:25 P.M., Jenny Towers Library, Merrill, WI 54452

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

ABSENT: Kathy Colclasure

SECTION-8 HOUSING- JENNY TOWERS and SCATTERED SITES MEETING called to order by Vice-Chairman Denise Humphrey. Motion to excuse Kathy Colclasure. Wagner/Kostman. Passed unanimously. Motion to approve minutes of February 12, 2014 meeting and today's agenda: Kostman/Wagner. Passed unanimously.

Discussion and motion to approve Checks #16835 thru #16884 and Billings to date for February 2014 with attached list of expenditures: Wagner/Kostman. Passed unanimously by roll call vote: Wagner-aye, Kostman-aye, Humphrey-aye, and Weissinger-aye.

Discussion and Approval of Move-ins and Move-outs for February 2014: Motion to accept report and place on file. Kostman/Wagner. Motion passed unanimously.

Report on Jenny Tower Investments: LaDonna reported that the PILOT payment made to the City of Merrill came out of our investments in February which is why we have a smaller gain on investments for the month. Motion to accept and place on file the Investment Report. Kostman/Wagner. Passed unanimously.

Charter Cable Rates: LaDonna reported on the preliminary Charter costs & contract requirements associated with rewiring the building for HD service. Commissioners asked LaDonna to have Martin-Riley draw up plans for rewiring for cable as well as options for intercom, security cameras, internet and any other potential wiring concerns so that there is adequate information to make the best decision regarding future system/wiring upgrades. LaDonna was also asked to find out what other Housing Authorities are charging their tenants for cable.

Discussion and Approval of 2014 Capital Improvement Projects: LaDonna presented a 2014 Capital Funding Proposal to Commissioners. (Refer to hand-out). Commissioners expressed concern about proceeding with all of the proposed projects and requested removing some of them from the submitted proposal until additional information could be requested. Motion to amend and approve the 2014 Capital Funding Proposal to include only Elevator Modernization, St. Paul Kitchen, Bath & Misc. Improvements and associated fees and costs as well as the fees & costs for the GPNA study. Kostman/Wagner. Passed unanimously. Possible modifying of Unit #205 will be considered at the next meeting if the apartment still remains vacant at that time. Upgrades to the intercom/access system and cable wiring will be looked at in conjunction with other wiring projects based on requested plans and proposals from Martin-Riley.

Closed Session: Judicial, Bargaining, and Personnel matters: Motion to go into closed session and to include Kay Tautges in the closed session. Kostman/Wagner. Passed unanimously. Motion to go out of closed session. Kostman/Wagner. Passed unanimously. Motion giving LaDonna the authority to retain counsel for MHA legal issues. Wagner/Kostman. Passed unanimously.

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

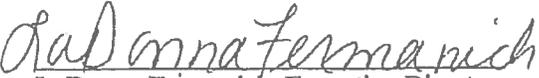
1. Commissioner Items/Comments – None.
2. Executive Director's Report – None.
3. Public Comment - None.

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, April 16, 2014, 4:00 p.m. Jenny Towers Library, 711 E. First Street, Merrill, WI.

Motion to adjourn meeting at 5:50 p.m. Kostman/Wagner. Motion passed unanimously.


Denise Humphrey, Vice-Chairman


Kay Tautges, Recording Secretary


LaDonna Feimanich, Executive Director

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

Wednesday, March 12, 4:00 P.M. Jenny Towers Library, Merrill, WI

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

ABSENT: Kathy Colclasure

PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING called to order by Vice-Chairman Denise Humphrey . Motion to excuse Kathy Colclasure. Kostman/Wagner. Passed unanimously. Motion to approve the minutes of February 12, 2014 meeting and today's agenda: Kostman/Wagner. Motion passed unanimously.

Discussion and motion to approve Checks #21605 thru #21645 and Billings to date for February 2014 with attached list of expenditures: Kostman/Wagner. Passed unanimously by roll call vote: Humphrey-aye, Wagner-aye, Kostman-aye and Weissinger-aye.

Move-ins and Move-outs for February 2014: Motion to accept report and place on file. Kostman/Wagner. Motion passed unanimously.

Report on Park Place Investments: LaDonna reported that we continue to make small gains on the investments. (See handout for summary of account balances.) Preparation for ACH rent collection has begun. Rent collected in this manner will be put into the Money Market Account at River Valley then transferred into the LCB general checking account as needed. Motion to accept and place on file the Park Place Investment report. Kostman/Wagner. Passed unanimously.

Report on pending inspections & GPNA progress: LaDonna has been updating/informing tenants about upcoming inspections. These include the canine inspection later this week, annual apartment and building inspection to be completed prior to the REAC inspection scheduled for Mid-April and the Green Physical Needs Assessment to be done by Martin-Riley, scheduled for the week of 3/24.

Update on Westgate Door Replacement Project: LaDonna reported that Tim met with John Lee and the door manufacturer. The manufacturer realizes that there is a problem with the glue used on the door jams and is in negotiations with J&J Lee on how many to replace. LaDonna has asked to have all of them replaced. They are also negotiating who will do the work and when. To date we remain just under what was budgeted for this project.

Approval of the 2012 Capital Funds appropriations: LaDonna explained that a 5 year plan was developed for the years 2010 – 2015. She gave commissioners an overview of the projects and estimated budget amounts designated for the 2012 Capital Fund Grant. (See Capital funding Program hand-out). Motion to approve the 2012 Capital Fund projects as submitted. Kostman/Wagner. Passed unanimously.

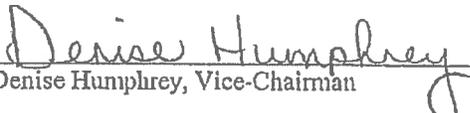
For the Good and Betterment of the Public Housing Program:

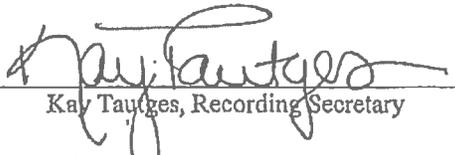
1. Commissioner Items/Comments: None.
2. Executive Director's Report:
 - Nancy McKenzie, Rhinelander HA Director, will meet with LaDonna for 10-12 hours/month on a consulting basis beginning in April.

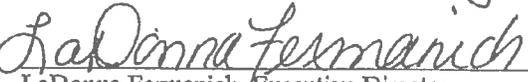
- The MHA website has now been up for close to one year. During that time, there have been over 1,600 visits. Some visitors have sent back applications via Email and fax. It seems to be a good investment.
 - LaDonna would like to get back to discussing and reviewing the RFQ for the Park Place development project next month and get the whole process back in motion again.
 - LaDonna will attend the WAHA Spring Conference April 8-10. Since she will be out of town on 9th for the conference she asked to have the next meeting moved to April 16th. Commissioners rescheduled the meeting for April 16th.
 - LaDonna asked who she could contact to inquire if a flashing light/sign could be placed at the crosswalk to the parking lots. Commissioners suggested that she speak to Tom Hayden.
 - The landlord/tenant training seminar attended by staff was timely because a number of the state laws have recently changed. Overall the seminar gave good insight into what we are doing correctly and areas we should work on. It also provided additional contacts to consider for legal counsel purposes for the MHA.
3. Public Comment Period: None

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, April 16, 2014, 4:00 p.m. Jenny Towers Library, 711 E. First Street, Merrill, WI.

Motion to adjourn at 4:25 P.M. and open Section-8 Housing - Jenny Towers Meeting. Kostman/Wiessinger. Passed unanimously.


Denise Humphrey, Vice-Chairman


Kay Tauges, Recording Secretary


LaDonna Fermanich, Executive Director

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**City of Merrill
Committee of the Whole
Strategic Planning Session
Thursday, March 6, 2014 at 5:30 P.M.
City Hall Common Council Chambers
1004 East First Street**

Committee of the Whole members present (7 of 9): Mayor Bill Bialecki, Alderman Chris Malm (First District), Alderman Steve Hass (Second District), Alderman Ryan Schwartzman (Third District), Alderwoman Kandy Peterson (Fourth District), Alderman John Burgener (Fifth District) and Alderman Dave Sukow (Sixth District). Alderman Rob Norton (Seventh District) and Alderwoman Anne Caylor (Eighth District) had excused absences.

Other attendees included: City Administrator Dave Johnson, Enrichment Center Director Jane Deau, Transit Director Rich Grenfell, City Attorney Tom Hayden, Utility Superintendent Kim Kriewald, Street Commissioner Richard Lupton, Police Chief Ken Neff, Fire Chief Dave Savone, Library Director Stacy Stevens, Finance Director Kathy Unertl, City Hall Maintenance Supervisor Ramona Vanderkam, Park and Recreation Director Dan Wendorf, Judy Woller, Duane Pfister, Garth Swanson (arr. 5:40 P.M.), Gene Bebel, Sharon Anderson, Mike Morrissey, Lincoln County Community Development Educator Art Lersch and City Clerk Bill Heideman.

Call to order

Mayor Bialecki called the meeting to order at 5:30 P.M. He then turned the meeting over to Lincoln County Community Development Educator Lersch.

Strategic long-term planning session/discussion #2 (facilitated by Art Lersch)

The Session #1 Report was reviewed. There were no changes or corrections to the report.

Lincoln County Community Development Educator Lersch provided an overview currently provided by the City of Merrill government. It was suggested that public input on city services could be received by placing a citizen survey on the City website. City Administrator Johnson will discuss this with Information Technology Manager Ron Turner.

The attendees were then divided into two separate groups. One group worked on vision development for city government and the other group worked on vision development for the community. These group sessions began at 6:00 P.M. and ended at 6:45 P.M. At that time, the two groups reconvened together and reviewed both vision developments.

Lincoln County Community Development Educator Lersch then distributed information on "mil" rates. That information was then discussed.

A "SOAR" analysis of city government was begun. SOAR stands for strengths, opportunities, aspirations and results.

The next strategic planning meeting will be held in the City Hall Common Council Chambers, on March 27th, beginning at 5:30 P.M.

Note: After the meeting, Lincoln County Community Development Educator Lersch prepared and submitted a meeting report. That report will be filed with these minutes and is also available on the City website.

Public Comment

None.

Adjournment

Motion (Hass/Schwartzman) to adjourn. Carried. Adjourned at 7:31 P.M.

Minutes prepared and submitted by:

William N. Heideman, CMC, WCMC
City Clerk

City of Merrill, Wisconsin

Strategic Planning Report

Session #2

Meeting facilitated and report developed by
Art Lersch, University of Wisconsin-Extension, Lincoln County
March 6, 2014

Introduction

Twenty-six City of Merrill stakeholders including interested citizens, the mayor, council members, the city administrator, and department heads attended the second city government strategic planning session. The session was facilitated by Art Lersch, UW-Extension, Lincoln County. During the meeting, the group finalized both city government and community vision statements, something that to the knowledge of those present had never been done before. Although both statements will not please everyone, they will do much to help frame future strategic planning discussions. The statements are:

"Merrill, embracing our diverse heritage while working toward a brighter future" (Community)

"We, the employees and officials of the City of Merrill, envision superior services while being open, responsible, and transparent to the public" (City Government)

Details of how these statements were developed can be found below under the "Vision Development for City Government and Community" section.

Any Additions or Changes to the Session #1 Report?

No additions or changes were requested.

Discussion: Overview of Services Provided by City Government

To begin the conversation, the facilitator asked:

- a. How familiar are you with all the services provided?
- b. If you need an overview, how would you like to receive it?

City officials expressed that there is ample opportunity for them to learn about services provided. City Administrator Dave Johnson mentioned that he has asked department heads to develop summary sheets explaining services offered. It was agreed that this would be enough information to supplement what is already known. He requested that department heads complete their summaries in advance of the next strategic planning meeting. A review and discussion of those documents will be placed on that meeting's agenda.

Discussion: Public Involvement in the Process

The facilitator handed out two public comments received via email. Those in attendance suggested that he continue soliciting public input through articles in the Foto News. It was also recommended that a form be placed in the Foto News asking for public comment. The form would be more visible than a request embedded in an article. Public input, it was suggested, can also be solicited via the Extension Facebook page. Lastly, the facilitator requested that those taking part in the planning process communicate to their acquaintances that they should feel free to submit their comments directly to him (Arthur.lersch@ces.uwex.edu).

Vision Development for City Government and Community

The large group was split into two smaller work units. Considering the information discussed and compiled during the first planning session, one work unit developed a draft vision statement for city government and the other for the community. The community statement was developed from the perspective of city government leaders and staff. Changes to both statements were made within the large group setting.

During both processes, several statements were developed and consensus was reached within each work unit as to which one to endorse. People serving in each work unit commented that the very interactive process led to a wide array of possible items to emphasize.

Suggested concepts to place in the community vision statement included:

- Family friendly
- Safe
- Family atmosphere
- Gateway to Northwoods

- Great place to work and play
- Business friendly environment
- Location, Nature, People
- Taking pride and honoring family values

The initial draft of the statement that was seriously considered was “Merrill, City of Parks, a vibrant progressive community embracing our diverse heritage while working toward an even brighter future.”

Work unit members felt that the statement should be shorter so it could more easily be remembered. After intense discussion, the work unit developed the following:

- ***“Merrill, embracing our diverse heritage while working toward a brighter future”***

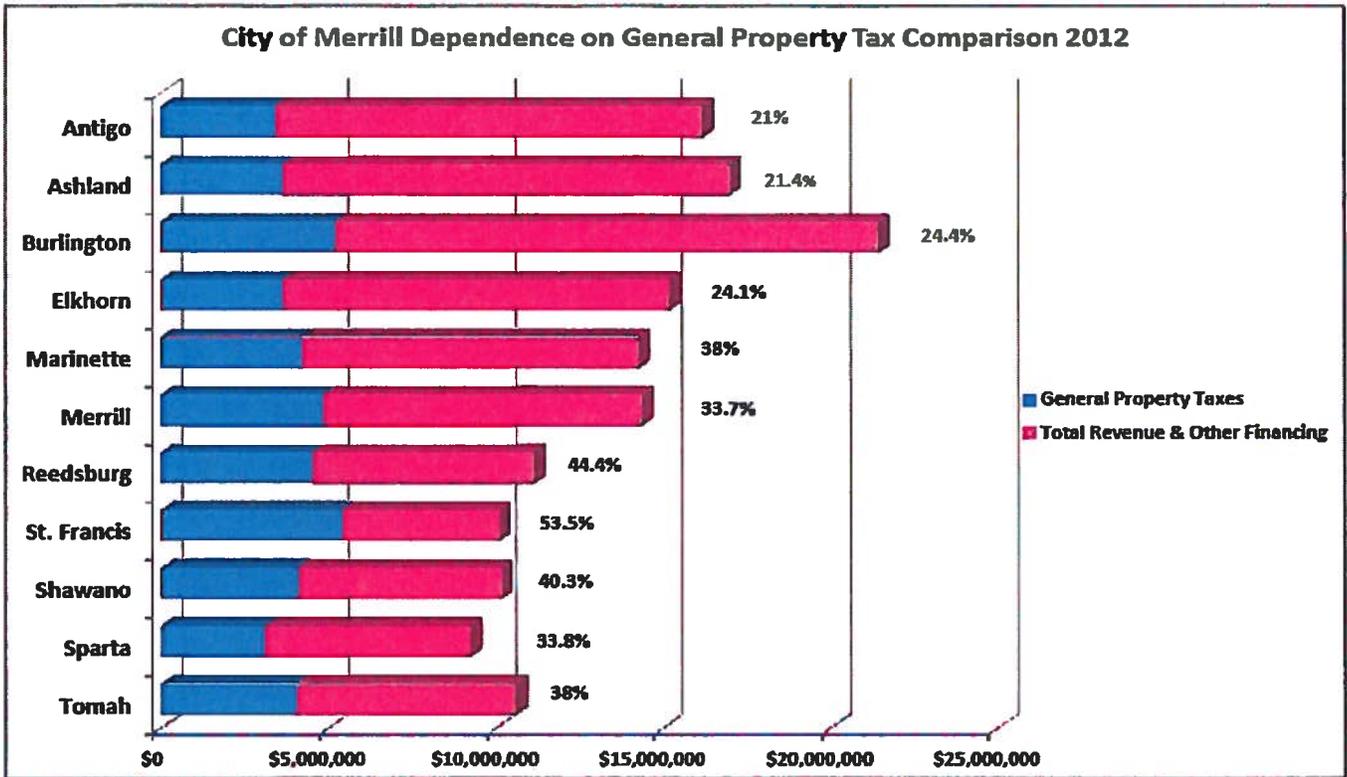
Going through a similar process with several iterations being developed, the city government work unit created the following:

- ***“We, the employees and officials of the City of Merrill, envision superior services while being open, responsible, and transparent to the public”***

The city administrator plans to insert both statements in a resolution or resolutions so that they can formally be reviewed and voted on during regular Council or Committee of the Whole meetings. Once passed, it is recommended that the statements be posted in various places throughout city buildings, on the city website, and be communicated well to the general public on a consistent basis. It is also recommended that the statements be periodically reviewed and if needed modified to reflect changes made to city government or in the community.

Parking Lot Items (additional feedback)

The facilitator presented a bar chart showing the degree of dependence on general property taxes Merrill and other similar cities had in 2012. At that time, Merrill’s percentage of property taxes in relation to total revenues was 33.7%, just shy of the average for all the other cities combined. It was stated that this situation may have changed since 2012. Data for 2013 was not yet available when the chart was created. The chart is included on the next page.



No additional parking lost items were brought forth.

Begin SOAR Analysis

The facilitator reminded the group that SOAR stands for strengths, opportunities, aspirations, and results. “Strengths” are those internal factors that help make Merrill city government function well. “Opportunities” are external factors that can possibly be utilized to help the city better manage how it provides services. “Aspirations” are more detailed articulations of how those within city government want city operations to be like several years down the road. “Aspirations” build off of vision statements. And “results” are the expected outcomes or impacts of city government’s work.

The group began by analyzing city government strengths.

Strengths:

- Safety services.
 - Both the fire and police departments are career rather than volunteer operations
 - Both the police and fire department are administered by very competent, strong leaders
 - Both the police and fire department staff take a highly professional approach to their work
 - The police and fire departments work well together to achieve common goals

- The city workforce is committed/dedicated to public service and is highly competent. (An example would be city employees having to do utility work during Merrill's coldest winter on record). Many of them have the attitude that they are filling career positions.

- All city departments have a community focus. Their employees are constantly thinking of ways to strengthen the community through the services they provide.

- City officials and employees are proud of Merrill and passionately wish to improve it.

- The city currently has good, strong, progressive leadership.

- The number and diversity of services the city provides is extensive. (E.g. Services are provided to citizens of various ages.)

- City government has extensive interaction with the Merrill Area Public School District, especially the fire and police departments.

- Availability of MP3/Merrill Productions videotaping government in action to show how committees and Council function.

- There is a unique public transportation system for this size a city.

Next Meeting

The next planning meeting is scheduled to take place **Thursday, March 27, 5:30-7:30, City of Merrill Council Chambers.**

1404120

**City of Merrill
Board of Public Works
Wednesday, March 19, 2014 at 5:30 P.M.
City Hall Basement Conference Room, 1004 East First Street**

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

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, City Hall Maintenance Supervisor Ramona Vanderkam, Alderman Dave Sukow, Alderwoman Kandy Peterson, Marianne Bunge, Eugene Brown, Sister Peggy Jackelen, Duane Pfister and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

Call to order

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

Vouchers

The vouchers were in the meeting packet.

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

Continue discussion on possible garbage/recycling collection @ Bell Tower

Representing Bell Tower, Sister Peggy Jackelen has inquired as to whether it may be possible to have garbage and/or recycling collection at the Bell Tower Residence, 1500 O'Day Street. Currently, there is no City collection there because the road is considered a "private" road. This item was initially discussed at the February 26th, 2014 Board of Public Works meeting. No action was taken at that meeting.

Street Commissioner Lupton reported that he and a garbage//recycling employee met recently with Bell Tower representatives to discuss this issue. It was mentioned that, if any collection was approved, it would be for recycling only, and garbage collection would not be included.

Alderman Hass stated that he is concerned that, if any collection were approved, other entities would want the same service. It was noted that Bell Tower is a non-profit organization, and that the City does perform pickup at several other businesses.

Motion (Hass/Burgener) to table. Carried.

Ordinance to add garbage collection agreement provisions (Chapter 30, Article II)

Garbage/recycling collection at the condominiums on Thielman Street is being considered. A proposed ordinance on agreement provisions was in the meeting packet.

This proposed ordinance was initially discussed at the February 26th, 2014 Board of Public Works meeting. At that meeting, no action was taken.

The proposed ordinance was also on the March 11th, 2014 Common Council meeting agenda. At that meeting, a motion was passed to refer the ordinance back to the Board of Public Works.

City Attorney Hayden reported that the proposed ordinance is the result of discussions held with representatives of several condominium associations.

Motion (Hass/Burgener) to approve the ordinance. Carried.

The ordinance will be on the April 8th, 2014 Common Council meeting agenda.

Petition & resolutions to vacate portions of Arthur and Thomas Streets

A petition has been submitted requesting the vacation of a portion of Arthur Street and a portion of Thomas Street. A copy of the petition, maps of the area and two proposed resolutions related to the petition were in the meeting packet.

Potential easements were discussed.

Eugene Brown asked whether a portion of John Street was also part of the petition. He was told that the petition does not request the vacation of any portion of John Street.

Motion (Hass/Malm) to forward the two resolutions to the April 1st, 2014 City Plan Commission meeting. Carried.

Monthly report - Street Commissioner

The report was distributed at the meeting. Street Commissioner Lupton reported that the new garbage truck has been ordered. It is anticipated that the new single-stream recycling program will be in effect by approximately June 1st.

Monthly report – Building Inspector/Zoning Administrator

The report was in the meeting packet. Building Inspector/Zoning Administrator Pagel reported that there is a significant amount of demolition either in process or pending.

Alderman Malm raised the subject of the Redevelopment Authority authorizing an additional \$11,000 expenditure related to the Lincoln House demolition. He was told that this was not on the agenda, and therefore it would be inappropriate to discuss it at this time. He then asked when the appropriate time would be, and was told that any discussion on this topic should be held at a Redevelopment Authority meeting.

Monthly report – City Hall Maintenance Supervisor

The report was distributed at the meeting.

Monthly report from contracted engineering firms

No report(s) submitted.

Next meeting

Wednesday, April 23rd, 2014 at 5:30 P.M.

Public Comment

This is the last meeting for Alderman Hass as a board member. Mayor Bialecki thanked Alderman Hass for his years of service on the Board of Public Works.

Adjournment

Motion (Hass/Malm) to adjourn. Carried. Adjourned at 6:00 P.M.

Minutes prepared and submitted by:

William N. Heideman, CMC, WCMC
City Clerk

1404140

**City of Merrill
Personnel and Finance Committee
Tuesday, March 25, 2014 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: Mayor Bill Bialecki, City Administrator Dave Johnson, City Attorney Tom Hayden, Finance Director Kathy Unertl, Alderman John Burgener, Alderwoman Kandy Peterson, Alderman Dave Sukow, Alderman Chris Malm, Street Commissioner Richard Lupton, Community Enrichment Center Director Jane Deau, Transit Director Rich Grenfell, Police Chief Ken Neff, Fire Chief Dave Savone, Library Director Stacy Stevens, Building Inspector/Zoning Administrator Darin Pagel, Parks and Recreation Director Dan Wendorf, Kortney Pike, Roger Drewek, Dale Bacher, Michael Caylor Jr., Greg Hartwig and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

Call to order

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

Vouchers

The vouchers had been e-mailed to the three committee members and are available to the public on the City webpage.

Alderman Caylor had a question on a voucher to pay Redevelopment Resources for tenant relocation (\$1,900). She also questioned a payment to City Transfer to move equipment to the new fire station (\$1,700). She stated that she would not be voting to approve the vouchers and would not sign the vouchers report.

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

Consider vacation accrual schedule for Building Inspector/Zoning Administrator

A letter from Building Inspector/Zoning Administrator Pagel and vacation-related information from the Personnel Policies Manual were in the meeting packet. In his letter, Building Inspector/Zoning Administrator Pagel stated that he recently received a letter from City Administrator Johnson stating that, when returning to full-time City employment on April 1st, he would be given two weeks of vacation annually. Building Inspector/Zoning Administrator Pagel had assumed that his eleven years as a City employee would be counted when determining his vacation, and that he would be granted three weeks of vacation. The letter cited a previous instance when a former City employee returned to work as payroll clerk. In that case, the previous years of City service were considered when determining the vacation amount.

City Administrator Johnson stated that, in all discussions with Building Inspector/Zoning Administrator Johnson, two weeks of vacation was offered. He also stated that, if he had been here when the payroll clerk was hired, he would not have recommend that the previous years of City service be counted when establishing the amount of vacation granted.

Finance Director Unertl stated that, in her opinion, counting previous years of City service is not appropriate in this case. She maintains that the hiring of the payroll clerk is not a similar situation, because the payroll clerk was actively recruited by City staff.

Alderman Hass stated that, in his opinion, past practice should take precedence and three weeks should be granted.

Motion (Caylor/Schwartzman) to consider previous years of service and establish the annual vacation for Building Inspector/Zoning Administrator Pagel at three weeks, upon his becoming a full-time City employee effective April 1st, 2014. Carried.

The motion provides a clarification only, so no Common Council action on the motion is necessary.

Alderman Schwartzman stated that he would like to see this policy reviewed and considered at the next Personnel and Finance Committee meeting.

Review document clarifying policies related to donations to the City

Information was in the meeting packet. City Attorney Hayden has drafted a document to clarify City policy related to donations received by the City.

Discussion was held on which committee would be the oversight committee to review donations to the City. Alderman Hass stated that he would be in favor of the Personnel and Finance Committee being the oversight committee, with the Common Council having the final decision.

Two amendments to the document were suggested. One was to change a sentence in the third paragraph from "Cash donations may be accepted by the City" to "Donations may be accepted by the City". The other suggested amendment was also in the third paragraph, and involved changing "donations of \$5,000 or more" to "donations with a value of \$5,000 or more".

1404141

Motion (Caylor/Schwartzman) to approve the document clarifying the policy related to donations to the City, including the two amendments proposed at this meeting. Carried.

City Attorney Hayden will make the changes to the document for presentation at the April 8th, 2014 Common Council meeting.

Request from Fire Chief Savone to dispose of two pieces of equipment

Information was in the meeting packet.

Fire Chief Savone had requested that this item be placed on the agenda. He is requesting that he be authorized to dispose of two pieces of equipment (Rescue One and Tender Five) that are in the process of being replaced using Bierman Family Foundation funding. The combined value of the equipment he is seeking to dispose of is approximately \$25,000. Alderman Hass and Alderman Caylor stated that they would like to see any proceeds from these sales to be placed in the General Fund.

Motion (Schwartzman/Caylor) to authorize Fire Chief Savone to dispose of, by sale, two pieces of equipment, Rescue One and Tender Five. The proceeds from the sales would be placed in the General Fund. Carried.

No Common Council action on the motion is necessary.

2015 budget planning, including creating timetable for budget process

Information submitted by various Department Heads was in the meeting packet. The information provided details on potential 5% and 10% budget cuts for 2015.

Alderman Hass stated that, although no decisions on the 2015 budget would be made at this meeting, it was placed on the agenda to get the Department Heads thinking about potential budget cuts.

Alderwoman Caylor agreed that this was a starting point, and that it may be necessary to make some difficult budget cuts.

Alderman Hass stated that he hoped that, after the new Personnel and Finance Committee is seated, 2015 budget work would continue on a monthly basis.

No action was taken at this time.

Monthly Report – Municipal Court

The report was in the meeting packet.

Monthly Report – Finance Director Unertl

The report was in the meeting packet. Finance Director Unertl reported that the severe winter weather has had an impact on the 2014 budget, but she reassured everyone that there is no reason to panic.

Monthly Report – City Attorney Hayden

The report was in the meeting packet.

Monthly Report – City Clerk Heideman

The report was distributed at the meeting. City Clerk Heideman thanked City staff who assisted with pre-election duties.

Monthly Report – City Administrator Johnson

The report was in the meeting packet.

Alderwoman Caylor asked a question related to the recent payment of \$11,000 for demolition at the Lincoln House. City Administrator Johnson responded that this payment was for work not associated with the original demolition, but was instead a payment for additional work performed.

Alderwoman Caylor also asked whether there would be any City cost associated with promotional videos that are in the process of being produced. City Administrator Johnson assured her that there would be no cost to City for the video production.

Monthly Report – Building/Zoning Permits

The report was in the meeting packet.

Place monthly reports on file

Motion (Schwartzman/Caylor) to place the monthly reports on file. Carried.

Next meeting

Tuesday, April 29th, 2014. Because there will be new members named to the committee before that meeting, the time of the meeting was not established.

Public Comment

Alderman Hass read a statement and asked that it be included in the official meeting minutes:

Since this is my last Personnel and Finance Committee meeting, I want to thank the present members of this committee for all the hard work we have done over the last two years, and I would also like to thank former Alderperson Thompson for the work he did on this committee the two previous years.

This is not an easy to committee to be on, much less be chairperson. Please know that over the last four years, I have done my part not only to make the City a better place for the citizens, but I have also worked hard to make City employees feel important and participate in the decisions that this committee made.

When I made decisions that affected people's lives, wages and benefits, I always put myself in their position and asked how I would feel if this was happening to me, and that is how I made a lot of my decisions. I hope whoever gets appointed to this committee next term looks at things that way also. I also hope the next chairperson is of strong mind and spirit, and does what is right for the citizens and employees. I wish whoever takes over the best of luck. May you lead with your heart.

Alderwoman Caylor thanked Alderman Hass for all his work as a committee member and committee chairperson.

Mayor Bialecki stated that Alderman Hass, Alderwoman Caylor and Alderman Schwartzman always met all challenges during their time as committee members. He thanked them for their years of service on the committee.

Motion to convene in closed session

Motion (Caylor/Schwartzman) to convene in closed session
Carried 3-0 on roll call vote.

Closed session (City Administrator Evaluation)

Convened in closed session at 6:03 P.M. Attending: Hass, Caylor, Schwartzman, Bialecki, Johnson, Malm, Peterson, Burgener, Sukow and Heideman. The annual evaluation of City Administrator Johnson was conducted.

Adjournment

Motion (Cay/or/Schwartzman) to adjourn. Carried. Adjourned (from closed session) at 6:32 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

1404150

**City of Merrill
Water & Sewage Disposal Committee
Wednesday, March 19, 2014 at 5:00 P.M.
Basement Conference Room, City Hall, 1004 East First Street**

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

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

Call to order

Alderman Burgener called the meeting to order at 5:30 P.M.

Vouchers

The vouchers were in the meeting packet.

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

Discuss impact of severe winter weather on utility operations

Information was in the meeting packet. Financial status information had been e-mailed to the members earlier in the day, and was also distributed at the meeting.

Utility Superintendent Kriewald reported that the Service Maintenance budget has “taken a hit” due to numerous water main breaks this winter.

If anyone has questions or concerns related to severe winter issues, they should contact Utility Superintendent Kriewald.

Operations Report

The report was in the meeting packet.

Utility Superintendent Kriewald repeated that the utility is dealing with several severe winter weather issues. There was a problem at the Wisconsin Street lift station, which led to one sewer backup.

Public Comment

None.

Next meeting

Wednesday, April 23rd, 2014 at 5:00 P.M.

Adjournment

Motion (Norton/Peterson) to adjourn. Carried. Adjourned at 5:11 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, appearing to read "William N. Heideman", written over a horizontal line.

William N. Heideman, CMC, WCMC
City Clerk

1404160

**City of Merrill
City Plan Commission
Tuesday, April 1, 2014 at 5:15 P.M.
City Hall Basement Conference Room, 1004 East First Street**

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

Other attendees: Building Inspector/Zoning Administrator Darin Pagel, Alderwoman Kandy Peterson, Marianne Bunge 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 March 4th, 2014 meeting

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the March 4th, 2014 City Plan Commission meeting. Carried.

Petition & resolutions to vacate portions of Arthur and Thomas Streets

A petition has been submitted requesting the vacation of a portion of Arthur Street and a portion of Thomas Street. A copy of the petition, maps of the area and two proposed resolutions related to the petition were in the meeting packet.

The petition was initially considered at the March 19th, 2014 Board of Public Works meeting. At that meeting, the Board of Public Works forwarded it to the City Plan Commission for consideration.

Discussion was held on the proposed vacations as related to any building that may occur at the site. At this time, there are no pending plans for building.

Motion (Lokemoen/Schroeder) to approve the two resolutions. Carried.

The two resolutions on the street vacations will be on the June 10th, 2014 Common Council meeting agenda, after all publishing requirements have been met.

Next meeting

Tuesday, May 6th, 2014 at 5:15 P.M.

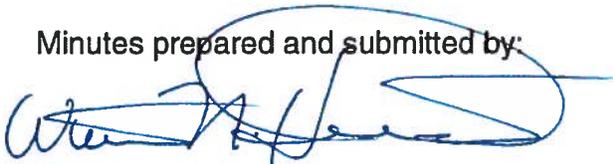
Public Comment

None.

Adjournment

Motion (Hass/Novitch) to adjourn. Carried. Adjourned at 5:22 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

#1404185

City of Merrill
Redevelopment Authority (RDA)

Tuesday, March 4th, 2014 at 8:00 A.M.
City Hall Council Chambers

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

RDA Absent: Karen Karow

Others: City Administrator Dave Johnson, Finance Director Kathy Unertl, City Attorney Tom Hayden, Susan Ryman from Lincoln County Economic Development Corp (LCEDC), Mike Morrissey from Morrissey Consulting, Kristen Fish and Mary Rajek from Redevelopment Resources, City Building Inspector/Zoning Administrator Darin Pagel from Northwinds Inspection, Community Development Program Administrator Shari Wicke, Dean Fenske from AECOM, Dewey Pfister, Christine Vorpapel, and Collin Lueck from FotoNews

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

Approval of meeting minutes from January 7th, 2014:

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

Update and discussion on Lincoln House (Tax Increment District No. 6):

City Administrator Johnson reported that it would cost an additional \$11,000 to remove both basement slabs to facilitate redevelopment of the site. Mayor Bialecki and Kristen Fish from Redevelopment Resources emphasized that a "clean site" would be most attractive for redevelopment. Mike Morrissey from Morrissey Consulting noted easier long-term maintenance based upon his experience in Wausau. Sturm commented that it was a matter of time for ground/pavement shifting if just breaking up slab and burying. Unertl advised that the City of Merrill/RDA has a substantial investment in this site.

Motion (Schwartzman/Laufenberg) to authorize an \$11,000 change order with C&D Demolition to remove both basement slabs from the Lincoln House site. Carried.

Update on 913 E. Main St. and potential amendment of TID No. 6 boundary:

City Building Inspector Darin Pagel advised that there is on-going structural evaluation of the 913 East Main Street building (i.e. former Guy's Shop/Karate) due to the roof collapse. It is likely that demolition will be the only option. Unertl noted that this site is not within the TID No. 6 boundary and that any consideration for amending the TID would be after demolition occurs. Bialecki also strongly recommended waiting on any potential TID No. 6 boundary amendment.

Update on façade evaluation and potential options for 403 W. Main St. (St. Vincent building in Tax Increment District No. 8):

Unertl distributed a building analysis report prepared by Stacy Ness from Kye Studios on 403 West Main Street. Sturm questioned why doing anything for property owner not asking for help. Further that TIF should be used to increase property valuations, bring in new businesses, and new jobs.

Laufenberg emphasized that at the public hearing on TID No. 8 amendment, Unertl reported that the RDA was interested in broader historical neighborhood preservation. Morrissey and Unertl noted that the white bubble façade does not fit with adjacent properties. The potential availability of grant funding through the Wisconsin Economic Development Corp. (WEDC) was noted.

The building analysis report will be provided to the property owner and meeting scheduled to discuss potential interest and options.

Next RDA meeting: Tentatively scheduled for Thursday, April 3rd at 8:00 a.m.

Public Comment: Christine Vorpapel emphasized the importance of historical renderings of potential façade restoration projects, such as 403 West Main Street. She also advised that there is potential grant funding, as well as historical preservation credits available.

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 development incentives for proposed redevelopment projects in Tax Increment District No. 3 (East Side) and No. 8 (West Side).

Motion (Schwartzman/Smith to convene in closed session. Carried on roll call vote at 8:35 a.m.

During the closed session, there was discussion on potential TIF development incentives. City staff and contractors will continue negotiations with potential developers.

Adjournment from Closed Session:

Motion (Schwartzman/Smith to adjourn the meeting at 9:16 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

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City of Merrill
Redevelopment Authority (RDA)

Thursday, April 3rd, 2014 at 8:00 A.M.
City Hall Basement Conference Room

RDA Present: Bill Bialecki, Ryan Schwartzman, Wally Smith,
Ralph Sturm, and Karen Karow

RDA Absent: David Hayes and Jill Laufenberg

Others: Finance Director Kathy Unertl, Susan Ryman from Lincoln County Economic
Development Corp (LCEDC), Mike Morrissey from Morrissey Consulting,
Kristen Fish and Mary Rajek from Redevelopment Resources, City Building
Inspector/Zoning Administrator Darin Pagel, Community Development
Program Administrator Shari Wicke, City Attorney Administrative Assistant
Diane Wais, and Collin Lueck from FotoNews

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

Approval of meeting minutes from March 4th, 2014:

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

**Review and discuss Lincoln House site redevelopment outline (Tax Increment
District No. 6):**

Mike Morrissey highlighted the proposed redevelopment prep phase, marketing plan,
and selling the site. City/RDA priority is selling the site for private-sector
redevelopment. Pagel noted that the City/RDA controls what happens on the site. The
redevelopment needs to meet downtown commercial design criteria.

**Consider proposal from AECOM for additional environmental investigation and
groundwater monitoring – 806 N. Center Ave. former dry cleaner (Tax Increment
District No. 7):**

Unertl highlighted the two previous attempts to obtain site closure from Wisconsin
Department of Natural Resources. In August 2011, new vapor intrusion investigation

Consider proposal from AECOM (Continued):

was required and has been satisfactorily completed. In August 2012, DNR advised that the extent of the down-gradient PCE contamination remained undefined.

The AECOM proposal includes additional groundwater monitoring wells, sampling/analysis, and another site closure request. Target is completion in spring/summer 2015. Project costs estimated at \$40,395.

Although the City/RDA is eligible for reimbursement from the Dry Cleaners Remediation Fund (DERF), it might take a while before the State of Wisconsin has adequate funding to provide reimbursement.

Motion (Schwartzman/Karow) to authorize the AECOM proposal. Carried.

Next RDA meeting: Tuesday, May 6th at 8:00 a.m.

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 development incentives for proposed redevelopment projects in Tax Increment District No. 3 (East Side), No. 7 (N. Center Ave. Area) and No. 8 (West Side).

Motion (Schwartzman/Karow) to convene in closed session. Carried on roll call vote at 8:15 a.m.

During the closed session, there was discussion on potential TIF development incentives. City staff and contractors will continue negotiations with potential developers.

Reconvene Open Session:

Motion (Schwartzman/Sturm) to reconvene in open session. Carried at 8:45 a.m.

Consider TIF Development Incentive (TID No. 7 – N. Center Ave. Area):

Motion (Karow/Sturm) to recommend TIF development incentive total of \$30,000 for Pine Ridge Restaurant LLC for the former Champs Restaurant site in TID No. 7 (N. Center Ave. Area). Carried with Commissioner Ryan Schwartzman abstaining.

Adjournment:

Motion (Schwartzman/Smith to adjourn the meeting at 8:47 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

1404210

Minutes
Airport Commission Meeting
Wednesday, January 15, 2014

Present: Gary Schwartz, Lyle Banser, Joe Malsack 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 November 20, 2013 Minutes: John Miller stated that a mistake was made regarding the fuel cart. It is a 100 gallon cart for \$500 instead of a 150 gallon cart for \$150.00. Joe Malsack made a motion to ratify the corrected minutes of the November 20, 2013 meeting. The motion was seconded by Gary Schwartz. 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: Nothing until spring.

(5) Terminal Project Update: Gary Schwartz had the current plans for the new terminal and a discussion followed reviewing these plans.

Gary Schwartz explained that the FAA will not fund the conference room. Gary said the Bureau has it figured at about 13% of the building and they will fund 50% of that 13%. The other 50% will be paid by the City and the rest of the building will cost them between 10 to 20%. Gary said enough money is already budgeted with the reimbursement for the lights from the Bureau of Aeronautics.

Gary Schwartz said the terminal exterior should be as maintenance free as possible with aluminum clad windows and a metal roof and maybe some wood siding for looks.

Gary Schwartz said that he has received a bid schedule from the state and that if we get everything to them by February 7th the bid opening would be March 20th. The next schedule is to have everything to the state by March 7th with an opening then in April. Gary said he would like to get this started as soon as possible. Gary said all contract information would be given to the state by MTS (the architect). MTS will give us an estimate of costs and then we can make changes if need be.

(6) Manager's Report: John Miller said that we still have an empty T-hanger. John said he sent out letters advertising the T-hanger and did not get much of a response. John did hear from someone from Stevens Points and sent him the paper work on December 19th but as of yet he has not returned it.

John Miller said that he received petition Paperwork from Mary Strait and asked the Commission which ones he should turn it. They decided that he should turn in the ones for the wildlife assessment and runway clearance.

John Miller said the new tractor has arrived. John said everyone is very pleased with how it works and how much more it can do than the old tractor. John said in summer it should be very efficient with the mowing because of the site clearance to see the mower. John said the Street Department now has the old tractor.

John Miller stated that he purchased a fuel cart for \$500.00 from Bev Corneilus. John said this fuel cart will be used to transfer diesel fuel from the city garage for the snow plow and tractor. John explained these pieces of equipment cannot be driven on city streets since the tractor is not licensed and no one has a CDL to drive the plow truck. John said this makes it impossible to be insured to drive these vehicles on the road. John asked the Commission for a consensus for the purchase of this piece of equipment. All agreed it was a necessary purchase.

John Miller told the Commission that he would like to retire on Sept 15th, 2014. John said he picked this date to allow him to see through the finish of the new terminal building and run Airport Day one more time. John said he would like to stay in the area and work for the new FBO. John said he would like to see the Cessna Service Facility remain in Merrill.

John said he is going to start marketing John Miller Aviation for sale and he thought he and the Commission should work together on a plan for finding a new Airport Manager and a new FBO for Merrill.

John said his contract does not expire till 2/1/2015 but according to the contract he can give the Commission six months' notice if he wants to leave sooner. John said he will get a letter of his intentions to Gary Schwartz before the next Commission Meeting.

(7) Chairman's Report: None for tonight.

(8) Aviation Happenings: None for tonight.

(9) Public Comments: Larry Wenning said that we need to move forward quickly with the FBO/Airport Manager replacement.

Joe Malsack asked about the old snow blower. John said it will need about \$300.00 worth of repairs. Gary Schwartz said John Miller should put an ad in the Foto News for sale as-is and see what response we get.

(10) Agenda Items for Next Meeting: Airport Manager.

(11) Adjournment: Lyle Banser made a motion to adjourn. Joe Malsack seconded. Motion passed.

These Minutes were recorded by John Miller, the Airport Manager and were ratified at the February 19, 2014 Airport Commission Meeting.

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Minutes
Airport Commission Meeting
Wednesday, February 19, 2014

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

Also Present: Larry Wenning, Steve Krueger

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

(2) Approval of the January 15, 2014 Minutes: Joe Malsack made a motion to ratify the minutes of the January 15, 2014 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: Gary Schwartz said that there is some money left from the 2006 project but not sure of the exact amount and will not know until May or so. The Bureau of Aeronautics (BOA) said there are still some bills to pay but it is not clear what those are. Gary said he would monitor those and report back.

(5) Terminal Project Update: The architect from MTS, Pat Vanderwerf gave a presentation on the updated plans for the new terminal. A discussion was held regarding additions and changes to the plans.

Gary Schwartz said the bid process was ready to go to BOA. Gary said that they would make some minor changes to the plans, get a schedule with BOA for their review and approval and coordinate on the bidding cycle with the BOA.

Pat said that he would need a check for \$700.00 to submit the plans to the State. Gary Schwartz said that he would handle that.

Gary Schwartz said that originally the terminal project was 80/20 split with Merrill paying 20%. Gary said he has negotiated for an 87/13 split with the BOA with Merrill paying 13%. Gary said that we have \$500,900.00 for the terminal project. This total includes a \$38,000.00 credit for the hangar area and parking lot lights, \$50,000.00 from the City, two Entitlements, and \$26,000 left from the Tomahawk Entitlement.

Gary Schwartz said that Tomahawk will be receiving our 2014 Entitlement, so we will receive no Entitlement this year.

Pat Vanderwerf left the meeting at this time.

(6) Manager's Report: John Miller said that an AWOS Screen for the new terminal will cost around \$5,000.00. John said Dan Brugman, our Project Manager from the BOA, says we should be able to work that into the cost of the terminal building. John said he will speak to Pat Vanderwerf about getting this into the project.

John said that we have been having trouble with the pin pad on the north gate. The first time it happened Per Mar came out and reset it just by turning it off and then on again. John said he was told if we need to do this very often, we will need to replace the pin pad. John said this is the second pin pad on the North Gate and he has reset it twice this week.

John Miller said that Dan Brugman told him in order to get a Weather Computer at the new terminal, we would have to buy a computer and then we can get a subscription through him.

John Miller said that he has received only one call from the snow blower ad and that guy's tractor was too small for the blower.

John Miller said Delta Heating has been out to work on the three furnaces in the shop. The front heater just needed a fan belt. One back heater needed a fan motor and the other just needed pilot light system cleaning.

(7) Chairman's Report: Gary Schwartz said he left the Airport Manager/FBO off the agenda. Gary said he wanted to form a Search Committee to look for John Miller Aviation's replacement.

Gary Schwartz said he wanted one person from the airport users. Larry Wenning volunteered to serve on the committee.

Gary said he thought John Miller could serve well on this committee because of his firsthand experience and knowledge in running the airport and a FBO. Gary said John has agreed to serve on the committee.

Gary Schwartz said he would also like two Commission Members to serve. Joe Malsack and Chris Malm volunteered to serve on the committee.

At this time Gary Schwartz appointed John Miller, Chris Malm, Larry Wenning and Joe Malsack to serve on the Airport Manager/FBO Operator Search Committee.

Gary said he would like the committee to come up with a process on how to go about finding candidates for the Airport Manager/FBO contract. Gary said the committee was to keep him informed of the progress, and in the email loop.

John Miller said that he has sent out letters to all the Airport Managers in the state. John also attended an AI renewal seminar and received the e-mail addresses of all in attendance and has sent all of them a letter. He said that in his letters he was marketing his own company and also the airport.

Gary Schwartz said the City does not want to hire a separate employee as Airport Manager but wants to keep the setup we now have. Gary stressed that the City does not want the liability or put out a benefit package for Airport Manager. Gary also said that once the Search Committee comes up with some candidates and one is chosen by the Commission, that contract still needs to be approved by the City Council.

After some discussion the meeting moved on.

(8) Aviation Happenings: None for tonight.

(9) Public Comment: None

(10) Agenda Items for Next Meeting: Airport Manager/FBO Operator.

(11) Adjournment: Lyle Banser made a motion to adjourn. Joe Malsack seconded. Motion passed.

These Minutes were recorded by John Miller, the Airport Manager and will be ratified at the March 19, 2014 Airport Commission Meeting.

1403250

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

AN ORDINANCE: By Board of Public Works
Re: Amending Chapter 30, Article II, Section 30-31(d) to add garbage collection agreement provisions

ORDINANCE NO. 2014-
Introduced: March 11, 2014
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 30, Article II, Section 30-31(d) of the Code of Ordinances for the City of Merrill is amended to add the following:

Sec. 3-31(c) All collection of solid waste shall be done curbside on public streets from the approved container for waste material being collected, **unless there is a written agreement providing for collection from other than public streets. The written agreement shall include provisions holding the City of Merrill harmless for damage to roads, sewers, curbs, infrastructure and similar damage by city owned equipment, city personnel, or contractors.**

Sec. 30-31(d) City collection vehicles or employees will not enter private property for the purpose of collecting solid waste material **unless a written agreement is in place as set for in (c) above.** In the event that multiple sources of solid waste generation occur within one residential property or commercial property, the owner shall designate one sole waste pickup area on the curbside of a public street, subject to the review and approval of the board of public works and/or the street commissioner. Notwithstanding the foregoing, in the event that multiple individual single-family residences are located on a single residential property, and front on a public street, such individual residences may place recyclable materials for pickup on the curbside of the public street adjacent to the individual residence. This provision only applies to recyclable materials and not to garbage, household rubbish, and other landfill wastes.

(Prior Code, §§ 10.16.055—10.20.075; Code 1993, § 10-1-43)

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

1404250

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: April 8, 2014

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

1404260

RESOLUTION NO. _____

**FINAL RESOLUTION OF INTENT TO EXERCISE SPECIAL ASSESSMENT
POWERS BY POLICE POWER UNDER SECTION 66.0703 OF THE
WISCONSIN STATUTES**

WHEREAS, the Board of Public Works of the City of Merrill, Wisconsin held a Public Hearing in the City Hall, Merrill, Wisconsin, for the purpose of hearing all persons interested in the matters contained in the preliminary resolution of the City of Merrill, of its intent to exercise special assessment powers pursuant to Police Power under Sec. 66.07 Wis. Stats., all as set forth below, and the reports of the Engineering Department mentioned therein on the following proposed projects and other matters, to-wit:

Preliminary Resolution of February 11, 2014, a copy of which is attached hereto, on which a hearing was held on the 26th day of February, 2014;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 8th day of April, 2014, to complete the following public works projects in the City of Merrill:

1. Sidewalk maintenance pursuant to sidewalk inspection program. Sidewalk maintenance area is generally confined to the Second District, west of Center Avenue.
 - a) Isolated sidewalk requested or needed.
 - b) Driveway approaches requested or needed.
 - c) Curb and gutter requested or needed.

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Common Council of the City of Merrill, Wisconsin,

1. That the reports of the City Building Inspector/Zoning Department pertaining to construction of said improvements, including the plans and specifications are hereby adopted and approved.
2. That the Board of Public Works shall cause the improvements to be made by City employees or it may advertise and let any part or all of the same out on bids.
3. That payment for said improvements be made by assessing the costs to the property benefited as indicated in said report, as an exercise of the Police Power.

4. Those benefits shown on the reports are true and correct, having been determined on a reasonable basis and are hereby confirmed.
5. That the assessments for all projects included in said reports are hereby combined as a single assessment but any interested property owner shall be entitled to object to each assessment separately or any assessment jointly for any purpose or purposes.
6. The assessment against any parcel may be paid in cash not later than November 1 of the year such improvements are made, or in installments as provided by City Ordinance, and if not so paid, shall be extended upon the tax roll as a delinquent tax against said parcel and all proceedings in relation to the collection, return and sale of property for the delinquent real estate taxes shall apply to such assessment except otherwise provided by Statute.
7. The City Clerk is directed to publish this resolution as a Class 1 notice in the official newspaper.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against the property to every property owner whose name appears on the assessment roll whose post office address is known or who can with reasonable diligence be ascertained.

Recommended by Board of Public Works

CITY OF MERRILL, WISCONSIN

Moved: _____

William R. Bialecki
Mayor

Passed: _____

William N. Heideman
City Clerk

1404261

RESOLUTION NO.

A RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MERRILL, WISCONSIN AND PINE RIDGE RESTAURANT, LLC

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 7 and Redevelopment Area No. 3 on August 11, 2009; and,

WHEREAS, Pine Ridge Restaurant, LLC is constructing a commercial development on property located within TID No. 7 and Redevelopment Area No. 3; and,

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

WHEREAS, the City and Pine Ridge Restaurant, LLC, have negotiated the development agreement to provide an incentive payment to facilitate the commercial development;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 8th day of April, 2014, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Pine Ridge Restaurant, LLC, and to facilitate the implementation thereof.

Recommended by: Redevelopment Authority – April 3, 2014

CITY OF MERRILL, WISCONSIN

William R. Bialecki
Mayor

Moved: _____

Passed: _____

William N. Heideman
City Clerk

1404262

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AN APPLICATION FOR OUTDOOR RECREATION AIDS

WHEREAS, the City of Merrill is interested in acquiring or developing lands for public outdoor recreation purposes as described in the application; and,

WHEREAS, financial aid is required to carry out the project;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 8th day of April, 2014, that the City of Merrill has budgeted a sum sufficient to complete the project or acquisition and hereby authorizes Dan Wendorf, Parks and Recreation Director for the Parks and Recreation Department to act on behalf of the City of Merrill to:

Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;

Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;

Submit signed documents; and

Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED, that the City of Merrill will comply with State or Federal rules for the programs to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Recommended by: Parks and Recreation Commission

CITY OF MERRILL, WISCONSIN

Moved: _____

William R. Bialecki
Mayor

Passed: _____

William N. Heideman
City Clerk