

**CITY OF MERRILL  
COMMON COUNCIL  
TUESDAY, MARCH 10, 2015  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

- 150310** Invocation by Pastor Angie Steinhauer, Christ United Methodist Church
- 150315** Pledge of Allegiance
- 150320** Roll Call
- 150325** Public Comment Period
- 150330** Minutes of February 10<sup>th</sup>, 2015 Common Council meeting
- 150340** Revenue & Expense Report – February 2015
- 150360** Communications and Petitions
- 150361** Petition for Direct Annexation from Nortrax Inc., for property owned by Nortrax Inc., described as follows: Approximately 31 acres in size and located in Sections 17 and 18, Township 31 North, Range 7 East, Township of Pine River, Lincoln County Wisconsin. Specifically, the area is located between Big Eddy Road and U.S. Highway 51, approximately ¼ mile south of State Truck Highway 64. This petition is to be referred to the City Plan Commission and the Board of Public Works.
- 150380** Housing Authority – No Action
- 1503110** Parks and Recreation Commission – No Action
- 1503120** Board of Public Works
- 1503121** Consider bids for demolition of structure at 900 East First Street. Mayor Bialecki is bringing this item directly to the Common Council.
- 1503130** Health and Safety Committee
- 1503131** The Committee recommends approving the application from Kwik Trip Inc. for a Class “A” (liquor) license for Kwik Trip #386, 2311 East Main Street, effective March 11<sup>th</sup>, 2015.

**1503132** The Committee recommends approving the applications from the Lincoln County Rodeo Association Inc. for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 12-14, 2015.

**1503133** The Committee recommends approving the change of agent application from Walgreens Co., appointing Jane L. Zipperer as agent at Walgreens (#10574), 101 North Center Avenue.

**1503140** Personnel and Finance Committee

**1503141** The Committee recommends approving, as presented, the request from Transit Director Grenfell and Parks and Recreation Director Wendorf to authorize a new full-time shared Transit Driver/Park Laborer position with City benefits.

**1503142** The Committee recommends approving, as presented, the interim replacement plan for City Hall Maintenance (including Temporary Classification), and also recommends approving the long-term plan of combining the City Hall Maintenance Supervisor position and Library Maintenance Supervisor position into one full-time shared position.

**1503150** Water and Sewage Disposal Committee

**1503151** The Committee recommends approving, as presented, the second amendment to the water tower attachment communications site agreement with Alltel Communications Wireless of Louisiana, Inc., a Louisiana corporation d/b/a Verizon Wireless. The agreement allows Verizon Wireless to house telecommunications equipment on the Taylor Street Water Tower, and the second amendment would allow them to replace and upgrade certain equipment.

**1503152** The Committee recommends approving the quote of \$59,915 from Envirotech for the City purchase of an Aries Pathfinder camera with supporting equipment and software, to be used for sewer inspections.

**1503153** The Committee recommends approving the quote of \$25,000 from Strand Associates for an Operations and Needs Review at the Wastewater Treatment Plant.

**1503160** City Plan Commission – No Meeting

**1503170** Transit Commission – No Action

**1503180** Library Board – No Action

**1503185** Redevelopment Authority

**1503186** The Authority recommends pursuing acquisition of 900 East First Street through Lincoln County delinquent tax foreclosure process, with the City/Redevelopment Authority assuming financial responsibility for razing the existing structure.

**1503200** Enrichment Center Committee on Aging – No Action

**1503210** Airport Commission – No Action

**1503230** Placing Committee Reports on File

**1503240** Mayor's Appointments

Ben Debroux, to the Parks and Recreation Commission, term to expire May 1<sup>st</sup>, 2017

Troy Pieper, to the Parks and Recreation Commission, term to expire May 1<sup>st</sup>, 2017

Gary Schulz, to the Airport Commission, term to expire October 1<sup>st</sup>, 2020

**ORDINANCES**

**1503250** An Ordinance Amending Chapter 36, Article IV, Section 36-211 to 217 to add provisions for snowmobile operation (from February 23<sup>rd</sup>, 2015 Health and Safety Committee meeting)

**1503251** An Ordinance Amending Chapter 36, Article V, Section 36-249 to 255 to add provisions for All-Terrain Vehicle and Utility-Terrain Vehicle Operation (from February 23<sup>rd</sup>, 2015 Health and Safety Committee meeting)

**1503252** An Ordinance Amending Chapter 32, Article III, Section 32-54(b)(9) to add language relating to assessment of sidewalk costs (from February 25<sup>th</sup>, 2015 Board of Public Works meeting)

**1503253** An Ordinance Amending Chapter 32, Article III, Section 32-58(a) to add language relating to assessment of sidewalk costs (from February 25<sup>th</sup>, 2015 Board of Public Works meeting)

**RESOLUTIONS**

**1503260** A Final Resolution of Intent to exercise Special Assessment Powers by Police Power under Section 66.0703 of the Wisconsin Statutes (from January 13<sup>th</sup>, 2015 and February 10<sup>th</sup>, 2015 Common Council meetings)

**1503270** Mayor's Communications

**1503999**    **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.**

# 150380 --

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

**Wednesday, February 11, 2015 4:00 P.M. Jenny Towers Library, Merrill, WI**

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

**ABSENT:** Amanda Kostman

**GUESTS:** Jenny Tower Residents

**PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING** called to order by Chairman Kathy Colclasure . Motion to excuse Amanda Kostman. Wagner/Humphrey. Motion passed unanimously.

**Public Comment Period:** Chairman Kathy Colclasure reminded everyone of the purpose and procedure of public comment periods before opening the floor to comment. Mary Peters, a Jenny Towers tenant, asked the board to investigate a heating system concern.

**Motion to approve the minutes of January 14 and 28, 2015 meetings and today's agenda. Wagner/Wilson. Motion passed unanimously.**

**Discussion and motion to approve Checks #22049 thru #22094 and Billings to date for January 2015: Wagner/Humphrey. Motion to accept and place on file the expenditure report passed unanimously by roll call vote: Humphrey-aye, Colclasure-aye, Wagner-aye and Wilson-aye.**

**Move-ins and Move-outs for January 2015:** LaDonna reported that Westgate apartments are now full. Park Place has 19 vacancies; all but two of those have been taken off-line due to Market Conditions. Motion to accept report and place on file. Wagner/Wilson. Motion passed unanimously.

**Report on Park Place Investments:** LaDonna reported that we continue to see a small amount of interest earned each month on our investments and noted that the report format has been revised as requested by the Board at the January meeting. Motion to accept and place on file the Park Place Investment report. Humphrey/ Wagner. Motion passed unanimously.

**Report on Horizon Development (Proposed Park Place Redevelopment):** LaDonna reported that letters of support for the redevelopment project have been received from the City of Merrill, Senator Tom Tiffany, State Assembly Representative Mary Czaja and a large number of community support agencies. This is one of the Tax Credit application requirements. The Market Study was received and details were forwarded to MHA board members. We now know that of the 51 Tax Credit Applicants, 10 (including MHA) fall into the Preservation Category. Out of the ten, there should be a minimum of 3 applicants who will be awarded a Tax Credit. We will await an on-site visit from WHEDA underwriters prior to the awarding announcement of Tax Credits in late April. We will need to evaluate our options regarding extending the lease of the Warming Center for next year depending on the outcome of the tax credit awards. LaDonna will now be working with Horizon to complete the RAD application.

**Chairman Colclasure read the following statements:**

The Board may convene in closed session pursuant to Wisconsin State Statutes Section 19.85(1)(g), to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, to consider possible settlement related to pending litigation of former tenant.

The Board may convene in Closed Session pursuant to Wisconsin State Statutes 19.85(1)(b), for purposes of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session, as it pertains to One MHA employee.

Motion to go into closed session at 4:20p.m. Wilson /Wagner. Motion passed unanimously by roll call vote 4-0: Those attending closed session: Humphrey, Colclasure, Wagner, Wilson and Exec. Director, LaDonna Fermanich.

*The minutes from this closed session will be filed separately and confidentially.*

The Committee may reconvene in open session for potential action(s) on closed session issues(s): Motion to reconvene in open session at 4:29 p.m. Wagner/Humphrey. Motion passed unanimously.

Discuss and Approve Resolution No. 389: "Final Action regarding employment status of Steve Saal" pursuant to the Closed Session Wisconsin State Statutes 19.85(1)(b): Chairman Kathy Colclasure read Resolution No. 389 upholding the letter of termination as jointly issued by the Executive Director and Board of Commissioners. Motion to approved Resolution No. 389 "Final Action regarding employment status of Steve Saal": Wagner/Wilson. Motion passed unanimously by roll call vote: Humphrey-aye, Colclasure-aye, Wagner-aye and Wilson-aye.

Report on Staffing changes – no action required: LaDonna reported that her first priority is to fill the Maintenance position vacancy. Next week she will be reviewing applications which have been provided by ABR Employment Services and hopes to have someone in place by late February or early March. Applicants for the PT Property Coordinator position have been difficult to come by, especially to find the right type of person for this position. She will continue to review possible candidates, but expressed apprehension for pushing to fill that position until April 30<sup>th</sup> when we will have a better handle on both the Fire House purchase and the Tax Credit application. The current personnel policy and suggested revisions have been sent to Board Members for review prior to the March meeting. LaDonna would like to have the policy updated to reflect the necessary corrections and changes already made by the Board before bringing in a new hire. She noted that there would most likely be additional clarifications and changes required down the road that have not been included in the policy to date.

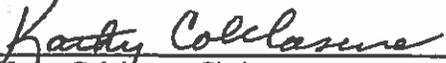
Overview of and Request for Applicant Admission Denial Hearing (hearing date/time/panel to be set): LaDonna reviewed the formal process which is in place for the Applicant Admission Denial Hearing. She explained that an applicant has requested a hearing and there needs to be 3 panel members for the hearing and review. One panel member needs to be a "non-interested third party". Paul Wagner and Mike Wilson will serve on the panel Friday, February 20<sup>th</sup> at 2:30 p.m. at Park Place. LaDonna will contact a third party and will send a 5-day notice out to the applicant as well as email the panel members a meeting reminder.

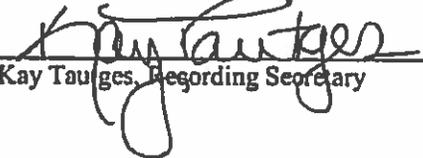
For the Good and Betterment of the Public Housing Program:

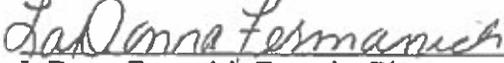
1. Commissioner Items/Comments: None
2. Executive Director's Report: LaDonna thanked Kathy for working on the REAC computer system. She thanked all of the Commissioners for all of their work and commitment to the MHA thanking Amanda for attending the January Homelessness Taskforce Meeting. She mentioned the various tenant activities Kay has been organizing and noted that many of the community service organizations housed in the former Lincoln Community Bank building will be moving to the Menard Center behind the hospital at the end of the month.

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, March 11, 2015, 4:00 p.m. at Jenny Towers Library, 711 E. First Street, Merrill, WI.

Motion to adjourn at 4:53 P.M. Wagner /Humphrey. Motion passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tauges, Recording Secretary

  
LaDonna Fermanich, Executive Director

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

**Wednesday, February 11, 2015, 4:53 P.M., Jenny Towers Library 711 E First Street, Merrill, WI**

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

**ABSENT:** Amanda Kostman

**GUESTS:** Jenny Tower Residents

**SECTION-8 HOUSING- JENNY TOWERS and SCATTERED SITES MEETING** called to order by Chairman Kathy Colclasure. Motion to excuse Amanda Kostman. Wagner/Humphrey. Motion passed unanimously.

**Public Comment Period:** Mary Peters, Jenny Towers tenant, stated that there is a problem with the heating system in the building and she has reported this problem to staff in the past but feels that something else needs to be done. Emily Pfingston, Jenny Towers tenant, stated her bathroom feels cold when she gets out of the shower.

Motion to approve minutes of January 14, 2015 meeting and today's agenda. Wagner/Wilson. Motion passed unanimously.

Discussion and motion to approve Checks #17295 thru #17341 and Billings to date for January 2015: Wilson/Humphrey. Motion passed unanimously by roll call vote: Colclasure-aye, Humphrey-aye, Wilson-aye and Wagner-aye. Paul Wagner asked LaDonna to review the service contract we have with Walter Powers System and modify the contract to include an annual live-load transfer test to prevent future issues with transfer switches on the generators. A General Maintenance Technician should be here at the time of the test in case there is a problem.

Discussion and Approval of Move-ins and Move-outs for January 2015: LaDonna reported that we no longer have a waiting list at either facility and that it is an excellent time for anyone considering moving in to apply. She plans on increasing the amount of advertising in the monthly ADRC publication. Motion to accept report and place on file. Wagner/Humphrey. Motion passed unanimously.

Report on Jenny Tower Investments: LaDonna reported that the month end BMO report does not get to us before the meeting, so some of the information requested for the new report will not be seen until the following month. The CD will mature in March, so LaDonna will check on interest rates prior to the next meeting. Motion to accept report and place on file. Humphrey/Wagner. Motion passed unanimously.

Fire Station purchase update: LaDonna reported that REI found that two buried tanks were removed from the property in the late 1980's, but they have not been able to yet confirm if any soil sampling has taken place to eliminate the environmental concern as to whether or not they may have leaked at any point. The progress report provided to the Commissioners has also been sent to Dave Johnson and the Mayor to keep them informed as well. REI will continue reviewing records to find out if there will be a need for soil samples to be taken. If so, it would seem reasonable that the City should cover that testing cost as the seller. The appraisal for the property has come in and reflects that the offer price is within the margins of appraised market value based on comparable sales.

Report on Elevator Project: LaDonna gave the full project report and noted that we did pass the final inspection and are waiting for the license to arrive. The Large elevator has been making a groaning noise and OTIS will be here to fix that next week. We are awaiting one final bill from Otis to wrap up the elevator project.

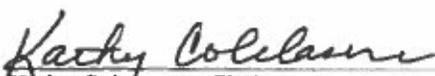
Report on Chase-Way/Wiring plans: LaDonna reported that Martin/Riley and Muermann Engineering will be here Feb. 18<sup>th</sup> at 11:00 a.m. to do a walk-through of the building. LaDonna, Tim and Paul Wagner will also be present. Paul suggested we might also review the heating system plans with Martin Riley while on site to look into the heating concerns being expressed.

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

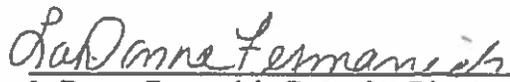
1. Commissioner Items/Comments – Mike Wilson has heard from tenants about ongoing problems with the heat at both Park Place and Jenny Towers. He reported that some tenants find their apartment too cold and some too hot. Can maintenance do something about this and/or do we need to hire a heating expert to do so? LaDonna explained that professionals have been brought in to look at both buildings, but there are multiple issues that impact the heat including trying to regulate large, concrete buildings in fluctuating temperatures with older, less efficient systems. Hopefully, some of the Park Place issues will be resolved as part of the redevelopment. At Jenny Towers the board suggested having someone come in to look at the zone heat system and check thermostats. Paul Wagner expects some of the Chase Way project rewiring to include things that can impact the heat in the building.
2. Executive Director's Report – LaDonna reported that she attended the tenant meeting which was set up by tenants at Jenny Towers so that everyone would have a chance to meet Commissioner Mike Wilson. At that meeting, tenants provided LaDonna with several good suggestions. LaDonna also stated she had received several comments from other JT tenants who feel like they are being pressured into coming to these meetings by some of the Jenny Towers residents. For this reason, she wanted to remind everyone to be mindful that people have the right to participate or not participate as they wish and that those who are enthusiastic about attending must remember to respect other tenants right to participate according to their level of comfort.

The next regular meeting of the Commissioners of the Housing Authority will be held on Wednesday, March 11<sup>th</sup>, 2015, 4:00 p.m. at Jenny Towers Library, 711 E. First Street, Merrill, WI.

Motion to adjourn meeting at 5:30 p.m. Wagner/Wilson. Motion passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tauges, Recording Secretary

  
LaDonna Fermanich, Executive Director

# 1503110

PARKS AND RECREATION COMMISSION

March 4, 2015

The Merrill Parks and Recreation Commission met on Wednesday, March 4, 2015 at 4:15 p.m. at the City Hall.

Members Present: Melissa Schroeder, and Brian Artac, Dave Sukow and Jean Ravn

Members Excused Absent: Mike Willman

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dave Johnson, Fred Heider, Daniel Ayala and Candy Peterson

\*\*\*Motion by Schroeder, seconded by Artac to approve the minutes from the February 4, 2015 meeting.

\*\*\*Carried unanimously.

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

Artac questioned what the bill for Centurion was for and what is it. Wendorf stated it is a cleaning solution for the Smith Center.

\*\*\*Carried Unanimously.

Public Comment: None

The next item on the agenda was continued discussion related to Aquatic Center. Daniel Ayala from WTI presented all the changes to the Park and Recreation Commission. Daniel stated that all footing for extras at the pool will be put in and when sponsorship is acquired the extras will be put in. Daniel stated that split block will be used on both building. Lighting will be LED lighting with occupancy sensors used throughout the pool except for in the mechanical room. Daniel also stated that 2 water meters will be installed, which will save on the water cost. Asphalt will be used to the main entry of the Aquatic Center. Daniel stated that bids will go out by April 16, 2015.

\*\*\*Motion by Schroeder, seconded by Sukow to approve design from Water Technology, Inc. for the Aquatic Center to allow for bidding.

\*\*\*Carried unanimously.

The next item on the agenda was to review and discuss Bike & Pedestrian Grant progress. Fred Heider stated that he is continuing to collect more data regarding bike lanes in the Merrill Community. Heider discussed how he should document travel demand from corporate customers, schools and senior housing complexes. Heider also stated he would like direction as to how proposed street alignments should be reviewed before going into the plan. Heider stated that he has a dead line of May and at that time he will present a draft to the Park and Recreation Commission of bike routes in Merrill.

The next item on the agenda was review/approve bids for the following:

- a. Ice Resurfacers. Wendorf stated that he only received one bid on the ice resurfacers and that was from Frank J. Zamboni & Co. Inc. for \$99,992.20. Wendorf stated that he would like to deny the bid and put out new bids for an electrical one. Wendorf stated that with all the potential regulations coming into effect based upon indoor air quality standard, it would be more cost-effective for City of Merrill to purchase an electric unit now instead of retrofitting Smith Center air handling systems in the future.

\*\*\*Motion by Artac, seconded by Ravn to deny the bid from Frank J. Zamboni based on information brought to the commission's attention and rebid the Zamboni out with an electrical system.

\*\*\*Carried unanimously.

- b. Lions Park Fence Project. Wendorf stated that Patriot Fence & Construction LLC was an incomplete bid. Wendorf stated that Security Fence & Supply Co., Inc. has done work for the Park and Recreation Department in the past and does a great job.

\*\*\*Motion by Schroeder, seconded by Artac to approve the bid from Security Fence & Supply Co., Inc. for \$31,275.00 for the Lions Park Fence Project.

\*\*\*Carried unanimously.

- c. Lions Park Bleachers. Wendorf stated that they received 3 bids for the Lions Park Bleacher Project. 2 out of the 3 bids did not meet specifications. Wendorf stated that Miller & Associates have done work and the Park and Recreation Department has ordered bleachers from them in the past and have always done a great job and produced a great quality product.

\*\*\*Motion by Artac, seconded by Schroeder to approve the bid from Miller & Associates for \$27,385.00 for the Lions Park Bleacher Project.

\*\*\*Carried unanimously.

- d. MARC fencing project. Wendorf stated that he would recommend the bid from Security Fence for \$8,318.00. Wendorf state the Alternate Bid was for the Varsity Softball field to have the fence moved in.

\*\*\*Motion by Schroeder, seconded by Ravn to accept the bid from Security Fence & Supply Co., Inc. for the amount of \$8,318.00.

\*\*\*Carried unanimously.

- e. Disposal of City Equipment (Old Zamboni, S10 Truck, Curtis Plow). Wendorf stated that they did not receive a bid on the Old Zamboni so that will be hauled to Schultz Recycling. Wendorf stated they received on bid on the S10 Truck for \$301.57 and on the Curtis Plow for \$251.00 from Richard Fenhaus. Wendorf recommended accepting both bids.

\*\*\*Motion by Schroeder, seconded by Artac to accept the bids from Richard Fenhaus for the S10 Truck for \$301.57 and the Curtis Plow for \$251.00.

\*\*\*Carried unanimously.

The next item on the agenda was to discuss potential new joint full-time shared Transit Driver/Parks Laborer position. Wendorf stated that this was brought forward by the Transit Department. Wendorf stated it would be a shared position between the two departments giving

the Transit help during the school year when they need it and more help to the Park and Recreation Department during the summer months when it is most needed. Wendorf stated it was a win/win situation.

**\*\*\*Motion by Ravn, seconded by Artac to approve the joint shared position between Transit and Merrill Park and Recreation Department.**

**\*\*\*Carried unanimously.**

The next item on the agenda was monthly reports. Wendorf asked if there were any questions on his board report. Schroeder asked Wendorf if he was pleased with Water Technology Inc. Wendorf stated he was very pleased with their service so far. They have been great to work with.

The next regular meeting is scheduled for April 1, 2015 at 4:15 p.m.

Public comment. Sukow stated that he appreciates that Mr. Johnson comes and sits in on the Park and Recreation Commission and offers his input when needed. Schroeder agreed with Sukows comments and thanked him for attending. Artac welcomed Ravn to the commission.

**\*\*\*Motion by Artac, seconded by Harris to adjourn at 5:40 p.m.**

**\*\*\*Carried unanimously.**

**Dawn Smith  
Recording Secretary**

1503120

**City of Merrill  
Board of Public Works  
Wednesday, February 25, 2015 at 4:00 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 Ryan Schwartzman, Alderman Rob Norton and Alderman Peter Lokemoen

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Utility Superintendent Kim Kriewald, Alderwoman Kandy Peterson, Tonia Speener, Jeremy Ratliff and City Clerk Bill Heideman. Finance Director Unertl and Building Inspector/Zoning Administrator Darin Pagel had excused absences.

**Call to order**

Mayor Bialecki called the meeting to order at 4:00 P.M.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Schwartzman/Lokemoen) to approve the vouchers, as presented.  
Carried.

**Consider 2<sup>nd</sup> amendment to site agreement with Verizon @ Taylor St. water tower**

Information was in the meeting packet. This item is also on the February 25<sup>th</sup>, 2015 Water and Sewer Committee meeting agenda.

City Attorney Hayden reported that the City currently has a lease agreement with Verizon Wireless allowing Verizon to house telecommunications equipment on the Taylor Street Water Tower. Verizon would like to replace and upgrade certain equipment, so they have submitted a request for a second amendment to the agreement.

Motion (Norton/Schwartzman) to recommend approving, as presented, the second amendment to the water tower attachment communications site agreement with Alltel Communications Wireless of Louisiana, Inc., a Louisiana corporation d/b/a Verizon Wireless, and to refer this recommendation to the Water and Sewer Committee for consideration.  
Carried.

**Consider ordinances (2) related to sidewalk assessment costs**

Two proposed ordinances were in the meeting packet. Mayor Bialecki reported that the ordinances were drafted as a result of discussion held at the January 28<sup>th</sup>, 2015 Board of Public Works meeting. City Attorney Hayden explained that the ordinances do not amend the sidewalk special assessment policy, but rather they clarify the fact that when sidewalk is initially installed, the costs are split 50/50 between property owners on both sides of the street, regardless of which side of the street the sidewalk is installed.

Motion (Schwartzman/Lupton) to recommend approving both ordinances.  
Carried.

The proposed ordinances will be on the March 10<sup>th</sup>, 2015 Common Council meeting agenda.

**Monthly report - Street Commissioner**

The report was in the meeting packet.

**Monthly report – Building Inspector/Zoning Administrator**

The report was in the meeting packet. Mayor Bialecki mentioned the Memorial Drive sidewalk extension project. Alderman Lokemoen stated that there may be some issues related to existing infrastructure and/or elevations in the project area.

**Monthly report – City Hall Maintenance Supervisor**

None.

**Monthly report from contracted engineering firms**

No reports were submitted.

**Place monthly reports on file**

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

**Next meeting**

Wednesday, March 25<sup>th</sup>, 2015 at 4:00 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Schwartzman/Lupton) to adjourn. Carried. Adjourned at 4:09 P.M.

Minutes prepared and submitted by:

A handwritten signature in black ink, appearing to read "William N. Heideman". The signature is written in a cursive style and is partially enclosed by a hand-drawn oval.

William N. Heideman, CMC, WCMC  
City Clerk

1503130

**City of Merrill  
Health and Safety Committee  
Monday, February 23, 2015 at 5:00 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Voting Members Present (2 of 3): Alderman Dave Sukow (Chairperson) and Alderwoman Kandy Peterson.

Others Present Included: City Administrator Dave Johnson, Deputy Health Officer Norbert Ashbeck, Fire Chief Dave Savone, Police Chief Ken Neff, Police Captain Corey Bennett, Willie Schult and City Clerk Bill Heideman.

**Call to order**

Alderman Sukow called the meeting to order at 5:00 P.M.

**Nuisance complaints and exterior maintenance report**

The report was in the meeting packet. Deputy Health Officer Ashbeck reported on the following cases:

201 N. Mill Street – Building Inspector/Zoning Administrator Pagel and Deputy Health Officer Ashbeck have now viewed the interior. A Limited Liability Company from South Carolina owns the property. Deputy Health Officer Ashbeck stated that, although the house is structurally sound, the presence of mold is an issue. He speculated that a professional mold remover would be required to completely eliminate the mold. At this time, the property is vacant.

718 ½ E. Second St – This complaint was filed by the tenant. Building Inspector/Zoning Administrator Pagel has inspected and has written orders. This site will need extensive work.

509 ½ E. Seventh St. – Building Inspector/Zoning Administrator Pagel has issued orders on this property and will continue to monitor.

403 East St. – Building Inspector/Zoning Administrator Pagel is monitoring this property. At this time, the tenant is satisfied with the property conditions.

**Vouchers**

The vouchers were in the meeting packet. Fire Chief Savone answered a question related to a voucher.

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

**Class "A" (liquor) license application from Kwik Trip #386**

Kwik Trip Inc., has filed an application and paid the fee for a Class "A" (liquor) license for Kwik Trip #386, 2311 East Main Street.

Police Chief Neff has no concerns with the application.

**1503131**

Motion (Peterson/Sukow) to approve the application from Kwik Trip Inc. for a Class "A" (liquor) license for Kwik Trip #386, 2311 East Main Street, effective March 11<sup>th</sup>, 2015. Carried.

**"Picnic" Licenses (3) – Lincoln County Rodeo Assoc. for Rodeo**

The Lincoln County Rodeo Association, Inc. has applied and paid the fee for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 12-14, 2015. Information was in the meeting packet.

Police Chief Neff has no concerns with the applications.

**1503132**

Motion (Peterson/Sukow) to approve the applications from the Lincoln County Rodeo Association Inc. for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Lincoln County Fairgrounds during a Wisconsin River Pro Rodeo event on June 12-14, 2015. Carried.

**Other picnic and/or liquor license applications**

None.

**Change of agent for Walgreen's – Jane Zipperer as agent**

Walgreen's Co. has submitted a change of agent application and paid the change of agent fee.

They are requesting that Jane L. Zipperer be named the agent at Walgreen's #10574, 101 North Center Avenue. Information was included in the meeting packet.

Police Chief Neff has no concerns with the application.

**1503133**

Motion (Sukow/Peterson) to approve the change of agent application from Walgreens Co., appointing Jane L. Zipperer as agent at Walgreens #10574, 101 North Center Avenue. Carried.

**Consider creating licensing and regulation of escorts and escort services**

This has been an ongoing discussion at multiple meetings. Alderman Sukow stated that, although issues related to escorts and escort service licensing and regulation are still being considered, they would not be discussed at this meeting.

**Ordinances re: snowmobile, UTV and ATV operation within City limits**

This has been an ongoing discussion at multiple meetings.

Alderman Sukow reported that ordinance amendment(s) are being considered because the current ordinances are outdated, and because including additional routes for snowmobile, UTV and ATV traffic could increase City tourist revenue.

Since January, an informal group of interested parties has met several times to develop additional City routes/trails. A map of those proposed routes/trails was presented at the meeting. Whenever possible and practical, the trails connect to Lincoln County trails, to allow easy access to the City. Police Chief Neff led the discussion as the map was reviewed.

Signage for the potential new trails was then discussed. Alderman Sukow stated that he hoped that local businesses and snowmobile clubs would participate to help pay for the signage. Discussion was then held on who would be responsible to collect the money that businesses and clubs would donate for signage. It was suggested that the Street Department could be responsible for this. Alderman Sukow stated that he would discuss this possibility with Street Commissioner Lupton.

Two potential ordinance amendments, one on snowmobile operation and the other on UTV/ATV operation, were in the meeting packet. Alderman Sukow recommends approving both ordinances and forwarding them to the Common Council for consideration.

Motion (Sukow/Peterson) to recommend approving the ordinance amending Chapter 36, Article IV, Sections 211 to 217, related to snowmobile operation, and to recommend approving the ordinance amending Chapter 36, Article V, Sections 249-255, related to UTV/ATV operation. Carried.

The two ordinances will be on the March 10<sup>th</sup>, 2015 Common Council meeting agenda.

**Monthly Report – Fire Chief Savone**

The report was in the meeting packet. Fire Chief Savone reported that Brad Byer resigned effective January 31<sup>st</sup>. A new firefighter began service on February 23<sup>rd</sup>. The eligibility list has now been exhausted, so it will be necessary to create a new eligibility list.

**Monthly Report – Police Chief Neff**

The report was in the meeting packet. Police Chief Neff reported that the deadline for accepting applications for the vacant Administrative Assistant position has now passed. 90 applications were received. Plans are to select 10 of those applications in order to conduct interviews.

Representatives of six alcohol licensees attended the alcohol compliance workshop held recently. Of those six, three had been issued citations as a result of the recently conducted alcohol compliance checks. Another alcohol compliance workshop will be scheduled in March.

At the request of Alderman Sukow, Police Chief Neff will prepare and provide a list of the licensees that were issued citations recently as a result of the alcohol compliance checks.

**Monthly Report – Lincoln County Humane Society**

The report was in the meeting packet.

**Place monthly reports on file**

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

**Schedule next meeting**

Monday, March 23<sup>rd</sup>, 2015 at 5:00 P.M.

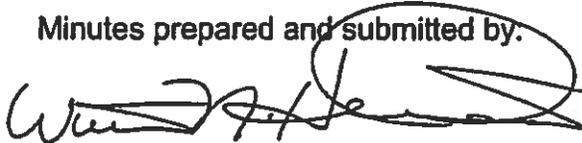
**Public Comment**

None.

**Adjournment**

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

Minutes prepared and submitted by.

A handwritten signature in black ink, appearing to read "William N. Heideman", is written over the text "Minutes prepared and submitted by." The signature is somewhat stylized and includes a large loop at the end.

William N. Heideman, CMC, WCMC  
City Clerk

1503140

**City of Merrill  
Personnel and Finance Committee  
Tuesday, February 24, 2015 at 5:15 P.M.  
Basement Conference Room at City Hall, 1004 East First Street**

Voting Members Present (3 of 3): Alderman Ryan Schwartzman (Chairperson), Alderman John Burgener and Alderman Tim Meehean.

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Finance Director Kathy Unertl, Library Director Stacy Stevens, Transit Director Rich Grenfell, Alderwoman Kandy Peterson, Roger Drewek, Duane Pfister, Jeremy Ratliff and City Clerk Bill Heideman.

**Call to order**

Alderman Schwartzman 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.

Motion (Burgener/Meehean) to approve the vouchers. Carried.

**Consider request for new Transit Driver/Park Laborer position**

Information was in the meeting packet.

City Administrator Johnson reported that methods are being explored to fill positions that have historically been difficult to fill. With that in mind, it is being proposed to create a new full-time shared Transit Driver/Park Laborer position. Transit Director Grenfell and Parks and Recreation Director Wendorf agree that this position is warranted and have also agreed to work together should the position be approved.

Transit Director Grenfell explained that currently some children are arriving home from school very late, which has led to consideration of reinstating another bus. Filling this position would help to avoid having children arrive home late.

It is anticipated that this employee would work in the Transit Department from 1:15 P.M. to 5:15 P.M. on school days when school is in session, and would work mornings in the Parks and Recreation Department. During the summer, when school is not in session, the person would work primarily in the Parks and Recreation Department for the entire workday.

**1503141**

Motion (Meehean/Burgener) to approve, as presented, the request from Transit Director Grenfell and Parks and Recreation Director Wendorf to authorize a new full-time shared Transit Driver/Park Laborer position with City benefits. Carried.

**Consider short-term, long-term plans for City Hall Maintenance Supervisor duties**

Information was in the meeting packet, including a short-term, interim replacement plan for City Hall Maintenance.

City Administrator Johnson explained that, during the interim period, the 25 hour/week custodian would be reclassified from Grade 1 to Grade 2. During this period, the City Administrator would oversee all custodial staff.

City Administrator Johnson added that the long-term plan for the City Hall Maintenance Supervisor position is to combine the City Hall Maintenance Supervisor position and Library Maintenance Supervisor position into one full-time shared position. The current City Hall Maintenance Supervisor has begun the retirement process and the current Library Maintenance Supervisor is planning retirement in the next few months.

**1503142**

Motion (Meehean/Burgener) to approve, as presented, the interim replacement plan for City Hall Maintenance (including Temporary Classification), and also approve the long-term plan of combining the City Hall Maintenance Supervisor position and Library Maintenance Supervisor position into one full-time shared position. Carried.

**Consider options for delinquent tax foreclosure process**

Information was in the meeting packet.

Three structures in the City have been demolished recently, and it is anticipated that several more will be demolished in the near future.

After discussion, a consensus was reached to contact Lincoln County in order to discuss procedures relating to delinquent tax properties, with the possibility of Lincoln County eventually transferring such properties to the City.

No action was necessary, requested or taken at this time.

**Review and discuss State Budget Bill proposal to move to County assessment**

Information was in the meeting packet.

A portion of the state budget bill being considered includes a provision to move the responsibility for assessments from municipalities to counties.

Alderman Schwartzman, a member of the Lincoln County Board, stated that the board was disappointed that this change was being considered as part of the state budget process.

To date, no decision has been made as whether this change will be implemented. Therefore, no action was necessary, requested or taken at this time.

**Monthly Report – Municipal Court**

The report was in the meeting packet. A new part-time Municipal Court Clerk has begun working.

**Monthly Report – Finance Director Unertl**

The report was in the meeting packet. Finance Director Unertl reported on sick-leave payout issues. She noted that she would have an addendum to the Revenue and Expense report for the March 10<sup>th</sup> Common Council meeting. In anticipation of future indoor air quality issues at the Merrill Area Recreation Complex (MARC), Finance Director Unertl recommends purchasing an electric Zamboni.

**Monthly Report – City Attorney Hayden**

The report was in the meeting packet.

**Monthly Report – City Clerk Heideman**

The report was in the meeting packet.

**Monthly Report – City Administrator Johnson**

The report was in the meeting packet. City Administrator Johnson reported that he received only one Request for Proposal for the compensation study approved recently. That proposal was from Carlson-Dettmann Consulting. It appears Carlson-Dettmann has garnered the vast majority of compensation study business for Wisconsin municipalities. They possess a vast amount of salary information for numerous Wisconsin municipalities and other governmental entities. City Administrator Johnson will be submitting the proposal to the next meeting for consideration.

**Place monthly reports on file**

Motion (Burgener/Meehean) to place the monthly reports on file. Carried.

**Next meeting**

Tuesday, March 24<sup>th</sup>, 2015 at 5:15 P.M.

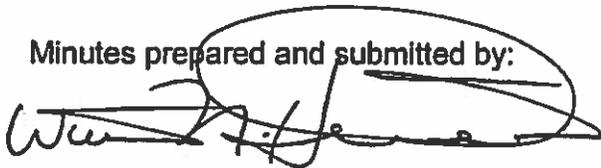
**Public Comment**

None.

**Adjournment**

Motion (Burgener/Meehean) to adjourn. Carried. Adjourned at 5:50 P.M.

Minutes prepared and submitted by:

A handwritten signature in black ink, which appears to read "William N. Heideman". The signature is written in a cursive style and is enclosed within a hand-drawn oval.

William N. Heideman, CMC, WCMC  
City Clerk

1503150

**City of Merrill  
Water & Sewage Disposal Committee  
Wednesday, February 25, 2015 at 5:00 P.M.  
Basement Conference Room, City Hall, 1004 East First Street**

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

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Utility Superintendent Kim Kriewald, Alderman Dave Sukow, Tonia Speener and City Clerk Bill Heideman.

**Call to order**

Alderman Norton called the meeting to order at 5:00 P.M.

**Vouchers**

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

**Consider request from Merrill Sheet Metal Works re: leak and water line**

Information was in the meeting packet.

Utility Superintendent Kriewald reported that, in January, a leak occurred at Merrill Sheet Metal Works, 1204 N. Center Avenue. Representing Merrill Sheet Metal Works, Kurt Wendt has discussed this with Utility Superintendent Kriewald and contends that the line should be designated as a City water main rather than a service line. Research indicates that, when the line was originally installed in 1961, it was designated as a service line. However, the road was widened at a later date, and Mr. Wendt's opinion is that the line should have been designated as a City water main at that time.

Discussion was held. At this time, no action was necessary, requested or taken.

**Consider 2<sup>nd</sup> amendment to site agreement with Verizon @ Taylor St. water tower**

Information was in the meeting packet.

City Attorney Hayden reported that the City currently has a lease agreement with Verizon Wireless allowing Verizon to house telecommunications equipment on the Taylor Street Water Tower. Verizon would like to replace and upgrade certain equipment, so they have submitted a request for a second amendment to the agreement.

On February 25<sup>th</sup>, 2015, the Board of Public Works passed a motion recommending approval of the amendment, as presented, and referred that recommendation to the Water and Sewer Committee for consideration.

There was no objection to the agreement amendment as presented.

**1503151**

Motion (Norton/Peterson) to approve, as presented, the second amendment to the water tower attachment communications site agreement with Alltel Communications Wireless of Louisiana, Inc., a Louisiana corporation d/b/a Verizon Wireless. The agreement allows Verizon Wireless to house telecommunications equipment on the Taylor Street Water Tower, and the second amendment would allow them to replace and upgrade certain equipment. Carried.

**Consider quotes for purchase of sewer inspection camera**

Information was in the meeting packet.

Utility Superintendent Kriewald reported that three quotes were received for the City purchase of a camera to be used to perform sewer inspections. He recommends approving the quote of \$59,915 from Envirotech for an Aries Pathfinder camera with supporting equipment and software.

**1503152**

Motion (Peterson/Norton) to approve the quote of \$59,915 from Envirotech for the City purchase of an Aries Pathfinder camera with supporting equipment and software, to be used for sewer inspections. Carried.

**Consider quotes for Operations & Needs Review @ Wastewater Treatment Plant**

Information was in the meeting packet.

Utility Superintendent Kriewald reported that seven quotes were received for the preparation of an Operations and Needs Review at the Wastewater Treatment Plant.

Utility Superintendent Kriewald recommends approving the quote of \$25,000 from Strand Associates. He explained that, although this was not the lowest quote, he is recommending it due to the fact that Strand Associates has worked with the City since 1969 and is therefore familiar with City utility infrastructure, equipment and operations. City Administrator Johnson added that he has worked with Strand in the past and has no problems or concerns with the recommendation.

1503153

Motion (Peterson/Norton) to approve the quote of \$25,000 from Strand Associates for an Operations and Needs Review at the Wastewater Treatment Plant. Carried.

**Operations Report**

The report was in the meeting packet. Utility Superintendent Kriewald reported that freeze-ups are being addressed as necessary. Two new employees have started working, and both seem to be working well.

**Public Comment**

Alderman Sukow spoke regarding the quotes for the Wastewater Treatment Plan Operations and Needs Review. He questioned how one company could submit a quote that was approximately ½ of nearly all the other quotes received. Utility Superintendent Kriewald responded that this quote did not seem to meet all required specifications.

**Next meeting**

Wednesday, March 25<sup>th</sup>, 2015 at 5:00 P.M.

**Adjournment**

Motion (Norton/Peterson) to adjourn. Carried. Adjourned at 5:23 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC  
City Clerk

**# 1 5 0 3 1 7 0**

**Transit Meeting  
February 16, 2015**

**Present; Mr. Rick Blake – Chairman, Mr. Steve Willis, Mr. Gordon Geiger, Sue Kunkel and Rich Grenfell – Transit Administrator.**

**Absent; Mr. Tony Kusserow**

**No Public Comment**

**A motion to approve the minutes of the December 15, 2014 Commission meeting was made by Ms. Kunkel and seconded by Mr. Willis. C.U.**

**The Commission reviewed the 2014 fourth quarter stats. Ridership and revenues were down slightly primarily due to 1000 less student rides. General transportation is consistent and busy. Again we achieved our goal in reduced mileage;-21%. A motion to place the report on file was made by Mr. Willis and seconded by Mr. Geiger. C.U.**

**The Commission reviewed the 2014 Annual Report. The report reflects a marginal decrease in ridership and revenues. We anticipated 7% loss due to the change in service levels; (1-hour headways). We experienced a 5% loss in ridership, primarily students, which the services levels had little to no effect on. Our main objective was to reduce mileage by 20% and we achieved a 22% reduction in mileage for the year. This kept us well within our operating budget and within the means of reduced State funding. Overall, we provided excellent service in our first year of 1-hour headways and consider 2014 a very successful performance year in spite of the challenges and changes. A motion to place the report on file was made by Mr. Geiger and seconded by Mr. Willis. C.U.**

**Administrator's Report:**

**Mr. Randall English has successfully achieved his CDL with the professional training services provided by Mr. Brad Brummond of Wausau. Administrator Grenfell pre-tested Randall on Thursday February 5<sup>th</sup> and advanced him to the third-party tester on Saturday February 7<sup>th</sup>. Both Administrator Grenfell and the Third party tester agreed that Randall is an excellent driver and performed very well during the licensing test. Randall will finish with his classroom training and be behind the wheel in early March.**

**All employees received ADA Sensitivity Training and mandatory ADA securement Training on Wednesday February 11<sup>th</sup>. This was a certified training program.**

**Administrator Grenfell and Merrill Historian Thomas Burg acquired a bi-folding door from Merrill's 1896 Trolley #1 from its owner, Mary Kay LaHaie of Tomahawk. The door is on loan for the 125<sup>th</sup> Anniversary Celebration of public transit at the Merrill Historical Society. Along with the door, we collected an early family photo (1921) of**

**Mary's Grandparents "honeymooning" in the trolley and diary pages of their stay at "Kitty Flieth's Trolley In" on Clear Lake, Tomahawk.**

**A motion to adjourn was made by Ms. Kunkel and seconded by Mr. Geiger.**

**Next Transit Commission meeting: March 16, 2015.**

**T. B. Scott Free Library Board of Trustees  
REGULAR MEETING  
February 18<sup>th</sup>, 2015**

**Minutes**

**1. Opening**

Vice-President Gene Bebel called the Regular Meeting of the Board of Trustees to order at 4:05 p.m. in the Library Board Room. Present: Katie Breitenmoser, Paul Gilk, Tim Meehean, Kyle Reimann, Jim Wedemeyer and Vickie Yelle. Absent (ex.): Mike Geisler and Richard Mamer. Also present: Don Litzer.

A thank you letter was received from Fern Hernandez and family for the Memorial Book donation in memory of Ramon Hernandez.

There was no public comment.

**2. Consent Items**

M Meehean/S Wedemeyer/C to approve the minutes of the January meeting as printed, to accept the Monthly Revenue and Expense Printouts for January, and to accept the corrected Monthly Revenue and Expense Report for December 2014. Due to the correction of a City Transit revenue having been incorrectly posted to Library revenue, the Monthly Revenue and Expense Reports for July-December 2014 were available for review.

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

**A. 2014 Local Annual Report:** Ms. Stevens presented the report. The report presented to the board included several images which will be removed or replaced in the final version.

M Meehean/S Yelle/C to approve the report.

**B. 2014 State Annual Report System Effectiveness Statement:** M Reimann/S Breitenmoser/C to approve the 2014 State Annual Report System Effectiveness Statement as presented.

**C. 2014 State Annual Report:** M Meehean/S Reimann/C to approve the 2014 State Annual Report as presented.

**D. Request for Historic Sign on Library Property:** Ms. Stevens presented a letter from the Park City Paths Project Volunteer Group requesting permission to place, on library property, a walking path sign featuring the city's historic landmarks. M Wedemeyer/S Meehean/C to approve placement of a historical walking path sign on library property, subject to board approval of the sign's content, placement and aesthetics.

**E. Strategic Plan Progress Goal 2:** Ms. Stevens presented staff progress on goals and objectives. Discussion included a possible brainstorming session to identify civic discussion programming topics.

**F. Trustee Essentials #17-Membership in the Library System:** Ms. Stevens provided copies of Trustee Essential #17.

**G. Reports from Friends and WVLS Representative:** The Friends of the Library met on February 12<sup>th</sup> and announced their Cabin Fever Booksale at month's end. At the February meeting, the Friends purchased a popcorn maker for staff use in library programs and other events, and purchased pens made from the library's historic elm tree, crafted by Dick Wegner and laser-etched by Premier Manufacturing. The Friends intend to use the pens as a fundraiser.

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

- January Monthly Statistical Report was presented.
- Milwaukee Bucks Reading Challenge continues through the month of February.
- Read Across America March 7<sup>th</sup> and 8<sup>th</sup>.
- Seed library will be starting soon.
- Tax assistance programming is underway.
- Copy of a News Release from the Wisconsin Department of Public Instruction regarding 30 librarians in 6 teams selected to participate in the ILEAD USA program, including staff member Don Litzer.

- Board members were given a copy of Wisconsin Library Association-2015-2017 State Budget Priorities that were discussed at this year's Library Legislative Day on February 17<sup>th</sup>.
- City is conducting a salary study which does not include the library. March Board meeting will include a review of information on the current library salary schedule.

**5. Adjournment:**

The meeting adjourned at 5:05 p.m. The next regularly scheduled meeting of the Board of Trustees will be held on March 18<sup>th</sup> at 4:00 p.m. in the Library Board Room.

Stacy D. Stevens, Secretary

# 1503185

City of Merrill  
Redevelopment Authority (RDA)

Tuesday, March 3<sup>rd</sup>, 2015 at 8:00 A.M.  
City Hall Council Chambers

RDA Present: Bill Bialecki, Ryan Schwartzman, Karen Karow, Wally Smith,  
Jill Laufenberg, and Amanda Kostman

RDA Absent: David Hayes

Others: Alderpersons Dave Sukow and Pete Lokemoen, City Administrator  
Dave Johnson, City Attorney Tom Hayden, Finance Director Kathy Unertl,  
Mary Rajek and Mike Morrissey from Redevelopment Resources,  
Scott Meitus from The Windward Group, City Building Inspector/Zoning  
Administrator Darin Pagel, and Community Development Program  
Administrator Shari Wicke

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

**Public Comment:** None.

**Approval of meeting minutes from February 3<sup>rd</sup>, 2015:**

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

**Status Update and Continued Discussion on Downtown Revitalization Planning:**

Mike Morrissey highlighted the downtown as key economic development area based upon property tax values, wages generated, and about 400 jobs. The Downtown Plan has identified four districts: Gateway (from east), alley/riverfront, E. Main St., and E. 1<sup>st</sup> St. There is a historical picture from about 1930s that shows some of the features the plan is proposing be restored – angle parking and street trees. Laufenberg recommended signage as key to link the downtown to Highway 51.

Karow asked about the west side. Morrissey emphasized that Merrill has three business districts – east side, downtown, and west side. Bialecki reported that City staff, Housing Authority, and property owners are planning various west side redevelopment.

Next steps include presentation to the RDA (on Tuesday, March 31<sup>st</sup>), potential cable broadcast program on the plan, and meeting with downtown property and business owners. Laufenberg suggested involving the River Bend Trail group.

**Status Update on Idle Sites Grant Application to WEDC:** Apparently WEDC will be awarding grants sometime in March 2015.

**Follow-up to Personnel & Finance Committee February 24<sup>th</sup>, 2015 review/discussion of facilitating redevelopment of tax delinquent properties with demolition special charges:**

Unertl reported that City and Lincoln County representatives will be meeting on the three identified delinquent tax parcels which have had raze orders issued and City-contractor demolitions. It will be possible for delinquent tax foreclosure process for 416 Grand Ave. after the August 2015 tax settlement.

Neither the property owner nor any mortgage holder is likely to pay the delinquent property taxes or the demolition special charges. Consensus at Personnel & Finance Committee was for City of Merrill to seek delinquent tax foreclosure by Lincoln County, obtain transfer of ownership from Lincoln County to the City, and then seek bids for sale to get the property back on tax roll.

RDA Commissioners discussed potential interest of S&S Bar in the 416 Grand Ave. parcel. Bialecki commented that 1008 E. 7<sup>th</sup> St. could be desirable residential lot. Since 310 Blaine St. is a non-conforming/unbuildable lot, the option is limited to either of the adjacent residential parcels (i.e. both are rental properties).

**Review and discuss proposed Redevelopment Resources scope of work for Housing Study (in response to City Strategic Plan Issue #1 – How can Merrill city government help grow the city's tax base?):**

Mary Rajek and Mike Morrissey from Redevelopment Resources provided overview of proposed Housing Study. Rajek emphasized that the existing housing stock is not meeting the existing real estate market. There was extensive discussion of existing housing stock (both smaller two bedroom homes and larger subdivided rental properties). Morrissey noted that about 65% of the City's property tax is being paid by residential properties.

Alderperson Pete Lokemoen asked what information coming from the proposed Housing Study would be actionable. Rajek responded that implementation strategies would be key plan component to assist in repositioning the City's housing stock.

City Administrator Dave Johnson commented that the proposed Housing Study would be tool to assist. Johnson noted that several recent housing subdivisions had not been totally successful with either vacant lots remaining unsold or auctions of vacant lots.

Kostman reported on her house hunting experiences and lack of open-concept homes. Karow suggested that there were local contractors that could be involved in repositioning the housing stock. Building Inspector Darin Pagel advised that one challenge is the "blighted" conditions of some properties.

Lokemoen reemphasized need for actionable planning activities and need for more information. Laufenberg recommended that broader perspective is needed rather than just continuing on property-by-property basis. Smith observed that the housing situation cannot be fixed overnight. Rajek added that the study would provide a strategic framework to move the community forward.

**Next RDA meeting:** Due to the Tuesday, April 7<sup>th</sup> election, the RDA meeting is being moved up a week to Tuesday, March 31<sup>st</sup>, 2015 at 8:00 a.m.

**Adjournment:** Motion (Schwartzman/Smith) to adjourn. Carried at 8:55 a.m.

Minutes prepared by RDA Secretary Kathy Unertl

# 1503200

NOTICE OF REGULAR MEETING MINUTES

**MACEC Committee on Aging**

Wednesday February 18<sup>th</sup>, 2015

8:00 a.m.

Lower level of Merrill City Hall

Members Present: Art Lersch, Eugene Simon (Chairperson), S. Peggy Jackelen, Diane Goetsch, Chris Malm (Aldersperson), Erin Wells (ADRC Representative), Mary Ball

Minutes

**1. Opening**

- a. Meeting called to order by Simon

**2. Consent Items**

- a. Motion made by Ball, second by Malm to approve minutes from previous meeting as presented. Motion carried.
- b. Motion made by Lersch to approve vouchers, second by Malm. Motion carried.

**3. Newsletters Update**

- a. Returns from Jan newsletters were around 400 which did not include all locations.
- b. We will distribute around 500-600 newsletters via The Courier for the months of March, April, and May to see if we increase awareness and foot traffic. The Celebrating Life Yearly Directory will also be distributed at least one time during the summer for the same purpose as above.
- c. Requested topics to include in our newsletter were discussed. Director received questions from people attending the Center such as who we run under, if the County is involved in funding us, why we charge activity fees, etc. Committee came up with great suggestions; Mary Ball recommended having each committee member submit a brief bit of information to various questions on how we operate. Goetsch suggested comparison to other Centers whose cities are relatively the same size or smaller than ours. Director will email Committee members for help each month.

**4. Program updates and results**

- a. Craft Sales and Class collections reviewed. As of the beginning of the year, we collected a total of \$175.25 from rummage sale table items and \$149 from the exercise and painting groups. This is a result of keeping the \$2 activity fee consistent for all activities.

- b. Community Meal was discussed in great depth. Director informed the committee that the program will run 3-4 years if we break-even each week. If we continue to run in the red, as we have been for the past 2 months, the program will be complete in approximately 2 years.
    - i. After discussion on other profitable activities (see 'c' below) as well as space issue, agreement was made that it seems reasonably to run the meal 2-3 times a month versus each week. The Merrill community offers meals and food pantries so people have a place to go if we do not have the meal on any given week. We will list these in our newsletters.
  - c. The last two parties we held at the Center brought in \$255 profit. Director asked Committee if this is an expectation for the Center to continue bringing in profit and if so, to balance these types of activities with providing the meal and produce giveaway.
  - d. Added discussion was centered on our Mission Statement and how we need to look at balancing what we offer to fulfill our Mission. What percent of people coming to the meal also participate in other weekly activities as well as the other way around? Are we truly meeting expectations? We need to examine duplication of efforts with all that is offered in our community.
- 5. Strategic Plan**
- a. Reviewed survey results. Determined that bus trips were the most requested activity. Need to focus on those who are not aware that the Center is under the City. Try to focus on providing more services that men would be interested in. Future discussion on the possibility of picking up people outside the city limits to participate in Center activities.
- 6. ADRC Representative update**
- a. Distributed PALS flyers and Healthy Living Programs for March-April
- 7. Correspondence**
- a. Throughout meeting – topics above
- 8. Public Comment**
- a. Provided feedback on spreading the word to others regarding the meal
- 9. Adjournment**
- Motion to adjourn made by Malm, second by Goetsch. Motion carried.

*The next Committee meeting will be held on March 18<sup>th</sup> at 8am.  
Vouchers will be available for review 15 minutes prior to meeting time.*

*Respectfully submitted,*

*TMrachek*

Tammie Mrachek  
MACEC Director

***Merrill City Hall is handicapped accessible. Take the elevator to the basement level.***

**# 1503210**

Airport commission meeting January 7, 2015.

Members present: Gary Schwartz (Chairperson), Joseph Malsack, Gary Schulz, Chris Malm (Alderman).

Also present: Tom Haden, Larry Wedding, Steve Krueger, Courtney Pike.

1. At 7:00 pm. Gary Schwartz called meeting to order.
2. Gary Schulz made a motion to approve the December meeting minutes as print, seconded by Chris Malm. Motion approved.
3. Rich M. reviewed vouchers, Chris Malm made a motion to approve Decembers bills to be paid, seconded by Joe Malsack. Motion approved.
4. Terminal project status: Gary Schwartz stated the project not going as planned time wise. Gary Schwartz called Ryan at BOA to stop construction. Discrepancies has been found. Header going into pilot lounge only 2x4, not standard header. Can see sagging in area already and no dry wall hanging on wall yet. Rock on the top off by as much as 3/4 inch from end to end. Very apparent to see when look at siding. Plans show usb board on back side of wall so insulation will not fall down. Insulation is already falling out. Insulation forced back to get wiring and boxes in. This looses R19 value, insulation should be cut out. Siding not fitting correctly, showing gaps on the ends. Dormer ceiling no ventilation to main ceiling. No extension will be given to correct conditions, due to the slow progress.
5. Discussion was to pay Rich M. \$10.00 per hour as contractor. The house will also be used by Rich and his family as part of the compensation package, until other arrangement can be made for and FBO to come to Merrill. Pat Hall and Gary Schwartz looked at the house for mold and water damage. They stated no mold found, they did find walls vary from prior repairs using 1/2 to 5/8 dry wall used, making walls uneven. They also noted problems with the wall on the stairway material coming off. Insurance for moving airplanes covered by city, working on airplanes will be Richs M. responsibility.
6. Chris Malm made a motion to approve the purchase of a Chevy Trailblazer for a tow vehicle for \$499.00 from Joe Malsack. Rich M. stated it needed some work and modifications to install a hitch. Seconded by Gary Schulz, motion approved.
7. Discussion about the Airport purchasing a tow bar for the vehicle to move airplanes. Chris Malm made a motion to purchase the 14000 lb. tow bar to use around the airport. Seconded by Gary Schulz. The motion passed. Approximate price about \$600.00 with shipping.
8. Discussion about the plowing on Airport Road was brought up about how bad of a job is being done to access the airport. The Town of Merrill is responsible for the road. Seems the road is plowed last and due to the traffic all the snow is packed down by the time the plow comes thru. Can the City of Merrill plow to the north gate to keep the road clean? The street commissioner will be contacted and see what can be done.

9. Discussion of use on the 2015 Entitlement Grant money. Gary Schwartz was contacted by Diane from the BOA if we were going to start the 16/34 project. Gary Schwartz informed her we were going to do tree cutting and purchase a skid steer to cut brush. Gary also informed them about the Bennis property is for sale. This property on the approach to 34, across from the Matz property.

10. Discussion about the house repairs capital budget is \$30000.00 for this year with the City of Merrill. Joe Malsack made a motion to approve Gary Schwartz to approve the repairs without contacting the commission on repairs when the bids come in. Seconded by Gary Schulz. Motion passed. Rich M. also asked for more cabinets in the house. He found Trantows still can access materials to match for approximately \$1700.00. He thought that was too high and will investigate other sources.

11. Rich M. stated fuel truck froze up. Fuel valve must have moisture in. He will get into the maintenance hangar to repair cables.

12. Chairman's report, none.

13. Aviation Happenings by Gary Schulz, some discussion about PA34 Seneca crash in Kentucky.

14. No public comment.

15. Agenda items for next meeting: Brush cutting and Entitlement for 2015.

16. Gary Schulz made a motion to go into close session, seconded by Chris Malm. All voted yes to go into closed session.

17. Chris Malm made a motion to go back into open session, seconded by Gary Schulz. Motion approved.

18. Joe Malsack mad a motion to authorize Tom Haden and Gary Schwartz to sign any documents needed to terminate the contract with Merrill Aviation Corp LLC and Dave Koch for breach of contract. Seconded by Chris Malm. Motion approved.

19. Chris Malm made a motion to adjourn, seconded by Gary Schulz. Motion passed.

#1503210

AIRPORT COMMISSION MEETING  
Wednesday, February 18, 2015 at 7:00 p.m.  
Merrill Municipal Airport

MINUTES

Present: Chairman Gary Schwartz, Lyle Banser, Joe Malsack, Acting Manager Rich McCullough and Gary Schulz (via phone).

Also Present: Larry Wenning and Steve Krueger

1. Meeting Called to Order - Chairman Schwartz called the meeting to order at 19:00 hours.
2. Minutes of January Meeting were not approved as did not receive minutes via e-mail for the January meeting. Lyle Banser was on vacation.
3. Approval of vouchers - Vouchers were reviewed and initialed by all. Motion by Malsack, second by Banser to approve vouchers. All ayes. Motion carried.
4. Terminal Project Status - Interior is painted. Looks good. Finishing trim. Decision was made to change baseboard color to match paint better. Per-Mar needs more outlets in Utility Room. Will be added and paid for out of Operating Budget. Discussion on installation of keypads for doors. Larry Wenning is donating new couch to put in Pilots Lounge.
5. Discussion of 2015 Entitlement Grant and Use - Discussed Bennis Property on south end of field by approach to Runway 16 is for sale. Decision was made to sign a petition to begin the process of considering purchasing the property.
6. Discussion/Decision Airport House Repairs - The drywaller did a good job installing drywall. Sump pump work will be done before Spring thaw. Motion to install pantry/counter top and cupboards by Schulz, second by Malsak. All ayes. Motion carried.
7. Acting Manager's Report - Discussion of fuel flow and fuel filters on fuel farm. All filters need to be replaced. Discussed stocking motor oil and turbine oil. We will stock some of each.

Acting Manager McCullough informed the Commission of his approaching training/school for AP mechanics and how we will cover opening and closing. School is March 15 - 29, 2015. Volunteers will be opening and closing. Will be discussing schedule for opening and closing and also calls to airport during this time frame.

8. Chairman's Report - Chairman Schwartz signed a Document of Disillusion of Contract with Dave Koch.

Discussed process of starting the search for Fixed Base Operator (FBO).

We discussed the need to stay on budget for 2015.

9. Aviation Happenings - Talked about medical reform. The rule change went to the DOT which was supposed to review and approve in 90 days; which in fact took seven months. The process is moving very slowly.

Gary Schulz also reported on a commercial passenger crash and the mistakes that are suspected in leading to the crash.

10. Public Comment - None

11. Agenda Items for Next Meeting -

Airport Days

Opening and Closing Coverage during Rich McCullough's Absence

Call Handling during Rich McCullough's Absence

12. Adjournment - Motion by Malsack, second by Banser. All ayes.  
Motion Carried.

**ZONING BOARD OF APPEALS MINUTES**  
**February 11, 2015, 6:00 p.m.**

**PRESENT:** Chairman Steve Hass, Zoning Administrator Pagel, Ron Burrow, Mark Peterson, Dean Haas, Dave Sukow, Bill Schneider, Jim Koebe

Chairman Hass called the meeting to order at 6:00 pm in the Basement Conference Room.

**Motion to approve September 8, 2014 minutes Mr. Sukow, second Mr. Haas, carried.**

Chairman Hass read the meeting notice.

**Motion to open hearing Mr. Sukow, second Mr. Haas, carried.**

ZA Pagel briefed the Board on the request and stated due to where the existing house is located on the lot and the small lot size without a variance a standard 2 car garage (24'x24') could not be built. Pam Toth, owner of 602 W 5<sup>th</sup> St., was present to answer any questions.

**Motion to close hearing Mr. Koebe, second Mr. Sukow, carried.**

**Motion to approve the variance Mr. Sukow, second Mr. Peterson, motion carried unanimously.**

With no other business and no additional public comment:

**Motion to adjourn Mr. Peterson, second Mr. Haas, carried.**

Meeting adjourned 6:10 pm

Darin Pagel, Recording Secretary.

**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 January 13, 2015, a copy of which is attached hereto, on which a hearing was held on the 28<sup>th</sup> day of January, 2015;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of March, 2015, 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.
  - d) Memorial Drive sidewalk extension on the west side of that street from East 6<sup>th</sup> Street to north of East 10<sup>th</sup> Street.

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

1503250

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

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 36, Article IV, Section 36-211 to 217 – Snowmobiles to add provisions for snowmobile operation

ORDINANCE NO. 2015-

Introduced: March 10, 2015

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 36, Article IV, Section 36-211 to 217 of the Code of Ordinances for the City of Merrill is amended to add provisions for snowmobile operation.

**Sec. 36-211. - State snowmobile laws adopted.**

Except as otherwise specifically provided in this article, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the state statutes, exclusive of any provisions herein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a forfeiture or term of imprisonment are adopted and by reference made a part of this Code, are hereby adopted by reference and incorporated herein as if fully set forth. Acts required to be performed or prohibited by such statutes are required or prohibited by this article. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this Code. The list of statutes includes, but is not limited to, the following Wis. Stats.: § 350.01 to Wis. Stats §350.99.

**Sec. 36-212. - Applicability of traffic regulations to snowmobiles.**

No person shall operate a snowmobile upon any street, highway or alley within the city in violation of the traffic regulation provisions of Wis. Stats. §§ 346.02(10) and (11), 346.04, 346.06, 346.11, 346.14(1), 346.18—346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46—346.48, 346.50(1)(b), 346.51—346.55, 346.87—346.91, 346.92(1) and 346.94(1), and (9).

**Sec. 35-213** The intent of this ordinance is to provide a means for persons to travel from a residence and/or lodging establishment within the limits of the City of Merrill for the shortest distance necessary for a person to operate a snowmobile to the snowmobile route or trail that is closest to that residence or lodging establishment.

Such travel shall be allowed only when the connecting Lincoln County Snowmobile Trails are open and operational.

Routes may be closed at any time, by order of the Chief of Police.

The City shall, from time to time, designate a route within the City limits, maps of which shall be kept on file with the Office of the City Clerk and the Merrill Police Department. That map delineates allowed routes of travel for snowmobiles.

**Sec. 36-214. - Conditions for Operation.**

- (a) *Speed.* No person shall operate a snowmobile within city limits at a speed in excess of 15 miles per hour.
- (b) *Place of Travel.* Shall operate on the far right portion of the highway or shoulder and shall not in the roadway/traffic lane, and travel with the flow of traffic.
- (c) *Single-file operation.* Snowmobiles shall be operated in single file and as far to the right portion of the street as possible.
- (d) *Headlights and tail lamps* shall be on at all times during operation.
- (e) *Snowmobile operators* shall yield the right-of-way to other vehicular traffic and pedestrians.
- (f) *Sidewalk operation prohibited.* No person shall operate a snowmobile on any sidewalk or pedestrian way within the city.
- (g) *Street crossings.* No operator of a snowmobile shall cross any street, except at its intersection and then only at right angles to the street crossed.
- (h) *Use of trailers or sleds.* No person shall operate a snowmobile upon any street within the city with any person, trailer or sled attached or trailing said vehicle, unless it is designed for such activities. Anyone operating such conveyance in an unsafe or reckless manner shall be deemed in violation of this section.
- (i) *Operation in parks.* No person shall drive a snowmobile in any park within the city.
- (j) *Permission of property owner required.* No person shall operate a snowmobile on any private property not owned or controlled by him within the city without the express consent or permission of the owner.
- (k) *All-Snowmobiles crossing a bridge shall:*
  - 1. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
  - 2. Stay as far to the right of the roadway or shoulder as practicable.
  - 3. Stop the vehicle prior to crossing.
  - 4. Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
  - 5. Exit the highway as quickly and safely as practicable after crossing the bridge.

Snowmobiles violating any of the above conditions would be subject to the underlying violation of operating on the roadway.

**Sec. 36-215. - Unattended vehicles.**

No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

**Sec. 36-216. – Prohibited Routes for Snowmobile Travel**

- Highway 64
- Highway K/Center Avenue from O’Day Street North
- Highway 107/Grand Avenue

**Sec. 36-217. – Enforcement Procedure.**

- (a) *Uniform citation for highway violations.* The uniform traffic citation promulgated under Wis. Stats. § 345.11, shall be used for violations of this chapter relating to highway use, except as herein provided.
- (b) *Other violations.* All violations of this chapter not described in subsections (a) or (b) of this section shall be enforced in accordance with Wis. Stats. §§ 66.0111 and 66.0114. Stipulations of guilt or no contest may be made as provided in Wis. Stats. § 66.0114(1)(b), in substantially the form provided in the uniform traffic citation within five days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stats. § 66.0111.
- (c) *Forfeited penalties and deposits.* Except as otherwise provided in Wis. Stats. § 345.26, and the deposit schedule adopted by the state board of circuit court judges thereunder, required penalties and deposits or bail, not including costs or fees for violation of this chapter, shall be as established by the schedule adopted by the common council.

**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

1503251

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

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 36, Article V, Section 36-249 to 255 to add provisions for All-Terrain Vehicle and Utility-Terrain Vehicle Operation

ORDINANCE NO. 2015-  
Introduced: March 10, 2015  
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 36, Article V, Section 249-255 of the Code of Ordinances for the City of Merrill is amended to add provisions for All-Terrain Vehicle and Utility-Terrain Vehicle operation.

**ARTICLE V. - ALL-TERRAIN VEHICLES AND UTILITY-TERRAIN VEHICLE OPERATION**

**Sec. 36-249. - State all-terrain vehicle and utility-terrain vehicle laws adopted.**

Except as otherwise specifically provided in this article, the statutory provisions describing and defining regulations with respect to all-terrain vehicles and utility-terrain vehicles in the following enumerated sections of the state statutes, exclusive of any provisions herein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a forfeiture or term of imprisonment are adopted and by reference made a part of this Code, are hereby adopted by reference and incorporated herein as if fully set forth. Acts required to be performed or prohibited by such statutes are required or prohibited by this article. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this Code. The list of statutes includes, but is not limited to, the following: Wis. Statutes, Chapter 23.33.

**Sec. 36-250. – Applicability of Traffic regulations to all-terrain vehicle and utility-terrain vehicle operation.**

No person shall operate an all-terrain vehicle or utility-terrain vehicle upon any street, highway or alley within the City in violation of the traffic regulation provisions of Wis. Stats. §§ 346.02(10) and (11), 346.04, 346.06, 346.11, 346.14(1), 346.18—346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46—346.48, 346.50(1)(b), 346.51—346.55, 346.87—346.91, 346.92(1) and 346.94(1), and (9).

**Sec. 36-251** The intent of this ordinance is to provide a means for persons to travel from a residence and/or lodging establishment within the limits of the City of Merrill for the shortest distance necessary for a person to operate an all-terrain vehicle or utility-terrain vehicle to the all-terrain vehicle or utility-terrain vehicle route or trail that is closest to that residence or lodging establishment.

- (a) Such travel shall be allowed only when the connecting Lincoln County all-terrain vehicle and utility-terrain vehicle trails are open and operational.
- (b) Routes may be closed at any time, by order of the Chief of Police.
- (c) The City shall, from time to time, designate a route within the City limits, maps of which shall be kept on file with the Office of the City Clerk and the Merrill Police Department. That map delineates allowed routes of travel for all-terrain vehicles or utility-terrain vehicles.

**Sec. 36-252. - Conditions for Operation.**

- (a) *Speed.* No person shall operate an all-terrain vehicle or utility-terrain vehicle within city limits at a speed in excess of 15 miles per hour.
- (b) *Place of Travel.* Shall operate on the far right portion of the highway or shoulder and shall not in the roadway/traffic lane, and travel with the flow of traffic.
- (c) *Single-file operation.* All-terrain vehicles and utility-terrain vehicles shall be operated in single file and as far to the right portion of the street as possible.
- (d) *Headlights and tail lamps* shall be on at all times during operations.
- (e) *All-terrain vehicle and utility-terrain vehicle operators* shall yield the right-of-way to other vehicular traffic and pedestrians.
- (f) *Sidewalk operation prohibited.* No person shall operate an all-terrain vehicle or utility-terrain vehicle on any sidewalk or pedestrian way within the city.
- (g) *Street crossings.* No operator of an all-terrain vehicle or utility-terrain vehicle shall cross any street, except at its intersection and then only at right angles to the street crossed.
- (h) *Use of trailers or sleds.* No person shall operate an all-terrain vehicle or utility-terrain vehicle upon any street within the city with any person, trailer or sled attached or trailing said vehicle, unless it is designed for such activities. Anyone operating such conveyance in an unsafe or reckless manner shall be deemed in violation of this section.
- (i) *Operation in parks.* No person shall drive an all-terrain vehicle or utility-terrain vehicle in any park within the city.
- (j) *Permission of property owner required.* No person shall operate an all-terrain vehicle or utility-terrain vehicle on any private property not owned or controlled by him within the city without the express consent or permission of the owner.
- (k) *All-Terrain Vehicle or Utility-Terrain Vehicle crossing a bridge shall:*
  - 1. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
  - 2. Stay as far to the right of the roadway or shoulder as practicable.
  - 3. Stop the vehicle prior to crossing.

- 4 Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
5. Exit the highway as quickly and safely as practicable after crossing the bridge.

All-terrain vehicles or utility-terrain vehicles violating any of the above conditions would be subject to the underlying violation of operating on the roadway.

**Sec. 36-253. - Unattended vehicles.**

No person shall leave or allow an all-terrain vehicle or utility-terrain vehicle owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

**Sec. 36-254. – Prohibited Routes for All-Terrain or Utility-Terrain Vehicle Travel**

- Highway 64
- Highway K/Center Avenue from O'Day Street North
- Highway 107/Grand Avenue

**Sec. 36-255. – Enforcement and Procedure.**

- (a) *Uniform citation for highway violations.* The uniform traffic citation promulgated under Wis. Stats. § 345.11, shall be used for violations of this chapter relating to highway use, except as herein provided.
- (b) *Other violations.* All violations of this chapter not described in subsections (a) or (b) of this section shall be enforced in accordance with Wis. Stats. §§ 66.0111 and 66.0114. Stipulations of guilt or no contest may be made as provided in Wis. Stats. § 66.0114(1)(b), in substantially the form provided in the uniform traffic citation within five days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stats. § 66.0111.
- (c) *Forfeited penalties and deposits.* Except as otherwise provided in Wis. Stats. § 345.26, and the deposit schedule adopted by the state board of circuit court judges thereunder, required penalties and deposits or bail, not including costs or fees for violation of this chapter, shall be as established by the schedule adopted by the common council.

**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.

Approved:

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

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

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

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

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

Attest:

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

1503252

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

AN ORDINANCE: By Board of Public Works  
Re: Amending Chapter 32, Article III, Section 32-54(b)(9) to add language relating to assessment of sidewalk costs

ORDINANCE NO. 2015-  
Introduced: March 10, 2015  
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 32, Article III, Section 32-54(b)(9) of the Code of Ordinances for the City of Merrill is amended to add the following:

**32-54 Specifications.**

- (a) *Approval.* Compliance with this section does not require the board of public works approval, but does require the city engineering department representative 's approval.
- (b) *General requirements.*
  - (1) Concrete required shall be the six-bag mix, batch mix proportions as on file in the city engineering department representative's office.
  - (2) Grade shall be the grade established by the city engineering department representative's office; said grade is to be set or approved by the city engineering department representative's office before work commences.
  - (3) Design details shall be those on file in the city engineering department representative's office entitled "standard drawing;" these details shall first be approved by the board of public works.
  - (4) Location shall be as shown on standard drawings, standard specifications, or special specifications approved or ordered by the board of public works.
  - (5) The board of public works shall have the city engineering department representative's office run an annual inspection program of all defective concrete work.
  - (6) Trees affecting sidewalk, or curb and gutter, shall be removed. Trees in the boulevard shall be removed by the city at the city's expense. Trees on private land shall be removed by the property owner at the property owner's cost, after notification.

- (7) Retaining walls built on or abutting sidewalks shall be the property owner's responsibility to maintain, repair, or remove on proper notification by city.
- (8) Proper notification by the city shall be the customary time, 20 days, as set forth in the state statutes.
- (9) A property owner that chooses to install concrete work shall do all the work and pay 100 percent of the cost, conforming to the standards and specifications on file. A property owner shall not be allowed to do work that the city has contracted for.
- (10) When sidewalks are installed on only one side of a street, the assessable cost thereof shall be divided between property owners on both sides of the street. **If a sidewalk is constructed on the opposite side of that street, the costs of such construction shall be divided between property owners on both sides of the street.**

**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

1503253

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

AN ORDINANCE: By Board of Public Works  
Re: Amending Chapter 32, Article III, Section 32-58(a) to add language relating to assessment of sidewalk costs

ORDINANCE NO. 2015-  
Introduced: March 10, 2015  
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 32, Article III, Section 32-58(a) of the Code of Ordinances for the City of Merrill is amended to add the following:

- (a) All new or replacement sidewalks and driveway aprons shall be assessed to the abutting property owner at the prevailing rate per square foot basis as set by the board of public works. **When sidewalks are initially installed on only one side of a street, the assessable cost thereof shall be divided between the property owners on both sides of the street. If a sidewalk is constructed on the opposite side of that street, the costs of such construction shall be divided between property owners on both sides of the street.**

**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