



**CITY OF MERRILL**  
**COMMITTEE OF THE WHOLE**  
**MINUTES • TUESDAY MAY 12, 2015**

**Regular Meeting**

**City Hall Council Chambers**

**6:00 PM**

**I. Call to Order**

Mayor Bialecki called the meeting to order at 6:00 P.M.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Chris Malm	Aldersperson - First District	Present	
Pete Lokemoen	Aldersperson - Second District	Present	
Ryan Schwartzman	Aldersperson - Third District	Excused	
Kandy Peterson	Aldersperson - Fourth District	Present	
John Burgener	Aldersperson - Fifth District & President	Present	
Dave Sukow	Aldersperson - Sixth District	Present	
Rob Norton	Aldersperson - Seventh District	Present	
Tim Meehean	Aldersperson - Eighth District	Present	
Bill Bialecki	Mayor	Present	

Also in attendance: City Administrator Dave Johnson, City Attorney Tom Hayden, Street Commissioner Richard Lupton, Police Chief Ken Neff, Building Inspector/Zoning Administrator Darin Pagel, Finance Director Kathy Unertl, Gary Schwartz, Duane Pfister and City Clerk Bill Heideman.

**II. Public Comment Period**

The was no public comment.

**III. Agenda Items for Consideration:**

**1. Presentation and discussion on airport runway agreement and real estate acquisition process (agenda item requested by Mayor Bialecki)**

Airport Commission Chairman Gary Schwartz gave a presentation on a pending land purchase. The Common Council has already approved the purchase land (Bennish property) near the airport. Mr. Schwartz stated that he discussed the loan with the state, but that he needs permission to proceed with applying for the loan to facilitate the land purchase.

Motion (Malm/Norton) to authorize proceeding with the process.

**RESULT: APPROVED**

**2. Discuss off-street parking restrictions in residential areas**

Mayor Bialecki stated that he placed this on the agenda to ensure that all Common Council members would be involved in the discussion of this issue.

Building Inspector/Zoning Administrator Pagel stated that the main questions seem to be, moving forward, how and how much is the ordinance going to be enforced. He raised the possibility of changing the current ordinance. He stated that the number of vehicles currently being parked illegally is "staggering".

City Administrator Johnson recommended retaining the ordinance, either as is or in some amended form.

Police Chief Neff stated that the current ordinance is difficult to enforce and promotes an "all or nothing" enforcement program.

Alderman Lokemoen stressed that the ordinance should be enforced. He suggested that the council members could tour their district and provide the Police Department of a list of addresses of violations. He stated that more people are being hindered by the violations than are actually violating the ordinance. In his opinion, the ordinance is not being policed to the level it should be policed.

Alderman Malm stated that several terms in the current ordinance are open to interpretation.

Alderman Sukow urged that, if the ordinance is amended, it should not be made too restrictive, and any restrictions should be made clear in the ordinance.

Alderman Lokemoen stated that is difficult for zoning official(s) to determine unsightly conditions. Police Chief Neff responded that it is equally difficult for police officers to make those type of decisions.

Motion (Meehean) to temporarily suspend enforcement of the ordinance until a new ordinance is in place. Motion failed due to lack of a second.

Mayor Bialecki urged that the ordinance remain in place, to allow for enforcement.

City Attorney Hayden stated that he would not favor a suspension or moratorium on the ordinance in place. He suggested that City staff research and discuss this issue further, and that this issue be on a future Committee of the Whole agenda.

Alderman Meehean urged that, at some point, this issue be resolved.

Alderman Malm suggested that the worst cases be addressed first.

City Administrator Johnson announced that he would meet with Police Chief Neff, City Attorney Hayden and Building Inspector/Zoning Administrator Pagel to discuss this issue further.

No action was taken at this time.

#### IV. Adjournment

Motion (Burgener/Sukow). Carried. Adjourned at 6:54 P.M.