



CITY OF MERRILL

COMMON COUNCIL

MINUTES • TUESDAY AUGUST 11, 2015

Regular Meeting

City Hall Council Chambers

7:00 PM

1. Silent Prayer
2. Pledge of Allegiance
3. Roll Call:

Attendee Name	Title	Status	Arrived
Chris Malm	Aldersperson - First District	Present	
Pete Lokemoen	Aldersperson - Second District	Present	
Ryan Schwartzman	Aldersperson - Third District	Present	
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	Excused	
Bill Bialecki	Mayor	Present	

The following were also in attendance: Police Captain Corey Bennett, City Attorney Tom Hayden, City Clerk Bill Heideman, City Administrator Dave Johnson, Street Commissioner Richard Lupton, Enrichment Center Director Tammie Mrachek, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Library Director Stacy Stevens, Finance Director Kathy Unertl and Parks and Recreation Director Dan Wendorf. Transit Director Rich Grenfell, Utility Superintendent Kim Kriewald and Police Chief Neff had excused absences.

4. Public Comment Period

Stephanie Springborn addressed the Common Council.

She stated that the Common Council and City staff, with the exception of one person, has been supportive of her project to rehabilitate the building at 413-419 West Main Street. She stated that the new roof portion of the project was completed on August 11th.

She then thanked the Common Council for their approval of her taking ownership of the property in 2014, with the intent to rehabilitate the building. She invited the Common Council and City staff to tour the facility.

She requested a refund of the \$50,000 provided as a bond to the City when she took ownership of the property.

Mayor Bialecki suggested that Stephanie Springborn submit her refund request to the Personnel and Finance Committee.

5. Minutes of previous Common Council meeting(s):
 1. Minutes of June 5, 2015 and July 14, 2015 Common Council meetings
Motion (Burgener/Sukow) to approve.

City Clerk Heideman requested that the amended minutes for the July 14, 2015 meeting be approved, rather than the original minutes of that meeting.

Motion (Lokemoen/Burgener) to approve the June 5, 2015 minutes as presented and the July 14, 2015 minutes as amended. Motion to amend approved.

RESULT:	APPROVED
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6. Revenue & Expense Reports:

1. Revenue & Expense Report as of July 31, 2015

Motion (Burgener/Schwartzman) to approve.

RESULT:	APPROVED
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7. General agenda items:

1. Employee Years of Service Recognition:

Jamie A. Jaeger, 20 years (Police Department)

Gabriel S. Steinagel, 15 years (Water Utility)

Christopher P. Clabots, 15 years (Fire Department)

Nicole M. Cimino, 10 years (Police Department)

City Clerk Heideman read certificates of recognition for the four employees.

8. Board of Public Works:

1. Discussion and recommendation for possible street repair project on Hendricks Street (East Sixth Street to East Eighth Street), including curb repair and repaving.

Motion (Lokemoen/Schwartzman) to approve.

Motion (Malm/Norton) to refer to the Board of Public Works.

RESULT:	REFERRED TO BPW
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Next: 8/26/2015 4:00 PM

9. City Plan Commission:

1. Park City Credit Union appeal of a restriction placed on a Conditional Use Permit amendment approved by the Common Council on June 9, 2015 (Resolution #2412). The appeal relates to the requirement that the south and west face of the structure planned for the vacant lot adjacent to 3404 East Main Street be of masonry or masonry type construction.

Representing Park City Credit Union, Val Mindak distributed information and gave a presentation related to the appeal. She explained that, after the planned structure is no longer needed, plans are to disassemble and sell it. She estimates that the structure will probably be used for approximately two years.

Motion (Lokemoen/Peterson) to approve the appeal.

RESULT: APPROVED

2. Consider site plan for former fairgrounds property.

Motion (Schwartzman/Lokemoen) to approve the City Plan's Commission recommendation.

RESULT: APPROVED

10. Health and Safety Committee:

1. Consider application from the Fraternal Order of Eagles for a temporary Class "B" (picnic) license to sell fermented malt beverages at the Eagles Fair Stand (Lincoln County Fairgrounds) during Labor Day festivities, September 7, 2015.

Motion (Sukow/Schwartzman) to approve.

RESULT: APPROVED

2. Consider "Class B" (Liquor) license application from Flori A. Jespersen for Salvo's Restaurant, 201 East Second Street, effective August 12, 2015.

Motion (Schwartzman/Norton) to approve.

RESULT: APPROVED

3. Consider Class "B" (Beer) and "Class B" (Liquor) license applications from Sawmill Brewing Co. Inc., for Sawmill Brewing Co., 1110 East Tenth Street, effective November 1, 2015.

Motion (Sukow/Peterson) to approve.

RESULT: APPROVED

4. Consider change of agent application from Walmart Stores East, LP, appointing Lindsey J. Roberts as Agent for license at Walmart #1366, 505 South Pine Ridge Avenue.

Motion (Schwartzman/Burgener) to approve.

RESULT: APPROVED

5. Clarify that the 2015-2016 licenses for Kwik Trip, 2311 East Main Street, are both Class "A" (beer) and "Class A" (liquor).

City Clerk Heideman reported that he wanted to clarify that the 2015-2016 license for Kwik Trip, 2311 East Main Street, was for both a Class "A" (beer) and "Class A" (liquor). When licenses were renewed for 2015-2016, the licensee list indicated a Class "A" only. However, Kwik Trip had applied and paid for both licenses. City Clerk Heideman explained that no Common Council action is necessary as this item was on the agenda for information only.

No action was taken.

11. Parks and Recreation Commission:

1. Consider Bicycle and Pedestrian Plan

Motion (Norton/Sukow) to approve.

Motion (Lokemoen/Peterson) to refer to applicable committees, included the Health and Safety Committee and the Board of Public Works.

RESULT:	REFER TO COMMITTEE(S)
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12. Mayor's Appointments:

1. D'Lacy Haight to the Library Board, term to expire June 30, 2017

2. Amanda Kostman to the Joint Review Board

Motion (Burgener/Malm) to approve the two appointments.

RESULT:	APPROVED
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13. Placing Committee Reports on File:

1. Consider placing the following minutes on file: Board of Public Works, City Plan Commission, Committee on Aging, Community Development Committee, Fairgrounds Ad-Hoc Committee, Health and Safety Committee, Housing Authority, Library Board, Parks and Recreation Commission, Personnel and Finance Committee and Redevelopment Authority.

Motion (Sukow/Burgener) to place the minutes on file.

RESULT:	CARRIED
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14. Ordinances:

1. An Ordinance amending Code of Ordinances Chapter 18, Article V, Section 169, to revise publication requirements for City sales of property (from July 27, 2015 Personnel and Finance Committee meeting).

ORDINANCE 2015-12

City Attorney Hayden gave the ordinance a first reading by summary only.

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

The ordinance was given a second reading and a third reading.

RESULT:	APPROVED [7 TO 0]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	Rob Norton, Alderperson - Seventh District
AYES:	Malm, Lokemoen, Schwartzman, Peterson, Burgener, Sukow, Norton
EXCUSED:	Meehean

- 2. Ordinance amending Code of Ordinances Chapter 6, Article IV, Section 6-96(c), to add and amend conditions related to the keeping of chickens (from July 28, 2015 Health and Safety Committee meeting).

ORDINANCE 2015-13

City Attorney Hayden gave the ordinance a first reading by summary only.

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

The ordinance was given a second reading and a third reading.

RESULT:	APPROVED [6 TO 1]
MOVER:	Rob Norton, Alderperson - Seventh District
SECONDER:	John Burgener, Alderperson - Fifth District & President
AYES:	Malm, Lokemoen, Peterson, Burgener, Sukow, Norton
NAYS:	Schwartzman
EXCUSED:	Meehean

- 3. An Ordinance amending the District Zoning Map of the City of Merrill, Wisconsin for the North 70 feet of Lots 6 and 7, Block 9 of VR Willards Addition, requested by Our Saviour's Lutheran Church (from July 29, 2015 City Plan Commission meeting).

ORDINANCE 2015-14

City Attorney Hayden gave the ordinance a first reading.

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

The ordinance was given a second reading and a third reading.

RESULT:	APPROVED [7 TO 0]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	John Burgener, Alderperson - Fifth District & President
AYES:	Malm, Lokemoen, Schwartzman, Peterson, Burgener, Sukow, Norton
EXCUSED:	Meehean

4. An Ordinance amending Code of Ordinances Chapter 2, Article VI, Section 2-152, to change the name of the Committee on Aging to the Merrill Enrichment Center Committee and add staggered terms (from the Committee on Aging).

ORDINANCE 2015-15

City Attorney Hayden gave the ordinance a first reading.

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

The ordinance was given a second reading and a third reading.

RESULT:	APPROVED [7 TO 0]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	Kandy Peterson, Alderperson - Fourth District
AYES:	Malm, Lokemoen, Schwartzman, Peterson, Burgener, Sukow, Norton
EXCUSED:	Meehean

15. Resolutions:

1. A Resolution approving a Conditional Use Permit to allow TowerCo 2013 LLC and AT&T Mobility to construct a mobile service support structure and mobile service facility (telecommunications tower and facility) at 401 South Kyes Street (Resolution #2416).

WHEREAS, TowerCo 2013 LLC and AT&T Mobility have requested a Conditional Use Permit pursuant to the Merrill Zoning Code Section 113, Article IV for the purpose of constructing a new Mobile Service Support Structure and Mobile Service Facility (Telecommunications Tower and Facility) at 401 Kyes Street, the legal description to be incorporated in a signed lease agreement between the City of Merrill and TowerCo 2013 LLC and AT&T Mobility; and,

WHEREAS, TowerCo 2013 LLC and AT&T Mobility currently operates and maintains a tower from and in the City of Merrill and intends to replace the existing tower with a new structure; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application August 4, 2015, due public notice having been given and opportunity given to those interested to speak on the application; and,

WHEREAS, the City Plan Commission has reviewed the application, has found that it does meet the requirements of Merrill Zoning Code Section 113, Article IV and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 11th day of August, 2015, that a Conditional Use Permit shall be issued to TowerCo 2013 LLC and AT&T Mobility for the purpose of constructing a new Mobile Service Support Structure and Mobile Service Facility (Telecommunications Tower and Facility) at the above described premises.

Motion (Sukow/Burgener) to approve.

RESULT:	APPROVED
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16. Mayor's Communications

Mayor Bialecki thanked the fire department for their hard work and dedication.

The annual Community Night Out was a huge success.

Crazy Daze will be Thursday, August 13th.

Summer Stride will be held at the MARC on August 15th.

Labor Day festivities are scheduled for Monday, September 7th.

Request for Proposal documents for the new grandstand at the fairgrounds are pending.

The Merrill Fire Department has received a \$1,500 grand for gas detection equipment.

Amendments to TIF districts will be considered in the near future. Letters will be sent to affected property owners.

17. Adjournment

Motion (Burgener/Schwartzman) to adjourn. Carried. Adjourned at 7:48 P.M.