



**CITY OF MERRILL**  
**COMMON COUNCIL**  
**MINUTES • TUESDAY JANUARY 12, 2016**

**Regular Meeting**

**City Hall Council Chambers**

**7:00 PM**

1. Call to Order

Mayor Bialecki called the meeting to order at 7:00 P.M.

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	Present	
Bill Bialecki	Mayor	Present	

Also in attendance: Public Works Director/City Engineer Rod Akey, Interim Street Superintendent Roger Drewek, Transit Director Rich Grenfell, City Attorney Tom Hayden, City Administrator Dave Johnson, Enrichment Center Director Tammie Mrachek, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park and Recreation Director Dan Wendorf and City Clerk Bill Heideman. Police Chief Ken Neff had an excused absence.

2. Silent Prayer

Mayor Bialecki requested a moment of silence for Mark Peterson, a former Common Council member who passed away recently.

3. Pledge of Allegiance

4. Public Comment Period

There was no public comment.

5. Minutes of previous Common Council meeting(s):

1. Minutes of December 8, 2015

Motion (Burgener/Sukow) to approve.

**RESULT: APPROVED**

6. Revenue & Expense Reports(s):

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

Motion (Burgener/Meehean) to place on file.

**RESULT: PLACED ON FILE**

7. General agenda items:

1. Claim filed by Suzanne Zwaard for damages to her vehicle from a manhole on Alexander Street, on October 14, 2015. The City's insurance carrier recommends that the claim be disallowed. This recommendation is based on the fact that an investigation by the insurance carrier revealed no negligence on behalf of the City. The City did not have prior actual or constructive notice of the manhole condition which allegedly caused the incident.

Motion (Schwartzman/Peterson) to disallow.

**RESULT: DISALLOWED**

2. Consider City withdrawal from the Local Government Property Insurance Fund (LGPIF), effective March 1, 2016. This is being brought to the Common Council by Mayor Bialecki.

Motion (Meehean/Schwartzman) to withdraw for the Local Government Property Insurance Fund, effective March 1, 2016.

**RESULT: APPROVED**

8. Board of Public Works:

1. Consider recycling contract proposals. The Board of Public Works recommends approving the five-year contract proposal from Eagle Waste and Recycling, at a cost to the City of \$0.00 per ton.

Motion (Schwartzman/Norton) to approve the five-year contract proposal from Eagle Waste and Recycling, at a cost to the City of \$0.00 per ton.

**RESULT: APPROVED**

9. City Plan Commission:

1. Site Plan for Merrill Festival Grounds Multipurpose Building. The City Plan Commission recommends approval.

Motion (Norton/Sukow) to approve.

**RESULT: APPROVED**

10. Health and Safety Committee:

1. Application from Rotary Club of Merrill for a temporary "Class B" (picnic) license to sell fermented malt beverages and wine at an Artisan Showcase at Bell Tower Assisi Hall, 1500 O'Day Street, on Saturday, February 13, 2016. The Health and Safety Committee recommends approval.

Motion (Sukow/Norton) to approve.

**RESULT: APPROVED**

2. Application from Rotary Club of Merrill for a temporary "Class B" (picnic) license to sell fermented malt beverages and wine at a St. Patrick's Day event at Bell Tower Assisi Hall, 1500 O'Day Street, on Thursday, March 17, 2016. The Health and Safety Committee recommends approval.

Motion (Sukow/Meehean) to approve.

**RESULT: APPROVED**

11. Redevelopment Authority:

1. Consider bids for demolition and abatement project at 2200 Sturdevant Street (former Page Milk property). The Redevelopment Authority recommends approving the bid of \$231,000 from C&D Excavating.

Motion (Schwartzman/Norton) to approve the bid of \$231,000 from C&D Excavating.

**RESULT: APPROVED**

12. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Board of Public Works, City Plan Commission, Community Development Committee, Health & Safety Committee, Housing Authority, Library Board, Parks & Recreation Commission, Police & Fire Commission, Redevelopment Authority and Water & Sewage Disposal Committee.

Motion (Sukow/Burgener) to place on file.

**RESULT: PLACED ON FILE**

13. Mayor's Appointments:

1. Election Officials for 2016-2017

Motion (Schwartzman/Burgener) to approve the election officials, as submitted.

**RESULT: APPROVED**

14. Ordinances:

1. Consider amending Code of Ordinances Chapter 26, Article II, to add Section 26-35, related to trespassing.

ORDINANCE 2016-01

City Attorney Hayden gave the ordinance a first reading.

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

City Attorney Hayden gave the ordinance a second reading and a third reading.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ryan Schwartzman, Alderperson - Third District
<b>SECONDER:</b>	Kandy Peterson, Alderperson - Fourth District
<b>AYES:</b>	Malm, Lokemoen, Schwartzman, Peterson, Burgener, Sukow, Norton, Meehean

15. Resolutions:

1. A Resolution approving a Certified Survey Map on Rae Road in the Town of Scott by Lise Stefronik, Trustee (Resolution #2436).

WHEREAS, Lise Stefronik, Trustee has applied for approval of a division of land by certified survey map pursuant to Code of Ordinances Sections 111-116 and 111-119 for land located in the Southwest ¼ of the Northeast ¼ of Section 5, Township 31 North, Range 6 East, Town of Scott, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on January 5, 2016; and,

WHEREAS, the City Plan Commission has recommended approval of the land division by certified survey map;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the proposed certified survey map presented by Lise Stefronik, Trustee and prepared by Keith J. Walkowski, Riverside Land Surveying LLC, involving the Southwest ¼ of the Northeast ¼ of Section 5, Township 31 North, Range 6 East, Town of Scott, Lincoln County, Wisconsin is hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to so certify the approval of this certified survey map and return the original to the applicant together with a certified copy of this resolution.

Motion (Schwartzman/Norton) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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2. A Resolution authorizing a Development Agreement by and between the City of Merrill, Wisconsin and Mark Raymer, for 1504 West Main Street rehabilitation (Resolution #2437).

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 8 on September 13, 2011 and amended the boundaries and TIF Plan on September 24, 2013 and September 22, 2015; and,

WHEREAS, Mark A. Raymer proposes rehabilitating the exterior façade and interior of a commercial building located at 1504 West Main Street, which is located within TID No. 8; and,

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

WHEREAS, the City and Mark A. Raymer have negotiated the development agreement to provide an incentive payment not to exceed \$30,000 to facilitate the rehabilitation of a commercial building;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Mark A. Raymer and to facilitate the implementation thereof.

Motion (Schwartzman/Norton) to approve.

**RESULT:            APPROVED**

3. A Resolution on advance land acquisition loan & responsibility and performance notes related to Merrill Municipal Airport (Resolution #2438).

RESOLVED, By the City of Merrill, Wisconsin, hereinafter referred to as Sponsor, that whereas it is deemed to be in the best interest of the sponsor to amend the application for a State loan to acquire land or interests in land for improvement of the Merrill Municipal Airport:

THE SPONSOR, respectfully requests the following changes to the RESOLUTION - ADVANCE LAND ACQUISITION LOAN and/or the RESPONSIBILITY AND PERFORMANCE NOTE.

- Changes to the descriptions of the land and property interests are as follows: Relocation services and estimated payments
- Land Loan funding breakdown:

	<u>Original Loan</u>	<u>Amended Loan Amount</u>
Sponsor’s share (20%)	\$ 22,000.00	\$ 32,000.00
Loan Amount (80%)	\$ 88,000.00	\$128,000.00
<b>Total Land Loan project</b>	<b>\$110,000.00</b>	<b>\$160,000.00</b>

The total amount of the loan, plus interest, will be repaid to the State in full, within five years of the original loan. Repayment may be made by annual budget appropriations, or project appropriations of the City, State and FAA, or a combination of both methods acceptable to the Secretary of Transportation and the applicant.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the above Amendment #1 to Land Loan #SAP-60, Advance Land Acquisition Loan & Responsibility and Performance Notes, originally dated June 9, 2015, be approved.

Motion (Meehean/Norton) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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4. A Resolution honoring Christopher A. Hartwig for his long-term service to the City of Merrill (Resolution #2439).

WHEREAS, Christopher A. Hartwig has served the City of Merrill Police Department for 31 years, from June 4, 1984 to December 11, 2015; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community, and the safety and well-being of our employees and citizens; and

WHEREAS, Christopher A. Hartwig has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and

WHEREAS, Christopher A. Hartwig's skills and experience will be missed at the City of Merrill Police Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Christopher A. Hartwig has given the City of Merrill Police Department and commends him for those 31 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Christopher A. Hartwig, congratulate him upon the occasion of his retirement from the City of Merrill Police Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

**RESULT: APPROVED**

5. A Resolution honoring Richard A. Lupton for his long-term service to the City of Merrill (Resolution 2440).

WHEREAS, Richard A. Lupton has served the City of Merrill, Street Department for 37 years, from June 4, 1978 to December 31, 2015; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community, and the safety and well-being of our employees and citizens; and

WHEREAS, Richard A. Lupton has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and

WHEREAS, Richard A. Lupton's skills and experience will be missed at the City of Merrill Street Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Richard A. Lupton has given the City of Merrill Street Department and commends him for those 37 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Richard A. Lupton, congratulate him upon the occasion of his retirement from the City of Merrill Street Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

**RESULT: APPROVED**

6. A Resolution honoring Michael Saal for his long-term service to the City of Merrill (Resolution #2441).

WHEREAS, Michael Saal has served the City of Merrill Street Department for 17 years, from March 2, 1998 to January 4, 2016; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community, and the safety and well-being of our employees and citizens; and

WHEREAS, Michael Saal has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and

WHEREAS, Michael Saal's skills and experience will be missed at the City of

Merrill Street Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Michael Saal has given the City of Merrill Street Department and commends him for those 17 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Michael Saal, congratulate him upon the occasion of his retirement from the City of Merrill Street Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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7. A Resolution honoring Terence Vanden Heuvel for his long-term service to the City of Merrill (Resolution #2442).

WHEREAS, Terence Vanden Heuvel has served the City of Merrill Wastewater Treatment Plant for 35 years, from August 25, 1980 to December 31, 2015; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community, and the safety and well-being of our employees and citizens; and

WHEREAS, Terence Vanden Heuvel has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and

WHEREAS, Terence Vanden Heuvel's skills and experience will be missed at the City of Merrill Waste Water Treatment Plant;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Terence Vanden Heuvel has given the City of Merrill Waste Water Treatment Plant and commends him for those 35 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Terence Vanden Heuvel, congratulate him upon the occasion of his retirement from the City of Merrill Waste Water Treatment Plant, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

**RESULT:           APPROVED**

8. A Resolution honoring Mary T. Weege for her long-term service to the City of Merrill (Resolution #2443).

WHEREAS, Mary T. Weege has served the City of Merrill Library for 26 years, from January 9, 1989 to January 4, 2016; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community and citizens; and

WHEREAS, Mary T. Weege has earned the admiration and respect of her fellow employees by the way in which she has carried out her duties; and

WHEREAS, Mary T. Weege's skills and experience will be missed at the City of Merrill Library;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of January, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Mary T. Weege has given the City of Merrill Library and commends her for those 26 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Mary T. Weege, congratulate her upon the occasion of her retirement from the City of Merrill Library, and extend our warmest wishes for her enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

**RESULT:           APPROVED**

**16. Mayor's Communications**

Mayor Bialecki thanked the retirees honored by resolution for their service to the City.

Mayor Bialecki extended sympathy to the family of Mark Peterson. He also thanked Mike Ravn for his years of service at Church Mutual.

Meetings related to the Merrill Festival Grounds are ongoing.

**17. Finance Director's Communications**

Finance Director Unertl announced that a joint meeting of the Common Council, City Plan Commission and Redevelopment Authority will be held on at 6:00 P.M. on Wednesday, January 20<sup>th</sup>. That meeting will be held in the City Hall Common Council Chambers.

**18. Adjournment**

Motion (Burgener/Meehean) to adjourn. Carried. Adjourned at 7:32 P.M.