



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY JULY 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
Paul Russell	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	Excused	
Mary Ball	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, Police Captain Corey Bennett, Street Superintendent Dustin Bonack, Transit Director Rich Grenfell, City Attorney Tom Hayden, City Administrator Dave Johnson, Enrichment Center Director Tammie Mrachek, Fire Chief Dave Savone, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park & Recreation Director Dan Wendorf and City Clerk Bill Heideman.

2. Invocation by Deacon Jim Arndt, St. Francis Xavier Church

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

None.

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

1. Minutes of June 14, 2016 Common Council meeting

Motion (Schwartzman/Meehean) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for Period Ending June 30, 2016

Motion (Schwartzman/Peterson) to approve.

RESULT: APPROVED

8. General agenda items:

1. Employee Years of Service Recognition

Brad J. Becker, 20 years (Police Department)

City Clerk Heideman read a certificate of recognition for Brad Becker.

9. Public Hearing(s):

1. Public hearing on the potential vacation of an alley near the former Lincoln House site.

City Attorney Hayden read the public hearing notice.

Motion (Meehean/Norton) to open the public hearings for both the alley vacation and street vacation. Carried.

No one spoke for or against the alley vacation or the street vacation.

Motion (Schwartzman/Ball) to close the public hearings. Carried.

2. Public hearing on the potential vacation of a portion of Meadow Lane.

See previous hearing.

10. City Plan Commission:

1. Site Plan review for Merrill Enrichment Center/Expo Hall. The City Plan Commission recommends approval.

Motion (Meehean/Ball) to approve.

RESULT:	APPROVED
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11. Health and Safety Committee:

1. Application from Merrill Fast Pitch for three temporary Class "B" (picnic) licenses to sell fermented beverages at the softball fields and concession stand at the Merrill Area Recreation Complex during the 11th Annual Merrill Fast Pitch Tournament, July 22-July 24, 2016. The Health and Safety Committee recommends approval.

Motion (Norton/Meehean) to approve.

RESULT:	APPROVED
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2. Request from Humphrey's Pub, 500 West Main Street, to close off Genesee Street, from Main Street to the southern edge of the alley, from 5 P.M. to midnight on Crazy Daze, Thursday, August 11th, 2016 and to extend their premises to sell alcoholic beverages in that area. Outdoor music would be allowed from 7:00 P.M. to 11:00 P.M. that night. The Health and Safety Committee recommends approval.

Motion (Meehean/Ball) to approve.

RESULT:	APPROVED
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12. Parks & Recreation Commission:

1. Take \$75,000 from the \$150,000 reallocated from the cancelled P&R maintenance building project at the last Common Council Meeting for the Enrichment Center/Expo Hall building in order to fund the shortfall in the Normal Park Restroom project due to a major price increase by Huffcutt. This would require raising an additional \$75,000 in donations to fund the Enrichment Center, or find alternative funding for the restrooms. Given the increased usage of Normal Park, restrooms have become a necessity. The Parks and Recreation Commission recommends approval.

Motion (Meehean/Ball) to "layover".

RESULT:	CARRIED
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13. Personnel and Finance Committee:

1. Consider the wording for a referendum question on the November 8, 2016 election ballot, as follows: "Should the elected office of Merrill Street Commissioner be eliminated?". The Personnel and Finance Committee recommends approving the wording.

Motion (Schwartzman/Peterson) to approve.

RESULT:	APPROVED
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14. Redevelopment Authority:

1. Consider purchase of 401 West Main Street and adjacent parking lots from RD Properties of Wisconsin, LLC, for a maximum of \$140,000 (TID #8 - West Side). The Redevelopment Authority recommends approval.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	Kandy Peterson, Alderperson - Fourth District
AYES:	Russell, Lokemoen, Schwartzman, Peterson, Ball, Norton, Meehean
EXCUSED:	Burgener

2. Consider implementation of TIF Loan Program for environmental review and demolition of vacant commercial or manufacturing buildings. The Redevelopment Authority recommends approval.

Motion (Meehean/Norton) to approve.

RESULT:	APPROVED
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15. Placing Committee Reports on File:

1. Consider placing the following reports on file: Airport Commission, Board of Public Works, City Plan Commission, Committee of the Whole, Health & Safety Committee, Housing Authority, Library Board, Merrill Enrichment Center Committee, Parks & Recreation Commission, Personnel & Finance Committee, Redevelopment Authority, Transit Commission and Water & Sewage Disposal Committee.

Motion (Norton/Ball) to place on file.

RESULT:	PLACED ON FILE
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16. Ordinances:

1. An Ordinance related to compensation for citizen members of committees (Ordinance #2016-08).

City Attorney Hayden gave the ordinance a first reading.

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

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

RESULT:	APPROVED [7 TO 0]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	Tim Meehean, Alderperson - Eighth District
AYES:	Russell, Lokemoen, Schwartzman, Peterson, Ball, Norton, Meehean
EXCUSED:	Burgener

2. An Ordinance Amending Chapter 26, Article II, Section 26-22, to included knives with a 3-inch or larger blade in the definition of dangerous weapons.

Motion (Norton/Ball) to refer to the Health and Safety Committee.

RESULT:	REFERRED TO H & S	Next: 7/25/2016 5:00 PM
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3. An Ordinance Amending Chapter 36, Article V, Section 36-254, to allow ATV and UTV vehicle travel on Highway K/Center Avenue, north of East Sixth Street (Ordinance #2016-09).

City Attorney Hayden gave the ordinance a first reading.

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

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

RESULT:	APPROVED [7 TO 0]
MOVER:	Mary Ball, Alderperson - Sixth District
SECONDER:	Rob Norton, Alderperson - Seventh District
AYES:	Russell, Lokemoen, Schwartzman, Peterson, Ball, Norton, Meehean
EXCUSED:	Burgener

17. Resolutions:

1. A Resolution authorizing the vacation of an alley located in Lot Two, Block Four of the original plat of Jenny, near the former Lincoln House site (Resolution #2466).

WHEREAS, the Public Works Director/City Engineer requests and recommends the vacation of an alley, which has never been utilized as such, to clear title on the former Lincoln House Lot; and,

WHEREAS, the alley to be vacated is described as: In the City of Merrill, Lincoln County, Wisconsin,

Commencing at a point in the South line of Lot Two (2), Block Four (4) of the original Plat of Jenny, Forty-five feet West of the Southeast corner of said Lot and running thence northerly in a line parallel with the East line of said lot to the North line of said lot, thence East along said North line to a point therein Thirty Five (35') feet back from the North East corner of said lot; thence South on a line parallel with said East line to the South line of said lot; thence West along said south line to the place of beginning; and,

WHEREAS, the Board of Public Works on April 27, 2016 and the City Plan Commission on May 3, 2016, have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12th day of July, 2016, that the following described alley be vacated:

Commencing at a point in the South line of Lot Two (2), Block Four (4) of the original Plat of Jenny, Forty-five feet West of the Southeast corner of said Lot and running thence northerly in a line parallel with the East line of said lot to the North line of said lot, thence East along said North line to a point therein Thirty Five (35') feet back from the North East corner of said lot; thence South on a line parallel with said East line to the South line of said lot; thence West along said south line to the place of beginning.

BE IT FURTHER RESOLVED, that the City hereby declares that the alley being vacated is not needed for public purposes and hereby declares that the portion vacated shall revert, to the extent permitted by law, to the adjoining property owners.

Motion (Meehean/Norton) to approve.

RESULT:	APPROVED
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2. A Resolution authorizing the vacation of a part of Meadow Lane (Resolution #2500).

WHEREAS, The Public Works Director/City Engineer requests and recommends the vacation of that portion of Meadow Lane lying within Lot 4 of Certified Survey Map 2467, City of Merrill, Wisconsin; and,

WHEREAS, the street to be vacated is described as:

That portion of Meadow Lane lying within Lot Four (4) of Certified Survey Map Number 2467, recorded in Volume Fourteen (14) of Certified Survey Maps on Page 58 in the City of Merrill, Lincoln County, Wisconsin; and,

WHEREAS, the Board of Public Works on April 27, 2016 and the City Plan Commission on May 3, 2016, have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12th day of July, 2016, that the following described street be vacated:

That portion of Meadow Lane lying within Lot Four (4) of Certified Survey Map Number 2467, recorded in Volume Fourteen (14) of Certified Survey Maps on Page 58 in the City of Merrill, Lincoln County, Wisconsin.

BE IT FURTHER RESOLVED, that the City hereby declares that the street being vacated is not needed for public purposes and hereby declares that the portion vacated shall revert, to the extent permitted by law, to the adjoining property owners.

Motion (Schwartzman/Peterson) to approve.

RESULT:	APPROVED
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3. A Resolution authorizing the Public Works Director to file application for financial assistance from State of Wisconsin Environmental Improvement Fund (Resolution #2468).

WHEREAS, it is the desire of the City of Merrill, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its Public Works facilities under Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, 281.60, and 281.61, Wis. Stats.); and,

WHEREAS, it is necessary to designate a representative for filing said applications;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12th day of July, 2016, that the Public Works Director/City Engineer is hereby appointed as the authorized representative for the City of Merrill for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Motion (Norton/Ball) to approve.

RESULT: APPROVED

4. A Resolution on advance land acquisition loan and responsibility and performance notes, related to improvements at the Merrill Municipal Airport (Resolution #2469).

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: Add the acquisition of a second parcel of land, approximately 1.75 acres (Parcel 46)
- Land Loan funding breakdown:

<u>Loan Amount</u>	<u>Original Loan Loan Amount</u>	Amended #1	Amended #2
Sponsor's share (20%)	\$ 22,000.00	\$ 32,000.00	\$ 39,000.00
Loan Amount (80%)	\$ 88,000.00	\$128,000.00	\$156,000.00
Total Land Loan project	\$110,000.00	\$160,000.00	\$195,000.00

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 12th day of July, 2016, that the above Amendment #2 to Land Loan #SAP-60, Advance Land Acquisition Loan & Responsibility and Performance Notes, originally dated June 9, 2015, be approved.

Motion (Schwartzman/Peterson) to approve.

RESULT: APPROVED

18. Mayor's Communications

Mayor Bialecki reported that the tractor pull held recently at the Merrill Festival Grounds was a success. He thanked Ron Nicklaus and River Valley Bank for sponsoring that event.

This weekend there will be a horse show at the festival grounds, and next week (July 20-24) will be the Lincoln County Fair. There are also numerous baseball games and tournaments upcoming in town.

Since opening, the Bierman Family Aquatic Center has exceeded attendance and financial expectations.

Public flags are being flown at half-staff to honor five police officers killed recently in Dallas. Mayor Bialecki urged everyone to take the time to remember those who protect us.

19. **Adjournment**

Motion (Schwartzman/Ball) to adjourn. Carried. Adjourned at 7:46 P.M.