

**CITY OF MERRILL  
COMMON COUNCIL  
TUESDAY, FEBRUARY 12, 2013  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

- 130210** Invocation by Pastor Paul Hohman, New Testament Church
- 130215** Pledge of Allegiance
- 130220** Roll Call
- 130230** Minutes of January 8<sup>th</sup>, 2013 Common Council meeting
- 130240** Revenue & Expense Report – December 2012 & January 2013
- 130260** Communications and Petitions
- 1302261** Employee Recognition
- Kim N. Kriewald, 25 years (Water/Sewer Utility)
- Michael J. Schroeder, 25 years (Library)
- Jennifer J. Thorson, 15 years (Police Department)
- Peter A. Borchardt, 15 years (Police Department)
- 130280** Housing Authority – No Action
- 130290** Committee of the Whole
- 130291** The Committee recommends approving, as presented, the Economic Development Program Policy for Tax Delinquent Properties.
- 130292** The Committee recommends offering customers an e-commerce (online bill/debt payment) option and authorize City staff to select a provider for e-commerce services. Customers using a credit card or debit card for online payments would be assessed a convenience fee to be paid to the e-commerce service provider.

- 1302100** Community Development Committee – No Action
- 1302110** Parks and Recreation Commission – No Action
- 1302120** Board of Public Works
- 1302121** The Board recommends continuing, for an indefinite period, the two cents per gallon surcharge on all fuel used by City vehicles.
- 1302130** Health and Safety Committee
- 1302131** The Committee recommends approving the applications from St. Francis Xavier Catholic Church for seven temporary Class “B” (picnic) licenses to sell fermented beverages during fish fries in Bellarmine Hall at St. Francis Xavier Catholic Church, 1708 East Tenth Street, on the following dates in 2013: February 15<sup>th</sup>, February 22<sup>nd</sup>, March 1<sup>st</sup>, March 8<sup>th</sup>, March 15<sup>th</sup>, March 22<sup>nd</sup> and March 29<sup>th</sup>.
- 1302140** Personnel and Finance Committee – No Action
- 1302150** Water and Sewage Disposal Committee
- 1302151** The Committee recommends approving a \$4,000 payment to Strand Associates, in response to their request of an additional \$8,337.45 in engineering services related to the Manganese Treatment Facility and Well House Improvements Project.
- 1302160** City Plan Commission – No Action
- 1302170** Transit Commission – No Action
- 1302180** Library Board – No Action
- 1302185** Redevelopment Authority – No Action
- 1302200** Enrichment Center Committee on Aging – No meeting
- 1302210** Airport Commission – No Action
- 1302230** Placing Committee Reports on File

## **ORDINANCES**

- 1302250** An Ordinance amending City of Merrill Code of Ordinances Chapter 32, Article V, Section 127 to add Parade Regulations.(from January 21<sup>st</sup>, 2013 Health and Safety Committee meeting)

- 1302251** An Ordinance amending the district zoning map of the City of Merrill, Wisconsin for Block 7 of T.B. Scott Lumber Company Addition and Block 1 and 2 of M.A. Space Addition (from February 5<sup>th</sup>, 2013 City Plan Commission meeting)

## **RESOLUTIONS**

- 1302260** A Resolution authorizing the vacation of a part of Valley Street (from November 28<sup>th</sup>, 2012 Board of Public Works meeting and December 4<sup>th</sup>, 2012 City Plan Commission meeting)
- 1302261** A Resolution authorizing the vacation of a part of Water Street (from November 28<sup>th</sup>, 2012 Board of Public Works meeting and December 4<sup>th</sup>, 2012 City Plan Commission meeting)
- 1302262** A Resolution approving a Certified Survey Map on State Highway 17 in the Town of Pine River by Dewey D. Schwoch and Bonnie Schwoch (from February 5<sup>th</sup>, 2013 City Plan Commission meeting)
- 1302263** A Resolution approving a Certified Survey Map on John, Arthur and South Thomas Street requested by Marianne Bunge (from February 5<sup>th</sup>, 2013 City Plan Commission meeting)
- 1302264** A Resolution authorizing a Development Agreement by and between the City of Merrill, Wisconsin and William J. and Sunee Fillmore (from February 5<sup>th</sup>, 2013 Committee of the Whole meeting)
- 1302265** A Resolution authorizing a Development Agreement by and between the City of Merrill, Wisconsin and Mark A. Raymer (from February 5<sup>th</sup>, 2013 Committee of the Whole meeting)
- 1302266** A Resolution amending Personnel Policies, Employee Handbook Section 12-3 and Section 12-3-9 (Leaves – Sick Leave), to add employee death plan (from February 5<sup>th</sup>, 2013 Committee of the Whole meeting)
- 1302267** A Resolution of support for the River Bend Trail project (from February 6<sup>th</sup>, 2013 Parks and Recreation Commission meeting)
- 1302268** A Resolution adopting the 2013 – 2018 Merrill Outdoor Recreation Plan for the City of Merrill, Wisconsin (from February 6<sup>th</sup>, 2013 parks and recreation commission meeting)
- 1302269** A Resolution honoring Dale E. Knapp for his extended service and great contribution to the City of Merrill (from the Common Council)

- 1302269A** A Resolution honoring Dennis H. Berndt for his extended service and great contribution to the City of Merrill (from the Common Council)
- 1302270** Mayor's Communications
- 1302280** Public Comment Period
- 1302999** Adjournment

William N. Heideman, 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.

13 0280

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

Wednesday, December 12, 11:20 A.M. Christmas Luncheon, 3's Company, Merrill, WI

PRESENT: Chairman Kathy Colclasure, Denise Humphrey, Richard Wiessinger, Amanda Kostman, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

ABSENT: Jim Boettcher

PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING called to order by Chairman Kathy Colclasure. Motion to excuse Jim Boettcher. Colclasure/Kostman. Passed unanimously.

Motion to approve today's agenda and minutes of November 14, 2012 meeting with a correction made in the Review of Quarterly Report, "capital fund grant" changed to "operating subsidy". Wiessinger/Humphrey. Passed unanimously.

Discussion and motion to approve Checks #20990 thru #21031 and Billings to date for November with attached list of expenditures: Humphrey/Wiessinger. Passed unanimously by roll call vote: Humphrey-aye, Wiessinger-aye, Colclasure-aye and Kostman-aye.

Move-ins and Move-outs for November 2012: Motion to accept report and place on file. Humphrey/Wiessinger. Passed unanimously.

Report on Park Place Investments: No changes to the investment report. Motion to accept report and place on file: Kostman/Humphrey. Passed unanimously.

Review and discussion of HUD response to vacancy plan and progress update: La Donna summarized the information outlined on the handout provided to commissioners. She plans to get a solid start on the time frame guidelines, will begin getting ideas for advertising ready and will also begin to review the procurement policy.

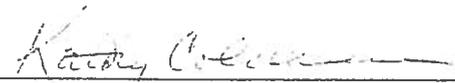
Resolution No. 361, "Allowance for Doubtful Accounts – Park Place": LaDonna read Resolution No. 361. Motion to adopt Resolution No. 361. Kostman/Humphrey. Passed unanimously by roll call vote: Humphrey-aye, Wiessinger-aye, Colclasure-aye and Kostman-aye.

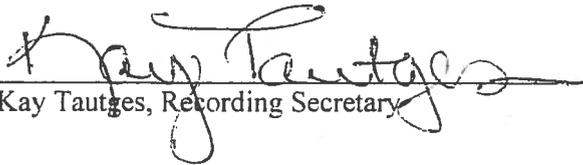
For the Good and Betterment of the Public Housing Program:

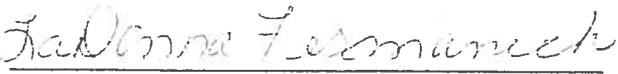
1. Commissioner Items/Comments – None.
2. Executive Director's Report – LaDonna reported that she attended a "Crash Course for First Time Managers". She will present information regarding E & O quotes and information regarding the wrap up on the work done at Park Place at the next meeting. The Park Place Christmas Party will be tonight.
3. Public Comment Period: None

The next regular meeting of the Commissioners of the Housing Authority will be held on **January 9, 2013, 4:00 p.m., Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI. (Special guest, Nancy McKenzie, Rhinelander Housing Authority).**

Motion to adjourn at 11:57 P.M. and open Section-8 Housing - Jenny Towers Meeting. Boettcher/Wiessinger. Passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

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

**Wednesday, December 12, 2012, 11:57 A.M., 3's Company , Merrill, WI 54452**

**PRESENT:** Chairman Kathy Colclasure, Richard Wiessinger, Amanda Kostman, Denise Humphrey, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

**ABSENT:** Jim Boettcher.

**SECTION-8 HOUSING - JENNY TOWERS and SCATTERED SITES MEETING** called to order by Chairman Kathy Colclasure. Motion to excuse Jim Boettcher: Humphrey /Wiessinger. Passed unanimously. Motion to approve minutes of November 14, 2012 meeting and today's agenda: Wiessinger/Humphrey. Passed unanimously.

Discussion and motion to approve Checks #16089 thru #16128 and Billings to date for November 2012 with attached list of expenditures: Wiessinger/Kostman. Passed unanimously by roll call vote: Colclasure-aye, Wiessinger-aye, Humphrey-aye, and Kostman-aye.

Discussion and approval of Move-ins and Move-outs for November 2012: Motion to accept report and place on file. Kostman/Humphrey. Passed unanimously.

Report on Jenny Tower Investments: LaDonna reminded commissioners that the CD will be maturing in March. She also noted that the M&I Trust Investment showed a loss due to money that was transferred out for the construction costs. There were no changes to the report. Motion to accept and place on file the Investment Report. Wiessinger/ Kostman. Passed unanimously.

Resolution No. 362: "Allowance for Doubtful Accounts – Jenny Towers": LaDonna read Resolution No. 362. Motion to approve Resolution 362. Kostman/Humphrey. Passed unanimously by roll call vote: Colclasure-aye, Wiessinger-aye, Humphrey-aye and Kostman-aye.

Enhanced PILOT Payment: Refer to Resolution No. 351 approved Nov. 9, 2011. LaDonna explained that the enhanced payment to the City of Merrill equals the difference between what the taxed amount is for MHA buildings and what a private sector building would be taxed. She also noted that the resolution states that an enhanced payment will be paid in 2011 and 2012. This year, a tax bill was received for the property which was purchased in 2011 from Lincoln Community Bank. This property should be on the PILOT program. LaDonna will call the city to have the error corrected.

Personnel Issue: Recommendation for Merit Recognition (as tabled at last meeting): Motion to approve the recommendation as outlined on the handout provided to Commissioners. Wiessinger/Kostman. Passed unanimously.

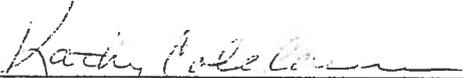
Discuss Community Donations: LaDonna explained that last year MHA made a donation of \$3000.00 to the Merrill Food Pantry and \$1000.00 to the Community Enrichment Center. Motion to donate \$3000.00 to the Merrill Food Pantry and \$1000.00 to the Community Enrichment Center: Kostman/Wiessinger. Passed unanimously.

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

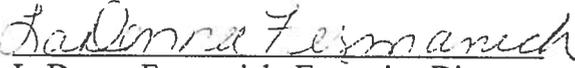
1. Commissioner Items/Comments – Amanda Kostman shared some concerns she has heard from some of the tenants at Jenny Towers regarding the new cabinets. La Donna said we are aware of concerns and are handling each one separately as they are brought up.
2. Executive Director's Report – LaDonna reported that the construction project is wrapping up. This week the caretaker's apartment and the last of the ADA apartments are being finished. Next week the Community Kitchen will be completed. Errors have been made in two key measurements for the community kitchen and the ADA apartments. LaDonna has been holding ground on not having MHA pay for correcting the errors. The building had a clean report following the recent canine inspection. The tenant Christmas party at Jenny Towers was last week.
3. Public Comment - None.

The next regular meeting of the Commissioners of the Housing Authority will be held on **Wednesday, January 9, 2013, 4:00 p.m. Jenny Towers Library – 711 E. 1<sup>st</sup> Street, Merrill, WI.**

Motion to adjourn at 12:20 P.M.: Wiessinger/ Humphrey. Passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

**SPECIAL MEETING OF THE HOUSING AUTHORITY  
COMMISSIONERS OF THE CITY OF MERRILL, WISCONSIN**

**Wednesday, January 9, 2013, 4:00 P.M. Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI**

**PRESENT:** Chairman Kathy Colclasure, Denise Humphrey, Richard Wiessinger, Amanda Kostman, Rob Norton (Ex-Officio), LaDonna Fermanich, Guest Presenter Nancy McKenzie

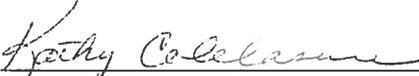
**ABSENT:** Kay Tautges

**PUBLIC HOUSING - PARK PLACE and WESTGATE SPECIAL MEETING** called to order by Chairman Kathy Colclasure.

As the Merrill Housing Authority Board has been directed by HUD to address their on-going vacancy issues they extended an invitation to Nancy McKenzie, the Executive Director of the Rhinelander Housing Authority. Nancy McKenzie made a presentation to the Board concerning similar vacancy issues the Rhinelander Housing Authority had experienced and the steps they undertook to address those issues, the process and methods they used and the results they obtained. She handed out answers to questions board members had submitted to her in advance as well as other information she felt might be beneficial to the board. The board asked questions throughout her presentation. No formal actions were taken by the board.

The meeting adjourned by consensus at 5:45 p.m.

The next regular meeting of the Commissioners of the Housing Authority will be held on **January 16, 2013, 4:00 p.m., Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.**

  
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Kathy Colclasure, Chairman

  
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LaDonna Fermanich, Recording Secretary

  
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LaDonna Fermanich, Executive Director

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

**Wednesday, January 16, 2013, 4:00 P.M. Jenny Towers Library, Merrill, WI**

**PRESENT:** Chairman Kathy Colclasure, Denise Humphrey, Richard Wiessinger, Amanda Kostman, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

**PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING** called to order by Chairman Kathy Colclasure. Motion to approve today's agenda and minutes of December 12, 2012 meeting. Humphrey/Wiessinger. Passed unanimously. Amanda Kostman noted she would need to leave at 5:00.

Discussion and motion to approve Checks #21032 thru #21075 and Billings to date for December with attached list of expenditures: Passed unanimously by roll call vote: Humphrey-aye, Wiessinger-aye, Colclasure-aye and Kostman-aye.

Move-ins and Move-outs for December 2012: Motion to accept report and place on file. Kostman/Humphrey. Passed unanimously.

Report on Park Place Investments: No changes to the investment report. Motion to accept report and place on file. Humphrey/Wiessinger. Passed unanimously.

Report on 2013 Goals: LaDonna shared the following goals she has as Executive Director: Develop and implement a plan for filling vacancies at PP, attend and complete additional training seminars, encourage staff growth, schedule staff meetings on a monthly basis, and schedule quarterly tenant meetings. She would also like to work with the board to more clearly define their expectations regarding the day to day MHA operations, updates and any change to current meeting content.

Report on D.O. Insurance Options: LaDonna has obtained quotes through our insurance agent from two different carriers. She also contacted one other agent for information. The D.O. policies and costs vary greatly according to the amount of coverage purchased. Overall, LaDonna felt that the coverage for \$500,000.00 at a cost of \$1380.00/year through United States Liability Insurance Group seemed to be the best option. Commissioners asked to have the USLI policy reviewed in greater detail before action is taken to purchase the coverage. LaDonna and Denise will both review the policy and bring it to a future meeting for discussion.

Report on Copier Replacement: LaDonna obtained quotes from three different businesses. She recommends purchasing a copier from Bauernfeind, our present provider. They have provided us with good service in the past. Their quote was also the lowest for the cost of the machine and also for the maintenance contract. Motion to purchase the copy machine from Bauernfeind. Kostman/Humphrey. Passed unanimously.

Report on Web Site Development: LaDonna obtained information from five Website developers. She gave Commissioners an overview of services offered. Her recommendation is to hire Virtual Vision Computing from Wausau. Along with setting up and maintaining the site, this company is local, offers a more comprehensive marketing package including logo design, interactive marketing services such as monitoring the number of hits we would be getting and social media capabilities. Motion to hire Virtual Vision Computing for development of the MHA Website. Humphrey/Kostman. Passed unanimously.

Close out report on 2010 Capital Funds: LaDonna reviewed the close-out report provided to Commissioners. She explained that the 2010 Capital Funds were used to complete the Park Place hallway remodel project and that Capital Funding money not used to complete a capital improvement project can be used for operating funds.

This project came in below budget and left \$34,473.00 available for transfer into our general fund for operating expenses.

Report on 2013 Operating Funds: LaDonna reported that HUD has approved 2 months of Operating Funding (\$16,063) for 2013. At this time we do not know how many more months will be funded as it all depends on actions taken by Congress. Last year, no Operating Funds were dispensed to any Housing Authorities.

5 Year Agency Plan Report/Approval as it pertains to Capital Funding: LaDonna explained that we are required to have a 5 Year Agency plan. While we can rearrange the plan details within those five years, any major revision to that plan (i.e. possible Park Place remodel to address the vacancy issue) would require us to submit a new plan. This, in turn requires holding a public hearing. The current plan calls for 2011 Capital Funding to be spent on improvements at Westgate Apartments. We must have this money obligated by a signed contract by 8/2/13. Therefore, the Committee must determine whether they want to continue with the current five year plan while studying the Park Place concerns or revise the plan. LaDonna recommends continuing with the current plan and working with current architectural services on Westgate while investigating the Park Place renovation. The 5 Year Plan can be modified at anytime the decision to move ahead on Park Place renovations becomes necessary. Motion to continue with the current 5 year plan to implement the 2013 Westgate project using current practices. Kostman/Humphrey. Passed unanimously.

HUD Vacancy Update/Discussion: LaDonna gave Commissioners a handout outlining what has been done to date and what the next steps might be in regard to the HUD vacancy issues. Based on conversations with HUD representative, she recommends that we consider hiring a Master Developer to complete a Physical Needs Analysis (required every 5 years by HUD regardless of what we do), potentially complete a study of Housing needs in the Merrill Community, provide a report of recommendations and an estimated cost with the option of continued work should the proposal be approved. Motion made to have LaDonna begin to write up an advertisement for hiring a Master Developer that the Commissioners will review at a future meeting. Kostman/Humphrey. Passed unanimously.

For the Good and Betterment of the Public Housing Program:

1. Commissioner Items/Comments – None.
2. Executive Director's Report – LaDonna reported that she has been working on year-end reports with Lynn. LaDonna will be attending a 1 day seminar on Team Building.
3. Public Comment Period: None

The next regular meeting of the Commissioners of the Housing Authority will be held on **February 13, 2013, 4:00 p.m., Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.**

Motion to adjourn at 5:02 P.M. and open Section-8 Housing - Jenny Towers Meeting. Wiessinger/Humphrey. Passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

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

**Wednesday, January 16, 2013, 5:02 P.M., Jenny Towers Library, Merrill, WI 54452**

**PRESENT:** Chairman Kathy Colclasure, Richard Wiessinger, Denise Humphrey, Rob Norton (Ex-Officio), LaDonna Fermanich and Kay Tautges.

**ABSENT:** Amanda Kostman

**SECTION-8 HOUSING - JENNY TOWERS and SCATTERED SITES MEETING** called to order by Chairman Kathy Colclasure. Motion to approve minutes of December 12, 2012 meeting and today's agenda: Humphrey/Wiessinger. Passed unanimously.

Discussion and motion to approve Checks #16129 thru #16183 and Billings to date for December 2012 with attached list of expenditures: Passed unanimously by roll call vote: Colclasure-aye, Wiessinger-aye, Humphrey-aye.

Discussion and approval of Move-ins and Move-outs for December 2012: Motion to accept report and place on file. Humphrey/Wiessinger. Passed unanimously.

Report on Jenny Tower Investments: LaDonna reminded commissioners that the CD will be maturing in March. She will call to get information on new rates. LaDonna and Kathy will be meeting with BMO investors later this month to learn about our investments. There were no changes to the report. Motion to accept and place on file the Investment Report. Wiessinger/ Humphrey. Passed unanimously.

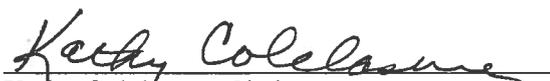
Personnel Policy Revisions Discussion: LaDonna asked the board how they would like to proceed with revisions to the Personnel Policy as tabled by the board late last year. The Commissioners asked LaDonna to bring only policy revisions which need updating/amendments due to changes in laws etc. to meetings for approval.

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

1. Commissioner Items/Comments – None
2. Executive Director's Report – LaDonna reported that MHA received a thank you from the Jim Boettcher family for the memorial received in Jim's name. Thank you notes from the Merrill Food Pantry and the Community Enrichment Center were also received. The construction project is slowly wrapping up with the General Contractor here completing the punch list items. The cabinet manufactures will also be coming back to make repairs. LaDonna advised that the project will most likely come in over budget due to an electrical wiring problem that was discovered and needed to be corrected.
3. Public Comment - None.

The next regular meeting of the Commissioners of the Housing Authority will be held on **Wednesday, February 13, 2013, 4:00 p.m. Jenny Towers Library, 711 E. 1<sup>st</sup> Street, Merrill, WI.**

Motion to adjourn at 5:15 P.M.: Humphrey/Wiessinger. Passed unanimously.

  
Kathy Colclasure, Chairman

  
Kay Tautges, Recording Secretary

  
LaDonna Fermanich, Executive Director

130290

**City of Merrill  
Committee of the Whole  
Tuesday, January 8, 2013 at 6:00 P.M.  
City Hall Basement Conference Room  
1004 East First Street**

Committee of the Whole members present (9 of 9): Mayor Bill Bialecki, Alderman Chris Malm (First District), Alderman Steve Hass (Second District), Alderman Ryan Schwartzman (Third District), Alderwoman Kandy Peterson (Fourth District), Alderman John Burgener (Fifth District), Alderman Dave Sukow (Sixth District), Alderman Rob Norton (Seventh District) and Alderwoman Anne Caylor (Eighth District).

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Fire Chief Dave Savone, Finance/Technology Director Kathy Unertl, Don Heyel and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 6:02 P.M.

**Public Comment**

Don Heyel stated that he was pleased that a proposed boundary agreement with the Town of Pine River was again being considered.

**Motion to convene in closed session**

Motion (Hass/Caylor) to convene in closed session pursuant to Wisconsin State Statutes 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to consider policy direction for negotiation of potential fire protection agreement renewal options with Towns of Merrill, Scott, and Rock Falls effective in 2014 and potential continued participation in and fiscal commitments to Lincoln County Economic Development Corporation (LCEDC) and potential boundary agreement with Town of Pine River. Carried 7-1 on roll call vote. Voting No – Alderman Norton.

Convened in closed session at 6:04 P.M. Attending: Malm, Hass, Schwartzman, Peterson, Burgener, Sukow, Norton, Caylor, Bialecki, Johnson, Hayden, Unertl, Savone and Heideman.

**Closed session #1 – Township fire protection agreement renewal options**

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

**Closed session #2 – Future participation in Lincoln Economic Dev. Corp.**

At this point, Fire Chief Savone departed.

This closed session began at 6:23 P.M. The minutes of this closed session will be filed separately and confidentially.

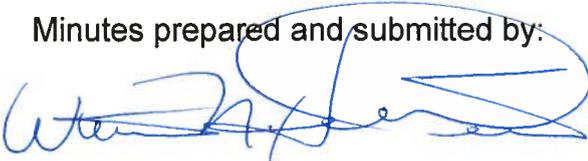
**Closed session #3 – Proposed Boundary Agreement with Town of Pine River**

This closed session began at 6:48 P.M. The minutes of this closed session will be filed separately and confidentially.

**Adjournment**

Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 7:01 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

## **ACTIONS AT FEB. 5<sup>TH</sup>, 2013 COMMITTEE OF THE WHOLE MEETING**

### **Resolution – Development Agreement with Fillmore Metal Crafts**

Motion (Hass/Caylor) to approve the resolution. Carried.

The resolution will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Resolution – Development Agreement with Mark Raymer**

Motion (Schwartzman/Norton) to approve the resolution. Carried.

The resolution will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Economic Development Program Policy for Tax Delinquent Properties**

**130291**

Motion (Hass/Sukow) to approve, as presented, the Economic Development Program Policy for Tax Delinquent Properties. Carried.

### **Continue review of sick leave policy related to employee death**

Motion (Hass/Norton) to approve, as presented, the policy modification of sick leave payout in the event of employee death. If approved, the modification would take effect April 1<sup>st</sup>, 2013. Carried.

A resolution on the policy modification will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Consider offering option of e-commerce (payment of bills, fees, etc. on-line)**

**130292**

Motion (Hass/Norton) to offer customers an e-commerce (online bill/debt payment) option and authorize City staff to select a provider for e-commerce services. Customers using a credit card or debit card for online payments would be assessed a convenience fee to be paid to the e-commerce service provider. Carried.

13 02100

**COMMUNITY DEVELOPMENT COMMITTEE MINUTES**  
**January 16, 2013, City Hall, Merrill, WI**

Present: Ryan Schwartzman, Adam Rekau, Pete Koblitz, Betsy Wiesneski, Daniel Schneider and Nancy Kwiesielewicz.

Others Present: Shari Wicke, Community Development Program Administrator

The meeting was called to order at 8:00 a.m. Mr. Schneider made a motion to approve the minutes of the previous meeting; seconded by Ms. Wiesneski. The motion carried.

Discussion by the committee if they want to require Community Development Director to obtain a credit report on every applicant. No action came from this discussion.

No discussion on handout of CDBG/RLF Housing Monitoring Report.

Shari Wicke presented the following homeowner application:  
File#9750 – (A female head of household with two children with an income of \$14,776.) – The limit is \$44,950. The tax statement shows a Fair Market Value (FMV) of 63,500, free and clear on the title of property. Requesting a new roof, siding, windows, exterior door, electrical and fascia & soffit.

Mr. Schneider made a motion to approve the above homeowner loan applications; seconded by Ms. Kwiesielewicz, motion carried.

No public comment.

There being no further business to discuss, Ms. Wiesneski made a motion to adjourn; seconded by Mr. Koblitz. The motion carried. Adjournment was at 8:20a.m.

Respectfully submitted,  
Shari Wicke

**COMMUNITY DEVELOPMENT COMMITTEE MINUTES  
February 1, 2013, City Hall, Merrill, WI**

Present: Ryan Schwartzman, Adam Rekau, Pete Koblitz, Betsy Wiesneski and Ron Peterson.

Others Present: Jim Warsaw, CWED Director, Jack Sroka, Economic Development Director and Shari Wicke, Community Development Program Administrator

The meeting was called to order at 8:00 a.m. Mr. Schwartzman made a motion to approve the minutes of the previous meeting; seconded by Mr. Rekau. The motion carried.

Shari Wicke informed the committee of the 1<sup>st</sup> Time Homebuyer Seminar that will be held on February 21<sup>st</sup> 4:00p.m. – 7:p.m. No action needed.

Shari Wicke presented the Community Development Growth in 2012 report to committee. No action needed.

Jack Sroka presented the Murphy's Insurance request for subordination.

Mr. Rekau made a motion to approve the above request for a subordination to People's State Bank in the amount of \$19,902; seconded by Mr. Koblitz, motion carried.

Jack Sroka presented Custom Design Heating & Cooling LLC request to restructure payments.

Mr. Rekau made a motion to approve the above subordination to River Valley State Bank request to restructure his payments with collecting the past due interest payments to date and securing our mortgage with a second on the property at 108 Blaine Street; seconded by Ms. Wiesneski, motion carried.

Jack Sroka presented Legends of Merrill extension of loan term.

Mr. Koblitz made a motion to approve the above request extension of loan term for one year with same monthly payments along with paying back the interest amount past due and supplying personal financials for our records; seconded by Ms. Wiesneski, Ryan Schwartzman abstained from voting, motion carried.

Jack Sroka informed the committee of the status of Sheer Essential Salon & Spa economic development loan. The committee agreed to extend the loan for no more than one year. No action needed.

Jack Sroka presented Johnson Properties request for loan term extension.

Mr. Rekau made a motion to approve the above request for extension to modify the current note to reflect a 24 extension to July 1, 2014 and continue with same terms; seconded by Mr. Koblitz, Ryan Schwartzman abstained from voting, motion carried.

Ryan Schwartzman spoke during public comment that he really appreciates all the knowledge the committee members have taught him especially since he is a business man himself.

There being no further business to discuss, Mr. Schwartzman made a motion to adjourn; seconded by Ms. Wiesneski. The motion carried. Adjournment was at 9:10a.m.

Respectfully submitted,  
Shari Wicke

PARKS AND RECREATION COMMISSION

January 2, 2013

The Merrill Parks and Recreation Commission met on Wednesday, January 2, 2013 at 6:00 p.m. at the City Hall in the Council Chambers.

Members Present: Mike Willman, Ralph Sturm, Dorwin Harris, Dan Novitch, Steve Hintze, Anne Caylor and Brian Artac

Members Excused Absent:

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dave Johnson, Fred Heider, Gene Bebel, Kandy Peterson, Vince Conrad, Mike Wels, Judy Woller, Chris Malm, Mage Lerch, Dennis Lerch, Mary Bauman, Brenda Mamer, Ruth Ann Markewyez, Sue Weith, Jan Leistelow, Larry Hampel, David Hayes, Joanne Kirby, Steve Hass, Mayor Bill Bialecki, City Administrator Dave Johnson, Dewy Pfister, Steve Dahm, Sharon Anderson, Christine Vorpapel, Janet Thompson & daughter. Others came in after the meeting started.

\*\*\*Motion by Caylor, seconded by Artac, to approve the minutes from the previous meeting.

\*\*\*Carried unanimously.

\*\*\*Motion by Hintze, seconded by Willman, to approve the claims.

\*\*\*Carried Unanimously.

\*\*\*Motion by Willman, seconded by Artac, to open the meeting into a public hearing for the 2013 – 2018 City of Merrill Outdoor Recreation Plan.

Chairperson Novitch asked Mr. Heider from NCWRPC to summarize the process for the public. Chairperson Dan Novitch invited any of the public to come up and speak on behalf of the 2013 – 2018 City of Merrill Outdoor Recreation Plan.

\*\*Sue Weith, an avid bike rider and walker, is in favor of the plan.

\*\*Dave Johnson is concerned where the money will be coming from for the River Bend Trail, doesn't feel it should be paid for out of tax dollars. Mr. Johnson felt that the meeting was not advertised enough for the public to be aware of what the public hearing was on.

\*\*Gene Bebel is for the 2013 – 2018 City of Merrill Outdoor Recreation Plan and is also on the committee for the River Bend Trail and explained that the committee is not looking at the City for money for the trail, but instead will be kicking off a one million dollar fund raising project for the trail.

\*\*Mayor Bill Bialecki has concerns with the 2013-2018 City of Merrill Outdoor Recreation Plan. The Mayor brought up some concerns about the trails in place now in the city and doesn't feel they are probably maintained. Mayor Bialecki would also like improvements to City Forest stating great potential. Mayor Bialecki also said we should do all we can do to improve our athletic fields. Mayor Bialecki felt that the meeting was not advertised enough and encouraged the January public hearing to be postponed until February giving the community more time to read and look over the 2013 – 2018 City of Merrill Outdoor Recreation Plan.

\*\*Judy Wollor is in favor of the plan and feels that the River Bend Trail would enhance the City of Merrill drawing more people into the community.

**\*\*Christine Vorpapel stated that she was unaware of the meeting or where to view the 2013-2018 City of Merrill Outdoor Recreation Plan.**

**\*\*\*Motion by Caylor, seconded by Hintze to close the public hearing regarding the 2013-2018 City of Merrill Outdoor Recreation Plan.**

The next item on the agenda was to review/approve 2013-2018 City of Merrill Outdoor Recreation Plan. Caylor questioned how long the public notice was posted. Wendorf stated that it went on the City web page 3 weeks ago. Artac questioned what more can be done to make the public aware of the meeting. Hintze stated that the public hearing was already advertised on the radio, newspaper and also a public notice was posted. Caylor stated that she feels the public was unformed of where they could read or download the 2013-2018 City of Merrill Outdoor Recreation Plan. Caylor questioned if it would be a problem to delay the approval of the plan for another month. Wendorf stated that he spoke with the DNR and as long as the plan is being actively worked on it should be okay, but would need to be resolved in February.

**\*\*\*Motion by Caylor, seconded by Artac, to postpone the approval of the 2013-2018 City of Merrill Outdoor Recreation Plan until the February meeting and also reconvene into a public hearing at that time.**

Caylor stated that necessary steps need to be taken so that people know where to view the plan. Hintze stated that it was already advertised in the newspaper, radio and at the City Hall. Caylor stated that a reference needs to be made to where the plan can be viewed. Willman stated that plans from the 2009-2012, that were not completed, should be incorporated into the 2013-2018 City of Merrill Outdoor Recreation Plan.

**\*\*\*Carried, Sturm, Harris, Artac, Hintze, Caylor.**

**\*\*\*Voted against the motion: Willman.**

The next item on the agenda was to discuss Dog Park development project. Wendorf stated that they have \$12,500 that was budgeted for the dog park development project. Wendorf stated that there are several different areas that they are looking into for the project but are undecided at this time where the park will be located. Willman questioned how this is being presented to the public. Wendorf stated that he has been talking to a group of people that originally came to him with the idea of the dog park. Hintze questioned what the time line on this project was, a couple of months or will it be a year before this project is completed. Wendorf stated that he would like to have most of it complete by the summer of 2013. Harris stated that before a location is picked out, a design of the park should be done first so that there is an idea of how big the dog park will be, and than chose a location to fit the size of the park.

The next item on the agenda was monthly reports by Wendorf. Wendorf thanked everyone for coming to the public hearing and also for the involvement in the 2013-2018 City of Merrill Outdoor Recreation Plan. Wendorf also stated that this is a draft for guidance only and not everything in the plan will be completed.

**\*\*\*Motion by Willman, seconded by Artac, to approve the monthly report given by Wendorf.**

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

The next regular meeting is scheduled for February 6, 2013 at 6:00 p.m., in the Council Chambers at the City Hall. A public hearing for the 2013-2018 Merrill Outdoor Recreation Plan will be held prior to the meeting.

Public Comment: Dave Johnson stated that the 2013-2018 City of Merrill Outdoor Recreation Plan will be posted on the front page of the city's website. Gene Bebel expressed his concern for the outcome of the meeting stating that he drove a couple of hundred miles to be here to have the decision postponed for another month.

\*\*\*Motion by Caylor, seconded by Hintze, to adjourn at 7:00 p.m.

\*\*\*Carried unanimously.

Dawn Smith  
Recording Secretary

1302120

**City of Merrill  
Board of Public Works  
Wednesday, January 23, 2013 at 5:30 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

Members Present (4 of 5): Mayor Bill Bialecki (Chairperson), Street Commissioner Richard Lupton, Alderman Steve Hass and Alderman John Burgener.

Others Present Included: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Police Chief Ken Neff, Alderwoman Kandy Peterson, Duane Pfister and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:30 P.M.

**Vouchers**

The vouchers were in the meeting packet.

Motion (Hass/Burgener) to approve the vouchers, as presented. Carried.

**Consider continuation of Street Dept. fuel surcharge of 2 cents/gallon**

Information was in the meeting packet.

At a meeting on December 13<sup>th</sup>, 2005, the Common Council established a two cents per gallon fuel surcharge to recover costs of fueling system improvements.

At a meeting on May 10<sup>th</sup>, 2012, the Common Council authorized the repair and updating of the City fueling site to meet State of Wisconsin licensing requirements.

To facilitate continued maintenance/improvements at the fueling site, Finance/Technology Director Unertl is recommending formal action to continue the two cents per gallon surcharge.

1302121

Motion (Hass/Burgener) to continue, for an indefinite period, the two cents per gallon surcharge on all fuel used by City vehicles. Carried.

**Review winter parking policy and consider potential changes**

Alderman Hass had requested that this item be placed on the agenda. An e-mail from Alderman Hass was in the meeting packet, along with a copy of City of Merrill Code of Ordinances Section 36-85 (Winter Parking Restrictions).

In his e-mail, Alderman Hass cited two instances of a private snow removal firm parking their vehicles on City streets during snow emergencies, which impeded and slowed the Street Department's snow plowing efforts.

Police Chief Neff will write a letter to the owner of the snow removal firm, to inform him that the Board of Public Works has concerns related to vehicles parked on the street when the Street Department needs to plow snow. No formal action was taken.

**Monthly report - Street Commissioner**

The report was in the meeting packet. Street Commissioner Lupton reported that there have been no major concerns with winter-related equipment. One new Street Department employee has already started work, and another one will be starting in March.

**Monthly report – Exterior Maintenance**

The report was in the meeting packet. Discussion was held on the report.

**Monthly report – Northwinds Inspection**

The report was in the meeting packet.

**Monthly report – City Hall Maintenance Supervisor**

No report submitted. Mayor Bialecki reported verbally that the City Hall second floor remodeling project continues.

**Monthly report from contracted engineering firms**

No report(s) submitted.

**Next meeting**

Wednesday, February 20<sup>th</sup>, 2013 at 5:30 P.M.

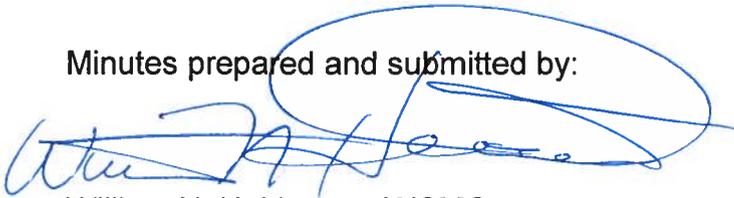
**Public Comment**

None.

**Adjournment**

Motion (Hass/Burgener) to adjourn. Carried. Adjourned at 5:47 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1302130

**City of Merrill  
Health and Safety Committee  
Monday, January 21, 2013 at 5:00 P.M.  
City Hall Basement Conference Room, 1004 East First Street**

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

Others Present: Fire Chief Dave Savone, Police Chief Ken Neff, Deputy Health Officer Norbert Ashbeck, Alderman Steve Hass and City Clerk Bill Heideman.

**Call to order**

Alderwoman Caylor called the meeting to order at 5:00 P.M.

**Vouchers**

The vouchers were in the meeting packet.

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

**“Picnic” license applications (7) from St. Francis for Lenten Fish Fries**

St. Francis Xavier Catholic Church has submitted applications and paid the fee for seven temporary Class “B” (picnic) licenses to sell fermented beverages at Friday Lenten fish fries.

Police Chief Neff has no concerns with the applications.

1302131

Motion (Sukow/Peterson) to approve the applications from St. Francis Xavier Catholic Church for seven temporary Class “B” (picnic) licenses to sell fermented beverages during fish fries in Bellarmine Hall at St. Francis Xavier Catholic Church, 1708 East Tenth Street, on the following dates in 2013: February 15<sup>th</sup>, February 22<sup>nd</sup>, March 1<sup>st</sup>, March 8<sup>th</sup>, March 15<sup>th</sup>, March 22<sup>nd</sup> and March 29<sup>th</sup>. Carried.

**Other beer and/or liquor license applications (Rotary Club of Merrill)**

Alderwoman Caylor mentioned that Police Chief Neff and City Clerk Heideman have approved a “Class B” wine license application from the Rotary Club of Merrill, for an Artisan’s Showcase to be held at Bell Tower on February 2<sup>nd</sup>, 2013.

City of Merrill Health & Safety Committee minutes – January 21<sup>st</sup>, 2013

The Rotary Club of Merrill has been granted licensees several times in the past for this annual event, and there have been no issues or concerns. Based on this, and the fact that the application was not received timely enough to be ultimately considered by the Common Council, Police Chief Neff and City Clerk Heideman have approved the application, per City of Merrill Code of Ordinances Section 4-26(f)(3),

There were no other license applications to consider.

### **Consider ordinance to add parade regulations**

This has been an ongoing issue. A draft of a proposed ordinance was in the meeting packet. The ordinance would amend City of Merrill Code of Ordinances Chapter 32, Article V, Section 127, to add parade regulations.

Alderwoman Caylor suggested that language be added to the ordinance that specifies that anyone granted a permit be directed to notify parade/event participants that they must comply with the ordinance.

Motion (Peterson/Sukow) to approve the ordinance, including additional language that anyone granted a permit be directed to notify parade/event participants that they must comply with the ordinance. Carried.

The ordinance will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Review and discuss parade permit application form**

A draft of the proposed form was in the meeting packet. Police Chief Neff stated that he has no problem with the timeframes specified for submitting a form.

No action taken.

### **Nuisance complaints and exterior maintenance report**

The report was in the meeting packet. Deputy Health Officer Ashbeck commented that this is the "quiet" time of year for nuisance complaints.

Alderman Sukow urged strict enforcement of the ordinances on exterior maintenance. He stated that certain properties are not only unsightly, but they are unsafe as well.

### **Monthly Report – Fire Chief Savone**

The report was in the meeting packet. At the meeting, Fire Chief Savone submitted an additional report which was inadvertently omitted from the meeting packet. Discussion was held on Emergency Medical Services (EMS) transports.

**Monthly Report – Police Chief Neff**

The report was in the meeting packet. Police Chief Neff reported on several changes to the DARE program, related to graduation ceremonies.

Discussion was held on the alcohol compliance checks conducted recently, and the Police Department follow-up to the checks. Police Chief Neff expressed concerns with one licensee that has been noncompliant three times in the past. This licensee was contacted to discuss how they intend to bring their business into compliance. To date, the licensee has made no contact with the Police Department to discuss this issue.

The Committee directed Police Chief Neff to contact this licensee. If the licensee does not contact the Police Department within two weeks to discuss this issue, the Health and Safety Committee will schedule a special meeting to discuss possible license suspension. February 4<sup>th</sup> was suggested as a possible meeting date, should circumstances dictate that a special meeting is necessary.

**Monthly Report – Lincoln County Humane Society**

The report was in the meeting packet. Alderman Sukow stated that he was pleased to notice that the animal population at the shelter is more manageable.

**Place monthly reports on file**

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

**Schedule next meeting**

The next regular meeting was scheduled for Monday, February 25<sup>th</sup>, 2013 at 5:00 P.M.

**Public Comment**

None.

**Adjournment**

Motion (Sukow/Peterson) to adjourn. Carried. Adjourned at 5:40 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1302140

**City of Merrill  
Personnel and Finance Committee  
Tuesday, January 22, 2013 at 5:15 P.M.  
Basement Conference Room at City Hall, 1004 East First Street**

Voting Members Present (3 of 3): Alderman Steve Hass (Chairperson), Alderwoman Anne Caylor and Alderman Ryan Schwartzman

Others Present Included: City Administrator Dave Johnson, Mayor Bill Bialecki, City Attorney Tom Hayden, Finance/Technology Director Kathy Unertl, Street Commissioner Richard Lupton, Police Chief Ken Neff, Utility Superintendent Kim Kriewald, Alderwoman Kandy Peterson, Alderman Dave Sukow, Alderman Rob Norton, Kortney Pike, Roger Drewek and City Clerk Bill Heideman.

**Call to order**

Alderman Hass called the meeting to order at 5:15 P.M.

**Continue consideration of office hours for utility administrative assistants**

Information was in the meeting packet.

There have been ongoing discussions regarding the work hours for the utility administrative assistants. Discussion has centered on the daily starting and ending times. On November 1<sup>st</sup>, 2012, Utility Superintended Kriewald sent an e-mail stating that the full-time utility administrative assistant would be working from 7:00 A.M. to 3:30 P.M. The part-time administrative assistant would be available until 4:00 P.M.

Alderman Hass explained that originally the Water and Sewer Committee did not address the issue, so it was addressed by the Personnel and Finance Committee. He added that it appears that the Water and Sewer Committee has the authority to determine the work hours, so the Personnel and Finance Committee will not address or continue to discuss this issue.

No action taken.

**Consider policy for employee professional development reimbursement**

A "draft" of a City Tuition Reimbursement Policy was in the meeting packet. The policy would establish guidelines for tuition reimbursement for employees when the employee pays for education opportunities to grow professionally.

City Administrator Johnson stated that this was on the agenda "for information only" at this time, although, at some point, a decision is necessary on whether the City wants to have a tuition reimbursement policy.

Alderman Hass and Alderwoman Caylor both stated that, in their opinions, if an employee takes a class only to receive a pay raise, the employee should not be compensated for the class. City Administrator Johnson responded that many cities and counties do provide reimbursement in those types of cases.

No action was taken at this time.

**Consider Finance Director request: Transfer one deferred compensation program**

Information was in the meeting packet.

Currently, one of the City's employee deferred compensation programs is through Nationwide Retirement Solutions. There has been recent national litigation settlement regarding fees charged by Nationwide Retirement Solutions, as well as claims of a lack of diversification and consistency. Based on this, representatives from M3 Financial have conducted research on transferring the City's Nationwide Retirement Solutions program to another carrier. As a result of their research, M3 Financial is recommending transferring to ING. Finance/Technology Director Unertl concurs with this recommendation.

Motion (Schwartzman/Caylor) to approve the recommendation from Finance/Technology Director Unertl to transfer one of the City's employee deferred compensation programs (457b Plans) from Nationwide Retirement Solutions to ING. Carried.

Per City Attorney Hayden, no Common Council action on the motion is necessary.

**Insurance renewal process update, consider special meeting to review proposals**

Finance/Technology Director Unertl and City Clerk Heideman reported that the insurance companies that currently provide insurance to the City have requested that they be allowed to bid on the other "lines" of insurance which they don't currently provide to the City. City staff has agreed to allow them to do this, in an effort to secure the best possible insurance portfolio for the City.

City staff was directed to continue work on various options related to these pending insurance renewals, and then report their recommendations to the Personnel and Finance Committee.

No formal action was taken at this time.

**Monthly Report – Municipal Court**

The report was in the meeting packet. Alderman Hass noted that no writs were issued in December.

**Monthly Report – Finance/Technology Director Unertl**

The report was in the meeting packet.

**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.

**Monthly Report – Building/Zoning Permits**

The report was in the meeting packet. The Committee asked whether they could receive this report monthly. City Administrator Johnson responded that it was possible. The report will be included in the meeting packet every month.

**Place monthly reports on file**

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

**Next meeting**

Monday February 25<sup>th</sup>, 2013 at 6:00 P.M.

**Public Comment**

Kortney Pike stated that he recently switched his deferred compensation plan to Nationwide Retirement Solutions, and that he was disappointed to learn that he will now be forced to switch carriers again.

**Motion to convene in closed session**

Motion (Schwartzman/Caylor) to convene in closed session as permitted by Wisconsin Statutes Section 19.85(1)(c) - Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility to consider performance and compensation for Utility Superintendent Kim Kriewald. Carried 3-0 on roll call vote.

**Closed session**

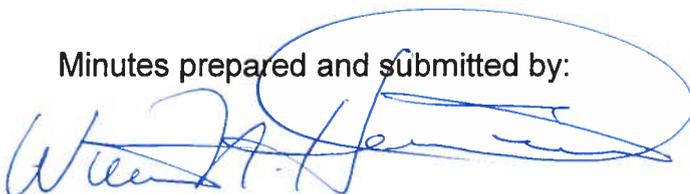
Convened in closed session at 5:45 P.M. Attending: Hass, Caylor, Schwartzman Bialecki, Johnson, Hayden, Unertl, Sukow, Norton, Peterson and Heideman.

No action was taken in closed session. The closed session minutes will be filed separately and confidentially.

**Adjournment**

Motion (Schwartzman/Caylor) to adjourn. Carried. Adjourned (from closed session) at 6:07 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1302150

**City of Merrill  
Water & Sewage Disposal Committee  
Wednesday, January 23, 2013 at 5:00 P.M.  
Basement Conference Room, City Hall, 1004 East First Street**

Members Present (3 of 3): Alderman John Burgener (Chairperson), Alderwoman Kandy Peterson and Alderman Rob Norton.

Others Present: City Administrator Dave Johnson, Mayor Bill Bialecki, Utility Superintendent Kim Kriewald, Alderman Steve Hass, City Attorney Tom Hayden (arr. 5:15), Building Inspector/Zoning Administrator Darin Pagel (arr. 5:15), Duane Pfister and City Clerk Bill Heideman.

**Call to order**

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

**Vouchers**

The vouchers were in the meeting packet.

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

**Request from Strand for additional engineer services funding (amended agenda)**

This was part of an amended agenda. Related information was distributed the day before the meeting.

Strand Associates has submitted the final engineering invoice for the Manganese Treatment Facility and Well House Improvements Project. Along with the invoice, they also submitted a letter which noted that the final invoice exceeds the current estimated engineering fee by \$8,337.45. Strand Associates is requesting the City consider incorporating the associated costs into a final amendment to the engineering services agreement.

City Administrator Johnson reminded everyone that the City is under no obligation to make any additional payment in response to this request. He stated that a decision could be made to pay nothing additional, pay a portion of the amount requested or pay the entire \$8,337.45.

City Administrator Johnson added that there could be justification for some type of payment. He based this on the fact that the letter from Strand Associates indicated that, as a result of their discussions with the Wisconsin Department of Natural Resources (DNR), the City was granted approximately \$40,000 of additional principle forgiveness for the project.

Motion (Norton) to approve payment of the entire \$8,337.45. Motion failed due to lack of a second.

#### **1302151**

Motion (Peterson/Norton) to approve a \$4,000 payment to Strand Associates, in response to their request of an additional \$8,337.45 in engineering services related to the Manganese Treatment Facility and Well House Improvements Project. Carried.

#### **Consider online payment option for utility bills**

Information was in the meeting packet.

Utility Superintendent Kriewald has requested that consideration be given to offering water utility customers the option of paying water bills online.

City Administrator Johnson recommended that this be discussed at a future Committee of the Whole meeting. He suggested that consideration of online utility payments could be part of offering residents the option of paying several types of bills and/or fees online. The Committee agreed that this issue should be discussed by the Committee of the Whole at a future meeting. No formal action was taken.

#### **Operations Report**

The report was in the meeting packet. Utility Superintendent Kriewald reported that there has been one additional water main break that was not included on the report. Thermal imaging work has been completed.

#### **Public Comment**

None.

#### **Next meeting**

Wednesday, February 20<sup>th</sup>, 2013 at 5:00 P.M.

#### **Adjournment**

Motion (Norton/Peterson) to adjourn. Carried. Adjourned at 5:28 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1301160

**City of Merrill  
City Plan Commission  
Monday, January 7, 2013 at 5:15 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, Dan Novitch, James Koppelman, Melissa Schroeder, Ken Maule and Pete Lokemoen.

Other attendees: Building Inspector/Zoning Administrator Darin Pagel, Alderwoman Kandy Peterson, Rusty DeBroux and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:15 P.M.

**Minutes of December 4<sup>th</sup>, 2012 meeting**

The minutes were in the meeting packet.

Motion (Maule/Koppelman) to approve, as presented, the minutes of the December 4<sup>th</sup>, 2012 City Plan Commission meeting. Carried.

**Site Plan for entry reconstruction on south side of Lincoln County Safety Building**

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained that the building was in an area zoned public, so site plan approval of the planned remodeling is necessary.

1301161

Motion (Maule/Novitch) to approve, as submitted, the site plan for entrance reconstruction on the south side of the Lincoln County Safety Building, 1104 East Frist Street. Carried.

**Next meeting**

Tuesday, February 5<sup>th</sup>, 2013 at 5:15 P.M.

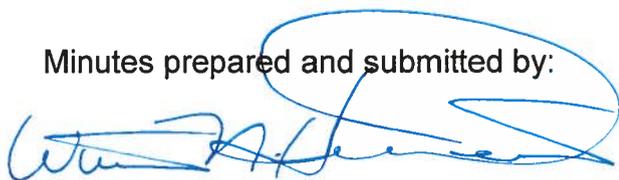
**Public Comment**

None.

**Adjournment**

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 5:18 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1302160

**City of Merrill  
City Plan Commission  
Monday, February 5, 2013 at 5:45 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, James Koppelman, Melissa Schroeder, Ken Maule and Pete Lokemoen. Dan Novitch had an excused absence.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Street Commissioner Richard Lupton, Alderman Dave Sukow, Alderwoman Kandy Peterson, Alderman John Burgener (arr. 5:48) and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 5:45 P.M.

**Minutes of January 7<sup>th</sup>, 2013 meeting**

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the January 7<sup>th</sup>, 2013 City Plan Commission meeting. Carried.

**Certified Survey Map – Town of Pine River – Dewey Schwoch**

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained that the land on the map is within the City's 1½ mile extraterritorial zoning district, and is therefore subject to City Plan Commission review and approval. He added that the map meets all City requirements and he has no concerns with it as submitted.

Motion (Lokemoen/Schroeder) to approve, as submitted, the Certified Survey Map for land in the Town of Pine River for Dewey Schwoch. Carried.

A resolution on the Certified Survey Map will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

**Certified Survey Map – Marianne Bunge**

Information was in the meeting packet.

Building Inspector/Zoning Administrator Pagel provided verbal details associated with the map. Pete Lokemoen stated that he has no issues with the map as submitted.

Motion (Lokemoen/Maule) to approve, as submitted, the Certified Survey Map for land in the City of Merrill for Marianne Bunge. Carried.

A resolution on the Certified Survey Map will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Recess**

At 5:50 P.M., Mayor Bialecki declared a recess until 6:00 P.M., the time scheduled for the public hearing. At 6:00 P.M., he called the meeting back to order.

### **Public Hearing - Rezoning of new fire station site and Post Office**

Information was in the meeting packet. City Attorney Hayden read the public hearing notice.

Motion (Maule/Lokemoen) to open the public hearing. Carried.

Building Inspector Pagel explained that there are two sites being proposed for rezoning, both from Business to Public. One site is the property on the southwest corner of East Second Street and Pier Street (the former Brickner property). This is the site of the new central fire station to be built soon. The second site proposed for rezoning is the Merrill Post Office, 430 East Second Street.

Nobody spoke for or against the proposed rezoning.

Motion (Maule/Hass) to close the public hearing. Carried.

Motion (Lokemoen/Hass) to approve, as proposed, the rezoning, from Business to Public, the property at the southwest corner of East Second Street and Pier Street and the Merrill Post Office, 430 East Second Street. Carried.

An ordinance on the proposed rezoning will be on the February 12<sup>th</sup>, 2013 Common Council meeting agenda.

### **Next meeting**

Tuesday, March 5<sup>th</sup>, 2013

### **Public Comment**

None.

**Adjournment**

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 6:07 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

Transit Meeting  
January 21, 2013

Present; Ms. Judith Blennert – chairperson, Mr. Steve Willis, Mr. Gordon Geiger, Mr. Rick Blake and Rich Grenfell – Transit Administrator.

A motion to approve the minutes of the December 17, 2012 meeting was made by Mr. Willis and seconded by Mr. Geiger. C.U.

The Commission reviewed the fourth quarter stats; As anticipated, a 7% decrease in ridership solely represents the loss of the MAPS Headstart student transportation service. Adult & disabled ridership averaged an increase of 6%. Mileage is down 8% and fare box revenue is down 11%, again due to the loss of the Headstart program. Daily non-peak ridership is steady or increasing.

A motion to place the report on file was made by Mr. Blake and seconded by Mr. Geiger. C.U.

The Commission reviewed and discussed the principles of the new Paid Leave Policy for Transit employees. A motion to adopt the policy as presented was made by Mr. Blake and seconded by Mr. Geiger. C.U.

Administrator's Report;

The Commission reviewed the 2012 TMI Safety Report. Merrill did not have any reportable loss of Liability or physical damage for 2012. All employees will be recognized for an outstanding performance in 2012.

The Transit Safety Award Banquet will be held on Wednesday evening 1/23/13 at Pagels' Pub & Grub, 6:00 p.m.

Administrator Grenfell reported that the body panel order has been placed with Gillig parts division and that Merrill will be receiving an additional 5% discount (-\$750) by inquiry, for its "large purchase" order.

Some preliminary quotes have been received for the panel painting for the buses. Final bid quotes will be presented in February.

No Public Comment.

A motion to adjourn was made by Mr. Blake and seconded by Mr. Willis

Next transit meeting Monday, February 18, 2013.

**T. B. Scott Free Library Board of Trustees  
ANNUAL MEETING  
January 16<sup>th</sup>, 2013**

**Minutes**

**1. Opening**

President Mike Geisler called the Annual Meeting of the Board of Trustees to order at 4:00 p.m. in the Library Board Room. Present: Gene Bebel, Katie Breitenmoser, Paul Gilk, Richard Mamer, Tim Meehan (4:01-), Jim Wedemeyer and Vickie Yelle. Absent (ex.): Chris Malm. Also present: Don Litzer (4:05-) and Ricky S. from MP3.

Correspondence received: a letter from the Merrill Historical Society recognizing the Endowment Fund Pledge.

There was no public comment.

**2. Election of Officers**

Tim Meehan announced that all officers have agreed to serve for another year. There were no nominations from the floor. M Meehan/S Gilk/C to approve the incumbent officers for 2013. Officers include: President, Mike Geisler; Vice-President, Gene Bebel; and Financial Secretary, Richard Mamer.

**3. Consent Items**

M Meehan/S Mamer/C to approve the minutes of the December meeting as printed.

The Library Board approved by consensus to accept the Monthly Revenue and Expense Printouts and the Monthly Statistical Report for December as printed. This item will be placed as an item on the February agenda for a formal motion.

**4. Reports/Discussion Items/Action Items**

A. 2012 Endowment Fund Report: Mr. Mamer presented the report. M Meehan/S Yelle/C to approve the report.

B. Endowment Fund Request: Conference Attendance: Ms. Stevens presented her request for funding Ms. Schwartz to attend the upcoming Innovative User's Group (IUG) Conference. M Bebel/S Breitenmoser/C to approve up to \$2,125 from the Endowment Fund to reimburse Ms. Schwartz to attend the IUG Conference, less any reimbursements that may come from outside sources. Ms. Stevens is actively pursuing additional funding sources to partially cover these costs and will report back to the Library Board regarding these efforts.

C. Printing Fee Discussion: Ms. Stevens presented her report on printing revenue and expenses. M Meehan/ S Yelle/M to change the cost of printing black and white copies to 0.15 cents per copy and color copies to 0.30 cents per copy with the default printer set to black and white. Ms. Stevens will report back to the board with the cost estimates of color printing on existing equipment.

D. Policy Review: Reference Copying: M Meehan/S Mamer/C to approve the policy as revised.

E. Policy Review: Gifts: M Mamer/S Bebel/C to approve the policy as revised.

F. Wireless System Update: A new wireless system was installed in the library in mid-December as the result of a federal LSTA Grant obtained through WVLS. There were minimal expenses for wiring and aesthetics not covered by the grant which were paid out of the library budget.

G. Reports from Friends and WVLS Representative: There is no report at this time.

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

- A recent roof leak is believed to be originating from around an air handler. Kulp's has been on site to assess and repair the leak. The situation is being closely monitored.
- Mr. Bebel reviewed the need to schedule caulking, painting and other long-term maintenance work on the Carnegie building.
- New computer workstations for the adult department are in use.

**6. Adjournment:**

The meeting adjourned at 4:50 p.m. The next regularly scheduled meeting of the Board of Trustees will be held on February 20<sup>th</sup> at 4:00 p.m. in the Library Board Room.

Stacy D. Stevens, Secretary

City of Merrill  
Redevelopment Authority (RDA)

1302185

Tuesday, January 29<sup>th</sup>, 2013 at 8:00 A.M.  
City Hall Council Chambers

RDA Present: Bill Bialecki, Ryan Schwartzman, Ralph Sturm, and David Hayes

RDA Absent: Wally Smith, Karen Karow, and Jill Laufenberg

Others: Finance Director Kathy Unertl, City Attorney Tom Hayden, City Administrator Dave Johnson, Kristen Fish from Redevelopment Resources, Community Development Program Administrator Shari Wicke, City Building Inspector/Zoning Administrator Darin Pagel from Northwinds Inspection, and representative from AECOM

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

**Approval of meeting minutes from October 25<sup>th</sup>, 2012:**

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

**Resolution authorizing development agreement by and between the City of Merrill and William J. and Sunee Fillmore (Business Entity – Fillmore Metal Crafters, LLC) – 1000 W. Main St.:**

Unertl highlighted the proposed building expansion, equipment installation, and job creation project, as well as TID fiscal projections. RDA Commissioner consensus that new TIF development incentive overview format should be used unless it a more complicated project.

**Motion (Schwartzman/Sturm) to recommend the resolution and TIF development incentives of \$17,500 for William J. and Sunee Fillmore (Business Entity – Fillmore Metal Crafters). Motion Carried.**

**Resolution authorizing development agreement by and between the City of Merrill and Mark A. Raymer (1502 W. Main St.):**

This project will restore the façade, including leaded glass, of long vacant building. Extensive interior rehabilitation is planned for both retail storefronts and residential units. **Motion (Schwartzman/Sturm to recommend the resolution and TIF development incentives of \$25,000 for Mark A. Raymer). Motion Carried.**

**Discussion of potential formal policy related to development assistance to delinquent tax properties (including Brownfields environmental grant/loan applications and TIF development incentives):**

City staff recommended adopting formal policies based upon recent request from a tax delinquent property owner to submit potential Brownfields grant application. Proposed policies include:

- City staff/contractor resources will be minimized in facilitating potential redevelopment or new development by current or prospective owners of tax delinquent properties;
- City/RDA will not apply for Brownfield's grants/loans on behalf of owners of tax delinquent properties; and
- City/RDA will not consider TIF development incentives for current owners of tax delinquent properties.

RDA Commissioners discussed whether there might be an exceptional case. City staff advised they would appreciate formal guidance especially since the City/Community Development committee cannot provide economic development loans to tax delinquent properties. **Motion (Schwartzman/Hayes to recommend adoption of the above policies to the Common Council. Motion Carried.**

**Discussion of potentially splitting Tax Increment District No. 3 (Wisconsin Riverfront) with new "blighted" area TID extending to South Center Ave. Area):**

Unertl highlighted WPS, SEMCO, and Development & Leasing properties that could be deleted from TID No. 3 and included in new "blighted" area TID. There are now demolition orders issued for the red lumber storage buildings on WPS property, SEMCO, and Development & Leasing structures. The WPS dam site west of North Center Ave. is also not currently in a TID.

Sturm suggested including DC Motors parcel which is currently not in a tax increment district. Exterior Maintenance orders will be issued on this property after a meeting is scheduled with the property/business owner.

There has been a request from a South Center Avenue property owner interested in potentially expanding an existing business. Unertl emphasized that more analysis is needed on property valuations to verify that it is possible to meet "blighted" TID criteria, especially since some parcels will have higher land valuation than improved values.

As part of amending the TID No. 3 boundary, some additional continuous connecting parcels will need to be added to the TID. The mobile home park on the north side of Main Street (Highway 64 frontage) should be included, as well as potentially Pine Ridge Plaza to facilitate redevelopment.

**Next RDA Meeting:** At the call of the RDA Chair.

**Public Comment:** None.

**Closed Session:**

RDA Chair Bialecki read the following: The RDA may convene in closed session per Wis. Stats. Sec. 19.85(1)(e) - deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider potential TIF development incentives including in TID No. 3 (Wisconsin Riverfront), TID No. 6 (Downtown), TID No. 7 (North Center Avenue), and No. 8 (West Side)

**Motion (Schwartzman/Hayes) to move to closed session.** Motion carried on 4-0 roll call vote at 8:30 a.m. There was discussion on potential new development in TID No. 3 (East Side Area). City staff will seek Committee of Whole input on the proposed new development project and potential TID development incentives.

**Adjournment:**

Meeting adjourned from closed session at 8:45 a.m.

Minutes prepared by RDA Secretary Kathy Unertl

1302210

**Minutes**  
**Airport Commission Meeting**  
**Wednesday, October 17, 2012**

**Present:** Gary Schwartz, Joe Malsack, Gary Schulz, Lyle Banser, Chris Malm and Airport Manager John Miller

**Also Present:** Brian Krueger & Larry Wenning

**(1) Call to Order:** Gary Schwartz called the meeting to order at 7:00 PM.

**(2) Approval of the September 19, 2012 Minutes:** Joe Malsack made a motion to ratify the minutes of the September 19, 2012 meeting. The motion was seconded by Gary Schulz. The motion passed.

**(3) Approval of Vouchers:** The vouchers were reviewed and signed by all. Joe Malsack made a motion to approve the vouchers. The motion was seconded by Gary Schulz. The motion passed.

**Review 2013 Draft Airport Budget:** A discussion was held regarding the Airport Budget for 2013. Gary Schwartz reviewed the Budget and the charts and graphs concerning fuel sales.

After much discussion a motion was made by Joe Malsack to accept the budget and to send it to the City Council for their consideration. Lyle Banser seconded the motion. The motion passed.

**(4) Update on 2006 Project:** John Miller reported that the sewer and water being put in at the Champagne Street area will be completed this week. John said the borings will not be done, and that will save us money on the project. John said Merrill Sand & Gravel will be putting a final layer of gravel on the taxi way and it will have the winter to settle. John said the dirt on top of the gravel will be left on the connecting taxiway this fall. John said that means there should be no unnecessary runway closures.

John Miller said Van Ert Electric may be laying the poly (electrical conduits) for the taxiway lights. John said they also may get the electrical regulator installed but it would not be operational this year.

Gary Schwartz said there are extra rocks piled west of the new fuel system that can be used for landscaping around the terminal. Gary said these rocks were brought in to be used for erosion control but were not all used.

Gary Schwartz reported that the FAA cut the parking lot lights from the project. Gary said if the city puts in the lights we will get reimbursement from the state for work in kind, which can be applied to our sponsor share of the terminal building.

Joe Malsack asked if we were going to lose anything by having to wait until spring to continue on the project. Gary said that American Asphalt has agreed to hold over their pricing, so there should not be any surprises.

**(5) Discussion–Airport Name:** No discussion this meeting but will be kept on the Agenda.

**(6) Discussion of RRL Marketing Program:** No discussion this meeting but will be kept on the Agenda.

**(7) Discussion Terminal:** Gary Schulz has been flying to many different airports that have recently built new terminals and filmed a tour of each. Gary visited Rusk County, Phillips, Eagle River, Fond du Lac, and Wautoma.

Gary showed what he had recorded and narrated each one. It was found some had original ideas and good features and they also had things that did not come out so good. The discussion involved what items the Commission would like to see in our terminal and weighed those against the cost of each. After much discussion the consensus was we should put our ideas on paper and give them to an architect and see what is possible.

Gary Schwartz said that he has received a draft document from the Bureau of Aeronautics (BOA) that lays out the terms that need to be followed during the building of the new terminal.

Gary Schwartz said the financial end of the terminal was being discussed with the BOA and the City.

**(8) Manager's Report:** John Miller said he received a bid for \$2,500.00 from Merrill Pavers to repave the area right in front of the west side T-hangar doors. John said he did not accept that bid. John said he talked to Merrill Pavers and asked for a bid to just fill the gap with cold patch. John said the bid was \$785.00. John suggested the Commission accept this bid. Although the consensus of the Commission was to accept this bid it will be an Agenda Item for next month's meeting.

John Miller said the signs for the sponsors of the Airplane Monument need better posts than the ones that were put up for Airport Day. John said he will get that done soon. John also said the Merrill Airport sign will need some wood framing to keep the sign from coming out of the poles.

John Miller said that when the rear seat was taken out of the Roth 182 for the jumpers for Airport Day a handle broke. John said the part broke because of corrosion and that part is no longer made by Cessna. John said he will look for an alternative way to get this plane fixed and report back next month. John said he was also repairing a panel that was lost during flight Airport Day last year.

John Miller said he can no longer absorb the costs to fix the problems with the jump plane. John said he is going to have to bill some of this back to Airport Day.

John reported that Bob Mutz went to the City Attorney and complained about the bill for \$341.00 for the removal of the junk from his former property. John said that after some discussion between himself and the City Attorney it was agreed that Mutz would pay half and the Airport would pay the other half.

John Miller said he has been talking with Fortress Fence about fixing the north gate pad. John said Fortress has agreed to fix the pad for free if they can do it when they are here doing the fencing and the gates for the Project.

John Miller said that there is still a vacancy in the T-hangers. John said he has had four people look at the hanger but no one has committed. John said that a letter is ready to go out to about 200 pilots in the area. John said the letter talks about his business, the airport expansion and the availability of the hanger. John said that this is the first time in eight years that he is having trouble renting a T-hanger.

John Miller stated that the breaker for Runway 16/34 is popping after we received all the rain this fall. John said he is scheduled to speak with the people from Van Ert Electric about the problem.

**(9) Chairman's Report:** Gary Schwartz has no other items.

**(10) Aviation Happenings:** Gary Schulz reported that there are 400,000 inactive pilots due mainly to medical reasons. Adam Smith, a vice president with the AOPA would like to get these pilots back in the air and would like to see them do it through flying clubs. Currently there are 500 clubs but he would like to see 2000.

The FAA is also concerned about the decreasing pilot population and they would like to make it easier to get new aircraft certification. They are also looking into ways for quicker approvals of PMAs and STCs.

Gary Schulz also said there are companies starting to remanufacture the older airplanes and can sell them a lot cheaper than what manufacturers are charging for new aircraft.

**(11) Election of Chairperson:** Gary Schulz had a motion to re-elect Gary Schwartz as Commission Chairman. Joe Malsack seconded the motion. Motion passed.

**(12) Public Comment:**

**(13) Agenda Items for Next Meeting:** Bid to repair gap in front of west T-hangar doors.

**(14) Adjournment:** Joe Malsack made a motion at 9:35 PM to adjourn. The motion was seconded by Gary Schulz. The motion passed.

**These Minutes were recorded by John Miller, the Airport Manager and were ratified at the November 14, 2012 Airport Commission Meeting.**

1302210

**Minutes**  
**Airport Commission Meeting**  
**Wednesday, December 12, 2012**

**Present:** Gary Schwartz, Joe Malsack, Gary Schulz, Lyle Banser, Chris Malm and Airport Manager John Miller

**Also Present:** Steve Krueger & Larry Wenning

**(1) Call to Order:** Gary Schwartz called the meeting to order at 7:00 PM.

**(2) Approval of the November 14, 2012 Minutes:** Gary Schulz made a motion to ratify the minutes of the November 14, 2012 meeting. The motion was seconded by Joe Malsack. The motion passed.

**(3) Approval of Vouchers:** The vouchers were reviewed and signed by all. Joe Malsack made a motion to approve the vouchers. The motion was seconded by Chris Malm. The motion passed.

**(4) Update on 2006 Project:** Gary Schwartz said the City has agreed to fund the lights for Champagne Street as it runs into the Airport and the Airport parking lot. Gary said he has spoken with Kathy Unertl and was told the purchase of the lights would go through the Street Department so we will be able to shop around for the best price. The Street Department would also install the poles on the Airport Property.

**(5) 2013 Terminal Project:** Gary Schwartz showed the Commission plans and an outside view of the terminal that were drawn by Trantow's. A discussion followed and some suggestions were made on changes that might be considered.

Gary Schwartz said that he and John Miller met with Becher-Hoppe about the building of the terminal. Gary said they discussed the position of the buildings in the new area, roof design on both the terminal and FBO hanger in regard to water drain off and the possibility of a metal building for the terminal. All of these items were discussed by the Commission.

Gary Schwartz said that our budget for the building was \$500,000.00

**(6) Discussion/Decision Maintenance Hanger Furnace Replacement:** John Miller said he has spoken with Delta Heating and Cooling regarding the questions brought up last month about the size of the furnace for the Maintenance Building. John said the size was selected to recover quickly from the heat loss when the door is opened and to heat the equipment before a snow storm. John said the furnace is not used continuously.

Joe Malsack made a motion to approve the cost of \$1,876.00 for the purchase of a furnace for the Maintenance Building. Gary Schulz seconded. Motion carried.

**(7) Discussion–Airport Name:** No discussion this meeting but will be kept on the Agenda.

**(8) Discussion of RRL Marketing Program:** No discussion this meeting but will be kept on the Agenda.

**(9) Manager's Report:** John Miller reported that he has received written notification from the Bureau of Aeronautics (BOA) that it would be in the Airport's best interest that the Animal Shelter not be located on airport property . The letter stated it would hurt our good standing for securing any future federal funds. The letter also said the land would have to be sold at fair market value and be of a benefit to the Airport.

John Miller reported the landing lights on Runway 16/34 are still working properly. John said Van Ert Electric replaced 3 runs of wire and 11 transformers. John said the real test will be in spring when the ground thaws and we have the spring rains. John said hopefully this will last for four to five years till money is available to replace the lights.

John Miller said that he is allowing Police Officer Chris Hartwig to trap coyotes on the Airport. There are currently too many on the Airport grounds and we did have an airplane strike with a coyote this summer.

John said Hanger 9 is not rented yet. John said there was no response from the mailing that was sent out and although he has showed the hangar to four interested parties no one has committed.

John reported that he still has not made a decision regarding the QT warranty for the fuel system card readers. Gary Schwartz talked about the new credit cards that will be coming out that have a chip instead of the magnetic strip and in 2-3 years all the old systems will be obsolete. John said he would call other Airports and see how they are handling their maintenance warranties on the fuel systems.

John requested a bid from Land Clearing to clear two sections of small timber on the Airport. John said the bid was over \$10000.00. John said we have \$4,000.00 in our budget for land clearing. John suggested we start by the taxiway in the two areas and cut until we run out of money.

Steve Krueger made a suggestion that we look into renting equipment from Fabco to do this work ourselves. This idea was discussed and John said he will look into this.

**(10) Chairman's Report:** Gary Schwartz has no other items.

**(11) Aviation Happenings:** Gary Schulz said that a lot of aircraft companies like Cessna have been building plants overseas but now Embraer has built a plant in Florida.

**(12) Public Comment:** None.

**(13) Agenda Items for Next Meeting:** Joe Malsack said that the President from NTC would like to set up a meeting with the Commission to discuss an ad campaign for military and other people to fly into the Merrill Airport to do training at the Merrill NTC Campus.

**(14) Adjournment:** Joe Malsack made a motion at 8:20 PM to adjourn. The motion was seconded by Lyle Banser. The motion passed.

**These Minutes were recorded by John Miller, the Airport Manager and were ratified at the January 16, 2013 Airport Commission Meeting.**

**City of Merrill  
Zoning Board of Appeals  
Thursday, January 24, 2013 at 6:00 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Members Present: Pete Lokemoen (Chairperson), Bill Schneider, Dean Haas, James Koebe, Mark Peterson and Ron Burrow (Alternate).

Others Present: City Administrator Dave Johnson, Building Inspector/Zoning Administrator Darin Pagel, Lawrence Duginski, Nancy Lehman, Mary Duginski, Sherry Heath, Jeffrey Heath, Tammy Gruling, Gayle Oberg, David Oberg, Susan Locke, Moriah Locke, Robert Locke, Keith Lunders, Amy Hein, Wendi Weinkauf, Marianne Bunge, Jane Kleinhans, Brian Woller, Matthew Kleinhans, Carlie Kleinhans, Gerald Kleinhans, Lynne Voelz, Andrea Krueger, Patricia Stewart, Theresa Holt, Richard Ruge, David Sukow, Judy Hull, Richard Hull, Joan Kleinschmidt, Loyd Kleinschmidt, Todd Trapp, Ken Albers, Bob Opsahl, Virginia Zastrow, Eddy Woody and City Clerk Bill Heideman.

**Call to order and roll call**

Chairperson Lokemoen called the meeting to order at 6:00 P.M. City Clerk Heideman called the roll.

**Minutes of November 27<sup>th</sup>, 2012 meeting**

Motion (Koebe/Schneider) to approve, as submitted, the minutes of the November 27<sup>th</sup>, 2012 meeting. Carried.

**Public Hearing – Variance request from Gerald Kleinhans – 108 S. Foster Street**

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained the variance request.

Gerald and Jane Kleinhans, 611 N. Prospect Street, are requesting a variance for property at 108 South Foster Street. Per City of Merrill Code of Ordinances Section 105-148, it is a blighted influence on the neighborhood and has been ordered to be removed by April 1<sup>st</sup>, 2013. Also, City of Merrill Code of Ordinances Section 105-48 prohibits alteration to existing nonconforming buildings when the cost exceeds 50% of the assessed value of the property.

Building Inspector/Zoning Administrator Pagel has submitted a letter stating that he does not believe that building rehabilitation is a viable alternative. The letter addresses concerns related to siding, windows, roof, porch, foundation and the accessory building.

Motion (Schneider/Koebe) to open the public hearing. Carried.

Sixth District Alderperson Dave Sukow, 1901 Webster Street, spoke against the variance. He reported that the Committee of the Whole has mandated that the ordinances related to conditions of buildings should be strictly enforced.

Matthew Kleinhans, 1412 E. Tenth Street, spoke in favor of the variance. He stated that Gerald Kleinhans is not ignoring necessary improvements. He suggested that the City should seek to provide more opportunity.

Susan Locke, 108 S. Prospect Street, stated that she strongly agrees with Matthew Kleinhans. It is her opinion that the house is structurally sound.

Andrea Krueger, 404 N. Genesee Street, spoke in favor of the variance and suggested that the City consider ways to assist Gerald Kleinhans.

Gerald Kleinhans questioned Building Inspector/Zoning Administrator Pagel's conclusion that the accessory building is beyond repair. He stated that the building does need a new roof, but that he would like to keep that building if possible.

Matthew Kleinhans stated that there are currently several pole buildings in the site being discussed, and he thinks that they are more unsightly than the property that was condemned.

Motion (Haas/Schneider) to close the public hearing. Carried.

Ron Burrow asked Gerald Kleinhans how often he visited the tenants renting the properties that Mr. Kleinhans owns. Gerald Kleinhans responded that he does monitor the residences from the outside, but that he wants to provide privacy to his tenants.

Building Inspector/Zoning Administrator Pagel stated that he would agree to any timeline for improvements established by the Zoning Board of Appeals, but he asked that the granting of any variance with a timeline be very specific as to what must be completed by the deadline.

Motion (Koebe/Schneider) to grant Gerald Kleinhans a variance until October 31<sup>st</sup>, 2013, to complete the improvements at 108 South Foster Street. The necessary improvements are specified in the letter submitted by Building Inspector/Zoning Administrator Pagel to the Zoning Board of Appeals and presented to Gerald Kleinhans. If the improvements are not completed to the satisfaction of the City of Merrill Building Inspector by October 31<sup>st</sup>, 2013, the condemnation orders at 108 South Foster Street will proceed. Carried, with one "No" vote.

### **Public Hearing – Variance request from Jeffrey Heath – 2707 Crescent Drive**

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained the variance request.

Jeffrey Heath, 2401 W. Jackson Street (Apt. 55), is requesting a variance for the property at 2707 Crescent Drive. Per City of Merrill Code of Ordinances Section 113-317, an accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Currently, the only structure on the property is a garage.

Motion (Koebe/Haas) to open the public hearing. Carried.

Ken Albers, 2705 Crescent Drive, asked what the consequences would be if a variance is not granted. Pete Lokemoen responded that, if a variance is not granted, the property will be considered non-conforming. Ken Albers stated his concerns that, if a variance is granted, precedence will be set.

Nancy Lehman, 2712 Glen Drive, owns property within 100 feet of the property being discussed. She stated that the building on the property creates an unsightly appearance and lowers the property values of the surrounding properties. She is not in favor of the variance and asked that the law be upheld.

Richard Hull, 2710 Crescent Drive, spoke against the variance.

Richard Ruge, 2715 Crescent Drive, said that although he was not in favor of granting the variance, he did feel empathy for the current property owner.

Keith Lunders, 2709 Crescent Drive, agreed with Nancy Lehman, although he can understand Mr. Heath's predicament.

Bob Opsahl, 2721 Glen Drive, stated that several residents in that neighborhood have stated their hope that the variance request be declined.

Virginia Zastrow, 2708 Crescent Drive, stated that she agree with Nancy Lehman.

Matthew Kleinhans asked whether the property could be rejoined, or whether there might be another alternate solution.

Lynn Voelz, 2301 W. Jackson Street (Apt. 78), spoke in favor of the variance. She was the party who sold the property to Jeffrey Heath. She stated that, at the time of the sale, she was unaware of any zoning restrictions associated with the property.

Andrea Krueger spoke in favor of the variance. She stated that it is difficult for people to know all the zoning ordinances.

Jeff Heath spoke in favor of the variance. He stated that he bought the building to be used for storage. He reported that he applied for all the necessary permits when he worked on the building.

Sherry Heath, 2401 W. Jackson Street (Apt. 55) spoke in favor of the variance. She stated that improvements have been made to the building since her and her husband (Jeffrey Heath) purchased the building.

Ken Albers stated that, in the past, he was involved in a similar situation. He stated that he lost money as a result, but he stated his conviction that the law must be upheld.

Andrea Krueger stated that there are other instances of unattached garages in the City, and therefore approving the variance would not be setting a precedence.

Matthew Kleinhans spoke in favor of the variance.

Eddy Woody, 1010 East Ninth Street, stated that he was in a similar situation, and was told that he could do the same thing Mr. Heath has done.

Motion (Koebe/Haas) to close the public hearing. Carried.

Mark Peterson noted that the Zoning Board of Appeals duty is to rule on the variance alone, without considering the other circumstances mentioned earlier.

Dean Haas asked whether a title search had been done on the property. He was told that a title search had been done, and that nothing unusual was brought to light at that time.

Motion (Peterson/Haas) to decline the variance request, due to lack of criteria per City of Merrill Code of Ordinances Section 113-461. Carried, with one "No" vote.

#### **Next meeting date**

The next meeting will be at the call of the Chairperson.

#### **Public Comment**

None.

#### **Adjournment**

Motion (Peterson/Schneider) to adjourn. Carried. Adjourned at 7:03 P.M.

Minutes prepared and submitted by:



William N. Heideman, WCMC  
City Clerk

1302250

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

AN ORDINANCE: By Health and Safety Committee  
Re: Amending Chapter 32, Article V, Section 127 to  
add Parade Regulations.

ORDINANCE NO. 2013-  
Introduced: February 12, 2013  
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 V, Section 127 of the Code of Ordinances for the City of Merrill is amended to add the following with appropriate renumbering of subsequent sections:

### PARADE REGULATIONS

- (1) *Definitions.*
  - (a) *Parade* is any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in the City.
  - (b) *Person* is any person, firm, partnership, association, corporation, company or organization of any kind.
- (2) *Permit required.* No person shall engage in, participate in, aid, form, or start any parade, unless a parade permit shall have been obtained from the Chief of Police.
  - (a) *Exceptions.* This Section shall not apply to:
    1. Assembling or movement of a funeral procession or military convoy. Any parade, etc., sponsored by any agency of the school district, county, federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit; however, such shall be exempt from the application deadlines.
- (3) *Application.* A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by the City Clerk.
  - (a) *Filing period.*

1. An application for a parade permit shall be filed with the Chief of Police not less than 30 days nor more than 60 days before the date on which it is proposed to conduct the parade.

2. For any parade affecting a State Highway, a parade permit shall be filed with the Chief of Police not less than 90 days before the date.

(b) *Contents.* The application for a parade permit shall set forth the following information:

1. The name, address and telephone number of the person seeking to conduct such parade;

2. If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization;

3. The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

4. The date when the parade is to be conducted;

5. The route to be traveled, the starting point and the termination point;

6. The approximate number of persons who, and animals and vehicles which, will constitute such parade; the type of animals and description of the vehicles;

7. The hours when such parade will start and terminate;

8. A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed;

9. The location by streets or areas of any assembly for such parades;

10. The time at which units of the parade will begin to assemble at any such assembly area or areas;

11. The interval of space to be maintained between units of such parade;

12. Any additional information which the Chief of Police shall find reasonably necessary for a fair determination as to whether a permit should issue.

(c) *Late applications.* The Chief of Police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than 30 days before the date such parade is proposed to be conducted.

- (4) *Standards for issuance.* The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:
- (a) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
  - (b) The conduct of the parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the City;
  - (c) The conduct of such parade will not require the diversion of so great a number of emergency service vehicles as to prevent normal emergency vehicle service to portions of the City other than that to be occupied by the proposed line of march and areas contiguous thereto;
  - (d) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;
  - (e) The conduct of such parade will not interfere with the movement of firefighting equipment en route to a fire;
  - (f) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;
  - (g) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
  - (h) The parade is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.
- (5) *Notice of rejection.* The Chief of Police shall act upon the application for a parade permit within ten days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant within ten days after the date upon which the application was filed a notice of his action, stating the reasons for his denial of the permit.
- (6) *Appeal procedure.* Any person aggrieved shall have the right to appeal the denial of a parade permit to the Common Council. The appeal shall be taken within five days after notice. The Common Council shall act upon the appeal within 30 days after its receipt.
- (7) *Alternative permit.* The Chief of Police, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of the

action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate parade permit shall conform to the requirements of, and shall have the effect of a parade permit.

- (8) *Notice to City and other officials.* Immediately upon the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following:
  - (a) The Mayor;
  - (b) The City Administrator;
  - (c) The Fire Chief;
  - (d) The Street Commissioner.
- (9) *Contents of permit.* Each parade permit shall state the following information:
  - (a) Starting time;
  - (b) Minimum speed;
  - (c) Maximum speed;
  - (d) Maximum interval of space to be maintained between the units of the parade;
  - (e) The portion of the streets to be traversed that may be occupied by the parade;
  - (f) The maximum length of the parade in miles or fractions thereof;
  - (g) Such other information as the Chief of Police shall find necessary to the enforcement of this Section.
- (10) *Duties of permittee.* A permittee hereunder shall comply with all permit directions and conditions, with all applicable laws and ordinances, and shall use reasonable effort to assure that parade participants are aware of pertinent regulations. The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.
- (11) *Public conduct during parades.*
  - (a) *Interference.* No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.
  - (b) *Driving through parades.* No driver of a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
  - (c) *Parking on parade route.* The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this Section.

- (12) *Revocation of permit.* The Chief of Police shall have the authority to revoke a parade permit issued hereunder upon application of the standards for issuance as herein set forth.
- (13) *Distribution of items.* No person participating in the parade may sell, distribute or give away in any manner any pamphlet, article, good, ware, merchandise, candy or thing along the parade route while the parade is being conducted, unless:
  - (a) The item to be distributed has been approved by the Chief of Police; and
  - (b) The method of distribution involves one or more individuals walking along the curb line.

**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

1302251

# CITY OF MERRILL

1004 EAST FIRST STREET  
MERRILL, WI 54452-2586

AN ORDINANCE: By City Plan Commission  
Re: Amending the District Zoning Map of the  
City of Merrill, Wisconsin for Block 7 of  
T.B. Scott Lumber Company Addition and  
Block 1 and 2 of M.A. Space Addition

ORDINANCE NO. 2013-\_\_\_\_  
Introduced: February 12, 2013  
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.** The District Zoning Map of the City of Merrill, Wisconsin is hereby amended by changing the zoning of the following described property in Block 7 of T.B. Scott Lumber Company Addition and Block 1 and 2 of M.A. Space Addition from Business to Public, said parcels more particularly described as follows:

Lots One (1) and Two (2) of Certified Survey Map No. 1625 recorded September 3, 2002 and Lot 20, EXCEPT the East 10 feet thereof, and the East One-half (E ½) of Lot Nineteen (19) and the East 10 feet of the East One-half (E ½) of Lot Nineteen (19) Block Seven (7), T.B. Scott Lumber Company's Addition to Merrill, Lincoln County, Wisconsin.

AND

Lots 19, 20, 21, 22, 23, M.A. Space Addition to the City of Merrill, Lincoln County, Wisconsin.

**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

Attest:

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

1302260

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE VACATION OF A  
PART OF VALLEY STREET**

WHEREAS, 1211 Water Street LLC has requested the vacation of a portion of Valley Street in the City of Merrill, Lincoln County, Wisconsin; and

WHEREAS, the Board of Public Works on November 28, 2012 and the City Plan Commission on December 4, 2012 have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February 2013, that the following described street be vacated:

All that part of Valley Street lying South of the South right-of-way line of West Main Street and the North right-of-way line of Water Street extended between the Southeast corner of Lot Six (6), Block Two (2), and the Southwest corner of Lot Seven (7), Block One (1), all in the Riverview Addition Subdivision of the Merrill Woodenware Co., being a part of Government Lot Nine (9), Section Ten (10), Township Thirty-one (31) North, Range Six (6) East, in the City of Merrill, Lincoln County, Wisconsin.

The City of Merrill reserves an easement for construction and maintenance purposes related to utilities serving the public currently located in, on or around the vacated area.

BE IT FURTHER RESOLVED, that the City hereby declares that the street to be 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.

RECOMMENDED BY: Board of Public Works and City Plan Commission

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302261

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE VACATION OF A  
PART OF WATER STREET**

WHEREAS, 1211 Water Street LLC has requested the vacation of a portion of Water Street in the City of Merrill, Lincoln County, Wisconsin; and

WHEREAS, the Board of Public Works on November 28, 2012 and the City Plan Commission on December 4, 2012 have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February 2013, that the following described street be vacated:

All that part of Water Street lying East of a line between the Southeast corner of Lot Six (6), Block Two (2), and the Northeast corner of Lot Fourteen (14), Block Three (3) all in the Riverview Addition Subdivision of the Merrill Woodenware Co., and lying West of the Wisconsin River, being a part of Government Lot Nine (9) and a part of Government Lot Two (2), both in Section Ten (10), Township Thirty-one (31) North, Range Six (6) East, in the City of Merrill, Lincoln County, Wisconsin.

The City of Merrill reserves an easement for construction and maintenance purposes related to utilities serving the public currently located in, on or around the vacated area.

BE IT FURTHER RESOLVED, that the City hereby declares that the street to be 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.

RECOMMENDED BY: Board of Public Works and City Plan Commission

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302262

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A CERTIFIED SURVEY MAP ON STATE HIGHWAY 17 IN THE TOWN OF PINE RIVER BY DEWEY D. SCHWOCH AND BONNIE SCHWOCH**

WHEREAS, Dewey D. Schwoch and Bonnie Schwoch have 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 8, township 31 North, Range 7 East, Town of Pine River, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on February 5, 2013; 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 February, 2013, that the proposed certified survey map presented by Dewey D. Schwoch and Bonnie Schwoch and prepared by Keith J. Walkowski, of Riverside Surveying LLC, involving the Southwest ¼ of the Northeast ¼ of Section 8, township 31 North, Range 7 East, Town of Pine River, 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.

Recommended by: City Plan  
Commission

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302263

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A CERTIFIED SURVEY MAP ON JOHN,  
ARTHUR AND SOUTH THOMAS STREET REQUESTED BY MARIANNE  
BUNGE**

WHEREAS, Marianne Bunge has applied for approval of a division of land by certified survey map pursuant to Code of Ordinances Sections 111-116 for land located in Lots 9, 10, 11, 12, 13, 14, 15, and 16 of Block 2 of R.C. Schulz's Addition and a part of Assessor's Plat Lot 612 all being located in part of the Southwest ¼ of the Northeast ¼ of Section 15, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on February 5, 2013; 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 February, 2013, that the proposed certified survey map presented by Marianne Bunge and prepared by Keith J. Walkowski, of Riverside Land Surveying LLC, involving Lots 9, 10, 11, 12, 13, 14, 15, and 16 of Block 2 of R.C. Schulz's Addition and a part of Assessor's Plat Lot 612 all being located in part of the Southwest ¼ of the Northeast ¼ of Section 15, Township 31 North, Range 6 East, City of Merrill, 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.

Recommended by: City Plan  
Commission

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302264

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MERRILL, WISCONSIN AND WILLIAM J. AND SUNEE FILLMORE**

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 8 on September 13, 2011; and,

WHEREAS, William J. and Sunee Fillmore propose an addition to the building at 1000 West Main Street which is located within TID No. 8; and

WHEREAS, at least one new full-time job and potential additional part-time jobs will result from this building expansion and equipment installation; 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 serve a public purpose in accordance with State law; and,

WHEREAS, the City and William J. and Sunee Fillmore have negotiated the development agreement to provide an incentive payment to facilitate the building expansion.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February, 2013, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and to facilitate the implementation thereof.

Recommended by: Redevelopment  
Authority and Committee of the Whole

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302265

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MERRILL, WISCONSIN AND MARK A. RAYMER**

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 8 on September 13, 2011; and,

WHEREAS, Mark A. Raymer proposes rehabilitating the exterior façade of a historic commercial building located at 1502 West Main Street which is located within TID No. 8; and

WHEREAS, both retail and residential interior rehabilitation is proposed; 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 serve 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 to facilitate the rehabilitation of a historical commercial building.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February, 2013, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Mark A. Raymer to facilitate the implementation thereof.

Recommended by: Redevelopment  
Authority and Committee of the Whole

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302266

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AMENDING LEAVES – SICK LEAVES AT SECTION 12-3 AND SECTION 12-3-9, TO ADD EMPLOYEE DEATH PLAN.**

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employee Handbook for the City of Merrill non-union employees by Resolution No. 2226; and

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates to Leaves at Section 12-3 and 12-3-9, to add a new Employee Death Plan option at Section 12-3-9; and

WHEREAS, the Personnel and Finance Committee has recommended a change to the policy as follows:

**12-3 SICK LEAVE.** Sick leave for all regular employees is accumulated at a rate of one work day for each month of continuous service. Upon termination of an employee, any accumulated sick leave, except for retirement or employee death, as provided below, is forfeited and not paid.

12-3-9 Sick leave accumulation upon employee death before retirement is set at a maximum of the employee's total accumulated sick leave hours or 1,300 hours, whichever is less. Accumulated sick leave may be converted to a sick leave cash equivalent based on the employee's hourly rate at the time of death times the sick leave accumulation. The sick leave cash equivalent may only be paid as a cash payout to the estate of the deceased employee. The effective date of this provision is April 1, 2013.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February, 2013, that the Personnel Policies Employee Handbook is amended by adding the highlighted language as follows at Section 12-3 and 12-3-9:

**12-3 SICK LEAVE.** Sick leave for all regular employees is accumulated at a rate of one work day for each month of continuous service. Upon termination of an employee, any accumulated sick leave, except for retirement or employee death, as provided below, is forfeited and not paid.

12-3-9 Sick leave accumulation upon employee death before retirement is set at a maximum of the employee's total accumulated sick leave hours or 1,300 hours, whichever is less. Accumulated sick leave may be converted to a sick leave cash equivalent based on the employee's hourly rate at the time of death times the sick leave accumulation. The sick leave cash

equivalent may only be paid as a cash payout to the estate of the deceased employee. This change is effective as of April 1, 2013.

Recommended by: Personnel and  
Finance Committee

CITY OF MERRILL, WISCONSIN

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

Passed : \_\_\_\_\_

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

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

1302267

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF SUPPORT FOR THE RIVER BEND TRAIL PROJECT**

**Whereas** residents of the City of Merrill organized the River District Development Foundation of Merrill (Foundation) and a Friends of the River District group to provide resources that allow all Merrill area citizens to take part in the community's beautiful river corridors; and

**Whereas** the Foundation is a donor advised organization of the Community Foundation of North Central Wisconsin and donations would realize IRS charitable contribution benefits; and

**Whereas** the Foundation has produced a trail concept report through a grant and technical services from the National Park Service; and

**Whereas** the Foundation will undertake a capital campaign to raise \$1 million dollars to fund development of a segment of the River Bend Trail west from Center Avenue in the City of Merrill to Council Grounds State Park; and

**Whereas** in cooperation with the Foundation, the Merrill Parks and Recreation Department (Department) has been studying the concept of developing a multiple-use, non-motorized trail along the Wisconsin River on abandoned railroad right-of-way west from Center Avenue to Council Grounds State Park; and

**Whereas** linear parks (trails) are included as a category of park facilities in the new five-year Parks and Recreation Plan through which the City is eligible for federal and state recreation funding; and

**Whereas** the Department has obtained appraisals of Canadian National Railroad (the railroad) properties: known as the Wood Line, in Merrill along the Wisconsin River in anticipation of possible purchase for a corridor on which a trail would be developed in part; and

**Whereas** the Department has engaged the railroad in discussions about the purchase of the Wood Line properties; and

**Whereas** the City requires an environmental assessment, with acceptable results, and indemnification to use land on which a trail may be developed; and

**Whereas** the Department anticipates submitting applications to the Department of Natural Resources and the Wisconsin Department of Transportation for grants to purchase land and develop trail facilities; and

**Whereas** Wisconsin Public Service Corporation has communicated that it will cooperate with the City to provide public access to land it owns on the Wisconsin River at Center Avenue that may serve as a trail head facility; and

**Whereas** funding to build the trail would be provided through the Foundation and demonstrate cooperation for public good;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February, 2013, that the Common Council along with the Merrill Parks and Recreation Commission supports the River Bend Trail project and will enter into discussions with the Foundation to establish mutual understandings on which the partnership would be based, such discussions to include the following concepts:

1. The Foundation would raise money to finance development of the trail project including:
  - a. Purchase of land
  - b. Local match dollars for grants
  - c. Environmental investigations
  - d. Preliminary and final design documents
  - e. Trail construction
  - f. Trail enhancements and amenities
  - g. Ongoing trail maintenance
2. Within its usual and customary methods of project management and park facility development activities, the Department would provide guidelines and specifications for trail facilities that may be constructed.
3. The Foundation, in cooperation with and under the oversight of the Commission, would undertake the following tasks:
  - a. Encourage the adoption by the Commission of a River Bend Trail of Merrill project concept west from Center Avenue to Council Grounds State Park as described in the River Bend Trail Concept Plan Report, prepared by the National Park Service, and Foundation literature
  - b. Seek the preparation of a scope of work on terms acceptable to the Commission for possible trail development that would provide guidance and detail as necessary and would include pledges for the following activities:
    - i. Secure for the City an acceptable Environmental Assessment with appropriate indemnification to make it possible for the City to become holder in title to any property that is proposed for trail development
    - ii. Prepare an Environmental Assessment in cooperation with the Wisconsin Department of Natural Resources
    - iii. Prepare documents to place the railroad Wood Line parcels on official City Map

- iv. Administer a schedule for federal and state grant applications
    - v. Acquire land for trail development purposes
    - vi. Prepare preliminary and final design documents
    - vii. Prepare a trail construction project description and schedule
  - c. Determine annual maintenance costs for a trail and a method to finance them.
- 4. In cooperation with the Foundation, the Department would administer applications for federal and state grants.
  - a. The Foundation would provide the funding required for the local match requirements for grants that may be awarded to the Department
- 5. The Foundation would initiate discussions with Wisconsin Public Service Corporation for possible access through easement or other means to land at the Merrill hydro dam on the Wisconsin River at Center Avenue for trail purposes.
- 6. The Foundation and Commission would on a regular basis inform each other about The River Bend Trail of Merrill fund raising and project development activities.

**Be It Further Resolved** that the City of Merrill Common Council, City of Merrill Parks and Recreation Commission, and the River District Development Foundation of Merrill shall use their best efforts to implement the goals and tasks as set forth above, and as maybe adopted and reviewed by the signers hereof from time to time.

Recommended: Parks and Recreation    CITY OF MERRILL, WISCONSIN  
Commission

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

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

Passed: \_\_\_\_\_

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

1302268

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ADOPTING THE 2013 – 2018 MERRILL OUTDOOR RECREATION PLAN FOR THE CITY OF MERRILL WISCONSIN**

WHEREAS, the City of Merrill must maintain its eligibility for State and Federal funding through the LAWCON and Stewardship programs for the development of park and recreational facilities; and,

WHEREAS, the Park and Recreation Commission have worked closely with the City's staff and Planning Consultant to update the previous recreation plan; and,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of February, 2013, that pursuant to Wisconsin Statutes Section 62.23(3), the Common Council, as an aid to the Park and Recreation Commission in the performance of their duties, does hereby approve and certify the following document, as amended,

City of Merrill 2013 – 2018 Merrill Outdoor Recreation Plan (February 6 2013 as amended);

BE IT FURTHER RESOLVED that this Merrill Outdoor Recreation Plan of the City of Merrill shall replace the City of Merrill Outdoor Recreation Plan dated 2008-2013.

Recommended by: Park and Recreation Commission

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302269

**RESOLUTION NO.**

**A RESOLUTION HONORING DALE E. KNAPP FOR HIS EXTENDED SERVICE AND GREAT CONTRIBUTION TO THE CITY OF MERRILL**

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens; and,

WHEREAS, the City of Merrill has a strong foundation on which to expand, progress, and develop towards an even better community; and,

WHEREAS, Dale E. Knapp has served as a Police Officer at the Merrill Police Department from February 8, 1993 to December, 30, 2012; and,

WHEREAS, the personal commitment and unselfish dedication Dale E. Knapp has put forth has contributed greatly to the growth, progress and stability of the City of Merrill; and,

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens in part because of Dale E. Knapp's dedicated service; and,

WHEREAS, Dale E. Knapp's cheerful manner and hard work 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 February, 2013, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Dale E. Knapp has given to the City of Merrill and commends him for those years of service.

Recommended: Common Council

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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

1302269A

**RESOLUTION NO.**

**A RESOLUTION HONORING DENNIS H. BERNDT FOR HIS EXTENDED SERVICE AND GREAT CONTRIBUTION TO THE CITY OF MERRILL**

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens; and,

WHEREAS, the City of Merrill has a strong foundation on which to expand, progress, and develop towards an even better community; and,

WHEREAS, Dennis H. Berndt has served at the City of Merrill Street Department from January 6, 2003 to January 4, 2013; and,

WHEREAS, the personal commitment and unselfish dedication Dennis H. Berndt has put forth has contributed greatly to the growth, progress and stability of the City of Merrill; and,

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens in part because of Dennis H. Berndt's dedicated service; and,

WHEREAS, Dennis H. Berndt's cheerful manner and hard work 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 February, 2013, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Dennis H. Berndt has given to the City of Merrill and commends him for those years of service.

Recommended: Common Council

CITY OF MERRILL, WISCONSIN

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

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

Passed: \_\_\_\_\_

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