

130790

**City of Merrill  
Committee of the Whole  
Tuesday, June 11, 2013 at 5:30 P.M.  
City Hall Common Council Chambers  
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, Street Commissioner Richard Lupton, Police Chief Ken Neff, Building Inspector/Zoning Administrator Darin Pagel, City Hall Maintenance Supervisor Ramona Pampuch, Fire Chief Dave Savone, Library Director Stacy Stevens, Treasurer/Finance Director Kathy Unertl, Tom Wistein, Michael Caylor Jr., Duane Pfister and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

**Call to order**

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

**Consider request to lift hiring freeze to hire Street Department employee**

A Street Department employee has announced his retirement. Based on this, Street Commissioner Lupton has requested that the hiring freeze be lifted to fill the vacancy that will be created by this retirement.

130691

Motion (Hass/Schwartzman) to lift the hiring freeze to replace a retiring Street Department employee. Carried.

**Consider request to lift hiring freeze to hire Firefighter/Paramedic**

A Firefighter/Paramedic has resigned to accept employment in Wausau. Based on this, a request has been submitted to lift the hiring freeze to fill the vacancy that will be created by this resignation.

**130692**

Motion (Hass/Sukow) to lift the hiring freeze to replace a Firefighter/Paramedic who has resigned to accept a firefighter position in Wausau. Carried.

**Discussion of new City logo design**

City Administrator Johnson reported that the City invited school children to enter a contest by submitting a design for a new City logo. No entries were submitted, however. Based on this, and the fact that there seems to be consensus to develop a new City logo, City Administrator Johnson prepared drafts of two similar logos, both featuring the three-arch bridge. Copies of the logos were in the meeting packet.

City Administrator Johnson asked if the committee members liked the basic design of the logos he has drafted. He stated that, if the basic design is acceptable, it could be refined later. Consensus was reached that work on a new logo should continue. No formal action was taken at this time.

**Consider resolution for development agreement with Gateway North, LLC**

Information on a proposed development agreement and related resolution were in the meeting packet. The proposed development agreement would help facilitate the building of a restaurant (El Mezal) near the AmericInn. The agreement includes the following development incentives: \$10,000 to the restaurant operator to be used to purchase a Reserve "Class B" liquor license; \$35,000 (maximum) to the property/building owner (Gateway North, LLC) for stormwater improvements; \$100,000 (\$20,000 annually for five years, 2015-2019) to the property/building owner.

Alderman Malm asked whether there was any documentation that demonstrates that the \$100,000 incentive payment is necessary to ensure that the project becomes reality. City Administrator Johnson responded that the incentive would be given to the developer to provide funding to build the restaurant. Alderman Malm responded to that by stating that, from his position, it would be a difficult decision to approve the \$100,000 incentive payment even if there was a financial "gap" that could jeopardize the project. Without proof of such a gap, he cannot support the incentive payment.

Alderwoman Caylor, Alderman Malm and Alderman Hass all stated that they would be in favor of a "loan" as part of the development agreement, but that they would not support a "gift".

Alderman Sukow, Alderman Schwartzman and Alderman Burgener spoke in favor of the development agreement and incentives.

Motion (Schwartzman/Norton) to approve the development agreement and related resolution. Carried.

The resolution is on the June 11<sup>th</sup>, 2013 Common Council meeting agenda.

### **Discuss future of Municipal Court**

Information was in the meeting packet. City Administrator Johnson had requested that this item be placed on the agenda. He explained that the term for the Municipal Judge will end in the spring of 2014, so now is the time to discuss and consider any potential changes to the Municipal Court. Option include: retaining the court, creating a combined court with the City of Tomahawk or discontinuing the court and sending the cases to Circuit Court.

The City of Tomahawk has asked about the possibility of a joint court. Discussions of this are ongoing with the City of Tomahawk.

City Administrator Johnson stated that he was in favor of retaining the court in some capacity.

City Attorney Hayden spoke in favor of retaining the court. He stated that Municipal Court is able to process and resolve cases much faster than Circuit Court. Also, he feels that people have a high level of confidence in the Municipal Court, which they may not have in the Circuit Court.

City Attorney Hayden issued a reminder that the City cannot set the hours for the court, as those are established by the Municipal Judge.

Building Inspector/Zoning Administrator Pagel spoke in favor of retaining the court, stating that, among other benefits, it provides for more timely resolution to building code violation cases.

City Attorney Hayden stated that he could handle the extra workload that would result if a decision is made to create a joint court with the City of Tomahawk.

Alderman Hass suggested that the Municipal Court be retained, and that discussions on a joint court with the City of Tomahawk should continue.

No action was taken at this time.

### **Public Comment**

None.

**Adjournment**

Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 6:18 P.M.

Minutes prepared and submitted by:

William N. Heideman, WCMC  
City Clerk