

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

AGENDA

- 131110** Invocation by Pastor Paul Hohman, New Testament Church
- 131115** Pledge of Allegiance
- 131120** Roll Call
- 131130** Minutes of October 8th, 2013 Common Council meeting
- 131140** Revenue & Expense Report – October 2013
- 131160** Communications and Petitions
- 131161** Consider request from Merrill Area Development Corporation to amend Article I, Section 1.02(e) of a development agreement to change the width of an easement from a maximum of 50 feet to a maximum of 25 feet. Mayor Bialecki is bringing this request directly to the Common Council. The development agreement was approved by the Common Council by Resolution #2326 at a meeting on September 5th, 2013, by a vote of 7 to 0.

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| PUBLIC HEARING ON PROPOSED 2014 CITY BUDGET |
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- 131180** Housing Authority – No Action
- 131190** Committee of the Whole
- 131191** The Committee recommends approving, as presented at the November 5th Committee of the Whole meeting, the agreement between the City of Merrill and the City of Tomahawk to establish a joint municipal court.
- 1311100** Community Development Committee – No Action
- 1311110** Parks and Recreation Commission – No Action
- 1311120** Board of Public Works – No Action

1311130 Health and Safety Committee

1311131 The Committee recommends approving the change of agent application from Kwik Trip Inc., appointing Heather E. Timm as agent at Kwik Trip #386, 2311 East Main Street.

1311140 Personnel and Finance Committee – No Action

1311150 Water and Sewage Disposal Committee – No Action

1311160 City Plan Commission

1311161 The Commission recommends approving, as submitted by Park City Paths, the signage placement plan for four self-guided walking paths (historical, retail fitness and parks). For all signs placed on private property, Park City Paths would be responsible for obtaining a written waiver of liability from the property owner. City sign permits would not be required.

1311170 Transit Commission – No Action

1311180 Library Board – No Action

1311185 Redevelopment Authority – No Action

1311200 Enrichment Center Committee on Aging – No Action

1311210 Airport Commission – No minutes submitted

1311230 Placing Committee Reports on File

1311240 Mayor's Appointments

Kathy Colclasure, to the Housing Authority, term to November 10th, 2018

ORDINANCES

1308250 An Ordinance amending Code of Ordinances Chapter 10, to change from a municipal court to a joint municipal court (First reading of the ordinance was at the October 8th, 2013 Common Council meeting)

1311250 An Ordinance amending Chapter 6, Article IV, Section 6-96 to include keeping of chickens (from October 28th, 2013 Health and Safety Committee meeting)

- 1311251** An Ordinance related to the salary for the elected Street Commissioner (from October 29th, 2013 Personnel and Finance Committee meeting)
- 1311252** An Ordinance related to the salary for the elected City Clerk (from October 29th, 2013 Personnel and Finance Committee meeting)
- 1311253** An Ordinance adopting the 2014 City of Merrill Budget and Establishing the Tax Levy for Year 2013

RESOLUTIONS

PUBLIC HEARING ON AGENDA ITEM #1311260

- 1311260** A Resolution authorizing the vacation of a north-south 20 foot wide alley lying between Lots 10, 11, 12, and 6, 7, 8, 9, in Block 3 of Mrs. Stewart's Addition (from August 28th, 2013 Board of Public Works meeting and September 3rd, 2013 City Plan Commission meeting)
- 1311270** Mayor's Communications
- 1311280** Public Comment Period
- 1311999** Adjournment

William N. Heideman, CMC, 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.

131180

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

Wednesday, October 9, 4:00 P.M. Jenny Towers Library, Merrill, WI

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

ABSENT: Paul Wagner and Denise Humphrey

PUBLIC HOUSING - PARK PLACE and WESTGATE MEETING called to order by Chairman Katly Colclasure. Motion to excuse Paul Wagner from meeting. Kostman/Weissinger. Motion passed unanimously. Motion to approve the minutes of September 11th, 2013 meeting. Kostman/Weissinger. Motion passed unanimously.

Discussion and motion to approve Checks #21392 thru #21430 and Billings to date for September, 2013 with attached list of expenditures: Kostman/Weissinger. Passed unanimously by roll call vote: Kostman - aye, Colclasure - aye and Weissinger-aye.

Move-ins and Move-outs for September 2013: Motion to accept report and place on file. Kostman/Weissinger. Motion passed unanimously.

Report on Park Place Investments: LaDonna reported that the two accounts realized a gain of \$225.61. This is a small gain, but we are following the investment guidelines from HUD. Motion to accept report and place on file. Weissinger/Kostman. Passed unanimously.

Review Annual Financial Audit for year ending December 31, 2012: LaDonna gave a brief overview of the audit, reminding Commissioners that in 2012, MHA did not get an operating subsidy from HUD. She reported that the audit was good, clean and unqualified. She referred Commissioners to pages 6-9, the contents of which give an overview of the financials and any circumstances that contributed to significant swings. Motion to accept report and place on file. Kostman/Weissinger. Passed unanimously.

Development Recap: Conversations with HUD & Commonwealth Development: LaDonna reported that she made some phone calls to find out why some of the developers did not reply to the RFQ. Commonwealth Developers said they did not reply because of their current work load. Horizon did not reply because they felt we would not score high enough on the current WHEDA application. While in attendance at the recent WAHA conference, LaDonna was able to speak to John Finger, (Milwaukee HUD Director) regarding the decision to put the current RFQ on hold. John agreed that under the circumstances the Board had made a wise decision.

Physical Needs Assessment Request: LaDonna read through the PNA hand-out. She requested board approval to seek out and hire an independent vendor other than our current firm who can perform a thorough PNA/GPNA that will: comply with current and pending HUD reporting requirements for PNA/GPNA, provide detailed guidance and direction for all of our properties (big picture planning), provide priority planning guidance, can be used by MHA for future redevelopment planning as well as on-going property maintenance and management planning. Motion to approve LaDonna's request. Kostman/Weissinger. Passed unanimously.

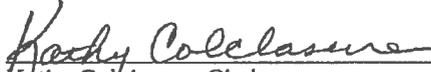
For the Good and Betterment of the Public Housing Program:

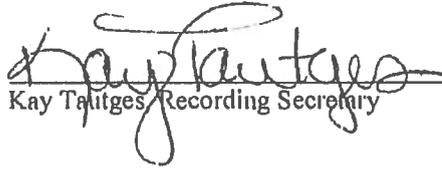
1. Commissioner Items/Comments: None.

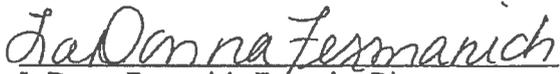
2. Executive Director's Report: LaDonna attended a Smoke-Free Housing Session while at the WAHA Fall Conference. Some MHA tenants have been asking about having a no smoking policy. MHA does have the right to limit smoking but HUD does not require a no smoking policy. The topic is addressed on a survey which will be given to each tenant. Also, included on the survey are questions asking for input on our facilities, services and activities. LaDonna took a course on-line for improving maintenance productivity. MHA was represented at the Healthy Life Style Expo held at the Marc and emphasized getting the word out about short waiting lists.
3. Public Comment Period: None

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

Denise Humphrey said she would be arriving late and at this point in the meeting still had not arrived. Motion to excuse Denise Humphrey from the Park Place meeting. Kostman/Weissinger. Passed unanimously. Motion to adjourn at 4:30 P.M. and open Section-8 Housing - Jenny Towers Meeting. Kostman/Weissinger. Passed unanimously.


Kathy Colclasure, Chairman


Kay Taitges, Recording Secretary


LaDonna Fermanich, Executive Director

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

Wednesday, October 9, 2013, 4:30 P.M., Jenny Towers Library, Merrill, WI 54452

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

ABSENT: Paul Wagner

SECTION-8 HOUSING - JENNY TOWERS and SCATTERED SITES MEETING called to order by Chairman Kathy Colclasure. Motion to excuse Paul Wagner from the meeting. Kostman/Weissinger. Passed unanimously. Motion to approve minutes of September 11, 2013 meeting and today's agenda: Kostman/Weissinger. Motion passed unanimously.

Discussion and motion to approve Checks #16597 thru #16635 and Billings to date for September 2013 with attached list of expenditures: Kostman/Weissinger. Passed unanimously by roll call vote: Colclasure-aye, Kostman-aye, Humphrey-aye, and Weissinger-aye.

Discussion and Approval of Move-ins and Move-outs for September 2013: Motion to accept report and place on file. Kostman/Weissinger. Motion passed unanimously.

Report on Jenny Tower Investments: LaDonna reported a gain of \$50,210.83 in the BMO Harris Bank Trust Investment. Motion to accept and place on file the Investment Report. Weissinger/Kostman. Passed unanimously.

Report of Miscellaneous Projects (to date): LaDonna reviewed the costs of previously approved miscellaneous projects on a handout provided to Commissioners.

Summary of Financial transfer: LaDonna provided a list of larger expenses incurred to date, including the miscellaneous projects report, insurance costs, and security deposit refunds which had been paid out of the general funds. She requested authorization to transfer the costs from the JT investment funds into the general funds to cover those expenditures and replenish the general funds to the levels required by the current Investment Policy. Motion to approve a transfer of \$26,493.00 from the investment fund to the general fund. Kostman/Weissinger. Passed unanimously.

Request to pursue Focus on Energy Incentive Programs: LaDonna reviewed the Direct Install project and the Incentive programs available to MHA through the Focus on Energy Programs. FOE staff will be replacing current bulbs, showerheads and faucet aerators for more energy efficient ones and has provided MHA with the estimated savings in utility costs. FOE also suggested converting the current electric water heaters at Jenny Towers to energy efficient gas water boilers and replacing or retrofitting hallway and exit light fixtures converting them from T12 to T8 and to LED. In order to qualify for the incentives, the projects must be completed before year-end. Motion to give LaDonna approval to proceed with the incentive programs and to accept the lowest vendor bids for the lighting and water heater replacement projects to be completed before year-end. Kostman/Weissinger. Passed unanimously.

Discussion of Scattered Site Maintenance concerns: LaDonna reported that two of the scattered sites will be vacant as of 10/31. Both of these sites are in need of bathroom and kitchen updates however, the bathrooms would be a priority. She would like to complete any improvements before moving new tenants in if possible. Motion made for LaDonna to complete a needs assessment of the two units and bring estimates for improvements to future meeting for approval. Kostman/Weissinger.

Closed Session: Personnel Matters regarding 2014 Wage Ranges and Legal Matters: Motion to go into closed session at 4:55 p.m. Kostman/Weissinger. Passed unanimously. Minutes from Closed Session to be filed separately and confidentially. Closed Session attended by: K. Colclasure, A. Kostman, D. Humphrey, R. Weissinger, R. Norton & L. Fermanich. Motion to exit Closed Session at 5:10 p.m. and return to Open Session. Kostman/Humphrey. Passed unanimously.

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

1. Commissioner Items/Comments – None.
2. Executive Director's Report – Kay attended & completed an Excel computer course, staff asked to set goals as part of their upcoming evaluation.
3. Public Comment - None.

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

Motion to adjourn meeting at 5:15 p.m. Weissinger/Kostman. Motion passed unanimously,


Kathy Colclasure, Chairman


Kay Tautges, Recording Secretary


LaDonna Fermanich, Executive Director

130890

**City of Merrill
Committee of the Whole
Monday, October 7, 2013 at 6:00 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, Fire Chief Dave Savone, Police Chief Ken Neff, Finance Director Kathy Unertl, Utility Superintendent Kim Kriewald, City Hall Maintenance Supervisor Ramona Vanderkam, Vince Conrad, Kortney Pike, Tom Wistein, Matt Kucirek, Chris Marion, Vicki Thoreson, 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 6:00 P.M.

Consider pricing for City-owned Wittman Heights lots

No information was in the meeting packet.

City staff is seeking input from the committee on establishing a price for several vacant lots in the Wittman Heights Subdivision, located on Alexander Street and at the corner of Alexander Street and Jackson Street. The City currently owns the lots and is seeking potential purchasers who would hopefully then develop the lots.

City Attorney Hayden distributed a Certified Survey Map depicting the lots. The total area of all the lots is approximately 42,000 square feet. City Attorney Hayden reported that one non-profit organization has approached the City regarding the possible purchase of the lot labeled Lot #3.

Mayor Bialecki suggested establishing a price of \$2,400 per lot.

Finance Director Unertl suggested that, for any lot(s) sold to non-profit entities, a Payment in Lieu of Taxes agreement be prepared.

The Committee of the Whole suggested that all of the lots be appraised prior to any prices being established. Without objection, it was so ordered.

No formal action was taken.

Consider 2014 compensation for Mayor, Council President & Alderpersons

Information and a proposed ordinance were in the meeting packet.

At a meeting on July 23rd, 2013, the Personnel and Finance Committee made the following recommendations, which, if approved, would take effect for the terms beginning in 2014:

1. Annual compensation for Common Council President to be increased by \$520
2. Annual compensation for Common Council members who are not the President to be increased by \$260
3. Annual compensation for the Mayor to be increased from \$12,600 to \$18,000

The proposed ordinance would incorporate those increases into the Code of Ordinances.

Motion (Caylor/Schwartzman) to recommend adopting the ordinance.

Motion (Caylor/Sukow) to amend by changing the sentence "Alderman attending the annual budget meeting shall be compensated One Hundred Dollars (\$100.00) for the day" to read "Alderman attending the annual **all day** budget meeting shall be compensated One Hundred Dollars (\$100.00) for the day". Motion to amend carried.

Motion to recommend adopting the ordinance, as amended, carried.

The ordinance (as amended) will be on the November 12th, 2013 Common Council meeting agenda.

Review and consider City Organizational Charts for 2014

Information was in the meeting packet. Updated organizational charts were distributed.

City Administrator Johnson reviewed the charts. He stated that he was not looking for approval of the charts at this time. He noted that the charts can be used as a tool/guide during the 2014 budget preparation process.

No action was taken.

Review and consider comparable compensation report and recommendations

Information was in the meeting packet. City Administrator Johnson distributed updated information.

City Administrator Johnson reported that, in some cases, City of Merrill employees are receiving a higher compensation than in other municipalities, and in other cases they are receiving a lower compensation. He added that the Utility Superintendent is receiving a significantly lower compensation than in other municipalities.

City Administrator Johnson explained that, at this time, the report was being provided for information only.

No action was requested, necessary or taken.

Review and consider proposed new non-union compensation plan

Information was in the meeting packet.

City Administrator Johnson reported on the employee compensation step/grade schedules currently in effect. The current schedules have wide deviations in annual adjustments, and employees reach the top of their pay scale relatively quickly. Therefore, City Administrator Johnson is proposing the adoption of new schedules.

The proposed new *Administrative, Professional, Supervisory and Technical Personnel* schedule has 14 grades and 13 steps. The proposed new *Clerical and Other Support Staff* schedule has 8 grades and 10 steps.

Compensation amounts for members of the police and fire unions are currently being negotiated.

Two proposed *Former AFSCME Personnel* schedules were presented for consideration. One of the schedules has 11 grades and the other has 12 grades. City Administrator Johnson is recommending the schedule with 12 grades.

City Administrator Johnson suggested that the new schedules could be incorporated into the 2014 budget. The schedules will be considered further at the October 29th Committee of the Whole meeting.

Alderman Caylor expressed concern that increases for long-term employees will be proposed in the event the new schedules are ultimately approved.

No action was necessary, requested or taken at this time.

Schedule additional Committee of the Whole meetings

Information was in the meeting packet. City staff is proposing that Committee of the Whole meetings will be held on Tuesday, October 15th and Tuesday, October 29th. The October 15th meeting will begin at 5:30 P.M. and concentrate on the 2014 Capital Budget. The October 29th meeting will begin at 6:00 P.M. and will concentrate on the 2014 Operational Budget.

Without objection, the meetings were scheduled for the indicated dates at the indicated times.

Distribution of updated Highway 64 project schedule

City Administrator Johnson distributed an updated schedule of the ongoing Highway 64 project.

Public Comment

None.

Distribution of potential employee health insurance options information

Vicki Thoreson, a representative of M-3 (the company that oversees the City's employee health insurance program with Security Health) distributed information on the pending employee health insurance renewal and potential insurance options.

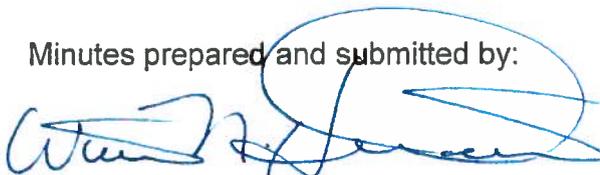
Motion to convene in closed session (no motion was made)

Note: No motion was made to convene in closed session.

Adjournment

Motion (Caylor/Hass) to adjourn. Carried. Adjourned at 7:06 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

131190

**City of Merrill
Committee of the Whole
Tuesday, October 15, 2013 at 5:30 P.M.
City Hall Common Council Chambers
1004 East First Street**

Committee of the Whole members present (8 of 9): Mayor Bill Bialecki, 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). Alderman Chris Malm (First District) was absent.

Other attendees: City Administrator Dave Johnson, Police Captain Corey Bennett, Fire Captain Mike Drury, City Attorney Tom Hayden, Utility Superintendent Kim Kriewald, Street Commissioner Richard Lupton, Library Director Stacy Stevens, Finance Director Kathy Unertl, City Hall Maintenance Supervisor Ramona Vanderkam, Parks & Recreation Director Dan Wendorf, Greg Hartwig, Tom Wistein, Roger Drewek and City Clerk Bill Heideman.

Call to order

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

Proposed Wellness program and fiscal participation penalties.

Information was in the meeting packet.

Finance Director Unertl reported on a proposed Wellness Program for City employees.

Proposed HMO and HSA plans and fiscal costs, employee cost sharing %

The meeting packet included information on six employee medical plan options available through Security Health.

Finance Director Unertl reported that, of the six options, City staff is recommending that Option #4 and Option #5 be offered to employees, as follows:

- Option #4 - High Deductible Health Plan. This plan is cost neutral for City and employees.

- Option #5 – Traditional Plan. This plan reduces City costs and increases employee out-of-pocket expenses.

Alderman Norton suggested that no decisions be made until after it has been determined, based on the outcome of ongoing union negotiations, which health insurance option(s) the members of the Police and Fire unions will be offered. He was told that, as part of those negotiations, the City is offering Option #4 and Option #5 to union members.

Alderwoman Caylor mentioned that she was pleased to see that the City is offering employees health insurance options.

Motion (Caylor/Sukow) to approve, as presented, the establishment of a Wellness Plan for City employees, and to approve offering to City employees, as presented, Option #4 and Option #5 as Employee Medical Insurance Plan options through Security Health, in 2014. Carried.

Proposed pay grids and salary adjustments

New pay grids being proposed by City Administrator Johnson were in the meeting packet.

City Administrator Johnson is recommending grade adjustments for three positions. He distributed information on those positions. The recommendations he is making are as follows:

1. Utility Superintendent: Grade 9 to Grade 10. The annual salary for the employee currently in that position (Kim Kriewald) would increase from \$64,490.00 to \$68,641.68.
2. Utility Clerk: Grade 5 to Grade 6. The annual salary for the employee currently in that position (Angie Holz) would increase from \$39,249.60 to \$41,260.00.
3. Parks and Recreation Director: Grade 7 to Grade 9. The annual salary for the employee currently in that position (Dan Wendorf) would increase from \$58,287.00 to \$62,032.00.

Alderman Hass said he wonders how raises can be given before the Common Council members have even seen a draft copy of the 2014 operational budget. Alderwoman Caylor agreed, stating that she was uncomfortable with approving compensation adjustments prior to being able to see and review the operational budget.

No action was taken on any of the three recommendations.

Alderman Norton mentioned that recently City Administrator Johnson proposed adding part-time clerical positions in the Street Department and Fire Department. Alderman Norton then requested that the funding for those positions be included when preparing the proposed 2014 operational budget.

2014 Capital Equipment and Project requests

Information on the requests was in the meeting packet. Information on one additional Streets project "Streetlights – East Main Street (Mill Street to Scott Street)" was distributed at the meeting.

The 2014 capital budget requests were considered by department, as follows:

Infrastructure

Finance Director Unertl and City Administrator Johnson provided information on the following requests:

- Sidewalk Maintenance – M-2 Project
- Street Infrastructure – Taylor Street
- Street Sealcoat

No changes were made at this time.

City Hall

Finance Director Unertl, City Administrator Johnson, and City Hall Maintenance Supervisor Vanderkam provided information on the following requests:

- City Hall – Front Entryway
- City Hall – Steam Boiler Replacement
- Carpeting Replacement – City Hall

Motion (Hass/Caylor) to delete the "City Hall – Front Entryway" (\$40,000) project from the 2014 Capital Budget. Carried.

Motion (Hass/Caylor) to delete the 2014 Capital Budget amount (\$25,000) from the "City Hall - Steam Boiler Replacement" project. Carried.

Motion (Hass/Sukow) to reduce the "Carpeting Replacement – City Hall" 2014 Capital Budget amount from \$5,000 to \$3,000. Carried.

Merrill Municipal Airport

Finance Director Unertl provided information on the following request:

- Merrill Airport Local Match

No changes were made at this time.

Parks and Recreation

Parks and Recreation Director Wendorf provided information on the following requests:

- Park Mower Replacement
- Smith Center HVAC Replacements
- Riverside Park Shelter
- Stange Park – Shelter Roof/Repaint
- Stange Park – Restroom Replacement

Motion (Hass/Caylor) to delete the "Stange Park – Restroom Replacement" (\$175,000) project from the 2014 Capital Budget. Carried.

Police

Finance Director Unertl and Police Captain Bennett provided information on the following requests:

- Replace Marked Squad Car
- Replace Police Handguns

No changes were made at this time.

Streets

Street Commissioner Lupton provided information on the following requests:

- Streets – Replace One Ton Dump Truck
- Streets – Garbage Truck – Recycling
- Mowing Equipment – Former Airport Tractor
- City Garage – East Side Visitor – ADA Parking
- City Garage – Overhead Door (West End)
- Parking Lot #4 – Blacktop Replacement
- Storm Sewer – Hot Water Thawer
- Streetlights – East Main Street (Mill Street to Scott Street)

City of Merrill Committee of the Whole meeting – October 15th, 2013

Motion (Hass/Schwartzman) to delete the "Streets – Replace One Ton Dump Truck" from the 2014 Capital Budget and add \$10,000 to the 2014 Capital Budget for the purchase of a dump box. Carried.

Tax Increment Districts

Finance Director Unertl provided information on the following requests:

- Thielman Street Culvert Replacement
- North Pine Ridge Avenue/East Sixth Street
- Highway 107 Area – Streetlights
- MARC Soccer Parking and Access Ways
- Blaine Street – Pavement Replacement
- Public Parking Lot #2 – Grand Ave./N. Prospect St.

Motion (Hass) to reduce the "North Pine Ridge Avenue/East Sixth Street" 2014 Capital Budget amount from \$150,000 to \$75,000. Motion failed due to lack of a second.

Motion (Caylor/Hass/) to delete the "North Pine Ridge Avenue/East Sixth Street" project from the 2014 Capital Budget. Motion failed 2-5 on roll call vote. Voting Yes – Alderman Hass and Alderwoman Caylor.

Motion (Caylor/Hass) to delete the "MARC Soccer Parking and Access Ways" project (\$40,000) from the 2014 Capital Budget. Carried.

Motion (Caylor/Hass) to delete the "Highway 107 – Streetlights" project (\$150,000) from the 2014 Capital Budget. Motion failed 2-5 on roll call vote. Voting Yes – Alderman Hass and Alderwoman Caylor.

Motion (Caylor/Hass) to reduce the "Highway 107 – Streetlights" 2014 Capital Budget amount from \$150,000 to \$50,000. Motion carried 4-3 on roll call vote. Voting No – Alderman Burgener, Alderman Sukow and Alderman Norton.

Transit

City Administrator Johnson provided information on the following request:

- Transit Garage – Former Fire Station

It was noted that the total cost of the project would be \$200,000, but that the City would only be responsible for 20% (\$40,000).

No changes were made at this time.

Utility

Utility Superintendent Kriewald provided information on the following requests:

- Install generator @ Riverside Ave. lift station
- Replace pumps @ Riverside Ave. lift station
- Replace existing garage doors @ WWT Plant
- Grit removal system @ WWT Plant (proposal has already been approved)
- Replace force main – West Main Street
- Replace roof @ WWT Plant
- East Street water tower work (already approved by the Common Council) .

No changes were made at this time.

Public Comment

None.

Recess

At 7:40 P.M., Mayor Bialecki announced a five-minute recess. At 7:45 P.M., he called the meeting back to order.

Motion to convene in closed session

Motion (Hass/Schwartzman) to convene in closed session pursuant to Wisconsin State Statutes Section 19.85(1)(e) for 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 Police Union and Fire Union contracts. Carried 6-1 on roll call vote. Voting No – Alderman Norton.

Closed session – Police and Fire Union contracts

The closed session portion of the meeting began at 7:46 P.M. Attending: Bialecki, Malm, Hass, Schwartzman, Burgener, Norton, Caylor, Johnson, Hayden, Unertl, and Heideman.

City Administrator Johnson provided summary information on the ongoing negotiations with the Police and Fire unions. He also provided details on the salaries and benefits that the City is offering at this time to those union members.

Adjournment

Motion (Hass/Caylor) to adjourn. Carried. Adjourned (from closed session) at 7:55 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

ACTION AT NOV. 5TH, 2013 COMMITTEE OF THE WHOLE MEETING

Agreement between City of Merrill & City of Tomahawk – Joint Municipal Court

City Attorney Hayden distributed a draft of an agreement between the City of Merrill and the City of Tomahawk. The City of Tomahawk is also considering the agreement this evening (November 5th). City Attorney Hayden answered questions related to the agreement.

131191

Motion (Hass/Sukow) to approve, as presented, the agreement between the City of Merrill and the City of Tomahawk to establish a joint municipal court. Carried.

**City of Merrill
Committee of the Whole
Friday, June 17, 2011 at 8:05 A.M.
Basement Conference Room @ City Hall, 1004 East First Street**

Committee of the Whole members present (9 of 9): Mayor Bill Bialecki, Alderman Don Heyel (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 Jeremy Thompson (Seventh District) and Alderwoman Anne Caylor (Eighth District).

Others present at the beginning of the meeting included: City Attorney Tom Hayden, Street Commissioner Richard Lupton, Fire Chief Bob Odegard, Engineer Assistant George Schau, Library Director Stacy Stevens, Finance/Technology Director Kathy Unertl, Andy Faust, Chris Malm, 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 8:05 A.M. Various people arrived and departed during the day as the meeting progressed.

Aldermanic redistricting presentation

Information was in the meeting packet.

Representing the North Central Wisconsin Regional Planning Commission, Andy Fault gave a presentation on the aldermanic redistricting resulting from the 2010 census.

Alderwoman Caylor, Alderman Burgener and Alderman Heyel agreed to serve on an ad-hoc redistricting committee, along with Mayor Bialecki and City Clerk Heideman. Mayor Bialecki and City Clerk Heideman will also continue to work with Andy Faust on the redistricting.

No formal action was taken.

Discuss Land Use USA and Boundary Agreement with Town of Pine River

A draft of a potential Cooperative Boundary Agreement with the Town of Pine River was in the meeting packet. Copies of the City Comprehensive Plan have already been distributed. It was noted that any boundary agreement approved would need to maintain the integrity of the Comprehensive Plan. It was mentioned that, as the agreement is considered, public meetings will be held jointly with the Town of Pine River. Those meetings will probably take place beginning in August.

If an agreement is reached, it would then be submitted to the State of Wisconsin. If the state then approves the agreement, a six-member committee, composed of City of Merrill and Town of Pine River officials, would be formed.

Finance/Technology Unertl issued a reminder that the City is not required to enter into boundary agreements. Alderman Hass responded that, if talks with the Town of Pine River are to continue, a boundary agreement must be adopted.

At this time (9:10 A.M.), Utility Superintendent Kriewald joined the meeting.

Alderman Thompson expressed disappointment that, to now, he had never seen the potential agreement or had an opportunity to review it. He stated that the Common Council should be setting the policy related to any agreements. City Attorney Hayden responded that, to date, there have been no formal meetings with other governmental bodies, just preliminary discussion.

Alderman Thompson stated that, in his opinion, the Town of Pine River seems to be getting the "better end of the deal" in the agreement.

The "No Contest" area cited in the agreement was discussed.

Mayor Bialecki announced that a meeting related to the potential agreement will be held at 4:45 P.M. on June 23rd. The meeting will be held at City Hall. All are invited to participate, particularly to discuss the "No Contest" area. If anyone has questions or concerns prior the meeting, they are to contact City Attorney Hayden.

Engineer Assistant Schau suggested that the Committee of the Whole and City Plan Commission hold a joint meeting to review the current City Comprehensive Plan. Mayor Bialecki responded that the cost to have a consultant come to such a meeting would be \$2,500 for a one-hour meeting. Engineer Assistant Schau stated that he would be willing to lead a meeting, since he is familiar with the Comprehensive Plan. Mayor Bialecki stated that outside consultants are unnecessary because City staff has the talent and expertise to hold such a meeting without consultants.

Discussion then reverted back to the proposed Boundary Agreement with the Town of Pine River. Alderman Hass and Alderman Thompson both stated that the Common Council should have been informed on this from the beginning, rather than now.

Alderwoman Caylor mentioned the "No Contest" area on page 6 of the agreement. She stated that it is "asking a lot" of the City to agree to annex only within the "No Contest" area.

Chris Malm referred to the area between Plover and Stevens Point that was developed as the result of a boundary agreement. He stressed that the City should reach an agreement in order to "set the table" for future development.

Finance/Technology Director Unertl stated that, if development is planned for the area east of Highway 51, it will be necessary to accommodate the expansion of City services.

Engineer Assistant Schau stated that, if an agreement is reached, then long-range planning can begin.

Utility Superintendent Kriewald reported that an agreement would require establishing a sanitary district.

Gene Bebel noted that he had talked to several residents of the Town of Pine River. He stated that it was unsettling that one side seems ecstatic about the agreement and the other side seems worried about it.

Alderman Hass urged everyone to continue reviewing the agreement and contact City Attorney Hayden with any questions and/or comments prior to the June 23rd meeting.

Engineer Assistant Schau stated his opinion that a boundary plan increases focus and vision.

Finance/Technology Director Unertl asked what action should be taken on the Land USA Plan. Engineer Assistant Schau responded that a plan should be in place, regardless of the outcome of the proposed boundary agreement.

Mayor Bialecki suggested that a joint meeting with the Committee of the Whole be part of the August City Plan Commission meeting. Engineer Assistant Schau stated that he would ensure that all City Plan Commission members receive all necessary information prior to the August City Plan Commission meeting.

No formal action was taken.

Discuss Economic Development, including Highway 51 Corridor Plan

Engineer Assistant Schau reported that he has been meeting with the Wisconsin Department of Transportation on this issue. A traffic/transportation plan is currently being considered. If the state is involved, a roundabout will be included.

Traffic impact analysis was then discussed. At this time, there is no state plan to improve the Highway 51/Pine Ridge Avenue intersection. However, that is subject to change if conditions change.

No action taken.

Recess

At 9:58 A.M., Mayor Bialecki announced that a 15-minute recess would be taken.

Call meeting back to order

Mayor Bialecki called the meeting back to order at 10:16 A.M. Police Chief Seubert and Alan Malm joined the meeting.

Change order of agenda items

Mayor Bialecki requested that he be allowed to change the order of agenda items to consider agenda item #6 (Update on State Budget Bill) before agenda item #5 (Lincoln County Economic Development Corp. presentation). Without objection, it was so ordered.

Update on fiscal implications of State Budget Bill

Information was in the meeting packet, and additional information was distributed at the meeting.

Finance/Technology Director Unertl reported on the state budget bill and the fiscal implication of it for the City. She stated that the next two annual City budgets will be challenging, especially 2013. At this time, she estimates a shortfall in the \$100,000 to \$150,000 range.

No action taken.

Consider City participation in Regional Revolving Fund Loan

Lincoln County Economic Development Director Jack Sroka distributed information. He explained that the program has numerous positive aspects, but some municipalities are hesitant to participate due to a perceived loss of local control. Economic Development Director Sroka stated that those fears are only perceived, and that municipalities can maintain local control and participate in the revolving fund loan program as well. He speculated that, if the City decides to participate, some of the Community Development program administrative duties, such as collection, would be reduced.

It was noted that approval of participation in the program would require the adoption of a resolution by the Common Council.

Motion (Hass/Sukow) to approve the City joining a Central Wisconsin Community Development Block Grant (CDBG) Regional Loan Fund.
Carried.

A resolution on this will be drafted and will be considered by the Common Council at their regular meeting in July.

Fiscal status of Lincoln County Economic Development Corp.

Lincoln County Economic Development Director Jack Sroka distributed information. He explained that, using current projections, and without increased funding, the Lincoln County Economic Development Corporation will run out of money by the end of 2013. The future of the corporation will be discussed at a future County Board meeting.

It was agreed that the City should consider their level of participation as part of the 2012 City budget process.

No action taken at this time.

Consider participation in Community Venture Network

Lincoln County Economic Development Director Jack Sroka reported that the Lincoln County Economic Development Corporation has joined the Community Venture Network. The annual cost to join is \$4,250.

Mayor Bialecki stated that, in his opinion, it would be worthwhile to join. It was noted that the membership is limited to 30 communities.

No action was taken.

Motion to convene in closed session

Motion (Hass/Peterson) to convene in closed session pursuant to Wisconsin State Statutes 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 potential sale of City property and related facility and staffing matters; and to consider strategies and terms for 2012 Merrill Ambulance/EMS budget; and to convene in closed session pursuant to Wisconsin State Statutes 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, to discuss job classification and compensation for individual employees holding positions in the 2011 City Administrator Department including Utility, Engineering, Community Development, Building Inspection/Zoning Administrator, and City Hall Maintenance and potential Acting Class Pay. Carried 8-0 on roll vote.

The first closed session began at 11:01 A.M. Attending: Bialecki, Heyel, Hass, Schwartzman, Peterson, Burgener, Sukow, Thompson, Caylor, Hayden, Unertl and Heideman.

Lunch Recess

Motion (Hass/Caylor) to recess the Committee of the Whole meeting until after the conclusion of the Common Council meeting. It was agreed that, after the lunch recess and after the Common Council meeting, the Committee of the Whole would reconvene in closed session.

The lunch recess began at 11:29 A.M.

Call meeting back to order

Mayor Bialecki called the meeting back to order at 12:15 P.M. Discussion in closed session continued.

Closed session #1 – Potential sale of City property

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

Closed session #2 – Fire Department staffing issues

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

Closed session #3 – 2011 Administrative Department issues

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

Motion to reconvene in open session

Motion (Caylor/Heyel) to reconvene in open session. Carried.

Reconvened in open session at 1:30 P.M.

Promote Ramona Pampuch to City Hall Maintenance Supervisor

110791

Motion (Hass/Caylor) to promote Ramona Pampuch to the position of City Hall Maintenance Supervisor. Carried.

Discuss research on Water Utility efficiency issues & possible relocation

The meeting packet included an e-mail from Information Technology Specialist Ron Turner, on his research into efficiency in the water utility office, as it relates to the possible relocation of the water utility office to the Wastewater Treatment Plant.

The e-mail, the efficiency and the possible relocation were discussed.

No action was taken.

Discuss vacant City Administrator position

Historic information on the City Administrator position was in the meeting packet. The committee agreed that filling the position is probably a four to six month process. They also agreed that a realistic starting salary is from \$86,000 to \$90,000. The costs related to filling the position were estimated to be \$15,000 to \$20,000.

Alderman Hass stated that, when the City Administrator position was first created, several constituents asked him why a referendum was not held. He would like to see a referendum to determine the public interest in continuing the position. Various options related to referendum language were discussed.

Mayor Bialecki stated that he supports the position, but that he would like to see the people have a say in the decision.

It was agreed that, if the position is to be filled, the job description would need to be refined to ensure the job description matches the goals for the position.

At this time (1:45 P.M.), Alderman Burgener left the meeting.

Alderman Thompson suggested that public meetings be held to gather public input related the City Administrator position. Mayor Bialecki responded that he would prefer a referendum to public meeting, since there is a possibility that public meetings can be "taken over" by key groups.

It was decided that a clear job description would be critical in making the position successful. Alderman Sukow, Alderman Schwartzman, City Attorney Hayden, Finance/Technology Director Unertl and Mayor Bialecki agreed to serve on an ad-hoc committee to amend and refine the job description. Anyone with ideas related to the job description should convey those ideas to Finance/Technology Director Unertl. In the meantime, the Personnel and Finance Committee will work on preparing language for a potential referendum related to the position.

Public Comment

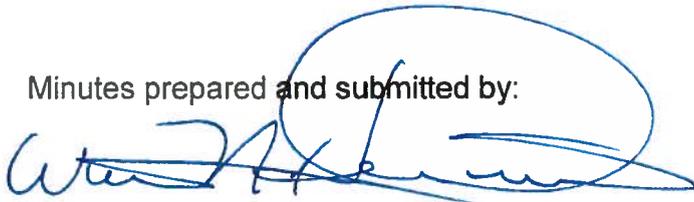
Chris Malm suggested that someone with professional Human Resources experience be included on any ad-hoc committee(s) related to evaluating and potentially filling the vacant City Administrator position. He also stated that, while public input is important when evaluating the position, the Common Council has been "hired" by the citizens to make decisions. He suggested that, as the position is evaluated and potentially filled, the process be as transparent as possible and the public be kept informed.

Gene Bebel urged caution when considering the wording for a referendum question related to the City Administrator position. He stated his opinion that most people are predisposed to vote "No" on those types of referendum questions.

Adjournment

Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 2:05 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, appearing to read "William N. Heideman", is written over the text "Minutes prepared and submitted by:". The signature is fluid and cursive, with a large loop at the end.

William N. Heideman, WCMC
City Clerk

1311100

**COMMUNITY DEVELOPMENT COMMITTEE MINUTES
October 29, 2013, City Hall, Merrill, WI**

Present: Ryan Schwartzman, Pete Koblitz, Daniel Schneider and Betsy Wiesneski.

Others Present: David Johnson, City Administrator, Susan Ryman, Lincoln County Economic Development Director and 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 Mr. Koblitz. The motion carried.

Shari Wicke presented the following homeowner application:
File#9753 – (A family of five with an income of \$37,461.64) – The limit is \$54,350. The tax statement shows a Fair Market Value (FMV) of \$79,800. Homeowner owes approximately \$22,738 against the property. Requesting a loan of \$2,730 to replace a failed furnace.

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

No public comment.

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

Respectfully submitted,
Shari Wicke

13 11110

PARKS AND RECREATION COMMISSION

October 2, 2013

The Merrill Parks and Recreation Commission met on Wednesday, October 2, 2013 at 4:15 p.m. at the City Hall.

Members Present: Dan Novitch, Ralph Sturm, Dorwin Harris, Melissa Schroeder, Anne Caylor, Mike Willman

Members Excused Absent: Brian Artac

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dave Johnson and Candy Peterson and MP3

***Motion by Willman, seconded by Schroeder, to approve the minutes from the previous meeting.

***Carried unanimously.

***Motion by Schroeder, seconded by Caylor, to approve the claims.

Novitch questioned the water bills. Wendorf stated they are for the last 3 months. Sturm questioned why Becher/Hoppe is not on the bills. Wendorf stated that the bill is inserted in the packet that was sent to all the commission members. Wendorf stated that the bill from Becher/Hoppe does not come out of the operating budget, Sturm said neither does the dog park fence but that was on bills. Caylor, Sturm and Harris requested that the bills be done in a different format, one that is easier to read. Smith will have Kathy Suebert show her how to do the bills like other departments. Willman questioned if the donation boxes for the dog fence are up yet. Wendorf stated that they are not because one of the boxes that were ordered have a defect and can not be locked. Sturm stated that before anymore engineering service bills can be charged to the Park and Rec. Department for giving estimates on projects it has to be okayed by the Merrill Park and Recreation Department. Requested to have this item on the November agenda.

***Carried unanimously.

The first item on the agenda was to review/approve 2014 Capital Projects and Equipment. Wendorf read over the items he wanted to have put on the Capital Projects. 1. Equipment: trade two existing front deck mower for one: requested amount: \$30,000 2. Smith Center HVAC continued update: \$34,250.00 3. Riverside Park, sandblast and repaint park shelter: \$10,000 and Stange Park, new metal roof over existing roof and repaint shelter: \$15,000 4. Stange Park: pool demolition (replace with Huffcutt pre-cast concrete restrooms): \$175,000 5. Normal Park: new restrooms (Huffcutt pre-cast restrooms): \$100,000 6. New pool: \$4,000,000. Wendorf stated the last two requests are heavily dependent on decisions made regarding the new pool.

***Motion by Harris, seconded by Schroeder, to approve 2014 capital projects and equipment.

***Carried unanimously.

The next item on the agenda was to review/approve 2014 budget. The only change is on page one of the budget, the wrong number is listed under pool, Wendorf will verify with Kathy Unertl on the correct number. Wendorf stated the budget will be the same as in 2013, no increase.

***Motion by Schroeder, seconded by Willman to accept the budget as printed and send it to Council.

***Carried unanimously.

The next item on the agenda was to discuss Normal Park Plan. Wendorf stated that he included in the packet a design on how Normal Park could look in the future. Wendorf stated that he is currently working with an organization that will donate a playground to the Normal Park Project. The Park and Recreation Commission would like this agenda item back on the agenda next month for more discussion.

The next item on the agenda was to discuss potential implementation of Normal Park Reservation Policy. Wendorf stated that because of all the people who would like to utilize the park it would be nice to be able to reserve the park so that you could make plans without having to worry that someone else will take the park before you get there because currently it is a first come first serve basis.

***Motion by Schroeder, seconded by Harris, to put Normal Park on the park reservation forms charging the same amount as we charge for Riverside, Ott's and Stange Park.

***Carried unanimously.

The next item on the agenda was a continued discussion on the new MARC parking area. Wendorf stated that he has not received any of the estimates back that he has requested for the parking lot from Street Department. As soon as the estimates are turned in he will bring to the next meeting. Harris commented about the new concession stand at the MARC. Harris wants to know why the power panel is on the outside of the building for people to get into. Harris stated that there is no lock on the power panel. Harris would like the issue to be addressed.

The next item on the agenda was monthly reports by Wendorf. Wendorf asked if anyone had any questions. Wendorf stated all is going good.

***Motion by Schroeder, seconded by Willman to approve the monthly report.

***Carried Unanimously

The next regular meeting is scheduled for November 6, 2013 at 4:15 p.m.

No public comment.

Dan Novitch read the following: The Committee may convene in closed session pursuant to Wis. State Statues Sec. 19.85(1)(e) for deliberating or negotiating the purchase 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 Hockey Contract terms.

Roll Call:

Dan Novitch: yes

Mike Willman: yes

Melissa Schroeder: yes

Dorwin Harris: yes
Ralph Sturm: no
Anne Caylor: no

***Motion by Caylor, seconded by Schroeder, to adjourn at 6:30 p.m.

***Carried unanimously.

Dawn Smith
Recording Secretary

November 6, 2013

The Merrill Parks and Recreation Commission met on Wednesday, November 6, 2013 at 4:15 p.m. at the City Hall.

Members Present: Mike Willman, Ralph Sturm, Dorwin Harris, Dan Novitch and Brian Artac

Members Excused Absent: Anne Caylor, Melissa Schroeder

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: Dewy Pfister, Dave Johnson, Melody Hanlin, Tonia Speener and Kandy Peterson

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

***Carried unanimously.

***Motion by Willman, seconded by Sturm, to approve the claims.

Sturm had a question regarding the bills for the Barleyfest account. Sturm wanted to know if that event was Park and Recreation Department funded. Wendorf stated that all money was raised through sponsorship for the event; no money is used from the park department. Artac questioned the bill for Athletic Park. Wendorf stated it was for irrigation at Athletic Park. Novitch questioned about the new billing system. Novitch questioned if the commission felt the new format for the bills was easier to read. Novitch stated the only difference that he can see is that the new format uses 11 pieces of paper and the old format has everything condensed into 2 pieces of paper with the same information. Novitch requested that next month the bills are done in both formats for the commission to compare.

***Carried Unanimously.

The first item on the agenda was a continued discussion on the outdoor pool. Wendorf stated since the last meeting the City was notified by Terry Cummings, DNR, that building the outdoor pool at Lions Park is completely out of the question because it is in the floodway. Wendorf stated for the pool to be built at the current location, which would be a flood fringe site, the City would need to provide flood protection to 2 feet above the RFE (flood protection elevation). Berms can be used. The berm itself would also need to be in the flood fringe. Wendorf stated that extra money would be involved in doing a flood study, rules and regulations. Wendorf stated that the commission may have to look at some different sites for the pool. Two sites that were voted out would have been Streeter Square and the MARC. Willman stated that the pool would be better at the MARC because there really is no room at Streeter Square, no parking and it is a residential area. Artac agreed with Willman and added that the MARC is Merrill's recreational center and the MARC is the only place where it should be. Dave Johnson stated that the MARC is not a central location and it is always windy out there. Sturm stated that transportation to get out there would be tough for kids to get there. Artac stated that there are a lot of events at the MARC and kids know how to get there.

***Motion by Willman, seconded by Artac to have Wendorf put together some cost estimates to compare for the pool location at Stange Park and MARC for potential sites for the pool.

***Carried Unanimously.

The next item on the agenda was continued discussion on parking lot issue at the MARC. Wendorf stated that the estimate from the Street Department for putting in a new parking lot would be around \$36,000. Wendorf stated that there would be no TID or TIF money because the Council voted a lot of that money out. Harris stated that before any more discussion on the parking lot the new location of the pool should be decided first because if the pool is placed at the MARC there will be a new parking lot added.

The next item on the agenda was to discuss use of engineering services. Novitch gave Sturm the floor. Sturm stated that he is displeased with the amount of money being used for engineering services. Sturm stated he feels a lot of the work could be done without engineering services and he would like Wendorf to bring all requests for engineering services to the Park and Recreation Commission for approval. Johnson stated that from 2010 – 2013 the park department has used \$102,008 in engineering service out of that money 58.4% was paid by insurance, 12.6% in grants and 29% out of park. Willman stated that he would hate to have a project delayed because engineering services would have to be brought to the commission for approval. Sturm stated that no delays should take place because all Capital Improvements are done at the beginning of the year and Wendorf should know when a project is coming up.

***Motion by Sturm, seconded by Harris, to have any engineering services brought before the Park and Recreation Commission or before the City Administrator for approval.

***Motion defeated 3 -2, opposed – Novitch, Willman and Artac.

***After the motion was defeated Novitch stated that from this meeting forward no mention of engineering services will be brought up unless it is on the agenda for discussion.

The next item on the agenda was a request for a plaque to be placed at Normal Park recognizing Lincoln County School. Wendorf stated that he was approached by several people requesting permission to erect a plaque at Normal Park to include the history of Normal Park and the school. Wendorf stated that the retired teachers association would pay for the plaque and the placement of the plaque.

***Motion by Willman, seconded by Harris, to approve the plaque to be placed at Normal Park pending on the wording, location, size and installation of the plaque. All information will need to be brought before the commission for approval before the plaque is erected.

***Motion carried.

The next item on the agenda was a request to decorate the Gazebo at Normal Park for the holidays. Wendorf stated that he was approached by some citizens wanting to decorate the Gazebo for the holidays. All decorations would be donated from citizens and it would be a joint effort to decorate it. Wendorf stated that he did talk with electricians and the cost to have the lights up for a few holiday months would run about \$75.00. All commission members thought it was a good idea for the Gazebo to be decorated for the holidays.

The next item on the agenda was monthly reports by Wendorf. Wendorf asked if anyone had any questions.

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

***Carried unanimously.

The next regular meeting is scheduled for December 4, 2013 at 4:15 p.m., at the Merrill City Hall.

Public Comment: Kandy Peterson thought it was a great idea for the information plaque to be erected at Normal Park.

The next agenda item was to go into closed session:

Roll Call:

Novitch – yes

Harris – yes

Artac – yes

Willman – yes

Sturm – yes

***Motion by Willman, seconded by Artac, to adjourn at 6:00 p.m.

***Carried unanimously.

Dawn Smith
Recording Secretary

1311120

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

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

Others Present Included: City Administrator Dave Johnson, Building Inspector/Zoning Administrator Darin Pagel, Finance Director Kathy Unertl, City Hall Maintenance Supervisor Ramona Vanderkam, Alderwoman Kandy Peterson, Alderman Dave Sukow, Andrea Krueger, Gerald Kleinhans 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.

Vouchers

The vouchers were in the meeting packet.

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

Condemnation and demolition @ 108 South Foster Street

Building Inspector/Zoning Administrator Pagel had requested that this item be placed on the agenda. Information was in the meeting packet.

At a meeting on January 24th, 2013, the Zoning Board of Appeals passed the following motion:

Motion (Koebe/Schneider) to grant Gerald Kleinhans a variance until October 31st, 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 31st, 2013, the condemnation orders at 108 South Foster Street will proceed.

Building Inspector/Zoning Administrator Pagel reported that some work on the property has been completed, but that other issues remain unresolved. Gerald Kleinhans, the property owner, reported on the status of property rehabilitation.

Building Inspector/Zoning Administrator Pagel reminded the board that their role is not to determine whether the problems have been addressed and resolved. Rather, the board's responsibility is to decide whether condemnation/demolition should proceed if conformity has not been achieved.

Gerald Kleinhans stated that he could put siding on the garage on October 31st.

Motion (Hass/Burgener) to specify that, if the issues related to the property at 108 South Foster Street have not been resolved to the satisfaction of Building Inspector/Zoning Administrator Pagel by October 31st, 2013, the condemnation/demolition report for that property is to be referred to the City Attorney's office. Carried.

Condemnation and demolition @ 819 North State Street

Building Inspector/Zoning Administrator Pagel had requested that this item be placed on the agenda. Information was in the meeting packet.

At a meeting on August 6th, 2013, the Zoning Board of Appeals considered a request from Tom Malone, the owner of the property at 819 North State Street, for a variance on that property. At that time, orders had already been issued to remove the structures on the property by August 18th, 2013. After discussion at the meeting, the Zoning Board of Appeals passed a motion denying the variance and establishing November 1st, 2013 as the date for complete removal of the house and accessory building.

Due to several circumstances, Tom Malone, the property owner, has now submitted a letter requesting an extension on the demolition of the property until May 31st, 2014.

Motion (Hass/Malm) to specify that, if the issues related to the property at 819 North State Street have not been resolved by November 1st, 2013, the condemnation/demolition report for that property is to be referred to the City Attorney's office. Carried.

Monthly report - Street Commissioner

The report was in the meeting packet. Street Commissioner Lupton reported that Schulz's Recycling Inc. is willing to renew the current recycling contract on a monthly basis until the new recycling program is ready to be launched.

Monthly report – Exterior Maintenance

The report was in the meeting packet.

Monthly report – Northwinds Inspection

The report was in the meeting packet.

Monthly report – City Hall Maintenance Supervisor

No written report submitted. City Hall Maintenance Supervisor Vanderkam reported verbally that boiler/heat issues at City Hall will need to be addressed soon.

Monthly report from contracted engineering firms

No report(s) submitted.

Next meeting

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

Public Comment

None.

Adjournment

Motion (Hass/Malm) to adjourn. Carried. Adjourned at 5:58 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

1311130

**City of Merrill
Health and Safety Committee
Monday, October 28, 2013 at 4:30 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: City Administrator Dave Johnson, Deputy Health Officer Norbert Ashbeck, Fire Chief Dave Savone, Police Chief Ken Neff, Alderman Ryan Schwartzman, Alderman Rob Norton, Jo Van Lieshout, Jamie Kalvestran, Jody Engel, Lynn Zentner (arr. 4:38), Michael Caylor Jr. and City Clerk Bill Heideman.

Call to order

Alderwoman Caylor called the meeting to order at 4:30 P.M.

Nuisance complaints and exterior maintenance report

The report was in the meeting packet. Deputy Health Officer Ashbeck noted that concerns are being addressed as necessary. Several of the recent complaints are the result of conflicts between neighbors.

Vouchers

The vouchers were in the meeting packet. Fire Chief Savone answered several questions related to the vouchers. On a question related to badges, he will report back to the committee at a future meeting.

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

Picnic and/or liquor license applications

None.

Change of agent application from Kwik Trip

Kwik Trip Inc. has submitted a change of agent application and paid the change of agent fee.

They are requesting that Heather E. Timm be named the agent at Kwik Trip #386, 2311 East Main Street. A copy of the application was included in the meeting packet.

Police Chief Neff has no concerns with the application.

1311131

Motion (Sukow/Peterson) to approve the change of agent application from Kwik Trip Inc., appointing Heather E. Timm as agent at Kwik Trip #386, 2311 East Main Street. Carried.

Consider ordinance allowing the keeping of fowl

A copy of the proposed ordinance was in the meeting packet.

The ordinance was introduced directly by Alderman Norton at the October 8th, 2013 Common Council meeting. At that meeting, the ordinance was referred to the Health and Safety Committee.

The ordinance would allow the keeping of various fowl within the City, under certain conditions. The maximum number of animals allowed would be three.

Deputy Health Officer Ashbeck reported that he was not in favor of the ordinance, but that it was not his decision to make.

Alderman Norton distributed copies of various ordinances from neighboring municipalities that allow the keeping of fowl. It was noted that the proposed ordinance does not allow keeping roosters.

Alderman Norton stated that Building Inspector/Zoning Administrator Pagel has no concerns related to the ordinance. Alderwoman Caylor responded that she would like to see that opinion expressed by Building Inspector/Zoning Administrator Pagel in writing.

Alderwoman Caylor stated that she would like to see some type of public information meeting held before any final decision on the ordinance. She has concerns related to keeping other types of fowl besides chickens, citing doves and pigeons.

Alderman Sukow stated that he did not see a major problem with the ordinance, as long as the fowl were kept enclosed and the number of fowl was limited to three.

Motion (Sukow/Peterson) to recommend adopting the ordinance, with the following amendments:

1. Only the keeping of chickens would be permitted, keeping other types of fowl would not be permitted. The maximum number of chickens allowed would be three.
2. No application for keeping chickens would be approved without prior approval in writing, from the abutting property owner(s).

Motion to recommend adopting the ordinance carried.

The ordinance, as amended will be on the November 12th, 2013 Common Council meeting agenda.

Continue considering potential steps to address train whistle noise at night

This has been an ongoing issue.

City Administrator Johnson reported that he has done some research related to potential costs for installing a crossing arm and lights. The estimated cost of the equipment alone is \$125,000, while the total cost of installation, including associated roadwork, is estimated at \$250,000.

Alderwoman Caylor noted that, some time ago, the Police Department did research on various options available to address this issue. She suggested attempting to locate and analyze that information.

Alderman Sukow stated that the installation of equipment seems to be cost-prohibitive at this time.

City Administrator Johnson stated that he will continue to research this issue as well as continue discussing it with Mayor Bialecki.

No action taken at this time.

Monthly Report – Fire Chief Savone

The report was in the meeting packet. Fire Chief Savone reported that construction of the new fire station is proceeding, and that waterproofing of it will be done soon. If any committee members would like to tour the new station, they should contact the Fire Department to schedule a tour.

An exhibit on the history of the Merrill Fire Department is currently on display at the Merrill Historical Society.

The backfill tracking log was discussed. Alderwoman Caylor and Fire Chief Savone will meet to discuss this further.

Monthly Report – Police Chief Neff

The report was in the meeting packet. Police Chief Neff reported that, through the generosity of the Bierman Foundation, there are now sufficient fund to begin the Merrill Police Department K9 Program. Public donations will continue to be accepted to help fund the program. Police Chief Neff stated that he is optimistically hoping to get the program up and running by the spring of 2014, but a more realistic start time is the summer of 2014.

To date, six applications for the Merrill Police Academy have been received. Police Chief Neff is pleased with the quality of the applications received.

Monthly Report – Lincoln County Humane Society

The reports for both September and October were in the meeting packet.

Place monthly reports on file

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

Schedule next meeting

Monday, November 18th, 2013 at 4:30 P.M.

Public Comment

None.

Adjournment

Motion (Peterson/Sukow) to adjourn. Carried. Adjourned at 5:37 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

1311140

**City of Merrill
Personnel and Finance Committee
Tuesday, October 29, 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, Street Commissioner Richard Lupton, Finance Director Kathy Unertl, City Hall Maintenance Supervisor Ramona Vanderkam, Fire Chief Dave Savone, Alderman Dave Sukow, Alderwoman Kandy Peterson, Dan Deml, Roger Drewek, Kortney Pike, Chris Marion, Michael Caylor Jr. and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

Call to order

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

Vouchers

The vouchers were in the meeting packet.

Motion (Schwartzman/Caylor) to approve the vouchers. Carried.

Review action to transfer deferred comp. from Nationwide to ING

Former City employee Dan Deml had requested that this item be placed on the agenda. He had also provided information for the meeting packet.

Dan Deml gave a presentation on the history and status of ING.

No action was taken.

Ordinance re: June 30th, 2014 compensation adjustment for Street Commissioner

City Administrator Johnson reported that originally it was proposed to increase the Street Commissioner and City Clerk salary by 1% on May 1st, 2014, the beginning date for the terms of those offices. This corresponds to the 1% increase being proposed for non-union employees beginning January 1st, 2014. City Administrator Johnson stated that 1% increases are being proposed by non-union employees on January 1st, 2014 and June 30th, 2014.

A proposed ordinance was in the meeting packet. It would stipulate that, after May 1st, 2014, the annual salary for the elected Street Commissioner would be increased by the same percentage amount afforded all non-union city employees.

Motion (Caylor/Schwartzman) to recommend adopting the ordinance.
Carried.

The proposed ordinance will be on the November 12th, 2013 Common Council meeting agenda.

Ordinance re: June 30th, 2014 compensation adjustment for City Clerk

A proposed ordinance was in the meeting packet. It would stipulate that, after May 1st, 2014, the annual salary for the elected City Clerk would be increased by the same percentage amount afforded all non-union city employees (see above agenda item).

Motion (Caylor/Schwartzman) to recommend adopting the ordinance.
Carried.

The proposed ordinance will be on the November 12th, 2013 Common Council meeting agenda.

Monthly Report – Municipal Court

The report was in the meeting packet.

Monthly Report – Finance Director Unertl

The report was in the meeting packet. Finance Director Unertl mentioned that a settlement from the insurance company (Crawford and Co.) has been reached related to damage to City property as a result of the 2011 tornado.

Monthly Report – City Attorney Hayden

The report was in the meeting packet.

Monthly Report – City Clerk Heideman

The reports for both September and October were 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.

Place monthly reports on file

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

Next meeting

Tuesday, November 26th, 2013 at 5:15 P.M.

Public Comment

None.

Motion to convene in closed session

Motion (Schwartzman/Caylor) to convene in closed session pursuant to Wisconsin State Statutes Section 19.85(1)(f) to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon any person referred to in such histories or data, or involved in such problems or investigations, to discuss potential disciplinary action for an employee. Carried 3-0 on roll call vote.

Closed session – Potential disciplinary action

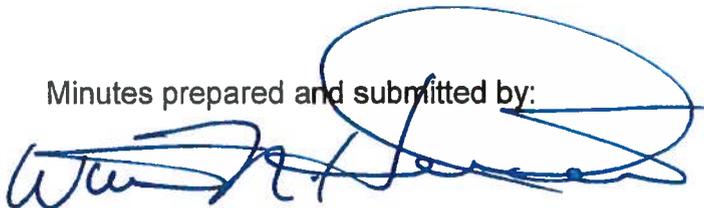
The closed session began at 5:42 P.M. Attendees included: Hass, Caylor, Schwartzman, Peterson, Sukow, Johnson and Heideman.

The closed session minutes will be filed separately and confidentially.

Adjournment

Motion (Caylor/Schwartzman) to adjourn. Carried. Adjourned (from closed session) at 5:53 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

1311150

**City of Merrill
Water & Sewage Disposal Committee
Wednesday, October 30, 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: Mayor Bill Bialecki, City Administrator Dave Johnson, Utility Superintendent Kim Kriewald, Finance Director Kathy Unertl, Alderman Dave Sukow and City Clerk Bill Heideman. A student was in attendance to videotape the meeting for the Cable Access Channel.

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.

Proposed 2014 Landfill Fund Budget

The proposed 2014 landfill fund budget was in the meeting packet.

The proposed landfill fund budget will be on the November 5th, 2013 Committee of the Whole meeting agenda.

Proposed 2014 Water Fund Budget

The proposed 2014 water fund budget was in the meeting packet.

Finance Director Unertl reported on the proposed water fund budget. Utility Superintendent Kriewald mentioned that the utility will strive to reduce costs wherever and whenever possible.

The proposed water fund budget will be on the November 5th, 2013 Committee of the Whole meeting agenda.

Proposed 2014 Sewer Fund Budget

The proposed 2014 sewer fund budget was in the meeting packet.

Finance Director Unertl reported on the proposed sewer fund budget. Utility Superintendent Kriewald is recommending that, to reduce costs, the project to replace the door at the Wastewater Treatment Plant be removed from the list of 2014 capital projects being considered.

The proposed sewer fund budget will be on the November 5th, 2013 Committee of the Whole meeting agenda.

Operations Report

The report was in the meeting packet.

Public Comment

None.

Next meeting

Wednesday, December 18th, 2013 at 5:00 P.M. There will be no meeting in November unless circumstances dictate otherwise.

Adjournment

Motion (Burgener/Norton) to adjourn. Carried. Adjourned at 5:21 P.M.

Minutes prepared and submitted by:

A handwritten signature in blue ink, which appears to be "William N. Heideman". The signature is written in a cursive style and is enclosed within a blue oval.

William N. Heideman, CMC, WCMC
City Clerk

1311160

**City of Merrill
City Plan Commission
Monday, November 4, 2013 at 5:15 P.M.
City Hall Basement Conference Room, 1004 East First Street**

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

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden (arr. 5:25), Alderwoman Kandy Peterson, Alderman Dave Sukow, Sue Weith, Lynn Zentner, Frank Saal Jr. and City Clerk Bill Heideman.

Call to order

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

Minutes of September 30th, 2013 meeting

The minutes were in the meeting packet.

Motion (Hass/Novitch) to approve, as presented, the minutes of the September 30th, 2013 City Plan Commission meeting. Carried.

Signage plan for four self-guided walking paths – Park City Paths

No information was in the meeting packet.

Representing Park City Paths, Sue Weith and Lynn Zentner gave a presentation on a signage placement plan assembled by Park City Paths. The plan is the result of discussion held at a workshop last May. At that workshop, the idea was proposed to erect signs within the City for four self-guided walking paths. The plan has already been discussed by the City Plan Commission. At this time, Street Commissioner Lupton has been the liaison between the City and Park City Paths for this project.

At this time, Park City Paths is looking for a recommendation from the City Plan Commission to be forwarded to the Common Council. Pete Lokemoen mentioned that, for any signs to be erected on private property, Park City Paths should obtain a written waiver of liability from the property owner. He also suggested that sign permits not be required for this project.

1311161

Motion (Lokemoen/Hass) to approve, as submitted by Park City Paths, the signage placement plan for four self-guided walking paths (historical, retail fitness and parks). For all signs placed on private property, Park City Paths would be responsible for obtaining a written waiver of liability from the property owner. City sign permits would not be required. Carried.

Next meeting

Monday, December 2nd, 2013 at 5:15 P.M.

Public Comment

Frank Saal Jr. commented on the current lack of any plans or ordinances related to rental density. He stated that not having a plan and related ordinances results in a "messier Merrill". He noted that density-based zoning has been in existence in numerous municipalities for several years, and urged that density-based zoning and related ordinances be considered and adopted by the City.

Adjournment

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 5:39 P.M.

Minutes prepared and submitted by:



William N. Heideman, CMC, WCMC
City Clerk

1311170

Transit Meeting
October 28, 2013

Present; Mr. Rick Blake – Chairman, Mr. Steve Willis, Mr. Gordon Geiger, Ms. Susan Kunkel, Mr. Tony Kusserow and Rich Grenfell – Transit Administrator.

A motion to approve the minutes of the September 23, 2013 meeting was made by Mr. Geiger and seconded by Ms. Kunkel. Willis. C.U. (Carried Unanimously).

The Commission reviewed the 2013 Third Quarter stats; ridership up 16%, Revenue up 3%, mileage maintained system average of 1.1 miles per passenger. This was an exceptional quarter. A motion to place the stat report on file was made by Ms. Kunkel and seconded by Mr. Willis C.U.

The Commission discussed the 2014 Capital Grant Application for the renovation of the East side Fire Station property and publication of the Public Notice for the project. The project assistance grant is in the amount of \$200,000 (\$160,000 Federal / \$40,000 local share dollars). A motion to approve the project and publish the notice was made by Mr. Geiger and seconded by Mr. Kusserow. C.U.

A Public Hearing regarding the 2014 Transit service level changes was held on Wednesday October 2, 2013 at the City Hall. The hearing had low attendance with no objections noted. A motion to approve the January 1, 2014 service level change (1-hour headways) was made by Mr. Willis and seconded by Ms. Kunkel. C.U.

A motion to approve the preliminary 2014 City Transit Budget was made by Ms. Kunkel and seconded by Mr. Geiger C.U.

A motion to approve the 2014 State / Federal operating Assistance Application was made by Mr. Kusserow and seconded by Mr. Willis. C.U.

Administrator's Report;

Mr. Grenfell reported that he had been formally contacted by a Lincoln County Social Service agent regarding the concept of the City's management of the County's 85.21 Elderly & Disabled Transportation Program. Updates will follow.

No Public Comment.

A motion to adjourn was made by Ms. Kunkel and seconded by Mr. Willis. C.U.

Next Transit Commission meeting: November 18, 2013.

**T. B. Scott Free Library Board of Trustees
REGULAR MEETING
October 16th, 2013**

Minutes

1. Opening

President Mike Geisler called the Regular 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, Chris Malm, Richard Mamer, Tim Meehean, Jim Wedemeyer and Vickie Yelle. Also present: Don Litzer.

The board received a thank you letter from the UW Extension for the donation to the "After the Bell" program. There was no public comment.

2. Consent Items

M Mamer/S Malm/C to approve September meeting minutes as printed. M Bebel/S Mamer/C to accept September Monthly Revenue and Expense Printouts & Monthly Statistical Report as printed.

3. Reports/Discussion Items/Action Items

A. Building and Grounds Report and Requests: Ms. Stevens reported on her conversation with Cory Brumbaugh, VP of Business Development at Myron Construction regarding the current plan of action for work in the elevator pit. 3 references were obtained for SureDry Basements as per board request. Ongoing issues with roof leaks and tree maintenance were discussed.

An additional proposal was presented as requested for upgrading furnishings in the lower level workroom from a local vendor. M Meehean/S Wedemeyer/C to approve the presented proposal of \$10,204, from Endowment Fund monies, for the workroom furnishings upgrade.

B. Library Endowment Fund Bond Renewal: M Meehean/S Gilk/C to continue current procedure for Endowment Fund activities and review Library Board Bylaws to reflect current procedure.

C. Library System Report Discussion: Ms. Stevens presented the report. Ms. Stevens extended an invitation to attend the next Tomahawk Library Board Meeting.

D. Report from the Wisconsin Youth Services Development Institute: Ms. Stevens presented the report of attendance by staff member Ms. Bennett.

E. Trustee Essential #6-Evaluating the Director: Ms. Stevens provided copies of Trustee Essential #6. Mr. Meehean requested that the current evaluation procedure be brought to the next board meeting for approval.

F. Reports from Friends/WVLS Representative: The Friends upcoming booksale is on October 24th, 25th and 26th. Ms. Stevens discussed a request to the Friends for a 3D printer which will be on their next meeting agenda.

4. Forthcoming Events & Library Director Report

- YS movie and book event October 18th for Grades 4-8.
- 73 youth have been signed up for the 1000 Books before Kindergarten program which began October 1st.
- 3 youth services staff will be attending a WVLS workshop focusing on early literacy.
- Wisconsin Poet Laureate Max Garland was here on October 12th.
- East Bay held a job fair at the library which was very successful.
- Board members were asked to set aside December 6th from 3-6pm and December 7th from 9am to noon for Long Range Planning retreat.
- City continues 2014 budget discussions; key issues include insurance and wage increases.
- New 3rd floor chairs have been delivered.

5. Adjournment:

The meeting adjourned at 4:55 p.m. The next regularly scheduled meeting of the Board of Trustees will be held on November 20th at 4:00 p.m. in the Library Board Room.

Stacy D. Stevens, Secretary

1311185

**City of Merrill
Redevelopment Authority (RDA)**

**Tuesday, October 1st, 2013 at 8:00 A.M.
City Hall Council Chambers**

RDA Present: Bill Bialecki, Ryan Schwartzman, Wally Smith, Karen Karow,
Ralph Sturm, and Jill Laufenberg

RDA Absent: David Hayes

Others: City Administrator Dave Johnson, Finance Director Kathy Unertl, City
Attorney Tom Hayden, Mike Morrissey from Redevelopment Resources,
City Building Inspector/Zoning Administrator Darin Pagel from Northwinds
Inspection, Community Development Program Administrator Shari Wicke,
Dewey Pfister, Dean Fenske from AECOM, and Collin Lueck from FotoNews

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

Approval of meeting minutes from September 10th, 2013:

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

Update on Lincoln House tenant relocation and demolition schedule:

Morrissey and Hayden noted that the radio station has had four months' notice to vacate the building. Johnson reported that asbestos abatement work has started. City contractors/staff will continue to facilitate relocation of the radio station.

Review of proposed 2014 budget requests for Tax Increment Districts (TIDs):

Unertl highlighted the proposed 2014 budget requests (and 2013 fiscal projections) for TID No. 3 through TID No. 9. Minor changes will be made prior to submission for Committee of Whole/Common Council consideration.

Next RDA meeting: Tuesday, November 5th, 2013 at 8:00 a.m.

Public Comment: None.

Closed Session:

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: identification/discussion of specific properties for possible RDA acquisition to facilitate redevelopment.

Motion (Schwartzman/Karow) to convene in closed session. Carried on roll call vote.

During the closed session, City staff/contractors highlighted several potential acquisition sites. RDA Commissioner consensus to including 2014 budget funding requests related to these potential acquisition/redevelopment sites.

Adjournment From Closed Session:

Motion (Smith/Sturm) to adjourn the meeting at 8:55 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

1311200

Merrill Area Community Enrichment Center
Committee on Aging
September 19, 2013

Committee Members Present; Eugene Simon, Chairperson. Art Lersch, Jack Ader, Diane Goetsch, Peggy Jackelen, Chris Malm - Alderperson, Erin Zatrow – ADRC Rep.

Meeting was called to order at 8:00 am. Motion was made by Malm, seconded by Ader to approve the minutes from the previous meeting. Motion carried.

Program updates and results;

Rochelle Pennington presented “Endurance” on September 5th at the MACEC. Forty-four people attended the program with a book signing at the end. We will be inviting her back in the spring of 2014.

Excel Classes will be provided to the public and employees of City Hall. The first class will be held on October 4th. The four hour class will cost \$17.00 per participant. The instructor is from the NTC out of Wausau.

Thanksgiving Day Dinner this year will be held on November 28th at St. John’s Church. Jane will meet with the church and help organize the event. The center is responsible for taking all reservations and taking care of the home delivered meals. Last year over 325 people were served.

ALASO Meeting is now located at the Ministry Health Care Center on the 4th Tuesday of every month.

Ageless Wisdom; Jane continues to work on the book. Rochelle Pennington, has authored several books and is willing to help Jane with the publication of Ageless Wisdom. The book will not be out before the first of the year. Due to the limited time before the end of the year the date has been extended out till spring of 2014.

Survey 2013; Art reported that he has approx. 180 surveys turned in already. The information will be compiled and distributed once we have completed the focus groups.

Focus Groups Meeting schedule; October 10th meeting will be with participants. October 24th meeting will be with volunteers. November 6th will be with potential users and November 13 will be with agencies within the community. Results will be compiled and shared with the committee as well.

Foundation Funding Request; Jane has shared with the committee program ideas with the center. Brining the kitchen up to code to meet state regulations, providing a meal on Thursdays for low-income people in the community, fun-lunches for kids during the summer adding one more day to the current lunch program, subsidizing programs at the center that have costs for instructors and a van that would provide transportation for those needing transportation outside of the current busing that is available in the Merrill Area. Jane will be reporting back on a monthly basis.

Budget 2014; The proposed budget was shared with the committee. A motion was made by Lersch, seconded by Jackelen to approve the budget draft with one change. That the Telephone Service line item would include the monthly costs for the current cell-phone for the center. Motion carried.

ADRC – Erin Zastrow; Information on the program created by the Lincoln County Falls Coalition in collaboration with the Marshfield Clinic. They have developed a senior peer to peer fall risk home visit program called Independent and Upright. The program will provide an in-home visit to assess safety of the home environment and provide community resources for fall prevention. The program is not yet available to the community, but senior volunteers are needed. Please phone (715) 221-8472 for more information or to sign up as a volunteer. Jane will take a look at her volunteers and help with recruiting.

Motion was made by Lersch, seconded by Malm to approve the vouchers as presented for the month. Motion carried.

No public comment.

Meeting adjourned at 9:00am. Next meeting is scheduled for October 17, 2013.

Minutes submitted by Jane A. Deau, Director MACEC.

1311200

Merrill Area Community Enrichment Center
Committee on Aging
October 17, 2013

Committee Members Present: Eugene Simon, Chairperson. Jack Ader, Diane Goetsch, Peggy Jackelen, Art Lersch. Chris Malm, Alderperson. Erin Zastrow, ADRC.

Meeting was called to order at 8:00am. Motion made by Jackelen, seconded by Malm to approve the minutes from the previous meeting. Motion carried.

Program updates and results;

Craft Fair is scheduled for October 30th with 14-16 crafters displaying their craft items. This is a wonderful time for the community to visit the center and see what we have to offer as well as area crafters.

Kate's Kids; November 14th "Puppy Training Program" Deb Hall will present to the group of students and volunteers the Leader Dog program for the blind. She is currently a puppy trainer for the Leader Dog program.

National Memory Loss Screening Day is scheduled for November 21st; the center will have a number of agencies at the center providing information on memory loss. Dr. Sedlacek from Ministry Health Care will be doing a mini-memory screening exam for the community. Everyone is encouraged to attend. The hours are 12:00 noon - 2:00 pm.

Thanksgiving Day Dinner; is scheduled for November 28th at St. John's Church. A meal will be served at the church at noon. There will also be home delivered meals available as well as pick up. The center is responsible for working closely with the church, taking all reservations, recruiting volunteer drivers for the home delivered routes. Previous years had over 200 home delivered meals. This year the church plans on cooking for 350 people.

Sharing Christmas Spirit 2013; The center once again will sponsor Sharing Christmas Spirit with gifts and food being provided for 120+ people in the community who will be alone for the holidays. Delivery date is scheduled for December 23rd.

Ageless Wisdom; due to the busy time of the year now through the end of the year, "Ageless Wisdom" will be put on hold until January. Estimated publication

time is due in April 2014. Rochelle Pennington will assist Deau with reviewing the materials.

Focus Groups; The first focus group for the center. In attendance were the participants that are actively involved with the center. To follow will be the volunteers, potential users and agencies in the aging field. It was also suggested that we add businesses to this group. A complete report will be compiled for distribution to all committee members.

Foundation Results; Deau has reported to the committee that the request for funding from the Bierman Family Foundation has been approved. Deau will proceed with updating the kitchen appliances, creating new programs with subsidize funding and the purchase of the shuttle bus for the center. The work should be completed by mid- January with all programs running by the first of February. Motion was made by Lersch for moving forward with the funding purchases for the center, second by Malm. Motion carried. Deau will continue to inform the City Administrator and Finance Director on any and all purchases.

ADRC Erin Zastrow; Report was given sharing information that no one from the ADRC is working directly with the affordable care market place. The Marshfield Clinic does have staff that can assist with information. Lersch mentioned that he was going to be on-line for a training and would share any information that would assist with the affordable care act.

Motion made by Malm, seconded by Ader to approve the vouchers as presented. Motion carried.

No public comment.

There will be no committee meeting in November. Next meeting will be on December 19, 2013.

Motion made by Ader, seconded by Malm to adjourn. Motion carried.

Minutes submitted by Jane A. Deau, Director.

**City of Merrill
Joint Review Board**

**Tuesday, September 10th 2013 at 4:30 P.M.
City Hall Council Chambers, 1004 East First Street**

Members Present: Mayor Bill Bialecki (City of Merrill representative), Jane Kittel (Northcentral Technical District representative), Kelly Collins (Merrill Area Public Schools representative), Bob Weaver (Lincoln County representative), and Ralph Sturm (public member)

Others Present: Finance Director/RDA Secretary Kathy Unertl, Brian Reilly from Ehlers & Associates, City Administrator Dave Johnson, City Attorney Tom Hayden, Alderpersons Dave Sukow and Kandy Peterson, Dewey Pfister, several other members of the public, and student taping from Merrill Productions

Call to order Chair Bialecki called the meeting to order at 4:30 P.M.

Review and consideration of October 6th, 2011 meeting minutes:

Motion (Sturm/Weaver) to approve the Joint Review Board meeting minutes from October 6th, 2011. Carried.

Confirm representation and discuss responsibilities of the Joint Review Board:

Representation remained the same as October 6th, 2011 except for Merrill Area Public Schools. New MAPS representative is Board of Education member Kelly Collins.

Brian Reilly from Ehlers & Associates explained the responsibilities of the Joint Review Board including reviewing "A Guide for Joint Review Board Members" from the Wisconsin Department of Revenue. Reilly noted that the primary purpose of a Joint Review Board is to ensure that all taxing jurisdictions are represented and allowed input when the creation of Tax Increment District is being considered.

The three primary decision criteria for the Joint Review Board are whether the development expected in the TID would occur without the use of tax increment financing; whether the economic benefits of the TID as measured by increased employment, business and personal income, and property value, are insufficient to cover the costs of proposed improvements; and whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

Overview, discuss, and review Project Plans for:

- TID 3 – Project Plan and Boundary Amendment
- TID 4 – Project Plan and Boundary Amendment
- TID 5 – Project Plan Amendment
- TID 8 – Project Plan and Boundary Amendment
- TID 9 – Creation [Proposed as “Blighted” Area TID]

Copies of the draft project plans were distributed to Joint Review Board members. Reilly highlighted key sections of the project plans.

Reilly and Unertl highlighted the changes being proposed for existing TIDs, as well as why deleting parcels from TID No. 3 and moving “blighted” properties into proposed new TID No. 9. Unertl noted the mixed-use TIDs have 20 year lifespan while a “blighted” area TID has 27 year lifespan. The major 2013 expenditure from TID No. 3 is \$400,000 for the State Highway 64/Pine Ridge Ave. intersection improvements needed for the new Wal-Mart development site, as well as resolve long-standing traffic safety/congestion issues.

TID No. 4 was created in 2007 as mixed-use TID. Unertl advised that proposed boundary amendment area includes Pine Ridge Plaza and existing leased Wal-Mart site. These are two of the ten highest valued properties in Merrill and the City/Redevelopment Authority would like to see higher density redevelopment.

TID No. 5 was also created in 2007 as mixed-use TID. There is no change in boundary, just updating the project expenses and development projections. Unertl emphasized that key infrastructure being planned is street lighting within ½ mile of the TID boundary – especially given the tens of thousands of vehicles that go to the Merrill Area Recreation Complex and new Northcentral Technical College’s Public Safety School of Excellence on Champagne Street.

TID No. 8 was created in September 2011 as “blighted” area TID with 27 year lifespan. Unertl advised that adding additional parcels that had to be dropped in 2011 due to large City-owned vacant parcel. Now adding these Alexander Street parcels, as well as Precision Laser which is currently does not have City water and sanitary sewer services.

TID No. 9 is proposed for creation at Special Merrill Common Council meeting on Tuesday, September 24th. More than 50% of the area is “blighted” as determined by the City Building Inspector’s assessment. One property being dropped from the “blight” finding is Merrill Equipment, so that will be reflected in final TID Plan lists and maps. Unertl noted that the area on the north side of the Wisconsin River is included in a 2007 Waterfront Plan. Interest from property owners will determine how future redevelopment occurs and what TIF infrastructure/development incentives might be requested.

Unertl distributed TIF development incentive overview and fiscal projections related to Burgener Contract Carriers, LTD. Without TIF, this proposed 7,000 sq. ft. new steel-frame building and up to ten new jobs would not happen. Proposed TIF development incentive is \$75,000 to be paid over a five year timeframe as new tax increment is generated. A formal development agreement will be available at the final Joint Review Board meeting.

Next Joint Review Board meeting date:

Joint Review Board will meet on Monday, October 7th, 2013 at 3:30 p.m.

Public comment:

Joe Rudolph from Merrill Equipment expressed concern with preliminary "blight" finding related his business property. Unertl advised that City management has removed Merrill Equipment from the list of "blighted" properties in proposed Tax Increment District No. 9.

Adjournment:

Motion (Weaver/Sturm) to adjourn. Carried. Adjourned at 5:25 P.M.

Minutes prepared and submitted by:

Kathy Unertl, Finance Director/RDA Secretary

**City of Merrill
Joint Review Board**

**Monday, October 7th 2013 at 3:30 P.M.
City Hall Basement Conference Room, 1004 East First Street**

Members Present: Mayor Bill Bialecki (City of Merrill representative), Jane Kittel (Northcentral Technical District representative), Kelly Collins (Merrill Area Public Schools representative), Bob Weaver (Lincoln County representative), and Ralph Sturm (public member)

Others Present: Finance Director/RDA Secretary Kathy Unertl, Brian Reilly from Ehlers & Associates, City Administrator Dave Johnson, and Alderperson Kandy Peterson

Call to order Chair Bialecki called the meeting to order at 3:30 P.M.

Review and consideration of September 10th, 2011 meeting minutes:

Motion (Weaver/Sturm) to approve the Joint Review Board meeting minutes from September 10th, 2013. Carried.

Review the public record, planning documents, Redevelopment Authority resolutions adopting the project plans, and the resolutions passed by the Common Council:

- TID 3 – Boundary and Project Plan Amendment
- TID 4 – Boundary and Project Plan Amendment
- TID 5 – Project Plan Amendment
- TID 8 – Boundary and Project Plan Amendment
- TID 9 – Creation ["Blighted" Area TID]

Reilly provided an overview of the process for reviewing and approving the various TID plans, as well as distributed the final TID Plans. He emphasized that the City of Merrill is well within the 12% equalized State TIF criteria. The Redevelopment Authority and Common Council have made "blight" findings, after property owner notifications, related to TIDs No. 8 and TID No. 9.

Sturm asked about TID No. 5 potential projects including proposed public parking lot and street improvements, including street lighting. Reilly responded that these types of infrastructure improvements are TIF-eligible even if not generating new tax increment.

Collins asked about coordination of the TID Plans with the City's Master Plan. Bialecki and Unertl noted that the last City Comprehensive Plan update was 2007. Unertl commented that the redevelopment areas in TID No. 6 and TID No. 8 reflected blight and redevelopment information from the Comprehensive Plan.

As far as future new infrastructure, the City has a \$25,000 grant from the Wisconsin Department of Transportation using North Central Regional Wisconsin Planning Commission. There will future map/delineation of N. Pine Ridge Ave. (from Thielman Street to Lincoln County Highway G) and E. 6th St. (from Johnson St. to N. Pine Ridge Ave.). The planning process is one step in becoming eligible for potential grant funding to construct the new street and related infrastructure.

Consideration of Joint Review Board Resolution 2013-01 – A Resolution Approving Project Plan and Boundary Amendment for Tax Incremental District No. 3 of City of Merrill

Motion (Weaver/Kittel) adopting Joint Review Board Resolution 2013-01 – A Resolution Approving Project Plan and Boundary Amendment for Tax Increment District No. 3 of the City of Merrill. Carried.

Consideration of Joint Review Board Resolution 2013-02 – A Resolution Approving Project Plan and Boundary Amendment for Tax Incremental District No. 4 of City of Merrill

Motion (Kittel/Weaver) adopting Joint Review Board Resolution 2013-02 – A Resolution Approving Project Plan and Boundary Amendment for Tax Increment District No. 4 of the City of Merrill. Carried.

Consideration of Joint Review Board Resolution 2013-03 – A Resolution Approving Project Plan Amendment for Tax Incremental District No. 5 of City of Merrill

Motion (Sturm/Collins) adopting Joint Review Board Resolution 2013-03 – A Resolution Approving Project Plan for Tax Increment District No. 5 of the City of Merrill. Carried.

Consideration of Joint Review Board Resolution 2013-04 – A Resolution Approving Project Plan and Boundary Amendment for Tax Incremental District No. 8 of City of Merrill

Motion (Collins/Weaver) adopting Joint Review Board Resolution 2013-04 – A Resolution Approving Project Plan and Boundary Amendment for Tax Increment District No. 8 of the City of Merrill.

Consideration of Joint Review Board Resolution 2013-05 – A Resolution Approving The Creation of Tax Incremental District No. 9 of City of Merrill

Motion (Collins/Weaver) adopting Joint Review Board Resolution 2013-05 – A Resolution Approving the Creation of Tax Increment District No. 9 of the City of Merrill. Carried.

Public comment: None.

Adjournment:

Motion (Sturm/Collins) to adjourn. Carried. Adjourned at 3:40 P.M.

Minutes prepared and submitted by:

Kathy Unertl, Finance Director/RDA Secretary

ZONING BOARD OF APPEALS MINUTES
October 28, 2013, 6:00 p.m.

PRESENT: Dean Haas, Ron Burrow, Bill Schneider, Zoning Administrator Pagel.
Absent: Chairman Pete Lokemoen, Mark Peterson, Jim Koebe

Administrator Pagel called the meeting to order at 6:00 pm.

Motion to approve the September 3, 2013 minutes Mr. Haas; seconded by Mr. Burrow; and carried.

Motion to open the hearing Mr. Burrow, second Mr. Schneider, and carried.

Administrator Pagel briefed the Board in regard to the only item on the Agenda, a variance request for a deck by Jason Mootz, 301 Park St. Mr. Mootz spoke in favor of the variance. Administrator Pagel informed the Board he had received a letter from Robert Weaver, neighboring property owner, in favor of the variance. With no one else to speak for or against:

Motion to close the hearing Mr. Haas, second Mr. Schneider, and carried.

Motion to approve the variance Mr. Burrow, second Mr. Haas, and carried.

Next meeting date will be set by ZA Pagel when needed.
With no public comment.

Motion to adjourn Mr. Burrow, second Mr. Haas, and carried.

Meeting Adjourned 6:15 pm.

Darin Pagel, Recording Secretary.

1308250

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

AN ORDINANCE: By the Mayor
Re: Amending Chapter 10, from a Municipal Court
to a Joint Municipal Court

ORDINANCE NO. 2013-

Introduced: August 13, 2013

1st Reading: October 8, 2013

2nd Reading: _____

3rd Reading: _____

Committee/Commission Action:

FROM AUGUST 13TH MEETING

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. Chapter 10, of the Code of Ordinances for the City of Merrill is amended as follows:

Sec. 10-19. – Joint Municipal Court Created.

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a joint municipal court to be designated "Municipal Court for the City of Merrill and the City of Tomahawk" said court to become operative and functional on May 1, 2014.

Sec. 10-20. – Municipal Judge.

(a) Qualifications: The municipal court shall be under the jurisdiction of, and presided over, by a municipal judge, who resides in either the City of Merrill or the City of Tomahawk.

(c) Oath and Bond: The municipal judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stats. § 757.02(1), and at the same time execute and file an official bond in the amount of \$1,000.00. The municipal judge shall not act until the oath and bond have been filed, as required by Wis. Stats. § 19.01(4)(c), and the requirements of Wis. Stats. § 755.03(2), have been complied with.

(d) Salary:

- (1) The salary of the municipal judge shall be fixed by the common councils of the municipalities that are parties to the agreement, which shall be in lieu of fees and costs. The municipal judge shall be entitled to mileage reimbursement, per city personnel policies, and considered a parttime employee working under 600 hours annually. No salary shall be paid for any time during the term where the municipal judge has not executed the official bond or official oath, as required by Wis. Stats. § 755.03, and filed pursuant to Wis. Stats. § 19.01(4)(c).
- (2) The municipalities may, by separate ordinance or resolution, allocate funds for the administration of the municipal court pursuant to Wis. Stats §66.0301.

Sec. 10-21. - Elections.

The city clerk shall comply with Wis. Stats. §§ 5.58(1c), 5.60(1)(b), 5.60(2), 7.10(1)(a), 7.60(4)(a) and 8.10(6)(bm), to provide for the election of a municipal judge under Wis. Stats. § 755.01(4). Such municipal judge shall be elected at large in the spring election for a term of four years commencing on May 1. All candidates for the position of municipal judge shall be nominated by nomination papers, as provided in Wis. Stats. § 8.10, and selection at a primary election, if such is held, as provided in Wis. Stats. § 8.11. The common council shall provide for a primary election in the event that more than two candidates file nomination papers for such position of municipal judge, as provided in Wis. Stats. § 8.11(1)(a), and such primary election shall be held on the third Tuesday of February as provided in Wis. Stats. § 5.02(22). In the event of any vacancy in the office of municipal judge, the common council may appoint as municipal judge a resident of the cities, otherwise qualified under this section upon the recommendation of the mayors. Such appointment is subject to the requirements of Wis. Stats. § 8.50(4)(fm). A municipal judge so appointed shall serve until the next spring election.

Sec. 10-22. - Jurisdiction.

- (a) The municipal court shall have such jurisdiction over incidents occurring on or after May 1, 2014 as provided in Article VII, §14 of the Wisconsin Constitution, by Wis. Stats. §§ 755.045, 755.05, and as otherwise provided by state law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- (b) The municipal judge may issue civil warrants to enforce matters under the jurisdiction of the municipal court under Wis. Stats. §755.045(2), §66.0119.

- (c) The municipal court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of Wis. Stats. §938.17(2)(cm).

Sec. 10-23. - Court hours.

- (a) Hours: The municipal court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the municipal judge.
- (b) Employees: The Judge shall, in writing, appoint such clerks and deputy clerks as are authorized and funded by the City Council of the municipalities that are parties to the agreement.

Sec. 10-24. – Collection of forfeitures and costs

The municipal judge may impose punishment and sentences, as provided by Wis. Stats. ch. 800, and 938 and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, penalty assessment and costs, in addition to forfeitures imposed to cover the city's administrative charges, shall be paid to the treasurer of the municipality within which the case arose within seven days after receipt of the money by the municipal court . At the time of the payment, the municipal court shall report to the treasurer the title of the action, the nature of the offenses and the total amount of the forfeiture, fees, penalty assessment and costs, if any.

Sec. 10-25. - Contempt procedure.

- (a) The municipal judge may impose a sanction authorized under Wis. Stats. § 800.12(2), for contempt of court, as defined in Wis. Stats. § 785.01(1), in accordance with the procedures under Wis. Stats. § 785.03.
- (b) The municipal judge may impose a forfeiture for contempt under Wis. Stats. § 800.12(1), in an amount not to exceed \$50.00 or, upon nonpayment of the forfeiture, plus costs, fees, and surcharges imposed under Wis. Stats. ch. 814, a jail sentence not to exceed seven days.

Sec. 10-26. – Abolition

The municipal Court hereby established shall not be abolished while the §755.01(4) agreement is in effect.

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,
Mayor

Attest:

William N. Heideman, City Clerk

1311250

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

AN ORDINANCE: By Alderman Norton
Re: Amending Chapter 6, Article IV, Section 6-96 to
include keeping of chickens

ORDINANCE NO. 2013-

Introduced: November 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 6, Article IV, Section 6-96 of the Code of Ordinances for the City of Merrill is amended to add *Keeping of Chickens* at Section 6-96

Sec. 6-96 Keeping of chickens.

- (a) No person shall keep or harbor any chickens, or build, erect or maintain and use any chicken coop or yard, or other building or yard to keep or house any chickens, anywhere within the City, without completing the appropriate application form, supplied by the Building Inspector. The information required shall include the name and address of the owner, and the number of chickens to be kept by such owner. The Applicant shall also provide written approval from abutting property owners, indicating no objections to the keeping of the chickens. The total number of chickens shall not exceed three per premises. The Building Inspector shall notify the Applicant in writing of the approval or disapproval of the application.
- (b) All chicken coops and yards, and other buildings or yards wherein any chickens are contained shall be kept in a clean, sanitary condition and free from all objectionable odors and shall be subject to the inspection and approval of the Building Inspector. The facilities shall be kept in clean and sanitary condition and free from all objectionable odors.
- (c) Chicken coops and yards, and other buildings or yards permitted under this section shall be limited to the keeping of up to a total of three chickens, per premises, and shall be subject to the following conditions:

- (1) The principal use of the property where a chicken coop and yards, and buildings or yards may be permitted is limited to single-family dwellings.
- (2) No person shall keep any rooster.
- (3) No person shall slaughter any chickens within the City limits.
- (4) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (5) No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot and shall not exceed 25 square feet unless permitted as an accessory building.

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,
Mayor

Attest:

William N. Heideman, City Clerk

1311251

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

AN ORDINANCE: By Personnel and Finance
Committee
Re: Salary for Elected Street Commissioner

ORDINANCE NO. 2013-
Introduced: November 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. Street Commissioner. Pursuant to Wis. Stat. Sec. 62.09(6)(b), Sec. 2-109(b)(2) of the Code of Ordinances for the City of Merrill is amended to provide the annual salary for the elected Street Commissioner shall be increased to \$70,127.49 effective May 1, 2014, annually from \$69,433.16. ~~Effective May 1, 2015, and each year~~ Thereafter, the annual salary for the Street Commissioner shall be increased by the same percentage amount afforded all non-union city employees. The elected Street Commissioner shall also be entitled to all fringe benefits afforded all non-union city employees as permitted by law.

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 on May 1, 2014.

Moved by: _____
Adopted: _____
Approved: _____
Published: _____

Approved: _____
William R. Bialecki, Mayor
Attest: _____
William N. Heideman, City Clerk

1311252

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

AN ORDINANCE: By Personnel and Finance
Committee
Re: Salary for Elected City Clerk

ORDINANCE NO. 2013-
Introduced: November 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. City Clerk. Pursuant to Wis. Stats. Sec. 62.09(6)(b), Sec. 2-109(b)(1) of the Code of Ordinances for the City of Merrill is amended to provide the annual salary for the elected City Clerk shall be increased to \$54,339.47 effective May 1, 2014, annually from \$53,801.46. ~~Effective May 1, 2015, and each year thereafter,~~ the annual salary for the City Clerk shall be increased by the same percentage amount afforded all non-union city employees. The elected City Clerk shall also be entitled to all fringe benefits afforded all non-union city employees as permitted by law.

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 on May 1, 2014.

Approved:

Moved by: _____
Adopted: _____
Approved: _____
Published: _____

William R. Bialecki, Mayor

Attest:

William N. Heideman, City Clerk

1311253

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



AN ORDINANCE: By Committee of Whole

Re: Adopting the 2014 City of Merrill Budget and
Establishing the Tax Levy for Year 2013

ORDINANCE NO.

Introduced: November 12, 2013

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Committee/Commission Action:

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. 2014 Budget. That the proposed 2014 budget of the City of Merrill, a summary of which is attached hereto as Exhibit A, and dated November 12, 2013, be and is hereby adopted.

Section 2. Non-Union Compensation. Included within said budget is 1.0% wage increase effective December 30, 2013 and another 1.0% wage increase effective June 30, 2014 for non-union positions on the Administrative, Professional, Supervisory and Technical Personnel; the Clerical and Other Support Staff; and the former AFSCME compensation schedules. Said non-union wage increases are hereby approved per the attached Exhibit B.

Section 3. Tax Levy. There is hereby levied a tax of \$_____ upon all taxable property within the City of Merrill as returned by the City Assessor in the year 2013 for the uses and purposes set for in said budget, plus the tax incremental levies associated with the City of Merrill's Tax Increment Finance Districts No. 3 through No. 9.

Section 4. Tax Roll. That the City Clerk shall be, and hereby is, authorized to prepare a tax roll for the City of Merrill for 2013 and spread the above stated tax upon said tax roll together with the tax levy amounts approved by other governmental units authorized to impose said tax levies on taxable properties within the City of Merrill. The City Clerk is further directed to sign a warrant for the collection of said tax.

Section 5. Expenditures. There is hereby appropriated out of the receipts of the City of Merrill for the year 2013 including monies received from the property tax levy, to the various funds and purposes set up in said 2014 budget, the sum of \$_____ as more fully set forth in said budget, exclusive of amounts budgeted for Tax Increment Finance Districts No. 3 through No. 9 and the Landfill, Water, and Sewer Utility Funds.

Section 6. 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 7. 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,
Mayor

Attest:

William N. Heideman,
City Clerk

1311260

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE VACATION OF A NORTH-SOUTH 20 FOOT WIDE ALLEY LYING BETWEEN LOTS 10, 11, 12, AND 6, 7, 8, 9, IN BLOCK 3 OF MRS. STEWART'S ADDITION

WHEREAS, Alan K. Malm, on behalf of Development and Leasing Corporation, has requested the vacation of an alley located between Lots 10, 11 12 and 6, 7, 8, 9 in Block 3 of Mrs. Stewart's Addition to Jenny, in the City of Merrill, Lincoln County, Wisconsin; and

WHEREAS, the Board of Public Works on August 28, 2013, and the City Plan Commission on September 3, 2013, have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12th day of November, 2013, that the following described alley be vacated:

A part of Block Three (3) of Mrs. Stewart's Addition to Jenny located in the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section Twelve (12), Township Thirty-one (31) North, Range Six (6) East, City of Merrill, Lincoln County, Wisconsin; more particularly described as follows:

The North-South 20 foot wide alley lying West of Lots Ten (10), Eleven (11), and Twelve (12) of said Block Three (3), and East of Lots Six (6), Seven (7), Eight (8) and Nine (9) of said Block Three (3), all in said Mrs. Stewart's Addition to Jenny.

The City reserves to itself, for the benefit and welfare of the general public, an easement within the vacated area for the construction, repair, and maintenance of utilities, services and storm drainage features.

BE IT FURTHER RESOLVED, that the City hereby declares that the alley 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