

December 10th, 2013

Note: These minutes are subject to review and approval at the next regular Common Council meeting.

The Common Council of the City of Merrill met on the above date in Regular Session, at the City Hall Council Chambers, 1004 East First Street. Mayor William R. Bialecki called the meeting to order at 7:00 P.M.

131210 Invocation by Pastor Paul Hohman, New Testament Church

131215 Pledge of Allegiance

131220 Roll Call showed the following Common Council members present (8 of 8): 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).

The following were also in attendance: Transit Director Rich Grenfell, City Attorney Tom Hayden, City Clerk Bill Heideman, City Administrator Dave Johnson, Utility Superintendent Kim Kriewald, Street Commissioner Richard Lupton, Airport Manager/FBO John Miller, Police Chief Ken Neff, Fire Chief Dave Savone, Library Director Stacy Stevens and Finance Director Kathy Unertl.

131230 Minutes of November Meeting

Motion (Hass/Sukow) to dispense with the reading of the minutes of the November 12th, 2013 Common Council meeting and approve them as published. Carried.

131240 Revenue and Expense Report – November 2013

Motion (Hass/Caylor) to approve, as submitted, the November 2013 Revenue and Expense report. Carried.

131260 Communications and Petitions

131261 Claim filed by Myron Dallman, 1500 O'Day Street, for bodily injuries and damages he sustained as a result of a fall because of an allegedly "defective and improperly maintained elevator" at Park Place, 215 Grand Avenue on June 19th, 2013. The City's insurance carrier recommends that the claim be denied. The basis for their recommendation is that the City of Merrill does not own or maintain the building at 215 Grand Avenue. The building at that location is owned and maintained by the Merrill Housing Authority.

Motion (Hass/Sukow) to deny the claim. Carried.

131262 Employee Recognition

City Clerk Heideman read a certificate of recognition for the following City employee: Michael J. Hamann, 30 years of service.

131290 Committee of the Whole

131291 Consider recommendation(s) from December 10th, 2013 Committee of the Whole meeting on the request from Street Commissioner Lupton to lift hiring freeze in order to replace retiring Street Department employee.

At that meeting, the Committee of the Whole recommended lifting the hiring freeze.

Motion (Schwartzman/Hass) to approve the recommendation. Carried.

1312230 Placing Committee Reports on file

Motion (Sukow/Burgener) to place the following committee reports on file: Housing Authority, Committee of the Whole, Board of Public Works, Health and Safety Committee, Personnel and Finance Committee, Library Board and Airport Commission. Carried.

1312240 Mayor's Appointments

1312241 Election Officials for 2014-2015

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

1312260 **RESOLUTION NO. 2347**

A RESOLUTION TERMINATING THE FICA ALTERNATIVE RETIREMENT PLAN FOR THE CITY OF MERRILL, WISCONSIN

WHEREAS, the Common Council of the City of Merrill on November 12th, 2002 authorized establishment of a FICA Alternative Retirement Plan for City employees working less than 600 hours per year effective January 1st, 2003; and

WHEREAS, the program was implemented with incorrect employee deductions of 6.2% instead of 7.5% and the City of Merrill has made both employer and employee Social Security and Medicare contributions into the Internal Revenue Service for impacted employees for the period from January 2003 through June 2005; and

WHEREAS, former City employees have been allowed to withdraw their contributions from the FICA Alternative Plan; and

WHEREAS, Section 10.2 of the 2005 FICA Alternative Retirement Plan allows the Employer to terminate or discontinue the Plan in whole or in part at any time and to make distributions to Participants;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10th day of December, 2013, that the Finance Director is authorized to sign paperwork terminating the FICA Alternative Plan and proceed with disbursement of employee contributions to remaining Plan participants.

Motion (Schwartzman/Caylor) to adopt. Carried.

1312261 RESOLUTION NO.

A RESOLUTION RATIFYING THE JANUARY 1, 2014 to DECEMBER 31, 2015 CONTRACT BETWEEN THE CITY OF MERRILL AND THE MERRILL PROFESSIONAL POLICE ASSOCIATION

WHEREAS, negotiations between the City of Merrill and the Merrill Professional Police Association have culminated a tentative contract agreement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10th day of December, 2013, that the City of Merrill accept the terms and conditions for the January 1, 2014 to December 31, 2015 employment years according to the terms of the contract between the City of Merrill and the Merrill Professional Police Association on file in the City Clerk's office. Said changes and amendments in the terms and conditions to the January 1, 2014 to December 31, 2015 contract shall be effective January 1, 2014. The existing agreement shall be modified accordingly.

Motion (Hass/Caylor) to refer to the City negotiation team. Carried.

1312262 RESOLUTION NO.

A RESOLUTION RATIFYING THE JANUARY 1, 2014 to DECEMBER 31, 2015 CONTRACT BETWEEN THE CITY OF MERRILL AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 847

WHEREAS, negotiations between the City of Merrill and the International Association of Firefighters Local have culminated a tentative contract agreement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10th day of December, 2013, that the City of Merrill accept the terms and conditions for the January 1, 2014 to December 31, 2015 employment years according to the terms of the contract between the City of Merrill and the International Association of Firefighters Local 847 on file in the City Clerk's office. Said changes and amendments in the terms and conditions to the January 1, 2014 to December 31, 2015 contract shall be effective January 1, 2014. The existing agreement shall be modified accordingly.

Motion (Hass/Sukow) to refer to the City negotiation team. Carried.

1312263 RESOLUTION NO. 2348

A RESOLUTION DESIGNATING THE RIVER BEND TRAIL AS PART OF THE CITY OF MERRILL'S TRANSPORTATION SYSTEM

WHEREAS, the City of Merrill, in cooperation with the River District Development Foundation of Merrill, Inc. has been planning and working toward the development of a trail along and in the vicinity of the Wisconsin River in the City of Merrill; and,

WHEREAS, it is anticipated that the trail shall initially be utilized as a pedestrian walkway and bike path; and

WHEREAS, the City of Merrill, with funding from the River District Development Foundation of Merrill, Inc. has acquired the property designated on Exhibit "A", attached; and,

WHEREAS, it is necessary and desirable that the River Bend Trail property described in Exhibit "A" be designated as part of the City of Merrill's transportation system;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10th day of December, 2013, that the property, described above, shall be recognized and caused to be recognized, administered and managed, as part of the City's public transportation system.

Motion (Hass/Burgener) to adopt. Carried.

1312270 Mayor's Communications

On December 11th, the Transit Department will be having their 25th annual Tour of Lights from 5:30 P.M. to 7:30 P.M. Anyone interested in having their lights displayed should contact the Transit Department.

Mayor Bialecki urged everyone to help the needy, including making donations to the Food Pantry, during the Christmas season.

Residents were reminded that, for the sake of safety, sidewalks be kept clear of snow and/or ice.

Mayor Bialecki wished everyone a Merrill Christmas and a Happy New Year.

Anyone interested in running for an elected municipal office can still pick up the necessary materials at the City Clerk's office. In order to a candidate's name to appear on the ballot, all necessary materials must be completed and returned to the City Clerk's office before 5:00 P.M. on Tuesday, January 7th, 2014.

The annual Christmas parade has been rescheduled for 5:30 P.M. on Friday, December 13th.

1312280 Public Comment Period

Alderman Hass requested that Mayor Bialecki report on the items that Mayor Bialecki addressed on the radio.

Mayor Bialecki reported that the new fire station should be ready for occupancy in approximately four weeks.

The Lincoln House building will be taken down soon.

Due to the weather, the concrete work on the Highway 64 project has been suspended and will continue in the spring.

The Merrill Area Development Corporation has purchased the property at 201 North Prospect Street. Lincoln County Economic Development Director Ryman is working with the new owners to assist them in relocating to that building.

1312999 Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 7:18 P.M.

William R. Bialecki
Mayor

William N. Heideman, CMC, WCMC
City Clerk

I, William N. Heideman, City Clerk of the City of Merrill, Wisconsin, do hereby certify that the Mayor approved the above action of the Common Council on December 12th, 2013.

William N. Heideman, CMC, WCMC
City Clerk