

CITY OF MERRILL
CITY PLAN COMMISSION
Tuesday, February 4, 2014 at 5:45P.M.
Public Hearing at 6:00P.M.
City Hall Council Chambers
1004 East First Street

Voting members: Mayor William Bialecki, Chairperson, Alderperson Steve Hass, James Koppelman, Ken Maule, Melissa Schroeder, Dan Novitch, and Peter Lokemoen

AGENDA

1. Call to order
2. January 7, 2014 meeting minutes
3. Consider petition (and related resolution) from Agra Industries for vacation of a portion of Water Street.
4. **Public Hearing:** Application by City of Merrill, 1004 E. First Street to rezone three (3) parcels of land previously owned by Wisconsin Central Limited (railroad right-of-way) to public zone for the purposes of trail development. Properties located in Sections 11, 12 and 14 Township 31 North, Range 6 East of the Fourth Principal Meridian, in the City of Merrill, Wisconsin.
5. Schedule date and time of next meeting
6. Public comment
7. Adjourn

NOTE: It is possible that a quorum of the Common Council will be present at this meeting. However, no Common Council action will be taken.

Agenda prepared by Shari Wicke at the request of Mayor William Bialecki

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact Merrill City Hall at 715-536-4880.

1401160

**City of Merrill
City Plan Commission
Tuesday, January 7, 2014 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, James Koppelman and Pete Lokemoen (arr. 5:16). Dan Novitch had an excused absence.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Alderwoman Kandy Peterson, Lincoln County Maintenance Director Patrick Gierl, Duane Pfister and City Clerk Bill Heideman.

Call to order

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

Minutes of November 4th, 2013 meeting

The minutes were in the meeting packet.

Motion (Schroeder/Hass) to approve, as presented, the minutes of the November 4th, 2013 City Plan Commission meeting. Carried.

Off-Street parking requirements related for fairgrounds

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

Building Inspector/Zoning Administrator Pagel reported that he has had discussions with Lincoln County officials regarding resurfacing the off-street parking area (infield) at the Lincoln County Fairgrounds. Specifically, the county is seeking information on whether hard-surfacing of the parking areas at the fairgrounds would be required if/when a new grandstand or expo center is built at the fairgrounds.

Alderman Hass suggested that, in all likelihood, if a building is not enclosed, hard-surfacing for off-street parking would not be necessary. On the other hand, he suggested that, if a building was an enclosed structure, then hard-surfacing would be required.

Pete Lokemoen estimated that the cost to blacktop the infield would be between \$300,000 and \$400,000.

It was noted that, since no site plan has been submitted for consideration, the City Plan Commission cannot make a definite decision at this time. The consensus appeared to be that a grandstand would not require hard-surfacing for parking, but that an expo center would require it.

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

Next meeting

Tuesday, February 4th, 2014 at 6:00 P.M.

Public Comment

Lincoln County Maintenance Gierl raised the question of what determines "limited use". He then commented that Lincoln County is not currently considering an expo center for the Lincoln County Fairgrounds. The two options currently being considered are a grandstand or a structure based on a berm.

Adjournment

Motion (Hass/Koppelman) to adjourn. Carried. Adjourned at 5:36 P.M.

Minutes prepared and submitted by:

William N. Heideman, CMC, WCMC
City Clerk

January 16, 2014

Mayor Bill Bialecki
City of Merrill
1004 E 1st St # 1
Merrill, WI 54452

RE: Water Street to Foster on AGRA Property

Your Honor,

AGRA Industries, Inc.'s officially requests that we would like to vacate the remaining portion of Water Street as indicated by the red line in the illustration below. This represents the remaining portion of Water Street that sits on the AGRA property.



We were unable to request this sooner as we were waiting for the current tenant leases to expire so we could raise the building. The following is additional information for the "vacate". A

Title Name: 1211 WEST WATER STREET, LLC
Address: 1211 West Water Street, Merrill WI 54452
EIN: 39-1942167
OFFICERS/SIGNERS: Pat Hinner, Owner & Bob Hinner, Owner
Bordering Landowners: None

Also enclosed is the form and check to file the petition.

Sincerely,

Pat Hinner
President

Prd 1/17/2014 \$ 175⁰⁰
Rec# 111960

PETITION TO VACATE

\$175.00

(STREET) (PORTION OF STREET) (ALLEY) (PORTION OF ALLEY)
(Cross out inapplicable portion of title above)

(Note: See attached instructions for form and map)

TO: The Common Council
City of Merrill, Wisconsin

1. We, the undersigned owners of lots and lands in the City of Merrill, Wisconsin, as hereafter set forth following our signatures and on the attached map, petition the Common Council of the city of Merrill, Wisconsin, to vacate and discontinue the following described Street(s) and/or alley(s) in said City, in accordance with Section 66.296, Wisconsin Statutes, to-wit:

Water Street as indicated the red line in the attached map from inside AGRA
Industries' property to Foster Street

(here fully describe as accurately as possible the street(s) and alley(s) you seek to vacate indicating exact beginning & ending points)

2. Our reasons for seeking vacation are as follows:
AGRA's lot is regularly visited by large vehicles both semi-trucks and
construction equipment moving many tons of materials in and out of our
various warehouse for fabrication. This activity poses a hazard for the
general public and since AGRA owns all the land bordering the north, east, and
south sides of the of the portion of Water Street in question, we feel it
extremely important to keep the general public from injuring themselves
in that portion of our yard.

Signatures of all owners of all land abutting the street or alley to be vacated. (use additional paper if necessary)



NAME 1211 WATER STREET LLC ADDRESS 1211 W. WATER ST.
Description ALL LAND NORTH, SOUTH AND MERRILL, WI, 54452
Footage WEST OF THE INDICATED PORTION OF WATER STREET

NAME _____ ADDRESS _____
Description _____
Footage _____

NAME _____ ADDRESS _____
Description _____

Footage _____

3. The following utilities are in or upon said (street) (alley):

GAS, ELECTRIC

(List all sanitary sewer and storm sewer mains and laterals, telephone, electric and gas lines. Describe Location. If none, so state.)

4. We (have) (have no) objections to the City reserving the right to maintain present and installing future utilities in the vacated portion.

NO OBJECTIONS,

(If you have objections, list them and your reasons)

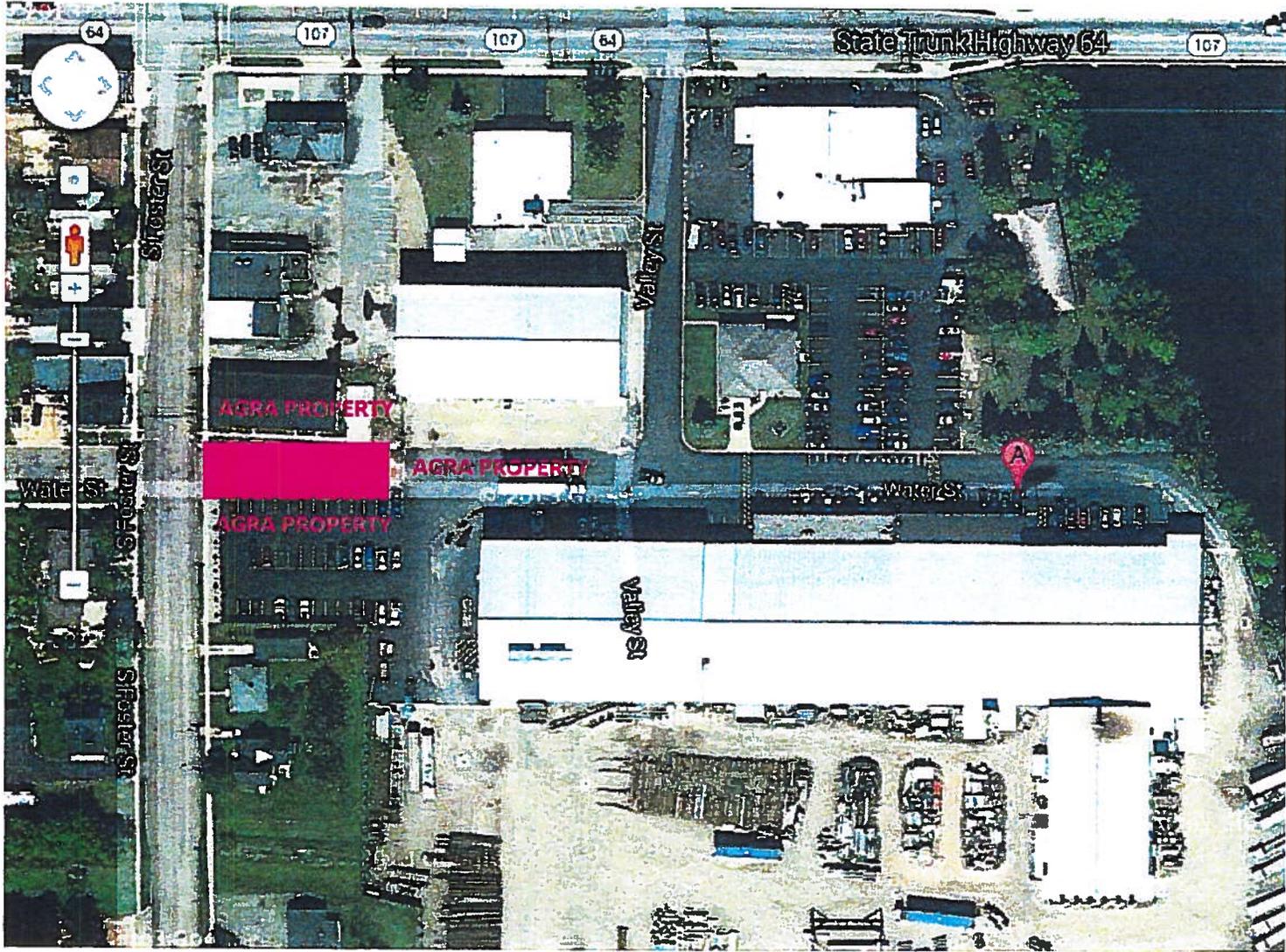
5. FOR ALLEY VACATION ONLY. The date of recording the plat if less than five (5) years ago is: _____
(if more than five (5) years ago, so state): _____

6. FOR ALLEY VACATION ONLY: This alley (has been) (has not been) used as a public alley the last five (5) years.

(If anyone uses the alley, state who and for what purpose)

7. FOR ALLEY VACATION ONLY: This alley (has been) (has not been) worked on by the City, such as repairs, maintenance, service and snowplowing within the last five (5) years.

(State those occurring in last five (5) years, if any)



NOTE FOR FILE

01/20/2014 – Copy of petition to vacate the remaining portion of Water Street from Agra Industries given to the following:

City Administrator
Mayor
Zoning Administrator
City Attorney

Original filed in Clerk's Office

Enter agenda no.}

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE VACATION OF A PART OF WATER STREET

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

WHEREAS, the Board of Public Works on January 22, 2014 and the City Plan Commission on February 4, 2014 have recommended such vacation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of May, 2014, that the following described street be vacated:

A part of the Government Lot Nine (9) of Section Ten (10) and a part of Government Lot Two (2) of Section Fifteen (15) all located in Township Thirty-one (31) North, Range Six (6) East, City of Merrill, Lincoln County, Wisconsin; more particularly described as follows:

All that part of Water Street lying West of a line between the Southeast corner of Lot Six (6) Block Two (2), and the Northeast corner of Lot Fourteen (14) Block Three (3) all in the Riverview Addition Subdivision of the Merrill Woodenware Co., and lying East of the East right of way of Foster Street.

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

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

RECOMMENDED BY: Board of Public Works and City Plan Commission

CITY OF MERRILL, WISCONSIN

Moved: _____

William R. Bialecki
Mayor

Passed: _____

William N. Heideman
City Clerk

CITY OF MERRILL
1004 EAST FIRST STREET
MERRILL, WI 54452

NOTICE OF PUBLIC HEARING

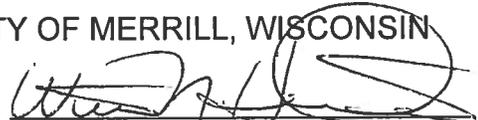
All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the City Plan Commission of the City of Merrill, Wisconsin, commencing at **6:00 p.m., on Tuesday, February 4, 2014** in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

1. Application by City of Merrill, 1004 E. First Street to rezone three (3) parcels of land previously owned by Wisconsin Central Limited (railroad right-of-way) to public zone for the purposes of trail development. Properties located in Sections 11, 12 and 14 Township 31 North, Range 6 East of the Fourth Principal Meridian, in the City of Merrill, Wisconsin.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: January 8, 2014

CITY OF MERRILL, WISCONSIN

By: 

William N. Heideman
City Clerk