

November 11<sup>th</sup>, 2014

*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.

**141110** Invocation by Pastor Paul Hohman, New Testament Church

**141115** Pledge of Allegiance

**141120** Roll Call showed the following Common Council members present (7 of 8): Alderman Chris Malm (First District), Alderman Peter Lokemoen (Second District), Alderman Ryan Schwartzman (Third District), Alderman John Burgener (Fifth District), Alderman Dave Sukow (Sixth District), Alderman Rob Norton (Seventh District) and Alderman Tim Meehean (Eighth District). Alderwoman Kandy Peterson (Fourth District) had an excused absence.

The following were also in attendance: Transit Director Rich Grenfell, City Attorney Tom Hayden, City Clerk Bill Heideman, City Administrator Dave Johnson, Airport Manager/FBO David Koch, Utility Superintendent Kim Kriewald, Street Commissioner Richard Lupton, Police Chief Ken Neff, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Library Director Stacy Stevens, Finance Director Kathy Unertl and Park and Recreation Director Dan Wendorf.

**141125** Public Comment Period

Steve Hass complimented the Street Department for all their efforts to keep the streets clean during the first major storm of this winter. He was particularly pleased with their work in keeping the streets near the Cenotaph accessible for the Veteran's Day ceremony held earlier in the day.

**141130** Minutes of October Meeting

Motion (Burgener/Sukow) to dispense with the reading of the minutes of the October 14<sup>th</sup>, 2014 Common Council meeting and approve them as published. Carried.

**141140** Revenue and Expense Report – October 2014

Motion (Burgener/Meehean) to approve, as submitted, the October 2014 Revenue and Expense report. Carried.

**141160** Communications and Petitions**141161** Claim filed by Thomas Torkelson, P.O. Box 204, for damages he asserts in relation to a plumbing bill for repair of a sewer lateral at his property at 205 East First Street. The City's insurance carrier recommends that the claim be denied. The basis for their recommendation is that their investigation revealed that the City has no liability or negligence for an improper pipe connection/fitting, and the claim should also be disallowed given the untimely submission of the notice of claim.

Motion (Meehean/Norton) to disallow the claim. Carried.

**141162** Employee Recognition

City Clerk Heideman read a certificate of recognition for the following City employee: Carol H. Wendorf, 15 years of service.

Public hearing on proposed 2015 City budget

Motion (Sukow/Norton) to open the public hearing. Carried.

Michael Caylor provided a list of several items that, in his opinion, should be deleted from the 2015 budget. He stated that, with budgets being tight, he feels that any budget items that are not critically needed should be delayed or put on a "wish list" for now. He stated that budget decisions are being made by City staff rather than by the Common Council. Mr. Caylor also expressed his concerns related to the number of homes for sale in Merrill.

Steve Hass stated that he was happy to see some budget reductions, but in his opinion there are additional cuts that should be made. He suggested that outside legal expenses should be eliminated, in light of the fact that the City employs both a full-time City Attorney and a full-time City Administrator.

Motion (Sukow/Burgener) to close the public hearing. Carried.

**141190** Committee of the Whole

- 1411191** The Committee recommends lifting the hiring freeze to replace a vacancy to be created by the upcoming retirement of a firefighter/paramedic.
- Motion (Schwartzman/Meehean) to adopt. Carried.
- 1411192** The Committee recommends approving, as presented, the new reclassification/evaluation policy for City employees.
- Motion (Meehean/Norton) to adopt. Carried.
- 1411120** Board of Public Works
- 1411121** The Board recommends approving, per City specifications, the Johnson Street sidewalk installation (in the right-of-way) being proposed by Church Mutual Insurance Company. The cost of the initial installation would be paid 100% by Church Mutual.
- Motion (Schwartzman/Norton) to adopt. Carried.
- 1411122** The Board recommends authorizing the positing of “No Truck Traffic” signs on Taylor Street, from Champagne Street to Pier Street.
- Motion (Schwartzman/Norton) to adopt. Carried.
- 1411123** The Board recommends authorizing a right-of-way lease with WPE, LLC for them to lease right-of-way at the Tap House, 1110 East Tenth Street. The agreement would be prepared using the standard conditions and terms for City right-of-way leases.
- Motion (Schwartzman/Meehean) to adopt. Carried.
- 1411124** Consider offering the former fire station at 701 East First Street for sale by sealed bid auction (Mayor Bialecki is bringing this item directly to the Common Council).
- Motion (Meehean/Norton) to approve offering the sale by sealed bid auction. Carried.
- 1411130** Health and Safety Committee
- 1411131** The Committee recommends approving the application from Kwik Trip, Inc., Steven M. Schweiger, Agent, for a Class “A” (beer) license and a “Class A” (liquor) license for Kwik Trip #241, 300 South Pine Ridge Avenue, effective December 18<sup>th</sup>, 2014.

Motion (Sukow/Burgener) to adopt. Carried.

- 1411132** The Committee recommends approving the application from Leelynn, LLC, William Schultz, Agent, for a Class “A” (beer) license and a “Class A” (liquor) license for Lee’s Piggly Wiggly, 3404 East Main Street, effective November 30<sup>th</sup>, 2014.

Motion (Malm/Sukow) to adopt. Carried.

- 1411140** Personnel and Finance Committee

- 1411141** The Committee recommends approving the \$5,500 bid from John Geiss to purchase the used generator at the Wastewater Treatment Plant.

Motion (Schwartzman/Burgener) to adopt. Carried.

- 1411142** The Committee recommends accepting the DNR grant (\$7,366) for wild land firefighting equipment. The grant is a 50/50 split, so the City cost would be \$3,683. This would be paid partially by 2% funding and partially by funds received from the townships for installation of dry hydrants.

Motion (Schwartzman/Meehean) to adopt. Carried.

- 1411230** Placing Committee Reports on file

Motion (Sukow/Burgener) to place the following committee reports on file: Housing Authority, Community Development Committee, Parks and Recreation Commission, Board of Public Works, Health and Safety Committee, Personnel and Finance Committee, City Plan Commission, Library Board and Enrichment Center Committee on Aging. Carried.

- 1411240** Mayor’s Appointments

Dave Johnson, to the Housing Authority, term to expire November 10<sup>th</sup>, 2015

Motion (Sukow/Schwartzman) to approve the appointment. Carried.

- 1411250** **ORDINANCE NO. 2014-**

FIRST READING OF AN ORDINANCE AMENDING THE DISTRICT ZONING MAP OF THE CITY OF MERRILL, WISCONSIN FOR 1212 SOUTH CENTER AVENUE, TO REZONE FROM THOROUGHFARE COMMERCIAL TO PUBLIC DISTRICT

Note: Because the ordinance received a first reading only, it will be on the December 9<sup>th</sup>, 2014 Common Council meeting agenda.

**1411251      ORDINANCE NO. 2014-24**

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP OF THE CITY OF MERRILL, WISCONSIN FOR PROPERTY LOCATED AT 1110 EAST TENTH STREET, TO REZONE FROM PUBLIC DISTRICT TO THOROUGHFARE COMMERCIAL

Motion (Schwartzman/Norton) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

SECOND READING OF AN ORDINANCE AMENDING THE DISTRICT ZONING MAP OF THE CITY OF MERRILL, WISCONSIN FOR PROPERTY LOCATED AT 1110 EAST TENTH STREET, TO REZONE FROM PUBLIC DISTRICT TO THOROUGHFARE COMMERCIAL

THIRD READING OF AN ORDINANCE AMENDING THE DISTRICT ZONING MAP OF THE CITY OF MERRILL, WISCONSIN FOR PROPERTY LOCATED AT 1110 EAST TENTH STREET, TO REZONE FROM PUBLIC DISTRICT TO THOROUGHFARE COMMERCIAL

Motion (Sukow/Schwartzman) to adopt. Carried 7-0 on roll call vote.

**1411252      ORDINANCE NO. 2014-25**

AN ORDINANCE ADOPTING THE 2015 CITY OF MERRILL BUDGET AND ESTABLISHING THE TAX LEVY FOR YEAR 2014

Motion (Schwartzman/Norton) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

SECOND READING OF AN ORDINANCE ADOPTING THE 2015 CITY OF MERRILL BUDGET AND ESTABLISHING THE TAX LEVY FOR YEAR 2014

THIRD READING OF AN ORDINANCE ADOPTING THE 2015 CITY OF MERRILL BUDGET AND ESTABLISHING THE TAX LEVY FOR YEAR 2014

Motion (Norton) to amend the budget by adding funding for a part-time Administrative Assistant in the Fire Department. Motion failed due to lack of a second.

Motion (Meehean/Sukow) to adopt the ordinance. Carried 6-1 on roll call vote. Voting No – Alderman Norton.

**1411270** Mayor's Communications

Mayor Bialecki reminded everyone that it was Veterans Day. He asked all to remember those who have served or are serving in the military, especially those who gave their lives.

Mayor Bialecki thanked the election officials for all their hard work at the polls during the November 4<sup>th</sup> election.

With Thanksgiving approaching, everyone was reminded that City residents should be thankful.

The annual Christmas parade will be held December 6<sup>th</sup>.

Although the renovators of the former vocational school ran into a snag, renovations on that building will continue.

**1411999** Motion (Burgener/Norton) to adjourn. Carried. Adjourned at 7:44 P.M.

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William R. Bialecki  
Mayor

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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 November 12<sup>th</sup>, 2014.

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William N. Heideman, CMC, WCMC  
City Clerk