

January 13<sup>th</sup>, 2015

*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.

**150110** Invocation by Pastor Angie Steinhauer, Christ United Methodist Church

**150115** Pledge of Allegiance

**150120** Roll Call showed the following Common Council members present (8 of 8): Alderman Chris Malm (First District), Alderman Peter Lokemoen (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 Alderman Tim Meehean (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, Enrichment Center Director Tammie Mrachek, 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.

**150125** Public Comment Period

On behalf of the Journey Church, Dave Hinke thanked the Common Council for their decision to rezone 1212 South Center Avenue, which allowed the Journey Church to purchase the property. He stated that Journey Church will do business in Merrill if at all possible, and he added that part of the Journey Church's mission is to help those in need.

**150130** Minutes of December Meeting

Motion (Burgener/Sukow) to dispense with the reading of the minutes of the December 9<sup>th</sup>, 2014 Common Council meeting and approve them as published. Carried.

**150140** Revenue and Expense Report – December 2014

Consideration of the December, 2014 Revenue and Expense report will be delayed until the February 10<sup>th</sup>, 2015 Common Council meeting, due to numerous 2014 year-end fiscal transactions that are yet to be posted.

**150161** Employee Recognition

City Clerk Heideman read a certificate of recognition for the following City employee: Kathryn M. Seubert, 35 years of service.

**1501140** Personnel and Finance Committee

**1501141** The Committee recommends approving the grant acceptance policy, as submitted by City Administrator Johnson.

Motion (Schwartzman/Burgener) to adopt. Carried.

**1501142** The Committee recommends approving the recommendation from City Administrator Johnson to fill a recently vacated Police Department Administrative Assistant position on a part-time basis, 28 hours per week, at Grade 5 on the Clerical and Other Support Personnel Pay Schedule.

Motion (Schwartzman/Peterson) to adopt, but instead of filling the position with a 28 hours per week employee, fill the position with a full-time, 40 hours per week employee, at Grade 5. Carried.

**1501143** The Committee recommends delaying consideration of any position reclassifications and instead proposing a formal, independent salary study of all City positions.

Motion (Meehean/Schwartzman) to adopt. Carried.

**1501160** City Plan Commission

**1501161** The Commission recommends approving the application from Our Way, Inc. for a proximity exception to establish an adult family home for persons with developmental disabilities at 1104 Cottage Street, within 2,500 feet of another adult family home.

Motion (Meehean/Lokemoen) to adopt.

Alderman Burgener requested a roll call vote.

Motion to adopt carried 7-1 on roll call vote. Voting No – Alderman Burgener.

**1501185**      Redevelopment Authority

**1501186**      The Authority recommends purchasing the property at 913 East Main Street for \$25,000 from Lincoln Community Bank (former Guy's Shop which is now vacant land)

Motion (Schwartzman/Peterson) to refer to the Redevelopment Authority. On roll call vote, motion failed 3-5. Voting Yes – Alderman Schwartzman, Alderwoman Peterson and Alderman Norton.

Motion (Sukow/Lokemoen) to not purchase the property at this time. Motion carried 7-1 on roll call vote. Voting No – Alderman Schwartzman.

**1501230**      Placing Committee Reports on file

Alderman Meehean requested an amendment to the January 6<sup>th</sup>, 2015 Personnel and Finance Committee meeting. He requested that the minutes be changed to reflect his statement that the current employee pay scales may be too high or they may be too low, he does not know. Without objection, it was so ordered.

Motion (Sukow/Schwartzman) to place the following committee reports on file: Housing Authority, Committee of the Whole, Parks and Recreation Commission, Board of Public Works, Health and Safety Committee, Personnel and Finance Committee (as amended), City Plan Commission, Transit Commission, Library Board, Redevelopment Authority and Airport Commission. Carried.

**1501250**      **ORDINANCE NO. 2015-01**

City Attorney Hayden requested permission to read the ordinance by summary only. Without objection, it was so ordered.

AN ORDINANCE AMENDING CHAPTER 36, ARTICLE II, DIVISION 6, SECTION 36-166 TO AMEND VEHICLE WEIGHT LIMITS ON TRUCK ROUTES

Motion (Schwartzman/Sukow) 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 CHAPTER 36, ARTICLE II, DIVISION 6, SECTION 36-166 TO AMEND VEHICLE WEIGHT LIMITS ON TRUCK ROUTES

THIRD READING OF AN ORDINANCE AMENDING CHAPTER 36,  
ARTICLE II, DIVISION 6, SECTION 36-166 TO AMEND VEHICLE  
WEIGHT LIMITS ON TRUCK ROUTES

Motion (Schwartzman/Peterson) to adopt. Carried 8-0 on roll call vote.

**1501251      ORDINANCE NO. 2015-02**

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP OF THE  
CITY OF MERRILL, WISCONSIN FOR PROPERTY LOCATED IN THE  
VICINITY OF 307 W. MAIN STREET

Motion (Schwartzman/Sukow) 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 IN THE VICINITY OF 307 W. MAIN STREET

THIRD READING OF AN ORDINANCE AMENDING THE DISTRICT  
ZONING MAP OF THE CITY OF MERRILL, WISCONSIN FOR  
PROPERTY LOCATED IN THE VICINITY OF 307 W. MAIN STREET

Motion (Schwartzman/Meehean) to adopt. Carried 8-0 on roll call vote.

**1501260      RESOLUTION NO. 2396**

**A PRELIMINARY RESOLUTION OF INTENT TO EXERCISE SPECIAL  
ASSESSMENT POWERS BY POLICE POWER UNDER SECTION  
66.0703 OF THE WISCONSIN STATUTES**

RESOLVED, by the Common Council of the City of Merrill, Wisconsin:

- A. The Common Council hereby declares its intention to exercise its power under Section 66.0703 Wisconsin Statutes, to levy special assessments under the police power upon all properties abutting the following improvements in the City of Merrill, Wisconsin:
  - 1. Sidewalk inspection pursuant to sidewalk inspection program. Sidewalk maintenance area is generally confined to the Second District West of Center Avenue:
    - a) Isolated sidewalk requested or needed.
    - b) Driveway approaches requested or needed.
    - c) Curb and gutter requested or needed.

- d) Memorial Drive sidewalk extension on the west side of that street from East 6<sup>th</sup> Street to north of East 10<sup>th</sup> Street.
- B. The Common Council determines that the above improvements constitute an exercise of the police power and the amount assessed each parcel abutting on the street shall be on a reasonable basis as approved by the Common Council and which rates are in effect at the time of installation in accordance with special assessment procedures set forth in provisions of Chapter 18, Article III, Division 3 of the Code of Ordinances, City of Merrill, Wisconsin.
- C. The assessments against any parcels of land may be paid in cash not later than November 1 of the year such improvements are made, or in installments as provided by Chapter 18, Article III, Division 3 of the Code of Ordinances, City of Merrill, Wisconsin. Rate of interest on installment payments shall be as set by Common Council action.
- D. The City Building Inspector/Zoning Department shall, with respect to the items mentioned at paragraph A above, prepare a report consisting of:
  - 1. Preliminary or final plans and specifications with maps of the improvements.
  - 2. An estimate of the entire cost of the proposed work or improvements.
  - 3. A schedule of the proposed assessments as to each parcel of property affected.
  - 4. A statement that the properties against which the assessments are proposed are benefited and that the improvements constitute an exercise of the police power.
- E. The Building Inspector/Zoning Department shall complete and file such reports in the City Clerk's office for public inspection no later than January 9, 2015.

The Board of Public Works of the City of Merrill shall hold a public hearing on Wednesday, January 28, 2015 at 6:00 p.m. The hearing shall be held in the Council Chambers in the City Hall, Merrill, Wisconsin, on the improvements mentioned in paragraph A above. The City Clerk shall cause a notice of said hearing to be published once as a Class I notice no later than January 16, 2015. The City Clerk shall mail a copy of the notice to all interested persons at least ten (10) days before the date of the hearing.

Motion (Lokemoen/Malm) to adopt. Carried.

**1501261 RESOLUTION NO. 2397**

**A RESOLUTION DESIGNATING THE RIVER BEND TRAIL AS A LINEAR PARK AND NAMING IT RIVER BEND TRAIL PARK**

WHEREAS, the City of Merrill and Parks & Recreation Commission have agreed to partner with the River Bend Foundation to construct and maintain the River Bend Trail through the City of Merrill; and,

WHEREAS, the City of Merrill has long been known as the City of Parks, and in keeping with this tradition, it is appropriate that the River Bend Trail be recognized as a linear park and included in the City's park system; and,

WHEREAS, the River Bend Trail should, appropriately, be known as River Bend Trail Park;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13<sup>th</sup> day of January, 2015, that it hereby designates the River Bend Trail as "River Bend Trail Park".

Motion (Meehean/Sukow) to adopt. Carried.

**1501262 RESOLUTION NO. 2398**

**A RESOLUTION HONORING RICHARD (DOUG) BRANDT FOR HIS EXTENDED SERVICE AND GREAT CONTRIBUTION TO THE CITY OF MERRILL**

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens; and,

WHEREAS, the City of Merrill has a strong foundation on which to expand, progress, and develop towards an even better community; and,

WHEREAS, Richard (Doug) Brandt has served in various positions in the Merrill Fire Department from January, 1981 to January, 2015; and,

WHEREAS, the personal commitment and unselfish dedication Richard (Doug) Brandt has put forth has contributed greatly to the growth, progress and stability of the City of Merrill; and,

WHEREAS, the City of Merrill offers a solid stable community environment for all of its citizens in part because of Richard (Doug) Brandt's dedicated service; and,

WHEREAS, Richard (Doug) Brandt's cheerful manner and hard work will be missed at the City of Merrill Fire Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13<sup>th</sup> day of January, 2015, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Richard (Doug) Brandt has given to the City of Merrill and commends him for those years of service.

Motion (Common Council/Common Council) to adopt. Carried.

**1501270** Mayor's Communications

Mayor Bialecki reminded everyone that there are currently numerous winter activities in the area, which draw visitors to Merrill. He urged all to make visitors feel welcome.

Merrill will be hosting a girls basketball tournament in the near future.

Mayor Bialecki requested that residents look out for their neighbors, particularly during severe cold weather.

**1501999** Motion (Burgener/Peterson) to adjourn. Carried. Adjourned at 7:40 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 January 15<sup>th</sup>, 2015.

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William N. Heideman, CMC, WCMC  
City Clerk