

May 12th, 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.

150510 Invocation by Pastor Bob Smallman, Bible Presbyterian Church

150515 Pledge of Allegiance

150520 Roll Call showed the following Common Council members present (7 of 8): Alderman Chris Malm (First District), Alderman Peter Lokemoen (Second 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). Alderman Ryan Schwatzman (Third 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, 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.

150525 Public Comment Period

None.

150530 Minutes of April Meeting

Motion (Burgener/Sukow) to dispense with the reading of the minutes of the April 14th, 2015 Common Council meeting and approve them as published. Carried.

150540 Revenue and Expense Report – April 2015

Motion (Burgener/Meehean) to approve, as submitted, the April 2015 Revenue and Expense report. Carried.

150560 Communications and Petitions

150561 Employee Recognition

City Clerk Heideman read a certificate of recognition for the following City employee: Lorri L. Vandre, 25 years of service.

1505120 Board of Public Works

1501121 The Board recommends approving the bid of \$219,824 (Base Bid #1=\$199,840, 10% Contingency=\$19,984) from Maurer Roofing, Inc., for the City Garage reroofing project.

Motion (Norton/Peterson) to adopt. Carried 7-0 on roll call vote.

1505122 The Board recommends approving the purchase of a new EZ-Liner Model AL-120 street marking paint machine from EZ-Liner Industries, with all options included, at the quoted price of \$43,145.

Motion (Norton/Burgener) to adopt. Carried.

1505123 Consider Superior Street/West Tenth Street project bids (the bids were opened on May 7th and are being brought directly to the Common Council)

City Administrator Johnson reported that the only bid received was from Merrill Gravel and Construction.

Motion (Norton/Lokemoen) to approve the bid of \$509,270.23 from Merrill Gravel and Construction. Carried 7-0 on roll call vote.

1505130 Health and Safety Committee

1505131 The Committee recommends approving the applications from the Merrill Alumni Wrestling Club for five temporary Class "B" (picnic) licenses to sell fermented beverages in a fenced-in tent at the Lincoln County Fairgrounds during the Lincoln County Free Fair, July 22–July 26, 2015.

Motion (Meehean/Peterson) to adopt. Carried.

1505132 The Committee recommends approving the applications from the Merrill Baseball Boosters for 26 temporary Class “B” picnic licenses to sell fermented malt beverages at Athletic Park during baseball games on the following dates in 2015: May 24th, May 31st, June 10th, June 11th, June 12th, June 14th, June 15th, June 17th, June 18th, June 19th, June 22nd, June 23rd, June 24th, June 26th, June 29th, June 30th, July 6th, July 10th, July 11th, July 12th, July 14th, July 17th, July 19th, July 20th, July 26th and July 29th.

Motion (Sukow/Burgener) to adopt. Carried.

1505133 The Committee recommends approving the request from Merrill Youth Hockey for an extension of premises to sell malt beverages outside the Smith Center, 1100 MARC Drive, on Saturday, August 15th, 2015, from 10 A.M. to 8 P.M., in conjunction with the “Merrill Music Fest” event. ID’s will be checked and wristbands used to ensure compliance.

Motion (Sukow/Meehean) to adopt. Carried.

1505134 The Committee recommends approving the request from Merrill Youth Hockey for an extension of premises to sell alcoholic beverages in a fenced-in area outside the Smith Center, 1100 MARC Drive, on Saturday, September 19th, 2015, in conjunction with a “Pork in the Park” event. In addition to the fencing, wristbands would be used to ensure compliance.

Motion (Meehean/Sukow) to adopt. Carried.

1505140 Personnel and Finance Committee

1505141 The Committee recommends approving the request from Police Chief Neff to transfer the retired 2011 Crown Victoria squad car and associated equipment (also retired) to the Northcentral Technical College Public Safety Center of Excellence, to be used for training.

Motion (Meehean/Norton) to adopt. Carried 7-0 on roll call vote.

1505142 The Committee recommends approving the request from Finance Director Unertl to write off the 2014 Personal Property tax bill for the former DC Motors, 2200 Sturdevant Street, in the amount of \$297.12.

Motion (Burgener/Meehean) to adopt. Carried.

1505150 Water and Sewage Disposal Committee

1505151 The Committee recommends approving the bid of \$152,460 (Base Bid #2=\$84,700, Alternate #2=\$53,900, 10% Contingency=\$13,860) from Maurer Roofing, Inc., for the Wastewater Treatment Plant reroofing project.

Motion (Norton/Meehean) to adopt. Carried 7-0 on roll call vote.

1501152 The Committee recommends applying to the Wisconsin Public Service Commission for a 3% Simplified Water Rate (SWR) increase, effective July 1st, 2015.

Motion (Norton/Sukow) to adopt. Carried.

1505160 City Plan Commission

1505161 The Commission recommends approving, as submitted by the Journey Church, the site plan for a new accessory structure at the Journey Church, 1212 South Center Avenue.

Motion (Peterson/Lokemoen) to adopt. Carried.

1505230 Placing Committee Reports on file

Motion (Sukow/Peterson) to place the following committee reports on file: Housing Authority, Committee of the Whole, Community Development Committee, Parks and Recreation Commission, Board of Public Works, Health and Safety Committee, Personnel and Finance Committee, Water and Sewage Disposal Committee, City Plan Commission, Transit Commission, Library Board, Redevelopment Authority, Zoning Board of Appeals and Board of Canvass. Carried.

1505240 Mayor's Appointments

Tony Kusserow, Redevelopment Authority, term to expire September, 2018

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

1505250 **ORDINANCE NO. 2015-09**

AN ORDINANCE AMENDING CHAPTER 36, ARTICLE II, DIVISION 6, SECTION 36-166 TO ADD CHAMPAGNE STREET AND A PORTION OF TAYLOR STREET AS DESIGNATED CITY TRUCK ROUTES

Motion (Sukow/Meehean) 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 ADD CHAMPAGNE STREET AND A PORTION OF TAYLOR STREET AS DESIGNATED CITY TRUCK ROUTES

THIRD READING OF AN ORDINANCE AMENDING CHAPTER 36, ARTICLE II, DIVISION 6, SECTION 36-166 TO ADD CHAMPAGNE STREET AND A PORTION OF TAYLOR STREET AS DESIGNATED CITY TRUCK ROUTES

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

1505260 RESOLUTION NO. 2407

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. The complete reconstruction of the following:
 - Superior Street from Grand Avenue to W. 10th Street
 - W. Tenth Street from Superior Street to North State Street

This project involves the installation of:

- a. Asphalt road reconstruction with curb, gutter, and sidewalk
- b. Water main
- c. Sanitary Sewer
- d. Storm Sewer
- e. Water and sewer laterals where needed.

- B. Said public improvements shall include, where appropriate:
1. The Grading of said street.
 2. The surfacing of said street with asphalt.
 3. The installation of curb and gutter on said street.
 4. The installation, removal or replacement of sidewalk, driveway and curb and gutter on said street.
 5. The installation of water main and water laterals on said street.
 6. The installation of sanitary sewer and sewer laterals on said street.
 7. All improvements shall be done to plans and specifications prepared by the City's contracted engineer.
- C. 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.
- D. 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.
- E. The City's contracted engineer 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.
- F. The City's contracted engineer shall complete and file such reports in the City Clerk's office for public inspection no later than May 8, 2015.

The Board of Public Works of the City of Merrill shall hold a public hearing on Wednesday, May 27, 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 May 15, 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 (Norton/Meehean) to adopt. Carried.

1505261 RESOLUTION NO. 2408

A RESOLUTION HONORING RITA POYER FOR HER LONG-TIME SERVICE TO THE CITY OF MERRILL

WHEREAS, Rita Poyer has served the City of Merrill at City Hall for 9 years, from March 13, 2006 to April 22, 2015; and,

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of our community, and the safety and well-being of our employees and citizens; and

WHEREAS, Rita Poyer has earned the respect of her fellow employees by the way in which she has carried out her responsibilities; and

WHEREAS, Rita Poyer's knowledge and experience will be missed at City Hall;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12th day of May, 2015, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Rita Poyer has given the City of Merrill and commends her for those 9 years of service.

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN, that we hereby commend the meritorious and dedicated service of Rita Poyer, congratulate her upon the occasion of her retirement from the City of Merrill, and extend our warmest wishes for her enjoyment and continued prosperity in the years that lie ahead.

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

1505270 Mayor's Communications

Several events to commemorate Memorial Day will be held in the Merrill area on Monday, May 25th. Mayor Bialecki urged everyone to attend if possible. He also reminded everyone to take time to remember those who made the supreme sacrifice and to also remember those still serving to protect our freedoms.

Mayor Bialecki congratulated Pastor Bob Smallman on his upcoming retirement.

1505999 Motion (Burgener/Peterson) to adjourn. Carried. Adjourned at 7:28 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 May 14th, 2015.

William N. Heideman, CMC, WCMC
City Clerk