



**CITY OF MERRILL**  
**COMMON COUNCIL**  
**MINUTES • TUESDAY NOVEMBER 10, 2015**

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**Regular Meeting** **City Hall Council Chambers** **7:00 PM**

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1. Call to Order

Mayor Bialecki called the meeting to order at 7:00 P.M.

Attendee Name	Title	Status	Arrived
Chris Malm	Aldersperson - First District	Present	
Pete Lokemoen	Aldersperson - Second District	Present	
Ryan Schwartzman	Aldersperson - Third District	Present	
Kandy Peterson	Aldersperson - Fourth District	Present	
John Burgener	Aldersperson - Fifth District & President	Excused	
Dave Sukow	Aldersperson - Sixth District	Present	
Rob Norton	Aldersperson - Seventh District	Present	
Tim Meehean	Aldersperson - Eighth District	Present	
Bill Bialecki	Mayor	Present	

Also in attendance: Transit Director Rich Grenfell, City Attorney Tom Hayden, 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, Park and Recreation Director Dan Wendorf and City Clerk Bill Heideman.

2. Invocation by Pastor Andy Perry, Bible Presbyterian Church

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

Darrell Barker had questions related to parking on hard surfaces. Mayor Bialecki requested that Mr. Barker speak to this issue during the public hearing portion of the meeting.

6. Minutes of previous Common Council meeting(s):

1. Minutes of October 13, 2015 meeting

Motion (Schwartzman/Peterson) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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7. Revenue & Expense Reports(s):

1. Revenue & Expense Report as of October 31, 2015

Move (Schwartzman/Sukow) to approve.

**RESULT:           APPROVED**

8.     Communications and Petitions:

1. Claim filed by Amy Kohnhorst for damages to her vehicle from a manhole cover on State Highway 64, on October 14, 2015. The City's insurance carrier recommends that the claim be disallowed. This recommendation is based on the fact that an investigation by the insurance carrier revealed no negligence on behalf of the City. The City did not have prior actual or constructive notice of the manhole condition which allegedly caused the incident.

Motion (Schwartzman/Peterson) to disallow the claim.

**RESULT:           DISALLOWED**

9.     General agenda items:

1. Employee Years of Service Recognition:

Michael J. Schreiber, 25 years (Transit Department)

Tadd P. Wegener, 25 years (Fire Department)

Scott P. Krause, 25 years (Fire Department)

City Clerk Heideman read certificates of recognition for the three employees.

10.    Public Hearing(s):

1. Public Hearing on proposed 2016 Budget

Mayor Bialecki declared the public hearing open. He requested that speakers limit the duration of their comments to three minutes.

Brad Bacher referred to a brochure that he acquired recently. He has concerns with the amount of City borrowing and added that borrowing for operations would cause problems. He also mentioned that excessive borrowing could affect the City bond rating. He is also concerned that high taxes could drive people away from the community.

Without objection, Mayor Bialecki closed the public hearing, after no further public requests to speak.

11.    Committee of the Whole:

1. Consider recommendation from October 16, 2015 Committee of the Whole meeting to implement the results of the Carlson-Dettmann Compensation Study, using the option that will have a fiscal impact of approximately \$64,000 on the 2016 budget. The proposed appeal process is included in the recommendation.

At that meeting, the Committee of the Whole recommended implementing the results of the study.

Motion (Meehean/Norton) to approve.

**RESULT: APPROVED**

2. Consider recommendation(s) from November 10, 2015 Committee of the Whole meeting regarding request to eliminate requirement of \$200,000 escrow or bond from Merrill Area Development Corporation (MADC) related to 201 S. Prospect Street former "dip tank" environmental remediation project.

At that meeting, the Committee of the Whole recommended approving the request to eliminate the bond/escrow requirement, with the stipulation that the contract related to the cleanup include a clause that the City would be "held harmless".

Motion (Meehean/Lokemoen) to approve.

**RESULT: APPROVED**

3. Consider recommendation(s) from November 10, 2015 Committee of the Whole meeting related to the 2016 Budget, including new Public Works positions.

At that meeting, the Committee of the Whole made several adjustments to the budget. Mayor Bialecki stated that these and further adjustments could be considered later in the meeting as part of the budget ordinance discussion.

12. Health and Safety Committee:

1. Application from Stephen Allen Schultz for a Class "B" (beer) license and a "Class B" (liquor) license for Collin's Bar and Grill, 2501 W. Main Street, effective November 11, 2015.

Motion (Sukow/Malm) to approve.

**RESULT: APPROVED**

13. Water and Sewage Disposal Committee:

1. Consider Water and Sewer Service Fee increases for 2016. All increases are approximately 3%.

Motion (Norton/Peterson) to approve.

**RESULT: APPROVED**

14. Mayor's Appointments:

James Erno to the Housing Authority, term to expire November 10, 2020.

Motion (Schwartzman/Norton) to approve.

**RESULT: APPROVED**

15. Placing Committee Reports on File:

1. Consider placing the following minutes on file: Board of Public Works, Health & Safety Committee, Housing Authority, Joint Review Board, Library Board, Merrill Enrichment Center Committee, Parks & Recreation Commission, Personnel & Finance Committee, Transit Commission and Water & Sewage Disposal Committee.

Motion (Sukow/Norton) to place on file.

**RESULT: PLACED ON FILE**

16. Resolutions:

1. A Resolution ratifying the January 1, 2016 to December 31, 2017 contract between the City of Merrill and the Merrill Professional Police Association (Resolution #2430).

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 10<sup>th</sup> day of November, 2015, that the City of Merrill accept the terms and conditions for the January 1, 2016 to December 31, 2017 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, 2016 to December 31, 2017 contract shall be effective January 1, 2016. The existing agreement shall be modified accordingly.

Motion (Schwartzman/Lokemoen) to approve.

**RESULT: APPROVED**

2. A Resolution amending employee benefits - fringe benefits at Section 14-5-1, Group Health Insurance Program for the Non-Union Personnel Policies, to change the employee contribution to ten percent (Resolution #2431).

WHEREAS, the Common Council of the City of Merrill adopted a Personnel Policies, Employee Handbook for the City of Merrill non-union employees by Resolution No. 2226; and

WHEREAS, the Personnel and Finance Committee has reviewed that manual as it relates to Fringe Benefits at Section 14-5, employee contribution to the monthly premium; and

WHEREAS, the Personnel and Finance Committee has recommended a change to that policy as follows:

14-5-1 *High Deductible Health Plan - Health Savings Account (HSA) Eligible.* The Employees are offered a High Deductible Health Plan - Health Savings Account (HSA) Eligible with \$1,250 individual and \$2,500 family deductible levels. In addition the Employee will pay 20% of the next \$2,000 individual and \$4,000 family coinsurance. The Employees will pay ten (10) ~~eight hundred eight and ninety (8.98)~~ percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the High Deductible group health insurance.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of November, 2015, that the Personnel Policies Employee Handbook is amended by deleting and adding the highlighted language as follows at Section 14-5-1:

14-5-1 *High Deductible Health Plan - Health Savings Account (HSA) Eligible.* The Employees are offered a High Deductible Health Plan - Health Savings Account (HSA) Eligible with \$1,250 individual and \$2,500 family deductible levels. In addition the Employee will pay 20% of the next \$2,000 individual and \$4,000 family coinsurance. The Employees will pay ten (10) ~~eight and ninety-eight hundred (8.98)~~ percent of the monthly premium per pay period not to exceed 24 pay periods per year, and the City agrees to pay the remaining amounts of the High Deductible group health insurance.

Motion (Schwartzman/Peterson) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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3. A Resolution of thanks to the City of Green Bay, Wisconsin (Resolution #2432).

WHEREAS, the City of Merrill found itself in a precarious and potentially dangerous state of affairs when "Ladder 63", the City's largest piece of firefighting equipment, was damaged, necessitating that it be removed from service and sent for repairs; and,

WHEREAS, Chief Savone inquired and researched various options for a cost effective temporary replacement of that equipment; and,

WHEREAS, Through Chief Savone's and the Merrill Fire Department's efforts, the City of Green Bay generously offered the City of Merrill Fire Department use of its 1994 Pierce Arrow 100 foot aerial truck, which was a perfect replacement for Merrill's Ladder 63 while it was being repaired; and,

WHEREAS, the citizens and the Fire Department of the City of Merrill continue to be protected because of the professional generosity of the Green Bay Metro Fire Department and the City of Green Bay;

NOW THEREFORE, BE IT RESOLVED THAT Chief Savone, the City of Merrill Fire Department, the Common Council, and the City of Merrill as a whole, does issue this Resolution of Thanks to the City of Green Bay in honor and

appreciation of their great generosity and exemplary and inspirational citizenship.

Motion (Sukow/Norton) to approve.

**RESULT: APPROVED**

17. Ordinances:

- 1. A Charter Ordinance eliminating the Street Commissioner as an elected officer.

City Attorney Hayden gave the charter ordinance a first reading.

Motion (Schwartzman/Meehean) to refer the charter ordinance to the next regularly scheduled Common Council meeting, with that meeting agenda to include a public hearing on the charter ordinance.

**RESULT: REFERRED TO** **Next: 12/8/2015 7:00 PM**

- 2. An Ordinance adopting the 2016 City of Merrill Budget and establishing the Tax Levy for year 2015.

City Attorney Hayden gave the ordinance a first reading.

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

City Attorney Hayden gave the ordinance a second reading and a third reading.

Motion (Schwartzman/Peterson) to approve.

**RESULT: APPROVED [7 TO 0]**  
**AYES:** Malm, Lokemoen, Schwartzman, Peterson, Sukow, Norton, Meehean  
**EXCUSED:** Burgener

18. Mayor's Communications

Mayor Bialecki thanked the Common Council and City staff for their work during the budget process.

Veteran's Day is November 11<sup>th</sup>. Mayor Bialecki reminded everyone to remember those who have served, especially those who gave their lives to protect our freedom.

On November 11<sup>th</sup>, all proceeds at the Pine Ridge Restaurant will be donated to the Merrill Festival Grounds.

The Christmas Parade this year is scheduled for December 5<sup>th</sup>.

Mayor Bialecki stated that he was proud of the work done by the Police Department and the Fire Department as they addressed several recent incidents. He extended a special commendation to Police Officer Robert Caylor, whose actions saved a life recently.

19. Adjournment

Motion (Sukow/Schwartzman) to adjourn. Carried. Adjourned at 7:31 P.M.