



# CITY OF MERRILL

## COMMON COUNCIL

MINUTES • TUESDAY APRIL 12, 2016

Regular Meeting

City Hall Council Chambers

7:00 PM

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	Excused	
Pete Lokemoen	Aldersperson - Second District	Present	
Ryan Schwartzman	Aldersperson - Third District	Present	
Kandy Peterson	Aldersperson - Fourth District	Present	
John Burgener	Aldersperson - Fifth District & President	Present	
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: Public Works Director/City Engineer Rod Akey, Street Superintendent Dustin Bonack, Transit Director Rich Grenfell, City Attorney Tom Hayden, City Administrator Dave Johnson, Utility Superintendent Kim Kriewald, 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 Paul Hohman, New Testament Church

3. Pledge of Allegiance

4. Public Comment Period

None.

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

1. Minutes of March 8, 2016 meeting

Motion (Burgener/Sukow) to approve.

**RESULT: APPROVED**

6. Revenue & Expense Reports(s):

1. Revenue and Expense Report for period ending March 31, 2016

Motion (Burgener/Schwartzman) to approve.

**RESULT: APPROVED**

7. General agenda items:

1. Employee Years of Service Recognition:

Michael H. Drury, 30 years (Fire Department)

Ruthann D. Dunphy, 15 years (Library)

Jon L. Leiskau, 15 years (Fire Department)

Corey A. Bennett, 10 years (Police Department)

City Clerk Heideman read certifications of recognition for the four employees.

8. Board of Public Works:

1. Consider bids for M-2-2016 Sidewalk Project. Building Inspector/Zoning Administrator Pagel is bringing these bids directly to the Common Council, and is recommending approval of the bid of \$178,525 from Pember Companies Inc.

Motion (Norton/Lokemoen) to approve the bid of \$178,525 from Pember Companies Inc.

**RESULT: APPROVED**

9. City Plan Commission:

1. Consider site plan from Merrill High School for athletic complex improvements at Jay Stadium The City Plan Commission recommends approval.

Motion (Schwartzman/Peterson) to approve.

**RESULT: APPROVED**

2. Consider site plan for Rodeo Arena at Merrill Festival Grounds The City Plan Commission recommends approval.

Motion (Schwartzman/Burgener) to approve.

**RESULT: APPROVED**

3. Consider site plan for proposed chicken coop at Jefferson Elementary School, 1914 Jackson Street. The City Plan Commission recommends approval, provided that the maximum number of chickens allowed by ordinance is not exceeded.

Motion (Norton/Sukow) to approve.

**RESULT: APPROVED**

10. Health and Safety Committee:

1. Application from Lincoln County Rodeo Association for three temporary Class "B" (picnic) licenses to sell fermented beverages at the Merrill Festival Grounds during the Wisconsin Pro Rodeo event on June 10-12, 2016. The Health and Safety Committee recommends approval.

Motion (Sukow/Burgener) to approve.

**RESULT:           APPROVED**

11.    Placing Committee Reports on File:

1.    Consider placing the following committee reports on file: Airport Commission, City Plan Commission, Community Development Committee, Health and Safety Committee, Housing Authority, Library Board, Merrill Enrichment Center Committee, Parks and Recreation Commission, Personnel and Finance Committee, Transit Commission and Zoning Board of Appeals.

Motion (Sukow/Lokemoen) to place on file.

**RESULT:           PLACED ON FILE**

12.    Resolutions:

1.    A Final Resolution of intent to exercise special assessment powers by Police Power under Section 66.0703 of the Wisconsin Statutes (Resolution #2450).

WHEREAS, the Board of Public Works of the City of Merrill, Wisconsin held a Public Hearing in the City Hall, Merrill, Wisconsin, for the purpose of hearing all persons interested in the matters contained in the preliminary resolution of the City of Merrill, of its intent to exercise special assessment powers pursuant to Police Power under Sec. 66.07 Wis. Stats., all as set forth below, and the reports of the City Building Inspector/Zoning Department mentioned therein on the following proposed projects and other matters, to-wit:

Preliminary Resolution of February 9, 2016, a copy of which is attached hereto, on which a hearing was held on the 24<sup>th</sup> day of February, 2016;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of April, 2016, to complete the following public works projects in the City of Merrill:

1.    Sidewalk inspection pursuant to sidewalk inspection program. Sidewalk maintenance area is generally confined to the Third District, west of Pier Street and south of East Third Street involving:
  - a)    Isolated sidewalk repairs requested or needed
  - b)    Driveway approaches requested or needed.
  - c)    Curb and gutter requested or needed.
  - d)    New sidewalk extensions as requested and/or approved by Board of Public Works.
2.    Reconstruction of Blaine Street from East 5<sup>th</sup> Street north to the dead end

involving:

- a) Replacement of existing sewer and water mains.
  - b) Replacement of existing sanitary lift station.
  - c) Replacement of existing sewer and water laterals.
  - d) Replacement and upgrade of existing storm sewers.
  - e) Curb and Gutter and pavement replacement.
  - f) Limited sidewalk replacement associated with utility replacements.
3. Reconstruction of East Sixth Street from Blaine Street to North Mill Street involving:
- a) Replacement of existing sewer and water mains.
  - b) Replacement of existing sewer and water laterals.
  - c) Replacement and upgrade of existing storm sewers.
  - d) Curb and Gutter and pavement replacement.
  - e) Limited sidewalk replacement associated with utility replacements.
4. Reconstruction of Hendricks Street from East Sixth Street to East Eighth Street involving:
- a) Replacement and upgrade of existing storm sewers.
  - b) Curb and Gutter and pavement replacement.
5. Reconstruction of East Eighth Street from Pier Street to Hendricks Street involving:
- a) Replacement of existing sewer and water mains.
  - b) Replacement of existing sewer and water laterals.
  - c) Replacement and upgrade of existing storm sewers.
  - d) Curb and gutter installation and pavement replacement.
  - e) Limited sidewalk replacement associated with utility replacements.

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. The installation of storm sewer on said street.
8. All improvements shall be completed to plans and specifications prepared or approved by the Public Works Director and recorded in the office of the Public Works Director/City Engineer.

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Common Council of the City of Merrill, Wisconsin,

1. That the reports of the City Public Works Director/City Engineer or City Building Inspector pertaining to construction of said improvements, including the plans and specifications are hereby adopted and approved.
2. That the Board of Public Works shall cause the improvements to be made by City employees or it may advertise and let any part or all of the same out on bids.
3. That payment for said improvements be made by assessing the costs to the property benefited as indicated in said report, as an exercise of the Police Power.
4. Those benefits shown on the reports are true and correct, having been determined on a reasonable basis and are hereby confirmed.
5. That the assessments for all projects included in said reports are hereby combined as a single assessment but any interested property owner shall be entitled to object to each assessment separately or any assessment jointly for any purpose or purposes.
6. The assessment against any parcel may be paid in cash not later than November 1 of the year such improvements are made, or in installments as provided by City Ordinance, and if not so paid, shall be extended upon the tax roll as a delinquent tax against said parcel and all proceedings in relation to the collection, return and sale of property for the delinquent real estate taxes shall apply to such assessment except otherwise provided by Statute.
7. The City Clerk is directed to publish this resolution as a Class 1 notice in the official newspaper.
8. The Clerk is further directed to mail a copy of this resolution and a statement

of the final assessment against the property to every property owner whose name appears on the assessment roll whose post office address is known or who can with reasonable diligence be ascertained.

Motion (Schwartzman/Peterson) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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2. A Resolution authorizing an application for public outdoor recreation funds (Resolution #2451).

WHEREAS, the City of Merrill Parks and Recreation Department is interested in acquiring or developing lands for public outdoor recreation purposes as described in the application; and,

WHEREAS, financial aid is required to carry out the project;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of April, 2016, that the City of Merrill Parks and Recreation Department has budgeted a sum sufficient to complete the project or acquisition and

HEREBY AUTHORIZES Dan Wendorf, Director, Parks and Recreation Department to act on behalf of the City of Merrill to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within six months of project completion date;
- Submit signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED, that the City of Merrill Parks and Recreation Department will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Motion (Norton/Burgener) to approve.

**RESULT:           APPROVED**

3. A Resolution in support of a Transportation Alternatives Program Grant (Resolution # 2452).

WHEREAS, the River Bend Trail of Merrill project has through strong partnerships between the public and private sectors, become a reality along the Wisconsin River in the City of Merrill; and,

WHEREAS, construction, planning and design of on-road and off-road trail facilities for pedestrians, bicyclists and other non-motorized forms of transportation is necessary to complete the easterly section of the trail, approximately 2,640 feet long; and,

WHEREAS, the City is requesting \$317,017 in Transportation Alternative Program Funds, with matching funds of \$159,375 being obtained from other grants and the River District Development Foundation's ongoing capital campaign;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of April, 2016, that the City of Merrill offers this resolution in support of the Transportation Alternatives Program Grant application submitted on January 26, 2016, and respectfully requests its approval.

Motion (Schwartzman/Norton) to approve.

**RESULT:           APPROVED**

4. A Resolution honoring Mary K. Maluegge for her long-term service to the City of Merrill (Resolution #2453).

WHEREAS, Mary K. Maluegge has served the City of Merrill for 8 years; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community and citizens; and

WHEREAS, Mary K. Maluegge has earned the admiration and respect of her fellow employees by the way in which she has carried out her duties; and

WHEREAS, Mary K. Maluegge's skills and experience will be missed at the City of Merrill Finance Office;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 12<sup>th</sup> day of April, 2016, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Mary K. Maluegge has given the City of Merrill Finance Office and Utilities Department, and commends her for those 8 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Mary K. Maluegge, congratulate her upon the occasion of her retirement from the City of Merrill Finance Office, and extend our warmest wishes for her enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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13. Mayor's Communications

Mayor Bialecki complimented the Merrill High School students that participated in a musical last week.

The grandstand at the Merrill Festival Grounds is due for completion this week, with a final inspection scheduled for April 14<sup>th</sup>.

Mayor Bialecki thanked Alderman Sukow for his years of service as a member of the Common Council.

14. Adjournment

Motion (Burgener/Schwartzman) to adjourn. Carried. Adjourned at 7:19 P.M.