



CITY OF MERRILL

COMMON COUNCIL

MINUTES • TUESDAY SEPTEMBER 13, 2016

Regular Meeting

City Hall Council Chambers

7:00 PM

1. Call to Order

Attendee Name	Title	Status	Arrived
Paul Russell	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	Present	
Mary Ball	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, City Attorney Tom Hayden, City Administrator Dave Johnson, 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 & Recreation Director Dan Wendorf and City Clerk Bill Heideman. Transit Director Rich Grenfell was excused.

2. Invocation by Pastor Andy Perry, Bible Presbyterian Church

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

Heather O'Neill requested that the City consider a location of a potential new skate park. She also advocated an active Historic Preservation program in the City. She would prefer older buildings being preserved rather than demolished.

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

1. Minutes of August 10th, 2016 meeting

Motion (Burgener/Ball) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for Period Ending August 31, 2016

Motion (Burgener/Meehean) to place on file.

RESULT: PLACED ON FILE

2. Fiscal Status - Fund 24 (Merrill Festival Grounds) and TID No. 3

Motion (Meehean/Schwartzman) to approve.

RESULT: APPROVED

8. General agenda items:

1. Employee Years of Service Recognition

Karen E. Vecchio, 10 years (Library)

City Clerk Heideman read a certificate of recognition for Karen Vecchio.

9. Health and Safety Committee:

1. Consider application from the Merrill Historical Society, 100 East Third Street, for a temporary Class "B" license to sell fermented malt beverages and wine at 100 East Third Street on Saturday, November 5, 2016, as part of a trivia contest. The Health and Safety Committee recommends approval.

Motion (Schwartzman/Meehean) to approve.

RESULT: APPROVED

2. Request for prorated license fee refund from Sawmill Brewing Co. Inc., as a result of surrendering their Class "B" (beer) and "Class B" (liquor) license for Sawmill Brewing Co. Inc., 1100 East Tenth Street. The amount of the prorated refund would be \$500. The Health and Safety Committee recommends approval.

Motion (Meehean/Ball) to approve.

RESULT: APPROVED

3. Request from Merrill Youth Hockey Association for an extension of premises to sell alcoholic beverages in a designated area outside the Smith Center, 1100 Marc Drive, on Saturday, September 17th, 2016, in conjunction with a "Pork in the Park" event. Wristbands will be used to help ensure compliance. Alderwoman Ball is bringing this request directly to the Common Council.

Motion (Burgener/Ball) to approve.

RESULT: APPROVED

4. Consider application from St. Francis Xavier Catholic Church, 1708 East Tenth Street, for a temporary Class "B" license to sell fermented malt beverages and wine at 1708 East Tenth Street (inside and on grounds) on Sunday, September 18, 2016, as part of a fall festival. Alderman Russell is bringing this application directly to the Common Council.

Motion (Russell/Meehean) to approve.

RESULT: APPROVED

10. Redevelopment Authority:

1. Consider TIF-funded interest subsidy program to facilitate expanded use of Community Development Revolving Loan Program. The Redevelopment Authority recommends approval.

Motion (Schwartzman/Peterson) to approve.

RESULT: APPROVED

11. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Airport Commission, Board of Canvassers, Board of Public Works, Committee of the Whole, Health and Safety Committee, Library Board, Personnel and Finance Committee, Redevelopment Authority and Tourism Commission.

Motion (Meehean/Norton) to place on file.

RESULT: PLACED ON FILE

12. Mayor's Appointments:

Rose Akey to the Merrill Enrichment Center Committee, term to expire May 1, 2017.

Nancy Kwiesielewicz to the Housing Authority, term to expire November 10, 2018.

Gary Schwartz to the Airport Commission, term to expire October 1, 2022

Motion (Burgener/Russell) to approve the appointments.

RESULT: APPROVED

13. Ordinances:

1. Consider recommendation(s) from September 13, 2016 Committee of the Whole Meeting: Ordinance amending Chapter 113, Article VI, Section 113-168, related to Off –Street Parking Restrictions in Residential Areas.

At that meeting, the Committee of the Whole recommended approval.

City Attorney Hayden gave the ordinance a first reading.

Note: Because the ordinance received a first reading only, it will be on the October 11th, 2016 Common Council meeting agenda, scheduled for a second reading.

2. Consider recommendation(s) from September 13, 2016 Committee of the Whole Meeting: Ordinance amending Chapter 8, Article XII, Section 8-330, to add Mobile Food Vendors.

At that meeting, the ordinance was was tabled. Therefore, the ordinance will not be considered at this time.

- 3. Consider recommendation(s) from September 13, 2016 Committee of the Whole Meeting: Ordinance amending Chapter 16, Section 1, to add licensing fees for Mobile Food Vendors.

At that meeting, the ordinance was tabled. Therefore, the ordinance will not be considered at this time.

- 4. Consider recommendation(s) from September 13, 2016 Committee of the Whole Meeting: Ordinance related to Mobile Food Vendors in Parks (commercial enterprise approval required).

At that meeting, the ordinance was tabled. Therefore, the ordinance will not be considered at this time.

- 5. Consider recommendations(s) from September 13, 2016 Committee of the Whole Meeting: Ordinance creating the Festival Grounds Committee.

At that meeting, the ordinance was referred to the Personnel and Finance Committee Therefore, the ordinance will not be considered at this time.

14. Resolutions:

- 1. Resolution on fee schedule for grass and weed mowing duties performed by the Street Department. The Board of Public Works recommends approval.

WHEREAS, the City of Merrill Code of Ordinances provides for the abatement of a nuisance where the property owner, occupant or person in charge of certain property fails to cut his lawn, grass or weeds; and,

WHEREAS, after written notice is given, the City shall abate the nuisance and the cost thereof shall be assessed to the property owner as a special charge; and,

WHEREAS, it is necessary, from time to time, to review the charges for such abatement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of September, 2016, that the following nuisance abatement fees for lawn mowing and or weeds are approved as follows:

LAWN MOWING AND/OR WEEDS:

FIRST OCCURRENCE:

\$300.00 for the first hour or part thereof and \$50.00 for every additional 15 minutes or portion thereof after the first hour, plus applicable taxes.

SECOND AND SUBSEQUENT OCCURRENCES IN A CALENDAR YEAR:

\$500.00 for the first hour or part thereof and \$50.00 for every additional 15 minutes or portion thereof after the first hour, plus applicable taxes.

Motion (Norton/Meehean) to approve.

RESULT:	APPROVED
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2. Resolution on fee schedule for snow and ice removal duties performed by the Street Department. The Board of Public Works recommends approval.

WHEREAS, the City of Merrill Code of Ordinances provides for the abatement of a nuisance where the property owner, occupant or person in charge of certain property fails to remove snow and ice from the sidewalk; and,

WHEREAS, after written notice is given, the City shall abate the nuisance and the cost thereof shall be assessed to the property owner as a special charge; and,

WHEREAS, it is necessary, from time to time, to review the charges for such abatement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of September, 2016, that the following nuisance abatement fees for snow and ice removal are approved as follows:

SNOW AND ICE REMOVAL:

FIRST OCCURRENCE:

\$300.00 for the first hour or part thereof and \$50.00 for every additional 15 minutes or portion thereof after the first hour.

SECOND AND SUBSEQUENT OCCURRENCES IN A CALENDAR YEAR:

\$500.00 for the first hour or part thereof and \$50.00 for every additional 15 minutes or portion thereof after the first hour, plus applicable taxes.

Motion (Norton/Peterson) to approve.

RESULT:	APPROVED
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3. Resolution authorizing City Administrator Johnson to sign documents to facilitate and complete transfer of the cell tower easement located at 401 S. Kyes Street to TCO IV, LLC. The Board of Public Works recommends approval.

WHEREAS, TowerCo has offered, and the City has accepted the offer for \$261,000 for a perpetual exclusive easement for a leased area in the vicinity of 401 S. Kyes Street; and,

WHEREAS, in addition to authorizing the sale of that easement, it is now necessary that the City of Merrill appoint a signor for all documents relative to the above referenced transaction;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of September, 2016, that City Administrator Dave Johnson is hereby authorized to sign any and all documents required to transfer the easement to TowerCo or its assigns.

Motion (Schwartzman/Norton) to approve.

RESULT: APPROVED

4. A Resolution authorizing the issuance and sale of \$2,095,000 General Obligation Promissory Notes, Series 2016A (Resolution #2484).

Finance Director Unertl provided a verbal overview of all three borrowing resolutions.

City Attorney Hayden requested that he be allowed to read the borrowing resolutions by title only. Without objection, it was so ordered.

Note: This resolution is being published by title only. The entire resolution and any related exhibits are available for inspection at the Clerk/Treasurer office at City Hall, 1004 East First Street.

RESULT: APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER: Tim Meehean, Alderperson - Eighth District
SECONDER: Ryan Schwartzman, Alderperson - Third District
AYES: Russell, Lokemoen, Schwartzman, Peterson, Burgener, Ball, Norton, Meehean

5. A Resolution awarding the sale of \$4,095,000 General Obligation Corporate Purpose Bonds, Series 2016B (Resolution #2485).

Note: This resolution is being published by title only. The entire resolution and any related exhibits are available for inspection at the Clerk/Treasurer office at City Hall, 1004 East First Street.

RESULT: APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER: Tim Meehean, Alderperson - Eighth District
SECONDER: Ryan Schwartzman, Alderperson - Third District
AYES: Russell, Lokemoen, Schwartzman, Peterson, Burgener, Ball, Norton, Meehean

6. A Resolution authorizing the issuance of \$1,080,000 General Obligation Promissory Notes and the issuance and sale of \$1,080,000 Taxable Note Anticipation Note in anticipation thereof, Series 2016C (Resolution #2486).

Note: This resolution is being published by title only. The entire resolution and any related exhibits are available for inspection at the Clerk/Treasurer office at City Hall, 1004 East First Street.

Alderman Schwartzman requested that the minutes include the fact that Standard & Poor's has affirmed the 2013 'A' bond rating, and that they report that the "outlook is stable" from their fiscal review and bond rating standards.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Ryan Schwartzman, Alderperson - Third District
SECONDER:	Kandy Peterson, Alderperson - Fourth District
AYES:	Russell, Lokemoen, Schwartzman, Peterson, Burgener, Ball, Norton, Meehean

15. Mayor's Communications

Mayor Bialecki reminded everyone of the upcoming annual Fall Ride, and requested that citizens welcome all visitors to Merrill.

The annual "Pork in the Park" will be held at the MARC on Saturday, September 17th.

A Mexican festival will be held at Normal Park from 2:00 P.M. to 8:00 P.M. on Saturday, September 17th.

A soccer tournament at the MARC is upcoming.

A Redevelopment Authority meeting is scheduled for 6:00 P.M. on Monday, September 19th. It will be held in the City Hall Common Council Chambers.

A Committee of the Whole meeting has been scheduled for Tuesday, September 27th, 2016. It will begin at 7:00 P.M. and will be held in the City Hall Common Council Chambers.

Mayor Bialecki asked that everyone keep Transit Director Rich Grenfell in their thoughts and prayers.

On September 28th, Ruder-Ware will be having a local government seminar in Wausau. All City officers and/or alderpersons interested in attending should contact the City Attorney's office.

16. Adjournment

Motion (Burgener/Schwartzman) to adjourn. Carried. Adjourned at 7:27 P.M.