



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY MARCH 14, 2017

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 |
|------------------|---|---------|---------|
| Paul Russell | Aldersperson - First District | Present | |
| Pete Lokemoen | Aldersperson - Second District | Excused | |
| 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, Police Chief Corey Bennett, Street Superintendent Dustin Bonack, City Attorney Tom Hayden, City Administrator Dave Johnson, Enrichment Center Director Tammie Mrachek, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Utility Operations Manager Gabe Steinagel, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park & Recreation Director Dan Wendorf and City Clerk Bill Heideman.

2. Silent Prayer

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

None.

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

1. Minutes of February 14, 2017 meeting

Motion (Burgener/Ball) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for the period ending February 28, 2017.

Motion (Burgener/Meehean) to place on file.

RESULT: PLACED ON FILE

2. 2016 Room Tax Reports

Motion (Burgener/Peterson) to approve.

RESULT: APPROVED

- 8. General agenda items:
 - Employee Years of Service Recognition
 - Douglas K. Drost, 20 years (Transit Department)

City Clerk Heideman read a certificate of recognition for Douglas Drost.
- 9. Board of Public Works:
 - 1. M-2-2017 Sidewalk Project Bids. Mayor Bialecki is bringing these bids directly to the Common Council.

Motion (Schwartzman/Norton) to approve the bid of \$102,675 from S. D. Ellenbecker Inc.

RESULT: APPROVED

- 10. Redevelopment Authority:
 - 1. Consider 2017 water and sewer utility improvements (within 1/2 mile of Tax Increment District No. 8 boundary) to facilitate manufacturing expansion at Mitchell Metal Products (905 S. State St.). The Redevelopment Authority recommends approval.

Motion (Schwartzman/Norton) to approve.
- 11. Placing Committee Reports on File:
 - 1. Consider placing the following committee reports on file: Airport Commission, Board of Public Works, Community Development Committee, Festival Grounds Committee, Health & Safety Committee, Library Board, Parks & Recreation Commission, Personnel & Finance Committee, Police & Fire Commission, Redevelopment Authority and Transit Commission.

Alderman Schwartzman noted an incorrect name in the Board of Public Works minutes. Without objection, those minutes will be corrected.

Motion (Meehean/Norton) to place on file.

RESULT: PLACED ON FILE

- 12. Ordinances:
 - 1. An Ordinance amending Chapter 109, Section 109-2, related to the City Comprehensive Plan (Ordinance #2017-02).

City Attorney Hayden gave the ordinance a first reading by title only.

Motion (Schwartzman/Peterson) 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 by title only.

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| RESULT: | APPROVED [7 TO 0] |
| MOVER: | Ryan Schwartzman, Alderperson - Third District |
| SECONDER: | Rob Norton, Alderperson - Seventh District |
| AYES: | Russell, Schwartzman, Peterson, Burgener, Ball, Norton, Meehean |
| EXCUSED: | Lokemoen |

13. Resolutions:

1. A Final Resolution of Intent to exercise special assessment powers by police powers under Section 66.0703 of the Wisconsin Statutes (Resolution #2501).

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 December 13, 2016, a copy of which is attached hereto, on which a hearing was held on the 25th day of January, 2017;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14th day of March, 2017, 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 Fourth District:
 - 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. Resurfacing of Poplar Street from East 5th Street north to East 6th Street involving:
 - a) Curb and gutter placement and pavement replacement
 - b) Limited sidewalk replacement associated with curb and gutter replacements.
3. Reconstruction of Chestnut Street from East 6th Street north to East 8th Street involving:
 - a) Replacement of water main and laterals.
 - b) Replacement of sewer main and laterals.

- c) Replacement and upgrade of existing storm sewer.
 - d) Curb and gutter and pavement replacement.
 - e) Limited sidewalk replacement associated with curb and gutter replacements.
4. Paving of Edgewater Drive from Grand Avenue to Highland Drive involving:
- a) Curb and gutter and pavement placement.
 - b) Storm sewer inlet adjustments.
5. Paving of Highland Drive, entire length, involving:
- a) Curb and gutter and pavement placement.
 - b) Storm sewer inlet adjustments.
6. Paving of Francis Street from East 6th Street to East 8th Street involving:
- a) Curb and gutter and pavement placement.
 - b) Storm sewer inlet adjustments.
7. Paving of Hollywood Drive from East 8th Street to East 10th Street involving:
- a) Curb and gutter placement and pavement replacement.
 - b) Storm sewer inlet adjustments.

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 (Meehean/Norton) to approve.

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| RESULT: | APPROVED |
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2. A Resolution approving jurisdictional transfer of County Highway Q (from Joe Snow Road to Tannery Drive) from Lincoln County to the City of Merrill (Resolution #2502).

WHEREAS, the functional/jurisdictional relationship of the proposed County Highway and City Street systems have been cooperatively reviewed by the City of Merrill and Lincoln County; and,

WHEREAS, changes in the jurisdiction of these highway systems in the County have been agreed to by the City and the County; and,

WHEREAS, consistent with those agreed changes, the City of Merrill Board of Public Works has reviewed the Transfer Agreement and has recommended approval of said Agreement; and,

WHEREAS, Section 83.025, Wisconsin Statutes, provides that, "Changes may be made in the county trunk system by the County Board if it deems that the public good is best served by making such changes. The County Board in making such changes may order the County Highway Committee to lay out new highways and acquire the interests necessary by the procedures under §83.08. Such systems, however, may be altered or increased only with the consent of the Department of Transportation."

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14th day of March, 2017, that the City of Merrill agrees to accept the transfer of that portion of County Highway Q, including right-of-way interest, which lie within the City of Merrill corporate limits as described below:

Beginning at the center line of Joe Snow Road located within the City of Merrill, within the northwest corner of Section 14, Township 31 North, Range 6 East, thence continuing northerly a distance of .55 miles to the intersection of Tannery Drive located within the City of Merrill, within the northwest corner of Section 14, Township 31 North, Range 6 East,

Said effective date of the transfer of jurisdiction of this portion of County Highway Q shall be the date the Jurisdictional Transfer Agreement is approved by the Lincoln County Board of Supervisors.

Motion (Norton/Schwartzman) to approve.

3. A Resolution honoring Kim Kriewald for his long-time service to the City of Merrill (Resolution #2503).

WHEREAS, Kim Kriewald has served the City of Merrill Water Utility Department for 29 years, ultimately retiring as Utility Manager; and,

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

WHEREAS, Kim Kriewald has earned the admiration and respect of his fellow employees by the way in which he has carried out his numerous duties; and

WHEREAS, Kim Kriewald's professional manner, dedication to environmental service and to the City of Merrill and his hard work in virtually every area in which he was involved will be greatly missed by the Utility Department, other departments, and Merrill's citizens; and

WHEREAS, Kim Kriewald’s many skills and years of experience will be missed at the City of Merrill Water Utility Department,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14th day of March, 2017, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Kim Kriewald has given the City of Merrill Water Utility Department and commends him for those 29 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Kim Kriewald, congratulate him upon the occasion of his retirement from the City of Merrill Water Utility Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

RESULT: APPROVED

4. A Resolution honoring Kenneth J. Neff for his extended service and great contribution to the City of Merrill (Resolution #2504).

WHEREAS, Kenneth J. Neff has served the City of Merrill as a Patrolman, Officer, School Resource Officer, Lieutenant, Captain, and Police Chief from March, 1982 to March, 2017; and,

WHEREAS, Kenneth J. Neff’s cheerful manner, dedication to Police service and to the City of Merrill and his hard work in virtually every area in which he was involved will be greatly missed by the Police Department and Merrill’s citizens; and

WHEREAS, the personal commitment and unselfish dedication Kenneth J. Neff has put forth has contributed greatly to the growth, progress, livability 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 Kenneth J. Neff’s dedicated service; and,

WHEREAS, Kenneth J. Neff’s cheerful demeanor and hard work will be missed at the Merrill Police Department and throughout the City;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 14th day of March, 2017, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Kenneth J. Neff has given the City of Merrill Police Department Department, and the City overall, and commends him for those 35 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Kenneth J. Neff, congratulate him upon the occasion of his retirement from the City of Merrill Police Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

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| RESULT: | APPROVED |
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14. Mayor's Communications

Mayor Bialecki thanked Kim Kriewald and Ken Neff for their years of service.

Mayor Bialecki then thanked the Lincoln County Sheriff's Department, the Merrill Police Department and other area law enforcement agencies for their efforts in addressing and combating the drug problem.

15. Adjournment

Motion (Burgener/Peterson) to adjourn. Carried. Adjourned at 7:23 P.M.