



**CITY OF MERRILL**  
**COMMON COUNCIL**  
**MINUTES • TUESDAY JUNE 13, 2017**

**Regular Meeting**

**City Hall Council Chambers**

**7:00 PM**

1. Call to Order

Mayor Bialecki called the meeting to order at 7:03 P.M.

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	Excused	
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 Captain Dale Bacher, Street Superintendent Dustin Bonack, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Fire Chief Dave Savone, Utility Operations Manager Gabe Steinagel, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park and Recreation Director Dan Wendorf and City Clerk Bill Heideman. Police Chief Corey Bennett, Transit Director Rich Grenfell and City Administrator Dave Johnson had excused absences.

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 May 9, 2017 meeting

Motion (Burgener/Schwartzman) to approve.

**RESULT: APPROVED**

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for Period Ending May 31, 2017

Motion (Burgener/Meehean) to approve.

**RESULT: APPROVED**

8. Board of Public Works:

1. Street Use Permit application from Ballyhoo's to close Prospect Street (from Grand Avenue to West Main Street) from 11:00 A.M. to 11:00 P.M. on Saturday, July 22, 2017, for Lobsterfest event. The Board of Public Works recommends approval.

Motion (Schwartzman/Russell) to approve.

**RESULT: APPROVED**

2. Consider 2017 Paving Project Bids. Mayor Bialecki is bringing the bid(s) directly to the Common Council. The bid(s) are due and scheduled to be opened on June 12<sup>th</sup>. The results of the bid opening will be provided at the June 13<sup>th</sup> Common Council meeting.

The only bid received was from American Asphalt of Wisconsin, and was for \$458,008.20.

Motion (Meehean/Burgener) to approve the bid.

**RESULT: APPROVED**

3. Street Use Permit application from Ott's Garage, to close a portion of the street in the vicinity of Ott's Garage, from 3:00 to 9:00 P.M., on Friday, July 7, 2017, in conjunction with an extreme sports/music youth event. This agenda item is part of an amended agenda, and is being brought directly to the Common Council by Alderman Norton.

Motion (Norton/Peterson) to approve.

**RESULT: APPROVED**

9. City Plan Commission:

1. Site Plan for garden shed at Trinity Lutheran School, 611 West Main Street. The City Plan Commission recommends approval.

Motion (Schwartzman/Russell) to approve.

**RESULT: APPROVED**

2. Site Plan for Northcentral Technical College (NTC) Transportation Center, near the NTC Public Safety Center of Excellence. The City Plan Commission recommends approval, which would be contingent upon rezoning (Industrial to Public) of the site plan location.

Motion (Meehean/Norton) to approve.

**RESULT: APPROVED**

10. Committee of the Whole/Redevelopment Authority:

1. Consider recommendation(s) from June 13, 2017 joint Committee of the Whole/Redevelopment Authority meeting related to notification of Weinbrenner Shoe Company intent to purchase factory property, subject to lease agreement.

City Attorney Hayden reported that, at the June 13<sup>th</sup>, 2017 meeting, the Redevelopment Authority/Committee of the Whole recommended selling the Weinbrenner Shoe Company factory to the Weinbrenner Shoe Company for \$10, per the 1993 lease provisions.

Motion (Schwartzman/Peterson) to approve the recommendation.

**RESULT: APPROVED**

2. Consider recommendation(s) from June 13, 2017 joint Committee of the Whole/Redevelopment Authority meeting related to a request from Horizon Development Group Inc. to extend, into 2018, the authorization for Tax Increment District (TID) #10 development agreement and sale of the City-owned property.

City Attorney Hayden reported that, at the June 13<sup>th</sup>, 2017 meeting, the Redevelopment Authority recommended approving the request. However, at that same meeting, the Committee of the Whole took no action to concur with the Redevelopment Authority recommendation. Based on this, City Attorney Hayden suggested that the only course of action at this time would be to acknowledge receipt of the request and place it on file.

Motion (Norton/Meehean) to acknowledge receipt of the request and place it on file.

**RESULT: PLACED ON FILE**

11. Health and Safety Committee:

1. Applications from Fraternal Order of Eagles for five temporary Class "B" (picnic) licenses to sell fermented beverages in the Eagle's Fairstand at the Merrill Festival Grounds during the Lincoln County Free Fair, July 26-July 30, 2017. The Health and Safety Committee recommends approval.

Motion (Russell/Burgener) to approve all the temporary Class "B" (picnic) licenses on the agenda (six agenda items).

**RESULT: APPROVED**

2. Application from Fraternal Order of Eagles for a temporary Class "B" (picnic) license to sell fermented beverages in the Eagle's Fairstand at the Merrill Festival Grounds during the Labor Day Celebration on September 4, 2017. The Health and Safety Committee recommends approval.

See previous motion.

**RESULT: APPROVED**

3. Applications from Merrill Wrestling for five temporary Class "B" (picnic) licenses to sell fermented malt beverages in a fenced-in area at the Merrill Festival Grounds during the Lincoln County Free Fair, July 26-July 30, 2017. The Health and Safety Committee recommends approval.

See previous motion.

**RESULT: APPROVED**

4. Applications from VFW Post 1638 for five temporary Class "B" (picnic) licenses to sell fermented beverages in the VFW Fairstand at the Merrill Festival Grounds during the Lincoln County Free Fair, July 26-July 30, 2017. The Health and Safety Committee recommends approval.

See previous motion.

**RESULT: APPROVED**

5. Applications from VFW Post 1638 for two temporary Class "B" (picnic) licenses to sell fermented beverages in the VFW Fairstand at the Merrill Festival Grounds during the Merrill Tractor Pull, July 7-July 8, 2017. The Health and Safety Committee recommends approval.

See previous motion.

**RESULT: APPROVED**

6. Application from VFW Post 1638 for a temporary Class "B" (picnic) license to sell fermented beverages in the VFW Fairstand at the Merrill Festival Grounds during the VFW Post 1638 75th Anniversary Celebration on August 5, 2017. The Health and Safety Committee recommends approval.

See previous motion.

**RESULT: APPROVED**

7. Request from V-F Inc (Loz Mezcales), 3340 E. Main Street, for a change of agent to Valeria Melendez for the license period to expire June 30, 2017. The Health and Safety Committee recommends approval.

Motion (Peterson/Norton) to approve.

**RESULT: APPROVED**

8. 2017-2018 Liquor License Applications (per list). The Health and Safety Committee recommends approval.

Motion (Meehean/Russell) to approve.

**RESULT: APPROVED**

9. Request from Ballyhoos for an extension of premise to sell alcoholic beverages from Ballyhoo's (124 N. Prospect Street) to a fenced in area east of their front door into Cenotaph Park next to Park Place on July 22, 2017, in conjunction with Merrill Lobster Fest. The Health and Safety Committee recommends approval.

Motion (Meehean/Russell) to approve.

**RESULT: APPROVED**

12. Personnel and Finance Committee:

1. Request to write-off Personal Property Tax Bill (total of \$117.02) for Roberts Broadcasting, 1106 West Main Street. The Personnel and Finance Committee recommends approval.

Motion (Schwartzman/Norton) to approve.

**RESULT: APPROVED**

2. Request to write-off Real Estate Tax Bill for 1005 Grand Avenue (\$852.24). The Personnel and Finance Committee recommends approval.

Motion (Schwartzman/Meehean) to approve.

**RESULT: APPROVED**

13. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Airport Commission, Board of Public Works, City Plan Commission, Community Development Committee, Festival Grounds Committee, Health and Safety Committee, Housing Authority, Joint Review Board, Library Board, Merrill Enrichment Center Committee, Parks and Recreation Commission, Personnel and Finance Committee, Police and Fire Commission, Redevelopment Authority, Transit Commission, Water and Sewage Disposal Committee and Zoning Board of Appeals.

Motion (Meehean/Burgener) to place on file.

**RESULT: PLACED ON FILE**

14. Ordinances:

1. An Ordinance amending the District Zoning Map of the City to rezone (Industrial to Public) a parcel lying between West Taylor Street and Commerce Street, to facilitate the Northcentral Technical College (NTC) Transportation Center (Ordinance 2017-03).

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.

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE [7 TO 0]</b>
<b>MOVER:</b>	Ryan Schwartzman, Alderperson - Third District
<b>SECONDER:</b>	John Burgener, Alderperson - Fifth District & President
<b>AYES:</b>	Russell, Lokemoen, Schwartzman, Peterson, Burgener, Norton, Meehean
<b>EXCUSED:</b>	Ball

15. Resolutions:

1. A Resolution approving a Certified Survey Map on County Road K in the Town of Scott by Pete Borchardt (Resolution #2508).

WHEREAS, Pete Borchardt has applied for approval of a division of land by certified survey map pursuant to Code of Ordinances Sections 111-116 and 111-119 for land located in the Southwest ¼ of the Northwest ¼ of Section 24, Township 31 North, Range 6 East, Town of Scott, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on June 6, 2017; and,

WHEREAS, the City Plan Commission has recommended approval of the land division by certified survey map;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13<sup>th</sup> day of June, 2017, that the proposed certified survey map presented by Pete Borchardt and prepared by Josh W. Prentice, Land Surveyor, involving the Southwest ¼ of the Northwest ¼ of Section 24, Township 31 North, Range 6 East, Town of Scott, Lincoln County, Wisconsin is hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to so certify the approval of this certified survey map and return the original to the applicant together with a certified copy of this resolution.

Motion (Schwartzman/Meehean) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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2. A Resolution approving the 2016 Compliance Maintenance Annual Report for the City of Merrill Wastewater Treatment Plant (Resolution #2509).

WHEREAS, the City of Merrill is required by the Wisconsin Department of Natural Resources (WDNR) to complete a Compliance Maintenance Annual

Report on its Wastewater Treatment Plant; and

WHEREAS, the Water and Sewage Committee, of the City of Merrill, has reviewed the Compliance Maintenance Report for the year 2016, and has determined that it reflects the performance of the Wastewater Treatment Plant during 2016; and

WHEREAS, the report indicates a need for continued improvements at the Wastewater Treatment Plant and its operations to meet the requirements set forth by the WDNR;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN, this 13<sup>th</sup> day of June, 2017, that:

1. The Compliance Maintenance Annual Report for 2016 is hereby approved and authorized to be filed with the WDNR.
2. That the Compliance Maintenance Annual Report for 2016 is an accurate indication of the performance of the City of Merrill Wastewater Treatment Plant for the year 2016.

Motion (Norton/Burgener) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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3. A Resolution honoring Donald S. Litzer for his long-time service to the City of Merrill (Resolution #2510).

WHEREAS, Donald S. Litzer has served the City of Merrill T.B. Scott Library 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, Donald S. Litzer has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and

WHEREAS, Donald S. Litzer's skills and experience will be missed at the City of Merrill T.B. Scott Library;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13<sup>th</sup> day of June, 2017, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Donald S. Litzer has given the City of Merrill T.B. Scott Library and commends him for those 8 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Donald S. Litzer, congratulate him upon the occasion of

his retirement from the City of Merrill T.B. Scott Library, and extend our warmest wishes for his 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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16. Mayor's Communications

Mayor Bialecki thanked the Redevelopment Authority and the Committee of the Whole for the work they did at their joint meeting earlier in the evening.

The annual fireworks show will be held at the Merrill Area Recreation Complex (MARC) on the Fourth of July. In the event of rain, that event will be rescheduled for Labor Day weekend.

The Merrill Tractor Pull will be held on Saturday, July 8<sup>th</sup>.

17. Adjournment

Motion (Burgener/Norton) to adjourn. Carried. Adjourned at 7:25 P.M.