



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY MARCH 13, 2018

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	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	

City staff also in attendance: Public Works Director/City Engineer Rod Akey, Police Chief Corey Bennett, Street Superintendent Dustin Bonack, Transit Director Brad Brummond, City Attorney Tom Hayden, City Administrator Dave Johnson, Enrichment Center Director Tammie Mrachek, Building Inspector/Zoning Administrator Darin Pagel, Utility Operations Manager Gabe Steinagel, Library Director Stacy Stevens, Finance Director Kathy Unertl, Fire Battalion Chief Tadd Wegener, Park and Recreation Director Dan Wendorf, Maintenance Supervisor Nick Wszalek and City Clerk Bill Heideman.

2. Invocation by Pastor William Hohman, New Testament Church

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

None.

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

1. Minutes of February 13, 2018 meeting

Motion (Burgener/Ball) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for Period Ending February 28, 2018

Motion (Burgener/Schwartzman) to place on file.

RESULT: PLACED ON FILE

8. General agenda items:
 1. Employee Years of Service Recognition:
Dane L. Mathwich, 10 yeas (Police Department)
City Clerk Heideman read a certificate of recognition for Dane Mathwich.
9. Board of Public Works:
 1. Consider M-2-2018 sidewalk bids. The Board of Public Works recommends approving the bid of \$127,150 from S D Ellenbecker Inc.
Motion (Schwartzman/Lokemoen) to approve the bid of \$127,150 from S D Ellenbecker Inc.

RESULT: APPROVED

10. Festival Grounds Committee:
 1. Consider bids on new restrooms building. The Festival Grounds Committee recommends approving the bid of \$224,529 from JAS.
Motion (Norton/Ball) to approve the bid of \$224,529 from JAS.

RESULT: APPROVED

2. Consider bids on project for new roof/siding on Steckling Building. The Festival Grounds Committee recommends approving the bid of \$69,668 from S D Ellenbecker Inc.
Motion (Meehean/Russell) to approve the bid of \$69,668 from S D Ellenbecker Inc.

RESULT: APPROVED

11. Personnel and Finance Committee:
 1. Consider bids on tax-delinquent properties currently owned by the City. The Personnel and Finance Committee recommends approving the high bid on all properties that received bids, including the high bid received for the 722 East Second Street property. Also, the Redevelopment Authority recommends approving the bid received for the 806 North Center Avenue property.
Motion (Schwartzman/Ball) to approve the high bid on all properties that received bids, (including the 722 East Second Street property), with the exception of the 416 Grand Avenue property, which would be referred back to the Personnel and Finance Committee. (This is the original motion on this agenda item).

Motion (Lokemoen) to amend by adding language to the motion that the 722 East Second Street property would be rebid. Motion to amend failed due to lack of a second.

On a roll call vote, the original motion passed 5-2-1. Voting No - Alderman Russell and Alderman Meehan. Abstaining - Alderwoman Ball.

Motion (Norton/Meehan) to reconsider the original motion. On a roll call vote, the motion to reconsider failed 3-5. Voting Yes - Alderman Russell, Alderman Norton and Alderman Meehan.

The original motion is therefore approved.

12. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Board of Public Works, Festival Grounds Committee, Health & Safety Committee, Library Board, Merrill Enrichment Center Committee, Parks & Recreation Commission, Personnel & Finance Committee, Police & Fire Commission, Redevelopment Authority and Water & Sewage Disposal Committee.

Motion (Schwartzman/Ball) to place on file.

RESULT:	APPROVED
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13. Ordinances:

1. An Ordinance amending Code of Ordinances Chapter 2, Article VI, Division 2, Section 2-155(a), to allow one non-resident member on the Merrill Enrichment Center Committee. The Merrill Enrichment Center Committee recommends approval. This ordinance received a first reading at the February 13th, 2018 Common Council meeting.

City Attorney Hayden gave the ordinance a second reading.

2. An Ordinance amending Code of Ordinances Chapter 2, Article VI, Section 2-152, related to the duties of the Merrill Enrichment Center Committee. The Merrill Enrichment Center Committee recommends approval. This ordinance received a first reading at the February 13th, 2018 Common Council meeting.

City Attorney Hayden gave the ordinance a second reading.

14. Resolutions:

1. A Final Resolution of intent to exercise Special Assessment Powers by Police Power under Section 66.0703 of the Wisconsin Statutes.

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 12, 2017, a copy of which is attached hereto, on which a hearing was held on the 24th day of January, 2018;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of March, 2018, 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 north half of District 5, from West 4th Street north:
 - 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 Chestnut Street from East 6th Street north to East 10th 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.
3. Paving of East Tenth Street from Sales Street to Memorial Drive involving:
 - a) Curb and gutter placement and pavement replacement
 - b) Storm sewer inlet adjustments
 - c) Sidewalk installation, north side only from Kyes Street to Memorial Drive

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. The necessary landscaping on said street.
9. 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/Norton) to approve.

RESULT:	APPROVED
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2. A Resolution adopting the Lincoln County All Hazards Mitigation Plan Update. The Health and Safety Committee recommends approval.

WHEREAS, the City of Merrill recognizes the threat that natural hazards pose to people and property and,

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and,

WHEREAS, an adopted All Hazards Mitigation Plan is required as a condition of future grant funding for mitigation projects; and,

WHEREAS, the City of Merrill adopted the previous update of the All Hazards Mitigation Plan on September 11, 2012; and,

WHEREAS, the City of Merrill participated jointly in the planning process with Lincoln County and the other local units of government within the County to prepare an update to the existing multi-jurisdictional All Hazards Mitigation Plan

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of March, 2018, that the City of Merrill hereby adopts the Lincoln County All Hazards Mitigation Plan Update as an official plan; and,

BE IT FURTHER SOLVED, that the Lincoln County Emergency Management Department will submit, on behalf of the City of Merrill, the adopted All Hazards Mitigation Plan Update to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval.

Motion (Russell/Norton) to approve.

RESULT:	APPROVED
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3. A Resolution honoring Christopher C. Marion for his extended service and great contribution to the City of Merrill.

WHEREAS, Christopher C. Marion has served the City of Merrill as a Firefighter, Firefighter-EMT, and Paramedic from August, 1994 to January 2018; and,

WHEREAS, Christopher C. Marion's cheerful manner, dedication to Fire 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 Fire Department and Merrill's citizens; and,

WHEREAS, Christopher C. Marion has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and,

WHEREAS, Christopher C. Marion's skills and experience, will be missed at the City of Merrill Fire Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of March, 2018, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the faithful service Christopher C. Marion has given the City of Merrill Fire Department and commends him for those 24 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Christopher C. Marion, congratulate him upon the occasion of his retirement from the City of Merrill Fire 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
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15. Mayor's Communications

Mayor Bialecki urged everyone to vote in the upcoming Spring Election on April 3rd.

16. Adjournment

Motion (Burgener/Ball) to adjourn. Carried. Adjourned at 7:38 P.M.