



**CITY OF MERRILL**  
**COMMON COUNCIL**  
**MINUTES • TUESDAY APRIL 10, 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	Excused	
John Burgener	Aldersperson - Fifth District & President	Excused	
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, Transit Director Brad Brummond, City Attorney Tom Hayden, City Administrator Dave Johnson, Interim Fire Chief Scott Krause, Enrichment Center Director Tammie Mrachek, Building Inspector/Zoning Administrator Darin Pagel, Utility Operations Manager Gabe Steinagel, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park and 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 March 13, 2018 meeting

Motion (Schwartzman/Ball) to approve.

**RESULT: APPROVED**

7. Fiscal, Room Tax & Tourism Reports(s):

1. Revenue & Expense Report for Period Ending March 31, 2018

Motion (Schwartzman/Russell) to approve.

<b>RESULT:</b> <b>APPROVED</b>
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2. 2017 Room Tax Reports

Finance Director Unertl provided verbal comments on the reports.

3. 2017 Tourism Report

Finance Director Unertl provided verbal comments on the report.

8. Communications and Petitions:

1. Consider claim filed by Roger Wolf for injuries and damages as the result of a slip and fall at the T.B. Scott Library, 106 West First Street, on February 17, 2018. The City's insurance carrier is recommending that this claim be disallowed. This recommendation is based on the fact that an investigation revealed that the City of Merrill was not negligent or liable for this incident as the City is entitled to government immunity for the natural accumulation of ice and snow that exists for up to three weeks. Based on the investigation, the ice that Mr. Wolf allegedly slipped and fell on was not present for more than three weeks.

Motion (Meehean/Norton) to disallow.

<b>RESULT:</b> <b>DISALLOWED</b>
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9. General agenda items:

1. Employee years of service recognition:

Katherine G. Unertl, 15 years (Finance)

City Clerk Heideman read a certificate of recognition for Katherine Unertl.

10. Board of Public Works:

1. Request to reallocate budgeted funds (not to exceed \$24,000) from the Street Department Machinery Fund to screen recycled decomposed mulch piles to use for topsoil. Mayor Bialecki is bringing this request directly to the Common Council.

Motion (Schwartzman/Lokemoen) to approve.

<b>RESULT:</b> <b>APPROVED</b>
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11. Health and Safety Committee:

1. Application from the Lincoln County Rodeo Association Inc. for three temporary Class "B" (picnic) licenses to sell fermented malt beverages at the Merrill Festival Grounds during the Wisconsin River Pro Rodeo, June 8 - 10, 2018. The Health and Safety Committee recommends approval.

Motion (Russell/Ball) to approve.

**RESULT:           APPROVED**

2. Application from the Merrill Historical Society for a temporary Class "B" (picnic) license to sell fermented malt beverages and wine at 100 East Third Street, during the 2018 History Hunt event on April 28, 2018. The Health and Safety Committee recommends approval.

Alderman Schwartzman announced that he would be abstaining from any vote on this agenda item.

Motion (Meehean/Ball) to approve.

**RESULT:           APPROVED**

3. Application from Sawmill Brewery Company Inc. for a Class "B" (beer) and a "Class B" (liquor) license for the Sawmill Brewery, 1110 East Tenth Street, effective May 1, 2018. The Health and Safety Committee recommends approval.

Motion (Russell/Ball) to approve.

**RESULT:           APPROVED**

12. Personnel and Finance Committee:

1. Consider writing off 2017 over-collected Personal Property tax bill of \$881.75 for Marco Inc. The Personnel and Finance Committee recommends approving the write-off.

Motion (Meehean/Schwartzman) to approve.

**RESULT:           APPROVED**

2. Reconsider bids on sale of City property at 416 Grand Avenue. The Personnel and Finance Committee recommends approving the bid of \$100 from the Merrill Social and Sick Benefit Society.

Motion (Schwartzman/Meehean) to approve.

**RESULT:           APPROVED**

3. Reconsider bids on sale of City property at 802 Lake Street. The Personnel and Finance Committee recommends approving the bid of \$6,276 from Eric Vilhauer.

Motion (Meehean/Schwartzman) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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13. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Airport Commission, Board of Public Works, City Plan Commission, Health & Safety Committee, Library Board, Merrill Enrichment Center Committee, Personnel & Finance Committee Transit Commission and Water & Sewage Disposal Committee.

Motion (Norton/Meehean) to place on file.

<b>RESULT:</b>	<b>PLACED ON FILE</b>
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14. 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 13<sup>th</sup>, 2018 Common Council meeting and a second reading at the March 13<sup>th</sup>, 2018 Common Council meeting.

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

Motion (Schwartzman/Lokemoen) to disapprove. Motion to disapprove carried.

2. An Ordinance amending Code of Ordinances Chapter 2, Article VI, Section 2-152, related to the duties of the Merrill Enrichment Center Committee (Ordinance #2018-03). The Merrill Enrichment Center Committee recommends approval. This ordinance received a first reading at the February 13<sup>th</sup>, 2018 Common Council meeting and a second reading at the March 13<sup>th</sup>, 2018 Common Council meeting.

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

<b>RESULT:</b>	<b>APPROVED [6 TO 0]</b>
<b>MOVER:</b>	Ryan Schwartzman, Alderperson - Third District
<b>SECONDER:</b>	Tim Meehean, Alderperson - Eighth District
<b>AYES:</b>	Russell, Lokemoen, Schwartzman, Ball, Norton, Meehean
<b>EXCUSED:</b>	Peterson, Burgener

15. Resolutions:

1. A Resolution approving a Conditional Use Permit to open a craft shop at 1010 East Third Street (Resolution #2555).

WHEREAS, Anthony and Roxanne Baumann, has requested a conditional use permit pursuant to the Merrill Zoning Code Chapter 113, Article IV, Section 113 for the purpose of opening a craft shop on the following described property:

Lot One (1) and the East One-half-(E ½) of Lot Two (2), Block Seventeen (17) of the Original Plat of Jenny, City of Merrill, Lincoln County, Wisconsin,

Commonly known as 1010 E. Third Street herein referred to as the “Premises”;  
and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on April 4, 2018, due public notice having been given and opportunity given to those interested to speak on the application; and,

WHEREAS, the City Plan Commission has reviewed the Application, found that it does meet the requirements of Merrill Zoning Code, Chapter 113, Article IV, Section 113 and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of April, 2018, that a conditional use permit shall be issued to Anthony and Roxanne Baumann for the purpose of opening a small craft shop on the aforesaid described premises.

Motion (Meehean/Russell) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
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2. A Resolution honoring Michael H. Drury for his extended service and great contribution to the City of Merrill (Resolution #2556).

WHEREAS, Michael H. Drury has served the City of Merrill as a Firefighter, Master Pump Operator, Lieutenant, Captain, Administrative Captain and retiring as a Battalion Chief, from March, 1986 to March, 2018; and,

WHEREAS, Michael H. Drury’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, Michael H. Drury has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and,

WHEREAS, Michael H. Drury’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 10<sup>th</sup> day of April, 2018, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the faithful service Michael H. Drury has given the City of Merrill Fire Department and commends him for those 32 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Michael H. Drury, 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.

<b>RESULT:</b>	<b>APPROVED</b>
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3. A Resolution honoring William Bialecki for his extended service and great contribution to the City of Merrill (Resolution #2557).

WHEREAS, William Bialecki is retiring as Mayor of the City of Merrill, Wisconsin, having served in that capacity with distinction since April, 2010; and,

WHEREAS, the City of Merrill and its citizens have benefitted from his guidance, unselfish dedication and unwavering commitment to bettering our city; and,

WHEREAS, under his leadership, the City of Merrill has seen unprecedented growth in Tax Increment Financing for economic development, the construction and renovation of new recreational amenities such as the Bierman Family Aquatic Center, River Bend Trail Linear Park, a dog park, Lion's Park ball fields, and others, the construction of a new Central Fire Station, a new Enrichment Center/Expo Hall, a new Walmart, a new Park City Credit Union headquarters and other new businesses, preservation and renovation of the former County Fairgrounds as the Merrill Festival Grounds, the successful implementation of a blight elimination initiative, all done with a vision for the City of Merrill's future that is positive, ambitious, and beneficial to our citizens, all having been accomplished while maintaining an unequalled commitment to economic growth and prosperity; and,

WHEREAS he has sacrificed eight years from his retirement that he could have devoted to fishing, hunting, and other leisure pursuits, choosing instead to concentrate his efforts on being a full-time Mayor in a "part-time" job; and,

WHEREAS, citizens of Merrill and Lincoln County have benefitted from his service to the Lincoln County Board of Supervisors, membership on local boards, and membership in local organizations,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of April, 2018, that the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service William Bialecki has given to the City of Merrill and commend him for those years of service, and wish him and his wife Judy the very best that life has to offer.

Motion (Common Council/Common Council) to approve.

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

Mayor Bialecki mentioned bumper stickers that were distributed. The bumper stickers promote the library.

Ruder-Ware will be having a seminar in Rothschild on April 30<sup>th</sup>. Common Council members and City staff were urged to attend.

Mayor Bialecki acknowledged a group of Cub Scouts that were in attendance.

17.    **Adjournment**

Motion (Ball/Meehean) to adjourn. Carried. Adjourned at 7:23 P.M.