



**CITY OF MERRILL**  
**COMMON COUNCIL**  
**MINUTES • TUESDAY JULY 10, 2018**

**Regular Meeting**

**City Hall Council Chambers**

**7:00 PM**

1. Call to Order

Mayor Woellner 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 & Council President	Present	
Steve Osness	Aldersperson - Fourth District	Present	
John M. Van Lieshout	Aldersperson - Fifth District	Present	
Dave Sukow	Aldersperson - Sixth District	Present	
Rob Norton	Aldersperson - Seventh District	Present	
Tim Meehean	Aldersperson - Eighth District	Present	
Derek Woellner	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, Fire Chief Josh Klug, Utility Operations Manager Gabe Steinagel, Library Director Stacy Stevens, Finance Director Kathy Unertl, Park and Recreation Director Dan Wendorf, Facilities Maintenance Manager Nick Wszalek and City Clerk Bill Heideman. Building Inspector/Zoning Administrator Darin Pagel had an excused absence.

2. Silent Prayer

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

Kurt Helmstadter urged the Common Council to not sell the 511 Logan St. property.

D'Lacey Haight reported that she has submitted a document related to a potential "Splash Pad" at the new downtown pocket park. The document is signed by several downtown business owners, and includes several questions related to the inclusion of a pad in the park. She added that she hoped that the City and the downtown businesses can work cooperatively on future downtown development and related issues.

Kyle Gulke requested that the ordinance be amended to allow bicycle traffic on the sidewalk on Highway 107 heading west to the Merrill Area Recreation Complex (MARC). He then cited a source that reported that trails are a valuable asset in attracting people to a community.

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

## 1. Minutes of June 12, 2018 meeting

Motion (Schwartzman/Meehean) to approve.

**RESULT: APPROVED**

## 7. Revenue &amp; Expense Reports(s):

## 1. Revenue &amp; Expense Report for Period Ending June 30, 2018

Motion (Schwartzman/Russell) to approve.

**RESULT: APPROVED**

## 8. General agenda items:

## 1. Employee Years of Service Recognition:

Dale A. Bacher, 30 years (Police Department)

City Clerk Heideman read a certificate of recognition for Dale Bacher.

Roger J. Drewek, 20 years (Street Department)

City Clerk Heideman read a certificate of recognition for Roger Drewek.

Angela M. Holz, 20 years (Water & Sewer Utility)

City Clerk Heideman read a certificate of recognition for Angela Holz.

## 2. Establish date for August Common Council meeting

Motion (Norton/Meehean) to schedule the regular August Common Council meeting for Wednesday, August 15<sup>th</sup>. A requested roll call vote resulted in a 4-4 tie. Voting No - Alderman Schwartzman, Alderman Osness, Alderman Van Lieshout and Alderman Sukow.

Mayor Woellner requested a motion to allow the audience to provide input on his potential tie-breaking vote. Hearing no such motion, Mayor Woellner declared that the motion to schedule the meeting for August 15<sup>th</sup> had failed.

Motion (Lokemoen/Schwartzman) to schedule the regular August Common Council meeting for Tuesday, August 7<sup>th</sup>.

**RESULT: APPROVED**

## 9. Board of Public Works:

1. Street User Permit application from Ott's Garage Youth Center to close a portion of the street in the vicinity of Ott's Garage, 805 East Main Street, from 3:00 P.M. to 9:00 P.M. on Wednesday, August 1st, 2018, in conjunction with an extreme sports/music youth event. The Board of Public Works recommends approval.

Motion (Schwartzman/Osness) to approve.

**RESULT: APPROVED**

2. 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 28th, 2018, for Lobsterfest event. The Board of Public Works recommends approval.

Motion (Meehean/Russell) to approve.

**RESULT: APPROVED**

3. Consider bids on potential sales of two City-owned properties (206 N. Thomas Street and 511 Logan Street). The Board of Public Works recommends approving the bid of \$500 for the 206 N. Thomas Street property. The Board of Public Works makes no recommendation on the 511 Logan Street property.

Motion (Schwartzman/Lokemoen) to approve the bid of \$500 on the 206 N. Thomas Street property.

**RESULT: APPROVED, RUSSELL ABSTAINING**

10. Health and Safety Committee:

1. Applications from Merrill Youth Hockey Association for seven temporary Class "B" (picnic) licenses to sell fermented malt beverages in Normal Park, 500 North Center Avenue, during Gazebo Nights on the following 2018 dates: July 12th, July 19th, July 26th, August 2nd, August 9th, August 23rd and August 30th. The Health and Safety Committee recommends approval.

Motion (Sukow/Van Lieshout) to approve.

**RESULT: APPROVED**

2. Applications from Merrill Fastpitch for three temporary Class "B" (picnic) licenses to sell fermented malt beverages at the softball fields at the Merrill Area Recreation Complex (MARC), 1100 MARC Drive, during the 2018 Merrill Fastpitch Tournament, July 20-22, 2018. The Health and Safety Committee recommends approval.

Motion (Van Lieshout/Russell) to approve.

**RESULT: APPROVED**

3. Application from Saint Stephen's United Church of Christ for a temporary Class "B" (picnic) license to sell fermented malt beverages at Normal Park, 500 North Center Avenue, during Saint Stephen's Oktoberfest, September 29th, 2018. The Health and Safety Committee recommends approval.

Motion (Sukow/Meehean) to approve.

**RESULT: APPROVED**

4. Request from Ballyhoo's for an extension of premises 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 28, 2018, in conjunction with Merrill Lobsterfest. The Health and Safety Committee recommends approval.

Motion (Russell/Norton) to approve.

**RESULT: APPROVED**

5. Request from Merrill Social and Sick Benefit Society to change the premises description associated with their Class B Combination license for S & S Bar, 418 Grand Avenue, to include a beer garden on a lot on the east end of the bar building. The Health and Safety Committee recommends approval.

Motion (Sukow/Schwartzman) to approve.

**RESULT: APPROVED**

11. Personnel and Finance Committee:

1. Consider writing off 2017 over-collected Personal Property tax bill of \$28.77 for The Goblin Workshop (formerly at 416 W. Main St.), as well as future 2018 Personal Property tax bill. The Personnel and Finance Committee recommends approval.

Motion (Schwartzman/Russell) to approve.

**RESULT: APPROVED**

12. 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 & Safety Committee, Library Board, Personnel & Finance Committee and Redevelopment Authority.

Motion (Sukow/Meehean) to place on file.

**RESULT: PLACED ON FILE**

13. Mayor's Appointments:

Richard Mamer to the Library Board, term to expire June 30, 2021

Audrey Hufstel to the Library Board, term to expire June 30, 2021

Alderman Russell to the Historic Preservation Committee

Alderman Sukow to the Historic Preservation Committee

Motion (Schwartzman/Meehean) to approve all appointments.

<b>RESULT:</b>	<b>APPROVED</b>
----------------	-----------------

## 14. Ordinances:

None.

## 15. Resolutions:

1. A Resolution approving a Certified Survey Map on W. Jackson Street, requested by S.C. Swiderski, LLC (Resolution #2570).

WHEREAS, S.C. Swiderski, LLC has applied for approval of a division of land by certified survey map pursuant to Code of Ordinances Sections 111-116 for land located in Lots 1 and 2 of Certified Survey Map #1259, as recorded in Volume 6 of Certified Survey Maps, Page 122 as Document No. 376124, located in the West ½ of the Southeast ¼ of the Northeast ¼ of Section 16, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin; and,

WHEREAS, the application was referred to the City Plan Commission which considered the proposed division at a meeting on June 27, 2018; 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 10<sup>th</sup> day of July, 2018, that the proposed certified survey map presented by S.C. Swiderski, LLC and prepared by Jordan G. Brost, Point of Beginning, Inc. involving Lots 1 and 2 of Certified Survey Map #1259, as recorded in Volume 6 of Certified Survey Maps, Page 122 as Document No. 376124, located in the West ½ of the Southeast ¼ of the Northeast ¼ of Section 16, Township 31 North, Range 6 East, City of Merrill, 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/Lokemoen) to approve.

<b>RESULT:</b>	<b>APPROVED, RUSSELL ABSTAINING</b>
----------------	-------------------------------------

2. A Resolution ratifying agency agreement and Federal Block Grant owner assurances, for airport improvements (Resolution #2571).

Before reading the resolution, City Attorney Hayden noted that he has requested and received permission from Mayor Woellner to read the resolution by title only and then provide a synopsis. Without objection, it was so ordered.

WHEREAS, the City of Merrill, Lincoln County, Wisconsin hereinafter referred to as the sponsor, being a municipal body corporate of the State of Wisconsin, is authorized by Wis. Stat. §114.11, to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the sponsor desires to develop or improve the Merrill Municipal Airport, Lincoln County, Wisconsin,

**"PETITION FOR AIRPORT PROJECT"**

WHEREAS, the foregoing proposal for airport improvements has been referred to the city plan commission for its consideration and report prior to council action as required by Wis. Stat. §62.23(5), and

WHEREAS, airport users have been consulted in formulation of the improvements included in this resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Wis. Stat. §114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 10<sup>th</sup> day of July, 2018, that a petition for federal and (or) state aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with federal and state aid or state aid only, in accordance with the applicable state and federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a general aviation type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: Crack seal and sealcoat airport pavements; Purchase snow removal and mowing equipment; Replace Automated Weather Observing System (AWOS); Land acquisition in runway approaches; Conduct wildlife site visit; Clear runway approaches; Construct partial parallel taxiway to Runway 16/34; Reconstruct Runway 16/34, including lighting; Rehab/Replace Runway 16/34 PAPI & REILs; Runway 16/34 safety area improvements and extension to standard; Replace airfield signs; Relocate/Replace rotating beacon; Construct new electrical vault; Extend Runway 16/34 to 3400 feet; Extend parallel taxiway to full length of Runway 16/34, and any necessary related work.

3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the sponsor by the Secretary; the sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the sponsor does not provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the sponsor; and

WHEREAS, the sponsor is required by Wis. Stat. §114.32(5) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

**"DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR'S AGENT"**

THEREFORE, BE IT RESOLVED, by the sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such, in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. §32 .02; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the sponsor requests that the Secretary provide, per Wis. Stat. §114.33(8)(a), that the sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

**"AIRPORT OWNER ASSURANCES"**

AND BE IT FURTHER RESOLVED that the sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Wis. Admin. Code Trans §55, or in accordance with sponsor assurances enumerated in a federal grant agreement.

AND BE IT FURTHER RESOLVED THAT THE Mayor and the Airport Commission Chairman be authorized to sign and execute the agency agreement and federal block grant owner assurances authorized by this resolution.

Motion (Osness/Norton) to approve.

<b>RESULT:</b>	<b>APPROVED</b>
----------------	-----------------

16. Mayor's Communications

Mayor Woellner extended "Happy Birthday" wishes to Cliff Livingston (100 years on July 10<sup>th</sup>) and Charlotte Strehlow (110 years on July 18<sup>th</sup>).

17. Adjournment

Motion (Schwartzman/Russell) to adjourn. Carried. Adjourned at 7:33 P.M.