



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY AUGUST 7, 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	

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 July 10, 2018 meeting

Motion (Schwartzman/Sukow) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

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

Motion (Schwartzman/Sukow) to approve.

RESULT: APPROVED

8. Communications and Petitions:

None.

9. General agenda items:

1. Employee Years of Service Recognition:

Patrick R. Wunsch, 20 years (Police Department)

City Clerk Heideman read a certificate of recognition for Patrick Wunsch.

Kurt J. Perra, 20 years (Police Department)

City Clerk Heideman read a certificate of recognition for Kurt Perra.

Christine R. Brahos, 20 years (Police Department)

City Clerk Heideman read a certificate of recognition for Christine Brahos.

Corey J. Nowak, 10 years (Fire Department)

City Clerk Heideman read a certificate of recognition, which was then presented to Corey Nowak by Fire Chief Klug.

10. Board of Public Works:

1. Consider River Bend Trail extension (TIF funding) and sidewalk extension from Memorial Drive to Sturdevant Street (funded by special assessments). The Board of Public Works recommends approval.

Motion (Norton/Meehean) to approve.

Motion (Schwartzman/Van Lieshout) to amend by specifying that the sidewalk extension portion of the project will be funded by Idle Sites Grants and/or Tax Increment Financing (TIF). Motion to amend carried.

RESULT:	APPROVED AS AMENDED
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2. Consider authorization for purchase of 406 Tyler Street for \$30,000. The Board of Public Works recommends approval.

Motion (Schwartzman/Russell) to approve.

RESULT:	APPROVED
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3. Consider 2018 Budget Amendment (\$15,000 to \$38,000) for exterior painting of City Garage. The Board of Public Works recommends approval.

Motion (Schwartzman/Norton) to approve.

RESULT:	APPROVED
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4. Street Use Permit Application from Humphery's Pub, 500 W. Main Street, to close Genesee Street from West Main Street to the alley behind the 400 block of West Main Street, from 5:00 P.M. to 11:00 P.M. on Thursday, August 9th, 2018, in conjunction with Crazy Daze. Alderman Schwartzman is bringing this application directly to the Common Council.

Motion (Schwartzman/Russell) to approve.

RESULT: APPROVED

11. Committee of the Whole:

1. Consider potential recommendation(s) from the August 6th, 2018 Committee of the Whole meeting related to performance evaluation of City Administrator.

Motion (Schwarzman/Norton) to receive and place on file.

RESULT: PLACED ON FILE

12. Health and Safety Committee:

1. Applications from VFW Post 1638 for five temporary Class "B" (picnic) licenses to sell fermented beverages in the VFW stand at the Merrill Festival Grounds during the Lincoln County Free Fair, August 15-August 19, 2018. The Health and Safety Committee recommends approval.

Motion (Van Lleshout/Schwartzman) to approve.

RESULT: APPROVED

2. Application from VFW Post 1638 for a temporary Class "B" (picnic) license to sell fermented malt beverage in the VFW stand at the Merrill Festival Grounds during the Labor Day event on September 3rd, 2018. The Health and Safety Committee recommends approval.

Motion (Sukow/Meehean) to approve.

RESULT: APPROVED

3. Application from the River District Development Foundation of Merrill and Rotary Club for a Class "B" (picnic) license to sell fermented malt beverages at the Agra Pavilion and Rotary Park during the "Pig Out for the Pavilion" event on August 25th, 2018. The Health and Safety Committee recommends approval.

Motion (Russell/Van Lieshout) to approve.

RESULT: APPROVED

4. Applications from Fraternal Order of Eagles for five temporary Class "B" (picnic) licenses to sell fermented malt beverages in the Eagle's stand at the Merrill Festival Grounds during the Lincoln County Free Fair, August 15-August 19, 2018. The Health and Safety Committee recommends approval.

Motion (Sukow/Russell) to approve.

RESULT: APPROVED

5. Request from Humphery's Pub for an extension of premises to sell alcoholic beverages on Genesee Street, from West Main Street to the alley behind the 400 block of West Main Street, from 5:00 P.M. to 11:00 P.M. on Thursday August 9th, in conjunction with Crazy Daze. Alderman Schwartzman is bringing this request directly to the Common Council.

Motion (Schwartzman/Van Lieshout) to approve.

RESULT: APPROVED

13. Personnel and Finance Committee:

1. Potential Dark Store Advisory Referendum Ballot Question for the November 6, 2018 election, as follows: "Should the State Legislature enact legislation that closes certain "Dark Store" commercial property tax loopholes, which currently shift tax burdens to residential property owners by significantly reducing the assessed valuation for commercial properties through "Dark Store" comparisons?". The Personnel and Finance Committee recommends approval.

Motion (Meehean/Russell) to approve.

RESULT: APPROVED

2. Consider request from the Airport Commission to dispose of 2003 Crown Victoria, in a method at the discretion of the Airport Commission. Alderman Osness is bringing this request directly to the Common Council.

Motion (Norton/Osness) to approve.

Motion (Norton/Meehean) to specify that the vehicle is to be donated to North Central Technical College (NTC).

After discussion, Alderman Norton requested that his motion to amend be withdrawn. Without objection, it was so ordered.

RESULT: APPROVED

14. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Airport Commission, Board of Public Works, Festival Grounds Committee, Health and Safety Committee, Library Board, Merrill Enrichment Center Committee, Personnel and Finance Committee, Skate Park Special Committee and Water and Sewage Disposal Committee.

Motion (Sukow/Meehean) to place on file.

RESULT:	PLACED ON FILE
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15. Mayor's Appointments:

1. Alderman Steve Osness, Jim Arndt and Ernie Stender to the Tourism Commission, all terms to expire May 1, 2019.

Motion (Schwartzman/Van Lieshout) to approve the appointments.

RESULT:	APPROVED
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16. Ordinances:

None.

17. Resolutions:

1. An Initial Resolution authorizing \$315,000 General Obligation Bonds for street improvement projects (Resolution #2572).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$315,000 for the public purpose of paying the cost of street improvement projects.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Ryan Schwartzman, Alderperson - Third District & Council President
SECONDER:	Tim Meehean, Alderperson - Eighth District
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

2. An Initial Resolution authorizing \$55,000 General Obligation Bonds for a parking lot (Resolution #2573).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$55,000 for the public purpose of paying the cost of a parking lot, including acquiring land and constructing the lot.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Ryan Schwartzman, Alderperson - Third District & Council President
SECONDER:	Tim Meehean, Alderperson - Eighth District
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

3. An Initial Resolution authorizing \$625,000 General Obligation Bonds for parks and public grounds projects (Resolution #2574).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$625,000 for the public purpose of paying the cost of parks and public grounds projects.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Tim Meehean, Alderperson - Eighth District
SECONDER:	Paul Russell, Alderperson - First District
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

4. An Initial Resolution authorizing \$580,000 General Obligation Bonds for Community Development projects in Tax Incremental Districts (Resolution #2575).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$580,000 for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, by paying projects costs included in the project plan for the City's Tax Incremental Districts.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Tim Meehean, Alderperson - Eighth District
SECONDER:	Ryan Schwartzman, Alderperson - Third District & Council President
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

5. A Resolution directing Publication of Notice to Electors related to bond issues (Resolution #2576).

WHEREAS, initial resolutions authorizing general obligation bonds have been adopted by the Common Council of the City of Merrill, Lincoln County, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

Motion (Schwartzman/Norton) to approve.

RESULT:	APPROVED
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6. A Resolution providing for the sale of \$1,575,000 General Obligation Corporate Purpose Bonds (Resolution #2577).

WHEREAS, the City of Merrill, Lincoln County, Wisconsin (the "City") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

- (a) \$315,000 for street improvement projects;
- (b) \$55,000 for a parking lot;
- (c) \$625,000 for parks and public grounds projects; and

- (d) \$580,000 for providing financial assistance to community development projects.

WHEREAS, the Common Council hereby finds and determines that the projects described in the Initial Resolutions are within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Combination of Issues. The issues referred to above are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds" (the "Bonds") in an amount not to exceed \$1,575,000 for the purposes above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Rob Norton, Alderperson - Seventh District
SECONDER:	Paul Russell, Alderperson - First District
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

7. A Resolution providing for the sale of \$1,310,000 General Obligation Promissory Notes (Resolution #2578).

WHEREAS the City of Merrill, Lincoln County, Wisconsin (the "City") is presently in need of an amount not to exceed \$1,310,000 for public purposes, including acquiring equipment and constructing improvements to the Merrill Festival Grounds, streets, fiber network and City Hall; and

WHEREAS it is desirable to borrow said funds through the issuance of general obligation promissory notes pursuant to Section 67.12(12), Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. The Notes. The City shall issue its General Obligation Promissory Notes in the amount of \$1,310,000 (the "Notes") for the purposes above specified.

Section 2. Sale of Notes. The Common Council hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Note Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) be and hereby is directed to cause notice of the sale of the Notes to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk shall cause an Official Statement concerning this issue to be prepared by Ehlers. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Ryan Schwartzman, Alderperson - Third District & Council President
SECONDER:	Tim Meehean, Alderperson - Eighth District
AYES:	Russell, Lokemoen, Schwartzman, Osness, Van Lieshout, Sukow, Norton, Meehean

8. A Resolution approving ordinance amendments which create revisions to the Lincoln County Zoning Ordinance related to private on-site waste treatment systems (Resolution #2579). The Water and Sewage Disposal Committee recommends approval.

WHEREAS, § 59.69(5), Wisconsin Statutes describes a procedure for preparing revisions to an existing county zoning ordinance, involving approval by both the County Board of Supervisors and a majority of Town/City Boards affected by the amendments; and,

WHEREAS, Lincoln County has prepared revisions to the Lincoln County Zoning Ordinance related to private on-site waste treatment systems, the amendments affecting Chapter 22 of the Lincoln County Code of Ordinances and is effective in the City of Merrill; and,

WHEREAS, at a future time; the Lincoln County Land Services Committee will hold a public hearing to receive comments on the amendments from the Towns, Cities and the public following all procedures required under §59.69(5), Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 7th day of August, 2018, that the City of Merrill hereby approves the amendments as proposed in keeping with the procedures established, and with the effect described, under §59.69(5), Wisconsin Statutes.

Motion (Norton/Osness) to approve.

RESULT:	APPROVED
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18. Mayor's Communications

Mayor Woellner reminded everyone that Craze Daze is Thursday, August 9th.

The Lincoln County Free Fair will be held August 15th to August 19th.

19. Adjournment

Motion (Schwartzman/Russell) to adjourn. Carried. Adjourned at 7:38 P.M.