



# CITY OF MERRILL

## COMMON COUNCIL

MINUTES • TUESDAY DECEMBER 11, 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	
Steve Hass	Aldersperson - Second District	Present	
Rick Blake	Aldersperson - Third District	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. Invocation by Pastor Paul 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 November 13, 2018 meeting and November 28, 2018 meeting

Motion (Norton/Meehean) to approve.

**RESULT: APPROVED**

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for Period Ending November 30, 2018

Motion (Norton/Sukow) to approve.

**RESULT: APPROVED**

8. Health and Safety Committee:

1. Application from Rotary Club of Merrill for a temporary "Class B" (picnic) license to sell beer and wine at the Bell Tower Residence Artisan Showcase at Bell Tower Assisi Hall, 1500 O'Day Street, on Saturday, February 9, 2019. The Health and Safety Committee recommends approval.

Motion (Hass/Osness) to approve.

**RESULT: APPROVED**

2. Application from Allen Shidell Sr. for Class "B" (beer) and "Class B" (liquor) licenses for El Mariachi, 608 East Second Street (C), effective December 12, 2018. The Health and Safety Committee recommends approval.

Motion (Hass/Meehean) to approve.

**RESULT: APPROVED**

3. Application from In & Out Beer and Liquor, LLC, Eric Dayton, Agent, for Class "A" (beer) and "Class A" (liquor) licenses for In & Out Beer and Liquor, 701 East Second Street, effective December 12, 2018. The Health and Safety Committee recommends approval.

Motion (Van Lieshout/Sukow) to approve.

**RESULT: APPROVED**

9. Personnel and Finance Committee:

1. Merrill area local cable access channel agreement. The Personnel and Finance Committee recommends approval.

Motion (Meehean/Russell) to approve.

**RESULT: APPROVED**

10. Water and Sewage Disposal Committee:

1. Consider 3% adjustment to Water & Sewage Service Fees for 2019. These adjustments are for specialized services that may be requested or necessary. They are not an increase in general water and sewer rates and would not result in an increase to a standard water/sewer bill. The Water and Sewage Disposal Committee recommends approval.

Motion (Norton/Osness) to approve.

**RESULT: APPROVED**

11. Placing Committee Reports on File:

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

Motion (Sukow/Norton) to place on file.

<b>RESULT:</b> <b>PLACED ON FILE</b>
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## 12. Ordinances:

None.

## 13. Resolutions:

1. A Preliminary Resolution of Intent to exercise Special Assessment Powers by Police Power under Section 66.03 of the Wisconsin State Statutes (Resolution #2589).

RESOLVED, by the Common Council of the City of Merrill, Wisconsin:

A. The Common Council hereby declares its intention to exercise its power under Section 66.0703 Wisconsin Statutes, to levy special assessments under the police power upon all properties abutting the following improvements in the City of Merrill, Wisconsin:

1. Sidewalk inspection pursuant to sidewalk inspection program. Sidewalk maintenance area is generally confined to the south half of District 5, from West 4th Street south:

- 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 N Poplar Street from East 2nd Street north to East 4th Street involving:

- a) Replacement and upgrade of existing storm sewer
- b) Curb and gutter and pavement replacement
- c) Limited sidewalk replacement associated with curb and gutter replacements.

3. Reconstruction of N Court Street from East 2nd Street north to East 5th 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.

4. Reconstruction of N Cleveland Street from East 4th Street north to East 6th 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.

5. Paving of Alley, the 200 and 300 block between N. Center Ave. and N. Park Street involving:

- a) Grading existing alley
  - b) Asphalt paving
6. Paving of Alley, the 1100 block between E Second Street and E Third Street involving:
- a) Grading existing alley
  - b) Asphalt paving
- B. 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.
- C. The Common Council determines that the above improvements constitute an exercise of the police power and the amount assessed each parcel abutting on the street shall be on a reasonable basis as approved by the Common Council and which rates are in effect at the time of installation in accordance with special assessment procedures set forth in provisions of Chapter 18, Article III, Division 3 of the Code of Ordinances, City of Merrill, Wisconsin.
- D. The assessments against any parcels of land may be paid in cash not later than November 1 of the year such improvements are made, or in installments as provided by Chapter 18, Article III, Division 3 of the Code of Ordinances, City of Merrill, Wisconsin. Rate of interest on installment payments shall be as set by Common Council action.
- E. The City Engineering/Zoning Department shall, with respect to the items mentioned at paragraph A above, prepare a report consisting of:
1. Preliminary or final plans and specifications with maps of the improvements.
  2. An estimate of the entire cost of the proposed work or improvements.
  3. A schedule of the proposed assessments as to each parcel of property affected.
  4. A statement that the properties against which the assessments are proposed are benefited and that the improvements constitute an exercise of the police power.
- F. The City Engineering/Zoning Department shall complete and file such reports in the City Clerk's office for public inspection no later than December 21st, 2018.

The Board of Public Works of the City of Merrill shall hold a public hearing on Wednesday, January 23<sup>rd</sup>, 2019 at 6:00 p.m. The hearing shall be held in the Council Chambers in the City Hall, Merrill, Wisconsin, on the improvements mentioned in paragraph A above. The City Clerk shall cause a notice of said hearing to be published once as a Class I notice no later than December 21<sup>st</sup>, 2018. The City Clerk shall mail a copy of the notice to all interested persons at least ten (10) days before the date of the hearing.

Motion (Norton/Meehean) to approve.

**RESULT:           APPROVED**

2. A Resolution authorizing a Development Agreement by and between the City and Zelich Customs, LLC (Resolution #2590).

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 3 on September 13, 2005 and the redevelopment site is within TID No. 3; and,

WHEREAS, Zelich Customs LLC has purchased the existing building at 2213 East Main Street and proposes rehabilitation and improvements; and,

WHEREAS, the City of Merrill finds that the proposed development and the fulfillment of the items and conditions of the attached Development Agreement are in the vital and best interest of the City of Merrill, the Merrill Redevelopment Authority and City residents and serves a public purpose in accordance with State law; and,

WHEREAS, additional property tax will be generated from this redevelopment project and an existing job retained; and,

WHEREAS, Zelich Customs LLC has negotiated the development agreement to provide an incentive payment not to exceed \$4,500 to facilitate the commercial redevelopment project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 11<sup>th</sup> day of December, 2018, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Zelich Customs LLC and to facilitate the implementation thereof.

Motion (Meehean/Norton) to approve.

**RESULT:           APPROVED**

14. Mayor's Communications

Mayor Woellner wished everyone a Merry Christmas, Happy Holidays and a Happy New Year.

15. Adjournment

Motion (Norton/Meehean) to adjourn. Carried. Adjourned at 7:11 P.M.