



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY JUNE 9, 2020

Regular Meeting

City Hall Council Chambers

6:00 PM

1. Call to Order

Mayor Woellner called the meeting to order at 6:00 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	
Mike Rick	Aldersperson - Sixth District	Present	
Mark Weix	Aldersperson - Seventh District	Present	
Steve Sabatke	Alderman - Eighth District	Present	
Derek Woellner	Mayor	Present	

2. Silent Prayer

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

Cody Hoffman spoke in favor of the resolution related to his application for a Conditional Use Permit.

Ryan Schwartzman thanked Brenda Grefe (25 years) and James Yates (20 years) for their service to the City. He also thanked Mayor Woellner for appointing him to the Tourism Commission. Mr. Schwartzman spoke in favor the rezoning ordinance. He also spoke in favor of the ordinance related to the scope of authority to call special meeting. However, he suggested adding language to the ordinance that would prohibit calling special meetings while the Mayor is on a previously scheduled or planned vacation. Finally, Mr. Schwartzman stated that he enjoyed working with Rob Norton on the Common Council and thanked him for his community service.

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

1. Minutes of May 13, 2020 meeting

Motion (Osness/Blake) to approve.

RESULT:	APPROVED
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7. Revenue & Expense Reports(s):

1. Revenue and Expense Report for the period ending May 31, 2020

Motion (Osness/Rick) to approve.

RESULT: APPROVED

8. Communications and Petitions:

1. Discussion of City and State Small Business Programs

The meeting packet contained information on both the local and state loan/grant programs for small businesses. Mayor Woellner provided additional details on the packet information and verbally shared other information related to both programs.

Alderman Russell stated that he will be scheduling a Community Development Committee meeting in the near future to discuss the potential addition of another loan program. No formal action was taken at this time.

9. General agenda items:

1. Employee Years of Service Recognition:

Brenda L. Grefe, 25 years (Clerk/Treasurer office)

City Clerk Heideman read a certificate of recognition for Brenda Grefe.

James D. Yates, 20 years (Parks & Recreation)

City Clerk Heideman read a certificate of recognition for James Yates.

10. Health and Safety Committee:

1. 2020-2021 Liquor License Renewal Applications. On May 18th, 2020, the Health and Safety Committee referred the license applications to the Common Council.

Motion (Russell/Blake) to approve the list, including the following:

1. The agent for the VFW Post 1638 is changed from Michael Porath to Arnold Viljevac.
2. The license application from Craig Erickson at 116 N. Prospect Street is approved.
3. The license application from Kickback Lounge and Pub, LLC at 116 N. Prospect Street is not approved.

RESULT: APPROVED

2. Request for extension of premises from In and Out Beer and Liquor, LLC, 701 East Second Street, to accommodate an alcohol sampling event on Friday, June 19, 2020. Alderman Osness is bringing this request directly to the Common Council.

Motion (Osness/Sabatke) to approve.

RESULT: APPROVED

11. Personnel and Finance Committee:

1. Consider action(s) on any potential recommendation(s) from the June 9, 2020 Personnel & Finance Committee meeting, related to the Festival Grounds Manager contract.

Alderman Hass announced that, at a meeting earlier, the Personnel and Finance Committee referred this to their July 23rd, 2020 meeting.

No Common Council action was necessary, requested or taken.

12. Placing Committee Reports on File:

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

Motion (Russell/Van Lieshout) to place on file.

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

1. Mayor's Citizen Appointments (per list)

Motion (Osness/Blake) to approve.

RESULT:	APPROVED
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14. Ordinances:

1. An Ordinance amending the District Zoning Map of the City to change the zoning from Thoroughfare Commercial to Planned Until Development for the property at East 14th Street and North Sales Street (Ordinance #2020-10).

City Attorney Hayden gave the ordinance a first reading by synopsis.

Motion (Hass/Sabatke) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

City Attorney Hayden give the ordinance a second reading and a third reading by title only.

RESULT:	APPROVED [7 TO 1]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Steve Osness, Alderperson - Fourth District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
NAYS:	Russell

2. An Ordinance amending Code of Ordinances Chapter 113, Article II, Section 113-46(m), to make revisions to the wellhead protection ordinance (Ordinance #2020-11).

City Attorney Hayden gave the ordinance a first reading by synopsis.

Motion (Hass/Russell) to suspend the rules and give the ordinance a second reading and a third reading by title only. Carried.

City Attorney Hayden give the ordinance a second reading and a third reading by title only.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Rick Blake, Alderperson - Third District
AYES:	Russell, Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke

3. Ordinance amending Code of Ordinances Chapter 2, Article IV, Section 2-85, related to the scope of authority to call special meetings.

City Attorney Hayden gave the ordinance a first reading.

Motion (Hass/Sabatke) to refer the ordinance to the June 23rd, 2020 Personnel and Finance Committee meeting.

RESULT:	REFERRED TO P & F	Next: 6/23/2020 5:15 PM
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15. Resolutions:

1. A Resolution approving a Conditional Use Permit to establish an auto repair shop and used car dealership at 209 North Pine Street. The City Plan Commission recommends disapproving the application and resolution.

WHEREAS, Cody R. Hoffman, has requested a conditional use permit pursuant to the Merrill Zoning Code Chapter 113, Section 113-97 through 113-106, 113-111 for the purpose of establishing an auto repair shop and used car dealership at the following described property:

JM Smith & Company's 3rd Addition Lots 2 & 3, Block 5, City of Merrill, Lincoln County, Wisconsin, Pin # 251-3106-104-0047,

Commonly known as 209 N. Pine Street, herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on June 2, 2020, 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, Section 113-97 through 113-106, 113-111, and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 9th day of June, 2020, that a conditional use permit shall be issued to Cody R. Hoffman for the purpose of establishing an auto repair shop and used car dealership on the aforesaid described premises.

Motion (Hass/Van Lieshout) to deny the request. Carried.

2. A Resolution approving a Conditional Use Permit to establish a communication tower at 3200 East Main Street (Resolution #2634).

WHEREAS, Wisconsin Public Service Corporation by Aaron Kenealy and Tom Groner has requested a conditional use permit pursuant to the Merrill Zoning Code Chapter 113, Section 113-97 through 113-106, 113-111 for the purpose of establishing a communication tower at the following described property:

Lot 3 Certified Survey Map 1740 V8 P319 D0428428, City of Merrill, Lincoln County, Wisconsin, Pin # 251-3106-182-0172,

Commonly known as 3200 E. Main Street herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on June 2, 2020, 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, Section 113-97 through 113-106, 113-111, and has recommended approval of said application. Wisconsin Public Service Corporation shall receive Common Council approval prior to leasing any space on the tower for commercial use;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 9th day of June, 2020, that a conditional use permit shall be issued to Wisconsin Public Service Corporation for the purpose of establishing a communication tower on the aforesaid described premises.

Motion (Hass/Sabatke) to approve.

RESULT: APPROVED

3. A Resolution authorizing a Development Agreement by and between the City and SCS - S.C. Swiderski LLC (Resolution #2635).

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 10 on September 22, 2015 and the development site is within TID No. 10; and,

WHEREAS, SCS - S.C. Swiderski LLC has proposed construction of up to four multi-family apartment buildings through a phased construction timeframe; 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 and new market-rate residential units created from this development project; and,

WHEREAS, SCS - S.C. Swiderski LLC has negotiated the development agreement to provide for transfer of ownership of the City-owned property located at the corner of Lincoln County Highway G and Sales Street and an incentive payment not to exceed \$250,000 to facilitate the multi-family housing development project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 9th day of June, 2020, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and SCS - S.C. Swiderski LLC and to facilitate the implementation thereof.

Motion (Hass/Osness) to approve.

RESULT: APPROVED

4. A Resolution approving the 2019 Compliance Maintenance Annual Report for the Wastewater Treatment Plant (Resolution #2636).

WHEREAS, the City of Merrill is required by the Wisconsin Department of Natural Resources (WDNR) to complete a Compliance Maintenance Annual Report on its Wastewater Treatment Plant; and

WHEREAS, the Water and Sewage Committee, of the City of Merrill, has reviewed the Compliance Maintenance Report for the year 2019, and has determined that it reflects the performance of the Wastewater Treatment Plant during 2019; and

WHEREAS, the report indicates a need for continued improvements at the Wastewater Treatment Plant and its operations to meet the requirements set forth by the WDNR;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN, this 9th day of June, 2020, that:

1. The Compliance Maintenance Annual Report for 2019 is hereby approved and authorized to be filed with the WDNR.
2. That the Compliance Maintenance Annual Report for 2019 is an accurate indication of the performance of the City of Merrill Wastewater Treatment Plant for the year 2019.

Motion (Van Lieshout/Rick) to approve.

RESULT: APPROVED

5. A Resolution honoring Rob Norton for his extended service and great contribution to the City of Merrill (Resolution #2637).

WHEREAS, Rob Norton is retiring as Seventh District Alderperson and Council President of the City of Merrill; and,

WHEREAS, Rob Norton has served as an alderperson for the City of Merrill since April 17, 2012; and,

WHEREAS, the personal commitment and unselfish dedication Rob Norton has put forth has contributed greatly to the growth, progress and stability of the City of Merrill; and,

WHEREAS, the City of Merrill offers a solid and stable community environment for all of its citizens in part because of Rob Norton’s dedicated service; and,

WHEREAS, Rob Norton’s cheerful manner and hard work will be missed at the Merrill City Hall;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 9th day of June, 2020, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Rob Norton has given the City of Merrill and commends him for those years of service.

Motion (Common Council/Common Council) to approve.

RESULT: APPROVED

16. **Mayor's Communications**

Mayor Woellner thanked Rob Norton for his years of service as an alderperson and Council President. Alderman Russell also extended thanks to Rob Norton.

Free COVID-19 testing will be held at the Merrill Festival Grounds from 11 A.M. to 7:00 P.M. on Thursday, June 11th. Anyone displaying COVID-19 symptoms is eligible for testing.

17. **Adjournment**

Motion (Russell/Van Lieshout) to adjourn. Carried. Adjourned at 6:58 P.M.