CITY OF MERRILL

COMMON COUNCIL

MINUTES ● TUESDAY AUGUST 13, 2019

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	Alderperson - First District	Present	
Steve Hass	Alderperson - Second District	Present	
Rick Blake	Alderperson - Third District	Excused	
Steve Osness	Alderperson - Fourth District	Present	
John M. Van Lieshout	Alderperson - Fifth District	Present	
Rob Norton	Alderperson - Seventh District	Present	
Steve Sabatke	Alderperson - Eighth District	Present	
Derek Woellner	Mayor	Present	

2. Silent Prayer
3. Pledge of Allegiance
4. Roll Call
5. Public Comment Period

Nathan Meyer reported that he was disappointed with both “sides” involved in the recent recall election. He was disappointed that none of the “challengers” appeared at the candidate forum.

Vicki Lindstrom responded that she was glad that the recall “challengers” opted not to attend the forum. In her opinion, the questions asked at the forum were “biased”.

LaDonna Fermanich congratulated Alderman Sabatke on his election to the Common Council. She urged all Common Council members to remember that they represent the people. She also voiced her concerns related to a potential conflict of interest created if both Alderman Russell and Alderman Blake serve on the Personnel and Finance Committee.

Alderman Russell replied that he has sought and received legal opinions that there is no conflict of interest on the issue raised by LaDonna Fermanich.

Gail Curren stated that she has submitted an e-mail to Mayor Woellner regarding pending mayoral appointments and was curious as to why she has not yet received a reply.

Mayor Woellner replied that he was waiting for the final results of the mayoral appointments before responding to Gail Curren’s e-mail.

6. Community Update:
    1. Church Mutual President and CEO Rich Poirier

Mayor Woellner announced that, due to a conflict, Rich Poirier was unable to attend the meeting to make a presentation.

Mayor Woellner then gave a verbal introduction to the new agenda section called "Community Update". He explained that, at every monthly Common Council meeting, a Merrill business will be invited to give a presentation related to their business.

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

   1. Minutes of July 9, 2019 Common Council meeting

   Motion (Norton/Hass) to approve.

RESULT:	**APPROVED**

8. Revenue & Expense Reports(s):

   1. Revenue & Expense Report for Period Ending July 31, 2019

   Motion (Norton/Osness) to approve.

RESULT:	**APPROVED**

9. Communications and Petitions:

   1. Consider claim filed by Dana Hahn for damages sustained as the result of a rock hitting a vehicle during lawn mowing at 1206 West First Street on June 10, 2019. The City's insurance carrier is recommending that this claim be disallowed. This recommendation is based on the fact that an investigation revealed no negligence on behalf of the City.

   Motion (Norton/Hass) to disallow the claim.

RESULT:	**DISALLOWED**

10. General agenda items:

    1. Schedule dates, times and locations for strategic planning sessions

    Mike Ravn, who has agreed to facilitate the upcoming strategic planning sessions, provided a verbal introduction to the sessions. He explained that he will compile the "schedules" submitted by the alderpersons and then prepare a sessions schedule.

    No action was necessary, requested or taken at this time.

    2. Schedule dates, times and locations for 2020 Budget meetings

    The schedule for proposed 2020 budget meetings was in the meeting packet.

    The schedule currently calls for Committee of the Whole budget meetings on September 3rd, September 24th, October 1st, October 8th and October 16th.

    Review of the schedule will continue and revisions will be made as necessary. No action was taken at this time.

3. Consider options for filling vacant Sixth District aldermanic seat, and establish any necessary timetables related to filling the vacancy.

Information was in the meeting packet.

There are four options available to address the vacancy created by the recent resignation of Dave Sukow. The options are as follows:

1. Allow the seat to remain vacant until the April, 2020 election
2. Have the Common Council appoint a successor to serve the remainder of the term until the April, 2020 election
3. Have the Common Council appoint a successor and then hold a special election to elect someone to serve the remainder of the term.
4. Just hold a special election to elect someone to serve the remainder of the term

After discussion, it was agreed that the City should choose option #2. Letters of intent will be accepted from qualified candidates who want to be considered for the vacant seat. Procedures and the timetable will be similar to the ones used in 2018 to fill two vacancies created by resignations. No formal action was taken.

11. Board of Public Works:

1. Consider request from Pat Buckett, for the City of Merrill to furnish a Quit Claim Deed to Patrick W. Buckett and Kazuko M. Buckett, husband and wife, to extinguish any and all rights the City of Merrill has or had to overflow land in Assessor's Plat 242 in the City of Merrill. Alderman Hass is bringing this request directly to the Common Council.

Information was in the meeting packet.

Motion (Hass/Osness) to approve the request as submitted.

City Attorney Hayden requested that no action be taken at this time, in order to allow time to conduct necessary title research. Mayor Woellner agreed with City Attorney Hayden.

Pat Buckett was granted floor privileges and gave a presentation related to his request.

A roll call vote on the motion was requested.

Motion to approve the request, as submitted, carried 5-1 on roll call vote. Voting No - Alderman Norton.

2. Consider bids on replacing three rooftop HVAC units at the T.B. Scott Free Library. Mayor Woellner is bringing these bids directly to the Common Council.

Facilities Maintenance Manager Wszalek reported that three of the four bidders were invited to attend the meeting to provide input and answer questions. The bidders were then granted floor privileges.

Motion (Osness/Sabatke) refer back to the Board of Public Works and seek bids on only one unit. After discussion, Osness requested that he be allowed to withdraw his motion. Without objection, it was so ordered.

Motion (Norton/Russell) to approve the bid of $134,532 from Complete Control Inc.

A roll call vote was requested.

Motion carried 4-2 on roll call vote. Voting No - Alderman Osness and Alderman Sabatke.

3. Consider proposals for the installation of metal siding and the replacement of steel exterior doors at the City Garage, 315 East First Street. Mayor Woellner is bringing this agenda item directly to the Common Council. Proposals are due August 12th and will be presented at the meeting for consideration.

The bids were presented at the meeting. Two bids were received.

Motion (Norton/Russell) to approve the low bid of $139,471 from Kimmon's Roofing.

A roll call vote was requested.

Motion carried 5-1 on roll call vote. Voting No - Alderman Russell.

12. Health and Safety Committee:

1. Application from Applegreen Midwest, LLC, Gail Closser, Agent, for a Class "A" (beer) and a "Class A" (liquor) license for Holiday #71, 702 North Center Avenue, effective August 14, 2019. The Health and Safety Committee recommends approval.

Motion (Van Lieshout/Osness) to approve.

RESULT:	**APPROVED**

2. Applications from the Lincoln County Fair Association for five temporary Class "B' (picnic) licenses to sell fermented malt beverages at the Alumni Tent, the VFW stand and the Eagle's stand (all at the Merrill Festival Grounds) during the Lincoln County Free Fair, August 14-August 18, 2019. The Health and Safety Committee recommends approval.

Motion (Hass/Norton) to approve.

RESULT:	**APPROVED**

3. Application from Fraternal Order of Eagles for a temporary Class "B" (picnic) license to sell fermented beverages in the Eagle's Fair Stand at the Merrill Festival Grounds during the Labor Day Celebration on September 2, 2019. Alderman Hass is bringing this application directly to the Common Council.

Motion (Hass/Russell) to approve.

RESULT:	APPROVED

13. Placing Committee Reports on File:

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

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

RESULT:	PLACED ON FILE

14. Mayor's Appointments:

    Alderman Hass to the Health & Safety Committee (Chairperson), replacing former Alderman Sukow

    Alderman Sabatke to the Board of Public Works, replacing Alderman Hass

    Alderman Blake to the Personnel and Finance Committee, replacing former Alderman Meehean

    Alderman Sabatke to the Redevelopment Authority, replacing former Alderman Meehean

    Alderman Sabatke to the Historic Preservation Committee, replacing former Alderman Sukow

    Alderman Sabatke to the Festival Grounds Committee, replacing former Alderman Meehean

    Alderman Russell to the Community Development Committee, replacing former Alderman Meehean

    Dan Koblitz to the Redevelopment Authority, replacing Jill Laufenberg (resigned), term to expire September of 2023.

Motion (Norton/Hass) to approve all the appointments as submitted.

RESULT:	APPROVED

15. Ordinances:

    1. An Ordinance amending Code of Ordinances Chapter 36, Article II, Division 6, Section 36-171 to remove Champagne Street as a designated truck route (Ordinance #2019-05).

City Attorney Hayden gave the ordinance a first reading.

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

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

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Rob Norton, Alderperson - Seventh District
SECONDER:	John M. Van Lieshout, Alderperson - Fifth District
AYES:	Russell, Hass, Osness, Van Lieshout, Norton, Sabatke
EXCUSED:	Blake

16. Resolutions:

1. A Resolution honoring Tim Meehean for his extended service and great contribution to the City of Merrill (Resolution #2605).

WHEREAS, Tim Meehean completed his term as Eighth District Alderperson of the City of Merrill on July 26, 2019; and,

WHEREAS, Tim Meehean has served as an alderperson for the City of Merrill since April 15, 2014 and Library Board Member for 24 years; and,

WHEREAS, the personal commitment and unselfish dedication and effort Tim Meehean has put forth has contributed greatly to the new development, 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 Tim Meehean's dedicated service; and,

WHEREAS Tim Meehean's knowledge, experience, 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 13th day of August, 2019, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Tim Meehean has given to the City of Merrill and commend him for those years of service.

Motion (Common Council/Common Council) to approve.

RESULT:	**APPROVED**

17. Mayor's Communications

Mayor Woellner reported that the Merrill Recall Committee has submitted a check to the City for $1,600. He noted that no individual or group can be forced to pay for elections.

The Lincoln County Free Fair is scheduled for August 14-18.

18. Adjournment

Motion (Norton/Osness) to adjourn. Carried. Adjourned at 8:25 P.M.