



CITY OF MERRILL
CITY PLAN COMMISSION
AGENDA • TUESDAY AUGUST 3, 2021

Regular Meeting

City Hall Council Chambers

5:45 PM

- I. To attend remotely, call 225-800-2151 and PIN 456 483 877 #.
- II. Call to Order
- III. Minutes of previous meeting(s):
 1. Minutes of July 12, 2021
- IV. Agenda items for consideration:
 1. Oral report from Building Inspector/Zoning Administrator Pagel on Certified Survey Maps
- V. Public Hearing (will begin at 6:00 P.M.):
 1. Public Hearing on an amendment to the Historic Preservation Ordinance (Sec. 105-314 to Sec. 105-322).
- VI. Public Comment Period
- VII. Establish date, time and location of next meeting
- VIII. Adjournment



CITY OF MERRILL
CITY PLAN COMMISSION
MINUTES • MONDAY JULY 12, 2021

Regular Meeting**City Hall Council Chambers****5:45 PM****I. Call to Order**

Mayor Woellner called the meeting to order at 5:45 P.M.

Attendee Name	Title	Status	Arrived
Ryan Schwartzman		Excused	
Ralph Sturm		Present	
Melissa Schroeder		Present	
Robert Reimann		Present	
Derek Woellner	Mayor	Present	
Steve Hass	Aldersperson - Second District	Present	
Kyle Gulke		Present	

Other attendees included: City Administrator Dave Johnson, City Attorney Tom Hayden, Public Works Director/City Engineer Rod Akey, Building Inspector/Zoning Administrator Darin Pagel, John Mann, Manuel Rolon, Ashley Boyd, Jan Lemmer, Zach Ziesmer, Ryan Idstein, Sharon Idstein and City Clerk Bill Heideman. Merrill Productions was present to videotape the meeting.

II. Minutes of previous meeting(s):**1. Minutes of May 4, 2021 meeting**

The minutes were in the meeting packet.

Motion (Schroeder/Reimann) to approve.

RESULT: APPROVED

III. Agenda items for consideration:**1. Oral report from Building Inspector/Zoning Administrator Pagel on Certified Survey Maps**

Building Inspector/Zoning Administrator Pagel reported that he has approved two maps since the last meeting. One was on a street right-of-way and the other was on a parcel (between Alexander Street and Eugene Street) that is being considered for rezoning later in the meeting.

IV. Recess:

At 5:47 P.M., Mayor Woellner announced a recess until 6:00 P.M., the scheduled time for the public hearings to begin. At 6:00 P.M., Mayor Woellner called the meeting back to order.

V. Public Hearings:

City Attorney Hayden read the Public Hearing Notice for all four hearings.

1. Rezoning request (Rural Development to R-4 Residential) for parcel between Alexander Street and Eugene Street, north of Heldt Street.

Motion (Hass/Schroeder) to open the first public hearing. Carried.

John Mann spoke in favor of the rezoning request.

Motion (Hass/Schroeder) to close the first public hearing. Carried.

Motion (Hass/Sturm) to approve the rezoning request.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 7/13/2021 6:00 PM
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2. Conditional Use Permit application from Pine Crest Nursing Home, 2100 East Sixth Street, to keep chickens at 2100 East Sixth Street.

Motion (Hass/Gulke) to open the second public hearing. Carried.

Zach Ziesmer spoke in favor of the application. A Conditional Use Permit is required in this case because Pine Crest Nursing Home is zoned public.

Motion (Schroeder/Sturm) to close the second public hearing. Carried.

Motion (Hass/Gulke) to approve the Conditional Use Permit application.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 7/13/2021 5:00 PM
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3. Planned Unit Development application from the City of Merrill for apartment development west of Eugene Street.

Motion (Hass/Reimann) to open the third public hearing. Carried.

Public Works Director/City Engineer Akey provided information on the project related to the application.

Speaking on behalf of his son, who resides at 2005 Webster Street, Dave Sukow stated that his son has no objections to the project or the application.

Motion (Hass/Schroeder) to close the third public hearing. Carried.

Motion (Sturm/Reimann) to approve the Planned Unit Development application.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 7/13/2021 6:00 PM
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4. Rezoning request (Public to Business) from Christian Men's Dicipleship [sic] Inc., 100 N. Polk Street, to rezone 100 N. Polk Street.

Motion (Hass/Schroeder) to open the fourth public hearing. Carried.

Manuel Rolon spoke in favor of the application and answered questions.

Motion (Schroeder/Reimann) to close the fourth public hearing. Carried.

Motion (Schroeder/Hass) to approve the rezoning request, subject to the following stipulations:

1. The property shall not be used for any residential purpose.
2. A development plan for the property shall be submitted to the City Building Inspector/Zoning Administrator within six months.

RESULT:

APPROVED & SENT TO COUNCIL

Next: 7/13/2021 6:00 PM

VI. Public Comment Period

Mayor Woellner issued a reminder that the four recommendations resulting from the four hearings will receive final consideration by the Common Council at their meeting on July 13th.

VII. Establish date, time and location of next meeting

The next meeting will be at the call of the Chairperson.

VIII. Adjournment

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 6:27 P.M.

CITY OF MERRILL

1004 EAST FIRST STREET
MERRILL, WI 54452

NOTICE OF PUBLIC HEARING

All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the City Plan Commission of the City of Merrill, Wisconsin, commencing at **6:00 p.m., on Tuesday, August 3, 2021**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

To attend remotely, call 225-800-2151 and meeting PIN 456 483 877#

- 1.) Public hearing on the amendment to Historic Preservation Ordinance Sec. 105-314 to 105-322, City of Merrill, Lincoln County, Wisconsin.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: July 20, 2021

CITY OF MERRILL, WISCONSIN

By:


William N. Heideman
City Clerk

CITY OF MERRILL
1004 EAST FIRST STREET
MERRILL, WI 54452-2586

ORDINANCE NO. 2021-

Introduced: _____

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Committee/Commission Action: _____

AN ORDINANCE:

Re: Amending Chapter 38, Article VII, Section 105-314 through 105-322 Historic Preservation

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. Chapter 38, Article VII, Section 105-314 through 105-322 of the Code of Ordinances for the City of Merrill is amended to read as follows:

Sec. 105-314. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Committee means the historic preservation committee created under this article.

Historic permit means the permit issued by the building inspector approving the demolition of a historic structure.

Historic structure means any improvement which has a special character or special historic interest or value as part of the development, heritage or culture characteristics of the city, state or nation and which has been designated as a historic structure pursuant to the provisions of this article.

Streetview Perspective means a general overall example of the original exterior appearance of the building or structure from the street or sidewalk.

Sec. 105-315. Historic preservation committee.

A historic preservation committee is hereby created, consisting of five resident members, three citizen members, and two alderpersons. The Building Inspector shall serve on the committee as an ex officio nonvoting member. The mayor shall appoint the members of the committee, subject to confirmation by the common council. Of the initial citizen members so appointed, one shall serve a term of one year, one shall serve a term of two years, and one

shall serve a term of three years. Thereafter, the term of each citizen member shall be three years.

Sec. 105-316. Historic structure designation criteria.

For purposes of this article, a historic structure designation may be placed on any building, of particular historic, architectural, archeological or cultural significance to the city which:

- (1) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community;
- (2) Are identified with historic personages or with important events in national, state or local history;
- (3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;
- (4) Are representative of the notable work of a master builder, designer or architect who influenced his age; or
- (5) Have yielded, or may be likely to yield, information important to prehistory or history.
- (6) No property shall be designated without the expressed written consent of the owner.

Sec. 105-317. Powers and duties.

- (a) *Designation.* The historic preservation committee shall have the power, subject to section 105-318, to designate historic structures within the city limits. Such designations shall be based on section 105-316. Once designated, such historic structures shall be subject to all the provisions of this article.
- (c) *Regulation of construction, reconstruction, alteration and demolition.*
 - (1) The historic preservation committee shall establish advisory historic preservation standards to be used to assist property owners on proposed alterations to a historic structure. The purpose of these advisory standards is to preserve a "Streetview Perspective" of the original character and structure.
 - (2) No owner or person in charge of a historic structure shall demolish all or any part of the exterior of such property unless a historic preservation permit has been granted by the historic preservation committee.
- (d) *Recognition of historic structures.* At such time as an historic structure has been properly designated, the historic preservation committee may cause to be prepared and erected on such property at the city's expense, a suitable plaque declaring that such property is an historic structure. Such plaque shall be so placed as to be easily visible to passing pedestrians.

Sec. 105-318. Procedures.

(a) *Designation of historic structures.*

- (1) *Designation.* The historic preservation committee may recommend or rescind such designation after application of the criteria in section 105-316 and written request of the property owner.

(b) *Appeal.* Any decision of the historic preservation committee may be appealed to the Zoning Board of Appeals under provisions of section 113.461.

Sec. 105-319. Interim control.

No building permit shall be issued by the building inspector for demolition or removal of a nominated historic structure from the date of the meeting of the historic preservation committee at which a nomination form is first presented until the final disposition of the nomination by the historic preservation committee.

Sec. 105-320. Conformance with regulations.

Every person in charge of a historic structure shall maintain same or cause or permit to be maintained in a condition consistent with the provisions of the City of Merrill Municipal Code. The Building Inspector is appointed as the enforcement official.

Sec. 105-321. Penalties.

Any person or persons violating any provisions of this article shall be subject to a general penalty as provided in section 1-7. Notice of violations shall be issued by the building inspector.

Sec. 105-322. Emergency conditions.

In any case where the building inspector determines that there are emergency conditions dangerous to life, health or property affecting a historic structure, the building inspector may order the remedying of these conditions without the approval of the committee. The building inspector shall promptly notify the chairman of the committee of the action being taken and include it on the next meeting agenda.

Section 2. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any

court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: _____
 Adopted: _____
 Approved: _____
 Published: _____

Approved:

 Derek Woellner, Mayor

Attest:

 William N. Heideman, City Clerk