



CITY OF MERRILL
COMMON COUNCIL
MINUTES • TUESDAY JULY 13, 2021

Regular Meeting

City Hall Council Chambers

6:00 PM

1. Call to Order

Mayor Woellner called the meeting to order at 6:10 P.M. The meeting started late due to the length of the Committee of the Whole meeting held prior to the Common Council meeting.

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	Excused	
Mike Rick	Aldersperson - Sixth District	Present	
Mark Weix	Aldersperson - Seventh District	Present	
Steve Sabatke	Aldersperson - Eighth District	Present	
Derek Woellner	Mayor	Present	

2. Silent Prayer

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

Bill Bialecki spoke in favor the Economic Development loan for The Lofts at City Hall.

LaDonna Fermanich shared her thoughts regarding the formation of an Administrative Review Committee, as was discussed at the Committee of the Whole meeting earlier in the day. She suggested the possibility of a referendum to allow Merrill residents to determine the type of administrative organization they would prefer.

Bill Heideman expressed disappointment in the current methods being used to consider the American Rescue Fund (City of Merrill) grant applications. He also expressed disappointment in the continued scheduling of Committee of the Whole meetings an hour before the monthly Common Council meetings. He thinks this type of scheduling does not allow for adequate time to consider Committee of the Whole items, leading to some items not being considered at all.

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

1. Minutes of June 8, 2021 meeting

Motion (Osness/Russell) to approve.

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

1. Revenue & Expense Report for the Period Ending June 30, 2021

Motion (Hass/Osness) to approve.

RESULT:	APPROVED
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8. General agenda items:
1. Presentation on The Lofts at City Hall Apartments
Mark Rein gave the presentation.
 2. Employee Years of Service Recognition:
Brad J. Becker, 25 years (Police Department)
City Clerk Heideman read a certificate of recognition for Brad Becker.
 3. Consider relocating, to the Northwoods Veteran's Center, the veteran-related plaques and pictures currently housed in the Common Council Chambers.
Mayor Woellner is bringing this agenda item directly to the Common Council.
Motion (Sabatke/Russell) to approve the relocation.

RESULT:	APPROVED
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9. Board of Public Works:
1. The Board of Public Works referred, without recommendation, the proposal from Complete Control Inc. (\$12,417) to add APR valves to "A" coils at the Fire Station.

Motion (Hass/Sabatke) to refer to the 2022 budget process, and to investigate the possibility of initiating legal proceedings against the general contractor for the Fire Station building project.

Motion (Hass/Russell) to amend by removing the portion of the motion related to investigating the possibility of initiating legal proceedings. Motion to amend carried.

Motion to refer to the 2022 budget process was defeated 2-5. Voting Yes - Alderman Hass and Alderman Sabatke.

Motion (Blake/Russell) to approve the purchase.

RESULT:	APPROVED BY ROLL CALL VOTE [6 TO 1]
AYES:	Russell, Hass, Blake, Osness, Rick, Weix
NAYS:	Sabatke
EXCUSED:	Van Lieshout

10. Committee of the Whole:
1. The Committee of the Whole recommends approving the request from Merrill Community Theater for \$8,000 from the American Rescue Plan Act Funding grant program, to be used to purchase a portable stage.

Motion (Blake/Russell) to approve.

A request was made to grant floor privileges to Ed Kemery, who was in attendance on behalf of the Merrill Community Theater. Without objection, it was so ordered. Ed Kemery provided verbal information and answered questions related to the request.

Motion (Blake/Russell) to amend by adding the stipulation that, if the Merrill Community Theater becomes inactive or ceases to exist, the City will assume ownership of the stage. Motion to amend carried.

Motion to approve, as amended, carried 4-3 on roll call vote. Voting No - Alderman Hass, Alderman Osness and Alderman Rick.

11. Community Development Committee:

1. Consider an Economic Development loan (\$200,000) for The Lofts at City Hall, 713 East Second Street. The loan would be for 20 years at a 2% annual rate, with a one-year deferred payment (July, 2022). The City would secure the loan with a second mortgage which cannot be subordinated and personal guarantees. The Community Development Committee recommends approval.

Motion (Hass/Sabatke) to approve.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
AYES:	Russell, Hass, Blake, Osness, Rick, Weix, Sabatke
EXCUSED:	Van Lieshout

12. Health and Safety Committee:

1. Application from the Merrill Firefighters Charities for three temporary Class "B" (picnic) licenses to sell fermented malt beverages at Ott's Park in conjunction with the Merrill Firefighters Charities Softball Tournament, August 6 - August 8, 2021. The Health and Safety Committee recommends approval.

Motion (Rick/Weix) to approve.

RESULT:	APPROVED
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2. Application from Hometown Grocers Inc., Steve Burkhardt, Agent, for a Class "A" (beer) and a "Class A" (liquor) license for Dave's County Market, 300 East First Street, effective July 30, 2021. The Health and Safety Committee recommends approval.

Motion (Hass/Sabatke) to approve.

RESULT:	APPROVED
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3. Application from Swami Bapa Hotels Inc., Ketul Patel, Agent for a Class "B" (beer) license for Cobblestone Inn & Suites, 3209 East Main Street, effective July 14, 2021. The Health and Safety Committee recommends approval.

Motion (Weix/Blake) to approve.

RESULT: APPROVED

13. Redevelopment Authority:

1. Consider TID New Residential Incentive Program for privately-owned lots. The Redevelopment Authority recommends approval.

Motion (Hass/Blake) to approve.

RESULT: APPROVED

2. Consider New Residential Incentive Program in areas not eligible for TID funding. The Redevelopment Authority recommends approval.

Motion (Hass/Russell) to refer to the 2022 budget process and to recommend a \$20,000 annual "cap".

RESULT: REFER TO BUDGET PROCESS

3. Consider 2021 TID No. 8 budget request of \$200,000 for Webster St. infrastructure extension between Alexander St. and Eugene St. The Redevelopment Authority recommends approval.

Motion (Hass/Blake) to approve the request, using American Rescue Plan Act funds.

Motion (Weix/Russell) to amend by designating the funding would be from Tax Increment District (TID) #8. Motion to amend carried.

RESULT: APPROVED AS AMENDED

14. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Airport Commission, Board of Review, Community Development Committee, Festival Grounds Committee, Health & Safety Committee, Historic Preservation Committee, Joint Review Board, Library Board, Merrill Enrichment Center Committee, Personnel & Finance Committee, Redevelopment Authority and Transit Commission.

Motion (Russell/Hass) to place on file.

RESULT: PLACED ON FILE

15. Mayor's Appointments:

1. Andrew Polzin to the Housing Authority, replacing Jill Laufenberg, who has resigned.

Motion (Hass/Osness) to approve.

RESULT:	APPROVED
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2. Aldermen Blake (Chairperson), Van Lieshout and Weix to the Marketing and Communications Committee.

Motion (Hass/Russell) to approve.

RESULT:	APPROVED
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3. Alderman Hass to the Health and Safety Committee, replacing Alderman Blake.

Motion (Russell/Rick) to approve.

RESULT:	APPROVED, HASS ABSTAINING
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16. Ordinances:

1. An Ordinance amending the District Zoning Map of the City for a parcel of land between Alexander and Eugene Streets, north of Heldt Street. The rezoning would be from Rural Development to R-4 (Residential) (Ordinance #2021-11).

City Attorney Hayden gave the ordinance a first reading.

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

RESULT:	APPROVED [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Paul Russell, Alderperson - First District
AYES:	Russell, Hass, Blake, Osness, Rick, Weix, Sabatke
EXCUSED:	Van Lieshout

2. An Ordinance amending the District Zoning Map of the City for property at 100 N. Polk Street. The rezoning would be from Public to Business (Ordinance #2021-12).

City Attorney Hayden gave the ordinance a first reading.

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

RESULT:	APPROVED [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Paul Russell, Alderperson - First District
AYES:	Russell, Hass, Blake, Osness, Rick, Weix, Sabatke
EXCUSED:	Van Lieshout

17. Resolutions:

1. A Resolution approving a Conditional Use Permit for keeping chickens at Pine Crest Nursing Home, 2100 East Sixth Street (Resolution #2688).

WHEREAS, Pine Crest Nursing Home has requested a conditional use permit pursuant to the Merrill Zoning Code Chapter 113, Section 113-97 through 113-106, for the purpose of the keeping of chickens at the following described property:

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 7, Township 31 North, Range 7 East, City of Merrill, Lincoln County, Wisconsin, Except the North 200 feet of the East 360 feet described in Volume 307/286.

Commonly known as Pine Crest Nursing Home, herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on July 12, 2021, 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, and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that a conditional use permit shall be issued to Pine Crest Nursing Home for the purpose of the keeping of up to 3 chickens, no roosters, on the aforesaid described premises.

Motion (Russell/Hass) to approve.

RESULT:	APPROVED
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2. A Resolution approving a Planned Unit Development and construction of an apartment development a location west of Eugene Street (Resolution #2689).

WHEREAS, the City of Merrill has requested a Planned Unit Development pursuant to the Merrill Zoning Code Chapter 113, Article III, Section 113 for the purpose constructing an apartment development on the following described property:

Lot One (1) of Certified Survey Map No. 2855 being a part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 15, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin.

Commonly known as a location west of Eugene Street herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on July 12, 2021, 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, Article III, Section 113 and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that a Planned Unit Development consisting of an apartment development on the above described premises is approved.

Motion (Hass/Blake) to approve.

RESULT:	APPROVED
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3. A Resolution authorizing a Development Agreement between the City and Nicolet Lumber Company (Phase 3) (Resolution #2690).

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 8 on September 27, 2011 and the development site is within TID No. 8; and,

WHEREAS, Nicolet Lumber Company has proposed construction of three additional twelve-unit apartment buildings; 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 residential units created from this development project; and,

WHEREAS, Nicolet Lumber Company has negotiated the development agreement to provide for transfer of property ownership of about 5.9 acres north of future Webster Street extension and an incentive payment not to exceed \$200,000 to facilitate Phase 3 of the apartment development project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Nicolet Lumber Company and to facilitate the implementation thereof.

Motion (Blake/Weix) to approve.

RESULT: APPROVED

4. A Resolution supporting Weinbrenner Shoe Company's application for Wisconsin Economic Development Corporation (WEDC) funds for a renovation (Resolution #2691).

WHEREAS, Weinbrenner Shoe Company has purchased a major portion of the former Hurd Manufacturing property located adjacent to their existing manufacturing facility at 108 S. Polk St. in Merrill, Wisconsin, including a 110,000 sf and a 17,000 sf building, for the purpose of expanding their manufacturing capacity. They are engaged, among other things, in the business of renovating, updating, and maintaining the acquired buildings; and

WHEREAS, it is necessary that funds be procured for that project, including a grant applied for by the City of Merrill for Weinbrenner Shoe Company through the Wisconsin Economic Development Corporation (WEDC); and

WHEREAS, this project will expand Weinbrenner's production capacity which will provide new jobs in Merrill; and

WHEREAS, this project will utilize two previously vacant buildings and add to the City's tax base; and

WHEREAS, Weinbrenner Shoe Company has been a major employer in Merrill since 1938; and

WHEREAS, these funds will be used to renovate, update, and maintain the acquired property; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that the City of Merrill hereby supports speedy approval of the grant application by the City of Merrill for Weinbrenner Shoe Company to the WEDC in furtherance of this project to provide increased production capacity, and further, wishes Weinbrenner Shoe Company the best of luck in their endeavor, and further urges WEDC to expeditiously handle the grant application, approval, and related matters

Motion (Hass/Blake) to approve.

RESULT: APPROVED

5. A Resolution honoring Stacy Stevens for her long-time service to the City of Merrill (Resolution #2692).

WHEREAS, Stacy Stevens has served the City of Merrill T.B. Scott Library for 21 years as the Assistant Library Director and then as the Library Director; and,

WHEREAS, these years of service have been marked by dedication to the best interests of our community and citizens; and

WHEREAS, Stacy Stevens has earned the admiration and respect of her fellow employees by exhibiting an unmatched work ethic; and

WHEREAS, Stacy Stevens skills, experience, vision and her upbeat sense of humor will be missed at the City of Merrill T.B. Scott Library;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Stacy Stevens has given the City of Merrill T.B. Scott Library and commends her for those 21 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Stacy Stevens, congratulate her upon the occasion of her retirement from the City of Merrill T.B. Scott Library, and extend our warmest wishes for her enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

RESULT:	APPROVED
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6. A Resolution honoring Greg Hartwig for his extended service and great contribution to the City of Merrill (Resolution #2693).

WHEREAS, Greg Hartwig has served the City of Merrill as a PO, POI, POII, Lieutenant, and then promoted to Patrol Captain, from March, 1990 to June, 2021; and,

WHEREAS, Greg Hartwig's cheerful manner, dedication to Police service and to the City of Merrill and his hard work in virtually every area in which he was involved will be greatly missed by the Police Department and Merrill's citizens; and,

WHEREAS, Greg Hartwig has earned the admiration and respect of his fellow employees by the way in which he has carried out his duties; and,

WHEREAS, Greg Hartwig's skills and experience will be missed at the City of Merrill Police Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the faithful service Greg Hartwig has given the City of Merrill Police Department and commends him for those 31 years of service; and

BE IT FURTHER RESOLVED, that we hereby commend the meritorious and dedicated service of Greg Hartwig, congratulate him upon the occasion of his retirement from the City of Merrill Police Department, and extend our warmest wishes for his enjoyment of continued prosperity in the years that lie ahead.

Motion (Common Council/Common Council) to approve.

RESULT: APPROVED

18. Mayor's Communications

A Committee of the Whole meeting was scheduled for 5:00 P.M. on Wednesday, July 21st, in the City Hall Common Council Chambers.

Mayor Woellner announced that he is forming an Administrative Review Committee. This ad-hoc committee will research potential ways to increase administrative accountability and decrease administrative costs. The first meeting of this committee has tentatively been scheduled for Thursday, July 29th at 5:00 P.M., in the City Hall Common Council Chambers.

19. Adjournment

Motion (Sabatke/Russell) to adjourn. Carried. Adjourned at 7:41 P.M.