

**CITY OF MERRILL
COMMON COUNCIL**

TUESDAY, June 14, 2022 MINUTES

Regular Meeting

City Hall Council Chambers

6:00 p.m.

1. **Mayor Hass called the meeting to order** at 6:08 p.m. The following elected officials, department heads and residents were in attendance:

Elected Officials and Department Heads present: City Attorney – Tom Hayden, City Administrator – Dave Johnson, City Clerk – Lori Anderson-Malm, Facilities Maintenance Manager – Nick Wszalek, Finance Director – Kathy Unertl, Fire Chief – Josh Klug, Library Director – Jessica Zellers, Police Chief – Corey Bennett, Public Works Director/ City Engineer – Rod Akey, Park & Recreation Director – Dan Wendorf, Building Inspector/Zoning Administrator – Darin Pagel, Utility Operations Manager – Gabe Steinagel and Nathan from Merrill Productions.

Residents in attendance: Renae Fredrick, Mr. & Mrs. Martin, Bill Bialecki and Al Wix

2. **Invocation** by Sister Pam Hodgsen – Holy Cross Sisters
3. **Pledge of Allegiance** was recited.
4. **Roll Call** was taken and the following alderperson's were in attendance:

Paul Russell – First District	Attended Remotely
Michael “Gus” Caylor – Second District	Present
Rick Blake – Third District	Present
LaDonna Fermanich – Fourth District	Present
Dick Lupton – Fifth District	Present
Mike Rick - Sixth District	Present
Mark Weix – Seventh District	Present
Steve Sabatke – Eighth District	Present

5. **Public Comment** – Mayor Hass asked Library Director Zellers to inform the council and those in attendance the hours of the library.
6. **Minutes of previous Common Council meeting** – May 10, 2022

Aldersperson Rick made a motion to approve the minutes from the May 10, 2022 Common Council meeting. Aldersperson Lupton seconded and the motion passed.

7. **Revenue & Expense Reports:**

Alderson Russell made a motion to approve the revenue and expense reports ending May 31, 2022. Alderson Rick seconded and the motion passed.

8. Board of Public Works:

- 1. Consider increasing the minimum bid to \$500 for vacant city lots. If the minimum bid would need to be adjusted, the bid would go back to the Board of Public Works.**

Alderson Sabatke explained the reasoning behind increasing the minimum bid. Alderson Rick mentioned he would like to see earnest money toward the purchase of a vacant city lot.

A motion was made by Alderson Blake to approve. Alderson Sabatke seconded and the motion passed.

- 2. Approve Certified Survey Map and Right-of-Way Dedication for Johnson Street lots.**

A motion was made by Alderson Russell to approve. Alderson Lupton seconded and the motion passed.

9. Health & Safety Committee:

- 1. Consider approving the 2020/2023 liquor license applications (per list) with the exception of Erickson's Westside Tap for non-compliance with the city ordinance.**

Mayor Hass explained the first vote would be to vote for all licensees except for Caylor's Trophy Bar. Alderson Caylor motioned to approve the list with the exception of Caylor's Trophy Bar. Alderson Sabatke seconded and the motion passed.

Alderson Lupton made a motion to approve the 2022/2023 liquor license for Caylor's Trophy Bar. Alderson Weix seconded and the motion passed with Alderson Caylor abstaining from the vote.

- 2. Street Use Permit application from Ballyhoo's to close Prospect Street (from Grand Avenue to West Main Street) from 12:00 PM to 10:00 PM on Saturday, June 20, 2022 for the Lobster Fest event.**

Alderson Rick motioned to approve the street use permit for Ballyhoo's. Alderson Sabatke seconded and the motion passed.

- 3. Application from Athletic Park Baseball Boosters for 30 temporary Class "B" picnic licenses to sell fermented malt beverages inside Athletic Park during baseball games on the following dates in 2022: May 29, June 4, 8, 9, 13, 14, 19, 20, 22, 26, 28, 29, July 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 29.**

Alderson Weix motioned to approve. Alderson Caylor seconded and the motion carried.

10. Placing Committee Reports on File:

Alderson Russell motioned to place the committee reports on file. Alderson Lupton seconded and the motion passed.

11. Proclamation: 175th Anniversary of the Founding of Merrill

City Attorney Hayden read the Proclamation declaring the 175th Anniversary of the Founding of Merrill.

12. Ordinances:

1. Consider amending Code of Ordinances Chapter 8, Article V, Section 8-113, to revise language regarding the certificate of liability insurance.

City Attorney Hayden read the first reading of the Ordinance. Alderson Russell motioned to give the ordinance the second and third readings by title only. Alderson Blake seconded and the motion passed.

Alderson Lupton motioned to accept the revision of the ordinance. Alderson Weix seconded the motion to approve.

A roll call vote was taken: Russell, Caylor, Blake, Fermanich, Lupton, Rick, Weix, Sabatke all voted yes. Motioned passed on an 8-0 roll call vote.

2. Consider amending Code of Ordinances Chapter 14, Article 11, Section 14-39 regarding Electronic smoking device(s).

City Attorney Hayden read the first reading of the Ordinance. Alderson Caylor motioned to have the second and third readings by title only. Alderson Weix seconded and the motion passed.

Alderson Russell motioned to approve the ordinance. Alderson Blake seconded and a roll call vote was taken. Russell, Caylor, Blake, Fermanich, Lupton, Rick, Weix, Sabatke all voted yes. Motion passed on an 8-0 roll call vote.

3. Consider amending Code of Ordinances Chapter 36, Article II, Division 1, Section 36-23 regarding School bus warning lights.

City Attorney Hayden read the first reading of the Ordinance. Alderson Russell motioned to give the ordinance the second and third readings by title only. Alderson Blake seconded and the motion passed.

Alderson Blake motioned to approve the ordinance. Alderson Weix seconded and a roll call vote was taken. Russell, Caylor, Blake, Fermanich, Lupton, Rick, Weix, Sabatke all voted yes. Motion passed on an 8-0 roll call vote.

4. **Consider amending the District Zoning Map of the City of Merrill, Wisconsin for a parcel of land located on the east side of Johnson St from Rural to R1.**

City Attorney Hayden read the first reading of the Ordinance. Alderperson Blake motioned to give the ordinance the second and third readings by title only. Alderperson Weix seconded and the motion passed.

Alderperson Caylor motioned to approve the ordinance. Alderperson Lupton seconded and a roll call vote was taken. Russell, Caylor, Blake, Fermanich, Lupton, Rick, Weix, Sabatke all voted yes. Motion passed on an 8-0 roll call vote.

13. Public Hearing on Alley Vacation

City Attorney Hayden read the language regarding the public hearing on the alley vacation.

Alderperson Sabatke made a motion to open the public hearing for the alley vacation. Alderperson Caylor seconded and the motion passed.

There was no one testifying for or against the alley vacation.

Alderperson Russell made a motion to close the public hearing for the alley vacation. Alderperson Sabatke seconded and the motion passed.

Alderperson Sabatke made a motion to approve the alley vacation. Alderperson Fermanich seconded and the motion passed.

14. Resolutions:

1. **A Resolution honoring Merilee J DuPlayee, a/k/a Toby, for her long-time service to the City of Merrill.**

Alderperson Russell made a motion to approve the resolution. Alderperson Blake seconded and the motion passed.

2. **A Resolution authorizing the vacation of an alley located in part of H.W. Wright Lumber Company's addition.**

Alderperson Lupton made a motion to approve the resolution. Alderperson Rick seconded and the motion passed.

3. **A Resolution approving the 2021 Compliance Maintenance Annual Report (CMAR) for the City of Merrill wastewater treatment plant.**

Alderperson Rick made a motion to approve the resolution. Alderperson Weix seconded and the motion passed.

- 4. A Resolution authorizing a development agreement by and between the City of Merrill, Wisconsin and Ott Development & Construction, LLC (for Johnson St. homes).**

Aldersperson Russell made a motion to approve the resolution. Aldersperson Blake seconded and the motion passed.

- 5. A resolution approving a preliminary plat for residential development between Eugene, Alexander, and Heldt Streets aka Alexander Estates in the City of Merrill.**

Aldersperson Russell made a motion to approve the resolution. Aldersperson Lupton seconded and the motion passed.

- 6. A resolution approving a conditional use permit for a daycare facility at 201 Stange Street, Merrill.**

Aldersperson Sabatke made a motion to approve the resolution. Aldersperson Caylor seconded and the motion passed.

- 7. A resolution in support of Construction and Promotion of “Affordable Housing” within the City of Merrill.**

Aldersperson Sabatke made a motion to approve the resolution. Aldersperson Blake seconded. Mayor Hass asked if there was any discussion.

Aldersperson Fermanich asked to amend the wording on the last sentence of the resolution. She amended to strike “and participate in the construction of such housing” and revise to “participate in pursuit of such housing opportunities”. Aldersperson Rick seconded to revise the wording. The revised wording was approved.

Aldersperson Rick made a motion to adopt the resolution as amended. Aldersperson Blake seconded and the motion carried.

15. Mayor’s Appointments:

- 1. Aldersperson Rick Blake to the Library Board, replacing Tim Meehan, term to expire 04/16/24.**
- 2. Reappoint Mike Giesler to the Library Board, term to expire 04/16/24.**

Aldersperson Russell made a motion to approve both of the Mayor’s appointments. Aldersperson Fermanich seconded and the motion passed.

16. Mayor’s Communications:

Mayor Hass reminded everyone that Flag Day is June 14th and it is a very important day for all citizens to remember.

Construction will begin on June 27th for areas in the city.

The City Band will begin their summer concerts on June 29.

Gazebo Nights start on July 7th.

17. Adjournment:

Mayor Hass asked for a motion to adjourn. Alderperson Rick made a motion to adjourn.
Alderperson Lupton seconded and the motion passed.

The meeting was adjourned at 7:02 PM.

Minutes respectfully submitted by Lori L Anderson-Malm – City Clerk.