

**CITY OF MERRILL
COMMON COUNCIL
Tuesday, December 13, 2022 MINUTES
Regular Meeting City Hall Council Chambers 7:00 p.m.**

- I. **Call to Order:** Mayor Hass called the meeting to order at 7:00 p.m. The following elected officials, department heads and residents were in attendance:

Elected Officials and Department Heads present: Mayor Hass, City Attorney Hayden, City Clerk Anderson-Malm, Finance Director Unertl, Fire Department Leiskau, Fire Chief Klug, Police Chief Bennett, Operations Manager Steinagel, Street Superintendent Bonack, Public Works Director/City Engineer Akey, Enrichment Center Director Mrachek (remote) and Library Director Ollhoff.

Building Inspector/Zoning Administrator Pagel and Park & Recreation Director Wendorf were excused.

Others in attendance: Sister Celine and Sister Kathy from Holy Cross Sisters, Al Wix, Paul Kienitz, Brandon Wilde and Merrill Productions.

- II. **Invocation** by Sister Celine from the Holy Cross Sisters

- III. **Pledge of Allegiance** was recited.

- IV. **Roll Call** was taken and the following alderperson's were in attendance:

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

- V. **Public Comment** – There was no public comment.

- VI. **Minutes of previous Common Council meeting** – November 9, 2022
Aldersperson Blake made a motion to place the minutes from the November 9th, 2022 Common Council meeting on file. Aldersperson Weix seconded and the motion carried.

- VII. **Revenue & Expense Reports:**
Aldersperson Russell motioned to place the November 2022 Revenue & Expense reports on file. Aldersperson Caylor seconded and the motion carried.

- VIII. **General Agenda Items:**

1. Employee Years of Service Recognition:

City Clerk Anderson-Malm read the employee years of service recognition for:
John Kraegenbrink II, 20 years (Fire Department)
Steven Landwehr, 25 years (Merrill Utility)

Mayor Hass thanked John and Steven for their service to the city.

2. Consider an alcohol beverage retail license for Riverside Athletic Club, Inc.

Police Chief Bennett mentioned there are no issues in issuing this beverage license. Brandon Wilde from Riverside Athletic Club stated this would run with limited hours and would primarily be used in conjunction with the golf simulator. Patrons would be able to have a beverage after using the simulator.

Alderson Caylor made a motion to approve the alcohol beverage retail license for Riverside Athletic Club, Inc. Alderson Blake seconded and the motion carried.

IX. Board of Public Works:

1. Consider selling a piece of city property between W 5th Street and W 6th Street.

Alderson Rick motioned to approve selling a piece of city property between W 5th Street and W 6th Street. Alderson Weix seconded the motion.

Public Works Director/City Engineer Akey explained the process and steps need to provide a clean survey and provide a transfer to interested property owners.

Alderson Sabatke questioned the process and stated a homeowner had issues with this property. City Engineer Akey stated the adjacent property owners were contacted approximately 3 months ago regarding this property. Formal letters will be sent after the survey is conducted.

After further discussion the motion carried on a 6/1 voice vote.

2. Consider adjustment of 2023 Utility Service Fees.

Alderson Rick motioned to approve the adjustment of 2023 Utility Service Fees. Alderson Blake seconded and the motion carried.

X. Place Committee Reports on File:

Alderson Russell motioned to place committee reports on file. Alderson Weix seconded and the motion carried.

XI. Ordinances:

1. An Ordinance amending Chapter 38 Division 2, Section 38-152 Septic/holding tank and leachate rate

City Attorney Hayden gave the ordinance a first reading by title only, followed by a synopsis.

Alderson Caylor motioned to suspend the rules and give the ordinance a second and third reading by title only. Alderson Russell seconded and the motion carried.

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

Alderson Caylor motioned to adopt the ordinance. Alderson Blake seconded. The motion carried on a 7-0 roll call vote.

XII. Resolutions:

1. A Resolution authorizing a revised development agreement by and between the City of Merrill, Wisconsin and S.C. Swiderski, LLC (Webster St.) (Resolution #2743)

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

WHEREAS, the Common Council of the City of Merrill adopted Resolution No. 2706 on September 14, 2021 for construction of duplexes and single-family homes; and

WHEREAS, S.C. Swiderski, LLC has proposed revised Webster Street rental housing development plans for 64 units and the City Plan Commission and Common Council approved a Conditional Use Permit (CUP); 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, expanded property tax will be generated and additional new residential units created from this revised development project; and,

WHEREAS, S.C. Swiderski, LLC has negotiated the development agreement to provide for transfer of property ownership of about 12.154 acres (between Alexander St., Heldt St., and Eugene St.) to facilitate the revised development project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of December, 2022, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and S.C. Swiderski, LLC and to facilitate the implementation thereof.

A motion was made by Alderperson Russell to approve the resolution. Alderperson Weix seconded and the motion carried.

2. A Resolution ratifying the January 1, 2022 to December 31, 2023 contract between the City of Merrill and the International Association of Firefighters Local 847 (Resolution #2744)

WHEREAS, negotiations between the City of Merrill and the International Association of Firefighters Local 847 have culminated a tentative contract agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of December, 2022, that the City of Merrill accept the terms and conditions for the January 1, 2022 to December 31, 2023 employment years according to the terms of the contract between the City of Merrill and the International Association of Firefighters Local 847 on file in the City Clerk's office. Said changes and amendments in the terms and conditions to the January 1, 2022 to December 31, 2023 contract shall be effective January 1, 2022. The existing agreement shall be modified accordingly.

Alderperson Caylor motioned to approve the resolution. Alderperson Fermanich seconded and the motion carried.

3. A Resolution honoring Dave Johnson for this long-time service to the City of Merrill (Resolution #2745)

WHEREAS, Dave Johnson has served the City of Merrill for over 10 years, from April 24, 2012 to October 4, 2022; and,

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

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

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of December, 2022, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the dedicated and faithful service Dave Johnson has given the City of Merrill and commends him for those 10 years of service; and

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

Aldersperson Russell motioned to approve the resolution. Aldersperson Blake seconded and the motion carried.

4. A Resolution honoring Scott Krause for his extended service and great contribution to the City of Merrill (Resolution #2746)

WHEREAS, Scott Krause has served the City of Merrill as a Firefighter, Lieutenant, Interim Fire Chief, and Battalion Chief from October, 1990 to November, 2022; and,

WHEREAS, Scott Krause's dedication to Fire 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 Fire Department and Merrill's citizens; and

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

WHEREAS, Scott Krause's skills and experience, will be missed at the City of Merrill Fire Department;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of December, 2022, that the Common Council, and the people of Merrill officially acknowledge with deep appreciation the faithful service Scott Krause has given the City of Merrill Fire Department and commends him for those 32 years of service; and

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

Aldersperson Blake motioned to approve the resolution. Aldersperson Caylor seconded and the motion carried.

XIII. Mayor's Appointments:

Aldersperson Blake made a motion to approve the Mayor's Appointments of Paul Russell to Chairman of Personnel & Finance Committee effective January 23, 2023 and Aldersperson

Michael Caylor from Chairman of Personnel & Finance to committee member effective January 23, 2023. Alderperson Fermanich seconded and the motion carried.

XIV. Mayor's Communications:

Mayor Hass spoke about the following events:

Enrichment Center will offer walking Monday through Friday from 11-4 for no fee.

Enrichment Center will have a Christmas Joy Meal on December 22; the Washington School Choir will provide entertainment.

Park & Recreation will offer open skate during the Christmas break.

TB Scott Library has the following events: Holiday Music will be provided on December 22, there will be an Author Chat with Greta Kurth, December 28th there will be a Critic's Choice movie, December 14th has Family Story Time, Thursday at 10:30 Wiggle, Giggle & Shake for ages 0-5. The library will be closed December 23, 24, 25 and 26 for Christmas.

Mayor Hass also wished everyone a Merry Christmas and a Happy New Year

XV. Adjournment

Alderperson Rick motioned to adjourn. Alderperson Caylor seconded and the motion carried. The meeting was adjourned at 7:29 PM.

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

The complete Ordinance is available on the City of Merrill website: <https://www.ci.merrill.wi.us/>