

**CITY OF MERRILL
COMMON COUNCIL
TUESDAY, APRIL 9, 2024 MINUTES
REGULAR MEETING CITY HALL COUNCIL CHAMBERS 7:00 PM**

- I. Call to Order** Mayor Hass called the meeting to order at 7:00 PM.
- II. Invocation - Pastor Mike Southcomb - St Stephens UCC**
- III. Pledge of Allegiance**
- IV. Roll Call** Present: Alderperson Russell, Alderperson Caylor, Alderperson Meyer, Alderperson Fermanich, Alderperson Lupton, Alderperson Rick, Alderperson Weix Jr., Alderperson Sabatke
Others present: Mayor Hass, City Attorney Hayden, City Clerk Anderson-Malm, City Administrator Akey, Building Inspector/Zoning Administrator Pagel, Enrichment Center Director Mrachek (remote), Finance Director Ley, Fire Chief Klug, Police Chief Bennett, Street Superintendent Bonack, Transit Director Brummond (remote), Utility Operations Manager Steinagel, Alderperson elect Lass, Alderperson elect Andrew Caylor, Alderperson elect Rutkowski, Pastor Mike Southcomb, Clyde Nelson, Gary and Mary Schwartz, Sue Kunkel, Gary Latzig, and Merrill Community Media.
- V. Common Council Meeting Expectations**
- VI. Public Comment** There was no public comment.
- VII. Proclamation**
 - 1. 2024 Mayoral Proclamation: Provider Appreciation Day** - City Attorney Hayden read the proclamation.
- VIII. Revenue and Expense Reports**
 - 1. March Revenue and Expense Reports** - Alderperson Meyer motioned to approve the March Revenue and Expense reports. Alderperson Fermanich seconded and the motion passed.
 - 2. Revised February Revenue and Expense Reports** - Alderperson Meyer motioned to approve the revised February Revenue and Expense reports. Alderperson Fermanich seconded and the motion Passed.
- IX. Minutes from Previous Meeting**
 - 1. Consider placing the minutes from the March 12th meeting on file** - Alderperson Caylor motioned to place the March 12th minutes on file. Alderperson Weix Jr. seconded and the motion passed.
- X. Communications and Petitions**

1. **Insurance claim from State Auto on behalf of Lynn Kleinschmidt, regarding a slip and fall claim (December 15, 2022). The City's insurance carrier recommends this claim be disallowed. This is based on the fact that an investigation revealed the City was not liable for this incident.** - Alderperson Rick motioned to disallow the 2022 claim. Alderperson Russell seconded and the motion passed.

XI. General Agenda Items for Consideration

1. **Consider the 2024-2025 Merrill Police Union contract. Mayor Hass is bringing this directly to the Common Council.** - Alderperson Lupton motioned to approve. Alderperson Weix Jr. seconded and the motion passed.

XII. Committee of the Whole

1. **Take any action regarding the remaining unallocated ARPA funds of \$9,999.76 from the earlier Committee of the Whole.** - City Clerk Anderson-Malm read the actions from the earlier Committee of the Whole. Motion to use unallocated ARPA funds for the Food Truck-a-palooza and future Food Truck-a-palooza events. Alderperson Meyer motioned to approve the motion from the Committee of the Whole. Alderperson Sabatke seconded and the motion passed on a 7/1 voice vote.
2. **Take any action regarding the EV Charging Station placement and possible funding source from the earlier Committee of the Whole.** - City Clerk Anderson-Malm read the motion from the earlier Committee of the Whole; motion to table the EV charging stations, which passed on a 7/1 voice vote. City Attorney Hayden stated no further action is necessary considering the item was tabled.

XIII. Board of Public Works

1. **Discuss and consider the updated 2024 Street Opening permit and fees. The Board of Public Works recommends approval.** - Alderperson Sabatke motioned to approve. Alderperson Meyer seconded and the motion passed.
2. **Consider the bid for the M2024-02 paving project (S Center Avenue and N Sales St) to American Asphalt of Wisconsin Division of Mathy for \$517,380.50. The Board of Public Works recommends approval.** - Alderperson Sabatke motioned to approve. Alderperson Rick seconded and the motion passed.
3. **Consider the paving budget of \$7,400 to pave the north side of the alley by Our Savior's Church. The Board of Public Works recommends approval.** - Alderperson Meyer motioned to approve. Alderperson Lupton seconded and the motion passed.

XIV. Health & Safety

1. **Consider a temporary Class "B" picnic license for the Merrill Historical Society, on April 27, 2024, at The Cosmo Hall, 805 E Main Street, in conjunction with the Merrill Historical Society Trivia Contest 2024. The Health & Safety Committee recommends approval.** - Alderperson Lupton motioned to approve. Alderperson Weix Jr. seconded and the motion passed.
2. **Consider a temporary Class "B" picnic license for the Lincoln County Fair Association, on August 7, 8, 9, 10, and 11, 2024 at the Merrill Festival Grounds in conjunction with the Lincoln County Fair. The Health & Safety Committee recommends approval.** - Alderperson Rick motioned to approve. Alderperson Caylor seconded and the motion passed. Alderperson Meyer abstained.
3. **Consider a Class A liquor license for Makalu Real Estate LLC, 1201 Grand Avenue. The Health & Safety Committee recommends approval.** - Alderperson Lupton motioned to approve. Alderperson Weix Jr. seconded and the motion passed.
4. **Consider a Class "A" liquor license for Merrill Petroleum LLC, 3350 E Main Street. The Health & Safety Committee recommends approval.** - Alderperson Caylor motioned to approve. Alderperson Meyer seconded and the motion passed.
5. **Consider a Class A liquor license for Express Lane (CAPL Retail LLC), 702 N Center Avenue. The Health & Safety Committee recommends approval.** - Alderperson Rick motioned to approve. Alderperson Weix Jr. seconded and the motion passed.

XV. Personnel & Finance

1. **Consider implementing a hiring freeze, except for Police and Fire line positions; have vacant positions evaluated by the Personnel & Finance Committee and forwarded to the Common Council with the Mayor having the ability to bring a position directly to the Common Council. The Personnel & Finance Committee recommends approval. It was suggested by the Administration to include Transit personnel in the final action.** - Alderperson Caylor motioned to amend the original motion to include Transit personnel. Alderperson Meyer seconded and the motion passed.
2. **Consider the elimination of the Community Development Program Director position upon the retirement of the current employee, effective May 1, 2024. The Personnel & Finance Committee recommends approval.** - Following discussion, which included Alderperson Caylor thanking the Community Development Program Director for her service over the past 27 years and Building Inspector/Zoning Administrator Pagel thanking the CDPD publically. Alderperson Russell motioned to approve. Alderperson Meyer seconded, and the motion passed on a 7/1 voice vote.

XVI. Tourism Commission

1. **Tourism Report - 2023** - Executive Director of the Chamber of Commerce, Clyde Nelson, presented the Tourism Report.
2. **Tourism Room Tax - SL304 for 2023** - The room tax report was included in the packet.

XVII. Place Committee Reports on File

1. **Consider placing the following reports on file: Committee of the Whole, Enrichment Center, Health & Safety, Festival Grounds, Library Board, Marketing & Communications, Personnel & Finance, Redevelopment Authority, Transit Commission, Board of Public Works, and Parks and Recreation Commission.** - Alderperson Meyer motioned to place the committee reports on file. Alderperson Rick seconded and the motion passed

XVIII. Ordinances

1. **An Ordinance Amending Chapter 26, Article V, Section 26-136 Purchase or possession of tobacco products. The Health & Safety Committee recommends approval.** - City Attorney Hayden read the Ordinance. Alderperson Caylor motioned to suspend the rules and give the second and third readings by title only. Alderperson Rick seconded and the motion carried. City Attorney Hayden gave the Ordinance the second and third readings by title only.
Alderperson Meyer motioned to adopt the Ordinance. Alderperson Lupton seconded and the motion carried on an 8/0 roll call vote.

XIX. Mayor's Appointments

1. **Jim Weix to the Central Wisconsin Economic Development Board replacing Adam Rekau** - Alderperson Meyer motioned to approve. Alderperson Rick seconded and the motion passed. Alderperson Weix abstained.

XX. Mayor's Communications

Mayor Hass read the following communications:

- * I want to congratulate and welcome the Alderpersons elected to the Council, Andrew Caylor, Robert Lass, and Rebecca Rutkowski. I want to thank the outgoing aldermen, Paul Russell, who has been the Council President, Alderman Dick Lupton, and Alderman Steve Sabatke for their years of service to the city.
- * The Council will meet again on April 16 at 6:00 pm for a swearing-in ceremony and a re-organizational meeting where committee assignments will be given.
- * April 19th is the Concertina Fest at Les and Jim's.
- * April 25, 26, and 27, the Merrill High School Theatre Jays are presenting the musical Matilda. Please call 536-4594 for information and tickets.
- * April 28th is the Raise Your Voice walk at the MARC
- * This week is National Library Week. There will be activities all week. Please stop in and check out the TB Scott Library and all it has to offer.
- * May 18th is the City-wide garage sale and the Food Truck-a-palooza event at the Festival Grounds.
- * Please stop into the Enrichment Center and check out all the activities. We are

lucky to have the Enrichment Center and the Library in our community.

* May 3rd is the Council Orientation at 9:00 am.

XXI. Adjournment Alderperson Meyer motioned to Adjourn. Alderperson Rick seconded and the motion passed. The meeting was adjourned at 7:48 pm.

The complete Ordinance is available on the City of Merrill website:

<https://www.ci.merrill.wi.us/>

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