



CITY OF MERRILL

COMMON COUNCIL

MINUTES • TUESDAY SEPTEMBER 8, 2020

Regular Meeting

City Hall Council Chambers

6:00 PM

1. Call to Order

Mayor Woellner called the meeting to order at 6:05 P.M.

Attendee Name	Title	Status	Arrived
Paul Russell	Aldersperson - First District	Excused	
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	Present	
Mike Rick	Aldersperson - Sixth District	Present	
Mark Weix	Aldersperson - Seventh District	Present	
Steve Sabatke	Alderman - Eighth District	Remote	
Derek Woellner	Mayor	Present	

2. Silent Prayer

3. Pledge of Allegiance

4. Roll Call

5. Public Comment Period

None.

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

1. Minutes of August 12, 2020 Common Council meeting

Motion (Osness/Van Lieshout) to approve.

RESULT: APPROVED

7. Revenue & Expense Reports(s):

1. Revenue & Expense Report for the period ending August 31, 2020

Motion (Hass/Rick) to approve.

RESULT: APPROVED

8. Communications and Petitions:

1. Insurance claim from Progressive Insurance, as Subrogee of James Swanson, related to insured vehicle damage, allegedly caused by City of Merrill Firefighters at 111 E. Riverside Avenue on February 7th, 2020. The City's insurance carrier recommends that this claim be disallowed. This is based on the fact that an investigation revealed no liability on behalf of the City. The City does not accept responsibility for the damage being claimed. In addition, it is the City's insurance carrier's stance that the City is subject to discretionary immunity in this situation.

Motion (Hass/Blake) to disallow the claim.

RESULT:	DISALLOWED
----------------	-------------------

9. General agenda items:

1. Employee Years of Service Recognition:

Vincent L. Conrad, 30 years (Street Department)

City Clerk Heideman read a certificate of recognition for Vincent Conrad. Mayor Woellner then presented Mr. Conrad with the certificate.

Joshua J. Grovogel, 10 years (Fire Department)

City Clerk Heideman read a certificate of recognition for Joshau Grovogel.

2. 2019 Audit Presentation (delayed until later)

No representative of CliftonLarsonAllen LLP (the City's audit firm) was in attendance at this time. Mayor Woellner requested that he be allowed to continue with the agenda and return to the audit later. Without objection, it was so ordered.

10. Board of Public Works:

1. Consider alley improvements for alley between East Eighth Street and East Ninth Street, between Cedar Street and Elm Street. The Board of Public Works recommends approval.

Motion (Van Lieshout/Weix) to approve.

RESULT:	APPROVED
----------------	-----------------

11. Health and Safety Committee:

1. Application from Casa-Amigos Mexican Restaurant, LLC, Yareldi Gutierrez, Agent, for Class "B" (beer) and "Class B" (liquor) licenses for Casa-Amigos Restaurant, N2410 State Highway 107 , effective September 9th, 2020. The Health and Safety Committee recommends approval.

Motion (Blake/Hass) to approve.

RESULT:	APPROVED
----------------	-----------------

2. Application from Schmitt-Manecke-Donner VFW Post 1638 to transfer their Class "B" (beer) and "Class B" (liquor) licenses from one premises to another (205 N. Cleveland Street to 601 Johnson Street). Alderman Hass is bringing this application directly to the Common Council.

Motion (Hass/Van Lieshout) to approve.

RESULT: APPROVED

12. Personnel and Finance Committee:

1. Consider writing off 2019 over-collected Personal Property tax bill of \$234.74 for Winter Chiropractic, as well as future 2020 Personal Property tax bill. The Personnel and Finance Committee recommends approval.

Motion (Osness/Rick) to approve.

RESULT: APPROVED

13. Placing Committee Reports on File:

1. Consider placing the following committee reports on file: Board of Public Works, Health & Safety Committee, Library Board, Merrill Enrichment Center Committee, Parks & Recreation Commission, Personnel & Finance Committee and Redevelopment Authority.

Motion (Rick/Van Lieshout) to place on file.

RESULT: PLACED ON FILE

14. Mayor's Appointments:

1. Alderman Hass, as temporary member and chairperson of the Health and Safety Committee, during the absence of Alderman Russell.

Motion (Blake/Osness) to approve.

RESULT: APPROVED

15. Ordinances:

1. An Ordinance amending Code of Ordinances Chapter 36, Article V, Section 36-251, related to ATV/UTV routes

City Attorney Hayden gave the ordinance a first reading.

16. Resolutions:

1. Initial Resolution authorizing \$1,395,000 General Obligation Bonds for Street Improvement Projects (Resolution #2643).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$1,395,000 for the public purpose of paying the cost of street improvement projects.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Rick Blake, Alderperson - Third District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

2. Initial Resolution authorizing \$50,000 General Obligation Bonds for Parks and Public Grounds Projects (Resolution #2644).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$50,000 for the public purpose of paying the cost of parks and public grounds projects.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	John M. Van Lieshout, Alderperson - Fifth District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

3. Initial Resolution authorizing \$275,000 General Obligation Bonds for Community Development Projects in Tax Incremental Districts (Resolution #2645).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$275,000 for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, by paying project costs included in the project plans for the City's Tax Incremental Districts.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	John M. Van Lieshout, Alderperson - Fifth District
SECONDER:	Steve Osness, Alderperson - Fourth District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

4. Initial Resolution authorizing \$210,000 General Obligation Bonds for Sewerage Projects (Resolution #2646).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$210,000 for the public purpose of paying the cost of sewerage projects.

RESULT: **APPROVED BY ROLL CALL VOTE [7 TO 0]**
MOVER: Steve Osness, Alderperson - Fourth District
SECONDER: Mike Rick, Alderperson - Sixth District
AYES: Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED: Russell

5. Initial Resolution authorizing \$75,000 General Obligation Bonds for Library Projects (Resolution #2647).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$75,000 for the public purpose of paying the cost of library projects.

RESULT: **APPROVED BY ROLL CALL VOTE [7 TO 0]**
MOVER: Steve Hass, Alderperson - Second District
SECONDER: Rick Blake, Alderperson - Third District
AYES: Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED: Russell

6. Initial Resolution authorizing \$360,000 General Obligation Bonds for Water System Projects (Resolution #2648).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$360,000 for the public purpose of paying the cost of water system projects.

RESULT: **APPROVED BY ROLL CALL VOTE [7 TO 0]**
MOVER: John M. Van Lieshout, Alderperson - Fifth District
SECONDER: Steve Osness, Alderperson - Fourth District
AYES: Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED: Russell

7. Initial Resolution authorizing \$1,145,000 General Obligation Refunding Bonds (Resolution #2649).

BE IT RESOLVED by the Common Council of the City of Merrill, Lincoln County, Wisconsin (the "City"), that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$1,145,000 for the public purpose of paying the cost of refunding certain outstanding obligations of the City.

RESULT: **APPROVED BY ROLL CALL VOTE [7 TO 0]**
MOVER: John M. Van Lieshout, Alderperson - Fifth District
SECONDER: Steve Osness, Alderperson - Fourth District
AYES: Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED: Russell

8. Resolution directing publication of Notice to Electors relating to bond issues (Resolution #2650).

WHEREAS, initial resolutions authorizing general obligation bonds have been adopted by the Common Council of the City of Merrill, Lincoln County, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Mark Weix, Alderperson - Seventh District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

9. Resolution providing for the sale of not to exceed \$3,510,000 General Obligation Corporate Purpose Bonds (Resolution #2651).

WHEREAS, the City of Merrill, Lincoln County, Wisconsin (the "City") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

- (a) \$1,395,000 for street improvement projects;
- (b) \$50,000 for parks and public grounds projects;
- (c) \$275,000 for providing financial assistance to community development projects;
- (d) \$210,000 for sewerage projects;
- (e) \$75,000 for library projects;
- (f) \$360,000 for water system projects; and
- (g) \$1,145,000 for refunding certain outstanding obligations of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Combination of Issues. The issues referred to above are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds" (the "Bonds") in an amount not to exceed \$3,510,000 for the purposes above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Official Statement, such certification to constitute full authorization of such Official Statement under this resolution.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Mike Rick, Alderperson - Sixth District
SECONDER:	Rick Blake, Alderperson - Third District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

10. Resolution authorizing the issuance and sale of a \$266,000 General Obligation Promissory Note (Resolution #2652).

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Merrill, Lincoln County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of acquiring buses (the "Project");

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell a General Obligation Promissory Note (the "Note") to mBank (the "Purchaser") pursuant to the terms and conditions set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Note. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of TWO HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$266,000) from the Purchaser. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Note in the principal amount of TWO HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$266,000).

Section 2. Terms of the Note. The Note shall be designated "General Obligation Promissory Note"; shall be issued in the principal amount of \$266,000; shall be dated its date of issuance; shall be in the denomination of \$100,000 or more; shall be initially numbered R-1; shall bear interest at the rate of 1.99% per annum and shall mature on April 1, 2021. Interest shall be payable at maturity. The schedule of principal and interest due on the Note is set forth on the Debt Service Schedule attached hereto as Exhibit A and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Note is subject to redemption prior to maturity, at the option of the City, on any date. The Note shall be redeemable in whole or in part, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Note. The Note shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Note as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the year 2020 for payments due in the year 2021 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Note remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Note, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Note when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Note" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Note is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Note; (ii) any premium which may be received by the City above the par value of the Note and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Note when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Note when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Note until all such principal and interest has been paid in full and the Note canceled; provided (i) the funds to provide for each payment of principal of and interest on the Note prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Note may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Note as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When the Note has been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Note; Segregated Borrowed Money Fund. The proceeds of the Note (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Note into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Note. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Note has been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Note, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Note to the Purchaser which will permit the conclusion that the Note is not an "arbitrage bond," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the Project and the ownership, management and use of the Project will not cause the Note to be a "private activity bond" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Note including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Note) if taking, permitting or omitting to take such action would cause the Note to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Note to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Note shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Note provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Note and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Note is hereby designated as a "qualified tax-exempt obligation" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Note; Closing; Professional Services. The Note shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Note may be imprinted on the Note in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Note, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Note shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Note and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Note, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Note is hereby ratified and approved in all respects.

Section 12. Payment of the Note; Fiscal Agent. The principal of and interest on the Note shall be paid by the City Clerk or the City Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Note. The City shall cause books for the registration and for the transfer of the Note to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. March 15, 2021 shall be the record date for the Note (the "Record Date"). Payment on the Note shall be made to the registered owners of the Note on any interest payment date as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Note allocable to the payment of issuance expenses to Old National Bank at Closing for further distribution as directed by Ehlers & Associates, Inc.

Section 16. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Note in the Record Book.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

RESULT:	APPROVED BY ROLL CALL VOTE [7 TO 0]
MOVER:	Steve Hass, Alderperson - Second District
SECONDER:	Rick Blake, Alderperson - Third District
AYES:	Hass, Blake, Osness, Van Lieshout, Rick, Weix, Sabatke
EXCUSED:	Russell

11.A Resolution temporarily moving Aldermanic Districts 3 and 6 polling places to the Bierman Building at the Merrill Festival Grounds for the election to be held on November 3, 2020 (Resolution #2653).

WHEREAS, Ordinance No. 2012-04 provides that the designated polling place for Aldermanic Districts 3 and 6 is the TB Scott Library; and,

WHEREAS, the TB Scott Library nor the Prairie River Middle School will not be available for voting by the residents of Aldermanic Districts 3 and 6 for the November 3, 2020 election; and,

WHEREAS, the Bierman Building at the Merrill Festival Grounds is a desirable and fitting alternative polling location; and,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 8th day of September, 2020, that the Common Council, does hereby temporarily relocate Aldermanic Districts 3 and 6 from TB Scott Library to the Bierman Building at the Merrill Festival Grounds at 2001 E 2nd St., for the November 3, 2020 election.

Motion (Van Lieshout/Blake) to approve.

RESULT: APPROVED

12. An Authorizing Resolution for a Wisconsin Department of Natural Resources Urban Forestry Grant and Catastrophic Storm Grant Programs (Resolution #2654).

WHEREAS, the applicant, City of Merrill Parks & Recreation Department, desires to obtain a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.; and,

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN, this 8th day of September, 2020, that the applicant, City of Merrill Parks & Recreation Department, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the Parks & Recreation Director/City Forester, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the WDNR
3. Submit interim and/or final reports to the WDNR to satisfy the grant agreement
4. Submit grant reimbursement request to the WDNR
5. Sign and submit other required documentation

Motion (Van Lieshout/Blake) to approve.

RESULT: APPROVED

17. Audit Presentation:

1. Presentation of and discussion of 2019 City of Merrill Audit Reports

This presentation was postponed from earlier in the meeting.

Representing CliftonLarsonAllen LLP, Dave Maccoux distributed copies of the Management Communications document and the Annual Financial Report document. He then reviewed those two documents.

18. Mayor's Communications

None.

19. Closed Session:

1. The Common Council may convene in closed session pursuant to Wisconsin State Statutes 19.85(1)(e) & (g) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved in, to discuss and consider the rural fire contracts.

Motion (Hass/Van Lieshout) to convene in closed session. Carried 7-0 on roll call vote.

The closed session minutes will be filed separately and confidentially.

20. The Common Council may reconvene in open session for potential action(s) on closed session issues.

The Common Council did not reconvene in open session.

21. Adjournment

Motion (Van Lieshout/Rick) to adjourn. Carried. Adjourned (from closed session) at 7:15 P.M.