

**COMMISSION ON PUBLIC WORKS/UTILITIES
COUNCIL ROOM
APRIL 25, 2023
6:45 P.M.**

The Commission on Public Works/Utilities met in regular session, Chair Clough presiding.
On roll call: all members present.

The minutes of the previous meeting were declared approved.

Chair Clough asked for nominations for Chair of the Commission on Public Works/Utilities for the upcoming year.

Mayor Poeschel nominated Council Member Clough.

Chair Clough called three times for further nominations. There being none.

Motion Petkovsek, second J. Neville, to close nominations and cast a unanimous ballot for Council Member Clough as Commission Chair. All Aye.

Director of Public Works Friemoth thanked the UDisc group, Trash Panda Disc Golf group, Friends of the Black River and the Recreation Department Ladies group for helping with Spring cleanup in the City parks and old dump.

Director of Public Works Friemoth reported on two burials at the Cemetery, snow removal, starting Spring cleanup in the Cemetery, opened Cliff's Park restroom for Spring baseball, street sweeping, equipment maintenance, filling potholes, brush pick up and chipping, cleaning catch basins, Water Department-daily testing and well rounds, filter #1 was rebuilt with the help of the Water, Sewer and Cemetery crews in removing filter sand by hand, cleared brush around the Low Zone Booster Station, labeling and mailing of Consumer Confidence Reports, the PFAS testing results came back-we were under any actionable limits, Sewer Department-daily testing and lift station rounds, lift station maintenance, R&R Waste Systems is jetting and videoing sewer main in preparation for main lining on Oak Street, Hill Street and W. Fifth Street, still struggling with high flows from rains and snow melt, we are taking precautions to prevent backups and solids washout and monitoring the biological process, due to changes in road conditions some of the money budgeted for Nelson Avenue is being switched to Industrial Park Drive in front of the old Figi's building, we will be pulverizing and repaving the Industrial Park Drive section and doing small overlay on the Nelson Avenue section, Spring cleanup is in progress this week.

Director of Public Works Friemoth opened and read the American Asphalt of Wisconsin, Mosinee, asphalt bid:

\$109.90 per ton for full width road paving
\$165.00 per ton for patch paving

Director of Public Works Friemoth stated that the bid is based on an estimated use of 1,000 tons for City's use only. The asphalt plant will be in the Neillsville area mid-July and August.

Motion Poeschel, second W. Neville, to recommend to the Common Council the acceptance of the American Asphalt of Wisconsin, Mosinee, asphalt bid in the amount of \$109.90 per ton for full width road paving and \$165.00 per ton for patch paving. All Aye.

Council Member Petkovsek asked with the pricing increase do we scale back our work.

Director of Public Works Friemoth replied we should be okay as he had budgeted a little extra.

Motion J. Neville, second Counsell, that Water Bills Nos. 97 to 134 in the amount of \$91,448.38 and Sewer Bills Nos. 58 to 76 in the amount of \$90,407.14 be paid. All Aye.

Motion Poeschel, second Petkovsek, to adjourn. All Aye.

Daniel M. Clough, Chair

Rex R. Roehl, Clerk

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**COMMON COUNCIL
COUNCIL ROOM
APRIL 25, 2023
7:00 P.M.**

The Common Council met in regular session, Mayor Poeschel presiding. On roll call: all members present. The Pledge of Allegiance was recited.

The minutes of the previous meetings were declared approved.

Mayor Poeschel reported on the April 18, 2023 meeting of the Board of Health regarding: 1) Health Officer Bakker’s City annual health report and activities for 2022 and 2023, 2) discussion on cleaning up properties and 3) discussion on and approval that each Council Member do an individual tour of their Ward with the Director of Public Works.

Council Member Petkovsek reported on the April 11, 2023 meeting of the Personnel Committee regarding: 1) discussion on and recommended the acceptance of Judy Lindner’s Letter of Resignation for Retirement effective July 1, 2023, 2) discussion on the process to fill the Recreation Director’s position and drafting a job description, 3) update on the Employee Handbook updates, 4) presentation by Matt Becker, CEO of the League of Mutual Insurance Company, as to the no cost services available to the City, the League has retained Stafford Rosenbaum as attorneys to assist policyholders and how to contact them on various matters for advice and 5) discussion on sample job descriptions.

Council Member Clough reported on the April 19, 2023 meeting of the Historic Preservation Commission regarding: 1) discussion on starting the survey of needs in both Downtown Historic Districts, 2) discussion on finalizing the new Self-Guided Cemetery Tour in coordination with the 1897 Clark County Jail Museum, 3) discussion on shared materials/brochures from the WI Historic Preservation Commission, 4) discussion on communication with real estate agents, bankers and insurance agents on historic property owners options and responsibilities and 5) reviewed fund balances.

Mayor Poeschel reported on the April 20, 2023 meeting of the Planning Commission regarding: 1) discussion on and recommendation to approve an Amendment to zoning from R1 Single Family Residential to a mixture of R3 Multi-Family Residential and GC General Commercial for Parcel Nos. 261.1434.000, 261.1434.004, 261.1434.007, 261.1434.008 and 261.1434.035, Donald Boon, owner and S.C. Swiderski, applicant, 2) discussion on Prock Park updates, 3) discussion on raising funds for park bench replacements in the Gazebo and Town Square Park and the recommendation to approve allowing park bench dedication plaques to be put on the park benches, 4) discussion on and recommendation to approve the sale of a section of Schuster Park land (adjacent to the Country Club near the South park entrance) at market price to the Neillsville Country Club pending a survey.

Council Member Neville reported on the April 20, 2023 meeting of the Heritage Days Committee regarding: 1) discussion on the bands line up, kids games and advertising, 2) discussion on and approval of Judy Lindner as the Grand Marshal, 3) discussion on and approval of the 2023 theme-Recreation, the Heart of the Community, 4) discussion on vendors, shirts, sponsorships, beer vendors and brands and 5) discussion with the Friends of the Black River regarding a kids’ fishing event during Neillsville Heritage Days.

Council Member Clough reported on the April 25, 2023 meeting of the Commission on Public Works/Utilities regarding: 1) election of Council Member Clough as Commission

Chair, 2) current activities, 3) opening, discussion on and recommendation to accept the American Asphalt of Wisconsin, Mosinee, asphalt bid in the amount of \$109.90 per ton for full width road paving and \$165.00 per ton for patch paving and 4) payment of bills.

Mayor Poeschel declared reports filed as presented with the City Clerk.

Jon Counsell stated that he is here to bring up an issue that keeps repeating itself, that no one on the Council seems to put to rest-Ethics Compliance. In March, 2022, Council Member J. Neville brought up the Tourism Commission's conflict issues, the City Attorney explained conflict problems. The City's Ethics Code says a Commission member cannot act to benefit an organization which they are associated with. The Tourism Commission ultimately did "redo" the meeting on May 11, 2022.

Jon Counsell stated the process has repeated itself with: 1) Tourism Commission Member Barb Petkovsek serving as Chair of the Commission and being associated with the Clark Cultural Arts Center (CART)-Petkovsek did abstain from the vote, however she did discuss and provide comment of CART's application appearing to use her position, authority and influence to affect favorably on CART's application. (Counsell filed as communication a packet of details, including a transcript of the Tourism Commission meeting, for consideration and action pursuant to the Ethics Code with the City), 2) Council Member Daniel Clough serving as a member of the Common Council and also as an officer, director and spokesperson for the Neillsville Improvement Corporation (NIC). The Ethics Code says a Council Member cannot act to benefit an organization they are associated with. It appears he used his position, authority and influence to propose, discuss, make motions and vote upon matters directly benefitting NIC-April 27, 2021 applying for a Wisconsin DNR Recreation Aids Grant, February 6, 2022 receiving and transferring the DNR \$50,000 grant to NIC and January 24, 2023 applying for a Wisconsin Economic Development Vibrant Spaces Grant. (Counsell filed as a communication a packet of details with exhibits, for consideration and action pursuant to the Ethics Code with the City.)

7:24 P.M.-Mayor Poeschel declared the Public Hearing on the Zoning Amendment from R1 Single Family Residential to a mixture of R3 Multi-Family Residential and GC General Commercial for Parcel Nos. 261.1434.000, 261.1434.004, 261.1434.007, 261.1434.008 and 261.1434.035 in the Boon Subdivision by Kortni Wolf, S.C. Swiderski, Mosinee, WI applicant, Donald Boon, owner, now open.

Director of Public Works Friemoth presented the application, public notice of this public hearing was in the Clark County Press and area landowners were notified.

Director of Public Works Friemoth stated the Planning Commission at its April 20, 2023 meeting discussed and recommended approval of the zoning amendment.

Mayor Poeschel called for appearances.

Kortni Wolf, S.C. Swiderski, gave a presentation on SCS-Neillsville-presenting their team, goals, location on Boon Boulevard, Lucille Lane and Rock Road, six single family homes, 114 storage units and 52 multi-family units, they have a property manager on site and their own maintenance and leasing staff, the multi-family units will be either 1, 2, or 3 bedroom (heavier on the two bedroom units), the units will have private entrances and laundry facilities, SCS pays for the heat, the tenant has an electric bill, the rent rate is market rate ranging from \$1,100 to \$1,775.

Mayor Poeschel called three times for appearances-there being none.

7:32 P.M.-Mayor Poeschel declared the Zoning Amendment hearing closed.

Motion Counsell, second J. Neville, to accept the Planning Commission recommendation to approve the Zoning Amendment from R1 Single Family Residential to a mixture of R3 Multi-Family Residential and GC General Commercial for Parcel Nos. 261.1434.000, 261.1434.004, 261.1434.007, 261.1434.008 and 261.1434.035 in the Boon Subdivision by S.C. Swiderski, applicant, and Donald Boon, owner. All Aye.

Mayor Poeschel asked if there were any questions on the Planning Commission items (3 and 4).

Council Member Petkovsek stated the benches have a ten-year warranty and as part of the fundraiser for the \$500 donation per bench you get a dedication plaque.

Motion Clough, second W. Neville, to accept the recommendation to allow park bench dedication plaques to be put on the park benches. All Aye.

Director of Public Works Friemoth stated that the portion of land the Neillsville Country Club is interested in is not useable by the Parks Department, the City would keep enough area around the park entrance to maintain it, currently the Country Club's ramp and ventilation duct work is right on the property line.

Motion J. Neville, second Petkovsek, to approve the sale of a section of Schuster Park land (adjacent to the Country Club near the South park entrance) at market price to the Neillsville Country Club pending a survey. All Aye.

Mayor Poeschel asked if there were any questions on the Commission on Public Works/Utilities (item 3).

Motion Counsell, second Clough, to accept the recommendation to accept the American Asphalt of Wisconsin, Mosinee, asphalt bid in the amount of \$109.90 per ton for full width road paving and \$165.00 per ton for patch paving. All Aye.

Discussion followed on the Recreation Director position vacancy, advertising in the paper and on social media (with the position open until filled) and job description.

Motion Petkovsek, second Clough, to authorize filling the Recreation Director position vacancy. All Aye.

Council Member Clough reported that the Emerald Ash Borer has been confirmed found in the City.

Fire Chief Meyer reported on the First Quarter 2023. Attending the Clark County Emergency Services meeting at the Courthouse, providing a tanker for the polar plunge, ordering the 4th of July fireworks, providing a truck for the State wrestlers, attending the Community Fire Hall Board and Rural Fire Association quarterly meetings, hiring five new firefighters, Taylor Hill, Isaac Balderas, Logan Oldham, Quentin Fausett and Trevor Taubenheim, four have completed the training to enter buildings. The Department responded to 9 calls, 6-Rural: 2 one-car accidents, a debris fire, a gas stove fire and 2 lift assists; 3-City: a cancelled en-route, a lift assist and removal of a dead dog which drowned in the Listeman pond. The equipment is in good shape and the new truck will be here in 18 months.

Council Member Counsell stated that the Tourism Commission was discussed and postponed at the annual meeting. She had provided names for consideration. Reviewing the State Statutes and City ordinances, the individuals have to be citizens of the City of Neillsville, meaning they live within the City or elected officials. The process needs to be finished.

City Clerk Roehl reported that Open Book will be Monday, May 1, 2023 from 12:00 Noon to 2:00 P.M. and Board of Review will be Monday, May 15, 2023 from 8:00 A.M. to 10:00 A.M.

"Class A" Retail Liquor and Malt Beverages License Application:
Shivaa WI, Inc, Super 8, Vishnzi G. Chadhasi, Agent, 1000 E. Division Street

Motion J. Neville, second Clough, to grant. All Aye.

Tavern Operators License Application:
Michelle L. Kennedy

Motion Clough, second J. Neville, to grant. All Aye.

Motion Counsell, second W. Neville, that City Bills Nos. 362 to 415 in the amount of \$117,513.02 be paid. All Aye.

Motion J. Neville, second Clough, to adjourn. All Aye.

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

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