

**COMMISSION ON PUBLIC WORKS/UTILITIES
COUNCIL ROOM
JUNE 27, 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.

Director of Public Works Friemoth reported on two burials at the Cemetery, spreading playground mulch in Schuster Park and Listeman Park, cleaning bathrooms, mowing and weed trimming, watering flowers, started TIF District No. 4 street replacement work on W. Fifth Street, replacing curb and gutter, hauling brush, Water Department-daily testing and well rounds, utility locates, meter changeouts, finished meter reading, getting quotes to repair filter press at booster plant, ran generators, Sewer Department-daily testing and lift station rounds, lift station maintenance, main lift station pump maintenance, responded to two sewer backup complaints both on the homeowners side, washed down and cleaned influent channel, bar screen, mixing basins and oxidation ditch and an update on Gazebo repair costs.

Director of Public Works Friemoth reviewed the Sewer Department 2022 Compliance Maintenance Annual Report (CMAR) and Resolution. There were no major changes. Overall grade point average is 3.81 which puts us in the voluntary range. We had high phosphorus in June 2022. Inflow and infiltration leaks are an ongoing problem. Our rate structure was reviewed in 2020. Future projects-rehab clarifier, RAS/WAS panel update and integrate more SCADA at the treatment plant and lift stations.

City Attorney Wachsmuth read Resolution No. 622.

Motion Counsell, second Poeschel, to accept the Compliance Maintenance Annual Report and recommend to Common Council that Resolution No. 622 be adopted. (See Common Council minutes of June 27, 2023 for the printed Resolution). All Aye.

Motion J. Neville, second Poeschel, that Water Bills Nos. 167 to 193 in the amount of \$103,075.81 and Sewer Bills Nos. 91 to 109 in the amount of \$93,315.45 be paid. All Aye.

Motion Poeschel, second W. Neville, to adjourn. All Aye.

Daniel M. Clough, Chair

Rex R. Roehl, Clerk

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**COMMON COUNCIL
COUNCIL ROOM
JUNE 27, 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.

Council Member J. Neville reported on the June 15, 2023 meeting of the Neillsville Community Fire Hall Board regarding: 1) Election of Officers-Harold Eddy, Chair, Ronald Vine, Vice-Chair, Jose Neville, Secretary and Rex R. Roehl, Treasurer, 2) payment of bills, 3) current activities-lawn mowing and blowing a breaker, 4) authorized the Chair,

Vice-Chair and Treasurer as check signers, 5) appointed building and insurance committee members, 6) discussion on and authorized purchase of a water softener, 7) reviewed and approved the insurance renewal without terrorism amendment and 8) discussion on and approved upgrading the electrical panel.

Council Member J. Neville reported on the June 26, 2023 meeting of the Parks and Recreation Board regarding: 1) a closed session on the vacant Recreation Director position, 2) reconvening into open session and 3) the recommendation to hire Jessica Brown as Recreation Director, at a salary \$50,000 with two weeks of vacation, starting July 1, 2023 with a one-year probationary period.

Council Member Clough reported on the June 27, 2023 meeting of the Commission on Public Works/Utilities regarding: 1) current activities, 2) reviewed and accepted the Sewer Department’s Compliance Maintenance Annual Report and the recommendation that Resolution No. 622 be adopted and 3) payment of bills.

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

Mayor Poeschel asked if there were any questions on the Parks and Recreation Board item (3).

Motion Counsell, second Petkovsek, to accept the recommendation to hire Jessica Brown as Recreation Director, at a salary of \$50,000 with two weeks of vacation, starting July 1, 2023 with a one-year probationary period. All Aye.

Mayor Poeschel asked if there were any questions on the Commission on Public Works/Utilities item (2).

RESOLUTION NO. 622

COMPLIANCE MAINTENANCE RESOLUTION

RESOLVED, that the City of Neillsville informs the Wisconsin Department of Natural Resources that the following actions were taken by the Common Council:

- 1. Reviewed the Compliance Maintenance Annual Report, which is attached to this resolution.

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

Motion Clough, second J. Neville, to accept the recommendation that Resolution No. 622 be adopted. All Aye.

Chief of Police Mankowski stated that 14 months ago Derek Wheatley started as a part-time officer moved to full-time officer and has now completed his probation. With his five years’ experience he has exceeded expectations and we welcome him as a regular officer. Mankowski presented Wheatley with a set of handcuffs with his name engraved on them.

Justin Olson, General Code, introduced himself, stating that General Code is a professional codification service. They take the City’s Ordinance book and bring it up to date, the process will take 12 to 24 months, they take the City’s code, their editors read through the whole code. They update the Code to current legislative references in Wisconsin Statutes and reformat the code for easier reference.

Olson stated most of the work is on their end, they set up a portal to come back to City officials with questions and answers, most being yes, no or maybe to clarify and make sure the code is consistent throughout. The portal will time stamp all communication so nothing will be lost. The City will provide feedback along the way. Once General Code has the draft done, the City will review it because at the end of the day it is your code. Some things

are standard across every community, but every community is unique. At the end of the process, the whole code is adopted with a single ordinance, once adopted the whole new code will go on-line. As an example, if you were searching for fences, it could be in a lot of different code sections, it would pop up like a Google search, so it will be very easy to search.

Olson stated they can draft ordinances or you could go to other communities and look at their ordinances.

Council Member Counsell stated this would be on your website, not ours, the City would have a link on the City’s website and ordinance changes would be made by you. Olson stated you pass an ordinance, send it to us, the new one is put into new laws until your actual code is updated. When you do a search, it would search both the adopted code and new laws, so you have everything available. Every six months or a year request a code update, where our editors edit and review and send out your supplements for the year.

Council Member Counsell asked if they would give legal review and updates when the State changes section numbers.

Olson stated that there is no automatic update, we send out emails on a monthly basis of statutes with major changes.

Council Member Counsell stated you start out with your initial review, bring us up to date with State law, only our new law changes will not be.

Olson replied “yes” most municipalities recodify every decade to capture any changes.

Council Member Petkovsek asked about costs.

Olson replied the cost for their recodification project is \$14,995 overall which includes the first-year annual fee of \$1,195. Since it will take 12 to 24 months to complete, the initial cost would be spread over two budget periods.

Council Member Petkovsek asked if the City links to your computer system, is it always available, is there down time.

Olson stated it is rarely down, it is a very secure system, with maintenance done on weekends.

Council Member Petkovsek stated if you want to see how it works you can go to the City of Colby’s website as they use General Code.

Mayor Poeschel stated that Colby Clerk-Treasurer Connie Gurtner is very pleased with it.

City Attorney Wachsmuth read the following Ordinance.

ORDINANCE NO. 1076
AN ORDINANCE AMENDING SEC. 2-3-1x(a) and (c), OFFICIALS

The Common Council of the City of Neillsville does hereby ordain as follows:

Section 2-3-1X(a) is hereby amended to remove “City Attorney” from the list of positions.

Subsection 2-3-1X (c) is hereby amended to remove the language “‘or as 'special counsel'”.

This ordinance shall be effective upon September 30, 2023.

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

Motion Clough, second W. Neville, to adopt Ordinance No. 1076. All Aye.

City Clerk Roehl presented the Wisconsin Bureau of Aeronautics-CARES funding for Wisconsin Airports in the amount of \$28,352.19.

Motion Counsell, second W. Neville, to accept and appropriate the \$28,352.19 CARES funding for Wisconsin Airports to Account No. 57350 Airport Outlay. All Aye.

Council Member Clough stated that the Neillsville Farmer's Market has been held on City property for over a decade, making the City ultimately responsible. The State of Wisconsin is requiring monthly paperwork be filled out and filed. The Chamber of Commerce had managed it, but has resigned as manager.

Council Member Clough stated that the City doesn't have the time or staff to do it. In order for the Neillsville Farmer's Market to continue we need a manager to take responsibility for the paperwork. He's talked to several people and Julie Drinsinger and Trina Frost has stepped up and are willing to take responsibility for filling out and submit the Form S-240 to the Department of Revenue. He would act as the City's liaison between them and the City.

Council Member Clough presented a set of guidelines to govern the Farmer's Market. It is similar to what the Chamber had only they had a signature line making it a contract. The Farmer's Market is run by volunteers on City property.

Chief of Police Mankowski stated that it is not an organized event endorsed by the City or Chamber of Commerce, we don't "sponsor it".

Council Member Clough stated if it is on City property, we have closed the parking lot to allow it, the City is responsible and will get the fine.

Chief of Police Mankowski stated that this goes back to former Chamber Director Diane Kren and former Mayor Diane Murphy and it's been operating a long time. Council Member Clough while not a Chamber member has been involved. What are the expectations of the Police Department for enforcement.

Council Member Clough stated the event operator is just taking attendance and submitting the form. If they do not have a seller's permit it is between them and the State.

City Attorney Wachsmuth stated she may be managing the event, however she is not responsible for the event, the City would be responsible to keep forms on file to be in compliance.

Chief Mankowski stated the City would be giving her the authority.

City Attorney Wachsmuth stated that a set of rules would have to be made for a manager.

Council Member Counsell presented the Department of Revenue pages on Event Operators and Form S-240 Wisconsin Temporary Event Report. If this paperwork is not filled out properly the City will be fined. Whoever we decide is the manager, it is important that we stay on top of this. You only have to file once a month. Someone has to collect the vendor information. What if someone refuses, do we call the Police Department.

City Attorney Wachsmuth stated that we have to show compliance. Keep a list of everyone whoever is there.

Council Member Petkovsek stated that the vendor information requires the social security number or federal employee identification numbers (FEIN). If they won't fill out the form and they don't leave, then who gets involved.

City Attorney Wachsmuth stated there needs to be guidelines and responsibilities outlined.

Council Member J. Neville stated that the City should not be in it, get away from the Farmer's Market on City property, let a local business do it.

Council Member Clough stated the Farmer's Market benefits the City by allowing citizens buy fresh produce.

City Attorney Wachsmuth stated we can show we are taking steps to figure this out and become compliant.

Council Member Counsell stated slow down and think of the various things involved here, we can show we are working on it.

Mayor Poeschel stated there has been no problems to date with the Farmer's Market.

Council Member Petkovsek asked about the guidelines and charitable organizations. City Attorney Wachsmuth stated the Farmer's Market guidelines are a separate issue from the manager.

Council Member Clough stated we have someone willing to do it, we need to define the responsibilities.

Chief of Police Mankowski stated we want to do it right, rushing into this would be a mistake.

City Attorney Wachsmuth stated the issues are: should there be a Farmer's Market on City property, if so, what are the managers duties and responsibilities, what are the vendor guidelines and who is going to enforce things.

Motion Counsell, second W. Neville, to table the Farmer's Market. All Aye.

Council Member Clough reported that the Opelt Park play structure and fitness structure has been installed, the concrete poured, work will begin on the trailhead sidewalk, Lion's Club members are staining the shelter tonight, work on the bathroom will begin this week and the rubberized surface put down in a couple of weeks. Please stay off the structures until everything is ready.

Council Member Counsell stated that she has received a number of phone calls regarding having an ordinance on golf carts.

Mayor Poeschel stated he had been contacted by the Country Club and is checking into it with the Chief of Police and City of Loyal has an ordinance.

Temporary Class "B" Retailer's License (Beer and Wine) Application:
American Legion Post 73, Dana L. Elmhorst, Agent, for the Clark County Fairgrounds,
1120 E. Division Street, for July 22 and 23, 2023 – Mud Bog

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

Soda Water License Application:
American Legion Post 73, Dana L. Elmhorst, Agent, for the Clark County Fairgrounds
1120 E. Division Street for July 22 and 23, 2023 – Mud Bog

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

Tavern Operator's License Applications:
Lisa A. Anderson, Bonnie J. Carl, Dinna M. Halle, Margaret I. Knoop, Steven J. Mabie, Natalee J. Tovar.

Motion Counsell, second Clough, to grant all the listed licenses. All Aye.

Motion J. Neville, second Counsell, that City Bills Nos. 581 to 625 in the amount of \$333,784.00, CDBG Housing Escrow Account Bills No. 9 and 10 in the amount of \$3,220.00 and TIF District No. 4 Account Bill No. 4 in the amount of \$2,140.00 be paid. All Aye.

Motion W. Neville, second Petkovsek, to adjourn. All Aye.

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

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