

**COMMISSION ON PUBLIC WORKS/UTILITIES  
COUNCIL ROOM  
JULY 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.

Director of Public Works Friemoth reported on no burials at the Cemetery, Listeman Park drain tile has been installed, cleaning restrooms, mowing and weed trimming, water flowers, replacing curb and gutter, hauling brush, line painting, pothole patching, ATV sign installation, Water Department-daily testing and well rounds, utility locates, meter changeouts, hydrant flushing, adjusted water manhole height on W. Fifth Street project, Sewer Department-daily testing and lift station rounds, lift station maintenance, adjusted sewer manhole height on W. Fifth Street project, grounds maintenance and mixed maintenance, looking into sewer rate study options.

Motion J. Neville, second Counsell, that Water Bills Nos. 194 to 223 in the amount of \$120,627.71 and Sewer Bills Nos. 110 to 135 in the amount of \$80,288.45 be paid. All Aye.

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

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Daniel M. Clough, Chair

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Rex R. Roehl, Clerk

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**COMMON COUNCIL  
COUNCIL ROOM  
JULY 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.

Council Member W. Neville reported on the July 24, 2023 meeting of the Library Board regarding: 1) Election of officers-Graeme Williams, President, Logan Grap, Vice President, Maggie Gelhaus, Secretary, 2) librarians’ reports, 3) discussion on and authorized the use of Storybook Trail grant funds awarded by Cummins/Atmus, 4) tabled marquee and office reorganization items, 5) updated committee assignments, 6) discussion on Farmer’s Market and 7) reviewed and filed account balances.

Chief of Police Mankowski reported on the July 24, 2023 meeting of the Police and Fire Commission regarding: 1) a closed session on candidate for regular full-time police officer position, 2) reconvening into open session and 3) offered the regular full-time police officer position to Halle Fecker.

Council Member Clough reported on the July 25, 2023 meeting of the Commission on Public Works/Utilities regarding: 1) current activities and 2) payment of bills.

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

Mayor Poeschel swore in Halle Fecker as a City Police Officer.

Mayor Poeschel called for appearances-there being none.

Mayor Poeschel presented the Security Health Insurance contract renewal for 2023-2024. The Family active plan premium is remaining the same at \$1,961.17 per month-0.0% increase. Single active plan premium is remaining the same at \$905.56 per month-0.0% increase. The current deductibles are \$6,000 family and \$3,000 single.

Council Member Counsell reviewed some of the changes to the contract, the premium has stayed the same, but a lot has been changed.

City Clerk Roehl stated an employee meeting has been scheduled to go over the changes.

Motion W. Neville, second J. Neville, to accept the health insurance contract renewal with Security Health for 2023-2024. All Aye.

7:13 P.M.-Mayor Poeschel declared the Public Hearing on the Zoning Amendment from R-1 One Family Residential to GC General Commercial for Parcel No. 261.1422.000, 1115 W. Fourth Street, Mark Jones, applicant and owner now open.

Director of Public Works Friemoth presented the application, publication 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 June 29, 2023 meeting discussed and recommended approval of the zoning amendment.

Mayor Poeschel called for appearances.

Beth Darst asked why Jones was changing the zoning now.

Director of Public Works Friemoth stated that Jones did not indicate why on the application, but it would be the proper zoning.

Beth Darst stated with the zoning change, the setbacks will change, will a parking lot, driveway and retaining wall be installed.

Director of Public Works Friemoth replied a retaining wall is likely.

Beth Darst stated Bill and Mary Jane Selves have red pines inside their property line and don't want them killed off with the construction.

Director of Public Works Friemoth stated Jones mentioned installing a driveway to the north for semis.

Beth Darst stated a driveway on County Highway B (W. Fifth Street).

Director of Public Works Friemoth stated Jones would have a garage to maintain vehicles.

Beth Darst stated with an automotive shop will there be a privacy fence.

Director of Public Works Friemoth stated our ordinance don't allow for tight slats, but a conditional use permit could be applied for.

Beth Darst ask how close to the property line can a parking lot be.

Direction of Public Works Friemoth stated three feet.

Beth Darst asked about a retaining wall.

Director of Public Works Friemoth stated that the ordinance is not specific on landscaping.

City Attorney Wachsmuth stated that landscaping can go to the property line, it depends on how it is built whether it would be considered a structure or not.

Mary Jane Selves stated that their property is high, Jones' property is down below, it could be a 15-to-20-foot drop if Jones cuts at the property line.

Mayor Poeschel stated these items are different from what the public hearing is for. This hearing is for a request to change from R-1 One Family Residential to General Commercial.

Beth Darst stated that it's nice to get clarification.

City Attorney Wachsmuth stated that Jones is obligated to follow the ordinance.

Mayor Poeschel called three times for appearances-there being no further appearances.

7:22 P.M.-Mayor Poeschel declared the Zoning Amendment Public Hearing closed.

Motion Counsell, second W. Neville, to accept the Planning Commission recommendation to approve the Zoning Amendment from R-1 One Family Residential to GC General Commercial for Parcel No. 261.1422.000, 1115 W. Fourth Street, Mark Jones applicant and owner. Council Member Petkovsek-Nay. All other members-Aye. Motion carried 4 to 1.

7:23 P.M.-Mayor Poeschel declared the Public Hearing on the Zoning Amendment from R-1 One Family Residential to CH Commercial Highway on a portion of Parcel No. 261.0395.000, 9 Grand Avenue, and Zoning Variances per Ordinance 10-1-42(e)(2) and 10-1-35(d)(2)(e)(2), Parcel Nos. 261.0395.00, 9 Grand Avenue, and 261.0398.000, 3 Grand Avenue, Crystal Clean Auto Spa and Bette Hansen, applicants and owners.

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 June 29, 2023 meeting discussed and recommended approval of the Zoning Amendment and Zoning Variances.

Director of Public Works Friemoth stated a Variance to Sec 10-1-42(e)(2) side yard setback Commercial Highway District from eight foot to approximately two feet, 3 Grand Avenue; a Variance to Sec. 10-1-35(e)(2) side yard setback R1 One Family Residential from eight foot to approximately two feet, 9 Grand Avenue; a Variance to Sec. 10-1-35(d)(2) lot width, this lot was already grandfathered in, but this further reduces the 70 foot wide to 61 foot wide, 9 Grand Avenue current zoning calls for a 100 foot lot width.

Mayor Poeschel called for appearances.

Council Member Counsell asked if this would change the whole lot or just the nine feet purchased.

Director of Public Works Friemoth stated just the nine feet.

Mayor Poeschel called three times for appearances-there being no further appearances.

7:26 P.M. Mayor Poeschel declared the Zoning Amendment and Zoning Variances Public Hearing closed.

Motion W. Neville, second Petkovsek, to accept the Planning Commission recommendation to approve the Zoning Amendment, Parcel No. 261.0398.000, 9 Grand Avenue and Zoning Variances on Parcel Nos. 261.0395.000, 3 Grand Avenue and 261.0398.000, 9 Grand Avenue as presented, Crystal Clean Auto Spa and Bette Hansen, applicants and owners. All Aye.

7:27 P.M.-Mayor Poeschel declared the Public Hearing on the Zoning Amendment from R-1 One Family Residential to CH Commercial Highway on a portion of Parcel No. 261.0453.000, 9 Center Street and a Zoning Variance per Ordinance 10-1-35(d)(1)(2)(e)(2) for Parcel Nos. 261.0453.000, 9 Center Street, and 261.00402.000, 501 E. Division Street, Jerel Becker, applicant and owner.

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 June 29, 2023 meeting discussed and recommended approval of the Zoning Amendment and Zoning Variance.

Mayor Poeschel called three times for appearances.

Council Member Clough stated both properties have the same owner, the lot sizes are changing.

Council Member Counsell stated that there would be no setback between the properties.

Director of Public Works Friemoth stated there would be no setbacks, as it is the way it has been built over the years with the same owner of both parcels.

Mayor Poeschel called three times for appearances-there being no further appearances.

7:30 P.M.-Mayor Poeschel declared the Zoning Amendment and Zoning Variances public hearing closed.

Motion J. Neville, second Clough, to accept the Planning Commission recommendation to approve the Zoning Amendment, Parcel No. 261.0453.000, 9 Center Street and Zoning Variances on Parcel No. 261.0453.000, 9 Center Street and 261.0402.000, 501 E. Division Street, Jerel Becker, applicant and owner. W. Neville abstained. All other members-Aye, Motion carried.

City Clerk Roehl presented the Wisconsin Department of Justice Law Enforcement 23-024 Police Academy reimbursement for Police Officer Jason Wampole in the amount of \$5,803.90.

Motion Petkovsek, second Counsell, to accept and appropriate the \$5,803.90 Law Enforcement 23-024 Police Academy reimbursement to Account No. 52100 Police Department Administration. All Aye.

Mayor Poeschel presented a request from the Neillsville Area Chamber of Commerce for closing West Street from W. Fifth Street to W. Sixth Street and lower municipal parking lot for the Autumn Harvest celebration, Saturday, October 14, 2023 to extend the hours for the events to 11:59 P.M. and that the City crew help with the tent setup and take down.

Mayor Poeschel stated that there will be extra work involved.

Director of Public Works Friemoth stated it is not easy to put up the tent and stage, it's a lot of work all day for seven guys, we won't have summer help available, we would not like to have to do it to many times.

Council Member Cousell stated a lot of resources are go into this.

Mayor Poeschel stated he would see if he could get some volunteers.

Motion Clough, second Petkovsek, to approve the request from the Neillsville Chamber of Commerce for closures, extended hours and City crew help as presented for the Autumn Harvest celebration and to seek volunteer help for tent set up. All Aye.

Mayor Poeschel presented a request from the Neillsville Police Department to close W. Eighth Street from West Street to Hewett Street for Public Safety Day, Monday, August 7, 2023 this is jointly sponsored by the Neillsville Police Department, Fire Department and EMS Service.

Motion Counsell, second W. Neville, to approve the request from the Neillsville Police Department for street closure as presented for the Public Safety Day event. All Aye.

Mayor Poeschel stated the next item is the alley between Huron Street and Center Street running from E. Division Street/U.S. Highway 10 and E. First Street.

Council Member Clough stated a City resident brought this issue forth, has appeared before the Council and contacted the Director of Public Works multiple times regarding the alley. The issue is some adjacent landowners have sheds, plants and fences encroaching into the City owned alleyway.

Council Member Clough states that he has talked with the resident, Director of Public Works and other residents on the block. The alley can be entered from the north end, while the south end off Highway 10 would require major reconstruction, sight and safety issues. There are two individuals definitely too far in. The Council needs to discuss this and give the Director of Public Works direction.

Council Member Clough presented the following options:

- 1) Do nothing.
- 2) Formally vacate alley and sell give to adjacent landowners.
- 3) Contact adjacent landowners and inform them that any structures or improvements i.e., plantings, bushes, sheds, fences, etc.; located in the 20-foot alleyway are on City property and can be removed at any time if the City or utilities need access. They are taking their chances having improvements on City property.
- 4) Contact adjacent landowners and inform them they have 30 days to move anything off of City property or it will be removed by the City and they will be billed for the expense.

City Attorney Wachsmuth stated in #2 you can't "sell it" you can "give it" away, another option would be a Privilege Agreement.

Council Member W. Neville stated that the City is not maintaining the alley.

Council Member Petkovsek asked if their deed would show the building on the alley.

City Attorney Wachsmuth stated it would not reflect it, but shows as an encroachment on the title work.

Council Member Counsell stated most of the buildings have been there a long time.

Discussion on Privilege Agreements, the landowner has the cost if it has to be moved, having to do it for everyone, not just the two who are definitely in the alleyway, a flower bed is not a permanent structure, survey costs, etc.

Mayor Poeschel stated what we do with this alley, affects every alley and a lot of other things.

Council Member Clough stated continue as is and put out some general education information.

Motion Clough, second Counsell, to take no action. All Aye.

Council Member Counsell asked about the impact on shared revenues under the new State budget as it will be significant.

City Clerk Roehl stated the State Legislative Fiscal Bureau estimates the City of Neillsville will receive a 20% Supplemental Municipal Aid amount of \$172,789 for 2024 and an additional 2.3% increase for 2025.

Discussion followed.

Fire Chief Matt Meyer reported on the second quarter 2023. Changing the Smokey sign, home-schooled students toured the Fire Hall and had a safety talk, provided a truck for Gordon Beyer's funeral, annual hose testing, attended a Clark County Emergency Services meeting in Granton, Assistant Chief Strangfeld attended an electric vehicle suppression in Eau Claire, participated in a mock car accident at the School, filled four swimming pools, attended a meeting with the Police Department and EMS Service for Public Safety Night scheduled for Monday, August 7<sup>th</sup>, provided trucks at the June Dairy Breakfast at the Fairgrounds, provided a truck for the Senior send off in Schuster Park, provided a truck to escort the Memorial Day Motorcycle Ride from the Legion Hall through town to the

Highground, gave a fire extinguisher/safety talk to Dental Clinic employees, attended Community Fire Hall and Rural Fire Association Board meetings, applied for a DNR 50/50 grant for wildfire pants, provided a truck to escort Quentin Fausett home from the hospital after his accident. The department responded to 15 calls; 7-City; sump pump smoke odor, kitchen alarm at Assisted Living, motor vehicle gas leak, paint booth fire, a cancelled enroute to two car accident and two decorative mulch fires; 8-Rural; grass fire, two EMS lift assists, vehicle vs. building accident, set up a helicopter landing zone, mutual aid to Granton for a grass fires. All equipment is in a good condition and the new truck should be here in 15 months.

Council Member Clough reported the rubberized surface has been poured at Opelt Park Trailhead, a fence has been put up until the curing process is done, it is still a construction zone, the bathroom is 90% done waiting on electrical plumbing fixtures.

City Clerk Roehl reported that Clark County Emergency Management and Wisconsin Emergency Management will be hosting a class for Elected and Senior Officials on February 1, 2024 at the Courthouse.

Mayor Poeschel stated that the City Attorney has drafted a Street Privilege Agreement if you have any changes for the next meeting let us know, we will go with what was presented at the last meeting for the golf cart ordinance.

Council Member Counsell stated stick with the basics on the golf cart ordinance, drop the liability disclaimers.

Hotel/Motel Room Tax Permit:

Lu & Co, LLC, Selah:The Black River Lodges, Heather E. Grambsch, Agent,  
for 1214, 1216, and 1218 W. Fifth Street

Motion Clough, second Petkovsek, to grant. All Aye.

Tavern Operator's License Applications:

Dale R. Ladd and Kristi A. Luchterhand

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

Motion Counsell, second Clough, that City Bills Nos. 681 to 726 in the amount of \$131,621.66 and TIF District No. 4 Account Bill No. 6 in the amount of \$57,641.25 be paid. All Aye.

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

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Duane G. Poeschel, Mayor

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Rex R. Roehl, Clerk

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