

**COMMISSION ON PUBLIC WORKS/UTILITIES
COUNCIL ROOM
AUGUST 8, 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 one burial at the Cemetery, finished the Listeman Park drain tile installation by the playground and around the ballfield and tennis court, cleaning restrooms, mowing and weed trimming, water flowers, hauling brush, line painting, pothole patching, tree trimming, street patching, Water Department-daily testing and well rounds, utility locates, meter changeouts, working on filter press quotes, ran generators, the High Zone (Industrial Park) water tower was inspected with a submersible, Sewer Department-daily testing and lift station rounds, lift station maintenance, cleaning manholes, raw pump maintenance, finished adjusting manhole risers on W. Fifth Street project.

Jerilyn St. Amand stated when you turn left onto Hewett Street from E. Sixth Street by the Post Office you can't see the traffic from the South, is there a way to yellow out a spot or two for better visibility.

Director of Public Works Friemoth presented two proposals for the three-year sewer rate study: AECOM-\$4,975 and MSA-\$6,500 to \$9,500. AECOM has been doing the study the last few times, but we have been using MSA more in the Sewer Department for phosphorus removal. MSA has quite a cost range, plus additional services will be additional costs. The study is paid out of the Sewer Utility funds, not the City.

Motion Petkovsek, second Counsell, to recommend to the Common Council to accept the AECOM sewer rate study proposal in the amount of \$4,975. 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
AUGUST 8, 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.

City Attorney Wachsmuth reported on the July 25 and August 7, 2023 meetings of the Grants Committee regarding: 1) reviewed the list of grants, 2) discussion on housing programs, contacts and materials-City property owners have three programs available –

City, Clark County and the regional program, all administered through the Chippewa County Housing Authority, 3) discussion on and recommendation to confirm the approval of a housing loan to Applicant #2021-07-ER in the amount of \$60,448 for roof, windows and lead abatement, 4) discussion on and recommendation to confirm the approval of a housing loan to Applicant #2022-08-ER in the amount of \$9,425 for furnace replacement, 5) discussion on and recommendation to confirm the approval of a housing loan to Applicant #2023-09-ER in the amount of \$60,005 for doors, electrical, siding, ceilings windows, steps, water heater, insulation and lead abatement, 6) discussion on the Neillsville Residential Incentive Program and 7) discussion on potential donor options, Committee goals and vision; 8) discussion on and approved submittal of City of Neillsville Grant Application-US Department of Transportation's Build America Bureau-Rural and Tribal Assistance Pilot Program.

Council Member Petkovsek reported on the July 31, 2023 meeting of the Beautification Committee regarding: 1) discussion on and approved sending out another donation request letter for flowers and decorations, 2) discussion on Gazebo repairs, 3) discussion on and recommendation to the Planning Commission to approve Prock Park Kranzation design (replicating the old Grand Avenue bridge ends and decking), 4) discussion on Town Square Park benches and available sponsorships and 5) discussion on future murals, Fall and Winter decorations.

Council Member Petkovsek reported on the August 1 and August 3, 2023 meetings of the Personnel Committee regarding: 1) a closed session on reviewing applications and interviewing candidates for the Assistant Clerk-Treasurer position-adjourned in closed session; and 2) a closed session on reviewing applications and interviewing candidates for the Assistant Clerk-Treasurer position-adjourned in closed session

Council Member J. Neville reported on the August 2 and August 7, 2023 meetings of the Parks and Recreation Board regarding: 1) discussion on and recommendation to the Planning Commission to approve the Storybook Walking Trail project in Schuster Park, 2) introduction of the new Recreation Director Jessica Brown, 3) Recreation Director's report on recreation activities, 4) updates on a proposal for a new baseball field in Listeman Park and fundraising; 5) discussion on and recommendation for a second baseball field in Listeman Park and to confirm the Planning Commission's recommendation to approve a second softball field in Listeman Park and 6) discussion on and recommendation to approve the appropriation of \$20,000 from City Parks and Recreation Room Tax funds for second baseball field project in Listeman Park.

Mayor Poeschel reported on the August 3, 2023 meeting of the Planning Commission regarding: 1) discussion on and recommendation to approve a Zoning Variance on Parcel No. 261.1138.000 (410 West Street) with the condition that a house is rebuilt within two years of demolition of the present structure, 2) discussion on and recommendation to approve a Conditional Use Permit to Parcel Nos. 261.1422.005, 261.1422.003, 261.1422.007 and 261.1422.011 (1214, 1216, 1217 and 1218 W. Fourth Street) to operate as a rooming house with short term rental, 3) discussion on and recommendation to approve a Storybook Walking Trail, design and installation in Schuster Park, 4) discussion on and recommendation to approve a second baseball field in Listeman Park, with the Parks and Recreation Board to develop details of final design and secure funding for the project and 5) discussion on and recommendation to approve the Prock Park signage and landscaping design.

Council Member Clough reported on the August 8, 2023 meeting of the Commission on Public Works/Utilities regarding: 1) current activities, 2) discussion on three-year sewer rate study proposal and 3) recommendation to approve the AECOM sewer rate study proposal in the amount of \$4,975.

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

7:21 P.M.-Mayor Poeschel declared the Public Hearing on the Zoning Variance per Sec. 10-1-35 (d)(1)(2), (e)(1), 410 West Street, Parcel No. 261.1138.000, Hareld Heck 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 August 3, 2023 meeting discussed and recommended approval of the zoning variance, since this would be an undersize building lot.

Mayor Poeschel called for appearances.

Steve Zeigle, Grotto property, 318 West Street, stated that the current single-family home would be torn down and a new single-family home built.

Director of Public Works Friemoth replied correct within two year of demolition.

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

7:23 P.M.-Mayor Poeschel declared the Zoning Variance Public Hearing closed.

Motion Clough, second W. Neville, to accept the Planning Commission recommendation to approve a Zoning Variance on Parcel No. 261.1138.000, 410 West Street, Hareld Heck applicant and owner with the condition that a house be built within two years of demolition of the present structure. All Aye.

7:24 P.M.-Mayor Poeschel declared the Public Hearing on the Conditional Use Permit per Sec. 10-1-96, 1214, 1216, 1216, 1217 and 1218 W. Fourth Street, Parcel Nos. 261.1422.005 261.1422.003, 261.1422.007 and 261.1422.011, Lu & Co., LLC, Heather Grambsch, Agent, applicant and owner now open.

Director or 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 August 3, 2023 meeting discussed and recommended approval of the Conditional Use Permit.

Mayor Poeschel called for appearances.

Heather Grambsch stated she is here if anyone has questions.

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

7:25 P.M.-Mayor Poeschel declared the Conditional Use Permit Hearing closed.

Motion Petkovsek, second J. Neville, to accept the Planning Commission recommendation to approve the Conditional Use Permit for Parcel Nos. 261.1422.005, 261.1422.003, 261.1422.007 and 261.1422.011, 1214, 1216, 1217 and 1218 W. Fourth Street, Lu & Co., LLC, Heather Grambsch, Agent, applicant and owner to operate as a rooming house with short term rentals. All Aye.

Jerilyn St. Amand stated the Public Safety Day event hosted by the Neillsville Police Department, Fire Department and EMS at the Fire Hall on August 7, 2023 was a very nice event and to make children feel comfortable with emergency personnel and that the lawsuit against the Chief of Police has finally been thrown out of Court, the people of Neillsville like Chief Mankowski's style of policing.

Mayor Poeschel asked if there were any questions on the Grants Committee items (3, 4 and 5).

Motion Clough, second W. Neville, to accept the Grants Committee recommendation to confirm the approval of a housing loan to Applicant #2021-07-ER in the amount of \$60,448 for a roof, windows and lead abatement. All Aye.

Motion W. Neville, second Clough, to accept the Grants Committee recommendation to confirm the approval of a housing loan to Applicant #2022-08-ER in the amount of \$9,425 for furnace replacement. All Aye.

Motion W. Neville, second Clough, to accept the Grants Committee recommendation to confirm the approval of a housing loan to Applicant #2023-09-ER in the amount of \$60,005

for doors, electrical, siding, ceilings, windows, steps, water heater, insulation and lead abatement. All Aye.

Mayor Poeschel asked if there were any questions on the Planning Commission items (3, 4 and 5).

Motion Petkovsek, second J. Neville, to accept the recommendation to approve a Storybook Walking Trail, design and installation in Schuster Park. All Aye.

Motion Clough, second J. Neville, to accept the recommendation to approve a second baseball field in Listeman Park with the Parks and Recreation Board to develop details of final design and secure funding for the project. All Aye.

Council Member Counsell asked about the playground and toys.

Director of Public Works Friemoth replied the playground, shelter and toys will be moved.

Motion Counsell, second W. Neville, to accept the recommendation to approve the Prock Park signage and landscaping design. All Aye.

Mayor Poeschel asked if there were any questions on the Parks and Recreation Board item (6).

Motion Clough, second J. Neville, to accept the recommendation to approve the appropriation of \$20,000 from City Park and Recreation Room Tax funds for a second baseball field project in Listeman Park. All Aye.

Council Member Petkovsek stated this would earmark a portion of room tax funds on hand.

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

Motion Counsell, second W. Neville, to accept the recommendation to approve the AECOM sewer rate study proposal in the amount not to exceed \$4,975. All Aye.

Mayor Poeschel presented Jose Neville, Fourth Ward Council Member's Letter of Resignation effective after the August 22, 2023 Common Council meeting.

Motion Petkovsek, second Clough, to reluctantly accept Jose Neville's Letter of Resignation effective after the August 22, 2023 Common Council meeting and to thank him for 11 years and 4 months of service (2012-2023) as Fourth Ward Council Member. Council Member J. Neville abstained. All other members-Aye. Motion carried.

Council Member J. Neville thanked the people of the Fourth Ward and all the Council Members over the years he served.

Mayor Poeschel asked Council President J. Neville to take over the meeting.

Council President J. Neville asked the City Attorney to read the Street Privileges Agreement.

City Attorney Wachsmuth read the City of Neillsville Street Privileges Agreement (§66.0425 Wis. Stats.) with the Neillsville Country Club.

Council Member Counsell asked if a survey would be done so as not to infringe on the park.

Director of Public Works Friemoth replied that he didn't intend to.

Council Member Counsell stated that the Schuster Park deed is very clear about not infringing on the park land, are we going to allow them to cut down trees or shrubs.

Director of Public Works Friemoth stated no trees will be cut, based on the right-of-way pins the arborvitae are on the Country Club property.

Council Member Counsell asked if the City is asking them to pay something to utilize the right-of-way, we don't want to set a precedence down the road.

Council President J. Neville asked for further discussion.

Motion Petkovsek, second Clough, to approve on a non-precedence basis the City of Neillsville Street Privileges Agreement with the Neillsville Country Club. Council Member Counsell-Nay. All other members-Aye. Motion carried.

Council President J. Neville turned the meeting back over to Mayor Poeschel.

City Attorney Waschmuth read the following Ordinance.

ORDINANCE NO. 1077

AN ORDINANCE AMENDING SECTION 8, CHAPTER 3

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

The title to Section 8, Chapter 3 shall be amended to: All-Terrain Vehicles (ATVs), Utility Terrain Vehicles (UTVs), Snowmobiles and Golf Carts

Section 8-3-10 shall be amended to add subsection 8-3-10(ar) which shall read as follows:

(ar) OPERATION OF GOLF CARTS.

- (1) The City of Neillsville authorizes the operation of golf carts on any highway within the City of Neillsville in which the speed limit is 25 miles per hour or less, excluding State Highway 73 (Hewett Street/Black River Road) and State Highway 10 (Division Street).
- (2) The City of Neillsville does authorize golf carts to cross State Highway 73 (Hewett Street) at the location of 1st Street, to cross State Highway 73 (Hewett Street) at the location of 12th Street and to cross State Highway 10 (Division Street) at the location of Huron Street.

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

Motion Clough, second Counsell, to adopt Ordinance No. 1077. All Aye.

Mayor Poeschel presented a request from the Clark County Fair Board to make Boon Boulevard, Lucille Lane, Sand Lane and Rock Road one-way traffic for the Chris Kroeze concert from 3:00 P.M. Saturday, August 12, 2023 to 3:00 A.M. Sunday, August 13, 2023 and also limit on-street parking.

Chief of Police Mankowski and Director of Public Works Friemoth have been attending meetings and the intent is to make traffic move smoothly and it is in that best interest to have no parking on the streets.

Motion W. Neville, second Counsell, to approve the request from the Clark County Fair Board for one-way traffic as presented, for the Chris Kroeze concert. All Aye.

City Clerk Roehl presented a letter from Statewide Services, Inc., administrator for the League of Wisconsin Municipalities Mutual Insurance, which provides the City's insurance coverage. They are advising that the City disallow the AEGIS Workers Comp claim for Janet Meredith slip and fall incident of April 3, 2023.

Motion Counsell, second J. Neville, to disallow the claim. All Aye.

Council Member Counsell stated that the City needs to be proactive, so instead of talking about the 2023 Neillsville High School Homecoming after the event, how are we going to protect our citizens, what we are going to do.

Chief of Police Mankowski stated he has been working with the School, what is tolerable behavior, what can we offer, we need people available to work, he has reached out to the City of Thorp Police Department and Clark County Sheriff's Department.

Council Member Counsell asked Mayor Poeschel if the School Board has discussed Homecoming, we want to be proactive, why should our residents have to pay for things not involving them, what message do we want to send to our community and others.

Chief of Police Mankowski stated it is crowd control, what is tolerable, if it is not criminal, resources are needed, number one is presence, what dollar amount will we be committing - \$1,800 in overtime for our department without bringing in others.

Council Member Counsell stated what can the School do to help us, it is a School function.

Chief of Police Mankowski stated he could contact Dallas Neville, Wisconsin Emergency Police Services, but it is going to cost-housing, pay, mileage, meals, what approaches do you want-keep the peace, protect people and property.

Council Member Petkovsek suggested sending out a letter to the parents of middle and high school students stating any civil disturbance will cancel Homecoming.

Deanna Heiman, School Board Member stated they have talked every single year she has been on the School Board about Homecoming. The Chief of Police and anyone else can come to the next School Board meeting. There are parents who don't take issue with the activities, they don't feel there is a problem. The School Board has no power off school grounds, only over what happens on school grounds. If Homecoming is cancelled, will it prevent problems.

Council Member Petkovsek stated some parents moved it to the Legion Hall, the other problem is some School District employees driving their children around.

Council Member Counsell stated she does not want to have that someone get injured-if we have to pay for overtime, we have too.

Motion J. Neville, second Counsell, to contact Dallas Neville, Wisconsin Emergency Police Services, to see what the costs will be. All Aye.

Mayor Poeschel stated the next item is a request from Claressa Campbell to keep two chickens at 507 Clay Street under Ordinance Section 10-1-22.

Council Member Clough stated in the past the requests were on larger properties, on the edge of town, this is .37 acres right in the middle of town, the property is not kept up well.

Council Member Counsell stated the last request at 827 Hewett Street was in the middle of town, but they had almost four acres, these requests are reviewed on a case by case basis.

Chief of Police Mankowski stated this is a rental property, did she ask her landlord. City Attorney Wachsmuth stated that is between her and her landlord, not the City, there are a lot of things to consider to distinguish it.

Council Member Counsell stated property size is a basis.

Motion J. Neville, second Clough, to deny Claressa Campbell request to keep chickens at 507 Clay Street. All Aye.

Chief of Police Mankowski reported on training, Part-Time Police Officer Trey Larson is in field training, Police Officer Halle Fecker starts the Police Academy in the middle of August, portable handheld face shields have been purchased, two tasers devices have been replaced with re-conditioned units, in the future all tasers will needed to be replaced (estimated cost \$40,000), July parking enforcement, citations, warnings, incidents, office activities, calls, officer activities, business patrols, citizens interactions, Town of Mentor

contract policing and there were no ordinance violations or disorderly behavior during the Heritage Days event. The new stop signs on W. Fourth Street and Grand Avenue have had a mixed reaction, but there have been no accidents.

Council Member Counsell reported on attending the League of Wisconsin Municipalities Local Government 101 class, it was a good refresher to see what is new.

City Clerk Roehl presented an invite to Wisconsin Lutheran Social Services-LSS Deep River-Community Based Residential Facility, 16 Boon Boulevard open house on August 15, 2023 and the Neillsville Public Library Storybook Walking Trail grand opening and ribbon cutting on August 25, 2023 in Schuster Park.

Soda Water License Application:
Little Dominic’s, Inc., Jason Dull, Agent, 501 E. Division Street

Motion Clough, second J. Neville, to grant. Council Member W. Neville-Abstained.
All other members-Aye. Motion carried.

Tavern Operator’s License Applications:
Joshua A. Hemp and Samantha D. Jowett

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

Motion Counsell, second W. Neville, that City Bills Nos. 727 to 775 in the amount of \$88,182.83, CDBG Housing Escrow Account Bill No. 13 in the amount of \$1,949.05 and TIF District No. 4 Account Bill No. 7 to 9 in the amount of \$72,891.73 be paid. All Aye.

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

Duane G. Poeschel, Mayor

Rex R. Roehl, Clerk

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