

**COMMISSION ON PUBLIC WORKS/UTILITIES
COUNCIL ROOM
AUGUST 8, 2017
6:45 P.M.**

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

The minutes of the previous meeting were declared approved.

Director of Public Works Flynn reported on two burials at the Cemetery, equipment maintenance, picking up branches, mowing and weed whacking at the Cemetery and Parks, completed the new roof, fascia and soffit on the Cemetery building and siding as needed, preparing ball fields, watering flowers, working in the Arboretum – clearing trails and chipping brush, trimming and pruning trees, street sweeping, cleaning storm sewer inlets, maintaining street lighting, filling potholes, Prospect Street – rebuilding of road base is complete, installing more storm sewer inlets, adding more sections of curb and gutters – should finish this week, water main flushing is complete and work on E. Sixth Street (Center Street to Willow Street) will begin next week.

Director of Public Works Flynn reported that Fire Inspector Robert Schultz and he did a walk-thru of the old Merchants Hotel and they are making progress. The owner also stated that they have accepted an offer to sell the hotel and will close within four to six weeks.

Mayor Mabie reported that the DNR is leaning on us because of our licensing at the Sewer Plant. How to satisfy the DNR requirements until Jeremy Boon gets the years of experience. DNR Representative Lori Fassbender suggested hiring Lisa Enloe on as an advisory basis, as she still has a license.

Lisa Enloe stated that when an operator is chosen the Council's listen to them, she felt that Flynn prioritized the work, instead of her as the licensed operator, if that is not going to change, she is not interested. The Council needs to listen to someone who is licensed and has the schooling.

Abby Bernhagen, Engineer, MSA Engineering presented a Task Order to prepare a letter to retract the previously submitted Individual Hardship (Economic) Variance submitted to the Wis DNR and prepare a "Statewide Multi-Discharger Variance (MOV) application and submit the same to the Wis DNR at a cost of \$3,500.

Bernhagen stated that the City is meeting its current permit limit (.5) which expires on September 30, 2017. The City is currently at .46. With the MOV option the City has to pay a fine amount based on \$50/lb. for effluent to the County. The County in turn is charged with enforcement. If the County does not participate, the DNR would have to come up with someone. With the next permit the limit goes to .2 for the next five years then to .08, .06 and .05 (every five years) unless the requirements are changed.

Bernhagen stated the City's Economic Variance Request is going nowhere, the City is below the current permit limit (.5) and the City's user rate at 1% of the median household income is not excessive.

City Attorney Wachsmuth stated that her concern is-can the City get out of this, if things change, if we have not yet received an answer from the DNR on our Economic Variance request, we still are in compliance.

Bernhagen stated the City could wait.

Flynn stated that he would like to see a denial of the Economic Variance Request before we move forward with the Multi-Discharger Variance Request.

Flynn presented the 2017 Sewer Rate Review packet for the Commission to review for the next meeting.

City Health Officer Doris Bakker reported on liquor license inspections; flood damaged house and cat order problems – John Ross, Clark County Emergency Government Director

stated the order is complete and awaiting FEMA and State signatures; the roach problem has a monthly exterminator hired and in compliance; another roach problem has property owner signed a contract with an exterminator, but quit after two visits, a ten day order was issued, with no action, Police Chief Klueckmann issued a citation, another contract for monthly exterminator visits was signed, however the exterminator report states it's a very severe problem, they were not allowed into the backroom and weekly visits should be done, the park owners have been contacted and advised, a follow up August 18, 2017 visit is scheduled; multiple cleanliness problems have been handled; a standing water report; and two lead paint reports are being worked.

Motion Counsell, second Mabie, to adjourn. All Aye

Jerry L. Quicker, Chair

Rex R. Roehl, Clerk

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**COMMON COUNCIL
COUNCIL ROOM
AUGUST 8, 2017
7:28 P.M.**

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

The minutes of the previous meeting were declared approved.

Mayor Mabie reported on the August 1, 2017 meeting of the Economic Development Commission regarding: 1) discussion on an adoption of the Economic Development Grants or Loans guidelines as updated 2) discussion on new business start-ups and business location changes and 3) discussion on community education and funding resources.

City Attorney Wachsmuth reported on the August 8, 2017 meeting of the Personnel Committee regarding a closed session on upcoming Police Union Contract negotiations.

Council Member Quicker reported on the August 8, 2017 meeting of the Commission on Public Works/Utilities regarding: 1) current activities, 2) discussed DNR Sewer Plant operator licensing requirements, 3) discussed a MSA Task Order on the City's phosphorus plan to prepare a letter to retract the previous submitted Individual Hardship (Economic) Variance Request submitted to the Wis DNR and prepare a "Statewide Multi-Discharger Variance (MOV) application and submit the same to the Wis DNR at a cost of \$3,500.00 – no action taken, 4) a 2017 Sewer Rate Review packet was distributed and 5) Health Officer Bakker's health activities report was presented.

Mayor Mabie declared all reports file as presented with the City Clerk.

Mayor Mabie presented a request from the Neillsville Area Chamber of Commerce for use of Sniteman Town Square Park for Autumn Harvest, to hang a banner on the Gazebo announcing the event and to close Hewett Street from Division Street to Eighth Street and Armory Avenue from Court Street to Hewett Street. Discussion followed.

Motion Glassbrenner, second Clough, to grant the Neillsville Chamber of Commerce request as presented. All Aye.

Council Member Counsell presented a picture of a lady with two children on an electric wheelchair, the Wisconsin State Statute 340.01(43) definition of "Pedestrian" and sample ordinances from other cities.

Council Member Counsell stated the issue is on what a pedestrian is, we should think about an ordinance change, if there is a sidewalk existing they should have to be on it, get them off the road, we don't want to see an accident.

Council Member Quicker asked if this includes bicycles.

Council Member Counsell stated the City of Bayside ordinance does, we don't have to follow it, we can accept the State definition of pedestrian.

Council Member Glassbrenner stated that he was under the impression that they had to use the street edge.

Motion Quicker, second Counsell, to refer this to City Attorney Wachsmuth and Chief of Police Klueckmann to draft an ordinance. All Aye.

Mayor Mabie reported on a meeting with Memorial Medical Center representatives, the architect and Wisconsin Department of Administration, Erich Schmidtke, Municipal Boundary Review. It was a fact finding discussion on the annexation process and what needs to be done.

City Attorney Wachsmuth outlined the process which varies depending on which method is chosen – a petition is filed, owner or owners hang to sign off on the petition, ads published, a public hearing is held, the annexation has to pass by a 2/3 vote (4 out of 5). Since Clark County's population is under 50,000 the State does not have to review the annexation up front.

Council Member Counsell asked if they can be annexed alone.

City Attorney Wachsmuth replied yes. The City's boundary is the center of the Black River, therefore the backline of their property would be continuous with the City boundary.

Council Member Counsell asked about the sewer system.

Director of Public Works Flynn reported that the Wisconsin Department of Transportation will not approve use of the US Hwy 10 bridge to hang a sewer pipeline. It was discussed about meeting with Clark County on possibly using the City Hwy B/W. Fifth Street bridge, but there are granite issues, the age of the bridge and how to support a sewer pipeline without drilling holes in the bridge.

Council Member Counsell stated that if we are going to consider annexation, we need a written agreement of what they are going to do and pay for.

Director of Public Works Flynn stated that there will be a developer's agreement.

City Attorney Wachsmuth stated that the meeting basically agreed on an annexation process with Erich Schmidtke, Wisconsin Department of Administration, using samples from a previous City of Neillsville annexation done in 2006 for the Meyer property annexation.

City Clerk Roehl reported on being served a "Notice of Claim/Itemized Statement of Relief Sought" Section 893.80 on the City on August 1, 2017. Claimants are: Debra Schoengarth and Michael Schoengarth. This has been turned over to the City's attorney and insurance carrier.

Temporary Class "B" Retailer's License (Beer Only) Application:
Neillsville Area Chamber of Commerce, Jana L. Schmitz, Agent for Govey Abstract & Title, 1031 E. Division Street, Suite 2, for August 16, 2017 – Business After 5 event.

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

Tavern Operator's License Applications:
Tammy M. Mendoza.

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

Motion Neville, second Glassenbrenner, that City Bills Nos. 749 to 787 in the amount of \$77,956.78 and CDBG Housing Escrow Account Bill No. 13 in the amount of \$30.00 be paid. All Aye.

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

Steven J. Mabie, Mayor

Rex R. Roehl, Clerk

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