

A REGULAR MONTHLY MEETING OF THE COMMON COUNCIL OF THE CITY OF NEKOOSA WAS HELD IN THE COUNCIL CHAMBERS ON TUESDAY, DECEMBER 14, 2010 AT 7:00 P.M.

The Meeting was called to order by Council President Dan Carlson.

Ken Hartje                      Terry Shymanski                      Robert Schultz  
Larry Krubsack                August Woiak                      Robert Wenzel                      Dan Carlson

Brad Hamilton-Absent  
Gordon Freeman-Absent

Moved by Krubsack seconded by Woiak to dispense with the reading of the minutes of the previous meeting.                      **Carried**

**TREASURER'S FINANCIAL REPORT**  
**GENERAL FUND**  
**NOVEMBER 30, 2010**

**GENERAL**

TOTAL RECEIPTS 11-30-2010	1,184,866.23
BOOK BALANCE 10-31-2010	<u>165,677.13</u>
	1,350,543.36
DISBURSEMENTS 11-30-2010	<u>470,685.21</u>
	879,858.15
VOIDED CHECK 11-30-2010	<u>63.29</u>
BOOK BALANCE 11-30-2010	879,921.44
OUTSTANDING CHECKS 11-30-2010	<u>8,093.77</u>
	888,015.21
OUTSTANDING DEPOSIT 11-30-2010	<u>323.20</u>
BANK BALANCE 11-30-2010	887,692.01

**WATER**

TOTAL RECEIPTS 11-30-2010	206,050.44
BOOK BALANCE 10-31-2010	<u>429,915.17</u>
	635,965.61
DISBURSEMENTS 11-30-2010	<u>188,080.69</u>
BOOK & BANK BALANCE 11-30-2010	447,884.92

Respectfully submitted,

Sheila Grosskreutz  
Treasurer, City of Nekoosa

Moved by Shymanski seconded by Krubsack to accept the Treasurer's Financial Report as written.                      **Carried**

**Committee of the Whole**

To the Honorable Mayor and Members of the Nekoosa Common Council:

A Committee of the Whole meeting was held on Monday, November 29, 2010, at 6:00 p.m. in the Nekoosa Council Chambers.

Members present were Gordon G. Freeman, Mayor, Joseph M. Rusch II, City Clerk, Terry Shymanski, August Woiak, Dan Carlson, Ken Hartje, Bob Schultz, Larry Krubsack, Bob

Wenzel, Brad Hamilton (Absent) . Also in attendance were: Bill Sailer-Arthur Gallagher/Wausau and Terry Christen-Westland Insurance Services/Tomah.

1. Terry Christen of Westland Insurance Services/Tomah presented their 2011-2012 Insurance Proposal.
2. Bill Sailer of Arthur Gallagher/Wausau presented their 2011-2012 Insurance Proposal.
3. Recommend Westland Insurance Services/Tomah 2011-2012 Insurance Proposal with equipment breakdown coverage.

Respectfully submitted

Moved by Krubsack Seconded by Woiak that the Committee of the Whole Committee Report of November 29, 2010, be accepted as written. Carried

Moved by Krubsack Seconded by Hartje that Item 3 of the Committee of the Whole Committee Report of November 29, 2010, be adopted for action.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

### **Ways & Means**

To the Honorable Mayor and Members of the Nekoosa Common Council:

A Ways & Means meeting was held on Tuesday, December 14, 2010, at 6:00 p.m. in the Nekoosa Council Chambers.

Members present were August Woiak, *Chairperson*, Bob Wenzel, *Secretary*, Ken Hartje, Dan Carlson. Also in attendance were: Robert Schultz, William Kaberle-DPW, Jim Quinn-City Attorney.

1. Recommend to Council the purchase of Water tower from CDA and redeem CDA Bond with 1.25 million loan and move forward with needed paperwork which includes: Letter of Intent to meet conditions, Request for Obligation funds and purchase Agreement.
2. Recommend existing Security Health Insurance Coverage for 2011.
3. Recommend switch from Blue Cross Dental to Dental Dental for 2011.
4. Recommend Assessor Contract with B.A. Pauls & Associates for 2011-2012 at a cost of \$9,300/per year.
5. Recommend Dept. of Public Works Employees receive Safety Awards.
6. Discussed No Fault Sewer Coverage.
7. Discussed Ordinance Codification.
8. Recommend approval of Cigarette License to Baltus Oil.
9. Audited bills.

Respectfully submitted

Moved by Woiak Seconded by Krubsack that the Ways & Means Committee Report of December 14, 2010, be accepted as written. Carried

Moved by Woiak Seconded by Krubsack that Items 1-5,8 of the Ways & Means Committee Report of December 14, 2010, be adopted for action.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

## **Public Works**

To the Honorable Mayor and Members of the Nekoosa Common Council

A Public Works Committee meeting was held on Monday, December 6, 2010 at 8:30 a.m. in the Nekoosa Council Chambers.

Members present were Ken Hartje, Chairman, Brad Hamilton, Secretary, Terry Shymanski, and Robert Schultz. Also in attendance were Mayor Freeman, Gus Woiak, Jerry Cordes, Joe Terry; Village of Port Edwards, Bill Kaberle; Director DPW, Hope Smith; Ho-Chunk Nation, Kevin Schubert and John Richmond from MSA, and Jim Lucas from Arc Central.

1. Update on the Senior/Community Center; Wood County health department did an inspection on the kitchen, discussed punch list, and talked about updated fire call system at the center.
2. Recommend purchasing alarm system for the Senior/Community Center for approx. \$1,415.00.
3. Update on Nekoosa/Port Edwards emergency water cross ties, will work on a draft agreement with Port Edwards.
4. Update on Waste Water Treatment Plant upgrade. Recommend membrane roof on the grit building be replaced. New equipment is beginning to arrive.
5. Recommend piston pump be rebuilt for approx. \$5,974.00 at the Waste Water Treatment Plant.
6. Update on 2010 Utilities construction projects, walked all streets and all repairs are made,
7. Recommend mayor sign intent to apply for grants and loans.
8. Hope Smith reported on Ho-Chunk legislative meeting for financing, meeting will be held 12-7-10.s
9. Recommend purchasing new Chevy Extended Cab 4x4 pickup for \$25,959.51 for the city crew.
10. Update on remodel on mechanic shop, need state approved plans.
11. Update on flooding bills and FEMA grant, no new information at this time.
12. Update on GIS mapping, maps are done and GPS is in.
13. Update on brine salting, no new information at this time.
14. Next meeting Tuesday January 4, 2011 8:30AM.

Respectfully submitted

Moved by Hartje Seconded by Shymanski that the Public Works Committee Report of December 6, 2010, be accepted as written. Carried

Moved by Hartje Seconded by Woiak that Items 2,4-5,7,9 of the Public Works Committee Report of December 6, 2010, be adopted for action.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

## **Public Safety**

To the Honorable Mayor and Members of the Nekoosa Common Council:

A Public Safety meeting was held on Tuesday, December 7, 2010, at 6:15 p.m. in the Nekoosa Council Chambers.

Members present were Larry Krubsack, *Chairperson*, Dan Carlson, *Secretary*, August Woiak, Robert Schultz. Also in attendance were: Mayor Gordon Freeman, Police Chief John Reimer, Asst. Police Chief Shawn Woods, Fire Chief Mike Hartje, Asst. Fire Chief Dave Rheinschmidt, and Ambulance Chief Don Harnisch.

1. Recommend Ambulance Department purchase Tough Book Computer for ambulance at a cost of approximately \$2,960.00.
2. Recommend allowing Ambulance Department to hold Intermediate Tech Class at Safety Center.

3. Recommend Police Dept purchase computer for unmarked squad car for \$3,698.00.
4. Recommend Police Dept. purchase three docking stations for squad cars at \$575.00/each and printer.
5. Recommend Police Dept. contract with US Cellular for service.
6. Recommend paying dues for North Central Chiefs of Police Association for \$25.00.
7. Recommend Police Chief attend 2011 Winter Conference 1/30/2011 to 2/2/2011 in Wisconsin Dells per Wage Agreement.
8. Recommend TV Service with Charter for \$4.99/month.
9. Recommend paying State Fire Chiefs dues for \$150.00.
10. Recommend four Fire Dept. personnel attend State Fire Fighters Association Convention March 17-20, 2011 in Green Bay, WI per contract.

Respectfully submitted

Moved by Krubsack Seconded by Shymanski that the Public Safety Committee Report of December 7, 2010, be accepted as written. Carried

Moved by Krubsack Seconded by Woiak that Items 1-10 of the Public Safety Committee Report of December 7, 2010, be adopted for action.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

### **Property Recreation & Human Affairs**

To the Honorable Mayor and Members of the Nekoosa Common Council:

A Property Recreation & Human Affairs meeting was held on Tuesday, December 7, 2010, at 5:15 p.m. in the Nekoosa Council Chambers.

Members present were Robert Schultz, *Chairperson*, Dan Carlson, *Secretary*, Larry Krubsack, Terry Shymanski. Also in attendance were: Mayor Gordon Freeman, Bill Kaberle-DPW, August Woiak, Dan Schmidt, Joyce Aiello.

1. Update from Community Center Coordinators.
2. Recommend purchase of Office Furniture and TV for Senior/Community Center Office for Approx \$1,500.00.
3. Recommend Advance Janitorial to clean Senior/Community Center bathroom, rooms and wax tile floors.
4. Recommend Center Coordinators take food handlers safety course for \$125.00/person.
5. Recommend purchasing weight set for exercise classes at center for approximately \$750.00.
6. Recommend placing ad in Buyers Guide Wedding Special for \$225.00.
7. Discussed sign for Senior/Community Center.
8. Discussed Grant for trees.
9. Recommend removal of Swimming Pool Vessel for approximately \$20,000.00.

Respectfully submitted

Moved by Schultz Seconded by Shymanski that the Property Recreation & Human Affairs Committee Report of December 7, 2010, be accepted as written. Carried

Moved by Schultz Seconded by Krubsack that Items 2-6,9 of the Property Recreation & Human Affairs Committee Report of December 7, 2010, be adopted for action.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

### **Wage & Salary**

To the Honorable Mayor and Members of the Nekoosa Common Council:

A Wage & Salary meeting was held on Tuesday, November 30, 2010, at 4:30 p.m. in the Nekoosa Council Chambers.

Members present were Dan Carlson, *Chairperson*, Rob Wenzel, *Secretary*, Ken Hartje, Terry Shymanski. Also in attendance were: Mayor Gordon Freeman, Larry Krubsack.

1. Motion by Shymanski seconded by Hartje to go into CLOSED SESSION pursuant to Wisconsin Statutes 19.85(1)(c) to discuss Union Contract negotiations. (Hartje-Yes, Carlson – Yes, Shymanski – Yes, Wenzel – Yes)

Respectfully submitted

Moved by Wenzel Seconded by Shymanski that the Wage & Salary Committee Report of November 30, 2010, be accepted as written. Carried

### **ORDINANCE NO: 553**

#### **AN ORDINANCE REGARDING AMENDMENT OF MUNICIPAL CODE 1.07(2)(d)**

The Common Council of Nekoosa, Wisconsin, does ordain as follows:

\_\_\_\_\_ Section 1.07(2)(d) of the Municipal Code entitled ELECTION is amended as follows:

Election. The Municipal Judge shall be elected at large for a term of 4 years at the spring election held in odd-numbered years and shall take office on May 1<sup>st</sup> following the election.

\_\_\_\_\_ This Ordinance 533 shall become effective upon passage and publication as provided by law.

Passed and adopted this 14th day of December, 2010.

APPROVED:

\_\_\_\_\_  
Gordon G. Freeman, Mayor

ATTEST:

\_\_\_\_\_  
Joseph M. Rusch II, City Clerk

Moved by Krubsack Seconded by Shymanski to adopt Ordinance 553.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

### **ORDINANCE NO: 554**

#### **AN ORDINANCE REGARDING AMENDMENT OF MUNICIPAL CODE 1.44**

The Common Council of Nekoosa, Wisconsin, does ordain as follows:

\_\_\_\_\_ Section 1.44 of the Municipal Code entitled POLLING PLACE is amended as follows:

**POLLING PLACE** (Am. Ord. 554 The polling place for all 4 wards shall be the Cranberry Hall of the Nekoosa Area Senior/Community Center on Crestview Lane.

\_\_\_\_\_ This Ordinance 554 shall become effective upon passage and publication as provided by law.

Passed and adopted this 14th day of December, 2010.

APPROVED:

\_\_\_\_\_  
Gordon G. Freeman, Mayor

ATTEST:

\_\_\_\_\_  
Joseph M. Rusch II, City Clerk

Moved by Krubsack Seconded by Shymanski to adopt Ordinance 554.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

## **ORDINANCE NO: 555**

### **AN ORDINANCE PROHIBITING SYNTHETIC CANNABINOID PRODUCTS**

The Nekoosa Common Council of the City of Nekoosa, Wisconsin, pursuant to § 62.04 of the Wisconsin Statutes does ordain as follows with regard to its City Ordinances:

Section 9.22 of the Municipal Code shall be created to read as follows:

#### **9.22 SYNTHETIC CANNABINOID PROHIBITED.**

**9.22(1) Purpose.** The purpose of this Ordinance is to protect the public health and safety of the citizens of the City of Nekoosa by prohibiting the sale, use and possession of synthetic cannabinoids.

**9.22(2) Definition.** “Synthetic Cannabinoid” is an herbal and chemical product which mimics the effects of cannabis. It is best known by the brand names K2 and Spice.

**9.22(3) Possession and Use.** It shall be illegal for any person to use, possess, purchase, or attempt to purchase any one or more of the following chemicals whether under the common street or trade names of “Spice”, “K2”, “Genie”, “Yucatan Fire”, “fake” or “new” marijuana, or by any other name, label or description:

- (A) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts.
- (B) (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethyl-3-(2methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol some trade or other

names: HU-210.

- (C) 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JWH-018/spice.
- (D) 1-Butyl-3-(1naphthoyl) indole-some trade or other names: JWH-073.
- (E) 1-(3{trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP.
- (F) Any substance which is a cannabinoid receptor agonist (CRA). “Cannabinoid receptor agonist” means a substance that has an affinity for and stimulates physiological activity in a cannabinoid receptor within the human brain.
- (G) Or any similar structural analogs.

**9.22(4) Sale.** It shall be illegal for any person to sell, display for sale, attempt to sell, give away or barter any of the chemicals or products set forth in A-G above.

**9.22(5) Medical or Dental Use.** Acts otherwise prohibited under this ordinance shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

**9.22(6) Penalties.** Any person violating this ordinance shall be subject to the following forfeitures:

(A) Possession and Use. A forfeiture of \$100.00 for a first offense; \$200.00 for a second offense; and \$300.00 for a third or subsequent offense, exclusive of costs, and upon failure to pay the same shall be confined in the county jail for not more than 30 days.

(B) Sale. A forfeiture of \$1,000.00 for a first offense; \$1,500.00 for a second offense; and \$2,000.00 for a third or subsequent offense, exclusive of costs, and upon failure to pay the same shall be confined to the county jail for not more than 30 days.

**9.22(7) Severability.** In the event any section, subsection, clause, phrase or portion of this Ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this Ordinance. It is the legislative intent of the Common Council that this Ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**9.22(8) Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and adopted this 14th day of December, 2010.

APPROVED:

\_\_\_\_\_  
Gordon G. Freeman, Mayor

ATTEST:

\_\_\_\_\_  
Joseph M. Rusch II, City Clerk

Moved by Krubsack Seconded by Shymanski to adopt Ordinance 555.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

Moved by Krubsack Seconded by Hartje to accept OJA Grant for Fire Dept Radios.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

Moved by Shymanski Seconded by Krubsack to approve Contractor Pay Request#7 for WWTP Upgrade with Oudenhoven Const.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

Moved by Woiak Seconded by Shymanski to approve Contractor Pay Request #5 for 2010 Utilities Project with Earth Construction.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

Moved by Hartje Seconded by Woiak to approve Cranberry Grower Pictures/Artwork displayed at Senior/Community Center in their designated area.

Roll Call Vote: 7 Ayes, 0 Nays. Carried.

Moved by Krubsack Seconded by Wenzel to accept the Police Chief's monthly report as written. Carried

Moved by Krubsack Seconded by Wenzel to accept the Public Works Department's monthly report as written. Carried

Moved by Krubsack Seconded by Wenzel to accept the Ambulance Department's monthly report as written. Carried

Moved by Krubsack Seconded by Wenzel to accept the Fire Department's monthly report as written. Carried

**BILLS TO BE READ**  
**DECEMBER 14, 2010**

**GENERAL DISBURSEMENTS:** \$338,881.39

**WATER/SEWER DISBURSEMENTS:** \$ 43,509.45

Moved by Shymanski Seconded by Krubsack to pay all bills as written and read.

Roll Call Vote: 7 Ayes, 0 Nays. Carried

Moved by Shymanski Seconded by Krubsack to adjourn. Carried

Respectfully Submitted

Joseph M. Rusch II  
City Clerk