

A REGULAR MONTHLY MEETING OF THE COMMON COUNCIL OF THE CITY OF NEKOOSA WAS HELD IN THE COUNCIL CHAMBERS ON TUESDAY, APRIL 12, 2011 AT 7:00 P.M.

The Meeting was called to order by Mayor Gordon G. Freeman

Ken Hartje	Terry Shymanski	Robert Schultz	Brad Hamilton
August Woiak	Robert Wenzel	Dan Carlson	

Larry Krubsack-Absent

Moved by Hamilton seconded by Shymanski to dispense with the reading of the minutes of the previous meeting. **Carried**

TREASURER'S FINANCIAL REPORT
GENERAL FUND
MARCH 31, 2011

GENERAL

TOTAL RECEIPTS 3-31-2011	105,821.43
BOOK BALANCE 2-28-2011	<u>1,271,188.31</u>
	1,377,009.74
DISBURSEMENTS 3-31-2011	<u>271,780.93</u>
	1,105,228.81
VOIDED CHECKS 3-31-2011	<u>44.32</u>
BOOK BALANCE 3-31-2011	1,105,273.13
OUTSTANDING CHECKS 3-31-2011	<u>5,837.04</u>
	1,111,110.17
OUTSTANDING DEPOSIT 3-31-2011	<u>341.80</u>
BANK BALANCE 3-31-2011	1,110,768.37

WATER

TOTAL RECEIPTS 3-31-2011	161,570.66
BOOK BALANCE 2-28-2011	<u>229,150.96</u>
	390,721.62
DISBURSEMENTS 3-31-2011	<u>50,905.65</u>
BANK & BOOK BALANCE 3-31-2011	339,815.97

TEMPORARY INVESTMENTS – WATER UTILITY

MBIA Asset Management Group
Acct. #WI-01-0067-0002, Balance to Date – \$262,777.55

CITY OF NEKOOSA – GENERAL FUND

MBIA Asset Management Group
Acct #WI-01-0067, Balance to Date - \$146,596.47
Nekoosa Port Edwards State Bank
CD #40532, Maturity 12 Months - \$19,060.71
Owned jointly with Town of PE for the landfill closing.

Respectfully submitted,

Sheila Grosskreutz
Treasurer, City of Nekoosa

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

Committee of the Whole/CDA

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

A Committee of the Whole/CDA meeting was held on Monday, April 4, 2011, at 6:00 p.m. in the Nekoosa Council Chambers.

Members present were Gordon Freeman, Mayor, Rob Wenzel, Bob Schultz, Brad Hamilton, Dan Carlson, Terry Shymanski, Larry Krubsack, August Woiak, Ken Hartje. CDA Members present John Ritchay, George Carlson, Jim Oleson, Keith Clary. Also in attendance were: Pat Goodness, Mark Schraeder.

1. Discussed promotion of the Industrial Park with the Goodness Co.
2. Motion by Krubsack seconded by Woiak to adjourn @ 7:14 p.m. Carried.

Respectfully submitted

Moved by Hamilton Seconded by Shymanski for the promotion of the Industrial Park be referred back to the CDA Committee for further review.

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

Ways & Means

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

A Ways and Means meeting was held on Tuesday April 12, 2011, at 6:15 P.M. in the Nekoosa Council Chambers.. Members present were: August Woiak, *Chairman*; Brad Hamilton, *Secretary*; Robed Wenzel and Ken Hartje. Also in attendance were Mayor Freeman, Jack Bodette, and Ken Hansen.

1. Audited all bills.
2. Recommend licenses to serve fermented malt beverages and intoxicating liquors to: Betty Chambers, Ashley Doescher, and Connie Fischer for The Edge; and Josh Lieber for Piggly Wiggly.
3. Recommend hiring Schenck S.C. to complete a cash flow analysis form for the USDA RD for \$1,500.00
4. Recommend City Clerk attend Board of Review training in Tomah, WI. as per wage agreement.
5. Recommend sending Clerk of Court to attend Public Safety Solutions on June 7 as per agreement.
6. Recommend donating \$100.00 to Boys and Girls Club and \$100.00 to Wisconsin Rapids Municipal Zoo.
7. Recommend City Clerk purchase Adobe software for \$299.00.

Respectfully submitted

Moved by Woiak Seconded by Hamilton that the Ways & Means Committee Report of March 12, 2011, be accepted as written. Carried

Moved by Woiak Seconded by Hamilton that Items 2-7 of the Ways & Means Committee Report of March 12, 2011, 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 meeting was held on Tuesday, April 5, 2011, at 8:30 a.m. in the Nekoosa Council Chambers.

Members present were Ken Hartje, Chairperson, Robert Schultz, Secretary, Terry Shymanski, August Woiak. Also in attendance were: Mark Schraeder, Kevin Schubert-MSA, Mayor Gordon Freeman, Jim Quinn-City Attorney, David Blum-MSA.

1. Discussed Wastewater Treatment Plant Rebuilds/Upgrade. Recommend accepting New Corp's proposal for resolution of grit building issues. Recommend approving pay requests 10 & 11 and Change Orders #3 & #4.
2. Discussed Ho Chunk Nation Sewer Billing/Agreement. Recommend accepting the Ho-Chunk proposal pending review by the Attorneys and Final Resolution by the City Council.
3. Discussed Backhoe update.
4. Discussed Mechanics Shop Remodel.
5. Discussed Flooding Bills and FEMA Grant. DPW Reimbursement to go directly to DPW Outlay Account.
6. Discussed E-Recycling/Dumping Ordinance and problems. Patton Ave., 2011-2014 STP Urban Program Update, S. Section St., GPS Mapping and Nekoosa & Port Edwards emergency water main cross ties.
7. Discussed schools, seminars, training & equipment needs.
8. Next meeting will be on May 3, 2011 at 8:30 a.m.

Respectfully submitted

Moved by Hartje Seconded by Shymanski that the Public Works Committee Report of April 5, 2011, be accepted as written. Carried

Moved by Hartje Seconded by Hamilton that Items 1-2,5 of the Public Works Committee Report of April 5, 2011, 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, April 5, 2011, at 6:15 p.m. in the Nekoosa Council Chambers.

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

1. Recommend accepting resignation from Ambulance Department.
2. Discussed Ambulance Rates.
3. Discussed waxing floors in Safety Center.
4. Recommend sending 2 Ambulance Captains to Paramedic Conference April 13-15, 2011 in Appleton, WI per agreement.

5. Recommend hiring two applicants for the Ambulance Dept.
6. Recommend change in Fire Dept ByLaws to increase eligibility area to entire Fire District or Chief's discretion.
7. Recommend hiring applicant for the Fire Dept.

Respectfully submitted

Moved by Carlson Seconded by Shymanski that the Public Safety Committee Report of April 5, 2011, be accepted as written. Carried

Moved by Carlson Seconded by Hamilton that Items 1,4-7 of the Public Safety Committee Report of April 5, 2011, 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, April 5, 2011, 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, August Woiak, Mark Schraeder, Dan Schmidt.

1. Recommend waving boat launch fees for Musky Challenge participants.
2. Update on Community/Senior Center from Center Coordinator.
3. Discussed Community garden.
4. Discussed Swimming Pool Fence.
5. Recommend running ad for Temporary Summer Help on City Crew.
6. Discussed FEMA Paperwork.

Respectfully submitted

Moved by Schultz Seconded by Shymanski that the Property Recreation & Human Affairs Committee Report of April 5, 2011, be accepted as written. Carried

Moved by Schultz Seconded by Carlson that Items 1,5 of the Property Recreation & Human Affairs Committee Report of April 5, 2011, 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, March 22, 2011, at 5:30 p.m. in the Nekoosa Council Chambers.

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

Moved by Shymanski seconded by Hartje to go into CLOSED SESSION pursuant to Wisconsin Statutes 19.85(1)(c) regarding negotiations with Full Time Non-Union Employees. (Shymanski-Yes, Hartje-Yes, Carlson-Yes, Wenzel-Yes)

Moved by Hartje seconded by Shymanski to go into OPEN SESSION pursuant to Wisconsin Statutes 19.85(2) to make recommendations on matters discussed in closed session. (Shymanski-Yes, Hartje-Yes, Carlson-Yes, Wenzel-Yes)

1. Recommend Approval of Wage Agreements for 2011-2012 for:
 - Police Chief
 - City Clerk
 - City Treasurer
 - DPW Director (Amendment to present agreement)

Respectfully submitted

Moved by Carlson Seconded by Shymanski that the Wage & Salary Committee Report of March 22, 2011, be accepted as written. Carried. (Approval of Wage Agreements was referred to 4-19-2011 Special Statutory Meeting to allow alderman additional time to review Wage Agreements)

ORDINANCE NO: 557

AN ORDINANCE PERMITTING AND REGULATING OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

The Nekoosa Common Council of the City of Nekoosa, Wisconsin, pursuant to § 349.26 of the Wisconsin Statutes does ordain as follows with regard to its City Ordinances:

Section 7.015 of the Municipal Code shall be created to read as follows:

7.015 NEIGHBORHOOD ELECTRIC VEHICLE.

7.015(1) Purpose. The purpose of this Ordinance is to regulate the operation of Neighborhood Electric Vehicles on City roadways.

7.015(2) Definition. “Neighborhood Electric Vehicle” (NEV) means a motor vehicle that is propelled by electric power and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500. “NEV” does not include a golf cart.

7.015(3) Operation of Neighborhood Electric Vehicle. A person may operate a NEV on a roadway, including any connecting highway or to an intersection where the roadway crosses a state trunk highway, within the City of Nekoosa that has a speed limit of thirty-five (35) miles per hour or less, and over which the City of Nekoosa has jurisdiction, subject to the following restrictions:

- (A) NEV’s shall be 4-wheeled and have a maximum speed range of at least twenty (20) miles per hour and not more than twenty-five (25) miles per hour on a paved surface and have a gross vehicle weight of less than 3,000 pounds.
- (B) The person operating the NEV must hold a valid operator’s license.
- (C) The NEV shall be titled and registered by the State of Wisconsin Department of Transportation, and the license shall be issued to the owner of the NEV.
- (D) Operation on connecting highways or crossing state trunk highways shall be restricted on streets where the speed limit is greater than thirty-five (35) miles per hour.
- (E) NEV headlamps must be on during operation.

7.015(4) Saving Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

- 7.015(5) Penalties.** Any person who shall violate any provision of this Ordinance shall be subject to a penalty as provided in sec. 25.04 of the Nekoosa Municipal Code.
- 7.015(6) 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.
- 7.015(7) Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect upon posting and publication.

Passed and adopted this 12th day of April, 2011.

APPROVED:

Gordon G. Freeman, Mayor

ATTEST:

Joseph M. Rusch II, City Clerk

Published this _____ day of April, 2011.

Moved by Hamilton Seconded by Wenzel to adopt Ordinance #557 Permitting and Regulating operation of Neighborhood Electric Vehicles

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

Moved by Shymanski Seconded by Hamilton to allow use of the Swimming Pool Lawn for an Easter Egg Hunt which will be held on Saturday, April 23, 2011, at 11:00 a.m. Carried.

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

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

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

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

Moved by Hamilton Seconded by Shymanski to accept the Building Inspector's monthly report as written. Carried

BILLS TO BE READ
APRIL 12, 2011

GENERAL DISBURSEMENTS: \$252,124.63
WATER/SEWER DISBURSEMENTS: \$ 86,657.60

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

Roll Call Vote: 7 Ayes, 0 Nays. Carried

Moved by Shymanski Seconded by Hamilton to adjourn. Carried

Respectfully Submitted

Joseph M. Rusch II
City Clerk