

1. Audited all bills
2. Recommend the following applications to serve Fermented Malt Beverages and Intoxicating Liquors to:
 - Dustin Caravello and Ryan Majors, Nekoosa CITGO
 - Roger Smith Jr., James Rowe, Robert Lancour, Nekoosa Fire department.
 - Justin Nelson, Nekoosa Piggly Wiggly
3. Recommend Clerk attend Parliamentary Procedures Workshop on October 15, 2009 in Wisconsin Rapids as per agreement.
4. Recommend reimbursing Bob Schultz and August Woiak 2 ½ days as per ordinance for interviews for DPW.
5. Recommend approving lot purchase for \$5,243.18.

Respectfully submitted

Moved by Carlson Seconded by Hamilton that the Ways & Means Committee Report of August 11, 2009 be accepted as written. Carried

Moved by Carlson Seconded by Hamilton that Items 2-5 of the Ways & Means Committee Report of August 11, 2009 be adopted for action.

Roll Call Vote: 6 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, August 3, 2009 at 1:30 p.m. in the Nekoosa Council Chambers. Members present were Ken Hartje, Chairman, Brad Hamilton, Secretary, Gus Woiak and Robert Schultz. Also in attendance were Mayor Freeman, Bill Kaberle-DPW, Larry Krubsack, City Atty. Jim Quinn, Nathaniel Shuda, and John Richmond, from MSA

1. The committee traveled to inspect city buildings
2. Motion by Woiak, seconded by Schultz to go into Closed Session pursuant to WI Statutes 19.85 (1) (e) regarding appointing a Waste Water Plant Operator, eligibility list for the Public Works department, and policy for Ambulance and Fire Department employees.
Hartje; yes, Hamilton; yes, Woiak; yes, Schultz; yes.
3. Motion by Hamilton seconded by Woiak to go into open session pursuant to WI Statutes 19.85(2) to make possible recommendations from closed session.
Hartje; yes, Hamilton; yes, Woiak; yes, Schultz; yes.
4. Recommend Emmett Peterson for Waste Water Plant Operator
5. Recommend Todd Falkner be hired for the Public Works Department.
6. Update on the Wastewater Treatment Plant upgrade, we will proceed with the bidding process. We are waiting on the EPA grant finalization.
7. Update on the CDBG Grant. We are looking for more pledges and pulling in the ones already pledged.
8. Update on the building inspector, he is getting all his Department of Commerce testing and licensing.
9. Recommend signing the contract to allow Pittsburg Tank and Tower to dismantle both water towers at no cost to the City.
10. Recommend contract extension for Precision on the alley behind Nekoosa Bank.
11. Update on stimulus grant for city lighting and heating, no recommendation at this time.
12. Update on request for sewer and water, no recommendation at this time.
13. Recommend starting a Public Works newsletter.

14. Recommend attaching Ordinance 438 to the building permits.
15. Recommend up to \$2,000.00 for the Tiger grant application.

Respectfully submitted

Moved by Hartje Seconded by Hamilton that the Public Works Committee Report of August 3, 2009 be accepted as written. Carried

Moved by Hartje Seconded by Hamilton that Items 4,9-10, 13-15 of the Public Works Committee Report of August 3, 2009 be adopted for action.

Roll Call Vote: 6 Ayes, 0 Nays. Carried.

Moved by Krubsack Seconded by Carlson to Table Item #5 of the Public Works Committee Report of August 3, 2009.

Roll Call Vote: 5 Ayes, 0 Nays, 1 Abstain. Carried.

Ordinance #547 **Traffic Code**

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

Municipal Code 7.07(12)(c)(7) is hereby created to read:

- *On the North Side of Market Street, the First parking space East of North Section Street.*

Municipal Code 7.07(12)(c)(8) is hereby created to read:

- On the East Side of North Section Street, 260 feet North of Market Street.
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Passed and adopted this 11th day of August, 2009

APPROVED

Gordon G. Freeman, Mayor

ATTEST

Joseph M. Rusch II, City Clerk

ORDINANCE NO: 548

AN ORDINANCE TO REPEAL AND RECREATE SECTION 9.12 OF THE MUNICIPAL CODE REGULATING BURNING

The Nekoosa Common Council of the City of Nekoosa, Wisconsin, pursuant to Chapter 26 Wisconsin Statutes does ordain as follows with regard to its City Ordinances:

Section 9.12 of the Municipal Code is repealed and recreated as follows:

9.12 BURNING REGULATIONS.

(1) Burning Prohibition.

Unless specific written approval has been obtained from the Department of Natural Resources, the following materials may not be burned in an open fire, incinerator, burn barrel, furnace, stove, or any other indoor or outdoor incineration or heating device. A permit will not be issued for burning any of the following materials without air pollution control devices and a written copy of approval by the Department of Natural Resources.

- A. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes
- B. Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.
- C. Asphalt and products containing asphalt.
- D. Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
- E. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- F. Rubber including tires and synthetic rubber-like products.
- G. Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance, except as provided under Section (3).
- H. It shall be unlawful for any person, firm or corporation to burn leaves, pine needles, or grass clippings within any part of the City of Nekoosa.

(2) Permits

It shall be unlawful for any person, firm or corporation to burn brush, rubbish or any other debris within any part of the City of Nekoosa without a burning permit; unless there is complete ground cover of snow that is more than one inch (1”).

The burning of brush, rubbish or any other debris in any part of the City of Nekoosa, may take place within accordance of permit guidelines. All burning is prohibited on Sundays and holidays.

Permits for control burning in the City of Nekoosa can be obtained from the Municipal Building, approved authorized Fire Wardens for the City of Nekoosa, or the Department of Natural Resources (DNR) Service Center. All City residents must adhere to all sections, rules, and regulations of this Ordinance.

(3) Open Burning

All allowed open burning shall be conducted in a safe nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations. Open burning shall be conducted only on the property on which the materials were generated or at a facility approved by and in accordance with provisions established by the Department of Natural Resources and the Fire Chief.

- A. Open burning shall only be conducted at a location at least 250 feet from the nearest building which is not on the same property.
- B. Except for barbecue, gas and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire Chief.
- C. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and scold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

- D. No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, and stream or water body.
- E. Notwithstanding of this ordinance, paper and cardboard products may be used as a starter fuel for a fire that is allowed under this ordinance.
- F. Small quantities of confidential papers from a residence may be burned if necessary to prevent the theft of financial records, identification or other confidential information. Confidential papers from a commercial enterprise shall be shredded or destroyed in a manner other than burning.
- G. Outdoor campfires and small bonfires for cooking, ceremonies or recreation are allowed without a permit provided that the fire is confined by a control device or structure such as a barrel, fire ring or fire pit. Bonfires are allowed only if approved by and in accordance with provisions established by the Fire Chief.
- H. Burning of trees, limbs, stumps, brush or weeds for clearing or maintenance of right-of-ways is allowed if approved by the Fire Chief and in accordance with other provisions of this ordinance.
- I. In emergency situations, such as natural disasters, burning that would otherwise be prohibited is allowed if specifically approved by the Department of Natural Resources.

(4) Burn Barrel Permit

The owner or occupant of the property shall obtain an annual burning permit before using a burn barrel.

- A. The burn barrel shall not be used to burn any of the prohibited materials listed in Section (1) of this ordinance.
- B. The burn barrel shall be located at least 250 feet from the nearest building that is not on the same property as the burn barrel.
- C. The burn barrel shall have vent holes above the ash line for combustion air and shall be covered with a heavy wire screen.
- D. Small businesses, commercial enterprises, and industries may not use burn barrels or engage in other kinds of open burning for any waste generated by the businesses.

(5) Burning Ban

Whenever the Fire Chief or the Department of Natural Resources shall deem it imprudent for burning, whether it be because of extreme dryness, shortage of water, high wind, particular hazardous location or any other reason, they may forbid by order, the setting of any such fires at any time, refuse to issue a permit where one is requested, or temporarily suspend previously issued burning permits for open burning.

Except for barbecue or gas grills and charcoal grills used in the immediate vicinity of a residential dwelling on a non-combustible surface, no open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area.

(6) Responsibility for Fire(s)

Any damage caused to a person's property, private property, or any public property by the burning of brush, rubbish, structures, or any other debris whether such burning was authorized or not, shall be the full responsibility of the person or persons responsible for igniting said fire(s). Extinguishment of any fire(s) will be the responsibility of the person or persons responsible for

igniting said fire(s). Failure to extinguish authorized or non-authorized fire(s), where the fire department responds in the pursuit of extinguishment, the person or persons responsible for igniting said fire(s) will be subjected to section (9) of this Ordinance and all forfeitures dealing with this ordinance violation(s) per Municipal Code 25.04 together with the cost of prosecution and any other costs incurred to the City for extinguishment of the fire(s).

(7) Liability for Fire(s)

If the fire department responds in the pursuit of extinguishment or public safety the person or persons utilizing, maintaining or setting the fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire(s) will be subjected to section (9) of this Ordinance and all forfeitures dealing with this ordinance violation(s) per Municipal Code 25.04 together with the costs of prosecution and any other costs incurred to the City for extinguishment of the fire(s).

(8) Forest Protection District

Any burning within the City of Nekoosa shall also be governed by the rules and regulations of the State of Wisconsin Department of Natural Resources and nothing herein is intended to alter such rules and regulations in any way.

(9) Enforcement

The Fire Chief or any authorized officer, agent, employee or representative of the City of Nekoosa who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance. If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained in accordance with § 66.122 and § 66.123 Wisconsin Statutes.

(10) Penalties and Fees

Any person or persons who shall violate any of the provisions of this ordinance or fail to comply therewith, or who shall violate or fail to comply with any order made hereunder shall, upon conviction, be subjected to all forfeitures dealing with this ordinance violation(s) per Municipal Code 25.04 together with the costs of suppression and prosecution and in default of the payment of such forfeiture and costs of such suppression and prosecution, shall be imprisoned in the County Jail of Wood County for a period not exceeding thirty (30) days.

Any person or persons who shall fail to extinguish authorized or non-authorized fire(s), where the fire department responds in the pursuit of extinguishment, the person or persons responsible for igniting said fire(s) will be invoiced by the City for all fire suppression costs together with the costs of prosecution and any other costs incurred to the City for extinguishment of said fire(s).

Passed and adopted this 11th day of August, 2009.

APPROVED:

Gordon G. Freeman, Mayor

ATTEST:

Joseph M. Rusch II, City Clerk

Public Safety

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

A Public Safety meeting was held on Tuesday, August 4, 2009 at 6:15 p.m. in the Nekoosa Council Chambers.

Members present were Larry Krubsack, *Chairperson*, Dan Carlson, *Secretary*, Don Nelson, August Woiak. Also in attendance were: Mayor Gordon Freeman, Police Chief John Reimer,

Fire Chief Mike Hartje, Asst. Fire Chief Dave Rheinschmidt, Ambulance Chief Don Harnisch.

1. Recommend adopting Ordinance #547 creating two Handicap Parking spaces by Little League Baseball diamonds.
2. Recommend adopting Burning Regulations Ordinance #548
3. Recommend closing part of Ward Street for Fireman's Dance.
4. Recommend hiring Bill Kaberle Jr. as EMT.
5. Discussed ER Medical Director at Riverview Hospital.

Respectfully submitted

Moved by Krubsack Seconded by Hamilton that the Public Safety Committee Report of August 4, 2009, be accepted as written. Carried

Moved by Krubsack Seconded by Hamilton that Items 1-4 of the Public Safety Committee Report of August 4, 2009 be adopted for action.

Roll Call Vote: 6 Ayes, 0 Nays. Carried.

Property Recreation & Human Affairs

To the Honorable Mayor and Members of the Nekoosa Common Council

A Property Recreation & Human Affairs Committee meeting was held on Monday, August 3, 2009 at 5:30 P.M. in the Council Chambers.

Members present were Robert Schultz, Chairman, Brad Hamilton, Secretary, Gus Woiak and Larry Krubsack. Also in attendance was Bill Kaberle-DPW.

1. Update on swimming pool, no recommendation at this time.
2. Update on the Gazebo plaque.
3. Recommend arranging roof treatment for the Riverside Park #1 shelter for approx. \$3,000.00

Respectfully submitted

Moved by Schultz Seconded by Krubsack that the Property Recreation & Human Affairs Committee Report of August 3, 2009 be accepted as written. Carried

Moved by Schultz Seconded by Hamilton that Item 3 of the Property Recreation & Human Affairs Committee Report of August 3, 2009 be adopted for action.

Roll Call Vote: 6 Ayes, 0 Nays. Carried.

Wood County Library Tax Exemption Resolution

WHEREAS, The Wood County Board levies a County Library Tax.

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides that such units of government which expend an amount equal to that which would be levied by the County Board for Library purposes may apply for exemption for this tax; and

WHEREAS, The City of Nekoosa does levy a library tax in excess of that proposed to be levied by Wood County.

NOW, THEREFORE BE IT RESOLVED that the City of Nekoosa hereby requests the Wood County Board that the City of Nekoosa be exempted from the payment of any county library tax as provided in Section 43.64(2)(b) inasmuch as it appropriated and will expend for its own library fund during **2010**. This amount is in excess of that proposed to be levied by the County of Wood. Exemption from the payment of said county library tax shall not preclude the City of Nekoosa participation in county library service in all other respects.

BE IT FURTHER RESOLVED, that confirmed copies of the Resolution be forward by the City Clerk to the Wood County Library Board, and to the Wood County Clerk

Dated: 8-11-2009

Gordon G. Freeman, Mayor

Joseph M. Rusch II, City Clerk

Moved by Hamilton Seconded by Krubsack to adopt the Wood County Library Tax Exemption Resolution. Carried

RESOLUTION

AUTHORIZING THE CREATION OF A COMPLETE COUNTY COMMITTEE TO ASSIST THE U.S. CENSUS BUREAU IN ASSURING AN ACCUATE COUNT OF CITY OF NEKOOSA RESIDENTS IN THE YEAR 2010 CENUS:

WHEREAS, the United States Constitution requires a decennial census and the next census will be conducted in 2010; and

WHEREAS, the information collected by the decennial census serves as the basis for the allocation of seats in the United States House of Representatives as well as the allocation of federal and state revenue sharing; and

WHEREAS, for these and other reasons, an accurate census count is in the best interest of the citizens of Wisconsin and the City of Nekoosa; and

WHEREAS, the United States Census Bureau has requested the assistance of the City of Nekoosa in promoting an accurate count of our residents;

NOW, THEREFORE BE IT RESOLVED that the City of Nekoossa authorizes the creation of a Complete Count Committee to assist the City of Nekoosa in promoting an accurate 2010 census count of residents.

BE IT FURTHER RESOLVED that the Complete Count Committee shall consist of representatives of various communities within the City of Nekoosa including, but not limited to the following

public and private education; business community; minority populations; senior citizens; faith based communities; local government; civic organizations; not for profit organization; media

BE IT FURTHER RESOLVED that the City of Nekoosa is authorized to appoint representatives to serve on the census Complete Count Committee.

Passed and adopted this 11th day of August, 2009

Approved

Gordon G. Freeman, Mayor

ATTEST

Joseph M. Rusch II, City Clerk

Moved by Hamilton Seconded by Hartje to approve the 2010 Census Resolution. Carried.

Moved by Krubsack Seconded by Hamilton to accept the resignation of Tanya Kolar from the Nekoosa Library Board. Carried

Moved by Hamilton Seconded by Krubsack to approve the Mayor's appointment of Judy Edwards to the Nekoosa Library Board. Carried.

Moved by Hamilton seconded by Schultz to approve the purchase of a Lawn Mower for the Public Works Dept with cost not to exceed \$6,000.00

Roll Call Vote: 6 Ayes, 0 Nays. Carried.

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

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

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

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

BILLS TO BE READ

August 11, 2009

<u>GENERAL DISBURSEMENTS:</u>	\$215,095.34
<u>WATER/SEWER DISBURSEMENTS:</u>	86,736.92

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

Roll Call Vote: 6 Ayes, 0 Nays. Carried

Moved by Hamilton Seconded by Krubsack to adjourn. Carried

Respectfully Submitted

Joseph M. Rusch II
City Clerk