

(Published in The Clark County Press
March 20 , 2024)
**COMMON COUNCIL
COUNCIL ROOM
MARCH 12, 2024, 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 meeting were declared approved.

Mandy Krejci thanked Police Officer Issac Guyer for going above and beyond the call of duty on February 17, 2024 when he accompanied her father's significant other to the hospital and his assurance to her and the family at the time of her father's death.

Chief of Police Mankowski stated that Officer Guyer would be receiving a Citizens Award certificate and merit badge for his uniform.

Chief of Police Mankowski reported on trainings, purchasing a two-way radio and desktop computer, February parking enforcements, citations, warnings, incidents, office activity, business patrols, citizen interactions, Town of Mentor contract policing.

Council Member Petkovsek reported on the February 27, 2024 meeting of the Grants Committee regarding: 1) review and updating the list of grants in progress and 2) the WI Department of Revenue has accepted and approved the TIF District Affordable Housing Extension for TID No. 2.

Council Member Rochester reported on the February 29, 2024 meeting of the Heritage Days Committee regarding: 1) financial report, 2) discussion on ideas for new events and games, 3) update on donation letters, 4) discussion on posters, 5) discussion on Street closures, 6) discussion on Grand Marshall, 7) discussion on parade theme and 8) discussion on shirts and can coolers-color and design.

Council Member Neville reported on the March 1, 2024 joint Parks and Recreation Board and Planning Commission regarding: 1) discussion on an additional baseball field for Listeman Park, 2) Parks and Recreation Board's recommendation to the Planning Commission adding an additional baseball field to Listeman Park, 3) discussion on and recommendation to the Common Council to close the Dog Park account and return the funds back to the original donors, if possible, 4) the Parks and Recreation Board adjourned, 5) the Planning Commission left Listeman Park reconvening at the City Hall with all members present, 6) discussion on the proposed additional baseball field at Listeman Park-Phase 1, 2 and 3, 7) the Planning Commission's recommendation to the Common Council to approve adding an additional baseball field-Phase 1 to Listeman Park, 8) update and discussion on the S.C. Swiderski Development project and draft developer's agreement.

Council Member Clough reported on the March 12, 2024 meeting of the Commission on Public Works/Utilities Commission regarding: 1) current activities and 2) opening, discussion on and recommendation to accept the American Asphalt of Wisconsin, Mosinee, asphalt bid in the amount of \$120.10 per ton for 3-inch mill and overlay on W. Fifth Street, \$156.60 per ton for full width road paving and \$134.80 per ton for patch paving.

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

Maggie Gelhaus stated that she is here about the baseball diamond at Listeman Park to ensure that all things are considered-moving the playground, removing trees, more parking. It's been said there would be no cost to the taxpayer, but if the City helps remove the trees, there is a cost. Do projects over \$50,000 have to be bid out. Do things the right way, look at the hidden costs.

7:15 P.M.-Mayor Poeschel declared the Public Hearing in the matter of State and Federal Aid for Improvements at the Neillsville Airport, N3770 Miller Avenue, Neillsville-Resolution Petitioning the Secretary of Transportation for Airport Improvement Aid now open.

Director of Public Works Friemoth stated that public notice of this public hearing was in the Clark County Press and the first reading of this resolution was done at the February 13, 2024 Common Council meeting.

Jeff Gaier, Airport Management Services, stated that in order to get State and Federal funding the City has to go through a petitioning process listing a wish list of things being considered. This list includes five things we would really like to do. The 100% COVID funding would be about \$300,000 which could be utilized. He supports the resolution adoption.

Mayor Poeschel proceeded with the second reading of the resolution.

Mayor Poeschel called for appearances.

Wayne Short, airport user and plane owner for over 40 years, stated that it is encouraging to see the hangers filled up and airport usage picking up. The taxiway has a pothole, which the City has filled, but attention is needed. He supports this resolution.

Mayor Poeschel called three times for further appearances-there being none.

7:25 P.M.-Mayor Poeschel declared the public hearing closed.

Council Member Clough asked if any correspondence or communication was received.

Director of Public Works Friemoth relied none were received.

Council Member Neville asked about the funding.

Jeff Gaier stated that Federal projects are usually 90/5/5 (Federal 90%, State 5%, City 5%); State projects are usually 80/20 (State 80%, City 20%), however the COVID BIL funding amount is 100%-about \$150,000 over two years or \$300,000.

RESOLUTION NO. 624

A RESOLUTION PETITIONING THE SECRETARY OF TRANSPORTATION FOR AIRPORT IMPROVEMENT AID

WHEREAS, the City of Neillsville, Clark County, Wisconsin hereinafter referred to as the sponsor, being a municipal body corporate of the State of Wisconsin, is authorized by Wis. Stat. §114.11, to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the sponsor desires to develop or improve the Neillsville Municipal Airport, Clark County, Wisconsin,

“PETITION FOR AIRPORT PROJECT”

WHEREAS, the foregoing proposal for airport improvements has been referred to the city plan commission for its consideration and report prior to council action as required by Wis. Stat. §62.23(5), and

WHEREAS, airport users have been consulted in formulation of the improvements included in this resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Wis. Stat. §114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, by the sponsor that a petition for federal and (or) state aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with federal and state aid or state aid only, in accordance with the applicable state and federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a General Aviation type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: Master Plan and ALP Update; Reconstruction of Hangar Taxi lanes; Hangar Area Drainage Improvements; Reconstruct Airfield Lighting; Replacement of Electrical Vault; Construct REILs; Sealcoat and crack fill airfield pavements; ; install AWOS; fuel farm improvements; acquire mowing equipment; airport drainage improvements; erosion control; Clear and maintain runway approaches as stated in Wis. Admin. Code Trans §55, and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the sponsor by the Secretary; the sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the sponsor does not provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the sponsor; and

WHEREAS, the sponsor is required by Wis. Stat. §114.32(5) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

“DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR'S AGENT”

THEREFORE, BE IT RESOLVED, by the sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such, in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. §32 .02; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the sponsor requests that the Secretary provide, per Wis. Stat. §114.33(8)(a), that the sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

“AIRPORT OWNER ASSURANCES”

AND BE IT FURTHER RESOLVED that the spon-

sor agrees to maintain and operate the airport in accordance with certain conditions established in Wis. Admin. Code Trans §55, or in accordance with sponsor assurances enumerated in a federal grant agreement.

AND BE IT FURTHER RESOLVED THAT THE Mayor and City Clerk be authorized to sign and execute the agency agreement and federal block grant owner assurances authorized by this resolution.

/s/ Duane G. Poeschel, Mayor

/s/ Rex R. Roehl, Clerk

Motion Petkovsek, second Neville, that Resolution No. 624 be adopted. All Aye.

Mayor Poeschel asked if there were any question on the Parks and Recreation Board item (3).

Motion Counsell, second Rochester, to accept the recommendation to close the Dog Park account and return the funds back to the original donors, if possible. All Aye.

Mayor Poeschel asked if there were any question on the Planning Commission item (7).

Council Member Counsell stated the plan does not give any funding, where is the money coming from, what is the budget associated with it, how much is on hand, what about the toys.

Director of Public Works Friemoth stated there are 15 toys, 10 will be moved and 1 gotten rid of, they would be strung out in a line from the parking lot along E. Fifteenth Street.

Jake Ormond stated that they currently have \$140,000 on hand. The Phase 1 and 2 cost is estimated at \$300,000. They are still getting prices on fencing and excavation. Fund raising started mid-October, there has not been a big push yet. Phase 2 would not start until Phase 1 is done.

Council Member Petkovsek stated redoing of the existing ball diamond would be done without cost to the City.

Jake Ormond stated the infield mix would be replaced with the proper sand/silt/clay mixture and fence replaced as part of Phase 2. It would also make maintenance easier with fence underlay for weed whacking.

Council Member Counsell asked about impact to the pond.

Jake Ormond stated that he is working with the DNR to get through the permitting process because we will be disturbing more than an acre-we are pushing two acres.

Council Member Petkovsek stated she supports this project, it is a small piece of economic development; Neillsville is known for its athletic facilities and this is an enhancement to children's activities.

Council Member Counsell asked how the two diamonds play into the School.

Jake Ormond stated that the School has three diamonds-a varsity baseball field, a varsity softball field and a junior varsity field. They are all in full use and there is a shortage of field space.

Council Member Rochester stated with the playground along the road would a fence be put up.

Director of Public Works Friemoth asked what the expectations are for the City crews involvement with trees removed, there are a lot of nuisance trees and tree roots in the play area. There would be 18 trees to drop and brush to haul, it would take about a week.

Council Member Counsell stated that the City doesn't do stump removal.

Jake Ormond stated the excavator would remove the stumps.

Council Member Rochester stated the playground belongs to the City, the City should help remove the trees.

Council Member Counsell asked if the toys would be pulled out for a while.

Director of Public Works Friemoth replied “yes”.

Council Member Petkovsek asked if there would be enough toilet stalls.

Jake Ormond stated that the School only has two restrooms, the park has two restrooms and if needed port-a-potties can be rented.

Council Member Counsell stated with this done, will it belong to the City.

Mayor Poeschel replied “yes”.

Motion Clough, second Rochester, to accept the recommendation to approve adding an additional baseball field-Phase 1 to Listeman Park. All Aye.

Mayor Poeschel read the following resolution.

RESOLUTION NO. 625

TAX INCREMENTAL DISTRICT (TID) TERMINATION

WHEREAS, the City of Neillsville created TID 2 on August 28, 1999, and adopted a project plan in the same year, and

WHEREAS, all TID 2 projects were completed in the prescribed allowed time; and:

WHEREAS, sufficient increment was collected as of the 2023 tax roll, payable 2024, to cover TID 2 project costs; and

THEREFORE, BE IT RESOLVED, that the City of Neillsville terminates TID 2; and

BE IT FURTHER RESOLVED, the City Clerk shall notify the Wisconsin Department of Revenue (DOR), within sixty (60) days of this resolution or prior to the deadline of April 15, 2024, whichever comes first, that the TID has been terminated; and

BE IT FURTHER RESOLVED, the City Clerk shall sign the required DOR Final Accounting Submission Date form (PE-223) agreeing on a date by with the City shall submit final accounting information to DOR; and:

BE IT FURTHER RESOLVED, that the City Treasurer shall distribute any excess increment collected after providing for ongoing expenses of the TID, to the affected taxing districts with proportionate shares as

determined in the final audit by the City’s auditor, CliftonLarsonAllen, LLP.

/s/Duane G. Poeschel, Mayor
/s/Rex R. Roehl, City Clerk

Motion Clough, second Counsell, that Resolution No. 625 be adopted. All Aye.

Mayor Poeschel presented the School District of Neillsville request to use and temporarily close City streets for the annual Homecoming Parade scheduled for September 20, 2024-from School on E. Fourth Street to Hewett Street to E. Sixth Street to Court Street to E. Fifth Street to East School Street.

Motion Poeschel, second Rochester, to grant the request. All Aye.

Mayor Poeschel presented a request from Mark Jones, Abby Vans, Inc., requesting permission to add two additional driveways at 1115 W. Fourth Street. The driveways would be on the east side of the property, one on W. Fourth Street and one on W. Fifth Street, to accommodate delivery trucks.

Discussion followed on driveway on the Fifth Street hill, concerns about turning into traffic, this being a commercial property, culverts, etc.

Motion Clough to approve the request as long as the driveways conform to highway standards.

Mayor Poeschel called for a second-there being none-motion dies for lack of a second.

Motion Clough, second Counsell, to table the request until the next meeting. All Aye.

Mayor Poeschel stated he will be gone for the next meeting and the United Communities meeting on March 25, 2024.

“Class A” Retail Liquor and Malt Beverages License Application:

CAPL Retail, LLC, Joe’s Kwik Marts, Sandra J. Pfankuch, Agent, 1 Hewett Street

Motion Clough, second Neville, to grant. All Aye.
Tavern Operator’s License Application:

Scott W. Hartung, Kathy M. Jansen
Motion Neville, second Clough, to grant all the listed licenses. All Aye.

Motion Counsell, second Neville, that City Bills Nos. 222 to 274 in the amount of \$253,962.81 be paid. All Aye.

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

/s/Duane G. Poeschel, Mayor
/s/Rex R. Roehl, Clerk

WNAXLP

(Published in The Clark County Press
March 20 and 27 and April 3, 2024)
STATE OF WISCONSIN, CIRCUIT COURT,
CLARK COUNTY CIVIL DIVISION
Nationstar Mortgage LLC
Plaintiff,

vs.
Estate of Glenn W. Manier
Defendant.

NOTICE OF SHERIFF’S SALE
CASE NO. 23 CV 110

PLEASE TAKE NOTICE that by virtue of a judgment of foreclosure entered on January 31, 2024, in the amount of \$47,456.10, the Sheriff, will sell the described premises at public auction as follows:

TIME: April 10, 2024 at 10:00 AM

TERMS: Pursuant to said judgment, 10% of the successful bid must be paid to the Clerk of Courts Office at the time of the sale in cash, cashier’s check or certified funds, payable to the Clerk of Courts Office. Personal checks cannot and will not be accepted. The balance of the successful bid must be paid to the Clerk of Courts Office in cash, cashier’s check or certified funds, no later than ten days after the court’s confirmation of the sale or else the 10% down payment is forfeited to the plaintiff. The property is sold “as is”, is

not available for viewing, and subject to all liens, encumbrances, and unpaid real estate taxes. Buyer to also pay applicable Wisconsin Real Estate Transfer Tax from the proceeds of the sale.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee’s attorney.

PLACE: 3rd floor lobby entrance of the Clark County Courthouse, located at 517 Court Street, Neillsville, WI 54456

DESCRIPTION: PART OF LOT TWENTY-ONE (21) OF ROTER’S ADDITION TO THE VILLAGE (NOW CITY) OF ABBOTSFORD, CLARK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 21, THENCE EAST 150 FEET, THENCE NORTH 82 1/2 FEET, THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 21 TO THE WEST BOUNDARY LINE OF SAID LOT 21, THENCE IN A SOUTHERLY DIRECTION TO THE SOUTHWEST CORNER OF SAID LOT 21, BEING THE POINT OF BEGINNING.

PROPERTY ADDRESS: 204 S. 1st Street, Abbotsford, WI 54405

TAX KEY NO.: 201.0304.000

Dated this 29th day of February, 2024.

/s/ Scott A. Haines

Clark County Sheriff

Phillip A. Norman, P.C.

Kelly M. Smith

State Bar No. 1067970

17035 W. Wisconsin Avenue, Suite 150

Brookfield, WI 53005

(262) 314-6564

Phillip A. Norman, P.C. is the creditor’s attorney and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

WNAXLP

(Published in The Clark County Press
March 20 , 2024)

STATE OF WISCONSIN

DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INTENT TO REISSUE A WIS-

CONSIN POLLUTANT DISCHARGE ELIMINATION

SYSTEM (WPDES) PERMIT No.WI-0030961-10-0

Permittee: Chili Sanitary District, P O Box 53, Chili, WI, 54420

Facility Where Discharge Occurs: Chili Wastewater Treatment Facility, W1200 Chili Rd, Chili, WI

Receiving Water And Location: an unnamed tributary to the South Branch of the Yellow River in the Upper Yellow River Watershed of the Upper Wisconsin River Basin located in Clark County

Brief Facility Description and Summary of Proposed Changes: The Chili Sanitary District treats wastewater from the community of Chili at an average annual design flow of 0.05 million gallons per day (MGD). The actual annual average influent flow for 2023 was 0.022 MGD. The stabilization pond type wastewater facility is a 2-cell system that discharges on a fill and draw basis to a tributary of the South Branch of the Yellow River. No major operational changes are proposed for this issuance. Proposed significant monitoring changes include 1) new seasonal monthly average ammonia effluent limit, 2) new monthly average phosphorus effluent interim limit and final mass limit were added based on the Wisconsin River Basin (WIRB) Total Maximum Daily Load (TMDL), along with other phosphorus mass reporting requirements that are consistent with tracking compliance with the WIRB TMDL, 3) addition of annual effluent monitoring for total nitrogen, nitrite + nitrate nitrogen and total Kjeldahl nitrogen, and 4) PFAS sludge sampling has been included in the proposed

WPDES permit pursuant to ss. NR 214.18(5)(b) and NR 204.06(2)(b)9., Wis. Adm. Code to quantitate risk.

Permit Drafter’s Name, Address, Phone and Email: Angela Parkhurst, 1300 W Clairemont Ave, Eau Claire, WI, 54701, (715) 839-3836, Angela.Parkhurst@wisconsin.gov

Basin Engineer’s Name, Address, Phone and Email: Jenna Monahan, 1300 W Clairemont Avenue, Eau Claire, WI 54701, (715) 492-4323, jenna.monahan@wisconsin.gov

The Department has tentatively decided that the above-specified WPDES permit should be reissued.

Persons wishing to comment on or object to the proposed permit action, or to request a public hearing, may write to the Department of Natural Resources at the above-named permit drafter’s address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department’s final decision when the permit is issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be issued as proposed.

The Department may schedule a public informational hearing if requested by any person and shall schedule a public informational hearing if a petition requesting a hearing is received from 5 or more persons or if response to this notice indicates significant public interest pursuant to s. 283.49, Wis. Stats. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter’s office or the above named basin engineer’s office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 839-3836 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: Clark County Press

ADDRESS OF PUBLISHING NEWSPAPER: 409 E. Main St., Black River Falls, WI 54615

Date Notice Issued: Wednesday, March 20, 2024

WNAXLP