

NOTICES OF PUBLIC MEETINGS

A public meeting will take place at the time and place indicated below. The meeting is open to the public in keeping with Chapter 19, Subchapter IV, 1985 Wisconsin Statutes (Open Meeting Law).

Government Unit Conducting Meeting: Finance Committee
Date: February 10, 2025
Time: 4:30 p.m.
Place: Park Falls Public Library – 2nd Floor Conference Room

AGENDA

1. Call to Order
2. Review Invoices for Approval
3. Adjourn

Government Unit Conducting Meeting: Committee of the Whole
Date: February 10, 2025
Time: 5:00 p.m.
Place: Park Falls Public Library – 3rd Floor Auditorium

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adopt the Agenda
5. Communications
6. Public Comment
7. New Business
 - A. STH 13 Repaving Project
 - B. Resolution 25-002 - Number of Poll Workers
 - C. Ordinance 25-005 – Regulation of Firearms, Explosives, and Other Missiles
 - D. Chronic Nuisance Ordinance Discussion
 - E. Goals, Objectives, Priorities Discussion and Action
8. Committee Reports
 - A. Finance
 1. Payment of Bills
 - B. Board of Public Works
 - C. Public Services
 - D. Personnel
9. Update to Committee of the Whole on General City Operations
10. Adjourn

Posted: February 6, 2025

Prepared by: Shannon Greenwood – Clerk

Services are provided on an Equal Opportunity basis. Reasonable accommodation for alternative means of communication or access for individuals with disabilities will be made upon request. Please call 715-762-2436.



410 Division Street
P.O. Box 146
Park Falls, WI 54552
Phone (715)762-2436 Fax (715) 762-2437
www.cityofparkfalls.com

To: Honorable Mayor and Alders

From: Scott J. Kluver, ^{SK} Administrator

Re: STH 13 Project Revisit

Date: February 5, 2025

The issue of the items the City is responsible for in the upcoming STH 13 resurfacing project is back on the agenda because there is an anticipated seven percent (7%) penalty for the items the City wants removed from the contract.

In the enclosed email, it is explained that WisDOT is not allowed (per federal regulations) to remove items pre-contract, and the contractor has the option to collect seven percent (7%) of items removed post contract. It is apparently to compensate them for preparing the bid and anticipated mobilization costs.

I am not sure this risk was explained to the City when it was discussed which items the City wanted were provided to WisDOT. I have expressed my displeasure in the WisDOT bidding process and suggest they consider using an add-alternate bidding process for municipal items in the state contracts so municipalities have the option to pick and choose which items they will have done based on the bids that come in without penalty. The Mayor has called the governor's office to lodge a complaint about this process, but as of this writing, has not been able to speak directly.

The options for the Council at this point are to: 1) eat the penalty and scream bloody murder; 2) add items back in that you can not afford; or 3) request that the bid be rejected and re-bid. The issue with this option is that there is no guarantee what the future bid would be. With only one previous bidder, the new bid may result in a higher cost than the penalty. At this point, I recommend option 1.



City Of Park Falls Admin Email <admin@cityofparkfalls.com>

WisDOT WIS 13 Project

1 message

Peters, Jed - DOT <Jed.Peters@dot.wi.gov>

Wed, Jan 29, 2025 at 2:43 PM

To: "admin@cityofparkfalls.com" <admin@cityofparkfalls.com>

Cc: "Casper, Andrew P - DOT" <Andrew.Casper@dot.wi.gov>, "Kilen, Kai - DOT" <Kai.Kilen@dot.wi.gov>

Good afternoon Scott,

Thanks for taking my call this afternoon. As we discussed, we are not going to be able to eliminate any work items prior to awarding the construction contract on WisDOT's WIS 13 improvement project. Elimination of any work items has been discussed with Federal Highways. To eliminate items prior to award has been identified as being a violation of CFR.

As such, we have two paths forward.

1. Award the project as bid and eliminate the work from the contract via our existing contract language. As we discussed, our contract language includes provisions for the contractor to recover direct costs they have incurred for the eliminated work, as well as a markup of 7% of the contract price of the eliminated work for unrecoverable overhead. Assuming there are no direct costs the contractor would be seeking to recover, and that only the 7% markup would be sought, the City may be responsible for approximately \$5,384 of eliminated work costs under this alternative.
2. The current bids are rejected and the project re-let without the items included. This alternative runs the risk of realizing new bid prices. Historically, rejecting and re-letting has not improved unit prices. This can be the case for a variety of reasons (more compressed schedules, higher risks of material availability, higher workload for the contractors than when they originally bid, the simple fact that the contractor incurred cost developing their first bid, etc...). There may be some potential engineering costs that the City may incur for having to repackage the contract documents.

As we also discussed, in regards to timing. Per our contract specifications, a bidder is able to rescind their bids if the contracts are not awarded within 30 days of the bid opening. If the Council needs to discuss at their next meeting (February 10), that's not a concern, but it does increase the risk of the contractor rescinding their bid proposal and forcing us into alternative 2.

Please let me know if you have any additional questions or want to discuss further.

Thanks,

Jed



Jed Peters, P.E.

North Central Region Project Development Chief

Division of Transportation Systems Development

Wisconsin Department of Transportation

(715)365-5731 office

jed.peters@dot.wi.gov

wisconsindot.gov



City Cost Share Work - Estimate vs Bid Summary

9931-02-72

STH 13

City of Park Falls, N Fork Flambeau Rvr Brdg - 5th St. N

Category	City Cost Share %	Estimated City Cost Share Total	Bid Results City Cost Share Total	Difference
0020 New Sidewalk (sidewalk extension by grocery store	20%	\$4,656.39	\$4,402.10	\$254.29
0030 Colored Stamped Concrete (converting medians from grass to colored stamped concrete)	100%	\$20,774.40	\$15,195.95	\$5,578.45
0040 Street Lighting Pgrades (Decorative LED Light Fixture Replacement)	20%	\$76,065.68	\$109,617.20	-\$33,551.52
0050 Non Participating Items (water valve box and sanitary sewer cover adjustments)	100%	\$21,099.00	\$34,732.20	-\$13,633.20
0060 Rectangular Rapid Flashing Beacon (installed at STH 13/Division Street intersection)	100%	\$33,168.71	\$57,318.95	-\$24,150.24
Total		\$155,764.18	\$221,266.40	-\$65,502.22

CITY OF PARK FALLS

RESOLUTION NO. 25-002 NUMBER OF ELECTION OFFICIAL REQUIREMENTS

WHEREAS, State Election Law, as outlined in Wis. Stat. 7.32, provides that a governing body or board of election commissioners of any municipality may by resolution reduce the number of election officials and modify or rescind any similar previous action; and

WHEREAS, the Common Council recognizes the advantage of simplifying the election process for elections.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Common Council hereby approves reducing the number of election officials required for the City of Park Falls to no less than 3 for all elections from this date forward when deemed appropriate.

Adopted this 10th day of February, 2025.

APPROVED: Yea _____ Nay _____

Tara Tervort, Mayor

ATTEST:

Shannon Greenwood, Clerk

ADOPTED:
PUBLISHED:
ATTEST:



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To: Honorable Mayor and Alders

From: Scott J. Kluver, Administrator

Re: Hunting, Trapping, and Gathering Ordinance

Date: February 3, 2025

Enclosed you will find a draft ordinance that includes updated hunting, trapping, and gathering provisions within the existing ordinance that regulates firearms, explosives and hunting. These changes come to you per your request as a result of the public comment on a recent trapping incident within the City, and as a result of several inquiries that I had this past fall on allowable uses of City lands both within and outside of City limits.

A copy of the current ordinance is also included as a reference. The new ordinance adds definitions in Section A, and updates concealed carry rules in Section B per state law. Trapping is outlined in the new Section H, which essentially prohibits trapping on city-owned land and rights of way, within City limits, except with the use of live box-type traps. Trapping is allowed on City owned lands outside of the City limits except for the former landfill properties on Maple Ridge Road. Trapping is allowed by the City and its employees to deal with nuisance animals.

Hunting has been updated (both bow and arrow, and firearm) to essentially say that bow hunting is allowed on City lands in and out of City limits, except for the parks and cemetery, and the landfill properties on Maple Ridge Road. In addition, firearm hunting is allowed on City owned property outside of the landfill properties on Maple Ridge Road, except the City may firearm hunt to address nuisance animals within the City limits. Provisions are included as to how that would work.

The properties on Mape Ridge Road are excluded from hunting and trapping as the City does not want individuals using any vehicles on the landfill cap. The City is responsible for the maintenance of that cap, and ruts that may be created can lead to additional divots and depressions that the City will need to fill in. Over time, as the landfill settles, depressions may be more pronounced. The goal is to keep water off the cap to prevent breaks and contamination. An additional reason for this provision is that if the City is successful in negotiating a battery storage facility on the property, we do not want any of the equipment to be potentially damaged.

In Section J, regulations are created that address other recreational uses, the gathering of edible plants, and the prohibition of taking trees and tree limbs.

Staff have reviewed and discussed this ordinance thoroughly with the assistance of the City Attorney. If you have questions on this draft, if at all possible, please let me know in advance of the meeting. It is very difficult to think through additional changes at the table.

CITY OF PARK FALLS
COUNTY OF PRICE, WISCONSIN

ORDINANCE NO. 25-005

SECTION 354-3: REGULATION OF FIREARMS, EXPLOSIVES, AND OTHER MISSILES

The Common Council of the City of Park Falls ordains the amendment of Section 354-3 of the Municipal Code as follows:

Section 1: Chapter 354, Article II, Section 3 of the Municipal Code of the City of Park Falls is hereby amended to read as follows:

Sec. 354-3. REGULATION OF FIREARMS, EXPLOSIVES, MISSILES, HUNTING AND TRAPPING.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:
1. Firearm. Any instrument from or with which a shot, bullet or pellet may be discharged or expelled, regardless of whether the propelling force is provided by air, spring or other similar mechanical device, or gunpowder.
 2. Highway. Shall have the meaning set forth in Wis. Stat. § 304.01(22), which is all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of public schools and institutions under the jurisdiction of the county board of supervisors but does not include private roads or driveways.
 3. Hunting. Shall have the meaning set forth in Wis. Stat. § 29.001(42), which includes shooting, shooting at, pursuing, taking, capturing or killing or attempting to capture or kill any wild animal.
 4. Trap. To set, place or tend any trap for the purpose of trapping, killing, catching, wounding, or molesting any animal.
- B. Discharge of firearms regulated. Except as otherwise provided in this Section, no person, except a police officer or other law enforcement officer in the performance of an official duty, shall fire or discharge any firearm, rifle, spring gun, wrist rocket, air gun, blow gun, paintball gun or pneumatic pellet gun of any description in his possession within the City of Park Falls. Further, except as otherwise provided in this Section, no person, except for a police officer or other law enforcement officer, shall transport or carry in the City any firearm, rifle, spring gun, wrist rocket, air gun, blow gun, paintball gun or pneumatic pellet gun of any description unless it is unloaded or knocked down and enclosed within a carrying case or other suitable container, unless the person possesses a valid license to carry a concealed weapon issued pursuant to Wis. Stat. § 175.60. Nothing in this section shall prohibit or hinder the City or its employees or agents from performing their official duties, including but not limited to trapping and/or dispatching nuisance animals.
- C. The City firing range. The Police Department firing range is for Department use only, unless authorized by the Chief of Police.
- D. Shooting into City limits. No person shall in the territory adjacent to the City discharge any firearm in such manner that the discharge shall enter or fall within the City.

- E. Shooting ranges. This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries approved by the Common Council, upon the recommendation of the Chief of Police, where proper safety precautions are taken.
- F. Explosive devices. No person shall discharge or detonate any dynamite, nitroglycerin or other explosive within the City without first obtaining a permit to do so from the Common Council.
- G. Throwing or shooting of arrows, stones or other missiles prohibited.
 - 1. Except as otherwise provided in this Section, no person shall throw or shoot any object, arrow, stone, snowball, or other missile or projectile by hand or by any other means at any other person without consent, or at, in, or into any building, street, sidewalk, alleys, highway, park, playground, or other public place within the City of Park Falls without consent.
 - 2. Except as otherwise provided in this Section, no person may hunt wild game in any City park or on any City-owned property by any means including, but not limited to, the use of a firearm, crossbow or bow and arrow. This section does not prohibit law enforcement officers from dispatching nuisance wild animals or granting permits hereunder for others to do the same.
- H. Trapping.
 - 1. In the interest of public health and safety, it shall be unlawful for any person in or on land owned by the City located within the City limits, or on any highway or public roadway within the City, to trap any animal except by use of live box-type traps only. Live box-type traps shall be defined as those traps which capture and hold an animal in an alive and unharmed condition. This section shall prohibit the use of all traps other than live box-type traps as described herein, including but not limited to traps commonly known as leg traps, pan-type traps, or other traps designed to kill, wound or close upon a portion of the body of the animal, unless the use of such traps is approved in advance by the Chief of Police. This section shall not apply to trapping within the confines of buildings or homes.
 - 2. Trapping is permitted on City-owned property that is located outside of the City limits, on a first-come-first-serve basis, except that no trapping shall be permitted on the City-owned property located on Maple Ridge Road (with PINs of 50-026-2-40-01-22-2 01-000-10000, 50-026-2-40-01-22-2 04-000-10000, & 50-026-2-40-01-22-1 02-000-20020), or any other property designated by the Common Council. All such traps set, placed or tended shall comply with Ch. 29, Wis. Stats., as it relates to trapping.
 - 3. Nothing in this section shall prohibit or hinder the City or its employees or agents from performing their official duties, including but not limited to trapping and/or dispatching nuisance animals.
- I. Hunting.
 - 1. Bow and Arrow Hunting.
 - i. Notwithstanding anything to the contrary set forth within this section, bow and arrow and/or crossbow hunting is permitted upon unimproved lands owned by the City, whether in or outside of the City limits, except as otherwise provided in this Municipal Code (e.g. Section 354-1(b)(18)&(21) and Section 227-13(B)) or by law, except that no hunting shall be permitted on the City-owned property located on Maple Ridge Road (with PINs of 50-026-2-40-01-22-2 01-000-10000, 50-026-2-40-01-22-2 04-000-10000, & 50-026-2-40-01-22-1 02-000-20020), or any other property designated by the Common Council.
 - ii. No person shall hunt with a bow and arrow or crossbow within 100 yards from a building located on another person's land; provided that this prohibition does not apply if the person who owns the land on which the building is located

allows the hunter to hunt within 100 yards of the building Other Recreational Uses on City-Owned Property.

- iii. Any person who hunts with a bow and arrow or crossbow must discharge the arrow or bolt from the respective weapon toward the ground, such as from a tree stand.
- iv. No person shall hunt with a bow and arrow or crossbow within fifty (50) feet of the highway's center, nor discharge an arrow or bolt from across a highway or within fifty (50) feet of the highway's center.

2. Firearm Hunting.

- i. Notwithstanding anything to the contrary set forth within this Section, firearm hunting is permitted upon unimproved lands owned by the City located outside of the City limits, except as otherwise provided in this Municipal Code or by law, on a first-come-first-serve basis, except that no hunting shall be permitted on the City-owned property located on Maple Ridge Road (with PINs of 50-026-2-40-01-22-2 01-000-10000, 50-026-2-40-01-22-2 04-000-10000, & 50-026-2-40-01-22-1 02-000-20020), or any other property designated by the Common Council. Furthermore, firearm hunting is permitted upon unimproved lands owned by the City inside the City limits for the purpose of destroying or dispatching wild animals or birds that are creating a nuisance or causing damage and further provided that a permit has been issued to the person in advance by the Chief of Police or their designee. A permit issued by the Chief of Police or their designee may contain whatever reasonable restrictions or conditions that they deem necessary, including the period that the permit is valid, the weapon that may be used, the area on which the individual may hunt, the animal to be harvested, and any other condition. No permit shall be issued to any person under the age of 12 years old. The application for such a permit by a person between the ages of 12 and 18 shall be signed by the parent or guardian of the person applying.

- J. Other Recreational Activities. Except as otherwise provided in this Municipal Code, all unimproved City-owned property may be utilized by the public for any permissible and legal recreational activity, including but not limited to gathering and foraging for personal use. In order to preserve City-owned property, no person shall destroy, molest, deface, or remove any natural growth or natural or archeological feature from any City-owned property except the harvesting of edible plants for personal consumption such as edible fruits, nuts, mushrooms, and so forth. Harvesting of edible plants is limited to a single one-gallon pail per person, per day. Gathering, foraging, or removing anything from City-owned property for future sale or commercial use is prohibited. Further, the taking of trees or tree limbs is prohibited.

Section 2: If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction or by any agency or of any kind by anyone else, the remainder of this Ordinance shall not be affected.

Section 3: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4: This Ordinance shall take effect and be in effect after passage and publication according to law.

APPROVED:

ATTEST:

Tara Tervort, Mayor

Shannon Greenwood, Clerk

Adopted:
Approved:
Published:
Attest:

ARTICLE II

Offenses Against Public Safety and Peace

[Adopted Secs. 11-2-1 through 11-2-16 and Sec. 11-6-9 of the 1997 Code]

§ 354-3. Regulation of firearms, explosives, and other missiles.

- A. Discharge of firearms regulated. No person, except a police officer or other law enforcement officer in the performance of an official duty, shall fire or discharge any firearm, rifle, spring gun, wrist rocket, air gun, blow gun, paintball gun or pneumatic pellet gun of any description in his possession within the City of Park Falls. No person, except for a police officer or other law enforcement officer, shall transport, or possess in the City any firearm, rifle, spring gun, wrist rocket, air gun, blow gun, paintball gun or pneumatic pellet gun of any description unless it is unloaded or knocked down and enclosed within a carrying case or other suitable container. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- B. The City firing range. The Police Department firing range is for Department use only, unless authorized by the Chief of Police.
- C. Shooting into City limits. No person shall in the territory adjacent to the City discharge any firearm in such manner that the discharge shall enter or fall within the City.
- D. Shooting ranges. This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries approved by the Common Council, upon the recommendation of the Chief of Police, where proper safety precautions are taken.
- E. Explosive devices. No person shall discharge or detonate any dynamite, nitroglycerin or other explosive within the City without first obtaining a permit to do so from the Common Council.
- F. Throwing or shooting of arrows, stones or other missiles prohibited.
- (1) No person shall throw or shoot any object, arrow, stone, snowball, or other missile or projectile by hand or by any other means at any other person without consent, or at, in, or into any building, street, sidewalk, alleys, highway, park, playground, or other public place within the City of Park Falls without consent. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
 - (2) No person shall hunt with a bow and arrow or crossbow within 100 yards of a building located on another person's land; however, this restriction does not apply if the person who owns the land on which the building is located allows the hunter to hunt within 100 yards of the building.
 - (3) No person shall discharge an arrow or bolt from a bow or a crossbow unless the arrow or bolt is discharged towards the ground.
 - (4) No person may hunt wild game in any City park or on any City-owned property by any means including, but not limited to, the use of a firearm, crossbow or bow and arrow. This section does not prohibit law enforcement officers from dispatching nuisance wild animals.

- G. Definitions. As used in this section, the following terms shall have the meanings indicated:

FIREARM — Any instrument from or with which a shot, bullet or pellet may be discharged or expelled, regardless of whether the propelling force is provided by air, spring or other similar mechanical device, or gunpowder.

§ 354-4. Possession of firearms and weapons in certain buildings. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- A. Definitions. The following definitions shall apply to this section.

FIREARM — A weapon or any instrument used in the propulsion of a bullet, shot, slug, or other projectile by acts of gunpowder.

LAW ENFORCEMENT OFFICER — Any person employed by the State of Wisconsin or any political subdivision of this state for the purpose of detecting and preventing crime and enforcing the laws or ordinances, and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.

WEAPON — A dangerous implement, including, but not limited to, a firearm, an electric weapon as defined in § 941.295(1c)(a), Wis. Stats., a knife other than a switchblade as defined in § 941.24, Wis. Stats., or a billy club.

- B. Possession of weapons prohibited in certain buildings.

- (1) In addition to the provisions of Wisconsin Statutes, including but not limited to § 175.60, Wis. Stats., enumerating places and locations where the carrying of a weapon or firearm is prohibited, including any exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter the following City of Park Falls municipal buildings while carrying a weapon or firearm:

- (a) The Park Falls City Hall.
- (b) The Park Falls Public Library.
- (c) The Park Falls Police Station.
- (d) The Park Falls Fire Station.
- (e) City wells, pump houses, and all related buildings.
- (f) Wastewater treatment plant, lift stations, and related buildings.
- (g) Any and all other municipal building or facilities owned or operated by the City of Park Falls, whether now in existence or later constructed, purchased, or leased.

- (2) It shall be unlawful for any person other than a law enforcement officer to enter any building, facility, or location open to the public that is posted as a "no firearm or concealed weapons" location while possessing, carrying, or concealing a firearm or weapon, whether with or without a state permit.



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To: Honorable Mayor and Alders
From: Scott J. Kluver, ^{SK} Administrator
Re: Proposed Chronic Nuisance Ordinance
Date: January 24, 2025

Enclosed you will find a draft of a chronic nuisance ordinance. This was brought up some time ago, but was not incorporated into the ordinance book when the City recodified. The purpose of this ordinance is to establish a process to address properties where police services are required more than three separate days per year. Chief Nevelier would like to see such an ordinance considered to be able to address problem properties, but does not believe this ordinance would need to be frequently used.

For this meeting, the ordinance is on the agenda for conceptual discussion to be able to gauge interest, answer questions, and propose modifications. If the Council would like to proceed with ordinance, refinements can be made based on the discussion that may occur and it can be brought back to you in final form for approval.

Section 11-8-1 - Chronic Nuisance Premises

Notwithstanding other provisions of the Municipal Code with regard to public nuisance prohibitions, penalties, and enforcement, this article establishes additional enforcement authority of the City with regard to chronic nuisance premises, as defined herein.

(a) Definitions

(1) CHRONIC NUISANCE PREMISES

A premises that meets any of the following criteria:

- i. Is a premises which has generated three or more calls for police services that have resulted in enforcement action for nuisance activities on three separate days within a three-hundred-sixty-five-day period, with such calls resulting in enforcement action. Three or more calls for police services resulting in enforcement action for nuisance activities includes enforcement action taken against any person associated with the premises while at or within 200 feet of the premises for a nuisance activity.
- ii. Is a premises which has had one enforcement action associated with the premises resulting from the manufacture, delivery or distribution of a controlled substance(s) as defined in Chapter 961 of the Wisconsin Statutes.

(2) **CHRONIC NUISANCE PREMISES NOTICE** The notice issued by the Chief of Police or designee and referred to in § 11-8-2(A) of this article.

(3) ENFORCEMENT ACTION

Any of the following: The physical arrest of an individual(s); the issuance of a citation for a law violation; or the filing of a civil or criminal action in a court of law by City Attorney or District Attorney regarding nuisance activities.

(4) NUISANCE ACTIVITIES

For purposes of establishing a chronic nuisance premises, "nuisance activities" means any of the following activities, behaviors, or conduct:

- i. An act of harassment as defined in § 947.013, Wis. Stats.
- ii. Disorderly conduct as defined in § 947.01, Wis. Stats.
- iii. Crimes of violence as defined in Ch. 940, Wis. Stats.
- iv. Resisting or obstructing an officer as prohibited by § 946.41, Wis. Stats.
- v. Indecent exposure as prohibited by § 11-1-1 of the Code of the City of Park Falls or a. § 944.20(1)(b), Wis. Stats.
- vi. Damage to property as prohibited by § 943.01, Wis. Stats.
- vii. Discharge of a firearm as prohibited by § 11-2-1 of the Code of the City of Park Falls.
- viii. Crimes involving illegal possession of firearms as defined in §§ 941.23, 941.26, 941.28, 941.29 and 948.60, Wis. Stats.
- ix. Trespass to land as defined in § 943.13, Wis. Stats, or criminal trespass to dwelling as defined in § 943.14, Wis. Stats.
- x. Obstructing a street or sidewalk, as prohibited by § 11-2-5 of the Code of the City of Park Falls.
- xi. Theft as defined in § 943.20, Wis. Stats.

- xii. Arson as defined in § 943.02, Wis. Stats.
- xiii. Depositing rubbish as prohibited by § 6-2-11 of the Code of the City of Park Falls.
- xiv. Keeping a place of prostitution as defined in § 944.34, Wis. Stats.
- xv. Loitering as prohibited by § 11-2-6 of the Code of the City of Park Falls.
- xvi. Prostitution as prohibited by § 944.30, Wis. Stats.
- xvii. Soliciting prostitutes as prohibited by § 944.32, Wis. Stats.
- xviii. Pandering as prohibited by § 944.33, Wis. Stats.
- xix. Selling, offering for sale or giving away of any intoxicating liquors or fermented malt beverages without a license as provided in 7-2-3 of the Code of the City of Park Falls, Licenses and Permits, Article II, Alcoholic Beverages, of the Code of the City of Park Falls, or § 125.04(1), Wis. Stats.
- xx. Possession, manufacture, distribution or delivery of a controlled substance or related offenses as defined in Ch. 961, Wis. Stats.
- xxi. Maintaining a drug dwelling as defined in § 961.42, Wis. Stats.
- xxii. Illegal gambling as defined in § 945.02, Wis. Stats.
- xxiii. Owning, keeping or harboring a dangerous animal, as defined in 7-1-11 of the Code of the City of Park Falls, Licenses and Permits, Dog Regulations and Licensing, of the Code of the City of Park Falls.

(5) PERSON ASSOCIATED WITH

Any person who, whenever engaged in a nuisance activity, has entered, patronized, visited or attempted to enter, patronize or visit, or waited to enter, patronize or visit a premises or person present on a premises, including without limitation any officer, director, customer, agent, employee, or any independent contractor of a property, person in charge, or owner of a premises. "Person" under this article includes entities as well as individuals.

(6) PERSON IN CHARGE

Any person who is the operator or in constructive possession of a premises, including but not limited to an owner or occupant of premises under his or her ownership or control.

§ 11-8-2. Procedure, Penalties, and Remedies.

- A. Upon finding that a premises meets the definition of a chronic nuisance premises, the Chief of Police may declare the premises a chronic nuisance premises. The Chief of Police shall provide written notice of his or her determination to the premises owner identified by the City Assessor's records for that premises. The chronic nuisance premises notice ("CNP notice") shall be deemed delivered if sent either by first-class mail to the premises owner's last known address or delivered in person to the premises owner. If the premises owner cannot be located, the notice shall be deemed to be properly delivered if a copy of it is left at the premises owner's usual place of abode in the presence of some competent member of the family at least 14 years of age, or a competent adult currently residing there and who shall be informed of the contents of the CNP notice. If a current address cannot be located, it shall be deemed sufficient if a copy of the CNP notice is sent by first class mail to the last known address of the owner as identified by the records of the City Assessor. The CNP notice shall contain the following information:

- (1) Street address, parcel number or a legal description sufficient to identify the premises.

- (2) A concise statement, including a description of the relevant activities supporting the determination that the premises is a chronic nuisance premises.
- (3) A statement that the owner shall immediately notify the Chief of Police of any change in address to ensure receipt of future notices.
- (4) A statement that the cost of future enforcement may be assessed as a special charge against the premises.
- (5) A statement that the owner shall, within 10 days of receipt of the CNP notice, respond to the Chief of Police either with an appeal or to propose a written course of action to abate the nuisance activities. The statement shall direct the premises owner to schedule a meeting with the Chief of Police or designee to discuss the nuisance activity and the premises owner's intent regarding abatement.
- (6) A statement that the premises' owner may be subject to a forfeiture action with a penalty of not less than \$500 nor more than \$1,500 per day for permitting a chronic nuisance premises.

B. Reporting to police; domestic abuse; enforcement.

- (1) In reaching a determination that a premises is a chronic nuisance premises, activities that were reported to the police by the premises owner or on-site premises manager shall not be included as nuisance activities.
- (2) Section 968.075, Wis. Stats., broadly defines "domestic abuse." Therefore, in reaching a determination that a premises is a chronic nuisance premises, activities that are "domestic abuse" incidents pursuant to § 968.075, Wis. Stats., shall not be included as nuisance activities unless the incidents have been reviewed by the Chief of Police and the City Attorney and a determination is made that, based upon the specific facts of each incident, the activities should be deemed nuisance activities under the definition of "nuisance activities" in § 11-8-1(4). In determining whether to include such activities, the Chief of Police and City Attorney shall consider the strong public policy in favor of domestic victims reporting alleged abuses.
- (3) Nuisance abatement.
 - (a) If the owner responds to the CNP notice pursuant to Subsection A with a nuisance abatement proposal, the Chief of Police may accept, reject or work with the owner to modify the proposal. The plan is acceptable if it can reasonably be expected to result in abatement of the nuisance activities described in the CNP notice within 60 days.
 - (b) Premises owners and operators shall be consulted if possible, regarding nuisance abatement methods and strategies and shall be encouraged to submit a comprehensive nuisance abatement plan.
 - (c) Premises owners and operators shall be consulted if possible regarding use of available resources, including community service providers, when nuisance activity associated with the premises is not caused or contributed to by the direct actions of a tenant.
 - (d) If the premises owner or operator meets with the Chief of Police and presents an acceptable abatement plan and initiates action to abate the nuisance activities occurring on the premises, the Police Department may delay further enforcement of this article.
 - (e) If the premises owner or operator ceases to cooperate with the efforts to abate the nuisance activities, the Chief of Police will reinstitute enforcement of this article and the premises owner will be sent a change in status letter. This letter will document Police Department efforts to contact and/or obtain cooperation of the owner or operator.
 - (f) Failure by the premises owner or operator to respond within 10 days as directed in this subdivision shall result in a forfeiture of \$500 plus court costs and fees.

- C. The City may charge the property owner for the cost of enforcement whenever the Chief of Police determines that any of the following have occurred:
- (1) A premises owner has failed to respond to the CNP notice in Subsection A of this section.
 - (2) Enforcement action for an additional nuisance activity has occurred at a premises for which notice has been issued pursuant to Subsection A and this enforcement action has occurred not less than 15 days after the CNP notice has been issued; or
 - (3) A course of action submitted pursuant to Subsection B (3) of this section has not been completed.
- D. To charge such costs of enforcement to the property owner, the Chief of Police shall refer to Section 11-6-7: Abatement of Public Nuisances to calculate the cost of enforcement to abate this and any subsequent nuisance activities. The Chief of Police shall notify the premises owner of the decision to refer the cost of enforcement to the City Clerk or Treasurer. Delivery of this notice, along with a copy of the Chief's referral letter to the City Clerk or Treasurer, shall be made as set forth in Subsection A. The notice shall contain:
- (1) The street address or legal description sufficient for identification of the premises.
 - (2) A statement that the Chief of Police has referred the cost of enforcement to the City Clerk or Treasurer with a concise description of the nuisance activities and the relevant sections of the ordinances.
 - (3) Notice of the premises owner's right to appeal pursuant to §11-8-3.
- E. Each subsequent incident of enforcement action for nuisance activity shall be deemed a separate violation and costs will continue to be assessed pursuant to Subsection C(3) of this section until the nuisance is abated pursuant to § 11-8-7.
- F. Suspension of cost recovery. If after the receipt of a billing notice from the City Clerk or Treasurer, the premises owner develops an acceptable plan and initiates action to abate nuisance activities occurring on the premises, the Chief of Police will suspend further enforcement of this article. The premises owner is still responsible for any enforcement costs incurred prior to the premises owner's submitting an abatement plan, including the administrative fee. If the premises owner ceases to cooperate with the efforts to abate the nuisance activities, the Chief of Police will reinstitute enforcement of this article after sending the premises owner a change in status letter.
- G. Forfeiture. A forfeiture action may be commenced by the City Attorney for each enforcement action for nuisance activity occurring after the premises have been declared a chronic nuisance premises. The forfeiture shall be not less than \$500 nor more than \$1,500 for each enforcement action.

§ 11-8-3. Appeal.

Appeal of the determination of the Chief of Police pursuant to either § 11-8-2A, or the action of the City Clerk or Treasurer imposing special charges pursuant to Section 11-6-7: Abatement of Public Nuisances against the premises, may be submitted in writing to the Common Council as an administrative decision.

§ 11-8-4. Eviction or retaliation prohibited.

- A. It shall be unlawful for a landlord to terminate the lease agreement or periodic tenancy of any tenant or otherwise retaliate against any tenant because that tenant complained to the Chief of Police about nuisance activities on the landlord's premises. It shall be unlawful for a landlord or any person acting as an agent for the landlord, to intimidate or actively discourage a tenant and/or

persons associated with a tenant, from calling the police to report nuisance activity associated with a premises. It shall be presumed that any attempt to increase charges, reduce services, or to otherwise harass or retaliate against the tenant during the twelve-month period following receipt of the complaint by the Chief of Police constitutes unlawful retaliation under this subsection. Such presumption shall be rebutted by the preponderance of evidence that the actions taken by the landlord were based upon good cause. Notwithstanding the foregoing, a tenant's lease agreement or periodic tenancy may be terminated for a failure to pay rent; committing nuisance activity as defined in 11-8-1; for the commission of waste upon the premises; violating the terms and conditions of the lease agreement or periodic tenancy or as otherwise provided in Ch. 704, Wis. Stats. and Ch. ATCP 134, Wis. Adm. Code. A landlord's failure to renew a lease agreement or periodic tenancy upon expiration of such lease agreement or periodic tenancy shall not be deemed a violation of this subsection.

- B. "Good cause" as used in this section means that a landlord must show good cause for his or her actions, other than one related to or caused by the operation of this section.
- C. Penalty. Any person violating §11-8-4 shall be subject to a forfeiture of not less than \$100 nor more than \$2,000 per day for each violation.

§ 11-8-5. Injunction.

This article may be enforced by injunction.

§ 11-8-6. Abatement in accordance with state law.

Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the City or its officials in accordance with the laws of the state.

§ 11-8-7. When nuisance is deemed abated.

The public nuisance created by a chronic nuisance premises shall be deemed abated when no enforcement action to address nuisance activities occurs for a period of six consecutive months from the date stated on the notice declaring the premises a chronic nuisance premises and/or there are no building inspection cases generated for a period of 365 days from the date stated on the notice declaring the premises a chronic nuisance premises.

§ 11-8-8. Severability.

The provisions of any part of this article are severable. If any provision or subsection hereof or the application thereof to any person or circumstances is held invalid, the other provisions, subsections and applications of such ordinance to other persons or circumstances shall not be affected thereby. It is declared to be the intent of this section that the same would have been adopted had such invalid provisions, if any, not been included herein.



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To: Honorable Mayor and Alders
From: Scott J. Kluver, Administrator
Re: Goals, Objectives, Priorities
Date: February 4, 2025

As I am approaching six months here in Park Falls (*has it been that long already?*), and we are still near the beginning of the year, I believe that it would be good to have a discussion to formalize desired goals, objectives, projects – whatever you want to call them – for the remainder of this year. This can help to keep the Mayor, Council, and staff focused on these tasks and working together while minimizing disruptions.

It is important to recognize that it is not just me that will be working on all of these items, it takes all of us. In between all of these things are the day-to-day tasks that need to be completed be it utility billing, building permits, payroll, elections, citizen inquiries, audits, etc. There may be setbacks along way, or new issues that pop up that need attention, but this list serves as a guide and an understanding for all.

To help organize this, I have created categories to outline efforts in each area. I ask the Mayor and Council to review, consider any items that have been missed or that you believe should be considered, and approve a final document which will serve as our guide for the next year. Some of the items on the list are issues that I inherited and am not completely clear on what the intention or desired result is. Other items are topics that I inherited that are currently in process or that I have initiated myself.

The number of items on this list are substantial and a bit nebulous, and I do not believe it is realistic to expect all of them to be completed this year. Many of them are inter-related and are part of the larger goal of having a well-functioning City to serve the residents and to maintain financial stability. I would like to see at least the top 10 or 15 items agreed upon, with perhaps a secondary list of projects to in-fill as time and staffing allow.

Ordinances –

Refuse Collection – location of garbage cans/ should we require multi-family units provide their own dumpster? – Maybe tie into a Garbage RFP that would need to be released at the end of

2025. Current contract expires at the end of 2027; however, the current contract requires any renewal negotiations be completed by July of 2026. Council should decide direction here. Another issue is the placement of garbage cans on the alley. In the winter, cans can get damaged with snow plowing, and in the spring the alleys get rutted up by the garbage trucks. This could be addressed in a new contract.

ATV Routes – Chief Nevelier taking the lead with the assistance of DPW Director Hoffman to review current routes, avoid breakages and make sure there is logic and flow to the routes.

VRBO/AIRB&B Regulations – Should the City enact regulations and a licensing process for short-term rental units? Is this an issue in the City? Is there increased demand that is taking away from the existing housing stock? Staff believes this is a lower priority item, but where does the Council stand?

Zoning:

Update Zoning Map - Currently the City does not have a clean zoning map for easy use for the staff or the public. This process was started with the land use map update. There are numerous benefits to having this map including that proper decisions are made for future developments, it is a pre-courser to being able to effectively update the comprehensive plan, and it is needed to make desired zoning changes such as making the Tuohy Property R-2.

Zoning Ordinance – In my opinion, the zoning code needs an overhaul; however, this is something that is generally done after a comprehensive plan is updated.

Vacate Portion of 3rd Street (Old Abe Park) – There is a platted street that is now a park, and we have an alley (Old Abe Parkway) that is not platted. This needs to be cleaned up for proper records and mapping.

Street/Alley Dedications – Lower Dam Road, Alley between Sherry and Case, Saunders Avenue – There are several cases of public streets and alleys that are not platted. We have been working to get these cleaned up to make sure utilities are not on private property and that we have proper legal accesses.

Planning:

Comprehensive Plan – Currently funding does not allow this project to start; however, it would be possible to release an RFP later this year to obtain estimates for such a project. The zoning map should be a higher priority than this.

Downtown Plan – I am not exactly sure what is desired with the downtown plan. I would like to see the City establish its own façade improvement loan program; however, adequate funds are needed to seed such a program.

City Property Inventory – the existing property listing should be reviewed and properties that the City owns that do not have an intended purpose or function should be considered for potential development projects.

Policies:

Council Policies (Orientation for members, ethics, conflict of interest, code of conduct, and policy/procedure manual) – Are these all desired policies or possibly trainings?

Customer Service Policy – I am unclear of the desire here.

Hiring Policy – I am unclear of the desire here. My only request is that all seasonal and hourly staff are hired by the administrator. Typically I have worked with the respective department head and other key staff in such processes. The hiring process would be done in a professional process and follow established procedures and laws. I do not believe hires of that level should have to be approved by Council, and I would consider that micro-management. I do not have an objection to department head level staff being approved by the Council as you also have interaction with them.

Special Assessments – I am unclear of the desire here.

Public Works:

Planting Trees Grant – Is this a priority item for the City?

Wayfinding Signs – New signs are desired. Is this a priority item for the City?

Review/Training on Meter Reading Program – I have tasked DPW/City Hall staff to review the meter reading system and to establish clear protocol for reviewing and addressing problem meters with the technology available.

Athletic Field Renovation Planning with School – I am currently engaged with the Mayor and School District Administrator on developing a plan for the restoration of the athletic field.

DNR/DPW Property – Resolve the ownership question of the Former DNR Forestry Building/Current DWP/Water Utility Building

Finances:

Fiscal policies. There are four policies that have currently been drafted (Debt, Fund Balance, Purchasing/Grant, Capital Planning). These policies will be reviewed by the Finance Committee with recommendations to Council in the near future. Are additional policies regarding credit card use and fraud prevention necessary?

Capital/Utility Project Planning – Once the Finance Committee completes the initial round of policy reviews, I recommend that attention shift to updating the capital plan for both the General Fund and Utilities.

Separate Bank Accounts – Know that I have asked the Treasurer to separate key funds into separate accounts to be able to better track available dollars. This will be helpful for planning and monitoring. These funds include the general fund, utilities, debt, capital, and TIDs. Currently, everything is deposited into one account and it is very difficult to monitor and plan with the multitude of projects that have been occurring. Staff have had internal discussions on the processes and procedures that would be impacted by this, and how we would work moving forward. This, combined with the anticipated monthly fiscal reports once all reconciliation has been caught up, will allow the Council, department heads, and myself to be able to better track, plan, and make adjustments going forward. This set of tasks is, in my opinion, the most important grouping of tasks on this list.

Review Expenses/Look for ways to Increase Revenue – All departments are tasked with reviewing their expenses, contracts, vendors, practices, etc. to ask the question – do we really

need this? Is there a better way to do this? Can we achieve the same thing in a less expensive way? In City Hall, there are a couple contracts that have been eliminated that are not necessary. We are also replacing a copy machine with new rates that will effectively keep existing costs flat. In addition, we need to look for ways to increase revenues. One example that I am exploring is ways to increase utilization of the existing RV Park at Hines Park. This could potentially generate several thousands in more revenue as data from the past two years shows that occupancy is nowhere near capacity.

Development Projects:

Mill Office Building – Discussions are occurring with the owners of the Mill Property on specific parameters of the property transfer that is to occur. The City needs to have the property surveyed, but there are several issues to work through, and we want to make sure we do it right the first time. This potential project is important as there is viability to additional taxable development within the City that is necessary for the future fiscal health and operations of the City.

Additional Development Projects – All opportunities should be explored. Additional development is necessary to sustain all departments within the City and to benefit the residents of the community as a whole.

Staffing:

Replacement of Staff – It is anticipated that two part-time staff will retire in the near future. At this point, I desire to maintain current staffing levels. I believe that it is a good goal to keep the City competitive in the employment market to order to maintain staff and attract replacement staff.

Cross Training – In City Hall, it is necessary for staff to be cross-trained to fill in as necessary. While individuals may be primarily be responsible for certain tasks, no one staff person should be the only person who can do a task. Every significant function should have another staff member that can serve as a backup if necessary.

Computer Upgrades/Networking – This is a project that is about to start. It will allow all of the staff in City Hall to be able to share files and to save time, along with having appropriate back-ups of data.

Miscellaneous:

Move to .gov e-mail system – While I believe this is important for the future for security and access to other government systems, it is not something we are able to afford at this time.

Fire Agreement Updates – I am not sure if this is a priority item. The agreement is working, but the language is dated.

Ways to Engage the Public/Transparency – I have asked many of the department heads to assist me in finding ways to improve transparency and better engage with the public. We have been working to update our forms and processes, we have made some updates to the City's website,

we are working to place more topics on the City's Facebook page, and the Council packets are now available for the public to view. They have the ability to read this very document without needing to come into the office to ask for it. If you have additional suggestions for information that should be placed on the website or other ways the City can be more transparent, I would appreciate it.