NOTICE OF PUBLIC MEETING

CITY OF CHIPPEWA FALLS, WISCONSIN

IN ACCORDANCE with the provisions of Chapter 19, Subchapter IV of the Statutes of the State of Wisconsin, notice is hereby given that a public meeting of the:

Board of Public Works: XXX

Reasonable accommodations for participation by individuals with disabilities will be made upon request. Please call 715-726-2736.

Will be held on Monday, February 12, 2018at 5:30 P.M. in the City Hall Council Chambers, Chippewa Falls, Wisconsin. Items of business to be discussed or acted upon at this meeting are shown on the attached Agenda or listed below:

<u>NOTE</u>: If you are a board member and unable to attend this meeting, please contact the Engineering Dept at <u>726-2736</u>.

- 1. Approve the minutes of the February 6, 2018 Board of Public Works meeting. (Attachment)
- 2. Consider easement request from the Citizen's State Bank for access across a City owned lot near the South end of Lakeland Drive. Make recommendation to the Common Council. (Attachment)
- 3. Consider agreement for Professional Services with Ayres Associates Inc. for Nelson Road Landfill groundwater sampling, analysis and reporting. Make recommendation to the Common Council. (Attachment)
- 4. Consider request for Street Use Permit from the Chippewa Falls Main Street, Inc. for Cruise In Summer Series Car Shows. Make recommendation to the Common Council. (Attachment)
- Consider request for a Street Use Permit from Chippewa Falls Main Street, Inc. for Pure Water Days Parade and Car Show. Make recommendation to the Common Council. (Attachment)
- 6. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

Please note that attachments to this agenda may not be final and are subject to change.

This agenda may be amended as it is reviewed.

CERTIFICATION

I hereby certify that a copy of this Notice was placed in the Chippewa Herald mailbox, 1st floor, City Hall and posted on the City Hall Bulletin Board on Wednesday, February 7, 2018 at 10:30 AM by Mary Bowe.

CITY OF CHIPPEWA FALLS BOARD OF PUBLIC WORKS MEETING MINUTES TUESDAY, FEBRUARY 6, 2018 – 5:30 PM

The Board of Public Works met in City Hall on Tuesday, February 6, 2018 at 5:30 PM. Present were Mayor Greg Hoffman, Director of Public Works Rick Rubenzer, Finance Manager Lynne Bauer and Alderperson Paul Olson. Absent was Darrin Senn. Also attending was Assistant City Engineer Bill McElroy.

- 1. <u>Motion</u> by Olson, seconded by Bauer to approve the minutes of the December 11, 2017 Board of Public Works meeting. All present voting aye. <u>MOTION CARRIED.</u>
- 2. The Board of Public Works considered the attached list of proposed Special Assessment Rates for 2018. Director of Public Works Rubenzer noted that rates were very similar to last years(2017) but that water main and street and alley surfacing rates had went down while sanitary sewer main rates had risen. Assistant City Engineer McElroy stated he had calculated the rates using historical values and the average of low bid prices from the previous year, (2017), He added that the higher the quantity of an item, the lower the rate.

 Motion by Hoffman, seconded by Olson to recommend the Common Council accept the attached list of proposed Special Assessment Rates for 2018 and approve the corresponding resolution. All present voting aye. MOTION CARRIED.
- 3. <u>Motion</u> by Olson, seconded by Bauer to adjourn. All present voting aye. <u>MOTION</u> <u>CARRIED.</u> The Board of Public Works meeting adjourned at 5:35 P.M.

Richard V. Rubenzer, PE Secretary, Board of Public Works

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

CITY OF CHIPPEWA FALLS BOARD OF PUBLIC WORKS MEETING MINUTES MONDAY, JULY 24, 2017 – 5:30 PM



The Board of Public Works met in City Hall on Monday, July 24, 2017 at 5:30 PM. Present were Mayor Greg Hoffman, Finance Manager Lynne Bauer, Alderperson Paul Olson and Darrin Senn. Absent was Director of Public Works Rick Rubenzer. Also present at the meeting were Ian Kopp of Citizen's State Bank and Chris Elstran of Chippewa County.

- 1. <u>Motion</u> by Olson, seconded by Hoffman to approve the minutes of the July 10, 2017 Board of Public Works meeting. All present voting aye. <u>MOTION CARRIED.</u>
- 2. Ian Kopp of Citizen's State Bank appeared to request a non-exclusive easement for ingress and egress over and across Outlot #1 of Certified Survey Map #1813 in Government Lot #2 of Section #33, T29N, R8W, City of Chippewa Falls, Chippewa County, Wisconsin. This parcel is owned by the City of Chippewa Falls and shown as Lot #1 on the attached map. At the July 10th meeting, it was explained that access to the existing laundry building on Lot #3 of the attached map normally is along 156th Street but that 156th Street is actually a private street and access across Lot #2, (shown on the attached map and owned by Dennis Heyde), would also be necessary in order to get to Lot #1. At that time, the Board was concerned about granting an easement across a City parcel which would allow access to a township lot, (Lot #3), without annexation. Mr. Kopp indicated they are willing to annex their parcel in to the City of Chippewa Falls and stated they are attempting to acquire a city parcel to the South of their parcel that is currently owned by Dennis Heyde. Discussion included whether the City should allow annexation of the Citizen's State Bank property as it would create an island for the parcel to the east owned by Joe Kelly and located in the Town of Eagle Point. Although absent, the recommendation of City Engineer/Public Works Director/Utility Manager Rick Rubenzer was to not grant the easement without securing the annexation of the Citizen's State Bank parcel as well as the Kelly parcel, Mayor Hoffman stated there are other islands in the City and didn't think it would be an issue.

Motion by Senn to grant an easement to Citizen's State Bank along Lakeland Drive contingent on annexation of the property to the City and granting a permanent easement to the Kelly property by Citizen's State Bank. This motion died for lack of a second.

Motion by Hoffman to grant the easement contingent on annexation of the Citizen's State Bank property to the City. This motion died for lack of a second.

Motion by Olson/Hoffman to grant an easement to Citizen's State Bank contingent upon annexation of their property to the City. All present voting aye except Bauer who voted nay. MOTION CARRIED.

3. Chris Elstram from Chippewa County asked the Board to consider their request to replace concrete driveways on Grand Avenue and Central Street with hotmix. He indicated the concrete is failing due to heavy truck traffic and would prefer to replace with hotmix.

Please note, these are draft minutes and may be amended until approved by the Common Council.

parade and celebration held September 15-17, 2017 and to charge for Chippewa Falls Police Department services for the event. All present voting aye. MOTION CARRIED.

- 5. Lindsey Everson of Leinenkugel's appeared to support the Street Use Permit application for the Leinenkugel's 150th Anniversary Kick-Off party. Ms. Everson requested that the one block square of Elm St., N. Prairie St. and Cedar St. be closed from 12:00 A.M. to 12:00 P.M. on August 10, 2017 for the Leinenkugel's 150th Kick-Off party.

 Motion by Rubenzer, seconded by Olson that the Common Council approve the Street Use Permit application from Miller Coors for the Leinenkugel's 150th Kick-Off party to be held August 10, 2017 and to charge for Chippewa Falls Police Department services for the event. All present voting aye. MOTION CARRIED.
- 6. The Board considered the attached draft resolution for paving four downtown alleys. Director of Public Works Rubenzer noted the \$6.75 per foot of alley frontage would be a special charge to adjacent property owners. He continued that, by statute, special charges were to be paid with a single payment instead of in multiple payments. He stated that a public information meeting and public hearing would be conducted to consider the said special charges.

<u>Motion</u> by Olson, seconded by Rubenzer to recommend the Common Council approve the attached resolution authorizing paving four downtown alleys with hot mix in the fall of 2017 after conducting a public information meeting and public hearing to consider the special charges. In addition, that Attorney Ferg give his opinion as to whether or not the special assessment payment process could be utilized for the said special charges. All present voting aye. <u>MOTION CARRIED.</u>

- 7. Neil Mathwig of Citizen's State Bank appeared to request a non-exclusive easement for ingress and egress over and across Outlot #1 of Certified Survey Map #1813 in Government Lot #2 of Section #33, T29N, R8W, City of Chippewa Falls, Chippewa County, Wisconsin. This parcel is owned by the City of Chippewa Falls and shown as Lot #1 on the attached map. Mr. Mathwig explained that access to the existing laundry building on Lot #3 of the attached map normally is along 156th Street but that 156th Street is actually a private street. Access across Lot #2, (shown on the attached map and owned by Dennis Heyde), would also be necessary in order to get to Lot #1. The Board was concerned about granting an easement across a City parcel which would allow access to a township lot, (Lot #3), without annexation. Mr. Mathwig said he would check with the potential buyer as to if he intended to annex the parcel to the City of Chippewa Falls. Motion by Olson, seconded by Hoffman to table any recommendation on a nonexclusive easement for ingress and egress over and across Outlot #1 of Certified Survey Map #1813 in Government Lot #2 of Section #33, T29N, R8W, City of Chippewa Falls, Chippewa County, Wisconsin until learning of the potential owners intention to annex the parcel to the City of Chippewa Falls. All present voting aye. MOTION CARRIED.
 - 8. <u>Motion</u> by Olson, seconded by Bauer to adjourn. All present voting aye. <u>MOTION</u>
 CARRIED. The Board of Public Works meeting adjourned at 6:00 P.M.

Richard Rubenzer, PE Secretary, Board of Public Works

Please note, these are draft minutes and may be amended until approved by the common Council.

EASEMENT AGREEMENT

| This Easement Agreement is made and entered into this day of, 2017, by and between City of Chippewa Falls, a municipal corporation existing under and by the virtue of the laws of the State of Wisconsin (hereinafter "Grantor") and Citizens State Bank, a Wisconsin banking corporation (hereinafter "Grantee"). | | | |
|---|---|--|--|
| | Recitals | | |
| THE P | ARTIES hereto acknowledge the following: | | |
| 1. | Grantor is the owner of the following parcel in Chippewa County, Wisconsin: | | |
| | Outlot 1 of Chippewa County Certified Survey Map No. 118 as recorded in Volume of Certified Survey Maps, pages, as Document No, Chippewa County, Wisconsin ("Parcel 1"). | | |
| 2. | Grantee is the owner of the following described parcel in Chippewa County, | | |
| Wisconsin: | | | |
| | Lot 1, Chippewa County Certified Survey Map No. 1352 as | | |
| | recorded in Volume 5 of Certified Survey Maps, pages 236-237, as | | |
| | Document No. 544106, Chippewa County, Wisconsin ("Parcel 2"). | | |
| 3. Wisconsin: | Grantee is the owner of the following described parcel in Chippewa County, | | |
| | Lot 1, Chippewa County Certified Survey Map No. 948 as recorded in Volume 3 of Certified Survey Maps on page 253 as Document No. 500518, City of Chippewa Falls, Chippewa County, Wisconsin ("Parcel 3"). | | |
| 4. | Parcel 3 is contiguous on its southern boundary with Parcel 1. | | |
| 5. over Parcel 1 | Grantor desires to grant Grantee a non-exclusive easement for ingress and egress . | | |
| | Agreements | | |
| NOW | 7, THEREFORE, in consideration of the above recitals and the mutual covenants rein it is hereby agreed as follows: | | |

- 1. **Grant of Easement.** Grantor does hereby grant and convey to Grantee, its successors, and assigns, a non-exclusive easement for ingress and egress over, through and across Parcel 1 as legally described in Exhibit A attached hereto in order to provide ingress, egress and access to Parcels 2 and 3.
- 2. **Easement Benefit.** The easement described in this instrument shall run with the land and shall be for the benefit of the Grantee and its successors and assigns.
- 3. Legal Status. Each and all of the easements and rights granted or created herein are appurtenances to each respective parcel and none of the easements and rights may be transferred, assigned or encumbered except as an appurtenance to such parcels. For the purposes of such easement and rights, the parcel which is benefitted shall constitute the dominant estate, and the parcel which is burdened by such easement and rights shall constitute the servient estate.
- 4. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether written or oral, of the parties, and there are no representations, warranties or other agreements between or among the parties in connection with the subject matter hereof, except as specifically set forth herein.
- 5. Governing Law. The validity and construction of this Agreement shall be governed by the internal substantive laws of the State of Wisconsin and may be enforced against any of the parties hereto in the courts of such state, the parties hereby submitting themselves to the jurisdiction of such courts.
- 6. **Binding on Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the heirs, personal representatives, and/or successors and assigns of the parties hereto.
- 7. Amendment; Severability. No change, termination, or attempted waiver of any of the provisions of this Agreement shall be binding unless in writing and signed by the party against whom the same shall be sought to be enforced. In case any provision in this Agreement shall be held invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be a factor impaired thereby, but this Agreement shall be construed as if such provisions had never been contained herein.
- 8. Further Assurance. After the execution of this Agreement, each party shall from time to time, at the request of the other and without further cost or expense to the requesting party, execute and deliver such other instruments and take such other actions as may reasonably be requested in order to more effectively consummate the transactions contemplated hereby.
- 9. **Descriptive Headings; Gender.** The descriptive headings of the several paragraphs of this Agreement are inserted for convenience only and shall not control or affect any meaning of construction of any of the provisions hereof. Any use herein of the male, female, or neuter gender

shall be deemed, except if otherwise so stated, to include the omitted genders. Use of the singular or plural case includes the other where appropriate.

10. Recording. A fully executed counterpart of this Agreement shall be recorded in the office of the Register of Deeds for Chippewa County.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

[SIGNATURE PAGES FOLLOW]

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CITY OF CHIPPEWA FALLS

| | | By: | | _, Mayor |
|--|--|--|--|--------------|
| | | | , C | |
| | | GRANTEE: | | |
| | | CITIZENS STAT | E BANK | |
| | | Ву: | , Its | |
| STATE OF WISCONSII Chippewa County | SS. | | | |
| On this d said County and State, pe who, being by me duly municipality named in th said municipality by aut to be the free act and de | sworn and say the foregoing instant thority of its cit | strument, and that said ity council and said May | netrument was signed of | on behalf of |
| | | Chippewa Count | _, Notary Public y, Wisconsin expires: | |

| STATE OF WISCONSIN) | |
|--|---|
| Chippewa County ss. | |
| municipality named in the foregoing in | |
| | wry commission expires. |
| STATE OF WISCONSIN) ss. | |
| Chippewa County) | |
| said County and State, personally appleting by me duly sworn did say he named in the foregoing instrument, | , 2017, before me a Notary Public within and for peared, to me personally known, who, is the of Citizens State Bank, the corporation and that said instrument was signed on behalf of said of Directors and said officer acknowledges said instrument poration. |
| | , Notary Public |
| | Chippewa County, Wisconsin My commission expires: |

This Agreement drafted by:

Jeffrey W. Guettinger Danielson, Guettinger, Richie & Manydeeds, S.C. 3410 Oakwood Mall Drive

Post Office Box 1457 Eau Claire, WI 54702-1457

An easement located in Outlot 1 of Certified Survey Map #1813 in Government Lot 2 of Section 33, Township 29 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin.

Commencing at the NW corner of Certified Survey Map #1813 (said corner being the SW corner CSM #948), thence N 89° 53' 53" E 498.77 feet, thence along the arc of a curve to the left with a radius of 165.00 feet and whose chord bears N 87° 16' 44" E 15.08 feet, thence continuing along the arc of a curve to the left with a radius of 165.00 feet and whose cord bears N 60° 35' 14" E 134.60 feet, thence N 36° 30' 54" E 166.26 feet, thence S 22° 04' 33" E 77.33 feet, thence along the arc of a curve to the right with a radius of 60.00 feet and whose chord bears S 5° 36' 56" E 80.50 feet, thence S 36° 30' 54" W 142.27 feet, thence S 89° 53' 53" W 582.80 feet, thence along the arc of a curve to the right with a radius of 60.00 feet and whose chord bears S 89° 53' 53" W 100.22 feet, thence N 0° 37' 29" E 66.01 feet to the point of beginning.

Said parcel is subject to easements and restrictions of record.

AMENDMENT TO AGREEMENT

Amendment Dated February 5, 2018

The Agreement for Professional Services made as of August 24, 1995, between the City of Chippewa Falls, 30 W. Central Street, Chippewa Falls, WI 54729 (OWNER) and Ayres Associates Inc, 3433 Oakwood Hills Parkway, Eau Claire, WI 54701 (CONSULTANT) is hereby amended as set forth below.

SERVICES:

Task 1—Monitoring Well and Gas Probe Sampling

Ground water monitoring wells and private wells will be sampled in accordance with the March 2008, Expedited Plan Modification. The plan modification specifies the sampling schedule for each well. In summary, it indicates that 17 monitoring wells, 4 private wells, and one leachate location will be sampled annually in September for volatile organic compounds (VOCs), field parameters (temperature, conductivity, and pH), and indicator parameters (alkalinity, hardness, and chloride). Eleven monitoring wells will be sampled for field parameters and VOCs in March.

Eight landfill gas probes will also be monitored sampled annually in September.

Task 2—Sample Analysis

Samples will be submitted to CT Laboratories in Baraboo, Wisconsin, for analyses. CT Laboratories is a Wisconsin-certified lab. VOC samples from monitoring wells and private wells will be analyzed using EPA Method 8260. Inorganic samples will be analyzed in accordance with currently-approved methods.

Task 3—Data Reporting

The ground water monitoring data must be electronically submitted to the WDNR Bureau of Solid Waste Management within 60 days of the end of the sampling period. In addition, an exceedance report is also required. Ayres Associates will submit the data as required. We will provide a hard copy of the results to the City for their files. WDNR has also requested that the private well data be submitted to their local District Office immediately after we receive the final results from the laboratory. Ayres Associates will continue to provide this data to the local WDNR office.

COMPENSATION:

CONSULTANT's services will be charged on an hourly basis plus reimbursables. The estimated cost of CONSULTANT's services for this amendment is \$9,000.00, which includes laboratory fees, the same as the 2017 sampling cost.

PERIOD OF SERVICE:

The following schedule is estimated to complete the Services:

| TASK | | OXIMATE CALENDAR OF EVENT COMPLETION |
|--|---|---|
| Sampling | March and September 2018 | |
| Data Reporting | Within 60 days of the end of the sampling period, as required by the WDNR | |
| n Witness Whereof, the parties hereto hav the day and year first written above. | e made and exec | tuted this Amendment to Agreement as of |
| City of Chippewa Falls OWNER | | Ayres Associates Inc CONSULTANT |
| | (Signature) | Ben featler |
| | (Typed Name) | Ben Peotter, PE |
| | (Title) | Manager – Environmental Services |
| | (Date) | February 5, 2018 |



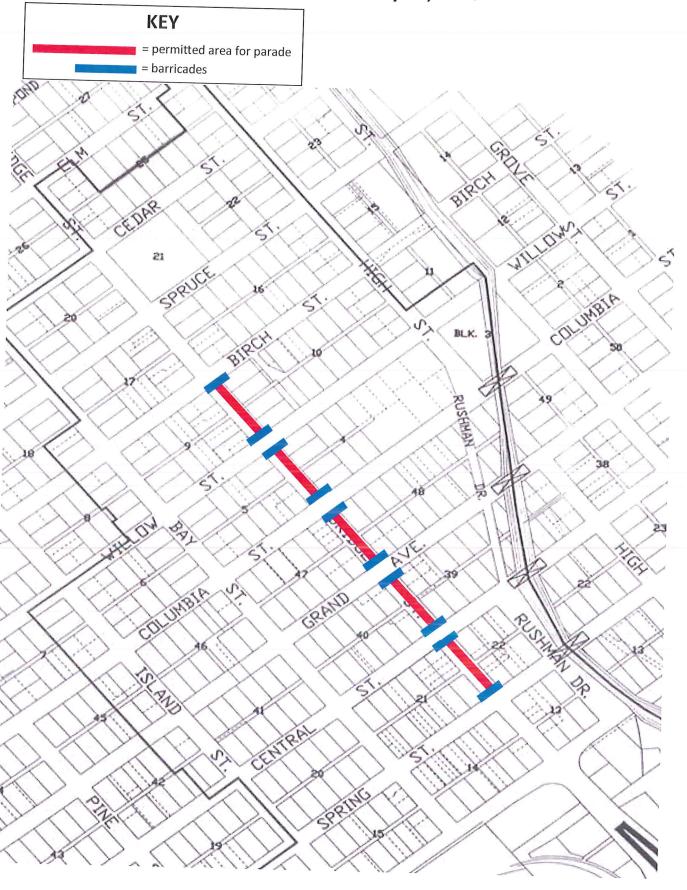
CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

| ECEIVE | D |
|---------------------|---|
| JAN 2 9 2018 | |

City Clerk

| Applicant Name and Address: | Applicant Phon ^{By} Number: |
|--|---|
| Teri Ouimette, 514 N. Bridge St., Chippewa Falls, WI 54729 | 715-723-6661 |
| Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual. | Name, Address and Phone Number of the headquarter of the organization and responsible head of such organization: Chippewa Falls Main Street, Inc. / Teri Ouimette 514 N. Bridge St. Chippewa Falls, WI 54729 715-723-6661 |
| Name of the event: | Estimated number of persons participating: |
| Cruise In Summer Series Car Shows | 500 |
| Date and start and end times requested for street use: May 19, June 23, & July 21, 2018 5-9 p.m. | |
| Accurate description of the portion of the street or streets being | requested for use lattach mans if any |
| 100-500 blocks of N. Bridge St. (all cross streets will be open) | |
| Use, described in detail, for which the street use permit is reques | sted: |
| Vintage cars, trucks, and motorcycles will be parked on the street | for a car show. |
| City services requested for the event (e.g., Street Department or Barricades (see attached map) The applicant agrees to indemnify, defend, and hold the City and its employees a expense incurred by the City or account of any injury to, or death of, any persons for which the permit is granted. This Street Use Permit for the event may be terr safety, and welfare of the public appears to be endangered by the activities or if regulations adopted by the Common Council. Applicant understands they shall I considers the request for Street Use Permit. Failure to appear may be grounds Signature of Applicant OFFICE USE C Estimated cost of City services requested (to be completed by Police Councils of City services request | and agents harmless against all claims, liability, loss, damage or s or any damage to property caused by or resulting from the activitie minated by the Chippewa Falls Police Department if the health, the event is in violation of any of the conditions of the permit or be present when the Board of Public Works or City Council for denial of the requested permit. |
| Requirements of Applicant: Approved by: | |
| Signature of Chief of Police | |
| Recommendation of Board of Public Works (if required): | ignature of Director of Public Works Approved Denied |
| Decision of City Council (required): | Approved Denied |
| | |

Cruise In Summer Series Car Show Map May 19, June 23, & July 21, 2018





CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION



City Clerk
City of Chippewa Falls

| Applicant Name and Address: | Gity of Chippewa Falls |
|--|---|
| Teri Ouimette, 514 N. Bridge St., Chippewa Falls, WI 54729 | Applicant Phone Number: 715-723-6661 |
| Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual. | |
| | Chippewa Falls, WI 54729 715-723-6661 |
| Name of the event: | Estimated number of persons participating: |
| Pure Water Days Parade & Car Show | 9,000+ |
| Date and start and end times requested for street use: | |
| Saturday, August 11th, 2018 11 a.m 10 p.m. | |
| Accurate description of the portion of the street or streets being | requested for use (attach maps if necessary): |
| N. Bridge St. from Cedar St. to the roundabout (see enclosed map | o) |
| Use, described in detail, for which the street use permit is reques- | |
| Floats and walking units will participate in PWD Parade and a car | show will be held afterwards |
| City services requested for the event (e.g., Street Department or F | Police Department staff time) |
| Barricades (the Street Dept. will be provided with a map like previo | ous years) |
| The applicant agrees to indemnify, defend, and hold the City and its employees a expense incurred by the City or account of any injury to or death of any present | nd agents harmless against all claims, liability, loss, damage or |
| expense incurred by the City or account of any injury to, or death of, any persons for which the permit is granted. This Street Use Permit for the event may be term safety, and welfare of the public appears to be endangered by the activities or if the regulations adopted by the Common Council. Applicant understands they shall be considers the request for Street Use Permit. Failure to appear may be grounds a Signature of Applicant. | or any damage to property caused by or resulting from the activities ninated by the Chippewa Falls Police Department if the health, the event is in violation of any of the conditions of the permit or |
| OFFICE USE C | DNLY |
| Estimated cost of City services requested (to be completed by Police | ce Chief and Director of Public Works): |
| Holdiceps For Javane DETAIL. No Charge TO Reddirements of Applicant: | Man ST. De jos |
| Approved by: | |
| Signature of Chief of Police Signature | gnature of Director of Public Works |
| Recommendation of Board of Public Works (if required): | Approved Denied |
| Decision of City Council (required): | Approved Denied |
| | |

Pure Water Days Parade Map Saturday, August 11th, 2018



Pure Water Days Car Show Map Saturday, August 11th, 2018

