

## 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, September 13, 2021 at 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:

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

1. Approve the minutes of the August 23, 2021 Board of Public Works meeting. *(Attachment)*
2. Consider renewal of the five-year lease agreement with Family Dollar. Make recommendation to the Common Council. *(Attachment)*
3. Consider proposals for City Fuel Station replacement. Make recommendation to the Common Council. *(Handout)*
4. 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, 1<sup>st</sup> floor, City Hall and posted on the City Hall Bulletin Board on Wednesday, September 8, 2021 at 2:00 PM by Mary Bowe.

**CITY OF CHIPPEWA FALLS  
BOARD OF PUBLIC WORKS  
MEETING MINUTES  
MONDAY, AUGUST 23, 2021 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, August 23, 2021 at 5:30 PM. Attending were Mayor Greg Hoffman, Director of Public Works Rick Rubenzer P.E., Finance Manager Lynne Bauer, Alderperson Hayden Frey and Tom Hubbard. Assistant City Engineer Bill McElroy P.E. also attended and those on the attached attendance roster.

1. **Motion** by Hubbard, seconded by Bauer to approve the minutes of the July 26, 2021 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**
  
2. Jim Schuh and Frank Smoot appeared on behalf of the Chippewa Area History Center (CAHC) to request that eleven CAHC blue guidance/directional signs be placed on existing poles around the city as shown on the attachment. Director of Public Works Rubenzer stated that the city had adopted Wisconsin Department of Transportation rules and guidance for placement of blue guidance/directional signs in public right-of-way and that the city controlled this type of sign placement along connecting highways (in this case STH #124). Director of Public Works Rubenzer continued that the Park Board was in the process of requesting placement of similar guidance/directional signage around the city for Irvine Park and that this may be an opportunity for doubling up since both locations are essentially the same. Director of Public Works Rubenzer continued that signage in or along the Riverfront at River and Bridge streets had been previously and is currently discouraged. He stated that people looking for a destination generally use GPS these days but that signs within a couple of blocks of the destination (in this case Bridgewater Avenue and Jefferson Avenue-STH #124) make sense. Mr. Schuh stated that the signs were requested at high traffic locations where more motorists would see them. Mr. Smoot laid out a tentative schedule hoping for completion of the Chippewa Area History Center around February 2022. Mayor Hoffman suggested CAHC representatives discuss possible dual signage with Park and Recreation Director John Jimenez and the Park Board. Director of Public Works Rubenzer will discuss the sign request with West Central Regional Plan Commission. **No action was taken.**
  
3. The Board of Public Works considered the request for exception to Chippewa Falls Municipal Code 8.06(5)(f) seven year street cut moratorium from St. Charles to install a two inch water service in Spruce Street due to unforeseen circumstances. Director of Public Works Rubenzer stated that Spruce Street paving was five years old and that he didn't believe St. Charles could have anticipated the need for a 2" water service in 2016 when Spruce Street was reconstructed. He stated he had no issues with granting the exception to Chippewa Falls Municipal Code 8.06(5)(f).  
**Motion** by Hoffman, seconded by Hubbard to grant the request for exception to Chippewa Falls Municipal Code 8.06(5)(f) seven year street cut moratorium from St. Charles to install a two inch water service in Spruce Street due to unforeseen circumstances. **All present voting aye. MOTION CARRIED.**
  
4. Dan and Roberta Burtness appeared to request that part of parcel #22809-1241-60790004 be quit claimed to them as about a third of a pole shed they own encroached onto the parcel. Burtness's have recently purchased the property from Ronald and Janice Gantner who previously obtained the parcel from Floyd Hallum. Mr. Burtness provided the attached documentation showing the Railroad quit claimed (Deed #268427) the parcel to

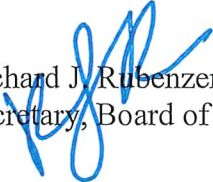
Hallum's in 1953 for \$183. Director of Public Works Rubenzer stated that the city obtained this parcel from American Materials Corporation in 1976 for \$8,500 and received the attached Quit Claim Deed #386157 (recorded December 2, 1976). He continued that he believes that is why the Chippewa County GIS map lists the City of Chippewa Falls as the owner. Director of Public Works Rubenzer stated his opinion was that the parcel could be sold or quit claimed to the Burtness's. Attorney Ferg had opined that if the pole shed had been there for a long time, it would probably constitute adverse possession for the area that it is on and advised to either take no action or solicit a proposal with an appropriate legal description for the area that the shed is on.

**Motion** by Hoffman, seconded by Hubbard to recommend the Common Council quit claim part of a parcel around a pole shed encroaching on parcel #22809-1241-60790004 to Daniel and Roberta Burtness. **Voting Aye were Hoffman, Hubbard, Frey and Rubenzer.**  
**Voting nay was Bauer. MOTION CARRIED.**

5. Assistant City Engineer Bill McElroy presented background information and a history of Prentice Street between Morris Street and Fourth Avenue (see attached). After discussion about the project, Assistant City Engineer McElroy will review possible segments of Prentice Street to present to the Board of Public Works for inclusion in the Five Year Street Improvement Program and propose moving other proposed projects down the list. **No Action Taken.**

6. Assistant City Engineer McElroy presented background information and a history of River Street between Bridge Street and USH #53 (see attached). The Board of Public Works discussed when the segment between Fleet Street and USH #53 might be reconstructed and funding alternatives for the same.  
**Motion** by Hoffman, seconded by Hubbard to recommend the Common Council move forward with bonding for reconstruction of River Street between Fleet Street and USH #53 in 2023. **All present voting aye. MOTION CARRIED.**

7. **Motion** by Hubbard, seconded by Bauer to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 7:00 P.M.

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

# BOARD OF PUBLIC WORKS ATTENDANCE SHEET

DATE: August 23, 2021

NAME	COMPANY REPRESENTING	ADDRESS	PHONE #	EMAIL
DANIEL BURTNESS		4535 - 117th St	715 829 7400	
ROBERTA BURTNESS		4535 117th St. C.F	715-829-2858	
JIM SCHUKA	Chippewa County Agricultural Society	5432 178th St. C.F	715-778-2376	
FRANK SMOOT	"	321 EAST GREENVILLE	715 225 - 7469	

Law Offices Of  
**Ferg & Sinclair, Ltd.**  
411 North Bridge Street  
Chippewa Falls, Wisconsin 54729-2420  
Telephone (715) 723-4443  
Fax (715) 723-5905

BMO Harris Bank  
Enter Back Lobby  
Elevator Or Stairs  
2nd Floor, Suite 201

Robert A. Ferg  
Vance L. Sinclair (1915-2007)

August 2, 2016

The Ladner Group  
ATTN: JASON LADNER & SANDY MARTINO  
8555 W. Forest Home Ave., Ste. 205  
Greenfield, WI 53228

RE: Family Dollar  
Chippewa Falls, WI

Dear Jason Ladner & Sandy Martino:

This letter is coming to you in my capacity as City Attorney for the City of Chippewa Falls. The enclosed Lease Agreement needs to be executed before October 1<sup>st</sup>. The Chippewa Falls Department of Public Works and the Chippewa Falls Common Council are firm in their decision that the City is only interested in leasing this parking space with the conditions set forth in the enclosed Lease Agreement.

If this is not acceptable and the Lease Agreement is not executed and returned by October 1<sup>st</sup>, then Family Dollar will have to assume parking enforcement and winter maintenance beginning with the 2016-17 winter season.

Thank you.

Very truly yours,  
FERG & SINCLAIR, LTD



Robert A. Ferg  
RAF/hlm

cc: Mayor Gregory S. Hoffman  
City Clerk Bridget Givens  
Public Works Director Richard Rubenzer

LEASE AGREEMENT

**THIS LEASE**, made between Family Dollar, Lessor, and the City of Chippewa Falls, Lessee,

**WITNESSETH:**

1. The Lessor does hereby let and lease unto the Lessee the following described lands in the City of Chippewa Falls, Chippewa County, Wisconsin:

Lot 2, Block 21 of the City of Chippewa Falls Plat, Chippewa County, Wisconsin. Except the area used in conjunction with the loading dock and the single parking stall North and adjacent to the loading dock. Also excepting an 8'x12' area located along the West edge of the building, and the South right-of-way line of Central Street. Said 8'x12' area is used as a public doorway.

Located at 33 West Central Street.

2. The term of the Lease shall be five years. However, either party may terminate this lease for any reason or without reason or cause upon delivery of written notice to the other of termination not less than 120 days thereafter.
3. In consideration thereof, Lessee shall:
- a) Sign and enforce a 2 hour non-metered parking limit.
  - b) Sweep and remove snow on the regular schedule as performed on municipal owned parking lots.
  - c) Provide liability insurance coverage with limits of \$100,000.00 and \$300,000.00 and a \$1,000,000.00 umbrella. Lessor shall also continue its' own liability insurance in the same amounts covering the leased premises.
4. This Lease shall bind the parties hereto, their representatives and assigns and shall go into effect upon signatures herein.
5. Lessor may place, at Lessor's expense, a sign on the leased property, provided any such sign complies with the City's sign code.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

FAMILY DOLLAR, LESSOR

CITY OF CHIPPEWA FALLS, LESSEE

By: \_\_\_\_\_

By: \_\_\_\_\_  
Gregory S. Hoffman, Mayor  
Bridget Givens, City Clerk