

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, SEPTEMBER 13, 2021 – 5:30 PM**

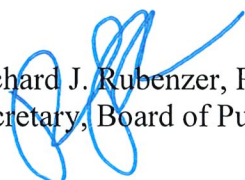
The Board of Public Works met in City Hall on Monday, September 13, 2021 at 5:30 PM. Attending were Vice-President Tom Hubbard, Director of Public Works Rick Rubenzer P.E., Finance Manager Lynne Bauer and Alderperson Hayden Frey. Mayor Greg Hoffman was absent.

1. **Motion** by Bauer, seconded by Frey to approve the minutes of the August 23, 2021 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. The Board of Public Works considered and discussed the attached five year parking lot lease agreement with Family Dollar. The prevailing idea is that the parking lot is used far less by the public than in years past and mainly for Family Dollar customers. A compromise was proposed to keep the same terms as the 2016-2021 lease except to shorten the lease time to two years. Director of Public Works Rubenzer noted the existing lease was set to expire in October, 2021. **Motion** by Hubbard, seconded by Bauer to recommend the Common Council renew the lease with Family Dollar for public use of the parking lot at the southeast corner of Bay Street and Central Street under the same terms as the 2016-2021 lease except to shorten the length of the lease to two years. Also, to authorize Mayor Hoffman to execute the said lease. **All present voting aye. MOTION CARRIED.**

3. The Board of Public Works considered two proposals for replacement of the City wide diesel and unleaded fueling station. Proposals were submitted by Ayres Associates Inc. and S.E.H. Inc. Proposals were ranked according to work program, project schedule, previous experience, key personnel and roles, familiarity with locality, level of effort and not to exceed fee. The proposals were evaluated and rated by Director of Public Works Rubenzer, Assistant City Engineer McElroy and Street Manager Ruf. The results of the rankings are attached. Director of Public Works Rubenzer stated that both proposals submitted were excellent proposals and that he would be happy working with either engineering company. He continued that the evaluation ranking revealed that S.E.H. was the higher ranked. Director of Public Works Rubenzer stated that the proposal amounts for Task 1, Task 2, Task 3, Option 3, Task 4 and Task 5 were Ayres \$62,894 and S.E.H. \$48,360. The Board of Public Works also discussed the project schedule and new fueling station location. **Motion** by Hubbard, seconded by Frey to recommend the Common Council accept the proposal from S.E.H. Inc. and award the City refueling station project to S.E.H. Inc. and authorize Mayor Hoffman to execute the corresponding project agreement. **All present voting aye. MOTION CARRIED.**

4. **Motion** by Bauer, seconded by Frey to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 5:47 P.M.


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

**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 - 107 st	715 829 7400	
ROBERTA BURTNESS		4535 117th St. C.F	715-829-2858	
JIM SCHUKA	Chippewa County Historical Society	5432 178th St. C.F	715-776-2376	
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 1st. 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 1st, 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

City of Chippewa Falls Refueling System/Station

TOTALS SUMMARY SHEET

Summary of Rating of Consultant from RFQ Submittals

Rating System: 1-5; 1 = Poor, 3 = Average/Fair, 5 = Excellent

City of Chippewa Falls Refueling System/Station

- 1 Work Program
- 2 Project Schedule
- 3 Previous experience
- 4 Key Personnel and Roles
- 5 Familiarity with local geography, area and project issues
- 6 Level of Effort
- 7 Not to Exceed fee

City of Chippewa Falls Refueling System/Station

Name of Evaluator

Date Ranking was done

Rick Rubenzer, Rick Ruf, Bill McElroy

September 16, 17, and 20

		Consultant	
		S.E.H. Inc.	Ayres Assoc.
Total Points possible		3 person Summary	3 person Summary
1	90	74	79
2	30	19	19
3	60	59	51
4	30	29	26
5	30	30	29
6	30	22	29
7	30	30	21
	300	263	254

BPW09/13/2021

Itemized Budget/Estimate

Ayres' fee for engineering and design consulting services related to the UST system removal, associated closure TSSA, AST fuel distribution system installment, SPCC plan updates, and additional services are provided below.

This is a Time and Material T&M not-to-exceed fee according to the breakout of project tasks listed in the table.

ITEM	COSTS
Task 1 - Tank System Site Assessment	\$5,560
Task 2 - SPCC Plan Updates	\$5,358
Task 3 - Engineering for New AST System	
Option 1	\$14,017
Option 2	\$22,618
Option 3	\$31,877
Subtotal	\$24,935 - \$42,795
ADDITIONAL SERVICES (OPTIONAL)	
Task 4 - Regrading Plans and Surveying	\$7,956
Task 5 - Construction Oversight Services	\$12,143
Total (including additional services, if requested)	\$45,034 - \$62,894

Notes: Fees are for A/E direct labor, direct expenses from laboratory testing, and associated expenses related to individual tasks. See Detailed A/E Fee Breakdown Sheet for further breakdown of tasks in Level of Effort and estimated fees (LOE).

Personnel Fee Schedule

PERSONNEL HOURLY RATE SCHEDULE	
CLASSIFICATION	2021 HOURLY RATE
Manager 2	\$183.90
Scientist 2	\$108.01 - \$111.60
Scientist 3	\$129.28 - \$133.60
Engineer 3	\$148.74
Engineer 1	\$87.85
Technician 5	\$98.22
Surveyor	\$94.50 - \$104.74
Administrative Assistant	\$66.84 - \$78.75

Costs

SEH

The removal of the UST system must be performed by a state certified tank remover/cleaner. The UST system removal services will be contracted directly between the City and the remover/cleaner contractor. Therefore, costs for UST system excavation, cleaning, removal and disposal and related or ancillary services are not included herein.

SEH proposes the following SEH fees per task per the RFP:

TASK	DESCRIPTION	SCOPE	PROPOSED COST
1	Tank System Site Assessment (Soil Sampling) for UST System Removal	Soil sampling (assumes 28 samples), lab analysis, regulatory reporting including tank closure/removal oversight.	\$3,730
2	SPCC Plan Updates for New AST System	Site visit, drafting of SPCC plan and figures (price dependent on existing plan details and suitability).	\$3,930
3	Engineering for New Above Ground Storage Tank(AST) System		
	Option 1 (does not include bid package preparation)	Client Request for Information (RFI) on fuel system install, tech specs and single sheet conceptual design drawing, submittal review (if incorporated into a bid set and contractor will seek approval from the Department of Agriculture Trade and Consumer Protection [DATCP]).	\$11,000
	Option 2	Client RFI, front end specs with pre-qual, tech specs, bid package drawings, DATCP Plan Review, bid assistance with walkthrough.	\$18,000
	Option 3	Client RFI, front end specs with pre-qual, tech specs, bid package drawings, DATCP Plan Review, bid assistance, submittal reviews, progress meetings, two site visits, closeout with as-builts.	\$23,700
4 optional	Regrading Plans and Surveying	Survey and regrading design (two new plan sheets, tech specs and incorporate in remaining bid package drawings) to occur (ballpark range with need to be adjusted if site grading is adjusted).	\$5,450
5 optional	Construction Oversight Services	Approximately 100 hours of field oversight and administrative services.	\$11,550

The fee provided for the TSSA in the table above is based on the assumption that SEH's certified site assessor does not provide construction observation services during the remover/cleaner contractor's complete tank system cleaning, excavation, backfill and site restoration project. Rather, the fee estimate is based on the site assessor being on site at appropriate times to collect samples from the floor(s) and sidewall(s) of the excavation(s), as well as beneath piping runs and dispensers, as warranted.

If full observation services are required, many factors such as field conditions, weather, contractor equipment, tank system condition, configuration and others will drive the actual amount of time in the field and that can vary substantially. For purposes of this proposal, and if requested by the City, we assume that up to an additional 20 hours (\$2,100) of field and documentation time may be necessary for "non-certified site assessor-required" UST system removal services.

Total of Circled Items is 48,360 SEH
 2370 lower