

AGENDA FOR REGULAR MEETING OF COMMON COUNCIL

To be held on Tuesday, April 21, 2020 at 6:30 P.M. in the City Hall
Council Chambers, 30 West Central Street, Chippewa Falls, WI

The Mayor and City Council Members may not be physically present at the meeting but may attend remotely. The meeting may be viewed via livestream at the www.chippewafalls-wi.gov live stream link.

1. CLERK CALLS THE ROLL
2. APPROVAL OF MINUTES OF PREVIOUS MEETING
 - (a) Approve minutes of the Regular Council Meeting of April 7, 2020.
3. PERSONAL APPEARANCES BY CITIZENS - No matter presented by a citizen shall be acted on at the meeting except in emergencies affecting the public health, safety or welfare.
 - (a) Citizen appearances – phone number to be announced.
4. PUBLIC HEARINGS – None
5. COMMUNICATIONS – None
6. REPORTS
 - (a) Consider Board of Public Works minutes of April 13, 2020.
 - (b) The Plan Commission meeting of April 13, 2020 was cancelled due to a lack of agenda items.
7. COUNCIL COMMITTEE REPORTS in the order in which they are named in Section 2.21 of the Municipal Code
 - (a) Consider Committee #1 Revenues, Disbursements, Water and Wastewater minutes of April 17, 2020. (*minutes to be distributed prior to meeting*)
 - (b) Library Board minutes of March 16, 2020.
8. APPLICATIONS
 - (a) Consider Operator (Bartender) Licenses as approved by the Police Department. (*Complete list provided prior to Council meeting*).
9. PETITIONS
 - (a) Petition to discontinue and vacate Fourth Avenue between Broadway Avenue and Prentice Street (refer to Board of Public Works)
10. MAYOR ANNOUNCES APPOINTMENTS - None
11. MAYOR'S REPORT - None
12. REPORT OF OFFICERS – None
13. ORDINANCES
 - (a) Consider **Ordinance #2020-12 Entitled:** Ordinance Annexing Territory to the City of Chippewa Falls, Wisconsin.
14. RESOLUTIONS
 - (a) Consider **Resolution #2020-13 Entitled:** Resolution Authorizing Blacktopping the Alley Located in Block #25, Chippewa Falls Plat Bound by Spring Street, Grove Street, River Street and Prairie Street and Levying Special Charges.
15. OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW
 - (a) Discuss and consider Amendment to Right of First Refusal with ADI Properties.
 - (b) Discuss and consider Xcel Energy Access Agreement for Outlot 8 and part of Outlot 12 in 2nd Riverside Industrial Park.
16. CLAIMS
 - (a) Consider claims as recommended by the Claims Committee.

17. CLOSED SESSION - None

18. ADJOURNMENT

The Claims Committee will meet at 6:00 PM to review the claims of various boards and departments of the City.

NOTE: REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST. FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2719.

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 OF OFFICIAL NEWSPAPER

I, hereby, certify that a copy of this notice has been posted on the bulletin board at City Hall and a copy has been given to the Chippewa Herald on April 17, 2020 at 3:15 pm by BNG.

MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, April 7, 2020 in the City Hall Council Chambers. Mayor Greg Hoffman appearing remotely called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: John Monarski (remotely), Rob Kiefer (remotely), CW King (in person), Chuck Hull (remotely), Paul Olson (in person), Paul Nadreau (remotely), and Jason Hiess (remotely).
Also Present: City Attorney Robert Ferg (in person), Finance Manager/Treasurer Lynne Bauer (in person), Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer (in person), City Planner/Transit Manager Brad Hentschel (remotely), Assistant City Engineer Bill McElroy (in person), Police Chief Matthew Kelm (in person), and Utility Officer Manager Connie Freagon.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) **Motion by Olson/King** to approve the minutes of the Regular Council Meeting of March 17, 2020. **All present voting aye, motion carried.**

PERSONAL APPEARANCES BY CITIZENS

Mayor Hoffman announced the phone number for anyone wanting to appear by phone. There were no appearances in person or by phone.

PUBLIC HEARINGS

- (a) Mayor Hoffman opened a public hearing at 6:36 PM regarding Levying Special Assessments - Elm Street (Perry Street to Wheaton Street). Trevor Newton, 715 W. Elm Street had questions regarding this project. The public hearing was closed at 6:41 PM.
- (b) Mayor Hoffman opened a public hearing at 6:41 PM regarding Levying Special Assessments - Huron Street (Elm Street to Macomber Street). No one spoke for or against this project and the hearing was closed at 6:42 PM.
- (c) Mayor Hoffman opened a public hearing at 6:43 PM regarding Levying Special Assessments - Linden Street (Maple Street to Woodward Avenue). Public Works Director/City Engineer/Public Utility Manager attempted to contact Paul and Tina Larkowski, 558 S. Main Street by phone but there was no answer. He subsequently read a statement from the Larkowskis regarding their concerns about the project. The public hearing was closed at 6:48 PM.
- (d) Mayor Hoffman opened a public hearing at 6:49 PM regarding Levying Special Assessments - Park Avenue (City Limits to Main Street). No one spoke for or against this project and the public hearing was closed at 6:50 PM.
- (e) Mayor Hoffman opened a public hearing at 6:51 PM regarding Levying Special Assessments - Prentice Street (Morris Street to Fourth Avenue), Fourth Avenue (Broadway Avenue to Prentice Street). The following persons spoke (by phone) against this project: Emilee Beaudette, 328 Third Avenue; Pat Brick, 1005 Prentice Street; Hunter Hetke, 330 Second Avenue; and Morgan Crabb, 807 Prentice Street. The public hearing was closed at 7:17 PM.

COMMUNICATIONS - None

REPORTS

- (a) The Board of Public Works meeting of March 23, 2020 was cancelled due to a lack of agenda items.

COUNCIL COMMITTEE REPORTS

- (a) The Special Park Board minutes of March 17, 2020 were presented.
(b) The Library Board minutes of February 12, 2020 were presented.

APPLICATIONS

- (a) **Motion by Hiess/Kiefer** to approve the Operator (Bartender) Licenses as approved by the Police Department. **All present voting aye, motion carried.**
- (b) **Motion by Hull/King** to approve the Street Use Permit Application of the Chippewa Falls Patriotic Council for the Memorial Day Parade to be held on Monday, May 25, 2020 utilizing various City Streets

subject to compliance with any State or Federal Emergency orders which may be in effect at the time the approved application is in use under the license granted. **All present voted aye, motion carried.**

PETITIONS

(a) **Motion by Hiess/Hull** to refer the Petition to Pave the Alley located in Block 25, Chippewa Falls Plat, bounded by Grove Street, River Street, Prairie Street and Spring Street to the Board of Public Works. **All present voting aye, motion carried.**

MAYOR ANNOUNCES APPOINTMENTS - None

MAYOR'S REPORT - None

REPORT OF OFFICERS - None

ORDINANCES

(a) The First Reading of **Ordinance #2020-12 Entitled:** An Ordinance Annexing Territory to the City of Chippewa Falls was held. An amendment set forth by Attorney Ferg in Section 4. Zoning Classification for the second reading is as follows: Parcel 1 - P-1, Public; Parcel 2 – O-2 Office and Institutional.

RESOLUTIONS

(a) **Motion by King/Olson** to approve **Resolution #2020-06 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Elm Street (Perry Street to Wheaton Street). **The motion was approved by the following roll call vote: King – Aye; Olson – Aye; Nadreau – Aye; Monarski – Aye; Kiefer – Aye; Hull – Aye; Hiess – No.**

(b) **Motion by Hull/King** to approve **Resolution #2020-07 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Huron Street (Elm Street to Macomber Street). **The motion was approved by the following roll call vote: Hull – Aye; King – Aye; Olson – Aye; Nadreau – Aye; Monarski – Aye; Kiefer – Aye; Hiess – No.**

(c) **Motion by Olson/King** to approve **Resolution #2020-08 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Linden Street (Maple Street to Woodward Avenue). **The motion was approved by the following roll call vote: Olson – Aye; King – Aye; Hull – Aye; Nadreau – Aye; Kiefer – Aye; Hull – Aye; Monarski – No; Hiess – No.**

(d) **Motion by King/Hull** to approve **Resolution #2020-09 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Park Avenue (City Limits to Main Street). **The motion was approved by the following roll call vote: King – Aye; Hull – Aye; Nadreau – Aye; Hiess – Aye; Monarski – Aye; Kiefer – Aye; Olson – No.**

(e) **Motion by Monarski/King** to approve **Resolution #2020-10 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Prentice Street (Morris Street to Fourth Avenue) and Fourth Avenue (Broadway Avenue to Prentice Street). **The motion was denied by the following roll call vote: King – Aye; Monarski – No; Kiefer – No; Hull – No; Olson – No; Nadreau – No; Hiess – No.**

(f) **Motion by Nadreau/Hull** to approve **Resolution #2020-11 Entitled:** Resolution Discontinuing and Vacating an Unpaved Alleyway Located in Block No. 1, Bonneville Addition, to the City of Chippewa Falls. **The motion was approved by the following roll call vote: Nadreau – Aye; Hull – Aye; Olson – Aye; Hiess – Aye; Monarski – Aye; Kiefer – Aye; King – Aye.**

(g) **Motion by Kiefer/Hull** to table **Resolution #2020-12 Entitled:** Resolution Terminating Tax Incremental District #4 and Authorization to Distribute Excess Increment to Overlying Taxing Jurisdictions. **The motion was approved by the following roll call vote: Kiefer – Aye; Hull – Aye; Nadreau – Aye; Hiess – Aye; Monarski – Aye; King – No; Olson – No.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) **Motion by Monarski/Olson** to table the Amendment to Right of First Refusal with ADI Properties. **All present voting aye, motion carried.**

CLAIMS

(a) **Motion by Olson/King** to approve the claims as recommended by the Claims Committee.

City General Claims:	\$282,579.66
Authorized/Handwritten Claims:	\$1,100.00

Department of Public Utilities:	<u>\$160,210.62</u>
Total of Claims Presented	<u>\$443,890.28</u>

Roll Call Vote: Aye – Olson, King, Hull, Nadreau, Hiess, Monarski, Kiefer. Motion carried.

CLOSED SESSION - None

Mayor Hoffman took a moment to thank all of the poll workers for working on Election Day.

ADJOURNMENT

Motion by Monarski/Nadreau to adjourn at 7:51 pm. All present voting aye, motion carried.

Submitted by:
Bridget Givens, City Clerk

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, APRIL 13, 2020 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, April 13, 2020 at 5:30 PM. Present were Director of Public Works Rick Rubenzer, P.E. and Finance Manager Lynne Bauer. Attending remotely were Mayor Greg Hoffman, Alderperson Paul Olson and Darrin Senn. Assistant City Engineer Bill McElroy, P.E. and Utility Office Manager Connie Freagon were also present at the meeting.

1. **Motion** by Olson, seconded by Rubenzer to approve the minutes of the March 9, 2020 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. The Board of Public Works considered the attached bid summary for the Elm Street (Wheaton St. to Perry St.) Street and Utility Improvement Project. The project engineers' estimate was \$877,858.75. The four bids received ranged from \$748,101.71 to \$879,658.88. The low bid was submitted by Haas Sons Inc. which was 17% below the engineers' estimate.
Motion by Hoffman, seconded by Olson to recommend the Common Council approve the low bid of \$748,101.71 and award the contract for the Elm Street (Wheaton St. to Perry St.) Street and Utility Improvement Project to Haas Sons Inc. contingent on successful review and approval of all contract documents, bond and insurance by City Attorney Ferg. **All present voting aye except Senn who recused himself and abstained from the vote. MOTION CARRIED.**

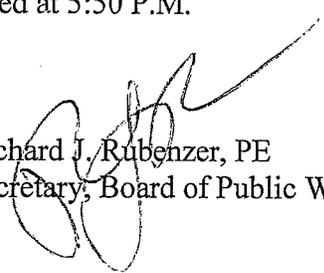
3. The Board of Public Works considered the attached bid summary for the Huron Street (Elm St. to Macomber St.) Street and Utility Improvement Project. The project engineers' estimate was \$310,393.50. The four bids received ranged from \$289,055.26 to \$355,667.55. The low bid was submitted by Haas Sons Inc. which was 7% below the engineers' estimate.
Motion by Olson, seconded by Rubenzer to recommend the Common Council approve the low bid of \$289,055.26 and award the contract for the Huron Street (Elm St. to Macomber St.) Street and Utility Improvement Project to Haas Sons Inc. contingent on successful review and approval of all contract documents, bond and insurance by City Attorney Ferg. **All present voting aye except Senn who recused himself and abstained from the vote. MOTION CARRIED.**

4. The Board of Public Works considered the attached bid summary for the Linden Street (Maple St. to Woodward Ave.) Street and Utility Improvement Project. The project engineers' estimate was \$202,348.00. The five bids received ranged from \$191,321.33 to \$219,499.50. The low bid was submitted by Haas Sons Inc. which was 6% below the engineers' estimate.
Motion by Hoffman, seconded by Olson to recommend the Common Council approve the low bid of \$191,321.33 and award the contract for the Linden Street (Maple St. to Woodward Ave.) Street and Utility Improvement Project to Haas Sons Inc. contingent on successful review and approval of all contract documents, bond and insurance by City Attorney Ferg. **All present voting aye except Senn who recused himself and abstained from the vote. MOTION CARRIED.**

5. The Board of Public Works considered the attached petition to pave the alley in Block #25, Chippewa Falls Plat. Director of Public Works Rubenzer stated that signatures on the petition represented property owners of 66% of the alley front footage. As per Chippewa Falls Municipal Code 8.01(5)(c), no public hearing is required when a petition for alley blacktopping has been filed which is signed by the owners of a majority of the property frontage upon such an alley.
Motion by Senn, seconded by Olson to recommend the Common Council accept the petition to approve a resolution to pave the alley bounded by Spring Street, Grove Street, River Street and Prairie Street, located in Block #25 of the Chippewa Falls Plat upon a successful review and approval of the petition by City Attorney Ferg. **All present voting aye. MOTION CARRIED.**

6. The Board of Public Works considered and discussed the attached notification and update associated with Thaler Oil Company Main Office Bulk Plant Petroleum Release Project Closure. This represents the first notice the City has received about a leak or spill in Cliff Street right-of-way and a reply is required within thirty days of March 30, 2020. Cliff Street has been tentatively scheduled for a street improvement with notices being sent out every year since 2012 and so digging in the contaminated right-of-way would be necessary. The City or its contractors do not want responsibility for determining the type, size or extent of contamination nor does the City want responsibility for remediation of the leak or spill.
Motion by Senn, seconded by Olson to have Director of Public Works Rubenzer consult with City Attorney Ferg to draft and send a reply letter to Cedar Corporation and to Wisconsin Department of Natural Resources concerning notification and update associated with Thaler Oil Company Main Office Bulk Plant Petroleum Release Project. **All present voting aye. MOTION CARRIED.**

7. **Motion** by Olson, seconded by Senn to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 5:50 P.M.



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

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, March 23, 2020 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.

NOTE:

THE BOARD OF PUBLIC WORKS MEETING

FOR

MONDAY, MARCH 23, 2020

IS

CANCELLED

DUE TO A LACK OF AGENDA ITEMS.

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 Tuesday, March 17, 2020 at 12:45 PM by Mary Bowe.

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, MARCH 9, 2020 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, March 9, 2020 at 5:30 PM. Present were Mayor Greg Hoffman, Director of Public Works Rick Rubenzer, P.E., Finance Manager Lynne Bauer and Alderperson Paul Olson. Darrin Senn was absent. Assistant City Engineer Bill McElroy, P.E, Matt Gundry, P.E. of CBS Squared, Blake Tollefson of Xcel Energy and Alderperson Paul Nadreau were also present at the meeting.

1. **Motion** by Bauer, seconded by Olson to approve the minutes of the February 10, 2020 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. Matt Gundry, P.E. of CBS Squared appeared and presented the Final Trans 213 Study/Report for the Central Street Bridge. Mr. Gundry discussed five analysis alternatives with the Board including a “do nothing” alternative and a complete bridge replacement alternative. Analysis Alternative 4 is the recommended solution and is a Super Structure Rehabilitation with Deck Replacement. It includes removing the existing concrete deck and replacing it with a new reinforced concrete deck and sidewalk. In addition, repair of truss components, repainting of rusted areas and top of stringers and salvaging and rehabilitating the existing decorative pedestrian railings. Mr. Gundry thought the bridge could be eligible for application in the WISDOT bridge program for 2022-27. Normally the bridge program is an 80% Federal/WDOT – 20% Local funding split. A Request for Proposals for the design and construction of the recommended solution will need to be done. Director of Public Works Rubenzer stated that the hot mix overlay done in 2019 may allow enough time for the bridge to remain open until the chosen rehabilitation occurs.
Motion by Olson, seconded by Hoffman to recommend the Common Council accept the Trans 213 study and report submitted by CBS Squared for the Central Street Bridge and proceed with Analysis Alternative #4 – Super Structure Rehabilitation with Deck Replacement at an estimated cost of \$696,255. In addition for the design and construction of the recommended solution #4 be solicited. **All present voting aye. MOTION CARRIED.**

3. The Board of Public Works considered the attached February 21, 2020 Amendment to Agreement with Ayres Associates for annual groundwater sampling, analyzing and reporting at the Nelson Road Landfill. Nicole Bader of Ayres Associates is waiting for a response from WDNR about if a reduction monitoring request is made would there be a reduction or possibly an increase in the required monitoring.
Motion by Hoffman, seconded by Olson to recommend the Common Council approve the attached Amendment to Agreement with Ayres Associates for annual groundwater sampling, analyzing and reporting at the Nelson Road Landfill and then for Director of Public Works Rubenzer to report back to a future Board of Public Works meeting about the status of the reduced monitoring request. **All present voting aye. MOTION CARRIED.**

4. Assistant City Engineer Bill McElroy presented the attachments for adding sidewalk on Linden street between Maple Street and Main Street (on the North side of Linden St.) and on Elm Street between Perry Street and Terrill Street as part of the 2020 Street Improvement Projects. There was discussion about whether additional sidewalk could be

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

added on Elm Street west of Perry Street. Director of Public Works Rubenzer stated that sidewalk should be ordered in individually if outside the 2020 project limits. Mr. McElroy went through the Elm Street and Linden Street sidewalk "gaps" as established in the updated 2020 Chippewa Falls Bicycle and Pedestrian Plan.

Motion by Rubenzer, seconded by Hoffman to recommend the Common Council approve adding sidewalk on Linden street between Maple Street and Main Street (on the North side of Linden St.) and on Elm Street between Perry Street and Terrill Street as part of the 2020 Street Improvement Projects and to special assess the appropriate parcels as shown on the attachment. **All present voting aye. MOTION CARRIED.**

5. The Board of Public Works considered the attached Staging/Laydown Site Lease with Northern States Power Company to reduce fish stranding below the spillway at the Chippewa Falls Hydroelectric Project. Blake Tollefson of Xcel Energy appeared and discussed the addition of a lease fee, Pure Water Days fireworks clause, snow storage clause and chipped bedrock clause to the draft lease presented at a previous Board of Public Works meeting.

Motion by Olson, seconded by Hoffman to recommend the Common Council approve the attached Staging/Laydown Site Lease with Northern States Power Company to reduce fish stranding below the spillway at the Chippewa Falls Hydroelectric Project and authorize Mayor Hoffman to execute the said agreement. **All present voting aye. MOTION CARRIED.**

6. The Board of Public Works considered the attached agreement to extend a City storm sewer from Bridgewater Avenue approximately 200' north in conjunction with the Chippewa Falls History Center Project. After a brief discussion;
Motion by Rubenzer, seconded by Olson to omit the 3rd item on the draft agreement with the Chippewa Falls Historical Society and then to recommend the Common Council approve the attached agreement with the Chippewa Falls Historical Society to extend a City storm sewer about two hundred feet north of Bridgewater Avenue in conjunction with the Chippewa History Center Project and for the Chippewa Falls Historical Society to pay for the extension. In addition, to authorize Mayor Hoffman to execute the agreement. **All present voting aye. MOTION CARRIED.**

7. The Board of Public Works considered the attached petition to discontinue and vacate the alley in Block #1, Bonneville Addition bounded by Olive Street, Terrill Street, Elm Street and Perry Street. Signatures on the petition circulated by Kristi Taylor represent owners of 72% of the alley frontage. Director of Public Works Rubenzer stated that there weren't any City utilities in the alley.

Motion by Rubenzer, seconded by Olson to recommend the Common Council find it in the public interest to discontinue and vacate the alley in Block #1, Bonneville Addition bounded by Olive Street, Terrill Street, Elm Street and Perry Street and to introduce a resolution to that effect and then conduct a public hearing for the same. **All present voting aye. MOTION CARRIED.**

8. **Motion** by Bauer, seconded by Olson to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 6:15 P.M.


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

Memo

To: Board of Public Works

From: Chippewa Falls Engineering Office, Bill McElroy *WMM*

Date: 4/13/2020

Re: Recommendation of Award for Elm Street Utility and Street Improvement Project

The Engineering Department opened bids on the Elm Street Utility and Street Improvement Project (Perry Street – Wheaton Street) on April 9th at 9:00AM. Bids were received from four contractors at the following amounts:

- Haas Sons, Inc: \$748,101.71
- Gerke Excavating Inc: \$794,041.93
- A-1 Excavating Inc: \$808,304.45
- McCabe Construction: \$879,658.88

The Engineer's Estimate for this project was \$877,858.75. As noted above, the bids for the project had a range of \$131,557.17 with the bid from Haas Sons, Inc being 17% below the Engineer's Estimate.

The full as-read bid result with unit prices is available upon request.

The Engineering Department recommends that the bid from Haas Sons, Inc of \$748,101.71 for the Elm Street Utility and Street Improvement Project be awarded upon acceptable review of the bid documents by Attorney Ferg.

Memo

To: Board of Public Works

From: Chippewa Falls Engineering Office, Bill McElroy *WMM*

Date: 4/13/2020

Re: Recommendation of Award for Huron Street Utility and Street Improvement Project

The Engineering Department opened bids on the Huron Street Utility and Street Improvement Project (Elm Street – Macomber Street) on April 9th at 9:45AM. Bids were received from four contractors at the following amounts:

- Haas Sons, Inc: \$289,055.26
- Gerke Excavating Inc: \$302,507.42
- A-1 Excavating Inc: \$313,466.85
- Francis Melvin, Inc: \$355,667.55

The Engineer's Estimate for this project was \$310,393.50. As noted above, the bids for the project had a range of \$66,612.29 with the bid from Haas Sons, Inc being 7% below the Engineer's Estimate.

The full as-read bid result with unit prices is available upon request.

The Engineering Department recommends that the bid from Haas Sons, Inc of \$289,055.26 for the Huron Street Utility and Street Improvement Project be awarded upon acceptable review of the bid documents by Attorney Ferg.

Memo

To: Board of Public Works

From: Chippewa Falls Engineering Office, Bill McElroy *WMM*

Date: 4/13/2020

Re: Recommendation of Award for Linden Street Utility and Street Improvement Project

The Engineering Department opened bids on the Linden Street Utility and Street Improvement Project (Maple Street – Woodward Avenue) on April 9th at 9:30AM. Bids were received from five contractors at the following amounts:

- Haas Sons, Inc: \$191,321.33
- Skid Steer Guy: \$204,225.50
- Gerke Excavating Inc: \$211,885.65
- A-1 Excavating Inc: \$212,278.25
- Francis Melvin, Inc: \$219,499.50

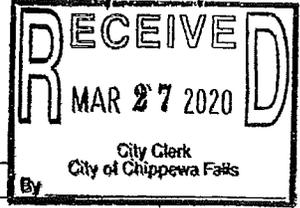
The Engineer's Estimate for this project was \$202,348.00. As noted above, the bids for the project had a range of \$28,178.17 with the bid from Haas Sons, Inc being 6% below the Engineer's Estimate.

The full as-read bid result with unit prices is available upon request.

The Engineering Department recommends that the bid from Haas Sons, Inc of \$191,321.33 for the Linden Street Utility and Street Improvement Project be awarded upon acceptable review of the bid documents by Attorney Ferg.

BRW April 13, 2020

PETITION
(Alley Paving)



I/We, the undersigned, hereby petition that the alley through Block 25
of Chippewa Falls PLAT Addition (Bounded by Spring St.
GROVE St. River St. and Prairie St) be
blacktopped at the current front foot rate as determined by the Common Council.

- Name/Address**
- 49.5' Michael / Kathryn 12 N. Grove St. Kathryn A. Adrutt
 - 99' 22 N. Grove St. Cecelia Schenck
 - 66' Nick Sokup
 - ~~100'~~ 21 N. Prairie St
 - 82' DAVID A. Clark 15036 185th Jan Falls - North Prairie St David Clark
 - 50' Amy Konsella 15 N. Prairie St Amy Konsella

346.5
528 = 66%

Addresses of owners that I/We were unable to contact:

- 49.5' 10 N. Grove David/Virginia Murry 441 25 1/2 St Chetek
- 66' 4 N. Grove Michael Hellman N7325 950th St, Colfax
- 66' 5 N. Grove Anastacia Wittman

181.5
Petition circulated by Cecelia Schenck Phone 715-723-7756
528 = 34%

Petition Form picked-up

Petition Received by Clerk

NOTE: The rate charged per front foot will be the rate in effect at the time the Common Council adopts the Resolution authorizing the work and levying this Special Charge.

Rate is subject to change by the Common Council.

(Rate as of Feb 18 2020 is \$ 8.00 /front foot)





engineering | architecture | environmental | surveying
landscape architecture | planning | economic development

604 Wilson Avenue
Menomonie, WI 54751
715-235-9081
800-472-7372
FAX 715-235-2727
www.cedarcorp.com

March 30, 2020

Chippewa Falls Public Works Dept.
30 W. Central St.
Chippewa Falls, WI 54729

SUBJECT: Notification UPDATE associated Thaler Oil Company Main Office Bulk Plant
Petroleum Release Project Closure

Dear Mr. Rubenzer,

Thaler Oil Company is in the process of asking the Wisconsin Department of Natural Resources (WDNR) to close the Thaler Oil Company Main Office Bulk Plant petroleum release site at 310 S Main St. Chippewa Falls, Wisconsin. As part of the closure or completion process, the WDNR requires the responsible party to send the attached official, standardized notice to the owners of properties that are affected by contamination related to that site. Recent data collected at the site has provided new information regarding impacted City of Chippewa Falls rights-of-way, and the following information has been updated.

It is a common part of the closure process for properties with approved cleanups to have continuing obligations. Residual impacted groundwater has been identified beneath the following City of Chippewa Falls right-of-way:

- Cliff St. ROW

In addition, residual impacted soil has been identified beneath the City of Chippewa Falls Cliff St. ROW west of Main Street. Appropriate management of residual impacted soil must be done in compliance with State law if deep excavation is conducted.

Thaler Oil Company has sought WDNR concurrence to close (or complete) this remediation project. If you should have any concerns regarding this matter you may contact: 1) Thaler Oil Company's environmental consultant at Cedar Corporation – Logan Seipel, 604 Wilson Avenue, Menomonie, WI 54751, (715) 235-9081; or 2) the Wisconsin Department of Natural Resources, Matthew Vitale, 1300 W. Clairemont Ave, Eau Claire WI 54701, (715) 839-3760.

Sincerely,

CEDAR CORPORATION

Logan Seipel
Environmental Specialist

**Notification of Continuing Obligations
and Residual Contamination**

Form 4400-286 (9/15)

C. I. Page

The affected property is:

- the source property (the source of the hazardous substance discharge), but the property is not owned by the person who conducted the cleanup (a deeded property)
- a deeded property affected by contamination from the source property
- a right-of-way (ROW)
- a Department of Transportation (DOT) ROW

Include this completed page as an attachment with all notifications provided under sections A and B.

Contact Information

Responsible Party: The person responsible for sending this form, and for conducting the environmental investigation and cleanup is:

Responsible Party Name Thaler Oil Company

Contact Person Last Name Thaler	First Steve	MI	Phone Number (include area code) (715) 732-2822
Address 310 S Main St.	City Chippewa Falls	State WI	ZIP Code 54729
E-mail			

Name of Party Receiving Notification:

Business Name, if applicable: Chippewa Falls Public Works Department

Title Mr.	Last Name Rubenzer	First Rick	MI	Phone Number (include area code) (715) 726-2736
Address 30 W. Central St.		City Chippewa Falls	State WI	ZIP Code 54729

Site Name and Source Property Information:

Site (Activity) Name Thaler Oil Co Main Office Bulk Plant

Address 310 S. Main St.	City Chippewa Falls	State WI	ZIP Code 54729
DNR ID # (BRRS#) 03-09-185672	(DATCP) ID #		

Contacts for Questions:

If you have any questions regarding the cleanup or about this notification, please contact the Responsible Party identified above, or contact:

Environmental Consultant: Cedar Corporation

Contact Person Last Name Seipel	First Logan	MI	Phone Number (include area code) (715) 235-9081
Address 604 Wilson Ave.	City Menomonie	State WI	ZIP Code 54751
E-mail <u>logan.seipel@cedarcorp.com</u>			

Department Contact:

To review the Department's case file, or for questions on cleanups or closure requirements, contact:

Department of: Natural Resources (DNR)

Address 1300 W. Clairemont Ave	City Eau Claire	State WI	ZIP Code 54701
Contact Person Last Name Vitale	First Matthew	MI	Phone Number (include area code) (715) 839-3760
E-mail (Firstname.Lastname@wisconsin.gov) <u>Matthew.vitale@wisconsin.gov</u>			

**Notification of Continuing Obligations
and Residual Contamination**

Form 4400-286 (9/15)

Section B: ROW Notification: Residual Contamination and/or Continuing Obligations - Non-DOT ROWs

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

30 W. Central St.
Chippewa Falls, WI, 54729

Dear Mr. Rubenzcr:

I am providing this notification to inform you of the location and extent of contamination remaining in a right-of-way for which you are responsible, and of certain long-term responsibilities (continuing obligations) for which city of Chippewa Falls may become responsible. I investigated a release of:

petroleum

on 310 S. Main St., Chippewa Falls, WI, 54729 that has shown that contamination

has migrated into the right-of-way for which city of Chippewa Falls is responsible.

I have responded to the release, and will be requesting that the Department of Natural Resources (DNR) grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken. However, continuing obligations may be imposed as a condition of closure approval.

You have 30 days to comment on the proposed closure request:

The DNR will not review my closure request for at least 30 days after the date of this letter. As an affected right-of-way holder, you have a right to contact the DNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the DNR that is relevant to this closure request, you should mail that information to the DNR contact: 1300 W. Clairemont Ave, Eau Claire, WI, 54701, or at Matthew.vitale@wisconsin.gov.

Residual Contamination:

Groundwater Contamination:

Groundwater contamination originated at the property located at: 310 S. Main St., Chippewa Falls, WI, 54729 .

The levels of
benzene, trimethylbenzenes, xylenes

contamination in the groundwater on your property are above the state groundwater enforcement standards found in ch. NR 140, Wis. Adm. Code.

Soil Contamination:

Soil contamination remains at:
the south side of Cliff Street immediately west of Main Street.

The remaining contaminants include :
benzene, toluene, xylenes, ethylbenzene, trimethylbenzenes.

at levels which exceed the soil standards found in ch. NR 720, Wis. Adm. Code. The following steps have been taken to address any exposure to the remaining soil contamination.

Given the depth of soil contamination, no risk for direct contact exposure exists on the property.

If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If you or any other person plan to conduct utility or building construction for which dewatering will be necessary, you or that person must contact the DNR's Water Quality Program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

Continuing Obligations on the Right-of-Way (ROW) : As part of the response actions, I am proposing that the following continuing obligations be used at the affected ROW. If my closure request is approved, you will be responsible for the following continuing obligations:

Residual Soil Contamination:

If soil is excavated from the areas with residual contamination, the right-of-way holder at the time of excavation will be responsible for the following:

- determine if contamination is present,
 - determine whether the material would be considered solid or hazardous waste,
 - ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules.
- Contaminated soil may be managed in-place, in accordance with s. NR 718, Wis. Adm. Code, with prior Department approval.

The right-of-way holder needs to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans from ingestion, inhalation or dermal contact.

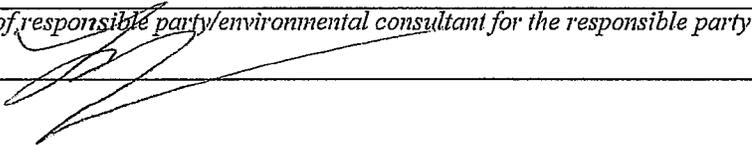
Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

GIS Registry and Well Construction Requirements:

If this site is closed, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at <http://dnr.wi.gov/topic/Brownfields/clean.html>. Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include final closure letters, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map), on the "GIS Registry" layer, at the same internet address listed above.

DNR approval prior to well construction or reconstruction is required for all sites included in the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. Special well construction standards may be necessary to protect the well from the remaining contamination. Well drillers need to first obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. The well construction application, form 3300-254, is on the internet at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

If you have any questions regarding this notification, I can be reached at: (715) 235-9081
logan.seipel@cedarcorp.com

<i>Signature of responsible party/environmental consultant for the responsible party</i> 	<i>Date Signed</i> 3/30/2020
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------

Attachments

Contact Information

Legal Description for each Parcel:

**Minutes of the
Meeting of the Chippewa Falls Public Library Board of Trustees
Emergency Meeting
March 16, 2020**

1. Call to Order

Meeting was called to order by President Jan Drehmel at 5:00 p.m.

2. Roll Call of Members

Members Present: Ambelang, Drehmel, Hiess, Jones, King, Newton, Russell

Others Present: Director Joe Niese, Confidential Administrative Assistant Deb Braden

3. Approval of Agenda

Motion by King seconded by Russell to approve the agenda. All present Voting Aye. Motion carried.

4. Consideration of and action of possible closure of the library.

Director Niese presented the course of action. After discussion the Board of Trustees made such action.

Motion made by Jones, seconded by King we close the library under the following guidelines:

- 1) We will be open regular schedule hours tomorrow, Tuesdays, March 17, 10am-8pm.
- 2) Starting Wednesday, March 18, we will be closed to the public until further notice—the board will reevaluate on Wednesday, April 1.
- 3) We will not be accepting return materials during the closure.
- 4) Fines will be waived until the week after we reopen.
- 5) During this time, staff will work from 8-5, Monday through Friday, no Saturdays.
- 6) For the time being, we will be following the Emergency Closing Policy. All present Voting Aye. Motion carried.

14. Adjournment

Motion made to adjourn by Jones seconded by Ambelang. All present Voting Aye. Motion carried.

Meeting adjourned at 5:23 p.m.

Respectfully Submitted,
Deb Braden, Confidential Administrative Assistant



ORDINANCE ANNEXING TERRITORY TO
THE CITY OF CHIPPEWA FALLS, WISCONSIN

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN DO
ORDAIN AS FOLLOWS:

SECTION 1: Territory Annexed. In accordance with sec. 66.0217(2) of the Wisconsin Statutes and the Petition for Direct Annexation that was served upon the City Clerk for the City of Chippewa Falls, signed by the sole owner of two parcels of real property of which said population of said parcels is zero. The following described territories which are located in the Town of Eagle Point, Chippewa County, Wisconsin, is hereby annexed to the City of Chippewa Falls, Wisconsin:

PARCEL 1

Part of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33, Township 29 North, Range 8 West, Town of Eagle Point, Chippewa County, Wisconsin. The parcel is more particularly described as follows:

COMMENCING at the East $\frac{1}{4}$ Corner of said Section 33; thence S. $00^{\circ}39'20''$ W. along the East Line of the Southeast $\frac{1}{4}$, 55.95 feet to the POINT OF BEGINNING; thence, continuing S. $00^{\circ}39'20''$ W. along said East Line, 1,269.73 feet; thence, S. $89^{\circ}53'10''$ W. along the South Line of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 1,067.88 feet to the beginning of a curve to the left, having a radius of 4,396.32 feet and a long Chord which bears N. $12^{\circ}40'13''$ E. for a distance of 1.47 feet; thence, Northeasterly along the arc of said curve and the Easterly right-of-way line of State Highway 178. 1.47 feet; thence along the South and East Lines of Certified Survey Map (C.S.M.) number 3505 the following courses:

1. N. $68^{\circ}04'57''$ E., 289.92 feet; thence,
 2. N. $34^{\circ}25'20''$ E., 229.65 feet; thence,
 3. N. $74^{\circ}16'46''$ E., 237.77 feet; thence,
 4. N. $40^{\circ}51'56''$ E., 532.78 feet; thence,
 5. N. $00^{\circ}40'03''$ E., 505.41 feet; thence,
- S. $89^{\circ}58'36''$ E. along the Southerly right-of-way line of Beach Drive, 99.94 feet to the POINT OF BEGINNING.

Said parcel contains 436,967 square feet or 10.03 acres.

PARCEL IDENTIFICATION NUMBER (PIN): 22908-3341-00020000

PARCEL 2

Part of Government Lot 2 (Southwest ¼ of the Southeast ¼) of Section 33, Township 29 North, Range 8 West, Town of Eagle Point, Chippewa County, Wisconsin. The parcel is more particularly described as follows:

COMMENCING at the East ¼ Corner of said Section 33; thence N. 89°58'27" W. along the East-West ¼ Line, 1,459.85 feet; thence S. 00°00'00" E., 1,426.58 feet to the Southeast Corner of Lot 7, Block 2, Lake Wissota Business Park and the POINT OF BEGINNING; thence, S. 12°21'27" W. along the Westerly right-of-way line of State Highway 178, 448.32 feet to the point of curvature of a curve to the right, having a radius of 4,101.04 feet, and a long chord which bears S. 21°59'29" W. for a distance of 74.18 feet; thence, Southwesterly along said right-of-way and the arc of said curve, 74.18 feet; thence N. 82°33'29" W., 70.00 feet; thence, N. 32°52'07" W., 344.71 feet; thence, N. 36°33'08" E. along the Easterly right-of-way line of Lakeland Drive, 44.46 feet to the Southwest Corner of aforesaid Lot 7; thence, N. 64°01'07" E., 393.54 feet to the POINT OF BEGINNING. Said parcel contains 99,491 square feet or 2.28 acres.

PARCEL IDENTIFICATION NUMBER (PIN): 22908-3343-50020002

Both parcels being subject to any easements or restrictions of record.

SECTION 2: Compliance with Statute. Said Petition of Sole Property Owner for Direct Annexation is a proper petition for Direct Annexation in that said petition stated the purpose for said annexation, contained a legal description of the territory to be annexed, included a scale map of the territory to be annexed which is unincorporated and is contiguous to the City of Chippewa Falls; and

WHEREAS, the Petition for Annexation of the Territory legally described in Section 1, was properly served upon the Town Clerk, for the Town of Eagle Point; and

WHEREAS, the Petition for Direct Annexation of the Territory, legally described in Section 1, was properly served upon the State of Wisconsin, Department of Administration; and

WHEREAS, approval by the State of Wisconsin Department of Administration for the proposed annexation finding it to be in the public interest is pending but approval is expected; and

WHEREAS, this Ordinance is subject to and contingent upon the ultimate approval and advice of the State of Wisconsin Department of Administration; and

WHEREAS, The Common Council of the City of Chippewa Falls believes that annexation of the Territory, legally described in Section 1, in the Town of Eagle Point, Chippewa County, Wisconsin, to the City of Chippewa Falls, Wisconsin, is in the public interest.

SECTION 3: Effect of Annexation. From and after the date of this ordinance the Territory legally described in Section 1 shall be a part of the City of Chippewa Falls for any and all purposes provided by law and all persons coming into or residing within said territory shall be subject to all ordinances, rules and regulations governing the City of Chippewa Falls.

SECTION 4: Zoning Classification. Upon recommendation of the Plan Commission, the Territory annexed to the City of Chippewa Falls by this Ordinance is designated to be a part of the following district of the City for zoning purposes and subject to all provisions of the Zoning Ordinance of the City of Chippewa Falls:

PARCEL 1: P-1, PUBLIC
PARCEL 2: O-2, OFFICE AND INSTITUTIONAL

SECTION 5: Ward Designation. The Territory described in Section 1 of this Ordinance is hereby made a part of Ward 5A of the City of Chippewa Falls, either presently existing or to be established by Ordinance, subject to all other ordinances, rules and regulations of the City, County, and State governing wards.

SECTION 6: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 7: Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

Dated this 21st day of April, 2020.

CW King, Council President

FIRST READING: _____

SECOND READING: _____

APPROVED: _____
Gregory S. Hoffman, Mayor

ATTEST: _____
Bridget Givens, City Clerk

PUBLISHED: _____

RESOLUTION NO. 2020-13

**RESOLUTION AUTHORIZING BLACKTOPPING THE ALLEY LOCATED IN
BLOCK #25, CHIPPEWA FALLS PLAT BOUND BY SPRING STREET, GROVE STREET,
RIVER STREET AND PRAIRIE STREET AND LEVYING SPECIAL CHARGES**

WHEREAS, a petition has been received, which has been signed by the owners of a majority (66%) of the property fronting upon the alley located in:

**Block #25, Chippewa Falls Plat
(Bound by Spring Street, Grove Street, River Street and Prairie Street)**

WHEREAS, owners of 346.5 alley frontage feet of a possible 528 alley frontage feet have executed a petition to pave the said alley and pay a special charge of \$8.00 per alley front foot.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF CHIPPEWA
FALLS, WISCONSIN:**

1. That the Director of Public Works is authorized to cause the above described alley to be blacktopped under current City alley paving policies after a copy of this resolution has been mailed to each interested person whose address is known or can be ascertained by reasonable diligence.
2. That the cost be charged to the abutting property at the rate of \$8.00 per front foot abutting the alley as a special charge under Chapter 66.0627 of the Wisconsin Statute.
3. That all such charges shall be due and payable when billed and any charge not paid when due shall become a lien upon the property assessed as of the date of such delinquency and shall be extended upon the tax roll as a delinquent tax against the property.
- 4: That upon adoption, the Director of Public Works shall cause a copy of this resolution to be mailed to each interested person whose address is known or can be ascertained by reasonable diligence. Mailing of this adopted resolution shall serve as the notice of a special charge specified in Chapter 66.0627 (3) (a) Wisconsin Statutes.

Dated this 21st day of April, 2020

ADOPTED: _____

Council President

APPROVED: _____

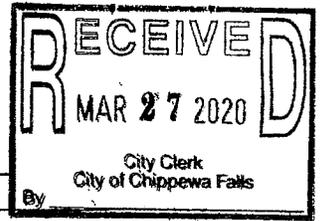
Mayor

ATTEST: _____

City Clerk

PUBLISHED: _____

PETITION
(Alley Paving)



I/We, the undersigned, hereby petition that the alley through Block 25
of Chippewa Falls PLAT Addition (Bounded by Spring St.
GROVE St. River St. and Prairie St) be
blacktopped at the current front foot rate as determined by the Common Council.

Name/Address

Michael / Kathryn 12 N. Grove St. Kathryn A. Adrutt

22 N. Grove St. Cecilia Schomauer

Nick Sokup

21 N Prairie St

DAVID H Clark 15036 185th Jan Falls - North Prairie St

Amy Konsella 15 N Prairie St Amy Konsella

Addresses of owners that I/We were unable to contact:

10 N. Grove David/Virgina Murry 441 25 1/2 St Chetek

4 N. Grove Michael Hellman N7325 950th St, Colfax

5 N. Grove Anastacia Wittman

Petition circulated by Cecilia Schomauer Phone 715-723-7756

Petition Form picked-up

Petition Received by Clerk

NOTE: The rate charged per front foot will be the rate in effect at the time the Common Council adopts the Resolution authorizing the work and levying this Special Charge.

Rate is subject to change by the Common Council.

(Rate as of Feb 18 2020 is \$ 8.00 /front foot)



ADI Properties, LLC

RIGHT OF FIRST REFUSAL – AMENDMENT #1

ORIGINAL

Grantor is granted a first of first refusal to repurchase the conveyed real estate or any portion thereof for \$10,000.00 per acre upon the following terms and conditions. New construction must commence within twelve (12) months from the date hereof and be completed within eighteen (18) months from the date hereof. If the real estate is offered for sale before completion of development, then Grantee shall fully disclose the sale offering to Grantor and Grantor shall thereafter have thirty (30) days to exercise its' right of first refusal. Upon completion of development within eighteen (18) months as set forth above this right of first refusal is extinguished and becomes null and void.

AMENDED TO READ - to grant an additional two (2) years to begin construction.

Grantor is granted a first of first refusal to repurchase the conveyed real estate or any portion thereof for \$10,000.00 per acre upon the following terms and conditions. New construction must commence within thirty-six (36) months from the original document date of April 2, 2019 and be completed within forty-two (42) months from the original document date of April 2, 2019. If the real estate is offered for sale before completion of development, then Grantee shall fully disclose the sale offering to Grantor and Grantor shall thereafter have thirty (30) days to exercise its' right of first refusal. Upon completion of development within forty-two (42) months as set forth above this right of first refusal is extinguished and becomes null and void.

RIGHT OF FIRST REFUSAL

Grantor is granted a right of first refusal to repurchase the conveyed real estate or any portion thereof for \$10,000.00 per acre upon the following terms and conditions. New construction must commence within 12 months from the date hereof and be completed within 18 months from the date hereof. If the real estate is offered for sale before completion of development, then Grantee shall fully disclose the sale offering to Grantor and Grantor shall thereafter have 30 days to exercise its' right of first refusal. Upon completion of development within 18 months as set forth above this right of first refusal is extinguished and becomes null and void.

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED



Tx:4333821

887631

RECORDED ON
04/12/2019 01:11 PM
MARGE L. GEISSLER
REGISTER OF DEEDS
REC FEE: 30.00
TRANSFER FEE:
FEE EXEMPT: 2
CHIPPEWA COUNTY, WI
PAGES: 2

Document Number

Document Name

THIS DEED, made between City of Chippewa Falls, a Wisconsin municipal corporation,

("Grantor," whether one or more), and ADI Properties, LLC

("Grantee," whether one or more).

Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Chippewa County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot 1 of Chippewa County Certified Survey Map No. 4944 recorded on October 11, 2018 at 10:59 a.m. as Document No. 882919 in Volume 23 of the Certified Survey Maps on pages 451-453 of the Chippewa County Registry.

ADI Properties, LLC is receiving a quit-claimed interest in 5.08 acres.

Recording Area

Name and Return Address

Attorney Robert A. Ferg
411 North Bridge Street, Suite 201
Chippewa Falls, Wisconsin 54729

77808-0414-65640021 (Part)

Parcel Identification Number (PIN)

This is not homestead property.
~~(is)~~ (is not)

See Attached Right of First Refusal

Dated April 2, 2019

[Signature] (SEAL)
* Gregory S. Hoffman, Mayor

[Signature] (SEAL)
* Bridget Givens, City Clerk

____ (SEAL)
* _____
____ (SEAL)
* _____

AUTHENTICATION

Signature(s) of Gregory S. Hoffman and Bridget Givens

authenticated on April 2, 2019

[Signature]
* Robert A. Ferg

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

ACKNOWLEDGMENT

STATE OF _____)
_____) ss.
_____ COUNTY)

Personally came before me on _____,
the above-named _____

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

* _____
Notary Public, State of _____
My commission (is permanent) (expires: _____)

THIS INSTRUMENT DRAFTED BY:
Attorney Robert A. Ferg
Chippewa Falls, Wisconsin

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM-DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 3-2003

*Type name below signatures.

INFO-PRO™ Legal Forms • (800)955-2021 • info@proforms.com

**XCEL ENERGY
ACCESS PERMISSION**

PROJECT: Underground 3-phase distribution line construction, Olson Dr, Chippewa Falls

Property Owner: City of Chippewa Falls

Site Address: Southerly of Olson Dr and easterly of Highway 178

Mailing Address: 30 W Central St, Chippewa Falls, WI 54729

Telephone: _____

Property Description: Outlot 8 lying east of the south extension of the east line of Lot 30; also part of Outlot 12; both in 2nd Riverside Ind Park, Section 4, Township 28 N, Range 8W, City of Chippewa Falls, Chippewa County, WI

As shown on Exhibit "A" attached to and made a part of the Access Permission document.

By signing below, you give permission for Xcel Energy, its agents, contractors, and employees to enter upon and cross your property to construct a distribution line on Xcel Energy-owned property southerly of the above described property.

In the event that Xcel Energy causes damage to your property, Xcel Energy shall at its option, either repair the damage or compensate you for such damages. Compensable damages include damage to property, fences, livestock, roads, fields, crops, and trees (other than trees, timber and brush that may be located within a proposed right-of-way strip). You will be compensated for damage to or loss of merchantable timber on the basis of stumpage value as set forth in Wis. Admin. Code NR 46.02(12) and NR 46.30. You will be compensated for all other compensable damages on the basis of the prevailing market value at the time that the damage occurs.

Anticipated dates: Intermittent activity taking place in May, June, July and possibly August 2020

Owner or Authorized Agent: _____ Date: _____
Name:
Title:

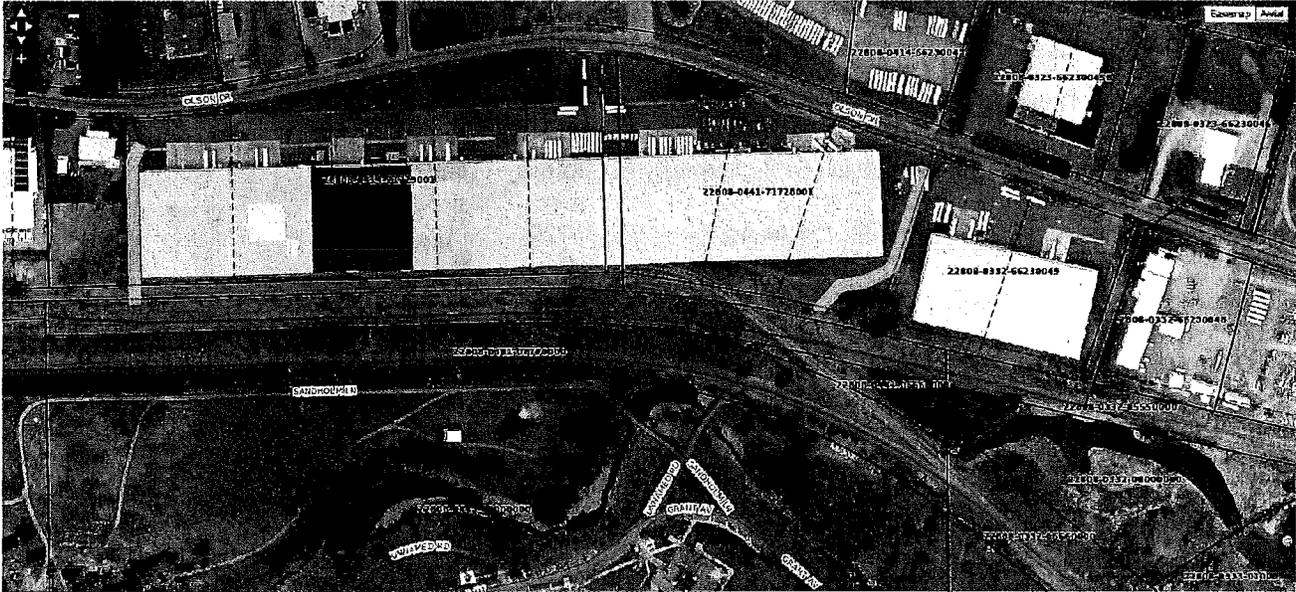
For questions please call 715-737-2482 (office) or 715-559-4578 (cell)

Mailing Address:
Xcel Energy
Dawn Schultz, Siting & Land Rights
1414 West Hamilton Av., PO Box 8
Eau Claire, WI 54702-0008

Route of Entry: Using existing access routes to access Xcel Energy property that is southerly and adjacent to the City's property. One access location will be toward the westerly end of City property and one on the easterly end of City property. Xcel Energy may also need to utilize the areas adjacent to those highlighted to turnaround.

Special Conditions:

EXHIBIT A
Access routes



— Approximate cable route

- - - Equipment & personnel route