

AGENDA FOR REGULAR MEETING OF COMMON COUNCIL

To be held on Tuesday, November 7, 2017 at 6:30 P.M. in the City Hall
Council Chambers, 30 West Central Street, Chippewa Falls, WI

1. CLERK CALLS THE ROLL

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Approve minutes of the Regular Council Meeting of October 17, 2017.

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.

4. PUBLIC HEARINGS - None

5. COMMUNICATIONS - None

6. REPORTS

(a) Consider Board of Public Works minutes of October 23, 2017.

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 October 24, 2017.

(b) Consider Committee #1 Revenues, Disbursements, Water, and Wastewater minutes of October 31, 2017.

(c) Consider Committee #1 Revenues, Disbursements, Water, and Wastewater minutes of November 7, 2017. *(minutes to be distributed prior to meeting)*

(d) Consider Committee #2 Labor Negotiations, Personnel, Policy and Administration minutes of October 24, 2017.

(e) Consider Committee #2 Labor Negotiations, Personnel, Policy and Administration minutes of November 6, 2017. *(minutes to be distributed prior to meeting)*

8. APPLICATIONS

(a) Consider Operator (Bartender) Licenses as approved by the Police Department. *(Complete list provided prior to Council meeting).*

(b) Consider Street Use Permit Application from Chippewa Falls Main Street for the Bridge to Wonderland Parade to be held on December 2, 2017 from 6:00 pm – 7:30 pm utilizing N Bridge Street from Cedar Street to the roundabout (see attached map and recommendation of the Board of Public Works).

(c) Consider Street Use Permit Application from the Indianhead Track Club for the Frigid 8 and Thermal 3 Run/Walk to be held on December 2, 2017 from 8:00 am – 1:00 pm utilizing various City Streets (see attached map)

(d) Consider Non-Commercial Kennel License Application of Charline Kozlowski, 928 Evergreen Lane (see recommendations of the Police Department).

(e) Consider Original Alcohol Beverage Retail License Application from Micon Cinemas, Inc., Daniel Olson, Agent, for a "Class C" Wine License for Micon Cinemas, Inc. located at 475 Chippewa Mall Drive, Suite 215.

(f) Consider conditional surrender from Brenda Hopkins (Farm Store Grille, 213 N Bridge St) of her Class "B" / "Class B" Intoxicating Liquor and Malt Beverage License predicated upon the granting of the licenses to Max's Bistro, LLC.

(g) Consider Original Alcohol Beverage Retail License Application from Max's Bistro LLC, Eleison Rivera, Agent, for a Class "B" / "Class B" Intoxicating Liquor and Malt Beverage License for Max's Bistro and Bar located at 213 N Bridge Street.

9. PETITIONS - None

10. MAYOR ANNOUNCES APPOINTMENTS

(a) Consider appointing Debi Waldusky and Teresa Germain to the Redevelopment Authority as recommended by the Mayor. Action on these appointments scheduled for November 21, 2017.

11. **MAYOR'S REPORT** - None

12. **REPORT OF OFFICERS** – None

13. **ORDINANCES**

(a) First Reading of **Ordinance #2017-17 Entitled:** An Ordinance Adding Conditional Uses to the General Commercial District and the Highway Commercial District Code Sections of the Chippewa Falls Zoning Code.

14. **RESOLUTIONS** - None

15. **OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW**

(a) Consider any motion made to take from the table the motion previously laid on the table on October 17, 2017 regarding the Second Reading of **Ordinance #2017-16 Entitled:** An Ordinance Granting a Special Use Permit to Locate up to Two Tiny Houses at 531 East South Avenue, on Parcel # 4424.

(b) Consider any motion made under § 2.24 of the City Code to suspend the rules and proceed to a Second Reading of and consider **Ordinance #2017-16 Entitled:** An Ordinance Granting a Special Use Permit to Locate up to Two Tiny Houses at 531 East South Avenue, on Parcel # 4424.

(c) Discuss and consider State of Wisconsin DNR Recreational Boating Facilities Grant for the Erickson Park Project and authorize appropriate city personnel to execute the grant agreement.

(d) Discuss and consider Agreement for General Services with Strand Associates for 2018 Wastewater Charge System Update.

(e) Discuss parking space requirements in the C-3 Central Business District in relation to Blue Marble Pub.

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 November 3, 2017 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, October 17, 2017 in the City Hall Council Chambers. Mayor Greg Hoffman called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: John Monarski, Rob Kiefer, CW King, Chuck Hull, Paul Olson, Paul Nadreau, and Robert Hoekstra.

Also Present: City Attorney Robert Ferg, Finance Manager/Treasurer Lynne Bauer, City Planner/Transit Manager Jayson Smith, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, Police Chief Matthew Kelm, Parks and Recreation Director Dick Hebert, City Clerk Bridget Givens, and those on the attached sign-in sheet.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Motion by Hoekstra/King to approve the minutes of the Regular Council Meeting of October 3, 2017. **All present voting aye, motion carried.**

PERSONAL APPEARANCES BY CITIZENS - None

PUBLIC HEARINGS

(a) Michael Cohoon, 463 Glenwood Court, appeared to provide an overview of Hope Village and the project proposed to locate two tiny houses to shelter the homeless at Chippewa Valley Bible Church. The project would be similar to what is currently being done at Trinity United Methodist Church (Trinity). Mayor Hoffman opened the Public Hearing regarding a Special Use Permit to locate up to two tiny houses at 531 E South Avenue, Parcel #4424, Chippewa Valley Bible Church, at 6:33 pm.

Speaking in opposition of the project were the following:

Don Miller, 542 E South Avenue
Cheryl Crawford, 534 E South Avenue

Speaking in support of the project were the following:

Alan Dunham, 840 Mansfield Street
Shirley Froehlich, 22940 Cty Hwy X, Cadott
Curt Rohland, 10803 175th Street
Ruth Rosenow (Chippewa County Housing Director), 508 Squires Street

Chief Kelm was questioned if the Police Department has received calls regarding the Trinity location; they have not.

There being no further requests to speak, the Public Hearing was closed at 6:47 pm.

COMMUNICATIONS - None

REPORTS

(a) The Board of Public Works meeting of October 9, 2017 was cancelled due to a lack of agenda items.

(b) Motion by Hull/Kiefer to approve the Plan Commission minutes of October 9, 2017. **All present voting aye, motion carried.**

COUNCIL COMMITTEE REPORTS

(a) Motion by Monarski/Hoekstra to approve the Committee #1 Revenues, Disbursements, Water, and Wastewater minutes of October 10, 2017. **Roll Call Vote: Aye – Monarski, Hoekstra, Kiefer, King, Hull, Olson, Nadreau. Motion carried.**

(b) Motion by Monarski/Nadreau to approve the Committee #1 Revenues, Disbursements, Water, and Wastewater minutes of October 17, 2017. **Roll Call Vote: Aye – Monarski, Nadreau, Hoekstra, Kiefer, King, Hull, Olson. Motion carried.**

(c) Motion by King/Kiefer to approve the Committee #3 Transportation, Construction, Public Safety and Traffic minutes of October 17, 2017. **Roll Call Vote: Aye – King, Kiefer, Hull, Olson, Nadreau, Hoekstra, Monarski. Motion carried.**

COUNCIL COMMITTEE REPORTS (continued)

(d) Motion by Nadreau/Olson to approve the Committee #4 Recycling, Computerization, Buildings and Intergovernmental Services minutes of October 17, 2017. **Roll Call Vote: Aye – Nadreau, Olson, Hoekstra, Monarski, Kiefer, King, Hull. Motion carried.**

(e) The Park Board minutes of October 10, 2017 were presented.

(f) The Library Board minutes of September 13, 2017 were presented.

APPLICATIONS

(a) Motion by King/Hoekstra to approve the Operator (Bartender) Licenses conditioned upon final approval by the Police Department. **All present voting aye, motion carried.**

Motion by Monarski/Kiefer to combine items (b) and (c) below for discussion and consideration. **All present voting aye, motion carried.**

City Attorney Ferg explained the transfer of license is needed due to the assignment for the benefit of creditors being in effect; the receiver is vested with the title to the premises. As Gordy's no longer has title to the premises or its contents, the statutes provide for a transfer of the license to a receiver so the premises can be legally operated relative to the sale of alcohol.

Motion by Kiefer/Hoekstra to approve items (b) and (c) as follows:

(b) Retail License Transfer of the Class "A"/"Class A" Intoxicating Liquor and Malt Beverage License from Gordy's Chippewa Foods, Inc. (212 Bay Street) to Gordy's Chippewa Foods, Inc., Michael S. Polsky, Receiver; and

(c) Retail License Transfer of the Class "A"/"Class A" Intoxicating Liquor and Malt Beverage License from Gordy's Chippewa South, Inc. (303 Prairie View Road) to Gordy's Chippewa South, Inc., Michael S. Polsky, Receiver.

Roll Call Vote: Aye – Kiefer, Hoekstra, Monarski, Hull, Nadreau; No – King, Olson. Motion carried.

Motion by Monarski/Kiefer to consider items (d) – (f) in one motion. **All present voting aye, motion carried.**

Motion by Monarski/Kiefer to approve items (d) – (f) as follows:

(d) Street Use Permit Application from Arthur Butcher for the Run for the Fallen to be held on October 21, 2017 from 8:00 am – 12:00 pm utilizing Lake Wissota Drive, Lakeview Drive, and Lakeland Drive.

(e) Street Use Permit Application from the Chippewa Manor for the Veterans Salute to be held on November 9, 2017 at 222 Chapman Road; flags to be displayed in the boulevard from November 6 – 13, 2017.

(f) Application for Temporary Class "B" Beer Retailer's License from the Knights of Columbus for the Hunter's Stag to be held on November 8, 2017 at the Knights of Columbus Hall, 236 Pumphouse Road.

(g) Application for Temporary Class "B" Beer Retailer's License from the Chippewa Falls Area Senior Center for the Hoedown Fundraiser Party to be held on October 28, 2017 at 1000 E Grand Avenue.

All present voting aye, except Hoekstra who voted present, motion carried.

PETITIONS - None

MAYOR ANNOUNCES APPOINTMENTS - None

MAYOR'S REPORT - None

REPORT OF OFFICERS - None

ORDINANCES

(a) Motion by King/Hull to approve **Ordinance #2017-15 Entitled:** An Ordinance Amending the Thirty-Minute Parking Provision Code Section, §7.09(3)(c) of the Chippewa Falls Municipal Code. **Roll Call Vote: Aye – King, Hull, Olson, Nadreau, Hoekstra, Monarski, Kiefer. Motion carried.**

(b) Motion by King/Nadreau to approve **Ordinance #2017-16 Entitled:** An Ordinance Granting a Special Use Permit to Locate up to Two Tiny Houses at 531 E South Avenue, on Parcel #4424. Council President Kiefer advised that he is not opposed to the addition of tiny houses, but indicated when they were granted at Trinity, it was recommended that the process be reviewed after one year. These were approved last February so he felt the Council should wait until the one year period to allow for the review. Councilor Hoekstra indicated he is in favor of the concept, but approved the tiny houses at Trinity based upon the proximity to the Police Department and other services.

ORDINANCES (continued)

Due to the location (lack of services and near a school) Hoekstra was not in favor of tiny houses being placed at the Chippewa Valley Bible Church. It was discussed that additional conditions should be considered such as proximity to schools or parks. Councilor Nadreau agreed; however, feels it is better for people to be living in the tiny houses as opposed to their vehicles.

Motion by Kiefer/Olson to table the ordinance until such time as the one-year review of the Trinity location can be completed. **Roll Call Vote: Aye – Kiefer, Olson, Hoekstra, Monarski; No – King, Hull, Nadreau.**
Motion carried. Hoekstra called for a point of order to confirm the vote, Mayor Hoffman accepted and it was confirmed the vote was 4/3 in favor of tabling the ordinance.

RESOLUTIONS - None

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) Motion by King/Hoekstra to approve awarding the bid for HVAC repairs and improvements at the Chippewa Falls Wastewater Treatment Plant to low bidder, J.F. Ahern, in the amount of \$518,400. **Roll Call Vote: Aye – King, Hoekstra, Monarski, Kiefer, Hull, Olson, Nadreau. Motion carried.**

(b) Motion by Monarski/Kiefer to approve Contract Amendment No. 2 with SEH for the Chippewa Falls Downtown Riverfront Project. Councilor Olson questioned the scope of the amendment. It was stated that SEH will be providing the architectural design of the restrooms and maintenance building. **Roll Call Vote: Aye – Monarski, Kiefer, King, Hull, Olson, Nadreau, Hoekstra. Motion carried.**

(c) Parks and Recreation Director Dick Hebert distributed an Emerald Ash Borer Information Sheet and provided details thereon. The City recently conducted a tree inventory which included boulevard trees and trees in Irvine and Marshall Parks. 21.4% of the trees were identified as ash trees. Hebert discussed the condition of the inventoried trees, the treatment options (drenching/injection), and the cost associated with each treatment method. **Motion by Kiefer/Hull** to approve the recommendation of the Park Board to identify and treat 10 – 12 trees in the parks and that homeowners have the option to treat trees on the boulevard at their own expense. **Roll Call Vote: Aye – Kiefer, Hull, Olson, Nadreau, Hoekstra, King; No – Monarski. Motion carried.**

Hebert also extended an invitation to the Mayor and Council to attend an informational Open House on November 7th at 5:00 pm regarding the Emerald Ash Borer Readiness and Response Plan.

CLAIMS

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

City General Claims:	\$589,895.77
Authorized/Handwritten Claims:	\$40,886.90
Department of Public Utilities:	\$36,219.30
Total of Claims Presented	<u>\$667,001.97</u>

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

CLOSED SESSION - None

ADJOURNMENT

Motion by King/Hoekstra to adjourn at 7:26 pm. **All present voting aye, motion carried.**

Submitted by:
Bridget Givens, City Clerk

CITY COUNCIL ATTENDANCE SHEET - October 17, 2017

NAME	ADDRESS
Cheryl Crawford	534 E. South Ave Chippewa
Justin Ford	534 E. South Ave Chippewa
Shirley Froelich	City Work Cook
Ernie Miller	542 E. South Ave. C. F.
Don Miller	542 E. South Ave C. F.
Alan Dunham	840 Mansfield St CF
Milo Colborn	463 Glenwood Ct CF.
ARTHUR BUTCHER	1008 BUTCHMAN DR #2 CF
Ruth Rosenow	508 Squires St. CF
Ken Froelich (Eion Church)	1102 Superior CF
Curt Rokland	10803 175 th ST.

Lanise Rokland
10803 175th St.

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, OCTOBER 23, 2017 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, October 23, 2017 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 present were Dale Shipman, 8438 163rd St., Chippewa Falls, Eagle Point Plan Commission, Dennis Ferstenou Eagle Point Town Chairperson, Bruce Stelzner, Stelzner Management Consultants representing the Town of Eagle Point.

1. **Motion** by Olson, seconded by Bauer to approve the minutes of the September 25, 2017 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. The Board considered the attached Street Use Permit from Chippewa Falls Main Street for the Bridge to Wonderland Parade. Director of Public Works Rubenzer noted that Public works and Police Department services were required for the Bridge to Wonderland Parade but that Main Street has previously not been charged for these services. He continued that each hour that Street Department personnel are delivering, setting up or removing traffic control is one less hour spent repairing or maintaining streets. **Motion** by Bauer, seconded by Olson to recommend the Common Council approve the Street Use Permit application from Chippewa Falls Main Street for the Bridge to Wonderland Parade on Saturday, December 2, 2017 and not to charge Main Street for associated Public Works and Police Department services for the event. **All present voting aye. MOTION CARRIED.**

3. Bruce Stelzner of Stelzner Management consultants appeared and explained the attached October 16, 2017 amended notice of investigation from the Office of the Commissioner of Railroads to consider closure of the public crossing of the Progressive Rail Inc., (PGR) tracks at 95th Avenue (Darrow Road) and 105th Avenue, both in the Town of Eagle Point. He stated that 95th Avenue had average daily traffic of 750 vehicles and 105th Avenue had 600 vehicles per day. He indicated that when the PGR/County Highway “S” crossing was blocked (five or six times daily) there would be an impact on City of Chippewa Falls streets Commerce Parkway, Halblieb Road, First Avenue and Jefferson Avenue. He noted that more traffic would be routed through the CTH “S”/STH #178 roundabout (very high crash rate) with closure of 95th Avenue. He continued that the impact to a pavement of one truck was equivalent to 6000 cars. He stated that anyone interested in intervening in the process had fourteen days (October 30, 2017) to do so. He stated the West Wisconsin Regional Plan Commission would request a Traffic Impact Analysis be done and that the County Traffic Safety Commission had voted to write a letter to the Office of the Commissioner with Emergency Services Response times concerns. Eagle Point Town Chairperson Dennis Ferstenou appeared and stated that PGR had previously discussed an overpass at 95th Avenue or CTH “S” and that PGR had previously agreed to do a Traffic Impact Analysis. This was later stopped. He noted the increase of traffic on

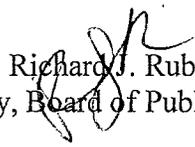
Please note, these are draft minutes and may be amended until approved by the Common Council.

CTH "S" due to Fleet Farm Distribution Center and other new Lake Wissota Business Park tenants. Alderman Olson stated we didn't need to jump to conclusions but that getting a Traffic Impact Analysis done would allow an educated decision to be made. **Motion** by Olson, seconded by Bauer to recommend Director of Public Works Rubenzer request to intervene in the petition of Progressive Rails Inc. to close the 95th Avenue public railroad crossing process and ask for Progressive Rails Inc. to fund a Traffic Impact Analysis from an independent engineering consulting firm. Said Traffic Impact Analysis to address:

- 1) Impact to City of Chippewa Falls local streets
- 2) Impact to emergency services response times
- 3) Impact to Lake Wissota Business Park traffic
- 4) Impact to the number of times CTH "S"/PGR crossing would be closed daily

All present voting aye. MOTION CARRIED.

4. **Motion** by Olson, seconded by Bauer to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 6:10 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, October 9, 2017 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, OCTOBER 9, 2017

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, October 3, 2017 at 9:00 AM by Mary Bowe.

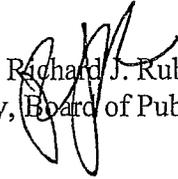
**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, SEPTEMBER 25, 2017 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, September 25, 2017 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.

1. **Motion** by Bauer, seconded by Olson to approve the minutes of the August 21, 2017 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

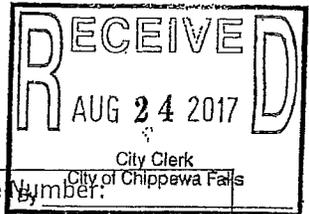
2. The Board considered the attached Street Use Permit application from Chippewa Falls Main Street for Halloween Downtown Trick or Treating on October 31, 2017. **Motion** by Bauer, seconded by Olson to recommend the Common Council approve the attached Street Use Permit application from Chippewa Falls Main Street for Halloween Downtown Trick or Treating on October 31, 2017 and not to charge Chippewa Falls Main Street for City services. **All present voting aye. MOTION CARRIED.**

3. **Motion** by Olson, seconded by Bauer to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 5:43 P.M.


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



CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION



Applicant Name and Address: 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.
 Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization:
 Chippewa Falls Main Street, Inc.
 Attn: Teri Ouimette
 514 N. Bridge St.
 Chippewa Falls, WI 54729

Name of the event: Bridge to Wonderland Parade
 Estimated number of persons participating: 10,000

Date and start and end times requested for street use:
 Saturday, December 2, 2017 6-7:30 p.m.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
 North Bridge Street from Cedar Street to the roundabout (see enclosed map)

Use, described in detail, for which the street use permit is requested:
 Floats, vehicles, and walking units will participate in the annual Bridge to Wonderland Parade.

City services requested for the event (e.g., Street Department or Police Department staff time)
 Barricades (the Street Department will be provided with a map like previous years)

The applicant agrees to indemnify, defend, and hold the City and its employees and 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 or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

Signature of Applicant: *Teri Ouimette* Date: 8/22/17

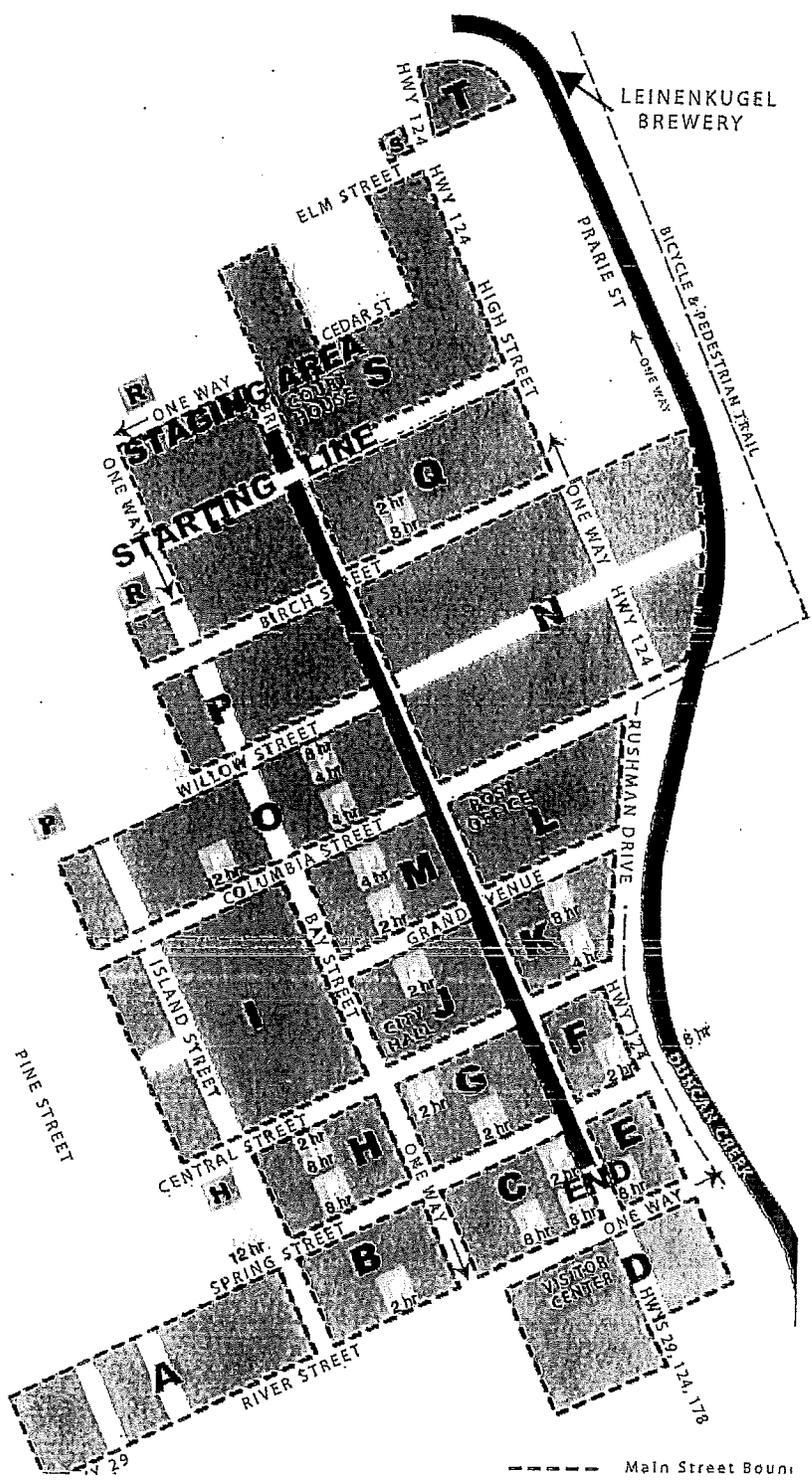
OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
 4 CPD OFFICERS FOR TRAFFIC DIRECTION. \$105

Requirements of Applicant: As stated above, provide a map to the street dept. for traffic control (barricade placement) a couple weeks in advance of the event. PK

Approved by: *[Signature]* 9-7-17 Signature of Chief of Police
[Signature] PE 9/14/2017 Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied
 Decision of City Council (required): Approved Denied



LEINENKUGEL
BREWERY

STARTING LINE

BICYCLE & PEDESTRIAN TRAIL

RUSHMAN DRIVE

8.7M

8.7M

8.7M

8.7M

8.7M

8.7M

--- Main Street Boundary

VISITOR CENTER

ELM STREET

CEDAR ST

HIGH STREET

BIRCH STREET

WILLOW STREET

COLUMBIA STREET

GRAND AVENUE

ISLAND STREET

CENTRAL STREET

12M
SPRING STREET

RIVER STREET

HWY 124

HWY 124

HWY 124, 178

29

Town of Eagle Point
Chippewa County



October 16, 2017

Nik Shepard
GM Crossings & Signals
Progressive Rail, Inc.
21778 Highview Avenue
Lakeville, MN 55044

(Via email and certified mail)

RE: Proposal of Voluntary Road Closure

Dear Mr. Shepard:

This is in response to your Proposal of Voluntary Road Closure for 95th Avenue in the Town of Eagle Point, which was signed by you and received by the email and US Certified mail on October 4 and October 9, 2017 respectively. The Eagle Point Town Board met on October 12 and decided not to sign the Proposal of Voluntary Road Closure. Although the town is not signing the agreement at this time, we are willing to work with Progressive Rail with regard to the road closure and other conditions.

Our decision to not enter into a Volunteer Road Closure agreement at this time is the result of the town board's position that closing 95th Avenue impacts other jurisdictions including Chippewa County and the City of Chippewa Falls. Before any meaningful discussion can take place on this matter, we feel it is necessary that all parties have an opportunity to assess the impact closing 95th Avenue will have on local roads, businesses, economic development, etc. This very same concern existed in May of 2015 when Progressive Rail joined the Town of Eagle Point and Chippewa County in developing the attached Memorandum of Understanding that set in motion the Traffic Impact Analysis (TIA). As you may know, Progressive Rail stopped the TIA process shortly after it began. We believe a re-instatement of the TIA would be in the best interests of all parties and needs to be a part of future discussions.

We ask that Progressive Rail recognize our concerns and respond with a willingness to meet in the near future to discuss closing 95th Avenue along with other issues that need to be addressed as part of this process. We look forward to hearing from you soon.

Sincerely,

Dennis A. Ferstenou
Town Chairman

- c: Lawrence Frazer, Town Supervisor
Randy Woodruff, Town Supervisor
Laurie Hebert, Town Clerk
Rick Bowe, Eagle Point Planning Commission Chair – via email
Yash P. Wadhwa, Commissioner, Office of Commissioner of Railroads - via email
Brian Kelley, Highway Commissioner, Chippewa County – via mail
Rick Rubenzer, Director of Public Works, City of Chippewa Falls – via email
Ross Johnson, Local Programs Manager, WisDot NW Region – via email
Bruce Stelzner, Stelzner Management Consultants, LLC – via email
Ben Lane, Wiley Law SC – via email

OFFICE OF THE COMMISSIONER OF RAILROADS
STATE OF WISCONSIN

Petition of Progressive Rail Inc. for the Closure of the Public Crossing of
95th Avenue with tracks operated by Progressive Rail Inc. in the Town of
Eagle Point, Chippewa County

9145-RX-114

AMENDED NOTICE OF INVESTIGATION

THIS IS AN INVESTIGATION to consider the closure of the public crossing of the Progressive Rail Inc. (PGR) tracks with 95th Avenue (Darrow Road) in the town of Eagle Point, Chippewa County (Crossing No. 185961T / MP 14.33). The Office of the Commissioner of Railroads (Office) opens this docket by its authority under Wis. Stat. ch. 195.

Subsequent to PGR's petition, the Commissioner of Railroads, Yash Wadhwa, pursuant to Wis. Stat. 195.03 (2), 195.28 and 195.29 directed Office staff to investigate the closure of 105th Avenue with tracks operated by PGR in the Town of Eagle Point, Chippewa County.

On February 25, 2012, the town of Eagle Point filed petition with the Office for a determination pursuant to Wis. Stat. 195.28 of the adequacy of warning devices¹. The Office issued a notice August 29, 2012. (PSC REF#: 171044) No order was issued. That docket has been closed. If the Office determines that the crossing should remain open, the Office will simultaneously issue an order on the adequacy of warning devices.

DOCUMENTS. To view documents in this docket: (1) go to the Office's website at <http://ocr.wi.gov>, (2) scroll down and push the ERF button, (3) enter "9145-RX-114" in the box labeled "Quick Single Docket Search," and (4) select "Documents."

To receive automatic notifications for all documents related to this docket please use the Office's EZ-Subscription service: (1) go to the Office's website at <http://ocr.wi.gov>, (2) scroll down and push the EZ Docket Subscription button, (3) enter "9145-RX-114" in the box labeled "Docket ID," and (4) select "Subscribe."

INTERVENTION. Interested persons may participate in this investigation without becoming a party. However, any person desiring to become a party shall file a request for party status, known as a request to intervene, under Wis. Stat. § 227.44(2m) and Wis. Admin. Code § RR 1.02(1)(c) no later than 14 days from the date of service of this notice.

To file such a request, go to the Office's website at <http://ocr.wi.gov>, click on the "Electronic Filing" link in the main menu bar. On the next page, fill in the requested fields and attach the document in pdf format, click "Upload".

¹ OCR Docket 9040-RX-1303, PSC REF#: 289481.

A person desiring to become a party who lacks access to the Internet shall make a request to intervene by U.S. mail addressed to:

Docket 9145-RX-114 Intervention Request
Office of the Commissioner of Railroads
P.O. Box 7854
Madison, WI 53707-7854

At the time of filing, the person making the request to intervene shall serve a copy of the request on existing parties. At this time, the PGR, the town of Eagle Point, and Chippewa County are parties. An existing party may respond to the request for intervention within 5 days of service.

WISCONSIN ENVIRONMENTAL POLICY ACT. Under Wis. Admin. Code § RR 1.13(2), this investigation does not require the preparation of an environmental impact statement.

ASSESSMENT. The Office finds that the expenses that are reasonably attributable to this investigation will be assessed against the PGR in accordance with Wis. Stat. § 195.60 and Wis. Admin. Code § RR 2.04.

AMERICANS WITH DISABILITIES ACT. The Office does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this docket or who needs to obtain this document in a different format should contact the docket coordinator listed below. The Office is located in Room 110 of the Commission's Building at 610 N. Whitney Way, Madison, Wisconsin 53707. The building is accessible to people in wheelchairs through the Whitney Way first floor (lobby) entrance. Parking for people with disabilities is available on the south side of the building.

CONTACT. For questions about this docket, contact the Office's docket coordinator, Heather Graves, at (608) 266 - 0276 or Heather.Graves@wisconsin.gov.



Heather Graves
Program and Policy Analyst-Supervisor

JG/hg DL: 01583923

Highway Department

Brian M. Kelley, PE
Highway Commissioner

CHIPPEWACOUNTY
WISCONSIN



October 2, 2017

Mr. Yash P. Wadhwa
Commissioner
Office of the Commissioner of Railroads
P.O. Box 7854
Madison, WI 53707-7854

Dear Commissioner Wadhwa,

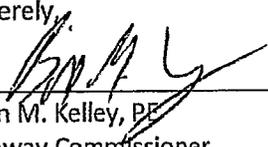
The Chippewa County Highway Department requests your assistance in the matter of OCR Docket 9145-RX-114, which pertains to a petition by Progressive Rail Inc. to close the at-grade crossing of 95th Avenue in the Town of Eagle Point, Chippewa County.

In 2015, Progressive Rail, the Town of Eagle Point, and Chippewa County mutually agreed to move forward with a Traffic Impact Analysis (TIA) to study the impacts of a proposed rail expansion in the Town of Eagle Point. The enclosed Memorandum of Understanding (MOU) outlines the responsibilities of Progressive Rail & Chippewa County in conducting the TIA. On July 17, 2015, Progressive Rail abruptly decided to cancel the TIA, citing the cancellation of the rail expansion plans. On September 27, 2015 the Chippewa Herald published the enclosed article regarding Progressive Rail's plans to cancel the project.

There was no further correspondence between Chippewa County and Progressive Rail on this matter for the past two years. Along with the Town of Eagle Point, we were very surprised and disappointed to learn on September 13, 2017 that Progressive Rail was petitioning to close 95th Avenue. It is the County's position that closure of 95th Avenue has broad implications on the entire state/county/local traffic system. It is also our position that the TIA should be completed prior to considering the closure of 95th Avenue.

The Town of Eagle Point and Chippewa County would like to resume productive discussions with Progressive Rail in order to properly study the traffic impacts that would occur with a future closure of 95th Avenue. From the local perspective, it is unacceptable that Progressive Rail opted to simply request the closure without first studying the impacts. We request your assistance in this matter. Please do not hesitate to contact me at (715) 726-7914 or bkelly@co.chippewa.wi.us.

Sincerely,



Brian M. Kelley, PE
Highway Commissioner

Cc: Heather Graves – Program and Policy Analyst-Supervisor, OCR (via email)
Frank Pascarella – County Administrator, Chippewa County (via email)
Fred Anderson – Project Manager, Chippewa County Highway Department (via email)
Dennis Ferstenou – Chairman, Town of Eagle Point (via email)

Enclosures

OFFICE OF THE COMMISSIONER OF RAILROADS**STATE OF WISCONSIN**

Petition of Progressive Rail Inc. for the Closure of the Public Crossing of
95th Avenue with tracks operated by Progressive Rail Inc. in the Town of
Eagle Point, Chippewa County

9145-RX-114

NOTICE OF INVESTIGATION

THIS IS AN INVESTIGATION to consider the closure of the public crossing of the Progressive Rail Inc. (PGR) tracks with 95th Avenue (Darrow Road) in the town of Eagle Point, Chippewa County (Crossing No. 185961T / MP 14.33). The Office of the Commissioner of Railroads (Office) opens this docket by its authority under Wis. Stat. ch. 195.

On February 25, 2012, the town of Eagle Point filed petition with the Office for a determination pursuant to Wis. Stat. 195.28 of the adequacy of warning devices¹. The Office issued a notice August 29, 2012. (PSC REF#: 171044) No order was issued. That docket has been closed. If the Office determines that the crossing should remain open, the Office will simultaneously issue an order on the adequacy of warning devices.

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INTERVENTION. Interested persons may participate in this investigation without becoming a party. However, any person desiring to become a party shall file a request for party status, known as a request to intervene, under Wis. Stat. § 227.44(2m) and Wis. Admin. Code § RR 1.02(1)(c) no later than 14 days from the date of service of this notice.

To file such a request, go to the Office's website at <http://ocr.wi.gov>, click on the "Electronic Filing" link in the main menu bar. On the next page, fill in the requested fields and attach the document in pdf format, click "Upload".

A person desiring to become a party who lacks access to the Internet shall make a request to intervene by U.S. mail addressed to:

¹ OCR Docket 9040-RX-1303, PSC REF#: 289481



952-985-7245 / www.progressiverail.com
*Rail Service * Transloading * Warehousing * Local Delivery*

September 13, 2017

Mr. Yash Wadhwa, Commissioner
Office of the Commissioner of Railroads
610 N. Whitney Way, Room 110
Madison, WI 53707-7854

RE: Petition for Closure of the At-Grade Rail-Highway Crossing at 95th Avenue
AARDOT Crossing Number: 185 961T, WNR Mile Post: 14.33, in the Town of Eagle Point,
Chippewa County, Wisconsin

Dear Commissioner Wadhwa:

This petition is being filed with your office, for an order authorizing the closure of the At-Grade Rail-Highway Crossing Intersection between Progressive Rail's Wisconsin Northern Railroad Track and 95th Avenue in the Township of Eagle Point, Chippewa County, Wisconsin. Wisconsin Northern Railroad (WNR) asks that your office accepts this petition and give full consideration to the closer of 95th Avenue in the Township of Eagle Point.

The crossing at 95th Avenue consists of a single railroad track. WNR currently operates approximately 5 thru trains per day and several daily switching trains over the crossing at 95th Avenue. The current Crossing Warning Devices consist of Stop Signs and Reflectorized Crossbucks.

At only 22 feet in width, 95th Avenue is a narrow Town Road that runs East and West between STH 178 to STH 124. It is a relatively short road as well, with the total distance of 95th Avenue from STH 178 to STH 124 measuring less than a mile, at 5,272 feet. The recorded ADT Count for 95th Avenue is listed at 750 Vehicles per day.

The crossing is seemingly unnecessary as its existence is redundant with the accessibility of alternate routes through adjacent Crossings North and South, being in close proximity of 95th Avenue. To the North is 105th Avenue. To the South is County Highway S, which has recently been approved by the OCR for an At-Grade Warning System Upgrade to include Crossing Gates and Control Equipment. With the closure of this 80 deg. Right Hand Froward crossing at 95th Avenue, the alternate routes listed above will impose no significant hardships on the motoring public, and in fact increase public safety.

WNR proposes that it will pay for all reasonable costs associated with the closure of 95th Avenue.

Please find a copy of the Crossing Inventory Record for the 95th Avenue Crossing enclosed.

AIRLAKE INDUSTRIAL PARK 21778 HIGHVIEW AVENUE LAKEVILLE, MINNESOTA 55044

● Page 2

Wisconsin Northern Railroad appreciates your full consideration and assistance in this matter.

Please feel free to contact me directly any time at: 1(715)379-4686

Respectfully,

A handwritten signature in cursive script, appearing to read "Nikolas Shepard".

Nikolas Shepard
General Manager Crossings & Signals
Progressive Rail Inc.

Cc: Town of Eagle Point
Dennis Ferstenou, Town Chairman
14802 WI-124
Chippewa Falls, WI 54729

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date (MM/DD/YYYY) 09/08/2017	PAGE 2	D. Crossing Inventory Number (7 char.) 1859611
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Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. Types of Passive Traffic Control Devices associated with the Crossing				
	2.A. Crossbuck Assemblies (count) 2	2.B. STOP Signs (R1-1) (count) 2	2.C. YIELD Signs (R1-2) (count) 0	2.D. Advance Warning Signs (Check all that apply; include count) <input checked="" type="checkbox"/> None	
				<input type="checkbox"/> W10-1 <input type="checkbox"/> W10-2	<input type="checkbox"/> W10-3 <input type="checkbox"/> W10-4
				<input type="checkbox"/> W10-11 <input type="checkbox"/> W10-12	
2.E. Low Ground Clearance Sign (W10-5) <input type="checkbox"/> Yes (count) <input checked="" type="checkbox"/> No	2.F. Pavement Markings <input type="checkbox"/> Stop Lines <input type="checkbox"/> RR Xing Symbols <input type="checkbox"/> Dynamic Envelope <input checked="" type="checkbox"/> None		2.G. Channelization Devices/Medians <input type="checkbox"/> All Approaches <input type="checkbox"/> One Approach <input checked="" type="checkbox"/> Median <input checked="" type="checkbox"/> None	2.H. EXEMPT Sign (R15-3) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2.I. ENS Sign (I-13) Displayed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.J. Other MUTCD Signs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify Type _____ Count _____ Specify Type _____ Count _____ Specify Type _____ Count _____		2.K. Private Crossing Signs (if private) <input type="checkbox"/> Yes <input type="checkbox"/> No		2.L. LED Enhanced Signs (List types)	
3. Types of Train Activated Warning Devices at the Grade Crossing (specify count of each device for all that apply)					
3.A. Gate Arms (count) Roadway 0 Pedestrian 0	3.B. Gate Configuration <input type="checkbox"/> 2 Quad <input type="checkbox"/> 3 Quad <input type="checkbox"/> 4 Quad <input type="checkbox"/> Full (Barrier) Resistance <input type="checkbox"/> Median Gates	3.C. Cantilevered (or Bridged) Flashing Light Structures (count) Over Traffic Lane 0 <input type="checkbox"/> Incandescent Not Over Traffic Lane 0 <input type="checkbox"/> LED	3.D. Mast Mounted Flashing Lights (count of masts) 0 <input type="checkbox"/> Incandescent <input type="checkbox"/> Back Lights Included <input type="checkbox"/> LED <input type="checkbox"/> Side Lights Included	3.E. Total Count of Flashing Light Pairs 0	
3.F. Installation Date of Current Active Warning Devices: (MM/YYYY) _____ / _____ <input checked="" type="checkbox"/> Not Required		3.G. Wayside Horn <input type="checkbox"/> Yes Installed on (MM/YYYY) _____ / _____ <input checked="" type="checkbox"/> No	3.H. Highway Traffic Signals Controlling Crossing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		3.I. Bells (count) 0
3.J. Non-Train Active Warning <input type="checkbox"/> Flagging/Flagman <input type="checkbox"/> Manually Operated Signals <input type="checkbox"/> Watchman <input type="checkbox"/> Floodlighting <input checked="" type="checkbox"/> None			3.K. Other Flashing Lights or Warning Devices Count 0 Specify type _____		
4.A. Does nearby Hwy Intersection have Traffic Signals? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4.B. Hwy Traffic Signal Interconnection <input checked="" type="checkbox"/> Not Interconnected <input type="checkbox"/> For Traffic Signals <input type="checkbox"/> For Warning Signs	4.C. Hwy Traffic Signal Preemption <input type="checkbox"/> Simultaneous <input type="checkbox"/> Advance	5. Highway Traffic Pre-Signals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Storage Distance * _____ Stop Line Distance * _____	6. Highway Monitoring Devices (Check all that apply) <input type="checkbox"/> Yes - Photo/Video Recording <input type="checkbox"/> Yes - Vehicle Presence Detection <input checked="" type="checkbox"/> None	

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad Number of Lanes 2 <input type="checkbox"/> One-way Traffic <input checked="" type="checkbox"/> Two-way Traffic <input type="checkbox"/> Divided Traffic	2. Is Roadway/Pathway Paved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3. Does Track Run Down a Street? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4. Is Crossing Illuminated? (Street lights within approx. 50 feet from nearest rail) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Crossing Surface (on Main Track, multiple types allowed) <input type="checkbox"/> 1 Timber <input checked="" type="checkbox"/> 2 Asphalt <input type="checkbox"/> 3 Asphalt and Timber <input type="checkbox"/> 4 Concrete <input type="checkbox"/> 5 Concrete and Rubber <input type="checkbox"/> 6 Rubber <input type="checkbox"/> 7 Metal <input type="checkbox"/> 8 Unconsolidated <input type="checkbox"/> 9 Composite <input type="checkbox"/> 10 Other (specify) _____		Installation Date * (MM/YYYY) _____ / _____	Width * _____ Length * _____
6. Intersecting Roadway within 500 feet? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Approximate Distance (feet) _____		7. Smallest Crossing Angle <input type="checkbox"/> 0° - 29° <input type="checkbox"/> 30° - 59° <input checked="" type="checkbox"/> 60° - 90°	8. Is Commercial Power Available? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Part V: Public Highway Information

1. Highway System <input type="checkbox"/> (01) Interstate Highway System <input type="checkbox"/> (02) Other Nat Hwy System (NHS) <input type="checkbox"/> (03) Federal AID, Not NHS <input checked="" type="checkbox"/> (08) Non-Federal Aid	2. Functional Classification of Road at Crossing <input checked="" type="checkbox"/> (0) Rural <input type="checkbox"/> (1) Urban <input type="checkbox"/> (1) Interstate <input type="checkbox"/> (5) Major Collector <input type="checkbox"/> (2) Other Freeways and Expressways <input type="checkbox"/> (3) Other Principal Arterial <input type="checkbox"/> (6) Minor Collector <input type="checkbox"/> (4) Minor Arterial <input checked="" type="checkbox"/> (7) Local	3. Is Crossing on State Highway System? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4. Highway Speed Limit 45 MPH <input checked="" type="checkbox"/> Posted <input type="checkbox"/> Statutory
7. Annual Average Daily Traffic (AADT) Year 2004 AADT 000750		8. Estimated Percent Trucks 04 %	
9. Regularly Used by School Buses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Average Number per Day 6		10. Emergency Services Route <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Submission Information - This information is used for administrative purposes and is not available on the public website.

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

31. A. State Use:

31. B. State Use:

31. C. State Use:

31. D. State Use:

32. A. Narrative (*Railroad Use*):

32. B. Narrative (*State Use*):

Appendix A: Crossing Inventory Record – Full Data Description

This supplement document provides a full text description for some fields where the values may not be fully displayed from within the actual U. S. DOT CROSSING INVENTORY FORM. This is not the official OMB approved form.

Part I: Location and Classification Information

1. Primary Operating Railroad: Wisconsin Northern Railroad [WN]
2. State: WISCONSIN
3. County: CHIPPEWA
4. City/Municipality: CHIPPEWA FALLS
5. Street/Road Name & Block #: 95TH AVE
6. Highway Type & No.: public
9. Railroad Division or Region: WISCONSIN NORT
10. Railroad Subdivision or District: CHIPPEWA FALLS
11. Branch or Line Name: NORTH-SOUTH
13. Line Segment: 7360
14. Nearest RR Timetable Station: NORMA
15. Parent RR: PGR
16. Crossing Owner: UP
30. A. Railroad Use:

30. B. Railroad Use:

30. C. Railroad Use:

30. D. Railroad Use:

Part III: Highway or Pathway Traffic Control Device Information

2.J. Other MUTCD Signs (Type):

Count:

2.J. Other MUTCD Signs (Type):

Count:

2.J. Other MUTCD Signs (Type):

Count:

2.L. LED Enhanced Signs:

3.K. Other Flashing Lights or Warning Devices: Count: 0 Type:

Part IV: Physical Characteristics

5. Crossing Surface: Other (specify):

Part V: Public Highway Information

5. Linear Referencing System (LRS Route ID):

6. LRS Milepost:

Town of Eagle Point
Chippewa County



September 27, 2017

Heather Graves
Program and Policy Analyst-Supervisor
Office of the Commissioner of Railroads
P.O. Box 7854
Madison, WI 53707-7854

RE: Petition of Progressive Rail Inc. for the Closure of the Public Crossing of 95th Avenue with tracks operated by Progressive Rail Inc. in the Town of Eagle Point, Chippewa County

Dear Ms. Graves:

This letter is to follow-up our telephone conversation of September 18, 2017 and to further explain the background and town's position with regard to Progressive Rail Inc.'s petition to close 95th Avenue in the Town of Eagle Point. As a result of our telephone conversation, I have reason to believe that you may not be fully aware of the background information on past and current developments with regard to PR's action to close 95th Avenue. Accordingly, the Town of Eagle Point (the town) believes the petition filed with the Office of the Commissioner of Railroads by Progressive Rail (PR) is pre-mature and unwarranted at this time.

During our conversation, you had mentioned that representatives of PR had visited your office regarding the closing of 95th Avenue. Although I realize that the town and public will have ample opportunity at a future hearing to testify for or against the petition, I believe it is in everyone's best interests for me to provide background information on PR's activity to close 95th Avenue and to share current information that needs to be considered before any further action takes place on this petition.

I also want to take this opportunity to convey the town's disappointment that this petition was filed. My understanding from our 2015 negotiations with PR and from your comment on September 18 is that railroads try to negotiate with municipalities before a petition is filed. That is, if a municipality refuses to negotiate or unacceptable terms are not agreed to between both parties, the railroad's only option is to file a petition for a hearing. As I will explain later on, the town never denied closing 95th Avenue. We did not agree to an overpass on 95th Avenue as proposed by PR for a number of reasons. However, PR, Chippewa County and the town were in the process of completing a Traffic Impact Analysis (TIA) to evaluate transportation impacts and traffic conditions on both County Highway S and 95th Avenue. A key element in the TIA was the evaluation of costs associated with grade separated crossing improvements at both County Highway S and 95th Avenue. Incidentally, PR funded the TIA process.

2015 Progressive Rail-Town of Eagle Point Negotiations Regarding 95th Avenue

PR approached the town in March of 2015 to propose a 10-track wide rail yard expansion between County Highway S and 105th Avenue. As part of this expansion, PR proposed constructing an overpass at the intersection of 95th Avenue and the railroad tracks. Following a March 26, 2015 meeting involving the Eagle Point Town Board and Planning Commission, representatives of PR, and the public, the town rejected this proposal for the following reasons:

1. Due to the flat topography, the overpass would have been a lengthy and large structure requiring long-term maintenance at the town's expense. In that the town already maintains 102 miles of roads, the added physical and financial burden of maintaining a large bridge would be excessive for the town.
2. The town would have been obligated to fund a major portion of the 95th Avenue re-construction east and west of the overpass. In that the town is already 9 miles behind on road re-paving due to a lack of highway funding, this project would have placed additional financial stress on the town's annual road budget.
3. As an alternative to an overpass on 95th Avenue, the town proposed that consideration be given to the construction of an overpass on County Highway S as more frequent blockages occur on this heavily traveled route. Anticipating these frequent blockages, commuters tend to use 95th Avenue, which is a straight road with good visibility. Recognizing that a County Highway S overpass offered a viable solution, PR, Chippewa County and the town agreed to commission a TIA to investigate the merits of overpasses at both County Highway S and 95th Avenue. All parties had a general understanding that the construction of an overpass on County Highway S could result in the closing of 95th Avenue. Shortly after the study was commissioned, PR suspended the study, which was likely due to the decline in the frac sand business. From the town's perspective, it is wrong for PR to state or imply that the town denied their request to close 95th Avenue as the negotiating process never reached that point.

At the March 26 meeting, a number of residents spoke in opposition of the rail yard expansion due to noise from idling engines and train car coupling. Other concerns cited by residents included light pollution, loss of valuable farmland, and a reduction in values for near-by residential properties.

As I stated during our telephone conversation, closing 95th Avenue without the availability of an overpass on County Highway S will present a serious situation with regard to traffic flow and safety. With the revival of the frac sand industry over the past several months, blockages at the County Highway S railroad crossing, and the 95th Avenue and 105th Avenue crossings as well, are occurring more frequently. I am well aware of this due to the numerous calls and complaints that I have been receiving within the past two to three months. On a related point, I understand that PR will be completing an At-Grade Warning System Upgrade on County Highway S that will include crossing gates and control equipment. While this upgrade will improve safety, it will not solve the problem of increasing crossing blockages.

Another key development that has occurred since PR and the town engaged in negotiations in 2015 was Fleet Farm's construction of a \$69,000,000, 1.1 million square foot distribution center just a short distance from County Highway S and 95th Avenue. Fleet Farm is projecting that 325 people will be employed at this facility. All shipping and receiving will be by semi trucks. In addition, another new manufacturing facility adjacent to the Fleet Farm facility will be opening soon and adding to the daily traffic flow. Needless to say, there will be increased traffic on County Highway S, 95th Avenue and other local roads due to these developments.

Page 3 – Letter to Heather Graves

I noted in PR's letter to the Commissioner that they named 105th Avenue as an alternate route for traffic should 95th Avenue be closed. PR failed to mention that 105th Avenue is a road with curves and elevation changes and is accessed by several subdivisions and a large campground. Because of this, 105th Avenue has some inherent safety issues that would be expanded significantly with increased traffic flow. Worth noting here is the fact that the town's emergency service vehicles tend to avoid 105th Avenue and use 95th Avenue and County Highway S as the preferred routes due to these safety concerns.

In conclusion, I suggest that PR, Chippewa County and the town have an opportunity to discuss a resumption of the 2015 TIA process before your office completes a pre-hearing investigation. A TIA would provide all parties with information that is needed to make decisions that are in the best interests of all parties.

Feel free to contact me at any time. I can be reached at (715) 720-1226 or by email at dferstenou@charter.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis A. Ferstenou". The signature is fluid and cursive, with a large initial "D" and "F".

Dennis A. Ferstenou, Town Chairman

c: Lawrence Frazer, Supervisor
Randy Woodruff, Supervisor
Rick Bowe, Town of Eagle Point Planning Commission Chair
Laurie Hebert, Town Clerk



MINUTES
COMMITTEE #1
REVENUES, DISBURSEMENTS, WATER AND WASTEWATER
October 24, 2017

Committee #1 - Revenues, Disbursements, Water and Wastewater met on Tuesday, October 24, 2017 at 9:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: Rob Kiefer, John Monarski, and Paul Nadreau

Mayor/Other Council Members present: None

Others present: Finance Manager/Treasurer Lynne Bauer, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, Parks and Recreation Director Dick Hebert, Library Director Joe Niese, Building/Zoning Inspector Paul Lasiewicz, Street & Utility Maintenance Manager Rick Ruf, Lead Janitor Scot Michels, Utilities Office Manager Connie Freagon, and City Clerk Bridget Givens.

Call to Order: 9:02 AM

1. **Open Session**
2. **Discuss funding for purchase or replacement of AEDs at city buildings. Possible recommendations to Council.**

The AED purchased a few years ago for City Hall was giving a low battery alert. Due to the age of the unit, it was discussed if the unit should be replaced, or if a new battery should be purchased. Several other areas in the City were identified as areas that should have AEDs available. The Police Department recently purchased new AEDs at a significantly discounted rate. That discounted rate has been locked in at \$852 (normally run approximately \$1,200). Possible funding could come from remaining omitted budget funds.

It was questioned if the quoted price included the storage case for the AED. It was unclear if this was included in the price or not.

Motion by Monarski/Nadreau to table this item until the next meeting in order to gather more information on the number of AEDs required and what is included in the quoted price. **All present voting aye, motion carried.**

3. **Discuss disposition and/or rotation of city vehicles. Possible recommendations to Council.**

Street & Utility Maintenance Manager Ruf indicated there is a Police Department vehicle that has been rotated out of service. It was recommended it be used in the Parks and Recreation Department with one of their older vehicles being taken out of service and sent to auction.

Motion by Kiefer/Monarski to recommend Council approve placing the out of rotation Police Department vehicle into use wherever it is most needed in the City. **All present voting aye, motion carried.**

The Committee expressed concern that the Police Department vehicle was out of rotation for so long, and indicated they would like to see these rotated back into service as quickly as possible. Following that discussion, the Committee authorized Ruf to circulate the Police Department vehicles into service as soon as they become available. The Committee feels the policy should be that when vehicles are staying within the City and going to where they are most needed, it is not necessary to bring it back to the Committee for authorization on disposition.

4. Review preliminary department budget data and issues affecting the budget. Possible recommendations to the Council.

The following departments presented their proposed budgets including any omitted budget items:

Data Processing
Building Inspector
Library
City Clerk
Public Works/Street Department

Finance Manager/Treasurer Bauer indicated the remaining budgets will be presented next week. Discussions on omitted budget items will continue, and we should have a better idea of our revenues at the next meeting.

No action taken.

5. Closed Session

Motion by Monarski/Nadreau to go into Closed Session under Wis. Stats. Sec. 19.85(1)(e) for "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting public business with competitive or bargaining implications that require a Closed Session" to:

- a. **Discuss potential settlement of worker's compensation case with possible recommendations to the Council; and to include the Committee Members, Bauer, and Givens; may return to Open Session for possible action on Closed Session item.**

Roll Call Vote: Aye – Monarski, Nadreau, Kiefer. Motion carried.

The Committee discussed Item (a) above.

Motion by Monarski/Kiefer to return to Open Session. All present voting aye, motion carried.

Councilor Kiefer reported that there was a motion made and seconded in Closed Session to authorize Finance Manager/Treasurer Bauer to settle the worker's compensation case as recommended by Committee #2.

6. Adjournment.

Motion by Monarski/Nadreau to adjourn at 10:09 am. All present voting aye, motion carried.

**Minutes submitted by,
Lynne Bauer, Finance Manager/Treasurer**

Engineering and Public Works Department
2017 Budget Recap And 2018 Budget Summary
10/23/2017

Engineering Department

Activities Recap - The Engineering Department provided Plans, Specifications and construction administration and staking for projects on Bridgewater Avenue(Duncan creek to STH#124), Dover St.(Wheaton to Terrill), Bel Air Blvd (Terrill to Westwood Dr.), Tropicana Blvd(Bel Air Blvd to Mansfield), Water St.(State St. to Division), Woodward Ave.(Greenville to Summit Ave.), Dwight St.(Wheaton St. to Superior), Pond Street (High St. to Bridge St.) and Street Resurfacing Projects on Summit Avenue(Mall Dr. to Jeffers St.), Perry St.(Stanley St. to Elm St.), and Cedar Street(Perry St. to Hilary St.). Another subdivision Development Project at Wissota Shores, Star Blends, Mills Fleet Farm and Huffcut projects in the Lake Wissota Business Park and Bloomer Ford have required many hours of design, construction administration and stormwater review and inspection. In addition, Chippewa Riverfront Phases I and II required much staff time for review of project details and construction. Engineering staff assisted with streets and parking lot design and construction administration in Irvine Park. Special Use Permits, Rezonings and Street Use and Street Privelege permits were prepared in 2017. In addition to the aforementioned items, the Engineering Department provides street surface ratings annually for the cities approximately 100 miles of streets, traffic counts and studies, Intersection analysis and design, school zone analysis and updates, street maintenance and construction engineering for the Street department and Water department and other operational tasks such as those listed below. Influent Screening, Biosolids handling and hauled Waste receiving station and HVAC projects at the waste treatment plant have required a large amount of DPW/Utility Manager time this year.

Expenditures – The Engineering Department manages the six Tornado Warning Siren System (\$4,250). Due to past failures of a mother board, batteries, chargers and the requirement to upgrade and reprogram all six sirens to narrow band the 2011 and 2012 budget requests were elevated from 2010 and prior requests. All maintenance items considered, the warning system is an invaluable and essential system in times of natural and man-made disasters. The requested \$4250 is the same as the 2017 request.

Dam Maintenance (\$6,295) includes the Glen Loch Dam and the Star Mill Dam. WisDNR regulations required an inspection and report of the Glen Loch Dam in 2016 and an inspection will be required in 2018 and every two years after that. The 2018 inspection will be done by WIDNR.

Office supplies, licenses and related expenses is the same request (\$4000) as for the 2012-17 budgets.

Nelson Road Landfill (\$7,900) includes groundwater monitoring, analysis and reporting at the Nelson Road Landfill and remains the same as 2017.

Curb and Gutter Maintenance (\$9,000) remains that same as 2017.

Sidewalk and Crosswalk Maintenance (\$8,000) remains the same as the 2017 request.

Sidewalk Construction (\$15,000) remains the same as 2017).

Overall the 2018 Budget request represents a zero increase when compared with the 2017 budget request.

2018 Capital Expenditures

Projects proposed for 2018 are Ashley Lane(STH#124 to Termini), STH #124 Resurfacing(River to Elm), High St.(Spring St. to Grand Ave.), State Street(Court St. to Grand Ave.), Miles Street(Wheaton St. to Coleman St.), Ludgate St.(Oxford St. to Fleet St.), Lombard St.(Oxford St to termini), Regent St.(River St. to termini), Oxford St.(termini to Lombard St.), Cliff St.(Eva St. to Main St.), Irvine St.(Chapman Rd to Wisconsin St.) and Street Resurfacing Projects.

2018 and beyond

All municipalities were required to have a sign inventory in place by 2013 that included determining the reflectivity of every sign in the city. The city is now in compliance as we have sign inventory software in place, a reflectometer and are in process of doing the inventory.

As in previous years, we will continue to examine staff size and associated position requirements and continue to examine ways to gain efficiencies between Streets and Utilities, to take advantage of technological advances and to seek to share services with other forms of government. Engineering has implemented a GPS system which has reduced staff time and increased efficiency of surveys and construction staking methods. Assistant City Engineer Rob Krejci left the city to become the St. Croix County Highway Commissioner in May and Bill McElroy became the new Assistant City Engineer in September. GIS specialist Nick Wagner joined the city team in May. The engineering department is developing and refining the street replacement program. Engineering, Public Works and Utilities have joined other citywide departments to improve and create a safer work environment through better incident reporting and preventative training and have also redoubled efforts to update and improve safety procedures and policies. The utility forest management plan is being modernized and updated.



MINUTES
COMMITTEE #1
REVENUES, DISBURSEMENTS, WATER AND WASTEWATER
October 31, 2017

Committee #1 - Revenues, Disbursements, Water and Wastewater met on Tuesday, October 31, 2017 at 9:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: Rob Kiefer, John Monarski, and Paul Nadreau

Mayor/Other Council Members present: None

Others present: Finance Manager/Treasurer Lynne Bauer, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, Parks and Recreation Director Dick Hebert, Police Chief Matthew Kelm, Fire Chief Mike Hepfler, Street & Utility Maintenance Manager Rick Ruf, Utilities Office Manager Connie Freagon, Water Supervisor Matt Boos, Wastewater Supervisor George Hobbs, Representatives of the Chippewa County Historical Society, and City Clerk Bridget Givens.

Call to Order: 9:00 AM

1. Presentation of Chippewa Area History Center Funding Request. Possible recommendations to the Council.

Dave Gordon and Jim Schuh, members of the Chippewa Area History Center, appeared to discuss their request for funding for the History Center's Capital Campaign. To date, they have raised roughly \$1M of their \$3.5M goal. Their projected move in date is June 2020, but they will not start construction until they are at 75% of their goal. Discussion ensued about partnering with the Chippewa Falls Museum of Industry and Technology to combine resources.

No action taken.

2. Discuss Strand Associates Agreement for General Services - 2018 Wastewater User Charge System Update. Possible recommendations to the Council.

Director of Public Works/City Engineer/Utilities Manager Rubenzer advised that an industrial customer had malfunctioning equipment which resulted in elevated wastewater rates for this customer. As this customer was significantly overcharged, it is necessary to adjust their bill each month going forward. A rate analysis will have to be completed to determine the impact of the overbilling.

Motion by Kiefer/Monarski to recommend Council approve the Strand Associates Agreement for General Services – 2018 Wastewater User Charge System Update. All present voting aye, motion carried.

3. Discuss funding for purchase or replacement of AEDs at city buildings. Possible recommendations to Council.

Chief Hepfler indicated that the AEDs purchased with grant funds in 2008 should be replaced. Locations for AEDs were discussed including two at City Hall, Casper Park, and the Welcome

Center; and one at the Library, Street Department, and the Pool. Parks and Recreation Director Hebert thought that funding for the AEDs at the Welcome Center could potentially come from donation funds. Additionally, AEDs will be placed at the Water and Wastewater Buildings with funding coming from the Utility Budget.

Chief Hepfler indicated the price of \$852 per AED is significantly discounted. This does not include the storage case which is approximately \$100.

Motion by Monarski/Nadreau to recommend Council approve purchasing new AED units for various City locations in an amount not to exceed \$8,000 from omitted budget funds. **All present voting aye, motion carried.**

4. Discuss disposition and/or rotation of city vehicles. Possible recommendations to Council.

Chief Kelm requested this item be placed back on the agenda as he was unable to be at the last Committee meeting. A memo was distributed which proposed potentially using the patrol squads for a longer period of time thereby purchasing one patrol squad per year instead of two, every four-year cycle. The Police Chief will closely monitor mileage and maintenance costs. The Committee felt this was a good proposal.

No action taken.

5. Review preliminary department budget data and issues affecting the budget. Possible recommendations to the Council.

The following departments presented their proposed budgets including any omitted budget items and areas for potential carryovers:

Parks & Recreation
Fire Department
Police Department
Utility

Finance Manager/Treasurer Bauer indicated that the Planning/Transit Budget will be presented next week. Chief Kelm requested the Committee give future consideration to where the funds go when a retired squad replaces a vehicle in the City and that vehicle is sold. Chief Kelm would prefer it go into the Police Department Sale of Scrap account. Bauer recommended if this is done that the account be used to offset the cost of new squads each year.

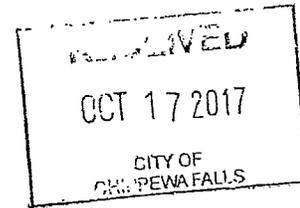
No action taken.

6. Adjournment.

Motion by Nadreau/Monarski to adjourn at 10:28 am. **All present voting aye, motion carried.**

**Minutes submitted by,
Lynne Bauer, Finance Manager/Treasurer**

Chippewa Area
HISTORY CENTER



TO: Lynne Bauer
City of Chippewa Falls
Finance Manager/Treasurer

DATE: October 16, 2017

SUBJECT: Chippewa Area History Center Funding Request

Dear City of Chippewa Falls Finance Committee:

On May 13, 2017 members of the Chippewa Area History Center Capital Campaign Executive Committee (CCEC) presented plans to the City Council about creating a new museum, genealogical and historical research library and auditorium/classroom next to the southern entrance to Irvine Park. Our capital campaign has begun and we have raised about \$850,000. Volunteers have coordinated all campaign activities. We request that the city contribute \$10,000 annually to this community project.

The chart below shows county and municipal 2015-2016 financial support for area museums, which are Affiliates of the Wisconsin Historical Society and report funding that they have received.

Historical Society or Museum Name	City	County	City Funding	County Funding
Barron County Historical Society	Cameron	Barron	\$0	\$36,000
Buffalo County Historical Society	Alma	Buffalo	\$0	\$6,500
Chippewa Valley Museum, Inc.	Eau Claire	Eau Claire	\$67,633	\$23,085
Dunn County Historical Society	Menomonie	Dunn	\$5,000	\$3,500
La Crosse County Historical Society	La Crosse	La Crosse	\$0	\$18,163
Marathon County Historical Society	Wausau	Marathon	\$23,123	\$49,376
Merrill Historical Society, Inc.	Merrill	Lincoln	\$4,000	\$0
North Wood County Historical Society	Marshfield	Wood	\$7,500	\$0

Established in 1969, the Chippewa County Historical Society has a tradition of working with the city in preserving and sharing local history. In 2006 we contributed to planning and implementing the 100th anniversary of Irvine Park. During 2015 we created a park history display for the new Irvine Park Welcome Center. Currently, at the request of the Parks Board, we are volunteering to create a historic timeline of the Chippewa Falls Parks System. We have partnered with the city for the last 14 years in coordinating The Past Passed Here, in Allen Park, which offers 600 fourth grade students an opportunity to experience fur trade and lumbering life, while they are studying Wisconsin history.

The Chippewa County Genealogical Society established in 1980 operates the library including numerous one of kind reference materials. City and county records as well as local newspapers are preserved and shared with citizens and visitors who are researching their family and local history.

These two groups have worked together since 1990 in the former Notre Dame convent, which has been determined by an American Alliance of Museums consultant to be inadequate due to inaccessibility, lack of climate control and poorly sized rooms. Stairways challenge elderly and handicapped visitors. Please review the attached tri-fold brochure for further information about our campaign and plans for improving services we can offer. We plan to attend the October 24 meeting.

Sincerely,

David Raihr, Jr., (CCEC)

Melvin (Skip) August, (CCEC)



Strand Associates, Inc.[®]
910 West Wingra Drive
Madison, WI 53715
(P) 608-251-4843
(F) 608-251-8655

October 18, 2017

City of Chippewa Falls
30 West Central Street
Chippewa Falls, WI 54729

Attention: Mr. Richard J. Rubenzer, P.E.
Director of Public Works, City Engineer, and Utilities Manager

Re: Agreement for General Services
2018 Wastewater User Charge System Update

This is an Agreement between the City of Chippewa Falls, Wisconsin, hereinafter referred to as OWNER, and Strand Associates, Inc.[®], hereinafter referred to as ENGINEER, to provide engineering services (Services) for the 2018 Wastewater User Charge System Update. This Agreement shall be in accordance with the following elements.

Scope of Services

ENGINEER will provide the following Services to OWNER.

1. Request and review existing user charge data from OWNER, including spreadsheets, utility billings, water records, and similar information for developing the 2018 wastewater rates.
2. Update 2016 rate calculation spreadsheet prepared by ENGINEER for 2018 debt services, operation and maintenance budget, equipment replacement fund deposit, depreciation fund deposit, and changes to industrial volume and surcharge revenues.
3. Review hauled waste categories and cost of service.
4. Prepare a service charge for new wastewater accounts with input from OWNER.
5. Prepare a preliminary 2018 wastewater user charge system update including fixed charges, volume charges, surcharges, rates for hauled wastes, and new account charge. Prepare a summary letter with enclosures.
6. Review the preliminary 2018 wastewater user charge system update with OWNER; up to four teleconference calls are included.
7. Prepare the final 2018 wastewater user charge system update. Submit a summary letter with enclosures to OWNER in paper format and user charge system spreadsheet in Excel format.
8. Attend Committee No. 1 meeting and present the 2018 wastewater user charge update.

City of Chippewa Falls
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October 18, 2017

Service Elements Not Included

The following services are not included in this Agreement. If such services are required, they will be provided as noted.

1. Additional Site Visits and/or Meetings: Additional OWNER-required site visits or meetings will be provided through an amendment to this Agreement or through a separate agreement with OWNER.
2. Bidding- and Construction-Related Services: Bidding- and construction-related services for the project will require a separate agreement with OWNER.
3. Drawings and Specifications: Final design services including drawings and specifications, if provided by ENGINEER, will be provided through an amendment to this Agreement or through a separate agreement with OWNER.
4. Permit and Plan Review Fees: All permit and plan review fees payable to regulatory agencies shall be paid for by OWNER.
5. Preparation for and/or Appearance in Litigation on Behalf of OWNER: This type of service by ENGINEER will be provided through a separate agreement with OWNER.
6. Revising Designs, Drawings, Specifications, and Documents: Any services required after these items have been previously approved by state or federal regulatory agencies, because of a change in project scope or where such revisions are necessary to comply with changed state and federal regulations that are put in force after Services have been partially completed, will be provided through an amendment to this Agreement.

Compensation

OWNER shall compensate ENGINEER for Services on an hourly rate basis plus expenses an estimated fee of \$7,000.

Expenses incurred such as those for travel, meals, printing, postage, copies, computer, electronic communication, and long distance telephone calls will be billed at actual cost plus ten percent.

Only sales taxes or other taxes on Services that are in effect at the time this Agreement is executed are included in the Compensation. If the tax laws are subsequently changed by legislation during the life of this Agreement, this Agreement will be adjusted to reflect the net change.

The estimated fee for the Services is based on wage scale/hourly billing rates, adjusted annually on July 1, that anticipates the Services will be completed as indicated. Should the completion time be extended, it may be cause for an adjustment in the estimated fee that reflects any wage scale adjustments made.

	<u>Hourly Billing Rates*</u>
Principal Engineer	\$270 to \$501
Senior Project Manager	\$163 to \$234
Project Managers	\$105 to \$163
Project Engineers and Scientists	\$ 89 to \$111
Engineering Technicians and Draftspersons	\$ 45 to \$134
Office Production	\$ 85 Average

* Updated annually on July 1

City of Chippewa Falls
Page 3
October 18, 2017

The estimated fee will not be exceeded without prior notice to and agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**. Any adjustments will be negotiated based on ENGINEER's increase or decrease in costs caused by delays, extensions, amendments, or changes.

Schedule

Services will begin upon execution of this Agreement, which is anticipated on November 6, 2017. Services are scheduled for completion on January 31, 2018.

Standard of Care

The Standard of Care for all Services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's Services.

OWNER's Responsibilities

1. Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to this project including previous reports, previous drawings and specifications, and any other data relative to the scope of this project.
2. Furnish to ENGINEER, as required by ENGINEER for performance of Services as part of this Agreement, data prepared by or services of others obtained or prepared by OWNER relative to the scope of this project, such as soil borings, probings and subsurface explorations, and laboratory tests and inspections of samples, all of which ENGINEER may rely upon in performing Services under this Agreement.
3. Provide access to the site as required for ENGINEER to perform Services under this Agreement.
4. Guarantee access to and make all provisions for ENGINEER to enter upon public and private lands as required for ENGINEER to perform Services under this Agreement.
5. Examine all reports, sketches, estimates, special provisions, drawings, and other documents presented by ENGINEER and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the performance of ENGINEER.
6. Provide all legal services as may be required for the development of this project.

Opinion of Probable Cost

Any opinions of probable cost prepared by ENGINEER are supplied for general guidance of OWNER only. ENGINEER has no control over competitive bidding or market conditions and cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to OWNER.

Changes

1. OWNER may make changes within the general scope of this Agreement in the Services to be performed. If such changes cause an increase or decrease in ENGINEER's cost or time required for performance of any Services under this Agreement, an equitable adjustment will be made and this Agreement will be modified in writing accordingly.

City of Chippewa Falls
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2. No services for which additional compensation will be charged by ENGINEER will be furnished without the written authorization of OWNER. The fee established herein will not be exceeded without agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**.
3. If there is a modification of Wisconsin Department of Natural Resources requirements relating to the Services to be performed under this Agreement subsequent to the date of execution of this Agreement, the increased or decreased cost of performance of the Services provided for in this Agreement will be reflected in an appropriate modification of this Agreement.

Extension of Services

This Agreement may be extended for additional Services upon OWNER's authorization. Extension of Services will be provided for a lump sum or an hourly rate plus expenses.

Payment

OWNER shall make monthly payments to ENGINEER for Services performed in the preceding month based upon monthly invoices. Nonpayment 30 days after the date of receipt of invoice may, at ENGINEER's option, result in assessment of a 1 percent per month carrying charge on the unpaid balance.

Nonpayment 45 days after the date of receipt of invoice may, at ENGINEER's option, result in suspension of Services upon five calendar days' notice to OWNER. ENGINEER will have no liability to OWNER, and OWNER agrees to make no claim for any delay or damage as a result of such suspension caused by any breach of this Agreement by OWNER. Upon receipt of payment in full of all outstanding sums due from OWNER, or curing of such other breach which caused ENGINEER to suspend Services, ENGINEER will resume Services and there will be an equitable adjustment to the remaining project schedule and compensation as a result of the suspension.

Data Provided by Others

ENGINEER is not responsible for the quality or accuracy of data nor for the methods used in the acquisition or development of any such data where such data is provided by or through OWNER, contractor, or others to ENGINEER and where ENGINEER's Services are to be based upon such data. Such data includes, but is not limited to, soil borings, groundwater data, chemical analyses, geotechnical testing, reports, calculations, designs, drawings, specifications, record drawings, contractor's marked-up drawings, and topographical surveys.

Termination

This Agreement may be terminated with cause in whole or in part in writing by either party subject to a two-week notice and the right of the party being terminated to meet and discuss the termination before the termination takes place. ENGINEER will be paid for all completed or obligated Services up to the date of termination.

Third-Party Beneficiaries

Nothing contained in this Agreement creates a contractual relationship with or a cause of action in favor of a third party against either OWNER or ENGINEER. ENGINEER's Services under this Agreement are being performed solely for OWNER's benefit, and no other party or entity shall have any claim against ENGINEER because of this Agreement or the performance or nonperformance of Services hereunder.

City of Chippewa Falls
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OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors, and other entities involved in this project to carry out the intent of this provision.

Dispute Resolution

Except as may be otherwise provided in this Agreement, all claims, counterclaims, disputes, and other matters in question between OWNER and ENGINEER arising out of or relating to this Agreement or the breach thereof will be decided first by mediation, if the parties mutually agree, or with a bench trial in a court of competent jurisdiction within the State of Wisconsin.

Terms and Conditions

The terms and conditions of this Agreement will apply to the Services defined in the **Scope of Services**. OWNER-supplied purchase order is for processing payment only; terms and conditions on the purchase order shall not apply to these Services.

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement.

ENGINEER:

STRAND ASSOCIATES, INC.[®]

OWNER:

CITY OF CHIPPEWA FALLS

**NOT FOR
SIGNATURE**

Matthew S. Richards
Corporate Secretary

Date

Mr. Richard J. Rubenzer, P.E. Date
Director of Public Works, City Engineer, and
Utilities Manager

CHIPPEWA FALLS POLICE

Integrity • Compassion • Commitment

TO: Committee #1
FROM: Chief Matthew Kelm
DATE: October 26, 2017
REF: Police Department Vehicles

Police vehicles by virtue of how they are used, must be kept in top condition for the safety of our officers and the public. These emergency vehicles are put through high stress situations and have to perform well every time. This means that high millage vehicles which are perfectly fine for everyday use are not safe for use as an emergency vehicle. Transitioning police vehicles to investigator vehicles or vehicles for use in other city departments saves money and has worked well due to this fact.

I have noticed in the years since switching to the SUV patrol squads we have been doing relatively well in maintenance costs. In speaking with other police chief's, they have noticed this as well and are routinely running their patrol squad cars between 90,000 - 100,000 miles before retiring them in without much issue and receiving good trade in value.

At the police department typically squad cars are changed over around May of each year. Next year I am planning on monitoring millage and maintenance costs on the squads until they reach 90,000 – 100,000. This would mean changing over the squads closer to the end of 2018.

By running the squad cars to higher millage we should be able to reduce the number of new squad cars we need to purchase over a multi-year interval. This is a new idea so we would need to closely monitor millage and maintenance costs. I would tentatively estimate we may be able to purchase one patrol squad car a year instead of two, once every 4 year cycle.

Additionally, if a K9 fundraising is successful the K9 squad will be used in place of a patrol squad when the K9 handler is working thereby reducing millage on the other patrol squads.

Department of Public Utilities
2018 Budget Recap

10/18/17
With Details

Water Department

Revenues – The Water Utility rates are projected to remain steady in 2018. Last rate adjustment was January 1, 2015. A simplified rate study indicated a 0% change. Tower lease payments is reduced due to one antenna decommissioned, miscellaneous non–operating income varies with projects however figures are unavailable for this budget.

Expenditures – The Water Department overall operational 2018 budget reflects an increase of approximately \$173,500 over 2017.

Increase in expense:

- Increase in sampling expense due to new UCMR4 \$5,000 2624
- Increase in chemical expense – caustic – anticipated 40% cost increase and Salt - due to increased operation at the Nitrate Plant \$35,000 2641
- Planned tower cleaning expense - \$10,000 2672
- New Leak Detection company after using current vendor since 1999 \$4,700 2675
- Implement use of hydrant tags \$2,500 2677
- Increase in data processing expenses for AS400 and Inframap \$2,200 2903 & 2923
- Two additional iWater licenses, increase in phone, printing, bank charges \$12,000 2921
- Full depreciation of 2017 vehicle and ½ year of proposed vehicle \$3,400 2933
- Increase in PILOT payment \$4,000 3408
- Increase in depreciation expense \$55,600 3403 and \$8,000 3426
- Increase in long term debt interest \$16,000 3427

Wastewater Department

Revenues – The Wastewater rates were adjusted 10/1/16, the Utility is requesting an updated rate study for adjusted rates to be effective 1/1/2018. Projected revenues for this budget indicate a slight increase but do not reflect the needed rate adjustment. Non–operating income varies with projects however figures are unavailable for this budget.

Expenditures – The Wastewater Department overall operational 2018 budget reflects an increase of \$88,300 over 2017.

Increase in expense:

- Increase expected in energy expense. \$14,000 8821
- ½ year depreciation on proposed Biosolids vehicle \$9,000 8829
- Increase in bank charges \$1,600 8851
- Increase in insurance expense \$3,600 8853
- Increase in depreciation \$68,000 9503
- Increase in long term debt interest. \$4,300 9521

Decrease in expense:

- Depreciation of vehicles \$5,400 8828

Stormwater Department

Revenues – The stormwater fee was set upon inception of the utility in 2006. A rate study projects an 11% increase. Revenues reflect the projected increase. The study will be presented to the Committee and Council in November

Expenditures – The Storm Water Department overall 2018 budget reflects an increase of \$10,500 over 2017 budget.

Increase in Expense:

- Increase and reallocation of machinery rental. \$1,500 5344
- Increase in storm sewer maintenance \$7,000 5344
- Increase in long term debt interest \$18,000 5800

Decrease in Expense:

- Budget correction \$14,000 5730

2017 Capital Expenditures

Water and Wastewater utility capital expenditures are paid from a combination of resources. Replacement expenditures monies are available from depreciation or replacement accounts, operating cash or borrowed if necessary. New projects are paid from operating cash or borrowed if necessary. All capital expenditures are depreciated for the life of the project.

Although projects for 2018 have not been determined, for budgetary purposes the 2018 tentative street improvement program was used.

Water

Meter Replacement –\$85,000 - replace residential and assorted large meters.

Full size truck- plow - \$45,000 - replace 2001 F350 truck

***Update East Well Chemical Building - \$500,000** – replace caustic tanks, pumps, day tanks, remove liquid chlorine, install gas chlorine, new chlorine pumps.

Roof - \$20,000 – replace leaking flat roof at West Well house #2

Laptops/Surface Pro (3) – \$4,800 plus software - replace 1 existing laptop and add two Surface Pro's for iWater use.

Inventory System - \$10,000 – replace manual inventory system for materials, work orders, jobs.

Trailer - \$4,500 – replace 1970 trailer

Backhoe - \$130,000 – replace 2000 JD backhoe

Generator - \$1,300 – small generator to fit on trucks

Hydrant Barrels - \$10,000 – 20" hydrant barrels to replace short hydrants

Power Broom - \$800 – efficient power broom for projects

Wastewater

***Pump - \$19,000** – add a third pump to the Cashman Drive Lift Station

***Aeration Blower - \$350,000** – replace failing Aeration Blower with high efficiency package

***BioSolids Vehicle - \$200,000** – replace land application truck/equipment

***Gas Monitors** – replace two existing hazardous gas monitors with one new unit

*** Control Bldg and WAS Bldg Stucco \$16,500** - Power wash, repair, and paint

***WWTP garage door replacement (2 doors) \$5,500**

PUM building roof – \$50,000

Stormwater - no additional capital requests

*request approved and carried over from previous years



Minutes
Committee #2
Labor Negotiations, Personnel, Policy & Administration
October 24, 2017

Committee #2 met on Tuesday, October 24, 2017 at 8:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: CW King and Chuck Hull. Absent: John Monarski
Mayor/Other Council Members present: Rob Kiefer
Others present: Finance Manager/Treasurer Lynne Bauer, City Planner/Transit Manager Jayson Smith, Building/Zoning Inspector Paul Lasiewicz, and City Clerk Bridget Givens.

Call to Order: 8:00 am

1. Open Session

2. Discuss options for temporary help in the Inspection Office and Planning/Transit Offices. Possible recommendations to the Council.

Currently, there is a part-time employee working two hours per day in the Inspection Office and three hours per day in the Planning/Transit Office. This individual has submitted her resignation with her last day being November 7th. The part-time Administrative Assistant in the Fire Department is willing to work the two hours per day in the Inspection Office. This will make her a full-time employee during this interim period. There will be roughly a week to 10 days where there will be overlap between the two to allow for training at an impact of roughly \$300.

Relative to the Transit Office, different options were discussed based upon Smith's retirement. Upcoming meetings have been scheduled with the West Central Wisconsin Regional Planning Commission about administering the transit program for the City. Until such point as decisions are made regarding the structure of the Planning/Transit Office, temporary help is not being requested.

Motion by Hull/King to recommend Council approve temporary help for the Inspection Office for two hours per day to be provided by the current Fire Department Administrative Assistant.
All present voting aye, motion carried.

3. Closed Session

Motion by Hull/King to go into Closed Session under Wis. Stats. Sec. 19.85(1)(e) for "deliberating or negotiating the purchasing of public properties, the investing of public

funds, or conducting public business with competitive or bargaining implications that require a Closed Session” to:

- a. Discuss potential settlement of worker’s compensation case with possible recommendations to the Council; and to include the Committee, Council Members, Bauer, and Givens; may return to Open Session for possible action on Closed Session item.**

Roll Call Vote: Aye – Hull, King. Motion carried.

The Committee discussed item (a) above.

Motion by Hull/King to return to Open Session. All present voting aye, motion carried.

Councilor King reported that there was a motion made and seconded in Closed Session to authorize Finance Manager/Treasurer Bauer to settle the worker’s compensation case subject to approval by Committee #1.

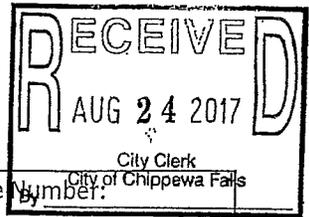
4. Adjournment

Motion by Hull/King to adjourn at 8:23 am. All present voting aye, motion carried.

**Minutes submitted by,
Lynne Bauer, Finance Manager/Treasurer**



CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION



Applicant Name and Address: Teri Ouimette, 514 N. Bridge St., Chippewa Falls, WI 54729	Applicant Phone Number: 715-723-6661
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<input checked="" type="checkbox"/> 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 headquarters of the organization and responsible head of such organization: Chippewa Falls Main Street, Inc. Attn: Teri Ouimette 514 N. Bridge St. Chippewa Falls, WI 54729
--	---

Name of the event: Bridge to Wonderland Parade	Estimated number of persons participating: 10,000
---	--

Date and start and end times requested for street use:
Saturday, December 2, 2017 6-7:30 p.m.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
North Bridge Street from Cedar Street to the roundabout (see enclosed map)

Use, described in detail, for which the street use permit is requested:
Floats, vehicles, and walking units will participate in the annual Bridge to Wonderland Parade.

City services requested for the event (e.g., Street Department or Police Department staff time)
Barricades (the Street Department will be provided with a map like previous years)

The applicant agrees to indemnify, defend, and hold the City and its employees and 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 or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

Signature of Applicant: [Signature] Date: 8/22/17

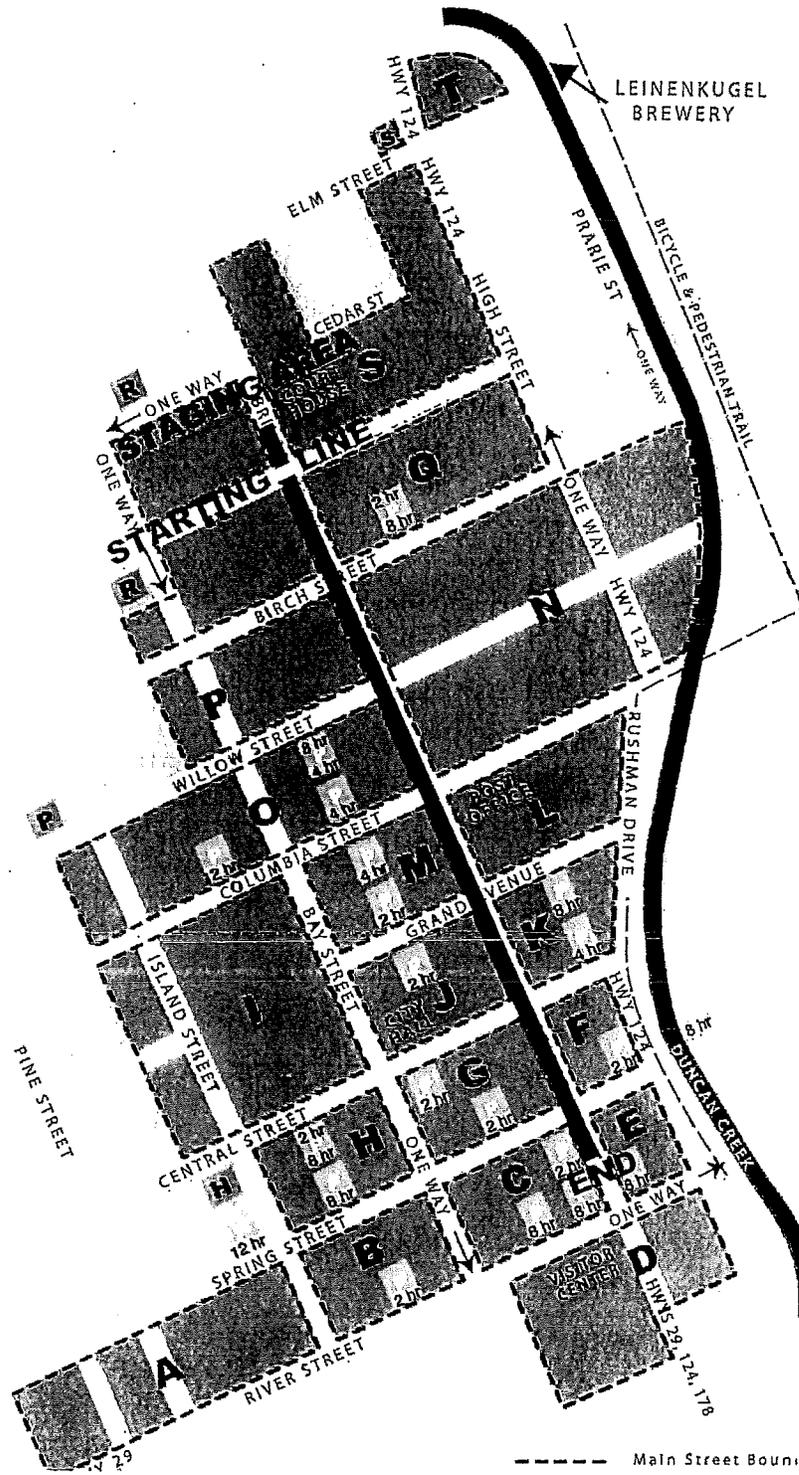
OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
4 CPD OFFICERS FOR TRAFFIC DIRECTION. \$105

Requirements of Applicant: As stated above, provide a map to the street dept. for traffic control (barrier placement) a couple weeks in advance of the event. PK

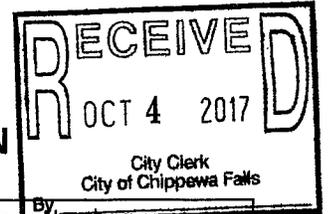
Approved by: [Signature] 9-7-17 Signature of Chief of Police
[Signature] 9/14/2017 Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied
Decision of City Council (required): Approved Denied





CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION



Applicant Name and Address: Warren kerola, 921 Whispering Pine Dr, Chippewa Falls, WI	Applicant Phone Number: 715-829-0518
--	---

<input checked="" type="checkbox"/> 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 headquarters of the organization and responsible head of such organization: Indianhead Track Club, Traci Messner, President 337 Jefferson St, Eau Claire, WI 54701 715-214-4861
--	--

Name of the event: Frigid 8 and Thermal 3 Run/Walk	Estimated number of persons participating: 200
---	---

Date and start and end times requested for street use:
12-2-2017, 8am to 1pm. Racers starts at 10am and should finish by noon. Road does not need to be blocked after start.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
See attached maps.

Use, described in detail, for which the street use permit is requested:
Running race starting at 10am following route on maps for 3 or 8 miles.

City services requested for the event (e.g., Street Department or Police Department staff time)
A police officer at the start of the race during maximum congestion would be helpful.

The applicant agrees to indemnify, defend, and hold the City and its employees and 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 or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. **Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.**

Warren Kerola _____ 10-3-2017
Signature of Applicant Date

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):

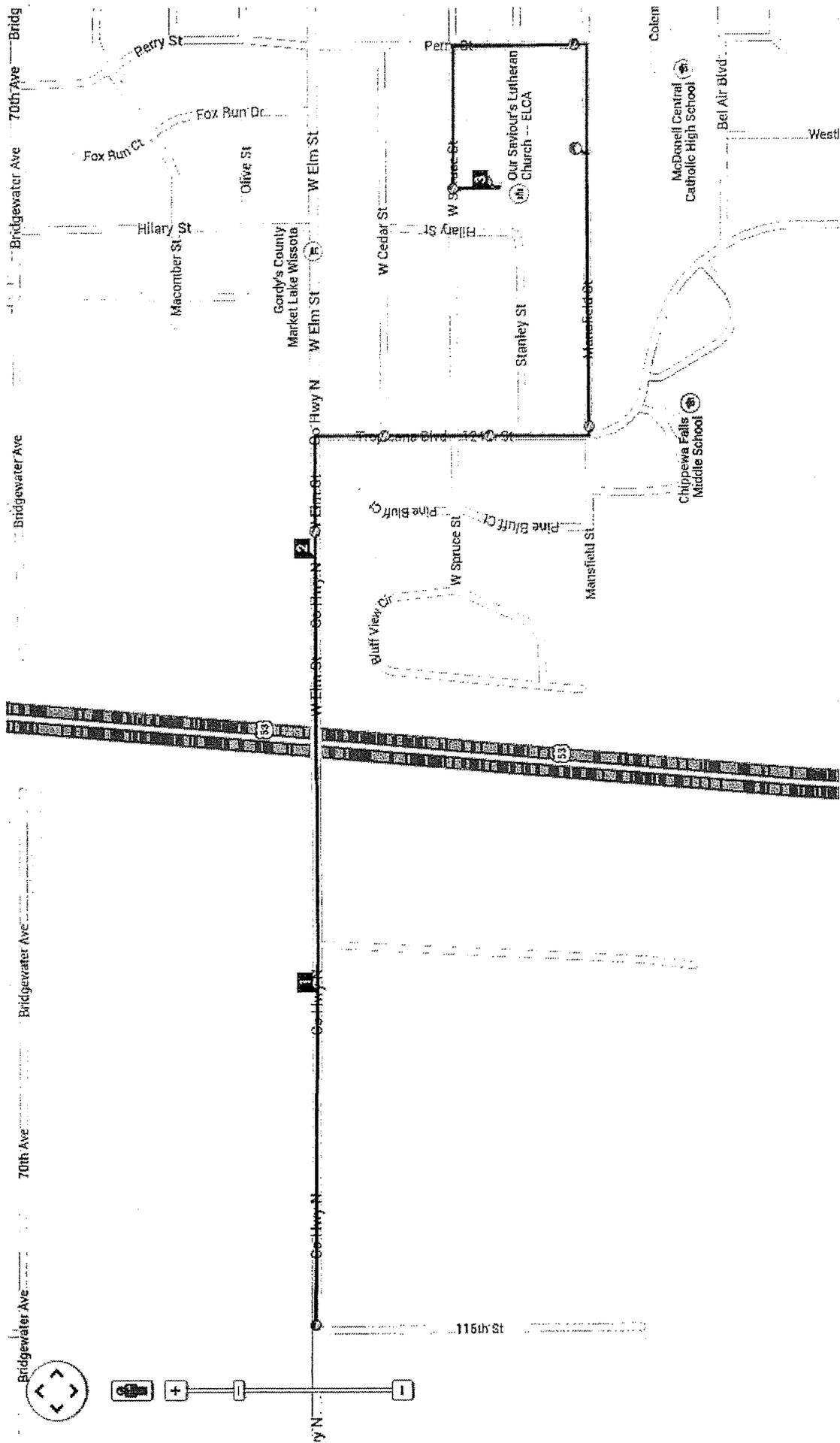
ON DUTY PATROL OFFICER AT START OF RACE. \$105

Requirements of Applicant: *Pick up any necessary traffic cones/barricades by 1pm on Friday December 1, 2017 at City Garage (45 Birch - Riverside Drive, please return on Monday December 4, 2017 BJK*

Approved by: <i>[Signature]</i> 10-12-17	<i>[Signature]</i> 10/12/2017
Signature of Chief of Police	Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied

Decision of City Council (required): Approved Denied

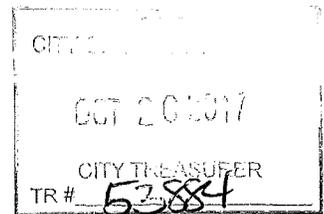




NON-COMMERCIAL KENNEL LICENSE APPLICATION

Complete this application and submit it, along with a legible photocopy of the following:

- Current Rabies Vaccination Certificate (required)
- Certificate of Spay or Neuter (if applicable)
- Proof of Dog/Cat License from the City of Chippewa Falls Police Department



Fee: \$25 Payable to the City of Chippewa Falls

OWNER INFORMATION – PLEASE PRINT CLEARLY

Charline
First Name

Kozlowski
Last Name

928 Evergreen La.
Address

715-726-0608
Telephone Number

[Signature]
Signature of Applicant

Date

ANIMAL (1)

Lena F spayed neutered unaltered Retriever, Lab mix Black
 Pet's Name Sex Breed Color(s)
6/29/2017 6/29/2020
 Rabies Vaccination Date Rabies Expiration Date

ANIMAL (2)

Coby M spayed neutered unaltered Schnoodle Apricot
 Pet's Name Sex Breed Color(s)
10/13/17 10/13/20
 Rabies Vaccination Date Rabies Expiration Date

ANIMAL (3)

Rowdy M spayed neutered unaltered Pomeranian Orange
 Pet's Name Sex Breed Color(s)
10/10/17 10/10/20
 Rabies Vaccination Date Rabies Expiration Date

ANIMAL (4)

Sophie _____ spayed neutered unaltered Yorshhire Black/Brown
 Pet's Name Sex Breed Color(s)
10/10/18 10/10/18
 Rabies Vaccination Date Rabies Expiration Date

ANIMAL (5)

_____ _____ spayed neutered unaltered _____
 Pet's Name Sex Breed Color(s)

 Rabies Vaccination Date Rabies Expiration Date

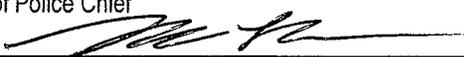
ANIMAL (6)

spayed neutered unaltered
 Pet's Name _____ Sex _____ Breed _____ Color(s) _____
 Rabies Vaccination Date _____ Rabies Expiration Date _____

WRITTEN RECOMMENDATION OF POLICE DEPARTMENT

Approved. See Sgt. Boos' inspection report.

Signature of Police Chief



Date

10-25-17

TO BE COMPLETED BY CLERK

Date rcv'd & filed w/municipal clerk

10/20/17

Date routed to Police Department

10/20/17

Date reported to Council

11/7/17

Signature of Clerk/Deputy Clerk

Date license issued

IMPORTANT NOTICES

All dogs over 5 months of age are required to be vaccinated against rabies and licensed.
 Failure to license may result in a citation and/or fine.

All applicants should read and be familiar with Chippewa Falls Municipal Code Section 12.11 relative to animal care and licenses.

CHIPPEWA FALLS POLICE

Integrity • Compassion • Commitment

To: Police Chief Kelm

From: Sgt K. Boos

Date: 10/25/17

Subject: Non-Commercial Kennel License at 928 Evergreen Ln

Chief Kelm,

I was recently assigned to conduct a kennel inspection at 928 Evergreen Ln. The homeowner, Charline Kozlowski, had applied for a non-commercial kennel license (any premises where 4 or more dogs and/or cats over the age of 6 months are kept but not for the primary purpose of commercial breeding, boarding, or selling of animals) with the City of Chippewa Falls to house four dogs.

On Wednesday, October 25th, 2017 I met with Kozlowski at her residence to conduct the inspection. The 928 Evergreen residence is a ranch style house with a front yard and a full backyard. The yard was clear of any clutter or litter. The garage had some clutter but was in no way offensive to the general public. I observed no animal waste in the yard and I detected no obnoxious odors on the exterior.

Upon my approach several dogs within the residence began to bark. However, once I was inside the residence the dogs ceased barking.

The interior consisted of three bedrooms, two bathrooms, a kitchen, living room, laundry room, and a basement. The interior was also free of any clutter and overall appeared to be organized. According to Kozlowski, the interior of the residence was serve as the "kennel" for the purpose of the kennel application. There was adequate room for all fours dogs to roam freely inside of the residence. I observed no animal waste on the interior and obnoxious odors were minimal. I did observe several stains in the carpet that appeared to be animal related. The residence appeared to be adequately ventilated. I did observe a large bowl of water and food bowl out in the open for the dogs. I also observed a large kennel crate used to confine the larger for the four dogs, a lab/retriever mix, when needed. In addition to Kozlowski, the residence is also occupied by her adult son and the son's girlfriend, and periodically by her adult grandson.

I was advised that the dogs are routinely put out on a leash in the backyard. During my inspection I did observe a dog on a leash in the backyard, confirming that the dogs are leashed when put outside.

It is my belief that Charline Kozlowski is in compliance of the requirements set forth in ord.12.11 (21)(a-d) or Animal Care and Licenses, Kennels.

Sgt K. Boos #120

Sgt K. Boos

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning November 8 20 17 ;
 ending June 30 20 18

TO THE GOVERNING BODY of the: Town of } Chippewa Falls
 Village of }
 City of }

County of Chippewa Falls Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION
 hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Micon Cinemas Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President</u>	<u>Michael Olson</u>	<u>2821 13th St. Eau Claire</u>	<u>WI 54703</u>
Vice President/Member	<u>Vice President</u>	<u>Constance Olson</u>	<u>2821 13th St. Eau Claire</u>	<u>WI 54703</u>
Secretary/Member				
Treasurer/Member				
Agent	<u>Agent</u>	<u>Daniel Olson</u>	<u>3218 Eddy Lane Eau Claire</u>	<u>WI 54703</u>
Directors/Managers				

3. Trade Name Micon Cinemas Business Phone Number 715-720-2291
 4. Address of Premises 475 Chippewa Mall Dr. Ste. 215 Post Office & Zip Code Chippewa Falls WI 54729

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 2004 of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Sales of wine will be from the VIP Lounge located ->

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Micon Cinemas Inc.
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
 this 16th day of Oct, 20 17
Bridget Myers
 (Clerk/Notary Public)
 My commission expires _____

Constance Olson
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
Constance Olson
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>10/16/17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk <u>B. Myers</u>
Date license granted	Date license issued	License number issued	

Applicant's WI Seller's Permit No.: FEIN Number:	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input checked="" type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

CITY OF CHIPPEWA FALLS

SURRENDER OF LICENSE

This is to advise that, as licensee, I (We) hereby surrender a Combination "Class B" Intoxicating Liquor & Fermented Malt Beverage license for the premise located at 213 N Bridge St, on the condition that it be granted to the applicant (future licensee) as described below.

Brenda Hopkins, d/b/a Land and Sea LLC.

(Current business owner)

(Current business name)

and Factor Rivera, as applicant, make a

(Future business owner)

MAX'S BISTRO, LLC

concurrent application for said license.

CURRENT LICENSEE

Signature Brenda Hopkins Date 10/9/17

Name Brenda Hopkins
Home address 213 Bridge St - 716 West Willow
City Chippewa Falls Zip 54729
Phone (715) 797-2232

APPLICANT-FUTURE LICENSEE

Signature Factor Rivera Date 10-9-2017

Name FACTOR RIVERA
Home address 1004 MCKINLEY PLACE S.
City SAWT CLOUD WA Zip 98148
Phone (608) 397 7311

535 OAK AVE NORTH
ONALASKA WI 54650

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning NOV 8 2017 ending JUNE 30 2017

TO THE GOVERNING BODY of the: Town of Village of City of } Chippewa Falls

County of Chippewa Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY CORPORATION/NONPROFIT ORGANIZATION hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): MLK'S BISTRO LLC.

Applicant's WI Seller's Permit No. / FEPA Number	
<u>[REDACTED]</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>FACTOR RIVERA HERRERA</u>	<u>535 OAK AVE N. CHIPPENAWA, WI</u>	<u>54650</u>
Vice President/Member	<u>MARIA SAICURO FABIO</u>	<u>535 OAK AVE N. CHIPPENAWA, WI</u>	<u>54650</u>
Secretary/Member	<u>FACTOR RIVERA HERRERA</u>	<u>535 OAK AVE N. CHIPPENAWA, WI</u>	<u>54650</u>
Treasurer/Member	<u>ELIISON CHRISTINE RIVERA</u>	<u>13632 43RD AVE CHIPPENAWA FALLS</u>	<u>54729</u>
Agent	<u>ELIISON CHRISTINE RIVERA</u>	<u>13632 43RD AVE CHIPPENAWA FALLS</u>	<u>54729</u>

3. Trade Name MLK'S BISTRO & BAR Business Phone Number _____
 4. Address of Premises 213 NORTH BRIDGE ST. CHIPPENAWA FALLS Post Office & Zip Code 54729

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
 8. (a) Corporate/limited liability company applicants only: Insert state WISCONSIN and date 10/9/2017 of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) REBUILDING PREMISES (LOCKED) AREA IN BUILDING BASEMENT
 10. Legal description (omit if street address is given above): _____
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? FARM STORE GRILLE
 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] Yes No
 13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
 14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME this 20th day of October, 2017
Bridget Owens
 (Clerk/Notary Public)

Factor Rivera Herrera
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
Maria Saicuro Fabio
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
Elison Christine Rivera
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk <u>10/20/17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk <u>B. Owens</u>
Date license granted	Date license issued	License number issued	

AN ORDINANCE ADDING CONDITIONAL USES
TO THE GENERAL COMMERCIAL DISTRICT AND
THE HIGHWAY COMMERCIAL DISTRICT CODE
SECTIONS OF THE CHIPPEWA FALLS ZONING CODE

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

1. That § 17.29(7)(i) of the Chippewa Falls Municipal Code be created to provide as follows:

17.29 C-2 GENERAL COMMERCIAL DISTRICT

• • •

- (7) CONDITIONAL USES.

• • •

- (i) Personal Storage Facilities (self-storage/mini-warehouse) which means the primary use of a building containing individual, compartmentalized and controlled access spaces, rooms or lockers that are leased, rented or owned by different individuals for the storage of individual possessions or personal property. Building materials and architectural design features shall be consistent with the general design theme of the surrounding development.

2. That § 17.31(6)(d) of the Chippewa Falls Municipal Code be created to provide as follows:

17.31 C-4 HIGHWAY COMMERCIAL DISTRICT

• • •

- (6) CONDITIONAL USES.

• • •

- (d) Personal Storage Facilities (self-storage/mini-warehouse) which means the primary use of a building containing individual, compartmentalized and controlled access spaces, rooms or lockers that are leased, rented or owned by different individuals for the storage of individual possessions or personal property. Building materials and architectural design features shall be consistent with the general design theme of the surrounding development.

Dated this 21st day of November, 2017

COUNCIL PRESIDENT: _____
Rob Kiefer

FIRST READING: _____
November 7, 2017

SECOND READING: _____
November 21, 2017

APPROVED: _____
Gregory S. Hoffman, Mayor

ATTEST: _____
Bridget Givens, City Clerk

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
TO LOCATE UP TO TWO TINY HOUSES AT 531 E. SOUTH AVENUE, ON PARCEL #4424**

The Common Council of the City of Chippewa Falls, Wisconsin, do ordain as follows:

1. That a request from Chippewa Valley Bible Church for a Special Use Permit was received by the City of Chippewa Falls Plan Commission for consideration and action on September 11, 2017 and has been duly considered.

2. That the City of Chippewa Falls Common Council conducted a public hearing on October 17, 2017 after proper notification of adjacent property owners and heard all those wishing to comment.

3. That a Special Use Permit is hereby issued, pursuant to Chapter 17.48 of the Municipal Code of Chippewa Falls, for up to two tiny houses located at 531 East South Avenue. This property is zoned P-1 Public District.

4. That the Special Use Permit is hereby granted and shall be expressly subject to and conditioned upon the following:

- a) Tiny houses shall conform to NFPA 70 National Electrical Code and be properly connected to the Chippewa Valley Bible Church Electrical system.
- b) Each tiny house shall have an operating smoke detector, carbon monoxide detector and fire extinguisher, (maintained annually).
- c) Only electric heat sources will be permitted in the tiny houses.
- d) No tents, canopies or tarps associated with the tiny houses shall be permitted on site. Tents or tarps associated with Chippewa Valley Bible Church events or celebrations are permitted.
- e) No outdoor fires shall be permitted on the site. Grills are permitted but must maintain a minimum 10' setback from any structure.
- f) No smoking shall be permitted inside the structure.
- g) Sanitary facilities maintenance and disposal and access to potable water supply.
 - The sanitary facilities in the tiny houses/RV shall consist of a porta potty type toilet similar to those found in a small RV. The porta potty shall have a fresh water tank and a waste tank. The porta potty shall be properly emptied daily (except days when the church is not normally open such as holidays and weekends) in the Chippewa Valley Bible Church restroom by Tiny House Guests. Potable water shall be made available from Chippewa Valley Bible Church. Dishes shall be washed inside Chippewa Valley Bible Church. Showers shall be made available at the homes of volunteers, and at the Chippewa Valley Family YMCA.
- h) Chippewa Valley Bible Church shall provide garbage and recycling bins.
- i) Alan Dunham, (715) 723-2872 shall be the designated contact in charge of maintenance and supervision and shall address concerns. The Hope Village Board shall designate a backup person for cases when Mr. Dunham is unavailable.
- j) Standard operating procedures for placement of residents within the facilities including the screening, contract and other required documentation are as follows:

Ordinance No. 2017-16

- The Career Development Outreach Center (CDC) in Chippewa Falls will perform initial intake; the CDC is the central intake for all homeless in Chippewa County. If CDC staff believes that a person is a good fit for a tiny house then Hope Village will do a separate intake/background check prior to a person being given the keys to a tiny house. The third check is done by local law enforcement. The Chippewa Falls Police Departments shall be given license and identification information for each Guest occupying a tiny house.
- k) Chippewa Valley Bible Church will designate 1 ½ off street Guest parking stalls per tiny house.
- l) Chippewa Valley Bible Church will carry liability insurance for the tiny houses located on church property.
- m) Tiny house habitants are unsheltered individuals and will be known as Guests and the attached agreement with Hope Village will be executed prior to occupancy.
- n) Tiny House Guests will be screened according to the attached agreement document.
- o) Tiny houses are temporary housing and Guests duration of stay shall be seven days or less, (with additional seven day stays available upon approval), as outlined in the attached agreement.
- p) That the attached location map and Special Use Permit Notice and pictures become part of the Special Use Permit Ordinance and available for inspection in the City of Chippewa Falls Engineering and Inspection Offices.
- q) That this permit shall expire upon transfer of ownership of these premises.
- r) That Chapter 17.48 (14), (15) and (16) of the Chippewa Falls Code of Ordinances regarding lapse of permit, automatic termination of permit and revocation of permit shall apply.
- s) As enumerated in Municipal Code Chapter 17.48(17), this Special Use Permit shall be reviewed by the City of Chippewa Falls Common Council every five years in consideration of health, safety, morals, comfort, prosperity and general welfare of the City.
- t) Except as specifically provided herein, all regulations of the City Zoning Ordinance shall apply.
- u) That this permit shall become null and void by non-compliance with this permit or related Codes or by application to the Board of Appeals for any Code variance at these premises.
- v) That all changes or modifications to this permit shall be by the Common Council only after review and recommendation by the Plan Commission and after public notice and hearing as required for a Special Use Permit.

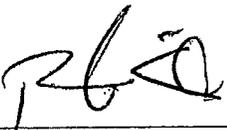
5. That this Ordinance shall take effect from and after its passage and publication.

Dated this 17th day of October 2017.

FIRST READING: October 3, 2017

SECOND READING: October 17, 2017

APPROVED: _____
Mayor



Council President

ATTEST: _____
City Clerk

PUBLISHED: _____

CUV

Map

Printed 05/23/2016

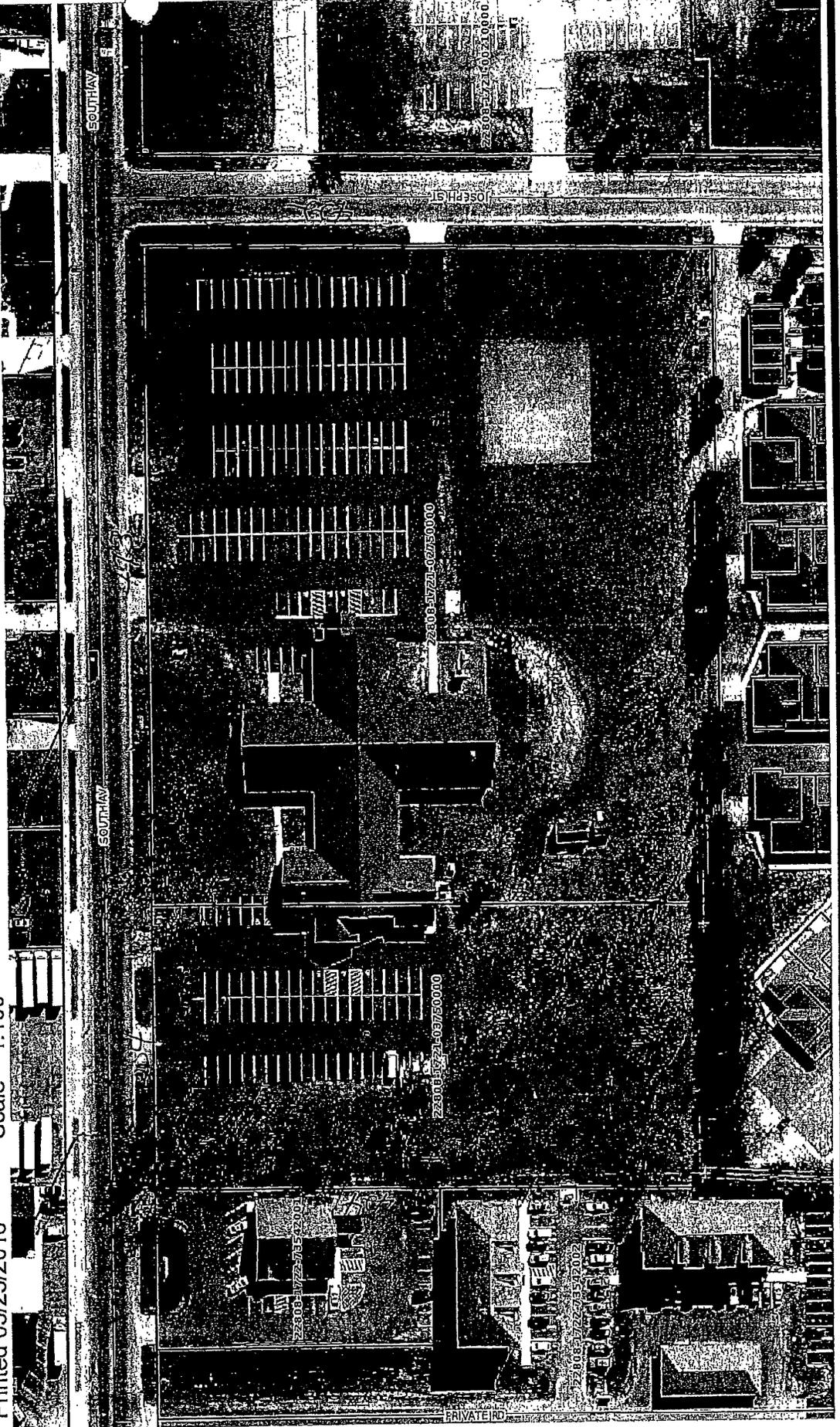
Scale = 1:100'



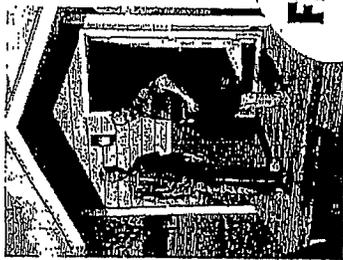
CHIPPewa COUNTY
Est. 1842



WISCONSIN



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.



From Plans to Progress!

Tiny House #1
Completed May, 2016

Accomplishments

- Amazing on-going group of volunteers
- Three tiny houses completed
- Board of Directors established
- Grants developed

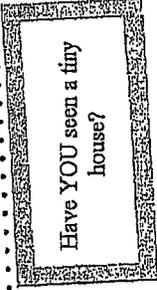
Goals

- Raise funds for more tiny houses!
- Obtain land for the village
- Recruit volunteers to design, build, decorate and furnish tiny houses, raise funds and manage media coverage

Thank you to:

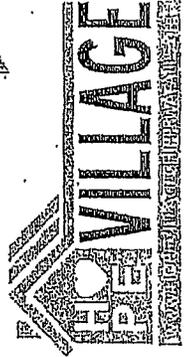
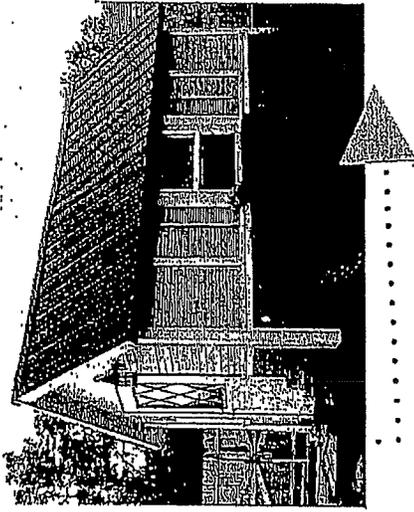
Individuals, businesses, organizations, churches, schools, and all the helping hands building homes for the unsheltered.

*Mercy to the needy is a loan to God,
and God pays back those loans in full.
Proverbs 19:17*



Hope Village of Chippewa Falls

Helping Hands
Building Homes
For the
Unsheltered



Have YOU seen a tiny house?

Schedule a tour and give a donation today!
Landmark Christian Church
4140 126th St
Chippewa Falls, WI 54729
Phone: 715-210-5405
E-mail: cohooms@yahoo.com

History and Hope

Homelessness in Chippewa Falls
 It may be difficult to imagine being without a home, but for a number of our community members this is a tough reality. During an average week, the Career Development Center Outreach Office receives 10-15 individuals or families who are homeless or facing homelessness. It is estimated that there are currently 75 citizens in Chippewa County who are unsheltered. With affordable housing options dwindling and many rental barriers, it can be very difficult to obtain housing. The last homeless shelter in Chippewa Falls was closed in 2014 due to a lack of funding. Attempting to do all they can, the CDC Outreach Office places individuals and families in hotels and was short of funding for 5 of the last 10 months.

How will Hope Village Help?

Hope Village can provide housing on an emergency and transitional basis. An average night stay in a motel is \$60. Once, the average night stay in a tiny house is \$1.30 for utilities. Looking at the cost for 365 nights of lodging the difference is \$21,900 vs. \$447. Hope Village would allow our community to provide shelter to residents resorting to sleeping in a car, tent, or under a bridge. Among many things, a tiny house provides an address for job applications and the ability to offer services that may be needed.

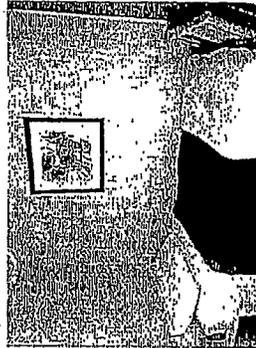
The Vision of Hope Village is to ensure everyone living in Chippewa County has a safe and secure place to call home.



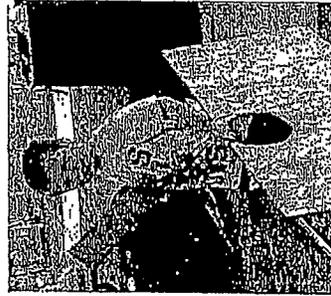
Hope Village Houses

Hope Village was founded in January of 2016. The group is currently forming as a non profit 501c3. Our vision is to offer tiny housing alternatives for those that reside in Chippewa County.

Hope Village will become a community of 12 tiny homes nestled together around a common building that will be the hub of the community. The common building will house bathrooms, showers, laundry facilities, a community room, full kitchen, a maker space/shop, and a retail space.



Each tiny home will have a sleeping area, a private bathroom with a chemical toilet, a kitchenette, and a dining/sitting option. One tiny house, built and fully furnished, costs about \$5000 using volunteer labor and a mixture of new and recycled materials.

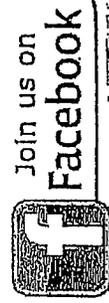


In the early stages of Hope Village's development, the homes will be hosted by local churches and used for emergency housing. Once the group acquires a property for the village the houses will become transitional in nature. Hope Village is envisioned to be a beautiful place to live, provide a hand up to a family or individual, and be an asset to our community.

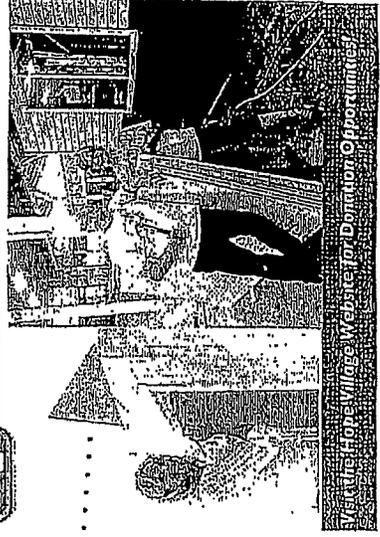
How Can You Help?

There are a number of ways to be involved—please consider from the list below!

- ◆ Pray for the un-sheltered in Chippewa Falls and for the development of Hope Village.
- ◆ Donate funds or materials (new or used):
- ◆ Volunteer your time during construction—there are endless jobs for all skill levels! Find out when you're needed on the Hope Village Facebook page.
- ◆ Trailer Fabrication
- ◆ Interior Design, Graphic Design, Architectural Design
- ◆ Property Search—let's find a permanent home for Hope Village!
- ◆ Legal Advice, Case Management



"Hope Village—
 Chippewa Falls—
 A Tiny House Village"



Visit the Hope Village Website for Donation Opportunities

Date _____

Contact/cell # _____

Name _____
Last Name First Middle Initial

DOB: _____ Social Security Number: _____

Other Members of your household:

Name: _____ Age: _____ Relationship: _____

Email/Other media contact: _____

Last Address _____

How long did you live there: _____

Do you have a Driver's License? _____

Do you own a vehicle? Type & License Number: _____

How Long have you been without housing: _____

What happened that you lost your housing: _____

Have you experienced homelessness before this? for how long? _____

Do you have any special health care needs: _____

Do you have any current criminal issues/charges pending? circle YES / NO_

List: _____

Have you ever been convicted of a crime? _____

Are you a veteran? _____ Receive VA Benefits? Yes/NO Amount _____

When did you serve: _____

Are you currently working with a VA Rep/Counselor: _____

VA Contact/Location: _____

What do you feel are your greatest barriers to securing or keeping housing? _____

Are you Disabled: YES / NO Disability:

Are You receiving any type of Disability Benefits: Yes/No Amount: _____

Type of Disability: _____

Treatment Plan: _____

Do you have any other type of Income: Source: _____

Amount: _____ Per Week/BI-weekly/Month: _____

Are you Employed? YES / NO What Is your Occupation: _____

Name of Employer: _____

How long have you worked there? _____

How long have you been unemployed: _____

What type of work are you looking for: _____

Are you working with any employment agencies or programs: _____

Is there anything else you would like us to know? _____

Emergency Contact Person:

Name: _____

Address: _____

Phone: _____ Relationship: _____

The Information I/We have provided on this application is true and correct to the best of my/our knowledge.

Signature _____ Date _____ Signature _____ Date _____

Statistical Information:

Male / Female _____ Senior 62 or + _____ Two-Parent Household _____
___ Single Parent M / F _____ Household w/ Children _____ Adult Couple w/o kids _____
___ Vet _____ Homeless due to D/V _____ Teen Parent (under 21) _____
___ Disabled _____ Gross Month Income _____ Ethnicity: _____



Date _____

This agreement is between Hope Village-Tiny Housing Alternatives (here after known as "HOPE Village") and _____ (Hereafter known as "the Steward").
First Name, Middle Initial and Last Name

The agreement will contain the expectations that the Steward will need to agree to before staying in a Hope Village Tiny House:

1. The Steward must follow the Stable Housing Plan developed with the Hope Village Navigator.
 2. The Steward must maintain daily contact with the Hope Village Navigator while being sheltered.
 3. The Steward understands that this agreement is for emergency housing - this means the duration of the stay is 7 days or less. This agreement can be renewed for an additional time period, determined by Hope Village.
 4. The Steward will keep the tiny house clean and presentable.
- The steward will empty the Porta-potty daily. The porta-potty is meant for emergency use only. The Porta-potty can be emptied in the bathroom of the church hosting the Tiny House. Hope staff will show you how to empty and maintain the porta-potty.

There is a zero tolerance policy for any of the four following issues causing your immediate removal:

- No illegal activities may take place on the property.
 - Alcohol is not permitted on the property.
 - Illegal Drugs are not allowed on the property.
 - No guns or other weapons are allowed on the property.
6. The Steward will disclose any police record that they may have. Anyone with an open warrant will need to clear it up before being allowed access to a Hope Village house. The local Police Department will be notified of your occupancy,
 7. The steward will notify Hope Village of any police contact within 12 hours of said contact.

**MINUTES OF THE PLAN COMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, JANUARY 9, 2017 – 6:30 PM**

The Plan Commission met in City Hall on Monday, January 9, 2017 at 6:30 P.M. Present were Commissioners Dave Cihasky, Greg Misfeldt, Dennis Doughty, Mike Tzanakis, Dan Varga, Beth Arneberg, Jerry Smith, Alderperson Chuck Hull, Vice-Chairperson Tom Hubbard, and Mayor Greg Hoffman. Absent was Secretary Richard Rubenzer. Also attending were City Planner Jayson Smith, Zoning Administrator/City Inspector Paul Lasiewicz, Assistant City Engineer Robbie Krejci, representing the SUP applicant Mike Cohoon and Pastor Teri Koca and various members of the community (see attached attendance roster).

1. **Motion** by Hubbard, seconded by Varga to approve the minutes of the November 7, 2016 Plan Commission meeting. **All present voting aye. Motion carried.**

2. The Plan Commission considered the attached Special Use Permit application for 201 W Central Street for two tiny houses to shelter homeless people on a temporary basis. Mike Cahoon representing the applicant spoke to address potential concerns which included who would be utilizing the tiny houses, screening process for prospective residents, average length of stays, occupancy rates and other pertinent items. Cahoon also explained why these facilities are licensed by the Wisconsin Department of Transportation as campers to avoid utilizing the uniform dwelling code standards that would apply if this was not considered a camper. Further, Cahoon gave a brief description of the tiny homes including the toilet facility (similar to a RV toilet) and options for bathing and meals that would be available to the occupants. The location was referenced as it would provide close proximity to the various facilities and programs that would be available to the occupants and allow them to walk to such facilities. During the discussion, Commissioners also discussed concerns regarding the tiny homes including landlord-tenant relationship, potential other sites for tiny homes throughout the City, precedence potential for other locations, potential permit restrictions and other issues. Inspector Lasiewicz spoke regarding the staff review of the permit application and potential concerns that were listed by City Staff. Further discussion centered on addressing the various concerns present in the special use permit application.

Motion by Varga, seconded by Hubbard to recommend the Common Council hold a public hear to consider the Special Use Permit for 201 W Central Street to allow for two tiny houses to shelter homeless people on a temporary basis based on the following conditions:

1. City Staff concerns are addressed at the public hearing or before. Listed below were the submitted staff concerns.
 - a. Sanitary facilities maintenance and disposal, and access to potable water supply.
 - b. Garbage receptacles and pickup.
 - c. Proper electrical connections.
 - d. A designated person in charge of supervision/maintenance with a contact number in case of complaints/issues.
 - e. Standard operating procedures for placement of residents within the facilities, including the screening, contract, and other required documentation.
 - f. Occupant screening process verification.
 - g. Designated parking spaces for tiny homes.
 - h. No open storage including loaded trailers.
2. Permit be reconsidered after a 12-month trial period and concerns that develop are addressed at that time.

All present voting aye. Motion carried.

3. **Motion** by Smith, seconded by Cihasky to adjourn. **All present voting aye. Motion carried.** The Plan Commission adjourned at 7:45 P.M.



Robbie Krejci, P.E.
Acting Secretary
Plan Commission



Strand Associates, Inc.[®]
910 West Wingra Drive
Madison, WI 53715
(P) 608-251-4843

October 26, 2017

City of Chippewa Falls
30 West Central Street
Chippewa Falls, WI 54729

Attention: Mr. Richard J. Rubenzer, P.E.
Director of Public Works, City Engineer, and Utilities Manager

Re: Agreement for General Services
2018 Wastewater User Charge System Update

This is an Agreement between the City of Chippewa Falls, Wisconsin, hereinafter referred to as OWNER, and Strand Associates, Inc.[®], hereinafter referred to as ENGINEER, to provide engineering services (Services) for the 2018 Wastewater User Charge System Update. This Agreement shall be in accordance with the following elements.

Scope of Services

ENGINEER will provide the following Services to OWNER.

1. Request and review existing user charge data from OWNER, including spreadsheets, utility billings, water records, and similar information for developing the 2018 wastewater rates.
2. Update 2016 rate calculation spreadsheet prepared by ENGINEER for 2018 debt services, operation and maintenance budget, equipment replacement fund deposit, depreciation fund deposit, and changes to industrial volume and surcharge revenues.
3. Review hauled waste categories and cost of service.
4. Prepare a service charge for new wastewater accounts with input from OWNER.
5. Prepare a preliminary 2018 wastewater user charge system update including fixed charges, volume charges, surcharges, rates for hauled wastes, and new account charge. Prepare a summary letter with enclosures.
6. Review the preliminary 2018 wastewater user charge system update with OWNER; up to four teleconference calls are included.
7. Prepare the final 2018 wastewater user charge system update. Submit a summary letter with enclosures to OWNER in paper format and user charge system spreadsheet in Excel format.
8. Attend Committee No. 1 meeting and present the 2018 wastewater user charge update.

City of Chippewa Falls
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October 26, 2017

Service Elements Not Included

The following services are not included in this Agreement. If such services are required, they will be provided as noted.

1. Additional Site Visits and/or Meetings: Additional OWNER-required site visits or meetings will be provided through an amendment to this Agreement or through a separate agreement with OWNER.
2. Bidding- and Construction-Related Services: Bidding- and construction-related services for the project will require a separate agreement with OWNER.
3. Drawings and Specifications: Final design services including drawings and specifications, if provided by ENGINEER, will be provided through an amendment to this Agreement or through a separate agreement with OWNER.
4. Permit and Plan Review Fees: All permit and plan review fees payable to regulatory agencies shall be paid for by OWNER.
5. Preparation for and/or Appearance in Litigation on Behalf of OWNER: This type of service by ENGINEER will be provided through a separate agreement with OWNER.
6. Revising Designs, Drawings, Specifications, and Documents: Any services required after these items have been previously approved by state or federal regulatory agencies, because of a change in project scope or where such revisions are necessary to comply with changed state and federal regulations that are put in force after Services have been partially completed, will be provided through an amendment to this Agreement.

Compensation

OWNER shall compensate ENGINEER for Services on an hourly rate basis plus expenses an estimated fee of \$7,000.

Expenses incurred such as those for travel, meals, printing, postage, copies, computer, electronic communication, and long distance telephone calls will be billed at actual cost plus ten percent.

Only sales taxes or other taxes on Services that are in effect at the time this Agreement is executed are included in the Compensation. If the tax laws are subsequently changed by legislation during the life of this Agreement, this Agreement will be adjusted to reflect the net change.

The estimated fee for the Services is based on wage scale/hourly billing rates, adjusted annually on July 1, that anticipates the Services will be completed as indicated. Should the completion time be extended, it may be cause for an adjustment in the estimated fee that reflects any wage scale adjustments made.

Hourly Billing Rates*

Principal Engineer	\$270 to \$501
Senior Project Manager	\$163 to \$234
Project Managers	\$105 to \$163
Project Engineers and Scientists	\$ 89 to \$111
Engineering Technicians and Draftspersons	\$ 45 to \$134
Office Production	\$ 85 Average

* Updated annually on July 1

City of Chippewa Falls
Page 3
October 26, 2017

The estimated fee will not be exceeded without prior notice to and agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**. Any adjustments will be negotiated based on ENGINEER's increase or decrease in costs caused by delays, extensions, amendments, or changes.

Schedule

Services will begin upon execution of this Agreement, which is anticipated on November 6, 2017. Services are scheduled for completion on January 31, 2018.

Standard of Care

The Standard of Care for all Services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's Services.

OWNER's Responsibilities

1. Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to this project including previous reports, previous drawings and specifications, and any other data relative to the scope of this project.
2. Furnish to ENGINEER, as required by ENGINEER for performance of Services as part of this Agreement, data prepared by or services of others obtained or prepared by OWNER relative to the scope of this project, such as soil borings, probings and subsurface explorations, and laboratory tests and inspections of samples, all of which ENGINEER may rely upon in performing Services under this Agreement.
3. Provide access to the site as required for ENGINEER to perform Services under this Agreement.
4. Guarantee access to and make all provisions for ENGINEER to enter upon public and private lands as required for ENGINEER to perform Services under this Agreement.
5. Examine all reports, sketches, estimates, special provisions, drawings, and other documents presented by ENGINEER and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the performance of ENGINEER.
6. Provide all legal services as may be required for the development of this project.

Opinion of Probable Cost

Any opinions of probable cost prepared by ENGINEER are supplied for general guidance of OWNER only. ENGINEER has no control over competitive bidding or market conditions and cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to OWNER.

Changes

1. OWNER may make changes within the general scope of this Agreement in the Services to be performed. If such changes cause an increase or decrease in ENGINEER's cost or time required for performance of any Services under this Agreement, an equitable adjustment will be made and this Agreement will be modified in writing accordingly.

City of Chippewa Falls
Page 4
October 26, 2017

2. No services for which additional compensation will be charged by ENGINEER will be furnished without the written authorization of OWNER. The fee established herein will not be exceeded without agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**.
3. If there is a modification of Wisconsin Department of Natural Resources requirements relating to the Services to be performed under this Agreement subsequent to the date of execution of this Agreement, the increased or decreased cost of performance of the Services provided for in this Agreement will be reflected in an appropriate modification of this Agreement.

Extension of Services

This Agreement may be extended for additional Services upon OWNER's authorization. Extension of Services will be provided for a lump sum or an hourly rate plus expenses.

Payment

OWNER shall make monthly payments to ENGINEER for Services performed in the preceding month based upon monthly invoices. Nonpayment 30 days after the date of receipt of invoice may, at ENGINEER's option, result in assessment of a 1 percent per month carrying charge on the unpaid balance.

Nonpayment 45 days after the date of receipt of invoice may, at ENGINEER's option, result in suspension of Services upon five calendar days' notice to OWNER. ENGINEER will have no liability to OWNER, and OWNER agrees to make no claim for any delay or damage as a result of such suspension caused by any breach of this Agreement by OWNER. Upon receipt of payment in full of all outstanding sums due from OWNER, or curing of such other breach which caused ENGINEER to suspend Services, ENGINEER will resume Services and there will be an equitable adjustment to the remaining project schedule and compensation as a result of the suspension.

Data Provided by Others

ENGINEER is not responsible for the quality or accuracy of data nor for the methods used in the acquisition or development of any such data where such data is provided by or through OWNER, contractor, or others to ENGINEER and where ENGINEER's Services are to be based upon such data. Such data includes, but is not limited to, soil borings, groundwater data, chemical analyses, geotechnical testing, reports, calculations, designs, drawings, specifications, record drawings, contractor's marked-up drawings, and topographical surveys.

Termination

This Agreement may be terminated with cause in whole or in part in writing by either party subject to a two-week notice and the right of the party being terminated to meet and discuss the termination before the termination takes place. ENGINEER will be paid for all completed or obligated Services up to the date of termination.

Third-Party Beneficiaries

Nothing contained in this Agreement creates a contractual relationship with or a cause of action in favor of a third party against either OWNER or ENGINEER. ENGINEER's Services under this Agreement are being performed solely for OWNER's benefit, and no other party or entity shall have any claim against ENGINEER because of this Agreement or the performance or nonperformance of Services hereunder.

