

AGENDA FOR COUNCIL MEETING
CITY OF NEW RICHMOND, WISCONSIN
MONDAY, MAY 14, 2018 - 7:00 P.M.

AGENDA:

1. Call to Order
2. Clerk's Roll Call
3. Pledge of Allegiance
4. Adoption of Agenda

PUBLIC COMMENT

CONSENT AGENDA:

1. Approval of the Minutes from the Previous Regular Council Meetings, April 9, 2018 and April 17, 2018 and Special Council Meeting, April 30, 2018
2. Applications for License to Serve from Jannifer L. Heitkamp, New Richmond; Janelle S. Stephens, New Richmond; Ryan J. Stephens, New Richmond; Eric S. Meyer, New Richmond; Lawrence B. Gumbert, New Richmond; Alan L. Lingen, New Richmond; Dennis G. Hurtis, Glenwood City; and Jerry DuBois, New Richmond
3. Application for Amplification Device Permit and Exemption from Section 50-87 Loud & Unnecessary Noise for Outdoor Movie Series in Glover Park on June 15 and August 24, 2018 from 8:00 to 10:00 p.m.
4. Application for Temporary Class B Beer License from New Richmond Millers Baseball for May 18, 23, June 2, 9, 15, 22, 29, July 13, 21, 22, and 28, 2018
5. Application for Fireworks Sellers Permit from Big Bam Boom Fireworks, LLC at 1470 South Knowles Avenue
6. Application for Fireworks Sellers Permit from James Gibson at 546 West North Shore Drive
7. Application for Class B Beer and Class C Wine License from Cheyenne Evans, Agent for Vudu Street Food at 121 South Knowles Avenue
8. Application for Class B License to sell Intoxicating Liquor and fermented malt beverages from Rick Holm, Agent for EF5 at 157 South Knowles Avenue
9. Application for Amplification Devices and Exemption from Sec. 50-87 Loud & Unnecessary Noise from Donald Harer at 1202 Highland Court on July 28, 2018 from 4:30 to 9:00 p.m.
10. Payment of VO#61966 through VO#62091 totaling \$356,178.80 plus electronic fund transfers totaling \$1,081,270.58 for a grand total of \$1,437,449.38
11. Donations for K-9 Program –
Bernie & Carol Colbeth \$100
Ilisa Ailts \$ 50

DEPARTMENT REPORTS:

Administration
Finance
Community Development

Public Works
Library
Police
Fire
Airport
City Clerk

UNFINISHED BUSINESS:

(Consideration and action on matters tabled, postponed or referred to a committee at a previous meeting)

NEW BUSINESS:

(Action on newly introduced motions, ordinances, resolutions or other matters)

1. **Plan Commission Recommendations:**
 - a) Ordinance #514 - Annexing DOT/Meyer Property
 - b) Resolution #051801 – Authorizing Release of Utility Easement
 - c) Certified Survey Map – City of New Richmond
2. Ordinance #515 – Economic Development Commission
3. Ordinance – Amending Section 1-2 of the Code of Ordinances
4. Mayor’s Appointments
5. Ordinance Update – CDB Oils – Section 50-142
6. Ordinance – Underage Vaping
7. Ordinance – Vaping on School Property
8. Vaping on City Property
9. Operator’s License Form – Proposed Changes
10. 2017 Fourth Quarter Financial Report and 2018 Reporting Schedule
11. 2018 Street/Utility Projects Bid Results
12. 2018 Street/Utility Construction
13. Engineering Contract
14. 125th Street MOU – Richmond Township
15. 2018 Crack Filling Bid Results
16. 2018 Fog Sealing Bid Results
17. North Pierson/High Street Renaming
18. Public Works Surplus Property
19. May Work Session – May 30, 2018 at 5:30 p.m.
20. Communications & Miscellaneous
21. Closed Session per State Statute 19.85 (1)(e) – TIF #6

22. Open Session – Action on Closed Session Agenda
23. Resolution #051802 – Authorizing Sale of Property to 45th Parallel
24. Resolution #051803 – Authorizing Sale of Property to Federal Foam
25. Adjournment

Frederick Horne, Mayor

(THE ABOVE AGENDA IS NOT NECESSARILY IN ORDER OF PRESENTATION)

****Late Changes and Additions**

Posted: Civic Center and City Website

If you need a sign language interpreter or other special accommodations, please contact the City Clerk at 246-4268 or Telecommunications Device for the Deaf (TDD) at 243-0453 at least 48 hours prior to the meeting so arrangements can be made.

REGULAR COUNCIL MEETING APRIL 9, 2018 7:00 P.M.

The meeting was opened by announcing this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, The New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office and on the City's website at www.newrichmondwi.gov. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Fred Horne, Alderman Kittel, Ard, Jackson, Montello, and Volkert

Members Absent: Alderman Zajkowski

The Pledge of Allegiance was recited.

Alderman Ard moved to adopt the agenda as presented, seconded by Alderman Kittel and carried.

Public Comment

Consent Agenda

1. Approval of the Minutes from the Previous Regular Council Meeting, March 12, 2018, and Special Council Meetings, March 22 & 26, 2018
2. Applications for License to Serve from Richard B. Salsbury, Osceola
3. Application for a Run/Walk Permit for the Willow River Run on July 12, 2018 at 7:00 p.m.
4. Application for Run/Walk Permit for the K9 Classic on May 12, 2018 at 9:30 a.m.
5. Application for Amplification Device Permit and Exemption from Section 50-87 Loud & Unnecessary Noise for the Relay For Life event June 8-9, 2018
6. Payment of VO#61866 through VO#61965 totaling \$217,433.50 plus electronic fund transfers totaling \$946,590.16 for a grand total of \$1,164,023.66

General Fund	\$821,829.22
Impact Fees Fund	20,174.00
Cemetery Fund	1,693.90
CDBG – Housing	155.00
Debt Service Fund	284,117.96
Capital Projects	19,821.77
Landfill Cleanup Fund	5,964.91
Storm Water Utility	9,703.01
Park land Trust Fund	563.89

Alderman Ard moved to approve the consent agenda as presented, seconded by Alderman Jackson and carried.

Department Reports

Administration – Noah Wiedenfeld stated banners will be going up along Knowles Avenue this month in preparation for the Loyalty Day Parade on April 28, 2018. Staff will be traveling to Wausau tomorrow to present to the Wisconsin Waterways Commission regarding the Mary Park boat launch. The quarterly newsletter will be sent out soon. Congratulations to Alli Preece, our student representative on Council, for being recognized as the top female scholar-athlete for New Richmond High School.

Finance – Rae Ann Ailts stated the audit fieldwork was completed on March 23, 2018. Audit financials will be published in June. Electric and Water PSC reports have been filed and are available on the website.

Community Development - Beth Thompson explained the Comprehensive Plan was presented to 10 groups and there is a display in the back of the Council Chambers for the Month of April for public comment.

Public Works – Jeremiah Wendt stated there was an open house for Freedom Park on March 28, 2018.

Spring brush pickup will be in late April or early May and the compost site will open at the same time. A

new program was introduced for adopt a garden, in which residents are invited to help take care of flower gardens around the City. The Park Board approved their first application for Josi Wendt at their last meeting. The Public Works Department has been removing Ash trees and other dead and diseased trees from road rights-of-way. The trees are hauled to the compost site and a company comes to grind them into pellets to be used for electric energy in St. Paul.

Library – Katie Marsh reported that National Library Week is April 8-14, 2018. There will be raffles every day and an open house tomorrow from 1-3 p.m. for customers to meet Katie. There is also a coloring contest sponsored by Culvers. Fee replacement cards will be given this week and the Library will be rolling out reduced overdue fines.

Police – Craig Yehlik stated he donated a “Lunch with the Chief” to the All-Pro Dads at Starr Elementary. The winner was Cedric, a 5th grader. Craig will be teaching a civilian response to active shooter class on April 16, 2018, at 3:00 p.m. and 7:00 p.m. that is free to anyone 18 years or older. Burger night at Champ’s will be on April 24, 2018, from 4:00 to 8:00 p.m. to benefit the NRPD and St. Croix County K-9 associations.

Fire – Mayor Horne reported that six firefighters completed the EMR course. There were 14 incidents in March; 7 of them were city and 7 were rural. Occupancy/fire inspections have begun. The annual Chili Feed will be on April 14, 2018, 4:00 to 8:00 p.m. at the Fire Hall.

Airport – Mike Demulling stated that over 40,000 square feet of hangar space will be built this year. It has been a tough month for snow removal with equipment break downs.

City Clerk - Tanya Batchelor stated the Spring Election was on April 3, 2018, and we had 888 voters. There was a tie for County Board Supervisor District 13 between Scottie Ard and Ryan Sherley. Both received 213 votes. The County completed their canvas of the election today and a recount will be held on Wednesday, April 11, 2018 at 9:00 a.m.

Ceremonial Swearing in of Officer Nick Lubow

Mayor Horne swore in Officer Nick Lubow as Police Officer.

Denial of Application for License to Serve for Maryah Mara

Alderman Kittel moved to table this item until the April 23, 2018, work session, seconded by Alderman Ard and carried.

Public Hearing for Sidewalk Assessments

Joel Enders explained the process for sidewalk assessments. Mayor Horne declared the Public Hearing open to discuss the sidewalk assessments. Clark Harper had several questions regarding the sidewalk assessment amount for his property. The Public Hearing was declared closed. Alderman Kittel offered the following resolution and moved for its adoption:

RESOLUTION #041801
FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENTS AND LEVYING
SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY IN
NEW RICHMOND, WISCONSIN

WHEREAS, the governing body of New Richmond, Wisconsin, held a public hearing at the Council Chambers of the New Richmond Civic Center at 7 p.m. on the day of April 9, 2018, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the City Engineer on the proposed public improvements consisting of sidewalk replacement and preliminary assessments against benefitted property, and heard all persons who desired to speak at the hearing;

NOW, THEREFORE, BE IT RESOLVED, the governing body of New Richmond, Wisconsin, determines as follows:

1. The report of the City Engineer (as modified), a copy of which is attached hereto and incorporated here as if fully set forth herein, including the plans and specifications and assessments set forth therein, is adopted and approved.
2. The City Engineer shall supervise construction of the improvements in accordance with the report hereby adopted (as modified).

3. Payment for the improvements shall be made by assessing 50% of the cost of sidewalk replacement to the property benefitted as indicated in the report.
4. Assessments shown on the report represent an exercise of the police power and have been determined on a reasonable basis, and are hereby confirmed.
5. Assessments shall be due within 45 days of billing date. Assessments may be paid in one lump sum to the municipal clerk, or the property owner may choose to have the bill placed upon tax roll as a special tax against said lot or parcel to be repaid over 5 years at an annual interest rate of six percent. Installments shall automatically be placed on the next tax roll after the due date for collection.
6. Property owners have the option of making repairs and replacements to existing sidewalks themselves rather than by City staff, but must (1) give notice to the City by May 1, 2018, and (2) obtain a permit and construct the sidewalk according to required specifications, as described in Section 70-3 of the New Richmond Code of Ordinances, by June 1, 2018.
7. The municipal clerk shall publish this resolution as a class 1 notice under ch. 985, Wis. Stats., in the assessment district and mail a copy of this resolution and a statement of the final assessment against the benefitted property together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Motion was seconded by Alderman Montello and carried.

Public Hearing for Alley Assessments

Joel Enders explained the alley assessments. Mayor Horne declared the Public Hearing open. Discussion followed. Rick Martie and Phil Connolly asked questions about the alley assessments. Mayor Horne declared the Public Hearing closed. Alderman Ard offered the following resolution and moved for its adoption:

RESOLUTION #041802
FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENTS AND LEVYING
SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY IN NEW
RICHMOND, WISCONSIN

WHEREAS, the governing body of New Richmond, Wisconsin, held a public hearing at the Council Chambers of the New Richmond Civic Center at 7 p.m. on the day of April 9, 2018, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the City Engineer on the proposed public improvements consisting of alleyway replacement/reconstruction and preliminary assessments against benefitted property, and heard all persons who desired to speak at the hearing;

NOW, THEREFORE, BE IT RESOLVED, the governing body of New Richmond, Wisconsin, determines as follows:

1. The report of the City Engineer (as modified), a copy of which is attached hereto and incorporated here as if fully set forth herein, including the plans and specifications and assessments set forth therein, is adopted and approved.
2. The City Engineer shall supervise construction of the improvements in accordance with the report hereby adopted (as modified).
3. Payment for the improvements shall be made by assessing 50% of the cost associated with asphalt paving to the property benefitted as indicated in the report. Subgrade, curb, site restoration, and all other project costs shall be borne by the City.
4. Assessments shown on the report represent an exercise of the police power and have been determined on a reasonable basis, and are hereby confirmed.
5. Assessments shall be due within 45 days of billing date. Assessments may be paid in one lump sum to the municipal clerk, or the property owner may choose to have the bill placed upon tax roll as a special tax against said lot or parcel to be repaid over 5 years at an annual interest rate of six percent. Installments shall automatically be

placed on the next tax roll after the due date for collection.

6. The municipal clerk shall publish this resolution as a class 1 notice under ch. 985, Wis. Stats., in the assessment district and mail a copy of this resolution and a statement of the final assessment against the benefitted property together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Motion was seconded by Alderman Jackson and carried.

Resolution #040103 Proclamation for Municipal Treasurers Appreciation Week

Rae Ann Ailts explained Municipal Treasurer's Appreciation Week is April 14-21, 2018. Bev Langenback has been the City Treasurer since 2012 and prior to that she was Deputy Treasurer for over 23 years. Alderman Ard offered the following resolution and moved for its adoption:

RESOLUTION #041803

Proclamation

Municipal Treasurers Appreciation Week

April 15 - 21, 2018

Whereas, the office of the municipal treasurer is a time honored and vital part of local government that impacts the day to day life of citizens throughout the state; and

Whereas, the municipal treasurers provide the necessary financial information to governing bodies and agencies at the local, county, and state levels; and

Whereas, the municipal treasurers administer the procedures and keep the financial records that allow governing bodies to carry out its public function efficiently and confidently; and

Whereas, all municipal treasurers are the official custodians responsible for proper management and investment of public funds; and

Whereas, the 1853 municipal treasurers and the 72 county treasurers work together to collect all property taxes for their own municipalities and counties as well as their local schools, technical colleges, and the State; and

Whereas, municipal treasurers continually strive to improve the administration of the responsibilities of the office of the municipal treasurer through participation in education programs, seminars, workshops, and conferences across Wisconsin; and

Whereas, Governor Scott Walker signed a proclamation on February 7, 2018 declaring April 15 – 21, 2018 as Municipal Treasurers Appreciation Week in Wisconsin.

Now, Therefore, I, Fred Horne, Mayor of the City of New Richmond, do hereby recognize the week of April 15 through April 21, 2018, as Municipal Treasurers Week, and further extend appreciation to our Municipal Treasurer Beverly Langenback and to all Municipal Treasurers for the vital services they perform and their exemplary dedication to the communities they represent.

Motion was seconded by Alderman Kittel and carried.

Authorization to Bid 2018 Street & Utility Projects

Jeremiah Wendt explained the request to bid the following projects:

- 1) Reconstruct 125th Street from 280 feet south of Circle Pine Drive to West Eight Street in partnership with Richmond Township
- 2) Modify stormwater pond west of the intersection of Madison Avenue and Wisconsin Drive
- 3) Reconstruct East Fourth Street from Park Avenue to Rounds Avenue
- 4) Construct Phase I of the multi-phase approach providing trails parallel to CTH A from West Richmond Way to West Fourth Street, and parallel to West Eighth Street from CTH A to Dakota Avenue
- 5) Construct a nature trail along the Paperjack Creek from 125th Street to the Rail Bridge Trail

Alderman Ard moved to authorize bids for the 2018 Street & Utility Projects, seconded by Alderman Jackson and carried.

Public Works Equipment Auction/Procurement

Jeremiah Wendt explained that staff has reviewed existing equipment inventory and identified opportunities for improvement and greater efficiency. The following items have been identified as surplus:

<u>ITEM</u>	<u>VALUE</u>
1) 1979 John Deere 401-C	\$ 6,000
2) 2010 John Deere 3320	\$24,000
3) 2009 John Deere 1445 w/broom & mower deck	\$12,000
4) John Deere Angle Broom	\$ 4,000
5) John Deere Wing Mower	\$ 2,000
6) Erskine Snow Blower	\$ 1,000
7) 3-Point Back Blade	\$ 1,000
TOTAL	\$50,000

These items would be sold through the WI Surplus Auction website. Proceeds from the sale would offset and their functionality replaced by the purchase of a Bobcat Toolcat 5610 with a snow blower and angle broom attachment. Discussion followed. Alderman Ard moved to table this item for feedback from the Public Works Committee, seconded by Alderman Jackson and carried.

DQ Garage Bids

Jeremiah Wendt stated that no bids were received for the DQ garage. The City could allow the fire department to use the garage for training purposes this spring. Discussion followed. No action was taken at this time.

Plan Commission Recommendations

Beth Thompson explained the Plan Commission held a Public Hearing to discuss amending Chapter 109, Article 3 Shoreland Wetland Zoning of the City Code. We received comments back from the DNR regarding the Shoreland Wetland ordinance amendment from 2015. They recommended the following minor changes:

- 1) Add additional statutory authorization references
- 2) Add a severability clause
- 3) Remove a provision related to non-conforming structures that have been repealed from Statute
- 4) Add a section reference to the criteria for conditional use permit applications

Alderman Montello moved to suspend the rules and adopt Ordinance #513 Amending Chapter 109, Article 3 Shoreland Wetland Zoning, seconded by Alderman Kittel and carried.

Beth Thompson explained the Certified Survey Map from Creative Homes. The CSM area was platted as an outlot, but was shown on the preliminary plat as three lots. The lots comply with the comprehensive plan and City ordinances. The Development Review Committee and Plan Commission recommended approval of the Certified Survey Map of Outlot 7, Rich River Trails subject to the following conditions:

1. Lots 63-65 shall be subject to the minimum lot width and setback requirements as set forth by the Rich River Trails PUD Development Stage Plan.
2. The developer shall plant shade trees along the south side of Rich River Way at 40 feet on center from 140th Street to Outlot B; shrubs as required by Table 15 of the Zoning Ordinance shall also be planted within the front yard of each lot as part of each house construction.
3. Park dedication requirements shall be satisfied as a cash fee in lieu of land paid as an impact fee at the time the building permit is issued.
4. All utility issues are subject to review and approval of the Public Works Director.
5. All grading, drainage, and erosion control issues are subject to review and approval of the Public Works Director.

Alderman Montello moved to approve the CSM with the conditions listed, seconded by Alderman Jackson and carried.

Comprehensive Plan – Public Participation

Beth Thompson stated that approval of the Public Participation Plan is one of the requirements for the Comprehensive Plan. Most of the dates are already covered and some are in April and May. Alderman Ard

moved to approve the Public Participation Plan for the Comprehensive Plan, seconded by Alderman Kittel and carried.

Arbor Day Resolution

Noah Wiedenfeld explained that Mike Mroz is planning an Arbor Day event on Tuesday, April 24, 2018 from 10:30 to 11:30 a.m. at Cyclone Park. Alderman Kittel offered the following resolution and moved for its adoption:

RESOLUTION #041804
ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, reduce heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource that provides paper, wood for construction, fuel for fires, and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, National Arbor Day is recognized on the last Friday in April but is observed by states on different dates throughout the year based on best tree planting times in their area; and

WHEREAS, the City of New Richmond will demonstrate planting techniques and plant bare root trees with students from New Richmond High School in Cyclone Park on April 24, 2018 in celebration of Arbor Day.

NOW, THEREFORE, BE IT RESOLVED, that April 24, 2018 be proclaimed as Arbor Day in the City of New Richmond.

Motion was seconded by Alderman Ard and carried.

Resolution #041805

Noah Wiedenfeld requested permission to apply for a grant from the WI DNR for a trail from the Nature Center to Doar Prairie Restoration area. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #041805
AUTHORIZING RESOLUTION TO APPLY FOR FINANCIAL AID FROM THE STATE OF
WISCONSIN DEPARTMENT OF NATURAL RESOURCES FOR THE NATURE CENTER
RECREATIONAL TRAIL

WHEREAS, the City of New Richmond is interested in developing a public outdoor recreational trail that would connect the Nature Center to the Doar Prairie Restoration; and

WHEREAS, financial aid is required to carry out the project;

WHEREAS, payment of grant funds is on a reimbursement basis;

THEREFORE, BE IT RESOLVED, that the City of New Richmond will provide matching funds equal to or greater than the amount of the grant award and

HEREBY AUTHORIZES Jeremiah Wendt, Director of Public Works, to act on behalf of the City of New Richmond to: Submit an application to the state of Wisconsin Department of Natural Resources for any financial aid that may be available; submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date; submit signed documents; and take necessary action to undertake, direct, and complete the approved project.

BE IT FURTHER RESOLVED that the City of New Richmond will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting, and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Motion was seconded by Alderman Kittel and carried.

Draft RFP for Compensation Study

Staff requested permission to draft a request for proposals for a salary and benefit study for all City employees. The proposed timeline is to publish and distribute the RFP April 10, 2018. Submissions would be due April 30, 2018. Staff would interview consultants the week of May 7, 2018 and the Council would approve the contract on May 14, 2018 and a completion date would be set for August 31, 2018. Alderman Montello moved to proceed with an RFP for compensation study, seconded by Alderman Jackson and carried.

Fire Department Capital Equipment Request - UTV

Noah Wiedenfeld explained the Fire Department identified a need to be able to provide off-road rescue operations. Cedar Lake Speedway has offered to donate \$9,000 plus racing fire suits, extinguishers & emergency lighting toward a new off-road vehicle. The Fire Department received reimbursement from the DNR for \$9,105 for a purchase in late 2017 for wildland fire personal protective equipment. Alderman Kittel moved to table this issue. Motion failed due to lack of a second. Considerable discussion followed. Alderman Ard moved to approve the use of DNR reimbursement funds, Cedar Lake Speedway donations, and proceeds from the 2018 chili feed fundraiser towards the purchase of the UTV, trailer, fire/rescue skid and accessories, seconded by Alderman Jackson and carried.

No-Fault Sanitary Sewer Backup Policy

Joel Enders explained sewer backups occurred along East Fourth Street on Thanksgiving Day in 2017. No definitive cause was found. Neither homeowner insurance nor City insurance covered the damages. The City was not legally liable, but no guiding policy was in place. The proposed policy is half of a two-part response to the 2017 sewer backups. An educational insert will be sent with Utility bills and on the New Richmond Utilities website. It is the resident's responsibility to protect against losses caused by sewer backups. Sewer lateral maintenance responsibilities include lateral in the right-of-way. We will educate the public as to the Utility's limitation of liability. The policy states the responsibilities of the property owner and the Utility. It also emphasizes the City's "No Fault" legal position in line with Wisconsin Statutes. It also provides a method for voluntarily assisting homeowners in the event the backup is caused by a condition in the main and property owner insurance does not cover damages. Discussion followed.

Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #041806

A RESOLUTION ESTABLISHING A NO-FAULT SANITARY SEWER BACKUP DAMAGE REIMBURSEMENT POLICY

WHEREAS, New Richmond Utilities has determined that it is necessary to increase citizen awareness of wastewater collection systems and their responsibilities relative to maintenance and protection against potential property damage from sewer backups, and

WHEREAS, New Richmond Utilities is responsible for maintaining sewer mains, manholes, pump stations and force mains that are in public rights-of-way and on public property, and

WHEREAS, New Richmond Utilities expends significant resources, through an extensive preventive maintenance program, to keep the sewer system in a good state of repair. Occasionally, however, forces of nature or conditions develop within the system that may cause sewage to back up into a residence or business which are beyond the Utility's control, and

WHEREAS, New Richmond Utilities desires to reduce health hazards by encouraging property owners who have experienced a sewer backup to get it appropriately cleaned up as quickly as possible, and

WHEREAS, New Richmond Utilities desires to provide a method for assisting homeowners with the financial burden of a sewer backup even when the Utility is not legally liable for the resulting damage.

NOW THEREFORE, BE IT RESOLVED by the Utility Commission of New Richmond that the Utility may reimburse sanitary sewer customers as set forth in the Utility's No-Fault Sanitary Sewer Backup Damage Reimbursement Policy.

Motion was seconded by Alderman Jackson and carried. Alderman Kittel voted no.

Regular Council Meeting April 17, 2018 and Work Session on April 23, 2018

Communications and Miscellaneous

The Loyalty Day Parade will be on April 28, 2018. The Fire Department Chili Feed is on April 14, 2018. The Business community still has time to enter the Loyalty Day window display competition.

Alderman Ard moved adjourn the meeting, seconded by Alderman Jackson, and carried.

Meeting adjourned at 8:25 p.m.

Tanya Batchelor
City Clerk

REGULAR COUNCIL MEETING, APRIL 17, 2018 7:00 P.M.

Mayor Horne opened the meeting by announcing that this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, the New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Horne, Alderman Kittel, Ard, Jackson, Montello and Volkert

Members Absent: Alderman Zajkowski

The Pledge of Allegiance was recited.

Alderman Ard moved to adopt the agenda as presented, seconded by Alderman Jackson and carried.

Communications and Miscellaneous

Scottie Ard stated that April 28, 2018, is the Loyalty Day Parade. Fred Horne reported the Chili Feed was on April 14, 2018, and although they had half the amount of people attending than last year, they did almost as good financially.

Alderman Ard moved to adjourn Sine Die, seconded by Alderman Jackson, and carried.

NEW COUNCIL

Fred Horne was sworn in as Mayor, Mike Montello was sworn in as Alderman for District 4, and Ron Volkert was sworn in as Alderman for District 5. Jim Zajkowski was not at the meeting and will be sworn in as soon as he returns.

Roll call was taken.

Members Present: Mayor Horne, Alderman Kittel, Ard, Jackson, Montello and Volkert

Members Absent: Alderman Zajkowski

Council President

Alderman Jackson nominated Mike Montello for Council President. Alderman Kittel nominated Jim Zajkowski for Council President. Alderman Ard moved to close nominations, seconded by Alderman Jackson and carried. Voting was conducted by paper ballot. Alderman Zajkowski received three votes and Alderman Montello received two votes. Alderman Zajkowski is the new Council President.

Mayor's Appointments

Mayor Horne made the following appointments:

CITIZEN APPOINTMENTS

Health Officer
Plan Commission
Library Board
Park Board
Ethics Board

David DeGear
Mike Kastens and Michelle Scanlan
Gordon Granroth and Jeff Peplau
Mandi Erickson and Joe Ard
Bob Larson, Nick Vivian and Mike Kastens

Airport Commission
Board of Appeals
Police and Fire Commission
Historic Preservation
CDA
Housing Authority

Mary Hailey
Sarah Mellerud
Wendy Dadez
Nicole Wocelka
Jessie Klopp
Mark Evans

Alderman Montello moved to confirm the Mayor's appointments, seconded by Alderman Jackson and carried.

Communications and Miscellaneous

Scottie Ard stated that 19 businesses have registered for business display for Loyalty Day. Be sure to check them out.

Alderman Ard moved to adjourn the meeting, seconded by Alderman Jackson, and carried.

Meeting adjourned at 7:16 p.m.

Tanya Batchelor
City Clerk

SPECIAL COUNCIL MEETING
APRIL 30, 2018 5:30 P.M.

The meeting was opened by announcing that this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, the New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Horne, Alderman Ard, Kittel, Jackson, Volkert, Montello and Zajkowski.

The Pledge of Allegiance was recited.

Alderman Ard moved to adopt the agenda as presented, seconded by Alderman Jackson and carried.

Application for License to Serve from Maryah Mara

Craig Yehlik explained that Maryah Mara applied for an operator's license to allow her to work at a liquor store. After looking at her history, Craig recommended to deny her application. She is currently on probation and as a part of that probation is not supposed to be in any place where liquor is sold or served. Craig stated that not enough time has passed since her alcohol related issues to recommend her receiving an operator's license. Discussion followed. Alderman Montello moved to table this application until Maryah Mara is off probation, seconded by Alderman Jackson and carried.

Application for Run/Walk Permit from Westfields

Alderman Zajkowski moved to approve the application for Run/Walk Permit from Westfields Hospital/Cancer Center of Western Wisconsin for May 12, 2018, seconded by Alderman Kittel and carried.

Boards and Commissions

Mayor Horne explained the citizen appointments were mostly completed at the last meeting. He handed out a spreadsheet of the number of meetings each committee held in 2017. The remainder of the appointments will be made at the next meeting. Staff has been reviewing the first two chapters of our ordinances and has made suggestions regarding committee membership. There was discussion regarding some minor changes for the Plan Commission and Airport Commission. They also discussed the creation of a Tourism Committee and the membership for that committee. The current Economic Development Committee will be replaced by Forward New Richmond as has been discussed over the past few months. A few existing committees which will be absorbed by other committees such as the Solid Waste Committee which will be included in Public Works; the Sports Center Board which will be included in the Park Board and the Cable TV and Board of Health will be included in the City Council. The complete ordinance will be presented at the May Council meeting on May 14, 2018.

Capital Improvement Plan 2018-2022

Rae Ann Ailts gave a review of the projects listed in the plan as critical. One of these projects is the Police Department garage. Craig Yehlik gave a presentation showing the need for the garage. Considerable discussion followed. The next step is to look closer at the design and get firm numbers on the cost. This will come back to the Council in the next two months for further discussion. There was also discussion regarding the other critical projects in the CIP including 125th Avenue, CTH A Bike and Pedestrian Path, Fox Run/Whispering Prairie Bike and Pedestrian Path and Dakota Avenue/West First Street/Minnesota Avenue Replacement. In May, staff will look as sources and uses of funds for the

critical projects. Council will decide on the definition of “very important” projects. In June the very important projects will be identified. In July, Staff will discuss the sources and uses of funds for the critical and very important projects. The public process will start in August for the two-year critical and very important projects, along with budget limits for those projects.

Communications & Miscellaneous

Beth Thompson stated the Public Hearing for the Comprehensive Plan will be at the Plan Commission meeting on May 15, 2018. Mayor Horne showed everyone the Governor’s Proclamation plaque and the flag and proclamation from the VFW for the Loyalty Day Parade. Craig Yehlik thanked Mayor Fred for announcing the parade on Saturday. New Richmond was on CNN for the Loyalty Day Parade.

Closed Session

Alderman Ard moved to go into Closed Session per State Statute 19.85 (1)(e) Downtown Business Proposal, seconded by Alderman Jackson and carried.

Open Session

No action was taken.

Noah Wiedenfeld explained the award received by the City of New Richmond on April 27, 2018 in Madison for connect community participants.

Alderman Kittel moved to adjourn the meeting, seconded by Alderman Zajkowski and carried.

Meeting Adjourned at 7:20 p.m.

Tanya Batchelor
City Clerk

VOUCHERS PRESENTED TO THE COUNCIL MAY 15, 2018

VO #	PAYMENT TO:	AMOUNT
61893	voided - Hudson Police Dept	(232.80)
61894	voided - North Hudson Police Dept	(222.80)
61898	voided - Boardman & Clark LLP	(184.50)
61966	AILTS, RAE ANN	275.40
61967	ASSESSMENT TECHNOLOGIES, LLC	125.00
61968	BENEFIT EXTRAS, INC	345.25
61969	BOARDMAN & CLARK LLP	184.50
61970	CITY OF NR - REVOLVING FUND	142.47
61971	CITY OF SAINT PAUL	4,500.00
61972	CITY UTILITIES - SALES TAX	191.16
61973	CITY UTILITIES - SRPS	945.00
61974	DWD - UNEMPLOYMENT INSURANCE	1,404.00
61975	E O JOHNSON BUSINESS TECHNOLOGIES - 2	4,950.00
61976	ECKBERG LAMMERS P.C.	8,271.25
61977	FRONTIER COMMUNICATIONS	645.76
61978	HOISINGTON KOEGLER GROUP, INC	5,086.05
61979	HUDSON PHYSICIANS S.C.	67.00
61980	HUDSON POLICE DEPT	222.80
61981	INDUSTRIAL HEALTH SERVICES NETWORK INC	137.80
61982	INDUSTRIAL SAFETY	3,802.98
61983	LUBOW, NICHOLAS	101.21
61984	MARTIN-MCALLISTER	500.00
61985	MEIER, THOMAS	149.99
61986	NEW RICHMOND OUTLET	58.82
61987	NORTH HUDSON POLICE DEPT	232.80
61988	NORTHERN BUSINESS PRODUCTS	721.30
61989	REGISTER OF DEEDS	60.00
61990	RUNNING, INC	9,391.08
61991	VILLAGE OF STAR PRAIRIE	46.30
61992	WILLIAMSON & SILER S.C.	3,482.50
61993	BLACK HAWK GARAGE DOOR, LLC	865.33
61994	FLEX-O-SWEEP	85.30
61995	KAMM, RYAN	98.00
61996	SHORT-ELLIOTT-HENDRICKSON	15,407.97
61997	ST CROIX COUNTY HIGHWAY DEPT	3,983.33
61998	AMAZON (LIBRARY)	1,649.43
61999	AMERICAN FLAGPOLE & FLAG CO	1,574.62
62000	EMERGENCY MEDICAL PRODUCTS INC	788.31
62001	LEAGUE OF WI MUNICIPALITIES	10.00
62002	ROTARY CLUB OF NEW RICHMOND	136.50
62003	ST CROIX COUNTY TREASURER	175.00
62004	STEPHENS SANITATION - RECYCLING	4,065.00
62005	STEPHENS SANITATION - REFUSE	487.15
62006	VILLAGE OF SOMERSET	13.81
62007	WILD BADGER	100.00
62008	CJ HAULING	326.25
62009	FRONTIER COMMUNICATIONS (2)	49.42
62010	MELSTROM INSPECTIONS, LLC	1,875.00
62011	NEW RICHMOND CHAMBER OF COMMERCE	23,000.00
62012	WILLOW RIVER ROD & GUN CLUB	270.00
62013	XCEL ENERGY (2)	28.26
62014	WI DEPT OF ADMIN - MUNICIPAL BOUNDARY REVIEW	950.00
62015	CITY UTILITIES - 2ND BILLING	25,528.41
62016	BALDWIN TELECOM	568.14
	SUB-TOTAL	127,435.55

	SUB-TOTAL CARRIED FORWARD	127,435.55
62017	BOARDMAN & CLARK LLP	287.00
62018	CBRE, INC	2,000.00
62019	FOREMAN FIRE SERVICE & REPAIR	2,500.00
62020	FRONTIER AG & TURF	17,000.00
62021	J A COUNTER & ASSOCIATES INC	3,000.00
62022	LANGENBACK, BEVERLY	353.24
62023	MINUTEMAN PRESS	3,141.25
62024	NEW RICHMOND CHAMBER OF COMMERCE	800.00
62025	ONSITE MEDICAL SERVICE, INC	2,096.00
62026	THOMPSON, BETH	82.50
62027	AMAZON (CITY)	724.43
62028	AMAZON (LIBRARY)	989.43
62029	AMERY AREA PUBLIC LIBRARY	13.00
62030	BAKER TILLY VIRCHOW KRAUSE, LLP	353.00
62031	BALL, LARRY	1,040.00
62032	BENEFIT EXTRAS, INC	350.00
62033	CITY OF MINNEAPOLIS	204.00
62034	CITY UTILITIES - 1ST BILLING	1,947.01
62035	CITY UTILITIES - INVOICES	646.06
62036	CITY UTILITIES - LANDFILL	334.04
62037	CITY UTILITIES - OTHER	240.00
62038	CITY UTILITIES - SAC CHARGES	41,076.00
62039	CITY UTILITIES - SALES TAX	100.49
62040	CITY UTILITIES - WATER IMPACT FEES	41,076.00
62041	CJ HAULING	1,749.75
62042	DWD - UNEMPLOYMENT INSURANCE	1,014.00
62043	E O JOHNSON BUSINESS TECHNOLOGIES - 2	4,950.00
62044	E O JOHNSON COMPANY, INC	1,666.75
62045	ECKBERG LAMMERS P.C.	5,443.75
62046	FBINAA - WISCONSIN CHAPTER	85.00
62047	FORUM COMMUNICATIONS COMPANY	1,930.31
62048	FRONTIER COMMUNICATIONS	954.39
62049	GALE / CENGAGE LEARNING	88.46
62050	GHD SERVICES INC	6,187.53
62051	HAFFNER CONSTRUCTION	1,375.00
62052	HUDSON PHYSICIANS S.C.	201.00
62053	HURTGEN, RUTH	100.00
62054	ICMA	200.00
62055	INDUSTRIAL SAFETY	1,802.69
62056	INTERACTIVE HEALTH, INC	172.50
62057	KAR JACKERS ENTERTAINMENT	100.00
62058	KIWANIS CLUB OF NEW RICHMOND	90.00
62059	KWIK TRIP (OTHER)	26.62
62060	KWIK TRIP / KIWK STAR STORES	5,289.12
62061	LONNQUIST, KEN	410.00
62062	MELSTROM INSPECTIONS, LLC	1,875.00
62063	NECHVILLE EXCAVATING INC	609.38
62064	NEO ELECTRICAL SOLUTIONS, LLC	4,000.00
62065	NORTHERN BUSINESS PRODUCTS	603.36
62066	NORTHLAND SURVEYING	2,177.00
62067	OWEN ASSESSING LLC	6,200.00
62068	PEDERSON, JOEL	325.00
62069	RUNNING, INC	10,619.81
62070	SCHOOL DISTRICT OF NR - MOBILE HOME FEES	174.18
62071	SCHWAAB INC	39.84
62072	SECURIAN FINANCIAL GROUP, INC	2,073.66
62073	SHORT-ELLIOTT-HENDRICKSON	19,858.45
	SUB-TOTAL	330,181.55

	SUB-TOTAL CARRIED FORWARD	330,181.55
62074	ST CROIX COUNTY HIGHWAY DEPT	677.60
62075	ST CROIX COUNTY TREASURER - MUNICIPAL COURT	763.89
62076	STATE OF WI - COURT FINES & ASSESSMENTS	2,373.39
62077	THE PLANNING COMPANY LLC	4,159.80
62078	VALUE IMPLEMENT	4,163.91
62079	VERIZON WIRELESS (CITY)	320.18
62080	WASHINGTON NATIONAL INS CO	200.80
62081	WENDT, JEREMIAH	340.22
62082	WI DEPT OF AG, TRADE & CONSUMER PROTECTION	4,000.00
62083	WI DEPT OF JUSTICE - TIME	342.00
62084	WI ECONOMIC DEVELOPMENT CORPORATION	35.00
62085	WI INDIANHEAD TECH COLLEGE	1.02
62086	WI MUNICIPAL COURT CLERKS ASSN	260.00
62087	WI PROFESSIONAL POLICE ASSN, INC	627.00
62088	WILLIAMSON & SILER S.C.	1,152.50
62089	WITC - NEW RICHMOND	1,021.44
62090	WITC - NEW RICHMOND CONF CTR	1,005.00
62091	XCEL ENERGY	4,553.50

TOTAL VOUCHERS

356,178.80

TOTAL VOUCHERS**356,178.80****ELECTRONIC FUND TRANSFERS**

PAYROLL (4/13 & 4/27, 5/11)	379,433.35
DEFERRED COMP	9,500.00
ROTH - WI	250.00
FEDERAL W/H	89,634.27
STATE W/H	17,933.62
POSTAGE	2,000.00
MEDICAL PREMIUMS	83,104.63
RETIREMENT	84,074.31
VISA P-CARDS	38,920.05
HRA	9,853.10
HSA - ER CONTRIBUTIONS	1,083.29
WI-SCTF	2,967.64
FLEX SPENDING	3,911.24
EMPLOYEE FUND	246.00
FIREMAN DUES	525.00
AFLAC	1,223.26
DISABILITY INSURANCE	2,781.11
INVOICE - SUPER AMERICA	5,009.07
DELINQ STATE TAX - REMITTANCES	29.70
LIBRARY - REST'D INVESTMENTS	10,000.00
IMPACT FEE TRANSFERS	81,298.00
INVESTMENT TRSFAR - BREMER	250,000.00
DOR - ANNUAL TID FEES	900.00
WPPI LOAN PMTS	4,166.67
DEBT PMTS/BREMER LOAN PMTS	2,426.27

TOTAL ELECTRONIC FUNDS**1,081,270.58****GRAND TOTAL****1,437,449.38**

FRED HORNE, MAYOR

UNDEFINED BANK ACCOUNTS

ALL Checks

Posted From: 4/10/2018 From Account:
Thru: 5/14/2018 Thru Account:

Amount

Total Expenditure from Fund # 100 - GENERAL FUND	1,267,469.30
Total Expenditure from Fund # 210 - IMPACT FEES FUND	81,298.00
Total Expenditure from Fund # 220 - CEMETERY FUND	883.73
Total Expenditure from Fund # 300 - DEBT SERVICE FUND	6,592.94
Total Expenditure from Fund # 400 - CAPITAL PROJECTS	58,626.69
Total Expenditure from Fund # 460 - LANDFILL CLEANUP FUND	6,570.99
Total Expenditure from Fund # 510 - TID DISTRICT #10	150.00
Total Expenditure from Fund # 560 - TID DISTRICT #6	150.00
Total Expenditure from Fund # 570 - TID DISTRICT #7	150.00
Total Expenditure from Fund # 580 - TID DISTRICT #8	300.00
Total Expenditure from Fund # 590 - TID DISTRICT #9	150.00
Total Expenditure from Fund # 760 - STORM WATER UTILITY	13,344.05
Total Expenditure from Fund # 800 - PARK LAND TRUST FUND	88.26
Total Expenditure from Fund # 810 - LIBRARY TRUST FUND	100.80
Total Expenditure from Fund # 840 - NR WI ARMED SERVICES	1,574.62
Total Expenditure from all Funds	1,437,449.38

VOUCHERS	356,178.80
ELECTRONIC FUND TRANSFERS	
PAYROLL (4/13 & 4/27, 5/11)	379,433.35
DEFERRED COMP	9,500.00
ROTH - WI	250.00
FEDERAL W/H	89,634.27
STATE W/H	17,933.62
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LIBRARY - REST'D INVESTMENTS	10,000.00
IMPACT FEE TRANSFERS	81,298.00
INVESTMENT TRSFR - BREMER	250,000.00
INVESTMENT TRSFR - LGIP	-
PSN REFUNDS	-
DOR - ANNUAL TID FEES	900.00
WPPI LOAN PMTS	4,166.67
DEBT PMTS/BREMER LOAN PMTS	2,426.27
TOTAL EFTPS	1,081,270.58
TOTALS	1,437,449.38

ORDINANCE #514

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF NEW RICHMOND, WISCONSIN.

THE COMMON COUNCIL OF THE CITY OF NEW RICHMOND DOES ORDAIN AS FOLLOWS:

Section 1. Territory Annexed. The following described territory presently located in the Town of Star Prairie is hereby annexed to the City of New Richmond.

Territory described as follows:

Located in part of the NE ¼ of the SW ¼ of Section 35, T31N, R18W, Town of Star Prairie, St. Croix County, Wisconsin; described as follows:

Beginning at the Center of Section 35; thence west, Along the east-west ¼ line of said section, 339 feet More or less to the east line of lot 1 of Certified Survey Map recorded in Volume 8, Page 2194,

Document #456928; thence south, along said east line and the southerly extension of said east line, 630 feet more or less to the northerly line of the Wisconsin Central Railroad; thence Easterly, along said northerly line, 361 feet more or less to the north – south ¼ line of said section; thence North, along said north-south ¼ line, 607 feet more or less to the point of beginning. Parcel contains approximately 4.95 acres. (Owned by WI DOT and Michael & Deborah Meyer)

City of New Richmond

156 East First Street
New Richmond, WI 50417

038-1141-80-000

038-1141-80-001

Section 2. Effect of Annexation. From and after the date of this ordinance the territory described in Section 1 shall be a part of the City of New Richmond, for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of New Richmond.

Section 3. Zoning Classification. (a) Upon recommendation to the City Council of the City of New Richmond the territory described above, annexed to the City of New Richmond by this ordinance is designated as Z3 Multi-Use Corridor District

Section 4. Ward Designation. The territory described in Section 1 of this ordinance is hereby designated as part of Ward 1, Aldermanic District 1, of the City of New Richmond.

Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

I, Tanya Batchelor, Clerk of the City of New Richmond, Wisconsin, do hereby certify that the foregoing is a correct copy of an Ordinance introduced at a regular meeting of the Common Council

of the City of New Richmond on May 14, 2018 adopted by more than two-thirds vote, and recorded in the minutes of said meeting.

Passed and approved: May 14, 2018
Published and effective: May 24, 2018

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk



3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 1 May 2018

RE: New Richmond – Meyer/DOT Annexation

TPC FILE: 164.02

BACKGROUND

The City has received a petition from Michael and Deborah Meyer to annex parcel located at within Star Prairie Township. The Meyer property is currently developed with a single family dwelling. Meyer is petitioning for annexation to allow for the single family dwelling to be connected to City sewer and water utilities. The Wisconsin Department of Transportation WI/DoT has also joined the petition to annex an undeveloped parcel and public right of way west of the Meyer property. Annexation petitions are subject to review by the Plan Commission and approval of the City Council. A public hearing to consider the annexation petition has been noticed for the Plan Commission meeting on 7 March 2016.

ANALYSIS

Comprehensive Plan. The Highways 64 & 65 Land Use and Thoroughfares Plan did not guide the subject site for specific land uses. Land uses to the north and east are guided for mixed use commercial development and medium density residential development is guided to the west. The draft Comprehensive Plan update guides the property for mixed use corridor development. Annexation of the properties provides for future orderly growth of planned urban uses consistent with the current and draft Comprehensive Plan.

Zoning. Annexation of the parcel is to occur by adoption of an ordinance by the City Council and recorded with the Secretary of State and St. Croix County Recorder. The annexation will be effective upon the date after the annexation ordinance is published. Section 121-36.G of the Zoning Ordinance states that properties annexed to the City are designated as Z1 District, unless otherwise approved by the City Council. Based on utilities being available to the properties, we recommend that the properties be zoned Z3 District to allow for the existing single family dwelling on the Meyer lot as a permitted use and anticipate future opportunities for redevelopment based on access and visibility from Highway 64.

Surrounding Uses. The existing and planned uses surrounding the subject site are described in the table below. The subject site is contiguous to existing properties within the City to the north. Annexation of the subject site will allow for a logical long-term expansion of urban development within the City as guided by the Comprehensive Plan.

Direction	Jurisdiction	Land Use Plan	Zoning Map	Existing Use
North	City	Mixed Use	Z2 District	Undeveloped
East	City	Mixed Use	NA	Undeveloped
South	Town	Highway 64	NA	NA
West	Town	Mixed Use	NA	Rural residential

Star Prairie Boundary Agreement. The City and Star Prairie Township entered into a Cooperative Plan regarding future boundaries dated 31 July 2012. The property is located within the Urban Reserve Area designated by the Cooperative Plan. Annexation of property within the Urban Reserve Area from Star Prairie Township to the City of New Richmond is outlined in Section 3 of the Cooperative Plan. Section 3.2.1 of the Cooperative Plan that a property owner may submit a written petition to the City Clerk requesting attachment of their property from Star Prairie Township to the City of New Richmond. Section 3.6.1 of the Cooperative Plan requires the City Clerk to provide written notice of the attachment request (including the petition) to Star Prairie Township. Section 3.6.2 of the Cooperative Plan allows Star Prairie Township 30 days from receipt of the notice to respond with any objections to the proposed attachment. Section 3.8 of the Cooperative Plan states that the attachment is to be effected by adoption of an ordinance by the City Council. Section 3.2.1 of the Cooperative Plan states that the City may accept the petition, accept the petition subject to conditions, or deny the petition. If the petition is accepted and the attachment ordinance adopted by the City Council, the annexation becomes effective upon publication of said ordinance in accordance with Section 3.9 of the Cooperative Plan. The City is also responsible for filing necessary documents with the Secretary of State and St. Croix County.

RECOMMENDATION

The petition for annexation of the Michael and Deborah Meyer and WI/DoT property is consistent with the City's Comprehensive Plan and the Star Prairie Cooperative Plan. The Development Review Committee considered the annexation petition and CSM at their meeting on 30 April 2018 and recommended approval. The Plan Commission discussed this item at their meeting on May 8, 2018 and recommend Council approval.

POSSIBLE ACTION

- A. Motion to recommend City Council **approval** of an ordinance annexing property with a zoning designation of Z3 District owned by Michael and Deborah Meyer and WI/DoT to the City of New Richmond, subject to the following condition:

1. Meyer shall provide for the single family dwelling upon their property to be connected to City sewer and water utilities within six (6) months from the date of annexation.

- B. Motion to recommend the City Council **deny** the annexation petition based on a finding that such action is not consistent with the policies of the Comprehensive Plan.

- C. Motion to **table**.

- c. Michael Darrow, City Administrator
Nick Vivian, City Attorney
Jeremiah Wendt, Public Works Director
Sarah Skinner, Building Inspector



PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Michael & Deborah Meyer

Signature of Petitioners	Date	Owner/Elector	Parcel Number
<u>[Signature]</u>	<u>3/8/2018</u>	<u>owner</u>	<u>038-1141-80-000</u>

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land \$ _____ Improvements \$ _____ Total \$ 75,000

Tax ID 038-1141-80-000 Annual Town Property Taxes \$ _____

Number of Electors 0

Present Land Use: Undeveloped _____% Commercial _____% Industrial _____%
Residential 100% Recreational % _____

Anticipated Land Use: Commercial _____% Industrial _____%
Residential 100% Recreational _____%

Nature of land use adjacent to this property:

In the City? _____

In the Town? _____

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.



PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioners	Date	Owner/Elector	Parcel Number
¹ <i>Jeffrey L Emerson</i>	4/19/18	WisDOT Rep, No objections	038-1141-80-001

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land \$ _____ Improvements \$ _____

Tax ID 038-1141-80-001 Annual Town Property Taxes \$ 0

Number of Electors 0

Present Land Use: Undeveloped 100 % Commercial _____ % Industrial _____ %
 Residential _____ % Recreational % _____
+ Road Right-of-Way

Anticipated Land Use: Commercial _____ % Industrial _____ %
 Residential 100 % Recreational _____ %

Nature of land use adjacent to this property:

In the City? Residential + Ag

In the Town? Residential + Ag

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

WI-D.O.T. / MEYER

ANNEXATION DESCRIPTION

Located in part of the NE1/4 of the SW1/4 of Section 35, T31N, R18W, Town of Star Prairie, St. Croix County, Wisconsin; described as follows:

Beginning at the Center of Section 35; thence west, along the east - west 1/4 line of said section, 339 feet more or less to the east line of Lot 1 of Certified Survey Map recorded in Volume 8, Page 2194, Document Number 456928; thence South, along said east line and the southerly extension of said east line, 630 feet more or less to the northerly line of the Wisconsin Central Railroad; thence Easterly, along said northerly line, 361 feet more or less to the north - south 1/4 line of said section; thence North, along said north - south 1/4 line, 607 feet more or less to the point of beginning. Parcel contains approximately 4.95 Acres (215,677 Sq. Ft.).

03/15/18

MAP OF ANNEXATION

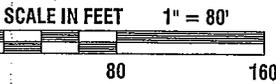
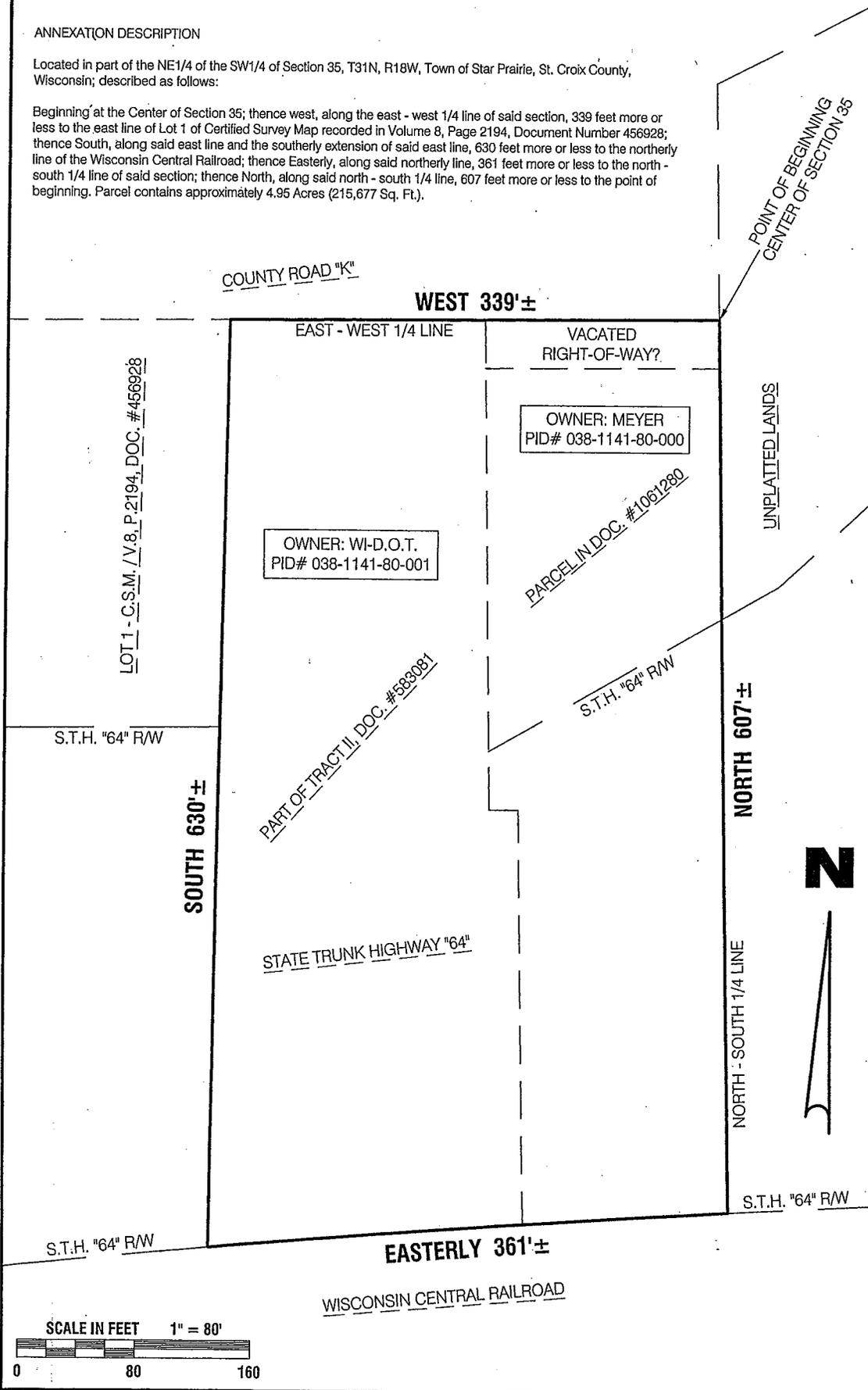
OWNERS: WI-D.O.T. / MEYER

LOCATED IN PART OF THE NE1/4 OF THE SW1/4 OF SECTION 35, T31N, R18W,
TOWN OF STAR PRAIRIE, ST. CROIX COUNTY, WISCONSIN.

ANNEXATION DESCRIPTION

Located in part of the NE1/4 of the SW1/4 of Section 35, T31N, R18W, Town of Star Prairie, St. Croix County, Wisconsin; described as follows:

Beginning at the Center of Section 35; thence west, along the east - west 1/4 line of said section, 339 feet more or less to the east line of Lot 1 of Certified Survey Map recorded in Volume 8, Page 2194, Document Number 456928; thence South, along said east line and the southerly extension of said east line, 630 feet more or less to the northerly line of the Wisconsin Central Railroad; thence Easterly, along said northerly line, 361 feet more or less to the north - south 1/4 line of said section; thence North, along said north - south 1/4 line, 607 feet more or less to the point of beginning. Parcel contains approximately 4.95 Acres (215,677 Sq. Ft.).



SUBJECT SITE

K

K

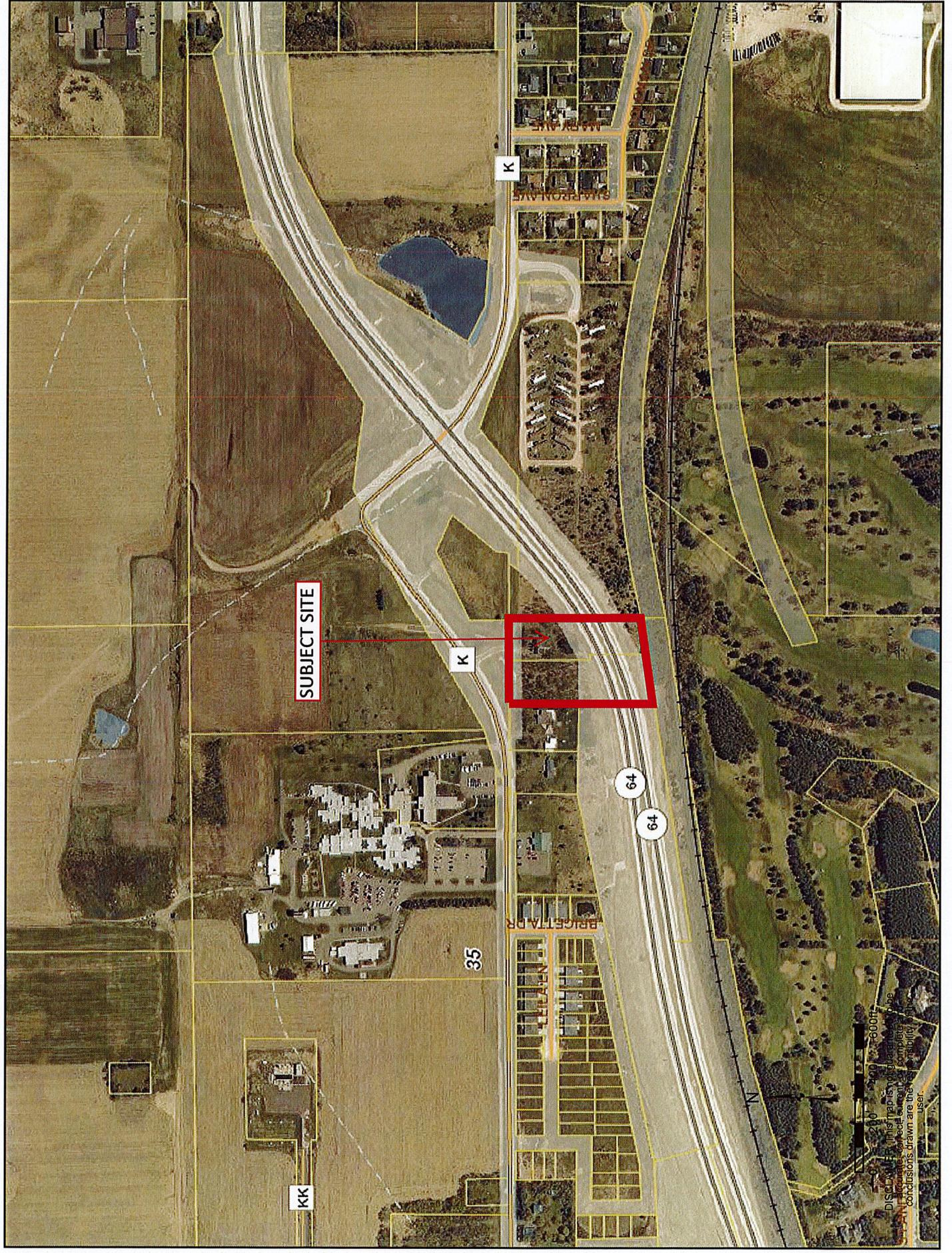
KK

35

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64

0 100 200 300 400 500 600 ft
DISCLAIMER: This map is for informational purposes only. It is not intended to be used as a substitute for a professional survey. All measurements and conclusions drawn are the responsibility of the user.





3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 2 May 2018

RE: New Richmond – Federal Foam; Certified Survey Map

TPC FILE: 164.02

BACKGROUND

The City has received plans for construction of a 100,650 square foot warehouse building within the New Richmond Business and Technical Park. The proposed building is to be constructed on two lots acquired from the City as an expansion of Federal Foam's existing facility located southwest of Cernohous Avenue and Wisconsin Drive and will be connected to the existing building by an enclosed breezeway. The Certified Survey Map to combine the City lots to be acquired by Federal Foam with their existing abutting lot to the east. The CSM also includes an adjustment of the existing lines along the west side of the proposed lot abutting the 45th Parallel lot and vacant lot to the north shifting the common property line to the east. The CSM is subject to review by the Plan Commission and approval of the City Council in accordance with Section 117-20 of the Subdivision Ordinance.

Exhibits:

- Site location map
- CSM (2 sheets)

ANALYSIS

Comprehensive Plan. The subject site is guided by the Comprehensive Plan for industrial use. The proposed warehouse facility would be consistent with the future land use plan. Expansion of existing businesses within the City is also consistent with the economic development goals established by the Comprehensive Plan.

Zoning. The subject site is zoned Z7 District and warehouse uses are a permitted use. The proposed building is subject to administrative review by the DRC in accordance with Section 121-30 of the Zoning Ordinance. Due to the large scale of this project, the DRC will present the proposed development to the Plan Commission for approval at a future date. The site and

building plans are also subject to review by the Development Covenants Architectural Review Board.

Surrounding Land Uses. The subject site is surrounded by the following existing and planned land uses:

Direction	Land Use Plan	Zoning Map	Existing Use
North	Industrial	Z7 District	Phillips Medisize
East	Industrial	Z7 District	Federal Foam
South	Industrial	Z7 District	Undeveloped
West	Industrial	Z7 District	Barley Johns Undeveloped 45 th Parallel

Lot Width. Lots within the Z7 District are required to have a minimum of 80 feet of frontage to a public right-of-way measured at the front setback line. The proposed lot has frontage to both Cernohous Avenue and Wisconsin Drive. The Zoning Ordinance defines the primary front of a lot as the lot line with the shortest frontage abutting a public right-of-way. The primary front of the proposed lot is to Wisconsin Drive. The proposed lot is 300 feet in width and complies with the minimum lot width requirements of the Zoning Ordinance.

Setbacks. Table 10.c of the Zoning Ordinance establishes the following setbacks applicable to the combined lot:

	Wisconsin Dr.	Cernohous Ave.	West	South
Principal Building	30ft.	25ft.	10ft.	20ft.
Parking/Drive Aisles	15ft.	10ft.	5ft.	5ft.

Easements. Section 117-41.C of the Subdivision Ordinance requires a minimum 10 foot wide easement be dedicated for utilities and stormwater drainage. The easement may overlay the property lines where there is easement on the opposite side. Existing drainage and utility easements internal to the existing lots are to be vacated as they no longer will serve a public purpose to be affected by written agreement drafted by the City Attorney and approved by the City Council. All easements are subject to review and approval of the Public Works Director.

Grading. The developer has submitted a grading plan and erosion control plan for the subject site that will be reviewed with the proposed site plan. All grading, drainage and utility issues are subject to review and approval of the Public Works Director.

Utilities. Municipal utilities are available at the property, including sanitary sewer, water, and electric service. All utility issues are subject to review and approval of the Public Works Director.

RECOMMENDATION

The Development Review Committee (DRC) reviewed the submitted plans at their meeting on 30 April 2018 and recommended approval of the applications subject to the conditions outlined below. The Plan Commission discussed the CSM at their meeting on May 8, 2018 and recommends approval with the conditions listed:

POSSIBLE ACTIONS

- A. Motion to approve a CSM for Federal Foam, subject to the following conditions:
 - 1. Vacation of existing drainage and utility easements shall be subject to a written agreement drafted by the City Attorney and executed by the involved property owners, subject to approval of the City Council.
 - 2. All grading, drainage, and erosion control shall be subject to review and approval of the Public Works Director.
 - 3. All utility plans shall be subject to review and approval of the Public Works Director.
- B. Motion to **deny** the applications based on a finding that the request does not comply with the Zoning Ordinance and/or Subdivision Ordinance.
- C. Motion to **table** for further discussion.
- c. Michael Darrow, City Administrator
Jeremiah Wendt, Public Works Director
Sarah Skinner, Building Inspector
Nick Vivian, City Attorney

RESOLUTION NO. 051801

**CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN**

**A RESOLUTION AUTHORIZING THE RELEASE OF
A CERTAIN UTILITY EASEMENT LOCATED ON
REAL PROPERTY OWNED BY FEDERAL FOAM TECHNOLOGIES, INC.**

WHEREAS, Federal Foam Technologies, Inc. owns certain real property lying and being situated in the City of New Richmond ("Federal Foam Parcel") upon which the City has a utility easement interest arising under that certain Certified Survey Map filed with the St. Croix County Register of Deeds on January 9, 1995, in Vol. 10 of C.S.M., pg. 2868, as Doc. No. 524983 ("Easement").

WHEREAS, Federal Foam Technologies, Inc. has requested the City release the Federal Foam Parcel from the Easement; and

WHEREAS, the Plan Commission has reviewed the request for the release of the Federal Foam Parcel from the Easement and approves and recommends release of the Easement pursuant to the Release of Recorded Easement attached as **Exhibit A**; and

WHEREAS, the Common Council desires to authorize the release of the Easement and the City Administrator to execute Release of Recorded Easement attached as **Exhibit A** and such other documents as are necessary to release the easement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR
THE CITY OF NEW RICHMOND, AS FOLLOWS:**

The Common Council hereby authorizes the release of the Easement and execution by the City Administrator of the Release of Recorded Easement attached as **Exhibit A**.

This Resolution shall be in full force and effect from and after its passage and approved as provided by law.

Passed and adopted by the City Council for the City of New Richmond this ____ day of _____, 2018.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk

**RELEASE OF
RECORDED EASEMENT**

Document Number

Document Name

Drafted By/Return to:
Nicholas J. Vivian
Eckberg Lammers, P.C.
430 Second Street
Hudson, WI 54016
715-386-3733

XXXX

Parcel Identification Number (PIN)

This is not homestead property.

THIS RELEASE OF RECORDED EASEMENT ("Release") is dated and effective as of _____, 2018, by and between the CITY OF NEW RICHMOND, a Wisconsin municipal corporation (the "City") and FEDERAL FOAM TECHNOLOGIES, Inc., a Minnesota corporation ("Owner").

WHEREAS, the City has a utility easement interest arising under that certain Certified Survey Map filed with the St. Croix County Register of Deeds on January 9, 1995, in Vol. 10 of C.S.M., pg. 2868, as Doc. No. 524983 ("Easement") running along the westerly line of certain real property more particularly described as follows:

Lot 1 of Certified Survey Map filed January 9, 1995, in Vol. 10 of C.S.M., pg. 2868, as Doc. No. 524983 located in part of the NW ¼ of the NE ¼ and the SW ¼ of the NE ¼, Section 10, T30N, R18W being a part of Lot 1 of Certified Survey Map, Vol. 9, pg. 2430 and part of vacated Cernohous Circle, Lot 9 and Lot 10 of New Richmond Business and Technical Park, all in the City of New Richmond, St. Croix County, Wisconsin.

("Easement Property"); and

WHEREAS, the Owner has requested, and the City has agreed to release the Easement Property from the Easement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, both parties hereby agree as follows:

1. Release. The City hereby releases all of its right, title, and interest to the portion of the Easement Property described as follows:

Located in the NW1/4 of the NE1/4 and in the SW1/4 of the NE1/4 of Section 10, T30N, R18W, City of New Richmond, St. Croix County, Wisconsin; being located within Lot 1 of Certified Survey Map recorded in Volume 10, Page 2868, Document Number 524983; described as follows:

Commencing at the SW Corner of Lot 1 of Certified Survey Map recorded in Volume 10, Page 2868, Document Number 524983; thence N00°25'08"E, along the west line of said Lot 1, 10.00 feet to the point of beginning of the area to be vacated; thence continuing N00°25'08"E, along said west line, 586.77 feet to the westerly extension of the south line of an utility easement as shown on said Certified Survey Map; thence S88°51'29"E, along said westerly extension, 40.00 feet to the east line of an utility easement being 40 feet in width as shown on said Certified Survey Map; thence S00°25'08"W, along said east line, 586.27 feet to the north line of an utility easement as shown on said Certified Survey Map; thence N89°34'27"W, along the westerly extension of said north line, 40.00 feet to the point of beginning.

("Easement Release Area").

2. No Other Amendments. Except for the release of the Easement Release Area from the Easement Property, the Easement shall remain in full force and effect over the remaining Easement Property.

3. Miscellaneous. The Easement and this Release shall be binding upon and shall inure to the benefit of both parties, and their successors and assigns. The Easement may only be amended, modified or supplemented by an agreement in writing and signed by both parties. The Easement was entered into in and shall be governed by and construed in accordance with the internal laws of the State of Wisconsin.

[NO FURTHER TEXT ON THIS PAGE]

IN WITNESS WHEREOF, the City and the Owner have executed this Release to be effective as of the date first above written.

CITY:

CITY OF NEW RICHMOND,
a Wisconsin municipal corporation

By: Mike Darrow
Its: City Administrator

STATE OF WISCONSIN)
) ss.
COUNTY OF ST. CROIX)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Mike Darrow, the City Administrator of the City of New Richmond, a Wisconsin municipal corporation, on behalf of said municipal corporation.

Notary Public
My commission expires: _____

CERTIFIED SURVEY MAP

LOCATED IN THE NW1/4 OF THE NE1/4, IN THE SW1/4 OF THE NE1/4, IN THE SE1/4 OF THE NW1/4 AND IN THE NE1/4 OF THE NW1/4 OF SECTION 10, T30N, R18W, CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN; INCLUDING LOT 1 OF CERTIFIED SURVEY MAP VOLUME 10, PAGE 2868, DOCUMENT NUMBER 524983; LOT 2 OF CERTIFIED SURVEY MAP VOLUME 20, PAGE 5082, DOCUMENT NUMBER 808217, LOTS 3 & 5 OF CERTIFIED SURVEY MAP VOLUME 23, PAGE 5574, DOCUMENT NUMBER 883051 AND PART LOT 22 CERTIFIED SURVEY MAP VOLUME 26, PAGE 6047, DOCUMENT NUMBER 1002255.

LEGEND

- ⊙ ST. CROIX COUNTY SECTION CORNER MONUMENTED AS NOTED
- 1" IRON PIPE FOUND
- 1 5/16" IRON PIPE FOUND
- 3/4" IRON REBAR FOUND
- 1 1/4" IRON REBAR FOUND
- 3/4" X 18" IRON REBAR SET WEIGHING 1.50 LBS. PER LINEAR FOOT

N

SURVEYOR

EDWIN C FLANUM
NORTHLAND SURVEYING, INC.
P.O. BOX 152
AMERY, WI 54001

OWNER: LOT 23

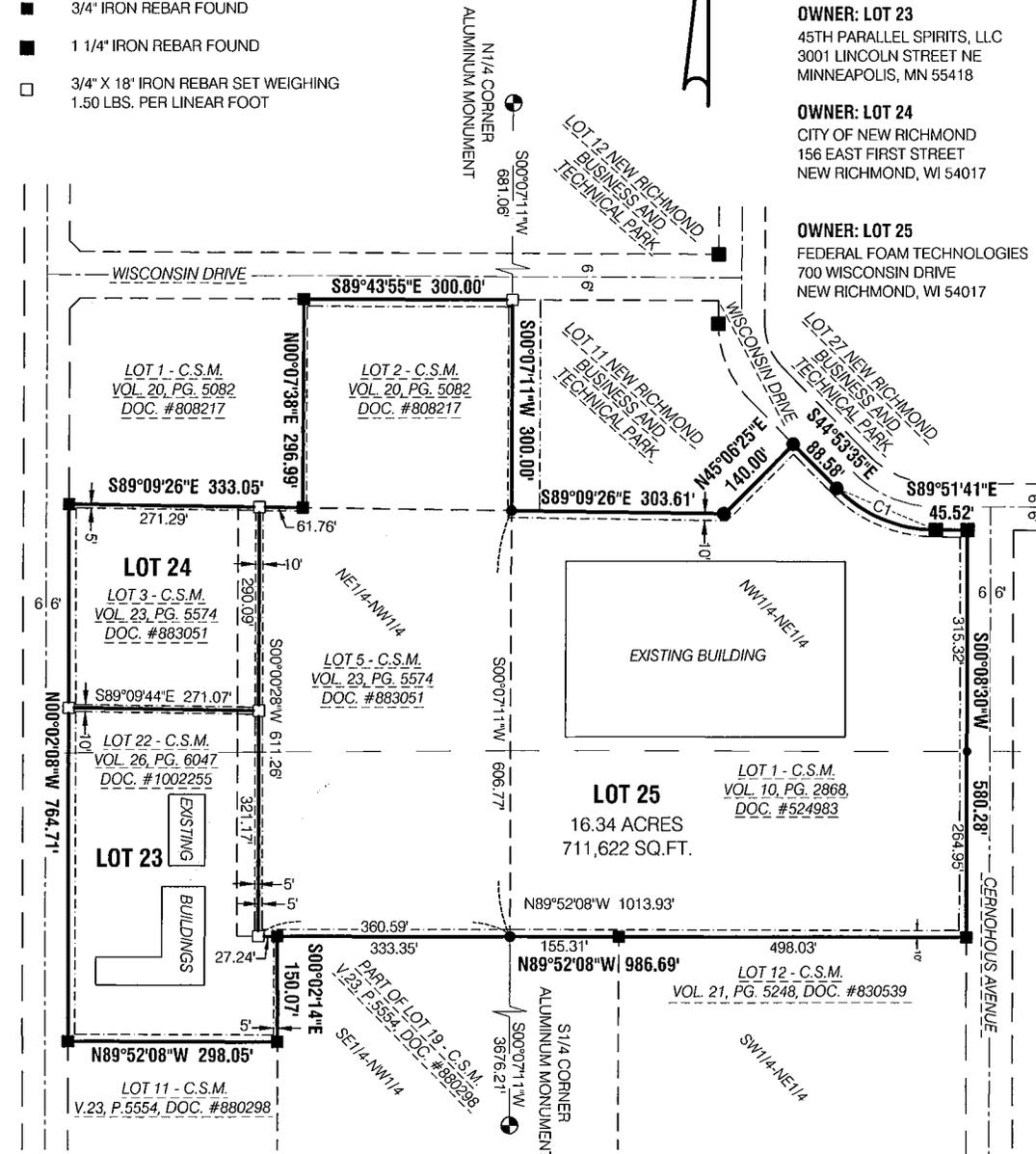
45TH PARALLEL SPIRITS, LLC
3001 LINCOLN STREET NE
MINNEAPOLIS, MN 55418

OWNER: LOT 24

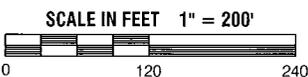
CITY OF NEW RICHMOND
156 EAST FIRST STREET
NEW RICHMOND, WI 54017

OWNER: LOT 25

FEDERAL FOAM TECHNOLOGIES
700 WISCONSIN DRIVE
NEW RICHMOND, WI 54017



BEARINGS ARE REFERENCED TO THE NORTH - SOUTH 1/4 LINE BEARING S00°07'11\"/>



LOT 23 AREA
3.03 ACRES
132,194 SQ.FT.

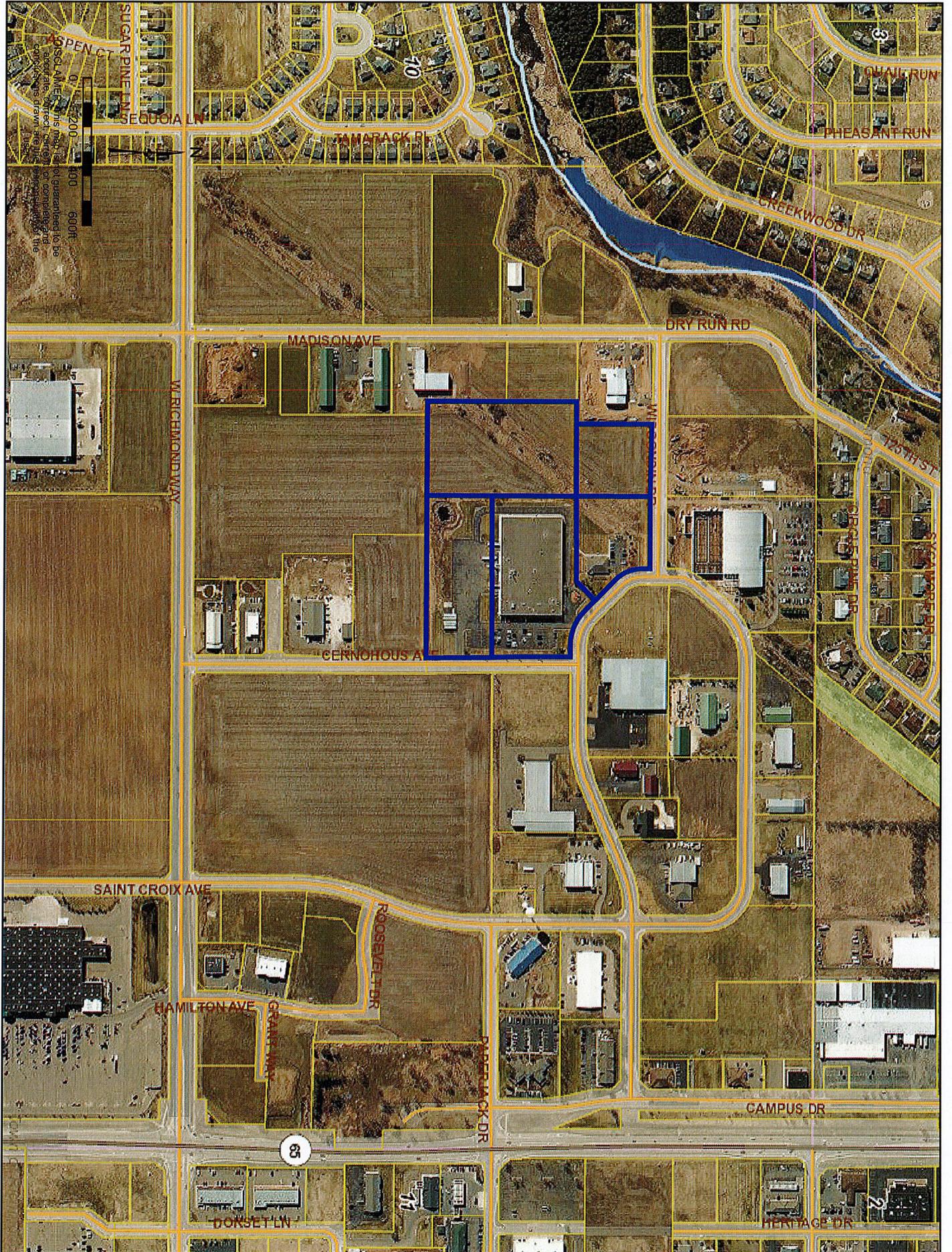
LOT 24 AREA
1.81 ACRES
78,664 SQ.FT.

INSTRUMENT DRAFTED BY EDWIN FLANUM
JOB NO: 18-46 DWG: CSM1
DRAFTED: 3/21/18 FIELD: 3/20/18
REVISED 4/3/18

PORTION OF 40' WIDE UTILITY EASEMENT TO VACATE / C.S.M. Vol. 10, Pg. 2868, Doc. #524983

Located in the NW1/4 of the NE1/4 and in the SW1/4 of the NE1/4 of Section 10, T30N, R18W, City of New Richmond, St. Croix County, Wisconsin; being located within Lot 1 of Certified Survey Map recorded in Volume 10, Page 2868, Document Number 524983; described as follows:

Commencing at the SW Corner of Lot 1 of Certified Survey Map recorded in Volume 10, Page 2868, Document Number 524983; thence N00°25'08"E, along the west line of said Lot 1, 10.00 feet to the point of beginning of the area to be vacated; thence continuing N00°25'08"E, along said west line, 586.77 feet to the westerly extension of the south line of an utility easement as shown on said Certified Survey Map; thence S88°51'29"E, along said westerly extension, 40.00 feet to the east line of an utility easement being 40 feet in width as shown on said Certified Survey Map; thence S00°25'08"W, along said east line, 586.27 feet to the north line of an utility easement as shown on said Certified Survey Map; thence N89°34'27"W, along the westerly extension of said north line, 40.00 feet to the point of beginning.



0 200 400 600ft
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This map is not guaranteed to be accurate, correct, current or complete and does not constitute a warranty or any other form of assurance for the use of the information shown on the map.

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16

10

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156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne & City Council

FROM: Noah Wiedenfeld, Management Analyst
Tanya Batchelor, City Clerk

DATE: May 9, 2018

SUBJECT: Forward New Richmond

BACKGROUND

Over the past several months, the City Council and City staff have discussed organizational changes to the existing Economic Development Commission (EDC). City staff have prepared an ordinance that would replace the current EDC with a new group called Forward New Richmond.

Forward New Richmond would consist of eight citizens and one member of the City Council. Appointments would be for staggered three-year terms and limited to no more than two consecutive terms of service. A chairperson and vice-chairperson would be appointed each year by the Mayor, subject to approval by the City Council. Forward New Richmond would serve in an advisory capacity to the City Council in matters pertaining to economic development. Members would be required to sign confidentiality agreements and attend regular training and educational events as directed by the City Council.

RECOMMENDATION

City staff recommend approval of the proposed ordinance as presented.

ORDINANCE # 515

THE COMMON COUNCIL OF THE CITY OF NEW RICHMOND DOES ORDAIN AS FOLLOWS:

Section 2-139 (Economic Development Commission) is hereby repealed in its entirety and amended to read as follows:

Sect. 2 – 139. – Economic Development Commission

(a) Composition.

(1) There is hereby created an Economic Development Commission, to be known as Forward New Richmond, appointed by the Mayor and subject to approval of the Common Council. There shall be nine members, as follows:

- a. One member of the Common Council.
- b. Eight citizens.

(2) Appointments shall be for staggered three-year terms. Members shall be limited to no more than two consecutive terms of service.

(3) There is no residency requirement for the eight citizen members; however, citizens should generally live or work in New Richmond and have a strong interest or background in business and economic development.

(4) The Mayor shall appoint a chairperson and vice-chairperson each year in April when all other citizen appointments occur, subject to approval by the Common Council.

(b) Functions.

(1) Forward New Richmond shall serve in an advisory capacity to the City Council in matters pertaining to economic development, including but not limited to commercial and industrial development proposals, marketing efforts, real estate transactions, business and technical parks, downtown revitalization, and attraction and retention of a quality labor force.

(c) Confidentiality.

(1) Some topics of discussion might, in the opinion of staff or the city attorney, require closed session. Therefore, members of Forward New Richmond shall be required to sign confidentiality agreements prior to their appointment.

(d) Training and Continuing Education.

(1) Members of Forward New Richmond shall attend regular training and educational events regarding local government operations and/or economic development, as directed by the City Council.

Passed and approved: May 14, 2018

Published and effective: May 24, 2018

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk



156 East First Street
 New Richmond, WI 54017
 Ph 715-246-4268 Fax 715-246-7129
 www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne and City Council

FROM: Tanya Batchelor, City Clerk
 Noah Wiedenfeld, Management Analyst

DATE: May 10, 2018

SUBJECT: City Code of Ordinances – Chapters 1 & 2

BACKGROUND

Earlier this year, City staff started the process of reviewing our City Code of Ordinances. The first two chapters include definitions, the organization of our various boards and committees, responsibilities of officers and employees, the order of business for City Council meetings, etc.

In addition to some of the proposed changes to boards and committees, shown in the tables below, City staff have noted several minor revisions. Some of these changes are solely for grammatical purposes, while others reflect changes to job titles (e.g. City Clerk/Treasurer is now two separate positions). When possible, City staff have also attempted to make the Code of Ordinances more concise by reducing unnecessary content.

Board/Commission	Current Membership	Proposed Membership
Plan Commission	1 Mayor 2 City Council Members 1 Building Inspector (ex officio) 4 Citizens At-Large	1 Mayor 1 City Council Member 5 Citizens At-Large
Airport Commission	1 Airport Association Member 2 City Council Members 4 Citizens (minimum of 1 from the City and 1 from Town of Star Prairie)	2 City Council Members 5 Citizens (minimum of 3 City residents and 1 Town of Star Prairie resident)

Tourism Committee	N/A	1 rep from local hotel 1 City Council member 1 at-large City resident 2 representatives from the local business community, as recommended by the New Richmond Area Chamber of Commerce 1 City Finance Rep (ex officio)
Board/Commission	Current Membership	Proposed Membership
Economic Development Commission	1 City Administrator 1 Plan Commission member 1 Chamber of Commerce rep 1 WITC rep 3 reps from Business & Technical Park 4 other members	Forward New Richmond 8 citizens 1 City Council member

The boards and committees identified below are listed in the City Code of Ordinances, but have not met in several years. Their responsibilities would be streamlined to other boards and commissions that meet on a more regular basis.

Existing Board	Streamline Responsibilities	Proposed
Solid Waste	→	Public Works Committee
Sports Center Board	→	Park Board
Cable TV Board	→	City Council
Board of Health	→	City Council

ACTION NECESSARY

City Council can decide whether to adopt the ordinance amendments or this can be a first reading if more time is needed. The proposed changes to the Economic Development Commission, to now be known as Forward New Richmond, shall be considered for formal approval in a separate agenda item.

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - Designation and citation of Code.

The ordinances embraced in this and the following chapters shall constitute and be designated the "Code of Ordinances of the City of New Richmond, Wisconsin," and may be so cited. Such Code may also be cited as the "New Richmond Municipal Code."

(Code 1994, § 1-1-1)

State Law reference— Codification of ordinances, Wis. Stats. § 66.0103.

Sec. 1-2. - Definitions and rules of construction.

The following definitions and rules of construction shall apply to this Code and to all ordinances unless the context requires otherwise:

Generally.

- (1) When provisions conflict, the specific prevails over the general. All provisions shall be liberally construed so that the intent of the City Council may be effectuated.
- (2) Words and phrases shall be construed according to the common and approved usage of the language, but technical words, technical phrases and words and phrases that have acquired peculiar and appropriate meanings shall be construed according to such meanings.

State Law reference— Similar provisions, Wis. Stats. § 990.01(1).

- (3) Provisions shall be interpreted and applied so as to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.
- (4) Grammatical errors shall not vitiate, and a transposition of words and clauses may be resorted to when the sentence or clause is without meaning as it stands.

Actions by agents. When a provision requires an act to be done that may legally be done by an agent, such requirement includes all such acts when done by an authorized agent.

State Law reference— Similar provisions, Wis. Stats. § 990.001(9).

City. The term "City" means the City of New Richmond, Wisconsin.

Code. The term "Code" means the New Richmond Municipal Code, as designated in section 1-1.

Common Council, Council, City Council. The terms "Common Council," "City Council" and "Council" mean the Common Council of the City.

Computation of time. All period of time shall be computed in accordance with the provisions of Wis. Stats. § 990.001(4).

Conjunctions. In a provision involving two or more items, conditions, provisions or events, which items, conditions, provisions or events are connected by the conjunction "and," "or" or "either... or," the conjunction shall be interpreted as follows, except that the terms "and" and "or" may be interchangeable when the context so requires:

- (1) "And" indicates that all the connected terms, conditions, provisions or events apply.
- (2) "Or" indicates that the connected terms, conditions, provisions or events apply singly or in any combination.

- (3) "Either... or" indicates that the connected terms, conditions, provisions or events apply singly but not in combination.

County. The term "County" means St. Croix County, Wisconsin.

Delegation of authority. A provision that authorizes or requires a City officer or City employee to perform an act or make a decision authorizing such officer or employee to act or make a decision through subordinates.

Gender. Words of one gender include all other genders.

State Law reference— Similar provisions, Wis. Stats. § 990.001(2).

Includes. The term "includes" does not limit a term to a specified example.

Joint authority. Words giving a joint authority to three or more persons give such authority to a majority of such persons.

State Law reference— Similar provisions, Wis. Stats. § 990.001(8).

May. The term "may" is to be construed as being permissive and not mandatory.

May not. The term "may not" has a prohibitory effect and states a prohibition.

Month. The term "month" means a calendar month.

State Law reference— Similar provisions, Wis. Stats. § 990.01(21).

Must. The term "must" is to be construed as being mandatory.

Number. Words in the singular include the plural. Words in the plural include the singular.

State Law reference— Similar provisions, Wis. Stats. § 990.001(2).

Oath. The term "oath" includes an affirmation in all cases where by law an affirmation may be substituted for an oath.

State Law reference— Similar provisions, Wis. Stats. § 990.01(24).

Officers, departments, etc. References to officers, departments, boards, commissions or employees are to City officers, City departments, City boards, City commissions and City employees.

Owner. The term "owner," as applied to property, includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of such property.

Person. The term "person" means any human being, any governmental or political subdivision or public agency, any public or private corporation, any limited liability company, any partnership, any firm, association or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing or any other legal entity.

State Law reference— Similar provisions, Wis. Stats. § 990.01(26).

Personal property. The term "personal property" includes money, goods, chattels, things in action, evidences of debt and energy.

State Law reference— Similar provisions, Wis. Stats. § 990.01(27).

Preceding, following. The terms "preceding" and "following" mean next before and next after, respectively.

State Law reference— Similar provisions, Wis. Stats. § 990.01(9), (30).

Premises. The term "premises," as applied to real property, includes land and structures.

Property. The term "property" includes real and personal property.

State Law reference— Similar provisions, Wis. Stats. § 990.01(31).

Real estate or real property. The terms "real estate" and "real property" includes lands, tenements and hereditaments and all rights thereto and interests therein.

Shall. The term "shall" is to be construed as being mandatory.

Sidewalk. The term "sidewalk" means that portion of the street between the curb line and the adjacent property line intended for the use of pedestrians.

Signature or subscription by mark. If the signature of any person is required, it shall always be the handwriting of such person or if he is unable to write, his mark or his name written by some person at his request and in his presence.

State. The term "State" means the State of Wisconsin.

Street. The term "street" includes any public way, road, highway, street, avenue, boulevard, bridge, viaduct, trestle and the approaches to any bridge, viaduct or trestle within the City.

Tenant or occupant. The term "tenant" or "occupant," as applied to premises, include any person holding a written or oral lease, or who actually occupies the whole or any part of such premises, alone or with others.

Tenses. The present tense of a verb includes the past and future tenses. The future tense includes the present tense.

State Law reference— Similar provisions, Wis. Stats. § 990.01(3).

Week. The term "week" means seven consecutive days.

State Law reference— Similar provisions, Wis. Stats. § 990.01(46).

Wis. Admin. Code. The abbreviation "Wis. Admin. Code" refers to the Wisconsin Administrative Code, as now or hereafter amended.

Wis. Stats. The abbreviation "Wis. Stats." refers to the Wisconsin Statutes, as now or hereafter amended.

Writing. The term "writing" includes any form of recorded message capable of comprehension by ordinary visual means.

Year. The term "year" means a calendar year.

State Law reference— Similar provisions, Wis. Stats. § 990.01(49).

(Code 1994, §§ 1-1-2, 1-1-3)

Sec. 1-3. - Catch lines of sections; history notes; references.

- (a) The catch lines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and are not titles of such sections, or of any part of the section, nor unless expressly so provided, shall they be so deemed when any such section, including the catch lines, are amended or reenacted.

State Law reference— Similar provisions, Wis. Stats. § 990.001(6).

- (b) History notes, that appear in this Code after sections or subsections or that otherwise appear in footnote form are provided for the convenience of the user of the Code and have no legal effect.

State Law reference— Similar provisions, Wis. Stats. § 990.001(6).

- (c) Editor's notes, cross references and State law references that appear in this Code after sections or subsections or that otherwise appear in footnote form are provided for the convenience of the user of the Code and have no legal effect.
- (d) Unless specified otherwise, all references to chapters or sections are to chapters or sections of this Code.

Sec. 1-4. - Effect of repeal of ordinances.

- (a) Unless specifically provided otherwise, the repeal of an ordinance does not revive any previously repealed ordinance.
- (b) The repeal or amendment of an ordinance does not affect any punishment or penalty incurred before the repeal took effect, nor does such repeal or amendment affect any suite, prosecution or proceeding pending at the time of the amendment or repeal.
- (c) The repeal or amendment of an ordinance does not affect any vested right, privilege, obligation or liability.

(Code 1994, § 1-1-2(k))

Sec. 1-5. - Amendments to Code; effect of new ordinances; amendatory language.

- (a) All ordinances adopted subsequent to this Code that amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of the Code and printed for inclusion in the Code.
- (b) Amendments to provisions of this Code may be made with the following language: "Section (chapter, article, division or subdivision, as appropriate) of the Code of Ordinances of the City of New Richmond, Wisconsin, is hereby amended to read as follows:"
- (c) If a new section, subdivision, division, article or chapter is to be added to the Code, the following language may be used: "Section (chapter, article, division or subdivision, as appropriate) of the Code of Ordinances of the City of New Richmond, Wisconsin, is hereby created to read as follows:...."
- (d) All provisions desired to be repealed should be specifically repealed by section, subdivision, division, article or chapter number, as appropriate, or by setting out the repealed provisions in full in the repealing ordinance.

Sec. 1-6. - Supplementation of Code.

- (a) Supplements to this Code shall be prepared and printed whenever authorized or directed by the City. A supplement to this Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of the supplement shall be so numbered that they will fit properly into the Code and will,

where necessary, replace pages that have become obsolete or partially obsolete. The new pages shall be so prepared that when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

- (b) In preparing a supplement to this Code, all portions of the Code that have been repealed shall be removed from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the person authorized to prepare the supplement may make formal, non-substantive changes in ordinances and parts of ordinances included in the supplement, insofar as necessary to do so in order to embody them into a unified Code. For example, the person may:
 - (1) Arrange the material into appropriate organizational units.
 - (2) Supply appropriate catch lines, headings and titles for chapters, articles, divisions, subdivisions and sections to be included in the Code and make changes in any such catch lines, headings and titles or in any such catch lines, headings and titles already in the Code.
 - (3) Assign appropriate numbers to chapters, articles, divisions, subdivisions and sections to be added to the Code.
 - (4) Where necessary to accommodate new material, change existing numbers assigned to chapters, articles, divisions, subdivisions or sections.
 - (5) Change the words "this ordinance" or similar words to "this chapter," "this article," "this division," "this subdivision," "this section" or "sections _____ to _____" (inserting section numbers to indicate the sections of the Code that embody the substantive sections of the ordinance incorporated in the Code).
 - (6) Make other non-substantive changes necessary to preserve the original meaning of the ordinances inserted in the Code.

Sec. 1-7. - General penalty; continuing violations.

- (a) In this section the term "violation of this Code" means any of the following:
 - (1) Doing an act that is prohibited or made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by State rule or regulation adopted by reference in this Code, or by order, rule or regulation authorized by ordinance.
 - (2) Failure to perform an act that is required to be performed by ordinance, by statute adopted by reference in this Code, by State rule or regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
 - (3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by State rule or regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
- (b) In this section the term "violation of this Code" does not include the failure of a City officer or City employee to perform an official duty unless it is specifically provided that the failure to perform the duty is to be punished as provided in this section.
- (c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished as follows:
 - (1) For the first offense, by a forfeiture of not less \$25.00 nor more than \$500.00, plus costs of prosecution.
 - (2) For each subsequent violation of the same provision by the person within one year, by a forfeiture of not less than \$50.00, nor more than \$1,000.00, plus costs of prosecution.

- (d) Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense. Except as otherwise provided by law or ordinance, as to violations that are not continuous with respect to time, each act constitutes a separate offense.
- (e) The imposition of a forfeiture does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.
- (f) Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent injunctive relief.

(Code 1994, § 1-1-7)

State Law reference— Ordinance violations, Wis. Stats. § 66.0109 et seq.; imprisonment for failure to pay forfeiture and other remedies available to court for ordinance violations, Wis. Stats. § 800.09 et seq.

Sec. 1-8. - Severability.

The sections, subsections, paragraphs, sentences, clauses and phrases of this Code and all provisions adopted by reference in this Code are severable so that if any section, subsection, paragraph, sentence, clause and phrase of this Code or of any provision adopted by reference in this Code is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause and phrase of this Code or of any provision adopted by reference in this Code, for the board declares that it is its intent that it would have enacted this Code and all provisions adopted by reference in this Code without such invalid or unconstitutional provisions.

(Code 1994, § 1-1-4)

State Law reference— Severability of State statutes, Wis. Stats. § 990.002(11).

Sec. 1-9. - Provisions deemed continuation of existing ordinances.

The provisions of this Code, insofar as they are substantially the same as legislation previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

Sec. 1-10. - Code does not affect prior offenses or rights.

- (a) Nothing in this Code or the ordinance adopting this Code affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of this Code.
- (b) The adoption of this Code does not authorize any use or the continuation of any use of a structure or premises in violation of any City ordinance on the effective date of this Code.

(Code 1994, § 1-1-6(b))

Sec. 1-11. - Certain ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code affects the validity of any ordinance or portion thereof pertaining to the following, which ordinances designated continue in full force and effect to

the same extent as if published at length in this Code. Nothing in this Code or the ordinance adopting this Code affects any Charter ordinance.

- (1) Annexing property into the City.
- (2) De-annexing property or excluding property from the City.
- (3) Promising or guaranteeing the payment of money or authorizing the issuance of bonds or other instruments of indebtedness.
- (4) Authorizing or approving any contract, deed, or agreement.
- (5) Making or approving any appropriation or budget.
- (6) Accepting any gift or grant.
- (7) Granting any right or franchise.
- (8) Providing for salaries or other officer or employee benefits not codified in this Code.
- (9) Releasing a person from liability.
- (10) Calling or ordering an election.
- (11) Naming or renaming a park or recreational facility.
- (12) Adopting or amending the comprehensive plan.
- (13) Adopting or amending the official map or shown on the official map.
- (14) Levying or imposing any special assessment.
- (15) Dedicating, establishing, naming, renaming, locating, relocating, opening, paving, widening, repairing, vacating or discontinuing any street or alley.
- (16) Establishing the grade of any street or sidewalk.
- (17) Providing for street lighting.
- (18) Providing for the construction of public works not codified in this Code.
- (19) The construction or repair of a specific sidewalk.
- (20) Dedicating, accepting or vacating any plat or subdivision.
- (21) Levying, imposing taxes not codified in this Code.
- (22) Providing traffic or parking regulations for specific locations not inconsistent with this Code.
- (23) Rezoning specific property or amending the zoning map.
- (24) That is temporary, although general in effect.
- (25) That is special, although permanent in effect.
- (26) The purpose of which has been accomplished.

(Code 1994, § 1-1-6(a))

Chapter 2 - ADMINISTRATION^{III}

Footnotes:

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State Law reference— Cities generally, Wis. Stats. ch. 62; municipalities generally, Wis. Stats. ch. 66.

ARTICLE I. - IN GENERAL

Secs. 2-1—2-21. - Reserved.

ARTICLE II. - COMMON COUNCIL^[2]

Footnotes:

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State Law reference— Common council, Wis. Stats. § 62.11.

Sec. 2-22. - Alderpersons.

The City shall have six Alderpersons. Alderpersons shall be divided into two classes, one class of Alderpersons to be elected in the odd years and one class from each ward to be elected in the even years, according to Aldermanic District number. Aldermanic Districts 1, 2, and 3 have their Alderperson elected in odd numbered years and Aldermanic Districts 4, 5, and 6 have their Alderpersons elected in even numbered years.

(Code 1994, § 2-2-2)

Sec. 2-23. - Mayoral appointments.

- (a) Wherever in this Code of Ordinances the Mayor is required to appoint citizens to committees, commissions and/or boards, the Mayor shall give written notice by executive letter to the Common Council at least five days prior to the Council meeting at which such appointment shall be made. In the event the Common Council rejects a Mayor's appointment, the same name may not be submitted for the same job for a period of 12 months after the refusal of such appointment.
- (b) In the event a vacancy occurs in any committee, board or commission requiring the appointment of a citizen member and the Mayor does not nominate a successor thereof for a period of 60 days after the vacancy occurs, the Common Council may then nominate an appointee to such position, subject to the approval of the Mayor.
- (c) In the event the Council, by parliamentary practice, tables an appointment by the Mayor, such tabling action shall be effective for that meeting, but at the next regular meeting of the Common Council, such appointment shall be on the meeting agenda for further consideration, and the particular appointment involved may not be tabled a second time.

(Code 1994, § 2-2-3)

State Law reference— Mayor generally, Wis. Stats. § 62.09(8).

Sec. 2-24. - Standing committees; committee reports.

- (a) *Standing committees.* At the organizational meeting of the Common Council in each year following the annual election, the Mayor shall appoint three Alderpersons to the following standing committees, subject to Council confirmation. Each committee shall have such duties and responsibilities as prescribed by the Mayor and this Code of Ordinances, and shall make whatever recommendations to the Council as it deems appropriate or as may be directed by the Council:
 - (1) **Finance Committee (Committee of the Whole).**
 - (2) **Public Works (Three Council Members).**

- (3) Public Safety (Three Council Members).
- (4) **Board of Health (Committee of the Whole).**

(b) *Appointments.*

- (1) The chairperson of each committee shall be designated by the Mayor. Each member shall serve as appointed unless excused by a majority of the members of the Council. All Alderpersons shall serve on at least one standing committee.
- (2) The Mayor may declare the entire Council a committee of the whole for informal discussion at any meeting or for any other purpose, and shall ex officio be chairman of the same.
- (3) The Mayor may, from time-to-time, appoint such special committee or committees as he may deem advisable or as provided for by motion or resolution stating the number of members and object thereof to perform such duties as may be assigned to them.

(c) *Referrals and reports.*

- (1) The Mayor shall refer new business coming before the Common Council to the appropriate committee, unless otherwise referred or disposed of by motion of the Council.
- (2) The chairman of the committee shall report verbally to the Council at the meeting at which the report of the committee is to be made. Adoption of the committee report shall comprise final Council action on any ordinance, resolution or other matter recommended for adoption by the committee report.
- (3) Formal committee recommendations will be placed on the agenda for Council action only if they are submitted to the **City Clerk** in written form by noon of the **Wednesday** prior to the meeting at which action is requested.

- (d) *Cooperation.* All City officers shall, upon request of the chairman of the committee, confer with the committee and supply to it such information as may be requested in connection with any matter pending before the committee.

(Code 1994, § 2-2-5; Ord. No. 449, 4-16-2013)

Sec. 2-25. - Regular meetings of Common Council.

Regular meetings of the Common Council shall be held on the second Monday of each calendar month, at the hour of 7:00 p.m. or as otherwise scheduled by the Council. Any regular meetings falling upon a legal holiday shall be held on the next following secular day, at the same hour and place, or as otherwise designated by majority vote of the Common Council. All meetings of the Council shall be held in the New Richmond **Civic Center**, including special and adjourned meetings, unless another location is designated by the Common Council at a previous meeting.

(Code 1994, § 2-2-10)

State Law reference— Council meetings, Wis. Stats. § 62.11(2).

Sec. 2-26. - Special meetings.

In addition, a special meeting may be called by a written request signed by two Alderpersons, which written notice for said special meeting shall be delivered to every member of the Council and the Mayor personally, or left at their abode at least six hours before said meeting is called. **Public notice of every meeting of a governmental body shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than 2 hours in advance of the meeting.**

(Code 1994, § 2-2-11)

State Law reference— Special meetings, Wis. Stats. § 62.11(3).

Sec. 2-27. - Majority vote to adjourn to specific date and hour.

The Council may, by a majority vote of those present, adjourn from time-to-time to a specific date and hour.

(Code 1994, § 2-2-13)

State Law reference— Quorum, Wis. Stats. § 62.11(3)(b).

Sec. 2-28. - Duties of presiding officers.

The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, Newly Revised, Tenth Edition, unless otherwise provided by statute or by this article. Any member shall have the right to appeal from a decision of the presiding officer. An appeal shall be sustained by a two-thirds vote of the members present excluding the Mayor. In the absence of the **City Clerk**, the presiding officer shall appoint a clerk pro tem.

(Code 1994, § 2-2-14)

State Law reference— Presiding officer, Wis. Stats. § 62.09(8)(b), (8)(e).

Sec. 2-29. - Order of business.

(a) *Order of business.* At all regular council meetings, the order of business shall be according to the tentative agenda prepared by the **City Clerk**. All matters to be considered at a regular or special Council meeting shall be submitted to the **City Clerk** at least by noon of the Friday prior to the meeting. All copies of the agenda shall be forwarded by the **City Clerk** to members of the Council, **key staff, local media and posted on the City website.** ~~The following order shall be observed in the conduct of all meetings of the Council:~~ The agenda shall generally consist of the following sections:

- (1) Call to order by presiding officer.
- (2) Roll call.
- (3) Pledge of Allegiance.
- (4) Adoption of agenda.
- (5) Public Comment
- (6) Consent agenda.
 - a. Minutes of previous meeting.
 - b. Applications for license, permit.
 - c. Payment of the vouchers.
- (7) Department Reports
- (8) Unfinished business.
- (9) New business.

(10) Communications

(11) Adjournment.

- (b) *Order to be followed.* No business shall be taken up out of order unless by unanimous consent of all Alderpersons and in the absence of any debate whatsoever.
- (c) *Citizen comments.* The Mayor or presiding officer shall determine at what point in a meeting citizens will be called upon to speak and may impose a limit on the length of time a citizen may address the Council. A written form shall be provided by the **City Clerk** on which the citizen may register to speak at a Council meeting. The subject to be addressed and/or agenda item shall be indicated.

(Code 1994, § 2-2-15; Ord. No. 422, 9-13-2010)

Sec. 2-30. - Ordinances.

- (a) *Writing.* All ordinances submitted to the Council shall be in writing and shall begin with a title and the name of the Alderperson or Mayor introducing the same. **All ordinances shall be drafted by the City Attorney or City Staff under his consultation**, at the request of the Mayor or any member of the Council; and upon passage by the Council, the **City Clerk** shall superintend the printing of the same. Any member of the Council may require the reading in full of any ordinance or resolution at any time it is before the Council.
- (b) *Notice.*
- (1) The Common Council may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested.
 - (2) Ordinances will be placed on the agenda for Council action only if they are submitted to the **City Clerk** in written form not later than noon on the **Wednesday** prior to the regular or special Council meeting at which action is requested.
- (c) *Reading.*
- (1) Proposed ordinances shall be read a total of three times before the Common Council may vote on any of them. Each ordinance shall be read:
 - a. At the time of its initial introduction;
 - b. At the time the report of the committee to which the ordinance was referred, if any, is submitted to the Common Council for its consideration; and
 - c. Immediately prior to the Common Council's actual vote on it.
 - (2) By adoption of a motion to suspend the rules, the Common Council may dispense with any or all required readings.
- (d) *Council votes.* The Common Council may not vote on an ordinance at the same meeting it was introduced unless the Council suspends the rules by the affirmative vote required in Section 2-32.

(Code 1994, § 2-2-16)

Sec. 2-31. - Publication and effective date of ordinances.

All ordinances of the City shall be immediately recorded, with the affidavit of publication, by the **City Clerk** in a book kept for that purpose.

(Code 1994, § 2-2-17)

State Law reference— Publication and effective date of ordinances, Wis. Stats. § 62.11(4).

Sec. 2-32. - Deliberations.

- (a) *Roll call.* When the presiding officer shall have called the members to order, the **City Clerk** shall proceed to call the roll in alphabetical order, noting who are present, and who are absent. If, after having gone through the call, it shall appear that a quorum is not present, the fact shall be entered in the minutes, and the members present may adjourn to a later date in the month. If they do not, the Council shall stand adjourned to the time appointed for the next regular meeting unless a special meeting is called sooner as provided by the State statutes or Section 2-26.
- (b) *Attendance.* All members of the Common Council shall attend all Council meetings, meetings of committees to which members have been appointed, and special or adjourned meetings when duly notified thereof. A member who does not appear in answer to his name when the roll is called at any regular meeting or any special or adjourned meeting when notified thereof shall be marked absent. Any member seeking to be excused from attending any regular or special meeting must notify the Mayor or **City Clerk** in advance of such meeting, explaining the reason for his absence and, upon complying with this requirement, such members shall be duly excused from attending said meeting. **Attendance can be by phone or video conferencing. The member attending in such way cannot make the quorum or vote, but may participate in discussion.**
- (c) *Absence of presiding officers.* In the case of the absence of the Mayor and the President of the Council, the Council at any regular or special meeting shall proceed to elect one of their members to preside at a meeting, which election shall be by open ballot, and shall require a majority of the total votes cast by the members in attendance.
- (d) *Addressing Council.* No member may speak more than ten minutes without first obtaining leave of the presiding officer, and no person not a member of the Council shall be permitted to address the Council, except on leave especially granted by the presiding officer pursuant to Section 2-29(c).
- (e) *Necessity of roll call vote.* A roll call shall be necessary on all questions or motions.
- (f) *Roll call vote.* The ayes and nays shall be ordered upon any question at the request of any member of the Council, or the Mayor, and the **City Clerk** shall call the roll starting with the Alderperson with the most seniority, and rotating in order thereafter. Each time the list has been completed, the **City Clerk** shall again start on top of the list and proceed on down through the list.
- (g) *Reconsideration.* When a motion has been decided, it shall be in order for any member who voted in the majority, to move a reconsideration thereof, at the same or next succeeding meeting and the Mayor shall call for a roll call of the Alderpersons. If a majority of the members present shall be in favor of a reconsideration, the subject shall be before the Council for further action.
- (h) *Precedence of motions.* When a question is under discussion, the following motions shall have precedence in the order listed:
 - (1) To adjourn.
 - (2) To recess.
 - (3) To lay on the table.
 - (4) To move the previous question.
 - (5) To postpone to a day certain.
 - (6) To refer to a committee.
 - (7) To amend.
 - (8) To postpone indefinitely.
- (i) *Rules of parliamentary procedure.* The rules of parliamentary practice in Robert's Rules of Order, Newly Revised, Tenth Edition, which is hereby incorporated by reference, shall govern the proceedings of the Council in all cases to which they are applicable and in which they are not inconsistent with these rules or with the laws of the State.

- (j) *Call for the previous question.* Any member desirous of terminating the debate may call the previous question when the question announced by the Mayor shall be "call the main question." If a majority of the members present vote in the affirmative, the main question shall be put to a vote without further debate, and its effect shall be to put an end to all debate and bring the Council to a direct vote, first upon the pending amendment and then upon the main question.
- (k) *Amendments.* The rules of this section shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of two-thirds of all the members of the Council.
- (l) *Suspension.* Any of the provisions of this section may be suspended temporarily by a recorded vote of two-thirds of the Councilmembers present at any meeting.

(Code 1994, § 2-2-18)

Secs. 2-33—2-53. - Reserved.

ARTICLE III. - OFFICERS AND EMPLOYEES²³

Footnotes:

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State Law reference— City officers, Wis. Stats. § 62.06

DIVISION 1. - GENERALLY

Sec. 2-54. - Officers enumerated.

The officers of the City shall be the Mayor, Alderpersons, one City Administrator/Utilities Director, City Clerk, City Treasurer, City Attorney, Assessor, Building Inspector, Chief of Police, Public Works Director, Community Development Director, Finance Director, Fire Chief, Weed Commissioner, City Forester, Library Director and Municipal Judge. **All other staff positions shall be approved by the Common Council. Job descriptions and responsibilities shall be regularly updated and maintained on file, and approved by the Common Council.**

Code 1994, § 2-3-2(a)

Sec. 2-55. - Salaries.

City elected officials shall receive the following salaries:

- (1) Mayor: \$12,000.00 per annum (effective April 2006).
- (2) Alderperson: \$7,000.00 per annum (effective April 2006).
- (3) Municipal Judge: \$11,385.00 per annum (effective May 2003).

(Code 1994, § 2-2-9(b); Ord. No. 350, 12-12-2005)

Sec. 2-56. - Travel expense accounts.

- (a) Any City official or employee attending any school, convention or any meeting at which or for which the City pays any of the expenses of said employee or official, shall file an itemized verified

statement to the expenses for which reimbursement is claimed with the **City Treasurer** and when requested by the Council shall furnish receipts or evidences of the payment of such expenditures. Unless such statements are filed and unless such evidence of expenditures or receipts are furnished when requested by the Council, no reimbursement or payment of City funds of such expenditures shall be made.

- (b) The provisions of this section shall apply to any City official or employee.

(Code 1994, § 2-5-12)

Sec. 2-57. - City Administrator.

- (a) *Appointment.* The City Administrator shall be appointed by the Mayor, subject to confirmation by the Common Council. The City Administrator shall hold office for an indefinite term, subject to removal as provided by law. The City Administrator may also serve as Utilities Director.

- (b) *Duties.*

(1) Under the direction of the Common Council, the City Administrator shall serve as the Chief Administrator/Operating Officer for the City; he shall have the authority to administer the day-to-day operation of the City government and shall coordinate and assist all municipal departments, delegating authority to the department heads, as the situation requires. **The City Administrator shall perform all other duties as described in the job description kept on file.**

~~(2) In addition to the general duties previously set forth, the following duties shall be performed by the City Administrator (illustrative only):~~

- ~~a. Direct, coordinate and expedite activities of all City departments, divisions, and offices, subject to statutory and ordinance limits which may apply.~~
- ~~b. Coordinate and assist in the preparation of the annual City budget with all department heads, the Committee on Budget and Finance, and the Mayor, in accordance with such guidelines as may be provided by the Common Council.~~
- ~~c. Participate in the appointment process of all City personnel as provided in appropriate City ordinances.~~
- ~~d. Review administrative procedures with the various City departments, divisions and offices.~~
- ~~e. Keep the Mayor and Common Council advised concerning the activities of all City departments, divisions and offices, and submitting reports and recommendations when deemed necessary or requested by the Mayor or Common Council.~~
- ~~f. Keep the Common Council informed regarding the availability of alternate sources of funding for local programs and advise the Common Council of the methods for procuring such funds.~~
- ~~g. Make the Common Council aware of future problems brought about by normal growth and development.~~
- ~~h. Represent the City before other governmental bodies and organizations affecting City affairs as directed by the Common Council.~~
- ~~i. Perform such other duties as may be assigned and directed by the Common Council.~~

(Code 1994, § 2-3-3)

Sec. 2-58. - City Attorney.

- (a) *Appointment.* The Office of City Attorney is an appointed position. The Mayor shall appoint a City Attorney, subject to confirmation by a majority of the members of the Common Council. The City Attorney shall serve at the pleasure of the Council.
- (b) *Duties.* The City Attorney shall perform such other duties as provided by State law and as designated by the Common Council.

(Code 1994, § 2-3-7)

Sec. 2-59. - Chief of Police.

- (1) Under the direction of the Police and Fire Commission, the Police Chief shall perform all duties as described in the job description kept on file and other duties as provided by State law and as designated by the Common Council.

- ~~(1) — Have command of the Police Department of the City under direction of the Mayor and Common Council;~~
- ~~(2) — Have general administration and control of the Department;~~
- ~~(3) — Be responsible for the Department's government, efficiency and general good conduct;~~
- ~~(4) — Perform all duties prescribed to him by laws of the State and ordinances of the City;~~
- ~~(5) — Develop Department policies and procedures subject to the approval of the Council;~~
- ~~(6) — Maintain Department ethics and discipline;~~
- ~~(7) — Delegate special assignments or duties to police officers, and monitor to see that responsibilities are carried out;~~
- ~~(8) — Perform all the duties of a police officer during a portion of every regular shift;~~
- ~~(9) — Identify and evaluate ideas to achieve more efficient and effective operation;~~
- ~~(10) — Prepare Department budget requests and maintains expenditures within approved budgetary levels;~~
- ~~(11) — Authorize overtime work for police officers, with supporting justification provided to the Mayor and Common Council, or committee thereof;~~
- ~~(12) — Participate in the recruitment, testing and selection of new personnel;~~
- ~~(13) — Supervise and participate in the advanced and continuing training of police officers and nonsworn Department employees;~~
- ~~(14) — Cooperate with County, State and Federal officials, and other municipal law enforcement agencies;~~
- ~~(15) — Make special reports to the Common Council on request; and advise and cooperate with other City departments in matters of public safety;~~
- ~~(16) — Submit regular reports to the Mayor;~~
- ~~(17) — Perform other miscellaneous duties as assigned.~~

State Law reference— Appointment of police chief, Wis. Stats. § 62.13(3).

Sec. 2-60. - Fire Chief.

- (a) *Functions.*

- (1) The Fire Chief shall have general supervision of the Fire Department personnel, apparatus and equipment. The Fire Chief or his designee shall be present at fires and command all firefighting operations. The Fire Chief may make such further rules, regulations and policies for the government of the Fire Department as he may deem necessary, provided such rules and regulations shall not be inconsistent with the laws of the State or Department bylaws. The Fire Chief shall, by virtue of his office, hold the Office of Fire Inspector or he may delegate a member of the Department to serve as the Fire Inspector.
 - (2) The Fire Chief shall enforce all fire prevention ordinances of the City and State laws and regulations pertaining to fire prevention, and shall keep citizens informed on fire prevention methods, and on the activities of the Department.
- (b) *Reports.* The Fire Chief shall report to the Common Council **and the Fire Advisory Board** from time-to-time at his discretion or upon the request of said Common Council **or Fire Advisory Board** on matters concerning departmental matters and shall perform such other duties in conformance with his office as may from time-to-time be required of him by the Common Council.

(Code 1994, § 2-3-9)

State Law reference— Appointment of fire chief, Wis. Stats. § 62.13(3).

Sec. 2-61. - Building Inspector and Department of Building Inspection.

(a) *Building Inspector.*

- (1) *Appointment.* The Building Inspector shall be appointed by the Mayor, subject to confirmation by the Common Council. The Building Inspector shall have an indefinite term of office.
- (2) *Functions.*
 - a. The enforcement of all applicable building codes and zoning regulations pursuant to the provisions of Wis. Stats. §§ 62.17 and 62.23 and City ordinance.
 - b. Such other duties as may be assigned from time-to-time by the Common Council.

(b) *Department of Building and Zoning.*

- (1) *Composition.* There is hereby created the Department of Building Inspection, henceforth to be referred to as the Department. The Building Inspector shall act as head of this Department. The Department shall consist of the Building **Inspector and Electrical Inspector and their deputies.**
- (2) *Functions.* Members of the Department are vested with the authority and responsibility to enforce this article and all laws, rules and orders controlling safe building construction. They shall make inspection at the site of buildings damaged by any cause whatsoever to determine the safety of buildings affected thereby.
- (3) *Rights.* Members of the Department shall have the power and authority at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection thereof, and to require the production of any required permit or license therefor. No person shall interfere with or refuse to permit access to any such premises to the above-described representative of this City while in the performance of their duties.
- (4) *Records.* There shall be kept in the Department a record of all applications for permits and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building shall be kept. There shall be kept a record of all inspections made, all removal and condemnation of buildings and all fees collected. The Building Inspector shall make an annual report to the Common Council relative to these matters.

(Code 1994, § 2-3-10)

Sec. 2-62. - City Assessor.

In addition to statutory duties, the City Assessor shall have such other duties as may be assigned from time-to-time by the Common Council.

(Code 1994, § 2-3-11)

State Law reference— Qualifications of assessor, Wis. Stats. § 62.09(1)(d); property taxes generally, Wis. Stats. ch. 70.

Sec. 2-63. - **Public Works Director.**

Under the direction of the City Administrator, the Public Works Director shall perform all duties as described in the job description kept on file.

~~(a) *Appointment.* The Public Works Director shall be appointed by the Mayor, subject to confirmation by the Council. The Public Works Director shall have an indefinite term of office.~~

~~(b) *Functions.* The Public Works Director shall have the following duties:~~

~~(1) Plan, direct and inspect the repair and maintenance of streets, curbs and gutters, sidewalks, streetlights, street trees;~~

~~(2) Supervise plowing of snow and all phases of snow and ice control on City streets, alleys, sidewalks and public parking lots;~~

~~(3) Supervise the operation of the municipal garage and the repair and maintenance of City-owned vehicles and equipment;~~

~~(4) Schedule the daily and weekly jobs of the Public Works Department employees and make necessary modifications due to emergencies;~~

~~(5) Plan for the maintenance and repair of all City vehicles, machinery and equipment and is responsible for related records;~~

~~(6) Repair and maintain all official City sign use and traffic control marking, to be done in compliance with the State Traffic Code and local ordinances;~~

~~(7) Be responsible for planning, organizing, supervising and controlling all municipal park and recreation programs and operations:~~

~~(1) Coordinate the various programs and personnel of the Public Works Department;~~

~~(2) Supervise directly or through subordinates the staff assigned to him;~~

~~(3) Be responsible for planning, organizing, developing, executing and evaluating a year-round comprehensive recreation program;~~

~~(4) Be responsible for long range and master plans for park and recreation activity including plans for acquisition of park property as required;~~

~~(5) Assist in recruitment and hiring of all full-time, part-time and seasonal personnel required for the work;~~

~~(6) Prepare and submit an annual budget and control for conformance to the final budget as authorized;~~

- ~~(7) — Coordinate park and recreation programs and facilities with schools and other community recreation and beautification programs;~~
- ~~(8) — Direct subordinates in planning and designing major park projects and improvements including landscape development;~~
- ~~(9) — Perform such other duties and responsibilities determined by the Common Council and as set forth in this Code of Ordinances not enumerated above.~~

(Code 1994, § 2-3-17)

Sec. 2-65. - City Emergency Government Director.

~~A Municipal Emergency Government Director shall be appointed by the Mayor of the City of New Richmond and confirmed by the City Council, and subject to the conditions and provisions set forth in the State statutes and the St. Croix County Emergency Government Program and any subsequent amendments thereto.~~

(Code 1994, § 2-3-18)

Secs. 2-66—2-90. - Reserved.

DIVISION 2. - ETHICS CODE⁴¹

~~We should adopt the code of ethics in the State Statutes Sub ch III Code of Ethics for Public Officials and Employees beginning with ch 19.41~~

Footnotes:

~~--- (4) ---~~

State Law reference— Local government ethics, Wis. Stats. § 19.59.

Sec. 2-91. - Purpose.

- (a) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this division a Code of Ethics for all City officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the City.
- (b) The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The Common Council believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this City in their elected and appointed officials and employees. The Common Council hereby reaffirms that each elected and appointed City official and employee holds his position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions

and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the City.

(Code 1994, § 2-5-1)

Sec. 2-92. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Anything of value means any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.

Business means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.

Non-Profits

Financial interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

Personal interest means the following specific blood or marriage relationships: **Review**

- (1) A person's spouse, mother, father, child, brother or sister; or
- (2) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half support from such person or from whom such person receives, directly or indirectly, more than one-half of his support.

Public employee means any person excluded from the definition of a public official who is employed by the City.

Public official means those persons serving in statutory elected or appointed offices provided for in Wis. Stats. ch. 62, and all members appointed to boards, committees and commissions established or appointed by the Mayor and/or Common Council pursuant to this Code of Ordinances, whether paid or unpaid.

Significant interest means owning or controlling, directly or indirectly, at least ten percent or \$5,000.00 of the outstanding stock or at least ten percent or \$5,000.00 of any business.

(Code 1994, § 2-5-2)

Sec. 2-93. - Statutes adopted.

The provisions of the following sections of the State statutes, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

Wis. Stats. § 19.59, Codes of ethics for local government officials, employees and candidates.

Wis. Stats. § 946.10, Bribery of public officers and employees.

Wis. Stats. § 946.11, Special privileges from public utilities.

Wis. Stats. § 946.12, Misconduct in public office.

Wis. Stats. § 946.13, Private interest in public contract prohibited.

(Code 1994, § 2-5-3)

Sec. 2-94. - Responsibilities of public office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, State and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for government.

(Code 1994, § 2-5-4)

Sec. 2-95. - Dedicated service.

- (a) Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- (b) Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.
- (c) Members of the City staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics codes with the **City Clerk**. The **City Clerk** may notify the appropriate professional ethics board of any ethics violations involving City employees covered by such professional standards.

(Code 1994, § 2-5-5)

Sec. 2-96. - Fair and equal treatment.

- (a) *Public property.* No official or employee shall use or permit the unauthorized use of City-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for the use of such official or employee in the conduct of official business, as authorized by the Common Council or authorized board, commission or committee.
- (b) *City stationery.* Copies of any correspondence written on City stationery shall be filed with the **City Clerk**, or his designee.
- (c) *Obligations to citizens.* No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. No official or employee shall use or attempt to use his position with the City to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his immediate family.
- (d) *Political contributions.* No official shall personally solicit from any City employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this division is a candidate or treasurer.

(Code 1994, § 2-5-6)

Sec. 2-97. - Conflicts of interest.

- (a) *Financial and personal interests.*
 - (1) No official or employee of the City, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is

incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this division or which would tend to impair independence of judgment or action in the performance of official duties.

- (2) Any member of the Common Council who has a financial interest or personal interest in any proposed legislation before the Common Council shall disclose on the records of the Common Council the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Council involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion and vote on the matter.
 - (3) Any nonelected official who has a financial interest or personal interest in any proposed legislative action of the Common Council or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.
 - (4) Any City employee who has a financial interest or personal interest in any proposed legislative action of the Common Council or any board, commission or committee that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest if the employee has any influence or input to such board, commission or committee or if the employee is a member of such board, commission or committee.
- (b) *Confidential information disclosure.* No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such information be used to advance the financial or other private interests of the official or employee or others.
- (c) *Gifts and favors.*
- (1) No official or employee, personally or through a member of his immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.
 - (2) No official or employee personally, or through a member of his immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which could reasonably be expected to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his duties any improper favor, service or thing of value. However, it is not a conflict of interest for any public official or employee to receive hospitality that is unsolicited and unrelated to government business, such as a meal, and that is not intended to influence the official.
 - (3) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a City official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This subsection further shall not be construed to prevent candidates for elective office from accepting hospitality, as a properly reported political contribution, from citizens for the purpose of supporting the candidate's campaign. (The State Ethics Board has interpreted "hospitality" as it applies to State officials as including meals, beverages and lodging which a person offers at his residence and would have been offered if the recipient was not an official.)

- (4) Gifts received by an official or employee or his immediate family under unusual circumstances shall be referred to the Ethics Board within ten days of receipt for recommended disposition. Any person subject to this division who becomes aware that he is or has been offered any gift, the acceptance of which would constitute a violation of this subsection, shall, within ten days, disclose the details surrounding said offer to the Ethics Board. Failure to comply with this reporting requirement shall constitute an offense under this division.
- (d) *Representing private interests before City agencies.*
- (1) Nonelected City officials and employees shall not appear on behalf of any private person (other than him, his spouse or minor children) before any City agency, board, commission or the Common Council if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.
- (2) Elected City officials may appear before City agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, the disclosure requirements of Subsection (a) of this section shall be applicable to such appearances.
- (e) *Exceptions.* No violation of the conflict of interest restrictions of this section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Common Council that such interest exists.
- (f) *Contracts.* No City official or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the City unless, within the confines of Wis. Stats. § 946.13:
- (1) The contract is awarded through a process of public notice and competitive bidding or the Common Council waives the requirement of this section after determining that it is in the best interest of the City to do so.
- (2) The provisions of this subsection shall not apply to the designation of a public depository of public funds.
- (g) *Campaign contributions.* Campaign contributions shall be reported by all candidates for City office in strict conformity with the provisions of the State statutes. Any campaign contribution tendered to or accepted by a candidate subsequent to the final statutory report shall be reported to the Ethics Board.

(Code 1994, § 2-5-7)

Sec. 2-98. - Advisory opinions.

When an official or employee has doubt as to the applicability of a provision of this division to a particular situation or definition of terms used in this division, he should apply to the Ethics Board for an advisory opinion and will be guided by that opinion when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability provisions of this division before such advisory decision is made. This division shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Ethics Board to be more appropriate or desirable. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

(Code 1994, § 2-5-8)

Sec. 2-99. - Nepotism.

- (a) This section governs the proposed hiring of individuals for full-time or part-time work as City employees who are members of the immediate family of City employees or elected officials. The term "immediate family" includes those relatives by blood or marriage defined in Section 2-92 as personal interests.
- (b) Hiring an immediate family member of any current City employee or elected City official will be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position.
- (c) This section does not apply to nonelected officials who are asked to accept appointment as members of a City board, commission or committee; nonelected officials, however, will be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification or compensation of their immediate family if currently employed or being considered for employment by the City.

(Code 1994, § 2-5-9)

Sec. 2-100. - Collective bargaining agreements.

In the event an employee, covered under a collective bargaining agreement, is allegedly involved in an Ethics Code violation, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of this division.

(Code 1994, § 2-5-10)

Sec. 2-101. - Sanctions.

A determination that an employee's actions constitute improper conduct under the provisions of this division may constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action that may affect employees covered under a labor agreement will be consistent with the terms and conditions set forth in the applicable labor agreement.

(Code 1994, § 2-5-11)

Secs. 2-102—2-130. - Reserved.

ARTICLE IV. - BOARDS, COMMISSIONS AND AUTHORITIES

Sec. 2-131. - Meetings and public notice.

- (a) *Regular meetings; notice.* Every board, committee and commission created by or existing under the ordinances of the City shall fix a regular date, time and place for its meeting.
- (b) *Notice to members.* Every member of any board, commission or committee of the City shall be notified by the secretary thereof that a meeting is to be held, and the time and place of such meeting and the subject to be considered thereat. No member shall be intentionally excluded from any meeting by a failure to give proper notice or a reasonable attempt to give proper notice to such member.

- (c) *Minutes to be kept.* Every board, commission and committee shall keep a record of the minutes of its proceedings and shall cause a signed copy thereof to be filed by its secretary with the **City Clerk** within one week of the meeting date. The **City Clerk** shall furnish a copy of all minutes filed with him to the Mayor and to each member of the Common Council. All such minutes shall be public records unless otherwise provided by law or ordinance.

(Code 1994, § 2-4-15)

State Law reference— Notice of meetings, Wis. Stats. § 19.84.

Sec. 2-132. - Residency required for service on Common Council, boards or commissions.

Except for the Library Board, Airport Commission, **Tourism Committee**, and Economic Development Commission, no person not a resident of and not residing in the City shall be appointed to any board or commission. Any board or commission member who moves from the City shall immediately be removed from such board or commission.

Common Council members must reside in the City of New Richmond within their aldermanic district. Any Council member who ceases to be a resident of their aldermanic district shall be deemed to have vacated their position on the Common Council and shall be removed from Common Council. If a question regarding a Council member's residency arises, the Common Council shall hold a due process hearing regarding the Council member's residency within 30 days.

(Code 1994, § 2-4-16; Ord. No. 469, 10-13-2014)

Sec. 2-133. - Board of Review.

- (a) *Composition.* The Board of Review shall consist of the Mayor, the **City Clerk** and three Alderpersons and three alternate members who shall be annually appointed at the Council's organizational meeting.
- (b) *Officers.* The Mayor shall be the presiding officer for said Board. The **City Clerk** shall be the Clerk of the Board and shall keep an accurate record of all proceedings and give the notices of meetings and adjournments as provided for by statutes.
- (c) *Confidentiality.* Information about income and expenses that is provided to the Assessor pursuant to the provisions of Wis. Stats. § 70.47(7)(af) shall be confidential; provided that this subsection shall not apply to persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of a court.

(Code 1994, § 2-4-1)

State Law reference— Board of review, Wis. Stats. § 70.46 et seq.

Sec. 2-134. - Library Board.

- (a) *Created.* There is hereby created, pursuant to Wis. Stats. ch. 43, a municipal Library Board for the New Richmond Public Library.
- (b) *Terms of office.* Terms of such members shall be from **the third Tuesday in April** in the year of their appointment.

(Code 1994, § 2-4-2)

State Law reference— Municipal library boards, Wis. Stats. § 43.52 et seq.

~~Sec. 2-135. — Board of Health.~~

~~(a) *Composition.* The Common Council's Board of Health standing committee shall serve as the City of New Richmond Board of Health. The Board shall, within ten days after being organized, make a recommendation to the Council on appointing a competent and proper person who shall be, whenever the same is applicable, a reputable physician, who shall be the Health Officer of the City and who shall, during his term of office, be an ex-officio officer of the Board.~~

~~(b) *Responsibilities.*~~

~~(1) The Board of Health shall take such measures as shall be most effectual for the preservation of the public health. It shall be the duty of the Board of Health of the City to assume the general administration of health and sanitation laws and regulations in the City and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the ordinances of the City.~~

~~(2) The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the City. All orders and regulations of the Board shall be published in the official newspaper and, after publication, shall have the force and effect of ordinances, including penalty for violation.~~

~~(Code 1994, § 2-4-3)~~

State Law reference— Local boards of health, Wis. Stats. § 252.03.

Sec. 2-136. - Board of Appeals.

(a) *Appointment.* A Zoning Board of Appeals shall be appointed as specified in Wis. Stats. § 62.23(7)(e).

(b) *Functions.* The Zoning Board of Appeals shall have the following powers in addition to the powers conferred by statute:

(1) To authorize, upon appeal in specific cases, such variance from the terms of the City's zoning or building code regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, except as otherwise provided by law, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.

(2) No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six months from the date of such order unless a zoning permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.

(Code 1994, § 2-4-4)

Sec. 2-137. - City Plan Commission.

(a) *Generally.* The City Plan Commission is hereby created and shall consist of the Mayor, one Alderperson, and five citizen members. ~~The Building Inspector shall be an ex-officio (nonvoting) member.~~

(b) *Appointment* .

- (1) ~~*Election/appointment of Alderperson members*~~ *Appointment of Alderperson Member*. The Mayor shall appoint one alderperson to the Plan Commission, and approved by the Common Council. The alderperson member shall hold office for a term of one year commencing with the third Tuesday of April. ~~At its annual meeting in April of each year the Common Council shall, by two-thirds majority vote of its members, elect one of its number as a member of the City Plan Commission for a period of one year from and after May 1 next ensuing.~~
- (2) *Appointment and terms of citizen members* . The five citizen members shall be appointed by the Mayor on the third Tuesday of April each year to hold office for a term of three years commencing with the third Tuesday of April.

(Code 1994, § 2-4-5; Ord. No. 476, 5-11-2015)

State Law reference— Board of appeals, Wis. Stats. § 62.23(7)(e).

Sec. 2-138. - Ethics Board.

- (a) *Generally*. There is created an Ethics Board to consist of seven members. The membership of the Ethics Board shall consist of five citizens, one Alderperson and one other City officer or employee. The City Attorney shall furnish the Board whatever legal assistance is necessary to carry out its functions.
- (b) *Appointment*. The members of the Ethics Board shall be appointed by the Mayor, subject to confirmation by the Common Council. Terms of office shall be three years.
- (c) *Officers*. The Ethics Board shall elect its own chairman and vice-chairman and shall develop written rules of procedure which shall be submitted to the Common Council for approval.
- (d) *Code recommendations*. The Ethics Board may make recommendations with respect to amendments to the City code of ethics ordinance codified in Article III, Division 2.
- (e) *Complaints*. Upon the sworn complaint of any person alleging facts, which if true, would constitute improper conduct under the provisions of the City Ethics Code, the Board shall conduct a hearing in accordance with common law requirements of due process and, in written findings of fact and conclusions based thereof, make a determination concerning the propriety of the conduct of the subject official or employee and, if appropriate, refer the matter to the Common Council or other proper City authority.

(Code 1994, § 2-4-6)

Sec. 2-139. - ~~Economic Development Commission~~- Forward New Richmond

(a) *Composition*.

(1) There is hereby created an Economic Development Commission, to be known as Forward New Richmond, appointed by the Mayor and subject to approval of the Common Council. There shall be nine members, as follows:

a. One member of the Common Council.

b. Eight citizens.

(2) Appointments shall be for staggered three-year terms. Members shall be limited to no more than two consecutive terms of service.

(3) There is no residency requirement for the eight citizen members; however, citizens should generally live or work in New Richmond and have a strong interest or background in business and economic development.

(4) The Mayor shall appoint a chairperson and vice-chairperson each year in April when all other citizen appointments occur, subject to approval by the Common Council.

(b) *Functions.*

(1) Forward New Richmond shall serve in an advisory capacity to the City Council in matters pertaining to economic development, including but not limited to commercial and industrial development proposals, marketing efforts, real estate transactions, business and technical parks, downtown revitalization, and attraction and retention of a quality labor force.

(c) *Confidentiality.*

(1) Some topics of discussion might, in the opinion of staff or the city attorney, require closed session. Therefore, members of Forward New Richmond shall be required to sign confidentiality agreements prior to their appointment.

(d) *Training and Continuing Education.*

(1) Members of Forward New Richmond shall attend regular training and educational events regarding local government operations and/or economic development, as directed by the City Council.

~~(a) *Composition.*~~

~~(1) There is hereby created a City Economic Development Commission, such Commission to consist of 11 members to be appointed by the Mayor, subject to approval of the Common Council as follows: Appointments shall be for one year unless otherwise specified. There shall be seven permanent members, as follows:~~

~~a. A representative of Chamber of Commerce.~~

~~b. A member of the City of New Richmond Plan Commission.~~

~~c. The City Administrator/Utilities Manager.~~

~~d. Three representatives of the New Richmond Business and Technical Park and/or Industrial Development Parks developed by the City shall serve for three-year terms, which shall be staggered and the businesses represented shall rotate.~~

~~e. A representative of WITC.~~

~~(2) The remaining four members shall be appointed for five-year terms.~~

~~(b) *Functions.*~~

~~(1) The City Administrator/Utility Manager shall be the President of the Commission, who shall preside over the meetings of said Commission; City Administrator/Utility Manger shall appoint a Vice-President who shall preside in the absence of the President.~~

~~(2) The Commission shall develop an Economic Development Plan for the City.~~

~~(3) The Commission shall develop and implement economic development policies, procedures, and programs for the City.~~

- ~~(4) The Commission shall work with the City and City staff in promoting New Richmond and attracting economic growth and development.~~
- ~~(5) The Commission shall make an annual report to the Common Council regarding achievements towards fulfillment of such programs.~~
- ~~(6) The Commission shall develop and recommend methods to stimulate positive public interest and economic growth and development.~~
- ~~(7) The Commission shall develop and recommend feasible methods of financing and other measures of public input into the economic development process.~~
- ~~(8) The Commission shall develop, manage, market and administer the New Richmond Technical and Business Park and such other property acquired by the City for industrial development purposes. The scope of responsibility for the management of industrial parks shall be as follows:
 - ~~a. To develop protective covenants for industrial parks and to ensure the interpretation and enforcement of the covenants by the responsible committee.~~
 - ~~b. To approve design and layout of the industrial parks and administer the development of park improvements.~~
 - ~~c. To develop and initiate a marketing and property sales plan.~~
 - ~~d. To negotiate and approve property sales under general guidelines authorized by the Common Council.~~~~
- ~~(9) The Economic Development Commission shall annually prepare a budget and manage its program activities. Expenditures are to be made from a budget set up and approved by the Common Council of the City. Revenues from sale of land shall be deposited to the City of New Richmond General Funds.~~
- ~~(10) The Economic Development Commission shall prepare on an annual basis a report outlining its programs and activities and a review of budget revenues and expenditures.~~
- ~~(11) The Economic Development Commission shall create such committees and subcommittees as it deems necessary to carry out its purpose.~~
- ~~(12) The Economic Development Commission shall be authorized to employ such persons as are, in its discretion and judgment, necessary for the purpose of carrying out its responsibilities and shall be authorized to negotiate and enter into contracts for such services or purchases of materials so long as expenditures for such contracts or purchases do not exceed the budget approved by the Common Council. Authorization of capital improvements not included as approved budgeted expenditures shall be obtained from the Common Council. The Commission shall follow normal City guidelines and procedures for bidding of public improvements projects.~~

~~(Code 1994, § 2-4-7; Ord. No. 440, 7-9-2012)~~

Sec. 2-140. - Airport Commission.

(a) *Generally.*

- (1) An Airport Commission consisting of seven Commissioners is hereby created and jurisdiction for the construction, improvement, maintenance and operation of the New Richmond Regional Airport is hereby vested in said Commission. The Airport Commission shall consist of ~~a member representing the New Richmond Pilots Association~~, two members of the Common Council, ~~four~~ **five** Commissioners at large, of which one will be a resident of Star Prairie Township and ~~one~~ **three** shall be residents of the City of New Richmond.
- (2) All Commissioners shall be appointed by the Mayor of the City, subject to confirmation by the Common Council.

- (3) The term of office for the Commissioners at large shall be four years. The members of the Common Council ~~and New Richmond Pilots Association~~ shall be appointed for a term of one year.
 - (4) The **five** appointed Commissioners shall have a demonstrated background, interest or other relevant relationship to aviation.
- (b) *Reports.* The Commission shall prepare and submit an annual report to the Council. Such report shall include information on airline traffic, nonairline traffic, airport expenditures and revenues and comparative figures on past, present and future traffic and activity, in addition to other information that the Commission may deem pertinent to the report.
- (c) *Functions.*
- (1) The Airport Commission shall have complete and exclusive control and management of the New Richmond Regional Airport. All monies appropriated for the construction, improvement, equipment, maintenance or operation of said airport by such airport or made available for its construction, improvement, equipment, maintenance or operation in any manner whatsoever shall be deposited with the **City Treasurer** of the City where such monies shall be kept in a special fund and paid out only on order of the Airport Commission.
 - (2) The Airport Commission may employ and fix the compensation of a manager who shall not be a member of the Commission. Such Commission may employ and fix the compensation of such other employees as may be deemed necessary.
 - (3) The Airport Commission is expressly authorized to execute, in the name of the New Richmond Regional Airport, such contracts, leases or other agreements as they deem necessary for the construction, improvement, equipment, maintenance or operation of the airport, subject to the normal budgetary procedures of the governing body. Such Commission may contract with the United States, the State, or any agency thereof, may petition, in the name of the governing body, for such State and Federal aid as may be available for airport purposes, and after resolution certifying the availability of local funds, or appropriation of such funds, may execute agency agreements, contracts and all other documents necessary to the project. Such Commission shall have the power to do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Commission in order to carry out the powers, duties and responsibilities imposed by this provision or any other laws. All contracts shall first be approved by the Common Council.
 - (4) The Commission shall adopt regulations and establish fees and charges for the use of said airport not inconsistent with this section. Such regulations, fees and charges are not to become effective until approved by the Council.
- (d) *Authority of Manager.* The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances.
- (e) *Budget.* The Commission shall submit to the Council an annual budget setting forth anticipated revenues and expenditures, including capital improvements and the amount recommended to be raised by taxation for airport purposes.
- (f) *Studies.* The Commission shall make studies and conduct surveys from time-to-time to assist it in improving the operation of the Airport, and for planning purposes.
- (g) *Leases.* The Commission shall prepare and adopt standard leases and agreements for the various types of airport activities and land uses authorized in this section.
- (h) *Cooperation.* The Commission shall cooperate with and receive the cooperation of City departments providing services or assistance to the Airport.
- (i) *Emergency preparedness plan.* The Commission, in cooperation with the Emergency Government officials, shall develop an emergency preparedness plan for the Airport, and put the same into effect.

(Code 1994, § 2-4-9; Ord. No. 376, 10-8-2007)

~~Sec. 2-141. Cable Television Regulatory Board. Delete~~

~~(a) Established.~~

~~(1) There is hereby established a Cable Television Regulatory Board, composed of two Alderpersons from the Common Council and five citizens, all appointed by the Mayor, subject to the approval of the Common Council. Aldermanic members shall be appointed annually and serve one-year terms. Citizen members shall be appointed for a term of three years; except that the first appointees shall be appointed:~~

~~a. One for a term of one year;~~

~~b. Two for terms of two years;~~

~~c. Two for terms of three years;~~

~~and thereafter each appointee for a term of three years, except when someone is appointed to serve the remainder of the term as a resigned member. Every effort shall be made to make the Board as representative as possible of the citizens.~~

~~(2) The Office of the City Clerk shall receive and distribute communications, including subscriber complaints, to the Regulatory Board and provide the Board with needed office support including the typing and distribution of the minutes of each Board meeting. Furthermore, the Office of the Clerk-Treasurer shall secure and maintain a current set of Federal rules and regulations pertaining to Cable Television/Broadband Telecommunications Networks, along with appropriate trade publications that the Cable Television Officer and the Regulatory Board will need to facilitate the performance of their continued regulatory activities in the public interest. In the event that the State adopts applicable regulatory standards, the Office of City Clerk shall also obtain and maintain a current set of such additional regulations. Any review of rates or recommendation of any rate changes shall be reported to the Common Council.~~

~~(b) Functions. In addition to all other duties, the duties of the Regulatory Board shall be as follows:~~

~~(1) Resolving disputes or disagreements between subscribers and the grantee which the aforementioned parties have been unable to resolve first, and have then submitted to the Cable Television Office.~~

~~(2) Reviewing and auditing reports submitted to the City and such other correspondence as submitted concerning the operation of the cable television system so as to ensure that the necessary reports are completed and submitted.~~

~~(3) Work with the public and the media to assure that all records, rules and charges pertinent to the cable television system in the City are made available for the inspection at reasonable hours upon reasonable notice.~~

~~(4) Confer with the grantee and advise the interconnection of the City's cable system with other cable communications systems via direct connection, microwave, light wave or satellite.~~

~~(5) Solicit, review and provide recommendations to the Common Council for the selection of applicants for franchise.~~

~~(6) Initiate inquiries, receive requests for review of rates charged by the grantee, and provide recommendation on such actions to the Common Council.~~

~~(7) Establish and administer sanctions as authorized by the Common Council to ensure compliance with City cable television regulations.~~

~~(8) Make recommendations to the grantee and to the users of the public, educational, and governmental access channels.~~

~~(9) To ensure that the grantee makes the public access channel available to all residents of the City on a nondiscriminatory basis and advise the grantee on procedural rules for this purpose.~~

- ~~(10) — To ensure that the operation of the public access channel be free of program censorship.~~
- ~~(11) — To make recommendations to the grantee and Regulatory Board regarding the quality of services and programs.~~
- ~~(12) — Planning and developing production and programming on dedicated access channels.~~
- ~~(13) — To prepare and submit an annual budget for public access programming.~~
- ~~(14) — To allocate funds as deemed necessary to assist production and programming on the public access channels.~~
- ~~(15) — To perform such other duties and functions as may be assigned from time to time by the Common Council. The findings and decisions of the Board shall be final, subject to the written appeal to the Common Council. The decision of the Common Council shall be final.~~
- ~~(c) — Rules to ensure due notice and prompt hearing; election of officers. The Board shall adopt such rules and regulations as are necessary to ensure that due notice is given to all parties concerning any hearing on any complaints to said Board and that the hearing is held promptly in accordance with reasonable notice to all parties. The Board shall also have such powers to include the election of its own officers.~~

~~(Code 1994, § 2-4-10)~~

Sec. 2-142. - Utilities Commission.

- (a) *Created; members.* There is hereby created for the City a City Utilities Commission, such Commission to consist of five members.
- (b) *Eligibility.* No person shall be eligible to serve as a member of the Utilities Commission, or to hold any office or position under said Commission who directly or indirectly has any pecuniary interest in any contract for furnishing heat, light, water, power or other public service to or for the City or the citizens thereof or who is a stockholder in any corporation which has any such contract. Any such office or position shall become vacant upon the acquiring of any such interest. Any member selected to said Commission shall take and file the official oath of office with the **City Clerk**.
- (c) *Vacancies.* In the event of a vacancy on the Utilities Commission, the Mayor shall appoint, on a nonpartisan basis, one Commissioner to fill the unexpired term of any such member. Such appointment by the Mayor shall be subject to confirmation by the Common Council. The Utilities Commission shall be continuous in existence and each member thereof shall continue thereon until his successor is appointed and qualified.
- (d) *Functions.*
 - (1) Subject to the provisions of this Code of Ordinances and Wis. Stats. §§ 66.0805, 66.0808, the Commission shall manage the three utilities now owned by the City, to-wit: The Electric Utility, the Water Utility and the Sewer Utility. The employment of the general manager of such utilities shall be subject to confirmation by the Common Council of the City, and the compensation to be paid such general manager shall be subject to approval by the Common Council.
 - (2) The Utilities Commission shall have the power to negotiate contracts for the purchase by the City of electrical power, and recommend to the Common Council acceptance of such contracts as negotiated by it, subject to approval of the Public Service Commission of the State.
 - (3) All works involving expenditure of funds for capital improvements of the utilities owned by the City shall be by bid, and the authorization for such capital improvements shall be obtained from the Common Council prior to the advertisement for bids.
- (e) *Compensation.* The Commissioners shall be compensated for their service as such Commissioners at the sum of \$750.00 per year, such compensation to be paid annually.

- (f) ~~Monthly-Quarterly reports.~~ The Commission shall present ~~monthly-a quarterly~~ report to the Common Council on its financial status, and its activities, such ~~monthly-quarterly~~ report is to be submitted to the Common Council in writing unless otherwise directed by the Common Council. ~~Update—ask-Rae Ann~~
- (g) ~~Annual budget.~~ On or before ~~October-November~~ 1 of each year, the Utilities Commission shall prepare and ~~provide an annual fiscal budget file a complete fiscal budget with~~to the City. The Utilities Commission and the Common Council, or committee thereof, shall jointly develop a budget form that is acceptable. The Common Council shall meet to review the proposed utility budget. The budget shall then be implemented and followed by the Commission, effective January 1. ~~Update—Ask-Rae Ann~~
- (h) ~~Purchasing policy.~~ The Utilities Commission shall formally enact a written purchasing policy which shall be used by the Commission to ensure compliance with the annual fiscal budget.
- (i) ~~Annual-budgetAudit.~~ The Utilities Commission shall cause an annual audit to be conducted of the Utility accounts and upon ~~completion, completion;~~ said audit shall be presented to the Utilities Commission and the Common Council for review. The Utilities Commission shall pay for the cost of the audit.
- (j) ~~Contractual commitment.~~ The Utilities Commission shall have full authority to enter into contracts in the name of the City provided that funds have been included in the annual utility budget for the purchase of the item and/or service identified under the contract. In addition, all contracts which require the use of funds not generated by the Utility or the borrowing of funds shall be approved by the Common Council.

(Code 1994, § 2-4-11)

State Law reference— Municipal utility commissions, Wis. Stats. § 66.0805.

Sec. 2-143. - Parks Board.

- (a) *Generally.* There is hereby created Board of Park Commissioners, also known as the Parks Board. The Parks Board should be composed of seven members. The members shall be appointed by the Mayor subject to the approval of the Common Council. ~~The members shall consist of one City Council alderperson, five citizens, and one representative from the School District of New Richmond.~~
- (b) *Officers.* The Parks Board shall, at its first meeting in May of each year, elect a President, Vice-President and Secretary.
- (c) *General functions.* The Parks Board shall have the following powers and duties:
 - (1) With respect to parks, the Board shall have the powers and duties provided by Wis. Stats. §§ 27.08, 27.09 and 27.10. The acceptance of gifts of money or property or the acquisition of property or privileges for park purposes, as defined in Wis. Stats. § 27.08, can be accomplished by the Common Council by resolution, but the dedication of land, or money in lieu thereof, to the City for park, recreation or other public purposes in connection with the subdivision of land, shall be deemed to have been approved by the Common Council in and by its act of accepting the final plat in connection with which such dedication is made.
 - (2) The Parks Board shall have jurisdiction over the parks, ~~trails~~, tennis courts, ~~sports center~~, ice skating facilities, adult and youth recreation programs, ball diamonds, and playgrounds throughout the City and shall have the power to adopt rules and regulations therefor, including the establishment of user fees, and the recommendation to the Common Council of the hiring of employees necessary therefor. All matters which pertain to the foregoing shall be referred to the Parks Board prior to official action being taken thereon by the Common Council, or any committee thereof.

(3) A master plan for park development shall be created and maintained by the Parks Board, with the advice and assistance of the City Attorney, which shall be subject to approval by the Common Council. Such plan shall be a projection and anticipation of major maintenance needs, development of existing and future park plans and park programs.

~~(4) All seasonal recreational employees shall be employed by the Common Council upon the recommendations of the Parks Board. Park Board is not involved with hiring. Add naming rights?~~

(d) *Additional functions.* The Parks Board shall have all the powers conferred by law upon park and recreation commissions and shall be chargeable with all the duties so required, such as recommend, oversee work and oversee funds of all parks, playgrounds and recreational activities as part of properties within the City. The Parks Board is specifically empowered and directed:

(1) To have the powers necessary and convenient for the effective and efficient management, control, supervision and operation of the City park system and recreation program, subject to budgetary approval by the Common Council.

(2) To have jurisdiction of the parks, playgrounds and trails throughout the City and assume full responsibility for the equipping, developing and maintaining the physical facilities of the park system.

(3) To establish such rules and regulations to promote the quiet, orderly and suitable use of the City parks and playgrounds as the Commission shall deem necessary.

(4) To establish rules and regulations, including user fees as deemed necessary as approved by the Council and desirable for the proper use, care and operation of parks, park facilities, recreation programs and other activities under their control, provided however that such rules and regulations do not conflict with the laws of the State or this Code of Ordinances.

(5) And such other and further duties as may be necessary for the proper carrying out of the purposes of said Board.

~~(e) Finance.~~

~~(1) Budget. The Parks Board shall assist in preparing an annual budget for submission to the Common Council, which budget shall reflect the Board's recommendations as to maintenance or acquisition of City parks, open spaces, park and related facilities, recreation programs and equipment, summer or seasonal employees, etc. Said annual budget request shall contain estimates as to revenues to be derived from recreation programs or activities as well as estimated expenditures for operating the parks and recreation system. The Parks Board shall cooperate with other City departments in manpower and machinery exchanges.~~

~~(2) Income and expenditures. The Board shall pay all incomes from recreational activities to the City Treasurer. All expenditures pursuant to the budget previously approved by the Common Council shall be made only upon prior approval of the Board. The Board shall audit and approve all vouchers or schedules covering the same setting forth the name of the claimant, the amount of each claim, and the purposes of each expenditure to the City Clerk with a Statement thereon signed by the chairman and the Secretary of the Board that the expenditures have been incurred and that the Board has audited and approved the bill.~~

~~(3) Monetary contributions. All moneys donated to the City specifically for park or recreation use shall be deposited in City accounts as a non-lapsing fund or reserve for such specific use.~~

(Code 1994, § 2-4-12; Ord. No. 434, 5-9-2011)

State Law reference— City park boards, Wis. Stats. § 27.08.

~~Sec. 2-144.—Sports Center Board.~~

~~(a) *Composition.* The Sports Center Board shall be composed of: Remove and combine with Park Board~~

~~(1) The Mayor.~~

~~(2) The City Clerk-Treasurer.~~

~~(3) A member of the Parks Board, annually selected in April by majority vote of the Parks Board.~~

~~(4) A member of the Hockey Association Board of Directors, annually selected in April by such Board of Directors.~~

~~(5) A citizen member, annually appointed in April by the Mayor, subject to Council confirmation.~~

~~(b) *Functions.* Under the general direction of the Common Council, the Sports Center Board shall manage and administer the New Richmond Sports Center.~~

~~(Code 1994, § 2-4-13)~~

Sec. 2-145. - Housing Authority.

The creation of the Housing Authority is ratified and confirmed.

(Code 1994, § 2-4-14)

State Law reference—Housing authorities, Wis. Stats. § 66.1201 et seq.

Sec. 2-146. - **Tourism Committee.**

(a) **Composition.** The Tourism Committee shall consist of five (5) members who shall be appointed by the Mayor subject to Common Council confirmation. Each member's term shall commence at the organizational meeting of the Common Council in April. The Tourism Committee will consist of the following members:

1. One (1) representative from a hotel. City residency is not a requirement for this member only.
2. Two representatives from the local business community, as recommended by the New Richmond Area Chamber of Commerce.
3. One at-large City resident.
4. The Mayor or one alderperson.
5. Members shall have staggered three-year terms. Each member may serve multiple terms.
6. The Committee shall meet regularly, and, from among its members, it shall elect a chairperson and vice-chairperson.

State Law reference— Tourism Committees, Wis. Stats. § 66.1201 et seq.

Secs. 2-147—2-173. – Reserved.

ARTICLE V. - FINANCE⁶⁹

Footnotes:

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State Law reference— Municipal finance, Wis. Stats. § 66.0601 et seq.; City finance, Wis. Stats. § 62.12; municipal borrowing and municipal bonds, Wis. Stats. ch. 67.

Sec. 2-174. - Bad check fees.

- (a) There shall be a fee as prescribed by resolution for processing checks made payable to the City that are returned because of insufficient funds in the account in question.
- (b) Collection costs and attorneys fees shall be added to the principal amounts of unpaid bills owed to the City that are placed with collection agencies.

(Code 1994, § 3-1-1)

Sec. 2-175. - Treasurer's tax bond eliminated.

Pursuant to Wis. Stats. § 70.67(2), the City shall be obligated to pay, in case the **City Treasurer** shall fail to do so, all State and County taxes required by law to be paid by the **City Treasurer** to the County Treasurer.

(Code 1994, § 3-1-2)

Sec. 2-176. - Budget.

- (a) *Estimates.* Statements required by Wis. Stats. § 62.12(2) shall be presented in the form prescribed by the City and shall be designated as "Departmental Estimates," and shall be as nearly uniform as possible for the main division of all departments.
- (b) *Estimate consideration.* The **City Finance Director**, with the assistance of the **City Treasurer, Administrator and Mayor**, shall consider such departmental estimates in consultation with the department head, recommend to the Common Council a budget amount for such department or activity.
- (c) *Proposed budget.* On or before November 1, the **City Finance Director** shall prepare and submit to the Common Council a proposed budget presenting a financial plan for conducting the affairs of the City for the ensuing calendar year. The budget shall include the following information:
 - (1) The expense of conducting each department and activity of the City for the ensuing fiscal year and last preceding fiscal year, with reasons provided for increase and decrease recommended as compared with appropriations for the current year.
 - (2) An itemization of all anticipated income from the City from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the City from each of the same or similar sources for the last preceding and current fiscal year.

- (3) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.
- (4) Such other information as may be required by the Common Council and by State law.
- (d) *Budget copies.* The **City Finance Director** shall provide a reasonable number of copies of the budget summary thus prepared for distribution to citizens. The entire fiscal budget shall be available for public inspection in the Office of the **City Treasurer** during regular office hours.
- (e) *Hearing.*
 - (1) The **City Finance Officer** shall submit to the Council at the time the annual budget is submitted the draft of an appropriation ordinance providing for the expenditures proposed for the ensuing fiscal year. Upon the submission of the proposed appropriation ordinance to the Council, it shall be deemed to have been regularly introduced therein.
 - (2) A summary of such budget and notice of the time and place where such budget and detail is available for public inspection and notice of the time and place for holding the public hearing thereof shall be published in the official newspaper of the City at least 15 days prior to the time of such public hearing.
 - (3) Not less than 15 days after the publication of the proposed budget and the notice of hearing thereof, the public hearing shall be held at the time and place stipulated, at which time any resident or taxpayer of the City shall have an opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time-to-time.
 - (4) A majority vote of the Common Council is required to adopt the proposed budget ~~and a vote of three-quarters of the Council is necessary to adopt the appropriations budget(?)~~

Commented [RAA1]: This is covered under Section 2-177

(Code 1994, § 3-1-3)

State Law reference— Municipal budget, Wis. Stats. § 62.12(2).

Sec. 2-177. - Changes in budget.

Upon written recommendation of the Mayor, the Council may at any time, by a two-thirds vote of the entire membership, transfer any portion of an unencumbered balance of an appropriation to any other purpose or object. Notice of such transfer shall be given by publication within ten days thereafter in the official newspaper of the City.

(Code 1994, § 3-1-4)

Sec. 2-178. - City funds to be spent in accordance with appropriation.

No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditures of money be incurred, except in pursuance of the annual appropriation in the adopted budget or when changed as authorized by Section 2-177. At the close of each fiscal year, any unencumbered balance of an appropriation shall revert to the general fund and shall be subject to re-appropriation; but appropriations may be made by the Common Council, to be paid out of the income of the current year, in furtherance of improvements or other objects or works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

(Code 1994, § 3-1-5)

Sec. 2-179. - Depositories.

Pursuant to State law, designated public depositories shall be required to pledge U.S. Treasury Notes equal in amount to any uninsured balance on the City's deposit.

(Code 1994, § 3-1-7)

State Law reference— Depositories, Wis. Stats. §§ 34.05 et seq., 62.12(7).

Sec. 2-180. - Claims.

- (a) *Payment.* Department heads shall submit bills/statements pertaining to the operations of their department to the **City Treasurer**. In addition to, and in lieu of the other methods provided by statute for the payment of claims against the City, financial claims against the City may be paid from the City Treasury after the **City Treasurer** shall have audited and approved each such claim as a proper charge against the Treasury and shall have endorsed his approval thereon, after having determined that the following conditions have been complied with:
- (1) That funds are available therefor, pursuant to the budget approved by the Council;
 - (2) That the item or service covered by such claim has been duly authorized by the proper official, department head, or board or commission;
 - (3) That the item or service has been actually supplied or rendered in conformity with such authorization;
 - (4) That the claim is just and valid, pursuant to law. The City Clerk-Treasurer may require the submission of such proof and evidence to support the foregoing as in his discretion he may deem necessary.
- (b) *Common Council audit of accounts.*
- (1) No account or demand against the City, except as provided in Subsection (c) of this section, shall be paid until it has been reviewed, ~~and recommended by the Finance Committee~~ and passed upon by the Common Council and an order drawn on the **City Clerk-Treasurer** therefor. Every such account shall be itemized and certified as provided in Subsection (a) of this section.
 - (2) After auditing, the Common Council shall cause to be endorsed by the **City Treasurer**, on each account, the words "allowed" or "disallowed", as the fact is, adding the amount allowed or specifying the items or parts of items disallowed. If the Common Council shall approve the same, it shall direct the **City Treasurer** to issue a City order for the amount of the claim approved. All money paid out of the City Treasury shall be paid upon an order signed by the **City Clerk**, except that payments of regular wages or salaries shall be as provided in Subsection (c) of this section. The minutes of the proceedings of the Council or a statement attached thereto, shall show to whom, and for what purpose, every such account was allowed and the amount.
- (c) *Payment of regular wages or salaries.* Regular wages or salaries of City officers and employees shall be paid by payroll, verified by the proper City official, department head, board or commission and filed with the **City Treasurer** in time for payment on the regular pay day.

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(Code 1994, § 3-1-8)

Sec. 2-181. - Temporary investment of funds.

The **City Treasurer** may invest any City funds not immediately needed, pursuant to Wis. Stats. § 66.0603 and Wis. Stats. § 219.05.

(Code 1994, § 3-1-9)

Sec. 2-182. - Receiving money; receipts.

- (a) The **City Treasurer** or his deputies shall not receive any money into the Treasury from any source except on account of taxes levied and collected during the fiscal year for which he may then be serving, without giving a receipt therefor in the manner specified by the Common Council.
- (b) Upon the payment of any money (except for taxes as herein provided), the **City Treasurer** shall make out a receipt in duplicate for the money so received. The **City Treasurer** shall charge the amount thereof to the Treasury and credit the proper account. The payment of the money to any receiving agent of the City or to the City or to the City Clerk-Treasurer shall be safeguarded in such manner as the Common Council shall direct.

(Code 1994, § 3-1-11)

Sec. 2-183. - Statements of real property status.

The **City Clerk** is authorized to prepare a statement of real property status form to be used to provide information often requested for transfers of real property such as the amount of outstanding special assessments, deferred assessments, changes in assessments, amount of taxes, outstanding water, and sewer bills, current water and sewer bills, contemplated improvements, floodplain status, violations of the building and health codes and similar information. Any such information sought shall be provided to the person requesting it on said form. A minimum of 48 hours is required for preparation of a statement of real property status. There shall be a fee as prescribed by resolution for compiling such information.

(Code 1994, § 3-1-12)

Sec. 2-184. - Billing accounts receivable.

Billings by the City may be paid within 30 days after billing without interest. Thereafter, interest may be charged at the rate of 1½ percent per month or any fraction thereof, until the following November 15. Bills not paid on or before November 15 shall have added to the total amount due 1½ percent of said charges shall be entered on the tax roll as a special charge and become a lien upon real estate.

(Code 1994, § 3-1-13)

Sec. 2-185. - Audits.

A firm of certified public accountants shall be employed each year by the City, subject to the confirmation of the Common Council to conduct a detailed audit of the City's financial transactions and its books, and to assist the **City Treasurer** in the management of the City's financial affairs, including the City's public utilities. These auditors shall be employed on a calendar-year basis. The books audited may, in addition to the City financial records of the Office of the **City Treasurer**, include the **City Treasurer's** books, the City's public utilities, Police Department records, and any other books of any boards, commissions, officers or employees of the City handling City moneys.

(Code 1994, § 3-1-14)

Sec. 2-186. - Authority of agents of City to employ persons or make purchases.

No agent of the City having authority to employ labor or to purchase materials, supplies or any other commodities, may bind the City or incur any indebtedness for which the City may become liable without approval of the Council or authorized supervisor. Each such employment or purchase order shall be drawn against a specific appropriation, the money for which shall be available in the City Treasury and

not subject to any prior labor claims or material purchase orders at the time when such employment is negotiated or purchase order drawn. **The City Treasurer** shall keep a record of such employment and purchase orders and shall charge them against the proper appropriation.

(Code 1994, § 3-1-15)

Sec. 2-187. - Purchasing procedures.

~~Three quotations~~ **Competitive bids/quotes** shall be obtained before contracting to purchase articles, goods, wares, material services or merchandise which amount in bulk to more than \$500.00. Purchases up to \$500.00 may be made in the most expedient manner.

(Code 1994, § 3-1-16)

Secs. 2-188—2-212. - Reserved.

ARTICLE VI. - PUBLIC RECORDS⁽⁶⁾

Footnotes:

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State Law reference— Public records, Wis. Stats. § 19.21 et seq.

Sec. 2-213. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Actual cost. The total cost of personnel including wages, fringe benefits and all other benefits and overhead related to the time spent in search of records.

Authority. Any of the following City entities having custody of a City record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

Custodian. That officer, department head, division head, or employee of the City designated under Section 2-215 or otherwise responsible by law to keep and preserve any City records or file, deposit or keep such records in his office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

Direct cost. The actual cost of personnel plus all expenses for paper, copier time, depreciation and supplies.

Record. Any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. The term "record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(Code 1994, § 3-3-1)

Sec. 2-214. - Duty to maintain.

- (a) Except as provided under Section 2-218, each employee of the City shall safely keep and preserve all records received from his predecessor or other persons and required by law to be filed, deposited or kept in his office or which are in the lawful possession or control of the employee or his deputies, or to the possession or control of which he or they may be lawfully entitled as such officers or employees.
- (b) Upon the expiration of an employee's term of employment, or whenever position of employment becomes vacant, each such employee shall deliver to his successor all records then in his custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the **City Clerk**. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the **City Clerk**, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(Code 1994, § 3-3-2)

Sec. 2-215. - Legal custodians.

- (a) Each elected official is the legal custodian of his records and the records of his office, but the official may designate the **City Clerk** to act as the legal custodian.
- (b) Unless provided in Subsection (c) of this section, the **City Clerk** or his designee shall act as legal custodian for the Common Council and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the Common Council. The following offices or authorities shall have as a legal custodian of records the individual so named.

Authority	Designated Legal Custodian
City Assessor's Office	City Assessor
General City Records	City Clerk (including Council Records)
Fire Department	Fire Chief
Police Department	Chief of Police
Financial Records	City Treasurer/Finance Director
City Attorney's Office	City Attorney

- (c) For every authority not specified in Subsections (a) and (b) of this section, the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his staff to act as the legal custodian.

- (d) Each legal custodian shall name a person to act as legal custodian in his absence or in the absence of his designee, and each legal custodian shall send notice of the designated deputy to the **City Clerk**.
- (e) The **City Clerk** shall establish criteria for establishing the records system and shall cause the department/office records system to be reviewed on an annual basis.

(Code 1994, § 3-3-3)

Sec. 2-216. - Public access.

Elected and appointed officials of the City shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.

(Code 1994, § 3-3-4(f)(6))

State Law reference— Public access to records, Wis. Stats. § 19.31 et seq.

Sec. 2-217. - Access procedures.

- (a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. No request may be refused because the request is received by mail, unless prepayment of a fee is required.
- (b) If the legal custodian, after conferring with the City Attorney, determines that a written request for a record is so general as to be unduly time consuming, the party making the request may first be required to itemize his request in a manner which would permit reasonable compliance.
- (c) A request for a record may be denied. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that, if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under Wis. Stats. § 19.37(1) or upon application to the Attorney General or a District Attorney.

(Code 1994, § 3-3-5)

State Law reference— Public access to records, Wis. Stats. § 19.31 et seq.

Sec. 2-218. - Records destruction.

- (a) City officers may destroy the following nonutility financial records of which they are the legal custodians and which are considered obsolete, after completion of any required audit by the bureau of municipal audit or an auditor licensed under Wis. Stats. ch. 442, but not less than seven years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stats. § 16.61(3)(e), and then after such shorter period:
 - (1) Bank statements, deposit books, slips and stubs.
 - (2) Bonds and coupons after maturity.

- (3) Canceled checks, duplicates and check stubs.
 - (4) License and permit applications, stubs and duplicates.
 - (5) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
 - (6) Receipt forms.
 - (7) Special assessment records.
 - (8) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.
- (b) City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the bureau of municipal audit or an auditor licensed under Wis. Stats. ch. 442, subject to State Public Service Commission regulations, but not less than seven years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stats. § 16.61(3)(e), and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed not less than two years after payment or receipt of the sum involved or the effective date of said record:
- (1) Contracts and papers relating thereto.
 - (2) Excavation permits.
 - (3) Inspection records.
- (c) City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than seven years after the record was effective unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stats. § 16.61(3)(e), and then after such a shorter period.
- (1) Contracts and papers relating thereto.
 - (2) Correspondence and communications.
 - (3) Financial reports other than annual financial reports.
 - (4) Justice dockets.
 - (5) Oaths of office.
 - (6) Reports of boards, commissions, committees and officials duplicated in the Common Council proceedings.
 - (7) Election notices and proofs of publication.
 - (8) Canceled voter registration cards.
 - (9) Official bonds.
 - (10) Police records other than investigative records.
 - (11) Resolutions and petitions, providing the text of the same appears in the official City minutes.
- (d) Notwithstanding the above provisions appearing in this section, it is intended hereby that election materials may be destroyed according to lesser time schedules as made and provided in Wis. Stats. § 7.23.
- (e) Any tape recordings of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

(Code 1994, § 3-3-7)

Secs. 2-219—2-244. - Reserved.

ARTICLE VII. - LOST, ABANDONED AND SURPLUS PROPERTY DISPOSAL

Sec. 2-245. - Surplus City property.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Surplus City property means that property which is owned by the City and which has no further usefulness to the City. An item of property shall be considered to have no further usefulness when:

- (1) The item or its function has been totally replaced by other City property and no probable future function exists for it;
- (2) The City no longer performs the service for which the item was purchased and no other service can reasonably be provided by the item; or
- (3) The item is no longer able to reliably or economically perform the work required of it.

The term "surplus property" shall not include land or buildings but shall include fixtures and such salvage as may be taken from a building without structural damage when such fixtures and salvage are not part of a demolition contract. The term "surplus City property" shall not include property which is obtained by the City as a result of abandonment or loss by the property's original owner; items of property which are traded in for newer items; and library materials used by the public library for lending purposes.

(b) *Determination of surplus.*

- (1) Whenever an item of City property is determined to be surplus City property on the basis that the City no longer performs the service for which the item was purchased, the Common Council shall determine whether or not the item is surplus City property.
- (2) Whenever the fair market value of the item is more than \$500.00, the Common Council shall determine whether or not the item is surplus City property.

(c) *Disposition of surplus property.*

- (1) Whenever the **Common Council** determines that an item of property is surplus City property, it shall dispose of such property as it determines.
- (2) Whenever the fair market value of an item is more than \$500.00 and the Common Council has determined, pursuant to the previous subsection, that the item is surplus City property, the department head responsible for the items shall dispose of the property by:
 - a. Donation to a nonprofit organization within the City or to a governmental agency;
 - b. Public auction;
 - c. Sale by sealed bid; or
 - d. Negotiated sale.
- (3) In the event of a public auction or sale by sealed bid, the item will be sold in "as-is" condition to the person submitting the highest bid provided, however, that a lower bid submitted by a nonprofit organization or governmental agency may be accepted by the Common Council. The department head responsible for the item shall determine the time in which the successful bidder must remove the item. In the event the item is not removed within that time, the item shall revert to the City and the amount of the bid shall be forfeited to the City. In the event no bids are received, the item shall be disposed of as directed by the Common Council.

- (4) No public auction or awarding of bids shall occur under this chapter unless a description of the item to be sold and an advance notice of the time and place for such auction or bid submission is first published as a Class 2 notice in the official City newspaper.
 - (5) Whenever the fair market value of an item is \$500.00 or less and the Common Council has determined, pursuant to the previous section, that it is surplus City property, the item shall be either disposed of as set forth in Subsection (c)(2) of this section or destroyed.
- (d) *Determination of fair market values.* Whenever this chapter requires a determination of the fair market value of an item of property, that determination shall be made by the department head responsible for the property, whose decision shall be final.
- (e) *Authority to dispose of property.*
- (1) Except for library materials used by the public library for lending purposes, only the Common Council may dispose of City property which is not surplus City property.
 - (2) Whenever this section provides for an auction or other disposition of any property, the Common Council shall be authorized to hire an auctioneer or take such other action as is necessary to properly dispose of the property provided, however, that the fees of such auctioneer and all such costs, other than those for City labor and the use of City property, do not exceed the payment received by the City from the auction or sale of the property.

(Code 1994, § 3-4-1)

Sec. 2-246. - Lost and abandoned property.

- (a) *City custody.*
- (1) Property which appears to be lost or abandoned, discovered by officers or turned in to the Chief of Police by citizens shall be disposed of according to this section.
 - (2) Lost and abandoned property will be examined by the Chief of Police for identifying marks in an attempt to determine the owner. If identifying marks are present, they shall be used by the Chief of Police to attempt to contact the owner to return the property. If no identifying marks are present, the property shall be taken into custody by the Chief of Police.
 - (3) No City employee shall keep for his own use property found in the course of duty, nor take possession of property during off-duty hours when the discovery was made while on duty.
 - (4) The Chief of Police shall permit citizens to claim lost property if they can provide sufficient proof that they are rightful owners.
 - (5) No City employee shall receive any lost, stolen, abandoned or other unclaimed property from the Chief of Police, unless that person receives a written receipt signed by the Chief of Police, a copy of which shall remain with the City Clerk.
- (b) *Procedures.*
- (1) *Property classes.* All property which has been abandoned, lost or remained unclaimed for a period of 30 days after the taking of possession of the same by the City shall be disposed of as follows, except that if the property is usable for City operations, the property need not be sold at auction, but may become the property of the City.
 - a. *Vehicles.* Vehicles shall be disposed of as set forth in the applicable provisions of Chapter 82, Article V.
 - b. *Intoxicating liquor and fermented malt beverages.* Intoxicating liquor and fermented malt beverages shall be destroyed.
 - c. *Firearms, ammunition and explosives.* Firearms or ammunition shall be returned to their rightful owner, destroyed, or transferred to the State Crime Laboratory, the division of law

enforcement services of the Department of Justice, the Federal Bureau of Investigation or the Alcohol, Tobacco and Firearms Bureau of the U.S. Department of Treasury. Any explosive, flammable, or other material providing a danger to life or property may be disposed of immediately upon taking possession thereof. The Chief of Police and the Fire Chief, after consulting with the County Sheriff's Department, are hereby authorized to determine the disposal procedure, provided, however, that any such procedure will attempt to return to its rightful owner any such material which appears to have been stolen. This subsection does not apply to seized dangerous weapons or ammunition governed by Wis. Stats. § 968.20(3)(b).

- d. *Other property with a fair market value of \$100.00 or less* . An item of property with a fair market value of \$100.00 or less shall be destroyed or sold at public auction. Perishable property which deteriorates to a fair market value of less than \$100.00 shall be destroyed.
 - e. *Other property with a fair market value of over \$100.00* . An item of property with a fair market value of more than \$100.00 shall be sold at public auction or by sealed bid.
 - f. *Illegal property*. Property which cannot be legally possessed shall be destroyed.
- (2) *Disposal by auction or sealed bid.*
- a. Whenever any property under this section is sold by public auction or sale or by sealed bid, such auction or the awarding of bids shall be preceded by a Class 2 notice describing the property and arranging the time and place for the auction or bid submission; such notice shall be published in the official City newspaper. The property auctioned or sold by sealed bid shall be sold in "as-is" condition to the highest bidder. No sale or auction shall occur until the Chief of Police has determined that the property has no value to any probable investigation or legal proceeding. The department head responsible for the property shall determine the time in which the successful bidder shall remove the property. In the event the property is not removed within that time, the property shall revert to the City and the amount of the bid be forfeited to the City.
 - b. Any City official selling property under this section shall maintain for two years an inventory of any property not disposed of by auction or sale by sealed bid and shall include a record of the date and method of disposal, any payment received for the property, and the name and address of the person acquiring the property.
- (3) *Lost property*. Property which is found by persons and delivered to the Chief of Police for the purpose of locating the former owner shall not be considered abandoned or unclaimed under this section until 30 days after mailing to the person finding the property a notice that he may claim ownership of said property. The Chief of Police shall determine what portion, if any, of the property or its value shall be given the finder. This provision shall not apply to any City employee finding property in the regular course of his employment.
- (4) *Payment to City Treasury*. All sums received from the sale of property under this section shall be paid to the City Treasury.

(Code 1994, § 3-4-2)

Secs. 2-247—2-270. - Reserved.

ARTICLE VIII. - CITATIONS¹²

Footnotes:

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State Law reference— Citations, Wis. Stats. § 66.0113.

Sec. 2-271. - Authorized.

The city elects to use the citation method of enforcement of ordinances, as provided for in Wis. Stats. § 66.0113.

(Code 1994, § 1-2-1)

Sec. 2-272. - Contents.

The citation shall conform to the State's citation standards currently in effect.

(Code 1994, § 1-2-2)

Sec. 2-273. - Form.

The form of the citation to be used by the City is on file in the **City Clerk's** office and is adopted by reference as though fully set forth herein.

(Code 1994, § 1-2-3)

Sec. 2-274. - Deposits.

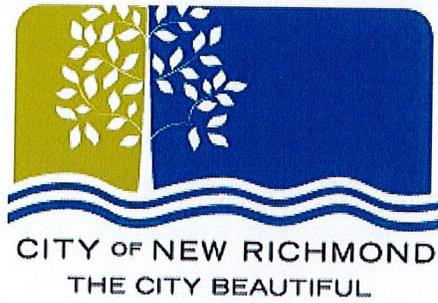
- (a) The schedule of cash deposits established for use with citations issued under this article shall be as established by resolution.
- (b) Deposits shall be made in cash, money order or check to the Clerk of Municipal Court or Police Department, who shall provide a receipt therefor.

(Code 1994, § 1-2-4)

Sec. 2-275. - Issuance.

- (a) *Law enforcement officer.* Any law enforcement officer may issue citations authorized under this article.
- (b) *City officials.* The following City officials may issue citations with respect to those specified ordinances which are directly related to their official responsibilities:
 - (1) Any law enforcement officer;
 - (2) Fire Chief or Fire Inspector;
 - ~~(3) School Crossing Guards;~~
 - (4) Building Inspector; ~~Plumbing Inspector;~~ Electrical Inspector; HVAC Inspector;
 - (5) Zoning Administrator.

(Code 1994, § 1-2-5)



156 East First Street
New Richmond, WI 54017
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TO: City Council
FROM: Tanya Batchelor, City Clerk
DATE: May 10, 2018
RE: Mayor's Appointments

Background

Attached is a list of Council and Citizen appointments.

Recommendation

Council approval is needed for these appointments.

MAYOR'S APPOINTMENTS

FINANCE -	Committee of the Whole
PUBLIC WORKS -	Zajkowski, Montello, Kittel
PUBLIC SAFETY-	Ard, Jackson, Volkert
PLAN COMMISSION -	Jim Zajkowski
PARK BOARD -	Craig Kittel
ETHICS BOARD -	Ron Volkert, Scottie Ard
AIRPORT COMMISSION –	Jim Zajkowski, Craig Kittel
EMERGENCY GOVERNMENT COMMITTEE -	Jim Jackson
BOARD OF REVIEW -	Montello, Volkert, Zajkowski
HISTORIC PRESERVATION COMMISSION -	Mike Montello
FORWARD NEW RICHMOND-	Mike Montello
COMMUNITY DEVELOPMENT AUTHORITY -	Jim Jackson, Ron Volkert
AMBULANCE BOARD –	Volkert, Kittel, Jackson
FIRE BOARD -	Jackson, Volkert, Zajkowski
HOUSING AUTHORITY -	Ron Volkert

CITIZEN APPOINTMENTS

UTILITY COMMISSION -	Mike Kastens
FORWARD NEW RICHMOND -	Tom Mews, Summer Seidenkranz Heather McAbee, Paul Mayer Karl Skoglund, Cathy Longtin Rob Kriebich



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MEMORANDUM

TO: New Richmond City Council
FROM: Craig Yehlik, Chief of Police
DATE: May 14, 2018
SUBJECT: Update city ordinance 50-142

BACKGROUND

With the legalization of Marijuana in other states there has been an increase in the presence of oils derived from Marijuana plants in the New Richmond area. An inventory of smoke/tobacco shops in the City of New Richmond showed that two local shops were offering for sale CBD oils which is a Cannabidiol oil derived from Marijuana plants.

After talking with representatives from Alcohol, Tobacco and Firearms at that time they indicated that there is a lot of miscommunication as to the legality of these oils and pills but hold firm that they are illegal to possess and sell in the state of Wisconsin. They did recommend an educational remedy and asking for voluntary compliance in stores removing the items at that time.

January 5, 2018 the Department of Justice, office of the Wisconsin Attorney General issued a memorandum to law enforcement (attached) discussing CBD further and that it is still illegal to possess regardless if it contains a measurable amount of tetrahydrocannabinol (THC) the psychoactive portion of the substance.

In March of 2018, a store in New Richmond (previously warned) had re-introduced the CBD oils to their shelves for sale. Those items have been seized and the information has been sent for prosecution.

New Richmond Police have also had other incidents involving CBD oil as the oil can be utilized in vaping type smoking devices.

City Attorney Kristina Williamson has reviewed and agreed that the ordinance would have to be created to include CBD oil in any form to successfully prosecute possession in the City, otherwise would have to be referred to Circuit Court.

Action Required

Staff is recommending approval of the Ordinance 50-142 (Attached) as presented by Attorney Nick Vivian following the same bond/fine schedule in place for the possession of Marijuana ordinance.

Date: January 5, 2018

To: Public

From: Amber L. Hahn
Assistant Attorney General

Subject: Distribution and Possession of Cannabidiol (CBD) in Wisconsin

Background:

The definition of THC pursuant to section 961.14(4)(t) of the Wisconsin Statutes was first changed to make an exception, under certain circumstances, for CBD in 2013 Wisconsin Act 267 which was published on April 17, 2014. 2017 Wisconsin Act 4 was published on April 18, 2017, which was the result of 2017 Senate Bill 10. This act further clarified some of the changes to the THC laws that were implemented in 2014.

Dispensing CBD:

Both the 2014 and 2017 changes to the law include very specific provisions for how CBD can be distributed in Wisconsin. The current law, as of the date of this memo, provides that only a pharmacy or physician that has been issued an investigational drug permit by the federal Food and Drug Administration and has been approved to dispense CBD, in a form without a psychoactive effect, by the Wisconsin Controlled Substance Board may lawfully dispense CBD. Sec. 961.38(1n), Wis. Stats.

The law does not have a provision for retailers to dispense CBD unless they are operating under an investigative drug permit issued to a physician and have been approved by the Wisconsin Controlled Substance Board.

Possessing CBD:

An individual may possess CBD, in a form without psychoactive effect, in Wisconsin if they have a certification issued by a physician (as defined by section 448.04(1)(a) of the Wisconsin Statutes). The certification must include:

- 1) a date of issue no more than one year prior to the date of possession,
- 2) name, address and telephone number of the physician,
- 3) name, address and phone number of the patient, and;
- 4) the certification must state that the patient possesses the CBD to treat a medical condition. Sec. 961.32, Wis. Stats.

Potential Charges/Penalties:

Potential charges and penalties for persons who possess CBD in violation of Wisconsin law are going to depend upon whether the CBD substances contain THC. As such, if a person is dispensing a CBD product and is not authorized under the statute to do so, and the CBD product has a reportable amount of THC, an offense of delivery or possession with intent to deliver THC could be charged under section 961.41(1)(h) or (1m)(h) of the Wisconsin Statutes. The penalties associated with these charges would be anywhere from a Class I Felony, \$10,000 fine and/or three years six months in prison, to a Class E Felony, \$50,000 fine and/or 15 years in prison, depending upon the quantity involved.

Likewise, a person possessing CBD without a certification may be charged with possession of THC under section 961.41(3g)(e) of the Wisconsin Statutes if the CBD substance contains THC. The penalties for these violations range from an unclassified misdemeanor, punishable by up to a \$1,000 fine and/or six months in jail, to a Class I Felony, \$10,000 fine and/or three years six months in prison, depending upon whether this is the person's first conviction for a felony or misdemeanor under Wis. Stat. ch. 961 or any other statute in the United States for a controlled substance crime.

If a person is dispensing or possessing CBD in violation of the statute, but no reportable amount of THC is detected upon a testing of the substance, then the person dispensing or possessing the CBD in violation of section 961.38(1n) of the Wisconsin Statutes may be subject to a forfeiture punishable by no more than \$200, pursuant to section 939.61(1) of the Wisconsin Statutes.

ORDINANCE NO. _____

**CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN**

**AN ORDINANCE AMENDING
CITY CODE CHAPTER 50 ARTICLE V
MAKING IT UNLAWFUL TO POSSESS TETRAHYDROCANNABINOLS**

WHEREAS, the City of New Richmond (“City”) has enacted and currently enforces City Code Ordinance Chapter 50 Article V regulating City offenses involving public morals; and

WHEREAS, Chapter 50 Article V Section 50-150 specifically prohibits possession of marijuana; and

WHEREAS, there is a growing use of the active marijuana ingredient tetrahydrocannabinols, commonly known as THC, to achieve a psychoactive effect in ways other than through use of marijuana; and

WHEREAS, one way in which individuals obtain psychoactive effect of tetrahydrocannabinols is through the use of Cannabidiol (“CBD”); and

WHEREAS, often times the trace amounts of tetrahydrocannabinols in CBD is undetectable unless the CBD is tested at a laboratory making it difficult for enforcement officers to determine whether CBD contains an active amount of tetrahydrocannabinols; and

WHEREAS, use of CBD creates a danger to the public health, safety, comfort and general welfare of the people the City of New Richmond; and

WHEREAS, it is in the best interest of the City to prohibit all possession of CBD, whether or not the CBD actually contains active amounts of tetrahydrocannabinols, within the City; and

WHEREAS, the Common Council desires to prohibit the possession of CBD by any individual in the City to protect the public health, safety, comfort and general welfare of the people of the City of New Richmond.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF NEW RICHMOND, AS FOLLOWS:

1. Adoption of Ordinance. Chapter 50 Article V Section 50-142 of the Code of the City of the City of New Richmond is hereby created to provide as follows:

Sec. 50-142. – Cannabidiol possession.

- (a) *Purpose.* This Section is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of New Richmond.

(b) *Unlawful Possession.* It shall be unlawful for any person to possess or attempt to possess cannabidiol, also referred to as CBD, or any consumable product which is cannabinoid based unless it was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by Wis. Stats. Ch. 961.

(b) For purposes of this section, the term "practitioner" means:

- (1) A physician, dentist, veterinarian, podiatrist, scientific investigator or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in the State.
- (2) A pharmacy, hospital or other institution licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research in the State.

2. Severability. Each section, paragraph, sentence, clause, work, and provision of this section is severable, and if any such section or provision shall be held unconstitutional or invalid for any reason, such decision(s) shall not affect the remainder of the section nor any part thereof other than that affected by such decision.

3. Effective Date. This Ordinance shall take effect immediately upon passage by the Common Council and publication as provided by law.

Passed and adopted by the City Council for the City of New Richmond this ____ day of _____, 2018.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk



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MEMORANDUM

TO: New Richmond City Council

FROM: Craig Yehlik, Chief of Police

DATE: May 14, 2018

SUBJECT: Vaping devices by those under 18

BACKGROUND

With vaping quickly becoming an alternative to cigarette smoking and chewing tobacco New Richmond Police Department officers are noticing more people under 18 in possession of the E-cig and vaping type devices. There are no field tests for nicotine or tobacco and the crime lab will not test these items for ordinance violations or misdemeanor offenses. With unknown health effects of the use of these devices, regardless of what type of liquid is inside (CDB oils, Nicotine, generic) the health risks to those utilizing the device are unknown however there is the potential for harm to those using the device as well as those breathing in the residual smoke/vape, no matter the content.

Attorney Nick Vivian and his staff has presented an ordinance 50-284 to create an ordinance to include making possession of E-cig, vaping or any other equipment that can be used to inhale vaporized oils or liquids, whether they contain tobacco or not, against city ordinance to possess or use by anyone under the age of 18, unless they are in their own home with parental consent or possession for legitimate sale in the course of their employment.

Action Required

Staff is recommending approval of the Ordinance 50-284 (Attached) as presented by Attorney Nick Vivian.

ORDINANCE NO. _____

**CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN**

**AN ORDINANCE CREATING
CITY CODE CHAPTER 50 ARTICLE VII SECTION 50-284
MAKING IT UNLAWFUL FOR MINORS TO USE OR POSSESS VAPING DEVICE
PRODUCTS**

WHEREAS, the City of New Richmond (“City”) has enacted and currently enforces all Sections under City Code Ordinance Chapter 50 Article VII relating to offenses involving underage persons; and

WHEREAS, decline in cigarette smoking has resulted in an increase in the popularity of alternative electronic nicotine delivery products and electronic smoking devices (“Vaping Device Products”) among minors; and

WHEREAS, Vaping Device Products provide an alternative smoking experience to tobacco cigarettes. Vaping Device Products are not subject to regulation by the Federal Food and Drug Administration (FDA) and have not been proven safe for either users or bystanders. The contents of cartridges vary widely and may contain nicotine, traces of nicotine, carcinogens, formaldehyde, antifreeze and other toxic substances which may pose health risks for users and bystanders. Vaping Device Products do not produce a gas or vapor but rather a dense visible aerosol of liquid submicron droplets consisting of glycols, nicotine, and other chemicals, some of which are carcinogenic. Packaging does not consistently include health warnings as required for conventional cigarettes and does not provide notice of harmful effects, nicotine concentration levels, or the existence or content levels of toxic substances; and

WHEREAS, Vaping Device Products have been proven to emit nicotine, ultra-fine particles, volatile organic compounds and other toxins, which if inhaled can be dangerous to everyone, especially children and pregnant women. Exposure to ultrafine particles is distressing and harmful and may exacerbate respiratory illnesses, such as asthma and may constrict arteries which could trigger a heart attack. The volatile organic compounds, such as formaldehyde and benzene, found in electronic smoking device aerosols, as well as conventional cigarette smoke, are proven carcinogens. Inhalation of vaporized nicotine in propylene glycol is not FDA approved. Short term exposure to propylene glycol causes eye, throat, and airway irritation and long-term inhalation can result in developing asthma. Some studies show that heating propylene glycol changes its chemical composition, producing small amounts of propylene oxide, a known carcinogen. There are metals in electronic smoking device aerosol, including chromium, nickel and tin nanoparticles; and

WHEREAS, underage persons in particular may be more vulnerable to the marketing and appeal of Vaping Device Products and may migrate from these devices to conventional cigarettes and tobacco products. Furthermore, Vaping Device Products containing nicotine can create or sustain a nicotine addiction. Nicotine is an addictive and harmful substance; and

WHEREAS, Vaping Device Products are battery operated devices with cartridges filled with liquid sometimes containing nicotine and other chemicals that turn into vapor or steam which a person inhales. The nicotine or chemicals contained in the Vaping Device Product liquid is undetectable unless the liquid is tested at a laboratory making it difficult for enforcement officers to determine the contents of the liquid used in any particular Vaping Device Product; and

WHEREAS, the use of Vaping Device Products can pose health risks from which minors should be protected. Access to these substances and devices by youth should be restricted; and

WHEREAS, it is in the best interest of the City to prohibit the access and use of Vaping Device Products by minors located within the City; and

WHEREAS, the Common Council desires to prohibit the use and possession of Vaping Device Products by minors, whether or not such devices actually contain nicotine or harmful chemicals, in the same way use and possession of tobacco by minors is prohibited.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF NEW RICHMOND, AS FOLLOWS:

1. Adoption of Ordinance. Chapter 50 Article VII Section 50-284 of the City Code of the City of New Richmond is hereby created to provide as follows:

Sec. 50-284. – Vaping Device Products.

- (a) *Purpose*. This Section is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of New Richmond and particularly health and safety of persons under the age of eighteen.
- (b) *Definition*. For the purposes of this section, the term “Vaping Device Product” means any noncombustible product, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form including but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” shall include any vapor cartridge, solution, or other container, that may or may not contain nicotine, that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” does not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act
- (c) *Purchase by minors*. It shall be unlawful for any person under the age of 18 years to purchase a Vaping Device Product except as provided in subd. (e) of this Section, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing a Vaping Device Product.

- (d) *Possession by minors.* It shall be unlawful for any person under the age of 18 years to possess a Vaping Device Product except as provided in subd. (e) of this Section; provided that the possession by a person under the age of 18 years under the direct supervision of the parent or legal guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.
- (e) *Exceptions.* A person under eighteen (18) years of age may purchase or possess Electronic Nicotine Delivery System of other Non-Nicotine Vapor Product for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer. The defenses provided in Wis. Stat. § 134.66 (3) (a) – (c) shall also be defenses to prosecution under this ordinance.

2. Severability. Each section, paragraph, sentence, clause, work, and provision of this section is severable, and if any such section or provision shall be held unconstitutional or invalid for any reason, such decision(s) shall not affect the remainder of the section nor any part thereof other than that affected by such decision.

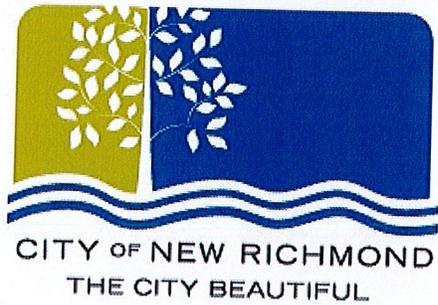
3. Effective Date. This Ordinance shall take effect immediately upon passage by the Common Council and publication as provided by law.

Passed and adopted by the City Council for the City of New Richmond this ____ day of _____, 2018.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: New Richmond City Council
FROM: Craig Yehlik, Chief of Police
DATE: May 14, 2018
SUBJECT: Vaping devices on school property

BACKGROUND

With vaping quickly becoming an alternative to cigarette smoking and chewing tobacco the school district has been seeing an increase number of students and adults visiting the school using e-cig or vaping type equipment on school property.

The New Richmond school district has updated their Tobacco Policy to include any vaping devices and have requested that the police department assist in enforcing this policy by making an enforceable ordinance similar to the no tobacco on school property.

Attorney Nick Vivian and his staff has presented an ordinance 50-9 to adopt an ordinance to include making possession of E-cig, vaping or any other equipment that can be used to inhale vaporized oils or liquids, whether they contain tobacco or not, against city ordinance to possess or use on school property.

Action Required

Staff is recommending approval of the Ordinance 50-9 (Attached) as presented by Attorney Nick Vivian.

ORDINANCE NO. _____

**CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN**

**AN ORDINANCE CREATING
CITY CODE CHAPTER 50 ARTICLE I SECTION 50-9
REGULATING THE USE AND POSSESSION OF VAPING DEVICE PRODUCTS ON
SCHOOL PROPERTY**

WHEREAS, the City of New Richmond (“City”) has enacted and currently enforces all Sections under City Code Ordinance Chapter 50 Article I establishing general municipal offenses and miscellaneous provisions; and

WHEREAS, decline in cigarette smoking has resulted in an increase in the popularity of alternative electronic nicotine delivery products and electronic smoking devices (“Vaping Device Products”) among minors; and

WHEREAS, Vaping Device Products provide an alternative smoking experience to tobacco cigarettes. Vaping Device Products are not subject to regulation by the Federal Food and Drug Administration (FDA) and have not been proven safe for either users or bystanders. The contents of cartridges vary widely and may contain nicotine, traces of nicotine, carcinogens, formaldehyde, antifreeze and other toxic substances which may pose health risks for users and bystanders. Vaping Device Products do not produce a gas or vapor but rather a dense visible aerosol of liquid submicron droplets consisting of glycols, nicotine, and other chemicals, some of which are carcinogenic. Packaging does not consistently include health warnings as required for conventional cigarettes and does not provide notice of harmful effects, nicotine concentration levels, or the existence or content levels of toxic substances; and

WHEREAS, Vaping Device Products have been proven to emit nicotine, ultra-fine particles, volatile organic compounds and other toxins, which if inhaled can be dangerous to everyone, especially children and pregnant women. Exposure to ultrafine particles is distressing and harmful and may exacerbate respiratory illnesses, such as asthma and may constrict arteries which could trigger a heart attack. The volatile organic compounds, such as formaldehyde and benzene, found in electronic smoking device aerosols, as well as conventional cigarette smoke, are proven carcinogens. Inhalation of vaporized nicotine in propylene glycol is not FDA approved. Short term exposure to propylene glycol causes eye, throat, and airway irritation and long-term inhalation can result in developing asthma. Some studies show that heating propylene glycol changes its chemical composition, producing small amounts of propylene oxide, a known carcinogen. There are metals in electronic smoking device aerosol, including chromium, nickel and tin nanoparticles; and

WHEREAS, Vaping Device Products are battery operated devices with cartridges filled with liquid sometimes containing nicotine and other chemicals that turn into vapor or steam which a person inhales. The nicotine or chemicals contained in the Vaping Device Product liquid is undetectable unless the liquid is tested at a laboratory making it difficult for enforcement officers to determine the contents of the liquid used in any particular Vaping Device Product; and

WHEREAS, the use of Vaping Device Products can pose health risks from which minors should be protected. Access to these substances and devices by youth should be restricted; and

WHEREAS, it is in the best interest of the City to prohibit the access and use of Vaping Device Products by any persons while such person is on any school property, including present within any school building or upon school grounds or riding in any school controlled vehicle; and

WHEREAS, the Common Council desires to prohibit the use and possession of Vaping Device Products by any person on or in any school property in the same way use and possession of tobacco is prohibited in such locations.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF NEW RICHMOND, AS FOLLOWS:

1. Adoption of Ordinance Section 50-9. Chapter 50 Article I Section 50-9 of the City Code of the City of New Richmond is hereby created to provide as follows:

Sec. 50-284. – Prohibited Possession of Vaping Device Products on School Property.

- (a) *Purpose.* This Section is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of New Richmond.
- (b) *Definition.* For the purposes of this section, the term “Vaping Device Product” means any noncombustible product, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form including but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” shall include any vapor cartridge, solution, or other container, that may or may not contain nicotine, that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” does not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act
- (c) *Possession on School Property.* It shall be unlawful for any person to possess or use a Vaping Device Product on property owned or rented by, or under the control of, the School District of New Richmond, including but not limited to school buildings, school grounds, or vehicles owned, rented, contracted or controlled by the New Richmond School Board.

2. Severability. Each section, paragraph, sentence, clause, work, and provision of this section is severable, and if any such section or provision shall be held unconstitutional or invalid for any reason, such decision(s) shall not affect the remainder of the section nor any part thereof other than that affected by such decision.

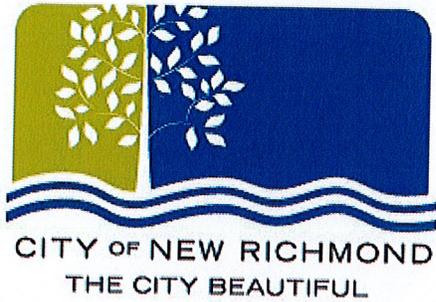
3. Effective Date. This Ordinance shall take effect immediately upon passage by the Common Council and publication as provided by law.

Passed and adopted by the City Council for the City of New Richmond this _____ day of _____, 2018.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: New Richmond City Council
FROM: Craig Yehlik, Chief of Police
DATE: May 14, 2018
SUBJECT: Vaping in City owned buildings

BACKGROUND

With the increase in the amount of people utilizing vaping devices in lieu of normal means of ingesting tobacco products, a question has risen to explore an ordinance prohibiting vaping in city owned buildings and a geographically restricted area around entrances.

Action

Direct staff to further research and create an ordinance prohibiting vaping within city owned buildings and within a geographically restricted area around building entrances.



156 East First Street
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Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: New Richmond City Council
FROM: Craig Yehlik, Chief of Police
DATE: May 14, 2018
SUBJECT: Update, Application for License to Serve

BACKGROUND

With recent events surrounding the application for license to serve Fermented Malt Beverages and Intoxicating liquors the form was reviewed for accuracy and to make sure that the statutes on the form were still applicable and relevant. While reviewing the form, and reviewing application forms from other cities similar in size to New Richmond (River Falls and Hudson) it was decided that the form should be updated. Staff worked with City Attorney Nick Vivian to come up with an updated form that provides not only more significant information to assist in the background investigation but has an authorization and disclaimer for release of information to the public, which we have not had in the past.

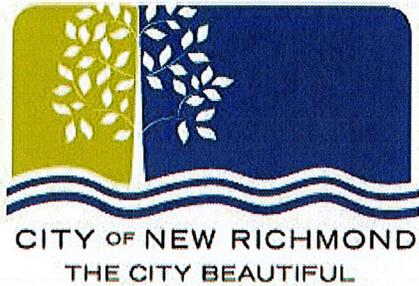
Also for Council consideration, is that while doing this research it was found that Hudson and River Falls both charge more for this application process than the City of New Richmond. The other two municipalities are currently charging \$35 and \$40 plus the \$7 background investigation fee, which simply covers the exact charge, charged by the state of Wisconsin. New Richmond is only charging \$30 + the \$7 fee for the 2 year license.

The Clerk and Police department handled 57 applications in 2017.

Action Required

Staff is recommending the approval of the new "application for license to serve fermented malt beverages and intoxicating liquors"

Staff is also recommending Council evaluation of potentially raising the fee from \$30 to \$40.



APPLICATION FOR LICENSE TO SERVE

Fermented Malt Beverages and Intoxicating Liquors

To the Council of the City of New Richmond, Wisconsin: Date: _____

I hereby apply for a License to serve, from date hereof to June 30, 2____,____, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitation imposed by ~~Section~~Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes and all acts amendatory ~~thereof~~ and supplementary ~~thereto, and to those sections.~~ I hereby agree to comply with all laws, resolutions, ordinances, and regulations, ~~Federal, State~~federal, state, or ~~Local~~local, affecting the sale of such beverages and liquors if a license is granted to me.

I certify that I am _____ years old and do not have an arrest or conviction record ~~to~~ SS.111.321, 111.322 and 111.335. _____ except as disclosed below.

Birth Date _____, _____

Birth Date _____
_____ Signature of Applicant

Answer the following questions fully and completely:

Name of Applicant _____
First _____ Middle-Name _____ Last _____

Address of Applicant _____
Street Address _____ City _____ State _____

Zip Code _____
Phone Number _____ Driver's License
_____ # _____

Where will you be working? _____ (Include Copy include copy of DL)
New

Is this application for a new license or Renewal _____
a renewal? _____ If a renewal, where and when was prior license obtained?

As required by Have you, within the WI Statutes 125.71(6), have you past 2 years, completed the alcohol awareness a responsible server training course? _____? If so, where? _____ you are exempt or currently enrolled, explain here: _____

(include copy of certificate)

Have you been convicted of any felony or of violating any law of the State of Wisconsin, any other state, or the United States? (**include all traffic tickets**) _____) Describe all convictions below.

Date of such conviction _____

Name of Court _____

Nature of Offense _____

	<u>#1</u>	<u>#2</u>	<u>#3</u>
<u>Nature of offense</u>			
<u>Date of conviction</u>			
<u>Name of court</u> <u>(include file number, if available)</u>			
<u>Additional explanation</u>			

(attach additional sheet, if necessary)

Do you have any charges pending that could result in a conviction? _____ If so, describe: _____

Have you ever been convicted of violating any law or ordinance regulating the sale of Fermented malt beverages or intoxicating liquors? _____
Malt Beverages or Intoxicating Liquors? _____

I hereby authorize the City of New Richmond and any of its departments, including (without limitation) the New Richmond Police Department, within one year of the date of

this application, to obtain information and records pertaining to me from any source and to use such information and records in the investigation and evaluation of this application. I understand that some or all of such information may be disclosed to the public in connection with the processing of this application. I release the City of New Richmond and all of its departments, officers, employees, agents, and related persons, from any and all liability for damages of any kind whatsoever that may arise from release of information or records obtained in connection with this application.

State of Wisconsin)
St. Croix County) SS.

Signature of Applicant

_____, being first duly sworn on oath says that (s)he is the person who made and signed the foregoing application for an operator's license; and that all ~~statements made by the applicant are~~ information on this application is true, correct, and complete.

Subscribed and sworn before me this _____
~~Day~~day of _____, _____

~~Signature of Applicant~~

Notary Public, St. Croix County, Wisconsin

PROVISIONAL LICENSE _____ \$15.00 + \$7.00 INVESTIGATION FEE RECEIPT# _____
REGULAR LICENSE _____ \$3040.00 + \$7.00 INVESTIGATION FEE RECEIPT# _____

	#1	#2	#3
Date of conviction			
Name of court (include file number, if available)			
Additional explanation			

(attach additional sheet, if necessary)

Do you have any charges pending that could result in a conviction? _____ If so, describe: _____

Have you ever been convicted of violating any law or ordinance regulating the sale of Fermented Malt Beverages or Intoxicating Liquors? _____

I hereby authorize the City of New Richmond and any of its departments, including (without limitation) the New Richmond Police Department, within one year of the date of this application, to obtain information and records pertaining to me from any source and to use such information and records in the investigation and evaluation of this application. I understand that some or all of such information may be disclosed to the public in connection with the processing of this application. I release the City of New Richmond and all of its departments, officers, employees, agents, and related persons, from any and all liability for damages of any kind whatsoever that may arise from release of information or records obtained in connection with this application.

State of Wisconsin)
St. Croix County) SS.

Signature of Applicant

_____, being first duly sworn on oath says that (s)he is the person who made and signed the foregoing application for an operator's license and that all the information on this application is true, correct, and complete.

Subscribed and sworn before me this _____
day of _____, _____

Notary Public, St. Croix County, Wisconsin

PROVISIONAL LICENSE _____ \$15.00 + \$7.00 INVESTIGATION FEE RECEIPT# _____
REGULAR LICENSE _____ \$40.00 + \$7.00 INVESTIGATION FEE RECEIPT# _____



TO: Mayor Fred Horne and City Council
FROM: Rae Ann Ailts, Finance Director
DATE: May 3, 2018
RE: 2017 Fourth Quarter Financial report and 2018 Reporting Schedule

Staff will present the 2017 4th Quarter Financial report during the council meeting. The 4Q17 report will also be available on the City's website page following the council meeting. The 2017 Audited Financial Statements will be available in mid-June and will be posted on the City's website page.

The 2018 financial reporting schedule for the remainder of 2018 is listed below.

Reporting Period	Presentation of Report
1 st Quarter 2018	June 11, 2018
2 nd Quarter 2018	August 13, 2018
3 rd Quarter 2018	November 12, 2018
4 th Quarter 2018 (Approval of Budget Appropriations/Amended Budget)	March 11, 2019

No action is being requested at this time.

CITY OF NEW RICHMOND



THE CITY BEAUTIFUL

4th Quarter 2017 FINANCIAL REPORT

City of New Richmond

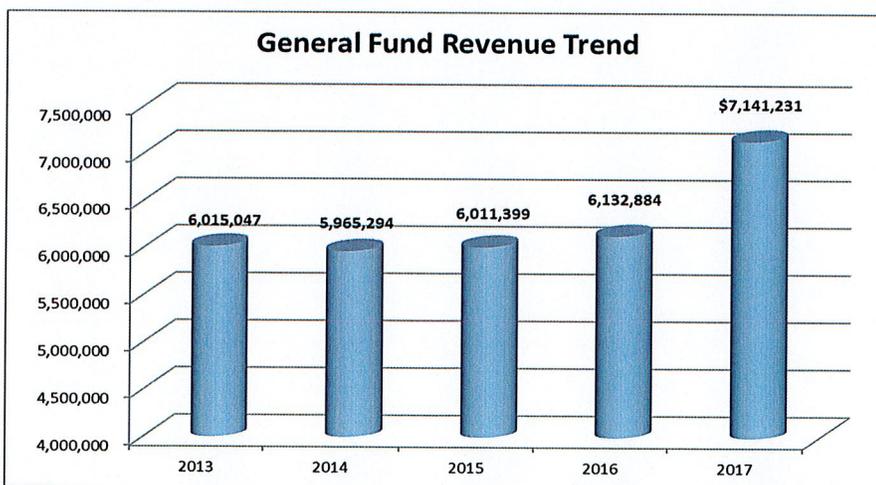
OPERATING REVENUE – GENERAL FUND

2017 Actual Revenue Compared to Budget

As of December 31, 2017, 114% of budgeted revenue has been collected, which is significantly higher when compared to the average fourth quarter revenue trend of 102.9%. Higher than usual revenue collections are due to the following one-time unbudgeted drivers: sale of property in the Business and Technical Park (\$457,380), and insurance recoveries from the June hailstorm (\$343,789). Additionally, \$419,760 in building permit and inspection fees was collected in 2017, which is a favorable variance of \$217,757 when compared to budget. Permit and inspection revenue was driven by increased residential construction and permits related to storm damage repair. Excluding the above-mentioned land sale and insurance proceeds, revenues in 4Q17 would have been \$6,340,062 (101.3% of budget).

Revenue Category	2016	2017YTD	2017 Amended Budget	% Act to Budget	% Revenue by Source
Taxes (Levy & taxes other than property)	\$ 3,122,286	\$ 2,999,651	\$ 2,977,574	101%	48%
Intergovernmental	\$ 1,566,280	\$ 1,604,336	\$ 1,593,683	101%	25%
Licenses and permits	\$ 272,554	\$ 491,904	\$ 269,168	183%	4%
Fines, forfeitures, and penalties	\$ 86,665	\$ 98,411	\$ 98,000	100%	2%
Public charges for services	\$ 302,184	\$ 287,088	\$ 270,398	106%	4%
Intergovernmental charges for services	\$ 26,149	\$ 28,019	\$ 24,000	117%	0%
Special assessments	\$ 13,978	\$ 8,008	\$ 3,196	251%	0%
Investment income	\$ 36,676	\$ 53,106	\$ 54,114	98%	1%
Miscellaneous	\$ 161,834	\$ 973,445	\$ 129,767	750%	2%
Operating Transfers In	\$ 544,278	\$ 597,263	\$ 837,270	71%	13%
Total Revenue	\$ 6,132,884	\$ 7,141,231	\$ 6,257,170	114%	100%

5- Year Revenue Trend



Revenues over the last five years have been consistent, with increases in room tax collections and transportation aids. Additionally, increased commercial and residential construction have positively affected building permit revenue collected.

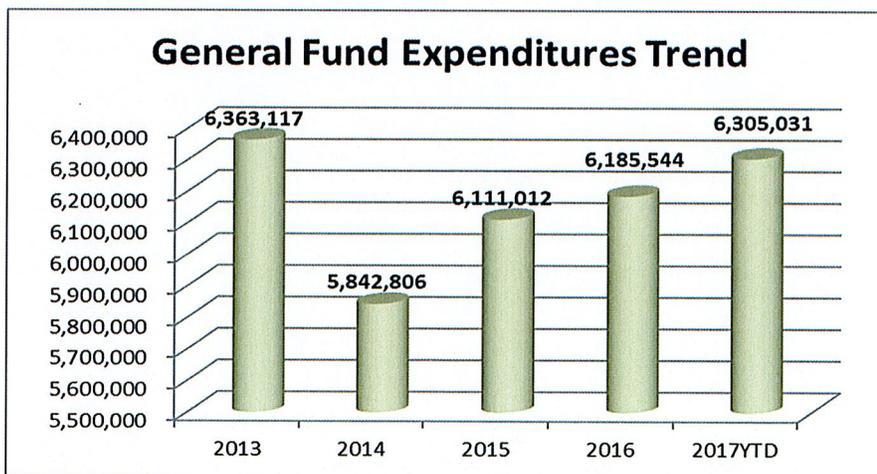
OPERATING EXPENSES – GENERAL FUND

Through the first two quarters of 2017, unforeseen one-time expenditures, which included a palpable assessment error, retirement benefits paid due to an unbudgeted retirement of an employee in 1Q17, contracted custodial services, and contracted building inspection expenses resulted in higher than budgeted expenses. However, we forecasted these expenses would be offset by lower than budgeted expenses in other areas and increased revenue. At year-end, actual expenditures were \$6,305,031, which was slightly lower than amended budget expenditures of \$6,338,629.

Expenditure by Department	2016	2017YTD	2017 Amended Budget	% Act to Budget	% Expense by Dept
Police	\$ 1,935,225	\$ 2,115,972	\$ 2,116,022	100%	33%
General Government	\$ 1,317,467	\$ 1,069,234	\$ 1,069,234	100%	17%
Streets	\$ 993,104	\$ 1,072,350	\$ 1,085,708	99%	17%
Parks	\$ 375,071	\$ 404,026	\$ 404,026	100%	6%
Library	\$ 695,567	\$ 763,007	\$ 763,007	100%	12%
Fire	\$ 288,206	\$ 264,247	\$ 264,319	100%	4%
Airport	\$ 141,074	\$ 163,663	\$ 164,216	100%	3%
Economic Development	\$ 99,882	\$ 93,465	\$ 99,312	94%	2%
Ambulance & Emer. Gov't	\$ 106,010	\$ 120,874	\$ 120,874	100%	2%
Culture	\$ 59,095	\$ 71,627	\$ 82,953	86%	1%
Taxi	\$ 99,872	\$ 113,438	\$ 114,000	100%	2%
Health & Social Services	\$ 11,855	\$ 5,632	\$ 7,250	78%	0%
Outlay Expenditures	\$ 48,044	\$ 33,882	\$ 33,945	100%	1%
Transfers	\$ 15,072	\$ 13,614	\$ 13,763	99%	0%
Total Expenditures	6,185,544	6,305,031	6,338,629	99%	100%

Public safety, which includes Police, Fire, and EMS, represents 39% of expenditures, followed by public works at 23% and general government at 17%, which is consistent with prior years.

5-Year Expenditure Trend



Excluding the one-time expenses outlined above, 2017 expenditures would have been \$6,226,015 or 0.65% more than 2016. However, 2017 expenditures are \$58,086 or 0.90% lower than 2013.

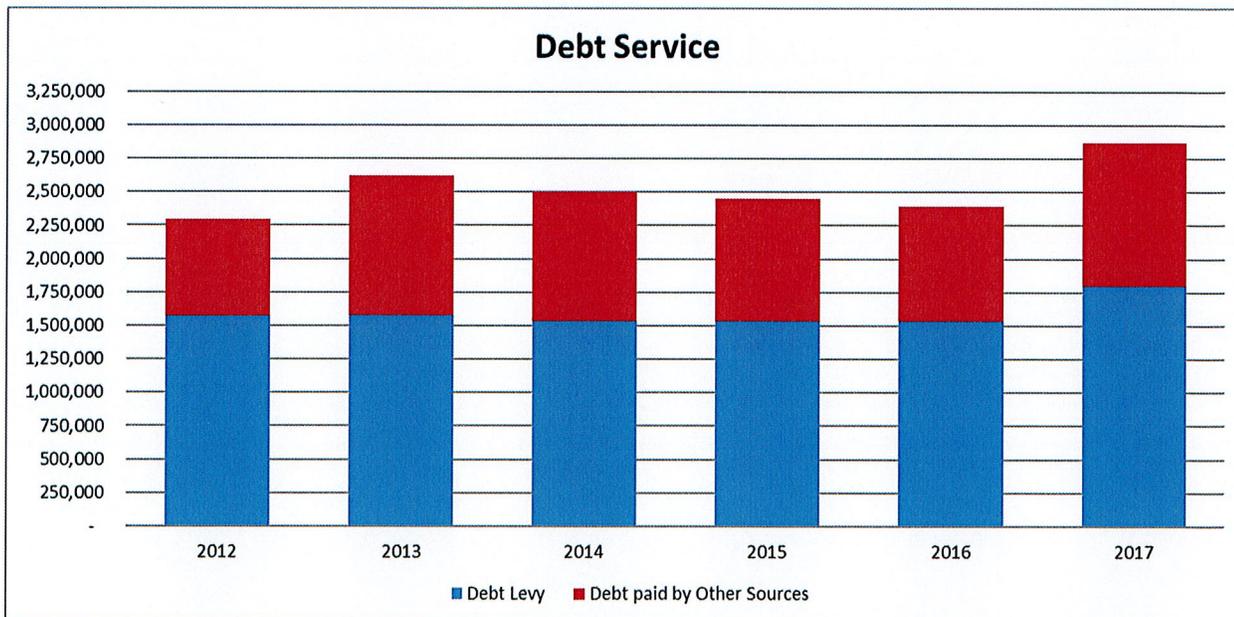
GENERAL OBLIGATION DEBT

General Obligation Debt

Principal and interest payments of \$1,740,024 and \$510,660 respectively, were made in 2017. The City also issued new General Obligation (GO) Bonds in the amount of \$3,235,00 of which \$1,290,000 was related to water, sewer and storm water construction which is repaid through rates charged for these services. The 2017 new bond issuance was structured with a 15-year payback while the repayment schedule for the 2007 and 2008 debt issuances remained unchanged.

5-Year Debt Service Trend

The general obligations of the City are repaid by a variety of sources, based upon the use of the borrowed funds, including: property taxes, storm water revenue, tax increment, or revenue generated by the electric, water and sewer utility. The City's debt levy has remained consistent over the last five years, with a slight increase in 2017 due to structuring repayment of new debt over a 15-year payback period instead of the previous 20-year schedule.



INVESTMENT

Beginning in 4Q17, the City began collateralizing funds through an irrevocable letter of credit instead of the previous repurchase agreement. Collateralizing funds through the letter of credit provided greater administrative efficiencies, higher rate of earning and secures City funds up to ten million dollars. With this change, where funds are classified has changed as well when comparing 2016 to 2017. This classification can be noted under the investments account and operating cash balances when comparing 2016 to 2017. However, when comparing total investments and cash year-end, balances are similar.

Below is an overview of operating and investment funds as of December 31, 2017:

INVESTMENT	December 31, 2017	December 31, 2016
GENERAL CITY INVESTMENTS	2,165,210	6,410,305
RESTRICTED INVESTMENTS		
Stock Funds	10,165	10,080
Future Outlay	10,561	6,436
Future Retirements	40,036	39,700
Police Department	501	501
Sports Center	99,243	90,710
Library	498,805	462,570
Impact Fees	394,696	329,341
Cemetery	40,384	12,095
Revolving Loan Fund	64,457	65,842
Capital Projects Investments	1,119,994	79,569
Landfill Cleanup Investments	21,342	8,609
Stormwater Investments	6,080	
Park Land Trust	129,105	149,715
Library Trust	266,562	233,259
Flex Benefits	27,246	23,311
Armed Services Memorial	3,844	4,421
TOTAL INVESTMENTS	\$ 4,898,230	\$ 7,926,464
CITY OPERATING CASH BALANCE	\$ 3,585,729	\$ 427,368
TOTAL CITY INVESTMENTS & CASH	\$ 8,483,959	\$ 8,353,832
UTILITIES - RESTRICTED INVESTMENTS	\$ 9,293,015	\$ 8,900,990
UTILITY OPERATING CASH BALANCE	\$ 141,001	\$ 157,327
TOTAL UTILITY INVESTMENTS & CASH	\$ 9,434,016	\$ 9,058,317

K9 Fund

As of December 31, 2017, the ending fund balance for the K9 fund is \$12,543.09.

In December, funds in the amount of \$65,558.50 were withdrawn to cover \$11,928 of expenses related to K9 purchases which included construction of kennel, dog supplies, camera and dog. The remaining \$53,630 of funds were expended in 1Q18 for the K9 vehicle and training.

FUND ACTIVITY		
	Current Quarter	Fiscal YTD 07/01/2017- 12/31/2017
Beginning Fund Balance	76,943.27	39,751.19
CONTRIBUTIONS		
(a) Tax Deductible Gifts and Bequests	1,033.50	37,154.40
(b) Non Tax Deductible Contributions	298.00	1,739.19
(c) Transfers In	0.00	0.00
Total Contributions	1,331.50	38,893.59
INVESTMENT ACTIVITY		
(d) Realized Income	116.11	178.11
(e) Unrealized Gains (Losses)	0.00	0.00
Total Investment Activity	116.11	178.11
DISBURSEMENTS		
(f) Grants and Scholarships	65,558.50	65,558.50
(g) Administrative and Investment Fees	289.29	678.91
(h) Fund Project Expenses	0.00	42.39
(i) Transfers Out	0.00	0.00
Total Disbursements	65,847.79	66,279.80
Ending Fund Balance as of 12/31/2017	12,543.09	12,543.09



TO: Mayor Fred Horne and City Council

FROM: Jeremiah Wendt, Public Works Director
Rae Ann Ailts, Finance Director
Mike Darrow, City Administrator

DATE: May 8, 2018

RE: 2018 Street/Utility Projects Financing

Policy Background

The City of New Richmond's 2018 Street/Utility Projects package was assembled based on input from several policy documents adopted by the City Council, including:

- The City's draft Capital Improvement Plan, which identified 125th Street for reconstruction in 2018
- The City's Bike and Pedestrian Master Plan, which identifies the CTH A corridor as a priority for trail connections.
- The City's Stormwater Quality Plan, which identified Pond #265 as a cost-effective location to enhance water quality.

Bid Results

On Monday, May 7, 2018, unit price bids were received for the 2018 Street and Utility Improvements project. The attached Bids Received summary shows the total base bid amount and alternate bid amount for the Paperjack Creek Nature Trail. The attached Tabulation of Bids shows the unit price bids received from all bids submitted.

Three bids were received for the project. The bids ranged from \$1,420,482.69 to \$1,810,442.83. The low bid was submitted by Haas Sons Inc. of Thorp, WI. Based on our experience and review, it is our opinion that Haas Sons Inc. has the required equipment and expertise to perform the work as outlined in the contract specifications.

A summary of the costs for the projects is also shown below:

<u>Construction Contract Costs</u>	
125 th Street – City Portion	\$ 484,892.70
125 th Street – Township Portion	\$ 230,584.42
E 4 th Street (Utility Funded)	\$ 220,603.10
CTH A Trail, Phase 1	\$ 117,662.18
Stormwater Pond #265	\$ 185,416.50
Pulverize Old DQ Parking Lot	\$ 888.88
North Shore Drive Repair	\$ 52,746.75
Paperjack Creek Nature Trail (Alternate)	\$ 127,688.15
Total Construction Contract	\$1,420,482.68

Additional Soft Costs Related to Construction:

Construction Contingency	\$ 50,473.17
125 th Street Lighting	\$ 25,000.00
Testing	\$ 10,000.00
Inspections	\$ 20,000.00
Construction Engineering - SEH	\$ 64,144.00
Total 2018 Street/Utility Soft Costs	\$ 169,617.17

Bid Recommendation

There are two items that were included in the bid (highlighted in yellow above) to allow the City to obtain pricing, but with the option of removing them from the contract. One of them is an area of North Shore Drive that goes through a wetland, which was reconstructed in 2016, but has experienced some heaving during the winter months. Staff wanted to investigate options for repair, and have developed a plan that may correct the condition. However, based on the relatively minor severity of the condition, and the cost to repair, staff are recommending removing this from the contract by change order.

The second item highlighted above is for the construction of a mowed path along Paperjack Creek from 125th Street to the Rail Bridge Trail. Based on the pricing for this alternate, staff is recommending rejection of the alternate. The permitting for the trail will be in place with the DNR, and staff will consider options for in-house construction of the trail in a future year, and bring more information back to the Park Board and City Council.

With the two items above removed from the bid, and the Richmond Township portion subtracted, the City's revised share of the construction contract is \$1,009,463.36 (does not include soft costs).

Construction Engineering

Staff have worked with SEH to develop a construction services contract for the 2018 Street & Utility Improvements, based on the recently completed design and the bid information discussed above. The total cost for SEH's construction engineering services is \$64,144, as detailed in the attached contract.

Richmond Township

As 125th Street is a border road between the City of New Richmond and Richmond Township, the 125th Street project has been designed in cooperation with the Township. In previous phases of the project, the City and the Town have entered into a Memorandum of Understanding (MOU) outlining the cooperative agreement between the entities. A separate MOU has been drafted for the construction phase of the project, and is attached.

The MOU includes the following highlights:

- Haas Sons, Inc. will submit separate pay applications to the City and the Town for their respective share of the project costs.
- The share of project costs is based primarily on the Town being responsible for the west half of the street and the City being responsible for the east half of the street.
- SEH has a separate contract with the City and the Town for Construction Engineering Services, the amounts of which are based on the construction cost split.

Financial Background

Based on the discussion above, the detailed breakdown of costs for the project is summarized in the table below.

Source of Funds	Grants Remaining	Water Utility	Sewer Utility	Stormwater Utility	City Bonding	Total
125th Street (City Share)		\$33,850.00	\$11,500.00	\$172,399.38	\$267,143.32	\$484,892.70
E 4th Street		\$57,830.00	\$162,773.10			\$220,603.10
CTH A Trail, Phase 1					\$117,662.18	\$117,662.18
Stormwater Pond 265	\$73,913.39			\$111,503.11		\$185,416.50
Pulverize Old DQ Parking Lot					\$888.88	\$888.88
North Shore Drive Repair						
Paperjack Creek Nature Trail						
125th Street Lighting					\$25,000.00	\$25,000.00
Construction Contingency		\$4,584.00	\$8,713.66	\$17,890.79	\$19,284.72	\$50,473.17
Testing		\$908.21	\$1,726.39	\$3,544.61	\$3,820.79	\$10,000.00
Inspections		\$1,816.41	\$3,452.79	\$7,089.23	\$7,641.57	\$20,000.00
Construction Engineering - S.E.H.		\$5,825.59	\$11,073.78	\$22,736.58	\$24,508.05	\$64,144.00
Total	\$73,913.39	\$104,814.21	\$199,239.71	\$335,163.71	\$465,949.52	\$1,179,080.53

The City Council's financial strategy has been to bond every other year and structure repayment over a 15-year period instead of the standard 20-year amortization. When capital projects require borrowing of funds, several options are considered for sources of funding such as utilization of cash on hand, inter-fund borrowing, local financing, state trust fund borrowing and bonding. When reviewing financing options for the 2017 street projects, the decision was made to bond for the 2018 street projects at that time as well.

Of the amount bonded for in 2017, approximately \$799,494 remain. The total amount required for the City and Stormwater Utility portion of the projects as detailed above, is \$801,113.22, resulting in a projected shortfall of \$1,619.22, which would be covered by Stormwater Utility funds balance. Note that a future resolution may be required to reallocate a portion of these bonded funds to the stormwater utility. The funds reallocated to the stormwater utility would be repaid by that utility, reducing the City's debt service from the general fund.

Schedule

Haas Sons, Inc. has indicated that they plan to start the projects in July, and the contract calls for Final Completion by October 26, 2018. Prior to the construction start date, staff will schedule a public preconstruction meeting for all affected and interested residents. Additionally, staff will provide weekly updates via email, website and social media once the construction process has begun.

Recommendation

Staff recommends the following separate actions from the Council related to the 2018 Street and Utility Improvements:

- Award the Construction Contract for the 2018 Street and Utility Improvements to Haas Sons, Inc. in the amount of \$1,420,482.69, as recommended by the Public Works Committee and Utility Commission.
- Reject the alternate bid for the Paperjack Creek Nature Trail (\$127,688.15).
- Authorize the Director of Public Works to remove the North Shore Drive repair from the contract by change order (\$52,746.75).
- Authorize the Director of Public Works to expend funds up to 5% of the revised contract price via field change orders over the course of the project (\$50,473.17).
- Approve the Construction Services for 2018 Street and Utility Improvements agreement with SEH for \$64,144.
- Approve the MOU with Richmond Township for 125th Street Construction.

Memorandum of Understanding

This Memorandum of Understanding (MOU) is entered into between The City of New Richmond ("City") and the Town of Richmond ("Town"). This document establishes guidelines for the construction of improvements to 125th Street, a public road that runs along the border between the two jurisdictions. It should be noted that this MOU addresses only the construction phase of the project. A separate MOU addressed the preliminary and final design phases.

I. **CONTRACTS**

a. **Haas Sons Inc.**

The City and Town have advertised for and received bids for a package of projects, including the reconstruction of 125th Street from 280 feet south of Circle Pine Drive to W 8th Street. The low bid has been submitted by Haas Sons, Inc. of Thorp, WI and the City and Town have agreed to award the contract to Haas Sons, Inc.

The contract with Haas Sons, Inc. is a unit price contract, with payment to be made for actual quantities constructed for each unit price item. The City and Town agree that payment for the quantity of the following items attributable to the 125th Street project will be split, with the Town paying 50% of the cost and the City paying 50% of the cost:

- i. Maintenance of Traffic
- ii. Mobilization
- iii. Remove Asphalt Pavement
- iv. Remove Asphalt or Concrete Driveway
- v. Clearing and Grubbing
- vi. Tree Removal
- vii. Common Excavation
- viii. Granular Borrow
- ix. Silt Fence Delivered, Maintained and Installed
- x. Erosion Mat Class II, Type C
- xi. Geotextile Fabric, Type SR Mirafi-HP 570
- xii. Riprap, Medium with Fabric
- xiii. Pulverizing Asphaltic Pavement
- xiv. Salvage, Stockpile and Replace Pulverized Base
- xv. Granular Subbase Course
- xvi. Crushed Aggregate Base Course
- xvii. Asphaltic Pavement, Type 5LT
- xviii. Asphaltic Pavement, Type 3LT
- xix. Concrete Sidewalk or Driveway, 6-inch
- xx. Turf Establishment
- xxi. Lilac, Common – No. 5 Container
- xxii. 84-inch RCP Storm Sewer

xxiii. 84-inch RCP Apron Endwall

xxiv. Signs, Type 2

Payment for the remainder of the items in the contract with Haas Sons, Inc. will be made by the City as they relate to City facilities only.

Haas Sons Inc. will submit separate pay requests to the City and the Town for their respective share of the work completed in each month of the project.

b. SEH

The construction services contract with SEH has been divided proportionately with the estimated cost of the improvements attributable to each entity. SEH has issued separate contracts to each entity.

II. PROJECT EXTENT

- a. The section of 125th Street that is to be reconstructed is from approximately 280 feet south of the intersection with Circle Pine Drive to the intersection of W 8th Street.

III. PUBLIC INVOLVEMENT

The construction process will include a public preconstruction meeting that will be hosted jointly by the City of New Richmond and Town of Richmond. All residents in close proximity will be invited by mail to the meeting, and the general public will be invited via press release and social media. The Contractor and Engineer will have a representative in attendance at this meeting as well. The City and Town will go over details of the construction process for residents, including schedules, access issues, property impacts and other relevant information.

During construction of the project, the City and Town will send weekly updates to affected and interested residents highlighting work completed in the last week, and expected in the following week. Additionally, City and Town representatives will have weekly construction progress meetings with the Contractor and Engineer.

IV. TIMELINE

The construction process will commence upon approval of this MOU, beginning with execution of contract documents with SEH and Haas Sons, Inc. Haas Sons Inc. has indicated that their likely start date on the site will be in July, and the contract calls for completion of the project by October 26, 2018.

V. AUTHORIZATION FOR SIGNATURE:

The individuals executing this agreement on behalf of each party warrants that he/she is authorized to execute the agreement on behalf of their respective agencies and that the agency will be bound by the terms and conditions herein. The understanding between all parties is that there are no funds obligated under this agreement.

Fred Horne, Mayor
City of New Richmond

Gary Knutson, Chairman
Town of Richmond

Date

Date

Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between City of New Richmond ("Client"), and Short Elliott Hendrickson Inc. (Consultant), effective November 1, 2000, this Supplemental Letter Agreement dated May 4, 2018 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: **Construction Engineering Services for the 125th Street / 2018 Street and Utility Improvements Project.**

Client's Authorized Representative: Jeremiah Wendt, Director of Public Works
Address: 156 East First Street
New Richmond, WI 54017
Telephone: 715.243.0439 **e-mail:** jwendt@newrichmondwi.gov

Project Manager: David F. Simons, P.E.
Address: 156 High Street, Suite 300
New Richmond, WI 54017
Telephone: 715.861.4870 **e-mail:** dsimons@sehinc.com

Scope: The Basic Services to be provided by Consultant as set forth herein is provided subject to the Master Agreement and any Exhibits attached to this Agreement. General construction services tasks include bidding services, a preconstruction conference, one public meeting after the preconstruction conference, contracting, submittal and shop drawing review, staking (assumed number of staking trips are listed below for each location), periodic site visits as described below, applications for payment, final inspection, and record plans. Specific scopes of work and assumptions for each location are listed below.

2018 Street and Utility Improvements

- 1. 125th Street (from Circle Pine Drive to W 8th Street):** Proposed construction includes approximately 2,700 lineal feet of street, with a mixed rural and urban section design, including two 11' lanes with 4' paved shoulders. Drainage will consist of curb & gutter with storm sewer and inlets on the east side, and ditches on the west side. Two 84-inch RCP culvert pipes will be constructed at the Paperjack Creek crossing. Other utility construction will consist of insulating water main and services, and rebuilding manholes and valve boxes in order to accommodate a proposed lower road profile in some areas. No bump-outs, traffic calming islands or truck route signage is included in the scope of work. It is assumed that the City will be removing and replacing the existing street lighting. In addition, the City may be installing new streetscape trees in areas where existing trees will be removed. Existing street signage will be removed and replaced, and two radar speed signs will also be installed to reduce speeds. Staking will consist of two trips: The first trip will be to set offset stakes and storm sewer stakes. The second trip will be to set curb and gutter stakes.
- 2. East 4th Street (from Park Ave to Rounds Ave):** Proposed construction includes approximately 300 lineal feet of street including curb & gutter (36 foot wide F-F), sanitary sewer gravity main, sanitary sewer force main, water main and storm sewer. The proposed sanitary sewer will be installed deeper than existing in order to improve gravity flow from existing homes. Sanitary sewer and force main construction will require bypass pumping of the existing sanitary sewer and lift station. Staking will consist of three trips: The first trip will be to set offset stakes, which will also be used for sewer and water. The second trip will be to set the storm sewer stakes. The third trip will be to set the curb and gutter stakes.

3. **CTH A Trail, Phase I (from Quail Run to W 8th Street):** Proposed construction includes approximately 1,900 lineal feet of 8' wide paved pedestrian trail with connection points on the east and west sides of CTH A. Two pedestrian crossings of CTH A are being planned as part of the project. Staking will consist of two trips: The first trip will be to set a row of offset stakes for line and grade of the trail, and to set storm sewer stakes for the inlet north of Scenic Lane. The second trip will be to set curb and gutter stakes for the curb north of Scenic Lane.
4. **Paperjack Creek Nature Trail (from 125th Street to the WITC Rustic Trail):** Proposed construction includes approximately 2,100 lineal feet of earthen pedestrian trail including a proposed boardwalk crossing of Paperjack Creek. Staking will consist of two trips: The first trip will be to set clearing limits. The second trip will be to set offset stakes for line and grade.
5. **Stormwater Pond Retrofit #265:** Proposed construction includes approximately 5,800 cubic yards of common excavation to retrofit a stormwater pond adjacent to Madison Avenue. Other work includes construction of a wet pool liner, storm sewer and storm sewer structures. A Storm Water Permit will be needed, but will be tied into the Storm Water Permit for 125th Street, and the wetlands will need to be cleared for no impact by the DNR as part of that process. It is assumed that a formal wetland delineation report will not be required for clearance. A Chapter 30 Permit should not be required, as the grading work adjacent to Paperjack Creek can be covered under the Storm Water Permit. Staking will consist of one trip: This will include storm sewer staking and offset stakes for the slope intercept point of the pond grading. Construction engineering services related to this project will be billed separately, and are not included in the fee estimate listed below.
6. **North Shore Drive Repair:** Proposed construction includes approximately 300 lineal feet of street reconstruction including soils correction with geotextile fabric, breaker run rock and granular subbase. It is assumed that no staking will be required. Construction engineering services related to this project will be billed separately, and are not included in the fee estimate listed below.
7. **Parking Lot Pulverizing:** Proposed construction includes approximately 450 square yards of pulverizing at the old Dairy Queen parking lot. The pulverized material will be used as base course for the 2018 Streets project.

Further Assumptions and list of tasks not included:

- Construction materials testing by independent tester not included (soil densities, concrete testing, etc.)
- Assumes all work is completed and project is closed out in 2018, and any work in 2019 will be billed as an extra service.
- Construction services do not include any permitting services or permit fees (City to pay any permit fees directly)
- No land acquisition, boundary surveys or easement preparation included
- Private utility companies and City electric will design and construct modifications to their own facilities
- Assessment services, if needed, are not part of scope
- Trail design and construction, other than as shown in the Bid Documents, is not included
- Assumes Paperjack Creek Trail is an unpaved, grass trail with no soils corrections or surfacing
- Signage of a truck route not included
- City will take the lead on all inspections services, and SEH will play a support role
- RPR inspection services includes one SEH staff member @ 10 hours per week for 11 weeks, and 40 hours per week for 3 weeks (assumed construction duration of 14 weeks), with remaining balance to be provided by City staff. The 3 weeks with 40 hours per week will be during critical activities such as soils correction, curb and gutter, and intersection grading.

Schedule: Work will begin upon receipt of a signed contract. Final schedule to be developed jointly with the City, Town and Contractor. It is assumed that all construction engineering work for these projects will be

completed in 2018. It is assumed that the project will begin on July 9, 2018 and be complete by September 28, 2018, and will take 14 weeks.

Fees: The City's share of the construction services fee for the specific Base Scope of Work listed herein is estimated to be **\$64,144**, including expenses and equipment. This total amount will be considered a not-to-exceed fee for the specific base scope of work listed herein. The Town of Richmond's share of the project will be invoiced directly to the Town under a separate contract between the Town and SEH.

The payment method, basis, frequency and other special conditions are set forth in the Master Agreement. Work will be billed hourly in accordance with Exhibit A-1 of the Master Agreement. Additional items requested by the City which are outside the base scope of work as specifically listed herein shall be invoiced on a time and materials basis, plus expenses, over and above the base price as listed above.

Other Terms and Conditions: Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein: None.

Short Elliott Hendrickson Inc.

By: David F. Simons
David F. Simons, PE
Title: Office Manager | Principal

City of New Richmond

By: _____
Title: _____

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Building a Better World
for All of Us®

BIDS RECEIVED

125th Street and Utility Improvements
New Richmond, Wisconsin
Project Manager: Dave Simons, PE

SEH No. NEWRI 143833 64.20

Bid Date: 2:00 p.m., Monday, May 7, 2018

Page 1

Bidder	Addendum Acknowledged	5% Bid Bond	Base Bid Amount	Alternate Bid Amount	Total Bid Price
Haas Sons, Inc. Thorp, WI	X	X	\$1,292,794.54	\$127,688.15	\$1,420,482.69
A-1 Excavating Inc. Bloomer, WI	X	X	\$1,603,571.85	\$130,470.60	\$1,734,042.45
McCabe Construction Eau Claire, WI	X	X	\$1,629,023.33	\$181,419.50	\$1,810,442.83

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TABULATION OF BIDS

125th Street and Utility Improvements
 New Richmond, Wisconsin
 SEH No.: NEWRI 143833
 Bid Date: 2:00 p.m., Monday, May 7, 2018

Shaded area denotes corrected figure

125th Street and Utility Improvements		Haas Sons, Inc.		A-1 Excavating Inc.			
New Richmond, Wisconsin		203 E Birch Street		Address			
SEH No.: NEWRI 143833		Thorp, WI 54771		City, State Zip			
Bid Date: 2:00 p.m., Monday, May 7, 2018		\$1,420,482.69		\$1,734,042.45			
Item No.	Item	Unit	Est. Quantity	Unit Price	Total Price	Unit Price	Total Price
Base Bid							
01 55 25.1	Maintenance of Traffic	LS	1	10,000.00	10,000.00	12,000.00	12,000.00
01 57 19.1	Street Sweeping	Hr	40	140.00	5,600.00	110.00	4,400.00
01 57 33.1	Water for Dust Control	MGAL	400	25.00	10,000.00	25.00	10,000.00
01 57 34.1	Calcium Chloride	GAL	1000	4.65	4,650.00	1.00	1,000.00
01 71 13.1	Mobilization	LS	1	30,775.00	30,775.00	192,275.00	192,275.00
02 41 33.1	Remove Asphalt Pavement	SY	1950	2.00	3,900.00	2.00	3,900.00
02 41 33.2	Remove Asphalt or Concrete Driveway	SY	450	2.00	900.00	6.00	2,700.00
02 41 33.3	Remove Concrete Curb and Gutter	LF	1387	2.00	2,774.00	3.00	4,161.00
02 41 33.4	Remove Storm Sewer Pipe	LF	180	12.00	2,160.00	14.00	2,520.00
02 41 33.5	Remove Storm Sewer Inlet	Each	5	150.00	750.00	350.00	1,750.00
02 41 33.6	Remove Existing Storm Sewer - Pond 265	LS	1	4,960.00	4,960.00	3,500.00	3,500.00
02 41 33.7	Remove Manhole	Each	3	250.00	750.00	500.00	1,500.00
31 11 00.1	Clearing and Grubbing	LS	1	5,000.00	5,000.00	15,000.00	15,000.00
31 11 00.2	Tree Removal	Each	20	600.00	12,000.00	500.00	10,000.00
31 23 10.1	Common Excavation (EV, P)	CY	14047	9.00	126,423.00	7.00	98,329.00
31 23 10.2	Granular Borrow (Salvaged from Storm Pond Excavation)	CY	2830	7.00	19,810.00	8.00	22,640.00
31 23 10.3	Select Crush Breaker Run Rock, 3-6 inch	Ton	1200	11.50	13,800.00	15.00	18,000.00
31 23 10.4	Excavation Below Subgrade	CY	3033	10.00	30,330.00	6.00	18,198.00
31 23 10.5	Salvage Topsoil - Pond 265	SY	8700	0.50	4,350.00	1.00	8,700.00
31 23 10.6	Spread Salvaged Topsoil - Pond 265	SY	7000	0.50	3,500.00	1.00	7,000.00
31 23 10.7	Wet Pool Liner	SY	3500	17.53	61,355.00	24.00	84,000.00
31 23 33.2	Exploratory Excavation	Each	12	450.00	5,400.00	300.00	3,600.00
31 25 10.1	Tracking Pad	Each	12	400.00	4,800.00	100.00	1,200.00
31 25 10.2	Inlet Protection, Type A	Each	3	150.00	450.00	200.00	600.00
31 25 10.3	Inlet Protection, Type C	Each	27	50.00	1,350.00	70.00	1,890.00
31 25 10.3	Temporary Ditch Check (Bio Roll)	LF	130	8.00	1,040.00	5.00	650.00
31 25 10.4	Silt Fence Delivered, Maintained and Installed	LF	6830	1.90	12,977.00	1.80	12,294.00
31 25 10.5	Erosion Mat Class I, Type A	SY	7000	1.12	7,840.00	1.30	9,100.00
31 25 10.6	Erosion Mat Class II, Type C	SY	4395	3.75	16,481.25	4.20	18,459.00
31 25 10.7	Erosion Mat Class II, Type B	SY	200	2.50	500.00	2.00	400.00
31 25 10.8	Culvert Protection	Each	3	275.00	825.00	200.00	600.00



TABULATION OF BIDS

125th Street and Utility Improvements
 New Richmond, Wisconsin
 SEH No.: NEWRI 143833
 Bid Date: 2:00 p.m., Monday, May 7, 2018

Shaded area denotes corrected figure

		Haas Sons, Inc.		A-1 Excavating Inc.			
		203 E Birch Street		Address			
		Thorp, WI 54771		City, State Zip			
		\$1,420,482.69		\$1,734,042.45			
Item No.	Item	Unit	Est. Quantity	Unit Price	Total Price	Unit Price	Total Price
33 11 00.2	6-inch DIP Water Main	LF	20	50.00	1,000.00	56.00	1,120.00
33 11 00.3	8-inch Gate Valve and Box	Each	3	1,525.00	4,575.00	1,550.00	4,650.00
33 11 00.4	6-inch Gate Valve and Box	Each	1	1,200.00	1,200.00	1,200.00	1,200.00
33 11 00.5	Water Main Fittings	LB	402	8.00	3,216.00	7.00	2,814.00
33 11 00.6	Hydrant (8.5 foot bury)	Each	2	3,900.00	7,800.00	3,900.00	7,800.00
33 11 00.7	Connect to Existing Water Main	Each	3	675.00	2,025.00	1,600.00	4,800.00
33 11 00.8	1-inch Corporation Stop	Each	7	200.00	1,400.00	260.00	1,820.00
33 11 00.9	1-inch Curb Stop and Box	Each	7	225.00	1,575.00	320.00	2,240.00
33 11 00.10	1-inch Copper Water Service	LF	260	44.00	11,440.00	39.00	10,140.00
33 11 00.11	Connect to Existing Water Service	Each	7	75.00	525.00	130.00	910.00
33 11 00.12	Abandon Existing Water Main	LS	1	100.00	100.00	1,000.00	1,000.00
33 11 00.13	Raise Hydrant	VF	2	1,050.00	2,100.00	710.00	1,420.00
33 11 00.14	Lower Hydrant	VF	2	450.00	900.00	900.00	1,800.00
33 11 00.15	Insulation	BF	356	1.50	534.00	2.00	712.00
33 11 00.16	Insulate Existing Water Main or Service, or Force Main	Each	10	1,830.00	18,300.00	1,300.00	13,000.00
33 11 00.17	Abandon Water Service	Each	2	350.00	700.00	310.00	620.00
33 11 00.18	Remove, Salvage and Reinstall Hydrant, Valve and Lead	LS	1	1,400.00	1,400.00	2,000.00	2,000.00
33 31 00.1	8-inch PVC Sanitary Sewer	LF	320	44.00	14,080.00	46.00	14,720.00
33 31 00.2	Sanitary Sewer Manhole, 48-inch with Casting 8-foot	Each	2	3,325.00	6,650.00	3,250.00	6,500.00
33 31 00.3	Excess Manhole Depth	VF	5.75	220.00	1,265.00	225.00	1,293.75
33 31 00.4	Connect to Existing Manhole	Each	1	850.00	850.00	1,600.00	1,600.00
33 31 00.5	Connect to Existing Sanitary Sewer	Each	2	450.00	900.00	1,600.00	3,200.00
33 31 00.6	Abandon Existing Sanitary Sewer	LS	1	1,200.00	1,200.00	500.00	500.00
33 31 00.7	8-inch by 4-inch Sanitary Wye	Each	7	100.00	700.00	125.00	875.00
33 31 00.8	4-inch PVC Sanitary Sewer Service Pipe	LF	295	37.50	11,062.50	46.00	13,570.00
33 31 00.9	Connect to Existing Sanitary Sewer Service	Each	7	65.00	455.00	110.00	770.00
33 31 00.10	Temporary Bypass Pumping Sanitary Sewer	LS	1	450.00	450.00	1,000.00	1,000.00
33 31 00.11	Temporary Bypass Pumping Lift Station	LS	1	1,750.00	1,750.00	4,000.00	4,000.00
33 31 00.12	Dye Testing Sanitary Sewer Service Verification	Each	1	300.00	300.00	200.00	200.00
33 34 00.1	6-Inch PVC Force Main	LF	335	36.00	12,060.00	40.00	13,400.00
33 41 00.1	84-inch RCP Storm Sewer	LF	112	498.50	55,832.00	740.00	82,880.00
33 41 00.2	36-inch RCP Storm Sewer	LF	57	109.00	6,213.00	115.00	6,555.00



TABULATION OF BIDS

125th Street and Utility Improvements
 New Richmond, Wisconsin
 SEH No.: NEWRI 143833
 Bid Date: 2:00 p.m., Monday, May 7, 2018

Shaded area denotes corrected figure

125th Street and Utility Improvements		Haas Sons, Inc.		A-1 Excavating Inc.		
New Richmond, Wisconsin		203 E Birch Street		Address		
SEH No.: NEWRI 143833		Thorp, WI 54771		City, State Zip		
Bid Date: 2:00 p.m., Monday, May 7, 2018		\$1,420,482.69		\$1,734,042.45		
Item No.	Item	Unit	Est. Quantity	Unit Price	Total Price	Total Price
34 41 40.3	Salvage and Reinstall Sign	Each	11	175.00	1,925.00	1,650.00
TOTAL BASE BID PRICE					1,292,794.54	1,603,571.85
Alternate Bid-Paperjack Creek Trail						
01 71 13.1	Mobilization	LS	1	21,550.00	21,550.00	16,000.00
31 11 00.1	Clearing and Grubbing	Acre	1.5	6,000.00	9,000.00	12,000.00
31 23 10.1	Common Excavation	CY	457	28.00	12,796.00	9,140.00
31 23 10.2	Granular Borrow	CY	100	15.61	1,561.00	1,800.00
31 25 10.1	Temporary Ditch Check (Bio Roll)	LF	60	8.00	480.00	300.00
31 25 10.2	Silt Fence Delivered, Maintained and Installed	LF	2371	1.90	4,504.90	4,742.00
31 25 10.3	Erosion Mat Class II, Type C	SY	1033	3.75	3,873.75	4,338.60
32 11 26.1	Crushed Aggregate Base Course, 1-1/4-inch	Ton	50	36.85	1,842.50	1,250.00
32 11 26.2	Trap Rock Gravel Surface	Ton	50	60.00	3,000.00	2,500.00
32 30 00.1	Boardwalk with Steel Frame, Treated Pine Deck and Toe	LF	80	441.00	35,280.00	44,400.00
32 30 00.4	Helical Piers	Each	8	2,200.00	17,600.00	16,000.00
32 92 12.1	Turf Establishment	SY	6000	2.70	16,200.00	18,000.00
TOTAL ALTERNATE BID PRICE					127,688.15	130,470.60
TOTAL BID PRICE (Base Bid Plus Alternate Bid)					1,420,482.69	1,734,042.45



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor and City Council
FROM: Jeremiah Wendt, Director of Public Works
DATE: May 9, 2018
SUBJECT: 2018 Crack Filling Bid Results

Background

On Monday, May 7, 2018, lump sum bids were received for the 2018 Crack Filling project, as previously authorized by the Public Works Committee. The attached Tabulation of Bids shows the lump sum bids received from all bids submitted.

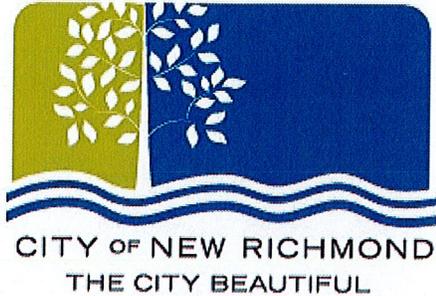
Three bids were received for the project. The bids ranged from \$26,083.71 to \$96,780.00. The low bid was submitted by Fahrner Asphalt Sealers LLC of Eau Claire, Wisconsin. Based on our experience and review, it is our opinion that Fahrner Asphalt Sealers LLC has the required equipment and expertise to perform the work as outlined in the contract documents.

Recommendation

Staff recommend award of the 2018 Crack Filling project to Fahrner Asphalt Sealers LLC in the low bid amount of \$26,083.71.

TABULATION OF BIDS

2018 Crackfilling New Richmond, WI Bid Date: 1:30 p.m., Monday, May 7, 2018		American Pavement Solutions Lump Sum \$96,780.00	Fahmer Asphalt Sealers Lump Sum \$26,083.71	Superior Sealers Lump Sum \$38,290.00
	item Crack Filling	Unit Lump Sum		



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor and City Council

FROM: Jeremiah Wendt, Director of Public Works

DATE: May 9, 2018

SUBJECT: 2018 Fog Sealing Bid Results

Background

On Monday, May 7, 2018, lump sum bids were received for the 2018 Fog Sealing project, as previously authorized by the Public Works Committee. One bid was received for the project for \$49,841.46 from Fahrner Asphalt Sealers LLC of Eau Claire, Wisconsin. Based on our experience and review, it is our opinion that Fahrner Asphalt Sealers LLC has the required equipment and expertise to perform the work as outlined in the contract documents.

However, the bid submitted was higher than budgeted for the project. With this in mind, staff would like to work with Fahrner Asphalt Sealers to review possible scope adjustments that would bring the total project cost in line with budget. The contract language allows for the City to negotiate contract terms with the successful bidder, and also allows for the bid to remain subject to acceptance for 60 days from the bid opening.

Recommendation

Staff recommends tabling this item while the scope adjustments are being discussed with Fahrner Asphalt Sealers LLC. Staff would then bring a recommendation forward for the Council's consideration at the June Council meeting.



156 East First Street
New Richmond, WI 54017
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MEMORANDUM

TO: Mayor and City Council

FROM: Jeremiah Wendt, Director of Public Works
Joel Enders, Management Analyst

DATE: April 8, 2018

SUBJECT: North Pierson / High Street Renaming

BACKGROUND

At their February 2018 meetings, the Public Works Committee and City Council approved renaming portions of North Pierson Avenue, High Street, and North Washington Avenue to Lakeside Drive (see attached map). On April 23, 2018, the City received a letter from a property owner on High Street who expressed concerns about the name change. As the property owner was not informed of the potential change before approval, staff are bringing this item back for consideration in the interests of transparency and resident input.

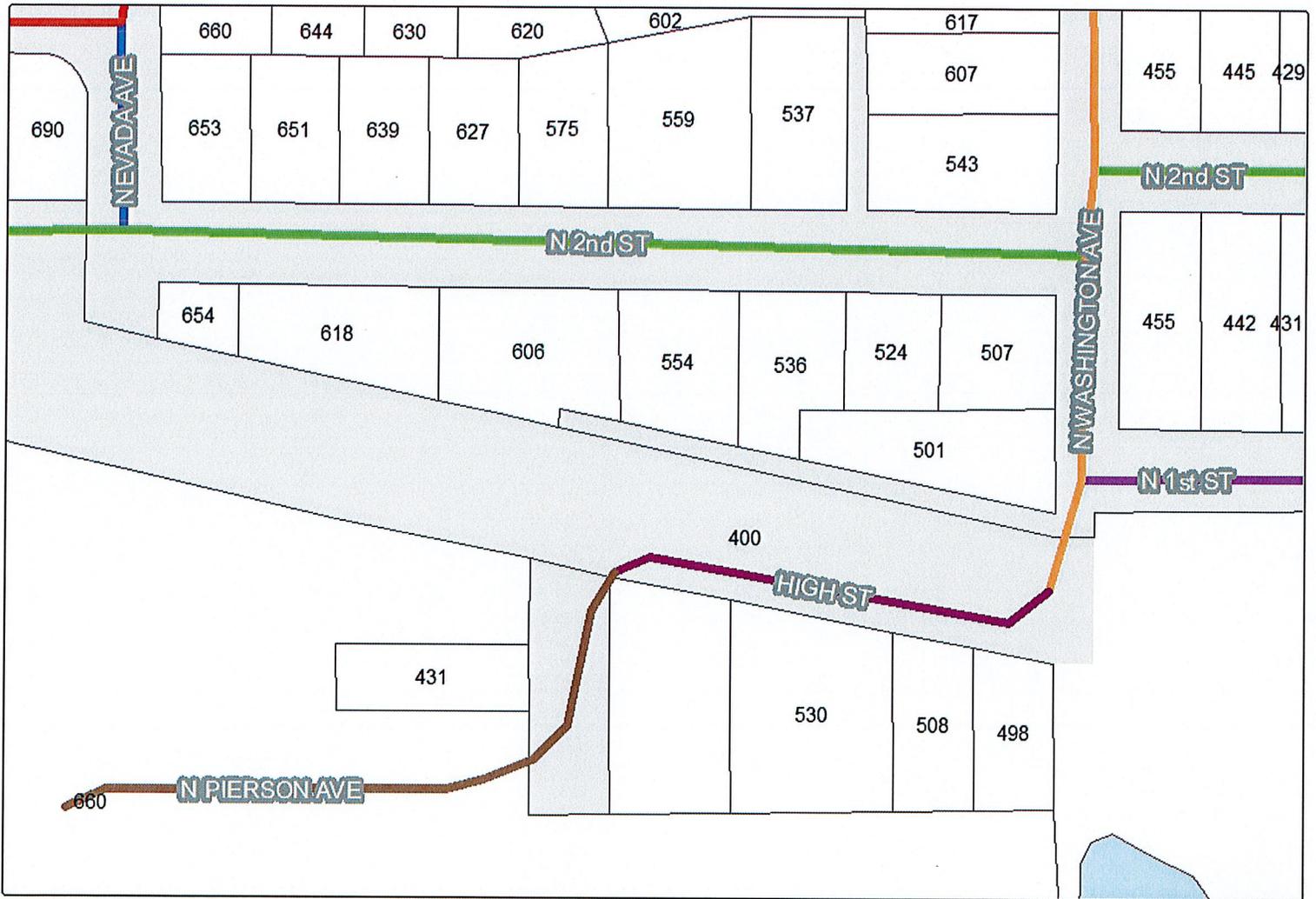
RECOMMENDATIONS

Staff recommend discussion and consideration of possible naming alternatives.

The Public Works Committee recommended renaming the section of road adjacent to Lakeside Foods from North Pierson Avenue to High Street at their May 7, 2018 meeting.

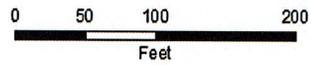
ATTACHMENTS

1. Area Map
2. Property Owner Letter
3. Memo from February, 2018 Meetings



Pierson Ave // High St - Naming Proposal

Colors represent unique street names



April 23, 2018

Mike Darrow
City Administrator
156 East First Street
New Richmond, WI, 54017

Dear Mr. Darrow,

Thank you for taking time to meet with me this morning concerning the pending property address change of the 'west section' of High Street and North Pierson Avenue.

Per our conversation, I received a notice, dated April 16, 2018, of the name change from the City in the mail this past Saturday. I did not receive a notice by mail from the City regarding a public hearing. Other than Lakeside Foods there are only two residents, including myself, that would be impacted by this change.

Currently, there is not a street sign located on the corner of Washington Avenue and this section of High Street identifying High Street. Nor is there a street sign identifying North Pierson Avenue. There is, however, a small sign located on a corner utility pole on the north side of the railroad tracks indicating an entrance to Lakeside Foods and also indicating that there is no exit.

In the letter I received this past Saturday, it stated that a change is needed to "facilitating better pathfinding for vehicles traveling to Lakeside Foods and minimize unnecessary/lost traffic". Aside from the fact there is no signage for the existing streets, it is interesting that Lakeside Foods uses 660 North Second Street as their address when the USPS, Fedex, UPS and other mail/package services use High Street for their deliveries.

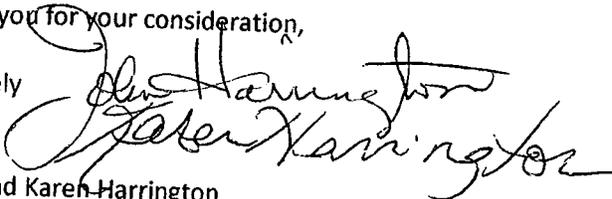
My parents, Eugene and Joan Harrington moved to 530 High Street in 1950 and raised 9 children. This has been our address for 68 continuous years. It has been my address for 61 years. High Street is part of my identity and I do not want to lose it.

It would make more sense to add signage identifying High Street and to include the small piece of roadway named North Pierson Avenue as part of High Street. In addition, if Lakeside Foods changed their address to High Street that would solve the misdirection for traffic unfamiliar with the location of Lakeside Foods. Changing the street name does not improve the situation if the company address is 660 North Second Street.

In closing, I am asking the City to please keep my section of the road High Street, extend High Street to the east entrance of Lakeside Foods. If the City is determined to change the name, then please honor my family, particularly my parents, and use our last name. That at least would be a fitting and deserving change. However, I do not feel any name change is necessary if the proper signage is corrected and Lakeside Foods would use an address that would direct traffic to the correct entrance.

Thank you for your consideration,

Sincerely



John and Karen Harrington
530 High Street, New Richmond
715-246-2528



156 East First Street
New Richmond, WI 54017
715-246-4268
www.newrichmondwi.gov

MEMORANDUM

TO: City Council

FROM: Jeremiah Wendt, Director of Public Works
Joel Enders, Management Analyst

DATE: February 6, 2018

SUBJECT: Renaming North Pierson Avenue

BACKGROUND

Following stakeholder inquiries and discussion, staff believe it would be advantageous to rename North Pierson Avenue, which begins approximately 500 feet southwest of the North Washington Avenue / North 1st Street intersection and terminates at Lakeside Foods (see attached map). Renaming will reduce confusion and facilitate better pathfinding, particularly for visitors and deliveries made to Lakeside Foods. Lakeside's current address (660 N 2nd Street) tends to bring vehicles to the wrong side of the property, but switching the address from 2nd Street to North Pierson Avenue will create further confusion because of the segmented layout of Pierson Avenue and High Street. The location and characteristics of what is currently North Pierson Avenue suggest two renaming alternatives – **High Street** or **Lakeside Drive**.

Designating the entire street section south of the railroad tracks as High Street minimizes property address changes and creates a more logical east-west continuation of High Street than currently exists. However, High Street would remain non-contiguous, separated by Chapman Avenue and North 1st Street, which may create confusion for vehicles travelling to Lakeside Foods via Knowles Avenue/Highway 65.

Renaming the streets south of the North Washington Avenue / North 1st Street intersection Lakeside Drive creates a unique, identifiable section that follows the naming criteria specified in Section 117-28(N) of the New Richmond Code of Ordinances. The Code defines an Avenue as "a long or continuous street running north and south," which does not fit with the short, irregular course and terminal nature of North Pierson Avenue. A Drive, defined as a "shorter or

non-continuous street,” is a more appropriate designation in this circumstance. This option eliminates the potential confusion associated with non-contiguous streets, but would necessitate the re-addressing of five properties.

RECOMMENDATIONS

The Public Works Committee recommended renaming N Pierson Avenue to Lakeside Drive at their February 5th, 2018 meeting.

ATTACHMENTS

1. Subject area map



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor and City Council
FROM: Jeremiah Wendt, Director of Public Works
DATE: May 8, 2018
SUBJECT: Public Works Surplus Property

Background

In the interest of continuous operational improvement, Public Works staff regularly review our existing equipment inventory and identify opportunities for enhanced efficiencies, lower costs, higher quality of service, etc. As part of the 2018 review, staff identified several pieces of equipment that could be consolidated into one. Not only would this result in a cost savings from a maintenance standpoint, but it would also free up shop space and improve snow removal capabilities/efficiency.

The following is a list of items that staff would like to declare as surplus City property, as outlined in Ordinance 2-245, and dispose of by public auction. The auction would be conducted through the WI Surplus Auction website, which staff have utilized successfully in the past.

ITEM	APPROX VALUE
1. 1979 John Deere 401 – C	\$6,000
2. 2010 John Deere 3320	\$24,000
3. 2009 John Deere 1445 w/ broom and mower deck	\$12,000
4. John Deere Angle Broom	\$4,000
5. John Deere Wing Mower	\$2,000
6. Erskine Snow blower	\$1,000
7. 3-point back blade	\$1,000
Total:	\$50,000

Furthermore, the following equipment no longer serves a need to retain and thus will be listed on the auction as well.

- | | |
|----------------------------|--|
| 8. Man Lift | 16. ¾" Pneumatic Impact Wrench |
| 9. Hobart Wire feed welder | 17. Briggs and Stratton motor (parts only) |
| 10. Lincoln Arc Welder | 18. Stihl Chop Saw (parts only) |
| 11. Radial Arm Saw | 19. Detour Sign Posts |
| 12. Tailgate Spreader | 20. Obsolete Snow Plow Cutting edges |
| 13. Green Storage Lockers | 21. Cemetery Fence |
| 14. Floor Scrubber | 22. Chainsaws (2) |
| 15. Paint Sprayer | 23. Roll up overhead garage door |

Staff is proposing that the proceeds from sale of these items would offset, and their functionality be replaced by, the purchase of a Bobcat Toolcat 5610 with a snow blower and angle broom attachment. The quoted cost for this equipment is \$55,693. 15% of the cost would be paid by the stormwater utility (as has been the past practice), leaving a balance of \$47,339.05 to be covered by the sale of the surplus equipment. Note that reserve prices will be set for auctioned items to ensure budget neutrality (proceeds offset costs).

Recommendation

Staff is requesting that the equipment noted above be declared surplus City property, that Staff be authorized to auction it publicly, and that the proceeds be used to offset the purchase of the new equipment described above.

The Public Works Committee recommended the actions proposed by staff at their May 7, 2018 meeting.





Bobcat[®]

Product Quotation

Quotation Number: 25063D025456

Date: 2018-02-12 09:03:17

Ship to	Bobcat Dealer	Bill To
City of New Richmond Mike Mroz New Richmond, WI 54017	Tri-State Bobcat, Inc., Hudson, WI 588 OUTPOST CIRCLE HUDSON WI 54016 Phone: (715) 531-0801 Fax: (952) 894-5759 ----- Contact: Jeff Varner Phone: 715-531-0801 Fax: 715-531-0805 Cellular: 715-781-3940 E Mail: jeffv@tristatebobcat.com	City of New Richmond Mike Mroz New Richmond, WI 54017

Description	Part No	Qty	Price Ea.	Total
Bobcat 5610	M1223	1	\$65,446.00	\$65,446.00
Adjustable Vinyl Seats	Interior Trim			
All-Wheel Steer	Joystick, Manually Controlled with Lift Arm Float			
Automatically Activated Glow Plugs	Lift Arm Support			
Auxiliary Hydraulics	Limited Slip Transaxle			
Variable Flow with dual direction detent	Parking Brake, automatic			
Beverage Holders	Power Steering with Tilt Steering Wheel			
Bob-Tach	Radiator Screen			
Boom Float	Radio:			
Cowl and Cowl Support	AM/FM/Weatherbanb			
Cruise Control	Aux Input & Head Phone Jacks			
Deluxe Equipment:	Lower Engine Cover			
Cab Enclosure with Heater and Air Conditioning	Rear Reciever Hitch			
Deluxe Operator Canopy (Front Window, Rear Window, Front Wipers, and 2-Electrical Power Port)	Seat Belts, Shoulder Harness			
Deluxe Road Package (back-up alarm, turn signals, flashers, tail lights, brake lights, rear view mirror, side mirrors, horn, lower engine guard, rear work light, and headlights)	Spark Arrestor Muffler			
Engine and Hydraulic Monitor with Shutdown	Storage Bins			
Front Work Lights	Suspension, 4-wheel independent			
Full-time Four-Wheel Drive	Tires: 27 x 10.5-15 (8 ply), Lug Tread			
Horsepower Management	Toolcat Interlock Control System (TICS)			
Instrumentation:	Two-Speed Transmission			
Hour meter, Job Hours, Speedometer,	Traction Control			
Tachometer, Fuel Gauge, Engine	Machine Warranty: 12 Months, unlimited hours			
Temperature Gauge, and Warning Lights	Bobcat Engine Warranty: Additional 12 Months or total of 2000 hours after initial 12 month warranty			
Heavy Duty Battery				
High Flow Hydraulics and Attachment Control Kit				
Keyless Ignition System				
Power BobTach				
PTO Package (rear PTO-540 RPM, PTO Shield, PTO Tachometer)				
Three-Point Hitch Package (Three-Point, depth position gauge)				
Rear Remote Package (One set of poppet-style couplers, for use with implement hydraulics)				
Roll Over Protective Structure (ROPS) - Meets Requirements of SAE-J1040 & ISO 3471				
Falling Object Protective Structure (FOPS) - Meets Requirements of SAE-J1043 & ISO3449, Level I				
Dome Light				

Factory Installed	29 X 10.5 Trac Tire	M1223-R05-C04	1	\$455.00	\$455.00
	Engine Block Heater	M1223-A01-C02	1	\$108.00	\$108.00
Attachments	62" General Purpose Bucket	7114585	1	\$697.00	\$697.00
	SB200 Snowblower - 66" Width	M7002	1	\$4,541.00	\$4,541.00
	--- 9.6 Hyd Motor Package (25 - 31 gpm)	M7002-R01-C04	1	\$1,220.00	\$1,220.00
	68" Angle Broom	6905805	1	\$5,448.00	\$5,448.00

Total of Items Quoted		\$77,915.00
Freight Charges		\$1,000.00
Dealer Assembly Charges		\$152.50
Discount	Factory Municipal Equipment Discount	(\$11,687.25)
Discount	Tri-State Hudson Municipal Equipment Discount	(\$11,687.25)
Quote Total - US dollars		\$55,693.00

Notes: Tax exempt. Delivered. One year warranty.

All prices subject to change without prior notice or obligation. This price quote supersedes all preceding price quotes. Customer must exercise his purchase option within 30 days from quote date.

Customer Acceptance: Purchase Order: _____

Authorized Signature:

Print: _____ **Sign:** _____ **Date:** _____



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

TO: Mayor and City Council
FROM: Tanya Batchelor, City Clerk
DATE: May 7, 2018
RE: Resolutions Authorizing Sale of Real Estate

Background

Resolution #051802 and Resolution #051803 need Council approval to allow for the sale of City owned property. A map is attached showing the location of each sale.

Recommendation

Staff recommends approval of these resolutions.

RESOLUTION NO. 051802

**CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN**

**A RESOLUTION AUTHORIZING SALE OF
REAL PROPERTY TO 45TH PARALLEL SPIRITS, LLC**

WHEREAS, the City of New Richmond (the "City") is the owner of certain real property located in the City of New Richmond, St. Croix County, Wisconsin described as Lot 5 of C.S.M., Vol. 23, pg. 5574, recorded as Document No. 883051 ("Lot 5"); and

WHEREAS, 45th Parallel Spirits, Inc. has offered to purchase, and the City has offered to sell, a portion of Lot 5 pursuant to the terms and conditions set forth in the Purchase Agreement by and between 45th Parallel Spirits, Inc. and the City attached as **Exhibit A** ("Purchase Agreement"); and

WHEREAS, the Common Council has reviewed the Purchase Agreement and has determined the same is complete and acceptable and considers it is in the best interest of the City to sell that portion of Lot 5 pursuant to the terms of the Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF NEW RICHMOND, AS FOLLOWS:

The Common Council hereby:

1. Ratifies, approves and confirms the Purchase Agreement and sale of that portion of Lot 5 to 45th Parallel Spirits, Inc. as set forth therein.
2. Authorizes Mike Darrow, the City Administrator to (i) execute all documents necessary and proper to contemplate the transaction thereby required by the Purchase Agreement and (ii) perform each and every act and execute any and all documents and instruments in the name of the City as may be necessary or desirable to enable the City to perform under the terms of the Purchase Agreement.

This Resolution shall be in full force and effect from and after its passage and approved as provided by law.

Passed and adopted by the City Council for the City of New Richmond this 14th day of May, 2018.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk

RESOLUTION #051803
RESOLUTION AUTHORIZING SALE OF REAL ESTATE

WHEREAS, the City of New Richmond is the owner of real estate described as:

Lot 2 of CSM Vol 20 Page 5082 Doc#808217; and
Lot 5 of CSM Vol 23 Page 5574 Doc#883051 totaling 7.11 Acres

WHEREAS, the City has entered into an Offer to Purchase and Sale Agreement with Federal Foam Technologies, Inc, Whereby the City would sell this parcel to Federal Foam Technologies, Inc. and

WHEREAS, all necessary contingencies have been met and the transaction is ready to be closed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of New Richmond as follows:

1. That the City shall proceed with the sale of the real estate to Federal Foam Technologies, Inc.
2. That Mayor, Frederick Horne, and City Clerk, Tanya Batchelor, are authorized to execute all documents necessary to complete the sale of the property.

Passed and approved this 30th day of April, 2018.

ATTEST:

Fred Horne, Mayor

Tanya Batchelor, City Clerk

CERTIFIED SURVEY MAP

LOCATED IN THE NW1/4 OF THE NE1/4, IN THE SW1/4 OF THE NE1/4, IN THE SE1/4 OF THE NW1/4 AND IN THE NE1/4 OF THE NW1/4 OF SECTION 10, T30N, R18W, CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN; INCLUDING LOT 1 OF CERTIFIED SURVEY MAP VOLUME 10, PAGE 2868, DOCUMENT NUMBER 524983; LOT 2 OF CERTIFIED SURVEY MAP VOLUME 20, PAGE 5082, DOCUMENT NUMBER 808217, LOTS 3 & 5 OF CERTIFIED SURVEY MAP VOLUME 23, PAGE 5574, DOCUMENT NUMBER 883051 AND PART LOT 22 OF CERTIFIED SURVEY MAP VOLUME 26, PAGE 6047, DOCUMENT NUMBER 1002255.

LEGEND

- ⊕ ST. CROIX COUNTY SECTION CORNER MONUMENTED AS NOTED
- 1" IRON PIPE FOUND
- 1 5/16" IRON PIPE FOUND
- 3/4" IRON REBAR FOUND
- 1 1/4" IRON REBAR FOUND
- 3/4" X 18" IRON REBAR SET WEIGHING 1.50 LBS. PER LINEAR FOOT

N

SURVEYOR

EDWIN C FLANUM
NORTHLAND SURVEYING, INC.
P.O. BOX 152
AMERY, WI 54001

OWNER: LOT 23

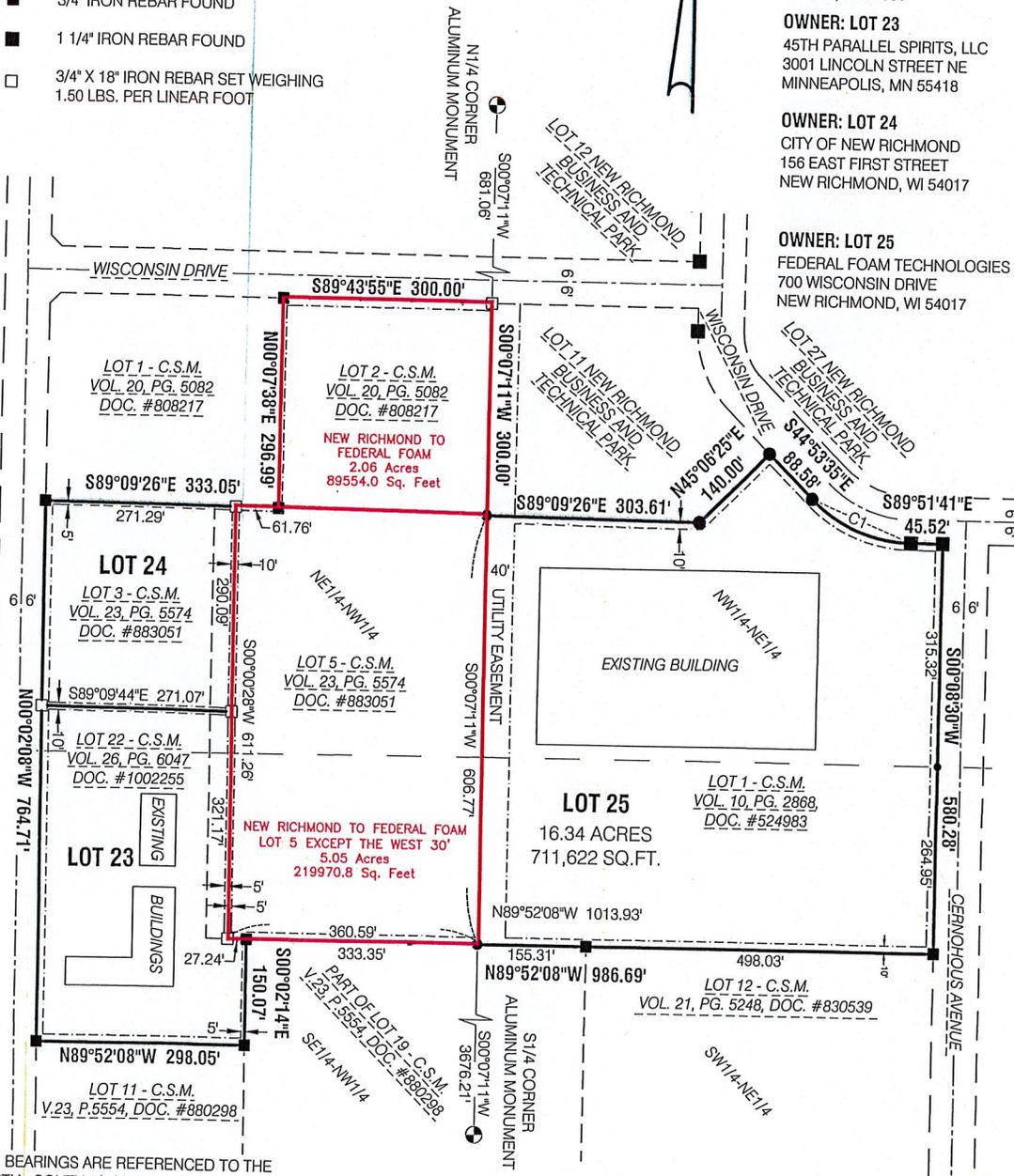
45TH PARALLEL SPIRITS, LLC
3001 LINCOLN STREET NE
MINNEAPOLIS, MN 55418

OWNER: LOT 24

CITY OF NEW RICHMOND
156 EAST FIRST STREET
NEW RICHMOND, WI 54017

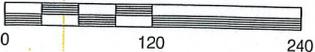
OWNER: LOT 25

FEDERAL FOAM TECHNOLOGIES
700 WISCONSIN DRIVE
NEW RICHMOND, WI 54017



BEARINGS ARE REFERENCED TO THE NORTH - SOUTH 1/4 LINE BEARING S00°07'11\"/>

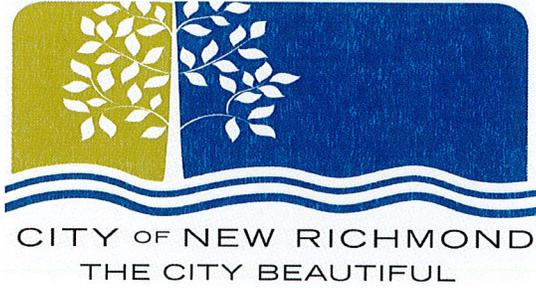
SCALE IN FEET 1" = 200'



LOT 23 AREA
3.03 ACRES
132,194 SQ.FT.

LOT 24 AREA
1.81 ACRES
78,664 SQ.FT.

INSTRUMENT DRAFTED BY EDWIN FLANUM
JOB NO: 18-46 DWG: CSM1
DRAFTED: 3/21/18 FIELD: 3/20/18



Building Inspection Department 1st Quarter Summary 2018

	January - March	Year To Date
Permits Issued	81	81
Dwelling Units	16	16
 Construction Value		
Commercial	1,774,179.00	1,774,179.00
Residential	3,283,142.00	3,283,142.00
Total Value	5,057,321.00	5,057,321.00
 Fees Collected		
Building Permit Fees	43,910.50	43,910.50
Assessor Fees	2,575.00	2,575.00
Site Stabilization Deposit	19,000.00	19,000.00
Total Fees	65,485.50	65,485.50
<i>Sewer Access Charge</i>	15,648.00	15,648.00
<i>Park Fee</i>	4,750.00	4,750.00
<i>Municipal Facilities</i>	11,744.00	11,744.00
<i>Transportation</i>	17,600.00	17,600.00
<i>Water Facilities</i>	15,648.00	15,648.00
<i>Park Facilities</i>	-	-
Total Impact Fees	65,390.00	65,390.00
 Total All Fees Collected	 130,875.50	 130,875.50