

AGENDA FOR COUNCIL MEETING

CITY OF NEW RICHMOND, WISCONSIN

MONDAY, NOVEMBER 13, 2017 - 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 Meeting, October 9, 2017 at 7:00 p.m. and Special Council Meetings, October 12 and October 23, 2017
2. Applications for License to Serve from Sophia A. Henneman, New Richmond; Kyle J. Wettig, Star Prairie; Ryan A. Reyes, Somerset; Lisa M. Schurhamer, New Richmond; Kelly L. Cross, Osceola
3. Payment of VO#61262 through VO#61384 totaling \$686,908.90 plus electronic fund transfers of \$706,746.69, for a grand total of \$1,393,655.59

DEPARTMENT REPORTS:

Administration
Finance
Community Development
Public Works
Library
Police
Fire
Airport

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. Police Department – Letters of Commendation
2. Public Hearing to Vacate and Discontinue Drainage and Utility Easements on CSM Vol. 26, Page 6070
3. Action on Public Hearing Agenda - Resolution #111701 – Vacating and Discontinuing Drainage and Utility Easements
4. **Plan Commission Recommendation:**
 - a. Certified Survey Map from Phillips Medisize

5. 125th Street Preliminary Design Presentation
6. 125th Street Final Design Contract
7. 125th Street Final Design Memorandum of Understanding with Richmond Township
8. Resolution #111702 – Accepting Improvements on Maple Court in Paperjack Bend
9. Resolution #111703 – Accepting Improvements on Wheatfield Lane and Pioneer Trail in Whispering Prairie
10. Resolution #111704 – Dakota Avenue Bike/Pedestrian Resolution
11. **Mayor’s Appointments**
 - a. Theresa Rubida to Historic Preservation Commission
 - b. Josh Lindseth to Regional Loan Fund Committee
12. Ordinance #503 – Treasurer’s Bond Eliminated
13. Ordinance Amendment – Loud & Unnecessary Noise/Amplification Permits
14. 2017 Third Quarter Financial Report
15. 2018 Budget Update
16. 2018 Council Calendar/Special Work Sessions for 2018
17. Work Session on November 27, 2017 at 5:30 p.m.
18. Communications & Miscellaneous
19. Closed Session per State Statute 19.85 (1)(e) –
 - a. TID #6 and TID #8 and TID #9
20. Open Session – Action on Closed Session Agenda
21. 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 OCTOBER 9, 2017 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 Horne, Alderman Kittel, Jackson, Montello, Volkert and Zajkowski

Members Absent: Alderman Ard

The Pledge of Allegiance was recited.

Alderman Zajkowski moved to adopt the agenda as presented, seconded by Alderman Montello and carried.

Public Comment

Consent Agenda

1. Approval of the Minutes from the Previous Regular Council Meeting, September 11, 2017 at 7:00 p.m. and Special Council Meetings, September 15, 19 and October 2, 2017
2. Applications for License to Serve from James G. Gibson, New Richmond; Amy J. Larson, New Richmond; Morgan M. Kelly, New Richmond; and Jeff A. Fredrickson
3. Applications for Direct Seller's Permit from Chee Lee and Bernadette Schwab to sell Costco memberships in the parking lot of the Asteria Inn from October 10 to November 10, 2017
4. Application for Run/Walk Permit from The New Richmond Area Center:
 - a. October 28, 2017 at 8:00 a.m.
 - b. November 11, 2017 at 9:00 a.m.
 - c. December 9, 2017 at 9:00 a.m.
 - d. January 13, 2018 at 9:00 a.m.
 - e. February 10, 2018 at 9:00 a.m.
 - f. March 24, 2018 at 9:00 a.m.
 - g. April 21, 2018 at 9:00 a.m.
5. Payment of VO#61175 through VO#61261 totaling \$363,090.27 plus electronic fund transfers of \$3,859,333.27, for a grand total of \$4,222,423.54

General Fund	\$832,060.01
Impact Fees Fund	50,982.69
Cemetery Fund	266.53
CDBG – Housing	60.00
Debt Service Fund	3,185,725.45
Capital Projects	77,808.50
Landfill Cleanup Fund	2,456.49

TID District #10	1,399.88
TID District #6	14,260.33
Storm Water Utility	51,825.03
Park Land Trust Fund	5,133.04
Library Trust Fund	445.59

Alderman Montello moved to approve the consent agenda as presented, seconded by Alderman Kittel and carried.

Mayor Horne stated that Alderperson Ard's mother, Esther Wentz, passed away last week and a moment of silence was observed in her honor.

Mayor Horne introduced Alli Preece, a new Student Representative on Council. Ethan Thompson is also a new Student Representative on Council, however, he was unable to attend this meeting.

Department Reports

Administration/Finance – Noah Wiedenfeld stated the City will have a booth at the Health Fair at the New Richmond Area Center on October 10 from 9:00 a.m. to noon. Staff will discuss the budget process with attendees and answer questions. The public is asked for input on the budget. Mike Darrow thanked all who participated in Public Power week. On October 4, 2017, there was a breakfast at City Hall and energy efficiency kit were handed out. Lumberjack Liquors was awarded a Community Solar Share from a prize drawing.

Community Development – Beth Thompson reported there will be a groundbreaking for New Richmond Auto Mall on October 10, 2017 at 10:00 a.m. Ribbon cuttings were recently held for Schmiede Law Office and the McDonald's renovation. The next Citizen's Comprehensive Plan meeting will be on October 11, 2017, at the airport. On-going projects include Best Western Hotel, New Richmond Auto Mall and Johnson Ford.

Public Works – Jeremiah Wendt explained the first lift of asphalt, trail and driveways are finished on North Fourth Street. Trees will be planted later this week. The second lift of asphalt will be completed the week of October 16, 2017. Jeremiah gave an update on the 140th Street trail. The trail is prepped and ready for pavement. Sidewalk repairs are in progress around town. They are saw cutting the sidewalks to reduce tripping hazards.

Library – Kim Hennings stated the Library will be hosting three upcoming technology classes including: Digital Etiquette, Learn Libby, and IOS Overview.

Halloween events include:

Hallow-Teen-Scream-a-thon on October 13, 2017 at 7:00 p.m.

Story Time: Monster Mash, October 21, 2017 at 10:00 a.m.

Trick-or-Treating at the Library on October 31, 2017 1:00 to 5:00 p.m.

A second community engagement session was held on October 5, 2017, for the library conceptual design process. The fundraising feasibility study will begin mid-October and will be completed by the end of the year.

Police – Veronica Koehler stated the officers assisted with "Walk to School Day" on October 4, 2017, providing extra patrol for children walking from the Middle School to Hillside Elementary. Officers have visited several elementary school classes and a Daisies Girl Scout troop to talk about being an officer, the equipment they carry and Halloween safety. The Citizen's Academy has been rescheduled for January 2018. A few spaces are still available and Sergeant Sather is the point of contact.

Fire – Mayor Horne reported this is Fire Prevention Week which includes visits to local schools and childcare centers. The Open House is tonight with free fire truck rides for all who bring a non-perishable food donation.

Airport – Mike Demulling explained a contractor will be at the Airport today through Wednesday working on crack repair. Airport staff will restripe the runway and taxiways after that is completed. There was a power outage recently that affected half of the north end and all of the south end of the airport. Power was restored as quickly as possible. No flights were diverted.

Plan Commission Recommendations

The Plan Commission recommended approval of the PUD Amendment from Haffner Construction for Rich River Trails, Ordinance #501. Approval of this ordinance would remove the 23 acres south of the railroad tracks from the Rich River Trails PUD and zoning will become Z2 - Sub Urban District. Alderman Montello moved to suspend the rules and adopt Ordinance #501, seconded by Alderman Kittel and carried.

The Plan Commission recommended approval of the PUD Amendment preserving a PUD for Willow River Bluffs, preliminary plat and final plat consistent with the streets and utilities constructed for a first phase of development with the 11 conditions listed in the Plan Commission minutes from October 3, 2017 plus the following condition: 12) West segment of Conifer Court to be renamed Red Pine Lane. Alderman Montello moved to suspend the rules and adopt Ordinance #502, and approve the Preliminary Plat and Final Plat for Willow River Bluffs with the 12 conditions, seconded by Alderman Zajkowski and carried.

The Plan Commission recommended approving a temporary grading and erosion control permit for Phillips Medisize. Jeremiah Wendt explained a site plan was submitted in the last few days from Phillips Medisize for an expansion project. They asked permission to begin grading on their site plus the lot they will be purchasing from the City. A temporary grading and erosion permit would allow Phillips to get started while still allowing for a thorough site plan review process. Any work would be at their own risk. Nick Vivian asked to include the requirement of a temporary licensing agreement to allow them to use the City's property. Alderman Montello moved to approve the temporary grading and erosion control permit with the licensing agreement requirement, seconded by Alderman Kittel and carried.

Resolution #101701 Approving the Sale of Land to Phillips Medisize

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

RESOLUTION #101701

RESOLUTION AUTHORIZING SALE OF REAL ESTATE

WHEREAS, the City of New Richmond is the owner of real estate described as:

SEC 10 T30N R18W PRT NE NW DESC IN DOC 1005917 AS COM N ¼ COR TH W 324.93' TO POB; TH S 30 DEG W 13.73'; TH ALG CURV S 48 DEG W 136.18'; TH S 66 DEG W 124.91'; TH ALG CURV S 33 DEG W 172.75'; TH S 305.66'; TH S 45 DEG E 21.35'; TH E ALG N ROW WI DR TO SW COR LOT 1 CSM 16-4408; TH N 609.92' TO POB.

WHEREAS, the City has entered into an Offer to Purchase and Sale Agreement with Phillips Medisize, LLC, Whereby the City would sell this parcel to Phillips Medisize, LLC; 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 Phillips Medisize, LLC
2. That Mayor, Frederick Horne, and City Clerk, Tanya Batchelor, are authorized to execute all documents necessary to complete the sale of the property.

Motion was seconded by Alderman Kittel and carried.

125th Street Design

Jeremiah Wendt explained the existing road has no bike or pedestrian accommodations and the pavement has failed. The street is half in the City and half in Richmond Township. The first open house for this project was held on September 28, 2017, for input from the neighborhood on the design. The preference from the neighborhood was for speed reduction, truck traffic reduction and lighting improvements. Pavement markings and signage were the top choices for speed reduction measures. They looked at curb and trail/sidewalk options as well. Due to the environmental considerations, Jeremiah is recommending a street with ten-foot travel lanes, four-foot bike lanes on both sides, curb on the City side of the street north of Ninth Street and south of Maple Lane and no curb in between. There would be a ribbon curb on the township side of the street. A signed truck route will be established to discourage truck traffic. Jeremiah recommended constructing 3,800' of trail in a different location, possibly parallel to County Road A rather than have a trail on 125th Street since that area is already served by the Rail Bridge Trail. Also incorporated in this design will be pond #265 retrofit. Alderman Montello moved to proceed with the preliminary design as presented, seconded by Alderman Jackson and carried.

Banner Sponsorship Program

Noah Wiedenfeld explained the Banner Sponsorship program for the winter months. The cost is \$150 per banner and the revenue from the program will go to future downtown beautification efforts. The banners will be installed in November with the winter decorations. The banners have a three-year warranty. After the three years, we can repeat the program. Anyone interested in sponsoring a flag, please contact Noah by October 20, 2017. Alderman Kittel moved to approve the program as presented, seconded by Alderman Jackson and carried.

Police Vehicle Bids

Veronica Koehler explained the following bids received for Police vehicles:

Dodge Durango Special Services Vehicle from Bernard's	\$38,715
Dodge Durango Special Services Vehicle State Bid	\$33,929
Ford Explorer Police Interceptor Vehicle from Johnson's	\$43,406
Ford Explorer Police Interceptor Vehicle State Bid	\$37,446
Chevy Tahoe State Bid	\$42,610

Considerable discussion followed regarding the vehicles, options available and cost.

The following bids were received for the K-9 vehicle:

Ford Explorer Police Interceptor Vehicle from Johnson's w/outfitting	\$48,491
Dodge Durango Special Services Vehicle from Bernard's	\$33,465
Ford Explorer Police Interceptor Vehicle State Bid w/outfitting	\$43,076
Dodge Durango Special Services Vehicle State Bid	\$28,679
Chevy Tahoe Police Pursuit Vehicle State Bid w/outfitting	\$46,904

The following bids were received for the Police Chief's vehicle:

Ford Taurus from Johnson's	\$34,945
Ford F-150 from Johnson's	\$40,740
Dodge Charger from Bernard's	\$31,285
Dodge Ram from Bernard's	\$32,585

The recommendation from staff was to purchase two Ford Explorer Interceptor vehicles for the squads and a Ford Explorer Interceptor Vehicle for the K-9 unit from Johnson Ford and the Dodge Ram truck from Bernard's.

Squad 1 – with extended warranty & vehicle maintenance pkg	\$46,406
Squad 2 – \$46,406 less \$7,000 trade-in for one 2015 Durango	

w/warranty & maintenance package	\$36,406
K-9 Vehicle – funds to come from K-9 Fundraising	
w/warranty & maintenance pkg	\$43,406
Police Chief Dodge Ram Truck w/warranty & maintenance pkg	\$32,585

Staff recommends keeping squad 22 (a 2015 Dodge Durango) as a spare/Lieutenant vehicle and for transports. Alderman Jackson moved to accept staff recommendation for the purchase of the vehicles listed above, seconded by Alderman Kittel and carried. Alderman Volkert voted no and Alderman Montello abstained. Alderman Zajkowski, Kittel and Jackson voted yes. Motion carried.

Parade Permit Process

Veronica Koehler explained that currently people apply for parade permits periodically throughout the year as needed. Sometimes this leads to short notice for staff to apply for the permit from the State of Wisconsin. The proposal is to require all parade permits to be submitted in January for the calendar year. Discussion followed. Alderman Montello moved to approve this policy, seconded by Alderman Jackson and carried. A notice will be sent out to those who have applied for parade permits in the past.

2018 Budget Update

Mike Darrow stated that staff is taking the budget on the road this month with several presentations scheduled at various times and locations around the City. They will be asking the community to rank where tax dollars should be spent.

Work Session on October 23, 2017 at 5:30 p.m.

The work session will be on October 23, 2017 at 5:30 p.m. in the Council Chambers of the Civic Center.

Communications and Miscellaneous

None

Closed Session

Alderman Montello moved to go into Closed Session per State Statute 19.85 (1)(e)– TID #6, seconded by Alderman Kittel, and carried.

Open Session

Alderman Montello moved to deny the request as discussed in Closed Session, seconded by Alderman Volkert. Alderman Zajkowski, Kittel and Jackson voted no. Alderman Volkert and Montello voted yes. Motion failed. Alderman Kittel moved to approve the request as discussed in Closed Session, seconded by Alderman Jackson and carried. Alderman Montello voted no.

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

Meeting adjourned at 8:55 p.m.

Tanya Batchelor
City Clerk

SPECIAL COUNCIL MEETING, OCTOBER 12, 2017 10:00 A.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: Alderman Kittel, Jackson, Montello, and Volkert

Members Absent: Mayor Horne, Alderman Ard and Zajkowski

The Pledge of Allegiance was recited.

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

Extension of Premise

Alderman Kittel moved to approve the request from Gibby's Lanes for an Extension of Premise for October 14, 2017 from 5:00 p.m. to midnight to include a tent in the north parking lot, seconded by Alderman Jackson and carried.

Amplification Permit

Alderman Kittel moved to approve the request from Gibby's Lanes for an Amplification Permit and Exemption from Section 50-87 Loud & Unnecessary Noise for October 14, 2017, from 5:00 p.m. to midnight, seconded by Alderman Jackson and carried.

Communications & Miscellaneous

None

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

Meeting adjourned at 10:05 a.m.

Tanya Batchelor
City Clerk

SPECIAL COUNCIL MEETING, OCTOBER 23, 2017 5:30 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, Jackson, Montello, and Volkert

Members Absent: Alderman Zajkowski

The Pledge of Allegiance was recited.

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

Alley Reconstruction/Funding

Jeremiah Wendt explained the Public Works Committee has discussed reconstruction of alleys in the City. An assessment was completed by staff of all alleys and a survey was sent out to property owners along the alleys. The goal is to have them all paved over the next five years. The cost would be split 50/50 with the property owners and could be paid back over five years on the tax roll. The alleys have been ranked as to which ones should be completed first. The typical frontage on an alley is 60 to 80 feet which would cost approximately \$750 to the property owner. Some alleys are longer and could cost up to \$2,200. The next step is for City Council to adopt a policy. Maintenance would be done like the regular streets, including seal coating 3 to 5 years after they are blacktopped. Alleys would also be a regular part of the crack filling program. Any existing alleys that have large holes, the Public Works Department can fix. In an effort to save money, everything except the asphalt could be done by City staff. There was concern regarding speeding on the alleys after they are paved. Removable speed bumps could be placed to help with this problem. Alderman Montello moved to proceed with an ordinance, seconded by Alderman Ard and carried.

2018 Budget

Rae Ann Ailts explained staff has given budget presentations to seven groups so far and have eight more presentations planned at various places for community engagement and feedback. Residents who have attended the presentations have responded favorably to a small increase in the City's levy. Within the 2018 budget, staff has been able to maintain health insurance rates including eye care and dental care. Council previously approved managed print and IT services, continuing with the electrical inspector contract for 2018, adding one patrol officer, adding one public works position, a part-time custodial position, and a part-time seasonal position for the airport. Staff has reviewed the overtime budget for the Police Department and feel the amount budgeted should be \$85,000. Staff will continue to try to reduce that amount. There was discussion regarding adding \$100,000 to the budget for capital projects in 2018. Alderman Montello moved to proceed with publishing the budget as presented with the inclusion of \$100,000 for capital improvements in 2018, seconded by Alderman Ard and carried.

Alderman Ard moved to approve the hiring process for a Police Officer, seconded by Alderman Montello, and carried.

Alderman Kittel moved to proceed with the hiring process for a full-time public works hybrid position that will work with streets, parks, water and wastewater as needed, seconded by Alderman Ard and carried.

Capital Improvement Plan Update

Rae Ann Ailts explained that staff prioritized the capital improvement projects by color as requested by Council. Red projects need immediate attention as they relate to health or safety issues. Yellow projects need repair or replacement soon, but not immediately. Green projects would be nice, but do not directly impact the safety or health of the community. Council was asked to review the projects and funding sources. These will be discussed at the next work session in November.

Set Date for Council Retreat

Mayor Horne asked the Council to look at their calendars and set the date for the retreat at the November 13, 2017 meeting. It was suggested to call this an extended work session.

Collateralization of Public Funds

Rae Ann Ailts explained the City currently utilizes a repurchase agreement to collateralize the funds of the City. Collateralization is where the bank provides securities for the exchange of the City's fund. This is done to ensure, in case of a default by the bank, the City is able to collect on funds held by the bank. Our current repurchase agreement provides collateralization for up to one million dollars. Staff is recommending using a letter of credit instead of the repurchase agreement so secure funds. There is zero cost, less administrative burden at year-end, and rapid payout in the event of a default. Staff has consulted with our legal counsel, auditors and other municipalities that use a letter of credit. Our legal counsel and auditors have indicated a letter of credit meets all state and accounting requirements and standards. Alderman Montello moved to proceed with obtaining a letter of credit to be reviewed by legal counsel and our auditors, seconded by Alderman Ard and carried.

Police Digital Radios

Chief Yehlik explained the County went through a frequency changeover with radios in September in preparation for the April 1, 2018 deadline for changing to all digital radios. The New Richmond Police Department has experienced many problems since this changeover. Craig received bids for Motorola Radios and for Tait Radios. No agencies in St. Croix County currently use the Tait radios and other agencies are phasing out their Tait radios. St. Croix County and surrounding agencies have purchased Motorola Radios. The cost for purchasing Motorola Radios is \$70,364. Staff recommends approval to proceed with the purchase of the Motorola APX-4000 and APX-4500 radios with programming and installation to be completed with Ancom. Alderman Montello moved to accept this recommendation and include feedback from the department regarding which microphones to order, seconded by Alderman Ard and carried.

School Resource Officer

The City and School District have begun informal discussions regarding the need for a School Resource Officer. There may be funds from a grant or PILOT for the School Resource Officer. If the funding comes through, Craig will bring back information to the City Council as to the timeline and formal approval to move forward with hiring and purchasing equipment. Discussion followed. Craig Yehlik will work with the New Richmond School District on the development of a Memorandum of Understanding for formal approval by the City Council. No action is needed at this time.

Communications & Miscellaneous

Craig Yehlik stated that all officers are certified and carrying Narcan now which is the emergency treatment of a known or suspected opioid overdose.

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

Meeting adjourned at 7:19 p.m.

Tanya Batchelor
City Clerk

VOUCHERS PRESENTED TO THE COUNCIL NOVEMBER 13, 2017

VO #	PAYMENT TO:	AMOUNT
61160	VOIDED CHECK	(670.75)
61262	MELSTROM INSPECTIONS, LLC	1,875.00
61263	ST CROIX COUNTY ABSTRACT & TITLE	666.00
61264	BOARDMAN & CLARK LLP	740.00
61265	CITY OF NR - LIBRARY	141.69
61266	CITY UTILITIES - INVOICES	7,925.55
61267	CITY UTILITIES - OTHER	385.00
61268	E O JOHNSON COMPANY	285.00
61269	ECKBERG LAMMERS P.C.	6,761.87
61270	FLEX-O-SWEEP	244.00
61271	FRONTIER COMMUNICATIONS	1,016.14
61272	GARDEN EXPRESSIONS	296.42
61273	HOISINGTON KOEGLER GROUP, INC	4,886.48
61274	HUDSON PHYSICIANS S.C.	67.00
61275	ICMA	500.00
61276	INTERACTIVE HEALTH, INC	517.50
61277	LAMERS, ANDREW	518.38
61278	MCCABE CONSTRUCTION, INC	355,388.12
61279	NR TREE SERVICE, LLC	4,184.00
61280	PELNAR, KATHLEEN	75.76
61281	REGISTER OF DEEDS	90.00
61282	ST CROIX COUNTY SHERIFF'S DEPT	120.00
61283	STEPHENS SANITATION - RECYCLING	4,065.00
61284	STEPHENS SANITATION - REFUSE	487.15
61285	WI DEPT OF TRANS - TV & RP UNIT	10.00
61286	WISCONSIN HISTORICAL SOCIETY	163.31
61287	ARD, SCOTTIE	295.07
61288	CITY OF NR - REVOLVING FUND	188.26
61289	CITY UTILITIES - 2ND BILLING	31,268.06
61290	COMMUNITY COLLABORATION	1,432.43
61291	CONFIDENTIAL RECORDS	45.00
61292	FRONTIER COMMUNICATIONS (2)	48.76
61293	KEATING, RENEE	254.06
61294	MARSDEN BLDG MAINTENANCE, LLC	2,252.22
61295	MELSTROM INSPECTIONS, LLC	1,875.00
61296	MEYER, SCHERER & ROCKCASTLE, LTD	12,593.06
61297	ROTARY CLUB OF NEW RICHMOND	298.00
61298	STRUCK & IRWIN PAVING INC	7,140.00
61299	VILLAGE OF STAR PRAIRIE	147.10
61300	XCEL ENERGY (2)	23.22
61301	CITY UTILITIES - OTHER	236.48
61302	DARROW, MIKE	332.77
61303	GIBBY'S INC	265.50
61304	HURTGEN, RUTH	150.50
61305	MASTER ASBESTOS ABATEMENT, INC	790.00
61306	NR AMBULANCE SERVICE	635.81
61307	ZAJKOWSKI, JAMES	254.83
61308	CITY UTILITIES - OTHER	913.31
61309	BALDWIN TELECOM	412.88
61310	CITY OF NR - REVOLVING FUND	140.00
61311	CLERK OF COURT - ST CROIX CO	423.00
61312	DUNN COUNTY CLERK OF COURT	130.00
61313	MONARCH PAVING COMPANY	266.44
61314	MROZ, MICHAEL	189.95
61315	PIERCE COUNTY CLERK OF COURT	263.50

	SUB - TOTAL	454,003.83
	SUB - TOTAL CARRIED FORWARD	454,003.83
61316	REGISTER OF DEEDS	30.00
61317	ST CROIX COUNTY TREASURER - DOG LICENSES	671.00
61318	STANDARD INSURANCE COMPANY	2,756.13
61319	VANDERWYST, JAMES	255.81
61320	WENDT, JEREMIAH	571.28
61321	WI DEPT OF JUSTICE - TIME	318.00
61322	XCEL ENERGY	832.61
61323	NORTHLAND EVERGREENS	1,350.00
61324	AMAZON (CITY)	118.41
61325	AMAZON (LIBRARY)	1,838.70
61326	ASPHALT ASSOCIATES INC	300.00
61327	BENEFIT EXTRAS, INC	423.25
61328	CEMSTONE - READY MIX INC	881.50
61329	CITY EMPLOYEE FUND	1,400.00
61330	CITY UTILITIES - 1ST BILLING	921.99
61331	CITY UTILITIES - LANDFILL	565.89
61332	CITY UTILITIES - SAC CHARGES	18,582.00
61333	CITY UTILITIES - SALES TAX	292.34
61334	CITY UTILITIES - WATER IMPACT FEES	18,582.00
61335	CYCLONE FENCE	12,295.00
61336	DREIER, LAURA	37.20
61337	E O JOHNSON COMPANY	2,591.34
61338	ECKBERG LAMMERS P.C.	5,412.50
61339	EHLERS & ASSOCIATES INC	3,800.00
61340	FELICITY HOMES	683.50
61341	FRONTIER COMMUNICATIONS	1,011.48
61342	FUSION METAL PRODUCTS INC	765.00
61343	GALE / CENGAGE LEARNING	218.90
61344	GHD SERVICES INC	8,268.89
61345	HUDSON AREA JOINT LIBRARY	5.00
61346	INDIANHEAD FEDERATED LIBRARY	3,599.94
61347	INDUSTRIAL HEALTH SERVICES NETWORK INC	44.90
61348	INDUSTRIAL SAFETY	513.66
61349	INTERACTIVE HEALTH, INC	360.00
61350	KWIK TRIP / KWIK STAR STORES	3,908.93
61351	LEVERTY, TIMOTHY	394.00
61352	MELSTROM INSPECTIONS, LLC	1,875.00
61353	MEYER, SCHERER & ROCKCASTLE, LTD	7,458.87
61354	MSA PROFESSIONAL SERVICES INC (MN)	8,340.25
61355	MSA PROFESSIONAL SERVICES INC (WI)	10,004.96
61356	NORTHERN BUSINESS PRODUCTS	769.23
61357	NORTHERN LIGHTS DISPLAY, LLC	1,716.00
61358	NORTHLAND SURVEYING	343.75
61359	OWEN ASSESSING LLC	6,200.00
61360	PEDERSON, JOEL	325.00
61361	POWERS LIQUID WASTE MANAGEMENT, INC	1,080.00
61362	PRO-TECH EXTERIORS	397.50
61363	PROFESSIONAL SERVICE INDUSTRIES, INC	2,543.86
61364	REALIVING, LLC	1,501.75
61365	RIVERTOWN MULTIMEDIA	775.94
61366	ROTARY CLUB OF NEW RICHMOND	202.00
61367	RUNNING, INC	9,428.28
61368	SAFE STEP LLC	36,719.28
61369	SCHOOL DISTRICT OF NR - MOBILE HOME FEES	167.09
61370	SECURIAN FINANCIAL GROUP, INC	2,118.74
61371	SHORT-ELLIOTT-HENDRICKSON	26,463.32
61372	SIMONTON, BRITTANY	16.00

	SUB-TOTAL	667,051.80
	SUB - TOTAL CARRIED FORWARD	667,051.80
61373	ST CROIX COUNTY HIGHWAY DEPT	12,021.85
61374	ST CROIX COUNTY INFORMATION TECHNOLOGY	3,195.16
61375	ST CROIX COUNTY TREASURER - MUNICIPAL COURT	523.91
61376	ST CROIX VALLEY SART, INC	200.00
61377	STATE OF WI - COURT FINES & ASSESSMENTS	1,391.24
61378	SUNRISE LAWNS LANDSCAPE & IRRIGATION	361.00
61379	TOP NOTCH TROPHIES	30.00
61380	VERIZON WIRELESS (CITY)	353.92
61381	VILLAGE OF STAR PRAIRIE	33.02
61382	WASHINGTON NATIONAL INS CO	200.80
61383	WI PROFESSIONAL POLICE ASSN, INC	585.20
61384	WILLIAMSON & SILER S.C.	961.00

TOTAL VOUCHERS 686,908.90

	ELECTRONIC FUND TRANSFERS	
	PAYROLL (10/13, 10/27 & 11/10))	354,345.02
	DEFERRED COMP	8,994.00
	ROTH - WI	250.00
	FEDERAL W/H	91,152.36
	STATE W/H	16,706.93
	MEDICAL PREMIUMS	89,502.25
	RETIREMENT	82,046.35
	VISA P-CARDS	31,919.49
	HRA	5,194.61
	HSA - ER CONTRIBUTIONS	1,166.62
	WI-SCTF	3,427.64
	FLEX SPENDING	4,322.46
	GARNISHMENTS	243.42
	EMPLOYEE FUND	220.00
	FIREMEN DUES DEDUCTIONS	540.00
	AFLAC	1,408.38
	INV - SUPER AMERICA	2,230.73
	DELINQ STATE TAX - REMITTANCES	73.49
	IMPACT FEE TRANSFERS	6,110.00
	PSN REFUNDS	300.00
	WPPI LOAN PMTS	4,166.67
	DEBT PMTS/BREMER LOAN PMTS	2,426.27

TOTAL ELECTRONIC FUNDS 706,746.69

GRAND TOTAL 1,393,655.59

FRED HORNE, MAYOR



New Richmond Police Department
1443 Campus Drive
New Richmond Wisconsin 54017
(715) 246-6667 Office (715) 246-4370 Fax



Craig Yehlik
Chief of Police

Veronica Koehler
Lieutenant

October 2, 2017

Lt. Veronica Koehler
Officer Mike Crubaugh
Officer Aaron Anderson
Detective Carlos de la Cruz
Detective Jason Noel

On September 29, 2017, at approximately 0835 hours, St. Croix County Dispatch gave out a call of a domestic disturbance involving a 26 year-old male subject in the garage with a gun. New Richmond PD responded.

Officer Anderson, as the first officer on scene, you parked a safe distance from the residence and established control. You recognized the volatility of the situation and the dangers involved, and set yourself up with the necessary gear and tactics to ensure success. You were able to utilize crisis intervention techniques recently acquired and engage the subject in dialogue while attempting to de-escalate the situation.

Lt. Koehler and Officer Crubaugh, as you approached the scene, you positioned yourselves directly in the path of danger, shielding young children from potential gun violence and gaining control of the subject quickly, effectively, and with the minimal amount of force necessary to bring the situation to the best case conclusion.

All three of you then monitored and provided EMS not only to the victims in this case, but the suspect as well. You were attentive to his crisis and offered him any medical attention he may have needed. You also recognized the magnitude of this situation, including the language barrier, and called the appropriate team members into assist. Together, as a team, you three went above and beyond, exhibiting exceptional courage, extraordinary decision-making skills while under stress, and the presence of mind to take swift action, putting your personal safety at risk to save and protect the lives of others – unselfish!

Detective de la Cruz, you arrived on scene and immediately had a calming effect on all of the victims involved. Your diligent work on this case, attention to detail and rapport you built with those involved was not only appreciated but led to some vital cell phone evidence being discovered. The way you handled the two and four year old victims was also to be commended. I believe that both of those young children will always hold you and this department in very high regard from the way you interacted with them.

Detective Noel, you came on scene with a “what can I do” attitude. You were able to retrace the suspect’s steps and gather vital information about his recent activity.

When situations like this arise, I am reminded of statements made about Medal of Valor recipients -; “the men and woman who run toward the danger remind us with courage and humility what the highest form of citizenship looks like.” (Author unknown)

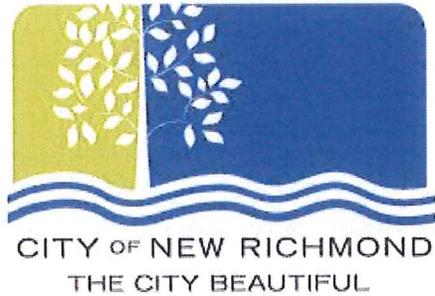
It still amazes me that I was chosen to lead such a tremendous group of dedicated law enforcement professionals. I have the confidence in every one of our officers to do the job that is expected, with the utmost patience, skill, professionalism and desire to have a successful outcome. On this date, it happened to be Lt. Koehler, Officer Crubaugh and Officer Anderson that ran toward the gun, putting their lives on the line for the citizens of New Richmond. Your actions were heroic in every sense of the word.

Detective de al Cruz and Detective Noel, the way you interacted with the victims, gathered facts and dropped everything to ensure a successful outcome was nothing short of amazing. All five of you are fantastic at what you do. The citizens of this community should be proud that you all represent everything that is special about New Richmond. Your actions on September 29th, 2017 are to be commended! Thank you for your service.

Respectfully submitted,

Craig Yehlik
Chief of Police

CC; each personnel file



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: November 9, 2017
RE: Vacating Drainage & Utility Easements

Background

Phillips Medisize has submitted plans for construction of a 52,160 square foot warehouse addition onto their existing facility at 705 Wisconsin Drive. A Certified Survey Map is required to combine the existing Phillips Medisize lot with two abutting lots to the west to accommodate the proposed building addition. Drainage and utility easements internal to the three existing lots are to be vacated as they no longer will serve a public purpose and the vacation is necessary to allow for the warehouse expansion.

Recommendation

Staff is recommending approval of the resolution vacating the drainage and utility easements.

RESOLUTION#111701
FINAL RESOLUTION FOR
VACATING AN EASEMENT

WHEREAS, pursuant to Section 66.1003 of Wisconsin Statutes, the Common Council has heretofore initiated proceedings, to vacate and discontinue a drainage and utility easement described as

Lying within Lots 1 and shown on St. Croix County Certified Survey Map, Volume 26, Page 6070, Document Number 1005298, recorded on December 11, 2014 and the easements per Certified Survey Map, Volume 16, Page 4408 and depicted on Exhibit A; and

WHEREAS, a public hearing on the passage of such resolution was set by the Common Council, which hearing was scheduled for November 13th, 2017 at 7:00 p.m. in the Council Chambers, and written notice of such meeting was duly served on the owners of all of the frontage of the lots and lands abutting upon that portion thereof sought to be discontinued as provided by law; and

WHEREAS, the City Council held the public hearing pursuant to said notice at the time and place therefore affixed and all persons so served and interested were then and there given an opportunity to be heard; and

WHEREAS, the City of New recognizes that said easement no longer serves a purpose as the lot lines have changed with the new certified survey map; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New Richmond that it is hereby declared that drainage and utility easement described herein is hereby vacated and discontinued, provided that:

1. Pursuant to Section 66.1005 Wisconsin Statutes such vacation shall not terminate the easements acquired and the rights of the public in any of the underground structures, improvements or services as enumerated or otherwise existing in said public way and in said description of lands hereinbefore described, but such easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if such public way had not been vacated.
2. The vacation of said drainage and utility easement shall cause no damage to any abutting or nearby property owners and therefore no damages are awarded to any property owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record in the St. Croix County Register of Deeds Office, a certified copy of this Resolution including the legal description of the vacated street, a copy of a map showing locations thereof.

Passed and Approved: November 13, 2017

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: 8 November 2017

RE: New Richmond – Phillips Medisize; Warehouse Expansion/CSM

TPC FILE: 164.02

BACKGROUND

Phillips Medisize has submitted plans for construction of a 52,160 square foot warehouse addition onto their existing facility at 705 Wisconsin Drive. A Certified Survey Map and a vacation of existing drainage and utility easements is being processed to combine the existing Phillips Medisize lot with two abutting lots to the west to accommodate the proposed building addition. The DRC reviewed the submitted plans at a meeting on 4 October 2017. Revised plans were submitted for review by the DRC at their meeting on 19 October 2017.

Exhibits:

- Site location map
- Certified Survey Map

ANALYSIS

Comprehensive Plan. The Comprehensive Plan guides the subject site for industrial land use. It is a stated economic development goal in the Comprehensive Plan to retain and assist in the growth of existing businesses in New Richmond. Phillips Medisize is a significant business within the community and the continued expansion of their facility within the New Richmond Business and Technical Park is consistent with the City's goals for economic development.

Zoning. The subject site is zoned Z7 District. Laboratory, warehousing, and manufacturing uses are permitted in the Z7 District.

CSM. The existing Phillips Medisize property exists currently as two lots. To accommodate the proposed warehouse expansion, the developer will acquire from the City an additional lot located to the west. A CSM has been prepared to combine the three existing lots into one lot. The CSM application is to be subject to review by the DRC and Plan Commission and subject to approval of the City Council in accordance with Section 117-20 of the Subdivision Ordinance.

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	LD Residential	Z4 District	Single Family
East	Industrial	Z7 District	Industrial
South	Industrial	Z7 District	Vacant Industrial
West	Industrial	Z7 District	Vacant

Lot Width. The Z7 District requires a minimum lot width of 80 feet. The defined principle frontage of the subject site is to be along St. Croix Avenue. The width of the lot to St. Croix Avenue exceeds 80 feet and complies with the Zoning Ordinance.

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

	Wisconsin Dr.	Madison Ave.	North	East
Required	20ft.	20ft.	20f.	NA
Proposed	225ft.	180ft.	225ft.	NA

Sidewalks/Trails. There is an existing trail along the south side of Wisconsin Drive across from the subject site. A sidewalk is not needed on the north side of Wisconsin Drive. We do not recommend a sidewalk be added along Madison Avenue along the west lot line of the subject site. The encroachment of the existing principal building into the front yard along St. Croix Avenue precludes a sidewalk in this location.

Grading Plan. Grading and stormwater management plans have been submitted for the proposed warehouse addition. The submitted plans comply with the requirements of the City Code for stormwater management. All grading, drainage, and erosion control issues are subject to review and approval by the Public Works Director.

Utilities. A utility plan has been submitted for the proposed warehouse addition. There are currently no street lights along Madison Avenue north of Wisconsin Drive. Street lighting will be installed by the City as part of a future street improvement project. All utility issues are subject to review and approval of the Public Works Director.

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 along St. Croix Avenue will have to be less than 10 feet in the area where the existing building encroaches to the lot line. The CSM provides for a 25 foot wide easement along Wisconsin Drive, a 20 foot easement along the north lot line to be consistent with existing easements already in place, and also a ten foot wide easement abutting the east lot line.

Drainage and utility easements internal to the three existing lots are to be vacated as they no longer will serve a public purpose and the vacation is necessary to allow for the warehouse expansion. Due to the timing of the vacation process, it may be necessary to consider an interim encroachment agreement to allow construction to begin at the developer's risk. All easements are subject to review and approval of the Public Works Director.

RECOMMENDATION

The DRC and Planning Commission recommends approval of the CSM and vacation of existing drainage and utility easements to allow for a warehouse expansion at Phillips Medisize subject to the conditions outlined below.

POSSIBLE ACTIONS

- A. Motion to **approve** a CSM and **adopt** a resolution vacating existing drainage and utility easements for Philips Medisize, subject to the following conditions:
 - 1. All grading, drainage, and erosion control issues are subject to review and approval by the Public Works Director.
 - 2. All utility issues are subject to review and approval of the Public Works Director.
 - 3. All easements shall be subject to review and approval of the Public Works Director; existing internal drainage and utility easements require vacation in accordance with the process established by State law.

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

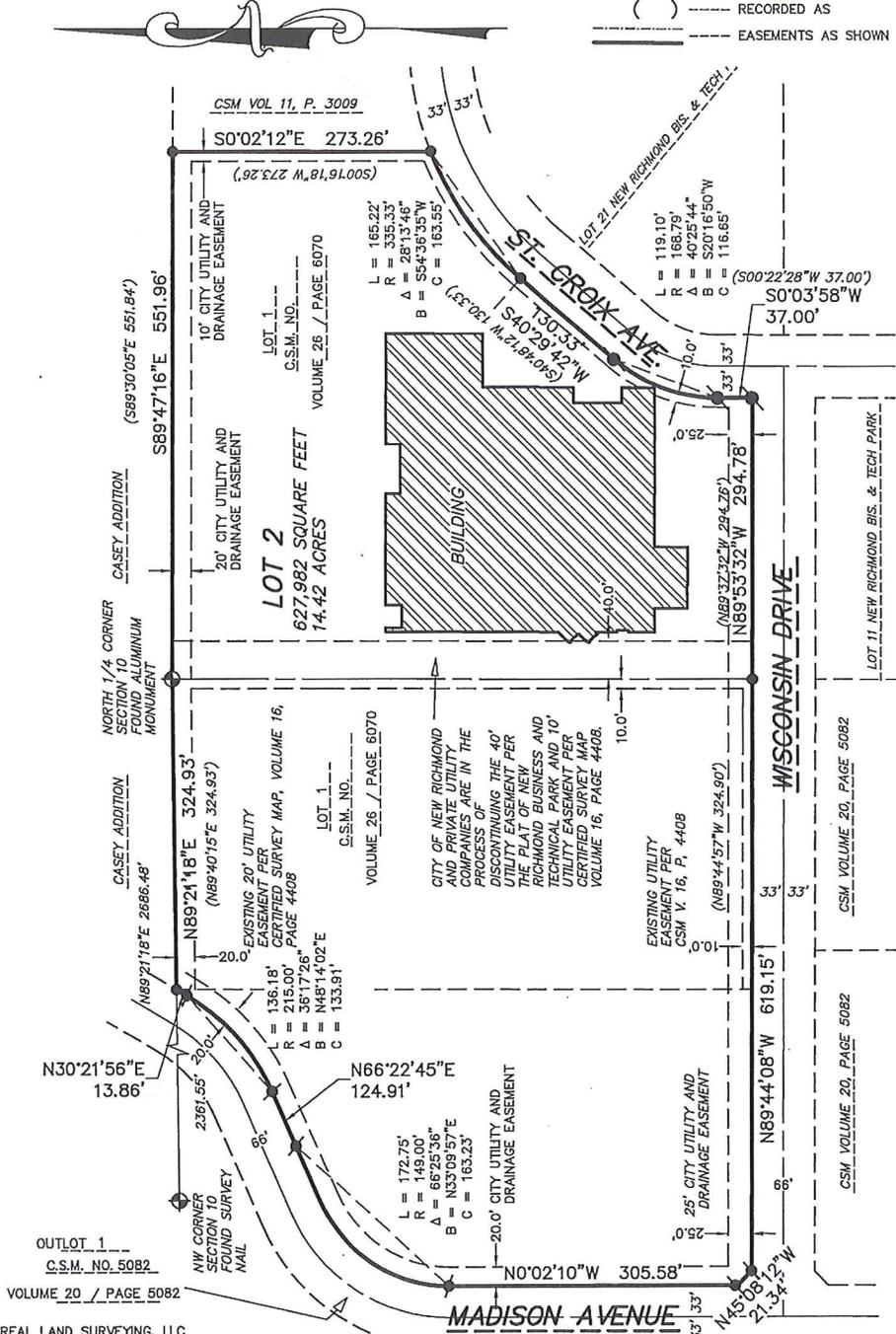
CERTIFIED SURVEY MAP
 LOCATED IN THE NORTHEAST ¼ OF THE NORTHWEST ¼,
 NORTHWEST ¼ OF THE NORTHEAST ¼
 SECTION 10, TOWNSHIP 30 NORTH, RANGE 18 WEST,
 CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN
 BEING ALL OF LOT 1, CERTIFIED SURVEY MAP VOLUME 26, PAGE 6070.

NOTE: THE PURPOSE OF THIS CERTIFIED SURVEY MAP IS TO CONSOLIDATE EXISTING LOTS.

BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NW ¼, SECTION 10 ASSUMED BEARING OF N.89°21'18"E.

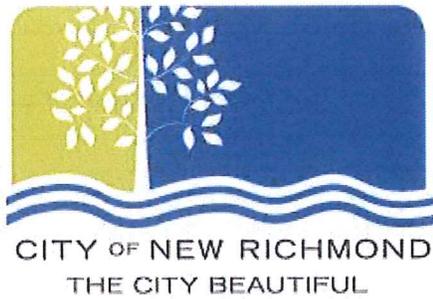
LEGEND

- --- FOUND 1-1/4" REBAR
- --- FOUND 1" OUTSIDE DIAMETER IRON PIPE
- --- SET 1" OUTSIDE DIAMETER x 18" IRON PIPE WEIGHING 1.13 LBS./LIN.FT.
- () --- RECORDED AS
- EASEMENTS AS SHOWN



REAL LAND SURVEYING, LLC
 1360 INTERNATIONAL DRIVE
 EAU CLAIRE WI 54701
 (715)514-4116

UNPLATTED LAND



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: November 10, 2017

SUBJECT: 125th Street Final Design Contract/MOU

Background

Earlier this year, the City Council directed staff to proceed with the Preliminary Design phase of the 125th Street reconstruction project, in cooperation with the Town of Richmond. That preliminary design has been completed, based on the information presented to the City Council at the October 9, 2017 meeting. Preliminary drawings have been developed, which will be available for the Council to review at the November 13, 2017 meeting.

Additionally, a preliminary cost estimate has been developed which approximates the total project cost at \$640,000, with the City's share currently estimated at \$400,000. In addition to the street improvements, City staff is recommending that the Pond 265 Retrofit project, previously approved with funds from DNR grants, Coalition Funds, and Stormwater Utility Funds, be bid with this project though that portion of the project would not be split with the Town. The current estimate for the pond retrofit is approximately \$150,000.

Another addition to the project that staff is proposing (and which is included in the estimate above) is the design and construction of a mowed nature trail that would loop from 125th Street to the Rail Bridge Trail on the north and south sides of Paperjack Creek. By including this with the larger project, not only will unit prices be lower, but the wetland/waterway permitting can be done in one package with the permitting for the street, saving significant cost. As with the Pond 265 costs, this portion of the project would not be split with the Town.

With this information in hand, the next step in the project is to entire the Final Design phase. Staff has developed the attached MOU to be entered into with Richmond Township. A separate MOU will be drafted for the bidding and construction phase. Additionally, the attached Agreement with SEH was drafted for the Council's consideration. SEH has prepared separate design contracts for the City and Town, with the design fee split according to the cost estimate for the proportion of the project that lies within each jurisdiction. The proposed design fee for the City's portion of the Final Design contract from SEH is \$38,812.

Recommendation

Staff recommend approval of the Final Design MOU with Richmond Township.

Staff recommend approval of the Final Design Agreement with SEH for \$38,812.

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 November 10, 2017 authorizes and describes the scope, schedule, and payment conditions for Consultant’s work on the Project described as: **Provide consulting engineering services for final design of 125th Street from 8th Street West to Circle Pine Drive.**

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 design tasks include project management, utility coordination, final design, project specifications, quantities, cost estimates, bidding documents, project meetings, permit applications as listed, and preparation of construction plans generally including the following sheets: Title Sheet, Detail Sheets, Plan and Profile sheets, and Cross-Section Sheets. A project description, a specific scope of work and assumptions are listed below.

125th Street (8th Street West to Circle Pine Drive)

The proposed design includes approximately 2,700 lineal feet of street replacement including new curb and gutter on the east side (except for a 600’ segment along Paperjack Creek, where there will be no curb). Lane widths will include 10’ travel lanes and 4’ paved shoulders for pedestrians, and striping will be placed to delineate the 4’ pedestrian lanes. No bump-outs are anticipated, but a traffic calming island may be installed on the south end of the project to discourage large truck traffic from traveling through the residential neighborhood. 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 a radar speed sign may also be installed to reduce speeds.

The new curb and gutter on the east side will require new curb inlets and the associated storm sewer piping on the east side. On the south end of the project, it is assumed that the new storm water will be connected to existing storm sewer and flow south to an existing pond west of Madison Avenue. On the north end, there is little or no room outside existing wetlands to create a new pond (i.e., a pond is not practicable), so it is assumed that the new storm sewer will be piped to Paperjack Creek, and that no storm pond will be required. Other than new storm sewer, no other utility work is proposed.

This project will also include full replacement of the existing twin 84” metal culverts with new concrete culverts. The existing metal culverts will be replaced with longer concrete culverts of the same diameter, including new concrete apron end walls. Permit applications will be prepared and submitted, including DNR storm water/erosion control, Chapter 30 culvert, and wetland permit applications. It is assumed that a formal wetland delineation report for 125th Street work is not required, because wetland delineation concurrence has already been

completed. It is also assumed that flood plain analysis, modeling and permitting will not be required because the road profile in the flood plain area will not be raised above the existing elevation and therefore the regional flood elevation will not be impacted.

Right-of-way services (i.e., easements, acquisition, etc.) are not included in the estimated engineering costs, because it is not known at this time what additional right-of-way may be necessary with this road width option, if any.

One Public Involvement Meeting (i.e., Public Meeting No. 2) will be included in the scope of work for the Design phase, to be held prior to bid opening. The purpose of the meeting will be to follow up on Public Meeting No. 1, present the proposed plan for the road (as described above), obtain additional feedback from the public, and respond to questions. A third Public Meeting may occur in the Construction phase, but is not included in the Design phase. Other meetings included in the base scope of work include a kick off meeting with the City and Town, and up to 3 meetings with the City and Town throughout the design period, prior to bid opening.

Pond grading for the expanded Madison Avenue pond will be bid as a part of the project. Plans and estimates have already been provided for inclusion in the 125th Street bid package. DNR Storm Water/Wetland permitting for the Madison Avenue pond expansion will be completed. A Storm Water Permit will be needed, but can 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. Costs related to the Madison Avenue Pond Expansion are not included in the total design fee listed below, as these costs will be invoiced to the City separately.

The design of an unpaved, grass trail along both sides of Paperjack Creek between 125th Street and the Railroad Trail Bridge will be included in the scope of work. It is assumed that the design of this trail can be completed using St. Croix County Lidar, and that no field surveys will be obtained. Because this trail is anticipated to cross into wetlands in at least one area (north of the Circle Pine Drive Cul-de-sac), a wetland report will need to be prepared and a wetland concurrence obtained. It is assumed that any areas where the trail will cross into wetlands will be constructed as a board walk, so that no wetlands will be impacted and an actual wetland permit will not be required (only a wetland report and concurrence). It is assumed that the trail will be located outside the 100 year floodway, so that there is will be no impact to the regional flood elevation. Other than the wetland approval process mentioned above, it is assumed that no other permits will be required.

Further Assumptions and list of tasks not included:

- Bidding and construction engineering services will be part of a separate agreement
- Does not include permit fees (City to pay permit fees directly)
- No land acquisition or easement preparation included
- No boundary surveys included
- Local utility companies will design and construct modifications to their facilities
- Assessment services, if needed, are not part of scope
- Trail design other than the Paperjack Creek Trail is not included in scope of work
- Assumes a formal wetland delineation report is not required for 125th Street, because wetland delineation concurrence has already been completed
- Flood plain analysis, modeling or permitting will not be required
- Assumes St. Croix County Lidar will be used for the Paperjack Creek Trail design, and that no field surveys are required
- Assumes the Paperjack Creek Trail is and unpaved, grass trail
- Signage of a truck route not included
- Assumes final plans, quantities and estimates for the Madison Avenue Pond Expansion are provided by the City for inclusion in the bid package.

Schedule: Work will begin immediately upon receipt of a signed contract. Final schedule to be developed jointly with the City and the Town. It is assumed that all design engineering will be completed prior to April 31, 2018.

Fees: The City's share of the design fee for the specific Base Scope of Work listed herein is estimated to be **\$38,812**, 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.

City of New Richmond

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

By: _____
Title: _____

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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 final design 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 final design phase of the project. A separate MOU addressed the preliminary design phase, and a future MOU will address the construction phase.

I. **CONTRACTS**

The final design contract with SEH has been divided proportionately with the estimated cost of the improvements attributable to each entity, with the City's share being east of the proposed roadway centerline, and the Town's share being west of the proposed roadway centerline. 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. **DESIGN COMPONENTS**

The preliminary design phase of this project has been completed. Based on the preliminary design phase, it is the intent of the City and Town to incorporate the following elements into the final design:

- a. Replacement of existing culverts at the Paperjack Creek Crossing.
- b. Construction of a new road with 10-12 foot wide travel lanes, 4-5 foot bike lanes on either side, and curb and gutter on portions of the City side of the street only.
- c. Signed truck route to lessen truck traffic.
- d. Active radar speed limit signage.
- e. Pavement markings.
- f. A possible median island on the south end of the project.

IV. **PUBLIC INVOLVEMENT**

The final design process will include a public 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 results of the preliminary design will be presented at this meeting, and attendees will be asked for additional input. Input received at the meeting will be considered by representatives from the City of New Richmond, Town of Richmond, and SEH during final design.

V. **TIMELINE**

The final design will commence upon approval of this MOU. The City and Town intend to complete final design by February of 2018 so that the improvements can be bid and constructed in the 2018 construction season.

VI. **FINAL APPROVAL**

Prior to bidding the improvements for construction, the final plans will be presented to both the City of New Richmond and Town of Richmond for approval to bid out the construction of

the improvements. Bidding will not commence until approval is gained from both entities. A separate MOU will be drafted at that time to govern the bidding and construction phase.

VII. **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



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: November 10, 2017

SUBJECT: Resolution #111702 and #111703

Background

The attached ordinances are required by City Ordinance to be adopted by City Council in order to accept the improvements made to Maple Court, Prairie Road, Clover Lane and Pioneer Trail.

Recommendation

Staff recommends approval of both resolutions.

RESOLUTION NO. 111702

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

**A RESOLUTION AUTHORIZING ACCEPTANCE
OF IMPROVEMENTS CONSTRUCTED BY
WILLOW RIVER JOINT VENTURE**

WHEREAS, the property developer Willow River Joint Venture (“Developer”) has constructed certain water, sanitary sewer, storm sewer, and street improvements on Maple Court from 125th Street to its eastern terminus in the Paperjack Bend Development as required by a Development Agreement dated April 28, 2017; and

WHEREAS, Developer has submitted a lien waiver certifying that no debt remains outstanding for construction of the improvements; and

WHEREAS, the City’s Director of Public Works has inspected the improvements and recommends acceptance of the same;

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

The Common Council hereby accepts the street and utility improvements on Maple Court from 125th Street to its eastern terminus.

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 13th day of November, 2017.

Fred Horne, Mayor

ATTEST:

Tanya Batchelor, City Clerk

RESOLUTION NO. 111703

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

**A RESOLUTION AUTHORIZING ACCEPTANCE
OF IMPROVEMENTS CONSTRUCTED BY
GMTZ, LLC**

WHEREAS, the property developer GMTZ, LLC (“Developer”) has placed the final lift of pavement on Prairie Road between Wheatfield Lane and Pioneer Trail in the Whispering Prairie First Addition as required by a Development Agreement dated March 14, 2017; and

WHEREAS, Developer has paved Pioneer Trail from Prairie Road to its western terminus in the Whispering Prairie First Addition as required by a Development Agreement dated March 14, 2017; and

WHEREAS, Developer has constructed a cul-de-sac and associated storm sewer on Pioneer Trail in the Whispering Prairie First Addition as required by a Development Agreement dated March 14, 2017; and

WHEREAS, Developer has constructed a cul-de-sac on Clover Lane in the Whispering Prairie First Addition as required by a Development Agreement dated March 14, 2017; and

WHEREAS, Developer has submitted a lien waiver certifying that no debt remains outstanding for construction of the improvements; and

WHEREAS, the City’s Director of Public Works has inspected the improvements and recommends acceptance of the same;

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

Section One. The Common Council hereby accepts the street and utility improvements on Prairie Road between Wheatfield Lane and Pioneer Trail.

Section Two. The Common Council hereby accepts the street and utility improvements on Pioneer Trail from Prairie Road to its western terminus.

Section Three. The Common Council hereby accepts the street and utility improvements on Clover Lane from Wheatfield Lane to its eastern terminus.

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 13th day of November, 2017.

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 and City Council

FROM: Jeremiah Wendt, Director of Public Works

DATE: November 10, 2017

SUBJECT: Dakota Avenue Bike/Pedestrian Resolution

Background

South Dakota Avenue is currently slated for reconstruction in 2020 as part of the City's Capital Improvement Program. Staff is planning to apply for funding for this project through the Wisconsin DOT Municipal Street Improvement – Discretionary (MSID) program. One requirement for funding through this program is that if bike and pedestrian accommodation do not exist on the street to be reconstructed, the municipality must pass a resolution indicating that they will be constructed as part of the proposed project.

While pedestrian accommodations exist on this street in the form of sidewalks, no bike accommodations are provided. This segment has been identified in the City's Bike and Pedestrian Master Plan as being in need of bike accommodations to connect the Rail Bridge Trail with the Mill Pond Dam.

Recommendation

Staff recommends approval of the attached resolution.

RESOLUTION NO. 111704
DAKOTA AVENUE RECONSTRUCTION
BIKE/PEDESTRIAN IMPROVEMENTS

WHEREAS, the City of New Richmond intends to reconstruct South Dakota Avenue from West Fourth Street to West First Street in the next five years; and

WHEREAS, South Dakota Avenue from West Fourth Street to West First Street is currently served by sidewalks for pedestrians only; and

WHEREAS, no bike accommodations currently exist on South Dakota Avenue from West Fourth Street to West First Street; and

WHEREAS, the City's Bike and Pedestrian Master Plan identified this route as needing bike improvements; and,

WHEREAS, this route is a route used by many bicyclists to get from the north terminus of the Rail Bridge Trail to the Mill Pond Dam;

NOW, THEREFORE, BE IT RESOLVED that the Common Council for the City of New Richmond affirms that bike improvements will be constructed as part of the South Dakota Avenue Reconstruction project.

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 13th day of November, 2017.

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

TO: City Council
FROM: Tanya Batchelor, City Clerk
DATE: November 10, 2017
RE: Mayor's Appointments

Background

Mayor Horne would like to make the following appointments:

- 1) Theresa Rubida to the Historic Preservation Commission to replace Kyle Hinrichs who recently moved out of town.
- 2) Josh Lindseth to the Regional Loan Fund Committee

Recommendation

Appointments require Council confirmation.



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

TO: City Council
FROM: Tanya Batchelor, City Clerk
DATE: November 10, 2017
RE: Treasurer's Bond Eliminated

Background

The attached ordinance is necessary in order to eliminate the statute required tax bond. In the past we have approved a resolution each year to exempt the City from the bond requirement. If Council adopts the attached ordinance, we don't have to pass a yearly resolution. The ordinance has been reviewed by the City Attorney as well.

Recommendation

Staff recommends adoption of this ordinance.

ORDINANCE #503

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

Section 1. That Section 2-175 is hereby amended as follows:

Duplicate Treasurer's Bond Eliminated. The City of New Richmond elects not to give the duplicate bond on the City Treasurer as provided in Section 70.67 (1), Wisconsin Statutes. Pursuant to Section 70.67 (2), Wisconsin Statutes, 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 such City Treasurer to the St. Croix County Treasurer.

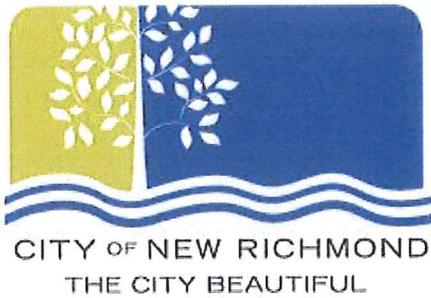
Section 2. This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved: November 13, 2017

Published and effective: November 23, 2017

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

TO: City Council
FROM: Tanya Batchelor, City Clerk
DATE: November 10, 2017
RE: Loud & Unnecessary Noise Ordinance

Background

Attached is a redline version of the Loud & Unnecessary Noise ordinance. Nick Vivian did some clean up on the Ordinance. Additionally, as it relates to amplification between the hours of 9 and 5, an administrative permit requirement was created. Outside of those hours, the Council must approve the permit. Applications must be submitted at least 5 days in advance for an administrative permit and 7 days prior to Council consideration. Failure to submit the application in a timely manner will result in a delay in processing and in additional fees as adopted by the City.

Recommendation

Staff recommends consideration of this ordinance.

Sec. 50-87. - Loud and unnecessary noise prohibited.

(a) *Prohibited Activities.* It shall be unlawful for any person to knowingly make, continue or cause to be made or continued any Loud and Unecessary Noise. ~~It shall be unlawful for any person knowingly or wantonly to~~ use or operate, or to cause to be used or operated any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice or any sound or noise in any public or private place in such manner that the peace and good order of the neighborhood is disturbed or that persons owning, using or occupying property in the neighborhood are disturbed or annoyed.

(b) ~~Types of loud and unnecessary noises~~ Loud and Unnecessary Noise Defined. Loud and Unnecessary Noise is defined to include, but not be limited to the following: The following acts are declared to be loud, disturbing and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(1) *Horns, signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in the City for longer than three seconds in any period of one minute or less, except as a danger warning; the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any plainly audible device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up.

(2) *Radios, phonographs, similar devices.* The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 9:00 a.m. in a manner as to be plainly audible at the property line of the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(3) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of advertising or attracting attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.

(4) *Animals, birds.* The keeping of any animal or bird which causes frequent or long continued unnecessary noise.

(5) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of proper City authorities.

(6) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motorboat except through a muffle or other device which will effectively prevent loud or explosive noises therefrom.

(7) *Construction or repair of buildings.* The erection (including excavation), demolition, alteration or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or any other similar equipment attended by loud or unusual noise, other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays; provided, however, the Chief of Police shall have the authority, upon determining that the loss of inconvenience which would result to any party in interest would be extraordinary and of such nature as to warrant special consideration, to grant a permit for a period necessary within which time such work and operation may take place within the hours of 10:00 p.m. to 7:00 a.m.

(8) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital provided that conspicuous signs are displayed in those streets indicating a school, hospital or court street. No person, while on public or private grounds adjacent to any building, or while within any building in which a school or any class thereof is in session, shall willfully make or assist in the making of any noise or diversion which disturbs or tends to disturb the peace or good order and operation of such school session or class thereof.

(9) *Exceptions.* The provisions of this section shall not apply to:

a. Any vehicle of the City while engaged in necessary public business.

b. Excavations or repairs of streets or other public construction by or on behalf of the City, County or State at night when public welfare and convenience renders it impossible to perform such work during the day.

c. Exceptions granted by the City or City Council to a business/individual(s), upon proper application, exempting such business/individual(s) from Section 50-87 for special events, celebrations, parades and similar activities.

(c) *Permits for amplifying devices.*

(1) *Permit required.* The outdoor use of loudspeakers or amplifying devices in the City of New Richmond is prohibited unless the party desiring to use such loudspeaker or amplifying device first obtains a permit from the ~~Common Council~~City or Common Council. If the intended outdoor use of loudspeakers or amplifying devices will occur between the hours of 9:00 a.m. and 5:00 p.m. on any day of the week, an administrative permit may be issued upon application to and approval by the City. Such application must be received by the City Clerk not less than five (5) days prior to the intended outdoor use of the loudspeakers or amplifying devices. If the intended outdoor use of loudspeakers or amplifying devices will occur prior to 9:00 a.m. or after 5:00 p.m., on any day of the week, application must be made to the Common Council and the Common Council must approve the application prior to issuance of the permit. Applications must be submitted at least seven (7) days prior prior to the meeting at which the Common Council will consider the application. Failure to make application may result in delay in the processing of the application and an additional fee as adopted by the City. In considering the application request, both the City and the Common Council may impose reasonable conditions and restrictions on the permit to minimize the impact upon neighboring properties and residents.

(2) *Revocation.* The Chief of Police shall have the authority to revoke such permit when he/she believes such loudspeaker or amplifying device ~~is becoming a nuisance~~used for a Prohibited Activity as defined in this Section because of the volume, the method in which it is being used or the location in which it is being operated.

(3) *Time restrictions.* ~~The~~Neither the City nor the Common Council shall ~~not~~ grant a permit to use a loudspeaker or amplifying device before the hours of 9:00 a.m. nor after 10:00 p.m., except as provided in Subsection (e) below. No permit shall be granted to anyone who, in the opinion of the City or the Common Council, uses said loudspeaker or amplifying device in such a manner or for such a purpose as to constitute a ~~nuisance~~Prohibited Activity as identified in this Section.

(d) *Stationary noise limits.*

(1) *Maximum permissible sound levels.*

a. Noise from stationary source shall not exceed the following standards for maximum sound pressure levels measured at the property line.

Zone	Noise Rating-Daytime	Noise Rating-Nighttime
------	----------------------	------------------------

Residential	<u>70</u> db	60 db
Commercial	75 db	<u>70</u> db
Industrial	100 db	100 db

b. Ambient noise is the all-encompassing noise associated with a given source, usually being a composite of sounds with many sources near and far, but excluding the noise source being measured. Ambient noise by five db in any octave band to be designated excessive.

c. Pure tones and impulsive noises are factors. Five noise rating numbers shall be taken from the table in Subsection (a) of this section, if the subject noise consists primarily of a pure tone or if it is impulsive in character.

(e) *Extension of time restrictions.*

(1) A request for an extension of the time restrictions in Subsections (b)(2) and (c)(3) of this section may be made to the City or Common Council. The request for an extension shall include:

- a. The name and address of the applicant.
- b. Address and description of the property where the extension is requested.
- c. A description of the event and circumstances for which the extension is being requested, including the dates and requested extension time.

(2) The City and Common Council shall consider the request and shall approve ~~or~~; deny ~~or grant~~ the request as ~~it deems~~ appropriate. In considering the request, both the City and the Common Council may impose reasonable conditions and restrictions to minimize the impact upon neighboring properties and residents.

(3) The time restrictions contained in Subsections (b)(2) and (c)(3) of this section shall not be extended beyond 12:00 a.m.

(Code 1994, § 11-2-7; Ord. No. 367, § 11-2-7, 4-9-2007; Ord. No. 396, 11-10-2008; Ord. No. 413, 11-9-2009)

ORDINANCE #504

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

Section 1. That Section 50-87 is hereby amended as follows:

Sec. 50-87. - Loud and unnecessary noise prohibited.

(a) *Prohibited Activities.* It shall be unlawful for any person to knowingly make, continue or cause to be made or continued any Loud and Unnecessary Noise. or use or operate, or to cause to be used or operated any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice or any sound or noise in any public or private place in such manner that the peace and good order of the neighborhood is disturbed or that persons owning, using or occupying property in the neighborhood are disturbed or annoyed.

(b) *Loud and Unnecessary Noise Defined.* Loud and Unnecessary Noise is defined to include, but not be limited to the following:

(1) *Horns, signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in the City for longer than three seconds in any period of one minute or less, except as a danger warning; the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any plainly audible device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up.

(2) *Radios, phonographs, similar devices.* The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 9:00 a.m. in a manner as to be plainly audible at the property line of the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(3) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of advertising or attracting attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.

(4) *Animals, birds.* The keeping of any animal or bird which causes frequent or long continued unnecessary noise.

(5) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of proper City authorities.

(6) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motorboat except through a muffle or other device which will effectively prevent loud or explosive noises therefrom.

(7) *Construction or repair of buildings.* The erection (including excavation), demolition, alteration or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or any other similar equipment attended by loud or unusual noise, other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays; provided, however, the Chief of Police shall have the authority, upon determining that the loss of inconvenience which would result to any party in interest would be extraordinary and of such nature as to warrant special consideration, to grant a permit for a period necessary within which time such work and operation may take place within the hours of 10:00 p.m. to 7:00 a.m.

(8) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital provided that conspicuous signs are displayed in those streets indicating a school, hospital or court street. No person, while on public or private grounds adjacent to any building, or while within any building in which a school or any class thereof is in session, shall willfully make or assist in the making of any noise or diversion which disturbs or tends to disturb the peace or good order and operation of such school session or class thereof.

(9) *Exceptions.* The provisions of this section shall not apply to:

a. Any vehicle of the City while engaged in necessary public business.

b. Excavations or repairs of streets or other public construction by or on behalf of the City, County or State at night when public welfare and convenience renders it impossible to perform such work during the day.

c. Exceptions granted by the City or City Council to a business/individual(s), upon proper application, exempting such business/individual(s) from Section 50-87 for special events, celebrations, parades and similar activities.

(c) *Permits for amplifying devices.*

1) *Permit required.* The outdoor use of loudspeakers or amplifying devices in the City of New Richmond is prohibited unless the party desiring to use such loudspeaker or amplifying device first obtains a permit from the City or Common Council. If the intended outdoor use of loudspeakers or amplifying devices will occur between the hours of 9:00 a.m. and 5:00 p.m. on any day of the week, an administrative permit may be issued upon application to and approval by the City. Such application must be received by the City Clerk not less than five (5) days prior to the intended outdoor use of the loudspeakers or amplifying devices. If the intended outdoor use of loudspeakers or amplifying devices will occur prior to 9:00 a.m. or after 5:00 p.m., on any day of the week, application must be made to the Common Council and the Common Council must approve the application prior to issuance of the permit. Applications must be submitted at least seven (7) days prior to the meeting at which the Common Council will consider the application. Failure to make application may result in delay in the processing of the application and an additional fee as adopted by the City. In considering the application request, both the City and the Common Council may impose reasonable conditions and restrictions on the permit to minimize the impact upon neighboring properties and residents.

(2) *Revocation.* The Chief of Police shall have the authority to revoke such permit when he/she believes such loudspeaker or amplifying device used for a Prohibited Activity as defined in this Section because of the volume, the method in which it is being used or the location in which it is being operated.

(3) *Time restrictions.* Neither the City nor the Common Council shall grant a permit to use a loudspeaker or amplifying device before the hours of 9:00 a.m. nor after 10:00 p.m., except as provided in Subsection (e) below. No permit shall be granted to anyone who, in the opinion of the City or the Common Council, uses said loudspeaker or amplifying device in such a manner or for such a purpose as to constitute a Prohibited Activity as identified in this Section.

(d) *Stationary noise limits.*

(1) *Maximum permissible sound levels.*

a. Noise from stationary source shall not exceed the following standards for maximum sound pressure levels measured at the property line.

<i>Zone</i>	<i>Noise Rating-Daytime</i>	<i>Noise Rating-Nighttime</i>
Residential	<u>70</u> db	60 db
Commercial	75 db	<u>70</u> db

Industrial	100 db	100 db
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b. Ambient noise is the all-encompassing noise associated with a given source, usually being a composite of sounds with many sources near and far, but excluding the noise source being measured. Ambient noise by five db in any octave band to be designated excessive.

c. Pure tones and impulsive noises are factors. Five noise rating numbers shall be taken from the table in Subsection (a) of this section, if the subject noise consists primarily of a pure tone or if it is impulsive in character.

(e) *Extension of time restrictions.*

(1) A request for an extension of the time restrictions in Subsections (b)(2) and (c)(3) of this section may be made to the City or Common Council. The request for an extension shall include:

- a. The name and address of the applicant.
- b. Address and description of the property where the extension is requested.
- c. A description of the event and circumstances for which the extension is being requested, including the dates and requested extension time.

(2) The City and Common Council shall consider the request and shall approve or deny the request as deemed appropriate. In considering the request, both the City and the Common Council may impose reasonable conditions and restrictions to minimize the impact upon neighboring properties and residents.

(3) The time restrictions contained in Subsections (b)(2) and (c)(3) of this section shall not be extended beyond 12:00 a.m.

Section 2. This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved: November 13, 2017
 Published and effective: November 23, 2017

 Fred Horne, Mayor

ATTEST: _____
 Tanya Batchelor, City Clerk



TO: Mayor Fred Horne and City Council
FROM: Rae Ann Ailts, Finance Director
DATE: November 8, 2017
RE: 2017 Third Quarter Financial report

Background

Staff will present the 2017 3rd Quarter Financial report during the council meeting. The report will also be published on the City's website page following the council meeting.

The 4Q17 preliminary financial reporting will be given in late first quarter 2018 due to audit preparations.

CITY OF NEW RICHMOND



THE CITY BEAUTIFUL

3rd Quarter 2017 FINANCIAL REPORT

City of New Richmond

OPERATING REVENUE – GENERAL FUND

2017 Actual Revenue Compared to Budget

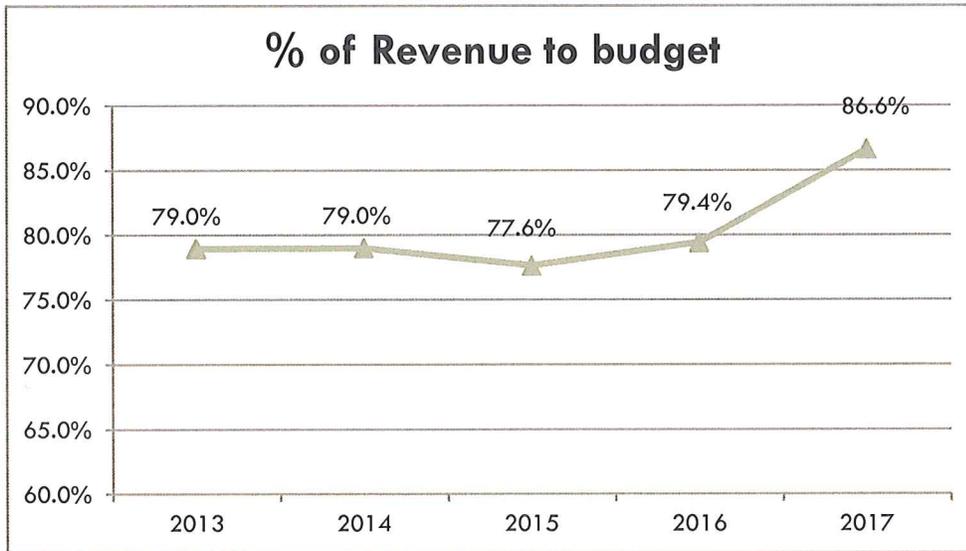
As of September 30, 2017, 87% of budgeted revenue has been collected, which is significantly higher when compared to the average third quarter revenue trend of 79%. The higher than usual revenue collected is due to a one-time unbudgeted land sale in Tax Increment District 6 (TID); this will continue to be the main driver of higher than budgeted revenue for the remainder of 2017. Excluding this one-time land sale, budgeted revenues in 3Q17 would be tracking to trend at 79.1%.

Revenue Category	2016	2017YTD	2017B	% Act to Budget	% Revenue by Source
Taxes (Levy & taxes other than property)	\$ 3,122,286	\$ 2,944,911	\$ 2,972,444	99%	49%
Intergovernmental	\$ 1,566,280	\$ 1,023,589	\$ 1,463,523	70%	24%
Licenses and permits	\$ 272,554	\$ 347,654	\$ 237,165	147%	4%
Fines, forfeitures, and penalties	\$ 86,665	\$ 76,829	\$ 96,000	80%	2%
Public charges for services	\$ 302,184	\$ 213,168	\$ 262,897	81%	4%
Intergovernmental charges for services	\$ 26,149	\$ 21,014	\$ 24,000	88%	0%
Special assessments	\$ 13,978	\$ 5,846	\$ 4,196	139%	0%
Investment income	\$ 36,676	\$ 39,361	\$ 54,234	73%	1%
Miscellaneous	\$ 161,834	\$ 560,127	\$ 88,011	636%	1%
Operating Transfers In	\$ 596,943	\$ -	\$ 837,270	0%	14%
Total Revenue	\$ 6,185,549	\$ 5,232,499	\$ 6,039,740	87%	100%

We continued to see an increase in building permit revenue into the third quarter of the year. Building permit revenue as of September 30 was 177% of budget (\$300,530). A significant portion of permit revenue is attributable to the June hail storm, accounting for \$126,700 in revenue. There were 85 new residential dwelling permits issued through 3Q18; this number is expected to reach 100 by the end of the year.

Revenue Source	3Q17 Actual	2017 Budget	% of Budget 2017	3Q16 Actual
Building Permits & Fees	\$300,530	\$170,000	177%	\$156,978

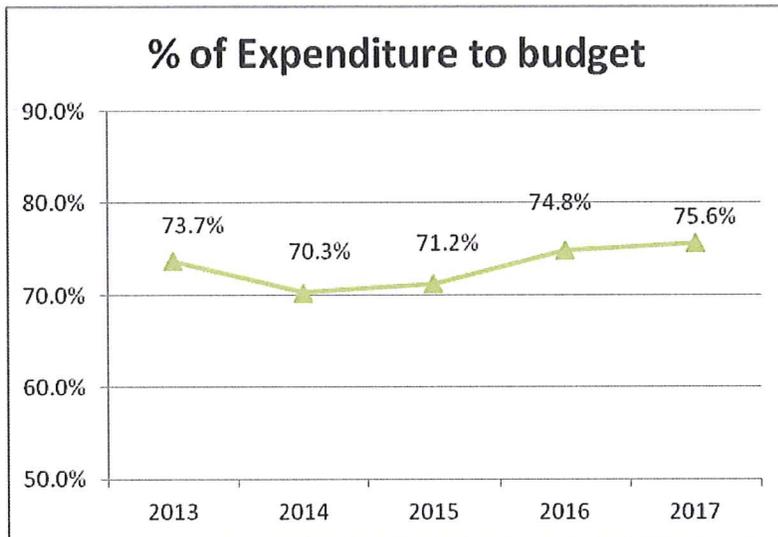
5-Year Trend of Revenue Collection during Third Quarter



OPERATING EXPENSES – GENERAL FUND

As of September 30, 2017 actual expenditures are tracking to budget, accounting for 75.6% of budgeted expenditures. However, 2017 expenditures as a percentage of budget are 73.4% when excluding the palpable assessment error that resulted in an unbudgeted expense of \$132,280. The City will be reimbursed for the expenses associated with the assessment error in February 2018.

5-Year Comparison of Expenditures during Second Quarter



Historically, expenditures have averaged 72.5% of budget over the last five years. We expect expenses to continue to track to budget for the remainder of 2017.

2017 Actual Expenditures Compared to Budget

The following expenditures were unforeseen one-time expenditures, which occurred in 1Q17 and will continue to be a variance throughout the year: a palpable assessment error in the amount of \$132,280 (full reimbursement of the expense is expected by February 2018), retirement benefits payable due to an unbudgeted retirement of an employee in 1Q17, contracted custodial services, and contracted building inspection expenses. However, these one-time expenditures have been offset by lower than budgeted expenses in other areas and an increase in revenue collection from building inspection permits. While the taxi expenses are higher than budget, these expenses are offset by higher than budgeted revenues.

Expenditure by Department	2016	2017YTD	2017B	% Act to Budget	% Expense by Dept
Police	\$ 1,935,225	\$ 1,514,018	\$ 2,037,566	74%	34%
General Government	\$ 1,317,467	\$ 857,285	\$ 990,142	87%	16%
Streets	\$ 993,104	\$ 697,712	\$ 1,078,205	65%	18%
Parks	\$ 375,071	\$ 320,260	\$ 386,866	83%	6%
Library	\$ 695,567	\$ 550,790	\$ 794,171	69%	13%
Fire	\$ 288,206	\$ 178,065	\$ 261,969	68%	4%
Airport	\$ 141,074	\$ 105,924	\$ 158,645	67%	3%
Economic Development	\$ 99,882	\$ 56,098	\$ 99,312	56%	2%
Ambulance & Emer. Gov't	\$ 106,010	\$ 108,626	\$ 113,930	95%	2%
Culture	\$ 59,095	\$ 49,864	\$ 80,921	62%	1%
Taxi	\$ 99,872	\$ 77,763	\$ 10,000	778%	0%
Health & Social Services	\$ 11,855	\$ 3,941	\$ 7,250	54%	0%
Outlay Expenditures	\$ 48,044	\$ 33,882	\$ 7,000	484%	0%
Transfers	\$ 15,072	\$ 13,614	\$ 13,763	99%	0%
Total Expenditures	6,185,544	4,567,842	6,039,740	76%	100%

GENERAL OBLIGATION DEBT

General Obligation Debt

The table below shows the principal and interest payments made as of September 30, 2017 as well as the remaining payments yet to be made this year. In 3Q17, principal payments on the 2007A and 2008A GO debt were made due to the refinancing of these bonds when 2017A GO debt was issued. The repayment schedule for the 2007 and 2008 debt issuances remained unchanged.

Payments	Actual Payments Made thru 9/30/17	Remaining Payment for Balance of 2017	Percent of Budget
Principal	\$1,337,841	\$994,674	57%
Interest	\$481,791	\$55,860	90%
Total Debt Service	\$1,819,632	\$1,050,534	63%

INVESTMENT

As of September 30, 2017, total funds inclusive of operating and investments are as follows:

INVESTMENT	September 30, 2017	September 30, 2016
GENERAL CITY INVESTMENTS	2,009,915	5,661,803
RESTRICTED INVESTMENTS		
Stock Funds	10,137	10,069
Future Outlay	10,531	6,429
Future Retirements	39,924	39,656
Police Department	501	501
Sports Center	99,089	90,691
Library	488,999	459,968
Impact Fees	388,485	315,697
Cemetery	33,280	17,211
Revolving Loan Fund	60,453	29,981
Capital Projects Investments	2,451,163	67,433
Landfill Cleanup Investments	40,906	27,849
Stormwater Investments	6,080	
Park Land Trust	115,231	178,500
Library Trust	257,610	235,717
Flex Benefits	23,016	21,257
Armed Services Memorial	3,833	4,819
TOTAL INVESTMENTS	\$ 6,039,151	\$ 7,167,579
CITY OPERATING CASH BALANCE	\$ 490,475	\$ 407,908
TOTAL CITY INVESTMENTS & CASH	\$ 6,529,626	\$ 7,575,487
UTILITIES - RESTRICTED INVESTMENTS	\$ 8,533,262	\$ 8,930,765
UTILITY OPERATING CASH BALANCE	\$ 561,467	\$ 364,244
TOTAL UTILITY INVESTMENTS & CASH	\$ 9,094,729	\$ 9,295,009

K9 Fund

As of September 30, 2017, the ending fund balance for the K9 fund is \$76,943.27.

There are \$1,007.50 in expenses to be reimbursed related to K9 merchandise sold as part of fundraising efforts; this will further reduce the fund balance to \$75,935.77.

FUND ACTIVITY		
	Current Quarter	Fiscal YTD 07/01/2017- 09/30/2017
Beginning Fund Balance	39,751.19	39,751.19
CONTRIBUTIONS		
(a) Tax Deductible Gifts and Bequests	36,120.90	36,120.90
(b) Non Tax Deductible Contributions	1,441.19	1,441.19
(c) Transfers In	0.00	0.00
Total Contributions	<u>37,562.09</u>	<u>37,562.09</u>
INVESTMENT ACTIVITY		
(d) Realized Income	62.00	62.00
(e) Unrealized Gains (Losses)	0.00	0.00
Total Investment Activity	<u>62.00</u>	<u>62.00</u>
DISBURSEMENTS		
(f) Grants and Scholarships	0.00	0.00
(g) Administrative and Investment Fees	389.62	389.62
(h) Fund Project Expenses	42.39	42.39
(i) Transfers Out	0.00	0.00
Total Disbursements	<u>432.01</u>	<u>432.01</u>
Ending Fund Balance as of 09/30/2017	76,943.27	76,943.27



TO: Mayor Fred Horne and City Council

FROM: Rae Ann Ailts, Finance Director

DATE: November 10, 2017

RE: 2018 Budget and Community Engagement Feedback

Background

Over the last several weeks, staff has engaged residents, businesses, and other key stakeholders by taking the 2018 budget on the road. As of November 10th, staff have presented to sixteen groups and held two budget labs. The budget presentation focused on highlights from 2017, explained the 2018 budgeting process and operational needs, the capital improvement process, and the potential levy impact for the coming year.

During the presentations, community members were asked to cast their vote on visual preference boards, indicating where funds should be prioritized and how much of a levy impact should be considered. After each engagement, the visual preference boards were placed on display in the “Budget Lab,” also known as the Council Chambers. Community members were asked to provide their opinion in response to the following questions:

- If you had \$1,000,000 dollars where would you prioritize funds?
- Should the City of New Richmond levy (tax) for capital projects that it will address in the next 2-5 years?

Analysis

We have reviewed the votes and the results are in!

Question #1: If you had \$1M dollars where would you prioritize funds? (Note: 2 votes/person)

The categories receiving the most votes were “Library & Community Space” and “Parks, trails, & recreation amenities,” which received fifty percent of the total votes cast. Development/Re-Development, Street and utility projects and vehicle fleet management followed closely behind.

Category	Number of Votes	% of Vote
Library & Community Space	119	29%
Parks, trails, recreation amenities	85	21%
Development/Re-Development	72	17%
Street & Utility Projects	62	15%
Vehicle Fleet Management	50	12%
None of the above	12	3%
Facility Improvements	9	2%
Airport Improvements	3	1%

Over the course of the next several months, as we work through finalization of the capital improvement plan, we will incorporate the community feedback received into the prioritization of projects.

Question #2: Should the City of New Richmond levy (tax) for capital projects that it will address in the next 2-5 years?

When staff posed question #2 to the community, we provided four levy scenarios. The first levy option represented a “pay later” philosophy. Under this “pay later” option, additional money would not be levied in the short term for future projects. The other three options represent a “pay now” philosophy. Under this “pay now” option, additional money would be levied to support future projects at varying levels.

Based upon the feedback received, 89% of the community members surveyed are in support of increasing the levy to support future capital projects. The largest percentage of the respondents supports an increase to the levy for capital savings in the amount of \$100,000.

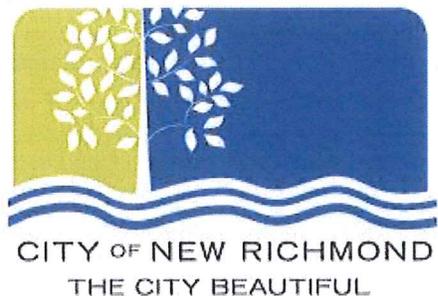
Capital Savings	Capital Savings Levy	Total Annual Levy	% as Combined Levy	Number of Votes	% of Vote
\$0	\$0	+\$31.71	0-5.95%	21	11%
\$50,000	+\$8	+\$39.72	6.93%	42	22%
\$100,000	+\$16	+\$47.73	7.90%	73	39%
\$150,000	+\$24	+\$55.73	8.88%	52	28%

Recommendation

At the last City Council work session, staff was directed to publish the proposed budget in accordance with state statute, including an additional levy amount of \$100,000 for capital projects.

Based upon community feedback, staff recommends moving forward with establishing a capital levy in an amount of \$100,000 for 2018. Formal action is not being requested at this time as formal action will be requested during the budget adoption hearing which is set for November 27, 2017 at 5:30 pm in the Council Chambers.

A special thank you to the many community members and organizations who welcomed us to their meetings during the last two months.



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TO: Mayor and City Council
FROM: Mike Darrow, City Administrator
DATE: November 10, 2017
RE: 2018 City Council Meeting Dates

BACKGROUND

Below are the proposed City Council dates for 2018. Please note the special council meeting proposed on Saturday, January 13.

- Jan 8/Jan. 13 8:30-1:00- Saturday
- Feb. 12/No Work session
- March 12/26
- April 9/23 and April 17 – Special Session to swear in Mayor and Aldermen
- May 14/No work session
- June 11/25
- July 9/No work session
- August 13/27 Budget Tour 4-8 pm
- Sept 10/24
- Oct 8/22
- Nov. 12/26
- Dec 10/ No Work session

RECOMMENDATION

Motion for approval the 2018 City Council dates.