



A G E N D A
CITY OF WAUPUN SPECIAL COMMON COUNCIL
Waupun City Hall – 201 E. Main Street, Waupun WI
Tuesday, August 31, 2021 at 5:30 PM

The Waupun Common Council will meet In-person, virtual, and teleconference at **5:30pm on Tuesday, August 31, 2021**. Instructions to join the meeting are provided below:

Join Zoom Meeting : <https://us02web.zoom.us/j/83831723992?pwd=SGlPb3hNVldid1k2dmRTVON3blpXUT09>

Meeting ID: 838 3172 3992
Passcode: 063407

Join Teleconference: 1-312-626-6799

CALL TO ORDER

ROLL CALL

CLOSED SESSION

The Waupun Common Council will adjourn in closed session under Section 19.85 (1) (g) of the WI Statutes for:
(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

1. Ambulance Services

OPEN SESSION

ACTION FROM CLOSED SESSION

CONSENT AGENDA *(Roll Call Motion) Items under the consent agenda may be acted upon by one motion. It is the judgment of any Board Member that any item may be moved to later on the agenda for discussion and/or action.*

2. Future Meetings & Gatherings, License and Permit Applications, Expenses

ORDINANCES-RESOLUTIONS

3. Ordinance to amend Chapter 16 entitled Zoning Code- Adult Day Care Facility/Group Child Care Center
4. Ordinance to amendment Ch.16.01(10) entitled Zoning Code-Zoning Map

CONSIDERATION - ACTION

5. Discussion- Stormwater Quality Plan Update and MS4 Compliance
6. Discussion- Budget Workshop: Updated Fiscal Health Analysis (2016-2020)
7. Discussion- Referendum Process and Support Services
8. Discussion- Ordinance Ch. 9.03 Public Nuisances- Tree or Plant Diseases
9. Action: Consideration of RFP for Demolition of 520 McKinley Street
10. Action: Letter of Support and Commitment to the Division of Public Health for the Emergency Medical Responder Program

ADJOURNMENT

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact the City Clerk at 920-324-7915.



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Future Meetings & Gatherings, License and Permit Applications, Expenses

AGENDA SECTION: CONSENT AGENDA

PRESENTER: Angela Hull, Clerk

ISSUE SUMMARY:

Future meetings/gatherings of the Common Council, consideration of licenses/permits, payment of expenses.

Future Meetings/Gatherings

Tuesday, September 14, 2021	Common Council	6:00pm
Tuesday, September 28, 2021	Committee of the Whole	6:00pm
Tuesday, October 12, 2021	Common Council	6:00pm
Tuesday, October 26, 2021	Committee of the Whole	6:00pm
Tuesday, November 9, 2021	Common Council	6:00pm
Tuesday, November 30, 2021	Committee of the Whole	6:00pm
Tuesday, December 14, 2021	Common Council	6:00pm
Tuesday, December 28, 2021	Committee of the Whole	6:00pm

License and Permit Applications

OPERATOR LICENSE:

Crystal Slosser, Jaleel Hopson, Colin Uren

TEMPORARY CLASS B Fermented Malt Beverage

ATTACHMENTS:

Expense Report(s)

RECOMENDED MOTION: Motion to approve the Consent Agenda. <i>(Roll Call)</i>
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Report Criteria:

Report type: Summary

Check Issue Date	Check Number	Payee	Amount
08/26/2021	102543	AMAZON CAPITAL SERVICES	144.11
08/26/2021	102544	AT & T LONG DISTANCE	132.73
08/26/2021	102545	BUREAU OF CORRECTIONAL ENTER	1,508.96
08/26/2021	102546	BROWN CAB SERVICE INC	8,455.83
08/26/2021	102547	CAPITAL AUTOBODY, LLC	2,874.50
08/26/2021	102548	CAREW CONCRETE & SUPPLY INC	1,351.25
08/26/2021	102549	CEDAR CORPORATION	1,825.00
08/26/2021	102550	CHARTER COMMUNICATIONS	440.36
08/26/2021	102551	CITY OF BEAVER DAM	860.00
08/26/2021	102552	CONSULTANTS LABORATORY-FDL	80.00
08/26/2021	102553	DAMARC QUALITY INSPECTION SERV	60.00
08/26/2021	102554	DEAN HEALTH PLAN	1,325.15
08/26/2021	102555	DESTINATION LAKE WINNEBAGO RE	12,223.75
08/26/2021	102556	DEVRIES WELDING LLC	245.00
08/26/2021	102557	EHLERS AND ASSOCIATES INC	4,908.75
08/26/2021	102558	GUNDERSON, INC.	308.06
08/26/2021	102559	HOMAN AUTO -GATEWAY	159.86
08/26/2021	102560	J & S CARWASH LLC	140.00
08/26/2021	102561	KIDDE SAFETY	2,293.33
08/26/2021	102562	LANGE ENTERPRISES	1,763.90
08/26/2021	102563	LENS EQUIPMENT	550.00
08/26/2021	102564	LINK'S MARTIAL ARTS LLC	988.41
08/26/2021	102565	MENARDS - BEAVER DAM	187.87
08/26/2021	102566	OTIS ELEVATOR COMPANY	5,537.88
08/26/2021	102567	PTS CONTRACTORS INC	162,696.05
08/26/2021	102568	PERKINS OIL	375.80
08/26/2021	102569	PHC TRANSIT LLC	95.00
08/26/2021	102570	PIT-STOP PORTABLES	137.50
08/26/2021	102571	QUALITY AGGREGATE LLC	213.90
08/26/2021	102572	R BAUMAN & ASSOCIATES SC	495.00
08/26/2021	102573	REACH	1,000.00
08/26/2021	102574	SEVEN UP BOTTLING CO.-WATERTO	60.63
08/26/2021	102575	STICKS AND STONES	120.00
08/26/2021	102576	TRAFFIC & PARKING CONTROL CO.	930.00
08/26/2021	102577	TRU CLEANERS LLC	190.00
08/26/2021	102578	UNIFORM SHOPPE	136.85
08/26/2021	102579	VON BRIESEN & ROPER, S.C.	9,753.55
08/26/2021	102580	WALMART COMMUNITY/CAPITAL ONE	335.35
08/26/2021	102581	WAUPUN EQUIPMENT COMPANY, INC.	1,078.75
08/26/2021	102582	WESTWOOD INFRASTRUCTURE	6,791.00
08/26/2021	102583	WI DEPART OF TRANSPORTATION	152.53
08/26/2021	102584	YMCA OF DODGE COUNTY	769.33
08/26/2021	102585	INSIGHT FS	239.00
08/26/2021	102586	SALAMONE SUPPLIES	521.88
08/26/2021	102587	HUZZARD SYSTEMS	942.00
Grand Totals:			235,398.82

Report Criteria:

Report type: Summary

Report Criteria:

[Report].Invoice Date = 08/26/2021

Invoice	Description	Invoice Date	Total Cost	GL Account
48 AMAZON CAPITAL SERVICES				
1JRM-FRRT-6RHV	cover for pool lift chair	08/26/2021	129.50	100-20-5523-3-36
1VY6-F3DM-DHDN	thermostat cover - community center	08/26/2021	14.61	100-70-5410-3-36
Total 48 AMAZON CAPITAL SERVICES:			144.11	
1902 AT & T LONG DISTANCE				
AUG21	Aquatic Center	08/26/2021	132.73	100-20-5523-3-31
Total 1902 AT & T LONG DISTANCE:			132.73	
3072 BUREAU OF CORRECTIONAL ENTERPRISES				
306-186440	can liners	08/26/2021	498.26	100-70-5410-3-36
306-186489	can liners	08/26/2021	1,010.70	100-70-5410-3-36
Total 3072 BUREAU OF CORRECTIONAL ENTERPRISES:			1,508.96	
6252 BROWN CAB SERVICE INC				
1909	July monthly taxi service 2021	08/26/2021	8,455.83	501-10-5154-3-38
Total 6252 BROWN CAB SERVICE INC:			8,455.83	
7057 CAPITAL AUTOBODY, LLC				
9293	paint frame/truck box	08/26/2021	2,874.50	100-70-5411-3-36
Total 7057 CAPITAL AUTOBODY, LLC:			2,874.50	
7065 CAREW CONCRETE & SUPPLY INC				
1215148	Fibermesh for ball complex batting cages	08/26/2021	1,351.25	100-20-5525-3-36
Total 7065 CAREW CONCRETE & SUPPLY INC:			1,351.25	
8046 CEDAR CORPORATION				
107830	Updated to Residential Zoning Code - services thru 6-19-	08/26/2021	1,825.00	220-54-5460-3-38
Total 8046 CEDAR CORPORATION:			1,825.00	
10048 CHARTER COMMUNICATIONS				
13430-AUG21	city hall - internet	08/26/2021	134.98	100-10-5197-3-31
84621-AUG21	museum - internet - pd by Historical Society	08/26/2021	90.96	100-13850
15199-AUG21	garage - tv, internet	08/26/2021	214.42	100-70-5412-3-38
Total 10048 CHARTER COMMUNICATIONS:			440.36	
10235 CITY OF BEAVER DAM				
19113	EMS call	08/26/2021	860.00	100-10-5255-3-38
Total 10235 CITY OF BEAVER DAM:			860.00	
10468 CONSULTANTS LABORATORY-FDL				
2617773	legal blood draws - July 2021	08/26/2021	80.00	100-40-5213-3-38
Total 10468 CONSULTANTS LABORATORY-FDL:			80.00	

Invoice	Description	Invoice Date	Total Cost	GL Account
10929 DAMARC QUALITY INSPECTION SERVICES				
52839	Boiler Inspection	08/26/2021	60.00	100-70-5410-3-36
Total 10929 DAMARC QUALITY INSPECTION SERVICES:			60.00	
11053 DEAN HEALTH PLAN				
006487695	COBRA payments - service Sept 2021 - Fix	08/26/2021	1,325.15	100-40-5212-2-20
Total 11053 DEAN HEALTH PLAN:			1,325.15	
11275 DESTINATION LAKE WINNEBAGO REGION				
8-26-21	70% Of Room Tax - July 2021	08/26/2021	12,223.75	430-70-5436-3-42
Total 11275 DESTINATION LAKE WINNEBAGO REGION:			12,223.75	
11276 DEVRIES WELDING LLC				
01537	replace rusted panels	08/26/2021	245.00	100-70-5411-3-36
Total 11276 DEVRIES WELDING LLC:			245.00	
12437 EHLERS AND ASSOCIATES INC				
87892	Transportation Utility Feasibility Study	08/26/2021	4,908.75	100-10-5153-3-38
Total 12437 EHLERS AND ASSOCIATES INC:			4,908.75	
15075 GUNDERSON, INC.				
1024664	CITY HALL rugs - Aug 2021	08/26/2021	68.07	100-70-5410-3-38
1027320	Library Rugs - Aug 2021	08/26/2021	66.17	100-70-5410-3-38
1027377	fire Dept-Rugs - Aug 2021	08/26/2021	54.27	100-70-5410-3-38
1024738	Garage supplies - Aug 2021	08/26/2021	29.15	100-70-5411-3-38
1024739	Uniform/charges - Aug 2021	08/26/2021	23.46	100-70-5411-3-38
1027373	Uniform/charges - Aug 2021	08/26/2021	19.89	100-70-5411-3-38
1027372	Garage supplies - Aug 2021	08/26/2021	47.05	100-70-5411-3-38
Total 15075 GUNDERSON, INC.:			308.06	
15950 HOMAN AUTO -GATEWAY				
152084	service - 2017 Ford Police	08/26/2021	159.86	100-40-5212-3-36
Total 15950 HOMAN AUTO -GATEWAY:			159.86	
16603 J & S CARWASH LLC				
8-26-21	Car Washes - PD	08/26/2021	140.00	100-40-5212-3-38
Total 16603 J & S CARWASH LLC:			140.00	
16975 KIDDE SAFETY				
700008730	Residential Lock Box	08/26/2021	2,293.33	220-54-5460-3-38
Total 16975 KIDDE SAFETY:			2,293.33	
17280 LANGE ENTERPRISES				
77373	Signs	08/26/2021	34.48	100-70-5441-3-36
77295	Signs	08/26/2021	1,729.42	100-70-5441-3-36
Total 17280 LANGE ENTERPRISES:			1,763.90	

Invoice	Description	Invoice Date	Total Cost	GL Account
17438 LENS EQUIPMENT				
5800	HS2X HyperFire 2 Security Covert IR Camera	08/26/2021	550.00	100-40-5213-3-38
Total 17438 LENS EQUIPMENT:			550.00	
17815 LINK'S MARTIAL ARTS LLC				
8-26-21	CDA - Technology Grant	08/26/2021	988.41	405-70-5436-3-38
Total 17815 LINK'S MARTIAL ARTS LLC:			988.41	
18961 MENARDS - BEAVER DAM				
2237	parts - ball complex batting cage repair	08/26/2021	61.92	100-20-5525-3-38
1918	replace blind at PD/replace cord reel in FD truck bay	08/26/2021	125.95	100-70-5410-3-36
Total 18961 MENARDS - BEAVER DAM:			187.87	
20912 OTIS ELEVATOR COMPANY				
100400471036	Maint service 9-1-21 to 8-31-22 - safety building	08/26/2021	1,845.96	100-70-5410-3-36
100400471035	Maint service 9-1-21 to 8-31-22 - library	08/26/2021	1,845.96	100-70-5410-3-36
100400471034	Maint service 9-1-21 to 8-31-22 - city hall	08/26/2021	1,845.96	100-70-5410-3-36
Total 20912 OTIS ELEVATOR COMPANY:			5,537.88	
20999 PTS CONTRACTORS INC				
PMT1	Rock/Newton St Constr-Pmt1	08/26/2021	29,511.27	400-70-5436-8-00
PMT1	Rock/Newton St Constr-Pmt1	08/26/2021	133,184.78	700-10-5192-8-00
Total 20999 PTS CONTRACTORS INC:			162,696.05	
21245 PERKINS OIL				
0127682-IN	Shell Spirax	08/26/2021	375.80	100-70-5411-3-36
Total 21245 PERKINS OIL:			375.80	
21560 PHC TRANSIT LLC				
3006	screenings delivered to city shop	08/26/2021	95.00	100-70-5431-3-36
Total 21560 PHC TRANSIT LLC:			95.00	
21790 PIT-STOP PORTABLES				
A-118616	Pine Street Park Port a Potty	08/26/2021	137.50	100-20-5525-3-38
Total 21790 PIT-STOP PORTABLES:			137.50	
22350 QUALITY AGGREGATE LLC				
2993	screenings	08/26/2021	213.90	100-70-5431-3-36
Total 22350 QUALITY AGGREGATE LLC:			213.90	
22509 R BAUMAN & ASSOCIATES SC				
1194	law enforcement assessments/testing	08/26/2021	495.00	100-40-5212-3-38
Total 22509 R BAUMAN & ASSOCIATES SC:			495.00	
22664 REACH				
8-26-21	Donation - Fund raising dinner 2021	08/26/2021	1,000.00	100-10-5110-3-38

Invoice	Description	Invoice Date	Total Cost	GL Account
Total 22664 REACH:			1,000.00	
23573 SEVEN UP BOTTLING CO.-WATERTOW				
489780	aquatic center - concessions	08/26/2021	60.63	100-20-5523-3-39
Total 23573 SEVEN UP BOTTLING CO.-WATERTOW:			60.63	
24350 STICKS AND STONES				
12464	mowing & trimming - 904 Pleasant	08/26/2021	75.00	100-70-5613-3-38
12468	parking lot weeds removal & haul - 103 Gateway	08/26/2021	45.00	100-70-5613-3-38
Total 24350 STICKS AND STONES:			120.00	
25250 TRAFFIC & PARKING CONTROL CO.				
704588	Annual Traffic Signal Prev Maint - supplies/parts	08/26/2021	930.00	100-70-5441-3-36
Total 25250 TRAFFIC & PARKING CONTROL CO.:			930.00	
25450 TRU CLEANERS LLC				
CW081821 - PD	serv call - interview rm/squad-clean & sanitize back seats	08/26/2021	190.00	100-40-5212-3-38
Total 25450 TRU CLEANERS LLC:			190.00	
25482 UNIFORM SHOPPE				
312922	clothing allowance	08/26/2021	14.95	100-12634
311832	clothing allowance	08/26/2021	121.90	100-12634
Total 25482 UNIFORM SHOPPE:			136.85	
26465 VON BRIESEN & ROPER, S.C.				
365280	Personnel Issues - July 2021	08/26/2021	2,094.50	100-10-5143-3-38
365286	Waupun - Mitchell Litigaton - July 2021	08/26/2021	5,101.50	100-10-5194-3-38
365279	Waupun - Pausma Litigaton - July 2021	08/26/2021	2,557.55	100-10-5194-3-38
Total 26465 VON BRIESEN & ROPER, S.C.:			9,753.55	
26540 WALMART COMMUNITY/CAPITAL ONE				
8-26-21	park program supplies	08/26/2021	157.34	100-20-5525-3-39
8-26-21	fish with me supplies	08/26/2021	178.01	100-20-5525-3-39
Total 26540 WALMART COMMUNITY/CAPITAL ONE:			335.35	
27000 WAUPUN EQUIPMENT COMPANY, INC.				
5807W	rotor/brakes - repair brakes	08/26/2021	578.75	100-70-5411-3-36
5498W	equipment rental	08/26/2021	250.00	100-70-5411-3-38
6060W	equipment rental	08/26/2021	250.00	100-70-5411-3-38
Total 27000 WAUPUN EQUIPMENT COMPANY, INC.:			1,078.75	
28104 WESTWOOD INFRASTRUCTURE				
3210800068	Waupun 2020 Sidewalk Inspections	08/26/2021	6,791.00	100-70-5444-3-38
Total 28104 WESTWOOD INFRASTRUCTURE:			6,791.00	
28963 WI DEPART OF TRANSPORTATION				
395-0000229248	Madison Ph 2 Const - Street	08/26/2021	97.21	400-70-5420-8-00
395-0000229248	Madison Ph 2 Const - SW	08/26/2021	55.32	700-10-5192-8-00

Invoice	Description	Invoice Date	Total Cost	GL Account
Total 28963 WI DEPART OF TRANSPORTATION:			152.53	
29893 YMCA OF DODGE COUNTY				
8172021	whistles/swim-suits/t-shirts	08/26/2021	769.33	100-20-5523-3-38
Total 29893 YMCA OF DODGE COUNTY:			769.33	
300032 INSIGHT FS				
220004263	Greenyard Deluxe 50LB	08/26/2021	239.00	100-70-5410-3-36
Total 300032 INSIGHT FS:			239.00	
300193 SALAMONE SUPPLIES				
153755	Building & Parks Supplies	08/26/2021	521.88	100-70-5410-3-36
Total 300193 SALAMONE SUPPLIES:			521.88	
300202 HUZARD SYSTEMS				
16668	Printek Interceptor 820/cables	08/26/2021	942.00	100-40-5212-3-38
Total 300202 HUZARD SYSTEMS:			942.00	
Grand Totals:			235,398.82	

Report GL Period Summary

GL Period	Amount
08/21	235,398.82
Grand Totals:	235,398.82

Vendor number hash: 1971279
Vendor number hash - split: 2047781
Total number of invoices: 65
Total number of transactions: 68

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	235,398.82	.00	235,398.82
Grand Totals:	235,398.82	.00	235,398.82

Report Criteria:

[Report].Invoice Date = 08/26/2021



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Ordinance to amend Chapter 16 entitled Zoning Code- Adult Day Care Facility/Group Child Care Center

AGENDA SECTION: ORDINANCES-RESOLUTIONS

PRESENTER: Mayor Julie Nickel

ISSUE SUMMARY:

This is a recommendation from the Plan Commission meeting held on August 25, 2021 to add Adult Day Care Facilities and Group Child Care Centers to be allowed as Conditional Uses in the R-1 (Single Family), R-2 (Two-Family), R-3 (Multi-Family), and R-4 (Central Area Single Family) zoning districts.

STAFF RECOMMENDATION:

Waive the first reading and adopt this ordinance

ATTACHMENTS:

Ordinance

RECOMMENDED MOTION:

1. Motion to accept the first reading of the ordinance to amend Chapter 16.02 and 16.03 entitled Zoning Code-Adult Day Care Facility/Group Child Care Center
2. Motion to waive the first reading and adopt Ordinance #_____to amend Chapter 16.02 and 16.03 entitled Zoning Code-Adult Day Care Facility/Group Child Care Center
3. Do nothing and the ordinance fails

ORDINANCE NUMBER 21-__

AN ORDINANCE TO AMEND CHAPTER SIXTEEN OF THE MUNICIPAL CODE OF THE CITY OF WAUPUN ENTITLED "ZONING CODE."

THE COMMON COUNCIL OF THE CITY OF WAUPUN, DO ORDAIN:

SECTION 1: Section 16.02 of the Waupun Municipal Code entitled "Definitions" is amended to add the following subsection:

(5a) ADULT DAY CARE FACILITY - An adult day care facility means a facility that provides services for part of a day in a group setting to adults who need an enriched social or health-supportive experience, or who may need assistance with activities of daily living (ADL), supervision and/or protection. Services may include personal care and supervision, provision of meals, medical care, transportation, and activities designed to meet physical, social, and leisure time needs.

SECTION 2: Section 16.03 of the Waupun Municipal Code entitled "Residential District Requirements" is amended to add the following subsection:

SECTION 16.03(1)(d) CONDITIONAL USES. Is amended to add:

- (iv) Adult Day Care Facility
- (v) Group Child Care Center

SECTION 16.03(2)(d) CONDITIONAL USES. Is amended to add:

- (iv) Adult Day Care Facility
- (v) Group Child Care Center

SECTION 16.03(3)(d) CONDITIONAL USES. Is amended to add:

- (v) Adult Day Care Facility
- (vi) Group Child Care Center

SECTION 16.03(4)(d) CONDITIONAL USES. Is amended to add:

- (ix) Adult Day Care Facility
- (x) Group Child Care Center

SECTION 16.03(5)(d) CONDITIONAL USES. Is amended to add:

- (viii) Adult Day Care Facility
- (ix) Group Child Care Center

SECTION 2: This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Enacted this __ day of August, 2021.

Julie J. Nickel, Mayor

ATTEST:

Angela J. Hull, City Clerk



AGENDA SUMMARY SHEET

MEETING DATE: 8/31/2021

TITLE: Ordinance to amendment Ch.16.01(10) entitled
Zoning Code-Zoning Map

AGENDA SECTION: ORDINANCES-RESOLUTIONS

PRESENTER: Mayor Julie Nickel

ISSUE SUMMARY:

This is a recommendation from the Plan Commission meeting held on August 25, 2021. Fox Valley Savings Bank requested to rezone their property at 409 E. Jefferson St. from the R-5 Mixed Residential Zoning District to the B-2 Central Business Zoning District.

STAFF RECOMMENDATION:

Waive first reading and adopt the ordinance

ATTACHMENTS:

Ordinance

RECOMMENDED MOTION:

1. Motion to accept the first reading of the ordinance to amend Chapter 16.01 (10) entitled Zoning Code-Zoning Map
2. Motion to waive the first reading and adopt Ordinance # _____ to amend Chapter 16.01 (10) entitled Zoning Code-Zoning Map
3. Do nothing and the ordinance fails

ORDINANCE # 21 - ____

**AN ORDINANCE TO AMEND CHAPTER SIXTEEN OF THE MUNICIPAL CODE
OF THE CITY OF WAUPUN ENTITLED "ZONING CODE."**

THE COMMON COUNCIL OF THE CITY OF WAUPUN ORDAINS:

SECTION 1: Section 16.01 (10) of the Municipal Code of the City of Waupun entitled "Zoning Map" is amended so that real estate currently owned by Fox Valley Savings Bank at 409 E Jefferson Street presently zoned in the R-5 Mixed Residential Zoning District is rezoned to the B-2 Central Business Zoning District The real estate to be rezoned is described as follows:

Parcel #: 292-1315-0511-007

LOT 5 ASSESSOR'S PLAT NO 5, City of Waupun, Dodge, Wisconsin

SECTION 2: This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Enacted this ____ day of August, 2021.

Julie J. Nickel
Mayor

ATTEST:

Angela J. Hull
City Clerk



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Discussion Only- Stormwater Quality Plan Update and MS4 Compliance

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: Jeff Daane, Public Works Director
Kathy Schlieve, Administrator

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Maintain Infrastructure/Compliance	TBD	

ISSUE SUMMARY

Staff will provide an overview of the stormwater quality plan, based on a 2017 stormwater quality study and talk through implications from the presentation given August 17 where we highlighted the appeal process we're undertaking with WIDNR. Some fundamental points to know about our stormwater plan:

- The City of Waupun is located entirely within the Rock River Watershed and drains to 3 distinct reaches/tributaries to the Rock River.
- Under Wisconsin Administrative Code NR216, the City is required to have an separate storm sewer system (MS4) which is permitted by WIDNR as authorized by USEPA. The MS4 permit requires the City to perform the following activities: (1) Public Education & Outreach, (2) Public Involvement & Participation, (3) Illicit Discharge Detection & Elimination, (4) Construction Site Pollution Control, (5) Post Construction Management, (6) Pollution Prevention, and (7) Stormwater Quality.
- The City must comply with the Total Maximum Daily Load (TMDL) standards set for the Rock River Basin as defined in the City's MS4 permit in accordance with Admin. Code NR 216.07(6)(b) and NR 151.13. NR 151 requires a 20% reduction in total suspended solids (TSS). In addition, TMDLs establish the maximum amount of total suspended solids (TSS) and total phosphorus (TP) that the City's storm system may release into the Rock River. In addition to the TSS reductions, the City's current Permit (expiring 2024) requires additional reductions of TSS and TP in each of the City's three (3) reaches.
- In 2008, the City established a stormwater utility to fund the structural and operational best management practices (BMPs) required to comply with the City's MS4 permit and TMDL limits. BMPs include a practice, or combination of practices, determined to be an effective and practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.
- In 2017, the City developed a stormwater quality plan that identified an inability to meet defined TMDL standards without additional BMPs. In that study, 21 sites across the community were identified to constructed new BMPs. Only 15 of the locations are recommended for construction (due to performance, cost-effectiveness, or other reasons). Additional BMPs will need to be identified. Total estimated construction of all recommended BMPs was approximately \$8.4M in 2017. Implementation experience suggests that costs will exceed this estimate.
- City staff have submitted an appeal to WIDNR to extend the length of time to achieve the current permit standards. The official determination on that request is pending WIDNR review, with final plan due October 31, 2021. Staff also submitted a planning grant request to study alternative BMPs and identify functional sites in the community for additional ponds. That grant request was not approved.
- At present, the city is conducting a rate analysis to evaluate revenues for the utility. Additional capital will be required to support stormwater construction requirements to move the City toward permit compliance on a timeline yet to be determined.

Staff will highlight recommendations to move the city toward compliance with our MS4 permit.

STAFF RECCOMENDATION:

Recommendations as outlined in PowerPoint

ATTACHMENTS:

Stormwater Quality Plan Overview PowerPoint

<p><u>RECCOMENDED MOTION:</u></p> <p>Discussion Only</p>

AGENDA ITEM:	
--------------	--

DATE:	
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STORMWATER QUALITY PLAN UPDATE

PRESENTER: JEFF DAANE

EXECUTIVE SUMMARY

- The City of Waupun is located entirely within the Rock River Watershed and drains to 3 distinct reaches/tributaries to the Rock River.
- Under Wisconsin Administrative Code NR216, the City is required to have a separate storm sewer system (MS4) which is permitted by WIDNR as authorized by USEPA. The MS4 permit requires the City to perform the following activities: (1) Public Education & Outreach, (2) Public Involvement & Participation, (3) Illicit Discharge Detection & Elimination, (4) Construction Site Pollution Control, (5) Post Construction Management, (6) Pollution Prevention, and (7) Stormwater Quality.
- The City must comply with the Total Maximum Daily Load (TMDL) standards set for the Rock River Basin as defined in the City's MS4 permit in accordance with Admin. Code NR 216.07(6)(b) and NR 151.13. NR 151 requires a 20% reduction in total suspended solids (TSS). In addition, TMDLs establish the maximum amount of total suspended solids (TSS) and total phosphorus (TP) that the City's storm system may release into the Rock River. In addition to the TSS reductions, the City's current Permit (expiring 2024) requires additional reductions of TSS and TP in each of the City's three (3) reaches.
- In 2008, the City established a stormwater utility to fund the structural and operational best management practices (BMPs) required to comply with the City's MS4 permit and TMDL limits. BMPs include a practice, or combination of practices, determined to be an effective and practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.
- In 2017, the City developed a stormwater quality plan that identified an inability to meet defined TMDL standards without additional BMPs. In that study, 21 sites across the community were identified to construct new BMPs. Only 15 of the locations are recommended for construction (due to performance, cost-effectiveness, or other reasons). Additional BMPs will need to be identified. Total estimated construction of all recommended BMPs was approximately \$8.4M in 2017. Implementation experience suggests that costs will exceed this estimate.
- City staff have submitted an appeal to WIDNR to extend the length of time to achieve the current permit standards. The official determination on that request is pending WIDNR review, with final plan due October 31, 2021. Staff also submitted a planning grant request to study alternative BMPs and identify functional sites in the community for additional ponds. That grant request was not approved.
- At present, the city is conducting a rate analysis to evaluate revenues for the utility. Additional capital will be required to support stormwater construction requirements to move the City toward permit compliance on a timeline yet to be determined.

CITY STORMWATER FLOWS TO THREE (3) SEPARATE REACHES, EACH REQUIRING TSS REDUCTIONS

Figure 1: TMDL Watersheds and Reduction

Stormwater Quality Plan

City of Waupun

Rock River TMDL Watersheds, Revised for WQMP

WDNR TMDL Watersheds

Reach 2

Reach 3

Reach 4

Stormlines

Flowline

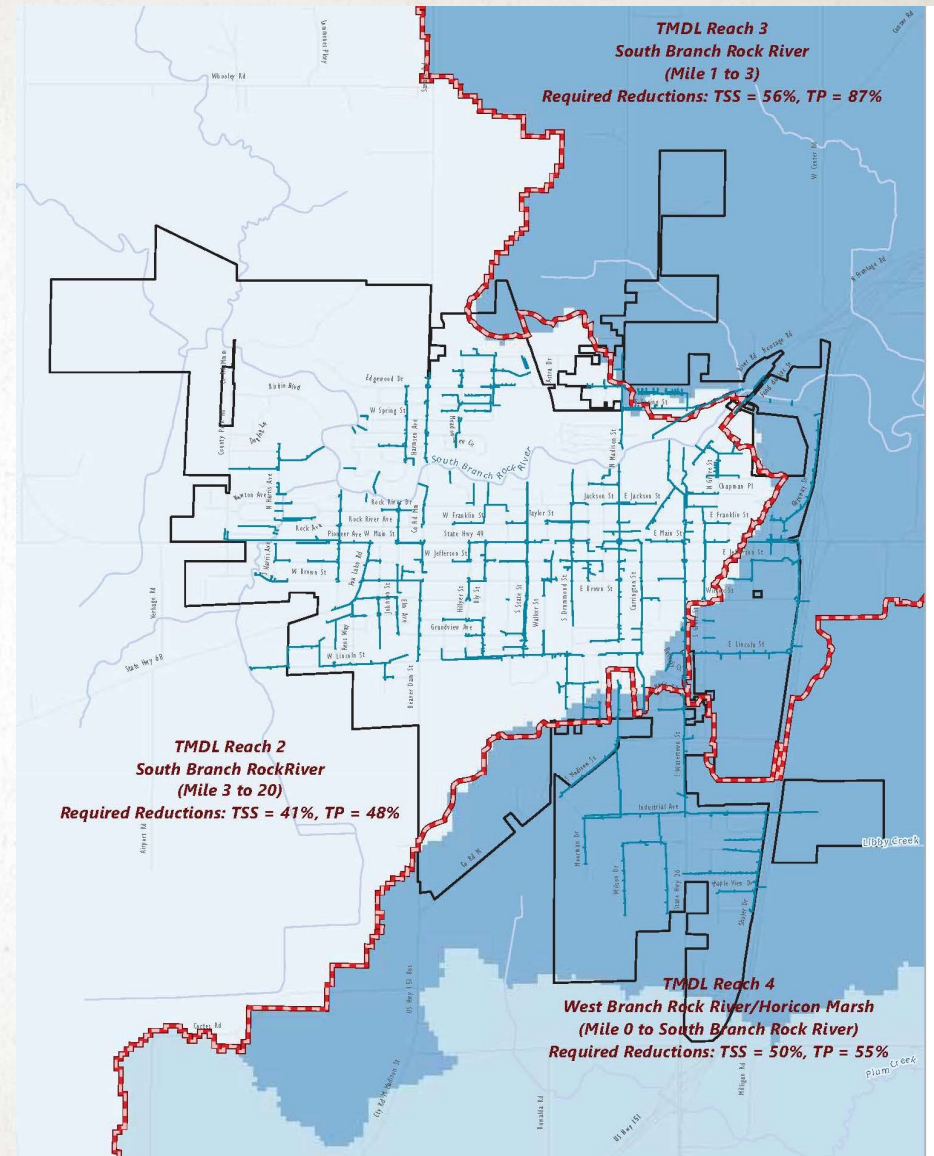
0 0.165 0.33 Miles

MSA

Print Date: 12/18/2017

City of Waupun
Dodge and Fond du Lac Counties, WI




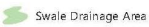

Data Sources
Municipal Boundary: Dodge and Fond du Lac Counties
Streets: US Census
TMDL Watersheds: WDNR
Revised TMDL Watershed: WDNR, modified within City limits
to account for Storm System
Aerials: ESRI



EXISTING SWALE LOCATIONS

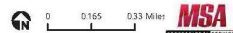
Figure 5: Swale Locations

Stormwater Quality Plan

-  City of Waupun
-  Swale
-  Study Area
-  Swale Drainage Area
-  Flowline

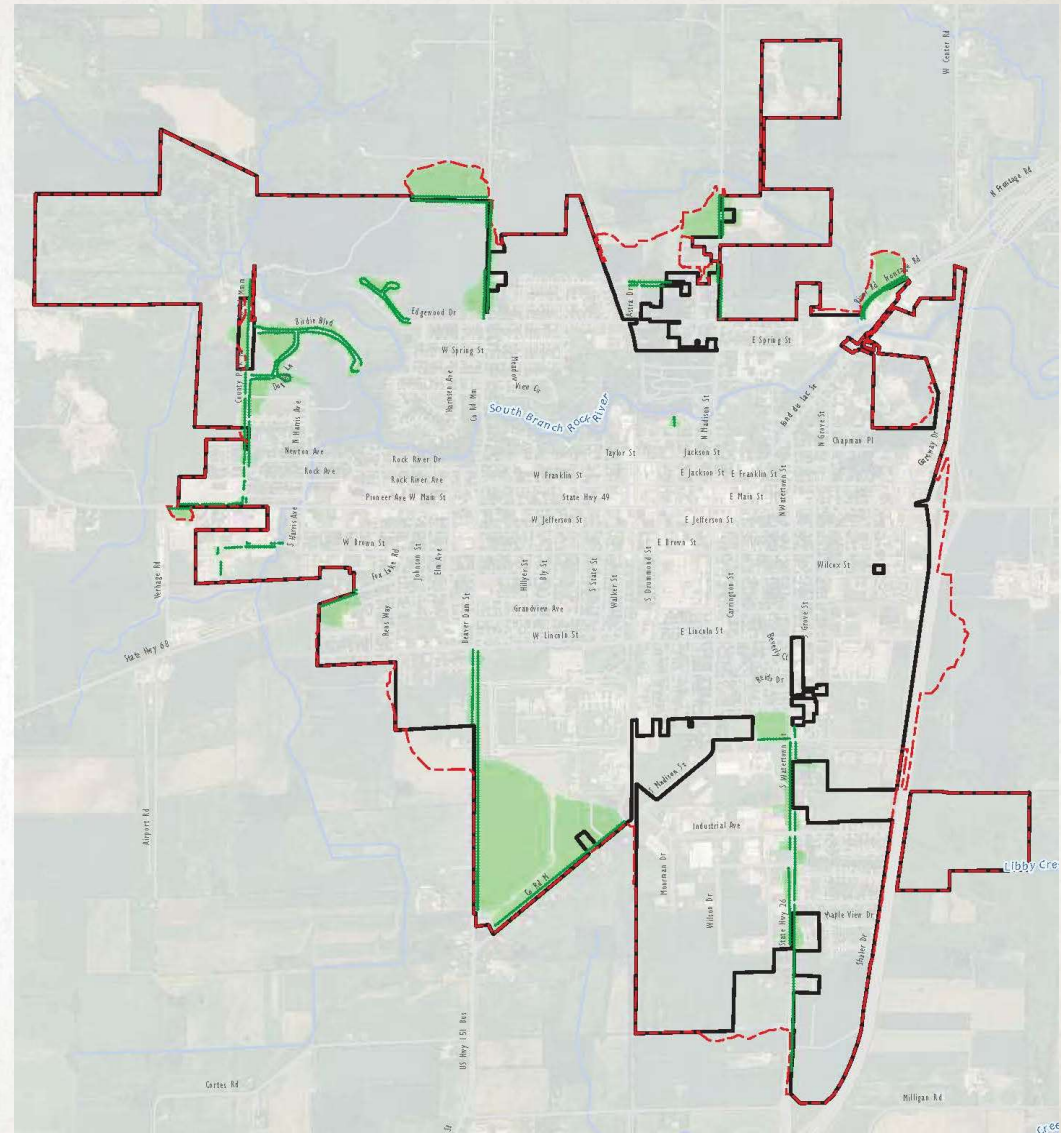
City of Waupun
Dodge and Fond du Lac Counties, WI

Data Sources:
Municipal Boundary: Dodge and Fond du Lac Counties
Streets: US Census
Swales: Identified with aerial imagery and confirmation with City staff
Aerial: ESRI



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Print Date: 12/15/2017



EXISTING INFRASTRUCTURE (I.E., PONDS, DRAINAGE, ETC.)

Figure 7: Existing Structural BMPs

Stormwater Quality Plan

City of Waupun

Study Area



Watersheds, Existing BMPs

Stormlines

Flowline



Existing BMP

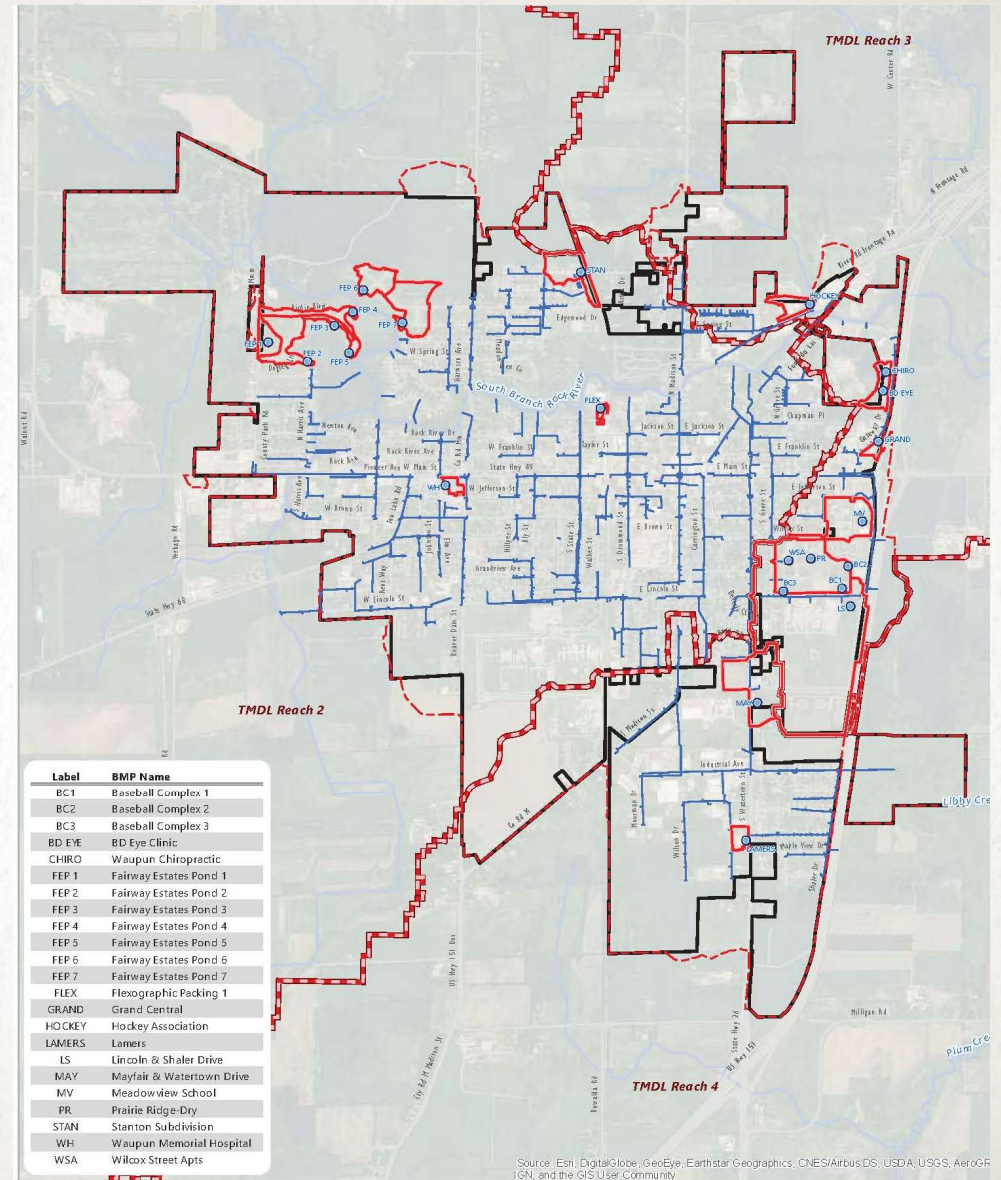
City of Waupun
Dodge and Fond du Lac Counties, WI

Data Sources
Municipal Boundary: Dodge and Fond du Lac Counties
Streets: US Census
Swales: Identified with aerial imagery and confirmation with City GIS
Aerial: ESRI

0 0.165 0.33 Miles
MSA
Map Services

Printed By: isconvers, File: P:\210\12\002112050\GIS\002112050_Figure 7_ExistingStructuralBMP.mxd

Print Date: 12/19/2017



CURRENT AND PROPOSED TSS REDUCTION PERFORMANCE

Study Area	Regulated Area	Total Suspended Solids (TSS)					
	Acres	Load In (tons/yr)	Condition	Trapped (tons/yr)	Reduction	Required	Proposed Total
Reach 2	1308	167.9	Existing Proposed	24.4 29.8	14.5% 17.8%	41%	32.3%
Reach 3	272	42.8	Existing Proposed	17.8 5.6	41.5% 13.1%	56%	54.6%
Reach 4	454	63.5	Existing Proposed	12.7 40.1	20.0% 63.2%	50%	83.2%
Citywide	2033	274.2	Existing Proposed	54.9 75.5	20.0% 27.6%	N/A	47.6%

SOURCE: MS4 PERMIT (Expiration 12/31/2024) ???

CURRENT AND PROPOSED TP REDUCTION PERFORMANCE

Study Area	Regulated Area	Total Phosphorus (TP)					
	Acres	Load In (lbs/yr)	Condition	Trapped (lbs/yr)	Reduction	Required	Proposed Total
Reach 2	1308	1190.5	Existing Proposed	120.2 161.7	10.1% 13.6%	48%	23.7%
Reach 3	272	263.5	Existing Proposed	81.8 25.4	31.0% 9.7%	87%	40.7%
Reach 4	454	389.6	Existing Proposed	66.8 166.8	17.1% 42.8%	55%	60.0%
Citywide	2033	1843.6	Existing Proposed	268.8 354.0	14.6% 19.2%	N/A	33.8%

SOURCE: MS4 PERMIT (Expiration 12/31/2024) ???

SUMMARY

ROCK RIVER TMDL RECOMMENDED TSS AND TP REDUCTIONS

Rock River Reach	Current / Required TSS Reduction	Current / Required TP Reduction
South Branch Rock River (R2)	14.5% / 41%	10.1% / 48%
South Branch Rock River (R3)	41.5% / 56%	31.0% / 87%
West Branch Rock River/Horicon Marsh(R4)	20% / 50%	17.1% / 55%

SOURCE: MS4 PERMIT (Expiration 12/31/2024) ???

SUMMARY OF ALTERNATIVE BMP PERFORMANCE; COST TO CONSTRUCT ESTIMATED @ \$8.4M (2017)

TMDL Reach	BMP ID	BMP Name	Tributary Area (acres)	Project Type	Potential Additional TSS Reduction (tons/yr)	Potential Additional TP Reduction (lb/yr)	Estimated Construction Cost	TP Reduction Present Worth (\$/lb TP/yr)	Cost Effectiveness Ranking	Recommended
2	4	404 S Watertown St	13.108	New	0.7	4.1	\$196,585	\$1,052	16	No
2	5	339 Carrington St	25.243	New	1.4	7.5	\$137,980	\$411	7	Yes – Low Priority
2	6	235 Fond du Lac St	49.301	New	1.6	9.3	\$120,430	\$289	3	Yes
2	7	Rounsville St	77.671	New	5.0	27.2	\$343,610	\$276	2	Yes
2	9	SE Quadrant Nummerdor / Madison	93.212	New	3.1	18.2	\$396,690	\$472	8	Yes – Low Priority
2	10	Monroe Street South of Harris Mill Pond	99.318	New	7.4	28.3	\$193,680	\$153	1	Yes
2	12	Edgewood Community Church	57.959	New	2.9	18.2	\$325,915	\$389	6	Yes
2	13	South of Meadowview Circle	7.934	New	0.6	3.4	\$222,315	\$1,415	18	No
2	14	Meadow View Heights Park	20.509	New	0.9	5.8	\$201,805	\$759	15	Yes – Low Priority
2	15	295 Harmsen Ave	33.749	New	1.6	9.1	\$155,495	\$380	5	Yes
2	16	220 Brandon St	11.931	New	1.0	5.1	\$153,560	\$665	13	Yes – Low Priority
2	17	Beaver Dam Street	22.855	New	1.0	5.5	\$138,230	\$560	12	Yes – Low Priority
2	19	Farmland – West of Lincoln St.	68.871	New	4.0	27.4	\$672,800	\$528	10	Yes – Low Priority
2	20	912 Cardinal Court	21.708	New	0.8	4.5	\$231,965	\$1,115	17	No
3	2	Farmland – East of US 151	80.952	New	4.2	19.9	\$468,090	\$508	9	Yes – Low Priority
3	3	103 Gateway Dr	9.397	Retrofit	1.5	5.5	\$171,060	\$686	14	Yes – Low Priority
4	1	Claggett Pond	362.56	New	40.1	166.8	\$3,070,750	\$329	4	Yes
4	21	Claggett Pond South	142.555	New	6.6	47.8	\$1,224,060	\$543	11	Special

1. "New" involves construction of a new wet detention pond. "retrofit" includes conversion of pond to wet detention pond and reconstruction of pond outlet.
2. Construction Costs do not include Engineering, CRS & Geotechnical investigation
3. Values estimated assuming 20-yr life span, 3% interest rate and average annual maintenance costs equal 5% of construction.
4. Only recommended if the City wishes to establish a trade with downstream regulated entities.

PLAN APPEAL SUBMITTED TO WIDNR

YEAR	BMP ID*	BMP Name	Proect Type	Estimated Construction Cost.	Potential Additional TSS Reduction (tons/yr)	Potential additional TP Reduction (lb/yr)	TMDL Reach
2021	15	295 Harmsen Ave	New	\$320,000.00	1.6	9.1	2
2025	7	Rounsville St	New	\$343,610.00	5	27.2	2
2031	3	103 Gateway Dr	New	\$271,060	1.5	5.5	3
2035	12	Edgewood Community Church	New	\$325,915.00	2.9	18.2	2
2041	10	Monroe St south of Harris Mill Pond	New	\$800,000.00	7.4	28.3	2
2045	1	Claggett Pond	New	\$3,070,750.00	40.1	166.8	4
		TOTAL		\$5,131,335.00			

Note: Additional ponds will be required and would need to be integrated into this recommendation at some point.

RECOMMENDATIONS

- Ensure new development meets current standards.
- Maintain current BMPs (street sweeping, salt control, etc.).
- Secure maintenance agreements for privately owned BMPs.
- Implement a program to require inspection and routine maintenance of structural stormwater management practices.
- Implement a systemic program for measuring infiltration rates within structural BMPs throughout the City.
- Consider evaluation of the City's leaf collection program.
- Construct Additional Structural Stormwater BMPs.
- Conduct a Water Quality Trading Study to identify practices outside the limits of the City's MS4 to achieve additional TSS and TP reductions. (Seek planning grant once again to complete this work)
- Routinely evaluate Stormwater Utility rates to ensure costs are covered, including operating, capital and debt service expenses.
- Manage debt capacity to ensure ability of utility to borrow to meet requirements (current and future).



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Budget Workshop: Updated Fiscal Health Analysis (2016-2020)

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: Kathy Schlieve, Administrator
Michelle Kast, Finance Director

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
High Performance Government	TBD	

ISSUE SUMMARY

The Fiscal Trends Monitoring System (FTMS) is a tool developed by the International City/County Management Association (ICMA) as a method for monitoring the financial condition of local governments. This system identifies factors that affect financial condition to aid decision-making. Financial condition is the ability of a locality to maintain existing service levels, withstand local and regional economic disruptions, and meet the demands of natural growth, decline, and change. FTMS analysis adjusts for inflation to convert current dollars into constant dollars based on CPI, recognizing that money available to you today is worth more than the same amount of money at a future date. For the purpose of this presentation, we examined a handful of indicators to assess trends, examining 2016 budget data compared to 2020 to understand budget constraints. Trends we will review include:

1. Revenue
2. Expense
3. Capital expenditures
4. Debt capacity

STAFF RECCOMENDATION:

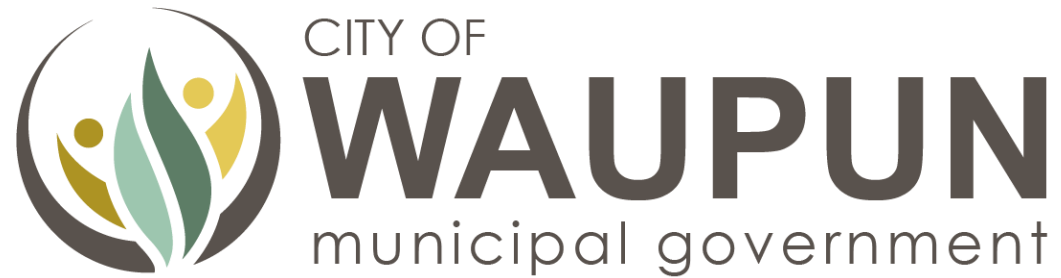
We will discuss implications of the trends to future budgets and financial decisions

ATTACHMENTS:

FHA 2016-2020 PowerPoint

<u>RECCOMENDED MOTION:</u>

Discussion Only



Fiscal Monitoring
2022 Budget Planning Workshop

Agenda

- ICMA Fiscal Trends Monitoring

- ☐ Revenue

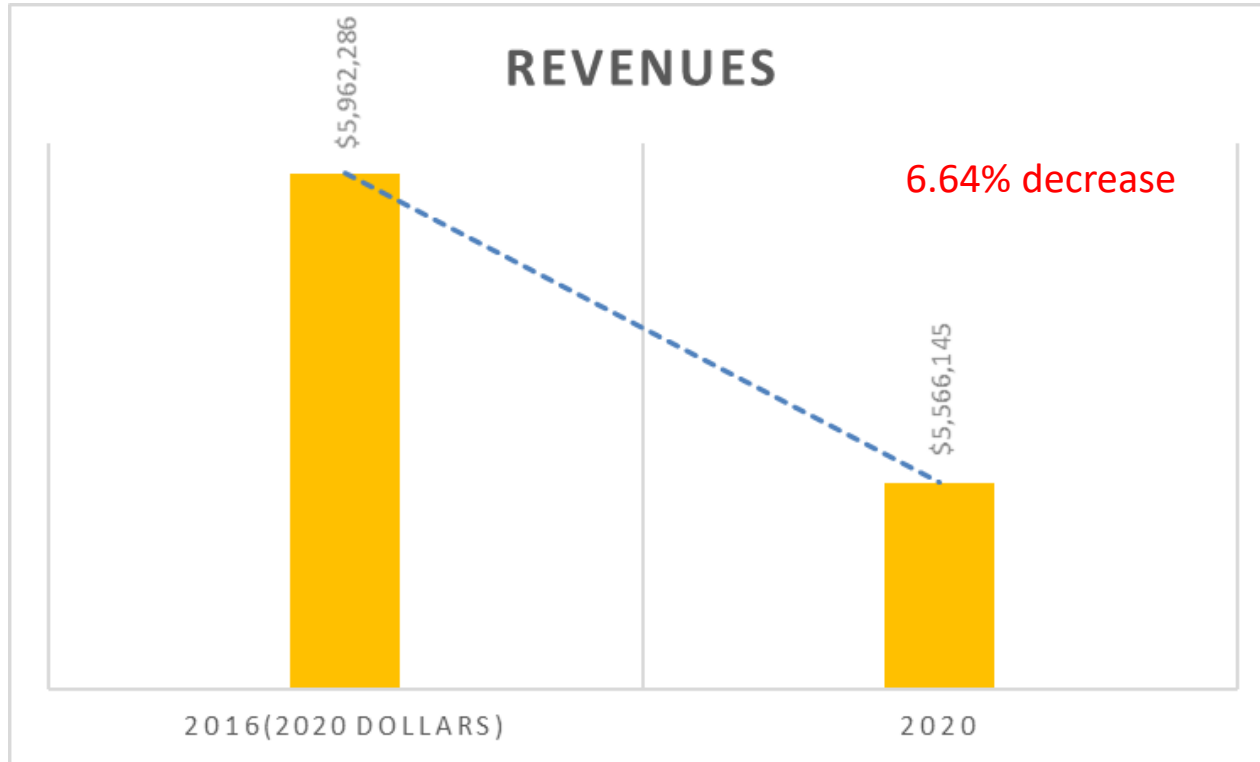
- ☐ Equalized Value

- ☐ Expenses

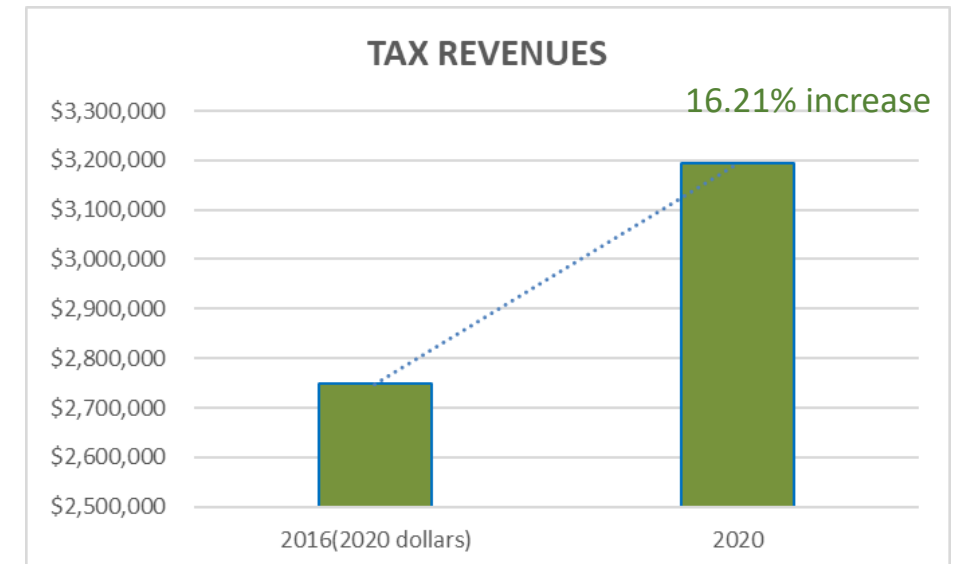
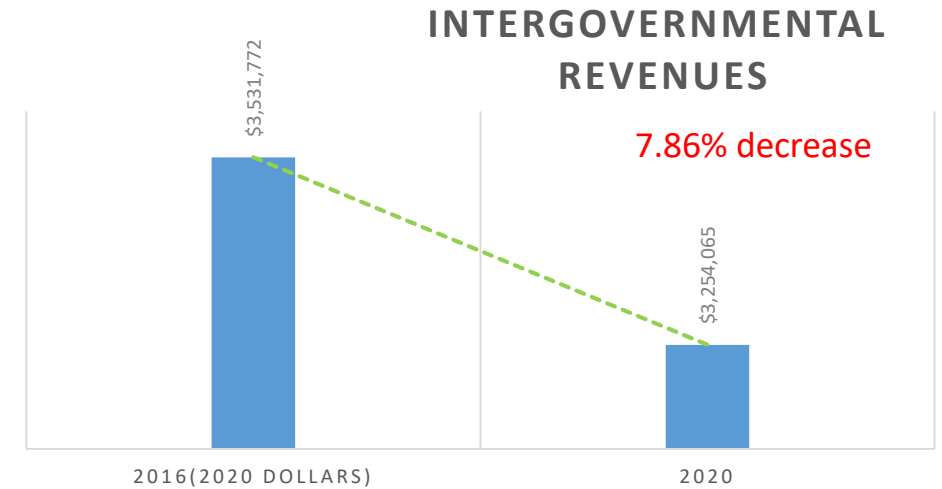
- ☐ Debt

Sources: City of Waupun Financial Policy Handbook; UW Extension – Local Government Center; ICMA Fiscal Trends Monitoring System

Revenues (2016 – 2020 when adjusted for inflation)



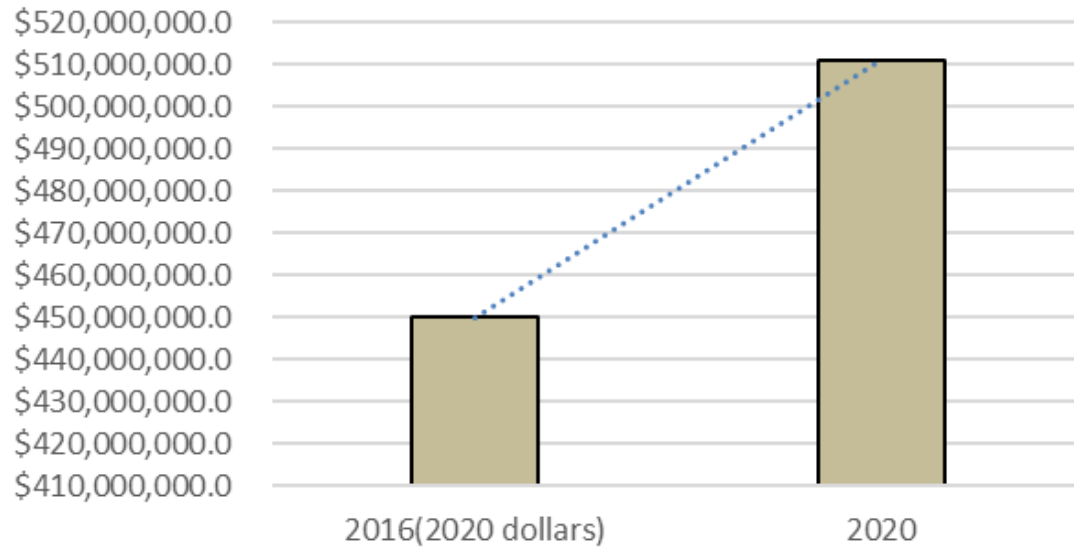
16.21% increase



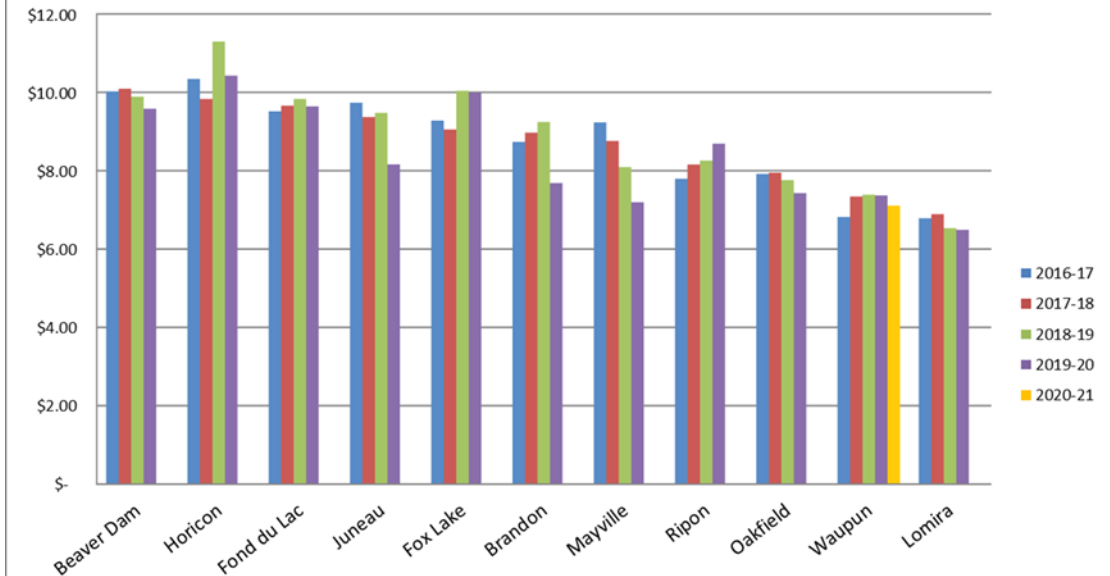
Equalized Value (2016-2020 adjusted for inflation)



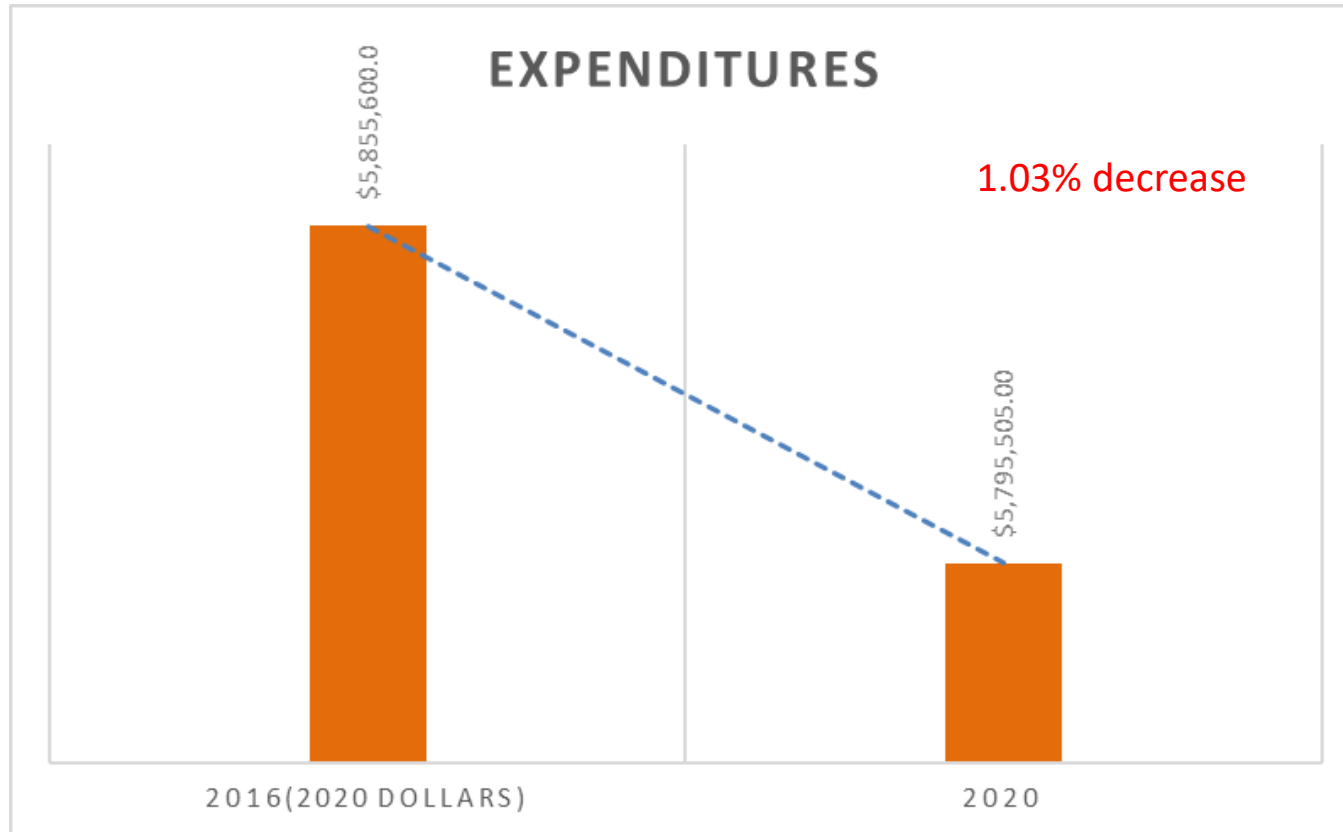
EQUALIZED VALUE



Equalized Value Tax Rate Per \$1,000 Tax Levy Years 2016-2020



Expenses (2016-2020 adjusted for inflation)



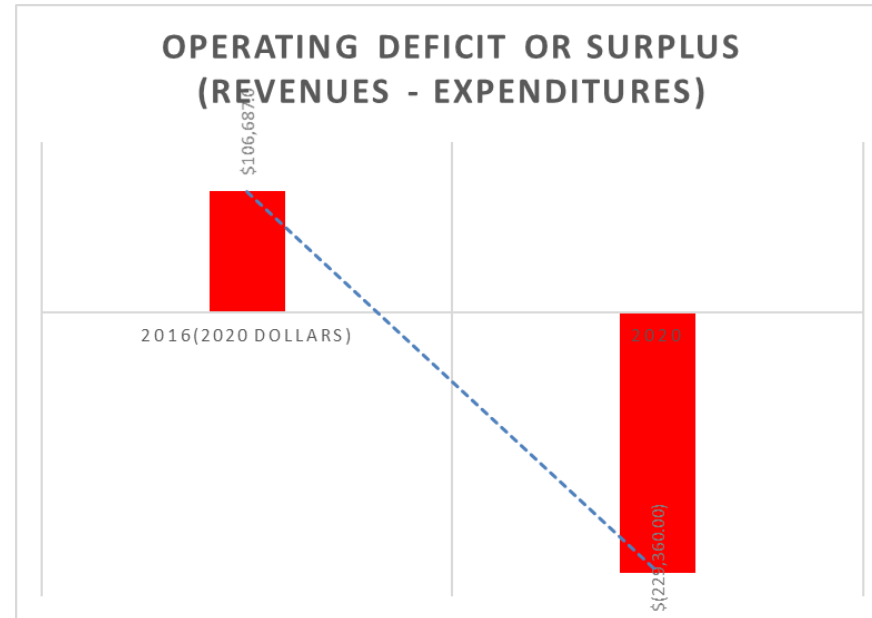
COST CONTAINMENT EFFORTS:

- High deductible insurance plan
- Municipal court
- ED Spending reduction / supplemented by TIDs
- Transition Festivals Expenditures
- Improved Costing PSLO Contract

2022 & Beyond Cost Drivers

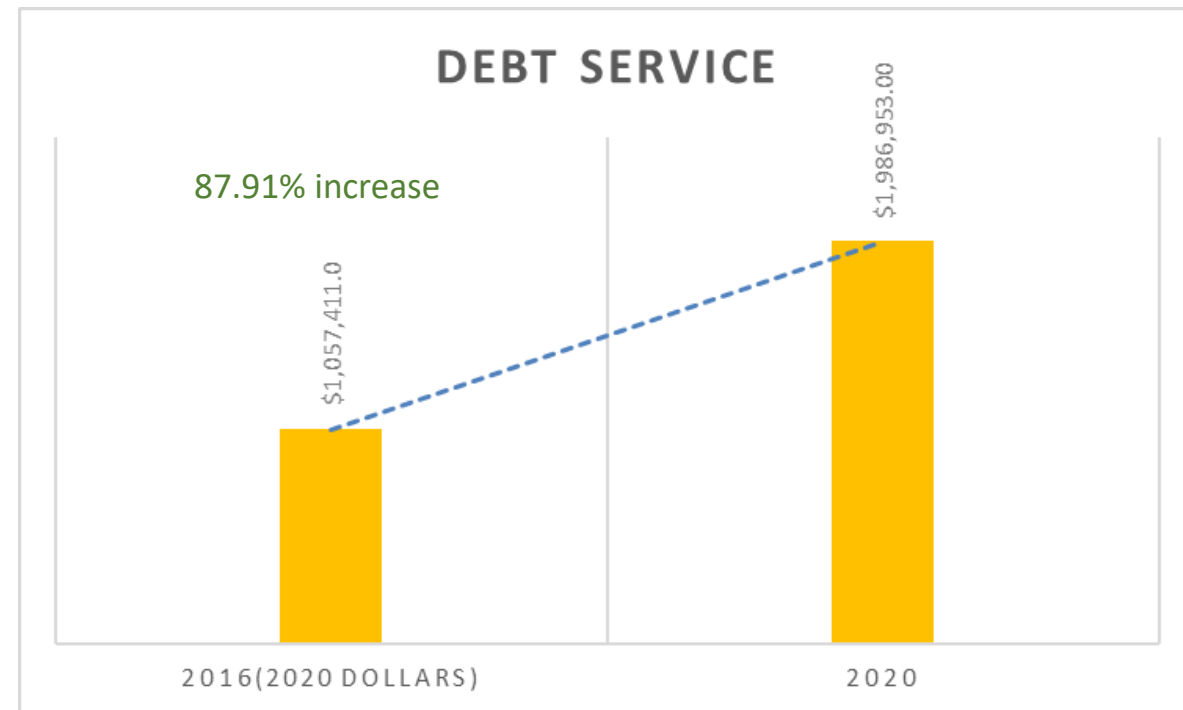
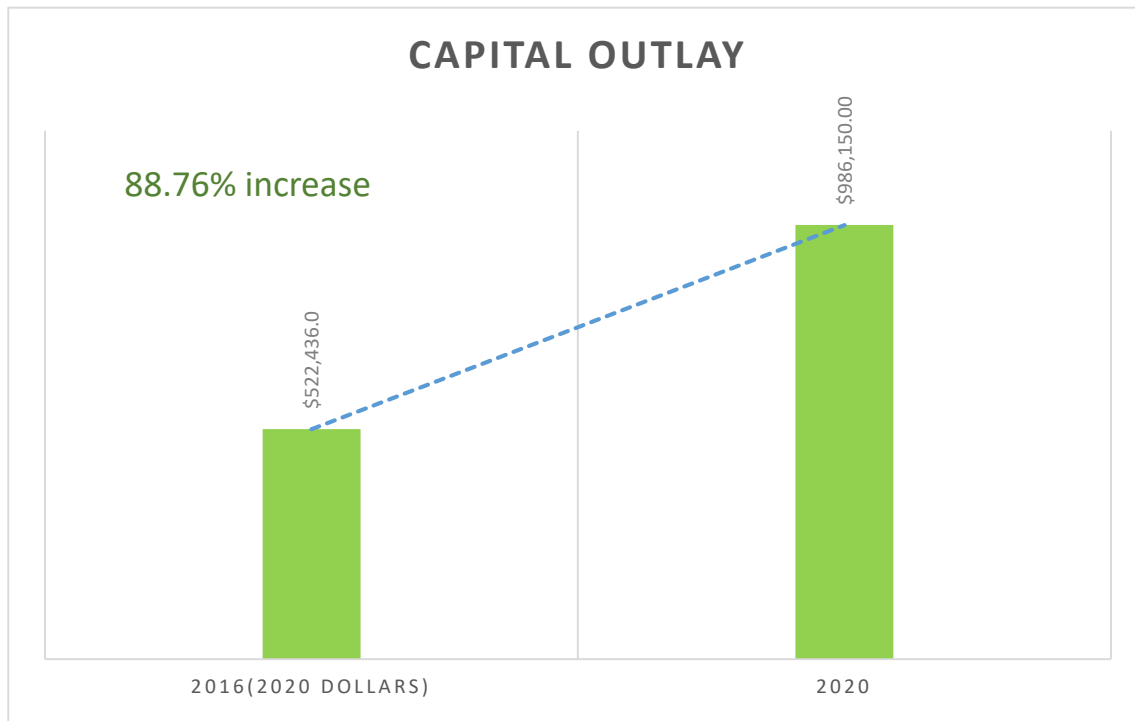
- 18th Police Officer Position
- EMR and Related Costs
- Insurance (all forms)
- IT
- Compensation

Trends show use of unassigned fund balance to achieve a balanced budget; Despite this, the City Maintains a Strong Cash Position with an Unassigned Fund Balance at the Top of Policy Limits (30-40%)



	12/31/2016	12/31/2017	12/31/2018	12/31/2019	12/31/2020
Unassigned fund balance	2,759,075	2,398,535	2,187,225	2,546,671	2,361,097
% of Budget	49%	39%	35%	43%	42%

Capital Borrowing (2016-2020 adjusted for inflation)



Debt Utilization

	12/31/2016	12/31/2017	12/31/2018	12/31/2019	12/31/2020
Long-term GO Debt	12,116,272	13,150,080	12,142,687	13,949,372	12,509,528
Annual Debt Payments	996,069	1,176,615	1,245,124	1,197,653	1,986,953
Statutory Debt Limit	21,203,815	22,100,545	22,572,225	23,776,040	25,555,620
City Debt Limit	15,902,861	16,575,409	16,929,169	17,832,030	19,166,715
% Debt Used - Statutory Limit	57%	60%	54%	59%	49%
% Debt Used - City Policy	76%	79%	72%	78%	65%
Debt Capacity per city policy	3,786,589	3,425,329	4,786,482	3,882,658	6,657,187



Future Debt Requirements	Capital Requirement
Facilities	\$ 16,570,653
Streets	\$ 6,583,057
Stormwater	\$ 8,425,000
Equipment Replacement	\$ 3,094,236
Economic Development	\$ 5,000,000
Parks	\$ 500,000
	\$ 40,172,946

Executive Summary – Concluding Remarks

- Declining revenues continue to challenge city operations, driven largely by declining state shared revenues. This has and continues to shift more of the burden to the local taxpayer. Consideration should be given to the need to diversify revenue sources
- Continued erosion of revenue streams over time may result in cuts to city services and/or challenge the City's ability to generate capital needed for improvements.
- When adjusted for inflation, expenditures have declined while service levels remain constant, showing staff remain strong fiscal stewards of tax dollars. Operationally, work to pursue projects that eliminate waste and create efficiency are key to maintaining service levels.
- As we approach our levy limit, growth (measured by net new construction) is essential to increase our levy. This places particular importance on the role of economic development and investments will need to be made to support this growth.
- The City maintains a strong cash position as measured by unassigned fund balance. Maintaining fund balance is essential to help manage cash flow to support operations.
- Analysis of equalized value from all surrounding communities shows that the City continues to maintain an extremely affordable cost of living for residents, despite increases in the tax levy in recent years.
- Debt is an essential piece of the equation to achieve a balanced budget and meet demand to replace aging infrastructure. Managing borrowing in the context of strategic priorities will be imperative to maintain our strong bond rating position and manage overall debt capacity.
- The indicators as outlined are intended to help guide you to monitor status of fiscal condition. Continued investment in strategic priorities remains essential to move the community forward.



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Discussion- Referendum Process and Support Services

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: Kathy Schlieve, Administrator

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
High Performance Government	TBD	

ISSUE SUMMARY

We will overview information relative to referendum planning and possible partners that have been identified to support planning and communication. Key phases of the referendum, include the following steps:

1. Options assessment to narrow our scope / define inclusions in the referendum.
2. Community input/survey to assess community sentiment and gather feedback.
3. Public education campaign.
4. Referendum vote.

The time to prepare for a referendum is estimated at 9-12 months. In 2022, there are two obvious windows of opportunity to hold a referendum – either the April or November elections.

STAFF RECCOMENDATION:

Discussion only

ATTACHMENTS:

None

RECCOMENDED MOTION:

Discussion Only



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Discussion – Ordinance Ch. 9.03 Public
Nuisances- Tree or Plant Diseases

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: Kathy Schlieve, Administrator

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Economic Vitality	N/A	

ISSUE SUMMARY:

City of Waupun Ordinance 9.03 governs tree or plant diseases in the city. Staff have been receiving a number of complaints from citizens about trees damaged or diseased on private property. You may be receiving similar complaints. We would like to review current ordinance and discuss implications so that we are operating from a uniform interpretation of the rules.

STAFF RECCOMENDATION:

Discussion

ATTACHMENTS:

Ordinance 9.03 Tree or Plant Diseases

RECOMMENDED MOTION:

Discussion

- (1) **DECLARATION OF PUBLIC NUISANCE.** The existence of trees, shrubs and other flora within the City are determined to be valuable public and private assets which substantially enhance the public welfare and are aesthetically significant and economically important in terms of increased value which accrue to public and private lands as a result of their existence. The continued existence of injured or diseased trees or other plantings, or the failure to properly treat the same if treatment is available, which is likely to cause the spread of disease or endanger persons because of the deteriorated condition, is hereby declared to be a public nuisance requiring abatement.
- (2) **EXAMPLES.** The following conditions are exemplary, but not an inclusive list, of matters declared to be public nuisances under this section:
 - (a) Any dead or defective tree.
 - (b) Any elm tree infected with the Dutch elm disease fungus or which harbors any carrier of the same.
 - (c) Any oak tree infected with the oak wilt fungus or which harbors any carrier of the same.
 - (d) Any tree, bush, shrub or other plant which is infected with an insect or disease capable of infecting other plants.
- (3) **ABATEMENT PROCEDURE.**
 - (a) Notice. If the City Forester determines that a dead or diseased tree or plant exists on any private property in violation of this section, a notice may be issued, in writing, by the Forester to the property owner directing, as appropriate, that such tree or plant be removed or treated as therein specified to protect surrounding trees or plants. A notice issued under this section shall provide a reasonable period of time, which shall not be less than 72 hours, within which to perform. The notice shall also state that the existence of the facts which gave rise to the notice constitute a public nuisance which may be abated by the City upon failure of the property owner to comply with the terms of the notice.
 - (b) Court Proceedings. If the corrective action set forth in the notice is not taken by the property owner within the time set forth in the notice, and likelihood that other trees or other plants will be infected, damaged or destroyed, or that persons will be injured, the City Forester shall request the commencement of a nuisance abatement action under Ch. 823, Wis. Stats..
 - (c) Summary Abatement. If, in the judgment of the City Forester, delay is likely to cause injury to persons or the spread of disease to other trees or plants, then the City Forester may enter upon the property and take all necessary action including, but not limited to, trenching to separate root systems, inoculation or other treatment, or removal of the nuisance.
 - (d) Appeal. Appeal from the determination of the Public Works Director or the Recreation Coordinator as contained in any order under this section shall be to the Board of Public Works in accordance with the procedures set forth in Ch. 68, Wis. Stats. A written request for an appeal shall be made in writing within 10 days of the date of delivery of the notice. An appeal shall not delay the right of the Public Works Director or the Recreation Coordinator to summarily abate the nuisance as set forth in subsection (3)(c) of this section, but a ruling of such appeal in favor of the property owner shall relieve the owner of any obligation to pay the costs of such summary abatement.
 - (e) Costs. Costs of judicial abatement of any nuisance under this section shall be taxed and collected pursuant to Ch. 823, Wis. Stats. Costs of summary abatement shall be invoiced to the property owner and collected as a debt or, if permitted by law, may be assessed against the real estate and collected as a special tax against the property.



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Action: Consideration of RFP for Demolition of
520 McKinley Street

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: Kathy Schlieve, Administrator

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Economic Vitality	Estimated Cost: \$125,000	

ISSUE SUMMARY:

We are recommending the demolition of 520 McKinley Street, based on the following factors:

1. The north exterior wall in the NW corner of the main building is pulling away from the foundation and would need to be fully reconstructed to renovate the existing structure at a cost TBD.
2. A large percentage of the furnaces in the building are not working. During the winter of 2020/2021 we experienced a burst pipe due to failing HVAC systems. The winter of 2021/2022 is likely to see similar challenges with maintaining the building.
3. It is costing the City money to hold the building (i.e., utility and maintenance/repair).
4. The types of projects that fit with the building would likely be based on tax-credit funding mechanisms, which would take time to secure and would yield only minor incremental value to the TID.
5. The City has secured a developer for the green space and removing the building clears the way to secure additional development to optimize the space and return it to the tax roll.

The property has been included in TID 6. The TID will absorb the cost of the demolition.

STAFF RECCOMENDATION:

Draft RFP to solicit bids for demolition of 520 McKinley St

ATTACHMENTS:

DRAFT RFP

RECCOMENDED MOTION:

Motion to issue an RFP to solicit bids for demolition of 520 McKinley Street and grant staff authority to staff finalize the general terms and start and completion dates within the draft RFP prior to publication. It is understood that the cost of demolition will be covered by TID 6 expenditures as part of the 2022 budget that will be approved in November of 2021.

THE CITY OF WAUPUN, WISCONSIN

DRAFT - REQUEST FOR PROPOSAL TO RAZE BUILDING AND RESTORE LOT

AT

FORMER CENTRAL WISCONSIN CHRISTIAN GRADE SCHOOL 520 MCKINLEY ST, WAUPUN, WI 53963

WITH INSTRUCTIONS TO PROPOSERS

ISSUED:

The City of Waupun, Wisconsin, will receive proposals to raze the following building delineated herein subject to the following procedure and requirements.

DEADLINE FOR RECEIPT. _____

CITY OF WAUPUN OFFICE WHERE FILED. City Clerk's Office, Waupun City Hall, 201 E Main St., Waupun, WI 53963.

FORM OF PROPOSAL. Proposals must be submitted, sealed, on City of Waupun forms, legible and fully complete in all respects, showing the date and time of proposal opening on the outside of the sealed document. **The City of Waupun reserves the right to reject any incomplete proposal.**

FOR MORE INFORMATION. Call Jeff Daane, Director of Public Works at (920) 324-7918.

STRUCTURE TO BE RAZED WITHIN THE CITY OF WAPUN

Address: 520 McKinley St., Waupun, WI 53963

Tax Parcel #: 292-1315-0523-106

Description: LOTS 5,6,7,8,9,10,11,12,13,14,15 & 16 BLK 2 FLETCHER'S SECOND ADD

NATURE OF WORK. The project is not a Public Construction Contract under Wisconsin law. The City of Waupun is not required to award the Contract to the lowest bidder meeting minimum qualifications.

ASBESTOS REMOVAL. Environmental Inspection Reports are included which indicate asbestos quantities in need of abatement and removal. Contractor shall be a certified firm or responsible for subcontracting with a qualified firm to abate, remove and appropriately dispose of asbestos containing material and to file appropriate reports in accordance with Federal and State law, rules, and regulations. Such abatement and removal shall occur prior to structure demolition.

Listing of subcontractors must include those responsible for removal and disposal of any asbestos containing material, major material and the disposal site. City of Waupun reserves the right to reject any proposal which does not include this delineated information or if in the City of Waupun's determination, the contractor or its subcontractor(s) are not appropriately qualified.

CONTRACT REQUIRED. The contractor selected to perform the Work will be required to execute a Contract and related documents on City of Waupun forms as a condition of performing the Work.

1. A time limit for completion with liquidated damages of Two Hundred Dollars (\$200.00) per day for delay where a time extensions was not granted.
2. One (1) year warranty on the Work performed.
3. A Bid Bond equaling five-percent (5%) of the amount of the Contract.
4. Performance and Payment Bond in the full amount of the Contract.
5. Insurance from a company licensed to do business in the State of Wisconsin. Please see Insurance Requirements on pages 10 – 14.
6. Release/waiver of liens.
7. Obtaining City Raze Permit, Street Opening Permit (where applicable), Erosion Control Permit, Wisconsin Department of Natural Resources Permit 4500-113.
8. Utility locations, clearances, hookups or cutoffs.
9. Removal of building materials from the site.

INSPECTION AND REVIEW OF SITE AND CITY DATA. Each Proposer has an obligation to examine the site upon which the Work will be performed to assess the site conditions and to review City of Waupun furnished data.

To schedule an inspection of the building prior to submitting a proposal, please contact Jeff Daane at (920) 324-7918.

LISTING OF SUBCONTRACTORS, MAJOR MATERIAL SUPPLIERS (OVER \$5,000.00) AND DUMPING/DISPOSAL SITES. The Proposer shall list in its Proposal its subcontractors, major material suppliers (over \$5,000.00) and dumping/disposal sites. Where Federal and State law requires certain regulated materials to be deposited in Federal or State licensed/permitted sites, then such sites shall be used and their License/Permit Number noted.

ENVIRONMENTAL MATTERS. Where the Work required environmental process, abatement, remediation or dumping or disposal in a Federal or State regulated facility, the Proposer may propose alternate methods of doing the Work with the cost of each alternative separately noted. Demo contractor should be aware of possibility of encountered contaminated soil as a solid waste per State regulations.

SPECIFICATIONS AND SPECIAL CONDITIONS. Specifications and Special Conditions for the Work are attached and will be included in the Contract.

AWARD OF CONTRACT. The City of Waupun will enter into a Contract, through the Director of Public Works, with the Proposer deemed most qualified. In making this determination, the City of Waupun will consider with respect to each Proposer: general qualification, special expertise, time in which the work can be performed, financial ability to perform the work, environmental experience and responsibility (where applicable), work record and history, and experience in projects of a similar magnitude.

The City of Waupun reserves the right to reject unqualified and nonconforming Proposals, to reject all Proposals and request new Proposals, to accept Proposal(s) if advantageous to the City of Waupun, or to select the most qualified Proposal and negotiate a Contract.

COMMENCEMENT AND DILIGENT PROGRESS OF WORK. The Contractor selected to perform the Work will conduct the Work diligently until fully complete in accordance with the Contract. The time schedule for obtaining a Raze Permit and time of performance is stated in the Specifications and Special Conditions.

EXECUTION OF DOCUMENTS. The documents which are required to be executed by the Proposer shall be executed as follows:

1. Corporations. By the President and one (1) other officer, preferably the Secretary.
2. Limited Liability Companies. By a Member, if member managed or the Manager if manager managed.
3. Partnerships. By each general partner, unless partnership agreement provides otherwise.
4. Sole Proprietors. By each named individual.

Any exception to the above must be approved by the City Attorney who may require such documents as may be necessary to consider and exception.

DOCUMENTS TO BE SUBMITTED. Proposers shall submit the following documents, on City of Waupun forms, in the course of making a Proposal.

1. Proposal.
2. Affidavit of Organization and Authority and Careful Inspection of Site and Preparation of Proposal or Bid.
3. List of subcontractors and major suppliers (including dumping and demolition site with DNR Permit Number if any).

SPECIFICATIONS AND SPECIAL CONDITIONS TO RAZE BUILDING(S) IN THE CITY OF WAUPUN

WORK TO BE PERFORMED.

DEMOLITION

1. Submit Local City Raze Permit
2. Raze and removal of all building materials from the site.
3. Raze and removal of the slab, footings, foundations, attached exterior concrete, and blacktop to the property line.
4. Properly remove and dispose of all Regulated Asbestos Containing Material that is found on the site.
5. All other material shall be recycled, salvaged or properly disposed of.
6. Abandon sewer and water laterals at the property line.

ENVIRONMENTAL WORK

1. File DNR Asbestos Notification Application (Form 4500-113).
2. Removal and proper disposal of asbestos containing materials (as listed in the A&A Environmental Report dated July 15, 2020.
3. Universal Waste Material: Removal and disposal of Universal Waste as listed in the A&A Environmental Report dated July 15, 2020.

ASBESTOS CONTAINING MATERIAL

The Contractor is to warrant that all Work performed under this Contract by the Contractor and subcontractors, shall be performed in accordance with all Federal, State and Local laws, rules and regulations.

The Contractor is also to complete a Notification of Demolition and/or Renovation and Application for Permit Exemption (Form 4500-113), and supply a copy to the Department of Public Works at the time of permitting.

EQUIPMENT AND MATERIAL STORAGE

The use of any other parcel of land for storing of equipment and materials is prohibited unless specifically permitted by the Director of Public Works. A street right-of-way may not be used for such purpose.

TIME SCHEDULE FOR OBTAINING A RAZE PERMIT.

The contractor has fifteen (15) days from the date of the Notice to Proceed by the City of Waupun to obtain a Raze Permit.

Time lost and the cost encountered by the Contractor due to the Contractor's lack of coordination with the City of Waupun or subcontractors working on the project site shall not be a justification for extra compensation or any time extension(s).

TIME OF PERFORMANCE.

The Effective Date of the Contract shall be the date the Contract is fully executed. Work shall commence and deadlines computed from the date that the City of Waupun provides Contractor with the Notice to Proceed. The Contractor shall conduct the Work diligently until fully complete in accordance with the Contract. The Contractor shall obtain all required permits and commence remediation and demolition work no later than fifteen (15) days of the Notice to Proceed. Demolition

and remediation work is to be completed within forty-five (45) days from the written Notice to Proceed unless an extension has been approved in writing by the City of Waupun. The Contractor shall furnish sufficient labor, material(s), equipment and supervision to complete the Work according to the approved time schedule.

REMOVAL OF MATERIALS AND DEBRIS

The Contractor shall remove all combustible material, shrubs, junk and debris from the site.

DAMAGE OR THEFT

The City of Waupun does not assume any responsibility to protect any building or the contents thereof, including, but not limited to, salvageable furnishings, fixtures, or attachments of whatever kind or nature so as to permit salvage prior to the time of razing. The City of Waupun shall not be liable to the Contractor for any loss, destruction, theft or removal of any property from the premises nor shall the Contractor be entitled to any allowance or other claim should any of the said acts occur.

BACKFILLING

The Contractor shall level the site. Leave subgrade 6" below ground level for black dirt. The City of Waupun will finish grade the site.

EROSION CONTROL

The Contractor shall be responsible for obtaining an Erosion Control Permit and complying with the land-disturbing Erosion and Sediment Control Ordinance as set for in Chapter 23 of the Municipal Code for the City of Waupun.

DEMOLITION TECHNIQUES.

The Work shall be performed in accordance with accepted demolition techniques of the National Association of Demolition Contractors, incorporated herein by reference.

During the demolition, the Contractor shall sort metals for recycling. The consolidation process will reduce the building to a size that can effectively fit in demolition trailers. Water shall be used as a dust suppressant whenever practicable.

SAFETY AND SECURITY

The Contractor shall give all notices required by law and comply with all laws, ordinances, rules and regulations pertaining to the project. The Contractor shall also be liable for all violations of the law in connection with work furnished by the Contractor. If the Contractor observes that the drawings or specifications are at variance with any law or ordinance, rule or regulation, he/she shall promptly notify the City of Waupun Director of Public Works in writing and any necessary changes shall be made by written instruction or change order. If the Contractor performs any work that it knew or should have known to be contrary to such laws, ordinances, rules or regulations and without giving notice to the City of Waupun, Director of Public Works, the Contractor shall bear all costs arising there from.

Safety & Security - The Contractor shall execute and maintain its work so as to avoid injury or damage to any person or property. The Contractor shall comply with the requirements of the specifications relating to safety measures applicable in particular operations or kinds of work.

In carrying out its work, the Contractor shall at all times exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the

work is to be performed, and be in compliance with all applicable federal, state and local statutory and regulatory requirements including Wisconsin Labor Code, and the U.S. Department of Transportation Omnibus Transportation Employee Testing Act. Safety precautions, as applicable, shall include but not be limited to: adequate life protection and life-saving equipment, adequate illumination, instructions in accident prevention for all employees, such as the use of machinery guards, safe walkways, scaffolds, ladders, bridges, gang planks, confined space procedures, trenching and shoring, fall protection, and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents, injuries, or illnesses, and adequate facilities for the proper inspection and maintenance of safety measures.

The Contractor shall be responsible for the safeguarding of all utilities. At least three working days before beginning work, the Contractor shall call the "Diggers Hotline" Service in order to determine the location of substructures. The Contractor shall immediately notify the City of Waupun and the utility owner if he/she disturbs, disconnects, or damages any utility.

In accordance with Wisconsin Labor regulations, the Contractor shall submit to the City of Waupun specific plans to show details of provisions for worker protection from caving ground during excavation of trenches of five feet or more in depth. The excavation/trench safety plan shall be submitted to and accepted by the City of Waupun prior to starting excavation. The trench safety plan shall have details showing the design of shoring, bracing, sloping or other provisions to be made for worker protection from the hazard of caving ground. If such a plan varies from the shoring system standards established by the State of Wisconsin, a Wisconsin registered civil or structural engineer shall prepare the plan. As part of the plan, a note shall be included stating that the registered civil or structural engineer certifies that the plan complies with the applicable construction codes in Wisconsin or that the registered civil or structural engineer certifies that the plan is not less effective than the shoring, bracing, sloping, or other provisions of the existing law or regulations. In no event shall the Contractor use a shoring, sloping, or protective system less effective than that required by the State. Submission of this plan is in no way relieves the Contractor of the requirement to maintain safety in all areas. If excavation or trench work requiring a permit be undertaken, the Contractor shall submit his/her permit with the excavation/trench work safety plan to the City of Waupun before work begins. The names and telephone numbers of at least two medical doctors practicing in the vicinity and the telephone number of the local ambulance service shall be prominently displayed adjacent to telephones.

PROPOSAL

_____ Proposes to supply labor, equipment, materials, trucking and disposal as needed to complete all asbestos abatement and building demolition of the former elementary school building located at 520 McKinley St, Waupun, WI, 53963

Demolition:

- Demolition and removal of building materials from the site.
- Raze and removal of the slab, footings, foundations, attached exterior concrete, and blacktop to the property line.
- All other materials shall be recycled, salvaged or properly disposed of. Materials not recycled or salvaged shall be disposed of at _____ and properly documented. Any salvage value from the building would become the property of the contractor.
- Abandon sewer and water laterals at the property line.
- Submit Local City Raze Permit and DNR notice for demolition.

Environmental Work:

- File DNR Asbestos Notification Application (Form 4500-113).
- Removal and proper disposal of asbestos containing materials (as listed in the A&A Environmental Report dated July 15, 2020).
- Universal Waste Material: Removal and disposal of Universal Waste as listed in the A&A Environmental Report dated July 15, 2020.

The proposal does not include grading work, construction fencing, underground tank removal, well closure, septic removal, or salvage for owner. **Work to be completed in winter of 2021 / spring of 2022.**

Demolition Cost: \$ _____
Environmental Abatement Bid \$ _____
Total Cost: \$ _____

Other possible work

Unit rate per ton of contaminated soil \$ _____
Unit rate to excavate contaminated soil \$ _____
Unit rate to haul contaminated soil \$ _____

_____ Is a fully insured and bonded company per the Insurance section of this proposal.

Bidder Signature

Bidder Printed Name

CONTRACT FORM

This contract, entered into this _____ day of _____, 20____ by the City of Waupun, a Wisconsin Municipality, hereinafter called the Owner, and

(Name of Corporation) (Partnership) (Individual)
a **CORPORATION** organized and existing under the laws of the State of

,
a **PARTNERSHIP** consisting of

an **INDIVIDUAL** trading as

of the City of _____, State of _____

hereinafter called the Contractor, witnessed that the parties hereto do mutually agree as follows:

CONTRACT TIMES

The Work will be completed on or before **April 18, 2022**. The Notice to Proceed is not anticipated to be issued until _____.

STATEMENT AND PAYMENT FOR WORK:

The Contractor shall furnish all labor and materials, and perform all work required for this proposal for the consideration of prices submitted on: Proposal
to be paid by the Owner to the Contractor in strict accordance with this Contract, the Proposal as accepted, Notice and Instruction to Bidders, General and Special Provisions, Specifications and Plans as prepared by the Director of Public Works, all of which are made a part hereof and designated as follows:

In witness whereof the parties hereto have executed this Agreement as of the day and year first above written:

Contractor
(Corporation Seal) (Partnership)
(Individual)

Two Witnesses:

Street & Address
City & State

Title

THE CITY OF WAUPUN,
A WISCONSIN MUNICIPALITY

By:

Mayor

City Clerk

CORPORATE CERTIFICATE

I, _____, certify that I am the
_____ of the Corporation named as the
Contractor herein:
that _____, who signed this contract on the behalf
of the Contractor, was then _____ of said corporation, and that such contract was
duly signed for and in behalf of said corporation by authority of its governing body.

INSURANCE REQUIREMENTS
CONTRACTOR'S INSURANCE REQUIREMENTS

(Excluding Bond and Property Insurance [Builders Risk Insurance] Requirements)

The Contractor shall not commence work until proof of insurance required has been provided in writing to the applicable department before the contract or purchase order is considered for approval by the City of Waupun

It is hereby agreed and understood that the insurance required by the City of Waupun is primary and non-contributing coverage and that any insurance or self insurance maintained by the City of Waupun, its officers, council members, agents, employees or authorized volunteers will not contribute to coverage of any loss. All insurance shall be in full force prior to commencing work and remain in force until the entire job is completed and the length of time that is specified, if any, in the contract or listed below whichever is longer.

1. COMMERCIAL GENERAL LIABILITY INSURANCE

- A. Commercial General Liability coverage at least as broad as Insurance Services Office Commercial General Liability Form CG 00 01, including coverage for Products Liability, Completed Operations, Contractual Liability, and Explosion, Collapse, Underground coverage with the following minimum limits and coverage:

- | | | |
|----|--|-------------|
| 1. | Each Occurrence limit | \$1,000,000 |
| 2. | Personal and Advertising Injury limit | \$1,000,000 |
| 3. | General aggregate limit (other than Products–Completed Operations) per project | \$2,000,000 |
| 4. | Products–Completed Operations aggregate | \$2,000,000 |
| 5. | Fire Damage limit — any one fire | \$50,000 |
| 6. | Medical Expense limit — any one person | \$5,000 |
| 7. | Watercraft Liability, (Protection & Indemnity coverage) “if” the project work includes the use of, or operation of any watercraft, then Watercraft Liability insurance must be in force with a limit of \$1,000,000 per occurrence for Bodily Injury and Property Damage. | |
| 8. | Products – Completed Operations coverage must be carried for a minimum of three years after acceptance of completed work. | |

2. BUSINESS AUTOMOBILE COVERAGE

- A. Automobile Liability coverage at least as broad as Insurance Services Office Business Automobile Form, with minimum limits of \$1,000,000 combined single limit per accident for Bodily Injury and Property Damage, provided on a Symbol #1– “Any Auto” basis.

3. WORKERS COMPENSATION AND EMPLOYERS LIABILITY – as required by Wisconsin State Statute or any Workers Compensation Statutes of a different state. Also, if applicable to the work coverage must include Maritime (Jones Act) or Longshore & Harbor Worker’s Compensation Act coverage.

- A. Must carry coverage for Statutory Workers Compensation and an Employers Liability with limits of:
- (1) \$100,000 Each Accident

- (2) \$500,000 Disease Policy Limit
- (3) \$100,000 Disease – Each Employee

B. Employer's Liability limits must be sufficient to meet umbrella liability insurance Requirements

4. **UMBRELLA LIABILITY** providing coverage at least as broad as all the underlying liability policies with a minimum limit of \$2,000,000 each occurrence and \$2,000,000 aggregate, and a maximum self-insured retention of \$25,000. The umbrella must be primary and non-contributory to any insurance or self-insurance carried by City of Waupun. Products – Completed Operations coverage must be carried for a minimum of three years after acceptance of completed work.
5. **AIRCRAFT LIABILITY** if the project work includes the use of, or operation of any aircraft or helicopter, then Aircraft Liability insurance must be in force with a limit of \$5,000,000 per occurrence for Bodily Injury and Property Damage including Passenger liability and including liability for any slung cargo.
6. **UNMANNED AIRCRAFT LIABILITY** – if the project work includes the use of, or operation of any unmanned aircraft then unmanned aircraft liability insurance must be carried with a limit of \$1,000,000 per occurrence for bodily injury liability, property damage liability and invasion of privacy liability.
7. **INSTALLATION FLOATER / CONTRACTOR'S EQUIPMENT OR PROPERTY** – The contractor is responsible for loss and coverage for these exposures. City of Waupun will not assume responsibility for loss, including loss of use, for damage to property, materials, tools, equipment, and items of a similar nature which are being either used in the work being performed by the contractor or its subcontractors or are to be built, installed, or erected by the contractor or its subcontractors. This includes but not limited to property owned, leased, rented, borrowed, or otherwise in the care, custody or control of the contractor or sub-contractor of any tier.
8. **PROFESSIONAL LIABILITY COVERAGE**-if project includes the use of engineers, architects, or other professionals the below coverage and limits apply.
 - A. Limits
 - (1) \$1,000,000 each claim
 - (2) \$1,000,000 annual aggregate
 - B. Must comply with claims-made requirements listed below

INSURANCE REQUIREMENTS FOR ALL SUBCONTRACTOR(S)

All subcontractors shall be required to obtain the above coverages as applicable. This insurance shall be as broad and with the same limits and coverages (including waivers of subrogation) as those required per Contractor requirements.

APPLICABLE REQUIREMENTS AND PROVISIONS FOR LIABILITY INSURANCE OF CONTRACTORS / SUBCONTRACTORS / SUB-SUB CONTRACTORS

- A. Primary and Non-contributory requirement – all insurance must be primary and non-contributory to any insurance or self-insurance carried by City of Waupun

- B. Acceptability of Insurers – Insurance is to be placed with insurers who have an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VII, and who are authorized as an admitted insurance company in the state of Wisconsin.
- C. Additional Insured Requirements – The following must be named as additional insureds on all Liability Policies for liability arising out of project work - City of Waupun, and its officers, council members, agents, employees and authorized volunteers. On the Commercial General Liability Policy, the additional insured coverage must be as broad as ISO form CG 20 10 07 04 and also include Products – Completed Operations additional insured coverage as broad as ISO form CG 20 37 07 04 or their equivalents for a minimum of 3 years after acceptance of work. This does not apply to Workers Compensation and Professional Liability Policies.
- D. Waivers of Subrogation - All contractor and subcontractor liability, workers compensation, and property policies, as required herein, must be endorsed with a waiver of subrogation in favor of the City of Waupun, its officers, council members, agents, employees, and authorized volunteers.
- E. Deductibles and Self-Insured Retentions – Any deductible or self-insured retention in the contractor's policy must be declared to the City of Waupun and satisfied by the contractor.
- F. Evidences of Insurance – Prior to execution of the agreement, the Contractor shall file with the City of Waupun a certificate of insurance (Acord Form or equivalent for all coverages) signed by the insurer's representative evidencing the coverage required by this agreement. In addition form CG 20 10 07 04 for ongoing work exposure and form CG 20 37 07 04 for products-completed operations exposure must also be provided or its equivalent on the Commercial General Liability coverage.
- G. Limits and Coverage- The insurance requirements under this Agreement shall be the greater of the minimum limits and coverage specified herein, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the Named Insured. It is agreed that these insurance requirements shall not in any way act to reduce coverage that is broader or that includes higher limits. No representation is made that the minimum insurance requirements stated hereinabove are sufficient to cover the obligations of Contractor under this Agreement.
- H. Claims Made Coverage – If any coverage is maintained on a claims-made basis, the following shall apply:
- I. The retroactive date must be shown, and must be before the date of the contract or the beginning of the contract services.
 - II. Insurance must be maintained and evidence of insurance must be provided for a minimum of three years after completion of the contract services.
 - III. If coverage is cancelled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the effective date of the contract, Contractor must purchase an extended reporting period for a minimum of three years after completion of the contracted services.
- I. Cancellation/Non-Renewal – No policy of insurance required to be maintained hereunder shall be cancelled, non-renewed, or voided without 30 days prior written notice to City of Waupun, except where cancelation is due to the non-payment of premiums, in which event, 10-days prior written notice shall be provided.

POLLUTION EXPOSURES LIABILITY INSURANCE REQUIREMENTS

The Contractor shall not commence work on contract until proof of insurance required has been provided to the applicable department before the contract or purchase order is considered for approval by the City of Waupun.

It is hereby agreed and understood that the insurance required by the City of Waupun is primary coverage and that any insurance or self insurance maintained by the City of Waupun, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing work and shall remain in force until the entire job is completed and the length of time that is specified, if any, in the contract or listed below, whichever is longer.

1. CONTRACTORS POLLUTION LIABILITY

- A. Definition of "Covered Operations" in the policy must include the type of work being done for the City of Waupun.
- B. Limits of Liability:
 - \$2,000,000 Each loss for Bodily Injury, Property Damage, Environmental Damage
 - \$2,000,000 Aggregate for Bodily Injury, Property Damage, Environmental Damage (Environmental Damage includes Pollution and Clean-up costs)
- C. Deductible must be paid by Contractor
- D. If Subcontractors are used in the work, then this policy must also cover the Subcontractors

2. MOTOR VEHICLE / AUTOMOBILE POLLUTION LIABILITY – required "if" the exposure exists

- A. Definition of "Covered Operations" in the policy must include the type of work being done for the City of Waupun
- B. Limits of Liability:
 - \$1,000,000 Each loss for Bodily Injury, Property Damage, Environmental Damage
 - \$1,000,000 Aggregate for Bodily Injury, Property Damage, Environmental Damage (Environmental Damage includes Pollution and Clean-up costs)
- C. Deductible must be paid by Contractor
- D. If Subcontractors are used in the work, then this policy must also cover the Subcontractors
- E. Must cover Motor Vehicle loading and unloading (Please show on Certificate of Insurance)

3. ADDITIONAL PROVISIONS

- A. Acceptability of Insurers - Insurance is to be placed with insurers who have an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI.
- B. Additional Insured Requirements – The following must be named as additional insureds on the Contractor's Pollution and (if exposure exists) Automobile Pollution Liability coverage for liability arising out of project work City of Waupun, and its officers, council members, agents, employees and authorized volunteers.
- C. Certificates of Insurance acceptable to the City of Waupun shall be submitted prior to commencement of the work to the applicable department.

INDEMNIFICATION

_____ hereby agrees to indemnify, defend and hold harmless the City of Waupun, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, defense costs, attorneys' fees, costs, and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed or alleged to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of [Third Party Name Indemnitor Here] or its agents or anyone acting under its direction or control or on its behalf arising out of, in connection with, or relating to this Agreement. This indemnification, defense and hold harmless obligation shall exist for _____ even if liability is also sought to be imposed or is alleged against City of Waupun its elected and appointed officials, officers, employees, agents, representatives and volunteers for their own acts, omissions, fault or negligence arising out of or in connection with or relating to this Agreement.

_____ shall reimburse the City of Waupun, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

In the event that _____ employs other persons, firms, corporations or entities (sub-contractors) as part of the work that is the subject of this Agreement, it shall be _____ responsibility to require and confirm that each sub-contractor enters into an Indemnity Agreement in favor of the City of Waupun, its elected and appointed officials, officers, employees, agents, representatives and volunteers, which contains identical indemnity, defense and hold harmless provisions and obligations as this Indemnity Agreement.

This indemnity provision shall survive the termination or expiration of this Agreement.



AGENDA SUMMARY SHEET

MEETING DATE: 8-31-21

TITLE: Action: Letter of Support and Commitment to the Division of Public Health for the Emergency Medical Responder Program

AGENDA SECTION: CONSIDERATION-ACTION

PRESENTER: William DeMaa, Fire Chief

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Public Safety	N/A	

ISSUE SUMMARY:

As part of finalizing and obtaining approval for the EMR operations plan with DHS, we must submit a letter of support from the Council indicating that there is ongoing support for the program. We are seeking your approval to submit a letter signed by Mayor Nickel.

STAFF RECCOMENDATION:

Approve the letter of support

ATTACHMENTS:

Letter of Support – DRAFT

RECCOMENDED MOTION:

Motion to approve the letter of support to Department of Health Services for the Emergency Medical Responder Program from the City of Waupun Common Council



CITY OF WAUPUN
City Hall – 201 E. Main Street, Waupun WI 53963
P: 920-324-7900
www.cityofwaupun.org

Date: August 31, 2021

Division of Public Health
Emergency Medical Services Unit
PO Box 2659
Madison, WI 53701-2659

RE: Letter of Local Endorsement and Commitment

To whom it may concern,

As call volume continues to rise in our community, capacity issues are becoming more of an issue for our private ambulance service. In situations where no ambulance is available, patients are forced to wait 20+ minutes for an ambulance to arrive from a neighboring community.

Due to these issues, the Waupun Fire and Rescue Department, a municipally run fire department by the City of Waupun, will be starting an Emergency Medical Responder (EMR) program to help close the gap and ensure medical aid can be quickly rendered in an emergency.

In accordance with DHS 110.35(2)(f), this letter serves as the local endorsement for the EMR program.

The City of Waupun is committed to the ongoing financial support of this program as well.

Sincerely,

Julie Nickel
Mayor
City of Waupun
201 E. Main St.
Waupun, WI 53963
