

City of Amery

COMMON COUNCIL MEETING AGENDA

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the Common Council of the City of Amery will be held on:
Wednesday – May 3rd, 2023 at 104 Maple St. W, Amery, WI at 5:00 PM.



Call to Order

Pledge of Allegiance

Roll Call

Consent Agenda Items: Minutes – City Council (April 5th, 2023), Committee of the Whole (April 20th, 2023), and Recycling Committee (April 24th, 2023).

Items under the consent agenda may be acted upon by one motion. If in the judgment of any Council Member, a consent agenda item needs discussion, the item can be removed and discussed.

Order of Items	Agenda Item
1	Public Comment
2	Upcoming Community Club Event Presentation
3	Clean Water Fund Administration Agreement with S.E.H.
4	Reorganization of the Common Council, Governing Bodies, and City Appointments
5	Closed Session – Wis. Stat. §19.85(1)(c) – Police Department. Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
6	Adjournment.

*Although the public may speak on any item that is not included on this agenda as a “Public Hearing or Forum”. In accordance with open meeting laws, the Council may not respond or discuss the issue brought forward at this time. In accordance with open meeting laws the Council must notice an item on the agenda to allow discussion on that matter. Your comments will be considered and may be placed on a future agenda for further discussion. Any person wishing to submit a public comment digitally may email them to Cityhall@amerywi.gov until noon of the day of the meeting. Although your comments will be presented to the Council they may or may not be read aloud or discussed during the meeting. The Public Comment Portion will be limited to 10 minutes total for *speakers present at the meeting*.

Respectfully Submitted;

Ben Jansen
 Clerk/Treasurer

**Posted: Monday – May 1st, 2023 on the City Website (www.amerywi.gov); and at Amery City Hall, Amery Public Library, and the Amery Police Department.

The City of Amery does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Amery will accommodate the needs of disabled individuals through aids or services. For additional information or to request this service, contact the Clerk-Treasurer's office at (715) 268-3411 by Noon the previous day so that arrangements can be made.

AMERY CITY COUNCIL PROCEEDINGS

April 5th, 2023

The Amery City Council met on April 5th, 2023 at the Amery City Center. Mayor, Chad Leonard called the meeting to order at 5:00 p.m.

Roll Call: City Clerk-Treasurer, Ben Jansen conducted Roll Call.

Present: Mayor, Chad Leonard; Council President, Sarah Flanum; and Alderpersons; Sharon Marks; Rick Van Blaricom; Mykaela Thompson; Mike Manor, and Eric Elkin.

Staff Present: City Administrator, Patty Bjorklund; City Clerk-Treasurer, Ben Jansen; Deputy Clerk., Taylor Larson; Police Chief, Steve Hainzl; Library Director, Heather Wiarda; and Director of Public Works, Jeff Mahoney.

Others present: Lindsey Kohls and Members of the Public

Consent Agenda Items:

Minutes – City Council (March 1st, 2023); Special Council (March 15th, 2023), Plan Commission (March 23rd, 2023), and Recycling Committee (March 22nd, 2023).

Motion by Alderperson, Manor; seconded by Alderperson, Marks; to approve the minutes as written.

Ayes – 6

Nays – 0

Motion Carried.

New Business

- 1. Public Comment** – Chief Frohn wanted to let everyone know about the Pancake Breakfast that the Fire Department will be holding during Easter. Alderperson, Thompson gave an update on the Golf Course Board and their upcoming meeting on the 11th. Mayor, Leonard, informed the public that the Committee of the Whole meeting would be taking place on the 20th instead of the 19th because of scheduling conflicts and then ended the public comment portion by announcing that the City has vacant board/committee spots still with the reorganization meeting coming up next month.
- 2. Traffic Calming Discussion Project** – Clerk-Treasurer, Jansen gave a brief overview of the upcoming project. Hailee Bushmann from the Regional Planning Commission will be conducting this project next to the school with the help of the Public Works Department. It will be over one month and shouldn't cause much disruption in the area.
- 3. Certified Survey Map Application for Amery School District** – This map is essentially the same as the others that the School District has done on Hillcrest. They are planning on constructing another house in the near future.

Motion by Alderperson, Elkin; seconded by Alderperson, Thompson; to approve the application as presented.

Ayes – 6

Nays – 0

Motion Carried.

4. **Conditional Use Permit Application for 516 Keller Ave. S.** – Cheryl Clemens has submitted this application to turn her current home office into a short-term rental, specifically for hospital professionals. This application went through a public hearing at the Plan Commission with no objections.

Motion by Council President, Flanum; seconded by Alderperson, Manor; to approve the Conditional Use Permit Application as presented.

Ayes – 6

Nays – 0

Motion Carried.

5. *Motion by Council President, Flanum; seconded by Alderperson, Thompson to go into Closed Session at 5:07 P.M. – Wis. Stat. §19.85(1)(f) – Mayor & City Administrator.* Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

Roll Call Vote

Ayes – Marks, Van Blaricom, Thompson, Leonard, Flanum, Manor, Elkin.

Nays – None

Motion Carried.

Motion by Council President, Flanum; seconded by Alderperson, Van Blaricom, to reconvene into Open Session at 6:37 P.M.

Roll Call Vote

Ayes – Marks, Van Blaricom, Thompson, Leonard, Flanum, Manor, Elkin.

Nays – None

Motion Carried.

Motion by Alderperson, Van Blaricom; seconded by Alderperson, Marks; to adjourn at 6:38 P.M.

Ayes – 6

Nays – 0

Motion Carried.

Respectfully submitted,

Ben Jansen, MPA
City Clerk-Treasurer
April 6th, 2023.

**CITY OF AMERY
COMMITTEE OF THE WHOLE PROCEEDINGS
April 20th, 2023**

The Committee of the Whole of the City of Amery met on Thursday – April 20th, 2023 at City Hall. Council President, Sarah Flanum called the meeting to order at 5:00 P.M.

Present: Mayor, Chad Leonard; Council President, Sarah Flanum; and Alderpersons, Sharon Marks, Rick Van Blaricom; Mykaela Thompson; Mike Manor and Eric Elkin.

Absent: None.

Staff Present: City Administrator, Patty Bjorklund; Clerk-Treasurer, Ben Jansen; Deputy Clerk-Treasurer, Taylor Larson; Police Chief, Steve Hainzl; Fire Chief, Chuck Frohn; Library Director, Heather Wiarda and Public Works Director, Jeff Mahoney.

Others Present: Members of the Public.

Department Head Reports – Reports were heard from City Administrator, Bjorklund; Clerk-Treasurer, Jansen; Police Chief, Hainzl; Fire Chief, Frohn; Library Director, Wiarda; Public Works Director, Mahoney and Deputy Clerk-Treasurer, Larson.

Family Friendly Workplaces Presentation – Neil Kline, Executive Director of Family Friendly Workplaces, was present to give a presentation regarding his organizations work. Family Friendly Workplaces focuses on promoting better benefits from employers that would help promote the health of families.

Clean Water Fund Administration Agreement with S.E.H. – This agreement is in relation to the upcoming WWTP project. This agreement is needed so that S.E.H. can apply for funding on the City's behalf during this process.

Motion by Van Blaricom; seconded by Thompson; to forward the agreement on to full Council.

Ayes – 6

Nays – 0

Motion Carried.

Arts, Parks, and Recreation Committee Request for Funding for N. Twin Flags – The Arts, Parks, and Rec. Committee is seeking the Council's blessing to purchase new banner flags to place along N. Twin Lake as the current flags are in extremely poor condition. The flags themselves are within the City's budget and as such the Committee agreed that the Arts, Parks, and Rec. Committee could proceed with the purchase of the flags.

Public Comment/Community Updates – No public comment was heard at this time. Community updates included the upcoming installation of new bathrooms at Soo Line and Michael Park. Both are scheduled for early June. The new electric vehicle chargers are also scheduled to be installed in June. Finally, it was stated that the City should look at new Christmas decorations even though they tend to be very expensive.

Motion by Leonard; seconded by Manor; to adjourn at 6:04 P.M.

Ayes – 6

Nays – 0

Motion Carried

Respectfully Submitted,

Ben Jansen
City Clerk-Treasurer
April 21st, 2023

RECYCLING COMMITTEE PROCEEDINGS

April 24th, 2023

The Amery Recycling Committee met on April 24th, 2023, at the Amery City Center. The meeting was called to order at 10:03am.

Roll Call: City Clerk-Treasurer, Ben Jansen conducted Roll Call.

Present: Mike Manor; Sharon Paulson, Gloria Lansin, and Eric Elkin

Absent: None

Others Present: Clerk-Treasurer, Ben Jansen and Michael Larsen

New Business

1. **Recycling Master Plan:** The committee discussed some of the items they are going to work on going forward:
 - a. Flyers to go out with the quarterly newsletter: No specific flyer has been decided on at this point, but the committee is considering get out recycling information through a flyer that would be distributed with the City newsletter and utility bills.
 - b. Letter to the Editor: The committee would like to write another Letter to the Editor to keep the community up to date on their progress.
 - c. Recycling Bins:
 - i. Small Bins: The Recycling Committee would like to see more of the City's small recycling bins located throughout town near the existing trash cans. Bins could also be placed in some places where there currently aren't trash cans like certain parks, the boat landing, the grocery store and near the strip mall. They would also like to see bins placed by the new bathrooms that are being installed in the parks.
 - ii. Large Blue Bins: The committee would like to work on new locations for county bins. Some possible locations discussed would be the old hospital parking lot, Pondhurst, and North Park near the dump stations. The committee believes that bin locations are a crucial way to help increase recycling. The committee will further explore these locations and others, and if it is possible to get additional bins from the county.

Motion by Elkin; seconded by Paulson; to adjourn at 10:45 am.

Ayes – 4

Nays – 0

Motion carried.

Respectfully submitted,

Taylor Larson
Deputy Clerk-Treasurer
April 27, 2023

Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between City of Amery ("Client"), and Short Elliott Hendrickson Inc. ("Consultant"), effective October 30, 2019, this Supplemental Letter Agreement dated March 24, 2023 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: **SFY24 CWF Application/Administration – Wastewater Treatment Plant Upgrade Improvements.**

Client's Authorized Representative: Patty Bjorklund, Administrator

Address: 104 Maple Street West - Suite A
Amery, WI 54001

Telephone: 715.268.3411 **email:** patty.bjorklund@amerywi.gov

Project Manager: Paulette Hedrington

Address: 10 North Bridge Street
Chippewa Falls, WI 54729

Telephone: 715.271.7505 **email:** phedrington@sehinc.com

Project Understanding:

Consultant understands that the City of Amery would like to apply to the Wisconsin Department of Natural Resources (WDNR) Clean Water Fund (CWF) Program to assist with financing wastewater treatment plant improvements. Design and construction administration services are not covered under this agreement.

Scope: The Basic Services to be provided by Consultant:

Task I - Clean Water Fund (CWF) Loan Application

1. Work with Client to determine the scope of the project for submittal to WDNR.
2. Assemble required documentation. Consultant will work with the Client Staff, Financial Advisor, Bond Counsel, Engineer, Attorney, and other professionals as required to assemble required documentation for the CWF application.
3. Draft resolution and work with Client on adoption of required Reimbursement Resolution.
4. Complete the Financial Assistance Application to WDNR through the electronic filing system.
5. Coordinate with Client and submit necessary financial documentation.
6. Submit required documentation for Disadvantaged Business Enterprise (DBE), American Iron and Steel (AIS) compliance, and Green Project Reserve certification.
7. Coordinate with the Engineer submission of plans, specifications, and engineering report.

Task II will only be completed upon acceptance of funding from WDNR.

Task II – CWF Loan Administration

1. Loan Closing. Coordination of loan closing between the Client, WDNR and DOA.
2. General Administration.
 - a. Set up a complete set of file folders that meet WDNR requirements.
 - b. Review proposed contract between the Client and WDNR. Propose revisions to contract.
3. Financial Management.
 - a. Draft all financial management forms.
 - b. Complete all drawdown requests for submittal to WDNR.
 - c. Maintain required records.

- d. Final reporting.
4. Equal Opportunity and Procurement Requirements.
 - a. Ensure compliance with MBE/WBE requirements.
 - b. Maintain compliance with Executive Order 11246, 11914 and 11250 and the Age Discrimination Act (P.L. 94-135).
 - c. Ensure all required federal and state forms are in all bidding documents, as appropriate.
5. Document compliance with Drug-Free Workplace Act, (P.L. 100-690).
6. Assist the Client in documenting compliance with the Real Property Acquisition Policies Act.
7. American Iron and Steel (AIS) Compliance.
8. Assist in Central Contractor Registration requirements.
9. Labor Standards.
 - a. Ensure proper Davis Bacon Wage Rates are inserted in all bid documents.
 - b. Assist with Davis Bacon requirements.
 - c. Review payrolls on a weekly basis.
 - d. Document payroll violations.
 - e. Work with contractor to correct wage underpayments (if applicable).
10. Document compliance with lobbying restrictions (Section 319 (P.L. 101-121)).
11. Audit Requirements. Determine what level of Audit (if any) is required. Coordinate and submit audit.
12. Close Out. Complete Close out documentation. Schedule and participate in WDNR monitoring visit (if required by WDNR).

The fee for Task II - CWF Administration is based on a construction period of up to 20 months requiring one bid package, with a single general contractor. This also assumes SEH is performing Construction Engineering for the project. If this changes, then the scope, schedule and/or fee will need to be adjusted.

Additional Services: These services are not included in the estimated fee. If requested by the Client, Consultant will complete them on a time and materials basis at Consultant's current rates.

1. **Detailed Historical/Archeological Review:** This section applies to providing documentation above and beyond the original submittal that is required to accompany the Financial Assistance Application. Projects that are determined to impact historic or potentially historic properties or are located in historic districts may have a higher standard of review. This may include documentation of compliance with 36 CFR Part 800, Protection of Historic Properties (also known as Section 106 Compliance). This is in addition to any local ordinance compliance with the Client's Municipal Code or other requirements associated with development in the historic districts.
2. **Detailed Floodplain/Wetland Review:** This applies to providing documentation above and beyond the original submittal that is required to accompany the Financial Assistance Application. If portions of this project occur in an area identified as flood hazard areas, further study will be required, and documentation provided as an additional service.
3. **Publication of Notices** required by the grant application or administration process: Publishing arrangements and all costs associated with any required public notices shall be a direct expense of the Client.
4. **Labor Standards:** As of the time of this contract, field interviews to determine compliance with Federal Labor Standards is not required by DNR. Should such requirements change, or should there be evidence of failure by contractor(s) to comply with wage requirements and field interviews are required, Consultant will complete said interviews as an additional service.
5. **Build America, Buy America (BABA):** As of the time of this contract, this project is not deemed to be a federal equivalency project, therefore is not required to comply with BABA for the purchase of products and construction materials. Should this project be determined to require federal equivalency, additional work will be required.
6. **Accounting, Financial Advisor or Legal fees** that may be required as part of the grant application or administration process.

Schedule: Our services will begin promptly upon the approval of this agreement. Task I will be complete by September 30, 2023 to meet the WDNR CWF application deadline. Task II to include additional coordination for the submittal of required documents through loan closing. WDNR CWF Administration is ongoing during construction and will be completed approximately 90 days after final construction. If there are delays in the Project that are beyond Consultant's control, Client agrees to grant additional time to complete the services.

Payment:

The lump sum fee for Task I is \$7,000 including expenses and equipment.
The lump sum fee for Task II is \$31,000 including expenses and equipment.

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-2.

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

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Short Elliott Hendrickson Inc.

City of Amery

By: 
Erik Henningsgard, PE (WI)
Title: Client Service Manager

By: _____
Title: _____

**Exhibit A-2
to Supplemental Letter Agreement
Between City of Amery (Client)
and
Short Elliott Hendrickson Inc. (Consultant)
Dated March 24, 2023**

**Payments to Consultant for Services and Expenses
Using the Lump Sum Basis Option**

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Lump Sum Basis Option

The Client and Consultant select the Lump Sum Basis for Payment for services provided by Consultant. During the course of providing its services, Consultant shall be paid monthly based on Consultant's estimate of the percentage of the work completed. Necessary expenses and equipment are provided as a part of Consultant's services and are included in the initial Lump Sum amount for the agreed upon Scope of Work. Total payments to Consultant for work covered by the Lump Sum Agreement shall not exceed the Lump Sum amount without written authorization from the Client.

The Lump Sum amount includes compensation for Consultant's services and the services of Consultant's Consultants, if any for the agreed upon Scope of Work. Appropriate amounts have been incorporated in the initial Lump Sum to account for labor, overhead, profit, expenses and equipment charges. The Client agrees to pay for other additional services, equipment, and expenses that may become necessary by amendment to complete Consultant's services at their normal charge out rates as published by Consultant or as available commercially.

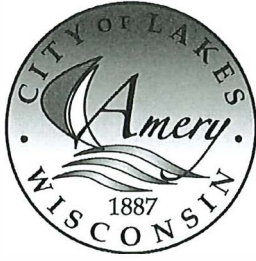
B. Expenses Not Included in the Lump Sum

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client and shall be paid for as described in this Agreement.

1. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
2. Other special expenses required in connection with the Project.
3. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10 percent markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses not included in the Lump Sum amount.

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Chad W. Leonard, MBA
 Mayor, City of Amery
 104 Maple Street W. Suite A
 Amery, Wisconsin 54001

May 1, 2023

Dear Common Council Alderpersons:


As required by City of Amery Ordinance 86-3 (D) Mayor Appointments, I am notifying you by Executive Letter of my desire to nominate the following individuals for consideration for appointment at the May 3, 2023 Common Council Meeting.

Board, Committee, Commission	Nomination
Plan Commission	Julie Riemenschneider
Plan Commission	Eric Elkin
Plan Commission	Paul Shafer
Plan Commission	Paul Isakson
Downtown Facade/Revolving Loan Committee	Chad Leonard
Zoning Board of Appeals	Sharon Marks
Airport Commission	Mark Meyer
Airport Commission	Rich Smith
Airport Commission	Phil Abraham
Fire Committee	Rick Van Blaricom
Fire Committee	Sharon Marks
Arts, Parks, & Recreation Committee	Joyce Schaefer
Recycling Committee	Mikc Larson
Library Board	Linda Gale
Amery Housing Authority	Jason Whitley
Amery Area Community Center	Sharon Marks
Amery Economic Development Corporation	Patty Bjorklund
Amery Community Foundation Liaison	Patty Bjorklund
Board of Health	Polk County Public Health Department
Building Inspector	Dan Kegley
Chicken Coop Inspector	Yvette Tourville
Forester	Ross Fleischauer
Safety Coordinator	Nick Waterman
Tree Board	Rick Van Blaricom

Weed Commissioner	Jeff Mahoney
City Newspaper	Amery Free Press
City Banks	Bremer Bank and Westconsin Credit Union

Thank you for your consideration of the above nominations. Appointing the above listed individuals will suit our city well to ensure continued community involvement in the processes and continue to make Amery a great place to live, work and relax.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad W. Leonard', with a long horizontal flourish extending to the right.

Chad W. Leonard
Mayor, City of Amery