

City Hall 400 La Crosse Street La Crosse, WI 54601

## Meeting Agenda - Final

**Board of Public Works** 

Monday, August 21, 2023 10:00 AM Council Chambers
City Hall, First Floor

The Board of Public Works meeting is open for in-person attendance and will also be conducted through video conferencing. The meeting can be viewed by visiting the Legislative Information Center (https://cityoflacrosse.legistar.com/Calendar.aspx) and clicking on the video link to the far right in the meeting list.)

#### Call to Order

#### Roll Call

#### **Approval of Minutes**

#### **Agenda Items:**

1	<u>23-0926</u>	Construction Contract Change Orders.
		Attachments: CO#3 - Riverside South Toilet - F&H
		CO#4 - Riverside South Toilet - F&H
		CO#6 - RPD - Chippewa Concrete
2	23-0987	Charter SPP request for communications in ROW at 1400 La Crosse Street.
		Attachments: Charter SPP Application for Communications in ROW at 1400 La Crosse Street
		Charter SPP Plans for Communications in ROW at 1400 La Crosse Street
3	23-0990	206 5th Avenue South Street Privilege Permit request for signs in City Right of Way.
		Attachments: 206 5th Ave South Application SPP for Signs in Right of Way
		206 5th Ave South Plans SPP for Signs in Right of Way
4	23-0993	Finding & Order to establish two-way YIELD control at the intersection of Loomis & Rublee Street, requiring East-West traffic to YIELD.
		Attachments: F&O Loomis & Rublee-YIELD
		F&O App Loomis & Rublee
5	23-0994	Finding & Order to amend existing two-way STOP with All-way STOP at the intersection of 29th Street S & Cass Street.
		Attachments: F&O 29th & Cass - AWS
		F&O App 29th & Cass

Board of Public Works		Meeting Agenda - Final	August 21, 2023	
<b>6</b> <u>23-0997</u>		Lemonweir Telephone Company SPP request for Communications in ROW on Market, Cass, Division and 2nd Streets.		
		<u>Attachments:</u> Lemonweir Telephone Co SPP Application for Communication  Lemonweir Telephone Co SPP Plans for Communications in		
		Finding & Order to amend existing two-hour parking with four No Park in the 700 & 800 blocks of Market Street.	ring zones	
		Attachments: F&O 700 - 800bl Market NP		
		F&O App 700 Market		
8	<u>23-0999</u>	Finding & Order to amend existing two-hour parking with No parking zero the West side of 600 block of 9th Street South, from the North line of Street to a point 50 feet northerly thereof.		
		Attachments: F&O 600bl 9th S NP		
		F&O App 700 Market		
9	<u>23-1000</u>	Finding & Order to amend three sections of two- hour parking along 8 S with No Parking Zones.	th Street	
		Attachments: F&O 600-700bl 8th S NP		
		F&O App 700 Market		
10	<u>23-1001</u>	Approval of adding Riverside Parking Ramp (424 2nd Street S.) to the fee structure of all other City parking ramps.	e current	
		<u>Attachments:</u> BPW 22-1536 - Approved 12/19/2022		

Resolution 23-0860 and Agreement - Adopted 8/10/2023

#### **Adjournment**

Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.

#### NOTICE TO PERSONS WITH A DISABILITY

Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to ADAcityclerk@cityoflacrosse.org, with as much advance notice as possible.

Board members: Mitch Reynolds, Jenasea Hameister, Rebecca Schwarz, Andrea Trane, Matthew Gallager.



City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0926

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: General Item

#### CONTRACT CHANGE ORDER

No. <u>3</u>

Date 7-20-23

Contract No. <u>PRKS-2023-015</u> for the following public work: <u>Riverside South Toilet Rooms Project</u> between <u>Fowler & Hammer, Inc.</u> and the City of La Crosse, dated <u>March 2, 2023</u>, is hereby changed in the following particulars, to-wit:

The following specific work is hereby eliminated from such contract:

None

\$ 0.00

The following specific work is hereby added to such contract:

Substitute tile for epoxy paint wall finishing

\$ 23,716.44

By virtue of such changes in the contract, the following revisions shall be made in the contract price:

Contract Price ------<u>\$ 614,565.00</u>

Contract price decreased by eliminations -----\$ 0.00

Net Deductions or Additions (Strike out one) -----\$ 23,716.44

Fowler & Hammer, Inc.
NAME OF CONTRACTOR

CONTRACTOR SIGNATURE

**BOARD OF PUBLIC WORKS** 

I HEREBY CERTIFY that there are sufficient funds in the treasury to meet the liability assumed by the foregoing addenda to contract, or that provision has been made to pay the liability that will accrue thereunder. (WS 62.15-12; 62.09-10-f)

DocuSigned by:

Vavid Tauscher -EE923CC8B4BC443...

**Budget Analyst** 

-- DocuSigned by:

Chadwick Hawkins

-A93F306A40954A6..

Controller

#### CONTRACT CHANGE ORDER

No. <u>4</u>

Date 8-9-23

Contract No. <u>PRKS-2023-015</u> for the following public work: <u>Riverside South Toilet Rooms Project</u> between <u>Fowler & Hammer, Inc.</u> and the City of La Crosse, dated <u>March 2, 2023</u>, is hereby changed in the following particulars, to-wit:

The following specific work is hereby eliminated from such contract:

None

\$ 0.00

The following specific work is hereby added to such contract:

Substitute standing seam metal roof for shingle roof

\$ 35,301.18

By virtue of such changes in the contract, the following revisions shall be made in the contract price:

Fowler & Hammer, Inc.
NAME OF CONTRACTOR

**CONTRACTOR SIGNATURE** 

**BOARD OF PUBLIC WORKS** 

I HEREBY CERTIFY that there are sufficient funds in the treasury to meet the liability assumed by the foregoing addenda to contract, or that provision has been made to pay the liability that will accrue thereunder. (WS 62.15-12; 62.09-10-f)

Docusigned by:

David Tausdur

EE923CC8B4BC443...

Docusigned by:

Chadwick Hawkins

Budget Analyst

A93F306A40954A6... Controller

#### CONTRACT CHANGE ORDER

No. <u>6</u>

Date August 9, 2023

EDF #22-026.02

Contract No. <u>MISC-2022-031</u> for the following public work: River Point District—Phase II (Street & Utilities) between <u>Chippewa Concrete Services</u>, <u>Inc.</u> and the City of La Crosse, dated 9/01/22, is hereby changed in the following particulars, to-wit:

The following specific work is hereby <u>eliminated</u> from such contract:

Remove Item 01 71 23.01 Field Engineering (Staking), 1 LS, \$54,951.60/LS,

Total Deduct = \$54,951.60.

The following specific work is hereby added to such contract:

Additional pavement, water main, storm sewer, and sanitary sewer required to serve Lot 7 construction. The total estimated cost of this work is \$477,342.02. See attached documents for proposed plans and item breakdown.

By virtue of such changes in the contract, the following revisions shall be made:

Contract	<u>\$10,961,937.96</u>
Contingency	\$0.00
Net Previous Change Orders	\$25,216.34
Decrease by eliminations (this C.O.) <u>\$54,951.60</u>	
Increase by additions (this C.O.)\$477,342.02	
	\$422,390.42
Revised Contract Total	\$11,409,544.72

Chippewa Concrete Services, Inc. NAME OF CONTRACTOR

CONTRACTOR SIGNATURE

**BOARD OF PUBLIC WORKS** 

I HEREBY CERTIFY that there are sufficient funds in the treasury to meet the liability assumed by the foregoing addenda to contract, or that provision has been made to pay the liability that will accrue thereunder. (WS 62.15-12; 62.09-10-f) DOCUSIGNED BY:

Docusigned by:

David Tauscher

EE923CC8B4BC443...

Docusigned by:

Chadwick Hawkins

A93F306A40954A6...

Controller

#### **Summary of Change Order**

Additional underground utilities and pavement are necessary to properly serve the construction for the development of Lot 7. These utilities were previously planned for construction during Phase III, but will be constructed during Phase II to allow for construction to begin in Lot 7 this year.



City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0987

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

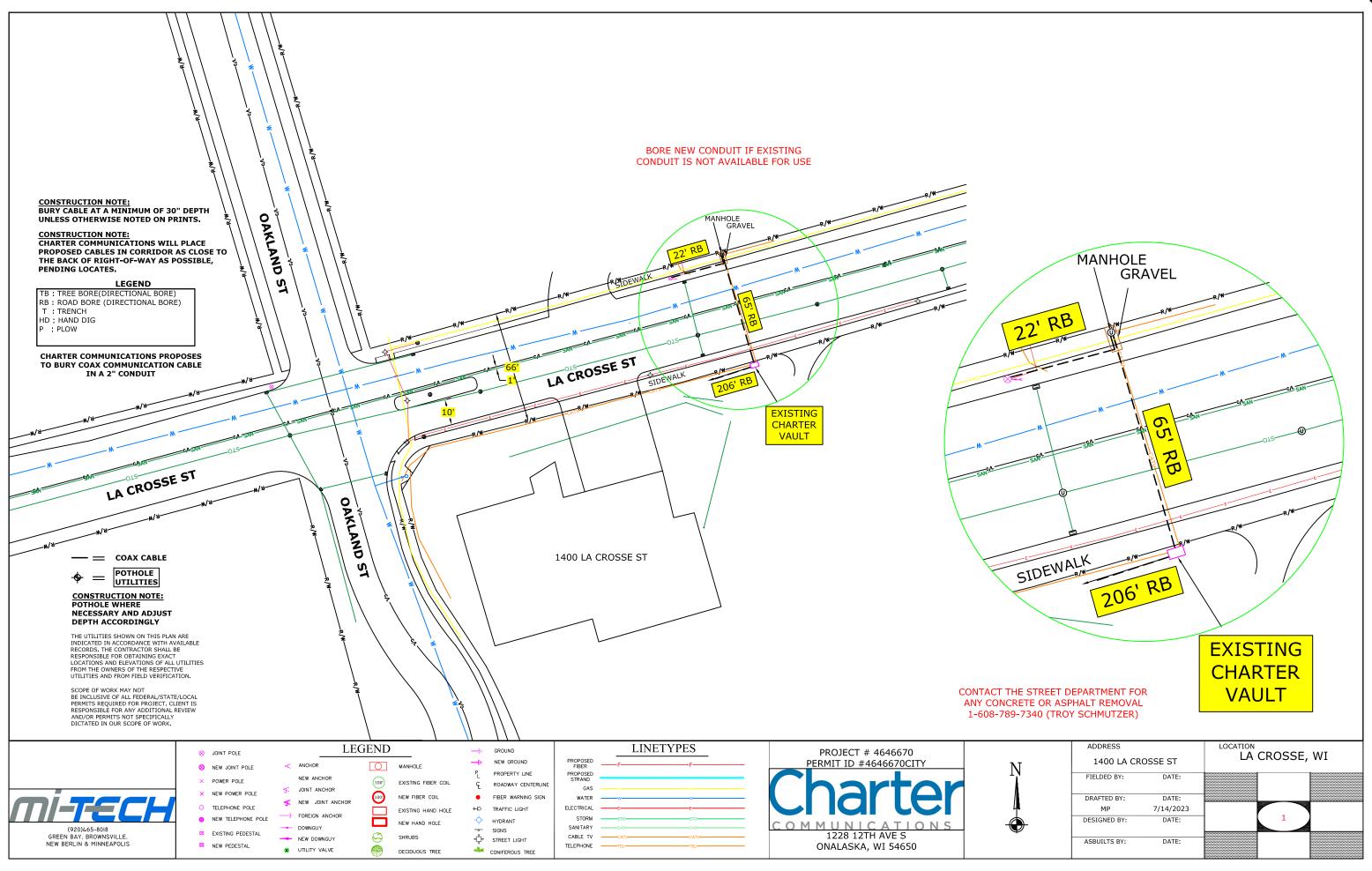
In Control: Board of Public Works File Type: General Item



# FOR COMMUNICATIONS (FIBER OPTICS, TELEPHONE, CABLE, ETC.) City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org http://cityoflacrosse.org

Zip:54650 .McClellan@charter.com Mi-Tech Services erso@mi-tech.us
Mi-Tech Services
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in a part of the second of the
erso@mi-tech.us
rmit request. I further certify that I nd the required submittals are of Wisconsin, and all ordinances, rees to perform the work covered by Additional Conditions.  Date: 7/14/2023
checklist below to: City of La Crosse, en notice of when your request will be idation 45 days.
AFF ONLY
Board of Public Works
Approval Date:
Pav se com
Encroachment Type:
THE RESERVE TO THE PERSON OF T
Permit Number:





City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0990

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: General Item



### REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

#### **City of La Crosse Engineering Department**

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org http://cityoflacrosse.org

Property Owner: Brightspeed					
Address: 112 6th St. City: Bristol State: TN Zip: 37620 Phone # 980-376-1222 Email Address james.martin@brigthspeed.com					
Application Preparer (if different from above) Theresa Besse, La Crosse Sign Group Relationship with Owner: Sign Contractor					
Phone # 608-781-1450 Email Address theresa.besse@lacrossesign.com					
Description of Proposed Encroachment: Walls signs are on a building that is built right up to the pedestrian sidewalk					
Encroachment Address(es): 206 5th Ave. S, La Crosse, WI 54601					
Benefiting Tax Parcel ID #(s): 17-20034-100					
I certify that I have reviewed the Municipal Code and understand all that is related to this permit request. I further certify that I have the full authority to make the foregoing application; the information in the application and the required submittals are complete and correct; the Work or Use performed shall comply with all the laws of the State of Wisconsin, and all ordinances, rules, regulations, policies and special conditions of the City of La Crosse. The applicant agrees to perform the work covered by an approved permit with diligence and convenience to the public.					
Signature of Owner:see attached letter of authorization Date Print Name and Title: _James C. Martin, Manager Facilities Operations					
Please return this completed application along with required information and fees noted on checklist below to: City of La Crosse, Engineering Department, 400 La Crosse Street, La Crosse, Wł 54601. You will then be given notice of when your request will be on the Board of Public Works agenda for consideration. Once approved an agreement document will be drafted by City and sent to Owner for signatures. Permit will then be valid once recorded with the County's Register of Deeds department. Applicant shall obtain all other necessary permits as required by City Departments. Average completion time for validation 45 days.					
BELOW THIS LINE TO BE COMPLETED BY CITY STAFF ONLY					
Required items to be provided by Applicant:	Board of Public Works				
Scale Drawing of encroachment on letter size paper(s)	Approval Date:				
Legal Description of benefiting parcel(s)	Encroachment Type:				
Certificate of Insurance (City as additional Insured)	SIGNS				
Initial Application / Annual Fee \$	Permit Number:				
City Utility Potential Conflict Notification and Sign-Off  All Fees are Non-Refundable & Subject to change by City Council					



#### REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

#### City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org http://cityoflacrosse.org

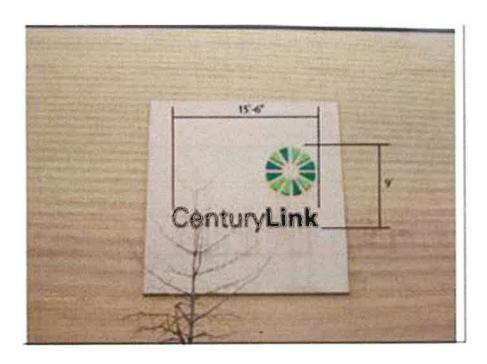
#### **Permit Additional Conditions**

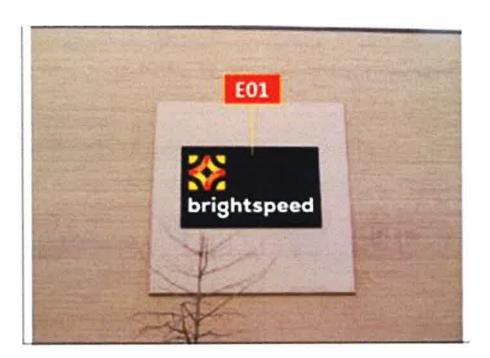
- 1 The encroachment must be maintained in good condition at all times.
- 2 The applicant shall be primarily liable for damages to person or property by reason of the maintenance of said encroachment.
- Applicant waives any and all rights to contest in any manner the validity of Sec. 66.0425, Wis. Stats. and the amount of compensation charged.
- 4 Provision for a bond is hereby waived.
- The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City of La Crosse as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board may approve greater insurance protection on a case-by-case basis.
- Applicant agrees that if they do not remove the encroachment within ten (10) days after receiving notice from the City to do so, the City is authorized to remove the same and applicants agree to pay the City for all costs of such removal.
- 7 Applicant further agrees that the City shall not be liable to applicants for any damage applicants may receive to their encroachment should it be damaged by the City if the City performs work or maintenance in the area of the Revocable Occupancy Permit.
- Applicant further agrees that if the City determines that the installation or use of the described encroachment authorized under this permit increases the difficulty of highway maintenance, creates conditions adverse to the best interest of the highway users, the general public, or presents a threat to highway safety, then the Occupant, upon notification by the City shall promptly remove the encroachment from the highway right of way.
- Failure by the Applicant to comply with the provisions of this permit is cause for the City to terminate this permit and to require the Applicant to take immediate action to clear the right of way to a safe condition.
- Applicant agrees to renew this permit anually each January by submitting renewal form and current fee established by the La Crosse Common Council.



#### **LETTER OF AUTHORIZATION**

Location - LACROSSE WI
Site Address:206 5th Ave.
Landlord:
Contact: James Martin
Telephone: 980-376-1221
Email: _James.Martin@brightspeed.com
On behalf of the owner and/or as owner representative,
I, (PLEASE PRINT) James C. Maitin, give
Pattison Sign Group/ and their agents authorization to apply for permits, secure
all necessary municipal approvals and install proposed sign package at the above
mentioned property.
Date:
Signed:
Printed Name & Title: Jomes Martin, Manuger Facilities Operations
Company Name: Brightspeed
Address: 112 6th Street, Bristol TN 37620
Telephone: 980-376-1222
Email: james, marting bright speed. com





Below is the other wall sign, existing cabinet getting a new face.



**EXISTING** 



PROPOSED

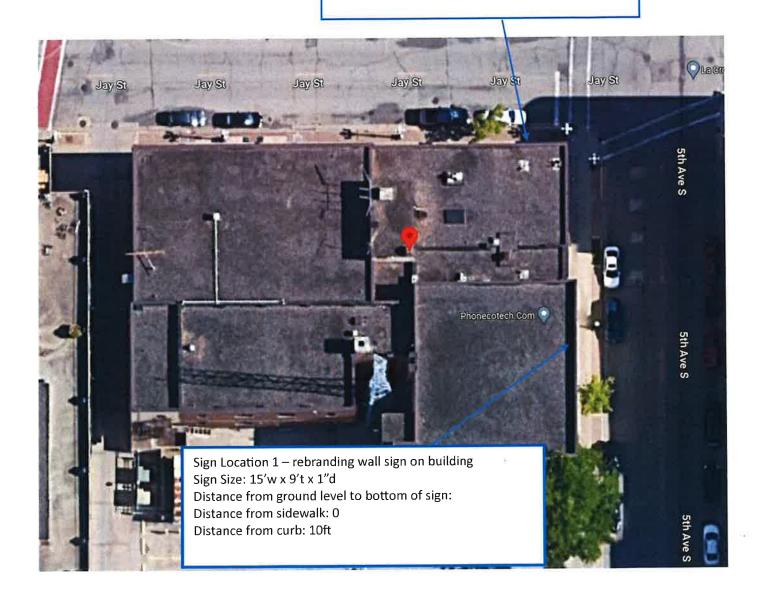
Brightspeed (previously CenturyLink) 206 5<sup>th</sup> Ave. S La Crosse, WI 54601

Sign Location 2 – rebranding wall sign on building

Sign size: 6'-6"w x 3'-6"t x

Distance from ground level to bottom of sign:

Distance from side walk: 0 Distance from curb: 6ft



Legal Description of benefiting parcel(s):

C & F J DUNN, H L DOUSMAN & PETER CAMERONS ADDITION LOTS 9 & 10 BLOCK 14 LOT SZ: 60 X 169 1/2



City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0993

Agenda Date: 8/21/2023 Version: 2 Status: Agenda Ready

In Control: Board of Public Works File Type: Finding & Order



## From the Offices of the Traffic Engineer and the Chief of Police City Hall

#### CITY OF LA CROSSE BOARD OF PUBLIC WORKS Findings & Orders:

August 14, 2023				
(X) ESTABLISHING	() AMENDING	() VACATING		
TYPE OF ALTERATIO	N: 2-way YIELD control, requiring East	-West traffic to yield		
GENERAL LOCATION	I: Intersection of Loomis Street & Ruble	e Street		
Report:				
A request was received to investigate traffic control at the intersection of Loomis Street and Rublee Street, which is currently uncontrolled. Conditions, including sight distance, crash history, and road classification, do not warrant STOP or YIELD conditions per existing criteria.				
To establish guidance at the intersection, the Board of Public Works could approve a 2-way YIELD control. It would be recommended that the signs be arranged for East-West traffic to yield to North-South traffic.				
<b>WHEREAS</b> , Section 44-39 of the City of La Crosse Municipal Code of Ordinances provides that after obtaining a report and recommendation of the Traffic Engineer, the Chief of Police shall forward recommendations and appropriate orders to the Board of Public Works.				
<b>AND WHEREAS</b> , the Findings of the Traffic Engineer state the public interest, convenience, and necessity, the Chief of Police hereby Orders the above traffic alterations, to wit:				
2-way YIELD signs at Loomis & Rublee St, as defined above.				
	the Board of Public Works hereby approfif is hereby authorized to effect said cha			
Matthew A. Gallager Director of Engineering		Shawn Kudron Chief of Police		
Date Filed: 2 BPW Approval:	2023-08-14  Date	Presiding Officer		



#### TRAFFIC/PARKING ZONE REQUEST FORM FINDING AND ORDER APPLICATION

	APPLICATION NO:	
	DATE:	
Ī	PARCEL ID:	

Tenny	Engineering Department * F www.cityoflacrosse.org/engine	Phone: (608) 789-7505 * Fax: (608) 789-8184 eering engineering@cityoflacrosse.org	DATE:
STATUS:	APPLICATION TYPE:		PARCEL ID:
	APPLICANT	INFORMATION	
NAME (FIRST, MI, LAST):			DATE:
oshua J Hein			6/29/23
ADDRESS (STREET, CITY, STATE, ZIP):	1000		
625 Loomis Street, La Cross	EMAIL ADDRESS:		
PRIMARY PHONE NUMBER: 08-518-9301	jjhein67@gmail.com		
00-010-0001	miner @gman.com		
		AREA DETAILS	
LOCATION OF REQUEST – BE SPECIFIC	(PROVIDE PHOTOS IF AVAILABLE):		turforta atan turffin an
field sign at intersection of Lo Rubilee (East and West travel	oomis Street and Rubilee Stre lling, yielding to Loomis), allov	et on North Side of La Crosse. F wing Loomis traffic to move north	and south freely.
PURPOSE OF REQUEST: 📝 ADD ZON	NE REMOVE ZONE		
ZONE TYPE: PARKING (No Park	ring, Loading Zone, 2 Hour)	AFFIC CONTROL (Stop, Yield)	ECTIONAL CONTROL (Turning Lane)
PEDESTRIAN (Cros	swalk, Advanced Warning) DIF	RECTION OF TRAVEL (One Way)	HER (Specify in Comments)
COMMENTS:			
Ve have witnessed too many	close calls for accidents, and without even a glance at the c	I seen at least one bad accident r ross traffic, and its not safe for pe	ecently. People often drive edestrians either.
<ol> <li>The applicant will be notified</li> <li>Attaching a petition may be</li> </ol>	ed of meeting date for public hearing be beneficial in the decision-making proc ome from or have approval from the Pro	ess.	6/29/23
APPLICANT OR AUTHORIZED REPRESE	NTATIVE CICNATURE (TVDED**)	TITLE	DATE
**By typing your name, this constitutes			
		GINEER USE ONLY	
DATE RECEIVED: 6/30 /	23	REVIEWED BY: 575	150
TRAFFIC STUDY REQUIRED: YES	□ NO	PETITION REQUIRED: YES	-NO
TRAFFIC ENGINEER COMMENTS:	/w Yield		
	POLICE PARKIN	G UTILITY USE ONLY	ATTENDED
DATE RECEIVED:	TOLICE I AMMIT	REVIEWED BY:	
POLICE PARKING UTILITY COMMENTS			
POLICE PARKING OTHER PEOPLE IN	•		
· · · · · · · · · · · · · · · · · · ·			
eze mina fermine de sele	DOARD OF BURN	IC WORKS USE ONLY	
BOARD OF PUBLIC WORKS MEETING D		APPLICANT NOTIFIED BY (NAME):	DATE/TIME OF NOTIFICATION:
Sound of Found House Meeting t			
COMMENTS:			
APPROVED DENIED		EFFECTIVE DATE:	
T VILLOAFD TOTALED			



City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0994

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: Finding & Order



## From the Offices of the Traffic Engineer and the Chief of Police City Hall

#### CITY OF LA CROSSE BOARD OF PUBLIC WORKS Findings & Orders:

August 14, 2023			
() ESTABLISHING		(X) AMENDING	() VACATING
TYPE OF ALTERATION	ON: All-way STO	P control	
GENERAL LOCATION	N: 29 <sup>th</sup> Street Sou	uth & Cass Street	
Report:			
Cass Street, which is	currently two-wa		section of 29 <sup>th</sup> Street South and ditions, including sight distance, ewed.
creating unexpected of	crossing traffic for		eet S does not connect through, establish additional safety at the
after obtaining a repo	ort and recommer		ode of Ordinances provides that gineer, the Chief of Police shall f Public Works.
		Traffic Engineer state the open control of the cont	ne public interest, convenience, c alterations, to wit:
<ul> <li>Install STOP s</li> </ul>	signs, requiring all	directions to STOP.	
		lic Works hereby approve orized to effect said chan	es the aforementioned traffic ges.
Matthew A. Gallage Director of Engineer		orks	Shawn Kudron Chief of Police
Date Filed: BPW Approval:	2023-08-14 —		Presiding Officer



2203 Cass Street, La Crosse, WI, 54601

## TRAFFIC/PARKING ZONE REQUEST FORM

FINDING AND ORDER APPLICATION

APPLICATION NO:	
DATE:	
PARCEL ID:	

SENTALLY.	Engineering Department * Phone: (608) 789-7505 * Fax: (608) 789-8184 www.cityoflacrosse.org/engineering engineering@cityoflacrosse.org	DATE:
STATUS: APPLICATION TYPE:		PARCEL ID:
	APPLICANT INFORMATION	
NAME (FIRST, MI, LAST):		DATE:
Larry A Sleznikow		06/01/2023
ADDRESS (STREET CITY STATE 710	1.	

PRIMARY PHONE NUMBER:	EMAIL ADDRESS:				
608-769-2139	sleznikowl@cityoflacrosse.org	5			
	TRAFFIC ARI	EA DETAILS			
LOCATION OF REQUEST - BE SPECIFIC (PRO	VIDE PHOTOS IF AVAILABLE):				
The tracking internal ation of Constitution	-t and 20th Church Coult Dhate				
The traffic intersection of Cass Stree	it and 29th Street South. Photo	os of the intersection are include	u.		
PURPOSE OF REQUEST: ADD ZONE	REMOVE ZONE				
ZONE TYPE: PARKING (No Parking,		FIC CONTROL (Stop, Yield)	IRECTIONAL CONTROL (Turning Lane)		
	· , _	_			
PEDESTRIAN (Crosswal	k, Advanced Warning) DIREC	CTION OF TRAVEL (One Way)	THER (Specify in Comments)		
COMMENTS: This intersection is in my Council District 4. I have received complaints from residents near this intersection of vehicles speeding					
going both east and west on Cass Street through the 29th St. South intersection. I would like to see if this intersection can be					
made into a 4-way stop intersection to provide more calming of vehicular speeds.					
The undersigned understand and agrees to	the following:				
The completed form does not go					
		Public Works (BPW) or Common Council			
1	meeting date for public hearing befor	ites, City of La Crosse Municipal Code, a	na the MOTCD;		
1	eficial in the decision-making process	· · · · · · · · · · · · · · · · · · ·			
	from or have approval from the Prope				
Larry Sleznikow		Council Member, District 4	06-01-2023		
APPLICANT OR AUTHORIZED REPRESENTAT	IVE SIGNATURE (TYPED**)	TITLE	DATE		
**By typing your name, this constitutes a le	gally binding, electronic signature				
	TRAFFIC ENGIN	IEER USE ONLY			
DATE RECEIVED: REVIEWED BY:					
6/2/23	5	202	16.1		
TRAFFIC STUDY REQUIRED: X YES NO		PETITION REQUIRED: YES	X NO		
TRAFFIC ENGINEER COMMENTS:		7.5			
	Stan				
All way stop					
<b>1</b>					
POLICE PARKING UTILITY USE ONLY					

POLICE PARKING UTILITY USE ONLY			
DATE RECEIVED:	REVIEWED BY:		
POLICE PARKING UTILITY COMMENTS:	J.		

BOARD OF PUBLIC WORKS USE ONLY					
BOARD OF PUBLIC WORKS MEETING DATE:	APPLICANT NOTIFIED BY (NAME):	DATE/TIME OF NOTIFICATION:			
COMMENTS:	1	7			
☐ APPROVED ☐ DENIED	EFFECTIVE DATE:				

Google Earth view of the intersection of Cass St. and 29th St. South





City Hall 400 La Crosse Street La Crosse, WI 54601

#### **Text File**

File Number: 23-0997

Agenda Date: 8/21/2023 Version: 2 Status: Agenda Ready

In Control: Board of Public Works File Type: General Item



# **REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION**FOR COMMUNICATIONS (FIBER OPTICS, TELEPHONE, CABLE, ETC.) City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org http://cityoflacrosse.org

	hone Company  Citycamp Douglas State: WI	Zin: 54618
Phone # 608-427-6515	Email Address kevin.barth@get	iyiixx.com
Application Preparer (if different from a	above) Cindy Zellmer	
Relationship with Owner: Permit Agent D/E		
Phone # _435-623-6650	Email Address <u>Cindy.Zellmer@</u>	ojsitel.com
Description of Proposed Encroachment: Placing service drops to customers with 144 fiber optic We are taking up parts of sidewalk to place fiber peds.	Between Front, 10 K	boring sidewalks. , Kry + Merket Sh
Encroachment Addresses (List by Street as Between 10th St & 2nd St , running on market St. all the way to Between Market St & King St. running on 2nd St to service First ning off 2nd St on to Division east to service Pisckke's off alley Running off 2nd st to east on Case St to alley between 3rd & 4:	o 2nd St st Supply and then to NE corner of 2nd & Kin / between 2nd & 3rd, then east from corner 2r	g St. nd & Division to Front St to service Firs
I certify that I have reviewed the Municipal Code and u have the full authority to make the foregoing applicatio complete and correct; the Work or Use performed sha rules, regulations, policies and special conditions of the an approved permit with diligence and convenience to	in; the information in the application and ill comply with all the laws of the State of e City of La Crosse. The applicant agree	Wisconsin, and all ordinances, es to perform the work covered by
Signature of Owner or designee: Print Name and Title: Cindy Zellmer as an agent	for Lemonweir	<u> </u>
Please return this completed application along with rec Engineering Department, 400 La Crosse Street, La Cr on the Board of Public Works agenda for consideration	osse, WI 54601. You will then be given	notice of whelf your request will be
BELOW THIS LINE TO	BE COMPLETED BY CITY STA	FF ONLY
		Board of Public Works
Required items to be provided by Applica	ant:	Approval Date:
		дрргочаг расе.
Scale Drawing of encroachments		
(Complete Utility Locate by Digger's Hotline Requ	uried)	Form a share and Torres
		Encroachment Type:
Certificate of Insurance (City as additional Insure	ed)	Communications
Initial Application Fee \$	_ 🗆   🗖	Permit Number:
· ·		
City Utility Potential Conflict Notification and Sig	n-Off	



## REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

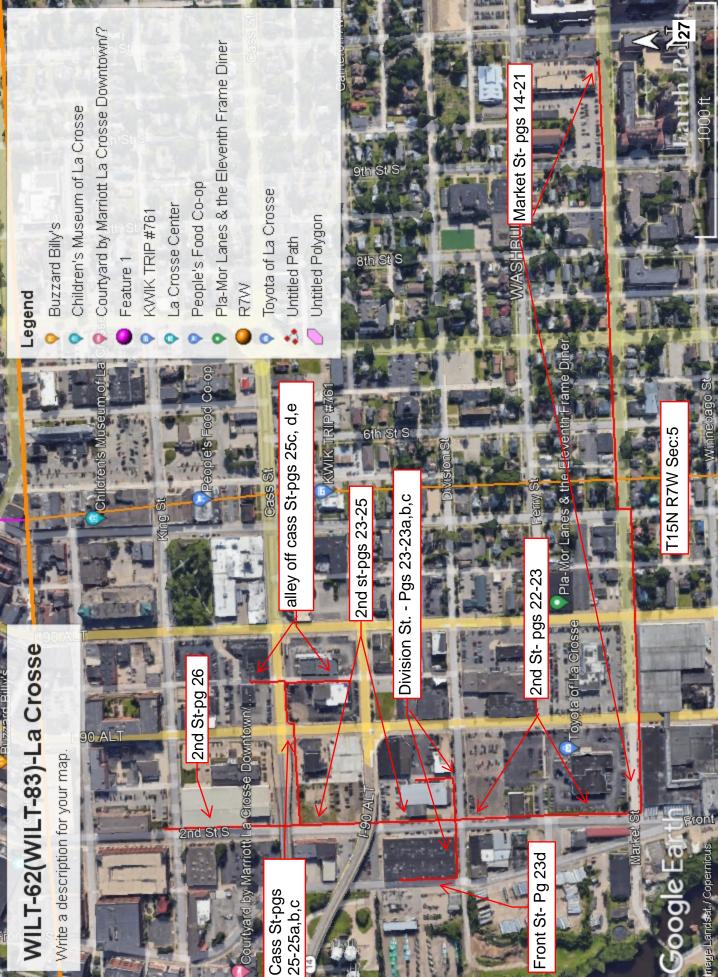
#### **City of La Crosse Engineering Department**

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org http://cityoflacrosse.org

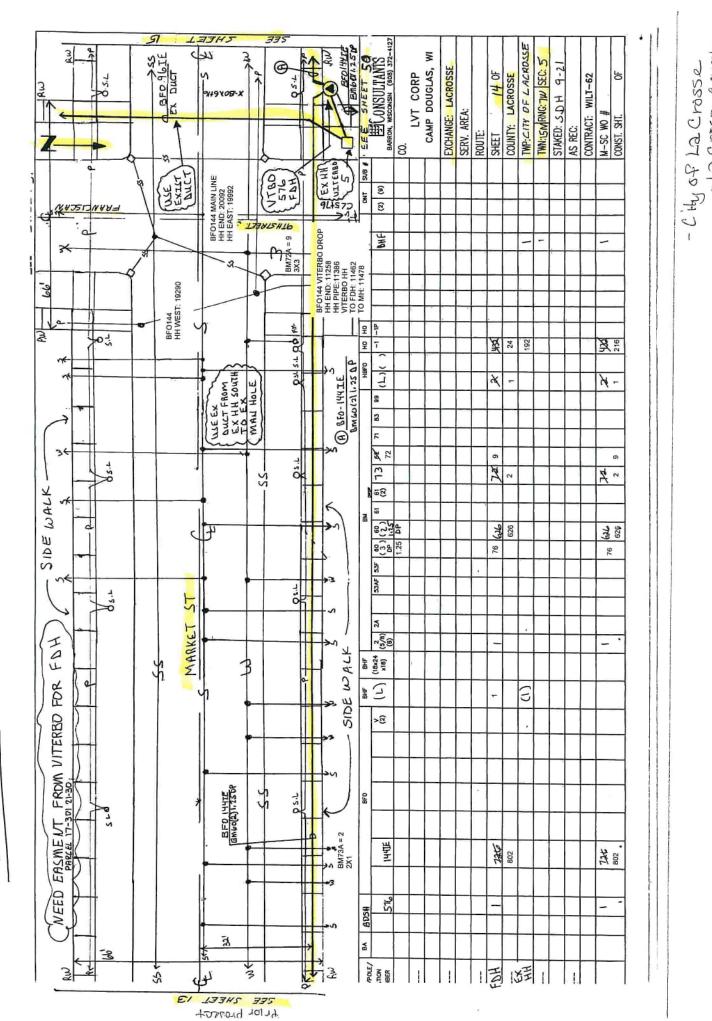
## STREET PRIVILEGE PERMIT CONDITIONS FOR COMMUNICATIONS INSTALLATIONS

- 1. The applicant shall be primarily liable for damages to person or property by reason of the granting of this street privilege permit.
- The applicant shall obtain an excavation permit from the City of La Crosse Engineering Department prior to performing installation or any maintenance on the cable in the City right-of-way that requires excavation or disruption of pavement, sidewalk, curb and gutter, or other structure.
- The applicant agrees that tracer wires shall be used and final cable location within the street right-of-way shall be approved by the City Engineer. Cable shall be installed not less than 36 inches deep, unless otherwise approved by the City Engineer.
- 4. Applicant agrees to provide the City of La Crosse with final "as-built" plans when installation is complete.
- 5. Applicant agrees that any pavement, concrete or green space disturbed during drilling activities shall be restored to its prior condition.
- 6. Applicant agrees that said installation shall not interfere with the City's water, sanitary sewer, or storm sewer underground infrastructure that may be in the area.
- 7. Applicant further agrees that they will make arrangements with the public utility companies and the City of La Crosse to clear all public underground utilities prior to initiating such work, and if necessary, applicant will make arrangements with the City of La Crosse to ensure proper traffic control.
- 8. Applicant waives any and all rights to contest in any way or manner the validity of Sec. 66.0425 of the Wisconsin Statutes and the amount of compensation charged.
- 9. Applicant agrees to become a member of Diggers Hotline for marking / locating of utility.
- 10. The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City Attorney as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board may approve greater insurance protection on a case-by-case basis.
- 11. Applicant further agrees to hold harmless the City for any damage to said cable while the City, its agents or contractors are conducting construction for maintenance activities in or upon such area in which said cable lies; provided, however, the City shall make a good faith effort to notify applicant of any maintenance or work in the area of the street privilege permit which may damage applicant's cable.
- 12. Applicant agrees to remove the cable and return the area to its original condition upon ten (10) days' notice by the Board of Public Works. The applicant further agrees that if it does not remove the cable within ten (10) days after receiving notice, the City is authorized to remove the same and applicant agrees to pay the City for all costs of such removal.
- 13. Applicant further agrees that the obligations and conditions of this street privilege permit shall be binding upon all heirs, successors and assigns of applicant.
- 14. The person(s) signing this Permit warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

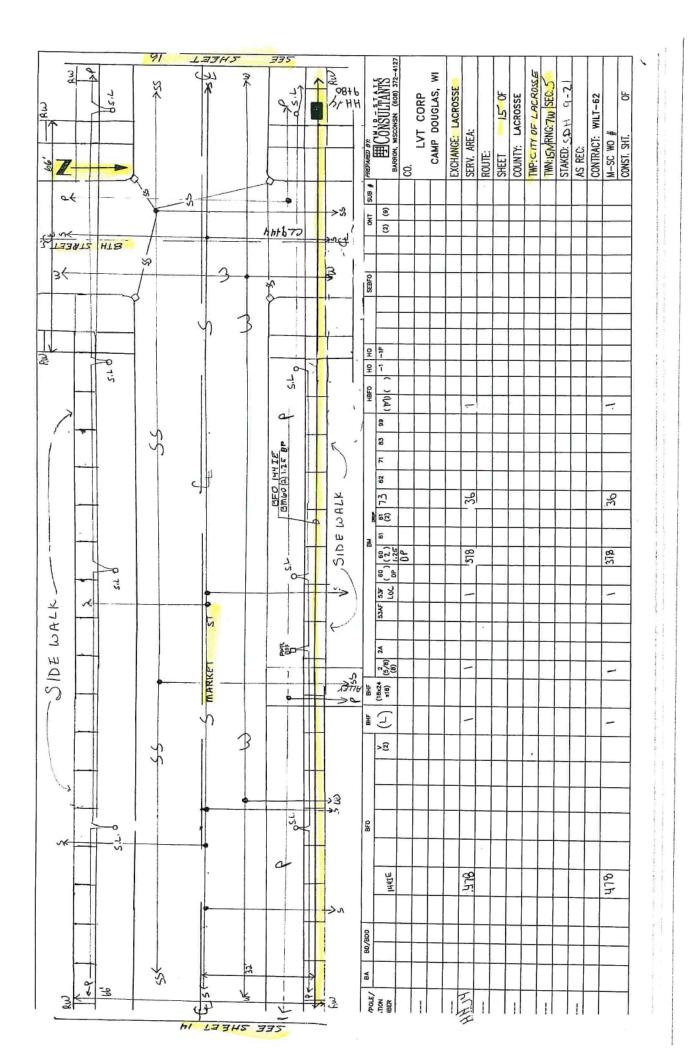
Sheet 2 of 2

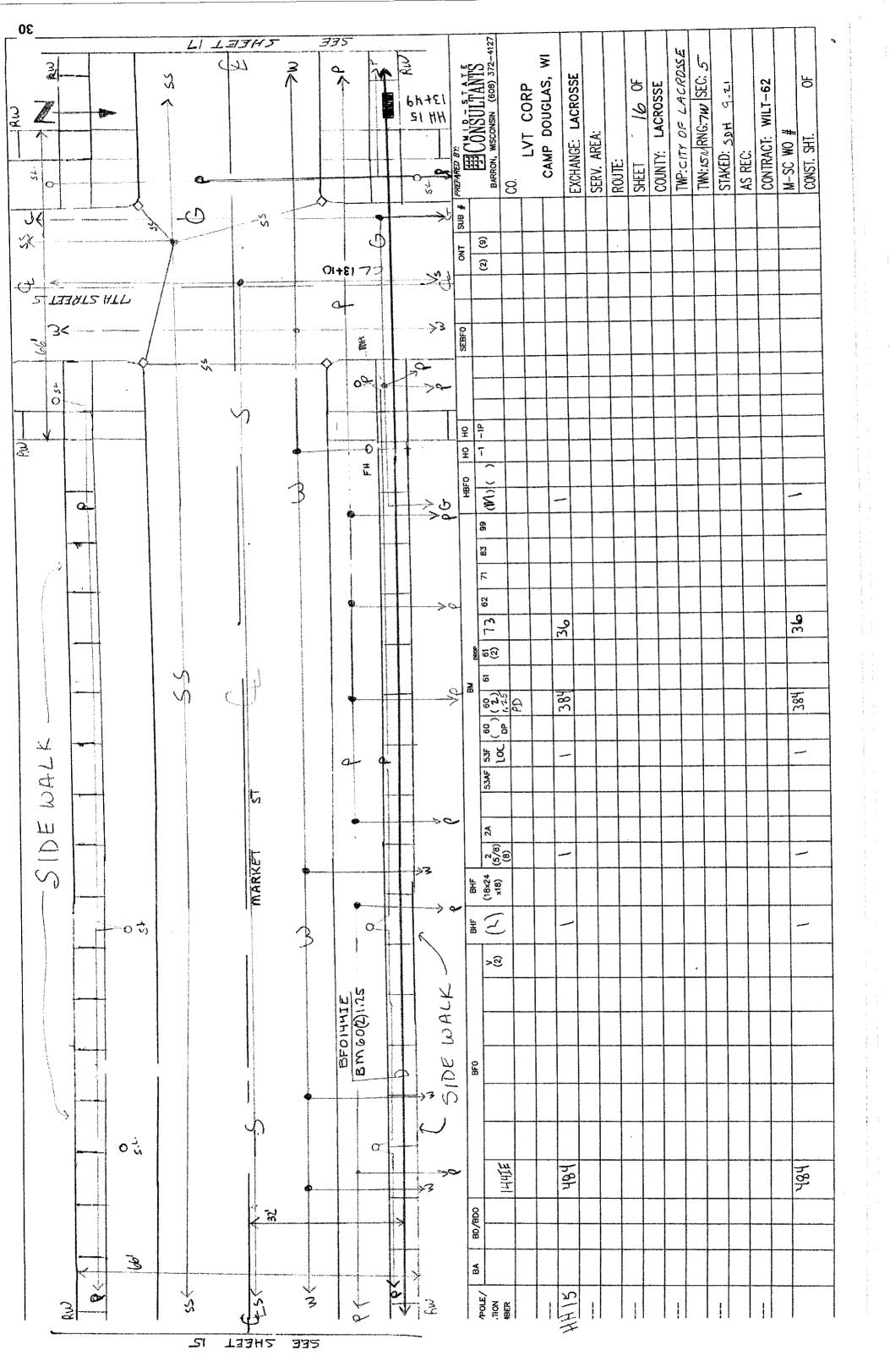


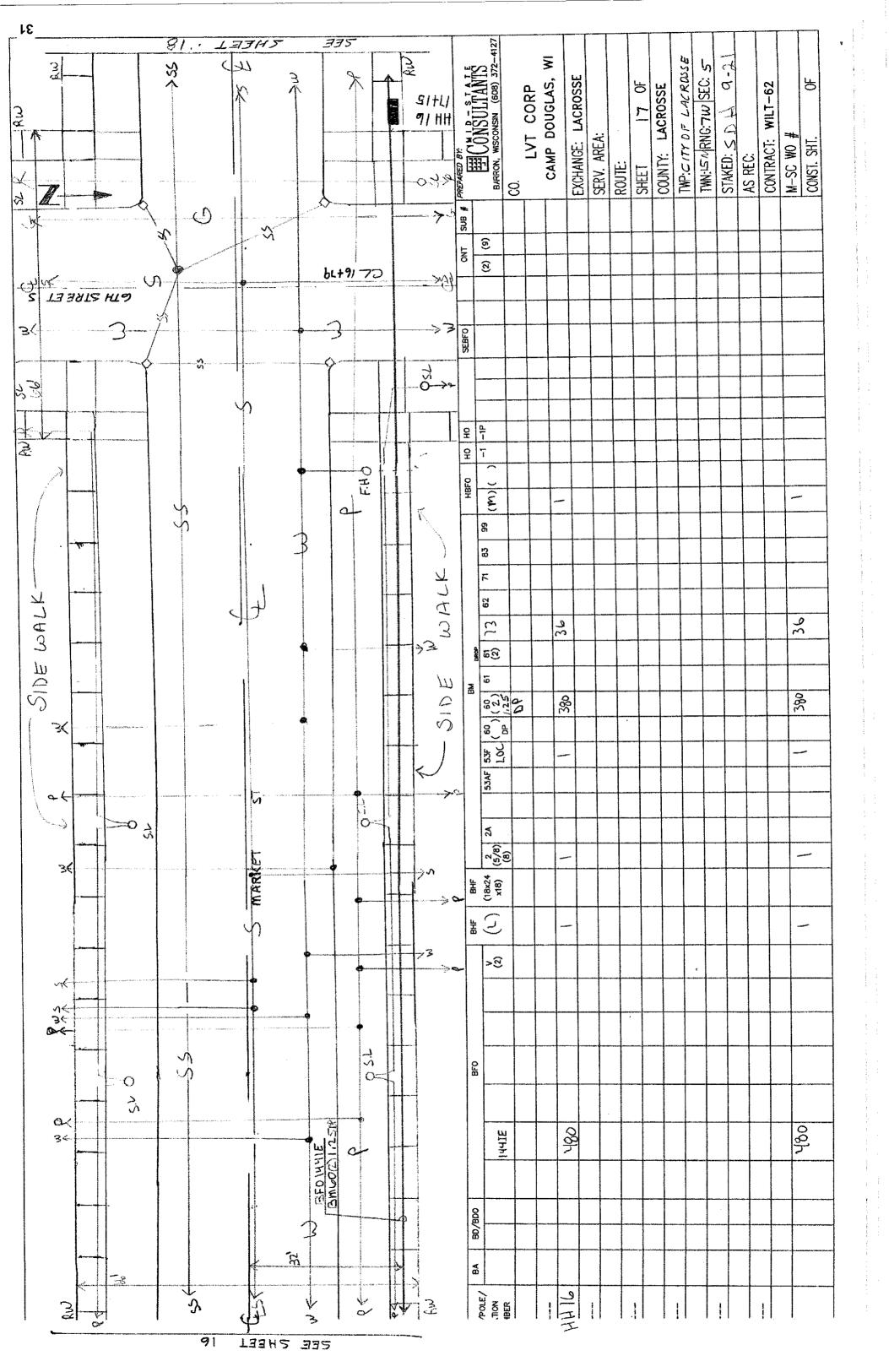
-La crosse county

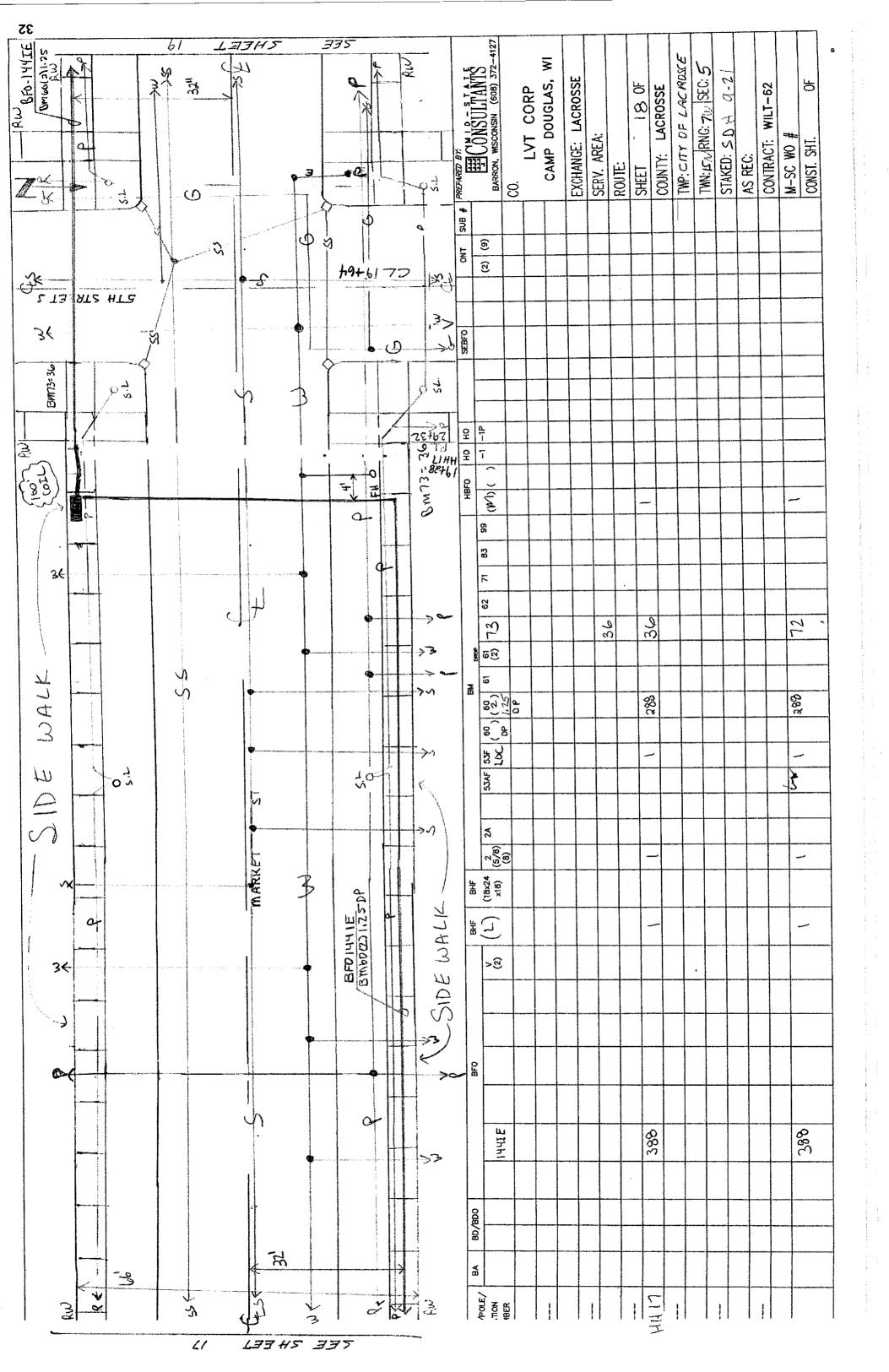


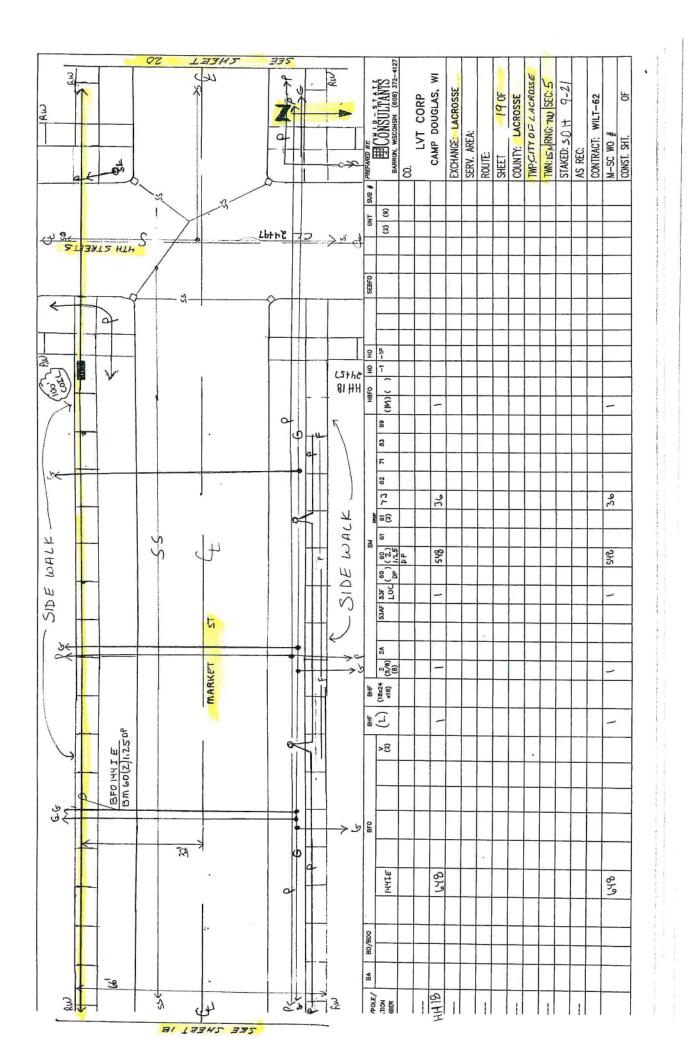
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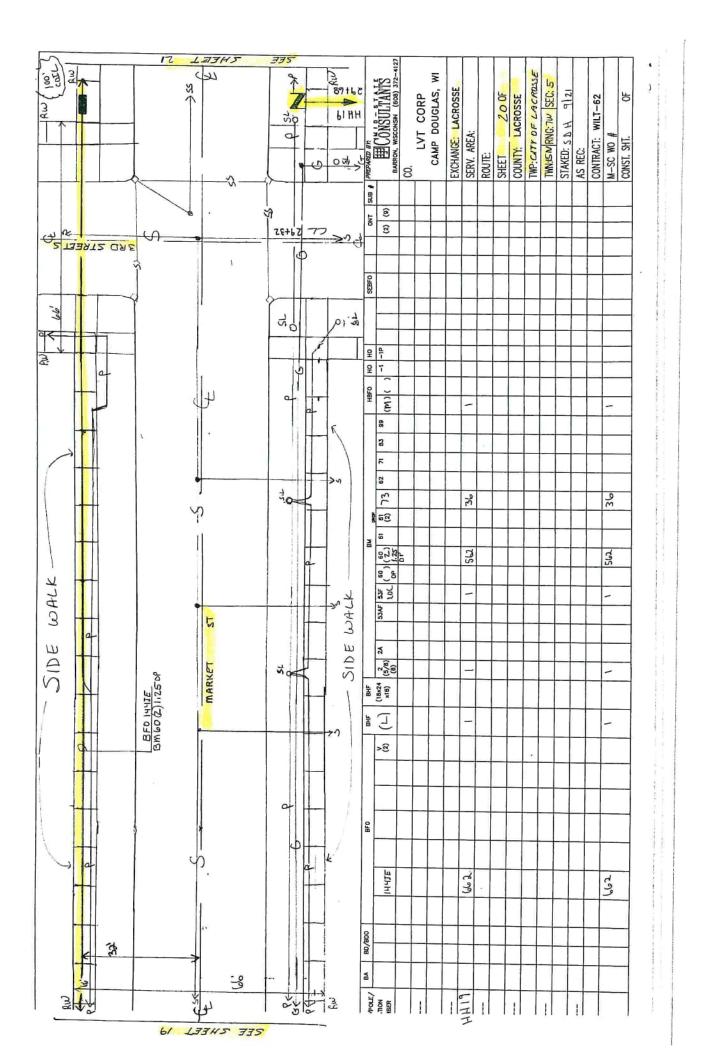


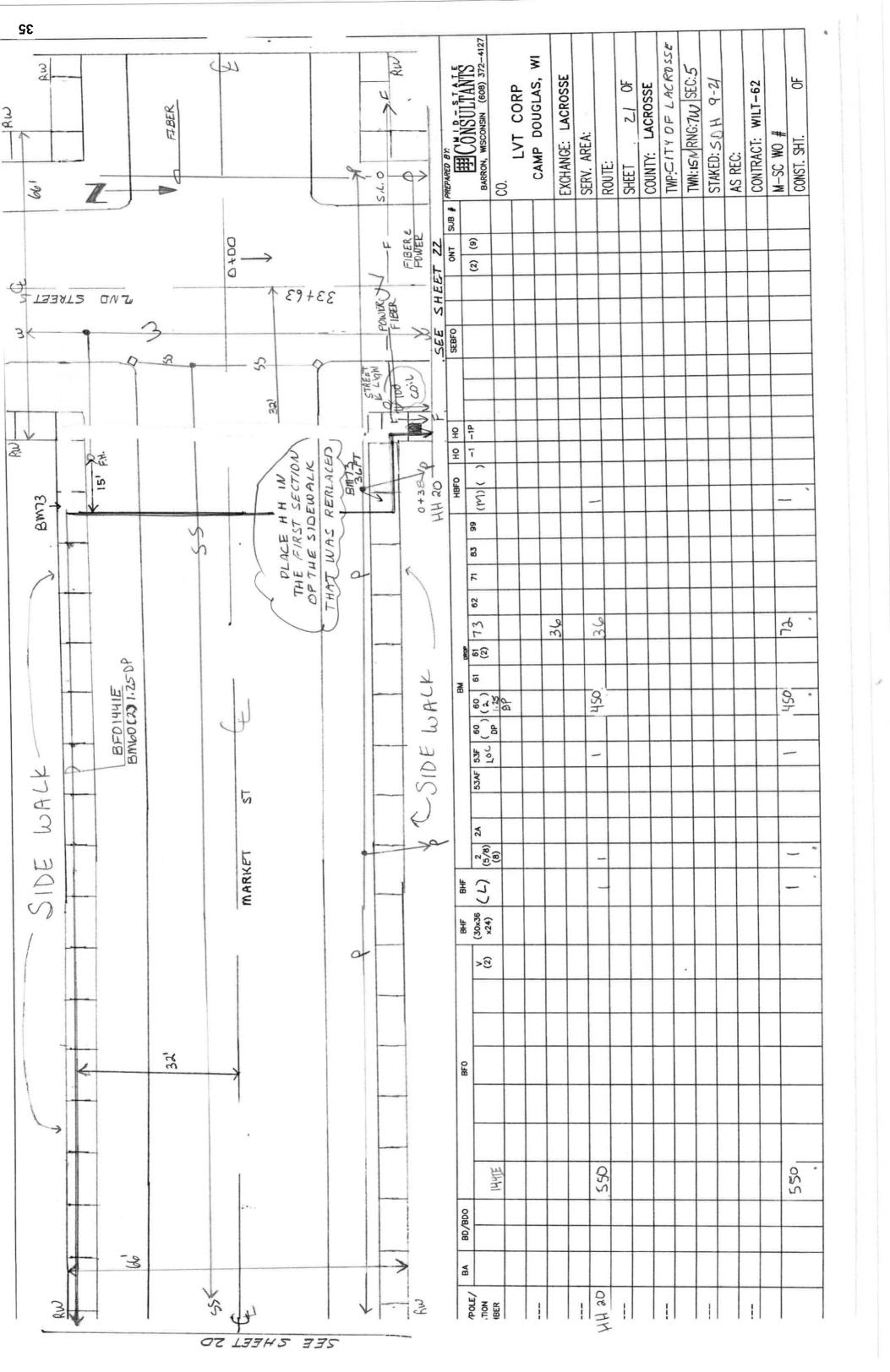


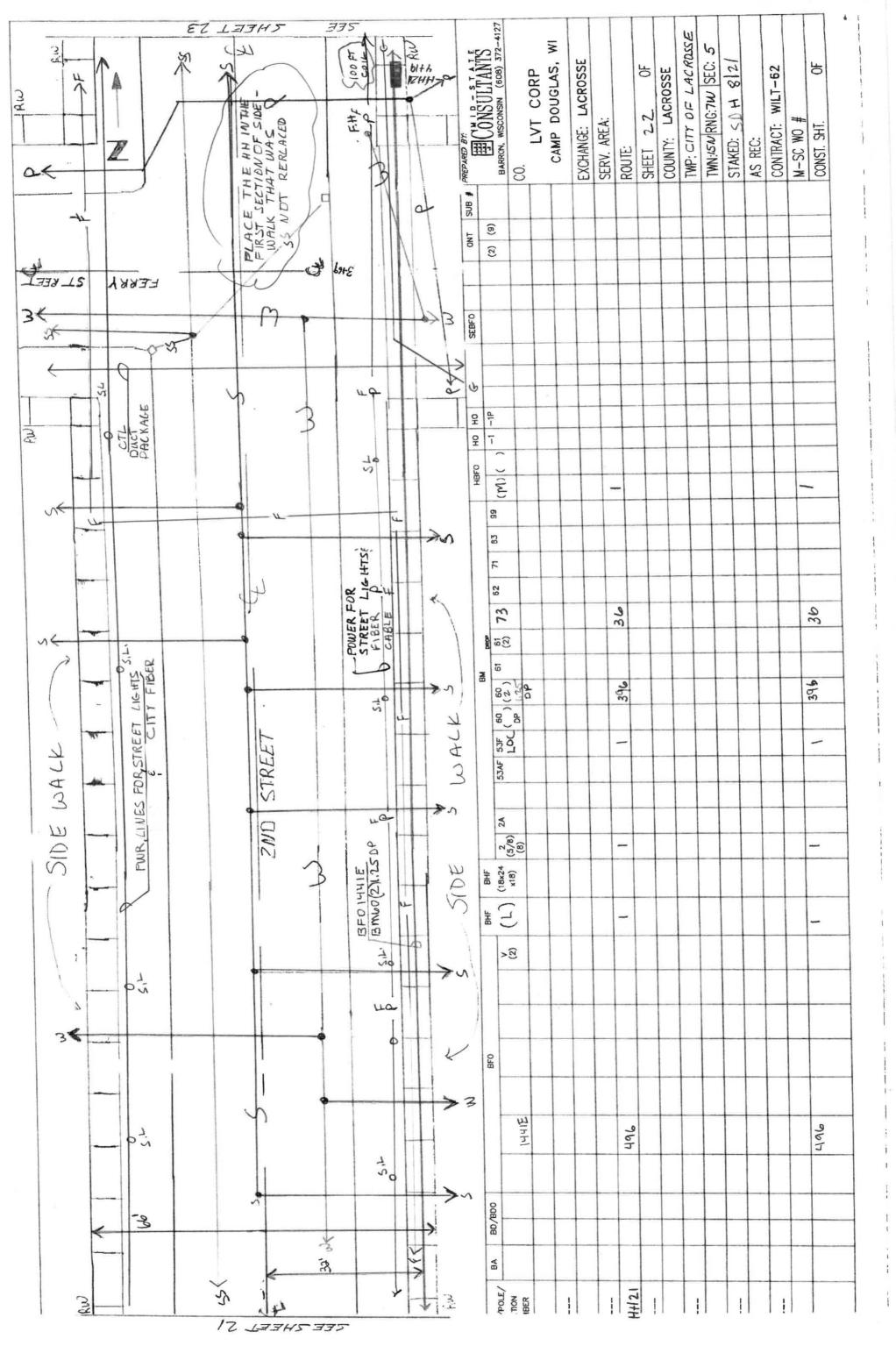


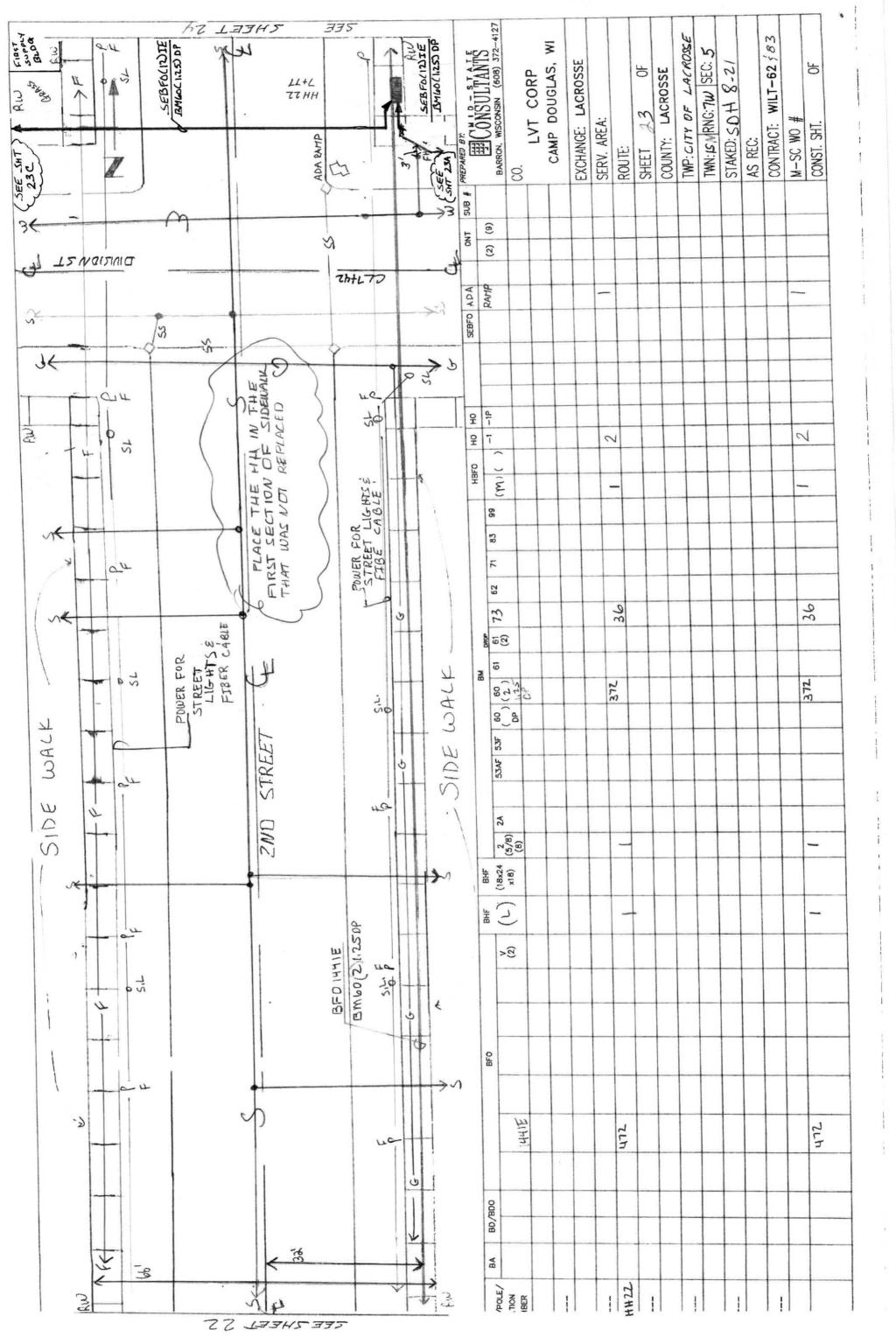


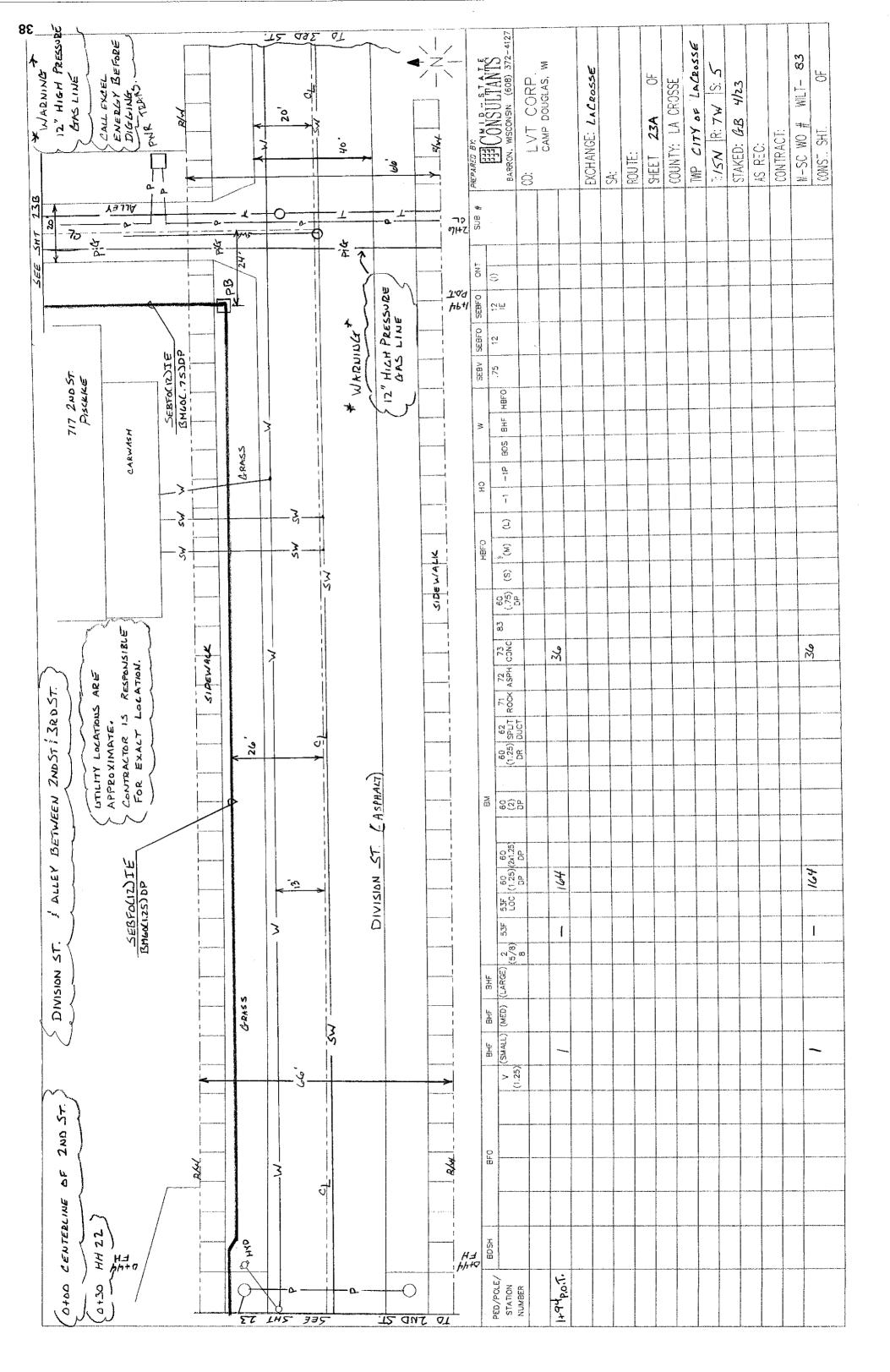




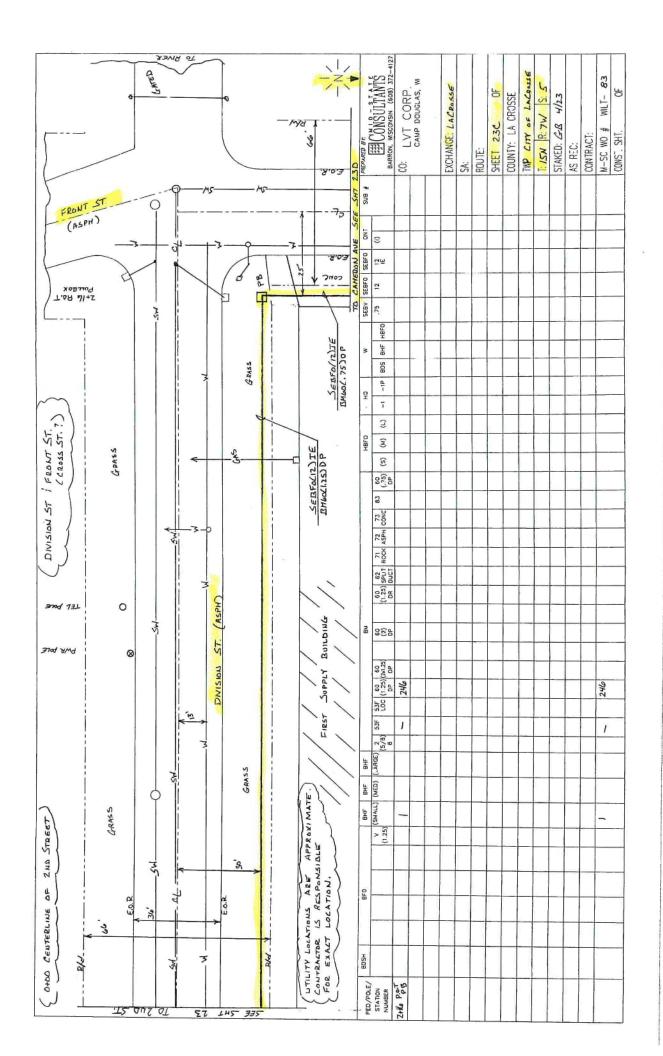




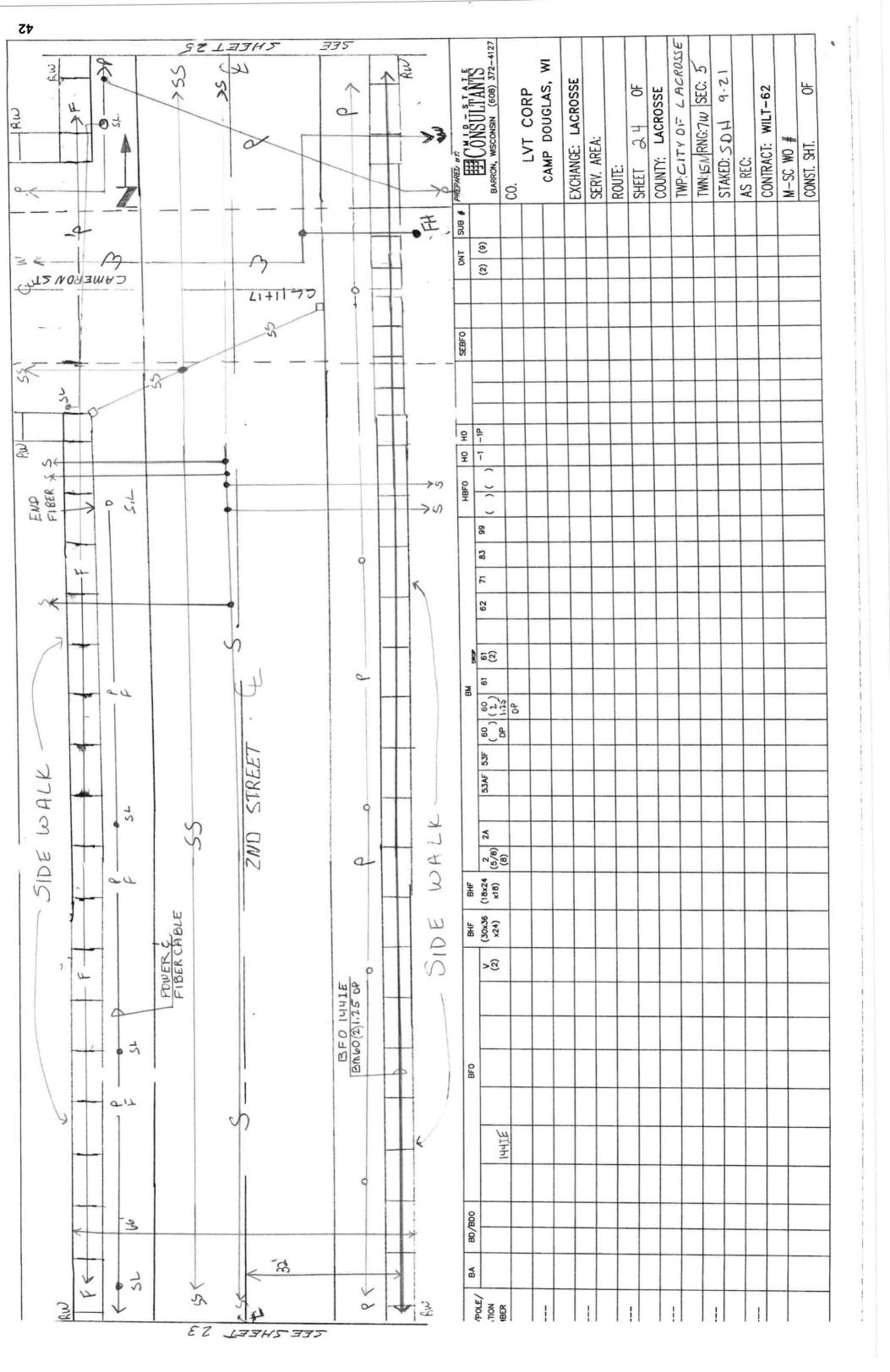


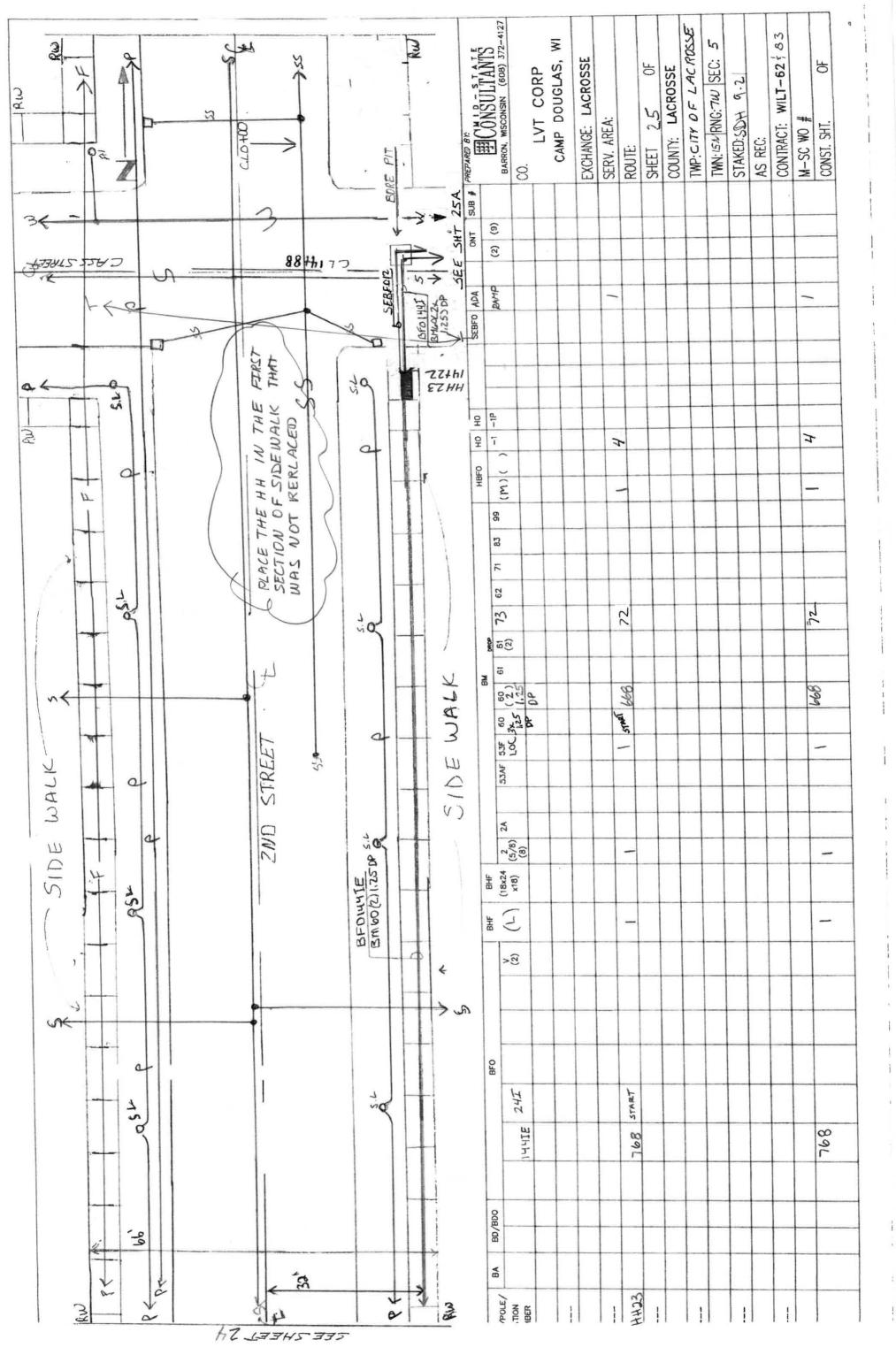


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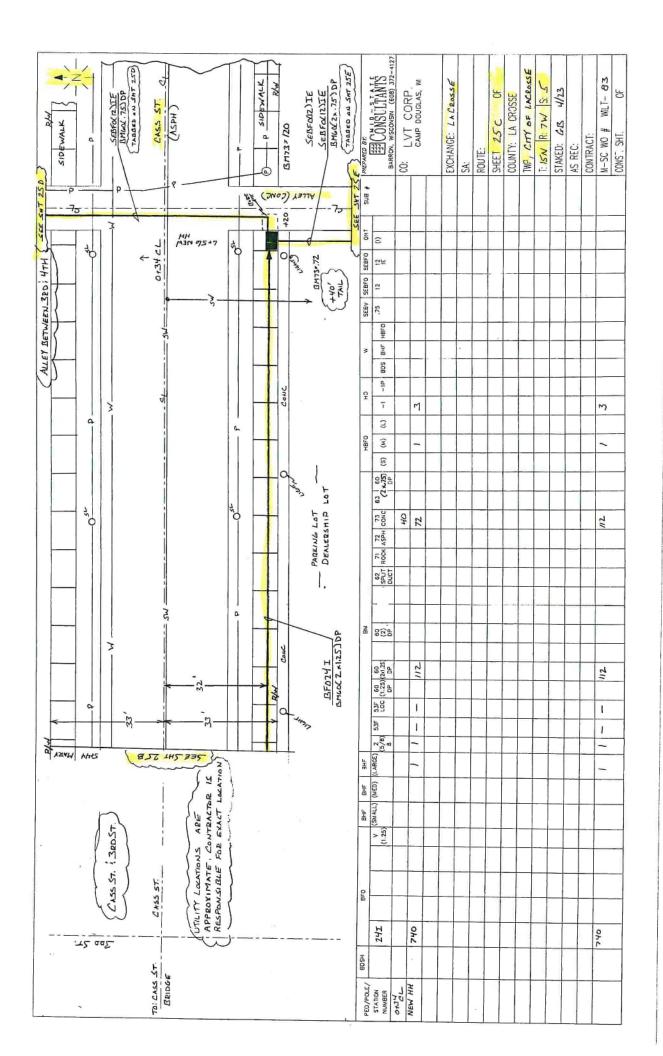




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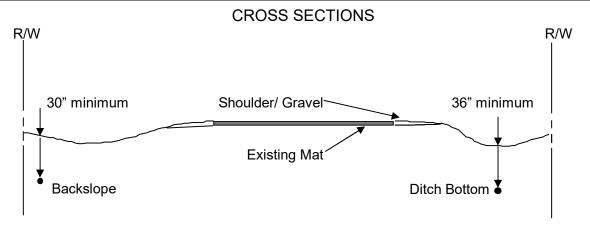
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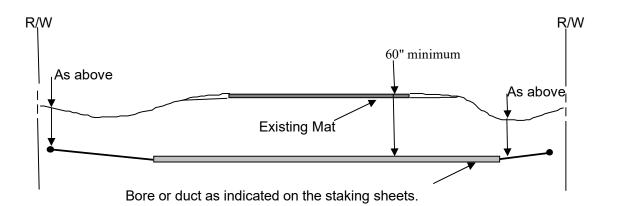
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### TYPICAL INFORMATION REQUIRED FOR HIGHWAY PERMIT APPLICATION



Typical depth(s) of longitudinal facilities occupying highway right-of-way.



Typical depth(s) of perpendicular facilities occupying highway right-of-way.

**Notes:** The distances from centerline are indicated on the staking sheets (plan views) for the areas involved with construction. See the Key Map for general locations of construction corridors. Clean up for the construction process will commence immediately and be completed no later than 10 working days later. Depths reflect *minimums* for copper and fiber cables. Actual placement depths may vary depending on contract requirements.

Town:	Range:	Section(s):	
Company requesting permit	:		



## City of La Crosse, Wisconsin

City Hall 400 La Crosse Street La Crosse, WI 54601

### **Text File**

File Number: 23-0998

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: Finding & Order

Agenda Number: 7



# From the Offices of the Traffic Engineer and the Chief of Police City Hall

# CITY OF LA CROSSE BOARD OF PUBLIC WORKS Findings & Orders:

August 14, 2023

() ESTABLISHING (X) AMENDING () VACATING

TYPE OF ALTERATION: Replace 2-Hour parking with No Parking Zone

GENERAL LOCATION: 3 No Parking zones on the South side of the 700 & 800 blocks of Market Street as defined below in the report section. One additional No Parking zone on the North side of the 800 block of Market St as defined below in the report section.

### Report:

A request and application were received to investigate the 700 and 800 blocks of Market Street regarding removing portions of 2 Hour parking and installing four No Parking Zones to increase visibility of pedestrians crossing Market Street. The application was received from the Executive Administrative Assistant of Viterbo University.

- South side of 700 block of Market Street, from west line of 8<sup>th</sup> Street S to a point 126 feet westerly thereof.
- South side of 800 block from the east line of 8<sup>th</sup> Street S to a point 120 feet easterly thereof
- South side of the 800 block from the west line of Fanciscan Way to a point 120 feet westerly thereof.
- North side of 800 block from the west line of 9<sup>th</sup> Street S to a point 100 feet westerly thereof.

It is hereby noted that the University requesting the No Parking Zone constitutes 100% of the footage. It is therefore recommended to install the No Parking Zones in the 700 and 800 blocks of Market Street as defined above on the south and north side of the street.

**WHEREAS**, Section 44-39 of the City of La Crosse Municipal Code of Ordinances provides that after obtaining a report and recommendation of the Traffic Engineer, the Chief of Police shall forward recommendations and appropriate orders to the Board of Public Works.

**AND WHEREAS**, the Findings of the Traffic Engineer state the public interest, convenience, and necessity, the Chief of Police hereby Orders the above traffic alterations, to wit:

Establish No Parking Zones in the 700-800 blocks of Market Street, as defined above.

Page 2

**NOW, THEREFORE**, the Board of Public Works hereby approves the aforementioned traffic alteration, and City staff is hereby authorized to effect said changes.

Matthew A. Galla Director of Engir	ager neering & Public Works	Shawn Kudror Chief of Police
Date Filed: 3PW Approval:	<u>2023-08-14</u>	
or water	Date	Presiding Office



## TRAFFIC/PARKING ZONE REQUEST FORM

/	APPLICATION NO:				
<b>V</b>	DATE:				

Treas.	Engineering Depart www.cityoflacrosse.or	ment * Pho	NG AND ORDER APPLIC one: (608) 789-7505 * Fax: (608) ing engineering@cityoflac	789-8184	DATE:
STATUS:	APPLICATION TYPE:		100000000000000000000000000000000000000		PARCEL ID:
	ДРП	ICANT IN	FORMATION		
NAME (FIRST, MI, LAST):					DATE:
Viterbo University					5-15-23
ADDRESS (STREET, CITY, STATE, ZIP):	2				
900 Viterbo Drive, La Crosse, WI	54601				
PRIMARY PHONE NUMBER:	EMAIL ADDRESS:				
608-796-3841	blbaumeister@viterb	o.edu			
			EA DETAILS		
Install "No Parking from Here to		01	m the corners of 8th & Ma	rket and	9th & Market.
PURPOSE OF REQUEST: ADD ZON	E REMOVE ZONE				
ZONE TYPE: PARKING (No Parki	ing, Loading Zone, 2 Hour)	☐ TRAF	FIC CONTROL (Stop, Yield)	☐ DIRE	CTIONAL CONTROL (Turning Lane)
PEDESTRIAN (Cross	swalk, Advanced Warning)	DIREC	TION OF TRAVEL (One Way)	□ отн	ER (Specify in Comments)
COMMENTS:	Transport of the state of the s				
<ol> <li>Results of recommendations</li> <li>Implementation shall compl</li> <li>The applicant will be notified</li> <li>Attaching a petition may be</li> </ol>	y as necessary with Wisconsin d of meeting date for public he beneficial in the decision-maki me from or have approval from ITATIVE SIGNATURE (TYPED**)	e Board of I State Statu aring befor ing process in the Prope	ia Al li diction of the other Man M	Code, and	
Dy typing your name, this constitution			IEER USE ONLY		
DATE RECEIVED: 5	115/23		REVIEWED BY: S 5 5		
TRAFFIC STUDY REQUIRED: YES	<b>V</b> NO		PETITION REQUIRED: YES	A C	NO
TRAFFIC ENGINEER COMMENTS:	POLICE P	ARKING !	UTILITY USE ONLY		
DATE RECEIVED:			REVIEWED BY:		
POLICE PARKING UTILITY COMMENTS:					
	DOARD OF	E DI IDI IC	WORKS USE ONLY	V. 20 T 1	
BOARD OF PUBLIC WORKS MEETING D		r PUBLIC	APPLICANT NOTIFIED BY (NAM	IE):	DATE/TIME OF NOTIFICATION:
COMMENTS:			4:		
T ADDROVED T DENIED			EFFECTIVE DATE:		



## City of La Crosse, Wisconsin

City Hall 400 La Crosse Street La Crosse, WI 54601

### **Text File**

File Number: 23-0999

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: Finding & Order

Agenda Number: 8



# From the Offices of the Traffic Engineer and the Chief of Police City Hall

### CITY OF LA CROSSE BOARD OF PUBLIC WORKS Findings & Orders:

August 16, 2023							
() ESTABLISHING	(X) AMENDING	() VACATING					
TYPE OF ALTERATION: Replace 2-Hour parking with No Parking Zone							
GENERAL LOCATION: West side of 600 block of 9 <sup>th</sup> Street South, from the North line of Market Street to a point 50 feet northerly thereof.							
Report:							
A request and application were received to investigate the 600 block of 9 <sup>th</sup> Street S regarding removing a portion of 2 Hour parking and installing No Parking Zone to increase visibility of pedestrians crossing 9th Street. The application was received from the Executive Administrative Assistant of Viterbo University.							
It is hereby noted that the University requesting the No Parking Zone constitutes 100% of the footage. It is therefore recommended to install the No Parking Zones in the 600 block of 9 <sup>th</sup> Street S as defined above.							
<b>WHEREAS</b> , Section 44-39 of the City after obtaining a report and recomme forward recommendations and appropriate the commendation of the City after obtaining a report and recommendations.	endation of the Traffic Eng	gineer, the Chief of Police shall					
<b>AND WHEREAS</b> , the Findings of the and necessity, the Chief of Police here							
Establish No Parking Zones in	the 600 block of 9th St S, a	as defined above.					
<b>NOW, THEREFORE</b> , the Board of Pu alteration, and City staff is hereby auth							
Matthew A. Gallager Director of Engineering & Public W	orks/	Shawn Kudron Chief of Police					
Date Filed: 2023-08-16 BPW Approval:		Presiding Officer					



## TRAFFIC/PARKING ZONE REQUEST FORM

/	APPLICAT	APPLICATION NO:					
V	DATE:	-					
4 B	DATE:						

1700011	Engineering Depart	FINDING AND ORDER APF ment * Phone: (608) 789-7505 * Fax: (6 g/engineering engineering@city	508) 789-8184	DATE:
STATUS:	APPLICATION TYPE:		·	PARCEL ID:
-17-	APPL	ICANT INFORMATION		
NAME (FIRST, MI, LAST):				DATE:
Viterbo University				5-15-23
ADDRESS (STREET, CITY, STATE, ZIP):	14			
900 Viterbo Drive, La Crosse, WI 5				
PRIMARY PHONE NUMBER: 608-796-3841	blbaumeister@viterl	oo edu		
308-730-38-1	bibadificiate @ viteri			
	TR.	AFFIC AREA DETAILS		
LOCATION OF REQUEST – BE SPECIFIC (PF		01		
install "No Parking from Here to C	orner" signs four car-le	ngths from the corners of 8th &	Market and	9th & Market.
PURPOSE OF REQUEST: ADD ZONE				
ZONE TYPE: PARKING (No Parkin	g, Loading Zone, 2 Hour)	TRAFFIC CONTROL (Stop, Yield)	_	CTIONAL CONTROL (Turning Lane)
PEDESTRIAN (Crossw	/alk, Advanced Warning)	☐ DIRECTION OF TRAVEL (One Way)	) 🗍 ОТН	ER (Specify in Comments)
3. Implementation shall comply	guarantee the desired outco are subject to approval by the as necessary with Wisconsin of meeting date for public he eneficial in the decision-mak	Board of Public Works (BPW) or Comr State Statutes, City of La Crosse Munic aring before BPW or Common Council; ng process.	ipal Code, and	the MUTCD;
Kirsten Gabriel	- Hours Have opposite Head	VP for Student Life, Dea	an of Students	5-15-23
APPLICANT OR AUTHORIZED REPRESENT **By typing your name, this constitutes a	A RECOGNISHMENT OF THE PROPERTY OF THE PROPERT			DATE
	TRAFF	IC ENGINEER USE ONLY		
DATE RECEIVED: 5 /	15/23	REVIEWED BY: S 5	5	
TRAFFIC STUDY REQUIRED: YES	<b>∑</b> NO	PETITION REQUIRED:	YES 🔯	NO
TRAFFIC ENGINEER COMMENTS:  DATE RECEIVED:	POLICE P	ARKING UTILITY USE ONLY REVIEWED BY:		
POLICE PARKING UTILITY COMMENTS:				
	BOARD O	PUBLIC WORKS USE ONLY		
BOARD OF PUBLIC WORKS MEETING DA	ГЕ:	APPLICANT NOTIFIED BY (	NAME):	DATE/TIME OF NOTIFICATION:
COMMENTS:		•		
□ APPROVED □ DENIED		EFFECTIVE DATE:		



## City of La Crosse, Wisconsin

City Hall 400 La Crosse Street La Crosse, WI 54601

### **Text File**

File Number: 23-1000

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: Finding & Order

Agenda Number: 9



# From the Offices of the Traffic Engineer and the Chief of Police City Hall

# CITY OF LA CROSSE BOARD OF PUBLIC WORKS Findings & Orders:

August 16, 2023

( ) ESTABLISHING (X) AMENDING

() VACATING

TYPE OF ALTERATION: Replace 2-Hour parking with No Parking Zone

GENERAL LOCATION: One No Parking zone on the East side of the 600 block of 8<sup>th</sup> Street S as defined below in the report section. Two additional No Parking zones on both sides of the 700 block of 8<sup>th</sup> St S as defined below in the report section.

### Report:

A request and application were received to investigate the 600 and 700 blocks of 8<sup>th</sup> Street S regarding removing portions of 2 Hour parking and installing four No Parking Zones to increase visibility of pedestrians crossing 8<sup>th</sup> Street. The application was received from the Executive Administrative Assistant of Viterbo University.

- East side of 600 block of 8<sup>th</sup> Street South, from the North line of Market Street to a point 50 feet northerly thereof.
- Both sides of 700 block from the South line of Market Street to a point 50 feet southerly thereof.

It is hereby noted that the University requesting the No Parking Zone constitutes 100% of the footage. It is therefore recommended to install the No Parking Zones in the 600 and 700 blocks of 8<sup>th</sup> Street S as defined above on the east and west sides of the street.

**WHEREAS**, Section 44-39 of the City of La Crosse Municipal Code of Ordinances provides that after obtaining a report and recommendation of the Traffic Engineer, the Chief of Police shall forward recommendations and appropriate orders to the Board of Public Works.

**AND WHEREAS**, the Findings of the Traffic Engineer state the public interest, convenience, and necessity, the Chief of Police hereby Orders the above traffic alterations, to wit:

• Establish No Parking Zones in the 600-700 blocks of 8<sup>th</sup> Street S, as defined above.

**NOW, THEREFORE**, the Board of Public Works hereby approves the aforementioned traffic alteration, and City staff is hereby authorized to effect said changes.

Page 2

Matthew A. Galla Director of Engin	ger eering & Public Works	Shawn Kudron Chief of Police
Date Filed: BPW Approval:	<u>2023-08-16</u>	
Br W Apploval.	 Date	Presiding Officer



## TRAFFIC/PARKING ZONE REQUEST FORM APPLICATION NO:

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) 789-8184	DATE:	
and the second s	l .	

· ·		Engineering Depart	DATE:			
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NAME (FIRST AND	LACT	APPL	LICANT INFO	RMATION		DATE:
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Viterbo Univer	SITY Γ, CITY, STATE, ZIP):					3-13-23
	ive, La Crosse, WI 54	5N1				
PRIMARY PHONE		EMAIL ADDRESS:				
608-796-3841	NOWIDER.	blbaumeister@viterb	bo.edu			
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## City of La Crosse, Wisconsin

City Hall 400 La Crosse Street La Crosse, WI 54601

### **Text File**

File Number: 23-1001

Agenda Date: 8/21/2023 Version: 1 Status: Agenda Ready

In Control: Board of Public Works File Type: General Item

Agenda Number: 10



## La Crosse Police Department

Shawn P. Kudron, Chief of Police

400 La Crosse Street \* La Crosse, WI \* 54601 \* (608) 789-7200 \* www.lacrossepolice.org

### **Board of Public Works**

Staff Report: Parking Fees for City owned parking ramps and lots

**Submitted by:** Assistant Chief Jason Melby

<u>Summary/Purpose:</u> To alter the existing fee structure for City owned parking ramps and lots where there is an hourly fee rate.

<u>Background:</u> Over the years the City of La Crosse has used several models of fee structures to use City owned parking structures and/or lots. Based on internal documents, it appears the fee structure came into place January 1, 2000. Since that time the rates have varied but there always has been a set amount of time that was "Free" to the user. Documents show that it has varied from 2 hours to 4 hours to our current 3 hours "Free". The last adjustment to the hourly use fee structure occurred in 2018.

The method of collecting the fees have also altered over the years. We have had coin operated parking meters, pay station gates and now currently operate on mobile applications for smart phones and electronic kiosks. With the current method of collection, there is a "Per transaction" fee that goes to a 3<sup>rd</sup> party vendor that supports the mobile payment application and a monthly service fee that goes to a different 3<sup>rd</sup> party vendor. Those fees are as follows: \$0.33 per transaction on the mobile application and \$1300.00 per month service fees for kiosks in the ramps.

The City's current parking fee rate is:

- Monday-Friday 6am to 6pm First 3 hours free & then \$1 per hour every hour after that \$8 max for a day.
- Monday-Friday 6pm to 6am Free
- All weekends Free

Over the years, the Parking Utility has fielded complaints of inconsistent, ever changing rates in our parking ramp; thus making things complicated and hard to understand.

<u>Fiscal Impact:</u> With the move to current payment method, it is currently costing the City of La Crosse \$0.33 per mobile transaction even when the individual is only in the ramp/lot for the 3-hour free parking. In general, we are averaging over 3500 mobile applications per month for the free 3-hour parking. This ultimately is costing the City approximately \$1155.00 per month or \$13,860.00 per year to allow people to park in the ramps for free. Additionally, the 3-hours of free parking does not help offset any of the monthly service fees for the kiosk for those who use the kiosk for the free 3-hours.

<u>Staff Recommendation:</u> In preparation for this, staff conducted a review of other communities that are situated similarly as La Crosse (City's that own parking structures/lots and are not privatized). Please see the table:

Leaders in providing a safe and vibrant community.

<u>CITY</u>	CITY OWNED RAMPS/LOTS	<b>HOURLY RATE</b>	FREE PARKING
Rochester, MN (124,321)	7	\$2/hr	N/A
Eau Claire, WI (70,129)	2	\$0.50/hr	N/A
Janesville, WI (66,023)	23 Surface Lots		Yes
Appleton, WI (76,248)	4	\$2 < 3 hours	N/A
Waukesha, WI (71,246)	2	\$2/hr	< 2 hours free
St. Cloud, MN (69,489)	5	\$1/hr	weeknights after 5pm +weekends
Racine, WI (77,608)	4	\$2/day	N/A
Oshkosh, WI (66,962)	18 Surface Lots	Permits Only	2 hour visitor in select lots
Madison, WI (501,000)	6	\$1-2/hr 24/7	N/A
La Crosse, WI (52,952)	5	3 Hours free, then \$1/hr	Weeknights 6pm-6am + weekends
Green Bay, WI (108,063)	3	\$0.85/hr	First 15 min. Weeknight + weekends
East Lansing, MI (46,854)	7	\$1/half hr	N/A

It is staff's recommendation that the City of La Crosse move to Monday – Friday 6am to 6pm \$1/per hour for the entire time while retaining the \$8.00/day max fee, Monday – Friday 6pm to 6am timeframe being free and the free weekends.

### The justification is 4-fold:

- 1. It brings us more in line with other Cities.
- 2. By changing to a \$1/hour now, our rates would likely not need to be revisited for a significant period of time.
- 3. \$1/hour across the board is an extremely simple fee structure for users.
- 4. This removes the cost burden imposed on the City of La Crosse of the "3-hours free".

If this fee schedule is approved, the Parking Utility would begin working with our 3<sup>rd</sup> party vendors to make the needed changes to existing infrastructure, engage in public information and update all signage. An anticipated implementation date would be early in the first quarter of 2023.

07.13.23

### AGREEMENT AND ACKNOWLEDGMENT

(Northern States Power Warehouse Parking Lot and Parking Ramp)

This Agreement and Acknowledgment (Northern States Power Warehouse Parking Lot and Parking Ramp), (the "Agreement") is entered into by and between the **City of La Crosse**, a Wisconsin municipal corporation, (the "**City**"), and **Riverside Center Maintenance**, **LLC**, a Wisconsin limited liability company, ("**Riverside**").

Whereas, the City of La Crosse Common Council adopted Res. No. 2010-04-058 on April 27, 2010, which approved the Agreement to Purchase Upon Completion (Northern States Power Warehouse Parking Lot and Parking Ramp) between the City of La Crosse and Riverside Center III, LLC (the "Parking Agreement").

This space is reserved for recording data

Return to

City Attorney
400 La Crosse Street
La Crosse WI 54601

Parcel Identification Number/Tax Key Number
17-20026-080

Whereas, the Parking Agreement required Riverside Center III, LLC to sell certain real property after the construction of a parking ramp to the City. The real property is described further in the attached **Exhibit A**.

Whereas, the Parking Agreement also required Riverside Center III, LLC to continue to insure and maintain the parking ramp after conveyance as well required the City to not charge for parking, under certain circumstances, for a period of thirteen (13) years.

Whereas, the Common Council adopted Res. No. 2010-05-064 on May 13, 2010, which approved the First Amendment to the Agreement to Purchase Upon Completion (Northern State Power Warehouse Parking Lot and Parking Ramp) between the City of La Crosse and Riverside Center III, LLC (the "Parking Amendment").

Whereas, the Parking Amendment removed the City's ability to charge for parking in the parking ramp after the passage of thirteen (13) years, among other things.

Whereas, Riverside Center III, LLC assigned its rights and obligations relating to insuring and maintaining the parking ramp to Riverside in 2016 and Riverside Center III, LLC was subsequently dissolved.

Whereas, the City has received a communication on May 2, 2023 from the Weber Group, on behalf of Riverside, indicating that it no longer desires to insure or maintain the parking ramp and that it is terminating it maintenance obligations effective June 1, 2023.

Whereas, the City also desires and agrees to end Riverside's obligations relating to the parking ramp.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, it is agreed as follows:

- 1. **Acknowledgment**. Effective June 1, 2023, the City and Riverside agree that each party as fully performed its duties and obligations under the Parking Agreement and Parking Amendment and that no further duty to perform exists. More specifically, the City acknowledges that Riverside has fully performed its duties and obligations, including, without limitation, its duty to insure and maintain the parking ramp and no further duty or obligation exists effective June 1, 2023. Likewise, Riverside acknowledges that the City has fully performed its duties and obligations, including, without limitation, not charging for parking within the parking ramp and no further duty or obligation exists effective June 1, 2023. Both the City and Riverside agree that the Parking Agreement and Parking Amendment have terminated on June 1, 2023.
- 2. **Miscellaneous**. This Agreement shall inure to the benefit of and will be binding upon the parties hereto and their respective successors and assigns. This Agreement will be governed by and construed in accordance with the laws of Wisconsin. The Agreement may be executed in one or more counterparts, all of which shall be taken together to constitute but one and the same instrument and will be binding upon each party who may sign a counterpart of this Agreement. This Agreement will not be construed more strictly against one party than against the other, merely by the fact that it may have been drafted or prepared by counsel for one of the parties, it being recognized that both parties have contributed substantially and materially to the preparation of the Agreement. Any amendments or alterations to this Agreement shall be made in writing. No statement, promise, representation or inducement relating hereto that is not a part of this Agreement shall be binding upon the parties.
- 3. **Authority to Sign**. The persons signing this Agreement on behalf of Riverside certifies and attests that Riverside's respective Articles of Organization, Articles of Incorporation, By Laws, Member's Agreement, Charter, Partnership Agreement, Corporate or other Resolutions and/or other related documents give full and complete authority to bind Riverside, on whose behalf the person is executing this Agreement.

\*\*\*

In witness hereof, the parties have executed this Agreement:

Dated this	_ day of	, 2023.	Dated this	_ day of	, 2023.
RIVERSIDE C	ENTER MAINTENAN	ICE, LLC	CITY OF LA CF	ROSSE, WISCONSIN	
By: Donald J. V	Veber, Manager		By:Mitch Reyr	nolds, Mayor	
	d sworn to before me , 2023.		Subscribed and	n, City Clerk I sworn to before me t	
•	State of Wisconsin n:		Notary Public, S	State of Wisconsin	_

### **EXHIBIT A**

Lots 10, 11, 12, 13 and 14 in Block 5 of C. & F.J. Dunn, H.L. Dousman & peter Cameron's Addition to the Town of La Crosse, now City of La Crosse, La Crosse County, Wisconsin.

424 2<sup>nd</sup> Street South, Tax Parcel No.: 17-20026-080

Resolution approving Agreement and Acknowledgement between Riverside Center III, LLC and the City of La Crosse regarding the parking ramp.

### RESOLUTION

BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby approves the Agreement and Acknowledgement between Riverside Center III, LLC and the City of La Crosse.

BE IT FURTHER RESOLVED that the Mayor and City staff are hereby authorized to execute said agreement.

BE IT FURTHER RESOLVED that City staff is hereby directed to take any and all steps necessary to effectuate this resolution.

I, Nikki M. Elsen, certify that this resolution was duly and officially adopted by the Common Council of the City of La Crosse on August 10, 2023.

Nikki M. Elsen, WCMC, City Clerk

Mr. M Eun

City of La Crosse, Wisconsin

### CONTRACT CHANGE ORDER

No. <u>4</u>

Date 8-9-23

Contract No. <u>PRKS-2023-015</u> for the following public work: <u>Riverside South Toilet Rooms Project</u> between <u>Fowler & Hammer, Inc.</u> and the City of La Crosse, dated <u>March 2, 2023</u>, is hereby changed in the following particulars, to-wit:

The following specific work is hereby eliminated from such contract:

None

\$ 0.00

The following specific work is hereby added to such contract:

Substitute standing seam metal roof for shingle roof

\$ 35,301.18

By virtue of such changes in the contract, the following revisions shall be made in the contract price:

Fowler & Hammer, Inc.
NAME OF CONTRACTOR

**CONTRACTOR SIGNATURE** 

**BOARD OF PUBLIC WORKS** 

I HEREBY CERTIFY that there are sufficient funds in the treasury to meet the liability assumed by the foregoing addenda to contract, or that provision has been made to pay the liability that will accrue thereunder. (WS 62.15-12; 62.09-10-f)

Docusigned by:

David Tausdur

EE923CC8B4BC443...

Docusigned by:

Chadwick Hawkins

Budget Analyst

A93F306A40954A6... Controller

### CONTRACT CHANGE ORDER

No. <u>3</u>

Date 7-20-23

Contract No. <u>PRKS-2023-015</u> for the following public work: <u>Riverside South Toilet Rooms Project</u> between <u>Fowler & Hammer, Inc.</u> and the City of La Crosse, dated <u>March 2, 2023</u>, is hereby changed in the following particulars, to-wit:

The following specific work is hereby eliminated from such contract:

None

\$ 0.00

The following specific work is hereby added to such contract:

Substitute tile for epoxy paint wall finishing

\$ 23,716.44

By virtue of such changes in the contract, the following revisions shall be made in the contract price:

Contract Price ------<u>\$ 614,565.00</u>

Contract price decreased by eliminations -----\$ 0.00

Net Deductions or Additions (Strike out one) -----\$ 23,716.44

Revised Contract Price ------\$ 638,281.44

Fowler & Hammer, Inc.
NAME OF CONTRACTOR

CONTRACTOR SIGNATURE

**BOARD OF PUBLIC WORKS** 

I HEREBY CERTIFY that there are sufficient funds in the treasury to meet the liability assumed by the foregoing addenda to contract, or that provision has been made to pay the liability that will accrue thereunder. (WS 62.15-12; 62.09-10-f)

DocuSigned by:

Vavid Tauscher -EE923CC8B4BC443...

**Budget Analyst** 

-- DocuSigned by:

Chadwick Hawkins

-A93F306A40954A6..

Controller