Contractor's Application For Payment No. 21

To (Owner): City of Cumberland	Application Period: 9/2/16 - 9/29/16	Application Date: 9/29/2016
Project: Cumberland Wastewater Treatment Facilty Upgrades	From (Contractor): Magney Construction	Notice to Proceed Date: 2/13/15
	Contract:	Via (Engineer) Bill Chang, PE
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.: 8109016

Application for Payment

Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
1 thru 7		$ 25,343.00
8 thru 12		$ (47,811.00)
13		$ 153,000.00
14		$ 16,420.00
15		$ 8,733.00
16		$ 33,169.00
TOTALS	$0.00	$ 188,854.00
NET CHANGE BY CHANGE ORDERS		$ 188,854.00

1. ORIGINAL CONTRACT PRICE	$	6,641,600.00
2. Net change by Change Orders	$	188,854.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	$	6,830,454.00
4. TOTAL COMPLETED AND STORED TO DATE (Column G on Progress Estimate)	$	6,773,177.60
5. RETAINAGE:		
a. __2.5__ % Work Completed	$	169,329.44
b. __2.5__ % Stored Material	$	0.00
c. Total Retainage (Line 5a + Line 5b)	$	169,329.44
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	$	6,603,848.16
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	$	6,390,871.82
8. AMOUNT DUE THIS APPLICATION	$	212,976.34
9. BALANCE TO FINISH, PLUS RETAINAGE (Column I on Progress Estimate + Line 5 above)	$	226,605.84

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [signature] Date: 9/29/16

Payment of: $ 212,976.34
(Line 8 or other - attach explanation of other

is recommended by: _____ _____
(Engineer) (Date)

Payment of: $ 212,976.34
(Line 8 or other - attach explanation of other

is approved by: _____ _____
(Owner) (Date)

Approved by: _____
Funding Agency (if applicable) (Date)

Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America and the Construction Specifications Institute.

Magney Construction, Inc.
Schedule of Values:

Cumberland Wastewater Treatment Facility

Application No. 21

Date of Application: 9/29/2016
Work Complete Through: 9/29/2016

Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
006113	Bonding & Insurance	$99,500	$99,500	$0	$0	$99,500	100%	$0
013500	Mobilization & General Conditions	$295,200	$295,200	$0	$0	$295,200	100%	$0
014000	Allowances - Dewatering	$35,000	$10,194	$0	$0	$10,194	29%	$24,806
015000	Temporary Facilites/Trailers	$24,000	$24,000	$0	$0	$24,000	100%	$0
024119	Selective Demolition - Site	$9,400	$9,400	$0	$0	$9,400	100%	$0
024120	Selective Demolition - Headworks Building	$52,500	$52,500	$0	$0	$52,500	100%	$0
024121	Selective Demolition - Digestor Complex	$76,700	$76,700	$0	$0	$76,700	100%	$0
025613	Polyethylene Geomembrane Liner	$36,600	$36,600	$0	$0	$36,600	100%	$0
026500	Underground Tank Removal	$6,300	$6,300	$0	$0	$6,300	100%	$0
032000	Concrete Reinforcement	$117,200	$117,200	$0	$0	$117,200	100%	$0
033001	Concrete Work - MBR Building	$359,300	$359,300	$0	$0	$359,300	100%	$0
033002	Concrete Work - Dump Station/Septage Receiving	$74,200	$74,200	$0	$0	$74,200	100%	$0
033003	Concrete Work - Headworks	$8,800	$8,800	$0	$0	$8,800	100%	$0
033001	Concrete Work - Digester Complex	$9,200	$9,200	$0	$0	$9,200	100%	$0
033516	Heavy Duty Concrete Floor Finishing	$7,100	$5,680	$1,420	$0	$7,100	100%	$0
034133	Precast Structural Concrete	$24,200	$24,200	$0	$0	$24,200	100%	$0
036423	Epoxy Grout Injection Crack Repair	$4,100	$4,100	$0	$0	$4,100	100%	$0
042200	Masonry Work	$155,200	$155,200	$0	$0	$155,200	100%	$0
055000	Miscellaneous Metals	$185,400	$182,850	$2,550	$0	$185,400	100%	$0
061000	Rough Carpentry	$13,200	$13,200	$0	$0	$13,200	100%	$0
071300	Sheet Waterproofing	$21,500	$21,500	$0	$0	$21,500	100%	$0
072113	Board Insulation	$5,300	$5,300	$0	$0	$5,300	100%	$0
072726	Air Vapor Barrier	$12,500	$12,500	$0	$0	$12,500	100%	$0
075324	EPDM Membrane Roofing	$29,400	$29,400	$0	$0	$29,400	100%	$0
	Roof Patches at Headworks and Digester	$9,800	$9,800	$0	$0	$9,800	100%	$0
076200	Sheet Metal Flashings and Trim	$4,600	$4,600	$0	$0	$4,600	100%	$0
079200	Joint Sealants	$14,900	$8,940	$5,960	$0	$14,900	100%	$0
081000	Doors, Frames & Hardware (FRP & HM)	$43,500	$43,500	$0	$0	$43,500	100%	$0
083323	Overhead Coiling Doors	$16,400	$15,580	$820	$0	$16,400	100%	$0
083459	Vault Doors	$11,300	$11,300	$0	$0	$11,300	100%	$0
085113	Aluminum Windows	$7,400	$5,550	$1,850	$0	$7,400	100%	$0
088100	Glass & Glazing	$900	$900	$0	$0	$900	100%	$0
092900	Gypsum Board & Framing	$16,700	$16,700	$0	$0	$16,700	100%	$0
093013	Ceramic Tile	$1,700	$1,700	$0	$0	$1,700	100%	$0
095100	Acoustical Ceilings	$5,600	$5,600	$0	$0	$5,600	100%	$0
096516	Resilient Flooring and Base	$5,300	$5,300	$0	$0	$5,300	100%	$0
096813	Tile Carpeting	$2,200	$2,200	$0	$0	$2,200	100%	$0
097760	FRP Panels	$6,900	$6,900	$0	$0	$6,900	100%	$0
099600	High Performance Coatings and Special Coatings	$246,100	$243,639	$0	$0	$243,639	99%	$2,461
101400	Signage	$700	$350	$0	$0	$350	50%	$350
102813	Toilet Accessories	$800	$800	$0	$0	$800	100%	$0

Magney Construction, Inc.
Schedule of Values: **Cumberland Wastewater Treatment Facility**

Application No. 21

Date of Application: 9/29/2016
Work Complete Through: 9/29/2016

Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
104416	Fire Extinguishers	$600	$600	$0	$0	$600	100%	$0
133420	Pre-Engineered Pole Building	$122,800	$122,800	$0	$0	$122,800	100%	$0
220000	Plumbing	$60,500	$58,500	$2,000	$0	$60,500	100%	$0
230000	HVAC	$351,200	$347,688	$3,512	$0	$351,200	100%	$0
260500	Electrical	$1,363,100	$1,354,921	$8,179	$0	$1,363,100	100%	$0
312316	Excavation, Backfill and Grading	$199,900	$198,701	$1,199	$0	$199,900	100%	$0
312500	Erosion and Sediment Controls	$11,500	$11,014	$486	$0	$11,500	100%	$0
321123	Aggregate Base Course	$45,700	$45,700	$0	$0	$45,700	100%	$0
321216	Asphaltic Concrete Paving	$53,800	$53,800	$0	$0	$53,800	100%	$0
321310	Concrete Walks	$9,600	$8,829	$771	$0	$9,600	100%	$0
323113	Chain Link Fencing	$34,300	$34,300	$0	$0	$34,300	100%	$0
329219	Seeding	$11,500	$11,500	$0	$0	$11,500	100%	$0
330505	Site Utilities	$299,700	$299,700	$0	$0	$299,700	100%	$0
334723	Equalization Basin Construction	$48,400	$48,400	$0	$0	$48,400	100%	$0
402336	Wastewater Process Piping Systems	$338,200	$338,200	$0	$0	$338,200	100%	$0
412213	Portable Davit Crane	$1,600	$1,600	$0	$0	$1,600	100%	$0
412223	Hoist	$3,500	$3,500	$0	$0	$3,500	100%	$0
444219	Positive Displacement Blowers	$64,200	$64,200	$0	$0	$64,200	100%	$0
444223	FRP Covers	$106,400	$106,400	$0	$0	$106,400	100%	$0
444239.1	Grit Removal Equipment	$46,900	$46,900	$0	$0	$46,900	100%	$0
444239.2	Vortex Torque Flow Grit Pumps	$21,200	$21,200	$0	$0	$21,200	100%	$0
444240	Jet Aeration Equipment	$46,500	$46,500	$0	$0	$46,500	100%	$0
444256	Dry Pit Submersible Pumps	$90,600	$90,600	$0	$0	$90,600	100%	$0
444276	Wastewater Process Valves and Accessories	$76,500	$76,500	$0	$0	$76,500	100%	$0
444276.1	Stop Gates	$6,800	$6,800	$0	$0	$6,800	100%	$0
444276.2	Weir Plates & Guides	$2,400	$2,400	$0	$0	$2,400	100%	$0
444650	Tank Cleaning	$25,700	$25,700	$0	$0	$25,700	100%	$0
445000	Ovivo Package	$1,112,400	$1,112,400	$0	$0	$1,112,400	100%	$0
445001	Installation Labor - Ovivo Package	$29,500	$29,500	$0	$0	$29,500	100%	$0
CO#1	Change Exterior Pipe to C900	($23,800)	($23,800)	$0	$0	($23,800)	100%	$0
CO#1	Change Wire from Copper to Amuninum	($18,000)	($18,000)	$0	$0	($18,000)	100%	$0
CO#1	Installation of Electric Gate	$13,000	$11,000	$0	$0	$11,000	85%	$2,000
CO#1	Delete Software in Division 26	($12,000)	($12,000)	$0	$0	($12,000)	100%	$0
CO#1	Change Sierra Gas Monitor to AIT (Div 26)	($3,500)	($3,500)	$0	$0	($3,500)	100%	$0
CO#1	Move Septage Station and delete manhole	($4,575)	($4,575)	$0	$0	($4,575)	100%	$0
CO#1	Reduce size of equalization basin by 25%	($15,200)	($15,200)	$0	$0	($15,200)	100%	$0
CO#1	Change Special Coatings System 09 97 23	($64,800)	($64,152)	$0	$0	($64,152)	99%	($648)
CO#1	Replace specified Pressurized Water System	($13,700)	($13,700)	$0	$0	($13,700)	100%	$0
CO#1	Delete installation of repeater at the water tower	($4,000)	($4,000)	$0	$0	($4,000)	100%	$0
CO#1	Add Plant Water System 44 42 56.16	$75,000	$75,000	$0	$0	$75,000	100%	$0
CO#1	Add Plant Pump Station 44 42 56.18	$60,000	$60,000	$0	$0	$60,000	100%	$0
CO#2	Move Septage Station and delete manhole Cor 16	$3,370	$3,370	$0	$0	$3,370	100%	$0

Magney Construction, Inc.
Schedule of Values:

Cumberland Wastewater Treatment Facility

Application No. 21

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Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
CO#2	Relocate salvaged light fixture Cor 34	$989	$989	$0	$0	$989	100%	$0
CO#2	Change grit pump motor PR 4 Cor 36	$1,002	$1,002	$0	$0	$1,002	100%	$0
CO#2	Replace digester sample line and valves PR 1 Cor 42	$2,000	$2,000	$0	$0	$2,000	100%	$0
CO#2	Add two auto air release valves in digester PR 11 Cor 47	$3,683	$3,683	$0	$0	$3,683	100%	$0
CO#2	Add brick façade to MBR Building PR 2R Cor 51	$11,587	$11,587	$0	$0	$11,587	100%	$0
CO#2	Revise blower layout PR 5 Cor 56	$677	$677	$0	$0	$677	100%	$0
CO#2	Change service ground at MBR Building Cor 64	$1,753	$1,753	$0	$0	$1,753	100%	$0
CO#3	Revise plant water system PR 8 Cor 38	$22,975	$22,975	$0	$0	$22,975	100%	$0
CO#3	Delete plant water pump station PR 9 Cor 38	($60,000)	($60,000)	$0	$0	($60,000)	100%	$0
CO#3	Revise yard piping 6" effluent PR 7R Cor 46	$400	$400	$0	$0	$400	100%	$0
CO#3	Revise site fence location PR 7R Cor 55	($2,100)	($2,100)	$0	$0	($2,100)	100%	$0
CO#3	Revise trolley beam and hoist Option 1 PR 12 Cor 59	$5,958	$5,958	$0	$0	$5,958	100%	$0
CO#3	Jet aeration equipment piping change PR 6 Cor 61	$5,823	$5,823	$0	$0	$5,823	100%	$0
CO#4	Add plumbing roof drains PR 3 Cor 57	$17,100	$17,100	$0	$0	$17,100	100%	$0
CO#4	Delete Hydronic Heating Systems A&B PR 18R Cor 69	($17,715)	($17,715)	$0	$0	($17,715)	100%	$0
CO#4	Add gas service for site PR 17 Cor 81	$21,661	$21,661	$0	$0	$21,661	100%	$0
CO#4	Add heaters in MBR Building PR 19 Cor 84	$8,996	$8,996	$0	$0	$8,996	100%	$0
CO#4	Delete Pipe Insulation PR 20 Cor 85	($2,730)	($2,730)	$0	$0	($2,730)	100%	$0
CO#4	Add gas piping inside MBR Building PR 23 B Cor 88	$6,427	$6,427	$0	$0	$6,427	100%	$0
CO#4	Elec panel changes for generator in MBR PR 24 Cor 89	($1,896)	($1,896)	$0	$0	($1,896)	100%	$0
CO#4	Motor disconnectsfor process and HVAC Equip PR 25 Cor 90	($3,219)	($3,219)	$0	$0	($3,219)	100%	$0
CO#5	Change motor starter in VFD MCC-1	$9,587	$9,587	$0	$0	$9,587	100%	$0
CO#6	Add controls for screen compactor	$6,934	$6,934	$0	$0	$6,934	100%	$0
CO#7	Delete site fencing	($6,344)	($6,344)	$0	$0	($6,344)	100%	$0
CO#8	Replace existing Hydrocyclone PR 26 Cor 91	$24,032	$24,032	$0	$0	$24,032	100%	$0
CO#8	Add wall hydrant to MBR, Delete fire hose connection PR 27	$4,757	$4,757	$0	$0	$4,757	100%	$0
CO#9	Change screen piping PR 10 Cor 53	($591)	($591)	$0	$0	($591)	100%	$0
CO#9	Add drain for screen PR 33 Cor 53	$1,483	$1,483	$0	$0	$1,483	100%	$0
CO#9	Delete floor drain in grit room PR 32 Cor 112	($853)	($853)	$0	$0	($853)	100%	$0
CO#9	Delete tile work from toilet room PR 35 Cor 115	($1,725)	($1,725)	$0	$0	($1,725)	100%	$0
CO#9	Delete ceiling sound insulation PR 36 Cor 116	($983)	($983)	$0	$0	($983)	100%	$0
CO#10	Revise Davit Crane bases Cor 119	$957	$957	$0	$0	$957	100%	$0
CO#11	Custom fabricate fine screen hopper PR 34C Cor 53	$3,456	$3,456	$0	$0	$3,456	100%	$0
CO#12	Delete bituminous paving and class five PR 40 Cor 137	($81,866)	($81,866)	$0	$0	($81,866)	100%	$0
CO#12	Remove grit tank grating, replace piping PR 37.2 Cor122	$3,522	$3,522	$0	$0	$3,522	100%	$0
CO#13	Demolition of clarifiers, RBC's, and Blower Bldg	$153,000	$149,940	$3,060	$0	$153,000	100%	$0
CO#14	Infill floor hatch and remove handrail PR 46 Cor 37	$2,567	$2,567	$0	$0	$2,567	100%	$0
CO#14	Demo tunnel roof and install hatch PR 49.2 Cor 43	$12,571	$9,428	$3,143	$0	$12,571	100%	$0
CO#14	Tuckpointing Headworks Building PR 45 Cor 142	$1,282	$0	$0	$0	$0	0%	$1,282
CO#15	Add keypad at gate operator PR 38 Cor 123	$3,234	$0	$0	$0	$0	0%	$3,234
CO#15	Labor to clean influent pumps Cor 149	$1,659	$1,659	$0	$0	$1,659	100%	$0
CO#15	Add air release for four influent pumps PR 54 Cor 153	$1,617	$0	$1,617	$0	$1,617	100%	$0

Magney Construction, Inc.
Schedule of Values: **Cumberland Wastewater Treatment Facility**

Application No. 21

Date of Application: 9/29/2016
Work Complete Through: 9/29/2016

Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
CO#15	Rebuild owner supplied Cla-Val Cor 156	$2,223	$2,223	$0	$0	$2,223	100%	$0
CO#16	Install owner supplied check valves PR 44 Cor 141	$9,378	$0	$9,378	$0	$9,378	100%	$0
CO#16	Modify electrical for sludge storage mixer RFI 41 Cor 155	$23,791	$0	$0	$0	$0	0%	$23,791
	Totals	**$6,830,454**	**$6,727,233**	**$45,945**	**$0**	**$6,773,178**	**99%**	**$57,276**

REQUEST FOR PAYMENT

From: NORTHWEST BUILDERS, INC.
2063 17 1/2 AVENUE
RICE LAKE, WI 54868

To: Cumberland Wastewater Treatment Fac
950 1st Avenue
Cumberland, WI 54829

Invoice: 3090001
Draw: 1
Invoice date: 8/31/2016
Period ending date: 8/31/2016

Contract For:

Project: 16036
Cumberland WWTF

Contract date: 8/5/2016

Architect: Rice Lake Engineering

Scope: Cumberland Wastewater Treatment Facility New Maintenance Building

Request for payment:		
Original contract amount	$351,788.96	
Approved changes	$0.00	
Revised contract amount		$351,788.96
Contract completed to date		$16,217.00
Add-ons to date	$0.00	
Taxes to date	$0.00	
Less retainage	$3,243.40	
Total completed less retainage		$12,973.60
Less previous requests	$0.00	
Current request for payment		$12,973.60
Current billing		$16,217.00
Current additional charges	$0.00	
Current tax	$0.00	
Less current retainage	$3,243.40	
Current amount due		$12,973.60
Remaining contract to bill	$338,815.36	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of the accomplishment under the terms of the Contract (and all authorized changes thereof) between the undersigned and the Cumberland Wastewater Treatment Fac relating to the above referenced project. I also certify that the contractor has paid all amounts previously billed and paid by the owner.

CONTRACTOR: NORTHWEST BUILDERS, INC.

By: Victoria A. Berg for NWB

Date: August 31, 2016

State Of WI

County Of Barron

Subscribed and sworn to before me this 31st day of Aug, 2016

Notary Public Victoria A. Berg

My commission expires: Jan 3rd, 2020

REQUEST FOR PAYMENT DETAIL

Project: 16036 / Cumberland WWTF Invoice: 3090001 Draw: 1 Period Ending Date: 8/31/2016

Item ID	Description	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage Balance
1	General Conditions	31,394.76		16,217.00		16,217.00	51.66	15,177.76	3,243.40
2	Sitework	5,728.80						5,728.80	
3	Concrete	49,819.17						49,819.17	
4	Masonry	4,620.00						4,620.00	
5	Metals	5,832.75						5,832.75	
6	Carpentry	3,511.08						3,511.08	
7	Thermal & Moisture Protection	10,717.01						10,717.01	
8	Doors/Glass/Hardware	21,936.92						21,936.92	
9	Finishes	1,913.60						1,913.60	
10	Specialties	577.50						577.50	
13	Pre-Eng Steel Building	121,279.16						121,279.16	
15	Mechanical	57,747.69						57,747.69	
16	Electrical	36,710.52						36,710.52	
	Totals	351,788.96		16,217.00		16,217.00	4.61	335,571.96	3,243.40

Northwest Builders, Inc.

PHONE 715.234.7066
2063 17 1/2 Ave.
Rice Lake, Wisconsin 54868
FAX 715.234.9378

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

Dated: August 31, 2016

The Undersigned hereby acknowledges receipt of the sum of $ 12,973.60*
Draw #1

***Conditioned upon receipt and successful negotiation of the payment referenced herein.**

Check Only One

1) ☒ **As Partial Payment for labor, skill and material furnished for:**

2) ☐ **As Payment for all labor, skill and material furnished or to be furnished for: (Except the sum of $ _____ Retainage or Holdback).**

3) ☐ **As Full and Final Payment for all labor, skill and material furnished or to be furnished to the following described property:**

(Legal description, street address or project name)

City of Cumberland
Wastewater Treatment Facility
950 1st Avenue
Cumberland, WI 54829

And for value received hereby waives all rights acquired by the Undersigned to file or record Mechanic's Liens against said real property for labor, skill or material furnished to said real property (only for the amount paid if #1 is checked, and except for retainage shown if #2 is checked). The Undersigned affirms that all material furnished by the Undersigned has been paid for, and all subcontractors employed by the Undersigned have been paid in full, except:

Northwest Builders, Inc.

By Victoria A Berg

Title Business Manager

Address 2063 17½ Avenue
Rice Lake, WI 54868

Note: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

REQUEST FOR PAYMENT

From: NORTHWEST BUILDERS, INC.
2063 17 1/2 AVENUE
RICE LAKE, WI 54868

To: Cumberland Wastewater Treatment Fac
950 1st Avenue
Cumberland, WI 54829

Invoice: 3090002
Draw: 2
Invoice date: 9/29/2016
Period ending date: 9/29/2016

Contract For:

Project: 16036
Cumberland WWTF

Contract date: 8/5/2016

Architect: Rice Lake Engineering

Scope: Cumberland Wastewater Treatment Facility New Maintenance Building

Request for payment:	$351,788.96	
Original contract amount	$0.00	
Approved changes		$351,788.96
Revised contract amount		$45,170.11
Contract completed to date	$0.00	
Add-ons to date	$0.00	
Taxes to date	$3,243.40	
Less retainage		$41,926.71
Total completed less retainage	$12,973.60	
Less previous requests		$28,953.11
Current request for payment		$28,953.11
Current billing	$0.00	
Current additional charges	$0.00	
Current tax	$0.00	
Less current retainage		$28,953.11
Current amount due	$309,862.25	
Remaining contract to bill		

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of the accomplishment under the terms of the Contract (and all authorized changes thereof) between the undersigned and the Cumberland Wastewater Treatment Fac relating to the above referenced project. I also certify that the contractor has paid all amounts previously billed and paid by the owner.

CONTRACTOR: NORTHWEST BUILDERS, INC.

By: Victoria A Berg for NWB

Date: Sept 29, 2016

State Of WI

County Of Barron

Subscribed and sworn to before me this 29th day of Sept, 2016

Notary Public Victoria A Berg

My commission expires: Jan 3rd, 2020

REQUEST FOR PAYMENT DETAIL

Project: 16036 / Cumberland WWTF Invoice: 3090002 Draw: 2 Period Ending Date: 9/29/2016

Item ID	Description	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage Balance
1	General Conditions	31,394.76	16,217.00	4,189.59		20,406.59	65.00	10,988.17	3,243.40
2	Sitework	5,728.80		5,728.80		5,728.80	100.00		
3	Concrete	49,819.17		3,985.53		3,985.53	8.00	45,833.64	
4	Masonry	4,620.00						4,620.00	
5	Metals	5,832.75		3,499.65		3,499.65	60.00	2,333.10	
6	Carpentry	3,511.08						3,511.08	
7	Thermal & Moisture Protection	10,717.01						10,717.01	
8	Doors/Glass/Hardware	21,936.92						21,936.92	
9	Finishes	1,913.60						1,913.60	
10	Specialties	577.50						577.50	
13	Pre-Eng Steel Building	121,279.16						121,279.16	
15	Mechanical	57,747.69		11,549.54		11,549.54	20.00	46,198.15	
16	Electrical	36,710.52						36,710.52	
32	Change Order #2								
	Totals	351,788.96	16,217.00	28,953.11		45,170.11	12.84	306,618.85	3,243.40

Northwest Builders, Inc.

2063 17 1/2 Ave.
Rice Lake, Wisconsin 54868

PHONE 715.234.7066

FAX 715.234.9378

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

Dated: Sept 29, 2016

The Undersigned hereby acknowledges receipt of the sum of $ 28,953.11*
Draw #2

*Conditioned upon receipt and successful negotiation of the payment referenced herein.

Check Only One

1) ☒ As Partial Payment for labor, skill and material furnished for:

2) ☐ As Payment for all labor, skill and material furnished or to be furnished for:
(Except the sum of $ _____ Retainage or Holdback).

3) ☐ As Full and Final Payment for all labor, skill and material furnished or to be furnished to the following described property:

(Legal description, street address or project name)

City of Cumberland
Wastewater Treatment Facility
950 1st Avenue
Cumberland, WI 54829

And for value received hereby waives all rights acquired by the Undersigned to file or record Mechanic's Liens against said real property for labor, skill or material furnished to said real property (only for the amount paid if #1 is checked, and except for retainage shown if #2 is checked). The Undersigned affirms that all material furnished by the Undersigned has been paid for, and all subcontractors employed by the Undersigned have been paid in full, except:

Northwest Builders, Inc.

By Victoria A Berg

Title Business Manager

Address 2063 17½ Avenue
Rice Lake, WI 54868

Note: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

L.U. FOL

[Hide Letterhead] [Print] [Close]

Northwest Builders Inc.
www.nwbuildersinc.com
2063 17 1/2 Avenue, Rice Lake, WI 54868
715-234-7066 | 715-234-9378

'We acknowledge our success is reliant on the prosperity and growth of our clients.'

Fixed Price Change Proposal

9/9/2016

Keith Hardie
City of Cumberland
950 1st Ave
Cumberland, WI 54829

Re: Our Change Proposal 3110001-02 for **State approved building plans. No cost change.**

Project: 16-036 Cumberland WWTF Maintenance Building

Facility Name: City of Cumberland

Work Location: City of Cumberland, , Cumberland, WI 54829

This Proposal is for the Change referenced above and more particularly defined by the Scope of Work comprised of this Proposal, its Attachments, and other Contract Documents incorporated by reference.

Therefore, we propose to change the following:

State approved building plans Sept 8, 2016. No cost Change Order

Price:	**$ 0.00** *Zero Dollars and Zero Cents*
Time:	The duration of the Work to achieve Substantial Completion will be **UNCHANGED.**
Clarification(s):	None.
Expiration:	This Proposal shall remain open for 1 calendar day.
Attachment(s):	

- Contract Specifications

Please contact me at 715-234-7066 or via e-mail chrism@nwbuildersinc.com if you have any questions or require additional information.

Regards,
Northwest Builders Inc.

Chris Miejnek
President

ACCEPTANCE OF PROPOSAL

The Scope of Work described above supersedes any and all prior communication about this Change.

Client Signature: K. Hardie
City of Cumberland

Date: 9/12/16

COMMON COUNCIL
CITY OF CUMBERLAND
SEPTEMBER 6, 2016

The Common Council of the City of Cumberland met on Tuesday, September 6, 2016 at 7:00 pm for public hearings and regular meeting, at the Cumberland City Hall, 950 1st Avenue Ave.

Mayor Skinner called the meeting to order at 7:00 pm. The meeting was properly advertised and all interested parties were notified.

Those members present were Bents, Slayton, Bridger, Strickland, Schullo, Wallin, Goldsmith and Laursen. Others present were Chief Rick Rieper, Keith Hardie, Pete Van Sickle, Hope Vicich and other citizenry.

The pledge of allegiance was said.

Motion by Bridger, second by Bents, to approve the agenda as presented. Motion Carried.

Motion by Strickland, second by Bridger, to approve the August expenses from check # 35605 through check # 35820 in the amount of $261,584.30. Motion Carried.

Motion by Bents, second by Schullo, to approve the amended pay app #18 in the amount of $74,081.00, pay app #19 in the amount of $72,675.00 and pay app #20 in the amount of $208,824.49. Motion Carried.

Motion by Bridger, second by Schullo, to approve the minutes of the August 2, 2016 council meeting. Motion Carried.

Barry Ranallo commented that there are jobs in industry and to bring industry to Cumberland, the City needs to look at expanding the industrial park and making bigger lots. Chris Tornio added to Barry's comments that we need to encourage the thought process on industry and housing.

Motion by Wallin, second by Schullo, to approve the Operator's Licenses on file in the Clerk-Treasurer's Office for the licensing period of July 1, 2016 thru June 30, 2017. Motion Carried.

Motion by Schullo, second by Goldsmith, to approve the Transient Merchant Licenses on file in the Clerk-Treasurer's Office. Motion Carried.

Motion by Schullo, second by Wallin, to approve the Temporary Class "B" Picnic licenses for the Cumberland Woman's Club and Cumberland ETC as are on file in the Clerk-Treasurer's Office. Motion Carried with Strickland voting nay.

Mayor Skinner acknowledged that a Class II Notice was published in the Cumberland Advocate on August 24 and 31, 2016 per 17.72 (2) of the Municipal Code (MC) and that all parties of interest, per 17.72 (3) of the MC have been given notice of the subject hearing by mailings.

Mayor Skinner opened the public hearing at 7:07 pm and state that the purpose is to solicit comments on the issue to consider the approval of an application to rezone parcel #212-8025-10-000, a vacant lot located on 1st Avenue south of Seneca Foods and north of the Cumberland Veterinary Clinic, from General Industrial District MC 17.31 to General Commercial MC 17.29 for the purpose of constructing mini-warehouse units.

The Mayor opened the floor for public comment from those who signed up and then anyone else. Upon hearing no comment, the Mayor declared the public hearing closed at 7:09 pm.

Motion by Laursen, second by Goldsmith, to approve the application to rezone parcel #212-8025-10-000, a vacant lot located on 1st Avenue south of Seneca Foods and north of the Cumberland Veterinary Clinic, from General Industrial District MC 17.31 to General Commercial MC 17.29 for the purpose of constructing mini-warehouse units. Motion Carried.

Motion by Wallin, second by Bridger, to approve Ordinance 693 amending ordinance 12.10 Animal Control. Motion Carried.

Mayor Skinner acknowledged that a Class I Notice was published in the Cumberland Advocate on August 17, 2016 and that all parties of interest have been given notice of the subject hearing by mailings.

Mayor Skinner opened the public hearing at 7:10 p.m. and stated that the purpose is to solicit comments on the issue of authorizing public improvements and levying special assessments against benefitted property in the City of Cumberland on Lake Street from its intersection with 3rd Avenue to its intersection with Arcade Street, including the full width of the street to the center of the intersections and including curb, gutter, driveway approaches and sidewalks.

The Mayor opened the floor for public comment from those who signed up and then anyone else. Upon hearing no further comment, the Mayor declared the public hearing closed at 7:14 pm.

Motion by Bridger, second by Bents, to approve the Final Resolution authorizing improvement and levying special assessments against benefitted property on Lake Street. Motion Carried.

Motion by Schullo, second by Strickland, to approve the bid from DeSantis Excavation for the Lake Street project. Motion Carried.

Motion by Bridger, second by Wallin, to approve Ordinance 694 amending ordinance 10.03 Public Nuisances Affecting Health. Motion Carried.

Motion by Bents, second by Schullo, to approve the Agreement for Sewer Jet/Vac Televising Services on private sanitary mains in emergency situations only. Motion Carried.

Motion by Schullo, second by Bridger, to approve change order #15 for the Waste Water Treatment Plant Project. Motion Carried.

Motion by Schullo, second by Bents, to approve Resolution 16-9B for the Public Participation Procedures for the Update of the City of Cumberland Comprehensive Plan. Motion Carried.

Motion by Wallin, second by Strickland, to discontinue service with DCS Netlink and work with Tice Technologies as the City's IT provider on an hourly basis with no contract. Motion Carried.

Motion by Slayton, second by Bridger, to go into Closed Session pursuant to WI Sat 19.85 (1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Employment reviews for the Clerk-Treasurer, Chief of Police and Public Works/Zoning Director: Roll Call Vote of all yes. Motion Carried.

Motion by Schullo, second by Bents, to reconvene into open session. Motion Carried.

Committee reports were given.

Motion by Strickland, second by Bridger, to adjourn. Motion Carried.

Julie A. Kessler, Clerk-Treasurer

Detail for Operator's Licenses

1. James Dumke for Nezzy's

Detail for Peddlers, Solicitors and /or Transient Merchants

1. Sunset Valley Orchard – selling at Louie's – now thru October
2. HCE Club – Selling at Louie's Brat stand – October 7 & 8
3. Cumberland Baptist Church – selling at Louie's Brat stand – October 14 & 15

Temporary Class "B"/"Class B" Retailer's License

Planning Commission
September 13, 2016

Chair Skinner called the meeting to order at 4:00 pm. The meeting was properly advertised and all interested parties were notified.

Those members present were Skinner, Gannon, Flottum, Schroeder and Zappa. Absent were Goldsmith and Wiita. Others present were Keith Hardie, Julie Kessler, Pete Van Sickle, Barry Ranallo, Shay Horton, Becky Cifaldi, Ryan Streff and Brentt Michalek.

Motion by Gannon, second by Schroeder, to approve the minutes of the August 23, 2016 Planning Commission meeting. Motion Carried.

Skinner noted that today's meeting was published in the August 31, 2016 edition of the Cumberland Advocate and that all parties in interest have been noticed of this meeting by first class mail.

The first issue is to consider a petition to abandon the public access located and petitioned by parcels #212-111-02-000 and 212-8200-06-022.

Motion by Schroeder, second by Zappa, to approve abandoning the public access.

Hardie stated that the property is left over from an original road and was left for an easement to the lake. One of the neighbors is trying to sell his property and has been using this part of this property and would like to obtain it.

Van Sickle stated that the city has an easement on this property and only an easement. State statute says that it goes to the original owner but the city has nothing to do with that part of it, only the abandonment.

Roll Call vote of all yes. Motion Carried.

The second issue is to consider a request from Wisconsin Technology Networking LLC to place a 120 ft. networking pole on City street right-of-way.

Motion by Schroeder, second by Zappa, to approve the request from Wisconsin Technology Networking LLC to place a 120 foot networking pole on City street right-of-way.

Ryan Streff, Permitting Manager for Mobilitie, gave a presentation on the company and what they plan to do. They are a utility so different rules apply. Gannon questioned if we need to update the City right-of-way ordinance for this. Hardie responded we can do this with a licensing agreement but our ordinance probably needs updating as well. Discussion took place on the potential placement of the pole as it may interfere with Kwik Trips driveway location onto 8th Avenue. Alternate locations were discussed as well.

Motion by Schroeder, second by Gannon, to amend to consider alternate locations and work with the Public Works committee to complete an acceptable licensing agreement before approval by council. Motion carried on the amendment and original motion as amended.

The third item discussed was to consider how to proceed with the public participation with the 10 year review of City's Comprehensive Plan.

Discussion was held on having a public meeting, when, where and how to proceed. Kessler will work on setting this up.

Motion by Schroeder, second by Gannon, to adjourn. Motion Carried.

Julie A. Kessler, Clerk-Treasurer
City of Cumberland

Date: August 29, 2016

To: Cumberland City Planning Commission; (B. Skinner, G. Gannon, T. Goldsmith, P. Flottum, T. Schroeder, D. Zappa, C. Wiita)

From: Julie Kessler, Clerk-Treasurer

Re: Consider petition for abandonment of Public Access on Jeffery Avenue as per Wis. Stats. 66.1003
Consider request to place a telecommunication pole on Public Right of Way
Consider option for the Public Participation for the Comprehensive Plan update

Cumberland municipal code on line: http://www.municode.com

NOTICE

There will be a meeting of the Cumberland City Planning Commission on Tuesday September 13, 2016 at 4:00 pm at the Cumberland City Hall to consider the following agenda:

Consider the petition for abandonment of the public access located and petitioned by parcels 212-111-02-000 & 212-8200-06-022

Consider the request from Wisconsin Technology Networking LLC to place a 120 ft. networking pole on City street right-of- way.

Consider how to proceed with the public participation with the 10 year review of City's Comprehensive Plan.

Julie A. Kessler, Clerk-Treasurer
City of Cumberland
950 1st Avenue
Cumberland, WI 54829
715.822.2752/ Fax 715.822.3799
clerk@cityofcumberland.net
www.cityofcumberland.net

Posted: September 1, 2016

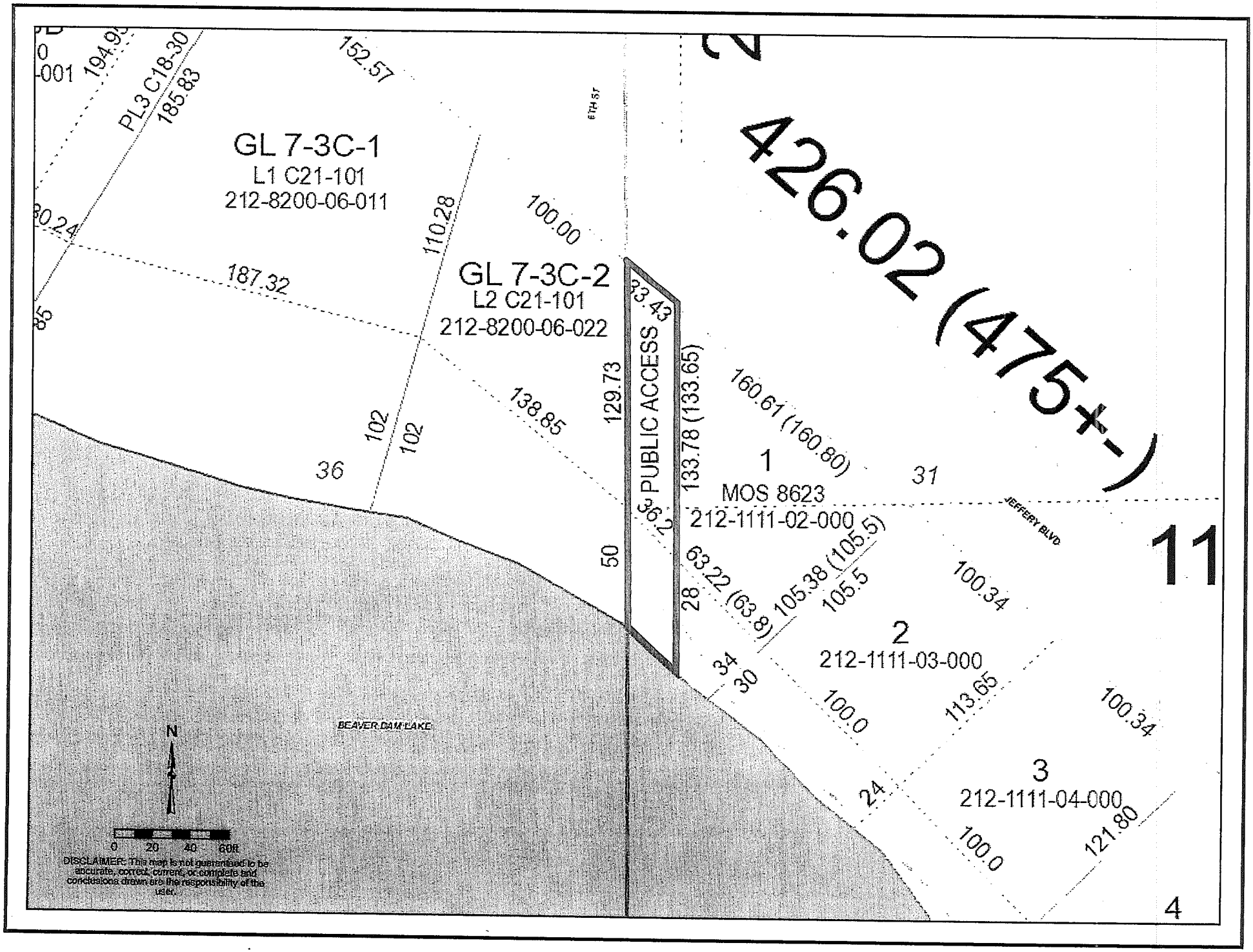
P.S. **In order to insure a commission member quorum, please advise City Hall if you cannot attend this meeting.**

PC: Keith Hardie, Zoning Admin.
Peter Van Sickle Attorney
Jim Heldstab, Bldg. Insp.,
Today's Date; August 29, 2016 **Advocate: Publish Class I Notice; August 31, 2016.**

Area Residents / Parties in Interest: David & Jane Nickell, Hugh Wisner, Gary & Joyce Kallsen, Fredrick & Lana Schiller , Timothy & Mary Defoe

Note: This memo is for notification purposes only. This Planning Commission meeting is not the forum for the requisite Public Hearing on the referenced rezoning issue which will be held by the Common Council on October 4, 2016 at 7:00 p.m. at the Cumberland City Hall.

PS: If any property owner in receipt of this notice knows of another property owner *within 100 feet of the proposed re-zoning boundaries* which has inadvertently been excluded from the above listing, please advise City Hall accordingly.


GL 7-3C-1
L1 C21-101
212-8200-06-011
GL 7-3C-2
L2 C21-101
212-8200-06-022
PL3 C18-30
185.83
194.9
152.57
110.28
100.00
187.32
138.85
129.73
102
102
36
50
33.43
PUBLIC ACCESS
133.78 (133.65)
160.61 (160.80)
1
MOS 8623
212-1111-02-000
31
JEFFERY BLVD
105.38 (105.5)
105.5
63.22 (63.8)
28
34
30
100.34
2
212-1111-03-000
100.0
113.65
100.34
3
212-1111-04-000
24
100.0
121.80
426.02 (475+-)
11
4
BEAVER DAM LAKE
N
0 20 40 60ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Ordinance 695

An Ordinance to Change 7.085 – All-Terrain Vehicles and Off-Road Motor Vehicle Operation.

The Common Council of the City of Cumberland do ordain as follows:

SECTION ONE. Section 7.085 of the Municipal Code of the City of Cumberland is hereby changed to read as follows.

7.085 - ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLE OPERATION. (Cr. #524; Am. #590)

(1) ADOPTION OF STATE ALL-TERRAIN VEHICLE LAWS. The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated subsections of § 23.33, Wis. Stats., and any future amendments or revisions, are adopted by reference and made part of this article as if fully set forth in this section. Any acts required to be performed by the following statutory subsections or which are prohibited by such statutory subsections are required to be performed by this section or are prohibited by this section:

§ 23.33(1) Definitions (including subsections (a) through (n)).

§ 23.33(2) Registration.

§ 23.33(3) Rules of operation (including subsections (a) through (i)).

§ 23.33(3g) Use of headgear.

§ 23.33(4) Operation on or near highway (including subsections (a) through (e)).

§ 23.33(4c) Intoxicated operation.

§ 23.33(4l) Implied consent.

§ 23.33(4x) Officer's action after arrest.

§ 23.33(5)(a), (c) Age restrictions.

§ 23.33(6) Equipment requirements (including subsections (a) through (e)).

§ 23.33(7) Accidents (including subsections (a) and (b)).

(2) UNAUTHORIZED OPERATION OF MOTOR VEHICLES.

(a) Findings.

1. The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands, including damage or destruction of vegetation, animal life and improvement to the lands;

2. The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution;

3. The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons.

4. The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

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

Unauthorized means without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.

Off-road means any location which is:

1. Not a paved or maintained public street or alley;
2. Not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
3. A private trail for use only by the owner or his permittee for recreational or other vehicular use.

Off-road shall not include any creek bed, riverbed or lake; provided, however, that this definition shall not apply to snowmobiles or other vehicles being operated on the ice covering such creek bed, riverbed or lake.

Operation means the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.

Motor vehicle means any vehicle which is self-propelled and shall include, but not be limited to, automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this section shall not be so defined while:

1. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites, provided that such operation is by persons having legitimate business on such lands or sites.
2. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
3. It is being operated by the holder of an easement or right of access on or over the land on which the operation is occurring or the holder's employee or agents.

(c) Unauthorized Off-Road Operation.

1. The unauthorized off-road operation of a motor vehicle is prohibited.
2. Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the common council, it shall be unlawful to operate any mini-bike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the city streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

(3) RULES OF OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLES. (Am. #602) In addition to § 23.33, Wis. Stats. as adopted in subsection (1), the following rules of operation apply:

(a) All operators born after 01/01/1988 must have a Department of Natural Resources All-Terrain Vehicle Safety Training Certificate.

(b) A helmet is required for all operators under the age of 18.

(c) No passengers are permitted at any time for operators under the age of 18.

(d) The towing of any vehicle or object is prohibited.

(e) It shall be unlawful for any operator to "block" traffic on a highway, road or intersection for the purpose of allowing other all-terrain vehicles or off-road motor vehicles to cross that highway, road or intersection.

(f) The speed limit on any designated route is 10 miles per hour. Any excess speed, display of power, or action which causes any of the vehicles' wheels to break contact with the ground is prohibited.

(g) All operators are required to stop for any law enforcement officer or law enforcement vehicle when directed to do so. Failure to stop will result in a minimum fine/forfeiture of $500 plus court costs.

(4) DESIGNATED ALL-TERRAIN VEHICLE ROUTE. These route(s) are created pursuant to City authority as authorized by Wis. Stats. § 23.33(8)(b). Further, Wis. Stats. § 23.33(11), authorizes the City to create ordinances to regulate all-terrain vehicles on trails and routes that are designated by the City.

(a) Access and Hours of Operation. (Am. #621)

1. Reserved.

2. The time of operation for designated all-terrain vehicle route(s) in the City of Cumberland shall be from 7:00 a.m. till 10:00 p.m. of each day. It shall be unlawful to operate an all-terrain vehicle outside the designated hours of operation. (Am. #602; #623)

3. This section strictly prohibits access to designated all-terrain vehicle route(s) by traversing any highway, roadway or alleyway from a resident's home to any point on the designated route(s).

4. All designated ATV routes will be closed Wednesday through Sunday of each August during the week of the Rutabaga Festival. (Cr. #608)

(b) Designated Route(s). (Am. #608) The following streets shall be designated as all-terrain vehicle route(s) within the City of Cumberland:

Route 1:

1. St. Anthony Street from 5th Avenue, west to 8th Avenue.

2. 8th Avenue from St. Anthony to Sorensen Street. (Am. #636)

3. Sorensen Street from 8th Avenue west to the cul-de-sac. (Cr. #636)

4. Berdan Street from 8th Avenue west to the City limits; and Industrial Avenue from Berdan Street south to the end of Industrial Avenue. (Cr. #636)

Route 2: (Ord. 689)

1. St. Anthony Street from 5th Avenue, east to 1st Avenue.

2. 1st Avenue north to Hwy 48 (Kwik Trip)

Route 3:

1. Washington Street from 1st Avenue, west to 3rd Avenue.

2. 3rd Avenue from Washington Street, north to a point 100 feet north of the north edge of Webb Street.

Route 4: (Ord. 687)

1. 8th Avenue to Hines Lakeview Drive

2. Hines Lakeview Drive to Robinson Street (Ord 687)

Route 5: (Ord 688)

1 Grove Street from 8th Avenue to 6th Avenue

2. 6th Avenue from Grove Street to Sorenson Street
3. Sorenson Street from Grove Street to Grove Street
4. Grove Street to the Municipal Parking Lot (Ord 688)

Route 6 (Ord 695)

1. Abby Road to Hines Lakeview Drive

Route 7 (Ord 695)

1. Jeffery Blvd to the trail on County Highway H

The city is closed to through traffic with access available to obtain fuel and lodging only on the route(s) designated above.

(c) Placement of Signs Indicating Route(s). (Cr. #608) ATV route(s) in the City of Cumberland must be properly marked in accordance with § 23.33(8)(e), Wis. Stats. Signs must be erected no sooner than the first day of the ATV operating season and must be removed immediately at the close of the operating season. When closed during the week of the Rutabaga Festival, all signs will be covered in a manner that will conceal their identity and purpose.

(5) PENALTIES. In addition to the penalties set forth in §23.33, Wis. Stats. any person who violates the provisions of this section shall be subject to a penalty as provided in § 25.04 of this Code.

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

PASSED, ADOPTED AND APPROVED this 4th day of October, 2016.

_____
Albert B Skinner, Jr., Mayor

Date Adopted:

Date Published:

Effective Date:

ATTEST:

These ordinances were passed by the Common Council of the City of Cumberland, Barron County, Wisconsin, at a duly noticed and convened regular meetings held on October 4, 2016.

_____
Julie A. Kessler, Clerk-Treasurer
City of Cumberland

BID TALLY

CUMBERLAND WASTEWATER IMPROVEMENTS
LIFT STATION NO. 2
CITY OF CUMBERLAND
BID DATE: 9/15/2016 @ 2:00 p.m.
PROJECT #08109010

MSA PROFESSIONAL SERVICES
More ideas. Better solutions.

CONTRACTOR	BID AMOUNT	ADDENDA 1 Received prior to 2 pm	BID BOND Signed & Included
Pember Companies, Inc.; Menomonie, WI	276,662.00	X	X
A-1 Excavating, Inc.; Bloomer, WI	264,080.00	X	X
McCabe Construction; Eau Claire, WI			
* DeSantis Excavating; Cumberland, WI	229,700.00	X	X
Haas Sons, Inc.; Thorp, WI	326,490.00	X	X
August Winters & Sons, Inc.; Appleton, WI			

40,000 SKATA System
24,000 Pumps

Change Order

No. 16

Date of Issuance: 9/13/2016 Effective Date:

Project:	Owner:	Owner's Contract No.:
Cumberland Wastewater Treatment	City of Cumberland, WI	
Contract:		Date of Contract:
Cumberland Wastewater Treatment Facility		January 7, 2015
Contractor:		Engineer's Project No.:
Magney Construction		8109016

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

See Attachment No. 1 for detailed description.

Attachments (list documents supporting change):

Attachment No 1

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: $ 6,641,600	Original Contract Times: ☐ Working days ☐ Calendar days Substantial completion (days or date): June 17, 2016 Ready for final payment (days or date): July 29, 2016
Increase from previously approved Change Orders 1-15 $155,685	Increase from previously approved Change Orders No. 1 to No. 15: Substantial completion (days or date): July 27, 2016 Ready for final payment (days): Sept 9, 2016
Contract Price prior to this Change Order: $6,797,285	Contract Times prior to this Change Order: Substantial completion (days or date): July 27, 2016 Ready for final payment (days): Sept 9, 2016
Increase of this Change Order: $42,547	Increase of this Change Order: Substantial completion (days or date): 0 Ready for final payment (days or date): 0
Contract Price incorporating this Change Order: $6,839,832	Contract Times with all approved Change Orders: Substantial completion (days or date): July 27, 2016 Ready for final payment (days): Sept 9, 2016

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _See attached letter of No Objection_____		Date: _____

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

Proposed Change Order No. 16
Cumberland WWTP Improvements
September 13, 2016

Item Number	PR NO	Description	Cost
1	44	Install three owner supplied check valves for digester recirculation pumps	$ 9,378
2	RFI 41	Electrical Work Connecting Mixers	$ 23,791
			$ 33,169

Note: See descriptions for each item on Page 3.

Previously approved change orders and the contract price

Change Order No.	Date	Add	(Deduct)	Contract Price	Total Add / Deduct
Original				$6,641,600	
1	3/3/2015		($11,575)	$6,630,025	$ (11,575)
2	7/7/2015	$25,062		$6,655,086	$ 13,486
3	7/13/2015		($26,944)	$6,628,142	$ (13,458)
4	8/31/2015	$28,624		$6,656,766	$ 15,166
5	11/10/2015	$9,587		$6,666,353	$ 24,753
6	11/20/2015	$6,934		$6,673,287	$ 31,687
7	11/20/2015		($6,344)	$6,666,943	$ 25,343
8	12/14/2015	$28,789		$6,695,732	$ 54,132
9	3/3/2016		($2,669)	$6,693,063	$ 51,463
10	3/30/2016	$957		$6,694,020	$ 52,420
11	5/10/2016	$3,456		$6,697,476	$ 55,876
12	6/13/2016		($78,344)	$6,619,132	$ (22,468)
13	7/5/16	$153,000		$6,772,132	$ 130,532
14	8/1/16	$16,420		$6,788,552	$ 146,952
15	8/12/16	$8,733		$6,797,285	$ 155,685
16	9/13/2016	$42,547		$6,839,832	$ 198,232

Descriptions of Items to be included in Change Order No. 16

1) Install three owner supplied check valves for digester recirculation pumps $ 9,378

The owner would Magney Construction to install three owner supplied check valves on the digester sludge pumps in the digester pump room. This will protect the pumps in the event that there is a cross connection between the pumps due to an open valve. It will also protect the accidental draining of the sludge tanks to the storage tanks in the event that the valves are left open.

2) Electrical Work Connecting Mixers $ 23,791

The electrical mixers in the sludge storage tank were left out of the new electrical system. These mixers are important for mixing the tank in the spring before the load out to the farm fields for land application. This will add the mixers to the new SCADA control system and allow the operators greater control over the mixing frequency.

CUMBERLAND SCHOOL DISTRICT

September 15, 2016

Barry Rose
District Administrator
1010 8th Avenue
Cumberland, WI 54829
(715) 822-5124 - phone
(715) 822-5136 - fax
E-mail: brose@csdmail.com

James Richie
Elementary School Principal
1530 2nd Avenue
Cumberland, WI 54829
(715) 822-5123 - phone
(715) 822-5135 - fax
E-mail: jrich@csdmail.com

Colin Green
Middle School Principal
980 8th Avenue
Cumberland, WI 54829
(715) 822-5122 - phone
(715) 822-5132 - fax
E-mail: cgree@csdmail.com

Ritchie Narges
High School Principal
1000 8th Avenue
Cumberland, WI 54829
(715) 822-5121 - phone
(715) 822-5138 - fax
E-mail: rnarg@csdmail.com

MISSION STATEMENT
The mission of the Cumberland School District is to provide a well-rounded education that incorporates the highest standards and develops citizens with skills for life-long learning

Cumberland School District is an equal opportunity employer.

Visit our website at www.cumberland.k12.wi.us

City of Cumberland
Keith Hardie, Public Works Director
950 1st Avenue
Cumberland, WI 54829

RE: Islander Park Long-Term Operation Plan
Request for Proposal

Dear Mr. Hardie and City of Cumberland:

This letter will serve as notification and timely response to the City of Cumberland's request for proposal in reference to Islander Park Long-Term Operation Plan, released on August 23, 2016.

Documentation included in this correspondence is as follows:

- Completed section 3.1 Scope of Work Objectives
- Exhibit #1: Offer to Purchase
- Exhibit #2: Cumberland School District Facility Use Application

The Cumberland School District truly believes that ongoing educational opportunities are essential for continued individual learning and community growth. The Cumberland School District will continue to be an integral partner as we move forward in providing quality educational opportunities to make a difference in the lives of our students, citizens and community.

Thank you for your time and consideration in this matter. Please feel free to contact me with any questions at 715-822-5124, cell 715-419-2782 or email brose@csdmail.com

Sincerely,

Barry A. Rose, Ed. D.
Superintendent of Schools

Enclosures

REQUEST FOR PROPOSAL

ISLANDER PARK LONGTERM OPERATION PLAN

CITY OF CUMBERLAND

950 1st Avenue, Cumberland, WI 54829

Keith Hardie, Public Works Director

8/10/2016

REQUEST FOR PROPOSALS

ISLANDER PARK AGREEMENT AND OPERATION PLAN

Table of Contents

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General Information1

Section 2 2

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Scope of Work

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SECTION 1. GENERAL INFORMATION

1.1 TIME AND PLACE FOR SUBMITTAL OF PROPOSAL

The proposal must be submitted no later than 4 p.m. local time on September 15,2016 ,to the Public Works office of the City of Cumberland 950 1st Avenue Cumberland Wisconsin 54829,for the propose of creating an Islander Park agreement and operation plan for the City.

DEFINITIONS

City	The City of Cumberland, Cumberland, Wisconsin and its departments
Party(s)	Group(s) or Institutions submitting the proposal
Contract	The agreement entered into for the Islander Park Operation Plan between the City and the group(s) or institution who submitted a proposal that is accepted by the City
RFP	This Request for Proposal, including any amendments or other addenda hereto.
Selection Committee	Consist of the Parks & Recreation Committee and Public Works Director.

1.2 PRELIMINARY SCHEDULE

Release of the request for proposal	August 23,2016
Proposals due	September 15,2016
Selection	September 20,2016
City Council approval	October 4,2016

1.3 EVALUATION PROCESS

The Parks & Recreation Committee and Public Works Director will evaluate all proposals. Evaluations will be based on criteria outlined herein and may be weighed by the City in a manner in which it deems appropriate. All proposals will be evaluated using the same criteria

1.41 Responsiveness to RFP

The City will consider all material submitted to determine whether the group(s) or institution offering is in compliance with the RFP

1.42 Capability to Perform Required Services

The City will consider all material submitted by each party and other relevant material it may otherwise obtain, to determine whether the party is capable of and has a history of successfully completing an agreement of this type. The following elements may be given consideration by the City in determining whether a party is "capable".
The ability, capacity and skill of the party to perform the operation and the funding required completing the agreement.

1.4 PROPOSAL MODIFICATION,CLAIRIFICATION AND SELECTION

The City reserves the right to have the group(s) or institutions clarify its proposal or supply additional information the city deems necessary to clarify its proposal and to modify or alter any or all requirements herein. In the event of material modifications the parties will be given an opportunity to modify their proposal in specific areas that are affected by the modifications.

1.5 INFORMATION

Questions regarding this RFP should be directed to Keith Hardie, Director of Public Works City of Cumberland,950 1st Avenue, Cumberland Wisconsin 54829, 715- 822-2752

SECTION 2 GENERAL TERMS AND CONDITIONS

2.1 Proposal Guarantee

The contract may not be sublet without Committee and City Council approval. Islander Park may not be placed for sale without the City having first right of refusal

2.3 Insurance Requirements

The group(s) or institution shall procure and maintain for the duration of this agreement insurance against claim for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the group(s) or institution his agents, representative, employees, or subcontractors. The cost of such insurance shall be paid by the group(s) or institution. Insurance shall meet or exceed the following unless otherwise approved by the City. Questions regarding insurance requirements can be discussed with the City Clerk: 715-822-2752

2.4 Proposal Expiration

Proposals must state the period of time for which they are valid and may be accepted by the City. A proposal offering less than sixty (60) calendar days for acceptance from the due date of the proposal may be considered non-responsive and may be rejected.

2.5 Right of the City to Reject Proposals

The City retains the right to reject any or all proposals, or any part of the proposals, to waive minor defects or technicalities, or to solicit new proposals on the same request or a modified the request which may include portions of the originally proposed request as the City may deem necessary in its best interests.

SECTION 3 SCOPE OF WORK

3.1 Objectives

The City of Cumberland requires the following objectives be addressed in the proposal

- Would your group(s) consider the purchase of Islander Park, the approximate purchase price and the source of funding:

  The Cumberland School District in an effort to protect the investments of the School District, the City and their taxpayers, would consider making an offer to purchase the property, buildings and contents from the City. The purchase price of $30,000 would be paid to the City in three yearly installments beginning on January 1, 2017 in the yearly amount of $10,000.

  * Please See Attached Exhibit #1 Offer To Purchase For Details.

- Would your group(s) consider a lease, length of lease, and amount of lease value per year(s):

  No, not at this time.

- What is your maintenance and operation plan and source of funding:

  As the District has shown over the last three years, we have the capability to maintain the fields and surrounding areas in a cost effective manner that provides for excellent care of the facility.

  As has been the case since the opening of Islander Park, WIAA related sports would be given first priority from early spring thru the middle of June for all school sponsored practices, games and events. The School District would maintain the fields through the end of July for general use by interested groups and then on an agreement basis as outlined in our Facility Use Application for any uses outside this time frame.

  The maintenance and operational oversight of Islander Park would remain virtually unchanged moving forward.

- What would be your 5 year capital improvement plan:

  Again, as the District has shown, maintenance of this facility is a key factor to protecting all stakeholders' investments in it, including past contributions and potential future contributions. Refurbishing of the fields on a rotating basis would be a priority, along with maintaining and repairing buildings and structures. The District would seek out support groups and individuals who would be interested in partnering with the District to provide resources to improve Islander Park facilities. This could include facility improvements such as score boards, fencing, playground area, tennis courts, etc.

- What would be your use policy:

  The Use Policy would be consistent with our current policy of allowing groups and individuals to use all School District facilities by filling out a Facility Use Application. It should be noted that in the past, approximately 1/3 of all non-school sponsored summer youth recreational baseball and softball games have been played on School District property at the Middle and Elementary Schools. Access to these properties has "Never" been restricted and general care and maintenance has always been provided and facilitated by the Cumberland School District. The use of Islander Park would be consistent with these policies.

  * Please See Attached Exhibit #2 Facility Use Application For Details.

3.2 City Provided Resources

City staff resources will be dedicated to the development of the long term Islander Park Agreement and Operational Plan if requested

3.3 Other Information

The Proposàl may include any other information, such as services or capabilities not identified in this RFP that would qualify the party(s) or contribute to the City's objectives.

3.4 Deliverables

Tangible deliverables include a written City of Cumberland Islander Park agreement & Operation Plan and any supporting documents.

3.5 Time Frame

The Operational Plan & Agreement will be completed and approved by November 2, 2016

Exhibit # 1 OFFER TO PURCHASE

1. General Provisions – The Buyer, Cumberland School District, offers to purchase the Property known as Islander Park in the City of Cumberland, County of Barron, Wisconsin.

2. Purchase Price – Thirty Thousand Dollars ($30,000). To be paid in three equal installments in the amount of Ten Thousand Dollars ($10,000) over the next three consecutive years in accordance with the following timeline:

January 1, 2017	$10,000
January 1, 2017	$10,000
January 1, 2018	$10,000

3. Included in the Purchase Price – Seller is including in the purchase price the Property, all Fixtures on the Property, and the following additional items: Field groomers, Lawnmower, and All Amenities relative to field preparation and property maintenance.

FIXTURE: A "Fixture" is an item of property which is physically attached to or so closely associated with land so as to be treated as part of the real estate, including, without limitation, physically attached items not easily removable without damage to the premises, items specifically adapted to the premises, and items customarily treated as fixtures, including, but not limited to, all: perennial crops; garden bulbs; plants; shrubs and trees and fences; storage buildings on permanent foundations.

4. Occupancy – Occupancy of the entire property shall be given to Buyer at the time of closing.

5. Right of First Refusal – The Cumberland School District (Purchaser) desires to grant the City of Cumberland (Seller) a right of first refusal or first option to purchase said, Islander Park Property, if the Cumberland School District would ever choose to deviate from the properties current District and Community Recreational use.

Exhibit #2

CUMBERLAND SCHOOL DISTRICT
APPLICATION FOR USE OF SCHOOL FACILITIES
830 Exhibit 2

_____ Name of Organization

_____ Date(s) of Event

_____ Name, Address, and Phone Number of Applicant

Doors Open At _____
Start Time _____
End Time _____
Number of Spectators/Participants _____

Is the organization a non-profit? Yes No

Are you charging for the event? Yes No

Describe the Type of Event That Will Take Place _____

_____

Check the area(s) you are requesting: ☐

☐ High School Gymnasium
☐ Middle School Gymnasium
☐ Elementary School Gymnasium
☐ Endeavor Stadium
☐ District Office Conference Room
☐ High School Kitchen
☐ Middle School Kitchen
☐ Elementary School Kitchen
☐ High School Library
☐ High School Guidance Area
☐ High School Cafeteria
☐ Middle School Commons
☐ Elementary School Cafeteria
☐ Islander Park
☐ Other_____

Check the equipment you are requesting: ☐

☐ Bleachers
☐ Chairs
☐ Tables
☐ Microphone/Podium
☐ Special Lighting
☐ Ovens/Coolers or Appliances
☐ Video Equipment/TV
☐ Sound Booth
☐ Other_____

The *Facility Use Application* must be submitted two weeks in advance of the date requested, unless Board action is necessary. If so, it must be submitted prior to the third Monday of the month. Applicant Organizations shall not violate laws that regulate the use of public school facilities and shall assume full responsibility for maintenance or property damage. Applicant Organization shall pay all fees and labor for custodial or kitchen employees. Fees may be waved at the discretion of the District Administrator. **In addition, all facilities shall be clean and left in the same condition as they were found. Failure to comply with the terms of this agreement may result in the loss of future usage for Applicant Organization.**

_____ Signature of Applicant

_____ Date of Application

ADMINISTRATIVE USE ONLY

Fees _____

_____ Administrator Signature

_____ Athletic Director Signature

Approved **Denied**

Assigned Staff:
☐ Custodian _____
☐ Kitchen _____
☐ Supervision _____

Copies Forwarded To:
☐ School Building Office
☐ Athletic Director
☐ Maintenance
☐ Food Service
☐ District Office
☐ Community Education
☐ Physical Education Dept.
☐ Applicant

CITY OF CUMBERLAND PURCHASING POLICY

A. GENERAL PROVISIONS

I. PURPOSE

The purpose of this policy is to provide for the fair and equitable treatment of all persons involved in public purchasing by the City of Cumberland, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

II. OBJECTIVES

The objectives of the City's purchasing policy are:

1. To ensure that materials, equipment, and services are purchased at the lowest prices consistent with quality and performance;
2. To provide adequate controls over City expenditures and financial commitments with proper documentation;
3. To obtain quality goods required by City departments and to ensure that these goods are at the place and time needed, and,
4. To provide a standardized system of purchasing for use by all City departments.

III. APPLICATION

This policy applies to all procurements of supplies, services, and construction, entered into by the City of Cumberland after the effective date of this policy. It shall apply to every expenditure of public funds by a City employee for City purchasing irrespective of the source of the funds. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal law and regulations. Nothing in this policy shall prevent any City employee from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

IV. VENDOR DISCOUNTS

It is the policy of the City of Cumberland to take advantage of all available vendor/trade discounts and government pricing.

V. CENTRAL PURCHASING

Many of the items purchased by the City are commonly used by all or several departments. By consolidating the needs of all departments, the City can take advantage of price discounts for large quantity orders of these items.

VI. NON-BUDGETED ITEM

It is the assumption of this purchasing policy that all requested expenditures have been provided for in the current budget. However, purchases over $500.00 which have **not** been provided for in the current budget will require Common Council approval. The Department Head shall first notify the Mayor, Clerk-Treasurer and Committee Chair that said non-budgeted expenditure is being requested. The non-budgeted expenditure request shall be placed on the agenda for and addressed at the next committee meeting. If the committee agrees that the requested expenditure should be made, a recommendation shall be made to the Common Council that the necessary budget transfer(s) take place. The issue shall then be placed on the agenda for the next regularly scheduled Common Council meeting, and, if the Council directs that the non-budgeted funds expenditure take place, the purchase may be processed. If no committee meeting or quorum, the Mayor may take the issue to the Common Council for consideration.

VII. LOCAL MERCHANTS

Taking price and service into account, the City shall give due consideration to local merchants.

VIII. EMPLOYEE CONFLICT OF INTEREST.

It shall be unethical for any City employee to participate directly in a procurement contract when the City employee knows that:

1. The City employee or any member of the City employee's immediate family has a financial interest in the procurement contract; or
2. Any other person, business, or organization with whom the City employee or any member of a City employee's immediate family is negotiating or has an arrangement concerning prospective employment, is involved in the procurement contract.

B. PURCEDURES TO BE FOLLOWED WHENEVER PURCHASES ARE MADE

I. PURCHASING CATEGORIES

Purchases made by the City of Cumberland shall be categorized as follows:

1. Purchases under $25.00 (Petty Cash Disbursements)
2. Purchases up to $1,500.00
3. Purchases over $1,500.00 and up to $25,000.00
4. Purchases over $25,000.00.
5. Emergency Purchases.

(1) PETTY CASH DISBURSEMENTS

Items purchased having a value that is less than twenty five Dollars ($25.00) may be paid for from the Petty Cash Fund. The Petty Cash Fund shall be maintained in the Clerk/Treasurer's

Office. Petty Cash Fund may be made up from revenues realized from services such as copying and faxing for the public. All reasonable effort shall be made to maintain the petty cash fund cash on hand at less than one hundred ($100.00). When such fund exceeds that amount, a receipt will be generated and excess monies deposited into the General Fund balance as miscellaneous revenues.

(2) PURCHASES UP TO $1,500

City Department Heads are authorized to purchase materials, equipment and services having a value up to One Thousand Five Hundred Dollars ($1,500.00) without prior approval, providing there is funding in the budget for said purchases. Generally, these types of purchases are for services, materials, supplies and equipment needed for day-to-day operations. For purchases over One Thousand Dollars ($1,500.00) quotations shall be obtained from at least two (2) vendors. These quotations must be detailed in writing.

(3) PURCHASES OVER $1,500.00 AND UP TO $25,000.00

Written quotations shall be obtained from at least three (3) vendors for purchases having a value over Fifteen Hundred Dollars $(1,500.00) and up to Twenty Five Thousand Dollars ($25,000.00), and those quotations shall be presented to the City Council for approval. Whenever feasible the purchase shall be made from the lowest bidder offering quality merchandise.

Any department head wishing to purchase an item falling within this price range which was not budgeted for must follow the procedures delineated under Section A(VI) – NON-BUDGETED ITEMS.

(4) PURCHASES OVER $25,000.00

All materials, equipment and services costing more than Twenty Five Thousand Dollars ($25,000) must be purchased on a formal advertised bid basis. All purchases shall be let to the lowest responsible bidder, and the following procedure shall be followed:

1. The Clerk-Treasurer shall see that appropriate notices are published, and distribute plans and specifications to interested persons/companies.
2. Bids shall be sealed, and held by the Clerk-Treasurer of the City of Cumberland until such time as the committee meets to address the issue.
3. When the committee meets to address the bid issue, the Chair of the committee or authorized designee shall open all the sealed bids which have been submitted for consideration, and read each and every one aloud. The Clerk-Treasurer shall prepare a tally sheet of all bids with the committee recommendation noted for the Common Council and, if a bid other than the lowest bid is recommended, the report shall state the reasons for such recommendation.
4. If the Council approves the report, the Clerk-Treasurer shall work with the Department Head to finalize the purchase and send out acceptance and non-acceptance notices to all bidders.

5. The Common Council may, in times of emergency or when otherwise impractical, waive the provisions of this section.
6. Professional services are excluded from the requirements of this section, where quality of service as well as fee will determine the acceptance of the proposals.

These purchasing procedures are not to be used for Public Works-type improvements where all or a portion of the costs are paid from assessments to benefiting properties. Procedures established in Wisconsin Statutes for public works contracts shall apply (as of this writing WI Stats. 62.15).

(5) EMERGENCY PURCHASES

Emergency purchasing procedures should only be used when normal purchasing channels are not available. Emergency purchases may be made:

1. When there is need for immediate delivery of items to prevent delay in work or construction schedules.
2. When there is an immediate threat to public health or safety.
3. To meet emergencies arising from unforeseen causes.

Whenever feasible, emergency purchases are to be approved by the appropriate committee chair or Mayor not to exceed $10,000.

II. PURCHASE OF USED EQUIPMENT

1. The Department head shall provide the Mayor, Clerk-Treasurer and Committee with notification concerning the request for the purchase of pre-owned equipment, including the need for the equipment, general specifications, price range and supporting narrative as to whether or not the purchase is a budgeted item, and the intended source and availability of funds.

2. If the committee approves the request the Department head shall make the request known to as many venders as possible. When a vendor finds the equipment that meets the requirements, the equipment shall be inspected by the Department head, appropriate employees and committee members.

3. If the equipment is found acceptable, the purchase shall be referred to the City Council for final approval.

III. AUTHORIZED PERSONNEL

The Common Council has delegated authority to purchase supplies, services, or construction items with a value not to exceed Fifteen Hundred Dollars ($1,500.00) to the following personnel:

DEPARTMENT	DEPARTMENT HEAD:
City Administration	Mayor and the Clerk/Treasurer

Public Works & Parks	Public Works Director
Police	Chief of Police

IV. USE OF CREDIT CARDS

The City of Cumberland shall authorize the Clerk/Treasurer to obtain ~~three~~ five credit cards (one account) to be used for city business. The cards (limits) will be held by the Clerk-Treasurer ($2,000), Chief of Police ($2,000), Library Director ($2,000), Airport Manager ($1,000) and Waste Water Plant Lead Worker ($1,000). These cards may be used by departments to make purchases and or travel arrangements. Receipts for credit card purchases must be submitted to the department head within one (1) day of receipt of items purchased and the department head shall provide the receipts to the Clerk/Treasurer on that same day or as soon thereafter as possible. When the department head provides the credit card receipts to the Clerk/Treasurer he/she shall not what was purchased and the departmental account category the purchase falls under on those receipts. The Clerk/Treasurer shall reconcile all credit card statements on a monthly basis and once reconciliation has taken place, attach original receipts to the appropriate statements and code the expenses for payment in a timely fashion.

V. DISPOSITION OF SURPLUS PROPERTY

When personal property owned by the City of Cumberland no longer serves any useful purpose in the department in which it is located the department head shall first determine whether any other City department needs such property.

In the event such property can no longer be used by any department of the City, the Department Head and Clerk-Treasurer shall provide the City Council a plan of action for items with the object of obtaining the highest revenue.

Failure to follow these procedures shall constitute illegal purchasing and may subject the employee making the purchase liable for costs incurred and/or disciplinary action.

* * * *

September 30, 2016

To: Cumberland Public Works Committee - (Chmn. Goldsmith, Bridger, Bents, Schullo)

From: Keith Hardie-DPW

Re Public Works Committee Meeting

Notice

There will be a meeting of the Cumberland City Public Works Committee on **Tuesday October 4,2016 at 6:30pm** at the Cumberland City Hall to consider the following agenda:

1 Call meeting to order
2 Approve minutes from September 19, 2016 Public Works Committee Meetings
3. Public Comment
4. Consider a proposal from Erickson Excavation to do the street and parking area site prep at the Waste Water Plant for Time and Material with a not to exceed $35,000.
5 Consider a proposal from Barron County Highway Department to pave the street and parking Areas at the wastewater plant for a $63.50/.tom price with an estimated cost of $48,000
6. Set next meeting date & future agenda items (October 18, 2016 @ 8 am)
7. Adjourn meeting.

Keith Hardie
DPW
Cumberland, WI.

Posted: September 30, 2016

PC: Mayor Skinner, Julie Kessler, Kati Goin, Jerry Lindfors,

Advocate

Resolution # _____

Resolution for the Establishment of Storm Water Utility Fees
CITY OF CUMBERLAND, County of Barron

WHEREAS, The City of Cumberland on January 2, 2013 created a Storm Water Utility under Municipal Code 13.025; and

WHEREAS, the Cumberland City Council will establish the Storm Water Utility rates.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Cumberland establishes the following Storm Water Utility rates:

- All developed residential property within the city limits of the City of Cumberland a rate of $2.50 per month.
- All Nonresidential property located within the city limits of City of Cumberland will be charged a rate of $29.04 per imperious surface acre per month.
- All unpaid Storm Water charges will incur a 1% per month penalty.
- All unpaid Storm Water charges as of November 15th will be transferred to the tax roll for collection.
- Charges will take effect, _____ and be reviewed annually.

Adopted this day _____ of _____, 20____

By vote of: _____ in favor _____against _____abstain

BY: _____
Albert B. Skinner Jr., Mayor
City of Cumberland

AUTHENTICATION. The signatures of the supervisor and appointing authority indicate that the foregoing has been approved by the Governing Body.

Attest: _____ _____
Julie A. Kessler, City Clerk-Treasurer Date
City of Cumberland,
950 1st Avenue
Cumberland, WI 54829

MINUTES OF THE CUMBERLAND PUBLIC SAFETY COMMITTEE (PSC)
Tuesday, September 13, 2016 at 9:00 A.M.

Roll Present: Mayor Skinner, Bridger, Slayton and Laursen.
Also Present: Chief Rick Rieper and Arlene Frisinger.
Meeting called to order by Mayor Skinner at 9:00 a.m.

Public Comment:
None

Motion was made by Bridger, seconded by Slayton, voted, passed, to approve the August 09, 2016 PSC minutes.

Discussion on additional ATV routes

Motion was made by Bridger, seconded by Laursen, voted, passed, to approve ATV route from Abby Rd to Hines Lakeview Drive to the trail and Jeffery Blvd to the trail on County H.

Parking on Sorensen Street-handicap parking stall by Schneider Pharmacy

Motion was made by Bridger, seconded by Laursen, voted, passed, to approve the installation of a handicap parking stall on Sorensen Street by Schneider Pharmacy.

Discuss 2017 Budget
Motion was made by Laursen, seconded by Slayton to table the 2017 Budget until October meeting when there will be more information on insurance costs and police contracts.

Chief's Report
ALICE (active shooter) training will be held here in February
Identity Theft Booklets will be ordered and given out to the elderly
Gray Wolf Summit will be held at the Dac Lach Haus this Thursday-County will be helping with the added security
Use of Deadly Force Policy will be brought to the October meeting for approval
Old squad car will be retained for minimal use-training/court

Motion was made by Laursen, seconded by Slayton, voted, passed to adjourn at 10:20 a.m.

Next meeting date October 11, 2016 at 9:00 a.m.

Rick Rieper, Chief of Police
Cumberland Police Department
amf

Minutes Public Works Committee September 19, 2016 at 8:00am

Present: Chairman Goldsmith, Bridger, Bents, Schullo
Also present: Lindfors, Kessler, Skinner, Hardie, and Bill Effertz.

Meeting was called to order by Chairman Goldsmith at 8:00 am.

Motion was made by Bents and seconded by Schullo, to approve the minutes from the August 22, 2016 Public Works meetings. Motion passed.

Public Comment: The Committee received a complaint about the grass clippings being blown on the grave stones.
Mayor Skinner advised Bill Effertz the problem is being worked on and the City is looking for help to clean the grass off the stones

Department Updates

Lindfors: The City had Barron County in to brush back the right of ways and the crew will be doing sidewalks and plow routes this coming month. They will also be starting to do the fall street sweeping.

Goin: The crew has received training on the MBR system from OVIVO, They are having problems with some system shutdowns when the power flickers and then not being notified, and the system provider is working on this problem. There is a problem with the wet well not pumping the rags up to the screen and this will need some changes, Hardie advised that MSA is looking at several solutions. There was a foaming issue in the digester but this is believed to be related to the biology not balanced yet, they are still waiting for test results so they can start hauling sludge. Letters have been sent to the businesses that have not responded to the FOG reporting notice and they have 10 days or they will be charged $50. Letters have also been sent to several industries about the sampling requirements; the Senior Citizen Center will be having their garbage disposal removed. The Jet Vac truck is back and they hope to get some jetting done this fall.

The committee considered the request from Marty Schmarski to keep his second driveway if he removes all the other items. The motion was made by Bridger and seconded by Bents to not allow the second drive as per city policy. The motion passed

The committee considered the safety apparel policy this was tabled until further information is gathered

The committee had the first look at the 2017 budget request and will review and make recommendations next month

The Committee considered the bids for the replacement of lift station # 2 as part of the second phase of the USDA funding. Four bids were received: A-1 Excavating $264,080, Pember Companies Inc.$276,662,DeSantis Excavating $229,700 and Haas Sons Inc., $326,490. The motion was made by Bridger and seconded by Bents to recommend to the Council the accepting of the bid from DeSantis Excavation. The motion passed.

The committee considered the purchase of a JD 390 lawn mower for the Cemetery for $4000 to replace the JD 500 that broke down with over 100hrs. The money was in the budget. The motion was made by Bents and seconded by Bridger to recommend to the Council the purchase of the JD 390 for $4000. The motion passed

The committee considered a request from Louis Deer processing plant to have a driveway greater than 30 ft. The motion was made by Bridger and seconded by Schullo to allow the additional 30 ft. The motion passed

The committee considered Change Order #16 which consists of adding 3 check valves to the digester recirculation pumps and electrical and system work to connect the sludge storage tank mixers.
Motion was made by Bridger and seconded by Schullo, to recommend to the Council the acceptance of Change Order #16 for the amount of $33,169. Motion passed

The next meeting date will be October 17, 2016 at 8am.
Future agenda items will be 2017 budget.

Motion was made by Bridger and seconded by Schullo, to adjourn at 9:02 a.m.
Submitted by
Keith Hardie, PW Director

MINUTES PARK AND RECREATION COMMITTEE MEETING
September 20, 2016
The Meeting was held at Cumberland City Hall

Present: Chairman Laursen, Schullo, Strickland, Bents
Absent: None
Also present: Hardie, Kessler, Lindfors, Jan & Butch Schwanke

Chairman Laursen called the meeting to order at 8:00 am.

Motion was made by Schullo, seconded by Strickland, to approve the minutes from the July 20, 2016 Parks & Rec Committee Meeting. Motion passed

Public Comment: None

The Committee reviewed the two proposals received, one from the Baseball/Softball Association and the second from the Cumberland School District. After much discussion it was agreed to invite both groups to a meeting on September 26th at 4:30pm to get some clarity on some issues with the proposal. Below are some of the questions the committee has for the School District:

1) With the right of first refusal the City would like the buyback price set for $30,000, which is the same as your purchase price?
2) The Hockey Association has a long term lease on the property, is the School District willing to honor the lease agreement with the Hockey Association after the purchase of Islander Park.
3) How will the maintenance of the parking lot be addressed?
4) Will there be any additional charges to the Baseball/Softball Association for the field use?
5) Will each Baseball/Softball Association need to have their own proof of insurance to use the field?

Hardie will contact both parties and setup the meeting.

The Committee reviewed the 2017 Budget Proposal and requested it be brought back after the Islander Park issue is resolved.

Hardie is to contact the Hockey Association for a schedule of open skate time for the coming season.

Parks update: Jan & Butch gave an update on the Eagle Point season. The season was very busy with more midweek campers impart do to the addition of Wi-Fi. There have been requests for additional docks or having post to tie boats off to, having the reservation policy on the website, having a new site map with camper sizes, and names and contact info with credit card reservation. Hardie will check with Barron County and see if we could tie into their campground reservation system

Next Parks & Rec meeting will be September 26, 2016 at 4:30pm at City Hall. Agenda will be Islander Park agreement

The motion was made by Strickland, seconded by Bents, to adjourn at 9:32a.m.., the motion passed.

Respectfully submitted
Keith Hardie DPW

MINUTES PARK AND RECREATION COMMITTEE MEETING
September 20, 2016
The Meeting was held at Cumberland City Hall

Present: Chairman Laursen, Schullo, Strickland, Bents
Absent: None
Also present: Hardie, Kessler, Lindfors, Skinner, Rose, Mann, Johnson, and Peterson

Chairman Laursen called the meeting to order at 4:30pm.

Motion was made by Bents, seconded by Schullo, to approve the minutes from the September 20, 2016 Parks & Rec Committee Meeting. Motion passed

Public Comment:
Monte Peterson addressed the group with a question on how, after the school referendum, can the school afford to purchase the Baseball field. Dr. Rose addressed his concerns.
Brandon Johnson addressed the group stating after getting some history of how Islander Park was developed that the Baseball & Softball Associations supported the purchase of Islander Park by the school

The Committee heard from the Cumberland School District addressing the questions raised at the September 20 Parks & Rec meeting:

1) With the right of first refusal the City would like the buyback price set for $30,000, which is the same as your purchase price?
   This should not be a sticking point but some language will need to be drafted to protect any future development the School should do at the site
2) The Hockey Association has a long term lease on the property, is the School District willing to honor the lease agreement with the Hockey Association after the purchase of Islander Park.
   The School would prefer to have the Hockey building and land split off with the City maintaining ownership, this will require a survey and approval by the Planning Commission. This would allow alcoholic beverages on the site for the tractor pull and other events. The access road to the property would need to be addressed as an easement and who would maintain this easement

3) Will there be any additional charges to the Baseball/Softball Association for the field use?
   At this time there does not appear to be any need to increase charges. Future cost may cause this to be changed.
4) Will each Baseball/Softball Association need to have their own proof of insurance to use the field?
   Proof of Insurance will not be required at this time but this will be something the Schools Insurance provider will dictate.

The motion was made by Strickland and seconded by Schullo to recommend to the City Council the transfer of ownership of Islander Park from the City of Cumberland to the Cumberland School District for $30,000 with payments of $10,000 for the next 3 years. The School and the City will agree on the language for the First Right of Refusal and determine where the property will be split and how the access will be addressed. The motion passed with Bents voting no.

Next Parks & Rec meeting will be October 17 2016 at 8am at City Hall. Agenda will be 2017 budget

The motion was made by Strickland, seconded by Schullo, to adjourn at 5:10pm the motion passed.

Respectfully submitted
Keith Hardie DPW

Finance Committee
September 27, 2016

Present: Bob Strickland, Carol Wallin, Butch Slayton, Tom Goldsmith, Bert Skinner, Rick Rieper, Keith Hardie, Rob Ankarlo, Mindy Dale, Brock Geyen, Randy Pedersen, Jerry Lindfors, Lisa Janssen, Arlene Frisinger, Connie Bussewitz and Maggie Wickre.

Chair Strickland called the meeting to order at 5:30 pm. The meeting was properly advertised and all interested parties were notified.

Motion by Slayton, second by Wallin, to approve the minutes of the July 25 and September 6, 2016 committee meetings. Motion Carried.

There was no public comment.

Motion by Walling, second by Goldsmith, to go into closed session pursuant to WI Sat 19.85 (1)(e)&(g) to prepare for negotiations with the Cumberland Police Association with Mindy Dale, Bert Skinner, Rick Rieper and Julie Kessler to remain. Voice vote of all yea. Motion Carried.

Motion by Goldsmith, second by Slayton, to resume in open session. Motion Carried. Mindy Dale left the meeting.

Motion by Wallin, second by Goldsmith, to change the order of the agenda and move #12 up to now as the auditor is present. Motion Carried.

Brock Geyen from Clifton Larson Allen presented the 2015 Financial Report. He pointed out things to watch for and answered questions from the committee and audience. Mr. Geyen left after his presentation.

Kessler included the costs for the three options for the assessment contract that we received from Eric Kleven. They were the only ones received. Committee questioned what would be done for each. Motion by Wallin, second by Goldsmith, to table for more information. Motion Carried.

Lisa Janssen was present from the Housing Authority to request a reduction of PILOT payment for 2016. After committee discussion, motion by Goldsmith, second by Slayton, to recommend to council to deny the reduction for 2016. Motion Carried.

Kessler provided the results of City wide survey and the comments made on them. Committee agreed that there needs to be education in some of the areas as to why the city provides funding.

Kessler reported on meeting with Sean Lentz from Ehlers on the creation of TID #8. Work will continue to move this forward but there is nothing for this meeting.

Kessler provided an updated Personal Appearance policy. Motion by Wallin, second by Goldsmith, to table. Motion Carried.

Requests for credit cards was discussed. Kessler explained that this would be a change to the purchasing policy for council. Motion by Wallin, second by Slayton, to recommend changing the policy and adding two credit cards with limits of $1,000 for the Waste Water Plant Lead Worker and Airport Manager. Motion Carried.

Kessler provided the 2016 year-to-date budget vs actual report for review.

Kessler asked to set the 2017 Budget Schedule. Committee agreed to set the next meeting for this on Tuesday, October 25, 2016 at 5:30 pm. (Please note this is already changing).

Motion by Goldsmith, second by Wallin, to adjourn. Motion Carried.

Julie A. Kessler, Clerk-Treasurer
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