



COUNCIL AGENDA
September 13, 2011

Call Meeting to Order – 6:30 p.m.

Roll Call

Approval of Minutes – August 23, 2011 – Regular Meeting

Approval of Bills (Kusilek)

City \$ Utility \$

*** NOTE: OFFICIAL ACTION MAY BE TAKEN ON ANY AGENDA ITEM ***

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

PUBLIC HEARING:

6:30 p.m.

1. Application for “Class B” Liquor and Beer License for Big Stone LLC, Dustin Hanson, Agent, Juniors Bar and Restaurant, 414 S. Main Street – Hearing and Disposition

CONSENT AGENDA:

2. Resolution Approving 2012 Agreement for Ambulance Service

ORDINANCES AND RESOLUTIONS:

3. Charter Ordinance 2011-01 – to Repeal Charter Ordinance, “An Ordinance Creating Aldermanic Districts; and Providing for the Election of Alderpersons in the City of River Falls,” Adopted on September 1, 2001, effective date December 5, 2001 – First Reading
4. Ordinance 2011-09 – Ratifying Readjustment of Wards for Purposes of §62.08(1), Wis. Stats. – First Reading
5. Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers Under Section 66.0703 Wisconsin Statutes for the Benefit of the River Falls Business Improvement District
6. Resolution on Relocation Order – Wesley Foundation of River Falls (Cascade Avenue Phase 1) - Pursuant to Section 32.05 Wisconsin Statutes

REPORTS:

7. Administrator’s Report
8. 2012 Budget Preview

ADJOURNMENT

Publish: River Falls Journal 9-8-11; Post 9-8-11



1

MEMORANDUM

To: Mayor Richards and Council Members

From: Lu Ann Hecht, ^{LH}City Clerk

Date: August 30, 2011

Re: Granting of Liquor License – Big Stone LLC, Juniors Bar and Restaurant–414 S. Main St.

ACTION ITEM:

Grant by motion the issuance of a "Class B" Liquor and Beer License to Big Stone LLC – Juniors Bar and Restaurant, Dustin Hanson, Agent.

DISCUSSION:

Big Stone LLC (Dustin Hanson and John Garden, members) have completed and submitted an application for a "Class B" liquor and beer license for Juniors Bar and Restaurant located at 414 S. Main St. This is located inside the Riverview Hotel and Suites.

The applicant will be at the Council Meeting to answer any questions you may have. Attached is a copy of the application.

City Council has the authority and may use broad discretion to grant or deny all liquor licenses within the City of River Falls. Valid reasons for denial of a new retail license are based on concern for the public health, safety, and welfare of the community.

Possible reasons for denial are identified in League of Wisconsin Municipalities Manual and listed here:

1. Adverse impact on traffic;
2. Adverse impact on the peace, quiet and cleanliness of the neighborhood where the establishment is located;
3. Insufficient parking for patrons;
4. Proximity to other licensed establishments, residential areas, schools, churches, or hospitals;
5. Ability or inability of the police to provide law enforcement services to the new establishment and the impact of the new establishment on the ability of the police to provide law enforcement services to the balance of the community at all times.

The "Class B" Liquor and Beer License for the premises of 414 S. Main Street is currently issued to and operated by Junior's of River Falls LLC. A conditional surrender of license has been signed by the current owner. The current owner will only voluntarily surrender this license if the Council grants a license to Big Stone LLC for use at that premises. Council is not bound by this conditional surrender.

All licensing requirements are met, these include, a complete application; including the application supplement and addendum question for outdoor areas, successful completion of a record check by our

police department, obtaining the WI Sellers Permit and Federal ID numbers, appointment of an agent, registration certificate with the state of WI, and a signed and dated lease describing the premises to be licensed.

CONCLUSION:

The applicant meets the licensing requirements and the current licensee has signed a Surrender of License. In the absence of a valid reason for denial, it would be fitting for Council to grant the "Class B" Liquor and Beer License to Big Stone LLC, for Juniors Bar and Restaurant, Dustin Hanson Agent. This license will be valid from September 14, 2011, to June 30, 2012.

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Sept 14 20 11 ;
ending June 30th 20 12

TO THE GOVERNING BODY of the: Town of } River Falls
 Village of }
 City of }

County of Pierce Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Big Stone LLC

456-1026550130-02

Applicant's Wisconsin Seller's Permit Number: <u>Applied For</u>	
Federal Employer Identification Number (FEIN): <u>45-2610825</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100.00</u>
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$ <u>500.00</u>
<input type="checkbox"/> Reserve Class B liquor	\$ <u>600.00</u>
Publication fee	\$ <u>30.00</u>
TOTAL FEE	\$

PRP noted

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Member</u> <u>Dustin Hanson</u>	<u>302 Fremont River Falls WI 54022</u>	
Vice President/Member	<u>Member</u> <u>John Gordon</u>	<u>1219 Rolling Hilld TR Hudson WI 54016</u>	
Secretary/Member			
Treasurer/Member			
Agent	<u>Dustin C Hanson</u>	<u>302 Fremont River Falls WI 54022</u>	
Directors/Managers			

3. Trade Name Juniors Bar and Restaurant/ Business Phone Number 715-425-1847
4. Address of Premises 414 South Main Street Post Office & Zip Code 54022

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 06/24/11 of registration. Yes No
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 414 South Main stree Restaurant / Conference Room / storage / parking lot

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Juniors of River Falls LLC
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 16 day of August, 20 2011

Jan Ann Hecht
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires _____

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8/16/11</u>	Date reported to council/board <u>9/13/11</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk <u>Jan Ann Hecht</u>
Date license granted	Date license issued	License number issued	

City of River Falls

Alcohol License Application Supplement

Required as Part of New Applications

Pursuant to City Ordinance 5.08.045(B)

- 1) Please state below and attach a sketch or diagram showing the approximate dimensions and physical layout, including interior and exterior, of the premises proposed to be licensed. (All premises proposed to be licensed must be located on the same legally described lot or parcel of real estate.)

- 2) Please identify the number of employees anticipated to be hired or retained for purposes of operating the licensed facility, including staff and security personnel.

(Circle one answer for each question)

a. Full-time employees?	None	1-5	6-10	11 or more
b. Part-time employees?	None	1-5	6-10	<u>11 or more</u>
c. Security Personnel? Including Bouncers	None	1-5	6-10	11 or more

- 3) Please outline the following security information proposed for the business. (The use of surveillance systems is not required, but encouraged.) If the premises will utilize surveillance, you do not have to state here, but please notify the River Falls Police Department that you are going to utilize surveillance technology.

- a. If the licensee chooses to utilize surveillance technology, will the licensee voluntarily provide access to law enforcement for the purposes of investigation of crime or other ordinance/forfeiture related offenses.

(Circle one) Yes No

- b. Please identify below the location of entrances and exits to and from the proposed licensed premises. If they are so noted in the attached diagram or sketch required in question 1, please check the box and leave blank.

Locations noted in sketch or diagram under question 1.

Main Street Entrance

Back Hotel Parking lot

Through Hotel lobby

c. Please acknowledge the applicant's commitment to provide initial and ongoing training to employees to include training related to:

1. Alcohol consumption by on-duty employees (not recommended), will this be allowed?
(Circle one) Yes No
2. Use of Force
3. Gambling Laws
4. Dealing with Disorderly Patrons
5. Employer responsibilities and procedures relating to persons intoxicated or incapacitated by alcohol.
6. Sale of Tobacco Products
7. Procedures to be implemented to deter underage drinking of alcohol and loitering on premises.

Initial and on-going training will be provided to employees.

(Circle one)

Yes

~~No~~

d. Proposed occupancy limits for the premises. (Please coordinate with the City Building Inspector to assist in determining occupancy limits.)

Please enter the proposed occupancy limits: 250

e. Please acknowledge the applicant's ability and willingness to work cooperatively with the City to deal with potential community and law enforcement issues, such as neighborhood complaints, littering, disorderly conduct and other related community issues.

(Circle one)

Yes will work cooperatively.

No, will not work cooperatively. Explain _____

4) Please identify below the applicant's planned promotional events or entertainment as a means of attracting business.

- Music
 - Live
 - DJ
 - Karaoke
 - Other-Please Identify _____

Dancing

- Tournaments
 - Pool
 - Darts
 - Poker, Other Card Events*
 - Video Gaming*
 - Other-Please Explain _____

*Please note the attached information regarding the legality of poker tournaments and video gaming.

Other entertainment or promotional events-Please Identify.

5) Please identify the projected market, whether by age or other category, which the applicant is seeking to attract to the licensed establishment.

25-60+ older

6) Please identify the applicant's plan for food sales at the establishment and the anticipated ratio of gross value of sales of food versus that of sales of alcohol.

Juniors will say as is

Does the applicant have or is applicant applying for a restaurant license?

(Circle one) Yes No

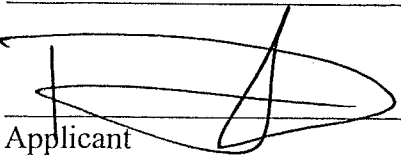
Yes

7) Please indicate if you have liability insurance with coverage to include the requested licensed premises?

(Circle one) Yes No When approved

Yes

8) Please state below or attach any additional information you would like provided to the City Council for consideration of the applicant's alcohol license request.


Applicant

8/11/11
Date

Addendum to Question C.4: Premises Description Outdoor Areas
Liquor License Application

Premises Location: 414 South Main Street

Describe in Detail the Outside Area that you are requesting to be licensed: _____

See Exhibit A

Is this outside area enclosed with a fence or some other barrier? Yes No _____ Describe _____

Describe in Detail how this area will be staffed or monitored when drinks are

served outside we will have staff on

site

Additional information you would like the City Council to consider regarding you application: _____

Same as approved before for Juniors of

River Falls LLC

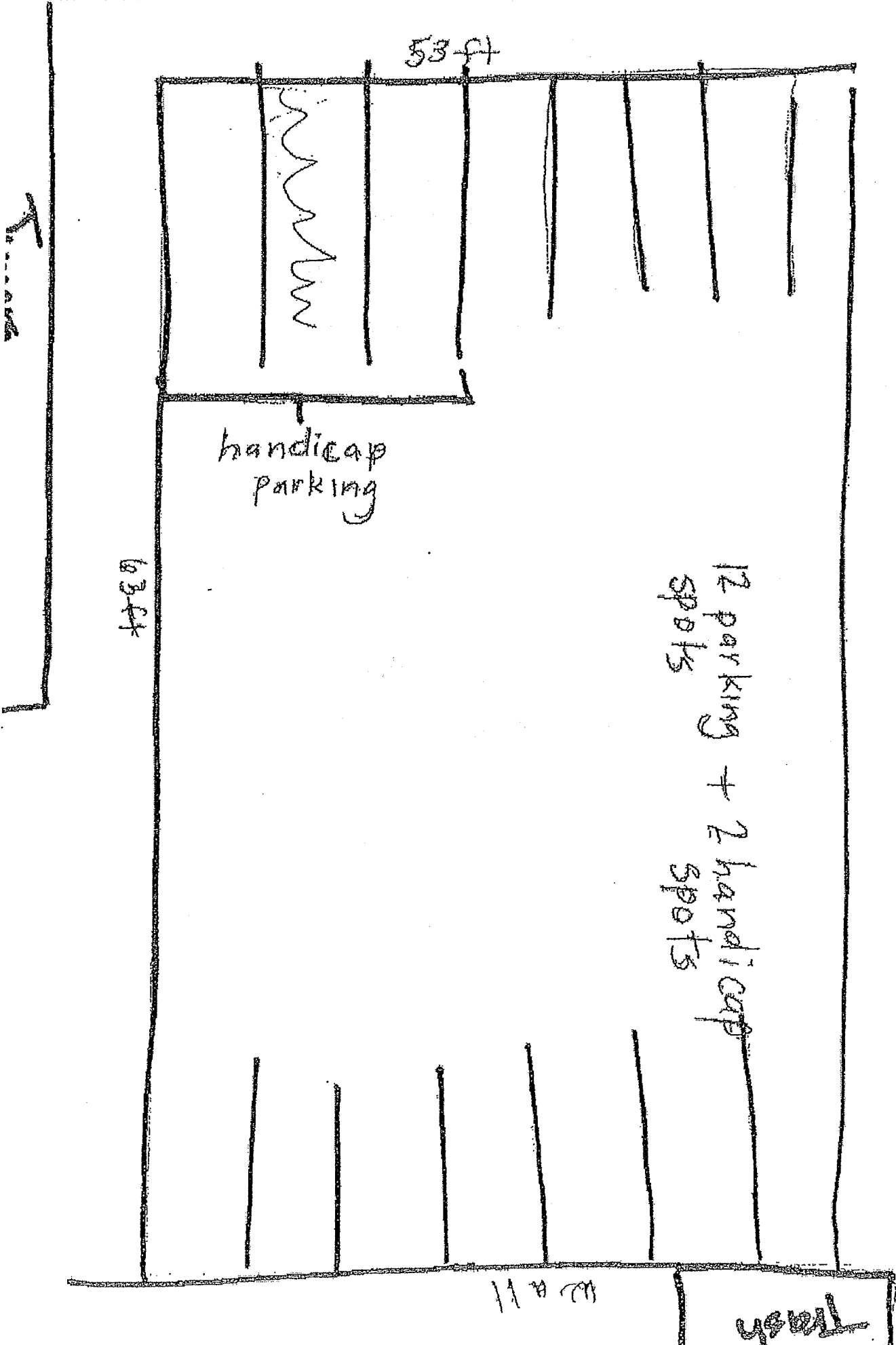


EXHIBIT A

Jimmy John's

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of River Falls County of Pierce
 City

The undersigned duly authorized officer(s)/members/managers of Big Stone LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Juniors Bar and Restaurant/Riverview Htoel and Suites
(trade name)

located at 414 South Main Street/ 100 Spring Street

appoints Dustin C Hanson
(name of appointed agent)

302 Freemont Street River Falls WI 54022
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies):

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 5 Years

Place of residence last year 302 Freemont St River Falls WI 54022

For: Big Stone LLC
(name of corporation/organization/limited liability company)

By: _____
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Dustin Hanson, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature]
(signature of agent)

8/11/11
(date)

Agent's age 31

302 Freemont Street
(home address of agent)

Date of birth [Redacted]

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 08-31-11 by [Signature]
(date) (signature of proper local official)

Title [Signature]
(town chair, village president, police chief)

CITY OF RIVER FALLS, WISCONSIN

SURRENDER OF LICENSE

This is to advise that, as licensee, I (We) ("Current Licensee") hereby surrender a Combination "Class B" Intoxicating Liquor and Fermented Malt Beverage license (Tavern License) for the following premises.

(Fill out the following if the license is surrendered
contingent upon issuance to another person or entity)

The Licensee surrenders said Tavern License on the condition that it be granted to the following named Applicant (Future Licensee):

Trade/business name: Juniors Bar & Restaurant

Address: 414 S Main Street River Falls

and BIG STONE LLC, Applicant and Future Licensee, hereby makes and files a concurrent application for said license.

CURRENT LICENSEE:

Signature:  Date: 8/11/11

Please print the following information:

Name: John Garden


Address: 1219 Rolling Hills TR.

City: HUDSON WI Zip: 54016

Phone: 612-366-4194

(Fill out the following information if applicable)

APPLICANT-FUTURE LICENSEE

Signature:  Date: 8/11/11

Please print the following information:

Name: Dustin Hanson

Address: 302 Fremont St

City: River Falls Zip: WI 54822

Phone: 715-209-7456

Commercial Lease Agreement

THIS LEASE dated this 15th Day of August , 2011

BETWEEN:

Cascade LLC
100 Spring St
River Falls, WI 54022
the "Landlord"

- AND -

Big Stone LLC
C/O Dustin Hanson
100 Spring St
River Falls, WI 54022
The "Tenant "

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the parties to this Lease agree as follows:

Leased Premises

1. The Landlord agrees to rent to the Tenant the commercial premises municipally described as 414 So Main St River Falls WI 54022, (the "Premises") currently known as "Juniors Bar & Restaurant" which is located approximately as shown in red on Schedule "A" attached to and incorporated in the Lease and comprises a Leasable Area of 5500 square feet. The Premises are more particularly described as follows:
2. 4500 Sq foot street level space. Located at the South & West end of the Riverview Hotel & Suites Complex To include the Upper Bar & Restaurant area above the glass railing, the Entire Banquet & ballroom area the kitchen area, and a designated office space in the lower Hotel lobby behind the Guest computer area. Big Stone LLC is also granted use of the Hotel common areas on as needed basis when available. The Banquet area described is also available to be used By "The Riverview Hotel" either in consort with " Big Stone LLC" for joint events or solely Monday thru Friday for meeting and luncheon activities from 6AM thru 6 PM Mondays through Fridays on a first come first serve basis .

Delivery Date (to the extent possible, subject to Tenant's reasonable approval of any divergence and regardless of whether the condemnation award is sufficient to pay the costs thereof) and shall diligently pursue the same; (ii) Tenant's Base Rent and proportionate share of the real estate taxes shall be reduced to reflect the size of the Premises; and (iii) all of Tenant's rental obligations shall abate until Tenant re-opens for business.

- b. If more than fifty percent (50%) of the Premises are taken or condemned for a public or quasi-public use or Tenant elects to terminate the Lease pursuant to Section 45(a), then this Lease shall terminate as of the date of the taking of possession of the Premises pursuant to the taking or condemnation. Tenant shall have the right to claim and recover any compensation as may be separately awarded to or is recoverable by Tenant by reason of damage to Tenant's business by reason of the condemnation and for relocation expenses.

IN WITNESS WHEREOF Cascade LLC & Big Stone LLC have duly affixed their signatures by duly authorized officers under seal on this 18 day of August, 2011.

Landlord

Acknowledgement of Lease terms & agreement

[Signature] _____ John W. Gansen 100 Spring St. River Falls, WI Date 8/18/11
Signature Printed name & Address of Landlord or authorized agent

Signature Printed name & Address of Landlord or authorized agent Date / /

TENANT

Endorsement & personal Guaranty of (Owners, Members, or Shareholders) :
Acknowledgement & Personal Guaranty of Lease terms & agreement.

[Signature] _____ Dustin C. Hanson Date 8/18/11
Signature Printed name & Address of Guarantor

Signature Printed name & Address of Guarantor Date / /

MEMO

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DATE: 9/1/11

TO: Mayor Richards and City Council Persons

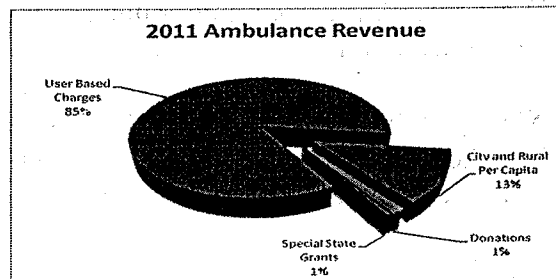
FROM: Jeff Rixmann, River Falls Ambulance Director *JR*

RE: Ambulance Service Contract with Towns and City of RF.

Attached is the contract for ambulance service coverage with the surrounding towns. The contract is identical to last year's, other than updating the dates and population figures.

I recommend keeping the per capita fee for both the city and rural at \$9.00 for the 2012 year. The majority of our revenue throughout the year comes from user based fees. Per capita funding is an important part of our revenue sources, but the revenue from service calls allows us to maintain the current per capita rate for 2012.

The chart to the right compares the sources of our ambulance revenue. The majority of our revenue is user based fees and per capita. Our user based charges are also one of the lowest for advanced life support ambulances in the Tri-County area. Normally, we receive numerous equipment grants throughout the year, keeping our assessments low for all users.



The 2012 revenue based on the proposed per capita assessment of \$9.00 will be as follows:

City of River Falls	\$129,087
Town of River Falls	21,609
Town of Kinnickinnic	15,255
Town of Clifton (part)	10,728
Town of Troy (part)	27,567
Town of Pleasant Valley (part)	<u>2,241</u>
Total 2012 Assessments	\$206,487

Please feel free to contact me if you have any further questions.

RESOLUTION NO.

RESOLUTION APPROVING 2012 AGREEMENT
FOR AMBULANCE SERVICE

WHEREAS, the River Falls Ambulance Department of the City of River Falls operates an emergency medical ambulance service in the City of River Falls; and

WHEREAS, *Wisconsin Statutes* Section 60.565 requires towns to provide emergency medical service for its residents; and

WHEREAS, the towns of River Falls, Kinnickinnic, and parts of Troy, Clifton and Pleasant Valley are desirous of receiving emergency medical services during 2012; and

WHEREAS, the Ambulance Commission recommends an annual per capita assessment for operating and capital needs for ambulance service for the year 2012 in the amount of \$9.00; and

WHEREAS, the Common Council of the City of River Falls has reviewed said recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of River Falls hereby approves a per capita assessment in the amount of \$9.00 for ambulance services for towns within their service area for the year 2012.

Dated this 13th day of September, 2011.

Don Richards, Mayor

ATTEST:

Lu Ann Hecht, City Clerk

AGREEMENT FOR AMBULANCE SERVICE

THIS AGREEMENT, is made and entered into effective the 1st day of January, 2012, by and between the River Falls Ambulance Department of the City of River Falls, Ambulance Service Provider, and the Towns of Clifton, Kinnickinnic, Pleasant Valley, River Falls and Troy, Wisconsin.

WHEREAS, the River Falls Ambulance Department of the City of River Falls operates an emergency medical ambulance service in the City of River Falls, and the Towns of Clifton, Kinnickinnic, Pleasant Valley, River Falls and Troy wish to contract with the City of River Falls to provide ambulance service to town residents;

WHEREAS, each town is desirous of receiving emergency medical ambulance services during 2012 and each town has an obligation under Section 60.565, *Wisconsin Statutes*, to contract for or to operate ambulance service for its residents. Emergency medical ambulance service is understood to be the resources used to deliver medical care and transportation to those with an unpredicted immediate need outside a hospital or other medical facility.

NOW, THEREFORE, it is mutually agreed between the parties to this agreement as follows:

1. River Falls Ambulance Department of the City of River Falls shall provide regular emergency medical ambulance services to the following governmental entities:
 - a. Entire geographic area of the Towns of Kinnickinnic and River Falls;
 - b. Part of the Towns of Clifton, Pleasant Valley and Troy, as set forth in Exhibit "B" attached hereto.
2. This contract is effective from the 1st day of January, 2012 through December 31, 2012.
3. The contract shall be automatically renewed between River Falls Ambulance Department of the City of River Falls and each town, for successive one-year periods, except as follows:
 - a. On or before June 30 of each year, River Falls Ambulance Department of the City of River Falls may provide notice, by certified mail, to a town or towns of its intent not to renew this contract with one or more towns for the following year.
 - b. Each town may on or before November 1 of each year provide notice, by certified mail, to River Falls Ambulance Department of the City of River Falls of its intent not to renew the contract for the following year.

- c. Each town has the right, as set forth in paragraph 4(f) of this agreement, to withdraw from participation for subsequent years after notice of the per capita assessment.

4. The parties therefore agree to assist in funding the ambulance service and agree to pay an annual per capita assessment for this purpose. The annual per capita assessment shall reflect, as much as possible, a proportionate amount paid by each jurisdiction contracting for ambulance service.

- a. ASSESSMENTS. Annual per capita assessments shall be based upon the latest population estimates, as of June 1 of the year preceding the effective year of the contract, from the Wisconsin Department of Administration Demographic Service Center, Madison, Wisconsin.
- b. For the contract year 2012, the following population figures from 2009 shall be used:

<u>Jurisdiction</u>	<u>Population</u>
Town of Kinnickinnic	1,695
Town of River Falls	2,401
Town of Clifton (67%)	1,192
Town of Pleasant Valley (50%)	249
Town of Troy (67%)	3,063
City of River Falls	14,343

- c. Population figures for the Towns of Clifton, Pleasant Valley and Troy are prorated to reasonably reflect that portion of the population lying within the service area.
- d. On or before the 1st day of October, 1997, and each year thereafter, River Falls Ambulance Department of the City of River Falls shall notify each participating municipality of the per capita assessment that must be paid and budgeted for the following calendar year.

- e. The annual per capita assessment shall be based upon the recommendation of the Ambulance Commission as approved by the City Council. In establishing the per capita assessment, the following categories shall comprise the operating expenses of the service:
1. Direct operating expenses;
 2. Equipment (based on depreciation);
 3. In-kind services provided by the City
 4. Uncollectible accounts.

In the event that accumulated funds are in excess of that reasonably needed to meet the needs of the ambulance service, the Ambulance Commission may adjust the per capita assessments as necessary.

- f. Each town, upon receiving notice of the per capita assessment on or before October for the assessment for the following year, shall have until November 1 of the year of the receipt of the notice to notify the River Falls Ambulance Department of the City of River Falls of its intent to withdraw from participation in the agreement for the subsequent calendar year. Such notice shall be in writing, sent by certified mail, return receipt requested. The assessment shall be paid in full on or before March 15 of the year following the notice of the assessment, being the year of the contractual obligation between the parties. Failure to pay the assessment in full by March 15 of the contractual year shall be cause for immediate termination of this contract without notice and no further provision of ambulance service to said town by the City shall be required. The town shall remain responsible for its per capita assessment under the contract for January 1 through March 15 of the contractual year, in the event non-payment and termination occur. If any such town shall so withdraw from participation, the per capita assessment shall remain the same for the remaining towns for the contractual year; however, for the succeeding years, the per capita assessments shall be reestablished for the remaining towns in accordance with the



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MEMORANDUM

To: Mayor Richards and City Council

From: Lu Ann Hecht, City Clerk

Date: August 31, 2011

Re: Repeal of Charter Ordinance – Creating Aldermanic Districts; and Providing for the Election of Alderpersons in the City of River Falls

BACKGROUND

Historically City Council has been presented with both a resolution approving the ward boundaries and a charter ordinance creating aldermanic districts, and providing for the election of alderpersons within the city.

DISCUSSION

Attorney Bill Thiel determined that Council could adopt a single regular ordinance that would meet the requirements of both Wis. Statutes §5.15 and §62.08.

CONCLUSION

Staff recommends the repeal of the charter ordinance approved in 2001, and approval of Ordinance #2011-09 which follows this agenda item.

Ordinance #2011-09 meets the requirements of both §5.15 and §62.08 of the Wis. Stats., for the creation of districts.

CHARTER ORDINANCE

-To Repeal Charter Ordinance, "An Ordinance Creating Aldermanic Districts; and Providing For The Election of Alderpersons in the City of River Falls", adopted on September 25, 2001, Effective Date December 5, 2001-

THE COMMON COUNCIL OF THE CITY OF RIVER FALLS DOES HEREBY ORDAIN AS FOLLOWS:

Section One: That a certain Charter Ordinance entitled "An Ordinance Creating Aldermanic Districts; and Providing For the Election of Alderpersons in the City of River Falls", adopted on September 25, 2001, with the effective date of December 5, 2001, be and is hereby REPEALED. A copy of said Charter Ordinance is attached hereto and incorporated herein as Exhibit "A".

Section Two: That this Charter Ordinance is adopted pursuant to §66.0101(2)(b), Wis. Stats.

Section Three: That the intent of this Ordinance is to repeal solely that part of the Charter of the City of River Falls that is identified in Section One, above.

Section Four: That this Charter Ordinance shall be published in the official City newspaper and shall be recorded by the City Clerk in the permanent records of the City, with a statement as to the manner of its adoption. This Charter Ordinance shall not take effect until sixty (60) days after its passage and publication. If a petition conforming to §8.40, Wis. Stats., is signed by a number of electors equal to not less than seven percent (7%) of the votes cast in the City in the last gubernatorial election and is filed with the City Clerk demanding that this ordinance be submitted to a vote of the electors, this ordinance shall not take effect until it is submitted to a referendum and approved by a majority of the electors voting thereupon.

Dated this _____ day of _____, 2011.

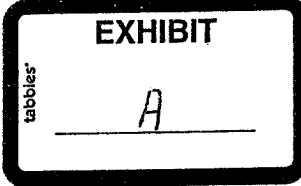
CITY OF RIVER FALLS

By: _____
Don Richards, Mayor

Attest:

By: _____
Lu Ann Hecht, City Clerk

Approved: _____
Published: _____
Adopted: _____



CHARTER ORDINANCE

**AN ORDINANCE CREATING ALDERMANIC DISTRICTS,
AND
PROVIDING FOR THE ELECTION OF ALDERPERSONS
IN THE CITY OF RIVER FALLS, WISCONSIN**

**THE COMMON COUNCIL OF THE CITY OF RIVER FALLS DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. Any and all provisions of the Municipal Code of the City of River Falls, which provide s for the election of Alderpersons for the City of River Falls on any other basis, or by any other procedure, than the basis and procedures hereafter stated, are hereby repealed.

SECTION 2. All Alderpersons heretofore elected shall serve their full terms without jeopardy to their powers or authority by reason of this Ordinance.

SECTION 3. Hereafter, there shall be seven (7) Alderpersons elected to the Common Council, one member from each of four (4) Aldermanic Districts and three (3) members elected at-large.

SECTION 4. Aldermanic Districts are hereby created pursuant to Section 62.08, *Wisconsin Statutes*, by combining wards, established by Resolution No. 3836 dated July 10, 2001, as follows:

District 1	Wards 1, 2, 3 and 4
District 2	Wards 8, 9, and 10
District 3	Wards 5, 6, and 7
District 4	Wards 11 and 12

SECTION 5. Alderpersons shall be elected from Districts 1, 2 and 3 in odd-numbered years, along with one at-large Alderperson. District 4 and two at-large Alderpersons shall be elected in the even-numbered yeas. Each Alderperson so elected shall serve for two years and may be re-elected thereafter for any number of additional terms as the voters of the City of River Falls or applicable district may choose.


SECTION 6. The provisions of *Wisconsin Statutes* with reference to primaries and municipal elections are incorporated herein by reference and shall apply.

SECTION 7. That the Common Council of the City of River Falls has adopted the ward boundary plan for City Wards 1 through 12, on July 10, 2001, as indicated on the list of Census Blocks contained in each ward, attached to Resolution No. 3836, and incorporated by reference.

SECTION 8. The City shall be divided into 12 Wards, with Wards 1 and 2 being in St. Croix County and Wards 3 through 12 being in Pierce County.

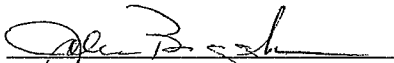
SECTION 9. This ordinance shall be published in the official newspaper of the City of River Falls, and shall be recorded by the Clerk of the City of River Falls in the permanent records of the City, with a statement of the manner of its adoption. This ordinance shall not take effect until sixty (60) days after its passage and publication. If a petition conforming to §8.40, *Wisconsin Statutes*, signed by a number of electors of the City equal to not less than seven percent (7%) of the votes cast therein for Governor of the last general election shall be filed in the office of the Clerk of said City demanding that such ordinance be submitted to a vote of the electors, the ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

FOR THE CITY OF RIVER FALLS



Katie Chaffee, Mayor

ATTEST:



Julie Bergstrom, City Clerk

First Reading: September 11, 2001
Notices: September 13, 2001
September 20, 2001
Second Reading: September 25, 2001
Adoption: September 25, 2001
Publication: October 4, 2001
Effective Date: December 5, 2001

Alderspersons Voting in Favor of Passage: Harris Kittelson; Gene Mulhollam; Bob Ebert; Tom O'Connell; Wayne Beebe

Alderspersons Voting Against Passage: None

Alderspersons not Voting due to Absence: Sharon Graham; Robbye Sitz



MEMORANDUM

To: Mayor Richards and City Council
From: Lu Ann Hecht, City Clerk ^{ZH}
Date: August 31, 2011
Re: Ordinance Ratifying Resolution Redistricting City

DISCUSSION

Attorney Bill Thiel prepared the attached memo to Mayor Richards and Council Members.

The requirements of Wis. Statutes §5.15 and §62.08(1) can be met by one ordinance, instead of a resolution and a charter ordinance.

CONCLUSION

Staff recommends the adoption of this ordinance to ratify Resolution #5486 adopted on July 12, 2011.

MEMORANDUM

TO: Don Richards, Mayor and Hon. Members, Common Council, City of River Falls

FROM: Bill Thiel, City Attorney

DATE: August 9, 2011

RE: **Attached Ordinance Ratifying Resolution Redistricting City**

Dear Mayor Richards and Members of the Common Council:

Upon review of Ch. 62, Wis. Stats., in conjunction with drafting a charter ordinance that will be brought to your attention, I noted §62.08(1), Wis. Stats., which requires that cities, when redistricting their wards for purposes of complying with the election law under § 5.15, Wis. Stats., are to affirm such redistricting by means of an ordinance. Technically speaking, as I believe that you are aware, if the statutes require that action be taken in the form of an ordinance, a resolution is not sufficient. As such, to perfect compliance with this statute, I am recommending the adoption by a majority vote of the members of the Common Council of the ordinance ratifying your resolution of July 12, 2011.

This is a technical matter of procedure only. No changes are being made to what you have already adopted in the form of a resolution. Indeed, review of §5.15, Wis. Stats., which compelled your action in the first place, does not reveal any requirement of adopting ward changes in the form of an ordinance. However, since Ch. 62, Wis. Stats., specifically controls the authority of cities, I deem it appropriate to perfect technical compliance with its requirements.

Bill

ORDINANCE

–Ratifying Readjustment of Wards for Purposes
of §62.08(1), Wis. Stats.–

THE COMMON COUNCIL OF THE CITY OF RIVER FALLS DOES HEREBY ORDAIN AS
FOLLOWS:

Section One: That for the express purpose of complying with §62.08(1), Wis. Stats., the City of River Falls having adopted a Resolution at its Common Council meeting of July 12, 2011, to redistrict its wards in a manner consistent with §5.15(1) and (2), Wis. Stats., it hereby ratifies the action taken in said resolution by re adopting said plan of redistricting in the form of this ordinance as is required by law. Incorporated herein by reference as Exhibit “A” is a copy of said resolution.

Section Two: That this Ordinance not be codified. That the City Clerk shall retain a copy of this Ordinance and maintain it in an appropriate place for public inspection.

Section Three: That this Ordinance shall take effect upon its adoption and publication as required by law.

Dated this _____ day of _____, 2011.

CITY OF RIVER FALLS

By: _____
Don Richards, Mayor

Attest:

By: _____
Lu Ann Hecht, City Clerk

Approved: _____

Published: _____

Adopted: _____

RESOLUTION NO. 5486

RESOLUTION ADOPTING THE WARD PLAN
FOR
PIERCE AND ST. CROIX COUNTIES
IN THE CITY OF RIVER FALLS, WI

WHEREAS, every ten years the United States Census Bureau conducts a census of the population and provides population counts to local municipalities; and

WHEREAS, the State of Wisconsin delivered detailed population data and block-level maps to Pierce and St. Croix Counties on March 25, 2011; and

WHEREAS, *Wisconsin Statutes* Section 59.10(3)(b)1 requires counties to prepare a tentative county supervisory district plan within 60 days of receiving the population data and block-level maps; and

WHEREAS, the Pierce County Board of Supervisors and St. Croix County Board of Supervisors have each held a public hearing and adopted tentative supervisory district plans; and

WHEREAS, the tentative plans contain supervisory districts substantially equal in population as provided for Pierce County and St. Croix County; and

WHEREAS, a copy of the plans has been provided to local municipalities; and

WHEREAS, *Wisconsin Statutes* Section 5.15 requires municipalities to divide into wards; and

WHEREAS, the ward plan for the City of River Falls has been prepared in accordance with statutory requirements and is consistent with the tentative county supervisory district plans; and

WHEREAS, the ward plan will facilitate the creation of aldermanic districts having fairly equal population.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of River Falls hereby adopts the ward boundary plan as described in the attached document.

BE IT FURTHER RESOLVED that the wards are numbered 1 through 14 and that the following wards are combined for County Supervisory District voting purposes:

St. Croix County

Supervisory District 10 Ward 1, 2, 3, and 4

Pierce County

Supervisory District 3	Wards 8
Supervisory District 4	Wards 5, 6, and 7
Supervisory District 5	Wards 12 and 13
Supervisory District 6	Wards 9 and 10
Supervisory District 7	Wards 11 and 14

ALSO, BE IT FURTHER RESOLVED that the wards shall be in the Aldermanic District as follows:

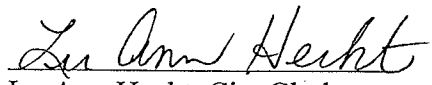
Wards 1, 2, 3, 4, & 5	District 1
Wards 6, 7, & 8	District 3
Wards 9, 10, & 11	District 2
Wards 12, 13, & 14	District 4

ALSO, BE IT FURTHER RESOLVED that within five days of adoption or enactment of this resolution, the municipal clerk shall transmit one certified copy of the resolution and all attachments to Pierce and St. Croix County Clerks.

Dated this 12th day of July, 2011.


 Don Richards, Mayor

ATTEST:


 Lu Ann Hecht, City Clerk



MEMORANDUM

To: Mayor Richards and City Council
From: Julie Bergstrom, Finance Director/Asst. City Administrator
Date: August 31, 2011
Re: Preliminary Resolution-Business Improvement District

ACTION ITEM

Preliminary resolution will authorize proceeding with special assessments for the downtown Business Improvement District (BID).

BACKGROUND

The request from the Business Improvement District Board is to continue with an annual assessment to properties in the business improvement district. The assessment of \$42,178 will be used for project costs in the district, and is allocated between properties based on assessed value.

The BID assessment has been in place since 1988. A public hearing has been scheduled for October 11, 2011, to receive public comments, and finalize the resolution authorizing the assessments for those affected properties.

This resolution provides notice to the impacted property owners of the proposed assessment.

FISCAL IMPACT

\$42,178 from Business Improvement District properties.

RECOMMENDATION

Recommend approval of the resolution.

RESOLUTION NO.

**PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POLICE
POWERS UNDER SECTION 66.0703 WISCONSIN STATUTES
FOR THE BENEFIT OF THE RIVER FALLS
BUSINESS IMPROVEMENT DISTRICT**

RESOLVED, by the Common Council of the City of River Falls, Wisconsin:

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703 Wisconsin Statutes, to levy special assessments upon property for the benefit of the River Falls Business Improvement District (BID), the Common Council having approved the operating budget submitted by the Business Improvement District Board. The special assessments that will be levied by the Common Council are upon the following described real property located in the BID, City of River Falls:

NORTHERN BOUNDARY

Commercial properties included south of the line running easterly from the northeast portion of the intersection of Lewis and Division Streets, continuing across the Kinnickinnic River, and then running along the southern portion of Division Street to the northwest portion of the intersection of Division and Third Streets.

EASTERN BOUNDARY

Commercial properties included west of the line running southerly from the northwest portion of the intersection of Division and Third Streets to Cedar Street; then easterly across the alley; then southerly to include property identification number (PIN) 1009-04 (State Bank of River Falls); then easterly to the west side of Third Street; then southerly to the northeast intersection of Third and Walnut Streets; then westerly across the alley; then southerly to the northwest portion of the intersection of the alley and Locust Street; then westerly to the northeast portion of the intersection of Second and Locust Street; then southerly along Second Street crossing Spring Street continuing southerly along Oak Street to the southeast portion of the intersection of Oak Street and Cascade Avenue; then westerly to southeast corner of Main and Cascade; thence generally south to the northeast corner of South Main and Vine.

SOUTHERN BOUNDARY

Commercial properties included north of the line which starts at the northeast portion of the intersection of Vine and South Main Streets and which runs westerly along the northern portion of Vine Street to the northeast portion of the intersection of Vine and State Streets.

WESTERN BOUNDARY

Commercial properties included east of the line running northerly from northeast portion of the intersection of State and Vine Streets across Cascade Street; then easterly to the southwest corner of PIN 1097-10; then northerly to Lake George; then generally north and northeast along the east shore of Lake George and the Kinnickinnic River to a point on the east end of the Maple Street bridge; then northerly to the northeast portion of the intersection of Pine and Clark Street; then westerly to the northeast portion of the intersection of Pine and Clark Streets; then north to the northeast portion of the intersection of Lewis and Division Streets.

2. The improvements which shall constitute the special assessment levies shall be for the payment of general operating expenses and project expenses, said improvements and expenses to be incurred for the benefit of those properties that are in the BID.

3. The total amount assessed against the properties within the BID shall not exceed 100 percent of the total cost of the operating budget approved for the operation of the BID for calendar year 2012. The Common Council determines that the assessment for the operating budget of the BID constitutes an exercise of police power and benefits the properties in the BID based upon the assessed valuation of the properties within the BID.

4. The assessment against any parcel shall be included on the real estate property tax rolls and shall be paid in full by January 31, 2012. All special assessments received by the City for use in the Business Improvement District shall be placed in a segregated account in the municipal treasury pursuant to Section 66.1109(4) of the Wisconsin Statutes.

5. The BID Board of Directors shall prepare a report which shall consist of:
 - A. The proposed operating budget of the BID for calendar year 2012, showing all planned payments, receipts and expenditures for the BID.
 - B. A listing of each parcel in the BID, and its assessed valuation, and its record owner, and current tenant if different from the owner.
 - C. A schedule of the proposed assessments against each parcel in the BID.
6. When the report is completed, the President of the BID Board of Directors shall file a copy of the report with the City Clerk for public inspection.
7. Upon receipt of the report of the President of the BID Board, the City Clerk shall cause notice to be given stating the nature of the proposed expenditures within the BID, the general boundary lines of the BID (including a small map thereof), the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class I Notice and a copy shall be mailed at least 10 days before the hearing to every interested party.
8. The hearing shall be held in the Council Chambers in the City of River Falls at a time set by the Clerk in accordance with Sections 66.0703(7)(a) of the Wisconsin Statutes.

Dated this 13nd day of September, 2011.

FOR THE CITY OF RIVER FALLS

Don Richards, Mayor

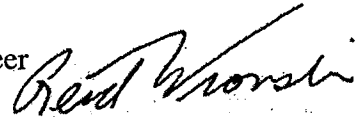
ATTEST:

Lu Ann Hecht, City Clerk

CITY COUNCIL REPORT

ITEM

To: Mayor Richards and Council Members

From: Reid R. Wronski, P.E., City Engineer  6

Date: September 6, 2011

Re: Resolution on Relocation Order – Wesley Foundation of River Falls
(Cascade Avenue Phase 1) - Pursuant to Section 32.05 Wisconsin Statutes

ACTION ITEM:

Approve resolution on Relocation Order pursuant to section 32.05 Wisconsin statutes regarding acquisition of property from Wesley Foundation of River Falls for the Cascade Avenue Phase I project, from Main Street to Oak Knoll Avenue.

BACKGROUND:

A small portion of property needs to be acquired in the southeast corner of the Wesley Foundation (Journey House) parcel in order to facilitate the construction of the proposed roundabout and adjacent sidewalk. Attached is a resolution, an exhibit and a legal description for property to be acquired. Funds are included in the 2011 CIP for acquisition of property associated with the Cascade Avenue Reconstruction Project and are included in the 2011 Budget. This is the only property acquisition associated with Phase 1.

In accordance with State Statutes, a Relocation Order should be approved by the City Council before the City initiates discussions with the property owner regarding acquisition of a parcel. If approved, appraisals will be done to support an offer to the property owner. The offer will be brought to the City Council for approval on October 25, 2011. If approved by the City Council, an offer will be extended to the property owner on or about November 1, 2011, and the owner will have 60 days to respond to the offer.

RECOMMENDATION:

Staff recommends approval of the attached Resolution.

RESOLUTION

-§32.05(1) Relocation Order-

RELOCATION ORDER OF THE CITY OF RIVER FALLS, Pierce County, Wisconsin, by its Common Council and for its Relocation Order hereby resolves as follows:

1. That this Resolution is a Relocation Order in accordance with §32.05(1), Wis. Stats., for the purpose of the within-described public improvement project, and it is also a determination of necessity for that project in accordance with §32.07(2), Wis. Stats.; and
2. That the City of River Falls hereby determines that it is necessary and a public purpose to reconstruct a street and sidewalk of the City of River Falls, Wisconsin; and
3. That said street and sidewalk will be built within the area marked "Parcel A" as set forth in the scale drawing which is annexed to this Relocation Order as Exhibit "A" and is incorporated herein; and
4. That the legal description of the site of the street and sidewalk contained in said Exhibit "A" is attached as Exhibit "B" which is also incorporated herein; and
5. That in addition to acquiring "Parcel A", as described in Exhibit A, the City will require a temporary construction easement for purposes of facilitating its construction of the street and sidewalk proposed to be reconstructed on "Parcel A", which temporary easement area is marked as "Parcel B" on the scale drawing which is annexed to this Relocation Order as Exhibit "A" and is incorporated herein; and
6. That the legal description of the site of the temporary construction easement contained in said Exhibit "A" is attached as Exhibit "C" which is also incorporated herein; and
7. That the City of River Falls will acquire a fee simple interest in the area described as Parcel A in Exhibit "A" from the present owners. That the City of River Falls will acquire a temporary construction easement in the area described as Parcel B in Exhibit "A" from the present owners.

Passed and approved this 13th day of September, 2011.

I hereby certify that on this 13th day of September, 2011, the within Relocation Order was adopted by a vote of _____ ayes and _____ nays by the Common Council of the City of River Falls, Wisconsin.

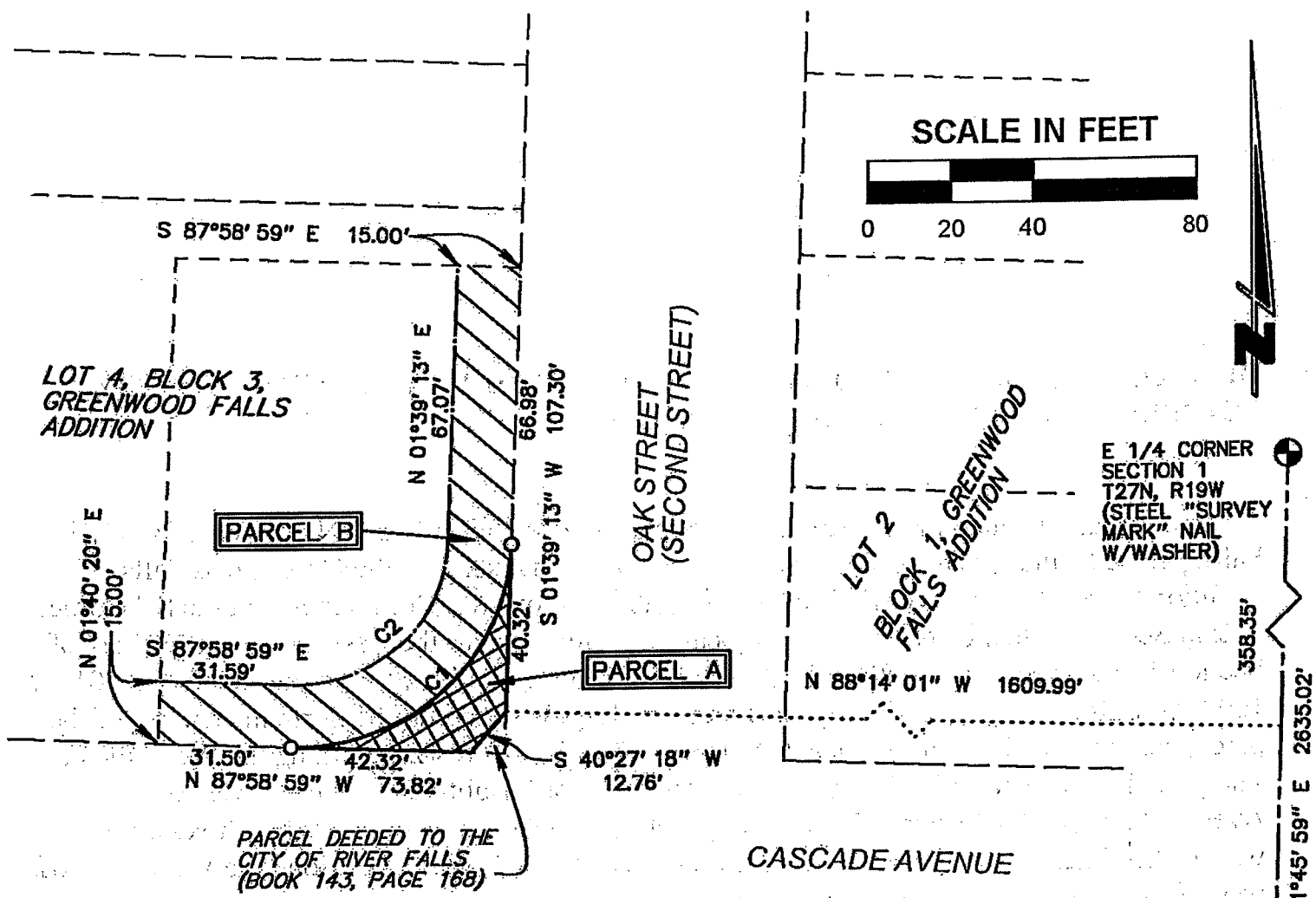
CITY OF RIVER FALLS

Attest: _____

LuAnn Hecht, City Clerk

Approved: _____

Don Richards, Mayor

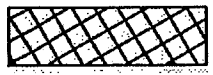


SCHEDULE OF LANDS & INTERESTS REQUIRED			
WESLEY FOUNDATION ORIGINAL ACREAGE	ACRES (FOR RIGHT-OF-WAY)	ACRES (FOR EASEMENT)	WESLEY FOUNDATION FINAL ACREAGE
0.219	0.012	0.057	0.207

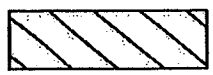
LOT 1, BLOCK 4 GREENWOOD FALLS ADDITION

LOT 1, BLOCK 2 GREENWOOD FALLS ADDITION

LEGEND



RIGHT OF WAY FROM WESLEY FOUNDATION OF RIVER FALLS TO CITY (PERMANENT)



TEMPORARY CONSTRUCTION EASEMENT FROM WESLEY FOUNDATION OF RIVER FALLS

○ 1 1/4" (o.d.) x 18" IRON PIPE WEIGHING 1.68 LBS./LINEAR FOOT TO BE SET UPON COMPLETION OF CONSTRUCTION

OGDEN ENGINEERING CO.
 Civil Engineering & Land Surveying
 1234 S. Wasson Lane, River Falls, WI 54022
 (715) 425-7631

CURVE TABLE

CURVE NO.	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	50.00'	90°21' 48"	78.86'	70.93'	N 46°50' 07" E	S 87°58' 59" E	N 01°39' 13" E
C2	35.00'	90°21' 48"	55.20'	49.65'	N 46°50' 07" E	S 87°58' 59" E	N 01°39' 13" E

DATE: 9-1-11

EXHIBIT "A"

DESCRIPTION OF RIGHT-OF-WAY TO BE ACQUIRED FROM THE WESLEY FOUNDATION OF RIVER FALLS (Parcel A)

A parcel of land located in the NW 1/4 of the SE 1/4 of Section 1, T27N, R19W, City of River Falls, Pierce County, Wisconsin, being part of Lot 4 of Block 3 of the Greenwood Falls Addition to the City of River Falls and is described as follows: Commencing at the SE Corner of said Section 1; thence N01°45'59"E (bearings referenced to the East line of said SE 1/4 of Section 1, assumed to bear N01°45'59"E) 2276.67' along said East line; thence N88°14'01"W 1609.99' to the Point of Beginning, said Point of Beginning being the north most point of the parcel described in Book 143, Page 168; thence S40°27'18"W 12.76' along the West line of said parcel; thence N87°58'59"W 42.32' along the North right-of-way line of Cascade Avenue; thence Northeasterly 78.86' along a 50.00' radius curve concave Northwesterly whose chord bears N46°50'07"E 70.93'; thence S01°39'13"W 40.32' along the West right-of-way line of Oak Street (Second Street) to the Point of Beginning.

This parcel contains 0.012 acre, more or less, being 504 square feet, more or less. Subject to all easements, restrictions and covenants of record.

Date: September 1, 2011

EXHIBIT "B"

DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT TO BE GRANTED BY THE WESLEY FOUNDATION OF RIVER FALLS TO THE CITY OF RIVER FALLS (Parcel B)

A parcel of land located in the NW 1/4 of the SE 1/4 of Section 1, T27N, R19W, City of River Falls, Pierce County, Wisconsin, being part of Lot 4 of Block 3 of the Greenwood Falls Addition to the City of River Falls and is described as follows: Commencing at the SE Corner of said Section 1; thence N01°45'59"E (bearings referenced to the East line of said SE 1/4 of Section 1, assumed to bear N01°45'59"E) 2276.67' along said East line; thence N88°14'01"W 1609.99' to the north most point of the parcel described in Book 143, Page 168; thence S40°27'18"W 12.76' along the West line of said parcel; thence N87°58'59"W 42.32' along the North right-of-way line of Cascade Avenue to the Point of Beginning; thence N87°58'59"W 31.50' along said North right-of-way line; thence N01°40'20"E 15.00'; thence S87°58'59"E 31.59'; thence Northwesterly 55.20' along a 35.00' radius curve concave Northwesterly whose chord bears N46°50'07"E 49.65'; thence N01°39'13"E 67.07'; thence S87°58'59"E 15.00'; thence S01°39'13"W 66.98' along the West right-of-way line of Oak Street (Second Street); thence Southwesterly 78.86' along a 50.00' radius curve concave Northwesterly whose chord bears S46°50'07"W 70.93' to the Point of Beginning.

Date: September 1, 2011

EXHIBIT "C"

