

**RESOLUTION NO. 2024-069
VILLAGE OF CALEDONIA**

**A RESOLUTION AUTHORIZING THE VILLAGE OF CALEDONIA TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH CENTRAL STORAGE &
WAREHOUSE, LLC**

The Village Board for the Village of Caledonia, Racine County, WI do resolve as follows:

WHEREAS, Central Storage & Warehouse, LLC is looking to expand their facility at 12725 4 Mile Road with a 106,636 square foot addition. This addition (Phase 3.5) is the 3rd addition to the building since it was initially constructed in 2018/2019.

WHEREAS, with the second addition (Phase 2.5) to the building, Central Storage & Warehouse, LLC was required to relocate the public storm sewer and install public water main to accommodate the proposed layout.

WHEREAS, with the third addition (Phase 3.5) to the building, Central Storage & Warehouse, LLC will be required to relocate a portion of the newly relocated storm sewer and a portion of the recently installed water main.

WHEREAS, also with the third addition (Phase 3.5) the Village staff has taken issue with the temporary grading of the site over the relocated public utilities, lack of reasonable access to the public utilities, and temporary grading of a future building pad.

WHEREAS, Central Storage & Warehouse, LLC has requested that they be allowed to move forward with the construction of Phase 3.5 as currently designed due to the impending costs of construction of a retaining wall and costs for hauling away the excess spoil material making the project cost prohibitive.

WHEREAS, Central Storage & Warehouse, LLC has been a valued business in the DeBack Farms Business Park and the Village wants to see them continue to grow and expand.

WHEREAS, to overcome the issues, the Village and Central Storage & Warehouse, LLC have agreed upon a Memorandum of Understanding to address the concerns of the infrastructure and temporary grading.

WHEREAS, the Village drafted the Memorandum of Understanding to be favorable to the Village and the Utility District.

WHEREAS, Central Storage & Warehouse, LLC has reviewed, approved, and executed the Memorandum of Understanding.

WHEREAS, the Caledonia Utility District has reviewed and recommended approval of the Memorandum of Understanding subject to extensions being placed on the water valves and has forwarded it to the Village Board for approval.

NOW, THEREFORE, BE IT RESOLVED by the Caledonia Village Board that the Memorandum of Understanding as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, is approved and that the Village President is authorized to execute said Memorandum of Understanding.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 11 day of June, 2024.

VILLAGE OF CALEDONIA

By: Thomas R. Weatherston
Thomas Weatherston
Village President

Attest: Jennifer Olsen
Jennifer Olsen
Village Clerk

MEMORANDUM

DATE: Wednesday, May 29, 2024

TO: Caledonia Utility District

FROM: Anthony A. Bunkelman P.E.
Public Services Director



RE: Approval – Memorandum of Understanding – CSW Expansion Phase 3.5 –
Central Storage & Warehouse, LLC

BACKGROUND INFORMATION

The Engineering Department and the Utility District staff have been reviewing the Onsite Civil Engineering Infrastructure Plans for Central Storage & Warehouse LLC (CSW) Expansion Phase 3.5. There has been discussion between CSW, Consolidated Construction, Pinnacle and the Village on the infrastructure and temporary grading for the balance of the site for Phase 3.5.

The recently installed Watermain and Storm Sewer, installed with Phase 2.5, will need to be partially relocated. The plans show relocating the watermain and storm sewer in an appropriate location on the site, but the temporary grading over the watermain and storm sewer has been an issue of much discussion. CSW has indicated that they would not be able to remove the excess spoil material from the site with this phase of construction. Hence, they would like to have a portion of the partially relocated watermain and storm sewer buried to a level that is not normal and not initially provide reasonable access to some of the valves, manholes, or mains. The temporary grading would not allow the watermain to be serviced without the purchase or creation of longer valve turning equipment.

CSW has been a valued business in the DeBack Farms Business Park and the Village would like to see them continue to grow and expand. CSW has expanded their facility twice already since 2018. The current expansion is the third expansion and they have plans to expand the facility again in the near future. To overcome these issues with the infrastructure and temporary grading a Memorandum of Understanding has been created to address the concerns of the infrastructure and temporary grading.

The Memorandum of Understanding indicates the following:

- Submission of an updated Legal Description and Exhibit for the Utility Easement necessary for the relocated infrastructure.
- Warranty Period for the recently installed infrastructure is extended from 1 year to 3 years.
- Prior to the end of the 3-year Warranty Period, CSW provides an acceptable timeline for removal of the temporary grading over the top of the relocated public utilities.
- Submission, Review and Approval of a proposed site plan that removes the excess material over the top of the relocated Public Utilities within the Utilities Easement (including a retaining wall parallel to the South property line as necessary for access

for maintenance of the utilities and removal of the excess material from the future building pad area.

- Addressing how the existing hydrant near the Southeast corner of the site will be accessed with the temporary grading.

The Village staff has prepared the attached MOU and is recommending approval of it to allow this valued business to continue to expand. It is recommended that the Caledonia Utility District approve the MOU and forward it to the Village Board for its approval and signature.

RECOMMENDATION

Move to approve the Memorandum of Understanding with Central Storage & Warehouse LLC for Expansion Phase 3.5 and forward it to the Village Board for approval and signature.

Subject to having extensions installed on the water valves.

**MEMORANDUM OF UNDERSTANDING
CENTRAL STORAGE & WAREHOUSE LLC,
VILLAGE OF CALEDONIA UTILITY DISTRICT,
VILLAGE OF CALEDONIA**

Central Storage & Warehouse LLC (CSW) owns and operates a cold storage facility at 12725 4 Mile Road. CSW began construction of the initial 115,229 square foot cold storage facility in 2018. The original facility was completed in 2019. CSW later constructed a 54,405 square foot addition in 2022 which has been considered Phase 2. Shortly after Phase 2 CSW began construction of Phase 2.5 which consisted of a 41,648 square foot addition. At the present time CSW is proposing Phase 3.5 which consists of a 109,636 square foot addition.

With Phase 2.5, the Village of Caledonia required Public Utilities be installed (watermain) and relocated (storm sewer) based on the proposed layout. With Phase 3.5, the proposed layout requires the relocation of a portion of the recently relocated storm sewer and relocation of a portion of the recently installed watermain. The Village of Caledonia and Village of Caledonia Utility District have taken issue with the relocation of the recently installed utilities, temporary grading of the site over the relocated public utilities, lack of reasonable access to the relocated public utilities, and the temporary grading of the future building pad.

CSW has requested that they be allowed to move forward with the construction of Phase 3.5 as currently designed due to the impending costs of the construction of a retaining wall, and costs for trucking away excess spoil material from the site. These costs are claimed to make Phase 3.5 cost prohibitive.

This Memorandum of Understanding is to memorialize the discussions and verbal agreements made between the parties to allow CSW to move forward.

The Village of Caledonia and Central Storage & Warehouse LLC agree as follows:

- The Village of Caledonia will approve the proposed layout of public utilities and temporary grading of the site as shown (with minor adjustments) on the April 5, 2024 CSW Expansion Phase 3.5 Onsite Civil Engineering Infrastructure Plans subject to the following.
 - Submission of a revised legal description and exhibit for updating the Utility Easement for the Watermain and Storm Sewer to the relocated layout.
 - Central Storage & Warehouse LLC shall extend the Warranty Period for the installation of the relocated Public Utilities from 1 year to 3 years from the date of acceptance of the Utilities by the Caledonia Utility District and Village Board.
 - Prior to the end of the 3 year Warranty Period, Central Storage & Warehouse LLC shall provide an acceptable timeline for the removal of the excess material over the top of the relocated Public Utilities within the Utility Easement.
 - Submission, Review, and Approval of a proposed site grading plan that removes the excess material over the top of the relocated Public Utilities within the Utility Easement. This would include showing a retaining wall parallel to the South lot line as necessary to address the grade change, a flat area over the utilities as

necessary for access for maintenance of the utilities, and removal of the excess material from Phase 3.5 that is being placed in the future building pad area.

- Address how the existing Hydrant near the Southeast corner of the site will be accessed with the temporary grading.

Central Storage & Warehouse LLC.



Hill Hamrick
Co-CEO

Village of Caledonia



Thomas Weatherston
Village President