

BOARD OF PUBLIC WORKS

Date of Meeting: December 5, 2014, at 1:30 p.m. in the Birch Room.

Members Present: Wesolowski, Jacobson, Groat.

Also Present: Mayor Tipple, Mohelnitzky, Dave Johnson.

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and received by the *Wausau Daily Herald* in the proper manner.

Tour sidewalks along Highway U and Westwood Drive

The Board toured sidewalks along Westwood Drive and Highway U. Conversations took place regarding blowing and drifting snow. The Board also viewed sidewalk along Bridge Street near Liberty Mutual as there were reports that the sidewalk was not being cleared. However, this sidewalk was in fact clear of snow.

Discussion and possible action regarding Dave Johnson's request to close sidewalks along Highway U and Westwood Drive

After touring the sidewalks, the Board convened in the Birch Room. Jacobson stated CVMIC strongly recommends against closing the sidewalk because the City would still have a liability if someone slipped and fell. Jacobson noted that the City is the owner of the sidewalk and has an absolute duty to maintain it. We can delegate the obligation for clearing the sidewalk of ice and snow, but cannot delegate the liability for injuries occurring thereon. Additionally, Section 12.28.050 of the Wausau Municipal Code requires the sidewalks to be cleared and does not allow for any exceptions. She also provided State statute 66.0907, which states the Board of Public Works is responsible to keep sidewalks clear of ice and snow in all cases. Based upon CVMIC's recommendation and State statutes, Jacobson moved to deny Dave Johnson's request to close the sidewalks along Highway U and Westwood Drive, and directed DPW to work with Witter's to install snow fence along Highway U to help eliminate snow drifting. Wesolowski seconded and the motion carried unanimously 3-0.