



OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the Common Council of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the: **COMMON COUNCIL OF THE CITY OF WAUSAU**
 Date/Time: **Tuesday, January 14, 2014 at 7:00 pm.**
 Location: **City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers**
 Members: **Bill Nagle, Romey Wagner, David Nutting, Jim Brezinski, Gary Gisselman, Keene Winters, Lisa Rasmussen, Karen Kellbach, David Oberbeck, Sherry Abitz, Robert Mielke**

Call to Order

Pledge of Allegiance / Roll Call / Proclamations

Presentations: **Fire Inspector of the Year Award - 2013 to Fire Marshall DeSantis**

Life Saving Award - Officers: Reince, Stetzer and Bedish

City of Wausau Acknowledge the Plaza and Days Inn

Public Comment: **(Pre-registered citizens for matters appearing on the agenda)**

Communications: **(Mayor / Alderpersons / Department Heads or designee)**

Committee Reports: **(All standing and non-standing committees, commissions or boards)**

File #	CMT	Consent Agenda	ACT
14-0101		Minutes of previous meetings. (12/10/13)	
02-0423	CISM	Resolution approving utility easement at 324 East Wausau Avenue (Wisconsin Public Service)	Approved 3-0
11-1214	CISM	Resolution approving Agreement for the Management and Maintenance of a Stormwater facility (1703 Arlington Lane, LLC)	Approved 3-0
13-1112	ED	Resolution waiving City's right to purchase property in the Wausau West Industrial Park – sale of 7555 Stewart Avenue to Southern Stretch Forming – Wisconsin, Inc	Approved 5-0
13-0108	PH&S	Resolution approving or denying Various Licenses as Indicated	Approved 5-0
80-0424	PH&S	Ordinance amending Section 10.32.020 Restrictions on permit – parades to permit waiver	Approved 5-0
05-1113	PH&S	Ordinance amending Section 9.24.070 Chronic nuisance premises – posting names of chronic nuisance landlords	Approved 5-0
14-0104	PLAN	Resolution approving CMS for 60th Avenue	Approved 4-0
01-0217	PLAN	Resolution petitioning the Secretary of Transportation for Airport Improvement Aid and Designation of the Secretary of Transportation to Act as the City's Agent for Administering the Aid and for Execution of Agency Agreement and Federal Block Grant Owner Assurances	Approved 4-0

File #	CMT	Resolutions and Ordinances	ACT
14-0103		Confirmation of Mayor's Appointments.	
14-0105	CISM	Preliminary Resolution Levying Special Assessments for 2014 Street Improvement Project	Approved 3-0
14-0106	CISM	Preliminary Resolution Levying Special Assessments for 2014 Street Reconstruction Projects	Approved 3-0
13-0309	FIN	Resolution authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code §3.40.010(a).	Pending
13-1109	FIN	Ordinance amending and repealing following sections of the Wausau Municipal Code to coincide with fee schedule: Amend Section 2.56.010 Public records, 3.25.040 Permit-requirements, 3.25.050 Permit-revocation, 5.08.070 False alarm fee, 5.18.040 Application, 5.18.080 Term, 5.20.040 Licensing, 5.26.050 Facility license, 5.26.060 Facility operator's license, 5.48.010 License required-fee, 5.60.040 Registration and license, 5.61.050 Conditions for permit, 5.61.080 Violation of chapter, 5.68.030 Park license required, 6.44.030 Separation, 6.44.040 Solid waste containers, 8.08.170 Licenses, 8.08.200 Dangerous animals, 10.48.010 Definitions, 10.48.060 Rates for metered parking, 10.48.080 Rates in parking ramps, 10.48.090 Monthly permits, 15.40.010 Fee for permit, 15.56.065 Construction site erosion, 15.56.080 Permitting requirement, procedures and fees, 15.56.120 Fee schedule, 16.04.037 Rent abatement, 17.10.010 Fees designated, 17.10.020 Permits required, 17.24.020 Open fire and burning allowed by permit, 17.49.060 Fireworks/pyrotechnics, 21.12.060 Development agreements, 21.16.085 Required dedications for park purposes, 23.78.030 Application, and repeal Section 15.48.060 Tags	Pending
14-0107	PH&S	Ordinance creating Section 5.64.034 Restriction on Servers – prohibiting a licensee from serving alcohol or supervising the service of alcohol while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of the foregoing	Approved 5-0
82-1252	PH&S	Ordinance amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include restriction on server violations	Approved 5-0
03-0425	PH&S	Ordinance amending Section 5.64.078(b) Point schedule to include restriction on server violations	Approved 5-0

Public Comment & Suggestions - (for matters not appearing on the agenda)
Adjournment

Signed by James E. Tipple, Mayor

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 01/09/14 @ 4:00 pm. Questions regarding this agenda may be directed to the City Clerk.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at (715) 261-6620.

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, December 10, 2013 at 7:00 pm in Council Chambers at City Hall.
Mayor Tipple presiding.

Roll Call

12/10/2013 7:00 PM

Roll call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Proclamations:

Mayor Tipple read a proclamation proclaiming Computer Science Education Week.

Michael Loy provided a presentation summarizing the new pay for Performance plan.

Public Comment (Pre-registered citizens for matters appearing on the agenda)

1. Peter Rotter, 410 Fulton Street, Wausau WI. He spoke earlier at the Plan Commission meeting expressing his concern for the proposed sign for the Historical Society. He is not in favor of a digital reader board sign and feels it is inappropriate for this historical neighborhood. It diminishes the historic character of the area. He would like the council to take into the consideration the affect this sign would impose once it is put into place. Things often change with time and placing a digital sign up now would not be a good idea.
- 2) Paul Welter, 521 Grant Street, Wausau WI. He said that Mr. Rotter expressed a majority of his concerns so he won't reiterate but wants to express his opposition to a digital reader board that is proposed by the Historical Society.
- 3) Angela Gonzalez, 502 Fulton Street, Wausau, WI. Her comments echo what Mr. Rotter and Mr. Welter said. She would like to express her agreement with the compromise that was reached at the last Plan Commission meeting whereby, an internally lit sign would be more appropriate.

Mayor Tipple called for City Planner, Brad Lenz to come forward and clarify what was discussed at the Plan Commission meeting. All the above speakers were in favor of the compromise that was reached whereby the resolution states that an internally lit sign will be placed up and it will not be a digital reader board.

- 4) Susan Haug, R13775 River Road, Ringle, WI. She is here to represent the Wausau Bird Club. She is in favor of the proposed funding for the impoundment of stray cats at the Humane Society of Marathon County. Stray cats are a threat to birds and she read a number of statistics that support her claim.

Communications & Committee Reports:

Alderman Nagle announced that all members of the Finance Committee should be present after tonight's council meeting to discuss whether or not they will call a special meeting in the future to discuss the metal sculpture bird art.

Consent Agenda

11/26/2013 7:30:22 PM

Motion by Abitz, second by Mielke to adopt all items on consent agenda as presented:

Gisselman indicated he would be abstaining from voting on item 02-0820 due to his affiliation with the Historical Society and asked that this item be pulled from the Consent Agenda.

13-1101 Minutes of previous meetings (11/26/13)

13-1203 Resolution confirming Clerk's appointments to members of the Board of Election Officials for a term ending December 31, 2015.

12-0220 Resolution of the Human Resources Committee authorizing implementation of a New Pay Plan for General City Employees by Adoption of the Amended Compensation Philosophy, Base Pay Plan Administration Procedures, and New Salary Grade Structure.
12-1005 Resolution to amend the Precise Implementation Plan for 1015 South 17th Avenue, previously 1610 Sheridan Road, to allow for site modifications.
13-0108 Resolution of the Public Health & Safety Committee approving or denying various licenses as indicated.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0820 (*pulled off of consent agenda*) 12/10/2013 8:04:55 PM
 Motion by Wagner, second by Abitz to adopt a resolution of the Plan Commission to approve a conditional use at 410 McIndoe Street to allow for an internally illuminated building sign without digital message center and an internally illuminated monument sign, in a R4, General Residence District (Marathon County Historical Society)

Gisselman again indicated he is abstaining from voting on this issue.

Nutting thanked the neighbors and residents within the historical society neighborhood for coming together and voicing their concern of this sign. He feels strongly that this is not in keeping with the historical integrity of the neighborhood and was happy to see a compromise.

Yes Votes: 10 No Votes: 0 Abstain: 1 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	ABS
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

13-1206 12/10/2013 8:05:32 PM
 Motion by Brezinski, second by Abitz to adopt a resolution of the Finance Committee authorizing Budget Modification to finance professional service costs associated with the Fire Chief Recruitment and Selection.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES

4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

13-1109

12/10/2013 8:06:16 PM

Motion by Nagle, second by Oberbeck to adopt a resolution of the Finance Committee approving carry over request from the police department for 60 body armor vests.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

13-1204

12/10/2013 8:09:03 PM

Motion by Nutting, second by Brezinski to adopt a resolution of the Finance Committee authorizing acceptance of conveyance, by donation, of 402 Chicago Avenue by property owner.

Gisselman asked what the plan is going forward on this property and the other one (901 Stark Street) that they will be voting on next. Stratz said that Community Development would like to turn the 402 Chicago Avenue duplex into a single-family home and sell it. At this time they aren't anticipating demolition, however, they haven't done any asbestos checks yet. Stratz said the 901 Stark Street property was one they had high hopes of rehabilitating, as well. However, upon further inspection, the roof was in bad repair and other issues within the home would not make it economically feasible to rehabilitate. They wish to demolish this home and partner with NTC students to rebuild a single-family home on this property. They partner with NTC to build homes within the city every two years.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Motion by Brezinski, second by Nagle to adopt a resolution of the Finance Committee authorizing acceptance of conveyance, by donation, of 901 Stark Street by its owners.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Motion by Gisselman, second by Winters to adopt a resolution of the Finance Committee approving of Regional Animal Control Services Contract between the City of Wausau and Everest Metropolitan Police Department for the provision of certain animal control services from 1/1/14-12/31/14.

Rasmussen wanted to note that approval of this contract is contingent upon legal clarification to outline the points brought forward by Chief Hardele relative to the provision of said services when our humane officer is off duty or away at training.

Oberbeck has concerns of spreading our resources too thin. He feels the City of Wausau should address the concerns within the city first and will not vote in favor of this at this time.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Motion by Nutting, second by Gisselman to authorize approval of Letter of Intent with the Humane Society of Marathon County for the Provision of Impound Services for Non-Dog Stray Animals and Animals held for Cause Beyond December 31, 2013.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES

8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

08-0915

12/10/2013 8:12:52 PM

Motion by Mielke, second by Rasmussen to adopt an ordinance of the Plan Commission to amend Sections 23.12.140 and 23.26.150 Design and maintenance of parking spaces and 23.38.130 Design and maintenance regarding maintenance of driveways, parking spaces and similar areas.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Adjourn

12/10/2013 8:13:20 PM

Motion by Nutting, second by Mielke to adjourn. Meeting adjourned at 8:13 p.m.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

James E. Tipple, Mayor
Toni Rayala, City Clerk

**RESOLUTION OF THE
CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE**

Approving utility easement at 324 East Wausau Avenue (Wisconsin Public Service)

Committee Action: Approved 3-0

Fiscal Impact: None

File Number:

Date Introduced: January 14, 2014

WHEREAS, a renovation project is underway at Athletic Park located at 324 East Wausau Avenue, and

WHEREAS, due to the renovations, Wisconsin Public Service is requesting a twelve-foot wide easement for the installation and maintenance of underground utilities, and

WHEREAS, your Capital Improvements and Street Maintenance Committee met on December 12, 2013 and recommends approval of the utility easement at 324 East Wausau Avenue; now therefore

BE IT RESOLVED that the Common Council of the City of Wausau does hereby approve the utility easement at 324 East Wausau Avenue, a copy of which is attached hereto and incorporated herein by reference.

Approved:

James E. Tipple, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 12, 2013, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Rasmussen, Gisselman, Mielke (Abitz and Kellbach were excused.)

Also Present: Marquardt, Lenz, Gehin

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

Noting the presence of a quorum, at approximately 5:30 p.m. Chairperson Rasmussen called the meeting to order.

CONSENT AGENDA

A. Approve minutes of the November 6, 2013, meeting

B. Approve preliminary resolutions for 2014 construction projects

C. Approve Stormwater Maintenance Agreement for 1703 Arlington Lane, LLC

D. Approve WPS easement at 324 East Wausau Avenue

Mielke moved to approve the consent agenda items. Gisselman seconded and the motion carried unanimously 3-0.

Agenda Item No.

1D

STAFF REPORT TO CISM COMMITTEE - December 12, 2013

AGENDA ITEM

Approve WPS easement at 324 East Wausau Avenue

BACKGROUND

Wisconsin Public Service is looking for a 12' foot easement for installation and maintenance of underground utilities at 324 East Wausau Avenue. The easement and map are attached for your reference.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Staff recommends approval of the easement.

Staff contact: Brad Marquardt 715-261-6745

56473

DOCUMENT NUMBER

UTILITY EASEMENT / CORPORATION

THIS INDENTURE is made this _____ day of _____, _____, by and between **CITY OF WAUSAU, A MUNICIPAL CORPORATION OF THE STATE OF WISCONSIN**, ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin corporation, along with its successors and assigns (collectively, "Grantee"). For One Dollar and No/100 (\$1.00) and/or for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant unto said Grantee the perpetual right, permission, authority, privilege and easement, to construct, install, operate, maintain, inspect, remove, replace or abandon in place all equipment ("Facilities") necessary or useful for the purpose of transmitting electrical energy and/or gas for light, heat and power or for such other purpose as electric energy and/or gas is now or may hereafter be used, and for communication upon, over, across, within and above and/or beneath certain "Easement Area(s)" as shown below, or on attached Exhibit "A", on land owned by said Grantor in the **City of Wausau, County of Marathon, State of Wisconsin**, described as follows, to-wit:

Return to:
Wisconsin Public Service Corp.
Real Estate Dept.
P.O. Box 19001
Green Bay, WI 54307-9001

Parcel Identification Number (PIN)
291-2907-243-0952

Part of Lot 1 of Block 6, Kiefer, Miller and Ringles Addition in the City of Wausau, and also part of vacated N. 5th St., being part of Section 24, Township 29 North, Range 7 East, more particularly described as follows:

A 12 foot wide easement strip, the center line of which is described as follows:

Beginning at the Northeast corner of Lot 1;
Thence S 69°W, 90 feet to the ***Point of Termination.***
Bearing magnetic.
See the **Attached Exhibit "A"**

Grantor acknowledges that the measurements used in the above description or shown on the attached Exhibit "A" are approximate. Grantor agrees that the actual location of grantee's facilities as built and installed will be controlling as to the location of the easement granted.

Grantor grants to the Grantee the perpetual right, privilege and easement to enter upon the Easement Area for the purpose of constructing, installing, operating, maintaining, inspecting, removing, replacing or abandoning in place the Facilities. The Grantee shall have the right to enter on and across any of the Grantor's property outside of the Easement Area as may be reasonably necessary to gain access to the Easement Area and as may be reasonably necessary for the installation, operation, maintenance, inspection, removal or replacement of the Grantee's Facilities. Except in the event of an emergency, Grantee shall make reasonable efforts to notify the Grantor before going upon Grantor's property outside of the Easement Area.

Should Grantee's work on its Facilities require excavation, the Grantee shall restore the surface of the Easement Area to its condition prior to Grantee's work. All work performed by the Grantee pursuant to this Easement will be performed in a safe and proper workmanlike manner

- HALSEY
- BERN
- HOLLAND
- HULL
- BRIGHT
- SPENCER
- DEERIN
- MAINE
- STETSON
- WYEN
- CLEMMETT
- WATSON
- SARGENT
- FRANZEN
- TEXASHEWITT
- LEASTON
- ASTES
- KNIGLE
- KEIL
- BEVENT

POINT OF BEGINNING

- Land Hooks
- Section Lines/Numbers
- Road Names
- Named Places
- Municipalities
- 2010 Orthos Wausau
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

12' EASEMENT
90'
BEARING
S 69° WEST

HOUSE IS NO LONGER THERE

Notes

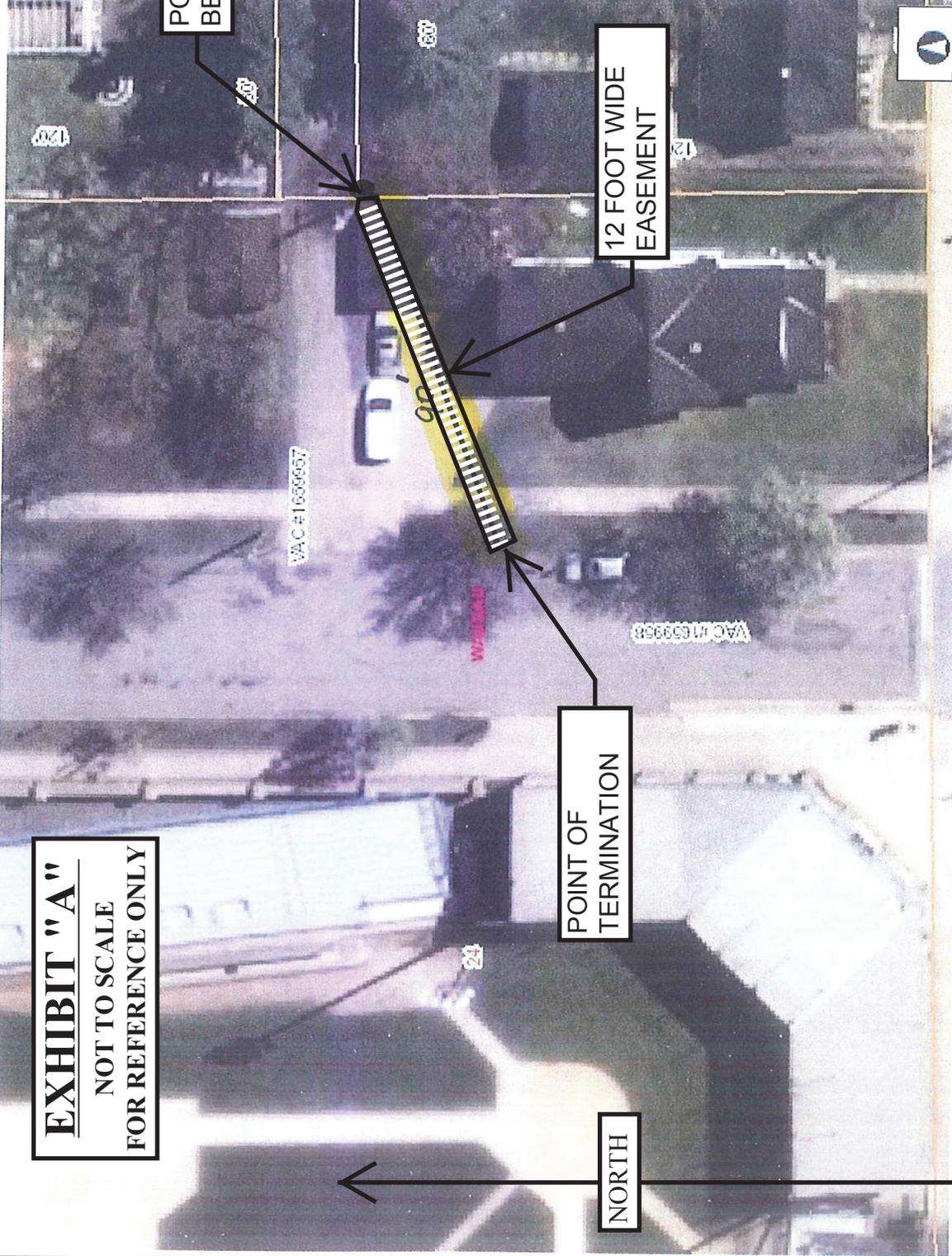


EXHIBIT "A"
NOT TO SCALE
FOR REFERENCE ONLY

NORTH

12 FOOT WIDE
EASEMENT

POINT OF
TERMINATION

15.76 0 15.76 Feet

User_Defined_Lambert_Conformal_Conic

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically administers and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**RESOLUTION OF THE
CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE**

Approving Agreement for the Management and Maintenance of a Stormwater facility (1703 Arlington Lane, LLC)

Committee Action: Approved 3-0

Fiscal Impact: None.

File Number: 11-1214

Date Introduced: January 14, 2014

WHEREAS, your Capital Improvements and Street Maintenance Committee met on December 12, 2013 to review the agreement and recommends approval of an Agreement for the Management and Maintenance of a Stormwater Facility for 1703 Arlington Lane, LLC, for stormwater facilities on their property at 1809 Arlington Lane; now therefore

BE IT RESOLVED the Common Council of the City of Wausau does hereby approve the Agreement, a copy of which is attached hereto and incorporated herein by reference, and the City Clerk is hereby instructed to have the agreement recorded in the office of the Marathon County Register of Deeds.

Approved:

James E. Tipple, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 12, 2013, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Rasmussen, Gisselman, Mielke (Abitz and Kellbach were excused.)

Also Present: Marquardt, Lenz, Gehin

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

Noting the presence of a quorum, at approximately 5:30 p.m. Chairperson Rasmussen called the meeting to order.

CONSENT AGENDA

- A. Approve minutes of the November 6, 2013, meeting**
 - B. Approve preliminary resolutions for 2014 construction projects**
 - C. Approve Stormwater Maintenance Agreement for 1703 Arlington Lane, LLC**
 - D. Approve WPS easement at 324 East Wausau Avenue**
-

Mielke moved to approve the consent agenda items. Gisselman seconded and the motion carried unanimously 3-0.

Agenda Item No.

1C

STAFF REPORT TO CISM COMMITTEE – December 12, 2013

AGENDA ITEM

Approve Stormwater Maintenance Agreement for 1703 Arlington Lane, LLC

BACKGROUND

Ghidorzi Companies is currently in the process of placing fill material on the property located south of 1703 Arlington Lane on the City's northwest side. The roughly 6 acre site is comprised of property owned by both Ghidorzi and the City of Wausau. Fill material is being placed to create a flatter, more buildable site for future development. A retaining wall is being constructed along the south and east side of the site. In conjunction with the project, a wet detention basin will be constructed to account for the stormwater treatment of approximately 6 acres of the future development. To ensure properly functioning post-stormwater facilities year after year, the City requires the owner to sign a maintenance agreement, making the owner inspect and maintain the facilities on a bi-annual basis. The maintenance agreement is attached for your review.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Staff recommends approval of the stormwater maintenance agreement.

Staff contact: Sean Gehin 715-261-6748

AGREEMENT

Document No.

Document Title

AGREEMENT FOR THE MANAGEMENT AND MAINTENANCE OF A STORMWATER FACILITY

THIS AGREEMENT made this _____ day of _____, 20____, by and between the City of Wausau, a municipal corporation of the State of Wisconsin, hereinafter referred to as "CITY", and _____, 1703 Arlington Lane, LLC, a corporation organized under the laws of the State of Wisconsin, hereinafter referred to as "OWNER";

WITNESSETH:

WHEREAS, CITY has an interest in and an obligation for the development, management, and maintenance of stormwater facilities within the corporate limits of the City of Wausau, which interest and obligation is evidenced in CITY's stormwater management ordinance and in this agreement which is being entered into pursuant to that ordinance; and

WHEREAS, OWNER wishes to construct certain buildings on land in the City of Wausau, and as an inducement for CITY to grant to OWNER a permit to construct these improvements, OWNER wishes to enter into this agreement for the management and maintenance of a stormwater facility; and

WHEREAS, the specific provision of the Wausau Municipal Code which provides for stormwater management is Chapter 15.56 of the Wausau Municipal Code, which code provides for the routine and extraordinary post construction maintenance of a stormwater management facility, and such a facility is being herein installed for the use and benefit of the development of OWNER's property, and this agreement will specifically provide for the management and maintenance of that stormwater facility.

NOW, THEREFORE, the parties hereto agree as follows:

1. That attached hereto, and incorporated herein by reference, is "Exhibit A," a map upon which there is located certain improvements and also a "detention pond" which is the subject of this agreement.
2. OWNER specifically agrees to maintain the detention pond in accordance with the schedules and procedures set forth in "Exhibit B" attached hereto and incorporated herein by reference.
3. OWNER specifically grants CITY access to, from and across the property encompassed in "Exhibit A" in order to evaluate and inspect the pond and, in addition to the detention pond, any other stormwater facilities, which evaluation and inspection will, from time to time, be necessary in order to ascertain that the practices concerning management and maintenance are being followed pursuant to CITY's stormwater management ordinances; CITY shall maintain, as a public record, the results of all site inspections, and shall recommend any corrective actions required to bring the stormwater management practices into proper operating condition.
4. Upon notification to OWNER that maintenance deficiencies exist on property, any corrective actions shall be undertaken by OWNER within a time frame as set forth by CITY, which time frame will be reasonable; should OWNER not satisfactorily complete any directives of CITY, as identified in any inspection report or directive, within the time frame provided by CITY, then the parties agree that CITY shall complete any corrective actions and the cost of those actions, including any administrative charges, shall be paid in full by OWNER or, in lieu thereof, shall be placed as a special assessment on the tax rolls of all of the property described on "Exhibit A" pursuant to Wisconsin Statutes.

Recording Area

Name and Return Address

City of Wausau Engineering Dept.
407 Grant Street
Wausau, WI 54403

PIN:

5. This agreement is being entered into pursuant to the provisions of Chapter 15.56 of the city ordinances of the City of Wausau, and the parties agree that OWNER will be bound by these provisions or any future amendments to these provisions or any separate provisions relating to stormwater management.
6. These covenants, agreements, and obligations provided for in this agreement shall travel with the land and be binding upon OWNER, its successors and assigns in perpetuity.

OWNER:

By: _____

By: _____

CITY OF WAUSAU:

By: _____

James E. Tipple, Mayor

By: _____

Toni Rayala, Clerk

STATE OF WISCONSIN)
) ss.
 COUNTY OF MARATHON)

Personally came before me this 26 day of November, 2013, the above-named Charles A. Ghidorzi and 1703 Arlington of 1703 Arlington Lane, LLC, LLC, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

 Yvonne Zwick
 Notary Public, Wisconsin
 My commission: 8/23/2015

STATE OF WISCONSIN)
) ss.
 COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 20____, the above-named James E. Tipple, Mayor, and Toni Rayala, Clerk of the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

 Notary Public, Wisconsin
 My commission: _____

EXHIBIT A

See Grading & Drainage Exhibit

EXHIBIT B

STORM WATER MANAGEMENT FACILITIES MAINTENANCE SCHEDULE AND PROCEDURES FOR 1703 ARLINGTON LANE, LLC

The Land Owner, 1703 Arlington Lane, LLC, their successors, and assigns, shall inspect and maintain the following structural and/or non-structural measures. Maintenance inspections by the Owner shall take place at a minimum of twice per year, following Owner's acceptance of the Project from the Site Contractor. Owner shall maintain a written inspection and maintenance log.

Maintenance and inspection shall be performed within the stormwater facilities and their outlet structures on the site, on-site storm sewer, culverts, and grassed swales.

Maintenance at this location shall consist of the following tasks:

1. **DEBRIS**: Removal of trash and debris should be done on a regular basis to maintain aesthetics and functionality of the stormwater facilities and grassed swales.
2. **STORM AND OUTLET STRUCTURES**: Remove accumulated sediment and/or debris from the outlet structures of the stormwater facilities, storm sewer pipes, culverts, and grassed swales.
3. **RIPRAP**: Inspect riprap and replace as may be needed to maintain integrity and a clean appearance of riprap.
4. **MOWING**: Mow the swales and pond side slopes, and pond embankments to promote drainage, aesthetics, and control weed growth. Do not allow brush or trees to grow within the interior pond storage area or exterior backslopes of the pond.
5. **DRAINAGE SWALES**: Maintain free-drainage within drainage swales on the site.
6. **WET DETENTION POND**: A permanent pool depth of 5 feet has been designed for proposed pond. A clean out cycle of accumulated sediment is recommended once the permanent pool is less than 3 feet in depth, which typically will have to be done every 10 to 20 years depending upon the cleanliness of the upstream source water.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Waiving City's right to purchase property in the Wausau West Industrial Park – sale of 7555 Stewart Avenue to Southern Stretch Forming – Wisconsin, Inc

Committee Action: Approved 5-0

Fiscal Impact: None.

File Number: 13-1112

Date Introduced: January 14, 2014

WHEREAS, Southern Stretch Forming – Wisconsin, Inc wishes to purchase the building at 7555 Stewart Avenue from Colonial Enterprises, Inc.; and

WHEREAS, deed restrictions on the property give the City of Wausau first right of refusal to purchase the property; and

WHEREAS, the City continues to have no said interest in purchasing the named property; and

WHEREAS, the City of Wausau's Economic Development Committee has considered the matter and wishes to decline to exercise the right to purchase the property.

NOW, THERE FORE BE IT RESOLVED by the Common Council of the City of Wausau that the City hereby declines to exercise its right to purchase the property at 7555 Stewart Avenue in the Wausau Business Campus and approves the sale of the property to Southern Stretch Forming – Wisconsin, Inc.; and

BE IT FURTHER RESOLVED Southern Stretch Forming – Wisconsin, Inc will abide by all terms and conditions set forth in the Wausau West Industrial Park Zoning and Standard Deed Restrictions and that any previous deed restrictions on the property at 7555 Stewart Avenue run with the property.

Approved:

James E. Tipple, Mayor

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Approving or Denying Various Licenses as Indicated

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 13-0108

Date Introduced: January 14, 2014

RESOLUTION

WHEREAS, your Public Health and Safety Committee considered certain license applications at its December 16, 2013 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

BE IT RESOLVED by the Common Council of the City of Wausau that the City Clerk be hereby authorized to issue the licenses on the attached list, incorporated as part of this resolution, according to recommendations made by the Public Health & Safety Committee and upon successful completion and acceptable proof that all applicable state and municipal regulations and requirements have been met by the applicants.

Approved:

James E. Tipple, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Consider various license applications.

Rasmussen indicated there was one operator license application recommended for denial by Chief Hardel for Steven Salyers. It was noted that Steven Salyers was not present.

Rayala stated that she did leave a message for Mr. Salyers to attend the PH&S meeting if he would like to appeal the denial, however she did not speak to him directly.

Motion by Wagner, second by Kellbach to approve or deny the various licenses as recommended by staff. Motion carried 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE

Amend Section 10.32.020 Restrictions on permit – parades to permit waiver

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 80-0424

Date Introduced: January 14, 2014

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

Add ()

Section 1. That Section 10.32.020 Restrictions on permit, is hereby amended to read as follows:

10.32.020 Restrictions on permit. No parade permit may be issued for parades during the hours of six p.m. to nine p.m., Mondays and Fridays only. This section shall not apply to national holidays. **The Public Health and Safety Committee may consider requests for waiver of this section on a case by case basis, which must be approved by Council.**

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Amend Section 10.32.020 Restrictions on permit – parades to permit waiver

Motion to approve by Wagner, second by Gisselman. Motion passed 5-0

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Amend Section 9.24.070 Chronic nuisance premises – posting names of chronic nuisance landlords

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 05-1113

Date Introduced: January 14, 2014

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

Add ()

Delete ()

Section 1. That Section 9.24.070 Chronic nuisance premises, is hereby amended to read as follows:

....

(e) Notice and Designation of Chronic Nuisance Landlord. Whenever the Chief or Chief Inspector finds an owner meets the definition of a Chronic Nuisance Landlord, such official shall notify the owner in writing that the owner is declared a Chronic Nuisance Landlord. The notice shall contain the street addresses or legal descriptions sufficient to identify the premises forming the basis for the designation, and the other notice requirements set forth in subsection (d). The notice shall further provide a statement that the owner shall, within 10 days of receipt of the notice, provide the Chief or Chief Inspector in writing, a course of action that will be taken to abate the nuisance activities. The owner shall also be notified that failure to abate the activities shall result in the owner's designation of chronic nuisance landlord being posted on the City's website, and in the City newsletter ~~and otherwise released upon request for the purpose of public awareness upon expiration of exhaustion of the owner's rights in subsections (f) and (h).~~

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Amend Section 9.24.070 Chronic nuisance premises-posting names of chronic nuisance landlords

Motion to approve by Winters, second by Gisselman. Motion passed 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE PLAN COMMISSION

Approve CSM for 60th Avenue.

Committee Action: Approved 4-0

Fiscal Impact: None.

File Number: 14-0104

Date Introduced:

January 14, 2014

WHEREAS, on December 17, 2013, the Plan Commission considered a request to approve the CSM for 60th Avenue; and

WHEREAS, staff feels that the CSM is unlikely to have a negative impact on neighboring properties or the general public's health, safety, or welfare; now therefore

BE IT RESOLVED that the Common Council of the City of Wausau hereby approves the CSM for 60th Avenue, as presented:

Approved:

James E. Tipple, Mayor

PLAN COMMISSION

Time and Date: The Plan Commission met on December 17, 2013, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Oberbeck, Valitchka

Others Present: Lenz, Hebert, Chmiel, Higginbotham, Radenz, Engen

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

Mayor Tipple called the meeting to order at approximately 5:10 p.m. noting that a quorum was not present.

Approve CSM for 60th Avenue (AnchorBank)

Mayor Tipple asked what the timeline is for the CSM approval. Higginbotham said that this would not jeopardize the sale, but would delay the sale. The original closing was scheduled for December 3 with a three month extension ending March 3. Mayor Tipple said that it would be done in plenty of time and Higginbotham agreed. Higginbotham asked the commission to look at it and ask any questions about any item which may be a red flag for the city.

Lenz said the updated maps were passed out, including an aerial photo. The new CSM, which was received earlier in the day, is very similar. It has gone around a detention pond so the western boundary of Lot 2 has changed only a bit. Normally, staff approves the CSM, but staff felt it should go to Plan Commission because the new lot would not have direct public frontage. Lenz said 60th Avenue is essentially on the northwest corner off the property across from the railroad tracks. As part of the CSM, there is an easement shown from the west where 60th Avenue would come down and runs along the northern end of the property near the existing building.

Valitchka arrived at 5:10 p.m. and a quorum was present.

Lenz said that language could be put into the recorded easement so the future use of the building wouldn't be affected if they wanted a railroad spur. Hebert asked if someone could describe the easements and the purposes. Radenz said that the easements were drafted years ago to provide access to Lot 3, but were never recorded. The intent of the easement is to provide access. The bank is interested in having some operational restrictions of the portion of the property for resale for another use. Higginbotham said that Lots 2 & 3 will be purchased through PGA. The reason for Lot 2 and Lot 3 is because there are different city and town boundary. PGA will be purchasing everything except for lot 1. The restricted easement that the bank is requesting in the northwest corner of Lot 2 is to restrict gravel crushing operations so there wouldn't be an impact on the resale of Lot 1. Radenz said that there is interest in working with the city with the ingress and egress in regards to a potential railroad spur. Hebert said that easement A appears to go over an existing building. Radenz said that it does go over a portion but language will be included addressing it.

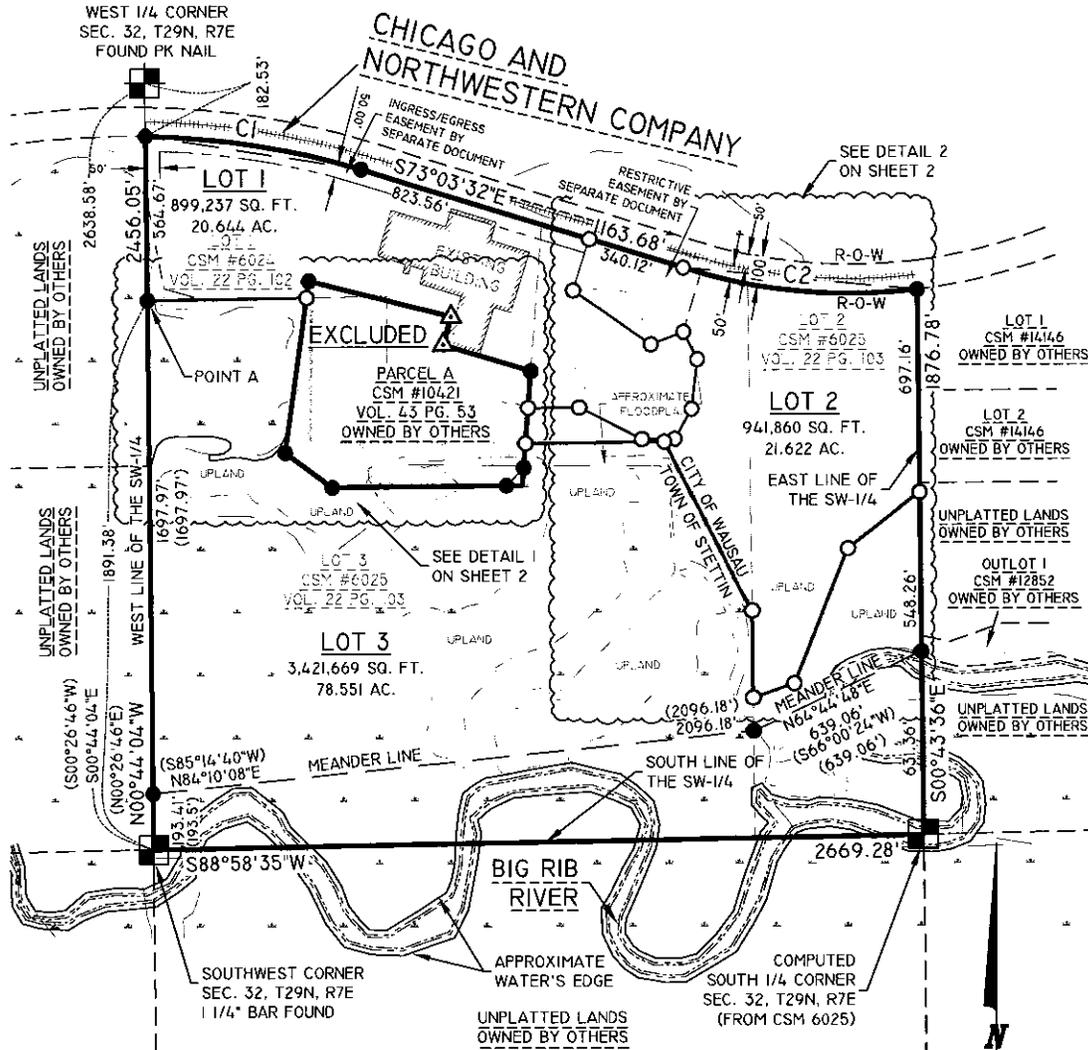
Oberbeck motioned to approve the CSM for 60th avenue. Marquardt seconded and the motion carried unanimously 4-0. This item will go to Common Council on January 14, 2014.

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784
MARATHON CO. CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: COLLIER'S INTERNATIONAL LAND OWNER: ANCHORBANK FSB

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 6024, RECORDED IN VOLUME 22, ON PAGE 102, AS DOCUMENT NUMBER 930856, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICES, AND ALL OF LOT 2 AND PART OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 6025, RECORDED IN VOLUME 22, ON PAGE 103, AS DOCUMENT NUMBER 930857 IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE EXCLUDING PARCEL A OF CERTIFIED SURVEY MAP NUMBER 10421, RECORDED IN VOLUME 43, ON PAGE 53, AS DOCUMENT NUMBER 1148534, ALL LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU AND TOWN OF STETTIN, MARATHON COUNTY, WISCONSIN.



LEGEND

- R-O-W - RIGHT-OF-WAY
- ▲ - MAG NAIL SET
- - 1-1/4 IN. O.D. IRON PIPE FOUND
- - 1-1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET
- (126°) - RECORDED BEARING/LENGTH
- 126.00' - MEASURED BEARING/LENGTH
- ~ - APPROXIMATE WETLANDS
- - EXISTING RAILROAD

CURVE TABLE

CURVE	RADIUS LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE	ARC LENGTH
C1	2814.95'	S81°13'53"E	758.34'	15°28'57"	760.65'
C2	1960.08'	S84°36'22"E	817.50'	24°04'24"	823.55'

NOTES:

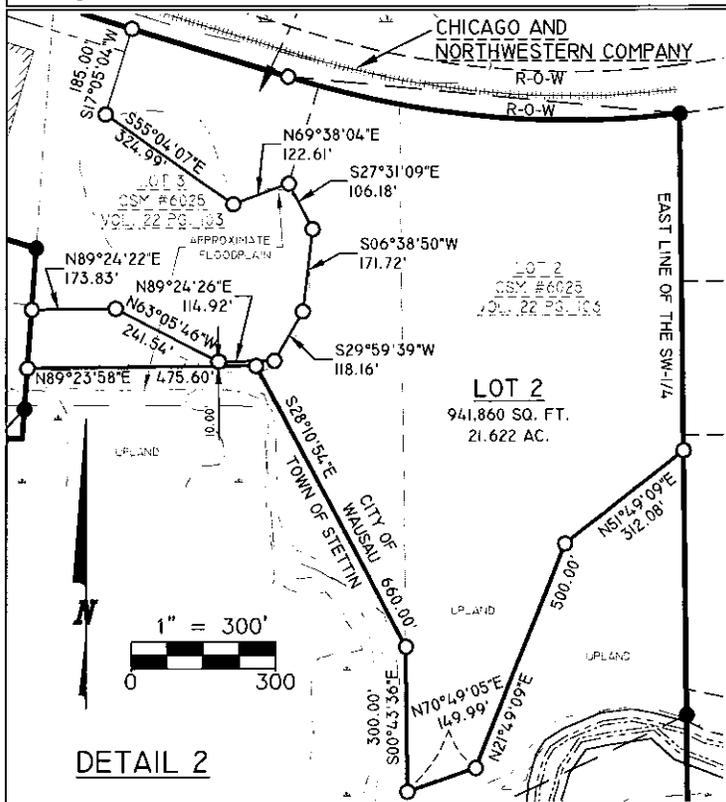
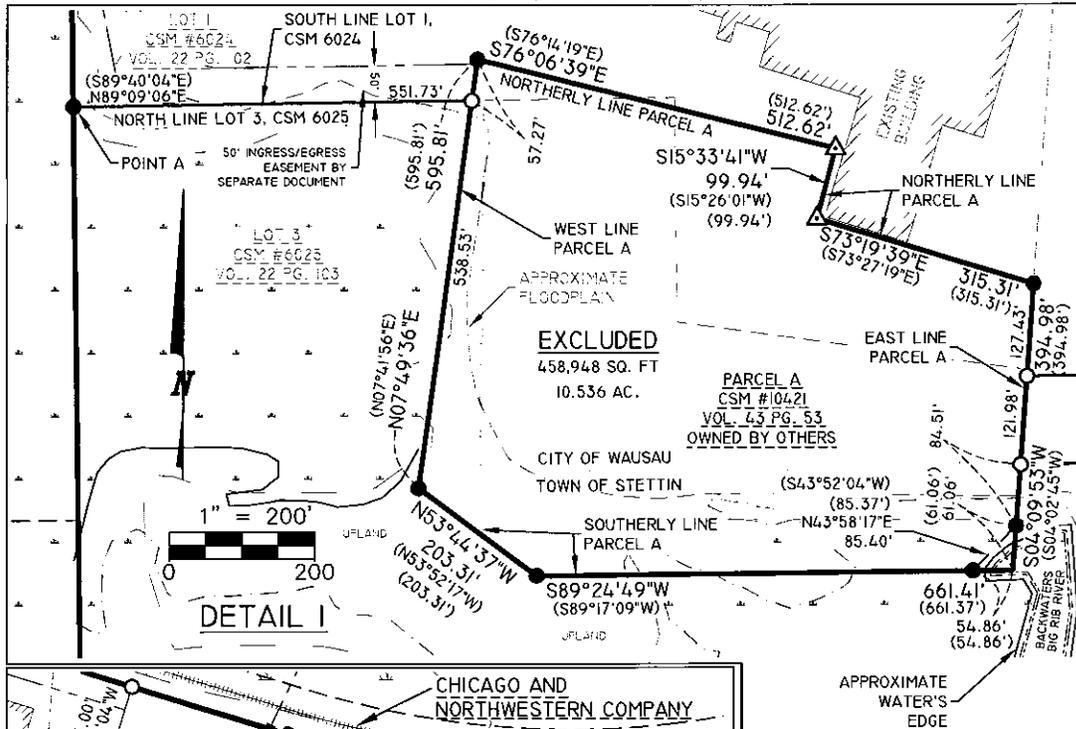
- BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD83(91) AND ARE REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 7 EAST, RECORDED TO BEAR SOUTH 00°44'04" EAST.
- APPROXIMATE 100-YR FLOODPLAIN BOUNDARY WAS DERIVED FROM AVAILABLE WDNR SURFACE WATER VIEWER MAPPING.
- ACCESS TO LOTS 2 AND 3 BY SEPARATE DOCUMENT.
- WETLANDS AND UPLANDS WITHIN THE FLOODPLAIN WERE DELINEATED BY STAR ENVIRONMENTAL ON 11/18/13 AND LOCATED BY DAN HIGGINBOTHAM RLS-1935 SUBSEQUENTLY FORWARDED TO REI. THIS MAP WAS NOT MEANT TO SHOW ALL UPLANDS WITHIN THE FLOODPLAIN.

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784
MARATHON CO. CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: COLLIER'S INTERNATIONAL LAND OWNER: ANCHORBANK FSB

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LEGEND	
R-O-W	- RIGHT-OF-WAY
▲	- MAG NAIL SET
●	- 1-1/4 IN. O.D. IRON PIPE FOUND
○	- 1-1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET
(126')	- RECORDED BEARING/LENGTH
26.00'	- MEASURED BEARING/LENGTH
▨	- APPROXIMATE WETLANDS

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784
MARATHON CO. CERTIFIED SURVEY MAP

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SURVEYOR'S CERTIFICATE

I, THOMAS A. RADENZ, WISCONSIN REGISTERED LAND SURVEYOR S-2095, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED AND DIVIDED ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 6024, RECORDED IN VOLUME 22, ON PAGE 102, AS DOCUMENT NUMBER 930856, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICES, AND ALL OF LOT 2 AND PART OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 6025, RECORDED IN VOLUME 22, ON PAGE 103, AS DOCUMENT NUMBER 930857 IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE EXCLUDING PARCEL A OF CERTIFIED SURVEY MAP NUMBER 10421, RECORDED IN VOLUME 43, ON PAGE 53, AS DOCUMENT NUMBER 1148534, ALL LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU AND TOWN OF STETTIN, MARATHON COUNTY, WISCONSIN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 32, SAID SOUTHWEST CORNER ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 00°44'04" WEST, COINCIDENT WITH THE WEST LINE OF SAID SOUTHWEST 1/4, 1891.38 FEET TO A POINT TO BE HEREINAFTER KNOWN AS POINT A; THENCE NORTH 00°44'04" WEST, COINCIDENT WITH SAID WEST LINE OF THE SOUTHWEST 1/4 564.67 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN COMPANY RAILROAD; THENCE 760.65 FEET COINCIDENT WITH THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST AND COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 2814.93 FEET, A CENTRAL ANGLE OF 15°28'57", AND A CHORD BEARING SOUTH 81°13'53" EAST FOR A DISTANCE OF 758.34 FEET; THENCE SOUTH 73°03'32" EAST, COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, 1163.68 TO THE BEGINNING OF CURVE CONCAVE TO THE NORTHEAST; THENCE 823.55 FEET COINCIDENT WITH SAID ARC CONCAVE TO THE NORTHEAST AND COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 1960.08 FEET, A CENTRAL ANGLE OF 24°04'24", AND A CHORD BEARING SOUTH 84°36'22" EAST FOR A DISTANCE OF 817.50 FEET TO THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 00°43'36" EAST, COINCIDENT WITH SAID EAST LINE OF THE SOUTHWEST 1/4 TO THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE SOUTH 88°58'35" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, 2669.28 FEET TO SAID SOUTHWEST CORNER OF SECTION 32 AND THE POINT OF BEGINNING.

EXCLUDING THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE AFOREMENTIONED POINT A; THENCE NORTH 89°09'06" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 1 OF CERTIFIED SURVEY MAP NUMBER 6024 AND THE NORTH LINE OF SAID LOT 3 OF CERTIFIED SURVEY MAP NUMBER 6025, 551.73 FEET TO THE WEST LINE OF SAID PARCEL A OF CERTIFIED SURVEY MAP NUMBER 10421 AND THE POINT OF BEGINNING; THENCE NORTH 07°49'36" EAST, COINCIDENT WITH SAID WEST LINE OF PARCEL A, 57.27 FEET TO THE NORTHERLY LINE OF SAID PARCEL A; THENCE SOUTH 76°06'39" EAST, COINCIDENT WITH SAID NORTHERLY LINE OF PARCEL A, 512.62 FEET; THENCE SOUTH 15°33'41" WEST, COINCIDENT WITH SAID NORTHERLY LINE OF PARCEL A, 99.94 FEET; THENCE SOUTH 73°19'39" EAST, COINCIDENT WITH SAID NORTHERLY LINE OF PARCEL A, 315.31 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE SOUTH 04°09'53" WEST, COINCIDENT WITH SAID EAST LINE OF PARCEL A, 394.98 FEET TO THE SOUTHERLY LINE OF PARCEL A; THENCE SOUTH 89°24'49" WEST, COINCIDENT WITH SAID SOUTHERLY LINE OF PARCEL A, 661.41 FEET; THENCE NORTH 53°44'37" WEST, COINCIDENT WITH SAID SOUTHERLY LINE OF PARCEL A, 203.31 FEET TO SAID WEST LINE OF PARCEL A; THENCE NORTH 07°49'36" EAST, COINCIDENT WITH SAID WEST LINE OF PARCEL A, 538.53 FEET TO THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 5,262,766 SQ. FT, 120.817 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF COLLIERS INTERNATIONAL, AGENT OF SAID PARCEL.

THAT SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF WAUSAU AND THE TOWN OF STETTIN.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID PARCEL, AND OF THE DIVISION THEREOF MADE.

DATED THIS _____ DAY OF _____

REI
THOMAS A. RADENZ
WI R.L.S. S-2095

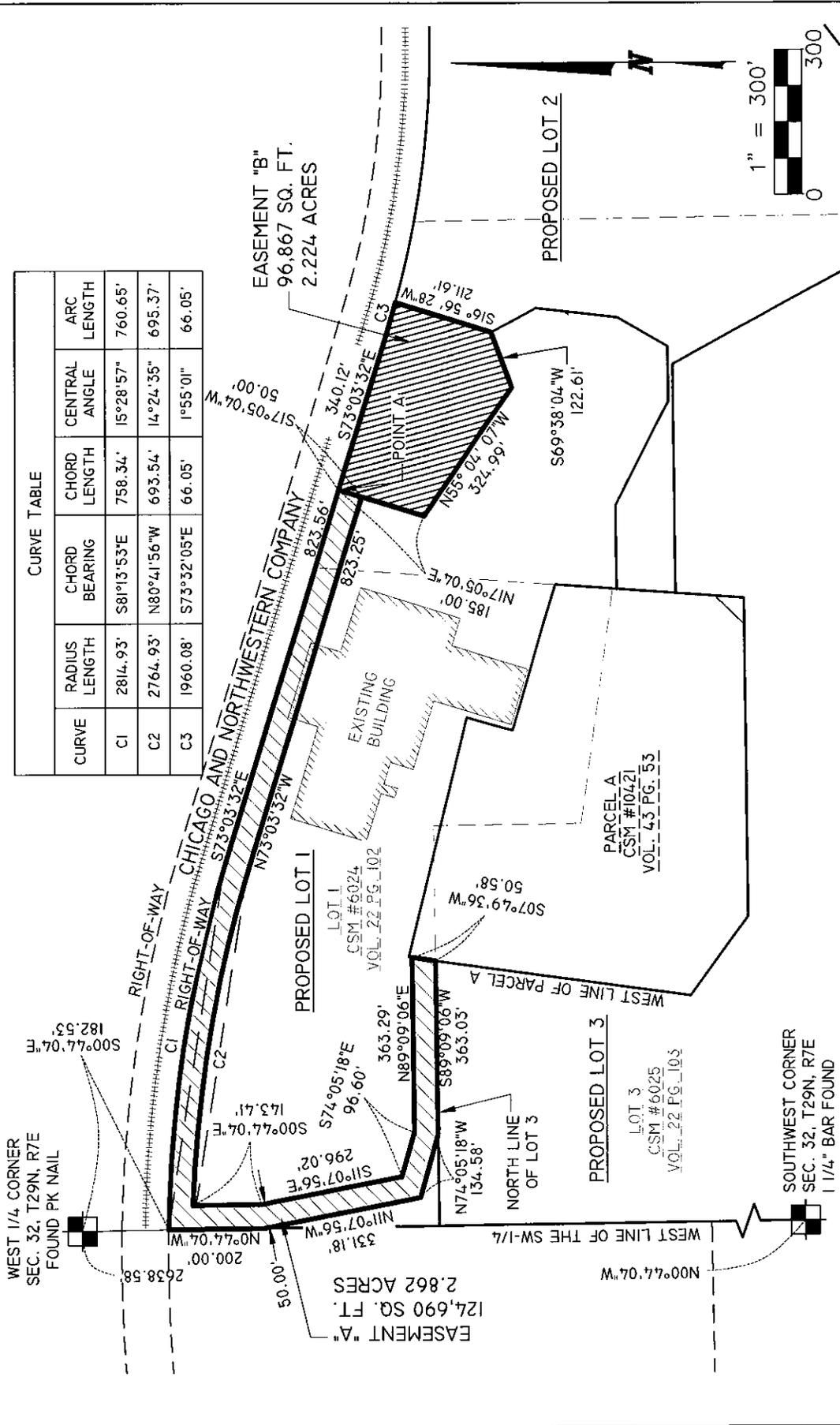
I, _____
ZONING ADMINISTRATOR
BEING DULY APPOINTED BY THE COMMON COUNCIL, DO HEREBY CERTIFY
THAT THE ATTACHED CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND
THERE ARE NO OBJECTIONS TO RECORDING THIS CERTIFIED SURVEY IN THE
REGISTER OF DEEDS OFFICE.

NOTE:
THE TOWN OF STETTIN AND MARATHON
COUNTY HAVE WAIVED REVIEW AUTHORITY
ON THIS MAP.

DATE _____



CURVE TABLE					
CURVE	RADIUS LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE	ARC LENGTH
C1	2814.93'	S81°13'53"E	758.34'	15°28'57"	760.65'
C2	2764.93'	N80°41'56"W	693.54'	14°24'35"	695.37'
C3	1960.08'	S73°32'05"E	66.05'	1°55'01"	66.05'



REI Engineering, INC.

FIGURE A : EXHIBIT A

PROJECT NO. 6426 DRAWN BY: GSW DATE: 12/04/13

COLLIER'S INTERNATIONAL
 1243 N. 10TH STREET, SUITE 300
 MILWAUKEE, WI 53205

DRAWING FILE: P:\6400-6499\6426 - COLLIER'S INTERNATIONAL.DWG\6426 EASEMENT.DWG LAYOUT: EXHIBIT PLOTTED: DEC 17, 2013 - 10:23AM PLOTTED BY: DAN

Ingress-Egress Easement "A"

An ingress and egress easement being part of Lot 1 of Certified Survey Map Number 6024, recorded in Volume 22, on Page 102, as Document Number 930856, in the Marathon County Register of Deeds Office, and part of Lot 3 of Certified Survey Map Number 6025, recorded in Volume 22, on Page 103, as Document Number 930857 located in the Northwest 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4, Section 32, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, more particularly described as follows:

Commencing at West 1/4 corner of said Section 32; thence South 00°44'04" East, coincident with the West line of said Southwest 1/4, 182.53 feet to the South Right-of-way line of the Chicago and Northwestern Company Railroad, the beginning of a non-tangential curve concave to the South and the point of beginning; thence coincident with said South Right-of-way line, 760.65 feet coincident with the arc of said curve, said curve having a radius of 2814.93 feet, a central angle of 15°28'57", and a chord that bears South 81°13'53" East for 758.34 feet; thence South 73°03'32" East, coincident with said South Right-of-way line, 823.56 feet to a point hereinafter known as Point A; thence South 17°05'04" West, 50.00 feet; thence North 73°03'32" West, 823.25 feet to the beginning of a tangential curve concave to the South; thence 695.37 feet, coincident with the arc of said curve, said curve having a radius of 2764.93 feet, a central angle of 14°24'35", and a chord that bears North 80°41'56" West for 693.54 feet; thence South 00°44'04" East, 143.41 feet; thence South 11°07'56" East, 296.02 feet; thence South 74°05'18" East, 96.60 feet; thence North 89°09'06" East, 363.29 feet to the West line of Certified Survey Map Number 10421, recorded in Volume 43, on Page 53, as Document Number 1148534, in the Marathon County Register of Deeds Office; thence South 07°49'36" West, coincident with said West line of Parcel A, 50.58 feet to the North line of Lot 3 of said Certified Survey Map Number 6025; thence South 89°09'06" West, along said North line of Lot 3, 363.03 feet; thence North 74°05'18" West, 134.58 feet; thence North 11°07'56" West, 331.18 feet to said West line of the Southwest 1/4; thence North 00°44'04" West, along said West line, 200.00 feet to said South Right-of-way line of the Chicago and Northwestern Company Railroad and the point of beginning.

Said easement contains 124,690 square feet or 2.862 acres more or less.

Said easement is subject to any easements, restrictions, and rights-of-ways of record.

Restrictive Easement "B"

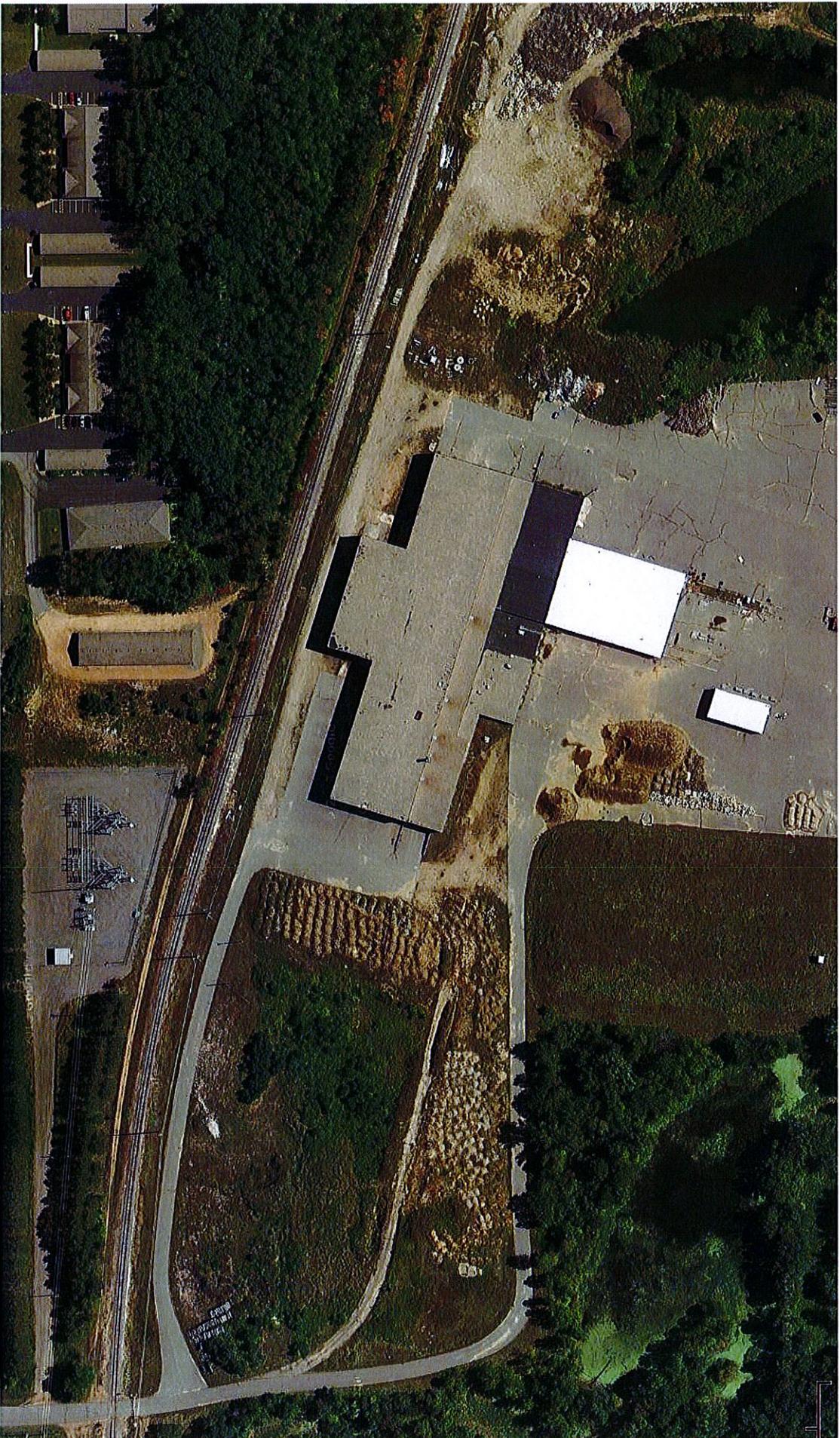
An ingress and egress easement being part of said Lot 3 of Certified Survey Map Number 6025, located in the Northeast 1/4 of the Southwest 1/4, Section 32, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, more particularly described as follows:

Commencing at the aforementioned Point A, said Point A also being the point of beginning; thence South 73°03'32" East, coincident with said South Right-of-way line of the Chicago and Northwestern Company Railroad, 340.12 feet to the beginning of a tangential curve concave to the Northeast; thence

coincident with said South Right-of-way line, 66.05 feet coincident with the arc of said curve, said curve having a radius of 1960.08 feet, a central angle of 1°55'01", and a chord that bears South 73°32'05" East for 66.05 feet; thence South 16°56'28" West, 211.61 feet; thence South 69°38'04" West, 122.61 feet; thence North 55°04'07" West, 324.99 feet; thence North 17°05'04" East, 185.00 feet to said South Right-of-way line of the Chicago and Northwestern Company Railroad, Point A and the point of beginning.

Said easement contains 96,867 square feet or 2.224 acres more or less.

Said easement is subject to any easements, restrictions, and rights-of-ways of record.



← N

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE PLAN COMMISSION

Petitioning the Secretary of Transportation for Airport Improvement Aid and Designation of the Secretary of Transportation to Act as the City's Agent for Administering the Aid and for Execution of Agency Agreement and Federal Block Grant Owner Assurances

Committee Action: Approved 4-0

Fiscal Impact:

File Number: 01-0217

Date Introduced: January 14, 2014

WHEREAS, the City of Wausau, Marathon County, Wisconsin hereinafter referred to as the Sponsor, being a municipal Body Corporate of the State of Wisconsin, is authorized by law (sec. 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the Sponsor desires to develop or improve the Wausau Downtown Airport, Marathon County, Wisconsin,

"PETITION FOR AIRPORT PROJECT"

WHEREAS, the foregoing proposal for airport improvements has been referred to the City Plan Commission for its consideration and report prior to Council action as required by Wisconsin Statutes Chapter 62.23(5), and

WHEREAS, airport users have been consulted in formulation of the improvements included in this Resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Chapter 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, by the Sponsor that a petition for Federal and (or) State Aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with Federal and State Aid or State Aid only, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a general aviation type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: Sealcoat and crack fill airport pavements; replace/update runway and taxiway signage; construct connecting taxiway from ramp to Runway 5/23; develop hangar area; construct perimeter road along Lake Wausau; relocate ASOS equipment; reconstruct crosswind Runway 5/23; rehabilitate Runway 5/23 lighting, including PAPI, clear runway approaches, including surveys; reconstruct ramp; upgrade Runway 13/31 lighting; acquire snow removal equipment; acquire land in runway approaches; clear and maintain runway approaches as stated in Transportation Administrative Code Chapter 55; and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor

will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; in the event the Sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the Sponsor; and

WHEREAS, the Sponsor is required by law (sec. 114.32(5), Wis. Stats.) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

"DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR'S AGENT"

THEREFORE, BE IT RESOLVED, by the Sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under chapter 32 of the Wisconsin Statutes; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

BE IT FURTHER RESOLVED, the Sponsor requests that the Secretary provide, per Section 114.33(8)(a) of the Wis. Stats., that the Sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

"AIRPORT OWNER ASSURANCES"

BE IT FURTHER RESOLVED that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Chapter Trans 55, Wisconsin Administrative Code, or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk be authorized to sign and execute the Agency Agreement and Federal Block Grant Owner Assurances authorized by this Resolution.

Approved:

James E. Tipple, Mayor

CERTIFICATION

I, Toni Rayala, Clerk of City of Wausau, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a meeting of the Common Council of the City of Wausau on January 14, 2014, adopted by a majority vote, and recorded in the minutes of said meeting.

Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on December 17, 2013, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Oberbeck, Valitchka

Others Present: Lenz, Hebert, Chmiel, Higginbotham, Radenz, Engen

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

Mayor Tipple called the meeting to order at approximately 5:10 p.m. noting that a quorum was not present.

PUBLIC HEARING: Petition to the Secretary of Transportation for Airport Improvements Aid and Designation of the Secretary of Transportation to Act as the City's Agent for Administering the Aid and for Execution of Agency Agreement and Federal Block Grant Owner Assurances, 725 Woods Place (Chmiel).

Chmiel said that the Wausau Downtown Airport is funded through the FFA, state funding, and local funding. In order to be eligible for FFA and state funding, this petition needs to be completed. The petition would need to go through Common Council and is not a commitment to any projects. The projects have been approved by the Airport Committee, but are contingent on the available funding from the federal and state levels.

Mayor Tipple closed the public hearing.

Mayor Tipple asked Chmiel if this is date sensitive. Chmiel answered that it would be nice to get it done soon so that the projects are put into the federal and state plan. Mayor asked if waiting until the February Common Council would put the projects in jeopardy. Chmiel said that it would just slow the process down. The airport pavement sealing is the major project that needs to be done this year and Chmiel said that he could call the bureau and find out if this would be a problem. The cracked sealing project is contingent on the approval.

Valitchka arrived at 5:10 p.m. and a quorum was present.

Petition to the Secretary of Transportation for Airport Improvements Aid and Designation of the Secretary of Transportation to Act as the City's Agent for Administering the Aid and for Execution of Agency Agreement and Federal Block Grant Owner Assurances, 725 Woods Place (Chmiel). (cont.)

Mayor Tipple said that this item is a step in the process for airport improvements. The Plan Commission and Common Council need to approve the petition.

Oberbeck motioned to approve the petition to the secretary of transportation for airport improvements aid and designation of the secretary of transportation to act as the city's agent for administering the aid and for execution of agency agreement and federal block grant owner assurances for 725 Woods Place. Marquardt seconded.

Valitchka asked Chmiel to talk a little bit about the maintenance road on the outside of the fence. Chmiel said that one of the first steps is to get some of the housekeeping in order and get the parks leases in order, which have already been executed. The leases were written in such a way to drop in for the perimeter road. It looks as if the bureau and FFA approval will happen for current park leases and then the perimeter road project can be started. The federal government is low on funding right now, but he will keep fighting for it.

The motion carried unanimously 4-0. This item will go to Common Council on January 14, 2014.

**RESOLUTION OF THE
CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE**

Preliminary Resolution Levying Special Assessments for 2014 Street Improvement Project

Committee Action:	Approved 3-0	
Fiscal Impact:	None at this time. Construction would take place in 2014 and the special assessments would be levied when the project is substantially completed.	
File Number:	14-0105	Date Introduced: January 14, 2014

BE IT RESOLVED by the Common Council of the City of Wausau as follows:

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703 of the Wisconsin Statutes and Section 3.24.020 of the Wausau Municipal Code to levy special assessments upon property for special benefits conferred upon such property by the improvement of the following streets under the 2014 Street Improvement Project:

14th Avenue from Randolph Street to Bissell Street
16th Avenue from Randolph Street to Golden Meadow Street
Golden Meadow Street from 16th Avenue to Stevens Drive
Silver Spring Street from 16th Avenue to Bissell Street
Rose Marie Street from Silver Spring Street to Bissell Street
Bissell Street from 16th Avenue to Rose Marie Street
11th Avenue from Campus Drive to the north

2. The public improvement shall include the installation of bituminous concrete pavement, curb and gutter, drive approaches, base course; installation and/or replacement of sidewalk where necessary; and installation and/or replacement of sanitary sewer, water and storm sewer laterals where necessary.

3. The total amount assessed against the properties in the defined assessment district shall not exceed the total cost of the City's share of the improvements. The City Council determines that the improvements constitute an exercise of the police power and the assessment against each parcel shall be upon a reasonable basis. The final assessment bill will be sent to property owners upon substantial completion of the project.

4. Unless other installment plans are determined at the hereinafter stated public hearing, the assessment against any parcel shall be paid as follows:

Assessments under \$300: If payment is not made prior to November 1, 2014, the special assessment will be placed on the 2014 real estate tax bill and be due in full on or before January 31, 2015. There is no interest charged when paid in full. Assessments totaling less than \$300 must be paid in full and do not qualify for the five-year payment schedule.

Assessments totaling \$300 but less than \$20,000: If full payment is not made prior to November 1, 2014, assessments totaling \$300 but less than \$20,000 will automatically be placed on the five-year

payment schedule on the 2014 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2014 real estate taxes **OR**
- B. Payment of the first one-fifth of the assessment with the 2014 real estate taxes without interest. The remaining balance is paid in equal installments on the next four real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% beginning February 1, 2015, on the unpaid balance. (The 2013 rate was 3.36%.) The remaining balance may be paid at any time with interest calculated through the month of payment.

Assessments over \$20,000: If payment is not made prior to November 1, 2014, assessments totaling \$20,000 or more will automatically be placed on the ten-year payment schedule on the 2014 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2014 real estate taxes **OR**
- B. Payment of the first one-tenth of the assessment with the 2014 real estate taxes without interest. The remaining balance is paid in equal installments on the next nine real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% beginning February 1, 2015, on the unpaid balance. (The 2013 rate was 3.36%.) The remaining balance may be paid at any time with interest calculated through the month of payment.

Real estate taxes may be paid in full or in three installments (January 31, April 30, July 31), however, the special assessments must be paid on or before January 31, 2015. No payments can be applied to real estate taxes if the special assessments are not paid. Section 74.12(11)(a), Wisconsin Statutes, specifically states if a treasurer receives a payment from a taxpayer which is not sufficient to pay all general property taxes, special assessments and special taxes due, the treasurer shall apply the payment to the amounts due, including interest and penalties, in the following order: (1) personal property taxes; (2) delinquent utility charges; (3) special charges; (4) special assessments; (5) special taxes; (6) real property taxes.

5. The Engineering Department shall prepare a report which shall consist of the preliminary plans for the proposed work, an estimate of the cost of the work, and a schedule of the proposed assessments for each parcel; a copy of the report shall be filed with the City Clerk for public inspection. In accordance with Section 66.0703(7)(a), Wisconsin Statutes, notice shall be given of a public hearing on the project; the hearing shall be held by the Board of Public Works in the Council Chambers of City Hall and will be scheduled early in 2014.

6. The installation of said improvements shall be accomplished according to the provisions of Title 12 and Chapter 3.24 of the Wausau Municipal Code, where applicable.

Approved:

James E. Tipple, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 12, 2013, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Rasmussen, Gisselman, Mielke (Abitz and Kellbach were excused.)

Also Present: Marquardt, Lenz, Gehin

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

Noting the presence of a quorum, at approximately 5:30 p.m. Chairperson Rasmussen called the meeting to order.

CONSENT AGENDA

A. Approve minutes of the November 6, 2013, meeting

B. Approve preliminary resolutions for 2014 construction projects

C. Approve Stormwater Maintenance Agreement for 1703 Arlington Lane, LLC

D. Approve WPS easement at 324 East Wausau Avenue

Mielke moved to approve the consent agenda items. Gisselman seconded and the motion carried unanimously 3-0.

AGENDA ITEM
Approve preliminary resolutions for 2014 construction projects
BACKGROUND
<p>The following construction projects are included in the 2014 budget:</p> <p><u>Street Improvements</u> 14th Avenue from Randolph Street to Bissell Street 16th Avenue from Randolph Street to Golden Meadow Street Golden Meadow Street from 16th Avenue to Stevens Drive Silver Spring Street from 16th Avenue to Bissell Street Rose Marie Street from Silver Spring Street to Bissell Street Bissell Street from 16th Avenue to Rose Marie Street 11th Avenue from Campus Drive to the north</p> <p><u>Street Reconstruction</u> 2nd Avenue from Stewart Avenue to Elm Street Clark Street from 2nd Avenue to the cul-de-sac Scott Street from Bellis Street to 10th Street McClellan Street from Bellis Street to Gray Place South 6th Avenue from West Street to Garfield Avenue</p>
FISCAL IMPACT
None at this time.
STAFF RECOMMENDATION
Staff recommends the preliminary resolutions for special assessments be adopted and public hearings scheduled. The preliminary resolutions will go to Council in January and public hearings will be held in late January or early February.
Staff contact: Allen Wesolowski 715-261-6762

**RESOLUTION OF THE
CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE**

Preliminary Resolution Levying Special Assessments for 2014 Street Reconstruction Projects

Committee Action:	Approved 3-0	
Fiscal Impact:	None at this time. Construction would take place in 2014 and the special assessments would be levied when the projects are substantially completed.	
File Number:	14-0106	Date Introduced: January 14, 2014

BE IT RESOLVED by the Common Council of the City of Wausau as follows:

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703 of the Wisconsin Statutes and Section 3.24.020 of the Wausau Municipal Code to levy special assessments upon property for special benefits conferred upon such property by the improvement of the following streets under Street Reconstruction projects to take place in 2014:

2nd Avenue from Stewart Avenue to Elm Street
Clark Street from 2nd Avenue to the cul-de-sac
Scott Street from Bellis Street to 10th Street
McClellan Street from Bellis Street to Gray Place
South 6th Avenue from West Street to Garfield Avenue

2. The public improvement shall include the removal and replacement of bituminous concrete and/or Portland cement concrete pavement, curb and gutter, drive approaches; installation and/or replacement of sidewalk and sanitary sewer, water and storm sewer laterals where necessary.

3. The total amount assessed against the properties in the defined assessment district shall not exceed the total cost of the City's share of the improvements. The City Council determines that the improvements constitute an exercise of the police power and the assessment against each parcel shall be upon a reasonable basis. The final assessment bill will be sent to property owners upon substantial completion of the project.

4. Unless other installment plans are determined at the hereinafter stated public hearing, the assessment against any parcel shall be paid as follows:

Assessments under \$300: If payment is not made prior to November 1, 2014, the special assessment will be placed on the 2014 real estate tax bill and be due in full on or before January 31, 2015. There is no interest charged when paid in full. Assessments totaling less than \$300 must be paid in full and do not qualify for the five-year payment schedule.

Assessments totaling \$300 but less than \$20,000: If full payment is not made prior to November 1, 2014, assessments totaling \$300 but less than \$20,000 will automatically be placed on the five-year

payment schedule on the 2014 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2014 real estate taxes **OR**
- B. Payment of the first one-fifth of the assessment with the 2014 real estate taxes without interest. The remaining balance is paid in equal installments on the next four real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% beginning February 1, 2014, on the unpaid balance. (The 2013 rate was 3.36%.) The remaining balance may be paid at any time with interest calculated through the month of payment.

Assessments over \$20,000: If payment is not made prior to November 1, 2014, assessments totaling \$20,000 or more will automatically be placed on the ten-year payment schedule on the 2014 real estate tax bill. Property owners may then pay their special assessment under either of two options:

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5. The Engineering Department shall prepare a report which shall consist of the preliminary plans for the proposed work, an estimate of the cost of the work, a schedule of the proposed assessments for each parcel; a copy of the report shall be filed with the City Clerk for public inspection. In accordance with Section 66.0703(7)(a), Wisconsin Statutes, notice shall be given of a public hearing on the project; the hearing shall be held by the Board of Public Works in the Council Chambers of City Hall and will be scheduled early in 2014.

6. The installation of said improvements shall be accomplished according to the provisions of Title 12 and Chapter 3.24 of the Wausau Municipal Code, where applicable.

Approved:

James E. Tipple, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 12, 2013, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Rasmussen, Gisselman, Mielke (Abitz and Kellbach were excused.)

Also Present: Marquardt, Lenz, Gehin

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

Noting the presence of a quorum, at approximately 5:30 p.m. Chairperson Rasmussen called the meeting to order.

CONSENT AGENDA

A. Approve minutes of the November 6, 2013, meeting

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C. Approve Stormwater Maintenance Agreement for 1703 Arlington Lane, LLC

D. Approve WPS easement at 324 East Wausau Avenue

Mielke moved to approve the consent agenda items. Gisselman seconded and the motion carried unanimously 3-0.

AGENDA ITEM
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FISCAL IMPACT
None at this time.
STAFF RECOMMENDATION
Staff recommends the preliminary resolutions for special assessments be adopted and public hearings scheduled. The preliminary resolutions will go to Council in January and public hearings will be held in late January or early February.
Staff contact: Allen Wesolowski 715-261-6762

RESOLUTION OF THE FINANCE COMMITTEE

Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code §3.40.010(a).

Committee Action: Pending

Fiscal Impact: Uncertain

File Number: 13-0309

Date Introduced: January 14, 2014

RESOLUTION

WHEREAS, the City of Wausau has adopted a comprehensive Fees and Licenses Schedule at W.M.C. §3.40.010, and

WHEREAS, the Finance Committee at its January 14, 2014, meeting recommends that the City incorporate certain additional fees into the Fees and Licenses Schedule which were previously set forth in specific ordinances contained in the Wausau Municipal Code, and

WHEREAS, the Finance Committee at its January 14, 2014, meeting recommends that the City approve various clarifying descriptions to certain fees and licenses set forth in the Fees and Licenses Schedule,

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau, that additional fees and various clarifying descriptions as set forth in the attached Exhibit are hereby adopted and incorporated into the City of Wausau Fees and Licenses Schedule adopted pursuant to W.M.C. §3.40.010.

Approved:

James E. Tipple, Mayor



Stormwater Permit Application Fees

A. Permit Applications with only construction site erosion control

> 1 acre

\$40 per site + \$25 per acre > 1 acre

B. Permit Applications with a post-construction Stormwater Management Plan

Residential Subdivision Plats

\$25 per lot

All other sites

\$150 per site + \$25 per acre > 1 acre

Note: No fees shall exceed \$500

CITY OF WAUSAU
BUILDING, HOUSING AND ZONING FEE SCHEDULE (effective 01/01/14)

ONE- AND TWO-FAMILY:	Fee
Plan Review <ul style="list-style-type: none"> ▪ New one- and two-family dwellings ▪ Additions and alterations to one- and two-family dwellings (not including garages) <ul style="list-style-type: none"> 500 sq. ft. or less Over 500 sq. ft. ▪ New accessory buildings or additions thereto over 160 sq. ft. 	<p>\$.024/sq ft; \$60.00 minimum</p> <p style="text-align: center;">\$28.00</p> <p>\$.024/sq ft; \$54.50 minimum</p> <p>\$.024/sq ft; \$28.00 minimum</p>
Inspection Fees <ul style="list-style-type: none"> ▪ New one- and two-family dwellings ▪ New accessory buildings for one- and two-family dwellings <ul style="list-style-type: none"> 160 sq. ft. or less Over 160 sq. ft. ▪ Additions to one- and two-family dwellings ▪ Alterations to one- and two-family dwellings ▪ Siding, soffits, fascia, roofing, window replacement, and retaining walls over 2' in height ▪ All other buildings, structures, alterations, repairs, where the square footage cannot be determined 	<p>\$.091/sq ft; \$182.00 minimum</p> <p style="text-align: center;">\$45.00</p> <p>\$.091/sq ft; \$54.75 minimum</p> <p>\$.091/sq ft; \$54.75 minimum</p> <p>\$.091/sq ft; \$45.00 minimum</p> <p style="text-align: center;">\$45.00</p> <p style="text-align: center;">\$9.10/\$1,000 valuation; \$45.00 minimum</p>
Heating, Ventilating, and Air Conditioning <ul style="list-style-type: none"> ▪ Heating—residential one- and two-family dwellings and accessory buildings (including duct work) ▪ Air conditioning (permanent installation) 	<p>\$33.00/unit, up to and including 150,000 BTU units; additional fee of \$6.00 per each 50,000 BTUs or fraction thereof</p> <p style="text-align: center;">\$33.00/unit</p>
Certificates of Occupancy Per residential unit	\$18.50/unit
Special Fees <ul style="list-style-type: none"> ▪ Zoning Certificate ▪ State of Wisconsin seal (when required) ▪ Early Start — Footings/Foundation ▪ Razing <ul style="list-style-type: none"> One- and two-family dwellings Accessory buildings ≤ 500 sq. ft. Accessory buildings > 500 sq. ft. ▪ Reinspection fee ▪ Failure to obtain permit prior to commencement of work. Payment of any fee in this subsection, however, shall in no way relieve any person of the penalties that may be imposed for violation of this chapter. 	<p style="text-align: center;">\$25.00</p> <p style="text-align: center;">\$40.00</p> <p style="text-align: center;">\$105.00</p> <p style="text-align: center;">\$68.65</p> <p style="text-align: center;">\$45.00</p> <p style="text-align: center;">\$68.65</p> <p style="text-align: center;">\$60.00</p> <p style="text-align: center;">double fees</p>

COMMERCIAL:	Fee
<p>Plan Review</p> <ul style="list-style-type: none"> ▪ All categories ▪ Separate submittals after initial approval (HVAC, trusses, etc.) 	<p>\$.089/sq ft; \$52.00 minimum</p> <p>\$52.00</p>
<p>Inspection Fees</p> <ul style="list-style-type: none"> ▪ Residential and institutional ▪ Offices and mercantile ▪ Warehouses, factories and building shells ▪ All occupancies where the square footage cannot be determined 	<p>\$.11/sq ft; \$60.00 minimum</p> <p>\$.091/sq ft; \$60.00 minimum</p> <p>\$.073/sq ft; \$60.00 minimum</p> <p>\$9.10/\$1,000 valuation; \$60.00 minimum</p>
<p>Heating, Ventilating, and Air Conditioning</p> <ul style="list-style-type: none"> ▪ Heating (including duct work) ▪ Duct work only or alterations to existing duct work ▪ Air conditioning (permanent installation) ▪ Incinerators 	<p>\$33.00/unit, up to and including 150,000 BTU units; additional fee of \$6.00 per each 50,000 BTUs or fraction thereof; \$60.00 minimum</p> <p>\$.016/sq ft; \$60.00 minimum</p> <p>\$33.00/unit</p> <p>\$54.00/unit</p>
<p>Certificates of Occupancy</p> <ul style="list-style-type: none"> ▪ Residential units ▪ Other occupancies 	<p>\$11.50/unit</p> <p>\$27.00</p>
<p>Special Fees</p> <ul style="list-style-type: none"> ▪ Zoning Certificate ▪ Early Start — Footings/Foundation ▪ Razing — commercial structures ▪ Parking lot permits (15.52.020) ▪ Reinspection fee ▪ Failure to obtain permit prior to commencement of work. Payment of any fees in this subsection, however, shall in no way relieve any person of the penalties that may be imposed for violation of this chapter. 	<p>\$50.00</p> <p>\$120.00</p> <p>\$105.00</p> <p>\$45.00</p> <p>\$60.00</p> <p>double fees</p>

MISCELLANEOUS FEES:	Fee
Application and Publication Fee for Building Advisory Board (Class 1 Notice) (15.04.080)	\$150.00
Application and Publication Fees (WMC Chapters 23.56, 23.58, 23.78 and 23.90) <ul style="list-style-type: none"> ▪ Zoning Board of Appeals – Variances, Appeals ▪ Plan Commission -- Amendments, Conditional Uses, UDD Petitions ▪ Plan Commission (special meeting requested) 	\$150.00 \$300.00 \$400.00
Certified Survey Map Review	\$45.00
Drive Approach Permits (12.20.010)	\$20.00
Excavation Permits (12.40.010)	\$62.00
Fences (effective 04/01/04)	\$45.00
Home Satellite Communication Dishes (23.12.055)	\$45.00
Moving Buildings Over Public Ways (15.40.010) <ul style="list-style-type: none"> ▪ Garages ▪ Houses or other buildings 	\$45.00 \$210.00
Parkland Dedication Fees: (WMC Chapter 21.16) <ul style="list-style-type: none"> ▪ R1, R2, and IR Districts ▪ R3 and R3-1 Districts ▪ R4, R4-1, and R4-2 Districts ▪ Planned and Unified Developments ▪ Additional Residential Building Lots Created by Replat or Certified Survey 	\$300/lot \$352/lot \$140/unit \$300/single-family unit; \$177/duplex unit; and \$140/apartment unit \$300/additional lot
Portable Storage Containers (23.12.255)	\$45.00
Radio and Television Antennas and Towers (23.12.055)	\$45.00
Resubmittal Fee (for revised plans and requires new permits)	\$100.00 + plan review
Signs (15.48.050) Where signs have two or more faces, the permit fee shall be computed on each face of such sign. Also, the charge is per sign. <ul style="list-style-type: none"> ▪ Business signs ▪ Advertising signs ▪ Temporary signs (fee is per month) 	\$.78 per square foot of gross area; minimum fee \$36.00/sign \$.90 per square foot of gross area; minimum fee \$55.00/sign \$.78 per square foot of gross area; minimum fee \$36.00/sign

Special Inspection Fees <ul style="list-style-type: none"> ▪ Community-based residential facilities, taverns, day care centers, massage establishments, inspection for new tenant/change of tenant for certificate of occupancy, etc. 	\$150.00
Storm Water Management (WMC Chapter 15.56)	Established by Resolution
Street Privilege Permits (12.44.050)	\$60.00
Swimming Pools (19.32.020)	\$50.00
Zoning Verification Letters, Building Code Compliance Letters, etc. <ul style="list-style-type: none"> ▪ Residential ▪ Commercial 	\$30.00 \$50.00

NOTE: In determining the square footage of a project, the square footage of all basements, attached garages or carports, and roofed over decks or porches shall be included.

NOTE: In determining costs, all construction shall be included with the exception of heating, air conditioning, electrical, or plumbing work. Electrical and plumbing fees shall be paid under Chapter 18.20 and Chapter 19.16, respectively.

HOUSING CODE (Title 16):	
Reinspection Fee (16.04.025)	\$60.00
Rent Abatement Application Fee (for authorization of) [16.04.037 (d)]	\$25.00

RESIDENTIAL RENTAL LICENSING (Title 16):	
Landlord Education Assistance Program (LEAP)	\$25.00
Annual residential rental license fees: <ul style="list-style-type: none"> ■ Per dwelling unit ■ Late fee per dwelling unit 	\$20.00 \$100.00
Reinstatement fee	\$150.00
Residential rental license inspection fees: <ul style="list-style-type: none"> ■ First inspection ■ Second inspection ■ Missed inspection appointments/failure to allow access 	No charge No charge if violation corrected; \$60.00 if not corrected \$35.00

CITY OF WAUSAU
ELECTRICAL PERMIT FEE SCHEDULE (effective 01/01/14)

Wausau Municipal Code: Section 18.20.020 Fees. Permit fees shall be as follows:

RESIDENTIAL — ONE- AND TWO-FAMILY DWELLINGS:	
▪ New construction of one- and two-family dwellings	\$.091/sq. ft.
▪ Remodeling of and additions to one- and two-family dwellings, including attached garages	\$.108/sq. ft.
▪ Rewiring of existing one- and two-family dwellings	\$45.00 + \$2.75/circuit
▪ Attached or detached garages	\$.067/sq. ft.
▪ New service only for existing one- and two-family dwellings	\$45.00
COMMERCIAL, INDUSTRIAL, AND MULTI-FAMILY:	
▪ New construction of apartments (three-family and over), row housing, and multi-family dwellings (or additions thereto)	\$.073/sq. ft.
▪ New construction of local business, institutional, and office buildings (or additions thereto)	\$.083/sq. ft.
▪ New construction of manufacturing and industrial buildings (or additions thereto)	\$.047/sq. ft.
▪ New construction of warehouses (or additions thereto)	\$.037/sq. ft.
▪ Electric sign wiring (any size)	\$85.60/sign
▪ Service changes for industrial, commercial, and multi-family structures	
♦ 200 Amps, one meter	\$45.00
♦ 400 Amps, one meter	\$60.00
♦ 600 Amps, one meter	\$80.00
♦ 800 Amps, one meter	\$95.00
♦ 1,000 Amps and over, one meter	\$115.00
♦ Additional meters	\$9.00/each
MISCELLANEOUS FEES:	
▪ Special inspections other than those listed above	\$45.00
▪ Minimum permit fee (one- and two-family)	\$45.00
▪ Minimum permit fee (commercial, industrial, and multi-family)	\$60.00
▪ Reinspection fee	\$60.00
▪ Failure to obtain permit prior to commencement of work	double fees

715.261.6780

City of Wausau Division of Inspection and Zoning

CITY OF WAUSAU
PLUMBING PERMIT FEE SCHEDULE (effective 01/01/14)

Wausau Municipal Code: Section 19.12.030 Fees. (a) The following permit and inspection fees shall be paid at the time a permit is issued:

Category	Fee
▪ New or reconstructed water service or private water main, from curb stop, two inches or less, each one hundred feet or fraction thereof; <ul style="list-style-type: none"> ◦ For each additional inch in diameter. 	\$25.00 \$8.50
▪ New or reconstructed sanitary building sewer or private sewer main, from main, curb or lot line, any size, each one hundred feet or fraction thereof.	\$25.00
▪ New or reconstructed building or area storm sewer extension from main, curb or lot line, any size, each one hundred feet or fraction thereof.	\$25.00
▪ Retention / infiltration area (per 2,000 square feet).	\$25.00
▪ For each fixture or fixture connection.	\$9.00
▪ New or reconstructed water distribution piping, any size, each one hundred feet or fraction thereof.	\$13.50
▪ New or reconstructed building drain, soil waste, vent piping, or downspouts, any size, each one hundred feet or fraction thereof.	\$13.50
▪ Water distribution and drain piping for manufacturing processes, each one hundred feet or fraction thereof.	\$13.50
▪ Private sewage disposal system.	\$45.00
▪ Swimming pool.	\$45.00
▪ Private water well (five-year permit—issued by Wausau Water Works).	\$15.00
▪ To abandon water or sewer systems when wrecking or moving a building.	\$45.00
▪ To abandon a private well and/or septic system.	\$45.00
▪ Minimum fee (for projects requiring one inspection).	\$45.00
▪ Minimum fee (for projects requiring more than one inspection).	\$60.00
▪ Reinspection fee.	\$60.00
▪ Failure to obtain permit prior to commencement of work.	double fees
<p>(b) Fixtures, appliances and appurtenances shall include but not be limited to: water closets, wash basins, bathtubs, shower stalls, urinals, service sinks, sinks, dishwashers, garbage grinders, disposals, laundry tubs, floor drains, site drains, drinking fountains, bar connections, soda fountains, water-cooled refrigerators, ice cube machines, dental cuspidors, all type water heaters, water-cooled motor connections, all water conditioning units, sumps, drain tile receivers, footing or subsoil drain discharge points, inside roof drains, catch basins, yard drains, grease and oil separators, pumps and ejectors, water or waste connection to machines, water or waste connection to any appliance, buried lawn sprinklers, drink dispensers, swimming pools, water-cooled air conditioners and connections, mobile home connections, fire protection installation, private sewage disposal, water wells and injection equipment.</p>	
Excavation Permits	\$62.00

715.261.6780

City of Wausau Division of Inspection and Zoning

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF FINANCE COMMITTEE

Amend and repeal following sections of the Wausau Municipal Code to coincide with fee schedule: Amend Section 2.56.010 Public records, 3.25.040 Permit-requirements, 3.25.050 Permit-revocation, 5.08.070 False alarm fee, 5.18.040 Application, 5.18.080 Term, 5.20.040 Licensing, 5.26.050 Facility license, 5.26.060 Facility operator’s license, 5.48.010 License required-fee, 5.60.040 Registration and license, 5.61.050 Conditions for permit, 5.61.080 Violation of chapter, 5.68.030 Park license required, 6.44.030 Separation, 6.44.040 Solid waste containers, 8.08.170 Licenses, 8.08.200 Dangerous animals, 10.48.010 Definitions, 10.48.060 Rates for metered parking, 10.48.080 Rates in parking ramps, 10.48.090 Monthly permits, 15.40.010 Fee for permit, 15.56.065 Construction site erosion, 15.56.080 Permitting requirement, procedures and fees, 15.56.120 Fee schedule, 16.04.037 Rent abatement, 17.10.010 Fees designated, 17.10.020 Permits required, 17.24.020 Open fire and burning allowed by permit, 17.49.060 Fireworks/pyrotechnics, 21.12.060 Development agreements, 21.16.085 Required dedications for park purposes, 23.78.030 Application, and repeal Section 15.48.060 Tags

Committee Action: Pending **Ordinance Number:**

Fiscal Impact: None

File Number: 13-1109 **Date Introduced:** January 14, 2014

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

Add ()
Delete (—)

Section 1. That Section 2.56.010 Public records, is hereby amended to read as follows:

2.56.010 Public Records.

....

(d) Public Access to Records.

....

(6) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

(A) The cost of photocopying shall be ~~twenty five cents per page~~ as provided in section 3.40.010(a). Said cost has been calculated not to exceed the actual, necessary and direct cost of reproduction.

Section 2. That Section 3.25.040 Permit-Requirements, is hereby amended to read as follows:

3.25.040 Permit-Requirements. (a) Every person furnishing rooms or lodging under section 3.25.020 shall file with the city clerk an application for a permit to operate a hotel or motel for each place of business. Every application for a permit shall be made upon a form

prescribed by the city clerk and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place of business, and such other information as the city clerk requires. The application shall be signed by the owner if a sole proprietor and, if not a sole proprietor, by the person authorized to act on behalf of such sellers. At the time of making an application, the applicant shall pay to the city clerk a fee of ten dollars for each permit as provided in section 3.40.010(a).

Section 3. That Section 3.25.050 Permit-Revocation, is hereby amended to read as follows:

3.25.050 Permit-Revocation. Whenever any person fails to comply with this chapter, the city clerk may, upon ten days notification and after affording such person the opportunity to show cause why his permit should not be revoked, revoke or suspend any or all of the permits held by such person. The city clerk shall give to such person written notice of the suspension or revocation of any of his permits. The city clerk shall not issue a new permit after the revocation of a permit unless he is satisfied that the former holder of the permit will comply with the provisions of this chapter. A fee of ten dollars as provided in section 3.40.010(a) shall be imposed for the renewal or issuance of a permit which has been previously suspended or revoked.

Section 4. That Section 5.08.070 False alarm fee, is hereby amended to read as follows:

5.08.070 False alarm fee.

....

(b) The user of any private alarm system shall pay the city a fee according to the following schedule of fees as provided in section 3.40.010(a) for any false alarm occurring in a moving twelve-month period as follows:

(1) For fire department response:

- (A) First two false alarms..... No charge
- (B) Third and fourth false alarms..... \$ 50.00
- (C) Fifth through eighth false alarms..... 400.00
- (D) Ninth and subsequent false alarms..... 800.00
- (E) There shall be no false alarm fee charged during the thirty-day period immediately following the installation of the new alarm system.

(2) For a police department response:

- (A) First two false alarms..... No charge
- (B) Third and fourth false alarms..... \$ 50.00
- (C) Fifth through eighth false alarms..... 100.00
- (D) Ninth and subsequent false alarms..... 200.00
- (E) There shall be no false alarm fee charged during the thirty-day period immediately following the installation of the new alarm system.

Section 5. That Section 5.18.040 Application, is hereby amended to read as follows:

5.18.040 Application.

....

(d) If the applicant is a corporation, the name of the corporation, the date and state of incorporation, the name and address of the registered agents of the corporation, and the name and address of all persons, firms or corporations owning stock in said corporation, and the name, address, age and position of all officers and directors of the applicant corporation. An amended application form shall be filed by any corporate licensee upon any change of officer, director, or agent. Such amended application shall be reviewed in the same manner as a new application. A fee of ~~two hundred dollars~~ **as provided in section 3.40.010(a)** shall be paid to the city upon submission of an amended application.

Section 6. That Section 5.18.080 Term, shall be amended to read as follows:

5.18.080 Term. All licenses issued hereunder shall expire on June 30 each year, unless sooner revoked. A new application shall be made each year and renewal applications must be filed not later than April 30. A renewal application shall contain the same information and data, given under oath, as is required for an application for a new license. A late processing fee of ~~one hundred dollars~~ **as provided in section 3.40.010(a)** shall be paid with any renewal application which is made following April 30 of any year. If the application is denied, no portion of the late processing fee shall be refunded.

Section 7. That Section 5.20.040 Licensing, shall be amended to read as follows:

5.20.040 Licensing.

....

(b) Deposit of Fee ~~Refund.~~

(1) Required. Each application shall be accompanied by the fee fixed for such license ~~in Chapter 5.04~~ **as provided in section 3.40.010(a)**. The full license fee shall be charged for the whole or fraction of the license year.

....

(g) Transferability and Lapse.

(2) Every license issued under this chapter may be transferred from one premises to another within the city of Wausau only upon the approval of the common council and the payment of the transfer fee ~~required in Chapter 5.04~~ **as provided in section 3.40.010(a)**. No license shall be entitled to more than one transfer in any one license year. The new premises must comply in all respects with all provisions of this chapter as if a new application were being made.

Section 8. That Section 5.26.050 Facility license, shall be amended to read as follows:

5.26.050 Facility license.

....

(c) License Fee and Duration. The fee for a facility license shall be as provided in section ~~5.040.010(16)(b)~~ 3.40.010(a). Such license shall terminate on June 30 of the year it is issued, unless sooner revoked. License fees are not prorated for license start dates in midyear.

Section 9. That Section 5.26.060 Facility operator’s license, shall be amended to read as follows:

5.26.060 Facility operator’s license.

....

(~~d~~c) License Fee and Duration. The fee for an facility operator's license shall be as provided in section ~~5.040.010(16)(c)~~ 3.40.010(a). Such license shall terminate on June 30 of the year it is issued, unless sooner revoked.

Section 10. That Section 5.48.010 License required-Fee, shall be amended to read as follows:

5.48.010 License required-Fee. No person shall sell in any one year more than ten Christmas trees at retail to the public without a license as required in this title. The fee for such license shall be as provided in section 3.40.010(a).

Section 11. That Section 5.60.040 Registration and license, shall be amended to read as follows:

5.60.040 Registration and license.

....

(e) Upon payment of the fee and the signing of the registration statement, the clerk shall register the applicant as a direct seller and date the entry. Sales may take place only within the time period permitted by a license; there shall be four license periods of thirty, sixty, ninety, and one hundred twenty days, respectively. The information submitted on the registration application shall be valid for the licensing period not to exceed one hundred twenty days, subject to subsequent refusal as provided in section 5.60.050 of this chapter, or forfeiture as provided in section 5.60.070. Applicants shall obtain a license to conduct sales activities and shall pay a licensing fee as follows: provided in section 3.40.010(a).

Employee	Business	Period
\$ 25.00	\$ 50.00	30-Days
50.00	100.00	60-Days
75.00	150.00	90-Days
100.00	200.00	120-Days

Section 12. That Section 5.61.050 Conditions for permit, shall be amended to read as follows:

5.61.050 Conditions for permit.

....

(c) Such permits shall be valid for one year and shall be renewable pursuant to the procedure for original applications referred to in section 5.61.040 and upon payment of the ~~twenty five dollar permit fee~~ provided for in section 3.40.010(a).

Section 13. That Section 5.61.080, Violations of chapter, is hereby amended to read as follows:

5.61.080 Violations of chapter.

....

(b) The order shall specifically describe the offending condition, suggest actions necessary to correct the condition, and inform the newsrack distributor of the right to appeal. Failure to properly correct the offending condition within five days (excluding Saturdays, Sundays, and legal holidays) after the mailing date of the order or to appeal the order within three days after its receipt shall result in the offending newsrack being summarily removed and processed as unclaimed property. If the offending newsrack is not properly identified as to owner under provisions of section 5.61.060, it shall be removed immediately and processed as unclaimed property. An impound fee, which shall be measured by the city's cost and expense of impounding, shall be assessed against each newsrack summarily removed. The director of inspections shall cause inspection to be made of the corrected condition or of a newsrack reinstalled after removal under this section. The distributor of said newsrack shall be charged ~~a ten dollar~~ an inspection fee as provided in section 3.40.010(a) for each newsrack so inspected. This charge shall be in addition to all other fees and charges required under this chapter.

Section 14. That Section 5.68.030 Park license required, is hereby amended to read as follows:

5.68.030 Park license required. It is unlawful for any person to establish or operate upon property owned or controlled by him within the city a mobile home park without having first secured a license therefor from the city clerk. The application for such license shall be accompanied by a fee ~~of one hundred dollars~~ as provided in section 3.40.010(a) for each fifty spaces or fraction thereof within each mobile home park. The license shall expire one year from the date of issuance. Such parks shall comply with Wisconsin Administrative Code H 77, which is adopted by reference.

Section 15. That Section 6.44.030 Separation, is hereby amended to read as follows:

6.44.030 Separation.

....

(d) No person shall deposit any solid waste other than yard waste produced by the owner or occupant of a residential unit at a city yard waste collection site. No persons, firm or corporation that is not the owner or occupant of a residential unit within the city or occupant of a residential unit

within a governmental unit that contracts with the city for use of the yard waste site shall deposit yard waste at a city yard waste collection site, unless the yard waste is generated at a residential unit within the city or occupant of a residential unit within a governmental unit that contracts with the city for use of the yard waste site. All residents are required to obtain a vehicle sticker to use the yard waste site. This sticker will be issued, free of charge, upon verification of residency and will only be accepted as access to the site if adhered to the upper driver-side corner of the front windshield. The sticker will be made available at designated city departments. Each residential unit is eligible for no more than two stickers. Fees will be assessed to contractors using the yard waste site **as provided in section 3.40.010(a).**

Section 16. That Section 6.44.040 Solid waste containers, is hereby amended to read as follows:

6.44.040 Solid waste containers.

....

(b) Recyclable Solid Waste Containers. Appropriate recycling containers shall be provided by the city to the owner of record of each residential unit. It shall be the responsibility of the owner of a nonowner-occupied residential unit to provide the recyclable solid waste container to the occupant of each residential unit. The owners of multi-unit dwelling structures may elect to provide recyclable solid waste containers which serve the entire structure. These alternative containers must be collector approved and must be clearly labeled for recyclable solid waste only. A fee may be charged by the city to the owner of each unit **as provided in section 3.40.010(a)** for the provision and cost of the container provided to them. If there is a greater amount of recyclables than can be contained in the designated bin, those excess materials may be placed on top of or adjacent to the recycling container in a paper bag and clearly separated from the nonrecyclable solid waste. Nonresidential unit owners must provide adequate separate containers for recycling as provided by section 6.44.020(b).

Section 17. That Section 8.08.170 Licenses, is hereby amended to read as follows:

8.08.170 Licenses.

....

(b) The license fees ~~are as follows:~~ **shall be as provided in section 3.40.010(a).**

<u>Animal</u>	<u>License Fee</u>
Neutered male dog or cat	\$10.00
Unneutered male dog or cat	20.00
Spayed female dog or cat	10.00
Unspayed female dog or cat	20.00

Proof that the dog or cat was neutered or spayed shall be presented to the clerk upon payment.

(c) A license will be one-half of the amount ~~set out in subsection (b) of this~~ **provided in section 3.40.010(a)** if the dog or cat becomes four months of age after July 1 of the license year.

(d) There shall be a late fee ~~of double the regular license fee~~ as provided in section 3.40.010(a) in addition to the required license fee collected from every owner of a dog or cat, four months of age or over, if the owner failed to obtain a license prior to April 1 of each year, or within thirty days of acquiring ownership of a licensable dog or cat, or if the owner failed to obtain a license on or before the date the dog or cat reached licensable age.

Section 18. That Section 8.08.200 Dangerous animals, is hereby amended to read as follows:

8.08.200 Dangerous animals.

....

(d) Restrictions. The owner or caretaker of any animal determined by the chief of police or the chief's designee to be a dangerous animal shall comply with all of the following conditions:

- (1) Registration. The owner or caretaker of any dangerous animal shall register it with the city clerk within 30 days of the order, and thereafter before January 1 of each year, by providing a current color photograph of the animal and payment of a ~~\$75.00~~ registration fee as provided in section 3.40.010(a). The initial registration fee shall be reduced to ~~\$37.50~~ the fee as provided in section 3.40.010(a) if the animal is required to be registered as a dangerous animal after July 1. Upon payment of the fee and satisfactory proof of compliance with the provisions and conditions of this ordinance, the owner shall be issued a dangerous animal certificate of registration. The owner or caretaker shall post the certificate of registration on the front door of the residence where the dangerous animal is being kept.

Section 19. That Section 10.48.010 Definitions, is hereby amended to read as follows:

10.48.010 Definitions.

....

(j) "Table I" means and includes the list, on file in the city clerk's office, which identifies the public parking lots and ramps; ~~and hours of operation, and parking fees and rates~~ governed by this chapter. ~~Parking fees and rates shall be as provided in section 3.40.010(a).~~

Section 20. That Section 10.48.060 Rates for metered parking, is hereby amended to read as follows:

10.48.060 Rates for metered parking. (a) The parking of a vehicle in a parking meter space on a street or in a lot or ramp shall be lawful for not exceeding the total number of hours of the parking meter upon the deposit of a coin or coins of the United States in the proper meter for the length of time specified in Table I. ~~The rates for parking in a parking meter space shall be as provided in section 3.40.010(a).~~

Section 21. That Section 10.48.080 Rates in parking ramps, is hereby amended to read as follows:

10.48.080 Rates in parking ramps. (a) The parking rates in parking ramps shall be as

shown in Table I provided in section 3.40.010(a).

Section 22. That Section 10.48.090 Monthly permits, is hereby amended to read as follows:

10.48.090 Monthly permits. (a) The parking division may issue monthly parking permits to be used in public parking lots and ramps as shown in Table I. The permit shall be used only for the lot or ramp of issue. A vehicle bearing a permit shall be entitled to utilize one stall in a specific lot or ramp during the month of issue. Such permits shall be purchased from the city clerk's office for a fee as shown in Table I provided in section 3.40.010(a). Permits shall be issued from the first to the last day of each month, regardless of what day during the month the permit was purchased. The monthly fee shall be prorated if purchased for a partial month.

Section 23. That Section 15.40.010 Fee for permit, is hereby amended to read as follows:

15.40.010 Fee for permit. (a) No person shall move any building from one place or location to another within the city, or into the city, without first obtaining approval from the building advisory board and obtaining both a "moving permit" and "street privilege permit" from the board of public works. Any building moved out of the city does not require building advisory board approval. The fee for the moving permit shall be as specified in section 15.20.010(e) 020.

Section 24. That Section 15.48.060 Tags, is hereby repealed.

Section 25. That Section 15.56.065 Construction site erosion, is hereby amended to read as follows:

15.56.065 Construction Site Erosion.

....

(b) Permitting Requirements, Procedures and Fees.

....

(2) Permit Application and Fees. At least one responsible party desiring to undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of paragraph (c) and shall pay an application fee to the city as provided in section 3.40.010(a).

~~A schedule of the fees shall be available for review in the city hall.~~ By submitting an application, the applicant is authorizing the storm water management administrator to enter the site to obtain information required for the review of the erosion and sediment control plan.

Section 26. That Section 15.56.080 Permitting Requirement, Procedures and Fees, is hereby amended to read as follows:

15.56.080 Permitting Requirement, Procedures and Fees.

....

(b) Permit Application and Fee.

(1) Unless otherwise excepted by this ordinance, a permit application must be accompanied by a storm water management plan, a maintenance agreement, and a non-refundable permit administration fee, which is a sum of money paid to the city of Wausau by the permit applicant as provided in section 3.40.010(a) for the purpose of recouping the expenses incurred by the authority in administering the permit.

(2) The storm water management plan shall be prepared to meet the requirements of 15.56.070 and 15.56.090, the maintenance agreement shall be prepared to meet the requirements of Section 15.56.110, the financial guarantee shall meet the requirements of Section 15.56.110, and fees shall be those established by the common council as set forth in Section 15.56.120.

Section 27. That Section 15.56.120 Fee Schedule, is hereby amended to read as follows:

Section 15.56.120 Fee Schedule. The fees referred to in other sections of this ordinance chapter shall be established by the common council and may from time to time be modified by resolution. A schedule of the fees established by the common council shall be available for review in city hall, engineering department as provided in section 3.40.010(a).

Section 28. That Section 16.04.037 Rent Abatement, is hereby amended to read as follows:

16.04.037 Rent Abatement.

....

(5) Procedure.

(A) Application for Authorization for Rent Abatement. An eligible tenant who may be entitled to abate a portion of his/her rental payment under this ordinance shall have thirty (30) days from mailing of the notice of possible eligibility by the Inspection and Zoning Division of the Department of Engineering to file a request for a hearing on authorization for rent abatement. The request shall be in writing on a form approved by the Public Health and Safety Committee, shall state with specificity the name and address of the landlord and the alleged rent impairing violation(s) and shall be filed with the city clerk. The application shall be accompanied by a fee of twenty five dollars (\$25.00) made as provided in section 3.40.010(a) payable to the City Treasurer, which fee shall be recovered from the landlord if abatement is ordered. The time and place for the hearing shall be the next regularly scheduled meeting of the Public Health and Safety Committee, but not prior to the end of the 30-day filing period. Notice of the hearing including a statement of the time, place and nature of the hearing shall be mailed to the landlord and tenant(s) at least ten (10) days prior to the hearing.

Section 29. That Section 17.10.010 Fees designated, is hereby amended to read as follows:

17.10.010 Fees designated. Fees shall be as follows for the following matters shall be as provided in section 3.40.010(a) unless specifically noted otherwise:

(a) Department of Commerce Petition for Variance.

- (1) Variance requires no position statement, chief's signature.....\$20.00
 - (2) Variance requires position statement, no site visits.....\$60.00
 - (3) Variance requires position statement, one site visit.....\$90.00
 - (4) Multiple variances filed concurrently for same site
- First petition.....\$60.00
 Each additional petition.....\$25.00
 Per site visit.....\$35.00

(b) Aboveground/Underground Storage Tank(s) Inspection for Removal and/or Installation of Tanks Not Covered by Department of Commerce Codes.

- (1) Initial permit fee.....\$75.00
- (2) Tank removals and/or installations (per tank).....\$50.00
- (3) Tank installation or lining fees:

Plan examination:

1st tank system/component _____ x \$35 = \$
 2nd through 10th system/component
 (Max. = \$150 for 11 or more) _____ x \$10 = \$
 Total plan examination fees \$

Section 30. That Section 17.10.020 Permits required, is hereby amended to read as follows:

17.10.020 Permits required. The fees for the following permits shall be as provided in section 3.40.010(a):

- (a) Controlled burning.....\$200.00
- (b) Fireworks/Pyrotechnics.....\$ 35.00
- (c) Tents.....No Fee
- (d) Wood-fired apparatuses.....No Fee
- (e) Recreational burning permit (for a term of 5 years).....\$ 15.00

Section 31. That Section 17.24.020 Open fire and burning allowed by permit, is hereby amended to read as follows:

17.24.020 Open fire and burning allowed by permit.

....

- (b) Recreational fires and permits.

....

(14) The permit specified in subsection (b)(13) of this section shall require a fee of fifteen dollars as provided in section 3.40.010(a) for a term of five years to be paid to and

collected by the clerk/finance department. A copy of section 17.24.020 shall be provided to the permittee by the city clerk's office along with the permit.

Section 32. That Section 17.49.060 Fireworks/pyrotechnics, is hereby amended to read as follows:

17.49.060 Fireworks/pyrotechnics. (a) There shall be no indoor or outdoor display of fireworks/pyrotechnics within the city of Wausau without a permit from the fire department. These permits may be obtained at the Central Fire Station 606 East Thomas Street, during the hours of 8 a.m. and 4:30 p.m., Monday through Friday. An officer of the fire department must inspect the fireworks/pyrotechnics before they are used. ~~An administration fee of thirty five dollars~~ as provided in section 3.40.010(a) will be charged for each permit.

Section 33. That Section 21.12.060 Development agreements, is hereby amended to read as follows:

21.12.060 Development agreements.

....

(a) Eight-inch standard sanitary sewer mains, laterals to the street right-of-way line, lift station fees which are as provided in section 3.40.010(a), and any other sanitary sewer related fees. Oversize sanitary sewer mains will generally be cost-shared by Wausau Water Works.

(b) Eight-inch standard water mains, hydrants, booster station fees which are as provided in section 3.40.010(a), water main tap fees, and any other water supply related fees. Oversize water mains will generally be cost-shared by Wausau Water Works.

Section 34. That Section 21.16.085 Required dedications for park purposes, is hereby amended to read as follows:

21.16.085 Required dedications for park purposes.

....

(b) Subdividers Must Provide for Parks.

....

(4) In the event that dedication would result in sites too small to be usable, or if the comprehensive plan for the city park system calls for such public sites to be located elsewhere, or if such sites would not otherwise be suitable as determined by the common council, after consideration by the plan commission and park recreation committee, a payment of a fee in lieu of land dedication shall be required. The amount of such fee shall be based upon the following per lot or living unit fee schedule: as provided in section 3.40.010(a).

<u>Lots Within An:</u>	<u>Fee Per Lot:</u>
I-R district:	\$300.00
R-1 district:	\$300.00

R 2 district:	\$300.00
R 3 and R 3-1 districts:	\$352.00
R 4-1, R 4-2 and R 4:	\$140.00 per unit
Planned developments and unified Developments:	\$300.00 per single family unit, \$177.00 per duplex unit, and \$140.00 per apartment unit

....

(9) When a replat or a certified survey creates additional residential building lots, the owners of said additional lots shall pay a fee of ~~three hundred dollars~~ as provided in section 3.40.010(a), per additional lot, to the city prior to the recording of the final plat or certified survey.

Section 35. That Section 23.78.030 Application, is hereby amended to read as follows:

23.78.030 Application. (a) An application for an amendment shall be filed with the zoning administrator or city planner and be accompanied by a nonrefundable fee ~~the amount of which may be changed from time to time by the common council by resolution~~ as provided in section 3.40.010(a), to cover the costs of public notice and administrative review. The application form shall contain, at a minimum, the following information:

Section 36. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 37. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE

Create Section 5.64.034 Restriction on Servers – prohibiting a licensee from serving alcohol or supervising the service of alcohol while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of the foregoing

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 14-0107

Date Introduced: January 14, 2014

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

Section 1. That Section 5.64.034 Restriction on servers, is hereby created to read as follows:

5.64.034 Restriction on servers. (a) Prohibition. It shall be unlawful for a licensee or an agent or employee of the licensee to serve or supervise the service of alcohol beverages in a licensed premises while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog. Controlled substance and controlled substance analog shall have the meaning as these terms are defined in section 9.04.026. Under the influence means not only all the well-known and easily recognized conditions and degrees of intoxication, but any abnormal mental or physical condition which is the result of indulging to any degree in alcohol beverages and which tends to deprive a person of the clearness of intellect and control of himself or herself which he or she would otherwise possess.

(b) Presumption. A test of the person's breath, blood, or urine, including a preliminary breath test, that shows the person has an alcohol concentration of 0.04 or more is prima facie evidence that he or she is under the influence. Law enforcement officials shall be allowed to ask for a preliminary breath test upon reasonable suspicion. Refusal to submit to a requested test may be considered by the Common Council as grounds for revocation, non-issuance, or non-renewal of the server's operator's license.

(c) Effect of Violation on Premises. If the principal business of the licensed premises is the sale of alcohol beverages, law enforcement officials will order it closed until such time as another licensed server or the licensee who is not in violation of this section shall take charge of such premises. It shall be a violation of this subsection for any licensed premises to be open contrary to such order of law enforcement officials.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Create Section 5.64.034 Restriction on Servers – prohibiting a licensee from serving alcohol or supervising the service of alcohol while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of the foregoing

Hardel supports a consequence to a server to refuse a P.B.T. Alfonso will research this further.

There was a suggestion to put on the application that the server must agree to take a P.B.T. if requested, or their license could be suspended or revoked.

Motion to approve by Winters, second by Gisselman. Motion passed 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE			
Amend Section 1.01.025(c)(1)(B) Schedule of cash deposits to include restriction on server violations			
Committee Action:	Approved 5-0	Ordinance Number:	
Fiscal Impact:	None		
File Number:	82-1252	Date Introduced:	January 14, 2014

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

Add ()

Section 1. That Section 1.01.025(c)(1)(B) Schedule of cash deposits, is hereby amended to read as follows:

1.01.025 Issuance of citations. . . .

(c) Schedule of cash deposits.

(1) A schedule of cash deposits is established as follows:

. . .

(B) For violations of all ordinances other than those governed by the aforescribed Uniform State Deposit Schedule and other than ordinances in Titles 15 and 16 of this code, the cash deposit schedule shall be as follows:

Municipal Ordinance Schedule of Deposits

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
5.60.010	Sell door to door no permit	\$ 50.00
5.64.034	(a) Server under the influence	50.00
	(c) Failure to close licensed premises	50.00
	Second or subsequent violations of sub. (a) or (c)	200.00
8.08.255	Feeding deer	50.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Amend Section 1.01.025(c)(1)(B) Schedule of cash deposits to include sober server violations

Motion to approve by Winters, second by Gisselman. Motion passed 5-0

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE	
Amend Section 5.64.078(b) Point schedule to include restriction on server violations	
Committee Action: Approved 5-0	Ordinance Number:
Fiscal Impact: None	
File Number: 03-0425	Date Introduced: January 14, 2014

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

Add ()

Section 1. That Section 5.64.078(b) Point schedule, is hereby amended to read as follows:

5.64.078 Point values for alcohol beverage violations and revocations and suspensions

....

(b) Point schedule. The scale of demerit points is listed according to the type of alcohol beverage violation. This demerit point system is used to identify habitually troublesome license holders for the purpose of recommending suspension or revocation of their alcohol beverage licenses.

Type of Violation	Point Value
No licensed bartender WMC 5.64.010 [125.68(2)]	50
Server under the influence WMC 5.64.034(a)	25
Failure to close licensed premises WMC 5.64.034(c)	25
Sell fermented malt beverage after hours WMC 5.64.010 [125.32(3)(am)]	50

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 16, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Marquardt, Buchberger, Finke, Rayala, Mielke, Nagle, Peckham, Clift, Dotter, Aaron Ruft also with the AODA Partnership

Amend Section 5.64.078(b) Point schedule to include sober server violations

Motion to approve by Winters, second by Gisselman. Motion passed 5-0.