



## 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, February 25, 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:

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
14-0201		Minutes of the previous meeting. (2/11/2014)	
14-0208	CISM	Preliminary Resolution Levying Special Assessments for 2014 Street Reconstruction Projects – 2nd Avenue from Stewart Avenue to Elm Street and Clark Street from 2nd Avenue to the cul-de-sac	Approved 5-0
14-0209	CISM	Resolution approving the installation of sidewalk on 10th Street, north of Dekalb Street	Approved 5-0
14-0105	CISM	Resolution approving 2014 Street Improvement Projects and Authorization to Let Bids	Approved 5-0
14-0106	CISM	Resolution approving 2014 Street Reconstruction Projects and Authorization to Let Bids	Approved 5-0
14-0210	CISM	Resolution Approving easement for the installation of sidewalk at 720 South 6th Avenue (Wausau School District)	Approved 5-0
14-0211	ED	Resolution Waiving City's right to purchase property in the Wausau Business Campus – sale of 840 South 66th Avenue to Mathy Construction Company	Approved 4-0
92-0936A	ED, FIN, P&T	Joint Resolution Approving the Release of the Request for Proposals for Central Business Parking Analysis and Long Term Plan and subsequent award of contract	Approved 3-0 Approved 5-0 Approved 5-0
14-0207	PLAN	Resolution approving a conditional use at 406 & 408 North 3rd Street to allow for installation of awning signs, in a B4-1, Central Business District.	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
14-0203		Confirmation of Mayor's Appointments.	
14-0205	PLAN	Ordinance Rezoning 1204 West Bridge Street from IR, Interchange Residence District, to UDD, Unified Development District and approving the General Development Plan to allow for a convenience store with a fueling canopy and single-bay carwash. (Osgood)	Failed 2-4
14-0114	CISM & PLAN	Joint Ordinance Annexing territory from the Town of Wausau to the City of Wausau (David & Joan Eckert – Extension of Talon Lane)	Approved 5-0 Approved 5-0
14-0212	ED	Resolution approving request by Tomcor Industries, Inc to construct an addition to the building located at 7801 International Drive.	Approved 4-0
10-1114	ED	Resolution authorizing extension of Development Agreement between the City of Wausau and Matt Krasowski at 500 North 17th Avenue	Approved 4-0
14-0213	ED	Resolution approving an Option for Highland Property West, LLP to purchase a four acre parcel of land north of the current facility, Wausau Container Corporation	Approved 3-0

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 02/17/14 @ 9:30 am. Questions regarding this agenda may be directed to the City Clerk.

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, February 11, 2014, at 7:00 pm in the Council Chambers at City Hall.  
Mayor Tipple presiding.

**Roll Call**

02/11/2014 7:01:56 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

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

- 1) Jeff Marten, 144 Kent St, spoke in opposition to the cell phone ban while driving. He felt the inattentive driving law was sufficient. He stated he uses cell phones as wells as hands-free devices and believed that hands-free devices can be more distracting to the driver than picking up a regular cell phone. He asked the Council not to adopt the ordinance.

**Consent Agenda**

02/11/2014 7:10:36 PM

Motion by Nutting, second by Mielke to adopt all items on the Consent Agenda as presented.

**14-0101** Minutes of the previous meeting.

**13-1107** Final Resolution of the Capital Improvements & Street Maintenance Committee and the Plan Commission vacating and discontinuing right-of-way adjacent to 1022 Merrill Avenue.

**12-1118** Resolution of the Finance Committee approving Public Access Production Agreement between Wausau School District Board of Education and Administration and City of Wausau.

**14-0108** Resolution of the Public Health & Safety Committee approving various licenses as indicated.

**87-0222** Ordinance of the Public Health & Safety Committee amending Section 6.48.010 mowing required - exempting golf courses.

**12-1014** Ordinance of the Public Health & Safety Committee amending Section 8.08.170 Licenses regarding payment date.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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 Abitz, second by Rasmussen to adopt a Resolution of the Plan Commission approving the revision to the City of Wausau Floodway Study.

Abitz requested clarification of the study results and questioned if it impacted residents. Bill Hebert explained this item is just to accept the data that the Wisconsin DNR and Marathon County compiled for a better idea of grades in the area known as the hollow, south of Thomas Street that borders Lake Wausau. He indicated the flood elevation is not changing. There were four municipalities involved: Village of Rothschild, City of Schofield, Town of Rib Mountain and the City of Wausau. There were not significant changes to the City of Wausau; the most significant changes were in Schofield and Rib Mountain.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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 Rasmussen to adopt a Resolution of the Finance Committee approving budget modification - City Attorney's office to increase other professional services.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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

Ordinance of the Plan Commission Rezoning 1204 West Bridge Street from IR, Interchange Residence District, to UDD, Unified Development District and approving the General Development Plan to allow for a convenience store with a fueling canopy and single-bay carwash. (Osgood)

Mayor Tipple noted there will be a neighborhood meeting regarding this item on February 19, 2014 at 5:30 p.m., at the Westwood Conference Center and it will be brought back to Council on February 25, 2014.

Motion by Mielke, second by Rasmussen to adopt an Ordinance of the Public Health & Safety Committee creating Section 10.01.012 use of hand-held mobile telephones and mobile electronic devices while driving prohibited.

Rasmussen stated the ordinance contains the appropriate exemptions, such as emergency use. Surrounding municipalities came to consensus on this version of an ordinance and intend to take it to their boards as well.

Wagner noted in both Marshfield and Wisconsin Rapids where this law is in effect, the first year they gave a lot of citations and then they started dropping off. He commented he initially did not want to allow hands-free, as he felt it was still distracting to be in conversation while driving, but this is a great step to get people to be more careful.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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

**14-0110**

02/11/2014 7:32:01 PM

Motion by Nutting, second by Mielke to adopt a resolution of the Finance Committee authorizing acceptance of conveyance, by donation, of Kwik Trip, 1500 Grand Avenue, to the City of Wausau from Kwik Trip.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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

**Closed Session**

02/11/2014 7:33:11 PM

Motion by Wagner, second by Mielke to move into CLOSED SESSION pursuant to Section 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, for the purpose of conferring with legal counsel regarding certain tax litigation brought by Sears and Walgreen Company.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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

*Council reconvened into open session.*

**Public Comment (or suggestions for items not on the agenda.)**

None

**Adjourn**

02/11/2014 8:35:02 PM

Motion by Wagner, second by Nutting to adjourn. Meeting adjourned at 8:35 p.m.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	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

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

Preliminary Resolution Levying Special Assessments for 2014 Street Reconstruction Projects – 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac

Committee Action: Approved 5-0

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: 14-0208

Date Introduced: February 25, 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:

2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street  
Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac

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, 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, 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 in early 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:

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James E. Tipple, Mayor

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

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Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**Approve preliminary resolution for the 2014 construction project of 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac**

Marquardt stated the construction project was already approved by CISM and Council, but we will not make the deadline required by State statutes to hold a public hearing. Approving the project again would allow until the end of April to hold a public hearing.

Kellbach moved to approve the preliminary resolution for the 2014 construction project of 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac. Gisselman seconded and the motion carried unanimously 5-0.

AGENDA ITEM
<p>Approve preliminary resolution for the 2014 construction project of 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac.</p>
BACKGROUND
<p>The following construction projects are included in the 2014 budget:</p> <p><b><u>Street Reconstruction</u></b>                  2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street                  Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac</p>
FISCAL IMPACT
<p>None at this time.</p>
STAFF RECOMMENDATION
<p>Staff recommends the preliminary resolution for special assessments be adopted and a public hearing scheduled. The preliminary resolution will go to Council February 25<sup>th</sup> and a public hearing will be held in late March or early April.</p>
<p>Staff contact: Allen Wesolowski 715-261-6762</p>

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

Approving the installation of sidewalk on 10<sup>th</sup> Street, north of Dekalb Street

Committee Action: Approved 5-0

Fiscal Impact: Estimated construction cost \$4,000

**File Number:** 14-0209

**Date Introduced:** February 25, 2014

**WHEREAS**, currently there is no sidewalk on the 10<sup>th</sup> Street side of the City-owned parking lot located at 915 East Bridge Street, and

**WHEREAS**, the City of Wausau received a request from a resident to install sidewalk in said area to allow for easier access to Kaiser Pool, and

**WHEREAS**, improvements are planned for Kaiser Pool in 2014 and the installation of sidewalk would further improve the area, and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee discussed the installation of sidewalk at its meeting on February 13, 2014 and recommends the work be accomplished in 2014; now therefore

**BE IT RESOLVED** that the Common Council approves the installation of sidewalk on 10<sup>th</sup> Street, north of Dekalb Street, under the 2014 Sidewalk Project.

Approved:

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James E. Tipple, Mayor

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

---

Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**Discuss and make recommendation regarding the installation of sidewalk on 10<sup>th</sup> Street, north of Dekalb Street**

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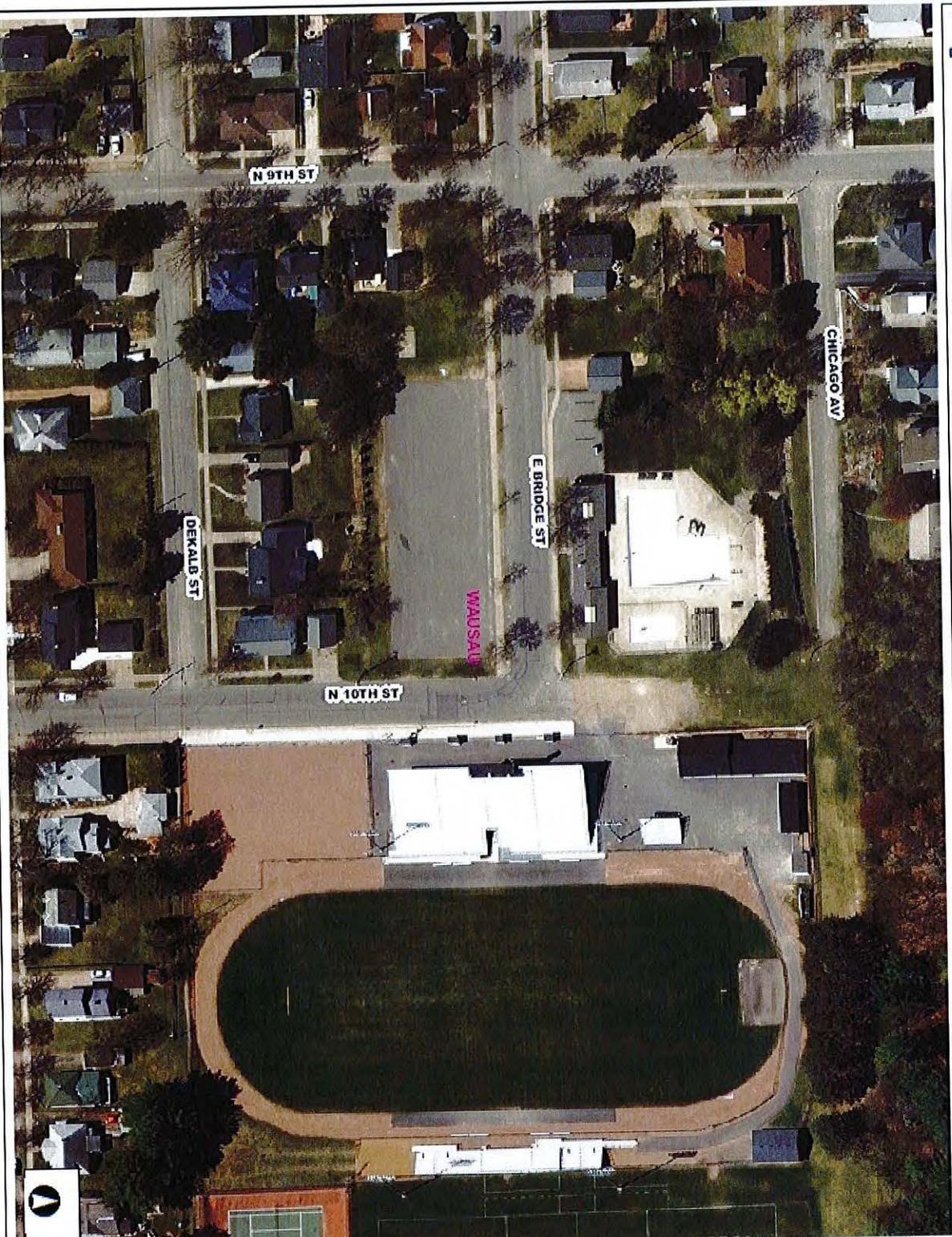
Marquardt explained that there is a section of sidewalk missing along City-owned property on 10<sup>th</sup> Street. It would make sense to install the sidewalk this year while improvements are being made to Kaiser Pool.

Kellbach moved to approve the installation of sidewalk on 10<sup>th</sup> Street, north of Dekalb Street. Mielke seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
Discuss and make recommendation regarding the installation of sidewalk on 10 <sup>th</sup> Street, north of Dekalb Street
<b>BACKGROUND</b>
The City received a request from a resident in the Kaiser Pool neighborhood to install sidewalk along the west side of 10 <sup>th</sup> Street from Bridge Street to the south (City Parking Lot).
<b>FISCAL IMPACT</b>
Cost to install sidewalk is estimated at \$4,000.
<b>STAFF RECOMMENDATION</b>
With the improvements planned for Kaiser Pool, it would make sense to finish this one segment of sidewalk that is missing.
Staff contact: Brad Marquardt 715-261-6745



# Land Information Mapping System



HALSEY  
 BERN  
 HOLTON  
 HILL  
 BRISCH  
 SPENCER  
 PERKINS  
 IMMLINE  
 STEIN  
 WENZ  
 QUENNET  
 REID  
 DAYWISNER  
 BEVENT  
 FRANZEN  
 TEXASHWITT  
 EASTON  
 SINGLE  
 TRINGLE  
 REID  
 BEVENT  
 FRANZEN

### Legend

- Municipalities
- 2010 Orthos Wausau
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

### Notes

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes 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

60.96 0 60.96 Feet

User\_Defined\_Lambert\_Conformal\_Conic

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

Approving 2014 Street Improvement Projects and Authorization to Let Bids

Committee Action: Approved 5-0

Fiscal Impact: Estimated construction cost \$820,000; estimated special assessments \$194,105

**File Number:** 14-0105

**Date Introduced:** February 25, 2014

**WHEREAS**, the following streets have been proposed for construction under the 2014 Street Improvement Project:

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

**WHEREAS**, this project is assessable in whole or in part to the abutting property owners for special benefits conferred upon properties by the improvement of the abovementioned streets; a preliminary resolution to levy special assessments to the abutting owners was adopted by the Common Council on January 14, 2014; and the Engineer's report has been filed with the City Clerk, and

**WHEREAS**, the Board of Public Works conducted a public hearing for the project special assessments on February 4, 2014, and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee discussed the proposed projects at its meeting on February 13, 2014 and recommends work be accomplished under the 2014 Street Improvement Projects, and

**WHEREAS**, street grades will be established or reestablished and fixed as shown on the plans for the project (copy on file in the Engineering Department), and minor revisions will be made in the plans as may be necessary during construction, now therefore

**BE IT RESOLVED** that the Common Council authorizes securing of bids and construction of the 2014 Street Improvement Projects.

Approved:

---

James E. Tipple, Mayor

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

---

Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**2014 Street Construction Projects: Discuss public hearing results and make recommendation**

Marquardt stated a few residents of the Westview Terrace area asked that the project be delayed. All who spoke at the public hearing asked that sidewalk not be installed, although it was not proposed to be installed. The project has already been delayed; therefore, staff recommends moving forward with the project. No one appeared at the public hearings for 11<sup>th</sup> Avenue or 6<sup>th</sup> Avenue. Those who attended the public hearing for Scott Street and McClellan Street had concerns regarding sidewalk.

Mielke moved to approve the 2014 Street Construction Projects. Kellbach seconded.

Gisselman asked if the costs would change depending upon what is decided regarding sidewalk on Scott and McClellan Streets. Marquardt explained the money for the project is already in the budget and the design should fit within the budget.

There being a motion and a second, motion to approve the 2014 Street Construction Projects carried unanimously 5-0.

**AGENDA ITEM**

2014 Street Construction Projects: Discuss public hearing results and make recommendation

**BACKGROUND**

Public hearings were held for the street construction projects of 14<sup>th</sup> Avenue from Randolph Street to Bissell Street, 16<sup>th</sup> Avenue from Randolph Street to Golden Meadow Street, Golden Meadow Street from 16<sup>th</sup> Avenue to Stevens Drive, Silver Spring Street from 16<sup>th</sup> Avenue to Bissell Street, Rose Marie Street from Silver Spring Street to Bissell Street, Bissell Street from 16<sup>th</sup> Avenue to Rose Marie Street, 11<sup>th</sup> Avenue from Campus Drive to the north, Scott Street from Bellis Street to 10<sup>th</sup> Street, McClellan Street from Bellis Street to Gray Place, and South 6<sup>th</sup> Avenue from West Street to Garfield Avenue. Public hearings will be held for 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac in the near future.

**FISCAL IMPACT**

	<u>Project Cost</u>
14 <sup>th</sup> Avenue	\$83,000
16 <sup>th</sup> Avenue	\$175,375
Golden Meadow Street	\$98,000
Silver Spring Street	\$130,000
Rose Marie Street	\$114,250
Bissell Street	\$139,375
11 <sup>th</sup> Avenue	\$80,000
Scott Street	\$179,250
McClellan Street	\$147,000
South 6 <sup>th</sup> Avenue	<u>\$281,000</u>
	\$1,427,250

Estimated Special Assessment = \$280,000

**STAFF RECOMMENDATION**

The minutes from the public hearings are attached. After receiving all the comments at the public hearings, staff recommends moving forward with all projects.

Staff contact: Allen Wesolowski 715-261-6762

## BOARD OF PUBLIC WORKS

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Date of Meeting: February 4, 2014, at 4:00 p.m. in the Council Chambers.

Members Present: Marquardt, Groat, Jacobson.

Also Present: Wesolowski, 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.

### **PUBLIC HEARING: 2014 Street Improvement Projects**

**11<sup>th</sup> Avenue from Campus Drive to the north**

**14<sup>th</sup> Avenue from Randolph Street to Bissell Street**

**16<sup>th</sup> Avenue from Randolph Street to Golden Meadow Street**

**Golden Meadow Street from 16<sup>th</sup> Avenue to Stevens Drive**

**Silver Spring Street from 16<sup>th</sup> Avenue to Bissell Street**

**Rose Marie Street from Silver Spring Street to Bissell Street**

**Bissell Street from 16<sup>th</sup> Avenue to Rose Marie Street**

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Marquardt explained in accordance with state statutes the Board of Public Works is required to hold a public hearing for proposed projects involving special assessments and take testimony from property owners who are affected. The testimony is forwarded to the Capital Improvements and Street Maintenance Committee which will meet February 13, 2014 and will approve, disapprove or modify the plans or assessments for the project and forward a recommendation to the Common Council. It is anticipated the Common Council will take action at the February 25, 2014 meeting. There were no objections to dispense with the reading of the official hearing notice.

Wesolowski stated the construction schedule is unknown at this time. The project could be started as early as April and completed as late as November. However, once the project is started the contractor will have a designated number of days to finish the project. A start notice will be sent out to residents prior to the start of the project. Residents will be allowed to park in front of their property overnight, but vehicles will have to be removed from the road in the morning. Residents will have access to their driveways except during the curing process for the concrete. The contractor will give residents a 24 hour notice before their driveway is closed. The contractor will be required to relocate mailboxes during the construction. The contractor will reinstall the mailboxes after the project is completed. If you would like your mailbox post replaced, you can supply a new post and the contractor will install it. Residents are to place garbage containers out as usual and the contractor will move the containers for disposal. After garbage has been picked up, the contractor will return the containers to your property. The start notice will have contact information for the project inspector should questions arise during construction.

Marquardt stated staff from the Engineering Department will be available after the public hearing if there are specific questions about individual properties or the work to be done under the project.

### ***11<sup>th</sup> Avenue from Campus Drive to the north***

Marquardt asked persons in attendance who wished to speak regarding special assessments to come to the podium and give their name, address and comments. No one came forward to offer comments.

### ***14<sup>th</sup> Avenue from Randolph Street to Bissell Street, 16<sup>th</sup> Avenue from Randolph Street to Golden Meadow Street, Golden Meadow Street from 16<sup>th</sup> Avenue to Stevens Drive, Silver Spring Street from 16<sup>th</sup> Avenue to Bissell Street, Rose Marie Street from Silver Spring Street to Bissell Street, and Bissell Street from 16<sup>th</sup> Avenue to Rose Marie Street***

Marquardt asked persons in attendance who wished to speak regarding special assessments to come to the podium and give their name, address and comments.

Dave Guenther, 1510 Golden Meadow Street, would like to see the project delayed for two years. He stated there are a number of elderly people that this will affect. His drive approach is asphalt and he would like that to remain. He was told to put in asphalt when his house was built and when curb and gutter would be installed the City would cover replacement costs if it was asphalt. Therefore, he believes they should only be required to pay half at best. He does not believe sidewalks are needed as there is not much pedestrian traffic in the area. The letter did not address whether there will be inspections of the laterals. Additionally, he does not want trees planted as he has planted his own bushes.

Bruce Spatz, 1502 Golden Meadow Street, questioned if sidewalk would be installed. Marquardt replied sidewalk is not proposed for this project. Spatz indicated the majority of the neighborhood is against sidewalk. He has an underground fence for his dog and sidewalk would cut down on his yard. Therefore, he strongly opposes sidewalk. He does not object to the project in general as it has been talked about for a number of years and has already been delayed.

Luann Theis, 1408 Silver Spring Street, also opposes the installation of sidewalk. She also would not prefer to have trees planted close to her driveway. She stated that the condos have a lawn service and questioned how often they would have access to their properties.

Diane Bremer, 1508 Bissell Street, stated hers was the first house built in the area. She can see why curb and gutter is installed on busy streets, but questioned the purpose in this area. She has never had a problem with water or erosion. She is concerned with the wetlands in the area as there is wildlife. She lives across from the neighborhood park that was never finished. She was told it was not finished because the City ran out of funds. She believes instead of doing the road project, the money should be put into finishing the park. People have a hard time living day to day as many have lost jobs and health care or have reduced work hours and this additional expense will hit them hard. Additionally, there is a County group home on Bissell Street with daily bus transportation. Bremer is also opposed to sidewalk.

Kim Brinkmann, 1509 Silver Spring Street, stated her driveway does not face Silver Spring Street and hopes she will still have access. She questioned the design of the curb and gutter and if there is a cost difference for different designs. She also believes sidewalk is not needed nor is the extra planting of trees. This is a newer area and does not believe her lateral needs to be replaced. The cost of the project would be a burden.

Bremer questioned if the project would affect property taxes. Marquardt stated the Assessment Department compares like properties to determine values and residents should contact the City Assessor for further information.

A letter was received from Steve Utecht of 1505 Silver Spring Street stating he is not in favor of the project. However, if the plan does go through he would like a storm drain installed west of his property to alleviate water issues.

There were no further comments and the public hearing was closed.

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

Approving 2014 Street Reconstruction Projects and Authorization to Let Bids

Committee Action: Approved 5-0

Fiscal Impact: Estimated construction cost \$607,250; estimated special assessments \$85,305

**File Number:** 14-0106

**Date Introduced:** February 25, 2014

**WHEREAS**, the following streets have been proposed for construction under the 2014 Street Reconstruction Project:

Scott Street from Bellis Street to 10<sup>th</sup> Street  
McClellan Street from Bellis Street to Gray Place  
South 6<sup>th</sup> Avenue from West Street to Garfield Avenue

**WHEREAS**, this project is assessable in whole or in part to the abutting property owners for special benefits conferred upon properties by the improvement of the abovementioned streets; a preliminary resolution to levy special assessments to the abutting owners was adopted by the Common Council on January 14, 2014; and the Engineer's report has been filed with the City Clerk, and

**WHEREAS**, the Board of Public Works conducted public hearings for the project special assessments on February 6, 2014, and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee discussed the proposed projects at its meeting on February 13, 2014 and recommends work be accomplished under the 2014 Street Reconstruction Projects, and

**WHEREAS**, street grades will be established or reestablished and fixed as shown on the plans for the project (copy on file in the Engineering Department), and minor revisions will be made in the plans as may be necessary during construction, now therefore

**BE IT RESOLVED** that the Common Council authorizes securing of bids and construction of the 2014 Street Reconstruction Projects.

Approved:

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James E. Tipple, Mayor

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

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Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**2014 Street Construction Projects: Discuss public hearing results and make recommendation**

Marquardt stated a few residents of the Westview Terrace area asked that the project be delayed. All who spoke at the public hearing asked that sidewalk not be installed, although it was not proposed to be installed. The project has already been delayed; therefore, staff recommends moving forward with the project. No one appeared at the public hearings for 11<sup>th</sup> Avenue or 6<sup>th</sup> Avenue. Those who attended the public hearing for Scott Street and McClellan Street had concerns regarding sidewalk.

Mielke moved to approve the 2014 Street Construction Projects. Kellbach seconded.

Gisselman asked if the costs would change depending upon what is decided regarding sidewalk on Scott and McClellan Streets. Marquardt explained the money for the project is already in the budget and the design should fit within the budget.

There being a motion and a second, motion to approve the 2014 Street Construction Projects carried unanimously 5-0.

**AGENDA ITEM**

2014 Street Construction Projects: Discuss public hearing results and make recommendation

**BACKGROUND**

Public hearings were held for the street construction projects of 14<sup>th</sup> Avenue from Randolph Street to Bissell Street, 16<sup>th</sup> Avenue from Randolph Street to Golden Meadow Street, Golden Meadow Street from 16<sup>th</sup> Avenue to Stevens Drive, Silver Spring Street from 16<sup>th</sup> Avenue to Bissell Street, Rose Marie Street from Silver Spring Street to Bissell Street, Bissell Street from 16<sup>th</sup> Avenue to Rose Marie Street, 11<sup>th</sup> Avenue from Campus Drive to the north, Scott Street from Bellis Street to 10<sup>th</sup> Street, McClellan Street from Bellis Street to Gray Place, and South 6<sup>th</sup> Avenue from West Street to Garfield Avenue. Public hearings will be held for 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac in the near future.

**FISCAL IMPACT**

	<u>Project Cost</u>
14 <sup>th</sup> Avenue	\$83,000
16 <sup>th</sup> Avenue	\$175,375
Golden Meadow Street	\$98,000
Silver Spring Street	\$130,000
Rose Marie Street	\$114,250
Bissell Street	\$139,375
11 <sup>th</sup> Avenue	\$80,000
Scott Street	\$179,250
McClellan Street	\$147,000
South 6 <sup>th</sup> Avenue	<u>\$281,000</u>
	\$1,427,250

Estimated Special Assessment = \$280,000

**STAFF RECOMMENDATION**

The minutes from the public hearings are attached. After receiving all the comments at the public hearings, staff recommends moving forward with all projects.

Staff contact: Allen Wesolowski 715-261-6762

## BOARD OF PUBLIC WORKS

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Date of Meeting: February 6, 2014, at 4:00 p.m. in the Council Chambers.

Members Present: Marquardt, Groat, Jacobson.

Also Present: Wesolowski, 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.

### **PUBLIC HEARING: 2014 Street Reconstruction Projects**

**Scott Street from Bellis Street to 10<sup>th</sup> Street**

**McClellan Street from Bellis Street to Gray Place**

**South 6<sup>th</sup> Avenue from West Street to Garfield Avenue**

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Marquardt explained in accordance with state statutes the Board of Public Works is required to hold a public hearing for proposed projects involving special assessments and take testimony from property owners who are affected. The testimony is forwarded to the Capital Improvements and Street Maintenance Committee which will meet February 13, 2014 and will approve, disapprove or modify the plans or assessments for the project and forward a recommendation to the Common Council. It is anticipated the Common Council will take action at the February 25, 2014 meeting. There were no objections to dispense with the reading of the official hearing notice.

Wesolowski stated the construction schedule is unknown at this time. The project could be started as early as May and completed as late as November. However, once the project is started the contractor will have a designated number of days to finish the project. A start notice will be sent out to residents prior to the start of the project with the name and phone number of the project inspector should questions arise during construction. Residents will be allowed to park in front of their property overnight, but vehicles will have to be removed from the road in the morning. Residents are to place garbage containers out as usual and the contractor will move the containers for disposal. After garbage has been picked up, the contractor will return the containers to your property. Mail will be delivered as normal. Scott Street and McClellan Street have sidewalk with steps and it is still in the design phase whether the sidewalk will be removed or extended in some areas.

Marquardt stated staff from the Engineering Department will be available after the public hearing if there are specific questions about individual properties or the work to be done under the project.

### ***Scott Street from Bellis Street to 10<sup>th</sup> Street and McClellan Street from Bellis Street to Gray Place***

Marquardt asked persons in attendance who wished to speak regarding special assessments to come to the podium and give their name, address and comments.

Meg Johansen, 917 McClellan Street, asked if she would still be able to get to her garage, if trees would be removed and how long water and sewer service would be disrupted during the project. She also questioned if the road would be widened.

Jackie Mueller, 604 Gray Place, stated she is happy the road is going to be fixed as it is in poor condition and unsafe. She asked that sidewalk not be installed and does not understand the necessity of it. She was told that it is not a good idea to have sidewalk stop mid-block, but there is already sidewalk on the south side of McClellan Street. She lives in that neighborhood because it is quiet. Those who would use the sidewalk to go to the park can use the existing sidewalk across the street. She asked that before a decision is made regarding installing sidewalk that the need be assessed. She believes it will be found unnecessary. Sidewalk would affect 10' of her lawn, 5 mature trees and 10' of antique brick.

Elaine Graveen stated she is representing her son who owns the property at Bellis and McClellan Street. She also believes sidewalk is not needed. There is not a lot of pedestrian traffic in the area that would warrant the need. The money for installing sidewalk would be better used to repair existing sidewalk.

***South 6<sup>th</sup> Avenue from West Street to Garfield Avenue***

Marquardt asked persons in attendance who wished to speak regarding special assessments to come to the podium and give their name, address and comments. No one came forward to offer comments.

There were no further comments and the public hearing was closed.

**CLOSED SESSION pursuant to Section 19.85(d), Wis. Stats., for the purpose of considering and deliberating on pre-qualification statements for bidders for the 2014 Athletic Park Neighborhood Park Project**

The following contractors were approved to bid on the following project:

Altmann Construction Company, Inc., Wisconsin Rapids  
H & H Civil Construction LLC, Collins  
Janke General Contractors, Athens  
McCabe Construction, Eau Claire  
Pember Companies, Inc., Menomonie  
Ron Christiansen Trucking, Weston  
S.D. Ellenbecker, Inc., Athens  
Sunrise Trucking & Excavating LLC, Mosinee  
Switlick & Sons, Inc., Athens  
The Samuels Group, Wausau

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

Approving easement for the installation of sidewalk at 720 South 6<sup>th</sup> Avenue (Wausau School District)

Committee Action: Approved 5-0

Fiscal Impact: None.

**File Number:** 14-0210

**Date Introduced:** February 25, 2014

**WHEREAS**, South 6<sup>th</sup> Avenue from West Street to Garfield Avenue is proposed to be reconstructed in 2014, and

**WHEREAS**, staff from the Engineering Department met with representatives from the Wausau School District regarding the proposed reconstruction and found that two-way traffic becomes very difficult when school buses are lined up along South 6<sup>th</sup> Avenue, and

**WHEREAS**, the Wausau School District proposed to widen this section of South 6<sup>th</sup> Avenue to create a bus parking lane, and

**WHEREAS**, widening this section of roadway would place the public sidewalk five feet onto the Wausau School District's property, and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee recommends acceptance of an easement from the Wausau School District for the construction of a public sidewalk through a portion of their property at 720 South 6<sup>th</sup> Avenue; now therefore

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

Approved:

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James E. Tipple, Mayor

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

---

Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**Approve easement for the installation of sidewalk at 720 South 6<sup>th</sup> Avenue (Wausau School District)**

Marquardt stated Wesolowski has been working with the Wausau School District regarding the design of 6<sup>th</sup> Avenue. The school district proposed moving the sidewalk 5' onto their property to allow room for buses to park.

Kellbach moved to approve the easement for the installation of sidewalk at 720 South 6<sup>th</sup> Avenue. Mielke seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
Approve easement for the installation of sidewalk at 720 South 6 <sup>th</sup> Avenue (Wausau School District)
<b>BACKGROUND</b>
<p>6<sup>th</sup> Avenue from West Street to Garfield Avenue is proposed to be reconstructed this coming Summer. The City Engineering Department met with representatives from the Wausau School District and First Student to discuss the design of 6<sup>th</sup> Avenue in front of Lincoln Elementary School. Lincoln School serves as a transfer station for students. Busses line up along 6<sup>th</sup> Avenue from West Street to Porter Street along the west side of 6<sup>th</sup> Avenue. Under current conditions, with busses lined up on 6<sup>th</sup> Avenue and cars parked on the east side, two-way traffic becomes very difficult. The request was made by the School District to widen this section of roadway to create a bus parking lane. This would allow the busses to park off the travel lane and allow two-way traffic on 6<sup>th</sup> Avenue. The proposed design creates an eleven foot bus parking lane, a four foot concrete boulevard and a six foot concrete sidewalk. The widened section pushes the sidewalk five feet onto school property. An easement to construct the sidewalk will need to be granted by the school district to City.</p>
<b>FISCAL IMPACT</b>
None, the easement will be granted at no cost to the City
<b>STAFF RECOMMENDATION</b>
<p>Staff recommends approving the easement. The easement will allow the City to widen the roadway and get the busses into a designated parking area off the travel lanes. The easement will also allow the City to construct a 10' wide concrete loading area for students ( 4' boulevard and 6' sidewalk).</p>
Staff contact: Allen Wesolowski 715-261-6762

**EASEMENT AGREEMENT**

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the Wausau School District, GRANTOR, and the City of Wausau, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, CITY;

WITNESSETH:

WHEREAS, City wishes to construct a sidewalk for public use across land owned by GRANTOR; and

WHEREAS, GRANTOR will allow this public sidewalk as a permanent easement across GRANTOR’s property upon certain terms and conditions as hereinafter enumerated.

NOW, THEREFORE, the parties hereto agree as follows:

1. GRANTOR hereby grants to CITY a permanent easement across property owned by GRANTOR as hereinafter described, which easement shall be for the purpose of establishing a sidewalk, for the benefit of the public; which access shall specifically include but not be limited to individuals on foot, on bicycles, on roller blades, skateboards, motorized wheelchairs and similar methods of conveyance, and other methods of conveyance approved and allowed by CITY.
2. The easement area is described below and shown on Exhibit “A” and incorporated herein by reference.

Part of Block 2, Kickbusch’s Second Addition to the City of Wausau, Section 35, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

The easterly 5 feet of Lots 12, 13, 14, 15, 16, 17, 18, and 19, said Block 2.

3. In granting the easement, GRANTOR makes no representations or warranties of any kind whatsoever with regard thereto, it being understood and agreed that city shall have sole and complete liability and responsibility for the easement area and its use and operation, and all aspects thereof. CITY, by entering into this Agreement, covenants and agrees that CITY is relying on its own investigation as to the condition of the easement area and the real estate upon which it is granted, for use in the manner as contemplated herein. CITY covenants and agrees that CITY is not relying in any manner upon any representation, warranty, or statement made by GRANTOR, its employees, or its agents as to the condition of this real property. GRANTOR HEREBY DISCLAIMS ANY REPRESENTATION OR WARRANTY, WHETHER EXPRESS OR IMPLIED, WITH REGARD TO THE GRANTOR’S PROPERTY, THE EASEMENT PREMISES, OR THE TEMPORARY EASEMENT PREMISES, INCLUDING, BUT NOT LIMITED TO, THE WARRANTY OF FITNESS FOR GRANTEE’S EXPRESS PURPOSE UNDER THIS AGREEMENT. NO EMPLOYEE OR AGENT OF GRANTOR IS OR HAS BEEN AUTHORIZED BY GRANTOR TO AMEND OR OTHERWISE MODIFY THIS DISCLAIMER BY WRITTEN OR ORAL MEANS AND ANY SUCH AMENDMENT OR OTHER MODIFICATION IS HEREBY EXPRESSLY DENIED BY GRANTOR.
4. With the exception of negligent actions or omission’s by GRANTOR, its employees, agents, and officers, CITY agrees to release, indemnify and hold harmless GRANTOR, its affiliates and their respective employees, agents, and officers, free and harmless from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, actions and/or causes of action of any kind or of any nature which may be sustained or to which they may be exposed by reason of injury or injuries to anyone, or of the death or deaths of anyone, or by reason of any personal injury and/or real property damage, or by reason of any other liability imposed by law, or by anything or by anyone else upon the above-referenced entities and/or individuals as the result of and/or due to CITY’s and/or anyone else’s operations, actions or omissions on the easement area; specifically included within this release, indemnification and hold harmless are

Recording Area

Name and Return Address

City of Wausau Engineering Department  
407 Grant Street  
Wausau, WI 54403

PIN: 37.291.2907.352.0345

attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced indemnified entities and/or individuals.

- 5. GRANTOR will be responsible for snow and ice removal per City ordinances.
- 6. Subject to paragraph 7, below, this agreement shall run with the land, encumbering the property encompassed by the easement area in perpetuity, and shall be binding on and shall inure to the benefit of the parties hereto and to their respective successors and assigns.
- 7. In the event CITY ceases to operate and maintain a sidewalk within the easement area for a period of longer than one (1) year, the easement rights granted herein shall terminate without further notice required; or in the event GRANTOR notifies CITY of GRANTOR'S requirement to terminate the easement in order to reclaim the easement area for GRANTOR'S regulated utility business purposes, the easement rights granted herein shall terminate six (6) months after any such notification. Upon such termination, CITY shall remove all improvements from the easement area and shall restore the easement area to the condition it was prior to the improvements being installed therein, including, but not limited to, bring the areas to prior grade, and reseed and replanting such vegetation as existed in the areas prior to initial installation of such improvements. Upon request of GRANTOR, CITY shall execute and deliver any further instruments or undertakings deemed necessary by GRANTOR to carry out the intent of this Section 7.

IN WITNESS WHEREOF, this agreement has been duly executed the day and year first above written.

CITY OF WAUSAU BY:

WAUSAU SCHOOL DISTRICT BY:

\_\_\_\_\_  
James E. Tipple, Mayor

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Toni Rayala, Clerk

\_\_\_\_\_  
\_\_\_\_\_

STATE OF WISCONSIN    )  
                                  ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, the above named James E. Tipple, Mayor, and Toni Rayala, Clerk for 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: \_\_\_\_\_

STATE OF WISCONSIN    )  
                                  ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, the above named \_\_\_\_\_, of the Wausau School District, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Wisconsin  
My commission: \_\_\_\_\_

**RESOLUTION OF ECONOMIC DEVELOPMENT COMMITTEE**

Waiving City's right to purchase property in the Wausau Business Campus – sale of 840 South 66<sup>th</sup> Avenue to Mathy Construction Company

Committee Action: Approved 4-0

Fiscal Impact: None

**File Number:** 14-0211

**Date Introduced:** February 25, 2014

**RESOLUTION**

**WHEREAS**, Mathy Construction Company wishes to purchase the building at 840 South 66<sup>th</sup> Avenue from Sonoco Plastics, Inc.; and

**WHEREAS**, deed restrictions on the property give the City of Wausau the option to repurchase 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 option to repurchase the property.

**NOW, THEREFORE, 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 840 South 66<sup>th</sup> Avenue in the Wausau Business Campus and approves the sale of the property to Mathy Construction Company; and

**BE IT FURTHER RESOLVED** by the Common Council of the City of Wausau that the Mayor and Clerk are hereby authorized to execute the attached Waiver of Right to Purchase.

Approved:

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James E. Tipple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Tuesday, February 18, 2014 at 3:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Romey Wagner (Vice-chair), William Nagle, and Lisa Rasmussen

Others Present: Ann Werth, Maryanne Groat, Nan Giese, Megan Lawrence, Travis Lepinski, Brad Marquardt, Mayor Jim Tipple, Anne Jacobson, Chuck Ghidorzi, Chris Ghidorzi, Matt Krasowski, Damien Sweeny, Thomas Burch, John Morache, Ark Rhownine

### **DISCUSSION AND POSSIBLE ACTION ON WAIVING OF THE CITY'S RIGHT TO PURCHASE PROPERTY IN THE BUSINESS CAMPUS AT 840 SOUTH 66TH AVENUE. (A.L.M. HOLDINGSLLC)**

Wagner moved to approve, declining the first right of refusal. Nagle seconded and the motion carried unanimously 4-0.

**NOTICE OF WAIVER OF RIGHT TO PURCHASE**

**Property Located at 840 S. 66th Avenue, Wausau, Wisconsin**

The City of Wausau, a Wisconsin municipal corporation (the "City"), acknowledges personal delivery to the Clerk of the City of the offer of Sonoco Plastics, Inc. ("Sonoco"), to sell to the City that certain real property located at 840 S. 66<sup>th</sup> Avenue in the City of Wausau (the "Property"), at the price and on the terms contained in that certain Commercial Offer to Purchase dated January 17, 2014, and counter-offer dated January 24, 2014, by and between Sonoco Plastics, Inc., as seller, and Mathy Construction Company, as buyer (the "Offer").

The City hereby rejects such offer of Sonoco Plastics, Inc. Accordingly, the City hereby declines to exercise the option of repurchasing the land contained in that certain Warranty Deed dated July 15, 1994, and recorded with the Marathon County Register of Deeds on August 2, 1994, as Document No. 1032344, with respect to the offer of Sonoco Plastics, Inc. to sell to Mathy Construction Company.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

THE CITY OF WAUSAU, a Wisconsin  
municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**JOINT RESOLUTION OF THE ECONOMIC DEVELOPMENT, FINANCE AND  
PARKING & TRAFFIC COMMITTEES**

Approving the Release of the Request for Proposals for Central Business Parking Analysis and Long Term Plan and subsequent award of contract

Committee Action: ED: Approved 3-0  
Finance: Approved 5-0  
P&T: Approved 5-0

Fiscal Impact: Provided by the Proposers

**File Number:** 92-0936A

**Date Introduced:** February 25, 2014

**RESOLUTION**

**WHEREAS**, the City has significant infrastructure investment in parking activities in the East and West Central Business District, and

**WHEREAS**, the City wishes to develop a comprehensive long term parking strategy that supports economic vitality of the central business district, provides a positive parking experience for downtown residents, property owners, employers, employees, shoppers and visitors, and generates a revenue stream to finance operations, and

**WHEREAS**, your Economic Development, Finance and Parking and Traffic Committees have all reviewed and recommend the attached RFP for Parking Analysis and Long Term Plan, and

**WHEREAS**, a project committee representing all interests including Main Street, property owners, downtown residents, businesses, employers, employees, city staff, and council members will select and award the contract and manage the study process, and

**WHEREAS**, the study requires additional stakeholder involvement to ensure broad input, and

**WHEREAS**, results of the study will be presented to Council on or before October 10, 2014, and

**WHEREAS**, funding for the project was provided for in Tax Increment District Number 3 and 8;

**NOW THEREFORE BE IT RESOLVED**, by the City of Wausau Common Council that the appropriate City Officials are hereby authorized to release the Request For Proposals for Central Business District Parking Analysis and Long Term Plan and award and execute the contract to the proposal/consultant selected by the project committee.

Approved:

\_\_\_\_\_  
James E. Tipple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Thursday, January 30, 2014 at 3:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Lisa Rasmussen and David Oberbeck

Others Present: Ann Werth, Megan Lawrence, Maryanne Groat, Mayor Jim Tipple, Brad Lenz, Mark Craig and Keene Winters

### **DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR PROPOSALS TO CONDUCT AN ANALYSIS OF THE CITY'S PARKING SYSTEM FOR THE EAST AND WEST CENTRAL BUSINESS DISTRICTS.**

Rasmussen motioned to approve action on a request for proposal to conduct an analysis of the City's parking system for the east and west central business district at an estimated cost of \$60,000. Oberbeck seconded and the motion passed unanimously 3-0.

**FINANCE COMMITTEE**

Date and Time: Tuesday, February 11, 2014 @ 5:00 pm., Board Room

Members Present: Nagle (C), Oberbeck, Brezinski, Winters, Nutting

Others Present: Wagner, Kellbach, Tipple, Loy, Stratz, Hagenbucher, Groat, Jacobson, Mielke, Gisselman, Goede.

**Authorize the Issuance of the Central Business District Parking Study Request for Proposal**

Groat explained this item has already been before Parking & Traffic and the Economic Development Committees. The vision is to put together a committee that would oversee the process. She stated they have Dawn Follendorf, the Main Street Director; a citizen who lives and works in the downtown; the mall manager; and a downtown business that would all like to participate in the process of selecting the consultant once the RFP's are in. She noted the RFP specifies that the east and the west side of the Central Business District be treated separately. It has already been budgeted for and if the Finance Committee approves it, then it will go back to Parking & Traffic committee one more time. She estimated the cost at approximately \$60,000.

Winters explained this issue came up in Parking & Traffic Committee because of repeated requests to go from one hour parking, to take away the meters, etc., resulting in a hodge-podge system. If you want to go downtown on a bus it is \$36; if you want to park in the ramp it is \$32-\$34; and if you want to park in the most convenient places it is free, you just have to move your car a couple times or receive a \$5 ticket. He felt the incentives to have our parking ramps and buses full and paid for are perverse and all the factors need to be weighed.

Motion by Brezinski, second by Winters to authorize staff to release an RFP requesting Central Business District Parking Study bids. Motion carried 5-0.

## **Parking and Traffic Committee Meeting Minutes**

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Date of Meeting: Thursday, January 16, 2014, 5:30 pm., in the Council Chambers at City Hall  
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting  
Others Present: Lt. Pekarske, Alfonso, Groat, Wesolowski, Lang

### **(5) Discussion and possible action: review and possibly approve a RFP for a downtown parking analysis.**

Groat distributed a draft RFP for the city's parking analysis. The RFP was crafted to analyze parking regulations in the downtown area but allow for additional future parking needs. The Economic Development Committee is also interested in the parking RFP. The purpose of the RFP is to study and evaluate meters, pay by rate analysis, signage, and recommend up to date technologies which will improve the overall parking experience in the downtown area.

Mielke stated the RFP is in the right direction and is in favor of universal parking. He also wants higher penalties for violators.

Winters agrees with Mielke and would also like to include transit service in the RFP.

Abitz agreed with including downtown transit. She also asked about looking at and taking into consideration the stores that are closing in the mall and how that will affect parking.

Winters asked Groat to finalize the RFP and bring it back as an agenda item to the next meeting.

## **Parking and Traffic Committee Meeting Minutes**

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Date of Meeting: Thursday, February 20, 2014 5:30 pm., in the Council Chambers at City Hall  
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting  
Others Present: Lt. Pekarske, Alfonso, Groat, Wesolowski, Lang

### **(2) Discussion and possible action to approve a RFP for an analysis of the Central Business District parking and long term plan.**

Discussion: Groat introduced the RFP at the last Parking & Traffic Committee meeting and since had refined the RFP. It has been introduced to Main Street, Business Improvement, city staff, Economic Development and Finance Committee. There are 4 or 5 vendors already interested in receiving the RFP.

Groat also stated that there are a number of representatives interested in providing input and monitoring the process. Representation would consist of Dawn Fallendorf (MainStreet), Business representation from the East Side and West Side, East Bay, Wausau Center Mall, Police staff, Wausau Metro Transit, Engineering staff, and also city council members.

Groat stated that Dawn Fallendorf expressed interest in having the RFP address the decision making process of handling future parking requests. The Parking & Traffic members stated they were also interested in a "master plan" regarding future parking decisions.

Motion, by Mielke, to move forward and bring the RFP to the next Common Council meeting, second by Winters. Motion approved 5-0.



**CITY OF WAUSAU  
REQUEST FOR PROPOSALS  
CENTRAL BUSINESS DISTRICT PARKING ANALYSIS AND LONG TERM PLAN**

**The City of Wausau is requesting proposals from consultants to conduct an evaluation of the City's current parking system, evaluate future parking needs and make recommendations for the development of a long-term parking strategy for the East and West Central Business District. The City's objective is to provide a functional, efficient and self-sustaining parking system that will achieve maximum benefits. Proposals will be accepted until 4:00 PM, March 26<sup>th</sup> 2014.**

The City of Wausau is interested in developing a comprehensive parking strategy to maximize use of available parking; improve the accessibility of convenient parking for visitors to the central business district; minimize the negative impacts of surface parking lots; improve existing parking facilities and plan for future parking improvements; provide for emerging technologies; establish parking rates that encourage effective use of parking infrastructure and provide revenue to recover parking costs; create a strategy for fines that encourages compliance with parking rules; develop a marketing, signage and education strategy to improve the parking experience.

Attached to this proposal is a map defining the boundaries of the East and West side of the Central Business District, the existing public and private parking facilities and parking zones.

**SCOPE OF WORK AND DELIVERABLES**

Below is an outline of minimum items to be considered within the scope of work. Consultants are encouraged to recommend additional analysis or review that will result in an improved parking plan. While the study incorporates the East and West side of the Central Business District these areas have different needs and challenges that must be studied and addressed independently.

**A. Stakeholder Input**

Propose a methodology for engaging stakeholders including property owners, business owners, employees, residents, public and potential developers in the process. East and West side of the Central Business District River East and West stakeholder input should be conducted independently.

**B. Parking Utilization Observations and Analysis**

Include private and public parking facilities.

**C. Existing and Future Parking Conditions, Needs and Recommendations**

- Assess the demand for parking within each study area and evaluate the demand to current inventory. Provide occupancy and turnover data. Identify areas with surplus or deficit parking.
- Project new demand based on proposed developments and assess the impact on parking.

- Identify the feasibility, optimal locations and timing for potential parking structures to support existing and future parking needs. Provide specifics regarding recommended parking capacity, number of floors, mixed-use opportunities and cost estimates.
- Identify and evaluate potential sites that could satisfy current and projected parking deficits. Proposed sites should identify estimated parking count and optimal configuration on the site.
- Evaluate the potential for “in-fill” development of surface lots to increase development density within the East and West side of the Central Business District.
- Examine opportunities for shared private parking.
- Examine and recommend opportunities to relocate, redesign or reuse existing parking inventory to meet existing and anticipated parking needs.

#### D. Review and Recommendations for Parking Management Strategies

- Evaluate existing ordinance and recommend parking rules and regulations that support the goals and objectives of a downtown parking strategy.
- Recommend a fee structure (including fees and fines) for on- and off-street parking that encourages the optimal parking utilization and discourages parking abuse by employees and all-day parkers. Provide comparisons to similar localities.
- Examine the hotel parking located within the Jefferson Street Parking Ramp and Lot and provide recommendations for improved processes.
- Examine and recommend zoning requirements for private off-street parking within the East and West side of the Central Business District.
- Identify potential new revenues sources.
- Evaluate and recommend parking control technology strategies that will improve parking management.

#### E. Improved Parking Experience

- Evaluate and recommend a parking wayfinding system.
- Evaluate and recommend technology to improve parking location identification and payment options.
- Evaluate and recommend street crossings, pedestrian access and synergy with alternative modes of transportation including the City bus system.
- Evaluate and recommend safety and security measures.
- Recommend other opportunities for enhanced parking experiences specifically as it relates to the prospective of downtown residents, workers, business owners and visitors.

#### F. Future Parking Regulations

- Provide the City with a policy, criteria or guidelines to manage future requests from special interests to modify existing parking regulations.

#### F. Implementation Plan and Budget

- Develop an implementation matrix which outlines recommended actions, estimated time frames, costs and responsible parties. Specifically identify and highlight those actions considered “quick fixes”.
- Create a map of the East and West side of the Central Business District. Identify proposed parking infrastructure improvements or redevelopments and parking time limits.

G. Presentation

Conduct three formal presentations:

- Meeting One - East Side Stakeholder Meeting
- Meeting Two – West Side Stakeholder Meeting
- Meeting Three – Common Council Meeting

The consultant may propose additional tasks and/or a revised scope based on experience with similar projects in similar cities. Expected client consultant communications such as conference calls, draft reviews, site visits, etc. shall be considered part of the proposed scope but are not specifically detailed within this document.

**SELECTION PROCESS**

Proposals will be reviewed and a consultant will be recommended by the selection committee to the City’s *Economic Development Committee*. The recommendation will be based upon the consultant’s experience/capabilities, project approach, and cost, all of which are described below under “Proposal Specifications.”

**TIMELINE**

The estimated timeline for completion of the selection process is outlined below.

February 26	Distribution date of RFP
March 26	Deadline to submit proposal
April 15	Consultant is selected and final negotiations are concluded
On or Before	
October 10	Stakeholder Presentations

**PROPOSAL SPECIFICATIONS**

Consultants are asked to submit concise proposals describing their capacity to manage projects, their experience with similar projects, and their approach to the proposed project. Proposals should be prepared on standard size paper. Standard advertising brochures should not be included in the body of the proposal. The proposal shall include the following information:

**Business Organization** – This section shall include the firm’s name, areas of expertise, and a brief history of the firm, size, office locations, and business addresses. The name, address, and telephone number of a contact person and/or prospective project manager regarding the proposal shall be included. If sub-consultants are being utilized, similar information should be included for all subcontracted firms.

**Experience and Capabilities** - The consultant shall describe relevant qualifications of the firm and experience with similar projects. Qualification summary and list of staff intended for the project. Provide a description of similar projects along with a list of references for each applicable project.

**Project Approach** – The consultant shall describe the approach to the proposed project, the method of conducting the work, and how the final deliverables will be developed.

**Stakeholder Input** – The consultant shall describe the method or methods used to obtain stakeholder input on parking.

**Cost** – The consultant shall provide an hourly rate schedule and an estimated number of hours to complete the proposed project. Estimated hours to be spent on specific tasks should be broken out to the greatest extent practicable. If hours are to be billed at different rates, a breakdown of hours per wage rate shall be provided.

### **SUBMITTAL REQUIREMENTS**

One (1) original and four (4) copies of the proposal along with an electronic pdf stored on a jump drive, must be submitted in a sealed envelope by **4:00 p.m. CST on Monday, March 26, 2014**. Please mark “Proposal for City of Wausau Parking Study” on the envelope.

The mailing and hand delivery address is:

**Wausau City Hall  
Attn: Maryanne Groat, CPA  
Finance Director  
407 Grant Street  
Wausau, WI 54403**

### **CONTACT PERSON**

Questions about the RFP or the project should be directed to Maryanne Groat, Finance Director, phone (715) 261-6645 or email [mgroat@ci.wausau.wi.us](mailto:mgroat@ci.wausau.wi.us).

### **TERMS AND CONDITIONS**

The City reserves the right to accept or reject any or all proposals or portions thereof without stated cause. Upon selection of a finalist, the City by its proper officials shall attempt to negotiate and reach a final agreement with the finalist. If the City, for any reason, is unable to reach a final agreement with this finalist; the City then reserves the right to reject such finalist and negotiate a final agreement with another finalist who has the next most viable proposal. The City may also elect to reject all proposals and re-issue a new RFP.

Clarification of proposals: The City reserves the right to obtain clarification of any point in a consultant’s proposal or obtain additional information. Any request for clarification or other correspondence related to the RFP shall be in writing or email, and a response shall be provided within three (3) business days.

The City is not bound to accept the proposal with the lowest cost, but may accept the proposal that demonstrates the best ability and most qualified to meet the needs of the City. The City reserves the right to waive any formalities, defects, or irregularities, in any proposal, response, and/or submittal where the acceptance, rejection, or waiving of such is in the best interests of the City. The City reserves the right to disqualify any proposal, before or after opening, upon evidence of collusion, intent to defraud, or any other illegal practice on the part of the consultant.

**SIGNATURE BLOCK**

Note: Please return this page with your proposal.

The undersigned, an authorized agent of his/her company, hereby certifies:

- ( ) the receipt of this letter to solicit bids (on this date): \_\_\_\_\_
- ( ) familiarization with all terms, conditions, and specifications herein stated,
- ( ) company is qualified to perform work and services as proposed,
- ( ) that the proposal submitted is valid until \_\_\_\_\_ (date).

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Title

\_\_\_\_\_  
Type of Entity (S-Corp, LLC, etc.)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Web Site

\_\_\_\_\_  
Email Address

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

**RESOLUTION OF THE PLAN COMMISSION**

Approving a conditional use at 406 & 408 North 3<sup>rd</sup> Street to allow for installation of awning signs, in a B4-1, Central Business District.

Committee Action: Approved 5-0

Fiscal Impact: None.

**File Number:** 14-0207

**Date Introduced:** February 25, 2014

**WHEREAS**, on February 18, 2014, the Plan Commission held a public hearing to consider a request from Kurt Kraimer, Malarkey's Pub and Townie's Grill, for a conditional use at 406 & 408 North 3<sup>rd</sup> Street to allow for installation of awning signs; and

**WHEREAS**, the proposed signs conform to the regulations of awning signs in the Central Business District; and

**WHEREAS**, the awnings with the signage are not out of character with other awnings in the downtown area; and

**WHEREAS**, the proposed signs are not expected to negatively impact the neighboring property owners or the general public; now therefore

**BE IT RESOLVED** that the Common Council of the City of Wausau hereby approves a conditional use at 406 & 408 North 3<sup>rd</sup> Street to allow for installation of awning signs, as presented.

Approved:

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James E. Tipple, Mayor

## PLAN COMMISSION

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Time and Date: The Plan Commission met on February 18, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Bohlken

Others Present: Lenz, Hebert, DeSantis, Alwin, Hocking, Thompson, Scholfield, 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 5:00 p.m. noting that a quorum was present.

**PUBLIC HEARING: Approve a conditional use at 406 & 408 North 3<sup>rd</sup> Street to allow for installation of awning signs, in a B4-1, Central Business District (Kraimer).**

Dylan Alwin, 723 South 72<sup>nd</sup> Avenue, said he represents the sign company that will most likely install the awnings. The existing awnings will be removed and will be replaced with streamlined, canvas awnings. There will be 3 awnings in total. The logos will be placed on 2 of the awnings. The awnings will be black with white copy and will be non-lit.

Mayor Tipple closed the public hearing.

Lenz stated that the conditional use is for the lettering on the awning. Awnings themselves downtown are permitted, and will be approved by the zoning administrator who will look at the clearance of the awnings, size, etc. The lettering on the awning is considered a sign and there are regulations for these signs, mainly that they are flat against the awning and on the front or sides of the awnings. Also, content is restricted to only the names of the business or logo. The proposed signs conform to these regulations. Lenz said he spoke with Kraimer and said the new awnings would be similar to what is there now, but he liked the colors used at the CVA across the square. Staff does not see issues with the awning signs and recommends approval.

Bohlken motioned to approve the conditional use at 406 & 408 North 3<sup>rd</sup> Street to allow for installation of awning signs, in a B4-1, Central Business District. Radtke seconded and the motion carried unanimously 5-0. This item will go to Common Council on February 25, 2014.

Department of Public Works  
Planning Division



Brad Lenz, AICP  
City Planner

**STAFF REPORT**

TO: City of Wausau Plan Commission  
FROM: Brad Lenz, City Planner *BL*  
DATE: February 12, 2014

**GENERAL INFORMATION**

**APPLICANT:** Kurt Kraimer, for Malarkey's Pub and Townie's Grill  
**LOCATION:** 406 - 408 N. 3<sup>rd</sup> Street  
**EXISTING ZONING:** B4, Central Business District  
**REQUESTED ZONING:** Conditional Use  
**PURPOSE:** To allow for printed lettering on two new awnings over the front entrances to Malarkey's Pub and Townie's Grill. Awning signs are allowed by conditional use in the B4 zoning district, provided that the sign is painted or otherwise affixed flat to the surface of the front or sides of the canopy and that only the name, insignia, and/or address of the enterprise or premises is indicated on the sign.  
**EXISTING LAND USES:** Restaurant and bar  
**SIZE OF PARCEL:** Approximately 70 feet of frontage on N. 3<sup>rd</sup> Street  
**SURROUNDING ZONING AND LAND USE:**  
North: Downtown retail; Zoned B4, Central Business District.  
South: Downtown retail; Zoned B4.  
East: 400 Block, city park; Zoned B4.  
West: Parking lot for Landmark Apartments; Zoned B4.  
(See attached Zoning Map)

## **RECOMMENDATION**

The proposed signs conform to the regulations of awning signs in the Central Business District, namely in that only the names and insignia of the businesses are found on the awning, and the lettering is flat to the front and sides of the awning.

The awnings with the signage are not out of character with other awnings in the downtown area, and therefore are not expected to negatively impact neighboring property owners or the general public.

Staff recommends approval of the signage on the awnings as presented.

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

**ORDINANCE OF THE PLAN COMMISSION**

Rezoning 1204 West Bridge Street from IR, Interchange Residence District, to UDD, Unified Development District and approving the General Development Plan to allow for a convenience store with a fueling canopy and single-bay carwash. (Osgood)

Committee Action: Failed 2-4

Fiscal Impact: None.

**File Number:** 14-0205

**Date Introduced:** February 25, 2014

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

**Section 1. That the site of lands described as follows:**

*Section 27, Township 29 North, Range 7 East, Part of NE1/4 of NE1/4, As Described as Lot 1 of CSM Volume 48, Page 188, Excepting Document 1367054,*  
**MORE COMMONLY KNOWN AS 1204 WEST BRIDGE STREET**

**now comprising a part of IR, Interchange Residence District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to UDD, Unified Development District, and the general development plan is approved to allow for a convenience store with a fueling canopy and single-bay carwash.**

**Section 2.** This change in zoning shall be designated on the official city zoning map.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** 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

## PLAN COMMISSION

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Time and Date: The Plan Commission met on January 21, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Bohlken, Radtke, Oberbeck, Valitchka, Nutting

Others Present: Lenz, Hebert, DeSantis, Zietlow, Milanowski, Crisman, Wanserski, Kemerling, Dovorany, Kellbach, Marsh, Ghidorzi, 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.

Marquardt called the meeting to order at approximately 5:00 p.m. noting that a quorum was present.

**PUBLIC HEARING: Rezone 1204 West Bridge Street from IR, Interchange Residence District to UDD, Unified Development District and approve the General Development Plan to allow for a convenience store with a fueling canopy and single-bay carwash (Osgood).**

Hans Zietlow, Director of Real Estate for Kwik Trip, said that this Kwik Trip proposal will be similar to the Stewart Avenue location. It will be a LEED certified building; it will be highly landscaped, and will have a very appealing look. Zietlow showed members of Plan Commission and the audience images of various plans for the building. Zietlow said the residences will not be able to see Kwik Trip, because it will be screened with fencing and trees. There was a neighborhood meeting and it seemed to be very positive. Zietlow said that the access easement issue has been taken care of with the adjacent property owner.

Mark Milanowski, Woodland Twin Homes, said that his family owns duplexes located on Nicolet Street. Milanowski submitted a letter to the Plan Commission members, which was passed out prior to the meeting, and Milanowski read the letter. Milanowski said he opposed the use because it will increase traffic, it will be detrimental to the neighborhood, it will bring down property values, it will create hazards to children, and it will create noise and light pollution. Milanowski said that the property should be used for a less disruptive use. Milanowski said that the letter was written on Monday and has since received a call from Marquardt. Milanowski thanked Marquardt and commended Osgood on the plans, but said that the facts still stand. There is no fence or tree that will take the lights or sounds away.

Joan Crisman, 1315 Holub Street, said that she lives on the very west end of Holub Street. Crisman is a member of the church, has grandchildren, and is concerned about pedestrian traffic. There is a lot of traffic that comes down off of Bridge Street, including a lot of semis. The semis are at a healthy rate of speed. This Kwik Trip would be a big calling card for pedestrian traffic. It is currently safer to drive than to walk. There could be a better use for the area. Crisman said she is concerned about the safety, light pollution, and noise.

Dr. Wanserski said that he has had an office building on the southwest side of the intersection for the past 16 years and went through this same process. Wanserski said he has paid over \$300,000 in property taxes and has a vested interest in the area. This would be detrimental to the neighborhood and there is a concern of public safety. This is a very busy intersection and accidents occur a lot. There are two high schools in the area with inexperienced drivers utilizing the intersection. Getting off of the interstate will be a safety concern. Another concern is light pollution. Currently, the professional businesses need to turn the lights off at 11 p.m. and asked if Kwik Trip would have the same constraints. The area has been a professional area with churches and schools. The gas station drawings are beautiful, but it just covers up what it really is. This property just became available and this is the first attempt to redevelop it. There is not a big area of leased space available in the community. This would be a three-acre piece and would be perfect for a professional building. A gas station would be a mistake. Wanserski said that the property owners take great pride in their buildings and want to keep it a professional area. Wanserski asked the commission to think hard. An artist rendering is used to change the thought of a gas station. Wanserski asked if a turn lane would be addressed. Wanserski asked the commission not to allow this use.

Jim Kemerling, 1125 Easthill Place, said that he is President of Riiser and is aware of gas station discussions. This is a safety concern. Kemerling said that he has not seen the traffic patterns and is not sure what the ingress and egress patterns are from this location. There is a traffic problem now. Kwik Trip does traffic projections of the site and this may have an influence on the amount of traffic that will be added there. Tax revenue would be created, but how many more people will come to Wausau because of this new location. There are other alternatives. Kemerling said he does not speak as a competitor, because Riiser is not in that area, but as a member of the community. The convenience store should not be in this area.

John Dovorany, 1405 Kenwood Drive, said that he is concerned about the traffic. Stevens Drive is a residential road and where the entrance will be located will cause a traffic nightmare. Traffic bottlenecks at the intersection every morning from 7 a.m. – 8 a.m. and 3 p.m. – 4 p.m. Dovorany said he cannot see how people will be able to get out between these high traffic times. This is a huge safety issue and the Bridge Street intersection may need to be redesigned or change the Kwik Trip access. This is not a great location for this use, but does not have an objection with the UDD zoning. Dovorany said that they only have one access area which is on Kenwood Drive because access on Stevens Drive wasn't allowed.

Karen Kellbach, 502 West Knox Street and Alderperson for the district, said that when she first received the call to meet with Chris Ghidorzi to go over the plans she had concerns about the residents. Kellbach said she polled 25 residents and only one resident was against it. Kellbach said she hasn't heard a lot since then, until today. Kellbach said she received two calls against this rezoning. Gene Urmanski and Bob and Fay Winter called in opposition. The resident that was against it at the time of the poll was Harley Schmieden. A lot of people are for it, so it is a mixed bag of reaction.

Darrin Marsh, 1204 Nicolet Street, said that he is concerned about the Kwik Trip entrance on Stevens Drive and doesn't know how people will get in. There are several children under the age of 12 and it is safety is a concern. Marsh said that they moved to this residential area because it was safe, quiet, and family friendly. This is not something to look forward to.

Chuck Ghidorzi, 1 Corporate Drive, said that Kwik Trip is a great company to work with and that they are very conscientious. For this project, Kwik Trip has worked very well with the neighbor, deeding some land over to Abigail Apartments. The land will give Abigail Apartments 10 extra paved parking spots and a dumpster enclosure. This has generated aspects of the plan that are favorable. The closest neighbor to the Kwik Trip is in support, Pam Schroeter. There will be screening for the Schroeter duplex. Ghidorzi said that in terms of the traffic, Bridge Street and the intersection was designed for traffic and has 6 lanes. Panera Bread and Walgreens had the same concern. There is a lot of traffic at these location, but works very well. Kwik Trip has answered all of the light concerns on 28<sup>th</sup> Avenue.

Marquardt closed the public hearing.

Nutting asked Wanserski how any business would fit in the area because any business would generate traffic. Wanserski said that you need to look at what is there and what is developed. Wanserski said he respects the individuals that do the planning and told Ghidorzi what has been done on the west side is fantastic. This is a professional area with dental offices operating 8 a.m. – 5 p.m. During the peak times, there isn't a lot of traffic, which is unlike a gas station. The professional businesses operate 4 – 4 ½ days a week. There are churches in the area. Accountants and lighter traffic businesses would be best because they filter traffic in and out. Wanserski said that the professional businesses are done at 5 p.m. Per the UDD, lights need to be out at 11:00 p.m. and asked if the rules would be changed. It would not be fair to the other businesses to have the game changed.

Nutting asked if changes are planned for Stevens Drive or if there are pedestrian signals. Marquardt answered that there are walking signals with Bridge Street. Nutting asked if modifications would need to

be made with Stevens Drive. Marquardt said that there aren't any in the works. The latest DOT numbers show the average traffic count is 4,300 vehicles and generally four lanes aren't needed until the traffic count reaches 10,000-12,000, depending on the situation.

Nutting asked Zietlow how the neighborhood meeting went. Zietlow said that whenever a store is being built, a neighborhood meeting is held. The only negative comments were from the business gentlemen that were there. Zietlow said that there weren't any negative comments from the high schools, church, or majority of the residents. Normally when people are very opposed to something, they will show up. The meeting was pretty uneventful. Nutting said that lighting restrictions were placed on the Kent Street location and asked if the lamps around the canopy would be allowed. Zietlow said that LEED stores have LED lighting and almost zero foot-candles at the property line. The sound under the canopy can be metered down and part of the staff recommendation is that it would be monitored. Kwik Trip has a history of being very successful with its neighbors very close. Zietlow said that Kwik Trip has the ability to turn the light and the sound down. Nutting asked if the verbal announcement would be eliminated. Zietlow said that it will be monitored as a condition. The reason for the verbal announcement is for a security measure and ADA. This stops drive-offs and said that he would doubt any neighbors would be able to hear. If the announcements could be heard, it could be brought down.

Nutting asked how the berm near the residences would be created. Zietlow said that part of it is the natural grade of the property that allows for a hill coming up from the properties on Nicolet Street. The property owners will barely be able to see the top of the canopy. The residences currently see Bridge Street and a reasonable person would rather want to see this. Nutting said he wanted to make a statement about the children safety. Nutting said he raised four children on 1<sup>st</sup> Avenue and taught his children about safety and everyone needs to instruct their children. This reason should not hinder opportunities for the community. It is an unreasonable fear.

Radtke asked where the traffic counts were taken from. Marquardt answered that they were taken from the DOT. Radtke asked if there are projected traffic counts. Zietlow answered that the 4,000 traffic count is accurate. Kwik Trip does not do projection counts. Most of the vehicles coming to Kwik Trip are already driving past. Zietlow said he does not see traffic as an issue; it is not a destination site. The DOT counts are very accurate, as are the estimates for going to four lanes.

Radtke asked how far the notices were sent. Lenz said the notices for the public hearing were sent 300' from the property and invitations for the neighborhood meeting were sent 200' from the property. Per the ordinance, notices of the public hearing need to be sent out to property owners within 100' of the proposed property. Radtke asked if the notices were sent to property owners or tenants. Lenz said that the only information on file is for the owners. The City does not maintain tenant information. Radtke asked if the notice is sent to the property. Hebert said that the mailing address used for tax purposes, would be the address of the property owner.

Oberbeck said that Stevens Drive is 100' from a major intersection and asked how it has been addressed. Oberbeck said it is dropping 3-4 feet off of Stevens Drive, but there is also a drop coming from Bridge Street. Most of the traffic pattern for fueling and some will be exiting out onto Stevens Drive. Zietlow said that the drive off of Stevens Drive is a lengthy drive with a 3% grade. The vast majority of traffic will be off of Bridge Street. People will probably not use the Stevens Drive driveway during high traffic times. The Stevens Drive driveway will carry less than 20% of the total customers. Stevens Drive is not a major access point.

Oberbeck asked if there are traffic concerns about having the major entrance at this location. Marquardt said that Bridge Street was designed with the left turn lane and a driveway was put in as shared driveway. The shared driveway was intended for a driveway entrance and this shouldn't be an issue. Oberbeck asked if the left turn coming out across traffic would not be an issue. Marquardt answered not any more

than any other intersection.

Valitchka asked how many people attended the neighborhood meeting. Zietlow answered 10. Valitchka asked if anyone from the high schools were present. Zietlow answered that someone was there from Wausau Newman, but not from Wausau West. Valitchka asked if a market study was done and why this location was chosen. Zietlow said that according to the demographics and access this is a great location. There are stop lights on both sides and will create an easy way to get into and out of. The market study and analysis showed that this is a natural and easy site. Valitchka asked what demographic attracted Kwik Trip to this spot. Zietlow answered that it was a combination of the population base, it was a local artery and there is a void of other stores. Valitchka asked if a different location could be found to the west. Zietlow answered that this is the only location in the immediate vicinity. This location is the best for Kwik Trip. It is very hard to explain to others what is entailed in siting.

Valitchka asked if there are push buttons on the stop lights. Marquardt answered that they are already there. Valitchka said that there is pedestrian traffic. Valitchka asked what the car wash hours were and if it turns off at a certain time. Zietlow said that he wasn't sure if it was on the staff report, but the car wash hours could be limited. This may be a negative for anybody working 3<sup>rd</sup> shift. Valitchka said that the blower fan can be loud and the neighbors may hear that no matter what is done. Valitchka said that this development is out of character from what was talked about during the rezoning in 2000. Valitchka said that he appreciates the effort that has gone into the plans. The change with a retail store at a corner was never envisioned. Valitchka said he is faced with a challenge to remain open. Valitchka stated that he will have a challenge to vote for this rezoning looking at the long-term plan.

Lenz said that there are two items about this project on the agenda. The first would be to approve the rezoning and general development plan. The second item would be to approve the precise implementation plan. As staff looks for zoning recommendations, the comprehensive plan is reviewed. It is difficult to tell what was in mind for this area and this specific parcel. When general policies are looked at, growing tax base is a legitimate goal of the plan. Another goal is to keep land uses compatible with each other, particularly with residential neighborhoods. The petitioners were aware that the Plan Commission would be looking at the compatibility factor. Another aspect of a zoning decision is the testimony at the public hearing – there were points made on both sides and it is for the plan commission to decide how well the petitioner addressed the concerns. Lenz stated that if the Plan Commission does recommend approval, some conditions as listed on the staff report may apply. These conditions would be: to keep the volume of the external speakers to the lowest level practicable; to limit the signs facing north to non-illuminated; to have stormwater management plans approved by city staff; and to require sign permits based on the sign package submitted.

Valitchka asked Marquardt if he is comfortable with the traffic intersection, the entrances, and exists from an engineering standpoint and also how safety would be rated. Marquardt answered that it is a busy intersection. When the DOT rebuilt the intersection in 2005, it was built based on a 25-year traffic projection. Bridge Street, which included this intersection, was designed for traffic for the year 2030 and 26,000 vehicles. The count is currently under 19,000 vehicles. 17<sup>th</sup> Avenue to the south was built in the early 1990's, for a projection of 15,500 vehicles in 2014. The current count is 10,000. All legs of the interchange have capacity from DOT standpoint of design. Marquardt said that based on that information, the intersection is capable of handling the traffic and safety is in the hands of the driver.

Lenz added that based on numbers he obtained from the Police Department, there were nine crashes at the intersection in 2012. This is not in the top 10 intersections for the city. The highest intersection has 35-36 crashes per year. Marquardt added that the driveway off of Steven Driving lines up with Kenwood Drive and said that it is always better to line up intersection driveways across from each other. Marquardt said that because of the merging traffic, the further south the driveway should be located is across from Kenwood Drive.

Valitchka asked Lenz about his view on the character of the neighborhood. Lenz said that the original UDD was for an office building, but on the other hand the lot has remained vacant since that approval in 2000. The private sector would best be able to comment on the market for office development at this location. But, that is not the proposal on the table. This would be a LEED-certified building, masonry construction, with high quality landscaping. In terms of convenience stores, Kwik Trip does a good job with their new stores.

Nutting said that the lot has been vacant for years and asked why it has been vacant for so long. Members of the audience said that it was just recently placed on the market. Marquardt stated that Plan Commission will make a recommendation to Common Council, but said that Common Council has the final say.

Nutting motioned to rezone 1204 West Bridge Street from IR, Interchange Residence District to UDD, Unified Development District and approve the General Development Plan to allow for a convenience store with a fueling canopy and single-bay carwash. Bohlken seconded, and the motion failed 2-4. Nutting and Marquardt voted in support of the rezoning. The item will go to Common Council on February 11, 2014.

**Approve the Precise Implementation Plan for 1204 West Bridge Street to allow for a convenience store with a fueling canopy and single-bay carwash.**

This item was tabled since the rezoning did not pass. If the Common Council approves the rezoning, this item will be placed on the next agenda.

#3+4

Department of Public Works  
Planning Division



Brad Lenz, AICP  
City Planner

### **STAFF REPORT**

TO: City of Wausau Plan Commission  
FROM: Brad Lenz, City Planner *BL*  
DATE: January 16, 2014

### **GENERAL INFORMATION**

**APPLICANT:** Jeff Osgood, Kwik Trip, Inc.  
**LOCATION:** 1204 West Bridge Street  
**EXISTING ZONING:** IR, Interchange Residential District  
**REQUESTED ZONING:** UDD, Unified Development District  
**PURPOSE:** Approve general development plan and precise implementation plan to allow for convenience store with fueling facility and single bay carwash.  
**EXISTING LAND USE:** Vacant  
**SIZE OF PARCEL:** 2.56 acres

### **SURROUNDING ZONING AND LAND USE:**

North: R3, Two Family Residence District (Two-family homes)  
South: R2, Single Family Residence District (Single family homes)  
East: R2 (Multifamily building, Newman Catholic School)  
West: UDD, Unified Development District (Mixed commercial building);  
IR, Interchange Residential (St. Mark's Church)

See attached Zoning map

## **ZONING HISTORY**

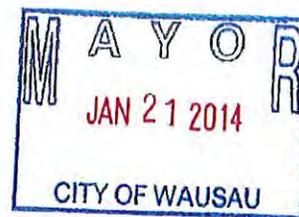
The subject parcel was rezoned in 2000 to a Unified Development District to allow the construction of two professional office buildings. Since the use had not been established on the property within two years of the zoning approval, the property reverted to the original zoning of Interchange Business District.

As noted in the staff report from 2000, the general land use trend for property fronting on 17<sup>th</sup> Avenue has been to allow the establishment of high quality professional office buildings that protect and complement the high quality character of the nearby residential areas. These office uses have all been established through the Unified Development District zoning to help ensure that the uses established on the property are compatible with nearby residential uses and do not create traffic issues.

## **ANALYSIS AND RECOMMENDATION**

The proposed use for the property as a convenience store is a departure from the previously proposed office development. However, the developers are showing on the plans, steps to mitigate potential effects on neighboring properties. Although the future land use map in the City's Comprehensive Plan shows the proposed parcel as being "public/quasi-public," zoning recommendations by staff are based on the goals, objectives, and policies in the plan. In this case, there is not clear guidance from the plan on a zoning recommendation for the subject parcel. The proposed development would add to the city's tax base, and with proper site design, could be compatible with surrounding residential properties – both of these are considerations from the plan.

If the proposed development is recommended for zoning approval by the plan commission and Council, staff recommends certain conditions of approval be added to further ensure compatibility with surrounding properties, as was done with the new Kwik Trip store on Kent Street. For the proposed store, staff recommends the following conditions: (1) the volume of external speakers shall be kept at the lowest level practicable, (2) signage facing north, including the striping on the gas canopy, shall be non-illuminated, (3) stormwater management plans shall be approved by city staff, and (4) a sign permit shall be obtained for all signage on the property, based on the sign package reviewed the plan commission.



Dear Planning Commission Members,

1/21/2014

My name is Mark Milanowski from Woodland Twin Homes and my family owns 1202-1204 Nicolet St. along with 14 other duplexes in a 2 to 3 block area, and a few commercial buildings. I am sure none of you have ever heard of my family or business because we have respectable places, never create problems, and never ask anything of the city. However we do contribute over \$100,000 in tax revenue to the city every year.

I am writing you in opposition of the requested rezoning of the property at 1204 West Bridge St, for the proposed Kwik Trip gas station. A gas station in the proposed property would be detrimental to the neighborhood.

- It would tremendously increase traffic at the Bridge St./Stevens Drive intersection which is already quite busy and over capacity at times.
- It would bring property values down for the residents that are living right around the property. Who would want to buy or rent a home next to a 24 hour a day/7 days a week business?
- It would create a hazard to children in the area with traffic out of the gas station onto Nicolet St, which now has very little traffic.
- It would create extreme noise pollution all day every day, with car wash operating, cooler fans running, air conditioners running, and cars driving in and out.
- It also would create light pollution, with lights from cars shinning across the surrounding homes from car driving in and out, along with station canopy and building lights being on every day, every night.

Like I said above, we have never asked anything of the city in the past, but this time we are asking the city not to approve the rezoning for this project. The property should be used for a less disruptive, and regular business hours business.

Sincerely,

Mark J. Milanowski  
Property Manager/Investor

CC: email; Mayor Jim Tipple, Brad Marquardt, David Oberbeck, Dave Nutting, Phil Valitchka, Jean Radtke



shall be subject to all ordinances, rules and regulations governing the City of Wausau, and governing the School District.

Section 3. Zoning Classifications. Zoning of the within real estate shall be pursuant to Section 23.04.040, Zoning of Annexed Lands, of the Wausau Municipal Code.

Section 4. Aldermanic District and Population of Annexed Area. The territory described in Section 1 of this ordinance is hereby made a part of the 6th Aldermanic District and the 15th Ward of the City of Wausau, subject to the ordinances, rules and regulations of the city, county, and state, governing districts.

The population of the annexed territory is zero (0).

Section 5. The State of Wisconsin, Department of Administration, has favorably reviewed the annexation and found it not to be against the public interest.

Section 6. Agreement to Pay Town Taxes. The City shall pay to the Town of Wausau all necessary property taxes that are due and owing pursuant to the provisions of Section 66.0217(14) of the Wisconsin Statutes.

Section 7. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision or application.

Section 8. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

Adopted:  
Approved:  
Published:  
Attest:

Approved:

\_\_\_\_\_  
James E. Tipple, Mayor

Attest:

\_\_\_\_\_  
Toni Rayala, Clerk

DWG FILE NAME: H:\DWG\PROJ\0905\0905\_PropAnnex.dwg

PROPOSED ANNEXATION - TALON LANE EXTENDED (ECKERT)

P.R.NIKOLAI

01/07/2014

CRESTVIEW DR

NE FRAC 1/4  
18-29-08

CITY OF  
WAUSAU

TALON LANE

SE FRAC 1/4  
18-29-08

EAGLE VALLEY

LANE

LOT 1  
CSM # 13274

OUTLOT 1  
CSM #15300  
VOL. 69, PG. 42

LOT 1  
CSM #15084  
VOL. 68, PG. 6

LOT 1  
CSM #16457  
VOL. 76, PG. 106

LOT 1  
CSM #14551  
VOL. 63, PG. 13

**PROPOSED ANNEXATION**  
**23,586± S.F.**  
**0.54± AC.**

NE-SE  
18-29-08

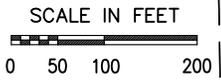
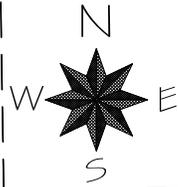
TOWN OF  
WAUSAU

SE-SE  
18-29-08

CITY OF  
WAUSAU

NW-SW  
17-29-08

SW-SW  
17-29-08



E 1/4 CORNER  
SEC. 18, T29N, R8E

S00°59'34"E 1311.94'  
E. LINE OF THE NE 1/4 OF THE SE 1/4

S00°59'34"E  
30.00'

SE1/4 - NE1/4 - SE1/4  
SEC. 18, T29N, R8E  
(POINT OF BEGINNING)

S00°59'34"E 1311.94'

SOUTHEAST CORNER  
SEC. 18, T29N, R8E

N88°29'39"E 786.47'

S88°29'39"W 786.21'

N01°29'11"W  
30.00'

S. LINE OF THE NE 1/4 OF THE SE 1/4

OUTLOT 1

Proposed  
New City limits

Present City limits

PROPOSED ANNEXATION  
Eckert

Part of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Section 18, Township 29 North, Range 8 East, Town of Wausau, Marathon County, Wisconsin described as follows:

Commencing at the East  $\frac{1}{4}$  corner of said Section 18; thence South  $00^{\circ}59'34''$  East, along the East line of said Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , 1,311.94 feet to the Southeast corner of said Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , also being on the existing boundary of the City of Wausau, the point of beginning;

Thence South  $88^{\circ}29'39''$  West, along said existing boundary and along the South line of said Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , 786.21 feet to the easterly end of Talon Lane; thence North  $01^{\circ}29'11''$  West, along said existing boundary and along said easterly end, 30.00 feet to the South line of Lot 1 of Certified Survey Map No. 16457 recorded in the Office of Register of Deeds for Marathon County in Volume 76 of Certified Survey Maps on Page 106; thence North  $88^{\circ}29'39''$  East, along said existing boundary and along said South line, and then parallel with said South line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , 786.47 feet to said East line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ; thence South  $00^{\circ}59'34''$  East, along said East line, 30 feet to said south line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, the point of beginning.

lmw  
TalonLn  
January 7, 2014

<b>AGENDA ITEM</b>
<p>Approve petition for annexation – Eckert, the south 30 feet of the western 786.21 feet of 3800 North 25<sup>th</sup> Street (Town of Wausau)</p>
<b>BACKGROUND</b>
<p>Previously, CISM approved accepting the dedication of the north half of the extension of Talon Lane from Dave Eckert. While preparing the resolution for council approval, it was noticed that the land is in the Town of Wausau. In order for the dedication to go forward, the land should be annexed to the City of Wausau first.</p>
<b>FISCAL IMPACT</b>
<p>No fiscal impact is anticipated because the land will be public right of way.</p>
<b>STAFF RECOMMENDATION</b>
<p>Staff recommends approval of the annexation.</p>
<p>Staff contact: Brad Marquardt 715-261-6745</p>

JOINT MEETING OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE AND PARKING AND TRAFFIC COMMITTEE

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Date of Meeting: February 13, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

CISM Members Present: Rasmussen, Abitz, Gisselman, Kellbach, Mielke

Parking & Traffic Members Present: Abitz, Kellbach, Nutting, Winters, Mielke

Also Present: Marquardt, Lenz, Gehin, Alfonso, Pekarske

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 Capital Improvements and Street Maintenance Committee meeting to order and Chairperson Abitz called the Parking and Traffic Committee meeting to order.

**Approve petition for annexation – Eckert, the south 30 feet of the western 786.21 feet of 3800 North 25<sup>th</sup> Street (Town of Wausau)**

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Marquardt stated this annexation would allow for the future extension of Talon Lane. Mielke moved to approve the petition for annexation by Eckert for the south 30 feet of the western 786.21 feet of 3800 North 25<sup>th</sup> Street. Kellbach seconded and the motion carried unanimously 5-0.

## PLAN COMMISSION

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Time and Date: The Plan Commission met on February 18, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Bohlken

Others Present: Lenz, Hebert, DeSantis, Allwin, Hocking, Thompson, Scholfield, 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 5:00 p.m. noting that a quorum was present.

**Approve petition for annexation – Eckert, the south 30 feet of the western 786.21 feet of 3800 North 25<sup>th</sup> Street (Town of Wausau).**

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Marquardt said that the property owner would like to dedicate a portion of the property as public right-of-way. The property is not located in the city, so it cannot be dedicated until it is annexed. This item went to CISM and was approved unanimously.

Marquardt motioned to approve the petition for annexation – Eckert, the south 30 feet of the western 786.21 feet of 3800 North 25<sup>th</sup> Street. Radtke seconded and the motion carried unanimously 5-0. This item will go to Common Council on February 25, 2014.

## RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Approving request by Tomcor Industries, Inc to construct an addition to the building located at 7801 International Drive

Committee Action:      Approved 4-0

Fiscal Impact:         None

**File Number:**         14-0212

**Date Introduced:**     February 25, 2014

**WHEREAS**, the City of Wausau established the Wausau Business Campus to encourage job growth and quality commercial infrastructure;

**WHEREAS**, deed restrictions on the property require all building additions be approved by the Economic Development Committee;

**WHEREAS**, Tomcor Industries, Inc is located in the Wausau Business Campus at 7801 International Drive and wishes to construct a 2,000 square foot addition to their existing facility;

**WHEREAS**, the Economic Development Committee has considered Tomcor Industries, Inc. request and recommends approving the addition in order to facilitate business growth and job creation;

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Wausau that the City approves the 2,000 square foot building addition by Tomcor Industries, Inc; and

**BE IT FURTHER RESOLVED** that Tomcor Industries, Inc. will abide by all terms and conditions set forth in the Wausau Business Campus covenants and that any previous deed restrictions run with the property.

Approved:

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James E. Tiple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Tuesday, February 18, 2014 at 3:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Romey Wagner (Vice-chair), William Nagle, and Lisa Rasmussen

Others Present: Ann Werth, Maryanne Groat, Nan Giese, Megan Lawrence, Travis Lepinski, Brad Marquardt, Mayor Jim Tipple, Anne Jacobson, Chuck Ghidorzi, Chris Ghidorzi, Matt Krasowski, Damien Sweeny, Thomas Burch, John Morache, Ark Rhownine

### **DISCUSSION AND POSSIBLE ACTION ON REQUEST BY TOMCOR INDUSTRIES TO CONSTRUCT AN ADDITION TO THE BUILDING LOCATED AT 7801 INTERNATIONAL DRIVE IN THE WAUSAU BUSINESS CAMPUS.**

Rasmussen moved to approve. Nagle seconded and the motion carried unanimously 4-0.

**RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE**

Authorizing extension of Development Agreement between the City of Wausau and Matt Krasowski at 500 North 17<sup>th</sup> Avenue

Committee Action: Approved 4-0

Fiscal Impact: None

**File Number:** 10-1114

**Date Introduced:** February 25, 2014

**RESOLUTION**

**WHEREAS**, Matt Krasowski, owner of Century 21-Contempo Real Estate, hereinafter referred to as “OWNER” entered into a Development Agreement with the City of Wausau on November 11, 2010;

**WHEREAS**, declines in the real estate market over the past few years have precluded OWNER from fulfilling the terms of the Development Agreement with respect to job creation;

**WHEREAS**, the Economic Development Committee has considered the owner’s request and recommends extending the terms of the Development Agreement for a period of two years to December 31, 2015.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Wausau that the terms of the Development Agreement between the City of Wausau and Matt Krasowski be extended in order to fulfill the job creation requirements; and

**BE IT FURTHER RESOLVED**, OWNER shall fulfill all terms and conditions of the development agreement no later than December 31, 2015.

Approved:

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James E. Tipple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

---

Time and Place: The Economic Development Committee met on Tuesday, February 18, 2014 at 3:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Romey Wagner (Vice-chair), William Nagle, and Lisa Rasmussen

Others Present: Ann Werth, Maryanne Groat, Nan Giese, Megan Lawrence, Travis Lepinski, Brad Marquardt, Mayor Jim Tipple, Anne Jacobson, Chuck Ghidorzi, Chris Ghidorzi, Matt Krasowski, Damien Sweeny, Thomas Burch, John Morache, Ark Rhownine

### **DISCUSSION AND POSSIBLE ACTION ON EXTENDING THE DEVELOPMENT AGREEMENT FOR MATT KRASOWSKI AT 500 NORTH 17<sup>TH</sup> AVENUE.**

Rasmussen made the motion to extend the agreement for one year, Nagle second the motion.

Wagner recommended extending the agreement for two years, allowing the real estate market time to turn around.

Rasmussen made the motion to amend her pervious motion of a one year extension to a two year extension. Nagle second the motion for a two year extension and the motion carried unanimously 4-0.

**RESOLUTION OF ECONOMIC DEVELOPMENT COMMITTEE**

Approving an Option for Highland Property West, LLP to purchase a four acre parcel of land north of the current facility, Wausau Container Corporation

Committee Action: Approved 3-0

Fiscal Impact: \$300 (receipt of \$100 each year for three years)

**File Number:** 14-0213

**Date Introduced:** February 25, 2014

**RESOLUTION**

**WHEREAS**, the City originally established the Wausau Business Campus to encourage job growth and quality commercial infrastructure; and

**WHEREAS**, Highland Property West, LLP executed an option to purchase two acres of land north of their current facility on August 11, 2010 which option expired August 11, 2013, and they desire another Option for a three-year period; and

**WHEREAS**, Highland Property West, LLP wishes to increase their purchase option from two to four acres for the next option period; and

**WHEREAS**, the City agrees to grant Highland Property West, LLP an Option to purchase four acres north of their current facility (Wausau Container Corporation) for expansion purposes at a purchase price of \$12,500 per acre payable in cash at closing, for an option price of \$100 per year for three years; and

**WHEREAS**, the Economic Development Committee has considered the matter and recommends the option be approved (see Option attached); and

**NOW THEREFORE, BE IT RESOLVED** that the Common Council of the City of Wausau approves the Option for Highland Property West, LLP to purchase approximately four acres of land in the Wausau Business Campus for an option price of \$100 per year for three years, with a purchase price of \$12,500 per acre, payable in cash at closing.

**BE IT FURTHER RESOLVED** that the future sale of this property is contingent upon all terms and conditions in the City's current deed restrictions and proper zoning approval.

Approved:

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James E. Tipple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Tuesday, December 10, 2013 at 4:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Romey Wagner (Vice-chair), William Nagle, David Oberbeck, and Lisa Rasmussen

Others Present: Brad Lenz, Ann Werth, Nan Giese, Megan Lawrence, Travis Lepinski, Brad Marquardt, Mayor Jim Tipple, Mark Kordus, and Chuck Plier

### **DISCUSSION AND POSSIBLE ACTION ON THE REQUEST BY CHUCK PLIER TO EXTEND THE OPTION TO PURCHASE ON THE PROPERTY LOCATED AT 8000 HIGHLAND DRIVE. (WAUSAU CONTAINER)**

Lawrence explained Wausau Container's option to purchase 8000 Highland Drive expired at the end of August 2013. They would like to extend that option for another three years.

Mayor Tipple thanked Chuck Plier from Wausau Container being a great business partner over the years.

Rasmussen moved to approve the extension of the purchase option. Oberbeck seconded and the motion carried unanimously 5-0.

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Thursday, January 30, 2014 at 3:30 PM in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Lisa Rasmussen and David Oberbeck

Others Present: Ann Werth, Megan Lawrence, Maryanne Groat, Mayor Jim Tipple, Brad Lenz, Mark Craig and Keene Winters

### **DISCUSSION AND POSSIBLE ACTION ON THE REVISED REQUEST BY CHUCK PLIER TO EXTEND THE OPTION TO PURCHASE ON THE PROPERTY LOCATED AT 8000 HIGHLAND DRIVE TO INCLUDE AN ADDITIONAL 2 ACRES. (WAUSAU CONTAINER)**

Rasmussen motioned to approve request. Oberbeck seconded and the motion carried unanimously 3-0

Recording Area

Name and Return Address  
Highland Property West, LLP  
(Chuck Plier  
Wausau Container Corporation)  
8000 Highland Drive  
Wausau, WI 54401  
(\$30 Charge to City of Wausau)

PIN: Part of 291.4.2906.253.0967

Document No.

**OPTION**  
Document Title

IN CONSIDERATION of the sum of One Hundred Dollars (\$100) per year, the first year's payment of which is this day in hand paid to the City of Wausau by owners or agents of **Highland Property West, LLP.**, receipt of which is hereby acknowledged, the City of Wausau does hereby give to said owners and agents of **Highland Property West, LLP.** the option to purchase on or before this day and month of **2017**, the following described real estate located in the City of Wausau, County of Marathon, State of Wisconsin, to-wit:

Part of the SE ¼ of the SW ¼, Section 25, Township 29 North, Range 6 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Southeast corner of SE ¼; thence North, along the East line of the said SE ¼, 483.00 feet to the point of beginning;

thence continuing North, along said East line, 460.00 feet; thence West, parallel to the South line of said SE ¼, 380.00 feet; thence South, parallel with said East line, 460.00 feet; thence East, parallel with said South line, 380.00 feet to said East line, the point of beginning.

The purchase price shall be Twelve Thousand Five Hundred Dollars (\$12,500) per acre payable as follows: in cash at closing. The option price shall be in addition to said sum.

Notice of the intention to exercise this option shall be served upon the City of Wausau within the time above specified, either by personal delivery or by registered mail, addressed to the City of Wausau at 407 Grant Street, Wausau, WI 54403.

Within 30 days from the date such notice is so served, the City of Wausau will furnish an owner's policy of title insurance, in the sum of the agreed upon acquisition price, written by an insurance company licensed by the State of Wisconsin, showing title as called for by this agreement. Sale shall be consummated and the conveyance made within 60 days after service of the notice above specified; conveyance shall be made by warranty deed free and clear of all liens and encumbrances, except: None.

Should owners or agents of **Highland Property West, LLP** fail to exercise this option within the time herein limited, all rights and privileges granted hereunder shall be deemed completely surrendered, this option terminated, and the amount this day paid shall belong to the City of Wausau.

