

\*\*\* All present are expected to conduct themselves in accordance with our City's Core Values \*\*\*



# 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, April 22, 2014 at 7:00 pm.**  
 Location: **City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers**  
 Members: **Bill Nagle, Romey Wagner, David Nutting, Tom Neal, Gary Gisselman, Keene Winters, Lisa Rasmussen, Karen Kellbach, David Oberbeck, Sherry Abitz, Robert Mielke**

## Call to Order

Pledge of Allegiance / Roll Call / Proclamations

Presentations: Acknowledgement of Critical Care level of service for Wausau Fire Department (Chief Hardel)

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
14-0401		Minutes of previous meetings. (04/08/14)	
14-0408	CISM	Resolution approving the extension of 1st Street from 250' north of Fulton Street to North River Drive	Approved 5-0
14-0411	CISM	Resolution authorizing a public hearing to amend the Official City Map to establish the new exterior lines of the realignment of Bridge Street from Westwood Drive to 28th Avenue	Approved 5-0
14-0412	CISM	Resolution Approving Easement and Hold Harmless Agreement for the installation of fiber optic cable across the 500 block of North 72nd Avenue	Approved 5-0
08-0306	CISM	Resolution Renewing permit to operate 90,000 lb. vehicles on City Streets (3M)	Approved 5-0
01-0710	CISM & PLAN	Joint Resolution Accepting dedication of <u>north</u> portion of right-of-way on Talon Lane	Approved 5-0 Approved 4-0
01-0710	CISM & PLAN	Joint Resolution Accepting dedication of <u>south</u> portion of right-of-way on Talon Lane	Approved 5-0 Approved 4-0

File #	CMT	Resolutions and Ordinances	ACT
14-0403		Confirmation of Mayor's Appointments.	
02-1005	CISM & ED	Joint Resolution Adopting Thomas Street Corridor Master Plan	Approved 5-0 Approved 5-0
13-1109	ED & FIN	Joint Resolution Approving Budget Modification – To Remove the Tax Increment District Number Seven Streetscape Project	Approved 4-1 Approved 4-1
14-0410	FIN & ED	Joint Resolution Authorizing Amendment of Ground & Air Rights Lease between the City of Wausau & CBL to \$1 for a 12 month period and waiving the additional rent payable in 2014 and extending the Special Letter of Agreement for a two year period	Approved 5-0 Approved 5-0
13-1109	FIN	Resolution Approving Budget Modification – Irrigation Connection	Approved 5-0
99-1104	FIN	Resolution Modifying the Procurement Policy	Approved 5-0
14-0409	PLAN	Resolution Amending the precise implementation plan for 901 North 6th Street to allow for a counseling agency.	Approved 5-1

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 04/17/14 @ 3:00 pm. Questions regarding this agenda may be directed to the City Clerk.

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

Approving the extension of 1<sup>st</sup> Street from 250' north of Fulton Street to North River Drive

Committee Action: Approved 5-0

Fiscal Impact: \$434,000

**File Number:** 14-0408

**Date Introduced:** April 22, 2014

**WHEREAS**, a study has been completed to determine the feasibility of extending 1<sup>st</sup> Street north of Fulton Street to North River Drive, and

**WHEREAS**, the extension of 1<sup>st</sup> Street would provide for improved traffic circulation for emergency vehicles and general traffic traveling from north of Bridge Street to the East Riverfront District, and

**WHEREAS**, on-street parking can be included in the design of 1<sup>st</sup> Street for use by future development, and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee reviewed the extension at its meeting on April 10, 2014, and recommends extending 1<sup>st</sup> Street from 250' north of Fulton Street to North River Drive; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau does hereby approve the extension of 1<sup>st</sup> Street from 250' north of Fulton Street to North River Drive.

Approved:

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James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: April 10, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lenz, Wesolowski, Gehin, Jacobson, Wagner

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

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

### **Discuss and make recommendation on the extension of 1<sup>st</sup> Street from 250' north of Fulton Street to North River Drive**

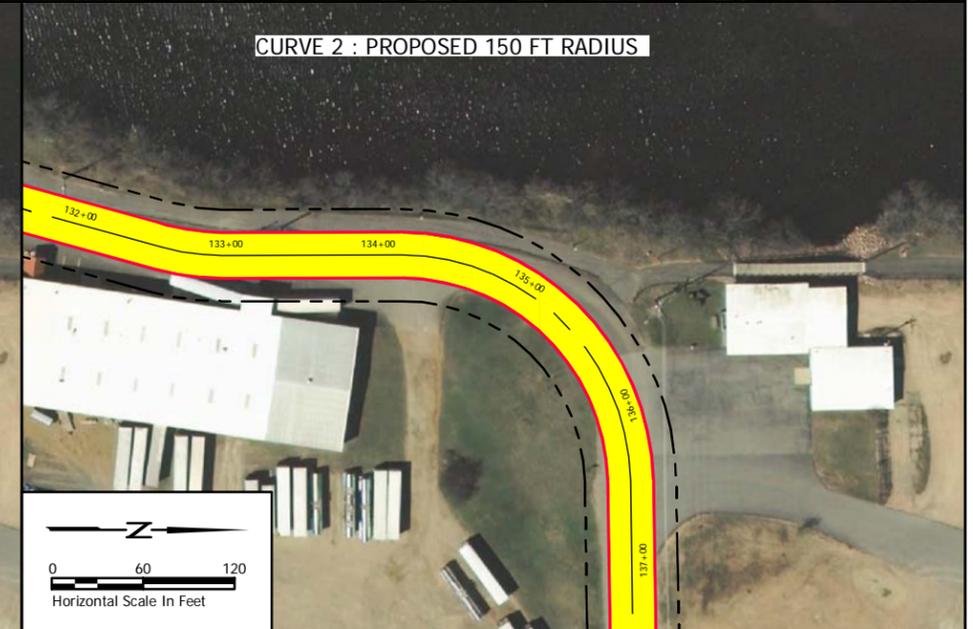
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Wesolowski stated the Council has seen a presentation on this and staff is looking for the authorization to move forward to design 1<sup>st</sup> Street and construct it this summer. There is \$200,000 in grant funding and the remaining costs were approved in a TIF amendment. Staff proposes to design this in-house and come back to CISM with the design.

Gisselman noted the naming of 1<sup>st</sup> Street will have to be looked at. Wesolowski stated staff will have to work with the County regarding the naming.

Gisselman moved to approve the extension of 1<sup>st</sup> Street from 250' north of Fulton Street to North River Drive. Kellbach seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
Discuss and make recommendation on the extension of 1 <sup>st</sup> Street from 250' north of Fulton Street to North River Drive
<b>BACKGROUND</b>
<p>A presentation was given to the Committee of the Whole on March 25 regarding the extension of 1<sup>st</sup> Street from Fulton Street to Wausau Avenue. While some obstacles exist, it is feasible for the extension to be made. Below are some of the obstacles/concerns:</p> <ul style="list-style-type: none"> <li>- Wausau Chemical loading docks. The main problem with the loading docks is having the trucks backing into them. This is no different than the loading docks Sears has used since the mall was built with having to stop traffic on 5<sup>th</sup> Street (which has a much higher traffic volume).</li> <li>- Power pole conflict in front of the Water Plant. The pole can be moved.</li> <li>- Right-of-way needs from the Water Plant. Wausau Water Works should be open to this.</li> <li>- Protection of Bridge Street bridge piers; may need to install guard rail.</li> <li>- Storm water control from new road; may need on-site detention or quality control. May be able to use the parking area by including pervious pavement.</li> <li>- Perpendicular parking adjacent to the street. This could be changed to angle parking for southbound vehicles.</li> </ul>
<b>FISCAL IMPACT</b>
The cost estimate to pave the portion from the new bridge over the daylighted stream to the existing pavement in front of the Wausau Water Works meter shop (approximately 1380 feet) is \$434,000.
<b>STAFF RECOMMENDATION</b>
Staff would recommend moving forward with the extension of 1 <sup>st</sup> Street.
Staff contact: Brad Marquardt 715-261-6745



FIRST STREET EXTENSION CONCEPT LAYOUT  
 FIRST STREET FEASIBILITY STUDY  
 CITY OF WAUSAU, WI

FIGURE 2

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

Authorizing a public hearing to amend the Official City Map to establish the new exterior lines of the realignment of Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue

Committee Action:     Approved 5-0

Fiscal Impact:        None

**File Number:**        14-0411

**Date Introduced:**    April 22, 2014

**WHEREAS**, in 2008, Aspirus Wausau Hospital hired CWE to complete an engineering study on the functionality of Bridge Street from Highway 51 to 28<sup>th</sup> Avenue, and

**WHEREAS**, the study determined that the current alignment of Bridge Street would not be able to handle additional traffic due to projected growth to the north and west of Aspirus Wausau Hospital, and

**WHEREAS**, in 2010, the Capital Improvements and Street Maintenance Committee authorized the Engineering Department to obtain proposals for the 70% design of the realignment of Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue, and

**WHEREAS**, the 70% design plans are near completion and a corridor to create a better east-west connection, improve traffic circulation, and enhance opportunities for property development has been established, and

**WHEREAS**, to ensure that land which may be needed for the realignment of Bridge Street in the future is not improved prior to the City acquiring the property, the Official Map should be considered for amendment, and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee recommends that a public hearing be held to consider amending the Official City Map to establish the new exterior lines of the realignment of Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue; now therefore

**BE IT RESOLVED** by the Common Council of the City of Wausau that a public hearing will be held before the Capital Improvements and Street Maintenance Committee to consider amending the Official City Map to establish the new exterior lines of the realignment of Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue.

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: April 10, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lenz, Wesolowski, Gehin, Jacobson, Wagner

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

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

### **Authorize a public hearing to place land on the Official City Map: Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue**

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Wesolowski explained approval would authorize a public hearing to occur at the next CISM meeting. Rasmussen questioned if all the clinics in the area would be notified. Wesolowski stated there are only two land owners that are affected; Aspirus and Liberty Mutual. Staff has met individually with the land owners and has not heard any negative response.

Gisselman moved to approve authorization of a public hearing to place land on the Official City Map: Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue. Kellbach seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
<p>Authorize a public hearing to place land on the Official City Map: Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue</p>
<b>BACKGROUND</b>
<p>The City hired Central Wisconsin Engineers to complete plans for the realignment and expansion of Bridge Street from Westwood Drive to 28<sup>th</sup> Avenue. These plans are near completion and a corridor has been established for the project. The corridor would be placed on the Official City Map for planning and development purposes.</p>
<b>FISCAL IMPACT</b>
<p>There is no fiscal impact to hold the public hearing.</p>
<b>STAFF RECOMMENDATION</b>
<p>Staff recommends approving the resolution to hold a public hearing.</p>
<p>Staff contact: Allen Wesolowski 715-261-6762</p>

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

Approving Easement and Hold Harmless Agreement for the installation of fiber optic cable across the 500 block of North 72<sup>nd</sup> Avenue

Committee Action: Approved 5-0

Fiscal Impact: None

**File Number:** 14-0412

**Date Introduced:** April 22, 2014

**WHEREAS**, your Capital Improvements and Street Maintenance Committee recommends an easement be granted to Eastbay, Inc. for the installation and maintenance of fiber optic cables in the right-of-way across the 500 block of North 72<sup>nd</sup> Avenue as described in the attached agreement; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau does hereby authorize the appropriate City officials to execute the easement agreement, 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:

\_\_\_\_\_  
James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: April 10, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lenz, Wesolowski, Gehin, Jacobson, Wagner

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

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

### **Approve Easement and Hold Harmless Agreement for the installation of fiber optic cable across the 500 block of North 72<sup>nd</sup> Avenue**

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Wesolowski stated Eastbay is leasing the building across the street from their facility and would like to have direct communication with fiber. The legal description is not included in the agreement yet as the exact route of the fiber optic line has not been determined. After installation, the City Surveyor will determine the legal description for the agreement.

Mielke moved to approve the Easement and Hold Harmless Agreement for the installation of fiber optic cable across the 500 block of North 72<sup>nd</sup> Avenue contingent upon receipt of the legal document and legal review. Gisselman seconded and the motion carried unanimously 5-0.

AGENDA ITEM
<p>Approve Easement and Hold Harmless Agreement for the installation of fiber optic cable across the 500 block of North 72<sup>nd</sup> Avenue</p>
BACKGROUND
<p>Push Incorporated is planning on installing fiber optic within the City right-of-way for Eastbay. As indicated on the attached map, they are looking to run fiber optic under 72<sup>nd</sup> Avenue. Easements have been approved in the past for similar work.</p>
FISCAL IMPACT
<p>None.</p>
STAFF RECOMMENDATION
<p>Staff recommends approving an easement and hold harmless agreement with Eastbay to install fiber optic within the City right-of-way.</p>
<p>Staff contact: Brad Marquardt 715-261-6745</p>

**EASEMENT AGREEMENT**

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

WITNESSETH:

WHEREAS, GRANTEE wishes to run fiber optic cable beneath North 72<sup>nd</sup> Avenue by means of directional boring method; and

WHEREAS, GRANTOR will grant GRANTEE an easement to run underground fiber optic cable beneath North 72<sup>nd</sup> Avenue upon certain terms and conditions as hereinafter enumerated.

THEREFORE, the parties hereto agree as follows:

1. GRANTOR grants to GRANTEE an easement in North 72<sup>nd</sup> Avenue as hereinafter described, which easement shall be for the purpose of the placement and maintenance of underground fiber optic cable.

SEE ATTACHED LEGAL DESCRIPTION

2. GRANTEE shall be a member of Diggers Hotline.
3. GRANTEE agrees to indemnify and hold harmless GRANTOR, its employees, agents, officers and officials, whether hired, appointed or elected, 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 the existence of this easement; specifically included within this indemnification and hold harmless section are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals. GRANTOR agrees to give GRANTEE notice of any claim for which indemnity is sought and to provide GRANTEE with the opportunity to defend its claim with counsel of its choice.
4. GRANTEE agrees to release GRANTOR, its employees, agents, officers and officials, whether appointed, hired or elected, from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, deaths, 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 the existence of this easement; specifically included within this release section are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals.

Recording Area

Name and Return Address

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

PIN:

5. GRANTEE shall maintain liability insurance which will cover the liability associated with their operations, including this easement in an amount of at least \$1,500,000. Limits of coverage will be increased upon the reasonable request of GRANTOR. The policy will be provided to GRANTOR at least 30 days prior to the date of the activity and the policy shall be subject to the approval of GRANTOR.
6. GRANTEE agrees that, subsequent to installation or any repairs, inspection, maintenance or replacement of the underground fiber optic services, GRANTEE shall return the street pavement and/or right-of-way to an equal or better condition prior to the work.
7. In no event shall GRANTOR be responsible for any damage to the underground fiber optic cable caused by any GRANTOR's employees or by any contractors excavating within the right-of-way of the street or city-owned property; GRANTOR shall not be responsible for locating the underground fiber optic cable prior to any work done in the street.
8. GRANTEE agrees to relocate the underground fiber optic cable upon the request of GRANTOR, for good cause, upon 60 days' notice from GRANTOR.

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

CITY OF WAUSAU BY:

EASTBAY INC.:

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

\_\_\_\_\_  
Jeremy Viegut, Facilities Manager

\_\_\_\_\_  
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 expires: \_\_\_\_\_

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF MARATHON)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, the above named Jeremy Viegut  
of Eastbay, Inc., to me known to be the person(s) who executed the foregoing instrument and acknowledged the  
same.

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

This instrument was drafted by the Engineering Department for the City of Wausau, 407 Grant, Street, Wausau, WI 54403-4783.

EasementEastbay

DRAFT

500 N 72nd Ave, Wausau, WI 54401, USA

PROPOSED FIBER OPTIC LINE



International Dr

N 72nd Ave

© 2013 Google

Imagery Date: 9/15/2013 44°58'03.81" N 89°43'32.78" W elev 1219 ft eye alt 2856 ft

Google earth

Stettin Dr

N

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

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

Renewing permit to operate 90,000 lb. vehicles on City Streets (3M)

Committee Action:     Approved 5-0

Fiscal Impact:       None.

**File Number:**       08-0306

**Date Introduced:**   April 22, 2014

**WHEREAS**, 3M trucks travel on North 4<sup>th</sup> Avenue, Campus Drive, USH Business 51, Merrill Avenue, 3<sup>rd</sup> Avenue, Rosecrans Street and Sherman Street between their quarry in the Town of Maine and plant on South 1<sup>st</sup> Avenue, and

**WHEREAS**, on July 14, 2009 the Common Council adopted a resolution renewing a permit for 3M to operate vehicles with a 90,000 pound gross vehicle weight limit on City streets for a five-year period, and

**WHEREAS**, in 2009, the Town of Maine approved a ten-year permit for 3M to operate vehicles with a 90,000 pound gross vehicle weight limit on Township streets, and

**WHEREAS**, renewal of the permit to operate 90,000 lb. vehicles on City streets for a five-year period would coincide with the expiration of the Town of Maine's ten-year permit, and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee considered 3M's request to renew the permit for a five-year period and recommends the extension be granted; now therefore

**BE IT RESOLVED** that the Common Council hereby approves a five-year extension for the permit for 3M trucks to operate with heavier loads subject to the following conditions: (1) Loads up to the maximum 90,000 pound gross vehicle weight limit shall not exceed 125 runs per day, and (2) the Director of Public Works and Utilities may require, if deemed necessary to protect the longevity of City streets: (a) that traffic may be restricted to a specific lane; (b) that loads be reduced if pavement temperatures exceed a given temperature; and (c) other conditions or restrictions as may be warranted.

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: April 10, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lenz, Wesolowski, Gehin, Jacobson, Wagner

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

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

### **Renew permit to operate 90,000 lb. vehicles on City streets (3M)**

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Rasmussen indicated the permit allowing 3M to operate with heavier loads than normal so they can make fewer trips has been in place for a few years. Wesolowski stated staff recommends approval with the same conditions as the previous permit. Rasmussen questioned if there are any issues with the infrastructure or stress on the streets. Wesolowski replied the concrete section is holding up fine. The asphalt area near Union Avenue and Merrill Avenue showed wear and asphalt overlay was needed, although he is not sure if it is due to the truck traffic or poor construction.

Rasmussen noted that there were some issues with the integrity of South 1<sup>st</sup> Avenue. Wesolowski stated that was repaired last year and staff has applied for STP Urban funding for reconstruction of South 1<sup>st</sup> Avenue within the next five years. Abitz mentioned that no parking on the west side of 1<sup>st</sup> Avenue was talked about at one time. Rasmussen recalled that the neighbors were opposed to that proposal as they would not be able to park in front of their residents. Abitz questioned if the truck drivers are using the left lane so the 90,000 lbs. would not effect on the side of the road where there were issues. Wesolowski replied the trucks are not traveling back on 1<sup>st</sup> Avenue with full loads.

Gisselman moved to approve renewal of the permit to operate 90,000 lb. vehicles on City streets. Mielke seconded and the motion carried unanimously 5-0.

AGENDA ITEM
Renew permit to operate 90,000 lb. vehicles on City streets (3M)
BACKGROUND
In July of 2009, the Common Council approved renewal of a permit which allows the 3M Company to operate vehicles with a 90,000 pound gross vehicle weight limit on City streets. The five-year period for the permit will soon expire and 3M is requesting that they be allowed to renew their permit for another five years. Renewing this permit for five years will coincide with the expiration of the Town of Maine’s ten-year permit.
FISCAL IMPACT
None.
STAFF RECOMMENDATION
Staff recommends the permit renewal be approved subject to the same conditions approved in 2009, which are: <ul style="list-style-type: none"> <li>• Loads up to the maximum 90,000 pounds gross vehicle weight limit shall not exceed 125 runs per day</li> <li>• The Director of Public Works and Utilities may require, if deemed necessary to protect the longevity of City Streets: <ol style="list-style-type: none"> <li>a) that traffic may be restricted to a specific lane</li> <li>b) that loads be reduced if pavement temperatures exceed a given temperature</li> <li>c) other conditions or restrictions as may be warranted</li> </ol> </li> </ul>
Staff contact: Brad Marquardt 715-261-6745

April 2, 2014

APR 3 2014



Bradley J Marquardt  
Wausau Water Works - Director of Public Works and Utilities  
407 Grand Street (City of Wausau City Hall)  
Wausau, WI 54403-4783

Re: File Number: 08-0306; Renewing Permit to Operate 90,000 lb Vehicles on City Streets

Dear Mr. Marquardt:

3M respectfully requests the City of Wausau's Capital Improvements & Streets Maintenance Committee approve another 5 year extension to the permit we currently have which allows for our trucks to operate with loads not to exceed 90,000 lbs on city streets. The Committee originally passed a resolution supporting this permit on May 27, 2008 for one year. They subsequently passed a 5 year extension to the permit on July 14, 2009.

The restrictions included with the first 5 year extension included the following: (1) Loads up to the maximum 90,000 pounds gross vehicle weight limit shall not exceed 125 runs per day, and (2) the Director of Public Works and Utilities may require, if deemed necessary to protect the longevity of City streets: (a) that traffic may be restricted to a specific lane; (b) that loads be reduced if pavement temperatures exceed a given temperature; and (c) other conditions or restrictions as may be warranted. 3M supports inclusion of these same restrictions in the new permit.

We greatly appreciate the City of Wausau's support of this project. It has made a real difference to maintaining the economic viability and competitiveness of the 3M plant here in Wausau.

Please don't hesitate to contact me if you have any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Ed Piatti'.

Ed Piatti  
Plant Manager, 3M Wausau  
Mobile: 440-610-2182

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

**JOINT RESOLUTION OF THE CAPITAL IMPROVEMENTS & STREET  
MAINTENANCE COMMITTEE AND PLAN COMMISSION**

Accepting dedication of north portion of right-of-way on Talon Lane

Committee Action: CISM: Approved 5-0  
Plan: Approved 4-0

Fiscal Impact: None

**File Number:** 01-0710

**Date Introduced:** April 22, 2014

**WHEREAS**, David and Joan Eckert own property in the Town of Wausau which abuts the Eagle Valley Subdivision in the City of Wausau; and

**WHEREAS**, David and Joan Eckert have been platting off two to three acre lots for development and have been dedicating the right-of-way as the lots are annexed; and

**WHEREAS**, David and Joan Eckert wish to dedicate a portion of their land as public roadway for the future extension of Talon Lane so the dedication process has been completed prior to any proposed annexation; and

**WHEREAS**, David and Joan Eckert have indicated that they are not opposed to dedicating the entire length of property for right-of-way at this time if it is the wish of the Capital Improvements and Street Maintenance Committee and the Plan Commission; and

**WHEREAS**, your Plan Commission and Capital Improvements and Street Maintenance Committee had reviewed the request in August of 2013 and recommend the entire length of property be dedicated for right-of-way at the same time rather than a portion at a time; however, at that time not all of the land to be dedicated was located within the City limits; and

**WHEREAS**, the land was annexed to the City of Wausau in February 2014; and

**WHEREAS**, your Plan Commission and Capital Improvements and Street Maintenance Committee have again reviewed the request to dedicate the north portion of right-of-way on Talon Lane and recommend the entire length of property be dedicated for right-of-way; and

**WHEREAS**, the dedication of Eckert's entire length of property will initiate the agreement in place with Mr. Paul Schlindwein to dedicate his 30' of property for right-of-way; now therefore

**BE IT RESOLVED** that the Common Council of the City of Wausau does hereby accept the dedication of right-of-way as shown on the accompanying map, with the certified survey map to be recorded with the Marathon County Register of Deeds.

Approved:

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James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

---

Date of Meeting: April 10, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lenz, Wesolowski, Gehin, Jacobson, Wagner

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

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

### **Accept dedication of the north portion of right-of-way on Talon Lane**

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Wesolowski stated this was previously brought to CISM; however, at the time the entire portion was not in the City. The area has now been annexed. Abitz asked if the road would be a cul-de-sac. Wesolowski stated it depends upon how the adjacent land owners decide to develop the area.

Kellbach moved to approve the dedication of the north portion of right-of-way on Talon Lane. Abitz seconded and the motion carried unanimously 5-0.

Agenda Item No.

3

*STAFF REPORT TO CISM COMMITTEE - April 10, 2014*

**AGENDA ITEM**

Accept dedication of the north portion of right-of-way on Talon Lane

**BACKGROUND**

Last year council approved accepting the dedication of right-of-way for Talon Lane. At that time, not all of the land that was to be dedicated was in the City. Thus only a portion was actually dedicated. Since then, the land has been annexed. This resolution would accept the dedication of right-of-way for the land that was annexed.

**FISCAL IMPACT**

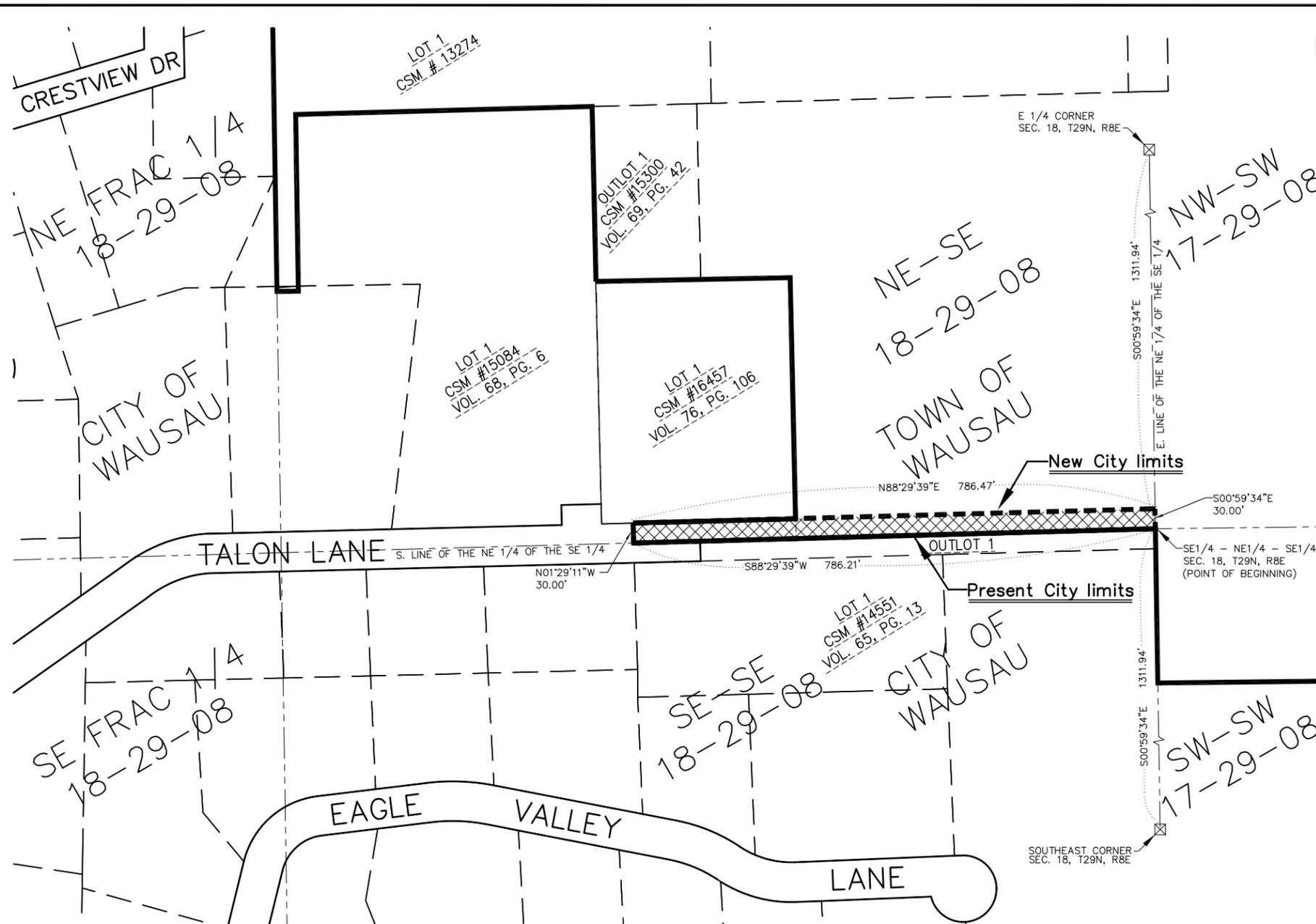
None.

**STAFF RECOMMENDATION**

Staff would recommend approval to accept the dedication of right-of-way for Talon Lane.

Staff contact: Brad Marquardt 715-261-6745

DWG FILE NAME: O:\Engineering\DWG\PROJ\09050905\_Annexation\_497-14A.dwg, 03/04/2014 11:12:42 AM, City of Wausau - Engineering Department, Plotted by: P.R.Nikola



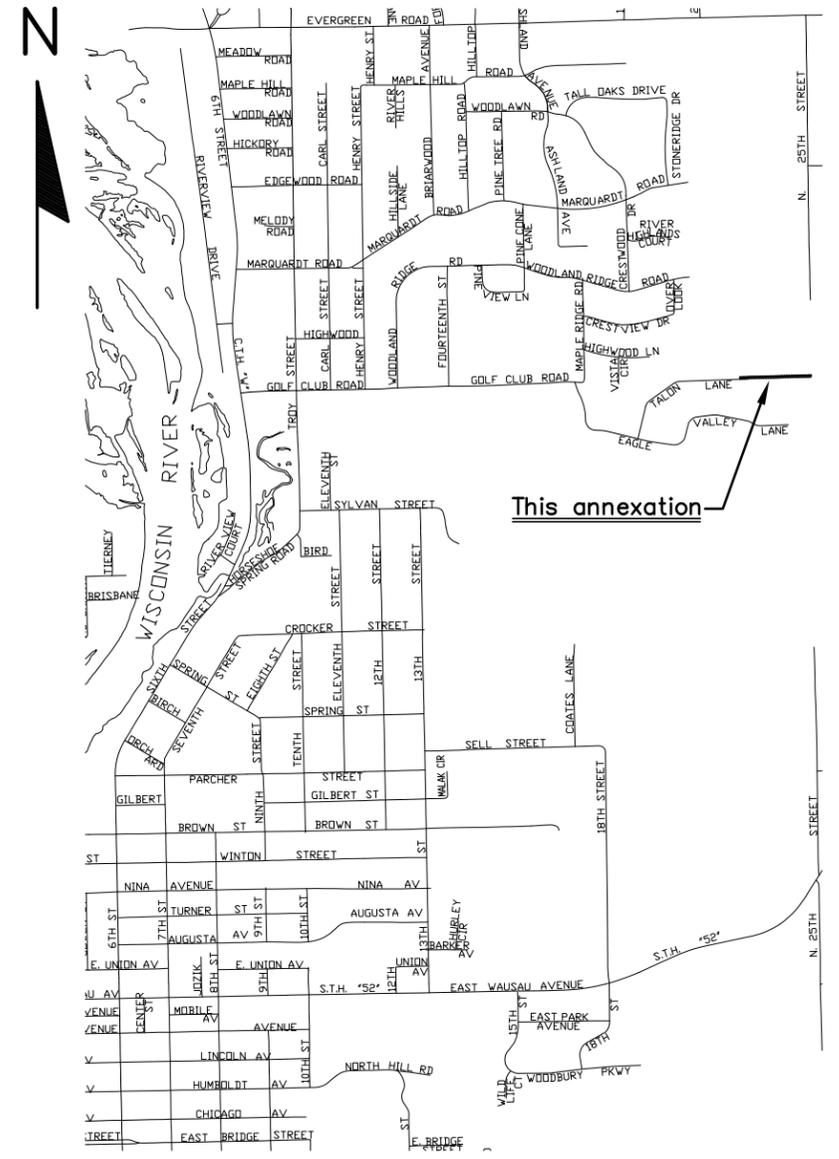
**Detail Sketch**  
Scale in feet  
0 50 100 200

**Legal Description for Annexed Land**

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

Commencing at the East 1/4 corner of said Section 18; thence South 00°59'34" East, along the East line of said Northeast 1/4 of the Southeast 1/4, 1,311.94 feet to the Southeast corner of said Northeast 1/4 of the Southeast 1/4, also being on the existing boundary of the City of Wausau, the point of beginning;

Thence South 88°29'39" West, along said existing boundary and along the South line of said Northeast 1/4 of the Southeast 1/4, 786.21 feet to the easterly end of Talon Lane; thence North 01°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°29'39" East, along said existing boundary and along said South line, and then parallel with said South line of the Northeast 1/4 of the Southeast 1/4, 786.47 feet to said East line of the Northeast 1/4 of the Southeast 1/4; thence South 00°59'34" East, along said East line, 30 feet to said south line of the Northeast 1/4 of the Southeast 1/4 of Section 18, the point of beginning.



**Location Sketch**  
Scale in feet  
0 500 1000 2000

<b>CITY OF WAUSAU</b> Engineering Department 407 GRANT STREET WAUSAU, WI. 54403-6783 (715) 261-6740 FAX (715) 261-6759	
DRAWN BY: P.R.NIKOLA CHECKED BY: D.F.HUEPFNER INTRODUCED: 02/25/2014 ADOPTED: 02/25/2014 ORDINANCE NUMBER: 497-14A FILE NUMBER: 14-0114	REVISIONS DATE 03/04/2014 P.R.NIKOLA
ISSUED FOR PRELIMINARY REVIEW/ APPROVAL OFFICE USE OTHER FINAL RECORD	ANNEXATION MAP (DAVID & JOAN ECKERT) - EXTENSION OF TALON LANE ANNEXING TERRITORY FROM THE TOWN OF WAUSAU TO THE CITY OF WAUSAU
SHEET NO. <b>1</b> OF 1 SHEETS ORDINANCE NUMBER <b>497-14A</b>	<b>ANNEXATION 497-14A</b> <b>23,586± S.F.</b> <b>0.54± AC.</b>

**JOINT RESOLUTION OF THE CAPITAL IMPROVEMENTS & STREET  
MAINTENANCE COMMITTEE AND PLAN COMMISSION**

Accepting dedication of the south portion of right-of-way on Talon Lane

Committee Action: CISM: Approved 5-0  
Plan Comm: Approved 4-0

Fiscal Impact: None

**File Number:** 01-0710

**Date Introduced:** January 14, 2014

**WHEREAS**, in 2006 an agreement was signed that indicated when the north half of Talon Lane is dedicated, the property owner on the south side would be required to dedicate the south portion of Talon Lane; and

**WHEREAS**, on August 13, 2103, the Common Council of the City of Wausau accepted dedication of the north portion of right-of-way on Talon Lane from David and Joan Eckert, thereby initiating the 2006 agreement with Mr. Paul Schlindwein to dedicate 30' of his property for right-of-way; and

**WHEREAS**, your Plan Commission and Capital Improvements and Street Maintenance Committee have reviewed the request and recommend accepting the dedication of the south portion of right-of-way on Talon Lane; now therefore,

**BE IT RESOLVED** that the Common Council of the City of Wausau does hereby accept the dedication of right-of-way as shown on the accompanying map, with the certified survey map to be recorded with the Marathon County Register of Deeds.

Approved:

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James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: November 6, 2013, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Marquardt, Lenz, 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.

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

### **Accept south half dedication of Talon Lane**

---

Marquardt explained an agreement was signed in 2006 indicating when the north portion of Talon Lane is dedicated, the south side is to be dedicated as well. Therefore, staff is following through with that agreement and working with the property owner to acquire the south dedication. Marquardt indicated dedication of the north portion was approved by CISM and Council earlier this year.

Abitz moved to approve the south half dedication of Talon Lane. Mielke seconded and the motion carried unanimously 5-0.

## PLAN COMMISSION

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

Members Present: Mayor Tipple, Marquardt, Oberbeck, Valitchka

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

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

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

### **Accept south half dedication of Talon Lane.**

---

Marquardt said that the map does not quite show the dedication. It would be an extension of Talon Lane on the far east to 25<sup>th</sup> Street. The property owner to the north has dedicated their half and per the agreement with the City, the property owner to the south is to dedicate their portion when the north half was dedicated.

Marquardt motioned to accept the south half dedication of Talon Lane. Oberbeck seconded.

Marquardt added that this item was passed by CISM.

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

AGENDA ITEM
Accept south half dedication of Talon Lane
BACKGROUND
Earlier this year, CISM and Council voted to accept the dedication from Dave Eckert for the north half of the extension of Talon Lane. In 2006, an agreement was signed that read that when the north half of Talon Lane was dedicated, the property owner on the south side would be required to dedicate the south portion of Talon Lane.
FISCAL IMPACT
There is no fiscal impact to the City.
STAFF RECOMMENDATION
Staff recommends that CISM approve the dedication per the agreement. Staff will create a certified survey map showing the dedication with an area for the appropriate accompanying signatures.
Staff contact: Brad Marquardt 715-261-6745

# AGREEMENT FOR DEDICATION OF RIGHT-OF-WAY

THIS AGREEMENT, made this 24<sup>th</sup> day of October, 2006, between the City of Wausau, a municipal corporation of the State of Wisconsin, hereinafter referred to as "CITY," and Paul C. Schlindwein II, the owner of land adjacent to the proposed plat known as Eagle Valley First Addition, hereinafter referred to as "OWNER."

WHEREAS, Orion Development, LLC, has filed a petition to annex certain property to the City of Wausau, a copy of the annexation map being attached hereto as "Exhibit A"; and

WHEREAS, the proposed plat known as Eagle Valley First Addition will include right-of-way known as Talon Lane, which right-of-way is expected to be extended easterly of its termination point adjacent to Lot 41, a copy of which plat being attached hereto as "Exhibit B"; and

WHEREAS, OWNER is the owner of a portion of the property to the east of the proposed plat known as Eagle Valley First Addition upon which Talon Lane is proposed by CITY to be extended easterly, approximately 786 feet of its terminus shown on the proposed plat known as Eagle Valley First Addition; and the purpose of this agreement is to provide to CITY an assurance that the right-of-way extending Talon Lane to the east (Outlot 1 on "Exhibit C" attached hereto) will be dedicated to CITY, at no cost to CITY and also to establish a means to pay for the cost of construction of this street extension and the sewer and water utilities that will be constructed in the street.

NOW, THEREFORE, the parties hereto agree as follows:

1. When the land north of Outlot 1, Exhibit "C" attached hereto is planned to be developed so as to require public street access, OWNER shall dedicate to CITY Outlot 1 on "Exhibit C" so as to enable the road shown as Talon Lane on "Exhibit C" to be extended to the east to serve the development; that this dedication of Outlot 1, Exhibit "C" to CITY shall be without cost to CITY, free and clear of any and all liens and encumbrances, and shall be made by warranty deed, with all transfer and closing expenses to be paid for by OWNER.
2. When the land north of Outlot 1, Exhibit "C" attached hereto is planned to be developed so as to require sanitary sewer and water services and if said sewer and water services are installed by CITY pursuant to a city public works contract, OWNER shall pay the street and sewer and water special assessments that may be levied at that time against Lot 1, Exhibit "C", a distance of approximately 464.61 feet and against the land east of Lot 1 Exhibit "C", a distance of approximately 321.33 feet. Said costs for these improvements include the cost of preparing engineering plans, construction and inspection.

OWNER, for himself, his heirs, executors, successors, and assigns, waives any notice and statutory procedures required under Chapter 66 of the Wisconsin Statutes and/or any successor statute, and under CITY ordinances, and any other requirements under the law regarding special assessments and/or impact fees, and OWNER, for himself, his heirs, executors, successors, and assigns, agrees that the fees established by CITY and as outlined in this agreement shall be placed as a lien on each individual lot, without notice and without further action.

Recording Area

Name and Return Address

Office of the City Attorney  
City Hall - 407 Grant Street  
Wausau, WI 54403

PIN:

3. This agreement shall run with the land, encumbering the property encompassed by it in perpetuity, and shall be binding upon and shall inure to the benefit of the parties hereto and to their respective heirs, executors, successors, and assigns.

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

CITY OF WAUSAU BY:

James E. Tipple  
James E. Tipple, Mayor

Paul C. Schlindwein II  
Paul C. Schlindwein II

Kelly Michaels-Saager  
Kelly Michaels-Saager, Clerk

STATE OF WISCONSIN )  
  ) ss.  
COUNTY OF MARATHON)

Personally came before me this 24th day of October, 2006, the above named James E. Tipple, Mayor, and Kelly Michaels-Saager, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Joan L. Heahlke  
Joan L. Heahlke  
Notary Public, Wisconsin  
My commission: expires 5/10/09

STATE OF WISCONSIN )  
  ) ss.  
COUNTY OF MARATHON)

Personally came before me this 23<sup>rd</sup> day of October, 2006, the above named Paul C. Schlindwein II, to me known to be the person who executed the foregoing instrument and acknowledged the same.

William P. Nagle  
William P. Nagle  
Notary Public, Wisconsin  
My commission: is permanent

This instrument was drafted by William P. Nagle, City Attorney for the City of Wausau, 407 Grant, Street, Wausau, WI 54403-4783.

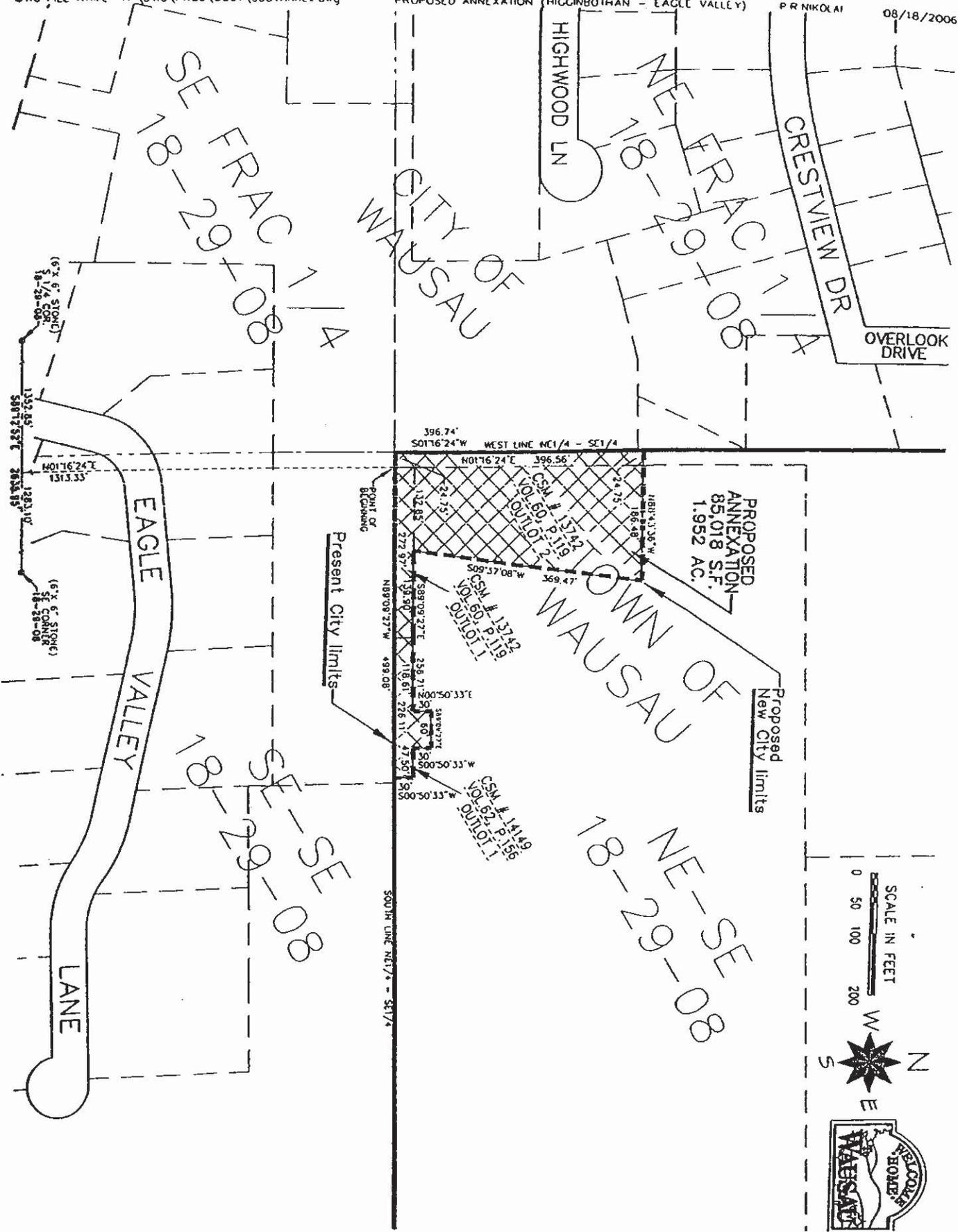
EXHIBIT A

DWG FILE NAME H:\DWG\PROJ\0661\0661Annex.dwg

PROPOSED ANNEXATION (HIGGINBOTHAM - EAGLE VALLEY)

P R NIKOLAI

08/18/2006



SCALE IN FEET  
0 50 100 200







CERTIFIED SURVEY MAP

I, Daniel E. Higginbotham, Registered Land Surveyor, hereby certify:

That I have surveyed, divided and mapped by the order of Paul Schlindwein II, a parcel of land being part of Lot 1 of Volume 62 Certified Survey Maps, Page 43, located in the Southeast ¼ of the Southeast ¼ of Section 18, Township 29 North, Range 8 East, City of Wausau, Marathon County, Wisconsin, more particularly described as follows:

Commencing at the East ¼ Corner of Section 18; thence S 01° 22' 11" W, 1312.07 feet along the east line of the Southeast ¼ of Section 18 to the point of beginning of the parcel herein described; thence continuing S 01° 22' 11" W, 30.00 feet along the east line of the Southeast ¼ of Section 18; thence N 89° 09' 27" W, 321.33 feet; thence S 00° 00' 00" E, 200.02 feet to the Northeast Corner of a parcel of land previously mapped as Lot 21 of the subdivision of Eagle Valley; thence N 89° 09' 27" W, 466.96 feet along the North line of Lots 21 through 23 of the subdivision plat of Eagle Valley to the Northwest Corner of Lot 23 thereof; thence N 00° 00' 00" W, 40.00 feet to the Northeast Corner of Lot 24 of the subdivision of Eagle Valley; thence N 00° 50' 33" E, 190.00 feet to the North line of the Southeast ¼ of the Southeast ¼ of Section 18; thence S 89° 09' 27" E, 786.21 feet along said North line to the point of beginning of the parcel herein described.

Said parcel contains 116,730 Square Feet or 2.679 Acres.

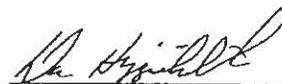
Subject to all roadways and easements of record.

That this map is a true and correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made to the best of my knowledge and belief;

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes;

Dated this 21<sup>st</sup> day of August, 2006



  
R.L.S. No. S-1935

Prepared by:  
Plover River Land Co., Inc.  
P4225 Pineview Rd.  
Biramwood, WI 54414

Prepared for:  
Paul Schlindwein II  
P.O. Box 8050  
Wausau, WI 54402-8050  
Sheet 2 of 3 Sheets

**OWNERS CERTIFICATE OF DEDICATION**

Paul Schlindwein II, as owner, does hereby certify that he caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. Paul Schlindwein II does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1) City of Wausau

Witness the hand and seal of said Owner this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Paul Schlindwein II  
STATE OF WISCONSIN }  
SS  
COUNTY OF MARATHON }

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2006, the above named Paul Schlindwein II and acknowledged that he executed the foregoing instrument as such representative and by it's authority.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**CITY COUNCIL RESOLUTION**

Resolved, that the dedication shown on the face of this Certified Survey Map, Paul Schlindwein II, owner, is hereby approved by the City Council.

DATE APPROVED \_\_\_\_\_  
Mayor \_\_\_\_\_

DATE SIGNED \_\_\_\_\_  
Mayor \_\_\_\_\_

I hereby certify that the foregoing is a copy of a resolution adopted by the City Council of the City of Wausau.

\_\_\_\_\_  
City Clerk

Sheet 3 of 3 Sheets





**JOINT RESOLUTION OF THE CAPITAL IMPROVEMENTS & STREET  
MAINTENANCE COMMITTEE AND ECONOMIC DEVELOPMENT  
COMMITTEE**

Adopting Thomas Street Corridor Master Plan

Committee Action: CISM: Approved 5-0  
ED Comm: Approved 5-0

Fiscal Impact: There is no fiscal impact associated with adopting the plan.

**File Number:** 02-1005

**Date Introduced:** April 22, 2014

**WHEREAS**, Thomas Street functions as a major arterial street and is used by many regional and local travelers who need to cross the Wisconsin River; and

**WHEREAS**, the reconstruction of Thomas Street has been discussed for a number of years; and

**WHEREAS**, in 2013 the City hired a consultant to re-evaluate the long-term improvement alternatives for the street corridor; and

**WHEREAS**, as a result of the continued planning process, the consultants completed and presented a report entitled, *Thomas Street Corridor Master Plan* to the Committee of the Whole on February 24, 2014; and

**WHEREAS**, this document will be used to help finalize the design of Thomas Street; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee and your Economic Development Committee have reviewed the *Thomas Street Corridor Master Plan* and recommend adopting the document to use as a guide in the continued planning process; now therefore,

**BE IT RESOLVED** that the Common Council of the City of Wausau does hereby adopt the *Thomas Street Corridor Master Plan* as presented to the Committee of the Whole on February 24, 2014.

Approved:

---

James Tipple, Mayor

Agenda Item No.

2

*STAFF REPORT TO CISM COMMITTEE – March 13, 2014*

<b>AGENDA ITEM</b>
Adopt Thomas Street Corridor Master Plan.
<b>BACKGROUND</b>
Last month, GRAEF presented their concepts for the Thomas Street Corridor Master Plan. The plan should be officially adopted by council. After the plan is adopted, decisions can be made on what Thomas Street should look like and what properties to acquire.
<b>FISCAL IMPACT</b>
There is no fiscal impact associated with adopting the Plan.
<b>STAFF RECOMMENDATION</b>
Staff recommends adoption of the Thomas Street Corridor Master Plan. The Economic Development Committee will also be making a recommendation on the adoption of the plan at their meeting.
Staff contact: Brad Marquardt 715-261-6745

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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

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

Also Present: Marquardt, Jacobson, Lenz, 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.

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

### **Adopt Thomas Street Corridor Master Plan**

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Marquardt stated that GRAEF presented the Thomas Street Corridor Master Plan to the Committee of the Whole and the next step is to adopt the document. The document has a couple of alternatives and a recommendation. The Economic Development Committee and the Common Council will also have the opportunity to adopt the plan. After the plan is adopted further discussion will be held to decide the vision. Abitz questioned if this would be replacing the original design and if the City would be able to start purchasing properties if the plan is adopted. Marquardt stated according to GRAEF this is a working document with a conceptual design. For example, the plan shows a median at the minimum width but Council could determine the actual width. Also, acquisition does not necessarily mean buildings would be torn down. This is still an open slate and the document will be used as a guide. Abitz stated she recently met with some constituents and they still would like to see the street reconstructed with four lanes. The residents have been put on hold long enough and want to move forward. Marquardt replied the intention is to have the plan at the Committee of the Whole in April for discussion. Staff also wants to be able to move forward and tell residents what the design will be. Abitz stated it has been at a standstill and a lot of people ready to retire have not been able to because of the not knowing. She wants to make sure this moves forward and not put on another standstill with a new Council. The road is in terrible condition and traffic backs up. She is frustrated that the residents have to deal with this and they need to know the design so they can go on with their lives. Rasmussen stated the residents of Thomas Street deserve better and we need to identify a clear direction. She would like to see the plan back to this committee in May. Mielke stated no matter what happens after the April elections, it is time to move forward. People should not have to put their lives on hold any longer. Gisselman agreed but stated it will be hard to look at the details such as the width of the median. There are different options to the plan and Council will have to compromise. He would like some type of timeline with what will happen the rest of the year. He knows there are differences on how everyone sees Thomas Street but we need to come to some type of agreement. Rasmussen stated she does not want to build a road and have to change it years later. She wants it done right the first time.

Willie Guillaume stated he owns the restaurant at 10<sup>th</sup> Avenue and Thomas Street. He believes if the road is four lanes to the bridge it will create a bottleneck and cause accidents. If the road is built as two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue, there will be problems with traffic backing up. He believes it should be built right now or it will cost more later.

Robert Baumann, 1040½ South 5<sup>th</sup> Avenue, stated he was told Thomas Street will have a median and bicycle lanes and questioned if they were needed. He believes medians will be a waste of money and a four lane design would be a good idea as there is a lot of traffic in the area. He is getting frustrated and impatient with the process.

Mielke moved to approve adoption of the Thomas Street Corridor Master Plan. Kellbach seconded and the motion carried unanimously 5-0.

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Tuesday, April 8, 2014 at 5:00 p.m. in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Lisa Rasmussen, Romey Wagner, Bill Nagle and David Oberbeck

Others Present: Megan Lawrence, Maryanne Groat, Mayor Jim Tipple, Brad Lenz, Dave Nutting, Keene Winters, Gerry Klein, Anne Jacobson, Mary Goede and Nan Giese

In accordance with Chapter 19, Wisc. Stats., notice of this meeting was posted and sent to the Daily Herald in the proper manner.

### **CALL TO ORDER**

Brezinski noted there was a quorum and called the meeting to order at approximately 5:00 p.m.

### **APPROVAL OF ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES FROM 2/18/14**

Wagner motioned to approve minutes. Rasmussen seconded and the motion carried unanimously 5-0.

### **APPROVE THOMAS STREET CORRIDOR MASTER PLAN**

Marquardt stated in February Graef presented the plan to the Committee of the Whole. The plan was taken to CISM in March and they approved adopting the document. The document needs to be adopted by ED then by the Council. This is only accepting the document so we can move forward to help make decisions.

Rasmussen informed we are only voting on adoption of the plan, which means only accepting Graef's work product as the plan that we paid for. This is only step 1 of about 55.

Wagner motioned to accept plan from Graef. Rasmussen seconded and the motion carried unanimously 5-0.

Oberbeck motioned to amend the motion to accept the recommendations in the plan from Graef of 2 lanes a turn lane and 4 lanes from 3<sup>rd</sup> street to bridge. Nagle seconded and the motion failed 2-3.

### **DISCUSSION AND POSSIBLE ACTION IN REGARDS TO REQUEST BY CBL & ASSOCIATES TO AMEND THE GROUND LEASE, EXTEND THE TERMS OF THE SPECIAL LETTER OF AGREEMENT, HIRE AN ATTORNEY AND/OR CONSULTANT AND RELATED BUDGET MODIFICATION**

Nagle motioned to reduce the ground lease to \$1.00, waive the additional cost of \$70,000 for 2014 and extend the Special Letter of Agreement. Wagner seconded.

Rasmussen motioned to amend the previous motion to include the same verbiage as the 2011 agreement with CBL, meaning money saved shall be diverted to tenant improvements, inducements and incentives. Wagner seconded. The amendment to the motion carried unanimously 5-0. Lawrence restated the original motion as amend the ground lease to \$1.00 for a one year period, waive the \$70,000 additional rent for 2014 and extend the Special Letter of Agreement for two years. The motion carried unanimously 5-0.

Staff was directed to present consultant and attorney recommendations at the next ED Meeting and to have CBL staff address the Council.

**ADJOURN**

Oberbeck motioned to adjourn, Nagle seconded and the motion carried unanimously 5-0. The meeting was adjourned.

Respectfully Submitted,  
ECONOMIC DEVELOPMENT COMMITTEE

Chairperson  
Jim Brezinski

**JOINT RESOLUTION OF THE ECONOMIC DEVELOPMNT COMMITTEE  
AND FINANCE COMMITTEE**

Approving Budget Modification – To Remove the Tax Increment District Number Seven Streetscape Project

Committee Action: ED Comm: Approved 4-1

Finance: Approved 4-1

Fiscal Impact: Budget Reduction \$220,000

**File Number:** 13-1109

**Date Introduced:** April 22, 2014

**RESOLUTION**

**WHEREAS**, the Economic Development Committee and Finance Committee have re-evaluated the west side interstate corridor streetscape beautification process and recommend its delay, and

**WHEREAS**, this change is reflected in the following 2014 Budget Modification.

**BUDGET MODIFICATION**

145-347098290 Other Capital Improvements ..... (\$220,000.00)

**PURPOSE:** This budget modification will eliminate the west side streetscape interstate corridor beautification budget.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City Officials be and are hereby authorized and directed to modify the budget as stated above and to publish the budget modification in the official newspaper as required.

Approved:

---

James E. Tipple, Mayor

## **JOINT FINANCE AND ECONOMIC DEVELOPMENT COMMITTEES**

Date and Time: Monday, March 24, 2014 @ 5:15 pm., Council Chambers

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

***ED Members Present:*** Brezinski (C), Wagner, Nagle, Oberbeck, Rasmussen

Others Present: Tipple, Jacobson, Hardel, Barnes, Giese, Marquardt, Mielke, Kellbach, Gisselman, M. Lawrence, Werth, Seubert, Lapinski, Goede, Linda Karger, and other interested parties.

### **Joint Item: Discussion and possible action on the Highway 52 Parkway/Stewart Improvements.**

Rasmussen stated given the fact that there has been such a mixed public reaction to the installation of the birds on Highway 52 Parkway, with the expenses it has incurred and it is yet to incur with the irrigation system, she struggled with committing another \$220,000 to Phase II of the project west of the highway. She felt they should withdraw the funding and their support for Phase II of the project relative to additional bird art.

Oberbeck commented they still need to look at ways to improve the entrances to the city and not ignore the fact that they are deteriorating and do not look very inviting. He felt Economic Development Committee should look at it as far as putting money towards these areas. Wagner agreed and clarified that not funding the \$220,000 for the birds doesn't mean that money can be used for other things because it was restricted funding for improvements.

Rasmussen stated she was not opposed to public art and streetscaping and suggested creating an ad hoc committee that deals with public art that has skills and expertise in this area. Another suggestion was an aesthetic subcommittee to gain input when redesigning streets, roads and corridors.

Marquardt questioned if they wanted the irrigation portion of the project completed and Rasmussen felt that they should complete it to make sure it grows and thrives. She questioned what the cost of the irrigation was. Marquardt estimated it would be \$18,000 - \$20,000.

### **Economic Development:**

Motion by Rasmussen, second by Nagle not to progress with Phase II of the bird art west of the highway; but finish Phase 1, which includes connection of the water with an estimated cost of \$18,000 - \$20,000. Motion carried 4-1. (*Oberbeck was the dissenting vote.*)

### **Finance:**

Motion by Winters, second by Nutting not to progress with Phase II of the bird art west of the highway; but finish Phase 1, which includes connection of the water with an estimated cost of \$18,000 - \$20,000. Motion carried 4-1. (*Oberbeck was the dissenting vote.*)

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

**JOINT RESOLUTION OF FINANCE COMMITTEE AND  
ECONOMIC DEVELOPMENT COMMITTEE**

Authorizing Amendment of Ground & Air Rights Lease between the City of Wausau & CBL to \$1 for a 12 month period and waiving the additional rent payable in 2014 and extending the Special Letter of Agreement for a two year period

Committee Action: Finance: Approved 5-0  
ED Comm: Approved 5-0

Fiscal Impact: \$146,000

**File Number:** 14-0410

**Date Introduced:** April 22, 2014

**RESOLUTION**

**WHEREAS**, CBL & Associates Properties currently leases the Wausau Center Mall property from the City of Wausau, pursuant to a Ground and Air Rights Lease dated November 1, 1980, and subsequently amended pursuant to instruments dated February 1, 1981, March 1, 1982, and October 1, 1982, and subsequently re-recorded December 22, 2010; and

**WHEREAS**, mall properties, including CBL & Associates Properties paid \$995,357 in real estate taxes in 2012 and have contributed \$4,825,224 in ground lease payments to the City of Wausau under the existing contract; and

**WHEREAS**, the CBL & Associates Properties is seeking temporary rent relief to mitigate the financial impact of the JCPenney store closure; and

**WHEREAS**, the City of Wausau agrees to reduce the amount of Land Rent due under the Ground and Air Rights lease to \$1 for a one year period and waive the additional ground rent due for 2014; and

**WHEREAS**, CBL & Associates Properties will invest savings generated from City of Wausau in tenant improvements, incentives and inducements;

**WHEREAS**, the parties amended Section 5.2 of the Ground and Air Rights lease in 2011 for the purpose of facilitating tenant improvements, inducement and incentives on or before December 31, 2014 and CBL & Associates Properties seeks to extend their expenditure period for an additional two years, ending December 31, 2016; and

**WHEREAS**, your Finance Committee and Economic Development Committees, at a joint meeting, on April 8, 2014, recommend amending the Ground and Air Rights Lease to reduce rent in 2014 and extend the special letter of agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City officials be and are hereby authorized and directed to reduce the ground rent to \$1 for a one year period, waive the additional ground rent due for 2014 and reinvest funds saved in tenant incentive/development; and extend the special letter of agreement for a two year period, ending December 31, 2016.

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, April 8, 2014 at 5:00 p.m. in the Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Jim Brezinski (Chair), Lisa Rasmussen, Romey Wagner, Bill Nagle and David Oberbeck

Others Present: Megan Lawrence, Maryanne Groat, Mayor Jim Tipple, Brad Lenz, Dave Nutting, Keene Winters, Gerry Klein, Anne Jacobson, Mary Goede and Nan Giese

### **DISCUSSION AND POSSIBLE ACTION IN REGARDS TO REQUEST BY CBL & ASSOCIATES TO AMEND THE GROUND LEASE, EXTEND THE TERMS OF THE SPECIAL LETTER OF AGREEMENT, HIRE AN ATTORNEY AND/OR CONSULTANT AND RELATED BUDGET MODIFICATION**

Nagle motioned to reduce the ground lease to \$1.00, waive the additional cost of \$70,000 for 2014 and extend the Special Letter of Agreement. Wagner seconded.

Rasmussen motioned to amend the previous motion to include the same verbiage as the 2011 agreement with CBL, meaning money saved shall be diverted to tenant improvements, inducements and incentives. Wagner seconded. The amendment to the motion carried unanimously 5-0. Lawrence restated the original motion as amend the ground lease to \$1.00 for a one year period, waive the \$70,000 additional rent for 2014 and extend the Special Letter of Agreement for two years. The motion carried unanimously 5-0.

Staff was directed to present consultant and attorney recommendations at the next ED Meeting and to have CBL staff address the Council.

## WAUSAU CENTER MALL GROUND LEASE PAYMENTS

		Base Ground Lease	Supplement 10% of Cash Flow	Supplement 10% of Refinancing Proceeds	Total Ground Lease Payment
1986	1	\$76,000	\$68,694		\$144,694
1987	2	76,000	133,386		209,386
1988	3	76,000	97,071		173,071
1989	4	76,000	99,285		175,285
1990	5	76,000	85,104		161,104
1991	6	76,000	95,538		171,538
1992	7	76,000	122,105		198,105
1993	8	76,000	134,294		210,294
1994	9	76,000	102,314		178,314
1995	10	76,000	166,948		242,948
1996	11	76,000	135,949		211,949
1997	12	76,000	104,989		180,989
1998	13	76,000	84,824		160,824
1999	14	76,000	85,358		161,358
2000	15	76,000	127,488		203,488
2001	16	76,000	167,500		243,500
2002	17	76,000	169,526		245,526
2003	18	76,000	175,334		251,334
2004	19	76,000	154,498		230,498
2005	20	76,000	4,146		80,146
2006	21	76,000	12,723		88,723
2007	22	76,000	-		76,000
2008	23	76,000	-		76,000
2009	24	76,000	-		76,000
2010	25	76,000	-		76,000
2011	26	76,000	348		76,348
2012	27	76,000	-	445,802	521,802
<b>TOTAL</b>		<b>\$2,052,000</b>	<b>\$2,327,422</b>	<b>\$445,802</b>	<b>\$4,825,224</b>

**RESOLUTION OF THE FINANCE COMMITTEE**

Approving Budget Modification – Irrigation Connection

Committee Action: Approved 5-0

Fiscal Impact: \$20,000

**File Number:** 13-1109

**Date Introduced:** April 22, 2014

**RESOLUTION**

**WHEREAS**, the City of Wausau made a financial investment to enhance the entrance of the City of Wausau along the I-39 and Stewart Avenue Corridor, and

**WHEREAS**, the irrigation system installed on site will ensure the landscaping remains an attractive feature into the future, and

**WHEREAS**, requests have been made for the following 2014 Budget Modification.

**BUDGET MODIFICATION**

144-345298746 Streetscape Project.....\$20,000.00

**PURPOSE:** This transfer will finance the connection of the irrigation system located in the traffic islands on Highway 52 Parkway to a water source. This budget will be financed by Tax Increment District Number Six

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City Officials be and are hereby authorized and directed to modify the budget as stated above and to publish the budget modification in the official newspaper as required.

Approved:

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James E. Tipple, Mayor

**FINANCE COMMITTEE**

Date and Time: Tuesday, April 8, 2014. At 5:00 pm., Board Room

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

Others Present: Tipple, Jacobson, Hardel, Giese, Groat, Loy, Lenz, Marquardt, Mielke, Kellbach, Gisselman, M. Lawrence, Lapinski, Goede, Rayala, Deb Ryan and other interested parties.

**Budget Modification - Irrigation 17th Avenue Landscaping Project**

Oberbeck questioned what process would be used and Marquardt indicated it would go out for RFP.

Motion by Brezinski, second by Nutting to approve the budget modification for irrigation for the 17<sup>th</sup> Avenue Landscaping project. Motion carried 5-0.

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

**RESOLUTION OF THE FINANCE COMMITTEE**

Modifying the Procurement Policy

Committee Action:      Approved 5-0

Fiscal Impact (2012):   Undetermined

**File Number:**           99-1104

**Date Introduced:**      April 22, 2014

**RESOLUTION**

**WHEREAS**, the Finance Committee has considered and recommends the attached revisions of the procurement policy which the procurement process and contract authorization

**NOW THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that the procurement policy which is attached hereto and incorporated herein by reference is hereby adopted as the procurement policy of the City of Wausau and that its administration and enforcement shall be done under the direction of the Mayor and department heads.

Approved:

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James E. Tipple, Mayor

## **FINANCE COMMITTEE**

Date and Time: Tuesday, April 8, 2014. At 5:00 pm., Board Room

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

***Others Present:*** Tipple, Jacobson, Hardel, Giese, Groat, Loy, Lenz, Marquardt, Mielke, Kellbach, Gisselman, M. Lawrence, Lapinski, Goede, Rayala, Deb Ryan and other interested parties.

### **Consider procurement policy modifications**

Groat stated there were two modifications proposed at the last Finance Committee meeting. One change would allow for competitive purchasing through written quotes for commodities of \$5,000 - \$50,000, so that we would be able to respond to those quotes on an immediate basis versus a formal bid process that would delay the purchase versus the quote.

Groat explained historically when a project is let by the Department of Public Works, as change orders come in they are presented to the Board of Public Works for approval and the documents are signed by the Board. The current procurement policy provides for the Mayor, City Clerk, Finance Director and City Attorney to sign contracts, however, it is silent on signatures for change orders. With our past practice, neither the Mayor nor the City Clerk is signing change orders; the modification will put us in compliance with past practices and the procurement policy.

Oberbeck suggested changing the wording on page 3, number 4, from “may seek” to “shall seek.” He also suggested taking out “if possible” and stating that they “must document efforts to obtain three written quotations.” Nagle noted that “written” could be a text or a fax. Oberbeck stated that payments should not be made until there was a properly signed contract in the file attached to the purchase order. He agreed with the changes presented but felt the policy should be brought back to Finance again in the future for more work on it to ensure processes are being followed.

Motion by Brezinski, second by Winters to approve the procurement policy modifications as presented. Motion carried 5-0.

Motion by Winters, second by Brezinski to add that if a change order to a contract exceeds the bid by 15% it would trigger a requirement to come before Finance for review. Motion carried 5-0. Nagle noted that state law does not allow it to be exceeded by more than 15%.

# **CITY OF WAUSAU, WISCONSIN PROCUREMENT POLICY**

## **POLICY OBJECTIVE**

The City of Wausau has adopted this procurement policy in order to provide City employees with uniform guidance in the purchase of supplies, equipment, services and property. The controls and procedures set forth are intended to provide reasonable assurance that the lowest cost, highest quality good or service is obtained, while balancing the need for flexibility and efficiency in departmental operations.

## **COVERAGE**

This policy applies to the purchases of all departments and divisions of the City of Wausau. The provisions of Wisconsin Statutes s 62.15 and Wausau Municipal Code 12.08 apply to the procurement of public construction and take precedence over any portion of this policy that may conflict with that statute. Procurement activities for MetroRide are subject to the provisions of the Federal Transit Administration and take precedence over any portion of this policy which may conflict with their guidelines. More restrictive procurement procedures required by grants, aids, statutes or other external requirements or funding sources will take precedence.

## **GOALS**

1. To encourage open and free competition to the greatest extent possible.
2. To receive maximum value and benefits for each public dollar spent.
3. To ensure that all purchases are made in compliance with federal, state and local laws.
4. To prevent potential waste, fraud, abuse and conflicts of interest in the procurement process.
5. To assure proper approvals are secured prior to the purchase and disbursement of public funds.

## **ETHICAL STANDARDS**

1. All procurement shall comply with applicable federal, state and local laws, regulations, policies and procedures. Municipal Code 2.03 Code of Ethics for Public Officials and Employees provides general ethical standards and conduct expectations.
2. In general, employees are not to engage in any procurement related activities that would actually or potentially create a conflict of interest, or which might reasonably be expected to contribute to the appearance of such a conflict.
3. No employee shall participate in the selection, award or administration of a contract if a conflict of interest would be involved. Such a conflict would arise when the employee, any member of his immediate family, business partner or any organization that employs, or is about to employ, any of the above, has a financial interest or other interest in the firm selected for award.
4. To promote free and open competition, technical specifications shall be prepared to meet the minimum legitimate need of the City and to the extent possible, will not exclude or discriminate against any qualified contractors.
5. No employee shall solicit or accept favors, gratuities, or gifts of monetary value from actual or potential contractors or subcontractors.
6. Employees must maintain strict confidentiality in the procurement process and shall not impart privileged information to any contractors that would give them advantage over other potential contractors.

7. Personal purchases for employees by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases. Employee purchase programs may be established with vendors with prior approval from the Mayor, provided that the vendor provides similar programs to employees of other private entities.

### **GENERAL GUIDELINES**

These general guidelines shall be adhered to as closely as possible by all departments in the procurement of goods and services.

1. Procurements are classified into the following two major categories:
  - Purchasing Goods is defined as equipment, furnishings, supplies, materials and vehicles or other rolling stock. The rental, leasing of these items is also considered to fall within this category and the cost shall be determined by considering the maximum total expenditure over the term of the agreement.
  - Purchase of Services is classified into additional categories of professional services, contractor services, construction services and combined goods and service contracts.
2. Buy Local - It is the desire of the City to purchase locally when possible. This can be accomplished by ensuring that local vendors who have goods or services available are included in the competitive solicitation process that will precede major purchases. It is also the desire of the City to purchase from disadvantaged enterprise businesses whenever possible as defined by Wisconsin Statute 84.06(1).
3. Cooperative Procurement Programs – Departments are encouraged to use cooperative purchasing programs sponsored by the State of Wisconsin or other jurisdictions. Purchases of goods and services secured through these programs are considered to have met the requirements of competitive procurement outlined in this policy. Additionally, if identical products can be obtained at a lower price than current cooperative purchasing contracts, no additional quotes are required.
4. Purchasing Oversight – Department heads have the responsibility for procurement issues in their individual departments. A department head is defined as the City employee having responsibility for the department on behalf of which moneys were appropriated in the City budget for purchases.
5. Emergencies – When an emergency situation does not permit the use of the competitive process outlined in the policy, the applicable department head, Finance Director and Mayor may determine the procurement methodology most appropriate to the situation. Appropriate documentation of the basis for the emergency should be maintained and filed with the City Clerk. All emergency purchases exceeding \$50,000 shall require the Department Head to provide written notice to the Common Council.
6. Identical Quotes or Bids – If two or more qualified bids/quotes are for the same total amount or unit price, and quality or service is considered equal the contract shall be awarded to the local bidder. Where this is not practical the contract will be awarded by drawing lots in public.
7. Serial Contracting – No contract or purchase shall be subdivided to avoid the requirements of this policy. Serial contracting is the practice of issuing multiple purchase order to the same vendor for the same good or service in any 90 day period in order to avoid the requirements of the procurement policy.
8. Purchase Orders – Shall be issued for all purchases of goods and services in excess of \$5,000 unless such payment is authorized by a written contract or agreement.
9. Policy Review – This policy will be reviewed by the Finance Committee every two years or sooner at the discretion of the Common Council.

10. Protest Procedures – Any interested party who wishes to protest at any point in the procurement process, evaluation, award, or post-award, may do so. An “interested party” must, however, be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract. Protests must be submitted timely, in writing to the City Clerk, 407 Grant Street, Wausau WI 54403 but no later than five (5) working days following the City’s procurement decision. The protest must contain a detailed statement of the grounds for the protest and any supporting documentation. Upon the receipt of the written protest, the City Clerk will notify the City Attorney and Finance Director who will work to resolve the matter within five (5) working days. If the protester is not satisfied and indicates the intention to appeal to the next step the award will be temporarily suspended unless it is determined that: 1)the item to be procured is urgently required; 2) delivery or performance will be unduly delayed by failure to make the award promptly; 3) Failure to make the prompt award will otherwise cause harm to the City; or 4) The protest has no merit. If the protester wishes to appeal the decision of the City Attorney and Finance Director the matter will be forwarded to the City of Wausau Finance Committee and the Common Council for the ultimate local disposition.

### **PURCHASE OF GOODS**

1. Purchase of Goods under \$5,000 – may be made based on the best judgment of the department head or division director. However, it is recommended that competitive quotes be obtained. Specific procurement documentation is not required.
2. Purchase of Goods \$5,000 to \$25,000 – requires department head approval PRIOR to placing the order and the issuance of a purchase order. The cost of the purchase must have been included within the approved department budget. The department **MUST** obtain (3) three written quotations, if possible. Quote summary, request for quote documentation and written quotes must be submitted to the Finance Department with the purchase order request. Purchase orders will not be processed without the proper documentation.
3. Purchase of Goods in excess of \$25,000 – a formal bid process is required.
  - a. Requests for such bids shall be formally noticed. All notices and solicitations of bids shall state the time and place of the bid opening.
  - b. All bids shall be submitted sealed to the City Official designated in the bid packet and shall have the bid name and date identified on the envelope.
  - c. All sealed bids shall be opened and recorded by the Board of Public Works. The department head shall be responsible for the preparation of all plans, bid specifications, notices and advertising. Prequalification of bidders may be done at the discretion of the department head. A tabulation of bids received shall be available for public inspection. The Board of Public Works shall have the authority to award the contract when the costs of the purchase have been included within the approved City budget. Purchases that do not meet this criteria and are not otherwise authorized by law, rule or regulation, shall be authorized separately by the Common Council. All bid documentation shall be placed on file with the City Clerk.
  - d. In general, the contract shall be awarded to the lowest priced responsible bid, taking into consideration the following factors: the qualities of the goods supplied, conformity with specifications, product compatibility, maintenance costs, vendor support and delivery terms. Written documentation or explanation shall be required if the contract is awarded to other than the lowest responsible bidder. This documentation will include a justification as to why it was in the City’s best interest to award the contract to other than the lowest responsible bidder.
4. Commodities \$5,000-\$50,000 – commodities subject volatile pricing, such as fuel, shall ~~may~~ seek competitive purchase via written quotes. These purchases require department head approval prior to placing the order and the issuance of a purchase order. The cost of the purchase must have been included within the approved department budget. The department must document efforts to obtain (3) written quotations, if possible. Quote summary, written quotes and any other available documentation must be submitted to the Finance Department with the purchase order request.
5. The department head shall administer the purchase.

6. The following items must be purchased using a centralized purchasing process:
  - a. Copiers - coordinated by the CCITC.
  - b. Computer hardware/software - coordinated by CCITC.
  - c. Cellular telephone, telephones, security cameras and similar communication and technology equipment – coordinated by CCITC.
  - d. Furniture – coordinated by Department of Public Works.
  - e. Office Supplies – coordinated by the Finance Department.
  - f. Janitorial Services – coordinated by Department of Public Works.
  - g. Vehicles and other rolling Stock – coordinated by Department of Public Works.
  - h. Facility Maintenance, Repair and Improvement – coordinated by Department of Public Works.

### **PURCHASE OF SERVICES**

Whenever practical the purchase of services should be conducted based upon a competitive process:

- Contractor services is defined as the furnishing of labor, time or effort by a contractor, usually not involving the delivery of specific goods or products other than those that are the end result of and incidental to the required performance. Examples of contractor service include: refuse and recycling collection, snow removal, EMS billing services, janitorial, elevator maintenance, mailing, or delivery services. Contractor services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines. The cost shall be determined by considering the maximum total expenditure over the term of the contract.
- Construction services is defined as substantial repair, remodeling, enhancement construction or other changes to any City owned land, building or infrastructure. Procedures found with in State of Wisconsin Statute 62.15 and Wausau Municipal Code 12.08 shall take precedence. In absence of guidance in these areas, construction services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines.
- Combined Goods and Services in situations where the purchase combines goods and services (exclusive of construction and contractor services), such as many technology projects, the purchase shall be treated as a purchase of professional services.
- Professional services is defined as consulting and expert services provided by a company, organization or individual. Examples of professional services include: attorneys, certified public accountants, appraiser, financial and economic advisors, engineers, architect, planning and design. Professional services are generally measured by the professional competence and expertise of the provider rather than cost alone.
  1. If it is estimated that the service being solicited has a total cost of over \$25,000 a formal Request for Proposal shall be used to solicit vendor responses. The department head shall be responsible for the preparation of all Requests for Proposal specifications, notices and advertising. Prequalification of proposers may be done at the discretion of the department head.
    - a) The Purpose of an RFP is to solicit proposals with specific information on the proposer and the service offered which will allow the City to select the best proposal. The best proposal is not necessarily the proposal with the lowest cost.
    - b) Based upon the services or project and the magnitude of the outcome a selection committee may be advisable.
    - c) Requests for proposals shall be formally noticed. All notices and solicitations of proposals shall state the time and place of the proposal opening.
    - d) Information to be requested of the proposer should include: Years of experience in the area

desired services, financial strength of the company, examples of similar services/projects completed, resumes of staff associated with the project/service, list of references, insurance information, In addition the proposal should provide information about the City, scope of

services requested and desired outcomes or deliverables. The proposal should also identify evaluation factors and relative importance.

- e) Establish selection criteria and include this information with the RFP. It is generally advisable to establish a numeric ranking matrix. This reduces the subjective nature of the rating process.
  - f) Proposals should be solicited from an adequate number of qualified sources. Requests for proposal should be formally noticed. All notices and solicitations should provide the issue date, response due date, date and time of opening responses and a contact person.
  - g) Proposals shall be opened and recorded by the Board of Public Works. A tabulation of proposals received shall be available for public inspection. All proposal documentation shall be placed on file with the City Clerk. The Department Head and selection committee (if applicable) will then review the proposals and make a selection.
- Service contracts or agreements should be reviewed by the City Attorney and placed on file with the City Clerk.

### **SOLE SOURCE**

Purchase of goods or services under \$25,000 may be made without competition when it is agreed in advance between the Department Head and Finance Director. Sole source purchasing should be avoided unless it is clearly necessary and justifiable. The justification must withstand public and legislative scrutiny. The Department Head is responsible for providing written documentation justifying the valid reason to purchase from one source or that only one source is available. Sole source purchasing criteria include: urgency due to public safety, serious injury financial or other, other unusual and compelling reasons, goods or service is available from only one source and no other good or service will satisfy the City's requirements, legal services provided by an attorney, lack of acceptable bids or quotes, an alternate product or manufacturer would not be compatible with current products resulting in additional operating or maintenance costs, standardization of a specific product or manufacturer will result in a more efficient or economical operation, aesthetic purposes or compatibility is an overriding consideration, the purchase is from another governmental body, continuity achieved in a phased project, the supplier or service demonstrates a unique capability not found elsewhere, economical to the city on the basis of time and money of proposal development.

1. Sole source purchase under \$5,000 shall be evaluated and determined by the Department Head.
2. Sole source purchase of \$5,000 to \$25,000 a formal written justification shall be forwarded to the Finance Director who will concur with the sole source or assist in locating additional competitive sources.
3. Sole source purchase exceeding \$25,000 must be approved by the Finance Committee.

### **BUDGET**

All purchases shall be made in accordance with the budget approved by the Common Council. The department head has the responsibility for managing departmental spending to ensure the line item budget is not overspent and for initiating Transfer of Funds Requests when appropriate.

### **CONTRACT AUTHORIZATION**

The Mayor is authorized to enter into contracts on behalf of the City of Wausau if the contracts meet the following criteria:

1. Purchase of Goods – The City may purchase equipment, furnishings, goods, supplies materials and rolling when the costs of the same have been included in the approved City Budget.
2. Purchase of Services – The City may contract for the purchase of services without Council resolution when ALL of the following conditions have been met:
  - a) The funds for services are included in the approved City budget.
  - b) The procurement for services complies with the procurement policy.
  - c) The City Attorney has reviewed and approved the form of the contract.
  - d) The contract complies with other laws, resolutions and ordinances.
  - e) The contract is for a period of one year or less, or the contract is for a period of not more

than three years and the annual average cost of the services does not exceed \$25,000.

3. The following contracts require council approval:
  - (a) Collective Bargaining Agreements – Any contract between the City of Wausau and any collective bargaining unit representing City employees.
  - (b) Real Estate Purchases – Contracts for the sale or purchase of real estate where the City of Wausau is the proposed seller or purchaser. Council approval is **not** required for commencement of foreclosure action to collect a loan or other debt owed to the City when the debtor has failed to cure any default in payment of the loan or other obligation.
  - (c) Leases – Contracts for lease of real estate where the City is either a proposed landlord or a proposed tenant exclusive of airport hangar, parking stall rentals and short term park facilities rentals.
  - (d) Easements and Land Use Restrictions – Contracts for easements, restrictive covenants or other limitations which may be placed upon the use of any City-owned property.
  - (e) Intergovernmental Contracts – Contracts between the City of Wausau and other local, state or federal governments or agencies except, cooperative purchasing agreements.
  - (f) Development Agreements – Contracts for the provision of infrastructure, financial assistance or other incentives by the City for the benefit of a developer or business venture.
  - (g) City Services – Contracts whereby the City of Wausau agrees to provide services to another party.
  - (h) Managed competition, outsourcing contracts – Contracts for labor or personal services to be performed by persons who are not city employees for work that has been performed by city employees within the past five (5) years and the contract will result in the elimination of positions and the layoff of personnel.
4. The common council delegates contract approval to the department level for the following:
  - (a) Community Development Housing and Commercial Development Loans and Grants issued from grants and related program income.

Contracts shall be signed by the Mayor and counter-signed by the City Clerk, City Finance Director and City Attorney. The City Finance Director shall certify that funds have been provided by the Council to pay the liability that may be incurred under the contract. The City Attorney shall approve the contract as to form and the City Clerk shall attest to the Mayor's signature. Contract change orders may be signed by the Board of Public Works as long as the change order does not materially change the work performed and funds are available within the budget.

H:\fwcommon\financialpolicies\procurementpolicy.wpd

**RESOLUTION OF THE PLAN COMMISSION**

Amending the precise implementation plan for 901 North 6<sup>th</sup> Street to allow for a counseling agency.

Committee Action: Approved 5-1

Fiscal Impact: None.

**File Number:** 14-0409

**Date Introduced:** April 22, 2014

**WHEREAS**, the Plan Commission met on April 15, 2014, to review a request to amend the precise implementation plan for 901 North 6<sup>th</sup> Street to allow for a counseling agency, in an Unified Development District; and

**WHEREAS**, the petitioners have been working with a licensed commercial contractor to assess the condition of the building and its suitability for office use; and

**WHEREAS**, the proposed use would minimally alter the building from its current state; and

**WHEREAS**, the use as a small counseling office is less intrusive than that of a restaurant, and will likely fit better with the neighborhood than the previous use; and

**WHEREAS**, the proposed use would be more in line with normal, weekday business hours, with minimal weekend use; and

**WHEREAS**, the 19-stall parking lot is larger than what is needed initially for the business, leaving room for them to expand; and

**WHEREAS**, the petitioners have initiated face-to-face neighborhood outreach to introduce the proposed use to surround property owners; and

**WHEREAS**, staff does not feel that a public hearing is required for the proposed amendment; now therefore

**BE IT RESOLVED** that the Common Council of the City of Wausau hereby approves the precise implementation plan for 901 North 6<sup>th</sup> Street to allow for a counseling agency, with the following condition:

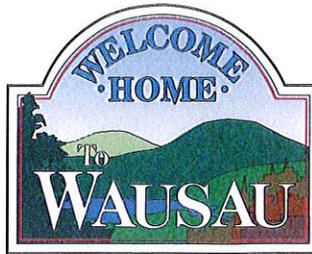
- 1) New signage is approved by the Zoning Administrator, based on residential zoning standards.

Approved:

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

#10

Department of Public Works  
Planning Division



Brad Lenz, AICP  
City Planner

## MEMO

TO: Members of City Plan Commission

FROM: Brad Lenz, City Planner *BL*

DATE: April 7, 2014

SUBJECT: Amend Unified Development District at 901 N. 6<sup>th</sup> Street (former Wright Place)

\*\*\*\*\*

A Unified Development District (UDD) was established at 901 N. 6<sup>th</sup> Street in 2006 for the Wright Place restaurant. The restaurant has been closed for nearly two years and the building has been vacant since. The current proposal is to use the building for a small counseling agency. Please see the attached letter from the petitioner describing the project.

From the Wausau Municipal Code (23.65.040), the approval of a unified development proposal shall be based upon determination as to compliance with the following criteria:

- (a) That the proposed development is consistent with the spirit and intent of these regulations, has been prepared with competent professional advice and guidance and produces significant benefits in terms of improved environmental design to justify the application of the unified development concept;
- (b) That the site development plan reflects sensitive consideration of the physical nature of the site with particular concern for conservation of natural features, preservation of open space and careful shaping of terrain to minimize scarring, and insures proper drainage and preservation of natural terrain wherever appropriate;
- (c) That the general character and intensity of use of the development produces an attractive environment appropriate to the uses proposed, and is compatible with existing development in the surrounding area and with general community development plans and policies;

(d) That the development can be provided with appropriate municipal services and would not conflict with or cause overload on such facilities as schools, highways, police, fire or utility services;

(e) That proposed design standards provide adequately for practical functioning and maintenance, based on actual functional need, in terms of circulation, parking, emergency services, delivery services and snowplowing;

(f) That adequate provision has been made to insure proper maintenance and preservation of any common areas provided for the recreation and esthetic enhancement of the development.

Below are staff comments on the above standards for UDD approval. Since the UDD was previously approved and established, and the current petition is for an amendment to the approved plans, staff feels most of the criteria from the previous approval carry forward to the new development.

The proposed use would minimally alter the building from its current state. In the future, the petitioner may add an interior partition, and/or convert the current kitchen, to add more office space. The petitioners have been working with a licensed commercial contractor to assess the condition of the building and its suitability for office use. The exterior would essentially stay the same, other than a new sign and minor maintenance updates.

The use as a small counseling office is less intensive than that of a restaurant, and will likely fit better with the neighborhood than the previous use. The 19-stall parking lot is larger than what is needed initially for the business (i.e., 12 spaces), leaving room for them to expand. The previous restaurant with a capacity of approximately 50 people frequently required more parking than the lot afforded. The restaurant was also open later into the evenings and had regular weekend hours. The proposed use would be more in line with normal, weekday business hours, with minimal weekend use.

The petitioners have initiated face-to-face neighborhood outreach to introduce the proposed use to surrounding property owners. Staff feels this method is more effective than the public notices sent in the mail by the City. Therefore, staff does not feel that a public hearing is required for the proposed amendment.

Staff recommends approval of the zoning change to allow for the counseling agency as proposed, with the condition that new signage is approved by the Zoning Administrator, based on residential zoning standards.

April 1, 2014

To the Planning Commission, Wausau

### Synopsis of The Centre for Well-Being's Expansion Plan

The Centre for Well-Being, Incorporated is a small counseling agency in Wausau, WI for 22 years. It currently is supported by 3 mental health therapists (1 full time and 2 part-time) in a small office suite on the 3<sup>rd</sup> floor of Washington Square. With the intention of expansion, an additional full time therapist (who will also become a co-owner) will be added to the group in June 2014, and within the next 2 years, the addition of 2-3 additional part time therapists. Serenity Now (a massage school and therapy studio) has also requested space in the new expansion.

For this reason, The Centre for Well-Being has located a suitable space for this expansion at 901 N. 6<sup>th</sup> Street (previously the Wright Place). The new space has 19 parking spaces behind the building, and there are currently 5 'office-like' spaces along with the previously large dining room, which would comfortably offer 2 additional office spaces if an additional wall would be placed mid-center room. In the future (no sooner than 1 year's time), the space which previously held the large commercial kitchen could be remodeled to hold 2- 4 additional offices if need be. PDM Construction has been in consultation with the co-owners of The Centre for Well-Being to identify possible immediate and future options for the building, and it has been determined that any remodeling could be done within the existing structure.

With regards to parking and clientele, there would be approximately 8-12 cars in the parking lot at any given time that The Centre would be open. Currently, The Centre's predominant hours of operation are from 8:30 am – 7:30 pm Monday through Thursday, and 8:30 am – 4:30 pm on Fridays. Saturdays and Sundays are by special arrangement with individual therapists, and there are occasional evening hours when staff are working in the building in their offices.

The current office space held by The Centre for Well-Being is amidst other close-by office spaces. We have generally been a very quiet group, have a clientele who are predominantly individuals and families and serve many professionals in the area. We can offer letters of reference (if desired) relative to how we have conducted our business amongst other small businesses for many years.

901 N. 6<sup>th</sup> Street is an ideal location for our business needs now and in the future. In addition, the quiet, private, neighbor-hood 'feel' of the building and location, in addition to the back parking lot, offers much to maintain the confidentiality of our clientele as well as offer a very comfortable, home-like atmosphere which is through-out the rooms in the building.

We look forward to meeting with the Planning Commission of Wausau on April 15<sup>th</sup> to answer further questions about our needs and plans. We are in the process of creating a letter and intend to hand-deliver this letter door-to-door in the vicinity of the building in order to introduce ourselves, the business, and discuss our desire and intentions for moving. We will make sure to record comments and offer our phone number in order for people to ask further questions, and if desired, see our current office as well.

We are very hopeful to move forward with our expansion and new business 'home'.

Thank you!

Noreen Salzman MSW LCSW  
Co-Owner, The Centre for Well-Being, Inc.