



## 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, July 8, 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: WSD Superintendent Kathleen Williams & Franklin School Principal Jon Euting**

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
14-0501		Minutes of previous meetings. (5/13/14 & 5/27/14)	
01-0842	CISM	Resolution Approving Jurisdictional Transfer Agreement for Surplus Right-of-Way Property – STH 52 and STH 29 from the Wisconsin DOT	Approved 5-0
11-0104	CISM	Resolution Approving Renewal of North Central Wisconsin Stormwater Coalition Cooperative Agreement	Approved 5-0
14-0704	CISM	Resolution Approving State/Municipal Agreement for South 1st Avenue, Thomas Street to Stewart Avenue	Approved 5-0
14-0707	CISM	Resolution Approving State/Municipal Agreement for Townline Road, Grand Avenue to Easthill Drive	Approved 5-0
14-0712	CISM & PLAN	Joint Resolution Accepting dedication of right-of-way for the extension of 80th Avenue	Approved 5-0 Approved 5-0
13-0309	FIN	Ordinance Amending 3.40.010 Fees and licenses schedule	Approved 4-0
14-0708	PLAN	Resolution approving a conditional use at 1500 Merrill Avenue to allow for an educational academy, in a B2, Community Service District.	Approved 5-0
14-0710	PLAN	Resolution Approving a conditional use at 402 North 3rd Avenue to allow for a digital message center sign in an R-3 District (First English Lutheran Church)	Approved 5-0
14-0709	P&T	Ordinance Establishing mid-block crosswalk between 500 N. 72nd Avenue (Eastbay) and 401 N. 72nd Avenue (formerly Award Hardwood Floors)	Approved 5-0
14-0711	P&T	Ordinance Authorizing installation of stop signs for eastbound and westbound traffic on Elm Street at North 2nd Avenue	Approved 5-0
14-0713	P&T	Ordinance Designating "one-way" traffic flow in the alley bounded by Hamilton Street, Adams Streets and 6th and 7th Streets	Approved 5-0
01-0115	PH&S	Resolution keeping the relocation of District 3 & District 10 Polling Place from the Rose Garden Banquet Hall to Marathon Park East Gate Hall for the 2014 Elections.	Approved 5-0
14-0108	PH&S	Resolution Approving or Denying Various Licenses as Indicated	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
14-0703		Confirmation of Mayor's Appointments.	
02-1005	CISM	Resolution Approving two lane/four lane cross section for the Thomas Street Project with four lanes from the river to 3rd Avenue and two lanes from 3rd Avenue to 17th Avenue including turn lanes	Approved 3-2
02-1005	CISM	Resolution Approving the purchase of additional property for the purpose of either future expansion of Thomas Street or economic development.	Approved 4-1
14-0705	CISM	Resolution Approving design of 1st Street from the day lighted stream north to Bridge Street	Approved 5-0
14-0706	CISM	Resolution Approving the installation of decorative street lighting on McClellan Street from 1st Street to 7th Street and on Grant Street from 1st Street to 3rd Street	Approved 5-0
08-0710	FIN	Resolution approving amendment to Parking Space Lease Agreement between City of Wausau and Murdock Wausau Limited Properties	Approved 5-0

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

Signed by James E. Tipple, Mayor

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 07/02/14 @ 4:00 pm. Questions regarding this agenda may be directed to the City Clerk.

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, May 13, 2014, at 7:00 pm in the Council Chambers at City Hall.  
Mayor Tipple presiding.

**Roll Call**

05/13/2014 7:09:42 PM

Roll Call indicated 11 members present.

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

**Presentations:**

Mayor Tipple presented a Certificate of Appreciation to David Piehler, for his service on the Community Development Authority for 12 years, from 2002 – 2014, and six of those years serving as chairman. He noted Mr. Piehler has attended 121 meetings for the city at the CDA facility. Piehler commented the CDA is not well known within the city, although we've done over \$13 million in renovation to elderly and low income housing in the last three years and the stock that we have for that purpose is well positioned now to serve residents for the next 20 or 30 years. The CDA also does environmental and blight remediation and he urged continuing support for the CDA and its mission.

**Proclamation:**

Mayor Tipple proclaimed the month of *May 2014*, as *Building Safety Month*, and encouraged all citizens to join their communities in the participation in Building Safety Month activities.

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

- 1) Deb Ryan, 702 Elm St, spoke regarding Public Access and programming what she felt should be on it, such as all committee meetings, police education, watermain, waste water, energy conservation, gardening, and really showcase what Wausau is all about. She felt the city needed to address public information.

**Communications**

- 1) Mayor Tipple introduced and welcomed the new Fire Chief, Tracey Kujawa.
- 2) Abitz stated the Southwest Jones District Neighborhood Group will be having a meeting on, Wednesday, May 21, 2014, at 5:30 p.m., at GD Jones School. Jon Kindarski, Wausau PD, indicated he would be putting on a program about how to make our homes safer as far as the exterior goes.
- 3) Oberbeck stated there was a possible meeting regarding Brockmeier Park for the west side, tentatively scheduled for May 28, 2014 at Stettin School. He indicated there will be a notice when confirmed.

**Consent Agenda**

05/13/2014 7:26:00 PM

Motion by Nutting, second by Abitz to adopt all items on the consent agenda as follows:

**14-0401** Minutes of previous meetings. (04/08/14 & 04/15/14)

**91-0917** Ordinance of the Park & Traffic Committee amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces.

**10-1110** Ordinance of the Parking & Traffic Committee designating at 15-minute parking stall adjacent to 311 Garfield Avenue beginning 42 feet east of the intersection of Garfield Avenue and 4th Avenue and extending east 22 feet.

**10-0407** Ordinance of the Parking & Traffic amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces.

**14-0504** Resolution of the Plan Commission approving a conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District.

**02-0423** Resolution of the Public Health & Safety Committee authorizing live outdoor music prior to Wisconsin Woodchucks games at Athletic Park.

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

**13-0612** Ordinance of the Public Health & Safety Committee amending Section 5.62.030 Exemptions and Section 5.62.060 Restrictions on Vending.

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

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

**14-0505 Amendment**

05/13/2014 7:28:29 PM

Motion by Rasmussen, second by Abitz to amend the Resolution of the Plan Commission approving a conditional use at 835 South 66<sup>th</sup> Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District, contingent upon review for Second Hand Dealer License with Clerk and Attorney's Offices.

Rasmussen stated this particular type of business, oftentimes when it involves the re-sale of previously owned property, falls under the requirement of needing a Secondhand Dealer's License.

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

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

**14-0505**

05/13/2014 7:28:48 PM

Motion by Rasmussen, second by Abitz to adopt a Resolution of the Plan Commission approving a conditional use at 835 South 66th Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District.

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

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

9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**14-0503**

05/13/2014 7:30:35 PM

Motion by Nutting, second by Abitz to approve the Mayor's appointments to the BID Board, Board of Review, Building Advisory Board, N2N Committee, Plan Commission, and Police & Fire Commission.

Oberbeck questioned what the process was for individuals on committees that have expired terms. Tipple stated that currently people who are on committees but have expired terms continue to serve until they are re-appointed, quit or are replaced.

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

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

**01-1213**

05/13/2014 7:31:17 PM

Motion by Winters, second by Wagner to adopt a Resolution of the Finance Committee approving Project Fund Agreement and Application for Program/Fiscal Sponsorship between the City of Wausau and Community Foundation of North Central Wisconsin to fund the proposed Wausau Area Access Channel Production Fund.

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

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

**14-0507**

05/13/2014 7:34:20 PM

Motion by Wagner, second by Mielke to adopt a Resolution of the Parking & Traffic Committee designating No Right Turn on Red signage for northbound 17th Avenue traffic at the W. Bridge Street Intersection.

Oberbeck questioned how this will affect traffic coming down 17<sup>th</sup> Avenue when it is backed up. He had concerns when roads are icy and vehicles are sitting in the turn lane. It is a very busy corner at certain hours and he felt it could cause more traffic problems than it helps. Wagner indicated there would be a time limit on the no right turn from 6:00 AM to 6:00 PM. He explained the purpose is to help residents get out of their driveways at the first four properties. He stated it is only suggested as a trial period to see if it will take care of the problem.

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

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

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

**14-0506**

05/13/2014 7:34:55 PM

Motion by Gisselman, second by Rasmussen to adopt an ordinance of the Plan Commission Rezoning 2105 North 2<sup>nd</sup> Street from M1, Limited Industrial District and 2102 North 2<sup>nd</sup> Street from M2, General Industrial District, to B2, Community Service District.

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

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

**14-0506**

05/13/2014 7:35:25 PM

Motion by Gisselman, second by Nutting to adopt a Resolution of the Plan Commission approving a conditional use at 2105 North 2<sup>nd</sup> Street to allow for outdoor dining, in a B2, Community Service District.

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

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

**14-0508**

05/13/2014 7:39:27 PM

Motion by Wagner, second by Neal to adopt an ordinance of the Public Health & Safety Committee creating Section 8.08.011 Keeping of honey bees.

Nagle stated he did not think it was in keeping with our charge to protect the public health, safety and welfare of our citizens to allow stinging insects within the corporate limits, especially in the denser neighborhoods. Rasmussen stated it was well vetted in committee and we have written in lot size requirements, as well as distances from homes and lot lines into the ordinance. The number of hives is restricted; barriers to keep children away and fly away barriers. She indicated the request came from the Community Garden. Permits will be issued and issues handled by the Humane Officer.

Yes Votes: 9      No Votes: 2      Abstain: 0      Not Voting: 0      Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	YES

3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**82-1252**

05/13/2014 7:41:55 PM

Motion by Neal, second by Rasmussen to adopt an ordinance of the Public Health & Safety Committee amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include keeping of honey bees violations.

Yes Votes: 9      No Votes: 2      Abstain: 0      Not Voting: 0      Result: PASS

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

**13-0309**

05/13/2014 7:42:34 PM

Motion by Wagner, second by Abitz to adopt a Resolution of the Public Health & Safety Committee authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Section 8.08.011 Keeping of honey bees.

Yes Votes: 9      No Votes: 2      Abstain: 0      Not Voting: 0      Result: PASS

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

**14-0509**

05/13/2014 7:44:16 PM

Motion by Rasmussen, second by Wagner to adopt an ordinance of the Public Health & Safety Committee creating Chapter 5.19 Escorts and Escorts Services.

Rasmussen explained this addresses the problem much better than having the police department conduct stings in which they must get people that place fake ads to show up and say certain things in order to make their arrests. She noted the Fox Valley tried this first and found that it worked and made an impact. She indicated Weston and Schofield have now adopted it, so she felt we should give it a try and allow our law enforcement professionals to partner with others in the area.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES

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

**14-0510**

05/13/2014 7:45:01 PM

Motion by Rasmussen, second by Kellbach to adopt an ordinance of the Public Health & Safety Committee creating Section 9.04.135 Prostitution - adopting state prohibition and prohibiting other related conduct.

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

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

**82-1252**

05/13/2014 7:45:47 PM

Motion by Neal, second by Kellbach to adopt an ordinance of the Public Health & Safety Committee amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include violations of escort and escort services licensing requirements and prostitution violations.

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

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

**13-0309**

05/13/2014 7:46:31 PM

Motion by Rasmussen, second by Neal to adopt a Resolution of the Public Health & Safety Committee authorizing the addition of fees to the city of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Chapter 5.19 Escorts and Escort Services.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES

6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**Public Comments or Suggestions (for items not appearing on the agenda).**

- 1) Bernie Delonay, 1405 Holibush Ln, stated as far as Wausau Community Foundation is concerned over Public Access, even giants have feet of clay.
- 2) Nutting stated earlier tonight the Council approved the conditional use permit for the Community Corner Clubhouse and he wanted to say what an important organization it was and asked someone to speak regarding it.
- 3) Michelle Azuka, 319 N 3<sup>rd</sup> Ave, stated the Community Corner Clubhouse is a program of Northcentral Health Care and has been around for 18 years serving adults with mental health and/or addiction issues. The program is voluntary for people to come in and participate as needed. They get assistance with basic needs, such as housing or access to food; completing entitlements; or looking for work.

**Adjournment**

05/13/2014 7:50:07 PM

Motion by Nutting, second by Abitz to adjourn. Meeting adjourned a 7:50 p.m.

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

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

James E. Tipple, Mayor  
Toni Rayala, City Clerk

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, May 27, 2014, at 7:00 pm in the Council Chambers at City Hall  
Mayor Tipple presiding.

**Roll Call**

05/27/2014 7:24:27 PM

Roll call indicated 11 members

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

**Presentation: Hotel Market Study and future planning activities (Stantec)**

Jay Demma and Paul Bilotta, Planners with Stantec, presented the East Riverfront District Hotel Analysis and reviewed conceptual drawings (*Report on file in Clerk's Office*). Demma noted they are in the process of building a specialized website with previous studies, current concept plans, and market studies, which will be interactive for the public to comment and provide feedback. An open house will also be scheduled for late June.

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

Deb Ryan, 702 Elm St, spoke regarding the budget modification for the lighting on Scott Street, and although she liked the idea, she felt they needed to start cutting the spending. She also commented on CBL and the Wausau Center Mall, noting other downtown business are struggling, too. She suggested the county move their offices into the mall.

**Communications & Committee Reports**

Mayor Tipple stated on Friday the Woodchucks will open the season with their first game. He stated the owner, Mark Macdonald, has put \$2.9 million of his own money into the stadium and is partnering with the park just outside the stadium.

**Consent Agenda**

05/27/2014 8:15:17 PM

Motion by Nutting, second by Wagner to adopt all items on the consent agenda as follows:

**14-0511** Resolution of the Capital Improvements and Street Maintenance Committee authorizing Sale of 541 Evergreen Road

**14-0512** Resolution of the Capital Improvements and Street Maintenance Committee Approving utility easement at 320 Grant Street - Yawkey Park (Wisconsin Public Service)

**14-0513** Resolution of the Capital Improvements and Street Maintenance Committee approving construction of a building on an existing easement at 707 3rd Street (YMCA)

**14-0514** Resolution of the Finance Committee to Execute a Contract with (MTM) Medical Transportation Management to Provide Ambulance transport Services to Medicaid and Badger Care Plus Patients.

**13-0309** Resolution of the Finance Committee Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for section 8.08.011 Specialty Care Transport Fees.

**08-0609** Resolution of the Park & Recreation Committee Authorizing Temporary Easement Agreement - Athletic Park Parking (Wilson-Hurd).

**75-0825** Ordinance of the Park & Recreation Committee Amending Section 12.56.130 Appeal from order of city forester to replace County Park Commission with Park & Recreation Committee as the appeal body.

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

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

**14-0503**

05/27/2014 8:17:02 PM

Motion by Gisselman, second by Neal to confirm the Mayor's appointment to the Community Development Authority.

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

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

**13-1109**

05/27/2014 8:17:33 PM

Motion by Wagner, second by Abitz to adopt Resolution of the Finance Committee approving 2014 Budget Modification for the Purchase of 16 Portable Radios and Ancillary Equipment for the Fire Department.

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

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

**13-1109**

05/27/2014 8:23:00 PM

Motion by Winters second by Rasmussen to amend the Joint Resolution of the Capital Improvements & Street Maintenance and the Finance Committees approving 2014 Budget Modification Purchase and Installation Low Level Lighting on the 600-900 Blocks of Scott street, for an increase of \$80,290.

Mielke questioned what the reason for the increase was. Marquardt explained because of the boring of the other two blocks that are not under construction came in quite a bit higher than we estimated. A directional bore to save the trees, sidewalk and drive approaches was \$40 more than putting the conduit in where the street is under construction.

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

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

**13-1109**

05/27/2014 8:23:17 PM

Motion by Rasmussen, second by Gisselman to adopt a Joint Resolution of the Capital Improvements & Street Maintenance and the Finance Committee Approving 2014 Budget Modification Purchase and Installation Low Level Lighting on the 600-900 Blocks of Scott Street as amended on council floor.

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

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

**14-0413**

05/27/2014 8:27:17 PM

Motion by Rasmussen, second by Oberbeck to approve a Joint Ordinance of the Capital Improvements & Street Maintenance Committee and the Plan Commission Annexing territory from the Town of Weston to the City of Wausau - NWA Holdings LLC - 2221 Northwestern Avenue.

Wagner questioned what the property annexed will be zoned. Brad Lenz stated it will come in as R1, Single Family District, if the zoning is not established. In this case, he had come in for a UDD zoning, previously for the part that was in the city, but he would have to come back for this piece of property to get that zoning. He would also need to bring back more precise plans of what was presented to Council before. He indicated a public hearing would be required for the zoning and the neighbors will be notified when he brings back the precise plan.

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

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

Motion by Rasmussen, second by Nutting to adopt a Joint Resolution of the Capital Improvements & Street Maintenance and the Plan Commission approving Amendment to Relocation Order and Map for the construction of Curling Way from its current termini north to Junction Street.

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

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

**Suspend the Rules**

Motion by Nagle, second by Mielke to Suspend the Standing Rules of the Common Council, specifically: Rule 1 D. Transmission of Committee Business to the Council.

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

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

**14-0410**

Motion by Nutting, second by Nagle to adopt a Joint Resolution of the Finance and Economic Development Committees authorizing Developer Agreement with CBL & Associates Properties for a five year period beginning July 1, 2014 and extend the Special Letter of Agreement adopted in 2011 for a two year period ending December 31, 2016.

Rasmussen stated this resolution is a product of compromise of the committees and CBL. She explained our intention was that we would collaborate with them and form a partnership so that we could first stabilize the situation at the Wausau Center Mall and then seek to redevelop and redefine what the experience of the mall and downtown really is. She indicated in committee they added some important safeguards to the agreement, so even though the agreement is worth \$755,000, we require that they secure a 10 year lease from a retailer for the empty JC Penney space. Also, that they make a commitment to us to undertake phase II of the redevelopment effort and that all of these funds be diverted to tenant improvements, incentives and inducements to either retain their existing tenant base or attract new ones.

Oberbeck felt the action tonight was to give us some time to look into the future. We are looking at CBL to come to the table and start discussing a development agreement that moves this mall or whatever it might be into the future. Shopping has changed over the last 30 years since the mall was built and people acquire with things with different means. He felt we need to state to CBL that this is an investment and they need to step forward and share their ideas.

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

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

**11-0307**

05/27/2014 8:42:24 PM

Motion by Neal, second by Wagner to adopt a Joint Resolution of the Economic Development and Finance Committees approving a Development Agreement between the City of Wausau and Apogee Wausau Group, Inc. to finance the relocation of manufacturing capabilities and product lines to the Wausau Window & Wall campus located at 7800 International Drive, Wausau WI 54401

Rasmussen commented it is important of us to recognize this is a step forward for us because it does really help Wausau Window & Wall Systems expand and add 124 full-time jobs in a manufacturing sector that has been hurting in this area.

Winters indicated he was the no vote in Finance because he was unhappy that the request from Apogee came on to us so quickly with an 8-day deadline, which he found to be unacceptable. Secondly, he did not have enough information to vote yes and in particularly did not know the track record at Apogee in terms of their performance with the last two developer agreements they had with Wausau.

Yes Votes: 8      No Votes: 3      Abstain: 0      Not Voting: 0      Result: PASS

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

**Adjournment**

05/27/2014 8:44:17 PM

Motion by Neal, second by Nutting to adjourn. Meeting adjourned at 8:45 p.m.

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

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

James E. Tipple, Mayor  
Toni Rayala, City Clerk

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

Approving Jurisdictional Transfer Agreement for Surplus Right-of-Way Property – STH 52 and STH 29 from the Wisconsin DOT

Committee Action: Approved 5-0

Fiscal Impact: Future maintenance of the storm water pond will be the responsibility of the City. The City will also be required to relocate the fence depending on any additional use that may happen on the property.

**File Number:** 01-0842

**Date Introduced:** July 8, 2014

**WHEREAS**, in 2006 the Wisconsin Department of Transportation realigned the STH 52 connection to STH 29, west of USH 51 for the good and in the interest of the traveling public; and

**WHEREAS**, in 2008 through 2010, the State reconstructed the USH 51/STH 29 west interchange for the good and in the interest of the traveling public; and

**WHEREAS**, Section 84.02(8), Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government, thereby facilitating such jurisdictional alterations in roadway systems; and

**WHEREAS**, the STH 52 realignment and USH 51/STH 29 west interchange reconstruction projects created three surplus right-of-way parcels owned by the State along Stewart Avenue, between Terrace Court and 28<sup>th</sup> Avenue; and

**WHEREAS**, two of these surplus parcels were sold by the State to private entities and are developed or being developed; and

**WHEREAS**, the City of Wausau is interested in the third surplus parcel located southwest of the STH 52/Stewart Avenue intersection for future development; and

**WHEREAS**, this parcel contains a storm water pond that was constructed with the STH 52 realignment project; and

**WHEREAS**, in January 2005, within a Memorandum of Understanding between the City and State for storm water management, as part of the USH 51/STH 29 Corridor Improvement Project, the City agreed to take ownership of and maintenance responsibility for this pond with the development of the two surplus right-of-way parcels along Stewart Avenue, between STH 52 and 28<sup>th</sup> Avenue; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee met on May 8, 2014 to review the Jurisdictional Transfer Agreement and recommends it be approved (a copy of which is attached hereto and incorporated herein by reference); now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau does hereby authorize and direct the proper City officials to execute the documents with the Wisconsin Department of Transportation to formalize the Jurisdictional Transfer Agreement for Surplus Right-of-Way Property – STH 52 and STH 29.

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: May 8, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Marquardt, Wesolowski, 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.

### **Discussion and possible action on Jurisdictional Transfer Agreement for Surplus Right-of-Way Property – STH 52 and STH 29 from the Wisconsin DOT**

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Marquardt stated this is the detention pond area that was created with the new alignment of the on and off ramps of Highway 29 to Stewart Avenue. In the Memorandum of Understanding, when the project was completed the City agreed to take over ownership and maintenance of the detention areas. The Park Department had eyed the location as a potential place for a dog park. The Jurisdictional Transfer Agreement does state the area would be for a dog park, but it does not necessarily have to be. The agreement that was included in the packet stated if the area was not used for public use, it would revert back to the state. However, that language was removed from the updated agreement, which was handed out tonight. Therefore, the City can do what it wishes with the parcel, including selling a portion.

Mielke moved to approve the Jurisdictional Transfer Agreement for surplus right-of-way - STH 52 and STH 29 from the Wisconsin DOT. Gisselman seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
Discussion and possible action on Jurisdictional Transfer Agreement for Surplus Right-of-Way Property – STH 52 and STH 29 from the Wisconsin DOT
<b>BACKGROUND</b>
In 2005 the City entered into a Memorandum of Understanding with the DOT for storm water management as part of the overall Highway 51/29 project. As part of the agreement, the state is to transfer ownership of the detention pond located at the southwest corner of Stewart Avenue and the ramps to Highway 29. Attached is the draft Jurisdictional Transfer Agreement. There are some changes that need to be made in the attached version pertaining to the property reverting back to the DOT. The DOT is in the process of making these changes and a revised agreement will be available for the meeting.
<b>FISCAL IMPACT</b>
The City will be required to maintain the storm water pond and to relocate the fence depending on any additional use that may happen on the property.
<b>STAFF RECOMMENDATION</b>
Staff recommends approving the Jurisdictional Transfer Agreement.
Staff contact: Brad Marquardt 715-261-6745

**DRAFT JURISDICTIONAL TRANSFER AGREEMENT  
SURPLUS RIGHT-OF-WAY PROPERTY – STH 52 and STH 29  
CITY OF WAUSAU, MARATHON COUNTY**

WHEREAS, in 2006, the Wisconsin Department of Transportation, hereinafter called the State, realigned the STH 52 connection to STH 29, west of USH 51 (state project #1166-10-71), in the City of Wausau for the good and in the interest of the traveling public; and

WHEREAS, in 2008 through 2010, the State reconstructed the USH 51/STH 29 west interchange (state project #1166-11-75) in the City of Wausau for the good and in the interest of the traveling public; and

WHEREAS, Section 84.02(8), Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government, thereby facilitating such alterations in roadway systems; and

WHEREAS, the STH 52 realignment and USH 51/STH 29 west interchange reconstruction projects created three surplus right-of-way parcels owned by the State along Stewart Avenue, between Terrace Court and 28<sup>th</sup> Avenue; and

WHEREAS, two of these surplus parcels (located between STH 52 and 28<sup>th</sup> Avenue) were sold by the State to private entities and are developed or are being developed; and

WHEREAS, the City of Wausau, hereinafter called the City, is interested in the third surplus parcel (located southwest of the STH 52/Stewart Avenue intersection) for the development of a municipal dog park; and

WHEREAS, this parcel contains a storm water pond (Pond D) that was constructed with the STH 52 realignment project; and

WHEREAS, in January 2005, within a Memorandum of Understanding between the City and State for storm water management (state project #1166-02-00), as part of the USH 51/STH 29 Corridor Improvement Project, the City agreed to take ownership of and maintenance responsibility for this pond with the development of the two surplus right-of-way parcels along Stewart Avenue, between STH 52 and 28<sup>th</sup> Avenue; and

THEREFORE, BE IT RESOLVED, the parties hereto do mutually agree to the transfer of ownership of the parcel described below and under the conditions described within this agreement:

Property	<b>STH 52/STH 29 - Surplus Right-of-Way Parcel</b>
Location	Southwest of the intersection of STH 52 and Stewart Avenue and north of STH 29, in T29N, R7E, Section 33, City of Wausau.
Size	6.1 acres
Receiving Jurisdiction	City of Wausau

1. THE STATE WILL:
  - A. Execute a quit claim deed to the City, transferring ownership of the surplus right-of-way parcel described above.

- B. Provide plats to the City for the transferred parcel.
- C. Retain all current access control rights along STH 29, STH 52, and Stewart Avenue. One access driveway along the southside of Stewart Avenue will be allowed to the transferred parcel, which will be located no closer than 375 feet west of the STH 52 intersection.
- D. Provide as built plans to the City for the storm water pond located on the transferred parcel.

2. THE CITY WILL:

- A. Accept the surplus right-of-way parcel described within this agreement.
- B. Agree with the State’s access control restrictions as described in Item 1C.
- C. Move the chain link fencing on the transferred parcel to the new right-of-way lines along STH 29 and STH 52. This fencing will be installed to meet all state standards as described in Section 616 of WisDOT’s current Standard Specifications document. The City agrees to work with WisDOT North Central Region maintenance staff to make sure all standards are met.
- D. Accept ownership of and maintenance responsibility for the storm water pond located within the transferred parcel.

BE IT FURTHER RESOLVED, the effective date of this agreement shall be upon approval and signing by the State and City.

CITY OF WAUSAU

STATE OF WISCONSIN

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

\_\_\_\_\_  
Russ Habeck, Director  
WisDOT North Central Region

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

Date: \_\_\_\_\_

Date: \_\_\_\_\_



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

Approving Renewal of North Central Wisconsin Stormwater Coalition Cooperative Agreement

Committee Action: Approved 5-0

Fiscal Impact: Approximately \$1,500

**File Number:** 11-0104

**Date Introduced:** July 8, 2014

**WHEREAS**, the Wisconsin Department of Natural Resources regulates municipal storm sewer systems discharging water to surface or groundwaters through the Wisconsin Pollutant Discharge Elimination System (WPDES) permit program, and

**WHEREAS**, the goal of the WPDES Storm Water Program is to prevent the transportation of pollutants to Wisconsin's water resources via stormwater runoff, and

**WHEREAS**, the City of Wausau owns stormwater facilities that are required to be permitted under the Wisconsin Pollutant Discharge Elimination System (WPDES), and

**WHEREAS**, the Stormwater Management Cooperative Agreement is between Marathon County and the cities of Baraboo, Marshfield, Merrill, Mosinee, Schofield, Stevens Point, Wausau, and Wisconsin Rapids; the villages of Kronenwetter, Rothschild and Weston; and the town of Rib Mountain, herein referred to as the North Central Wisconsin Stormwater Coalition, and

**WHEREAS**, the purpose of the Agreement, which is authorized pursuant to §66.0301, Wis. Stats., is to develop and implement a single information and outreach program meeting the requirement of the Wisconsin Administrative Code and to increase awareness of stormwater impacts on waters of the state while avoiding duplication of efforts and saving costs, and

**WHEREAS**, the coalition will cooperate to adapt and revise operating procedures and municipal ordinances to comply with the requirements of the WPDES General Permits held by each party to the agreement and any changes made to the Wisconsin Administrative Code; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau hereby authorizes and directs the proper City officials to execute a Stormwater Management Cooperative Agreement between Marathon County, the cities of Baraboo, Wausau, Marshfield, Merrill, Mosinee, Schofield, Stevens Point, and Wisconsin Rapids; the villages of Kronenwetter, Rothschild, and Weston; and the town of Rib Mountain.

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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 North Central Wisconsin Stormwater Coalition Cooperative Agreement**

Gehin explained a coalition was formed to work together to meet DNR stormwater regulations. The focus is to educate the public on stormwater. The original agreement between the coalition has expired. The annual contribution from the City is \$1,500 to fund outreach programs.

Mielke moved to approve renewal of the North Central Wisconsin Stormwater Coalition Cooperative Agreement. Kellbach seconded and the motion carried unanimously 5-0.

**AGENDA ITEM**

Renew North Central Wisconsin Stormwater Coalition Cooperative Agreement

**BACKGROUND**

The cities of Baraboo, Marshfield, Merrill, Mosinee, Schofield, Stevens Point, Wausau, Wisconsin Rapids; the villages of Kronenwetter, Rothschild and Weston; the town of Rib Mountain and Marathon County have formed a coalition to develop and implement a single information and outreach program meeting the requirements of the Wisconsin Administrative Code. The collaborative effort avoids duplication of efforts, saves costs, satisfies the educational and outreach requirements of the MS4 WPDES General Permit, and works to improve the quality of urban stormwater. In addition, the group works collaboratively to develop procedures and modify ordinances as necessary to comply with changes to the WPDES permits. The original agreement has since expired, this resolution is to renew the existing cooperative agreement.

**FISCAL IMPACT**

Annual contribution of approximately \$1,500.00 is used to fund the stormwater educational and outreach programs.

**STAFF RECOMMENDATION**

Staff recommends approval of the intergovernmental stormwater cooperative agreement.

Staff contact: Sean Gehin 715-261-6748

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

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

Approving State/Municipal Agreement for South 1<sup>st</sup> Avenue, Thomas Street to Stewart Avenue

Committee Action: Approved 5-0

Fiscal Impact: \$797,000 beginning with design in 2015 and construction in 2018. This is a 50/50 cost share for construction and State review with a maximum of \$661,000 of federal funding. The State will pay \$661,000 of the \$1,458,000 total cost estimate.

**File Number:** 14-0704

**Date Introduced:** July 8, 2014

**WHEREAS**, South 1<sup>st</sup> Avenue between Thomas Street and Stewart Avenue is functionally classified as an Urban Principal Arterial and carries 4,300 vehicles per day; and

**WHEREAS**, this major north south corridor is located near downtown and is part of the local truck route system that serves nearby manufacturing businesses; and

**WHEREAS**, the pavement of South 1<sup>st</sup> Avenue is in extremely poor condition and is cracked, failing, sinking toward the Wisconsin River and regularly repaired by the City; and

**WHEREAS**, a State/Municipal agreement between the City and Wisconsin Department of Transportation must be executed; and

**WHEREAS**, per the agreement, the City of Wausau has a responsibility to finance 50 percent of the cost of the construction work for this project, which is estimated at \$1,190,990 and 50 percent of the cost for State review, which is estimated at \$131,010; and

**WHEREAS**, the City of Wausau will be responsible to finance 100 percent of the cost of the design work and 100 percent of the cost of non-participating construction costs; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to review a final draft of a State/Municipal agreement which details the responsibilities of both the State and Municipality for this project; now therefore

**BE IT RESOLVED** by the Common Council of the City of Wausau that the appropriate City officials are hereby authorized and directed to execute the attached State/Municipal agreement for the work related to improving South 1<sup>st</sup> Avenue from Thomas Street to Stewart Avenue.

Approved:

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

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

---

Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action on the State/Municipal Agreement for South 1<sup>st</sup> Avenue from Thomas Street to Stewart Avenue**

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Marquardt stated this agreement is a cost share with the City's portion estimated at \$797,000. This project, along with Townline Road, was approved for STP Urban funds. Rasmussen indicated these projects were submitted for grant funding in lieu of the Thomas Street project; otherwise we would have had to borrow for these projects. Gisselman questioned if consideration will be given to the design of 1<sup>st</sup> Avenue regarding 3M truck traffic. Marquardt replied the City will hire an engineering consultant due to the fact that part of 1<sup>st</sup> Avenue is sloping toward the river. The consultant will take into account the truck traffic. Also to be considered is a multi-use path on the east side of the street that would tie in Oak Island and 1<sup>st</sup> Avenue. Abitz questioned if there would be changes regarding the power plant. Marquardt hopes not because the City would be responsible for that cost.

Mielke moved to approve the State/Municipal Agreement for South 1<sup>st</sup> Avenue from Thomas Street to Stewart Avenue. Kellbach seconded and the motion carried unanimously 5-0.

<b>AGENDA ITEM</b>
<p>Discussion and possible action on the State/Municipal Agreement for South 1<sup>st</sup> Avenue from Thomas Street to Stewart Avenue</p>
<b>BACKGROUND</b>
<p>Last year we submitted 1<sup>st</sup> Avenue from Thomas Street to Stewart Avenue as a project to the MPO under the STP-Urban classification. It was selected as one of the projects to be awarded money on a 50 -50 split between municipal funds and DOT funds. Included is the Project Agreement from the DOT which outlines the costs associated to each entity. According to the agreement, the City is 100% responsible for the design and the design review. For the construction, the City is responsible for 50% of the construction estimated at \$595,495 (total construction estimated at \$1,190,990). Non-participating items such as sanitary and water costs are 100% City costs.</p> <p>Construction is currently scheduled for 2018.</p>
<b>FISCAL IMPACT</b>
<p>According to the Agreement, the City’s estimated cost is \$797,000. If the City decides to outsource this work, we will need to hire a consulting engineer at 100% City cost.</p>
<b>STAFF RECOMMENDATION</b>
<p>Staff recommends approval of the Project Agreement for 1<sup>st</sup> Avenue.</p>
<p>Staff contact: Brad Marquardt 715-261-6745</p>

## Urbanized Area STP-Urban (206)

	<b>STATE/MUNICIPAL AGREEMENT FOR A STATE- LET URBANIZED AREA STP-URBAN PROJECT</b>	Revised Date: <b>n/a</b> Date: <b>May 14, 2014</b> I.D.: <b>6999-18-03 Design, 6999-18-73 Constr.</b> Road Name: <b>South 1st Ave</b> Limits: <b>City of Wausau, South 1st Ave Thomas Street to Stewart Ave</b> County: <b>Marathon</b> Roadway Length: <b>0.8 mile</b> Functional Classification: <b>Principal Arterial</b> Project Sponsor: <b>City of Wausau</b> Urbanized Area: <b>Wausau MPO</b>
<b>Program Name: STP-Urban</b> <b>Population Group: 50,000-200,000</b> <b>Sub-program #: 206</b>		

The signatory, **City of Wausau**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

### NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Facility - Describe and give reason for request:

**This project on South 1<sup>st</sup> Avenue between Thomas Street to Stewart Avenue is functionally classified as an Urban Principal Arterial and carries 4300 vehicles per day with a posted speed of 25 MPH. This major north south corridor is located near downtown Wausau and is part of the local truck route system that serves the nearby manufacturing businesses. The existing 2- lane urban section has a concrete pavement width of 24 feet with 6 foot shoulders. The pavement is in extremely poor condition and is cracked and failing and sinking toward the Wisconsin River and is regularly repaired by the city. This roadway is a proposed local bicycle route. Some of the lateral storm sewer lines and trunk lines need to be replaced. There are 2 at grade crossings on the project, with the one at Stewart Ave having safety issues, as noted by the city.**

Proposed Improvement - Nature of work:

**A reconstruction type project is proposed for this segment of South 1<sup>st</sup> Ave. The proposed major work for the urban cross-section roadway project will include the following; minimal grading, new pavement, curb and gutter, storm sewer lines, sidewalk, railroad improvements and standard lighting. Bicycle and Pedestrians accommodations will be determined through the design. Additional right of way needs will be by temporary interests.**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable Federal requirements: **The scope of work for non-participating items has yet to be determined by the sponsor.**

**Urbanized Area STP-Urban (206)**

The Municipality agrees to the following **2013-2018** Urbanized Area STP-Urban project funding conditions:

Project construction costs are funded with 50% for all federally-funded project phases when the municipality agrees to provide the remaining 50% and all funds in excess of the **\$661,000** Federal funding maximum, in accordance with the STP Urban program guidelines for projects in urbanized areas. **The design is 100% locally funded.** Non-participating costs are 100% the responsibility of the municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year **2018**. **In accordance with the State’s sunset policy for Urbanized Area STP Urban projects, the subject 2013-2018 Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2015 or by June 30, 2020.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary Funding Table below are federal maximum amounts unless explicitly identified otherwise. The final Municipal share is dependent on the final Federal participation, and actual costs will be used in the final division of cost for billing and reimbursement.

PHASE	SUMMARY OF COSTS				
	Total Est. Cost	Federal Funds	%	Municipal Funds	%
<b>ID 6999-18-03</b>					
Design					
State Review	\$36,000	\$0	0%	\$36,000	100%
Subtotal	\$36,000	\$0		\$36,000	
<b>ID 6999-18-73</b>					
Participating Construction	\$1,190,990	\$595,495	50% *	\$595,495	50% + BAL
Non-Participating Construction	\$100,000		0%	\$100,000	100%
State Review	\$131,010	\$65,505	50% *	\$65,505	50% + BAL
Subtotal	\$1,422,000	\$661,000		\$761,000	
<b>Total Est. Cost Distribution</b>	<b>\$1,458,000</b>	<b>\$661,000</b>	<b>N/A</b>	<b>\$797,000</b>	<b>N/A</b>

\*The percentage of project costs covered by federal funding at approval, 50%, is based on TIP Committee Action. Due to the federal funding cap, which is **\$661,000** for all federally-funded project phases, this percentage may change over the life of the project.

This request is subject to the terms and conditions that follow (pages **3 – 7**) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of: **City of Wausau** (please sign in blue ink.)

Title \_\_\_\_\_ Date \_\_\_\_\_ Name \_\_\_\_\_

Signed for and in behalf of the State:

Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## Urbanized Area STP-Urban (206)

### GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding.
3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
  - a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)
  - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
  - c. Prevailing wage requirements, including but not limited to 23 U.S.C 113 and Wis. Stat. 103.50.
  - d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
  - e. Competitive bidding requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06.
  - f. All DBE requirements that the State specifies.
  - g. Federal Statutes that govern the Surface Transportation Program, including but not limited to 23 U.S.C. 133.
  - h. General requirements for administering federal and state aid set forth in Wis. Stat. 84.03.

### STATE RESPONSIBILITIES AND REQUIREMENTS:

4. Funding of each project phase is subject to inclusion in Wisconsin's approved **2013-2018** Urbanized Area STP-Urban program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:
  - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
  - b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
  - c. Storm sewer mains necessary for the surface water drainage.
  - d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.

## Urbanized Area STP-Urban (206)

- e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
  - f. Signing and pavement marking.
  - g. New installations or alteration of street lighting and traffic signals or devices.
  - h. Landscaping.
  - i. Management Consultant and State Review Services. (For the construction phase only.)
5. The work will be administered by the State and may include items not eligible for Federal participation.
6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to Federal funds. Upon completion of the project, a final audit will be made to determine the final division of costs. If reviews or audits show any of the work to be ineligible for Federal funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

### MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the **2013-2018** Urbanized Area STP-Urban improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
- a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
  - c. Detour routes and haul roads. The municipality is responsible for determining the detour route.
  - d. Conditioning, if required and maintenance of detour routes.
  - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - f. All work related to underground storage tanks and contaminated soils.
  - g. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).
  - h. Real estate for the improvement.
  - i. Preliminary Engineering and design
  - j. Management Consultant and State Review Services. (For the design phase only.)
8. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by WisDOT prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.
9. Work to be performed by the Municipality without Federal funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.
10. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.

## Urbanized Area STP-Urban (206)

11. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin.
12. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed Federal financing commitments or are ineligible for Federal financing. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
13. **In accordance with the State's sunset policy for Urbanized Area STP-Urban projects, the subject 2013-2018 Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2015 or by June 30, 2020.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.
14. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
15. The Municipality will at its own cost and expense:
  - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
  - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
  - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
  - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
  - e. Provide complete plans, specifications, and estimates.
  - f. Provide relocation orders and real estate plats.
  - g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
  - h. Provide maintenance and energy for lighting.
  - i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

## Urbanized Area STP-Urban (206)

16. It is further agreed by the Municipality that:

- a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.
- b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse WisDOT if WisDOT incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Municipality will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such "Manual of Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.
- e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under Federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.

### LEGAL RELATIONSHIPS:

17. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.
18. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.
19. Contract Modification: This State/Municipal Agreement can only modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.

## Urbanized Area STP-Urban (206)

20. **Binding Effects:** All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.
21. **Choice of Law and Forum:** This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

### PROJECT FUNDING CONDITIONS

22. The Municipality agrees to the following **2013-2018** Urbanized Area STP-Urban project funding conditions:
  - a. **ID 6999-18-03: Design** is funded 100% by the municipality. This phase includes Plan Development, Management Consultant Review, and State Review.
  - b. **ID 6999-18-73: Construction:**
    - i. Costs for the reconstruction project include the following major work items; minimal grading, new pavement, curb and gutter, sidewalk, railroad improvements and standard lighting, and all other items necessary to complete the project are funded with 50% federal funding, when the municipality agrees to provide the remaining 50%. This portion of the project is subject to the cumulative project federal cap (see sub-item c).
    - ii. Non-participating costs for construction are funded 100% by the Municipality. Costs include construction delivery.
    - iii. Costs for this phase include an estimated amount for state review activities, to be funded 50% with federal funding and 50% by the Municipality. This portion of the project is subject to the cumulative project federal funding cap (see sub-item c).
  - c. **Project Cap:** In accordance with STP-Urban program guidelines for projects in urbanized areas, State action and TIP Committee action, this project has a federal funding cap of **\$661,000**. This federal funding cap applies to all federally funded project phases.

[End of Document]

Jeb

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

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

Approving State/Municipal Agreement for Townline Road, Grand Avenue to Easthill Drive

Committee Action: Approved 5-0

Fiscal Impact: \$699,625 beginning with design in 2015 and construction in 2018. This is a 50/50 cost share for construction and State review with a maximum of \$568,875 of federal funding. The State will pay \$568,875 of the \$1,268,500 total cost estimate.

**File Number:** 14-0707

**Date Introduced:** July 8, 2014

**WHEREAS**, Townline Road between Grand Avenue and Easthill Drive is functionally classified as an Urban Minor Arterial and carries 7,000 vehicles per day; and

**WHEREAS**, this major east west corridor is located south of downtown and is part of the Wausau truck route system; therefore, the roadway sees heavy truck traffic as manufacturers are in close proximity; and

**WHEREAS**, this high traffic volume and the age of the street have led to deterioration of the concrete pavement and pavement joints; and

**WHEREAS**, a State/Municipal agreement between the City and Wisconsin Department of Transportation must be executed; and

**WHEREAS**, per the agreement, the City of Wausau has a responsibility to finance 50 percent of the cost of the construction work for this project, which is estimated at \$1,025,000 and 50 percent of the cost for State review, which is estimated at \$112,750; and

**WHEREAS**, additionally, the City of Wausau will be responsible to finance 100 percent of the cost of the design work and 100 percent of the cost of non-participating construction costs; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to review a final draft of a State/Municipal agreement which details the responsibilities of both the State and Municipality for this project; now therefore

**BE IT RESOLVED** by the Common Council of the City of Wausau that the appropriate City officials are hereby authorized and directed to execute the attached State/Municipal agreement for the work related to improving Townline Road from Grand Avenue to Easthill Drive.

Approved:

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

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action on the State/Municipal Agreement for Townline Road from Grand Avenue to Easthill Drive**

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Marquardt stated this agreement is a 50/50 cost share for construction. The City would be responsible for the design, which could possibly be done in-house. The estimated cost share is \$699,625.

Mielke moved to approve the State/Municipal Agreement for Townline Road from Grand Avenue to Easthill Drive. Kellbach seconded.

Abitz questioned if this would affect the railroad. Marquardt replied there will be coordination with the railroad. Wesolowski indicated the railroad does not share in the design or construction cost.

There being a motion and a second, motion to approve the State/Municipal Agreement for Townline Road from Grand Avenue to Easthill Drive carried unanimously 5-0.

<b>AGENDA ITEM</b>
<p>Discussion and possible action on the State/Municipal Agreement for Townline Road from Grand Avenue to Easthill Drive</p>
<b>BACKGROUND</b>
<p>Last year we submitted Townline Road from Grand Avenue east to the City limits as a project to the MPO under the STP-Urban classification. It was selected as one of the projects to be awarded money on a 50 -50 split between municipal funds and DOT funds. Included is the Project Agreement from the DOT which outlines the costs associated to each entity. According to the agreement, the City is 100% responsible for the design and the design review. For the construction, the City is responsible for 50% of the construction estimated at \$512,000 (total construction estimated at \$1,025,000). Non-participating items such as sanitary and water costs are 100% City costs.</p> <p>Construction is currently scheduled for 2018.</p>
<b>FISCAL IMPACT</b>
<p>According to the Agreement, the City's estimated cost is \$699,625. If the City decides to outsource this work, we will need to hire a consulting engineer at 100% City cost.</p>
<b>STAFF RECOMMENDATION</b>
<p>Staff recommends approval of the Project Agreement for Townline Road.</p>
<p>Staff contact: Brad Marquardt 715-261-6745</p>

## Urbanized Area STP-Urban (206)

 <p><b>STATE/MUNICIPAL AGREEMENT FOR A STATE- LET URBANIZED AREA STP-URBAN PROJECT</b></p> <p><b>Program Name: STP-Urban</b> <b>Population Group: 50,000-200,000</b> <b>Sub-program #: 206</b></p>	<p>Revised Date: n/a Date: <b>May 14, 2014</b> I.D.: <b>6999-18-01 Design, 6999-18-71 Constr.</b> Road Name: <b>Townline Road</b> Limits: <b>City of Wausau, Townline Road Grand Ave to Easthill Drive</b> County: <b>Marathon</b> Roadway Length:<b>0.7 mile</b> Functional Classification: <b>Minor Arterial</b> Project Sponsor: <b>City of Wausau</b> Urbanized Area: <b>Wausau MPO</b></p>
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The signatory, **City of Wausau**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

### NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Facility - Describe and give reason for request:

**Townline Road between Grand Avenue and Easthill Drive is functionally classified as an Urban Minor Arterial and carries 7000 vehicles per day with a posted speed of between 25-35 MPH. This major east west corridor is located south of downtown Wausau and is part of the Wausau truck route system, therefore the roadway sees heavy truck traffic as manufacturers are in close proximity. New development in the area will increase the importance of the roadway. The urban existing section has a concrete pavement width of 24 feet with 8 foot concrete shoulders as well as sidewalk. The 1968 pavement is cracked with joint failure. This roadway is a route on the regional bicycle system.**

Proposed Improvement - Nature of work:

**A reconstruction type project is proposed for this segment of Townline Road. The proposed major work for the urban cross-section roadway project will include the following; minimal grading, new pavement, curb and gutter, storm sewer, sidewalk, railroad improvements and standard lighting. Bicycle and pedestrian accommodations will be determined through the design. Additional right of way needs will be by temporary interests.**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable Federal requirements: **The scope of work for non-participating items has yet to be determined by the sponsor.**

## Urbanized Area STP-Urban (206)

The Municipality agrees to the following **2013-2018** Urbanized Area STP-Urban project funding conditions:

Project construction costs are funded with 50% for all federally-funded project phases when the municipality agrees to provide the remaining 50% and all funds in excess of the **\$568,875** federal funding maximum, in accordance with the STP Urban program guidelines for projects in urbanized areas. **The design is 100% locally funded.** Non-participating costs are 100% the responsibility of the municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year **2018**. **In accordance with the State's sunset policy for Urbanized Area STP Urban projects, the subject 2013-2018 Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2015 or by June 30, 2020.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary Funding Table below are federal maximum amounts unless explicitly identified otherwise. The final Municipal share is dependent on the final Federal participation, and actual costs will be used in the final division of cost for billing and reimbursement.

PHASE	SUMMARY OF COSTS				
	Total Est. Cost	Federal Funds	%	Municipal Funds	%
<b>ID 6999-18-01</b>					
Design					
State Review	\$30,750	\$0	0%	\$30,750	100%
Subtotal	\$30,750	\$0		\$30,750	
<b>ID 6999-18-71</b>					
Participating Construction	\$1,025,000	\$512,500	50%*	\$512,500	50% + BAL
Non-Participating Construction	\$100,000		0%	\$100,000	100%
State Review	\$112,750	\$56,375	50%*	\$56,375	50% + BAL
Subtotal	\$1,237,750	\$568,875		\$668,875	
<b>Total Est. Cost Distribution</b>	<b>\$1,268,500</b>	<b>\$568,875</b>	<b>N/A</b>	<b>\$699,625</b>	<b>N/A</b>

\*The percentage of project costs covered by federal funding at approval, 50%, is based on TIP Committee Action. Due to the federal funding cap, which is **\$568,875** for all federally-funded project phases, this percentage may change over the life of the project.

This request is subject to the terms and conditions that follow (pages **3 – 7**) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of: **City of Wausau**, (please sign in blue ink.)

Title	Date	Name
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Signed for and in behalf of the State:

Name	Title	Date
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## Urbanized Area STP-Urban (206)

### GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding.
3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
  - a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)
  - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
  - c. Prevailing wage requirements, including but not limited to 23 U.S.C 113 and Wis. Stat. 103.50.
  - d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
  - e. Competitive bidding requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06.
  - f. All DBE requirements that the State specifies.
  - g. Federal Statutes that govern the Surface Transportation Program, including but not limited to 23 U.S.C. 133.
  - h. General requirements for administering federal and state aid set forth in Wis. Stat. 84.03.

### STATE RESPONSIBILITIES AND REQUIREMENTS:

4. Funding of each project phase is subject to inclusion in Wisconsin’s approved **2013-2018** Urbanized Area STP-Urban program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:
  - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
  - b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
  - c. Storm sewer mains necessary for the surface water drainage.
  - d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).

## Urbanized Area STP-Urban (206)

- f. Signing and pavement marking.
  - g. New installations or alteration of street lighting and traffic signals or devices.
  - h. Landscaping.
  - i. Management Consultant and State Review Services. (For the construction phase only.)
5. The work will be administered by the State and may include items not eligible for Federal participation.
6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to Federal funds. Upon completion of the project, a final audit will be made to determine the final division of costs. If reviews or audits show any of the work to be ineligible for Federal funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

### MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the **2013-2018** Urbanized Area STP-Urban improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
- a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
  - c. Detour routes and haul roads. The municipality is responsible for determining the detour route.
  - d. Conditioning, if required and maintenance of detour routes.
  - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - f. All work related to underground storage tanks and contaminated soils.
  - g. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).
  - h. Real estate for the improvement.
  - i. Preliminary Engineering and design
  - j. Management Consultant and State Review Services. (For the design phase only.)
8. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by WisDOT prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.
9. Work to be performed by the Municipality without Federal funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.
10. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.
11. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color,

## Urbanized Area STP-Urban (206)

handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin.

12. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed Federal financing commitments or are ineligible for Federal financing. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
13. **In accordance with the State's sunset policy for Urbanized Area STP-Urban projects, the subject 2013-2018 Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2015 or by June 30, 2020.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.
14. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
15. The Municipality will at its own cost and expense:
  - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
  - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
  - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
  - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
  - e. Provide complete plans, specifications, and estimates.
  - f. Provide relocation orders and real estate plats.
  - g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
  - h. Provide maintenance and energy for lighting.
  - i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

## Urbanized Area STP-Urban (206)

16. It is further agreed by the Municipality that:

- a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.
- b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse WisDOT if WisDOT incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Municipality will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such "Manual of Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.
- e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under Federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.

### LEGAL RELATIONSHIPS:

17. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.
18. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.
19. Contract Modification: This State/Municipal Agreement can only modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.

## Urbanized Area STP-Urban (206)

20. **Binding Effects:** All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.
21. **Choice of Law and Forum:** This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

### PROJECT FUNDING CONDITIONS

22. The Municipality agrees to the following **2013-2018** Urbanized Area STP-Urban project funding conditions:
  - a. **ID 6999-18-01: Design** is funded 100% by the municipality. This phase includes Plan Development, Management Consultant Review, and State Review.
  - b. **ID 6999-18-71: Construction:**
    - i. Costs for the reconstruction project include the following major work items; minimal grading, new pavement, curb and gutter, sidewalk, railroad improvements and standard lighting, and all other items necessary to complete the project are funded with 50% federal funding, when the municipality agrees to provide the remaining 50%. This portion of the project is subject to the cumulative project federal cap, (see sub-item c).
    - ii. Non-participating costs for construction are funded 100% by the Municipality. Costs include construction delivery.
    - iii. Costs for this phase include an estimated amount for state review activities, to be funded 50% with federal funding and 50% by the Municipality. This portion of the project is subject to the cumulative project federal funding cap, (see sub-item c).
  - c. **Project Cap:** In accordance with STP-Urban program guidelines for projects in urbanized areas, State action and TIP Committee action, this project has a federal funding cap of **\$568,875**. This federal funding cap applies to all federally funded project phases.

[End of Document]

Jcb

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

Accepting dedication of right-of-way for the extension of 80<sup>th</sup> Avenue

Committee Action: CISM: Approved 5-0

Plan: Approved 5-0

Fiscal Impact: None

**File Number:** 14-0712

**Date Introduced:** July 8, 2014

**RESOLUTION**

**WHEREAS**, Wausau Coated has expansion plans which include expanding over 77<sup>th</sup> Avenue;  
and

**WHEREAS**, 80<sup>th</sup> Avenue is proposed to be extended east to the end of 77<sup>th</sup> Avenue as shown on  
the accompanying map; and

**WHEREAS**, this proposed extension of 80<sup>th</sup> Avenue would serve Wisconsin Lift Truck and the  
expansion of Wausau Coated; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee reviewed the  
dedication on June 12, 2014, and your Plan Commission reviewed the matter on June 17, 2014 and  
recommends the area of 80<sup>th</sup> Avenue east to the end of 77<sup>th</sup> Avenue be dedicated 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 accompany map with the deed to be  
recorded with the Marathon County Register of Deeds.

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action on the dedication of 80<sup>th</sup> Avenue**

Wesolowski displayed a map showing the extension of 80<sup>th</sup> Avenue that will serve Wisconsin Lift Truck and the south side of the property purchased by Wausau Coated. Wausau Coated now owns both sides of 77<sup>th</sup> Avenue and is proposing to expand across 77<sup>th</sup> Avenue. The right-of-way would be dedicated to the City.

Mielke moved to approve the dedication of 80<sup>th</sup> Avenue. Gisselman seconded and the motion carried unanimously 5-0.

AGENDA ITEM
Discussion and possible action on the dedication of 80 <sup>th</sup> Avenue
BACKGROUND
80 <sup>th</sup> Avenue is proposed to be extended east toward the existing cul-de-sac at the end of 77 <sup>th</sup> Avenue to serve Wisconsin Lift Truck and the expansion of Wausau Coated. See the attached map.
FISCAL IMPACT
None at this time. The land will be dedicated to the City at no cost. The funds needed to construct the actual roadway were included in the 2014 budget.
STAFF RECOMMENDATION
Staff recommends accepting the dedication.
Staff contact: Allen Wesolowski 715-261-6762

## PLAN COMMISSION

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Time and Date: The Plan Commission met on June 17, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Rosenberg, Oberbeck, Bohlken, Gisselman

Others Present: Stephenson, Nicoliason, Woller, Leher, Lenz, Hebert, DeSantis

### **Discussion and possible action on the dedication of 80<sup>th</sup> Avenue**

Marquardt said that 80<sup>th</sup> Avenue is being realigned to allow for the expansion of Wausau Coated which will cross 77<sup>th</sup> Avenue. The new 80<sup>th</sup> Avenue will provide access to the property that is south of Wausau Coated and access to Wausau Coated. CISM approved this item last week. Gisselman motioned to approve the dedication of 80<sup>th</sup> Avenue, seconded by Rosenberg, the motion carried unanimously 5-0.



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

**ORDINANCE OF FINANCE COMMITTEE**

Amending Section 3.40.010 Fees and licenses schedule

Committee Action: Approved 4-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 13-0309

**Date Introduced:** July 8, 2014

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

Delete (———)

Section 1. That Section 3.40.010 Fees and licenses schedule, is hereby amended to read as follows:

3.40.010 Fees and licenses schedule. (a) The city council hereby adopts and incorporates into this code by reference the City of Wausau Fees and Licenses Schedule. The schedule shall establish various fees and license as referenced throughout this code. The schedule may be amended hereafter by resolution of the city council. ~~Such resolution may be introduced at any city council meeting and put to a vote at the subsequent meeting. Such resolution may be introduced and passed at the same meeting upon suspension of the rules.~~

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

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:  
Approved:  
Published:  
Attest:

Approved:

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

Attest:

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

**FINANCE COMMITTEE**

Date and Time: Tuesday, June 10, 2014 @ 5:15 pm., Board Room

Members Present: Nagle, Oberbeck, Winters, Kellbach

Members Excused: Nutting

Others Present: Tipple, Groat, Jacobson, Giese, Marquardt, Rasmussen, Gisselman, Mielke, Abitz, Kujawa, Mark Hanson, Deb Ryan, Goede, and media.

**Consider ordinance amending Section 3.40.010 Fees and licenses schedule.**

Groat stated in fall of 2013 we took all of the fees that were sprinkled throughout the Municipal Code and put them all into a Comprehensive Fee Schedule. She explained when the ordinance was written the rule was that fees would be introduced at the first Council meeting and then put to a vote at a subsequent meeting, but we have not actually been following that and to date fee amendments have not been entertained by Council twice. She suggested removing that dual contemplation from the ordinance.

Motion by Nagle, second by Kellbach to approve the amendment to Section 3.40.010 Fees and license schedule.  
Motion carried 4-0.

**RESOLUTION OF THE PLAN COMMISSION**

Approving a conditional use at 1500 Merrill Avenue to allow for an educational academy, in a B2, Community Service District.

Committee Action: Approved 5 - 0

Fiscal Impact: None.

**File Number:** 14-0708

**Date Introduced:** July 8, 2014

**WHEREAS**, on June 17, 2014, the Plan Commission met to consider a request from Anne Stephenson for a conditional use permit for 1500 Merrill Avenue to allow for a small educational academy for students in first through fifth grades; and

**WHEREAS**, the proposed academy would not interfere with the current business already located in the same building and the adjacent properties; and

**WHEREAS**, parking spaces are already available for the proposed use; and

**WHEREAS**, the academy hours are expected to be daytime and weekday, with before and after school care available through the Montessori school in the same building; now therefore

**BE IT RESOLVED** that the Common Council of the City of Wausau hereby approves a conditional use at 1500 Merrill Avenue to allow for an educational academy.

Approved:

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James E. Tipple, Mayor

## PLAN COMMISSION

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Time and Date: The Plan Commission met on June 17, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Rosenberg, Oberbeck, Bohlken, Gisselman

Others Present: Stephenson, Nicoliason, Woller, Leher, Lenz, Hebert, DeSantis

### **PUBLIC HEARING: Approve a conditional use at 1500 Merrill Avenue to allow for an educational academy, in a B2, Community Service District (Stephenson).**

Anne Stephenson, Acton Academy, presented information via phone because she could not appear in person. She stated that she intends to open a small 36 student school directly above the Mount View Montessori school which has very similar principles. Marquardt asked if there were any public questions, then closed the public hearing.

Lenz said that the conditional use permit application and photos of the academy were passed out. The conditional use permit was requested for a business zoning district, B2, where certain types of schools can be allowed with a conditional use permit. This particular educational academy isn't directly addressed in the zoning code; however staff feels that it is appropriate for this type of institution to apply for a conditional use permit in a business district. Lenz asked that Stephenson explain more about the school and how it differs from a traditional school and the types of students it would have. Stephenson explained that the academy is a maximum of 36 students in an elite multi-age classroom hearkening back to the one room schoolroom of old with 1<sup>st</sup> – 5<sup>th</sup> graders. Stephenson said that the academy is unique because it uses the best of face to face instruction, the best of technology and the very best of project based learning. She said it's similar to a Montessori classroom and added a strong technology and hands on component. The academic performance of these students is really exemplary and in 10 months of typical attendance, students will gain 2-3 years of academic standing on standardized tests. However, they do not believe in teaching to the test but this is shown in the year end testing. The school year is extended to 11 months with smaller breaks in between. The school day would be very typical from about 8:15 in the morning until about 3:30 in the afternoon with potential for after school clubs like chess or robotics. Staff will be Stephenson as executive director and a full time teacher, known as a guide, as well as various apprentices or part time guides for areas such as art. The number of students (36) in the academy would be very small compared to the number of students (100) in the Montessori portion of the building.

Lenz stated that from a land use perspective, there should not be issues with it since it is in the same building as the preschool and daycare facility. It shouldn't conflict with neighboring properties and staff has not received any complaints regarding this proposed use. Staff recommends approval of the conditional use. Lenz asked if there would be something added to the current sign and Stephenson stated she would use the existing sign. DeSantis asked Stephenson if she has considered expanding the fire alarm system in the Montessori to the upper level. Stephenson confirmed that this expansion was being addressed. Rosenberg motioned to approve the conditional use at 1500 Merrill Avenue to allow for an educational academy, in a B2, Community Service District. Bohlken seconded, and the motion carried unanimously 5-0. This item will go to Common Council on July 8, 2014.

## STAFF REPORT

TO: City of Wausau Plan Commission  
FROM: Brad Lenz, City Planner  
DATE: June 11, 2014

### GENERAL INFORMATION

**APPLICANT:** Anne Stephenson, Acton Academy Wausau

**LOCATION:** 1500 Merrill Avenue

**EXISTING ZONING:** B2, Community Service District

**REQUESTED ZONING:** Conditional use

**PURPOSE:** Approve a conditional use at 1500 Merrill Avenue to allow an educational academy. In the B2 district, a conditional use permit may be granted for “Schools, music, dance, business, commercial or trade.” The proposed educational academy does not fit perfectly with these types of schools, but it also does not fit with a traditional elementary school. Educational institutions, such as elementary schools, are permitted in residential zoning districts, but are not addressed in business districts. Staff feels it is appropriate for an educational academy, such as the one proposed, to apply for a conditional use permit in a business district.

**EXISTING LAND USE:** Preschool/daycare facility, and vacant commercial space

**SIZE OF PARCEL:** 1.15 acres

**SURROUNDING ZONING AND LAND USE:**

North: R1, Single Family Residence District; Technical college  
South: R1; Religious institution  
East: B2, Community Service District; Offices  
West: R4, General Residence District; Multi-family residential

(See attached *Zoning and Land Use* map)

**ANALYSIS AND RECOMMENDATION**

From Wausau Municipal Code 23.72.060, no conditional use shall be recommended by the city plan commission unless the commission finds:

*(a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*

*(b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*

*(c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

*(d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;*

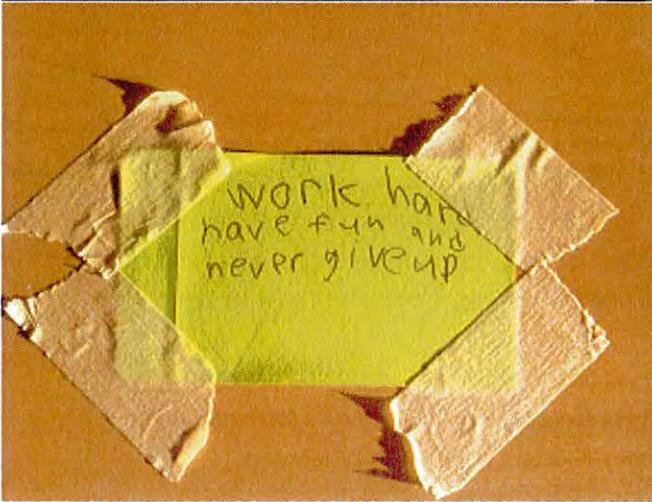
*(e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and*

*(f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as the regulations may, in each instance, be modified by the common council pursuant to the recommendations of the city plan commission.*

The proposed use is a small (maximum 36 students) educational academy for students in first through fifth grades. The academy would occupy second floor space located above Mountain View Montessori – a preschool/daycare facility. At least 20 parking spaces are available for the proposed use. The hours of the academy are expected to be daytime, weekday hours, with before and after school care available through the Montessori school. Staff recommends approval of the conditional use, as all of the above standards are expected to be satisfied.

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ACTON ACADEMY WAUSAU



# Conditional Use Permit Application

Prepared for: The Wausau City Plan Commission

Prepared by: Anne Stephenson, Executive Director | Acton Academy Wausau

June 17, 2014

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## EXECUTIVE SUMMARY

### Objective

To obtain a Conditional Use Permit for our small (maximum 36 student) private school for first through fifth grades to operate at 1500 Merrill Avenue in Wausau.

### About Acton Academy

Acton Academy Wausau will be based off the methods and curriculum of the original Acton Academy located in Austin, Texas ([ActonAcademy.org](http://ActonAcademy.org)). Acton was ranked by Innosight (a global strategy and innovation consulting firm co-founded by Harvard Business school professor Clayton Christensen) as the #1 best blended learning school in the country.

### Use of 1500 Merrill Avenue

Acton Wausau seeks the approval to use space located on the second floor (which has ground-level access from the front) just above Mountain View Montessori (MVM). This co-location with MVM, provides us with unique opportunities for our students and their families, such as before/after school care options and inter-school mentoring. The building has a wrap-around car lane which allows for our students to be dropped for street-level access in the front of the building and would not interfere with the drop-off/pick up for MVM on the back, lower-level of the building.

Our school would run from 8am to 3:30pm with the possibility of some after school activities (limited to Acton students) up until 5pm. Our calendar consists of three six-week trimesters with breaks in between.

At maximum capacity, there will be three full-time staff and a handful of part-time helpers/volunteers; there are over 20 parking spaces available for this. We will use existing signage (see photo attached). Acton Wausau would occupy just over 10% of the total square footage of 1500 Merrill Ave.

### Benefit to the Wausau community

We have been granted the right to open an Acton along with teams in Houston, Toronto, Chicago, Washington D.C. and London, England. The approach of Acton is at the forefront of change in education and will put Wausau on the map for innovation in education. We believe this may also attract new families to our vibrant community who are looking for innovative educational opportunities for our children.

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Signage on Merrill Ave:



1500 Merrill Ave front:



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1500 Merrill Ave (back):



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

**RESOLUTION OF THE PLAN COMMISSION**

Approving a conditional use at 402 North 3<sup>rd</sup> Avenue to allow for a digital message center sign in an R-3 District (First English Lutheran Church)

Committee Action: Approved 5 - 0

Fiscal Impact: None.

**File Number:** 14-0710

**Date Introduced:** July 8, 2014

**WHEREAS**, on June 17, 2014, the Plan Commission met to consider a request from Dennis Nicoliasen for a conditional use permit for 402 North 3rd Avenue to allow for a digital message center sign and

**WHEREAS**, the existing sign with an illuminated reader board received conditional use approval in 2003; and

**WHEREAS**, the proposed digital reader board sign will fit within the existing structure; and

**WHEREAS**, no one spoke in opposition to the proposed sign; now therefore

**BE IT RESOLVED** that the Common Council of the City of Wausau hereby approves a conditional use at 402 North 3rd Avenue to allow for a digital message center sign, with the condition that the sign is turned off from 10 p.m. to 6 a.m.

Approved:

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James E. Tipple, Mayor

## PLAN COMMISSION

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Time and Date: The Plan Commission met on June 17, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Rosenberg, Oberbeck, Bohlken, Gisselman

Others Present: Stephenson, Nicoliasen, Woller, Leher, Lenz, Hebert, DeSantis

**PUBLIC HEARING: Approve a conditional use at 402 North 3<sup>rd</sup> Avenue to allow for a digital message center sign, in a R3, Two Family Residence District (Nicoliasen).**

Dennis Nicoliasen, 1813 Crestview Drive, church council member and on property committee at First English Lutheran Church. They have received requests from the congregation to modify their existing sign and obtain an electronic sign; their original sign was completed by Graphic House. They have secured funding to have Graphic House replace this sign because it is difficult for the secretary to change the letters especially during winter when it's tricky to open the sign and shovel the snow. They are hoping to install the sign this summer.

Matt Woller with Graphic House, 9204 Packer Drive, stated that their intent is to remove the existing reader board and replace it with a digital message center within the existing structure of the sign. The sign location, size and shape will not be altered. The top header of the sign will not be changed in any way. He explained that Nicoliasen or the person controlling the sign can change the brightness of the sign and lower the brightness if it is requested by neighbors. The digital message will be red and more of a text based message with possible religious symbols and minimal graphics – it is not intended to be full color. Nicoliasen added that the option of amber color letters on a black background for the digital message was not chosen and they went with red letters on a black background similar to other businesses such as Walgreens.

Marquardt closed the public hearing.

Lenz said that pictures of the current and proposed sign were distributed. The conditional use was approved in 2003 for the original sign that is a static bulletin board. This is an amendment to the conditional use to allow for a new sign in an R3 residence district. The zoning code does distinguish between flashing and non-flashing signs. The message needs to be displayed for at least 6 seconds which is considered static; if the message is displayed for less than 6 seconds it is considered flashing. Lenz clarified that in the zoning district, the message needs to be non-flashing. He said in other cases where signs are in residential districts, digital message signs have been approved with a condition that the sign be turned off at certain times. Lenz recommended this as an option for the Plan Commission that the condition could be added to turn off the sign. Other signs have been approved with the condition that they be extinguished between 10pm – 6am. Lenz hadn't presented that condition to the petitioner. Nicoliasen stated they would comply if required. Nicoliasen asked if other churches with signs also have this requirement to turn the sign off between 10pm – 6am. Lenz stated that some signs have been approved with the condition while others have been approved without this condition. Commercial buildings such as CVS or Walgreens are generally not under this restriction. Some churches and schools, especially in residential areas have this requirement but Lenz does not have a list of which churches and schools have this requirement and which do not. Lenz believed the most recent sign that was approved, at Trinity, did have this requirement. Marquardt asked if their existing sign is lit and Nicoliasen confirmed that the current sign is illuminated and electricity is connected.

Rosenberg motioned to approve the conditional use at 402 North 3<sup>rd</sup> Avenue to allow for a digital message center sign, in a R3, Two Family Residence District (Nicoliasen), Marquardt asked if the condition that the sign be turned off between 10pm – 6am would be included. Rosenberg asked if the condition could be added later as it doesn't seem necessary at this time. Lenz said that there haven't been concerns raised by any neighbors, which is why this condition was added to other signs in the past. Hebert stated that the district is all residential to the east except for the gas station. Rosenberg motioned to approve the conditional use at 402 North 3<sup>rd</sup> Avenue to allow for a digital message center sign with the condition that the sign be turned off between 10pm – 6am, seconded by Gisselman, and the motion carried unanimously 5-0. The item will go to Common Council on July 8, 2014.

## **STAFF REPORT**

**TO:** City of Wausau Plan Commission

**FROM:** Brad Lenz, City Planner

**DATE:** June 11, 2014

### **GENERAL INFORMATION**

**APPLICANT:** Dennis Nicoliasen, First English Lutheran Church

**LOCATION:** 402 N. 3<sup>rd</sup> Avenue

**EXISTING ZONING:** R3, Two Family Residence District

**REQUESTED ZONING:** Conditional Use

**PURPOSE:** To allow a digital message center sign for a religious institution. In the R3 District, signs designating public or municipal institutions such as churches, city hall, public museums, schools, etc. may be allowed subject to issuance of a conditional use permit by the plan commission.

**EXISTING LAND USE:** Religious institution

**SIZE OF PARCEL:** 0.92 acres

**SURROUNDING LAND USE AND ZONING:**

North: Single and two family homes; R3, Two Family Residence District

South: Two family homes; R3,

East: Mix of commercial and residential uses; R3, and B2, Community Service District

West: Single and two family homes; R3

(See attached Zoning Map)

### **ANALYSIS AND RECOMMENDATION**

From Wausau Municipal Code 23.72.060, no conditional use shall be recommended by the city plan commission unless the commission finds:

- (a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
- (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*
- (d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;*
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and*
- (f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as the regulations may, in each instance, be modified by the common council pursuant to the recommendations of the city plan commission.*

The existing sign with a static, non-digital readerboard was approved as a conditional use in 2003. The proposal is to replace the existing readerboard with a digital message center. The rest of the sign would remain the same. See the attachment for a rendering of the new sign and a photo of the existing sign.

Numerous signs for religious and educational institutions have been approved over the years, many with digital readerboards. In several cases, however, the hours of operation of the signs have been limited, particularly when located in predominantly residential areas.

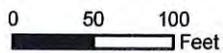
The zoning code allows for illuminated signs in residential districts, but the signs must be non-flashing. A non-flashing sign, as defined in the code, is one that has a static message for a minimum of six (6) seconds.

Staff recommends approval of the sign as presented, with the conditions that the sign is non-flashing, and that the readerboard is turned off daily from 10 p.m. to 6 a.m.

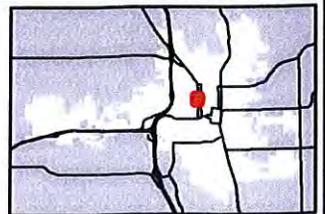


Date: 06 Jun 2014

City of Wausau  
Marathon County Wisconsin



-  Road Paved
-  Building
-  Petitioner's Property





**ORDINANCE OF PARKING & TRAFFIC COMMITTEE**

Establishing mid-block crosswalk between 500 N. 72<sup>nd</sup> Avenue (Eastbay) and 401 N. 72<sup>nd</sup> Avenue (formerly Award Hardwood Floors)

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: \$5,000

**File Number:** 14-0709

**Date Introduced:** July 8, 2014

**WHEREAS**, a request was received by Eastbay, Inc. (“Eastbay”) for the installation of a mid-block crosswalk on N. 72<sup>nd</sup> Avenue between 500 N. 72<sup>nd</sup> Avenue and 401 N. 72<sup>nd</sup> Avenue; and

**WHEREAS**, your Parking and Traffic Committee has reviewed the request and recommends that a mid-block crosswalk with proper signage be installed on N. 72<sup>nd</sup> Avenue between 500 N. 72<sup>nd</sup> Avenue and 401 N. 72<sup>nd</sup> Avenue; and

**WHEREAS**, Eastbay has offered to fund flashing pedestrian signs if the installation is necessary.

**NOW, THEREFORE**, the Common Council of the City of Wausau do ordain as follows:

Section 1. A mid-block pedestrian crossing is hereby designated on N. 72<sup>nd</sup> Avenue between 500 N. 72<sup>nd</sup> Avenue and 401 N. 72<sup>nd</sup> Avenue. Proper signage to be installed at locations and marks/lines designated upon the roadway as determined by the traffic lieutenant and director of public works.

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

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:  
Approved:  
Published:  
Attest:

Approved:

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

Attest:

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

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

Date of Meeting: Thursday, June 19, 2014, 5:15pm, in the Birch Room at City Hall  
Members Present: Abitz {C}, Kellbach, Nutting, Winters, Mielke  
Others Present: Lt. Pekarske, Friday, Deb Ryan, Marie Schmidt, Gary Gisselman, Trish Forbes, Ethan Forbes, Jamie Rice Heckendorf, Brian Krueger, Linda Hulstrom

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:15 pm.

### **(2) Discussion and possible action: To create a mid-block crosswalk between Eastbay (500 N 72<sup>nd</sup> Ave) and the former Award Hardwood Floors building (401 N 72<sup>nd</sup> Ave)**

Discussion:

Lt. Pekarske distributed to the committee members the packet prepared by Wesolowski regarding this issue and recommending approval. It was noted from the report that the estimated cost is \$5000. It was also noted that Eastbay offered to fund flashing pedestrian signs if the committee felt it was necessary that they be installed.

Motion made by Mielke, second by Winters, to create a mid-block crosswalk between Eastbay (500 N 72<sup>nd</sup> Ave) and the former Award Hardwood Floors building (401 N 72<sup>nd</sup> Ave). Motion approved 5-0.

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

**ORDINANCE OF PARKING & TRAFFIC COMMITTEE**

Authorizing installation of stop signs for eastbound and westbound traffic on Elm Street at North 2nd Avenue

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 14-0711

**Date Introduced:** July 8, 2014

**WHEREAS**, residents in the area have expressed concern regarding safety and visibility in the area and have requested the placement of stop signs for eastbound and westbound traffic on Elm Street at North 2nd Avenue creating a four-way stop; and

**WHEREAS**, your Parking and Traffic Committee recommends the installation of stop signs for eastbound and westbound traffic on Elm Street at North 2nd Avenue.

**NOW, THEREFORE**, the Common Council of the City of Wausau do ordain as follows:

Section 1. That pursuant to Section 10.01.025 of the Wausau Municipal Code the stop sign inventory maintained by the GIS department and on file in the City Clerk's office shall be amended to include:

Stop signs at Elm Street and North 2<sup>nd</sup> Avenue (eastbound and westbound)

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

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

Adopted:  
Approved:  
Published:  
Attest:

Approved:

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

Attest:

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

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

Date of Meeting: Thursday, June 19, 2014, 5:15pm, in the Birch Room at City Hall  
Members Present: Abitz {C}, Kellbach, Nutting, Winters, Mielke  
Others Present: Lt. Pekarske, Friday, Deb Ryan, Marie Schmidt, Gary Gisselman, Trish Forbes, Ethan Forbes, Jamie Rice Heckendorf, Brian Krueger, Linda Hulstrom

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:15 pm.

#### **(6) Discussion and possible action: To make the intersection of N 2<sup>nd</sup> Avenue and Elm Street a 4-way stop, by installing stop signs for east and west bound traffic on Elm Street.**

##### Discussion:

Lt. Pekarske stated that there have been 10 crashes in 4 years at this intersection (7 of them angle crashes) therefore it would be reasonable to consider installing a stop sign. Also, it is a residential neighborhood that does not have high traffic volume so impact to traffic flow would be minimal.

Mielke voiced concern about the visibility of the stop sign and if a larger one is available. Lt. Pekarske stated that there is not a larger stop sign available but that the pole holding the sign could be painted a bright reflective color and that the sign itself could be flagged in order to draw attention to it.

Abitz expressed concern about having consecutive stop signs and about the possibility of needing to remove a tree for better visibility of the sign.

Deb Ryan of the Westies neighborhood association stated that she felt neighbors were in favor of installing the stop sign.

Motion made by Winters, second by Mielke, to make the intersection of N 2<sup>nd</sup> Avenue and Elm Street a 4-way stop, by installing stop signs for east and west bound traffic on Elm Street. Motion approved 5-0.

**ORDINANCE OF PARKING & TRAFFIC COMMITTEE**

Designating “one-way” traffic flow in the alley bounded by Hamilton Street, Adams Streets and 6<sup>th</sup> and 7<sup>th</sup> Streets

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 14-0713

**Date Introduced:** July 8, 2014

**WHEREAS**, the traffic flow in the alley bounded by Hamilton Street, Adams Street, 6th Street and 7<sup>th</sup> Street is currently one-way eastbound; and

**WHEREAS**, Immanuel Lutheran Church has raised concerns regarding speed and safety in the alley, and

**WHEREAS**, your Parking and Traffic Committee, at their June 19, 2014 meeting, did discuss this matter and recommends the subject alley be posted as a one-way westbound alley.

**NOW, THEREFORE**, the Common Council of the City of Wausau do ordain as follows:

Section 1. That Section 10.01.060, One-way streets, shall include the following:

Section 2. The traffic flow in the alley bounded by Hamilton Street, Adams Street and 6<sup>th</sup> and 7<sup>th</sup> Streets is hereby designated as one-way westbound. Appropriate one-way signs shall be installed at pertinent locations in the alley.

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

Section 4. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:  
Approved:  
Published:  
Attest:

Approved:

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

Attest:

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

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

Date of Meeting: Thursday, June 19, 2014, 5:15pm, in the Birch Room at City Hall  
Members Present: Abitz {C}, Kellbach, Nutting, Winters, Mielke  
Others Present: Lt. Pekarske, Friday, Deb Ryan, Marie Schmidt, Gary Gisselman, Trish Forbes, Ethan Forbes, Jamie Rice Heckendorf, Brian Krueger, Linda Hulstrom

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:15 pm.

#### **(4) Discussion and possible action: To reverse traffic direction in the alleyway that lies between the 600 block of Hamilton Street (to the north) and the 600 block of Adams Street (to the south) to westbound only, with the entrance off of N 7<sup>th</sup> Street.**

Discussion:

Jamie Rice Heckendorf and Linda Hulstrom representing Immanuel Lutheran Church stated that they are looking for approval of this item in order to improve visibility exiting the alley. They stated that the church has installed a blind-spot mirror on a tree but that it is not a viable long-term solution. The church recently purchased in a near-by property and is in the process of redesigning their parking lot so they are looking to make the change at this time.

Committee members reviewed photos of the site and clarified direction of traffic in and out of the alley.

Wesolowski's staff report was shared with the committee and his report recommended this change be approved.

Motion made by Mielke, second by Winters, to reverse traffic direction in the alleyway that lies between the 600 block of Hamilton Street (to the north) and the 600 block of Adams Street (to the south) to westbound only, with the entrance off of N 7<sup>th</sup> Street. Motion approved 5-0.

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

**RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE**

Keeping the relocation of District 3 & District 10 Polling Place from the Rose Garden Banquet Hall to Marathon Park East Gate Hall for the 2014 Elections.

Committee Action:     Approved 5-0

Fiscal Impact:         None

**File Number:**         01-0115

**Date Introduced:**     July 8, 2014

**WHEREAS**, voters in Districts 3 and 10 had voted at a privately owned business location known as the Rose Garden Banquet Hall located at 131 West Thomas Street and

**WHEREAS**, Rose Garden Banquet Hall has closed its banquet business and another private business has purchased the property and doesn't have the space to hold elections, and

**WHEREAS**, staff has toured two facilities so far (Wausau National Guard Armory and Our Savior's Evangelical Lutheran Church) however, these two sites may not be the best suitable location at this time; and

**WHEREAS**, the current, temporary poll site, Marathon Park East Gate Hall has adequate space to accommodate the additional voters, staff and equipment for these elections, now therefore

**BE IT RESOLVED**, by the Common Council of the City of Wausau that Marathon Park East Gate Hall (Youth Building) continue to be a combined polling location for electors located in Districts 3 and 10 of the Rose Garden Banquet Hall and Districts 9 and 11 of Marathon Park East Gate Hall (Youth Building) for the 2014 Elections.

Approved:

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James E. Tipple, Mayor

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 16, 2014, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hagenbucher, Kujawa, Rayala, Goede,

### **Consider keeping Marathon Park East Gate Hall (Youth Building) as poll site for Districts 3 & 10 and also Districts 9 & 11 for the 2014 election year.**

No discussion.

Motion by Wagner, second by Kellbach to approve keeping Marathon Park East Gate Hall as the poll site for District 3 & 10 as well as Districts 9 & 11 for the 2014 elections. Motion carried 5-0.

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

**RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE**

Approving or Denying Various Licenses as Indicated

Committee Action: Approved 5-0

Fiscal Impact: None

**File Number:** 14-0108

**Date Introduced:** July 8, 2014

**RESOLUTION**

**WHEREAS**, your Public Health and Safety Committee considered certain license applications at its June 16, 2014 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

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

Approved:

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James E. Tipple, Mayor

## ***CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE***

June 16, 2014 Meeting

### **AGENDA ITEM # 7**

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Approve or deny various licenses as indicated on the attached summary report of all applications received.

### **ADDITIONAL INFORMATION**

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Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or his designee. Applications marked pending will have a status update at the meeting. In accordance with city ordinance, **all permits approved are held for debts owed to the city until the debt is paid in full.**

1. Brandon Behrens was recommended for denial for an Operator's License by Chief Hardel last month for information found in the background check (attached); as well as the fact that he marked "No" on the application regarding arrests, convictions or pending charges. He did not appear to address the committee, so the recommendation was followed; however, he showed up two days later for the meeting because the letter had the wrong date on it. His denial application is being brought back this month to give him the opportunity to appeal.
2. There is one new Mobile Vendor License application from Joanne Gallo, for cart food. (application attached). The Mint Café is renewing their Sidewalk Café license.
3. Class B Temporary Retailer (Picnic) application from Wausau Noon Optimists for the fair in August, as well as Temporary Operator's for the fair week.
4. A new special event, MCT: Symphonic Rock on the Block, Saturday, July 26, 2014, featuring three bands into the evening hours is included; and Family Day in the Garden in August by Wausau Urban Community Garden.
5. All other licenses on the list are recommended for approval.

### **STAFF RECOMMENDATION**

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Staff recommendation is to approve or deny as indicated on the summary report including those that may be introduced at the meeting. Please let me know if you have any question regarding any license applications listed.

Mary Goede, Deputy Clerk

Date of Report: June 10, 2014

(715) 261-6621

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 16, 2014, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hagenbucher, Kujawa, Rayala, Goede,

### **Consider request to amend premise description (Major Prank - BB Jacks LLC)**

Rayala explained this request was reviewed at the Liquor License Subcommittee as well as the Plan Commission for appropriate zoning. They are building an outdoor patio for dining on the north side of the building.

Motion by Neal, second by Wagner to approve the premise amendment for BB Jacks. Motion carried 5-0.

### **Consider various license applications.**

Rasmussen indicated Brandon Behrens was denied for an Operator's License last month, at which he was not present. It was later determined that the letter informing him of the meeting had a typographical error on the date, so he is being given another opportunity to address the committee.

Brandon Behrens stated he is trying to be a productive member of society; he has stayed out of trouble and he felt he deserves a chance to prove it to them. Rasmussen stated the chief's recommendation for denial was based on the totality of his record, of which some of the violations are extremely serious. Behrens responded over the last two years he has been trying to better himself and he was thankful that Chapter 2 was willing to give him the opportunity to do so with this job. Rasmussen pointed out he can still work there without a license provided another licensed person is supervising. She felt more time needed to pass with a clean record before she would feel comfortable approving a license for him to serve alcohol by himself.

Wagner questioned the status of the four felony charges listed. Behrens stated they are all still pending and he doesn't have court until August 2015. Cpt. Hagenbucher questioned why he did not disclose the violations on the application where it asks if there are any charges pending and he marked no. Behrens explained he wasn't trying to falsify or lie; he just skimmed though the application, not reading it carefully. Hagenbucher noted he was out on bond under an absolute sobriety order and felt serving alcohol in a bar might be difficult for him. Behrens stated it wasn't a problem for him because he did not drink and just goes to work and goes home.

Rasmussen stated Joanne Gallo was applying for a Mobile Vendor license for her food cart. Rayala stated Gallo is working out of a kitchen at the YWCA and just received her Marathon County Health Department license. She indicated she applied for a Seller's Permit number but has not yet received it. Wagner questioned if Brooklyn Taste, LLC registration was confirmed. Ms. Gallo stated the LLC was setup and she had an EIN. Rayala stated all requirements must be met before the license would be issued.

Rasmussen referred to a new special event MCT: Symphonic Rock on the Block, which has presented some objections from the Park Department, Chief Hardel and engineering staff. She explained the organizer was looking to affix their light and sound equipment to the support beams underneath the canopy of the stage on the 400 Block. Engineering determined the weight of the equipment is equivalent to a small automobile and without an engineering study for the structural integrity of the canopy they will not approve the attachment of the equipment.

Ron Aderholdt, organizer, stated that he and his son, who heads the band, take care of all of the production for MCT. He indicated he has been in contact with Ken Krueger who also informed him of the issues with the weight and the need for an engineering study. (The event is scheduled for July 26, 2014.) Rasmussen did not believe there was time for a study prior to the event and questioned whether there was a way to get the equipment to function without hanging it. Aderholdt indicated there was a way for them to support most everything from the ground. He noted that Ken Krueger told him other bands have attached light bars to the structure, although he did not give him the exact weight. Aderholdt proposed two hangings of 130 lbs. each rather than the 2500 lbs. total weight. Wagner commented he trusted Aderholdt's expertise with these concerts and felt that was sufficient.

Hagenbucher stated this concert is scheduled to play until 11:15 pm., and he indicated the chief was very concerned that it was too late and will generate noise complaints. He noted the last band played until 10 or 10:30 pm, and they received complaints about it. Rasmussen questioned if they could conclude by 10:30 to appease the downtown

residents. Aderholdt stated they would rather stick to the schedule if possible because of the amount of set up time they need and the show consists of lighting effects which requires darkness. Rasmussen questioned if laser lighting would cause safety problems for the motorists. Aderholdt stated he gets FFA approval which he can provide to the city and safety is his first priority. He indicated he would do a pre-aim of the light beams ahead of time. Rasmussen suggested he coordinate the setup of the light show with the Police Department, Parks Department and Engineering.

Gisselman questioned why this venue because he felt the 400 Block may be too small for this event. Aderholdt stated the 400 Block represents one of the nicest outdoor amphitheatres available. It represents the pinnacle of an outdoor event. Rasmussen reiterated it needs to end at 10:30 pm., and an announcement made from the stage that people can't leave the block with open intoxicants.

Motion by Neal, second by Kellbach to approve or deny license applications as recommended and with conditions as presented for MCT: Symphonic Rock on the Block event. Motion carried 5-0.

HEALTH AND SAFETY LIST  
ALL LICENSES  
JUNE 16, 2014REPORT ID: LRS530I  
RUN DATE: 7/01/14  
RUN TIME: 9:47:51

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOICATION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
WAUSAU NOON OPTIMIST PO BOX 1611 WAUSAU, WI 54402-1611	2014	5/21/2014	7/28/2014	8/03/2014		WAUSAU NOON OPTIMIST	TEMP CLASS B RETAILER	___	___	___	___
BAUMANN, JESSICA 1156 COUNTY ROAD 6 EDGAR, WI 54426	2014	6/09/2014		6/30/2015		WALGREEN'S STORE #07	OPERATOR NEW	___	___	___	___
BEEVER, JEFFREY A 2625 OAKWOOD BLVD WAUSAU, WI 54403	2014	6/03/2014		6/30/2015		WAUSAU NOON OPTIMIST	OPERATOR NEW	___	___	___	___
BEHRENS, BRANDON M 1007 GREENHILL DR WAUSAU, WI 54401	2014	5/06/2014		6/30/2015		CHAPTER 2	OPERATOR NEW	___	___	___	___
BENNETT, AMANDA A 2625 OAKWOOD BLVD WAUSAU, WI 54403	2014	6/03/2014		6/30/2015		KWIK TRIP #728	OPERATOR NEW	___	___	___	___
BENNETT, TIMOTHY B 117 EDWARDS ST WAUSAU, WI 54401	2014	5/30/2014		6/30/2015		VARIOUS	OPERATOR NEW	___	___	___	___
BOEHNING, JACOB S 8979 MILL CREEK DR MARSHFIELD, WI 54449	2014	5/13/2014		6/30/2015		PICK 'N SAVE #6405	OPERATOR NEW	___	___	___	___
BUNTIN, GINA 1108 BROWN ST WAUSAU, WI 54403	2014	5/28/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
DAVIS, JENNIFER 2215 N 6TH ST WAUSAU, WI 54403	2014	5/13/2014		6/30/2015		PICK 'N SAVE #6405	OPERATOR NEW	___	___	___	___
DEXTER, ALEXANDER 812 STEWART AVE WAUSAU, WI 54401	2014	6/09/2014		6/30/2015		COURTYARD BY MARRIOTT	OPERATOR NEW	___	___	___	___
FELIX, KYLIE E 3308 TERRACE CT APT 8 WAUSAU, WI 54401	2014	5/19/2014		6/30/2015		R-STORE #31	OPERATOR NEW	___	___	___	___
FENN, CYNTHIA E 2508 GOWEN STREET WAUSAU, WI 54403	2014	5/27/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
GEURINK, JENNI 1001 YAWKEY AVE ROTHSCHILD, WI 54474	2014	5/12/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
GIBSON, GENA M 1105 S 11TH AVE WAUSAU, WI 54401	2014	6/02/2014		6/30/2015		TRIG'S WAUSAU	OPERATOR NEW	___	___	___	___

HEALTH AND SAFETY LIST  
ALL LICENSES  
JUNE 16, 2014REPORT ID: LRS530I  
RUN DATE: 7/01/14  
RUN TIME: 9:47:51

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOCAATION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
HER, JIMMY Y 3000 GOLDENROD RD WAUSAU, WI 54401	2014	6/04/2014		6/30/2015		KOHLMAN'S INC	OPERATOR NEW	___	___	___	___
HUBBARD, KENT W 6601 PENINSULA LANE RINGLE, WI 54471	2014	6/09/2014		6/30/2015		HIAWATHA LOUNGE	OPERATOR NEW	___	___	___	___
JAEGER, SHARON L 300 N POPLAR ST WAUSAU, WI 54452	2014	5/13/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
JOHNSON, KIRSTEN L W4619 COUNTY ROAD Q MERRILL, WI 54452	2014	6/06/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
KING, SHANE J 412 CALLON STREET WAUSAU, WI 54401	2014	5/15/2014		6/30/2015		BUNKERS/TRIBUTE GOLF	OPERATOR NEW	___	___	___	___
KNOLL, MICHAELA 507 N. 4TH AVE EDGAR, WI 54426	2014	6/09/2014		6/30/2015		TRIG'S WAUSAU	OPERATOR NEW	___	___	___	___
KRENZ, ANDREW S 1305 MERRILL AVE APT 3 WAUSAU, WI 54401	2014	6/09/2014		6/30/2015		R STORE #6	OPERATOR NEW	___	___	___	___
LANE, KELLI M 3233 FOUR MILE ROAD MARATHON, WI 54448	2014	5/22/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
LASKA, LISA M 5301 ARBOR COURT APT 6 WAUSAU, WI 54401	2014	5/28/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
LEE, NKAUJ HNUB QUB 1300 N 9TH AVE APT 2G WAUSAU, WI 54401	2014	5/29/2014		6/30/2015		KRIST FOOD MART	OPERATOR NEW	___	___	___	___
MACDONALD, SARA 4201 N LAKESHORE DR WAUSAU, WI 54401	2014	5/27/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
NETERVAL, ERICA L 1905 N 60TH AVE WAUSAU, WI 54401	2013	6/03/2014		6/30/2014		BOB & RANDY'S	OPERATOR NEW	___	___	___	___
NEWTON, KALI 1077 CREEK RD MOSINEE, WI 54455	2014	5/27/2014		6/30/2015		GRAND THEATER / GREA	OPERATOR NEW	___	___	___	___
PARSONS, TREVOR M 1030 SPRING RD MOSINEE, WI 54455	2014	5/22/2014		6/30/2015		TOBACCO OUTLET PLUS	OPERATOR NEW	___	___	___	___

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PETERS, JUSTIN K 1130 S 50TH AVENUE APT #90 WAUSAU, WI 54401	2014	5/20/2014		6/30/2015		WAUSAU ELKS CLUB 248	OPERATOR NEW	___	___	___	___
PRELL, AMBER H 2401 PARTNERS LANE SCHOFIELD, WI 54476	2014	5/21/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
PRELL, JORDYN 2401 PARTNERS LN SCHOFIELD, WI 54476	2014	5/21/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
RASKIE, KATRINA A 5709 HIDDEN RIVER CIRCLE WESTON, WI 54476	2014	5/30/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
RAYALA, TARIN 904 PHLOX LANE WAUSAU, WI 54401	2014	5/21/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
RUSSELL, NICHOLAS P 2414 COTTER COURT MERRILL, WI 54452	2014	5/14/2014		6/30/2015		VARIOUS	OPERATOR NEW	___	___	___	___
SALA, MARY 2314 GOWEN ST WAUSAU, WI 54403	2014	5/30/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
SCHILLING, AMY S 120 ADRIAN ST WAUSAU, WI 54401	2014	5/23/2014		6/30/2015		TRIG'S WAUSAU	OPERATOR NEW	___	___	___	___
SIKORSKI, MAUREEN C 2341 FAWN RD LOT 50 MOSINEE, WI 54455	2014	6/05/2014		6/30/2015		R-STORE #31	OPERATOR NEW	___	___	___	___
SOUTHWORTH, ASHLEE H 8405 WHIPPOORWILL RD WAUSAU, WI 54401	2014	5/16/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
THAO, KIA 1300 N 9TH AVE APT 3A WAUSAU, WI 54401	2014	5/13/2014		6/30/2015		TRIG'S WAUSAU	OPERATOR NEW	___	___	___	___
TUNIZ-CROTEZ, MINDELE 2211 RADTKE AVE APT C WESTON, WI 54476	2014	5/21/2014		6/30/2015		TAQUERIA TRES HERMAN	OPERATOR NEW	___	___	___	___
WITTER, ALANNA L 816 STEWART AVE WAUSAU, WI 54401	2014	5/21/2014		6/30/2015		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___

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ALFSEN, JOHN 2309 CTY RD Y HATLEY, WI 54440	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
BARTIG, RICHARD G 7904 WALDEN BLVD WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
CAMPBELL, SCOTT K 1210 SYLVAN ST WAUSAU, WI 54403	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
CARLSON, DAVID N 2301 GROUSE LN WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
COATES, MATTHEW 2309 JEFFERY LN SCHOFIELD, WI 54476	2014	5/16/2014	7/03/2014	7/06/2014		4TH OF JULY CELEBRAT	OPERATOR TEMPORARY	___	___	___	___
COATES, STEVE G 2309 JEFFEREY LN SCHOFIELD, WI 54476	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
GEHIN, JOSEPH L 3400 SPRINGDALE AVE WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
HEGDELUND, ANNE M E17637 HWY Z RINGLE, WI 54471	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
HEINKEL, BRAD 5707 HIGH RIDGE CIR SCHOFIELD, WI 54476	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
LARSON, BRIAN 602 JEFFERSON ST WAUSAU, WI 54403	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
MOREHEAD, SHARON A 110 CLARK ST WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
NEWBY 2910 CTY RD J WAUSAU, WI 54403	2014	6/04/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
PROULX, JOHN G 2357 WHITETAIL DR MOSINEE, WI 54455	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
SCHUETTE, WADE 4002 PINETREE RD WAUSAU, WI 54403	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___

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SILLARS, DANIEL 2300 NUTHATCH LN WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
STASNEY, ANTHONY 108 EDWARDS ST WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
STASNEY, ROBERT A 1629 MARTEN ST WAUSAU, WI 54401	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
STRETSBERY, WAYNE L 609 RICHEY ST ROTHSCHILD, WI 54474	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
WICKERSHAM, JEFFERY 5905 MARY LANE WESTON, WI 54476	2014	6/04/2014	7/29/2014	8/03/2014		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
BARGENDER, RONALD L 2147 ANGELO DR MOSINEE, WI 54455	2014	6/04/2014		6/30/2016		WHISKEY RIVER BAR &	OPERATOR LAPSED	___	___	___	___
CONKLIN, HUGH D 102 1/2 N 2ND AVE WAUSAU, WI 54403	2014	5/13/2014		6/30/2016		PICK 'N SAVE #6405	OPERATOR LAPSED	___	___	___	___
COTA, LUCILLE M 316 BROADWAY AVE WAUSAU, WI 54403	2014	5/30/2014		6/30/2016		JIM'S CORNER PUB	OPERATOR LAPSED	___	___	___	___
DANIEK, ADAM M 215 GREENWOOD DR ROTHSCHILD, WI 54474	2014	6/02/2014		6/30/2016		APPLEBEE'S NEIGHBORH	OPERATOR LAPSED	___	___	___	___
DIEDRICH, JAMESON T 630 1/2 N 3RD STREET APT #5 WAUSAU, WI 54403	2014	5/20/2014		6/30/2016		DAY'S BOWL-A-DOME	OPERATOR LAPSED	___	___	___	___
FISHER, HOWARD W 4801 INDIGO DR WAUSAU, WI 54401	2014	5/27/2014		6/30/2016		WAUSAU CURLING CENTE	OPERATOR LAPSED	___	___	___	___
FISHER, TERESA L 4801 INDIGO DRIVE WAUSAU, WI 54401	2014	5/27/2014		6/30/2016		WAUSAU CURLING CENTE	OPERATOR LAPSED	___	___	___	___
FUST, TERRIA L 8310 BUTTERCUP RD WAUSAU, WI 54401	2014	5/19/2014		6/30/2016		TREU'S TIC TOC	OPERATOR LAPSED	___	___	___	___

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GOREE, SARAH K 1713 N 2ND ST WAUSAU, WI 54403	2014	5/13/2014		6/30/2016		PICK 'N SAVE #6405	OPERATOR LAPSED	___	___	___	___
HAACK, BRADLEY E 2720 W WAUSAU AVENUE WAUSAU, WI 54401	2014	5/19/2014		6/30/2016		WAUSAU ELKS CLUB 248	OPERATOR LAPSED	___	___	___	___
HANKS, MATTHEW L 727 SCOTT STREET WAUSAU, WI 54403	2014	5/28/2014		6/30/2016		BUFFALO WILD WINGS	OPERATOR LAPSED	___	___	___	___
HER, FUE 315 WEST STREET WAUSAU, WI 54401	2014	6/04/2014		6/30/2016		KOHLMAN'S INC	OPERATOR LAPSED	___	___	___	___
JUSTMAN, MEGAN E 3000 WILDWOOD LN WAUSAU, WI 54401	2014	5/30/2014		6/30/2016		APPLEBEE'S NEIGHBORH	OPERATOR LAPSED	___	___	___	___
LUDWIG, JAMES P 723 BERTHA ST WAUSAU, WI 54403	2014	6/06/2014		6/30/2016		BUNKERS/TRIBUTE GOLF	OPERATOR LAPSED	___	___	___	___
MAGLE, WESLEY C 3407 MISSION LN PLOVER, WI 54467	2014	5/23/2014		6/30/2016		BUFFALO WILD WINGS	OPERATOR LAPSED	___	___	___	___
MULLALEY, JESSICA B 4603 STERNBERG AVE SCHOFIELD, WI 54476	2014	5/13/2014		6/30/2016		GREENWOOD HILLS	OPERATOR LAPSED	___	___	___	___
NOVAK, KEVIN L 4040 CAMP PHILLIPS RD SCHOFIELD, WI 54476-1110	2014	5/23/2014		6/30/2016		THE DOMINO BAR	OPERATOR LAPSED	___	___	___	___
NOWITZKE, KRISTI J 628 N 5TH AVE WAUSAU, WI 54401	2014	5/28/2014		6/30/2016		INTERMISSION	OPERATOR LAPSED	___	___	___	___
OSTREM, WILLIAM T 2041 PAINTBRUSH DR MOSINEE, WI 54455	2014	6/02/2014		6/30/2016		WAUSAU EVENTS	OPERATOR LAPSED	___	___	___	___
PAGEL, NICOLE A 517 E UNION AVE WAUSAU, WI 54403	2014	5/27/2014		6/30/2016		DAY'S BOWL-A-DOME	OPERATOR LAPSED	___	___	___	___
RUENGER, NICHOLE L 5501 SHERMAN ST #214 WAUSAU, WI 54401	2014	5/21/2014		6/30/2016		TREMOR'S BAR	OPERATOR LAPSED	___	___	___	___
SCHULTZ, WILLIAM P 2857 SPRING BROOK RD MOSINEE, WI 54455	2014	6/02/2014		6/30/2016		CABARET	OPERATOR LAPSED	___	___	___	___

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SINGKOFER, SARAH M N743 NAZDA RD HATLEY, WI 54440	2014	5/19/2014		6/30/2016		APPLEBEE'S NEIGHBORH	OPERATOR LAPSED	___	___	___	___
SPEAR, ANDREW J 3911 PINE CONE LANE WAUSAU, WI 54403	2014	5/20/2014		6/30/2016		BUNKERS/TRIBUTE GOLF	OPERATOR LAPSED	___	___	___	___
TORNOW, KELSEY L 1309 ROSE MARIE ST WAUSAU, WI 54401	2014	6/02/2014		6/30/2016		GRAND THEATER / GREA	OPERATOR LAPSED	___	___	___	___
UMNUS, ELIZABETH 1515 PEARSON ST WAUSAU, WI 54401	2014	5/21/2014		6/30/2016		NOODLES & COMPANY	OPERATOR LAPSED	___	___	___	___
URMANSKI, CASSADANA 515 S 3RD AVE WAUSAU, WI 54401	2014	5/30/2014		6/30/2016		POLACK INN	OPERATOR LAPSED	___	___	___	___
WERGIN, STACY J 2155 CRECIENTE DR KRONENWETTER , WI 54455	2014	5/23/2014		6/30/2016		CHATTERBOX	OPERATOR LAPSED	___	___	___	___
WESTABY, MEREDITH E 809 S 10TH AVENUE WAUSAU, WI 54401	2014	5/20/2014		6/30/2016		RED EYE BREWING COMP	OPERATOR LAPSED	___	___	___	___
WHITTLEF, BARBARA J 803 S 20TH ST WAUSAU, WI 54403	2014	5/21/2014		6/30/2016		TRIG'S WAUSAU	OPERATOR LAPSED	___	___	___	___
WILLIAMSON, TAUNI L 2089 CHURCH RD MOSINEE, WI 54455	2014	5/20/2014		6/30/2016		RED EYE BREWING COMP	OPERATOR LAPSED	___	___	___	___
WIMMER, SHARON M 509 PARK AVE PO BOX 39 BROKAW, WI 54417	2014	5/22/2014		6/30/2016		TOBACCO OUTLET PLUS	OPERATOR LAPSED	___	___	___	___
WOLLER, RODNEY A 1018 N 4TH AVE WAUSAU, WI 54401	2014	5/21/2014		6/30/2016		NORTH END PUB	OPERATOR LAPSED	___	___	___	___
YANG, MEE A 110 N 2ND AVE WAUSAU, WI 54401	2014	6/05/2014		6/30/2016		KOHLMAN'S INC	OPERATOR LAPSED	___	___	___	___
KWIK TRIP INC 1626 OAK ST LA CROSSE, WI 54603	2013	6/02/2014				KWIK TRIP #735	CHANGE OF AGENT / OFFICER	___	___	___	___



**CONFIRMATION OF MAYOR'S APPOINTMENTS**

to Boards, Commissions and Committees: *Airport Committee; Business Improvement District (BID) Board*

**File Number:** 14-0703

**Date Introduced:**

July 8, 2014

**Airport Committee**

Frederick Prehn (N) 1105 Highland Dr Unexpired term to 4/30/15 715-848-8406  
\*Replacing Todd Pauls

**Business Improvement District (BID) Board**

Judy Brayton (1) 402 S. 2nd Ave 2 Yr Term Exp 4/30/16 715-301-1133

Jim Schaefer (1) 6205 Stettin Dr 2 Yr Term Exp 4/30/16 715-848-7166

- (N) Individual is filling the unexpired term of a former member
- (1) Individual is in their own 1st full term
- (2) Individual is in their own 2nd full term

Approved:

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James E. Tipple, Mayor

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

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

Approving two lane/four lane cross section for the Thomas Street Project with four lanes from the river to 3<sup>rd</sup> Avenue and two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue including turn lanes

Committee Action: Approved 3-2

Fiscal Impact: Street construction is estimated between \$3.5 and \$5 million with property acquisition estimated between \$7 and \$10 million.

**File Number:** 02-1005

**Date Introduced:** July 8, 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**, on April 22, 2014, the Common Council of the City of Wausau adopted the *Thomas Street Corridor Master Plan* to use as a guide in the continued planning process; and

**WHEREAS**, the *Thomas Street Corridor Master Plan* recommends four lanes from the river to 3<sup>rd</sup> Avenue and two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to discuss the cross section of Thomas Street and recommends approval of the two lane/four lane concept with four lanes from the river to 3<sup>rd</sup> Avenue and two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue including turns lanes; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau approves the two lane/four lane cross section for the Thomas Street Project with four lanes from the river to 3<sup>rd</sup> Avenue and two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue including turn lanes.

Approved:

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James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action on Thomas Street regarding the following:**

- a. Approve 2 lane/4 lane or 4 lane/4 lane cross section**
  - b. Approve purchasing right-of-way only for cross section selected or purchasing additional property based off of original five lane cross section**
  - c. Determine which half to construct first.**
- 

Rasmussen explained that this item is broken into three decisions. Gisselman questioned the role of the Coordinating Committee as he thought they were going to oversee the plan. Rasmussen stated the plan was to have the Coordinating Committee meet before CISM but the goal was to forward these three items to CISM as this is the committee that has jurisdiction over road design. Gisselman stated Kilian mentioned economic development. He questioned if development of the TIF would be affected if developers are reluctant because of the soil. This project depends upon economic development and that may be challenged because of the quality of the soil. Rasmussen stated the original design included an expensive environmental survey; however, once federal funding was eliminated that study was no longer required. Marquardt explained a Phase I environment assessment was completed. The Phase I recommended areas where Phase 2 and 2.5 reports needed to be done. The environmental study Rasmussen mentioned incorporated more than contamination. It takes into account other factors such as race and economics. Contamination can be an issue, but it can be cleaned up for development. Currently there are 17 acres on riverfront property that are being cleaned up. According to the DNR, in most cases the best thing to do with contamination is to cap it, which is what would be done with a road. The portion that was talked about earlier regarding contamination is from Waleco to the River. That leaves 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue to look at for economic impact. Rasmussen stated the original design did not show a change for land use on the Waleco site. The core redevelopment effort, economically speaking, is from 3<sup>rd</sup> Avenue west. There is not a plan for building development at the Waleco site. Gisselman stated there was some development in the GRAEF plan between the river and Cleveland Avenue. Abitz believes they were looking at apartment complexes in that area and would be changing the road to the park. Marquardt stated the plan just showed general commercial development in the area between Emter and Cleveland Avenue. GRAEF has recommended two lanes on the west half and four lanes on the east half due to the traffic counts. The 94' right-of-way is narrower than the 110' that was previously approved by Council.

Abitz explained there are several developments taking place on Thomas Street. Thunderlube's new location will be opening the week of June 23<sup>rd</sup> and the current building will be torn down with plans for a new service station on that site. There is going to be a new development on the corner of 10<sup>th</sup> Street and Thomas Street. There are other plans for future developments within the next year to two years. The businesses feel a four lane road is necessary, they do not want on-street parking, and are hesitant of bicycle lanes. Homeowners would also like a four lane road. The intersection of 17<sup>th</sup> Avenue and Thomas Street was developed to go with a four lane road. If the four lane design cannot be approved, Abitz would like to be able to purchase buildings for future needs of a four lane road. Rasmussen stated this subject has been a sore one between the Economic Development Committee, the Finance Committee and this committee. GRAEF's proposal represents a hybrid design and a compromise. The four lanes on the eastern half does resolve the concerns that CISM had

regarding the bridge. When the bridge life span expires there would be a potential to have the bridge reconstructed as four lanes. At least half the Council favors the narrower lane configuration on the west half. She believes we need the area to be expandable if it becomes necessary. The two lane/four lane design is where all meet in the middle. If we go forward with a hard line stance on four lanes, she fears a cut off of all funding. Mielke questioned the number of years of life for the bridge. Marquardt replied the life span was estimated at 20 to 25 around 2004. Mielke understands the logic for building 3<sup>rd</sup> Avenue to Grand Avenue as four lanes; however, it will still create a bottleneck on the bridge. Rasmussen stated the life span of a bridge is longer than road pavement. We have to consider the bridge's future. The bridge and the east half of the project carries a lot of traffic. There are lower traffic counts between 3<sup>rd</sup> Avenue and 17<sup>th</sup> Avenue. Abitz indicated that traffic is always backed up. It is very difficult for garbage trucks, emergency vehicles and busses. With the addition of bicycle lanes there is still not the width for emergency vehicles to go around. She believes keeping two lanes is a health and safety issue. However, in order to move forward she would agree with the two lane/four lane option, but would like to purchase property with the four lane design in mind. Rasmussen questioned if part of the current traffic issue is attributable to the absence of turn lanes. If we approve the two lane configuration on the western half and add turn lanes it has to flow better than what is there today. It currently is a 60' right-of-way so there will be twelve extra feet of travel lane space. The concept from GRAEF is a 72' right-of-way but it does not mean we cannot recommend wider. Abitz stated it is hard for her to understand the width of the bicycle lanes on Grand Avenue and questioned what would be the recommended width on Thomas Street. Lenz indicated it is hard to compare to Grand Avenue as bicycles will be sharing the lane with vehicles. Thomas Street would have a designated bicycle lane. Generally 4' wide would be the minimum for a bicycle lane. The 72' width would include the travel lane, median, bicycle lane, sidewalk, and boulevard. Rasmussen stated if the land purchase is on a larger scale, it would open the door for wider design elements. Abitz questioned when the skin patching would take place. Marquardt replied DPW hoped to start next week but that may be delayed until after the 4<sup>th</sup> of July. Abitz believes when the skin patch is completed it will change the traffic pattern and people will begin to use Thomas Street again. The existing traffic counts are not true as people have been avoiding the road due to the current condition.

Abitz moved to approve the two lane/four lane concept with four lanes on the eastern portion and two lanes between 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue with turn lanes. Kellbach seconded.

Due to the pause before the motion was seconded, Abitz questioned the committee members thought on the design. She stated this has been delayed since 2002 and the committee seems hesitant to even approve the two lane/four lane concept. Rasmussen indicated if the committee does not compromise this will not move forward. Abitz would like four lanes because that is what the area wants but she is compromising. The Economic Development Committee has overstepped their bounds and spent money that did not need to be spent. We could have already been purchasing homes. She feels if there is any further delay there will be no further growth potential. Gisselman stated he has concerns over some of the revelations brought forward tonight. He believes contamination would affect economic development and economic development would help trigger the TIF funding for the area. Abitz stated there are two new businesses that will be built and possibly another one. There is growth potential long before the street will be completed. She does not know where the problem is regarding the TIF if there are businesses staying and growing. The contamination will be covered by pavement. The City did not have plans for the riverfront but was still able to apply for the grants. Gisselman believes the first step should be soil sampling to determine what is there. People are living there and working the soil so the City has to be concerned. Mielke stated he is hesitant because of the possible soil contamination and the residents he has talked to between 3<sup>rd</sup> Avenue and Grand Avenue do not want four lanes. It bothers him that it seems the City never listens to the residents, especially those whose lives are impacted. Rasmussen stated the other consideration is that the street is used by a far larger population than the neighborhood. The same people that said earlier they wanted four lanes are now saying they just want a road. The residents need closure and closure is more important than the number of lanes, as long as what we build flows. Abitz stated if a two lane is built and later on a four lane is needed, it will cost more time designing and money. This is the chance to do it right the first time. She has never been in a City where you have a four lane though fare that goes down to a two lane and then back to a four lane. If you want traffic to the downtown, than take Thomas Street out as a truck route. Rasmussen said we should not be going backwards

at this late stage. She can respect that Abitz is willing to compromise. A two lane eastern half will not serve anything. It would get us a two lane bridge ten years from now and continued flow problems. The west half is the hard part with the amount of acquisition. Marquardt reminded the committee that we do not design for now, we design for the future. Traffic counts are projected to be up to 20,000 in the future.

There being a motion and a second, motion to approve the two lane/four lane concept with four lanes on the eastern portion and two lanes between 3<sup>rd</sup> Avenue and 17<sup>th</sup> Avenue with turn lanes passed 3-2.

Rasmussen stated GRAEF laid out the option to allow for the purchase of property to widen the corridor. With a wider right-of-way, we have the option to expand if necessary, it also gives flexible with amenities, and will make good on promises. Abitz stated she would like to have a wider right-of-way because of the commitments previously made to the residents. There is an elderly lady Abitz would like bought out this year if possible. Rasmussen does not want to have to go back years later and acquire an extra portion of property as we had that situation on Bridge Street.

Mielke moved to approve the purchase of additional property for the purpose of either future expansion of the roadway or economic development. Kellbach seconded.

Gisselman asked if all properties on the north side of Thomas Street would be acquired. Abitz replied not all. Gisselman stated there are still a lot of properties on the north side of the street that the City will have to acquire so we do not end up on people's porches. Rasmussen stated a wider right-of-way allows more room and people may change their mind and want to stay. Gisselman feels the Thomas Street neighborhood will be decimated. Abitz noted that all businesses are staying. Gisselman questioned the residential areas. Abitz stated some have been looking for homes already, some want to remain in the neighborhood, and some had planned on retiring and leaving the area. There are only four businesses she has been concerned with, two have been resolved and one would like to move to 3<sup>rd</sup> Avenue. Five businesses approached her at the Business Expo and they want to be in the area within the next five years. Rasmussen noted that Gisselman's concern is not with a reduction of tax base but what will be razed. The GRAEF proposal indicated that acquisition does not always mean demolition. Lenz questioned if we are talking about property acquisition for right-of-way or economic development. The original design is a wide right-of-way. If the City already owns the right-of-way, we can make a future choice to include it as a redevelopment effort.

There being a motion and a second, motion to approve the purchase of additional property for the purpose of either future expansion of the roadway or economic development passed 4-1.

Rasmussen stated 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue is the larger portion and more difficult with acquisition and demolition. Marquardt stated the DOT is looking at reconstructing 1<sup>st</sup> Avenue from Stewart Avenue to Thomas Street in 2018. The Thomas Street timeline proposes one half in 2017 and the other half in 2018. It may make sense to defer this item to allow staff to talk with AECOM regarding traffic detours and timing. The committee agreed to defer this item to July.

**AGENDA ITEM**

Discussion and possible action on Thomas Street regarding the following:

- a. Approve 2 lane/4 lane or 4 lane/4 lane cross section
- b. Approve purchasing right-of-way only for cross section selected or purchasing additional property based off of original five lane cross section
- c. Determine which half to construct first

**BACKGROUND**

In order to move the Thomas Street project forward, a decision needs to be made first on the number of lanes to include in the design. Previous Council action has Thomas Street a four lane street from the river to 17<sup>th</sup> Avenue with turn lanes. This decision was based on many aspects including projected traffic counts. A recent study from GRAEF, which took into account revised projected traffic counts, recommends having four lanes from the river to 3<sup>rd</sup> Avenue and two lanes from 3<sup>rd</sup> Avenue to 17<sup>th</sup> Avenue.

Based off the decision of how many lanes should be constructed, a decision needs to be made on the extent of property to be acquired. GRAEF's report makes mention to the possibility of purchasing property according to the original Council action. The other possibility is to only purchase the needed property to build a narrower street (two lanes instead of four). It should be noted that some properties will need to be acquired no matter which option. Staff will not know the full extent of this until plans are redesigned.

The last item to be decided is which half to construct first. This will give residents a sense of direction and a timetable.

Attached is an estimated timetable staff and CISM can use going forward.

**FISCAL IMPACT**

Final costs depend on the lane configuration and the property being acquired. Street construction is estimated between \$3.5 and \$5 million with property acquisition in the \$7 to \$10 million range.

**STAFF RECOMMENDATION**

Staff has no recommendation on these items.

Staff contact: Brad Marquardt 715-261-6745

#### June 12 CISM

1. Approve 2 lane/4 lane or 4 lane/4 lane cross section
2. Approve purchasing right of way only for cross section selected or purchasing additional property based off of original five lane cross section.
3. Determine which half to construct first

#### July 8 Council

- Approve CISM recommendations

#### July/August CISM

- Discuss design details such as lane width, median width, boulevard width, etc.
- AECOM starts redesign
- Recommend funding in 2015 for approximately 1/3 of properties to be acquired in 2015

#### July/August Council

- Approve CISM recommendations

#### September CISM

- Approval to release RFP for consultant to lead property acquisition

#### November

- AECOM starts right-of-way plat

#### December

- AECOM finishes right-of-way plat

#### January CISM

- Approve right-of-way plat

#### January – December 2015

- Finalize plans
- Begin property acquisition concentrated on the selected half to construct first
- Begin building demolition
- Budget for additional 1/3 of properties to be acquired in 2016

#### January – December 2016

- Prepare plans and specifications for bidding towards end of year
- Finish property acquisition on selected half to construct first and begin property acquisition on second half
- Budget for remaining 1/3 of properties to be acquired in 2017
- Finish building demolition on first half
- Overhead utilities and gas relocation on first half

#### January – December 2017

- Finish overhead utility and gas relocation on first half and start on second half
- Finish property acquisition on second half
- Finish building demolition
- Construction on first half

#### January – December 2018

- Finish overhead utility and gas relocation on second half
- Construction on second half

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

Approving the purchase of additional property for the purpose of either future expansion of Thomas Street or economic development.

Committee Action: Approved 4-1

Fiscal Impact: Total property acquisition is estimated between \$7 and \$10 million.

**File Number:** 02-1005

**Date Introduced:** July 8, 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**, on April 22, 2014, the Common Council of the City of Wausau adopted the *Thomas Street Corridor Master Plan* to use as a guide in the continued planning process; and

**WHEREAS**, a wider right-of-way would allow for the option to expand the roadway should the need arise in the future; allows flexibility with amenities such as median, sidewalk, and boulevard widths; and would provide the opportunity to make good on commitments previously made to residents; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to discuss the purchase of property for the Thomas Street Project and recommends approving the purchase of additional property for the purpose of either future expansion of Thomas Street or economic development; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau hereby approves the purchase of additional property for the purpose of either future expansion of Thomas Street or economic development.

Approved:

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

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

Approving design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street

Committee Action: Approved 5-0

Fiscal Impact:

**File Number:** 14-0705

**Date Introduced:** July 8, 2014

**WHEREAS**, 1<sup>st</sup> Street is proposed to be extended from the daylighting of the stream north to Bridge Street; and

**WHEREAS**, 1<sup>st</sup> Street shall consist of ten foot asphalt lanes rather than twelve foot lanes in order to assist in keeping the speed of traffic down and to discourage traffic from using 1<sup>st</sup> Street as a way to avoid the traffic signals at Bridge Street; and

**WHEREAS**, curb and gutter shall be installed in this section of 1<sup>st</sup> Street to assist in delineating the street; and

**WHEREAS**, due to the ten foot wide travel lanes, perpendicular parking stalls that are ten feet wide rather than nine feet wide shall be incorporated in order to provide more room for vehicle maneuverability; and

**WHEREAS**, a six foot wide sidewalk shall be installed adjacent to the perpendicular parking stalls for use by occupants of the vehicles; and

**WHEREAS**, the sidewalk along the west side shall be extended from the perpendicular parking to the south to tie in with the sidewalk on the bridge over the day lighted stream; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to review the design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street and recommends the above design aspects be incorporated; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau hereby approves the design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street.

Approved:

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

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action on the design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street**

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Marquardt stated this project is on a fast track to get designed and bid out at the end of July. The design would include 10' driving lanes to try to keep the section at a slower speed and avoid cut through traffic. Parking stalls on the street would be 10' to give maneuverability for backing out and pulling in. A 6' wide sidewalk is proposed adjacent to the parking stalls and would extend south to tie in with sidewalk on 1<sup>st</sup> Street. The east side of the street could possibly have additional landscaping to create a buffer from the railroad. Abitz questioned the naming for this portion of 1<sup>st</sup> Street. Gisselman stated it should be renamed to avoid confusion with Dispatch. Marquardt added the Water Plant has an address of North River Drive and staff will look into this issue.

Abitz moved to accept the design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street as presented. Gisselman seconded and the motion carried unanimously 5-0.

**AGENDA ITEM**

Discussion and possible action on the design of 1<sup>st</sup> Street from the day lighted stream north to Bridge Street

**BACKGROUND**

Staff was given the go ahead to construct the extension of 1<sup>st</sup> Street from the daylighting of the stream to the Water Plant property. Due to the timing, contamination, and the incorporating of storm water into the overall plan, Stantec is designing the street. Staff has given them direction and we are looking for approval or changes to the following items:

- 10 foot asphalt lanes instead of 12 foot. This is to try and keep speed down and not having 1<sup>st</sup> Street used as a “short cut” to avoid Bridge Street traffic signals.
- Curb and gutter to help delineate the street.
- Perpendicular parking stalls that are 10 feet wide instead of 9 feet to provide a little more room for maneuverability due to the 10 foot lanes.
- Including a 6 foot wide sidewalk adjacent to the parking spots for the use of the occupants of the vehicle.
- Extending sidewalk on the west side from the perpendicular parking to the south to tie in with the sidewalk on the bridge.

**FISCAL IMPACT**

Money has already been budgeted. This item is for design considerations.

**STAFF RECOMMENDATION**

Staff made these recommendations to Stantec. If the committee wishes to change or alter any of these recommendations, staff will give input.

Staff contact: Brad Marquardt 715-261-6745







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

Approving the installation of decorative street lighting on McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and on Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street

Committee Action: Approved 5-0

Fiscal Impact: The estimated cost to install decorative street lighting on McClellan Street is \$210,000 and on Grant Street is \$55,000.

**File Number:** 14-0706

**Date Introduced:** July 8, 2014

**WHEREAS**, McClellan Street between North 1<sup>st</sup> Street and North 7<sup>th</sup> Street and Grant Street between North 1<sup>st</sup> Street and North 3<sup>rd</sup> Street are proposed to be reconstructed in 2015; and

**WHEREAS**, street reconstruction provides an opportune time to install the necessary facilities for street lighting; and

**WHEREAS**, the installation of decorative street lighting on McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and on Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street would tie in with the existing street lighting in the downtown area; and

**WHEREAS**, the Capital Improvements and Street Maintenance Committee met on June 12, 2014 to review the installation of street lighting on streets proposed for construction in 2015 and recommends approval of the installation of decorative street lighting on McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and on Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau authorizes the installation of decorative street lighting on McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and on Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street.

Approved:

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James Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 12, 2014, 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, 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.

### **Discussion and possible action regarding street lighting on streets proposed for construction in 2015**

Rasmussen stated the committee recently approved the installation of additional street lighting on Scott Street. Street lighting is something that should be considered when streets are reconstructed. This committee is reliant on neighborhood groups and staff to determine how roads are lit, where we are at in terms of safety and tree canopy. Wesolowski provided a list of streets proposed for reconstruction in 2015. He added that the costs for 2<sup>nd</sup> Avenue and Clark Street include street lighting. He recommends including decorative lighting on McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and on Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street. This would tie into existing lighting in the area. Wesolowski indicated the proposed budget does not have a dollar amount for lighting; therefore, the budget would increase. Rasmussen questioned if overhead lights at the corners would be removed after the decorative lighting is installed. Wesolowski replied typically the overhead lights are removed. Rasmussen stated the operating costs would go down because of energy savings from LED lighting. Gisselman questioned if the lighting would end at 6<sup>th</sup> Street on McClellan or continue to 7<sup>th</sup> Street. Wesolowski stated it would make sense to go to 7<sup>th</sup> Street but left it to the committee. Rasmussen stated we could plan to budget from 1<sup>st</sup> Street to 7<sup>th</sup> Street and if it is not needed it could be pulled from the budget. She added there are safety issues along 7<sup>th</sup> Street.

Abitz asked if curb and gutter would be installed on Flieth and Park and if they would get a reduced assessment rate. Wesolowski confirmed curb and gutter would be installed. He stated the feedback he received from Community Development is that there are very few residences on Flieth Street and the area would not fit the criteria for funding. Abitz stated most residents are either retired or low income and they will not be happy with curb and gutter and will not be happy with the full assessed rate.

Mielke moved to approve the installation of street lighting during the reconstruction of McClellan Street from 1<sup>st</sup> Street to 7<sup>th</sup> Street and Grant Street from 1<sup>st</sup> Street to 3<sup>rd</sup> Street. Kellbach seconded and the motion carried 4-1.

<b>AGENDA ITEM</b>
Discussion and possible action regarding street lighting on streets proposed for construction in 2015
<b>BACKGROUND</b>
<p>Street lighting is not typically budgeted for on reconstruction unless the roadway is specifically designated for street lights. The 2015 budgets are currently being considered for all Street Reconstruction projects. The following streets are proposed for reconstruction in 2015:</p> <p>North 7<sup>th</sup> Street, Spring Street to Crocker Street            Crocker Street, North 7<sup>th</sup> Street to North 13<sup>th</sup> Street            McClellan Street, North 1<sup>st</sup> Street to North 7<sup>th</sup> Street            Grant Street, North 1<sup>st</sup> Street to North 3<sup>rd</sup> Street            Grant Street, Bellis Street to North 10<sup>th</sup> Street            North 11<sup>th</sup> Street, McClellan Street to Franklin Street            Ashland Avenue, Evergreen Road to Meadowview Road            Meadowview Road, Ashland Avenue to the cul-de-sac            Flieth Street, Park Boulevard to South 11<sup>th</sup> Avenue            South 22<sup>nd</sup> Avenue, Nehring Street to the cul-de-sac            2<sup>nd</sup> Avenue, Stewart Avenue to Elm Street            Clark Street, 2<sup>nd</sup> Avenue to the cul-de-sac</p> <p>2<sup>nd</sup> Avenue and Clark Street do have funds allocated for decorative low level lighting.</p>
<b>FISCAL IMPACT</b>
The estimated cost to install decorative street lights on McClellan Street is \$210,000. The estimated cost to install decorative street lights on Grant street is \$55,000.
<b>STAFF RECOMMENDATION</b>
Staff would recommend considering decorative low level lights on McClellan Street from 1 <sup>st</sup> Street to 6 <sup>th</sup> Street and on Grant Street from 1 <sup>st</sup> Street to 3 <sup>rd</sup> Street.
Staff contact: Allen Wesolowski 715-261-6762

**RESOLUTION OF FINANCE COMMITTEE**

Approving amendment to Parking Space Lease Agreement between City of Wausau and Murdock Wausau Limited Properties

Committee Action: Approved 5-0

Fiscal Impact: Reduction in parking revenue will be \$33,600 annually

**File Number:** 08-0710

**Date Introduced:** July 8, 2014

**RESOLUTION**

**WHEREAS**, a Parking Space Lease Agreement was entered into on August 1, 2008 with Murdock Wausau Limited Properties and has now expired; and

**WHEREAS**, the Murdock Wausau Limited Properties would like to reinstate the lease agreement with the following terms:

1. 350 stalls – up to 300 stalls within the McClellan Ramp and adjacent lot and up to 50 stalls in the Jefferson Ramp
2. Parking permit monthly rate of \$27 for one year
3. Agreement term August 1, 2014 to July 31, 2019
4. The rate will be reviewed after one year
5. If the McClellan Ramp is torn down the City agrees to relocate the parking permits to a location within 100 yards of the facility

**WHEREAS**, your Finance Committee, at their June 25, 2014 meeting, reviewed the terms and recommends approval of the amendment.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City officials are hereby authorized and directed to execute an amendment to the Parking Space Lease Agreement between the City of Wausau and Murdock Wausau Limited Properties, a copy of which amendment is attached hereto and incorporated herein by reference.

Approved:

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James E. Tipple, Mayor

**FINANCE COMMITTEE**

Date and Time: Tuesday, June 25, 2014 @ 5:30 pm., Board Room

Members Present: Nagle, Oberbeck, Winters, Kellbach, Nutting

Others Present: Tipple, Giese, Mielke, Wagner, Werth, Lenz, Rayala, Representatives from Apogee, media, Marie Schmidt, Deb Ryan

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**Discussion and possible action on amendment to Parking Space Lease Agreement between City of Wausau Murdock Wausau Limited Properties (Brad Marquardt)**

Motion by Oberbeck, second by Nutting to amend the price so that it is locked in for one year as listed in the agreement, but at the end of the parking study (at least one year out), the price will be reviewed. However, the guarantee of the five years of parking stays intact in the agreement. Amendment approved 4-1 (*Winters was the dissenting vote.*)

Motion by Kellbach, second by Nutting to approve the amendment to the Parking Space Lease Agreement as amended. Passed 5-0.

Possible Future Agenda Items



Office of the City Attorney

Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

COMMENTS CONCERNING  
PARKING SPACE LEASE AGREEMENT  
BETWEEN THE CITY OF WAUSAU AND  
MURDOCK WAUSAU LIMITED PROPERTIES

Murdock Wausau Limited Properties has requested an automatic renewal term of five (5) years on like terms with the exception on the rate. As this was not approved according to the Finance Committee minutes, a motion would need to be made to amend the term, to allow for one automatic renewal of a five (5) year term, if so desired.

PARKING SPACE LEASE AGREEMENT  
BETWEEN THE CITY OF WAUSAU AND  
MURDOCK WAUSAU LIMITED PROPERTIES

AMENDMENT

THIS Amendment is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the CITY OF WAUSAU, a municipal corporation and MURDOCK WAUSAU LIMITED PROPERTIES.

The parties hereby agree to amend the Agreement entered into on August 1, 2008 as follows:

1. **LEASE.** Subject to the terms and conditions of this Agreement, CITY leases to LESSEE parking spaces to use in common with other Lessees and the public, up to fifty (50) unreserved permit parking spaces in a portion of the Jefferson Street Parking Ramp and up to three hundred (300) unreserved permit parking spaces in a portion of the McClellan Parking Ramp ("PARKING FACILITY") and adjacent Scott Street lot at \$27.00 each. LESSEE may use and occupy these unreserved permit parking spaces in the Parking Facility on the indicated dates at the indicated times for the parking rates stated below for the following express purposes and no other purpose: parking is for normal passenger vehicles only including pick-up trucks and passenger size vans provided they meet any height restriction of the PARKING FACILITY. The CITY shall in no manner be obligated to provide any particular parking space. This lease is transferable and may be assigned with prior written consent of the Lessor not to be unreasonably withheld. A map locating the eligible unreserved permit parking spaces is identified on the PARKING FACILITY map attached and referred to as Exhibit A.

When the McClellan Street Parking Ramp is no longer serviceable for parking, the City will consider construction of a new ramp to serve the needs of the Lessee's tenants in the present location of the McClellan Street Parking Ramp or within 100 yards of the Lessee's office building located at 500 N. 3<sup>rd</sup> Street.

2. **TERMS/DAYS/HOURS.** This lease shall be for the period beginning the 1<sup>st</sup> day of August, 2014, through the 31<sup>st</sup> day of July, 2019. The rate of \$27.00 per stall applies to the first year of the five (5) year term. The rate will be reviewed after the first year. LESSEE is authorized to park in the PARKING FACILITY:

- Monday through Friday between the hours of 6:00AM through 6:00PM; or
- Seven (7) days per week a week, twenty four hours per day; or
- \_\_\_\_\_ days per week \_\_\_\_\_, between the hours of \_\_\_\_\_ through \_\_\_\_\_.

5. **DURATION.** This lease shall terminate at the earlier of, five years from the lease effective date, the date the PARKING FACILITY ceases to be available to the CITY or at the end of the lease term.

The amendment hereby excludes the following paragraph from Section 5. Duration:

This lease shall be renewable on like terms for one additional five year term upon at least 120 day notice to Lessor, prior to the end of the first lease term.

IN WITNESS WHEREOF, the CITY and MURDOCK WAUSAU LIMITED PROPERTIES have caused this Amendment to be duly executed as of the date first set forth above.

WITNESS

CITY OF WAUSAU BY:

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James E. Tipple, Mayor

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Toni Rayala, Clerk

MURDOCK WAUSAU LIMITED  
PROPERTIES BY:

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